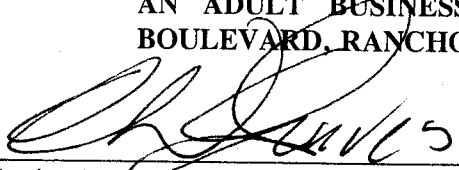


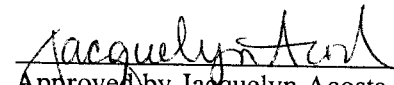


City of Carson Report to Mayor and City Council

July 16, 2013
New Business Consent

SUBJECT: CONSIDER RESOLUTION NO. 13-073, ENCOURAGING EFFORTS BY THE COUNTY OF LOS ANGELES TO REGULATE ACTIVITIES ASSOCIATED WITH AN ADULT BUSINESS PROPOSED TO OPERATE AT 1957 E. DEL AMO BOULEVARD, RANCHO DOMINGUEZ


Submitted by Clifford W. Graves
Director of Community Development


Approved by Jacquelyn Acosta
Acting City Manager

I. SUMMARY

This item is on the agenda at the request of Councilwoman Lula Davis-Holmes.

Adoption of Resolution No. 13-073 (Exhibit No. 1) will demonstrate the City Council's concern with the proposed establishment of an adult entertainment business at 1957 E. Del Amo Boulevard, Rancho Dominguez and request that the Los Angeles County Board of Supervisors seek proactive enforcement of all applicable codes and regulations.

II. RECOMMENDATION

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 13-073, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ENCOURAGING EFFORTS BY THE COUNTY OF LOS ANGELES TO REGULATE ACTIVITIES ASSOCIATED WITH AN ADULT BUSINESS PROPOSED TO OPERATE AT 1957 E. DEL AMO BOULEVARD, RANCHO DOMINGUEZ."
2. DIRECT staff to transmit a copy of the executed resolution to Los Angeles County Supervisor Mark Ridley-Thomas.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

On March 23, 2010, the Regional Planning Commission approved Project No. R2009-01821-(2) for an adult business permit and a conditional use permit for the sale of alcohol for onsite consumption. Pursuant to Los Angeles County Code Chapter 22.62, an adult business is considered to be a permitted use and the Planning Commission is required to approve the permit upon demonstration

that specific location requirements and development standards are satisfied. Section 22.62.020 of the County Code establishes the following location requirements:

“Adult businesses shall not be located:

1. Within 250 feet of: any lot upon which there is located any residence whether such use is within or outside the unincorporated area of the county; or any property located in a residential or agricultural zone, or equivalent zone in any other jurisdiction; and
2. Within 500 feet of any church, chapel or other publicly recognized place of worship whether such use is within or outside the unincorporated area of the county; and
3. Within 500 feet of any public or private school (kindergarten through twelfth grade) or child care center whether such use is within or outside the unincorporated area of the county; and
4. Within 500 feet of any park owned by a public entity whether such use is within or outside the unincorporated area of the county.”

In the case of the proposed Vivid Cabaret at 1957 E. Del Amo Boulevard, Rancho Dominguez, the subject property is located in the M-2 (Heavy Manufacturing) zone classification. The applicant requested a conditional-use permit in conjunction with an adult-oriented business with live entertainment. Based upon the size of the building, the occupancy was established at 174 with a maximum of eight employees and 20 dancers per shift during the operation hours of 11:00 a.m. to 2:00 a.m., seven days a week. The subject property was identified to be at least 600 feet from the nearest residential property or other sensitive use. Surrounding land uses within a 500-foot radius were identified as manufacturing warehouse, distribution, vacant industrial, Southern Pacific Pipeline Company, bank and a retail shoe store.

A copy of the Regional Planning Commission documents approving the adult business at 1957 E. Del Amo Boulevard are attached as Exhibit No. 2. Staff has contacted the staff at the office of Los Angeles County Supervisor Ridley-Thomas, the Los Angeles County Sheriff's Department and the Los Angeles County Department of Regional Planning to discuss the proposed adult business. Discussions are ongoing to determine what steps may be taken to address community concerns related to the adult business.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Draft Resolution No. 13-073. (pgs. 4-5)
2. Letter and attached documents from Los Angeles County Department of Regional Planning. (pgs. 6-29)

Prepared by: Sheri Repp Loadsman, Planning Officer

TO: Rev 06-19-2013

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

Action taken by City Council

Date _____ Action _____

RESOLUTION NO. 13-073

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ENCOURAGING EFFORTS BY THE COUNTY OF LOS ANGELES TO REGULATE ACTIVITIES ASSOCIATED WITH AN ADULT BUSINESS PROPOSED TO OPERATE AT 1957 E. DEL AMO BOULEVARD, RANCHO DOMINGUEZ

WHEREAS, the County of Los Angeles has adopted zoning regulations for adult oriented businesses, to define and regulate adult oriented business and thereby accommodate the health, safety and welfare of the County citizens and provide appropriate regulation of the secondary impacts and effects inherent in adult oriented businesses; and

WHEREAS, the County of Los Angeles Regional Planning Commission approved on March 17, 2010 an Adult Business Permit No. 200900002 and Conditional Use Permit No. 200900128 authorizing an adult-oriented business with live entertainment to sell beer, wine and distilled spirits for on-site consumption.

WHEREAS, the proposed adult-oriented business is proposed to be located at 1957 E. Del Amo Boulevard, Rancho Dominguez immediately adjacent to the City of Carson and along a major arterial that serves nearby residential and commercial areas; and

WHEREAS, the City of Carson seeks additional review by the County of Los Angeles to determine if the current zoning regulations provide adequate separation from residential areas, other sensitive uses and commercial districts; and

WHEREAS, the City of Carson is concerned that public nuisances will occur due to adverse secondary effects associated with the adult-oriented business causing the Los Angeles County Sheriff's Department and other regulatory agencies to commit additional resources to protect those associated with the activities of the adult-oriented business and the surrounding community; and

WHEREAS, the City of Carson is concerned the adult-oriented business will have a substantial negative impact on property values and cause neighborhood blight; and

WHEREAS, adult-oriented businesses have operational characteristics that should be reasonably regulated in order to protect substantial governmental concerns.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Carson, California encourages the Second District Los Angeles County Supervisor Mark Ridley-Thomas to seek proactive enforcement of all applicable codes and regulations thereby to protect the health, safety, and welfare of its citizens, protect the citizens' property values and the character of surrounding neighborhoods, and deter the spread of blight.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2013.

Mayor Jim Dear

ATTEST:

City Clerk, Donesia L. Gause, CMC

APPROVED AS TO FORM:

City Attorney



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

March 23, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Max Ahmadi-MHA Prodigy, Inc.
1408 Hermosa Drive
Corona, CA 92879

**REGARDING: PROJECT NUMBER R2009-01821-(2)
CONDITIONAL USE PERMIT NO. 200900128
ADULT BUSINESS PERMIT NO. 200900002
1957 East Del Amo Boulevard, Compton, CA 90220**

Dear Applicant:

The Regional Planning Commission, by its action of March 17, 2010, **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on March 31, 2010.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Diane Aranda at (213) 974-6435 or e-mail at daranda@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Richard J. Bruckner

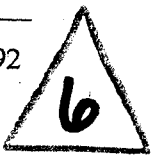
Director


Maria Masis, Supervising Regional Planner
Zoning Permits II Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 • TDD: 213-617-2292

EXHIBIT NO 02



PROJECT NUMBER R2009-01821-(2)

ADULT BUSINESS PERMIT 200900002

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: March 17, 2010

SYNOPSIS:

The applicant's requesting an Adult Business Permit for conversion of an existing 12,113 square foot commercial building to a 9,068 square foot adult business with live entertainment and 22,904 square foot parking area located in the M-2 (Heavy Manufacturing) zone within the Del Amo Zoned District. The proposed hours of general operation are seven days a week from 11:00 a.m. to 2:00 a.m.

PROCEEDINGS BEFORE THE COMMISSION

March 3, 2010 Public Hearing

A duly noticed public hearing was held on March 3, 2010 before the Regional Planning Commission. Commissioners Bellamy, Helsley, Valadez, Modugno and Rew were present. The applicant, Max Ahmadi, and his attorney Roger Diamond, were sworn in and testified in favor of the project. A representative for the adjacent property to the east (bank) was also sworn in and expressed concerns regarding liability issues and presented a legal document. After the session was closed for discussion, the Commission and staff discussed issues regarding the incorrect fire flow tests submitted by the applicant to the Fire Department. For this reason, the Fire Department could not issue a clearance and recommended a continuance until the correct fire flow tests in the required location is submitted by the applicant and reviewed for compliance. The Commission also had concerns regarding the six foot distance the entertainer is required to have from the patrons while the dancer is performing on stage; a need for the installation of a combination lock for the employee only entrance to the dressing room area; and requested to designate separate rest room facilities for male patrons and employees, and female patrons and employees.

There being no further testimony, the Commission moved to continue the case to March 17, 2010 to allow the Fire Department sufficient time to work with the applicant regarding the fire flow tests and clearance letter and to allow County Counsel sufficient time to review the legal document submitted by the owner of the adjacent property. Also, to allow the applicant sufficient time to submit revised floor plans illustrating the Commissions requests.

March 17, 2010 Public Hearing

A duly noticed public hearing was held on March 17, 2010 before the Regional Planning Commission. Commissioners Bellamy, Helsley, Valadez, and Rew were present. Mudugno was absent. The applicant, Max Ahmadi, and his attorney Roger Diamond, were sworn in and testified in favor of the project. After the session was closed for discussion, the Commission and staff discussed issues regarding the six foot distance the entertainer is required to have from the patrons while the dancer is performing on stage, whether the "King Seating" area has the potential of becoming a stage area and if there are a sufficient amount of lockers per each dancer.

There being no further testimony, the Regional Planning Commission closed the public hearing, and approved Adult Business Permit No. 200900002 and Conditional Use Permit 200900128 with conditions.

Findings

1. The applicant requested an adult-oriented business permit to authorize the operation of an establishment with live entertainment in an existing commercial building within the Del Amo Zoned District. The occupant load is calculated as 174 with a minimum of 58 parking spaces required and 65 are illustrated on the site plan. There will be a maximum of eight employees and 20 dancers per shift, during the operation hours of 11 a.m. to 2 a.m. seven days a week. Access to the subject property is via Del Amo Boulevard.
2. The property is located within an existing commercial building located at 1957 Del Amo Boulevard on an approximately 40,193 square foot parcel area. The site is within the community of Rancho Dominguez in the Del Amo Zoned District of unincorporated Los Angeles County.
3. Zoning on the subject property is M-2 (Heavy Manufacturing) in the unincorporated portion of Los Angeles County.
4. Surrounding zoning consists of:
North: M-2 (Heavy Manufacturing)
South: City of Carson
East: M-2 (Heavy Manufacturing)
West: City of Carson
5. The subject property is developed as a commercial office building.
6. Surrounding land uses within a 500 foot radius consist of:
North: Manufacturing Warehouse, Distribution Company and Vacant Warehouse
South: Southern Pacific Pipeline Company
East: Bank, Manufacturing Warehouse
West: Vacant Industrial, Retail Shoe Store
7. The subject property is located within the I (Major Industrial) classification of the Countywide General Plan. The intent of this land use classification is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving both domestic and export markets and providing jobs for a large portion of the resident labor force. This designation includes areas which are generally appropriate for major industrial uses include manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development. There are no specific policies related to the proposed type of use in the Plan.
8. The development of an adult-oriented business with live entertainment was found to be consistent with the policies of the Countywide General Plan.
9. The proposed project is compatible with the Major Industrial category of the Countywide General Plan.
10. Section 22.62.040 of the Los Angeles County Code, permits an adult-oriented business to operate in the M-2 (Heavy Manufacturing) zone, with prior approval from the Planning Commission.

11. Previous case history consists of the following:
 - Plot Plan 28059 to authorize the modification of a 3'-5" foot high masonry wall adjacent to the parking lot and modify existing parking area. Request was approved on July 7, 1981.
 - Plot Plan 30436 to authorize one free standing sign. Request approved on October 15, 1980.
 - Parcel Map 14078 to authorize the subdivision of two commercial lots. Request approved on February 10, 1981.
12. The Department of Public Health has cleared the project for public hearing. (Documents attached).
13. The Department of Public Works has cleared the project for public hearing. (Documents attached).
14. The Fire Department has cleared the project for public hearing. (Documents attached).
15. The adult-oriented business with live entertainment requires one (1) parking space for every 3 persons, based on occupant load. The occupant load is 174 persons with a minimum of 58 parking spaces required. Sixty-three are illustrated on the site plan.
16. The site plan depicts an existing 9,068 sq. ft. building with 8,221 sq. ft. of landscape area and 22,904 sq. ft. used for a parking lot. A 3,045 square foot eastern portion of the 12,113 square foot existing building will be demolished to provide additional parking. The floor plan illustrates the storage area (liquor and walk-in) in the northern portion of the building adjacent to the women's/men's restrooms. There is a 19'-0" x 11'-4" office across from the dressing room area and a bar with 13 stools and D.J. booth located in the southern portion of the building. The southern portion also consists of eight booths with two raised to 21" platform "king seating" area for stage viewing. Twenty-four tables for patrons are located adjacent to a 13'-6" x 17'-0" stage area surrounded by thirteen individual seats. There is a designated employee entrance from a separate area located at the northern portion of the building and an entrance for the public to the east. There will be 63 parking spaces provided, and access is from two paved driveways from Del Amo Boulevard.
17. Signs shall comply with the provisions of Part 10 of Chapter 22.52 of the Los Angeles County Code (Ord. 1494 Ch. 2 Art. 4 § 275.9, 1927.)
18. Pursuant to County Code Section 22.62.030-G, Signage shall conform to the standards established for the zone and shall not contain sexually explicit photographs, silhouettes or other sexually explicit pictorial representations.

The applicant will process a sign program prior to issuance of this grant.
19. Pursuant to 22.62.050- No adult business shall be established until an application for an adult business permit is approved by the planning commission generally following the procedures set out in Sections 22.60.170 through 22.60.190 of this title. (Ord. 96-0004 § 1 (part), 1996.). The applicant submitted an application for an adult business permit to meet this requirement.
20. The "King Seating" area labeled #1 and #2 on the approved Exhibit "A" will not be used as a stage area.

21. There are no sensitive uses located within the 500-foot radius of the subject property. The subject property at 1957 Del Amo Boulevard is located within an industrial/manufacturing area developed with office buildings and warehouses. According to County records, the site was developed as a commercial warehouse in 1958.
22. The proposed adult business complies with the location requirements of Section 22.62.020 of the County Code, in that it is not located:
 - a) Within 250 feet of: any lot upon which there is located any residence whether such use is within or outside the unincorporated area of the county; or any property located in a residential or agricultural zone, or equivalent zone in any other jurisdiction; and
 - b) Within 500 feet of any church, chapel or other publicly recognized place of worship whether such use is within or outside the unincorporated area of the county; and
 - c) Within 500 feet of any public or private school (kindergarten through twelfth grade) or child care center whether such use is within or outside the unincorporated area of the county; and
 - d) Within 500 feet of any park owned by a public entity whether such use is within or outside the unincorporated area of the county.
23. Staff conducted a site visit on January 12, 2010 and did not observe any zoning violations.
24. The proposed use, as restricted by the conditions of approval, will comply with all applicable development standards related to adult businesses, as provided in Section 22.62.030 of the County Code, as follows:
 - a) The adult business shall be located in a permanent structure.
 - b) Trash dumpsters shall be enclosed by a screening enclosure so as to not be accessible to the public.
 - c) No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.
 - d) Permanent barriers shall be installed and maintained to screen the interior of the premises from public view for each door used as an entrance or exit to the business.
 - e) No landscaping shall exceed 30 inches in height, except trees with foliage not less than six feet above the ground.
 - f) The entire exterior grounds, including the parking lot, shall be lighted in such a manner that all areas are clearly visible at all times.
 - g) Signage shall conform to the standards established for the zone and shall not contain sexually explicit photographs, silhouettes or other sexually explicit pictorial representations.

- h) All entrances to an adult business shall be clearly and legibly posted with a notice indicating that minors are prohibited from entering the premises.
 - i) The existing structure is a conforming structure.
 - j) The adult business shall not conduct or sponsor any activities which create a demand for parking spaces beyond the number of spaces required by Title 22 of the County Code for the business.
 - k) The business license required pursuant to Title 7 of the Los Angeles County Code shall be kept current at all times.
 - l) All exterior areas of the adult business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner at all times.
 - m) The adult business shall not operate or be open between the hours of 2:00 a.m. and 9:00 a.m.
 - n) The premises within which the adult business is located shall provide sufficient sound-absorbing insulation so that sound generated inside said premises shall not be audible anywhere on any adjacent property or public right-of-way or within any other building or other separate space within the same building.
 - o) The adult business will not conduct any massage, acupuncture, tattooing, acupressure or escort services, and will not allow such activities on the premises.
 - p) Two security guards shall be on duty patrolling the premises at all times while the business is open. The security guard(s) shall be charged with preventing violations of law, with enforcing compliance by patrons with the requirements of this chapter and with notifying the sheriff of any violations of law observed. Security guard(s) shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state or local law. No security guard required pursuant to this subsection shall act as a doorman, ticket seller, ticket taker, or admittance person while acting as a security guard hereunder.
 - q) The adult business shall conform to all applicable laws and regulations.
 - r) The adult business shall not be operated in a manner that permits the observation of any persons or material depicting, describing or related to specified sexual activities or specified anatomical areas, inside the premises, from any public way or from any location outside the building area of such establishment. This provision shall apply to any merchandise, display, decoration, sign, show window, or other opening.
25. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.
26. The applicant will be required to obtain all the required business licenses which will serve to establish consistency with Title 7 of the County Code. Conditions have also been placed on



the permit to ensure that the project is in compliance with Section 7.92.050 and 7.92.070 of the County Code.

27. The Commission finds that, with appropriate restrictions on its operation as set forth in the conditions of approval, the development is compatible with surrounding land uses.
28. There is a concurrent Conditional Use Permit for the sales of a full line of alcohol for on-site consumption associated with this project.
29. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th floor, Hall of Records, 320 W. Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits II Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The adult business is consistent with the location and development standards contained in Chapter 22.62 of the Los Angeles County Code; and
- B. The adult business is located in a zone classification which lists the adult business as a permitted use; and
- C. The adult business is consistent with the requirements set forth in Title 7 of the Los Angeles County Code; and
- D. The adult business complies with the development features prescribed in Title 22 of the Los Angeles County Code.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an Adult Business Permit as set forth in Sections 22.62.080 of Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

in view of the findings of fact and conclusions presented above, Adult Business Permit 200900002, associated with Project R2009-01821-(2) is **APPROVED**, subject to the attached conditions.

VOTE: 4-0

Concurring: Bellamy, Helsley, Rew and Valadez

Dissenting: None

Abstaining: None

Absent: Modugno

Action Date: March 17, 2010

MM:DA
03/17/2010

PROJECT NUMBER R2009-01821-(2)

CONDITIONAL USE PERMIT 200900128

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: March 3, 2010

SYNOPSIS:

The applicant's requesting a Conditional Use Permit for the sales of beer, wine and distilled spirits for on-site consumption (type 48 license) in conjunction with the operation of a new adult business with live entertainment in an existing building located in the M-2 (Heavy Manufacturing) zone within the Del Amo Zoned District. The proposed hours of general operation are seven days a week from 11:00 a.m. to 2:00 a.m.

PROCEEDINGS BEFORE THE COMMISSION

March 3, 2010 Public Hearing

A duly noticed public hearing was held on March 3, 2010 before the Regional Planning Commission. Commissioners Bellamy, Helsley, Valadez, Modugno and Rew were present. The applicant, Max Ahmadi, and his attorney Roger Diamond, were sworn in and testified in favor of the project. A representative for the adjacent property to the east (bank) was also sworn in and expressed concerns regarding liability issues and presented a legal document. After the session was closed for discussion, the Commission and staff discussed issues regarding the incorrect fire flow tests submitted by the applicant to the Fire Department. For this reason, the Fire Department could not issue a clearance and recommended a continuance until the correct fire flow tests in the required location is submitted by the applicant and reviewed for compliance. The Commission also had concerns regarding the six foot distance the entertainer is required to have from the patrons while the dancer is performing on stage; a need for the installation of a combination lock for the employee only entrance to the dressing room area; and requested to designate separate rest room facilities for male patrons and employees, and female patrons and employees.

There being no further testimony, the Commission moved to continue the case to March 17, 2010 to allow the Fire Department sufficient time to work with the applicant regarding the fire flow tests and clearance letter and to allow County Counsel sufficient time to review the legal document submitted by the owner of the adjacent property. Also, to allow the applicant sufficient time to submit revised floor plans illustrating the Commissions requests.

March 17, 2010 Public Hearing

A duly noticed public hearing was held on March 17, 2010 before the Regional Planning Commission. Commissioners Bellamy, Helsley, Valadez, and Rew were present. Mudgno was absent. The applicant, Max Ahmadi, and his attorney Roger Diamond, were sworn in and testified in favor of the project. After the session was closed for discussion, the Commission and staff discussed issues regarding the six foot distance the entertainer is required to have from the patrons while the dancer is performing on stage, whether the "King Seating" area has the potential of becoming a stage area and if there are a sufficient amount of lockers per each dancer.

There being no further testimony, the Regional Planning Commission closed the public hearing, and approved Adult Business Permit No. 200900002 and Conditional Use Permit 200900128 with conditions.

Findings

1. The applicant requested a Conditional Use Permit for the sale of beer, wine and distilled spirits for on-site consumption (type 48 license) in conjunction an adult-oriented business with live entertainment in an existing commercial building within the Del Amo Zoned District. The occupant load is calculated as 174 with a minimum of 58 parking spaces required and 65 are illustrated on the site plan. There will be a maximum of eight employees and 20 dancers per shift, during the operation hours of 11 a.m. to 2 a.m. seven days a week. Access to the subject property is via Del Amo Boulevard.
2. The property is located within an existing commercial building located at 1957 Del Amo Boulevard on an approximately 40,193 square foot parcel area. The site is within the community of Rancho Dominguez in the Del Amo Zoned District of unincorporated Los Angeles County.
3. Zoning on the subject property is M-2 (Heavy Manufacturing) in the unincorporated portion of Los Angeles County.
4. Surrounding zoning consists of:

North: M-2 (Heavy Manufacturing)
South: City of Carson
East: M-2 (Heavy Manufacturing)
West: City of Carson
5. The subject property is developed as a commercial office building.
6. Surrounding land uses within a 500 foot radius consist of:
North: Manufacturing Warehouse, Distribution Company and Vacant Warehouse
South: Southern Pacific Pipeline Company
East: Bank, Manufacturing Warehouse
West: Vacant Industrial, Retail Shoe Store
7. The subject property is located within the I (Major Industrial) classification of the Countywide Land Use Plan. The intent of this land use classification is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving both domestic and export markets and providing jobs for a large portion of the resident labor force. This designation includes areas which are generally appropriate for major industrial uses include manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development. There are no specific policies related to the proposed type of use in the Plan.
8. The sales of alcoholic beverages in conjunction with the operation of an adult-oriented business with live entertainment were found to be consistent with the policies of the Countywide General Plan.
9. The proposed project is compatible with the Major Industrial category of the Countywide General Plan. Section 22.62.040 of the Los Angeles County Code, permits an adult-oriented business to operate in the M-2 (Heavy Manufacturing) zone, with approval from the Planning

Commission. The applicant has also substantiated the findings for alcohol sales pursuant to code Sections 22.56.195 and 22.56.040.

10. Previous case history consists of the following:
 - There Plot Plan 28059 to authorize the modification of a 3'-5" foot high masonry wall adjacent to the parking lot and modify existing parking area. Request was approved on July 7, 1981.
 - Plot Plan 30436 to authorize one free standing sign. Request approved on October 15, 1980.
 - Parcel Map 14078 to authorize the subdivision of two commercial lots. Request approved on February 10, 1981.
11. The Department of Public Health has cleared the project for public hearing. (Documents attached)
12. The sale of alcohol in conjunction with an adult business is permitted in the M-2 (Heavy Manufacturing) zone, (Sections 22.62.040 and 22.32.190), with Commission approval. The adult-oriented business with live entertainment requires one (1) parking space for every 3 persons, based on occupant load. The occupant load is 174 persons with a minimum of 58 parking spaces required. Sixty-five are illustrated on the site plan.
13. The site plan depicts an existing 9,068 sq. ft. building with 8,221 sq. ft. of landscape area and 22,904 sq. ft. used for a parking lot. A 3,045 square foot eastern portion of the 12,113 square foot existing building will be demolished to provide additional parking. The floor plan illustrates the storage area (liquor and walk-in) in the northern portion of the building adjacent to the women's/men's restrooms. There is a 19'-0" x 11'-4" office across from the dressing room area and a bar with 13 stools and D.J. booth located in the southern portion of the building. The southern portion also consists of eight booths with two raised at 21" platform "king seating" area for stage viewing. Twenty-four tables for patrons are located adjacent to a 13'-6" x 17'-0" stage area surrounded by thirteen individual seats. There is a designated employee entrance from a separate area located at the northern portion of the building and an entrance for the public to the east. There will be 65 parking spaces provided, and access is from two paved driveways from Del Amo Boulevard.

The occupant load is calculated as 174 with a minimum of 58 parking spaces required and 65 are illustrated on the site plan. There will be a maximum of eight (8) employees and 20 dancers per shift, during the operation hours of 11 a.m. to 2 a.m. seven days a week. Access to the subject property is via Del Amo Boulevard.
14. Signs shall comply with the provisions of Part 10 of Chapter 22.52 of the Los Angeles County Code (Ord. 1494 Ch. 2 Art. 4 § 275.9, 1927.)

The applicant will process a sign program prior to issuance of this grant.
15. The Department of Regional Planning staff has determined that the project qualifies for a Categorical Exemption under Class 1, Existing Facilities, of the CEQA reporting requirements.
16. ABC data illustrates that the site is within an area that does not have an undue concentration of alcohol sales. The subject request is in Census Tract 5433.05 containing a population of 2,353 people. Three ABC licenses are allowed within this census tract. One license currently

exists. The one existing alcohol license is issued for the sale of alcohol for on-site consumption at the Del Amo Mobile Home Estates Social Club.

17. There are no sensitive uses situated within 600 feet of the subject property that will be adversely affected by the sale of alcoholic beverages for on-site consumption at this location.
18. There are no other alcohol licenses within a 500-foot radius of the subject property.
19. The subject property at 1957 Del Amo Boulevard is located within an industrial/manufacturing area developed with office buildings and warehouses. According to County records, the site was developed as a commercial warehouse in 1958.
20. Staff conducted a site visit on January 12, 2010 and did not observe any zoning violations.
21. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.
22. The Commission finds that, with appropriate restrictions on its operation as set forth in the conditions of approval, the sale of beer, wine and distilled spirits for on-site consumption is compatible with surrounding land uses.
23. There is a concurrent Adult Business Permit to establish an adult business with live entertainment associated with this project.
24. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th floor, Hall of Records, 320 W. Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits II Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and



- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- G. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

In view of the findings of fact and conclusions presented above, Conditional Use Permit 200900128, associated with Project R2009-01821-(2) is **APPROVED**, subject to the attached conditions.

VOTE: 4-0

Concurring: Bellamy, Helsley, Rew and Valadez

Dissenting: None

Abstaining: None

Absent: Modugno

Action Date: March 17, 2010

MM:DA
03/17/2010

1. This grant authorizes the conversion of an existing 12,113 square foot commercial building to a 9,068 square foot adult business with live entertainment and 22,904 square foot parking area located in the M-2 (Heavy Manufacturing) zone within the Del Amo Zoned District. The use of the subject property as depicted on the approved Exhibit "A" is subject to all of the following conditions:
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 21. Notwithstanding the foregoing, this condition No. 3, and Condition Nos. 4, 5, and 6 shall be effective immediately upon final approval of this grant by the County.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within two years from the date of approval. A single one-year time extension may be requested in writing with the appropriate fee before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.



15. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval four (4) copies of the revised site plan depicting the placement and dimensions of the enclosed trash area and a designated pathway to the employee entrance. The property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner.
16. The permittee shall submit to the Director for review and approval three copies of dimensioned sign elevations for all proposed signs, if any, on the subject property. Proposed signs shall be developed in accordance with the County Code.
17. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Department of Public Health memorandum dated January 15, 2010, except as otherwise required by said Department.
18. The adult business shall submit to the Director documentation evidencing successful completion of the processes and receipt of the license required under Chapter 7.92 of County Code. In cases where such documentation is unavailable at the time the Planning Commission takes action on the application, any action by the Planning Commission granting an adult business permit shall be conditioned upon the applicant providing to the Director the documentation required by this subsection, and no adult business permit shall be valid unless and until such documentation has been provided to the Director.
19. No person under the age of 21 and no person obviously intoxicated shall be permitted within the premise at any time. A clear and legible sign giving notice of this provision shall be prominently posted at each entrance to the premise of said business.
20. **This grant will terminate on March 17, 2020.**
Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect. If permittee intends to continue operations after such date, a new Adult Business Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.
21. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity in violation of any such law, statute, ordinance, or other regulation shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$2,000.00**. The monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including conformance with the approved site plan on file. The fund provides for **10 annual (every year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$200.00 per inspection.

22. The proposed use of the subject property as adult cabaret is subject to the following conditions:
- a. Trash dumpsters shall be enclosed by a screening enclosure so as not to be accessible to the public. All trash discarded from said business depicting sexually explicit photographs, silhouettes or other sexually explicit pictorial representation or writing, shall be shredded prior to being placed in said trash dumpsters.
 - b. The adult business shall not be located, in or whole or in part, any temporary or portable structure.
 - c. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.
 - d. Permanent barriers shall be installed and maintained to screen the interior of the premises from public view for each door used as an entrance or exit to the business.
 - e. No landscaping shall exceed 30 inches in height, except trees with foliage not less than six feet above the ground. Prior to the use of this grant, the permittee shall submit to the Director of Planning for approval (3) copies of a landscaping plan showing consistency with the above plant height requirements.
 - f. The entire exterior grounds, including the parking lot, shall be lighted of a sufficient intensity to illuminate all areas with an illumination of not less than a 50 foot-candle as measured at the ground level so that all areas are clearly visible at all times.
 - g. Signage shall conform to the standards established for the zone and shall not contain sexually explicit photographs, silhouettes or other sexually explicit pictorial representations. Prior to the use of this grant, the permittee shall submit to the Director of Planning for approval (3) copies of a sign program showing consistency with the above sign requirements.
 - h. All entrances to an adult business shall be clearly and legibly posted with a notice indicating that minors are prohibited from entering the premises.

- i. No nonconforming structure shall be converted for use as an adult business.
- j. The adult business shall not conduct or sponsor any activities which create a demand for parking spaces beyond the number of spaces required by Title 22 of the County Code for the business.
- k. No adult business shall be operated in any manner that permits the observation of any persons or material depicting, describing or related to specified sexual activities or specified anatomical areas, inside the premises, from any public way or from any location outside the building or area of such establishment. This provision shall apply to any merchandise, display, decoration, sign, show window or other opening.
- l. All exterior areas of the adult business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner at all times.
- m. The business license required pursuant to Title 7 of the Los Angeles County Code shall be kept current at all times.
- n. Each adult business shall conform to all applicable laws and regulations.
- o. The adult business shall not operate or be open between the hours of 2:00 a.m. and 9:00 a.m.
- p. The hours of operation for the adult-oriented business and live entertainment shall be 11 a.m. to 2 a.m. seven days a week. Employees and/or maintenance crew shall enter the premises at 9 a.m. if needed.
- q. The permittee shall install and maintain a 24-hour recording video monitoring system in the parking lot area. The video monitoring system will monitor the parking lot and all entrances and exists to the building.
- r. The adult business will not conduct any massage, acupuncture, tattooing, acupressure or escort services, and will not allow such activities on the premises.
- s. The premises within which the adult business is located shall provide sufficient sound-absorbing insulation so that sound generated inside said premises shall not be audible anywhere on any adjacent property or public right-of-way or within any other building or other separate space within the same building.
- t. Two security guards shall be on duty patrolling the premises at all times while the business is open. The security guard(s) shall be charged with preventing violations of law, with enforcing compliance by patrons with the requirements of this chapter and with notifying the sheriff of any violations of law observed. Security guard(s) shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a

security guard as required by applicable provisions of state or local law. No security guard required pursuant to this subsection shall act as a doorperson, ticket seller, ticket taker, or admittance person while acting as a security guard hereunder.

- u. The adult business shall not sell or display obscene matter, as that term is defined by Penal Code Section 311 or its successors, and shall not exhibit harmful matter, as that term is defined by Penal Code Section 313 or its successors, to minors. (Ord. 2003-0067 § 50, 2003: Ord. 96-0004 § 1 (part), 1996.)
- v. No person shall perform live entertainment except upon a stage at least 18 inches above the level of the floor which is separated by a distance of at least 6 feet from the nearest area occupied by the patrons, and no patron shall be permitted within 6 feet of the stage while the stage is occupied by an entertainer.
- w. No entertainer shall have physical contact with any patron and no patron shall have physical contact with any entertainer while on the premise.
- x. All indoor areas, within which patrons are permitted, except for restrooms and dressing rooms, shall be open to view at all times.
- y. Separate dressing room facilities which are exclusively dedicated to the entertainers' use shall be provided for entertainers.
- z. Any entrance or exit to the premise which is separate from the entrance or exit used by the patrons shall be provided for the entertainers.
- aa. Said business shall provide and maintain separate rest room facilities for male patrons and employees and female patrons and employees. Male patrons and employees shall be prohibited from using the rest room(s) for females, and female patrons and employees shall be prohibited from using the rest room(s) for males, except to carry out duties of repair, maintenance and cleaning of the rest room facilities. The rest rooms shall be free from all adult materials and adult merchandise. Rest rooms shall not contain television monitors or other motion picture or video projection, recording or reproduction equipment.
- bb. The "lap dance" areas shall be open and visible from all areas of the cabaret and shall not have walls exceeding 3'-5" in height.
- cc. Full nude dancers are strictly prohibited.
- dd. A minimum of 58 on-site parking spaces shall be provided and continuously maintained as shown on the approved revised Exhibit "A", including three (2) spaces accessible to persons with disabilities, one of which shall be van-accessible; such accessible parking spaces shall be clearly marked and reserved for use by persons with disabilities.

- ee. The permittee shall comply with all requirements specified in the County Fire Department letter dated March 16, 2010, to the satisfaction of said Department.
- ff. The permittee shall comply with all requirements specified in the County Public Works Department letter dated March 3, 2010 to the satisfaction of said Department.
- gg. "King Seating" areas labeled 1 and 2 on the approved Exhibit "A" must not be used as stage areas.
- hh. The permittee shall provide a locker in the dressing room area for each employed dancer.

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3/18/2010

1. This grant authorizes the sales of beer, wine and distilled spirits for on-site consumption (type 48 license) in conjunction with the operation of a new adult business with live entertainment in an existing building within the M-2 (Heavy Manufacturing) zone located in the M-2 (Heavy Manufacturing) zone within the Del Amo Zoned District. The use of the subject property as depicted on the approved Exhibit "A" is subject to all of the following conditions:
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 17. Notwithstanding the foregoing, this condition No. 3, and Condition Nos. 4, 5, and 6 shall be effective immediately upon final approval of this grant by the County.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within two years from the date of approval. A single one-year time extension may be requested in writing with the appropriate fee before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

15. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval four (4) copies of the revised site plan depicting the placement and dimensions of the enclosed trash area and a designated pathway to the employee entrance. The property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner.
16. **This grant will terminate on March 17, 2020.**
Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect. If permittee intends to continue operations after such date, a new Adult Business Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.
17. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity in violation of any such law, statute, ordinance, or other regulation shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$2,000.00**. The monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including conformance with the approved site plan on file. The fund provides for **10 annual (every year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$200.00 per inspection.
18. The sale of beer, wine and distilled spirits for on-site consumption is subject to the following conditions:
 - a. No person under the age of 21 and no person obviously intoxicated shall be permitted within the premise at any time. A clear and legible sign giving notice of this provision shall be prominently posted at each entrance to the premise of said business.
 - b. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.

- c. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
- d. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program (insert other State mandated program if applicable) provided by the State of California Department of Alcoholic Beverage Control. This training shall be ongoing, and all new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
- e. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the subject building on the subject property.
- f. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
- g. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
- h. This grant authorizes the sale of alcoholic beverages from 11a.m. to 1:00 a.m. seven days a week. The sale of alcoholic beverages shall stop one hour before closing of the establishment.
- i. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility. The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.

- j. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu.
- k. All servers of alcoholic beverages must be at least 21 years of age.
- l. There shall be no music or other noise audible beyond the premises.
- m. The permittee shall not advertise or hold any "happy hour" drink specials, "two for one" specials, or similar promotions.
- n. Payphones shall be prohibited on the premises.
- o. The permittee shall not install or maintain video games, pool tables, or similar game activities or equipment on site.
- p. A minimum of 58 on-site parking spaces shall be provided and continuously maintained as shown on the approved revised Exhibit "A", including three (2) spaces accessible to persons with disabilities, one of which shall be van-accessible; such accessible parking spaces shall be clearly marked and reserved for use by persons with disabilities.
- q. The permittee shall install and maintain a 24-hour recording video monitoring system in the parking lot area. The video monitoring system will monitor the parking lot and all entrances and exists to the building.
- r. The permittee shall comply with all requirements specified in the County Fire Department letter dated March 16, 2010, to the satisfaction of said Department.
- s. The permittee shall comply with all requirements specified in the County Public Works Department letter dated March 3, 2010 to the satisfaction of said Department.

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3/18/2010