Date: February 19, 2018
To: Patrick H. West, City Manager
From: Tom Modica, Interim Director of Development Services
For: Mayor and Members of the City Council
Subject: Status Update on the Conditional Use Permit (CUP) Study

On December 20, 2016, the City Council requested the City Manager to work with the City Attorney, the Economic Development Commission, and the Planning Commission to review and make recommendations regarding the City’s Conditional Use Permit (CUP) and public notification processes.

Since March 2017, the City’s consultant, Dyett & Bhatia (Consultant), has engaged in targeted outreach with over 40 stakeholders, including business owners, representatives of the Council of Business Associations, previous and current CUP applicants, and members of the Planning Commission and Economic Development Commission. The Consultant has also produced an assessment of the City’s existing CUP regulations, with comparison to other cities. The Consultant conducted a Planning Commission study session in September 2017 to present preliminary findings and recommendations (attached).

The CUP Study was originally scheduled for completion by January 2018. However, due to heavy workload and limited staff resources during a robust development environment, this project has incurred delays. Staff is currently working on follow-up supplemental outreach and anticipates a public hearing to consider a Zoning Code Amendment by Planning Commission in March 2018, and the City Council in April 2018.

If you have any questions regarding this matter, please contact Linda F. Tatum, Planning Bureau Manager, at (562) 570-6261.

ATTACHMENT

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CC: CHARLES PARKIN, CITY ATTORNEY
    LAURA L. DOUD, CITY AUDITOR
    TOM MODICA, ASSISTANT CITY MANAGER
    KEVIN JACKSON, DEPUTY CITY MANAGER
    REBECCA GARNER, ASSISTANT TO THE CITY MANAGER
    JOHN KEEISLER, DIRECTOR OF ECONOMIC AND PROPERTY DEVELOPMENT
    LINDA TATUM, BUREAU MANAGER
    MONIQUE DE LA GARZA, CITY CLERK (REF. FILE # 16-1149)
CUP Procedures and Requirements: Issues, Options and Recommendations

City of Long Beach
Planning Commission Meeting
September 7, 2017
Agenda

- Project Objectives
- Process Overview
- Issues
  - Use Regulations
  - Procedures and Permit Costs
  - Code Clarity and Ease of Use
- Key Recommendations
- Public and Planning Commission Input
Project Objectives

- Efficiency
  - Timeliness
  - Predictability
  - Efficiency
  - Cost

- Effective response to concerns about negative impacts

- Improve City’s image as a good place to do business
Overview of CUP Study Process

- Progress to date:
  - Technical analysis of Zoning Code/CUP provisions
  - Stakeholder input
  - Survey and compare peer city regulations and practices
  - Identify key issues and options

- This is where we are now
  - Obtain feedback from stakeholders and public officials
  - Planning Commission Study Session
What We Heard From Stakeholders

- Outdated zoning requirements
- Time and expense of "getting to yes"
- Difficult requirements and procedures especially for alcohol sales
- Business assistance and outreach

DYETT & BHATIA
Urban and Regional Planners

City of Long Beach
CUP Project
Stakeholder’s Key Issues

- Use regulations and requirements
- Parking standards and parking management
- Procedures, cost, and time-lines
- Code usability, clarity, and modernity
How Does Long Beach Compare?

- Cost and processing time similar to peer cities
- 750-foot notification radius greater than peer cities
- Some peer cities do a better job providing information on business assistance and applications under review
- Some peer cities give staff greater responsibility for permit approval
- Some peer cities require less parking
Preliminary Recommendations
Use Regulations

- New and revised requirements for specific uses
- More flexibility for alcohol sales
- Clarified rules for assembly uses
- Simplified requirements for industrial zones
- Modified requirements for live-work
Alcohol Sales

- Adjust CUP exemptions
- Additional alcohol sales with AUP
- Determination of Public Convenience or Necessity
- Coordination with ABC requirements
Regulation of Other Uses

- Clarify requirements
- Consider ways to reduce need for CUP
  - Drive-through fast food
  - Entertainment
  - Assembly uses
  - Thrift shops
  - Tattoo parlors
  - Truck parking

DYETT & BHATIA
Urban and Regional Planners

City of Long Beach
CUP Project
Application Procedures

- Consider two-part fee structure with downpayment
- Improve communication of requirements
- Reduce notification radius to 300 feet to lower cost
- Improve website sharing of public notices
Other Code Changes

- Update Code to remove invalid provisions
- Establish zoning clearance process to ensure applicants understand rules and make enforcement easier
Next Steps

- Economic Development Commission Study Session
- Feedback from stakeholders and community
- Draft revised regulations
- Additional meetings if necessary
- Planning Commission and City Council public hearings
- City Council adoption