



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

WORKSHOP: November 13, 2007

SUBJECT: Workshop to discuss proposed ordinance amendment to the Carson Municipal Code establishing security camera requirements for businesses operating late at night

APPLICANT: Development Services Group – Planning Division

REQUEST: Direct staff to prepare an ordinance amendment establishing security requirements for commercial businesses.

PROPERTY INVOLVED: Commercial businesses citywide

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

| AYE | NO | | AYE | NO | |
|-----|----|-------------------|-----|----|---------|
| | | Chairman Faletogo | | | Graber |
| | | Vice-Chair Hudson | | | Saenz |
| | | Cannon | | | Verrett |

I. Introduction

This item was continued from the October 23, 2007 Planning Commission meeting due to a lack of quorum. On April 17, 2007, the City Council discussed and considered Ordinance No. 07-1380 to establish security camera requirements for businesses operating late at night within the City of Carson. The City Council referred Ordinance No. 07-1380 to the Planning Commission for consideration and recommendation to the City Council.

II. Background

Following a recent late-night homicide at a convenience store, the Mayor requested that the City Attorney work with staff to prepare an ordinance requiring establishments that are open until midnight or later to install operable digital security cameras. Draft Ordinance No. 07-1380 (Exhibit No. 1) was prepared by the City Attorney and reviewed by staff and the Carson Sheriff's Department. Both staff and the Carson Sheriff's Department support the draft ordinance and seek to provide further information to refine the ordinance implementation and effectiveness.

Currently, there is no requirement for the installation of security cameras for businesses within the city. The installation of interior and/or exterior security cameras may be required on a case by case basis for projects which require discretionary review, such as a conditional use permit. Currently, the Carson Sheriff's Department provides staff with recommendations for security camera requirements when a discretionary permit warrants. Such a requirement is typical with discretionary permits associated with bars, convenience stores or gas stations selling alcohol, night clubs and other businesses which are typically open late at night.

Staff wants to ensure the ordinance amendment pertains to commercial businesses operating late at night, from midnight until 5:00 a.m. This would therefore exclude other businesses, such as warehouses or non-commercial businesses, which have graveyard hours of operation. There are currently a variety of businesses operating past midnight throughout the city such as fast food restaurants, liquor stores, grocery stores, gas stations and bars. These types of businesses are impacted by more than one-half of all commercial robberies which occur within the city, according to the Carson Sheriff's Department.

III. Analysis

Issue areas to consider related to requiring security cameras include the following:

- Should this requirement be applied to businesses operating until midnight? Overnight? What is the time period to be used as a threshold?
- How many cameras should be required? Interior? Exterior?

- Should there be different requirements for the various types of commercial business activities?
- What type of cameras and equipment should be required?
- Should existing older equipment be required to be replaced?
- How long should recordings be required to be retained?
- What should the compliance date be for existing businesses to install or upgrade?
- Should there be an annual inspection required to ensure proper operation of security camera(s) by existing businesses? If so, should the city charge a fee in connection with the inspection?
- Should the city issue window decals to businesses with security cameras to inform the public?

While the mandatory installation of security cameras by a business operating late a night would require an initial investment, staff and the Carson Sheriff's Department believe that the costs would be nominal compared to the benefits these cameras would provide. Security cameras help to deter crime and provide a sense of security to business owners and patrons. In addition, appropriate security cameras and equipment can provide the Sheriff's Department the ability to view recordings which could lead to the arrest of a suspect and can be used in a court of law as admissible evidence. Today's technology could also enable new security systems to be accessible directly to the Sheriff's Department through permission to access to the business Uniform Resource Locator (URL), which is the global address of documents or other resources that are available on the World Wide Web. Access of real time video surveillance through the internet would assist law enforcement to more affectively respond and monitor the activities of a potential crime scene.

Based upon current research, staff suggests that businesses operating between midnight and 5:00 a.m. be required to install security systems. Alternative hours can be considered. The recordings are recommended to be saved for at least 30 days in order to provide the most benefit to the businesses and to law enforcement. The ordinance amendment could include a requirement for security cameras to be inspected annually to ensure proper operation. Alternatively, the ordinance amendment could contain penalty provisions for any equipment found to be inoperable. Such an approach would place responsibility on the business operator to ensure proper maintenance and replacement.

If the ordinance amendment were approved to require security cameras, new business would be required to demonstrate that the security systems were in place at the time of initial business operation. Existing businesses will be given a period of time to comply to allow for property design and installation. The Planning

Commission should consider the length of time determined to be reasonable for businesses to comply.

Equipment and Costs

All new and existing businesses could be required to install and maintain a digital security camera system with an internet based feature so that the Sheriff's Station can easily access those businesses operating late at night on a continuous basis. Costs for installing the security camera system will vary depending on the quality of equipment, the need for wiring or other improvements and the location and number of cameras provided. At a minimum, staff would recommend Interior cameras located behind the cash register, in the area where cash is handled and at the entrance to the business. As an additional recommendation, exterior cameras should be located at all door areas and should cover the perimeter of the property.

Staff contacted Diebold, one of the top security companies which offer security systems and on-going 24/7 monitoring of major commercial retailers such as Starbucks. Diebold states that the basic installation of a security camera system for an existing or new business can range from \$5,000 for single cameras to \$8,000 for multiple cameras and up to \$15,000 for the high end equipment at various locations on the property. Prices include all wiring and visor monitor installation. The on-going monitoring agreement would be an extra fee.

While new businesses could have a security system more easily installed, existing businesses may have a harder time installing a new security system into their buildings. There is also the discussion of the minimum security system requirement for existing businesses which have financial hardships. At a minimum, existing businesses should be required to install a digital security system with inclusion of an internet based feature. Actual will costs will vary depending on whether the business installs the equipment or contracts for the service.

The Planning Commission may want to consider imposing different security camera requirements on businesses operating past midnight that are more prone to crime activities. Such an approach could tailor the level of investment for the business activities considered to be the highest risk. It should also be noted that businesses could opt to close at midnight if they were unable or unwilling to make the investment in the security camera system.

Survey

Staff surveyed the cities of Los Angeles, Hermosa Beach, Long Beach and West Hollywood regarding security camera system requirements. These cities did not require mandatory security camera requirements for businesses. Just as Carson is currently doing, these cities each require security cameras on a case by case basis as a condition of approval associated with a conditional use permit or other discretionary permit.

Carson has required security cameras in connection with various permits for commercial businesses. The following conditions show an example of the most recent application of conditions requiring security camera systems:

- 1.. A video surveillance system shall be installed, maintained and operated subject to the approval of the City of Carson and Sheriff's Department. The video surveillance system shall utilize digital recording cameras which record both the interior and entire perimeter of the business to the property line. All video recordings from said cameras shall be retained and made available to the Sheriff's Department for a minimum of 30 days. The Sheriff's Department shall be provided access to the URL to allow for immediate review of security camera recordings.
2. Signs indicating the use of a video surveillance system shall be posted in the parking area and inside the building. The signs shall state the following:

WARNING: THIS PROPERTY IS UNDER SURVEILLANCE BY THE BUSINESS MANAGEMENT AND THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT WITH A VIDEO SURVEILLANCE MONITORING SYSTEM."

Code Modification

The proposed Ordinance Amendment would add Division 9 to Article IX (Planning and Zoning), Chapter 1 (Zoning), Part 6 (General Development Standards) of the Carson Municipal Code, see draft Ordinance No. 07-1380, (Exhibit No. 1) for the entire section.

Business Outreach

Staff will work with the Business License Division and the Sheriff's Department in order to compile a list of associated commercial businesses which may be operating past midnight. Staff recommends that these businesses be contacted regarding the proposed ordinance amendment and to determine the status of existing security systems. Additional dialogue with the business operators may also provide guidance as to the type of security camera systems that should be required.

IV. Environmental Review

Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the proposed project is an amendment and improvement to the existing standards and guidelines in the Municipal Code and is exempt under the general rule. The ordinance amendment will generate no significant environmental impacts.

V. Conclusion

The requirement of security cameras is supported by the Carson Sheriff's Department as a means of assisting law enforcement. Recordings from security

cameras have been a valuable tool to law enforcement and the courts in capturing and sentencing criminals. The mandatory requirement of security cameras at these establishments is expected to make a difference in overall crime reduction throughout the city.

VI. Recommendation

That the Planning Commission:

- CONSIDER and DISCUSS draft Ordinance No. 07-1380; and
- DIRECT staff to conduct further research and outreach as necessary to provide an effective means of establishing security requirements for commercial businesses.

VII. Exhibits

1. City Council Staff Report dated April 17, 2007 with attached Draft Ordinance No. 07-1380 (pages 6-11)

Prepared by: _____
Rocio Lopez, Planner

Reviewed by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp, Planning Manager