



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

WORKSHOP: November 24, 2008
SUBJECT: Workshop to discuss conditional use permit and security camera requirements for alcohol licenses and hotels/motels in order to address public safety concerns
APPLICANT: Planning Division
REQUEST: Direct staff to draft an ordinance to require conditional use permits and security cameras for businesses with on-sale and off-sale alcohol licenses and hotels/motels within the city of Carson
PROPERTY INVOLVED: Citywide

COMMISSION ACTION

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

COMMISSIONERS' VOTE

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

Item No. 11B

I. Introduction

On April 17, 2007, the City Council discussed and considered a draft ordinance to establish security camera requirements for businesses operating late at night within the city of Carson. The City Council referred the draft ordinance (Exhibit No. 1 and 2) to the Planning Commission for consideration and recommendation to the City Council.

On October 23, 2007, the Planning Commission was scheduled to conduct a workshop to discuss a potential ordinance amendment to the Carson Municipal Code establishing security camera requirements for businesses operating late at night. Due to a lack of quorum, the workshop discussion was continued to November 13, 2007. On November 13, 2007, the Planning Commission directed staff to conduct further research and prepare an ordinance amendment establishing security requirements for commercial businesses. (Exhibit No. 3 and 4)

Since then, staff has conducted research and requests a draft ordinance be prepared that requires on-sale/off-sale Alcoholic and Beverage Control (ABC) licenses within the city of Carson to obtain a conditional use permit and install security cameras. Staff also recommends all hotels/motels be required to install security cameras. Staff believes it is appropriate to address security concerns for the commercial businesses most prone to crime, which the majority were identified to be these types of businesses.

II. Background

In 2007, a late-night homicide at a local convenience store (Mobil Service Station) brought on concerns for reliable security cameras to aid in public safety. Following the event, 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. A draft ordinance was prepared and presented to the City Council for consideration. The City Council referred the draft ordinance to the Planning Commission for discussion. (Exhibit No. 5)

During the November 13, 2008 meeting, the Planning Commission raised concerns in requiring businesses operating between midnight and 5:00 a.m. to install a Uniform Resource Locator (URL) system which allows the Sheriff's Department to access real-time surveillance on the internet, with the owner's permission. The Commission was concerned with the level of privacy URL systems would provide and stated that requiring a mandatory installation of a URL system may be an undue financial hardship for small business owners.

The Planning Commission directed staff to research and provide additional information in regards to the positive and negative effects of mandatory security cameras and to draft an ordinance that will address security requirements.

Since then, staff has researched the information requested by the Planning Commission and while doing so, staff and the Sheriff's Department deduced that the majority of Part I crimes (homicide, armed robbery, burglary, etc.) for commercial/retail businesses occurred during daylight hours and/or before midnight. For a one-year time period

between the months of September 2007 to September 2008, less than 10 percent of Part 1 crimes occurred between the late-night hours of 12 a.m. to 5 a.m. In addition, staff discovered that the majority of retail/commercial armed or strong-armed robberies occurred at locations with an on-sale or off-sale ABC license. Approximately 70 percent of armed or strong-armed robberies occurred in locations with an on-sale or off-sale ABC license.

Hotels and Motels were also identified to be uses most sensitive to criminal activities. There are ten (10) Hotels and Motels in the city of Carson. Four (4) addresses were identified to be in the top 15 with the most Part I Crime reports. The four (4) hotels/motels in the top 15 had a total of 50 reports within a one-year time period.

The intent of the security camera ordinance discussed by the City Council on April 17, 2007 and Planning Commission on November 13, 2007 was to protect commercial/retail businesses vulnerable to crime and to provide public safety. Staff believes a draft ordinance addressing on-sale/off-sale ABC licenses and Hotels/Motels would satisfy the intent of the security camera ordinance, which has been identified to be the most vulnerable to crime within the city.

Therefore, in coordination with the Sheriff's Department, staff recommends a draft ordinance be prepared to address on-sale/off-sale ABC licenses and Hotels/Motels and to require the installation of security cameras for these uses.

III. Analysis

In 2007, staff surveyed the cities of Los Angeles, Hermosa Beach, Long Beach and West Hollywood in regards to security camera system requirements. The cities surveyed did not have any mandatory requirements for security cameras. Since it is extremely difficult to implement security cameras as an individual requirement, cities typically do not require security cameras unless it is in conjunction with a discretionary permit such as a conditional use permit or other entitlement.

Staff researched the likelihood of successfully implementing a security camera ordinance which would apply to all businesses open from midnight to 5 a.m. and determined that implementation, maintenance, and tracking these businesses would be extremely complex and arduous for the city. The city's Business License Division currently does not require businesses to list their hours of operation nor does the city track business hours in any other department. The only opportunity the city typically has in determining the hours of a private business is during a discretionary approval. Without a method of tracking business hours for every commercial business in the city, the city would not be able to adequately implement or enforce an ordinance. Business hours can also fluctuate, therefore identifying which businesses would be subject to an ordinance would also be difficult to distinguish. In addition, research found that less than 10 percent of Part 1 crimes occurred between the hours of 12 a.m. to 5 a.m. for retail/commercial businesses, therefore staff believes targeting businesses operating late hours would be inefficient and ineffective in addressing security concerns.

Since the intent of the security camera ordinance is to protect our commercial/retail businesses, staff conducted research to identify which businesses were most vulnerable to crime. Results of the research identified that businesses with an on-sale/off-sale ABC license had approximately 40 percent of Part I crimes occur on their site, including shoplifting, petty theft, burglary, homicide, armed robbery, aggravated assault, etc.). When staff looked specifically at robbery and aggravated assault reports (incidences without a weapon), on-sale/off-sale businesses generated 60 percent of incidences. As stated above, on-sale/off-sale businesses were involved with 70 percent of armed/strong-armed robberies.

Hotels and motels were identified to be one of the most vulnerable uses to Part I Crimes, second only to large retail shopping centers (these uses typically generate shoplifting incidences).

Current City Standards

The Sheriff's Department encourages the installation of security cameras during the review of discretionary permits via the conditions of approval. Beyond these standard requirements submitted by the Sheriff's Department, the city does not have any additional requirements within the Carson Municipal Code (CMC) for the installation of security cameras for businesses within the city.

The city currently automatically permits ABC licenses in conjunction with bona fide restaurants or a department store/supermarket. The city requires a conditional use permit for ABC licenses in conjunction with variety stores, drug stores, markets, grocery stores, take-out food, liquor stores, cocktail lounges, bars, pool halls, billiards, night clubs, and eating establishments other than bona fide restaurants. In conjunction with a conditional use permit, Carson Municipal Code (CMC) Section 9138.5 restricts the following:

- New off-sale license (incidental) from establishing within three hundred (300) feet of any school or park;
- New off-sale business (primary) from establishing within three hundred (300) feet of any school, park or church;
- The total number of on-sale businesses in the city from exceeding eighty-five (5); and
- The total number of off-sale businesses in the city from exceeding seventy (70).

The current requirements for a conditional use permit and those stated in CMC Section 9138.5 only apply to licenses obtained after January 21, 1983 or to new on-sale/off-sale ABC licenses. CMC Section 9182.21 require licenses acquired prior to January 21, 1983 to be conforming only if the business knowingly allows nuisance activities to occur during a specified time period or if the business license for such business were to lapse for more than thirty days (30) after written notification sent by certified mail. The city's current requirements do not allow the city to have proper review over some uses that may generate noise, safety, and other adverse impacts to the community.



The city requires all hotel/motel uses to obtain a conditional use permit. Additional requirements are not specified in the CMC.

Staff conducted discussions regarding the city's current standards with the Sheriff's Department, Economic Development, and other appropriate departments and these departments recommended that businesses with ABC licenses be subject to a public review process since there are many factors such as noise, entertainment, security, etc. that should be reviewed that the city is currently unable to review.

Proposal

Staff's research identified that businesses with on-sale/off-sale licenses were most vulnerable to armed/strong-armed crime in the city; hotel/motel uses are one of the uses most sensitive to crime, the city does not require a conditional use permit for all on-sale/off-sale ABC licenses nor require the mandatory installation of a security camera. Therefore, staff and the Sheriff's Department felt that targeting on-sale/off-sale ABC license businesses and hotel/motels to install security cameras would result in a successful implementation of providing security to those businesses within the city that are most vulnerable to crime.

Proposed Ordinance

The proposed ordinance would address all existing and future on-sale/off-sale ABC licenses within the city and require them to install security cameras in addition to the existing conditions within CMC 9138.5. The proposed ordinance would also require hotel/motels to install indoor and outdoor security cameras. The following is a description of staff's recommendations for the proposed ordinance:

- A conditional use permit shall be required for all on-sale/off-sale Alcoholic Beverages Sales and Services within all commercial zones.
- In addition to the requirements stated in CMC 9138.5 for Alcoholic Beverage Sales and Services, all uses shall be required to install a minimum of two indoor security cameras (one positioned to view the entrance of the business and the other to view the cashier) and two outdoor security cameras. Outdoor cameras will be required to have night-vision capabilities. If for any reason the number of cameras or locations are inappropriate, the Sheriff's Department shall identify the appropriate number of cameras and locations.
- Division 8. Special Requirements for Certain Uses will include provisions for all hotels/motels to install a minimum of two indoor security cameras and two outdoor security cameras. Outdoor security cameras must provide clear views to the property line. If a clear view cannot be provided with the use of two cameras, additional cameras may be required.
- Existing businesses with a CUP for ABC licenses and hotels/motels would be subject to modifications to include a security camera plan.

- The security images shall provide a clear image to the satisfaction of the Sheriff's Department.
- The business shall retain footage for a minimum of 30 days within a secure location, separate from safes or other locations with valuables. The business shall make security images available and accessible to the Sheriff's Department within 24 hours of a crime.
- Security images must be recorded using a digital video recording device. Analog recording systems (i.e. VHS tapes) will not be permitted.
- Dependent on the use and past crime history, some locations will be required to make available real-time surveillance to the Sheriff's Department via a URL internet connection. The Sheriff's Department will keep a record of all required URL addresses.
- The applicant must apply for an annual security camera permit with the Planning Division and is subject to a yearly field inspection concurrent with the renewal of their business license. If the applicant fails to meet the requirements for a security camera permit, their business license shall be withheld until all requirements are met to the satisfaction of the Planning Division.
- Existing businesses will be given an amortization period of 1 year or when there is a transfer of license (whichever time period is earlier) or an intensification of the current use.
- Amendment to CMC Section 9182.21 (Site Nonconformities) to require existing uses with an ABC license to obtain a CUP within a specified period. This amendment would allow the city to review and take into consideration other issues beyond the requirements for security cameras.

Other Cities

Staff surveyed seven (7) cities including Long Beach, Torrance, Gardena, Lakewood, Signal Hill, Cerritos and Redondo Beach in reference to on-sale and off-sale ABC licenses and found that all the cities surveyed except Redondo Beach and Cerritos require on-sale and off-sale licenses within their commercial districts to obtain a conditional use permit. The cities of Redondo Beach and Cerritos regulate bars, cocktail lounges, billiards, liquor stores, and some other establishments that typically acquire a ABC license by requiring a conditional use permit, however these cities automatically permit ABC licenses.

Security Camera Permit

The Security Camera Permit will be issued in order to track and inspect the security camera's being installed. The yearly permit will be issued at no cost, but a field inspection fee of \$70 will be charged in order for staff to ensure the cameras are properly installed. A yearly inspection to confirm the cameras are in working order will be



mandatory to renew the permit. Permits shall be renewed annually with the renewal of their business license.

During the yearly inspection, if the security cameras are not properly maintained or inoperable, a permit will not be issued and their business license will be withheld until the cameras meet all requirements.

Equipment and Costs

Security camera prices range from \$40 to more than \$1000 for each camera depending on their features and capabilities. Most likely, staff would recommend that businesses install a color camera with a minimum of 380 to 420 lines of resolution (approximately \$100). In order to record images, a recording device is needed. Recording devices range from Digital Video Recorders (DVR), Analog Systems which typically use a standard time-lapse VCR that records onto a VHS tape, or their personal computer's hard drive. DVRs are basically computers that convert incoming signals from a camera to a digital signal, which is then compressed and stored. DVRs range from approximately \$300 to thousands of dollars while analog systems (time-lapse VCRs) range from \$150 to several hundreds of dollars. In addition to the camera and recording device, businesses will need to purchase cables, batteries, and power supplies to operate the cameras. Staff recommends DVRs be a requirement in the future ordinance.

If a camera with a USB connection is utilized, images can be recorded onto a Personal Computer's hard drive without a DVR and/or be accessed through the internet using the camera's personal Uniform Resource Locator (URL). However, proper software, internet connection (DSL or Cable), and hard drive space is required.

In order for a business owner or the Sheriff's Department to view security images via the internet, the business owner will need to purchase a public IP address, which costs approximately \$150 dollars a month for the service. The public IP address or website will be verified by the Sheriff's Department in conjunction with the yearly security camera permit.

With a DVR system, images are stored digitally therefore the image quality will not degrade overtime as would a VHS tape when recorded over multiple times. While there are pros and cons with each medium, analog images can be superior in terms of resolution, clarity and durability if used properly and with the appropriate equipment. However, due to the likelihood that VHS tapes are not changed appropriately, staff recommends DVR systems be required.

If more than one camera needs to be recorded on a time-lapse VCR, additional equipment must be purchased. A DVR system typically has the ability to record one to hundreds of cameras at once, depending on the type purchased.



Maintenance and Implementation

To implement an ordinance with staff's recommendation, staff will be responsible for issuing and recording security camera permits, yearly inspections, and collecting fees. In addition, general guidelines for video surveillance systems will be prepared to educate the public and create minimum standards for security cameras, recorders, and availability of images. The Planning Commission will review and consider additional conditional use permit applications for on-sale/off-sale ABC licenses to ensure safety and security.

Impacts to Existing Businesses and the City

Requiring a CUP for all ABC licenses will make existing businesses without CUPs subject to additional review when applying for a permit. In addition, the CUP process would allow the city to consider additional issues such as noise, safety, entertainment or other applicable impacts and place requirements in addition to security cameras. Existing businesses with a CUP and with/without security cameras will need to submit a security camera plan and apply for a security camera permit. These businesses may be subject to minor modifications in order to comply with security standards.

The city's current review for existing businesses with an ABC license is limited since review cannot be triggered unless specific violations occur. Existing ABC establishments are not appropriately reviewed and continue to operate within the city while generating impacts to the surrounding community. This ordinance would allow the city to provide appropriate review for ABC licenses and expand the scope of review currently being provided.

Below is a general table identifying the potential impacts of requiring all ABC licenses to obtain a CUP:

Type of Business	Requirements of the proposed Ordinance
New Business requesting an ABC license or new Hotel/Motel	Will be required to meet all requirements of the proposed ordinance and procedures for a CUP stated in the CMC.
Existing ABC license without a CUP	Will be required to obtain a CUP within the amortization period identified and install security cameras. This business may be subject to additional review and requirements beyond security cameras. *Hotels/Motels are currently required to obtain a CUP.
Existing Hotel/Motel/ABC license with a CUP but no security cameras	Will be required to install security cameras and apply for a security camera permit within a specified time period. This business may be subject to additional review at a staff level to ensure safety.
Existing Hotel/Motel/ABC license with a CUP and security cameras	Will be required to submit a security camera plan and apply for a security camera permit. This business may be subject to additional review at a staff level to ensure safety.

Benefits to the City and Business Owners

An ordinance requiring all on-sale/off-sale ABC licenses to obtain conditional use permits would benefit the city by providing additional review for security and safety to those businesses most prone to criminal activities. In addition, the Planning Commission will be able to use their discretion in approving/denying these sensitive uses. Business owners can benefit from the mandatory installation of security cameras by potentially receiving tax deductibles and lower insurance premiums. Security cameras have been proven to deter robbers, provide some security, and play a vital role in identifying and capturing criminals. Security cameras can also offer business owners a high level of confidence because they discourage criminals from targeting their businesses.

Topics for Discussion

- Would targeting on-sale/off-sale ABC licenses and requiring security cameras satisfy the initial concerns for the security camera ordinance?
- Is requiring hotel/motel uses to install security cameras appropriate?
- Is requiring on-sale/off-sale ABC licenses to obtain a conditional use permit appropriate?
- Is the minimum number of security cameras in-doors and out-doors appropriate?
- Is the Security Camera Permit/Field Inspection necessary?
- Should existing on-sale/off-sale ABC licenses be subject to an amortization period? If so, what is an appropriate time period?
- Should the requirement to install security cameras be subject to an amortization period? If so, what is an appropriate time period?

IV. Recommendation

That the Planning Commission:

- CONSIDER and DISCUSS staff's recommendation to require conditional use permits and security cameras for all on-sale/off-sale ABC licenses and the installation of security cameras for all hotel/motel uses within the city; and
- DIRECT staff to draft an ordinance in preparation for a public hearing or additional workshop; or
- RECEIVE and FILE.

V. Exhibits

1. City Council staff report dated April 17, 2007. (pgs. 11-14)
2. City Council minutes dated April 17, 2007. (pg. 15)
3. Planning Commission staff report dated November 13, 2007. (pgs. 16-21)
4. Planning Commission minutes dated November 13, 2007. (pgs. 22-23)
5. Proposed draft ordinance reviewed in 2007. (pgs. 24-26)

Prepared by:


Sharon Song, Associate Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp, Planning Manager



City of Carson Report to Mayor and City Council

April 17, 2007
New Business Discussion

SUBJECT: CONSIDERATION OF ORDINANCE NO. 07-1380 AND WHETHER TO ESTABLISH SECURITY CAMERA REQUIREMENTS FOR BUSINESSES OPERATING LATE AT NIGHT WITHIN THE CITY OF CARSON

Submitted by William W. Wynder
City Attorney

Approved by Jerome G. Groomes
City Manager

I. SUMMARY

This item is on the City Council agenda at the request of Mayor Dear.

The draft of Ordinance No. 07-1380 (Exhibit No. 1) has been prepared by the City Attorney, reviewed by Captain Rogers and his staff, and is supported by law enforcement.

II. RECOMMENDATION

TAKE the following actions:

1. CONSIDER and PROVIDE suggestions on draft Ordinance No. 07-1380, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING SECURITY CAMERA REQUIREMENTS FOR COMMERCIAL ESTABLISHMENTS OPERATING LATE AT NIGHT WITHIN THE CITY OF CARSON."
2. REFER Ordinance No. 07-1380 to the Planning Commission for consideration and recommendation to the City Council as required by the Carson Municipal Code § 9172.11.

III. ALTERNATIVES

1. Direct the City Attorney to further refine the attached draft ordinance and bring the same back for further consideration by the City Council.
2. DECLINE action at this time.
3. TAKE another action the City Council deems appropriate.

Exhibit 1



IV. BACKGROUND

Following a recent late-night homicide at a convenience store that had imitation security cameras, in an effort to deter robberies and related crimes and to assist the Los Angeles County Sheriff's Department in the investigation of such crimes, 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.

Items discussed by staff relative to the inclusion of a requirement in the city's Zoning Code that businesses operating late at night within the city install security cameras include the following:

1. Should this requirement be applied to businesses operating until midnight? Overnight? What is the threshold?
2. How many cameras should be required? Interior? Exterior?
3. How long should recordings be required to be retained?
4. What should the compliance date be for existing businesses?
5. Should there be an inspection required to ensure compliance by existing businesses? If so, should the city charge a fee in connection with the inspection?
6. Should the city issue window decals to businesses with security cameras to inform the public?

The requirement for security cameras should be added to the city's Zoning Code. As such, pursuant to Carson Municipal Code § 9172.11, this agenda item should be referred to the Planning Commission with a request that the Planning Commission study this matter and report back to the City Council within 40 days with a recommendation regarding whether to require the installation of security cameras and, if the recommendation is to do so, a recommendation regarding the parameters of such requirements. The draft of a possible ordinance has been prepared by the City Attorney for the City Council's consideration this evening. Staff and the City Attorney request that the City Council discuss the same, discuss the questions posed herein, provide such direction as the Council deems appropriate, and refer the matter, with Council directions and recommendations, to the Planning Commission for study and further action.

V. FISCAL IMPACT

Planning Commission and staff resources will be absorbed within the current adopted budget and City Attorney costs will be incurred at the approved billing rate.

VI. EXHIBITS

- 1. Draft Ordinance No. 07-1380. (pgs. 4-6)

Prepared by: William W. Wynder, City Attorney

sf:Rev061902

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

Action taken by City Council

Date _____ Action _____

ITEM NO. (28) CONSIDERATION OF ORDINANCE NO. 07-1380 AND WHETHER TO ESTABLISH SECURITY CAMERA REQUIREMENTS FOR BUSINESSES OPERATING LATE AT NIGHT WITHIN THE CITY OF CARSON (CITY MANAGER)

This item was heard after Item No. 27.

Public Comments

Robert Lesley, P. O. Box 11634, Carson, California 90746, commented that this requirement would become an issue with businesses.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. CONSIDER and PROVIDE suggestions on draft Ordinance No. 07-1380, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING SECURITY CAMERA REQUIREMENTS FOR COMMERCIAL ESTABLISHMENTS OPERATING LATE AT NIGHT WITHIN THE CITY OF CARSON."
2. REFER Ordinance No. 07-1380 to the Planning Commission for consideration and recommendation to the City Council as required by the Carson Municipal Code § 9172.11.

ACTION: It was moved to Approve staff recommendation No. 2 on motion of Dear and accepted without objection.



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

Commissioner Verrett moved, seconded by Chairman Faletogo, to direct staff to conduct further research and outreach as necessary to provide an effective means of establishing security requirements for commercial businesses; and directed staff to do further research on the following: cost of utilizing a URL system; impact to insurance costs; possible availability of subsidies; and monitoring costs to the City and business owner. Motion carried (absent

COMMISSIONERS' VOTE

Commissioner Graber).

AYE	NO		AYE	NO	
✓		Chairman Faletogo	Absent		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



**MINUTES
CITY OF CARSON
PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS, CARSON CITY HALL, 2ND FLOOR
CARSON, CALIFORNIA 90745**

NOVEMBER 13, 2007 – 6:30 P.M.

10. NEW BUSINESS DISCUSSION

- A) Workshop to discuss proposed ordinance amendment to the Carson Municipal Code establishing security camera requirements for businesses operating late at night**

Applicant's Request:

The applicant, Development Services Group – Planning Division, is requesting the Commission direct staff to prepare an ordinance amendment establishing security requirements for commercial businesses citywide.

Staff Report and Recommendation:

Planning Consultant Lopez-Tenes presented staff report and the recommendation to 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.

Commissioner Verrett expressed her belief some of the more technical issues related to type of equipment should be decided by City staff, not the Commission.

Commissioner Saenz noted his support for additional security measures for commercial businesses operating late at night and early morning; and stated the cameras are a crime deterrent, noting they may also reduce insurance costs for the businesses.

Commissioner Cannon addressed his concern with government policy impacting businesses in this manner; and he questioned if any subsidies would be available to the small business owners.

Aly Rousey, representative for the Carson Mobil matter this evening, noted her opposition to the URL system, questioning whether that carries with it too much government control. She stated her station has a number of security cameras.

Vice-Chair Hudson stated she is against the URL system if anyone can tap into that system; and noted her concerns with the financial impacts this additional requirement would have upon each business and upon the City, noting it can become labor intensive for City staff. She suggested leaving the implementation of a URL system up to the decision of a business owner.

Planning Manager Repp stated that at a minimum, businesses should have digital recording capabilities and noted that the business owners will be invited to a workshop/meeting to provide their input.

Chairman Faletogo stated these cameras are a crime deterrent.

The Commission addressed the following: cost of utilizing a URL system; impact to insurance costs; possible availability of subsidies; monitoring costs to the City and business owner; number of cameras being considered for each business; display of security decals and warning announcements that cameras are operating; how will the City over-see the operating condition of these cameras; and possible fees.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Chairman Faletogo, to direct staff to conduct further research and outreach as necessary to provide an effective means of establishing security requirements for commercial businesses; and directed staff to do further research on the following: cost of utilizing a URL system; impact to insurance costs; possible availability of subsidies; and monitoring costs to the City and business owner. Motion carried (absent Commissioner Graber).



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ORDINANCE NO. 07-1380

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING SECURITY CAMERA REQUIREMENTS FOR COMMERCIAL ESTABLISHMENTS OPERATING LATE AT NIGHT WITHIN THE CITY OF CARSON

WHEREAS, the City Council for the city of Carson is concerned with the occurrence of criminal activity within the city late at night and early in the morning; and

WHEREAS, commercial robbery data for the city indicates that businesses which are open late at night or all night, such as fast food restaurants, liquor stores, grocery stores, gas stations and bars, suffer more than one-half of all commercial robberies which occur within the city; and

WHEREAS, pursuant to Carson Municipal Code Section 9172.11 and Government Code Sections 65850, *et seq.*, consideration of this matter was duly noticed and agendized for public hearing before the Planning Commission on _____, 2007; and

WHEREAS, at its public meeting on _____, 2007, the Planning Commission, after hearing all the evidence and after having reviewed, analyzed and studied said proposals, recommended that the City Council approve the proposed amendments to the Carson Municipal Code to require certain businesses to install and operate security cameras; and

WHEREAS, the City Council believes that mandating the installation of security cameras at all business establishments within the city that operate until midnight or later will both (i) deter robberies and related crimes and (ii) assist the Los Angeles County Sheriff's Department in the investigation of such crimes, should a crime occur.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Division 9 is hereby added to Article IX, Chapter 1, "Zoning", of the Carson Municipal Code to read as follows:

"Division 9. Security."

§ 9169.1 Security Cameras.

A. Any commercial establishment within the city which operates between the hours of midnight and 5:00 a.m. shall be required to install and to permanently maintain and operate digital recording cameras which record both the complete interior of the business and the entire perimeter of the business to the property line. All



video recordings from said cameras shall be retained and made available for viewing by the Los Angeles County Sheriff's Department for a minimum of thirty days.

- B. Each business that is subject to this Section shall be required to schedule at least one employee per shift who is trained to retrieve footage from the required recording cameras to ensure that, should a crime occur, the footage can be provided to the Los Angeles County Sheriff's Department within one hour of the business's receipt of a request for such footage from the Los Angeles County Sheriff's Department.
- C. Any business that is subject to this Section that is in operation as of the effective date of this Section shall be required to install the required security cameras no later than December 31, 2008, or such business shall be in violation of this Section and may be declared a public nuisance in violation of Section 9185.2. Any new business which will be subject to this Section which intends to open within the city after July 1, 2007, shall be required to comply with this Section before commencing operations within the city.
- D. Once the required security cameras have been installed and the business's staff has been trained to retrieve footage from the cameras, the business shall contact the city's Development Services Department to arrange for an inspection of the security cameras to verify that the business is in compliance with this Section. The city may issue window decals to businesses found to be in compliance with this Section to inform the public of the existence of the security cameras. The city may adopt a resolution to establish a fee for the inspection and/or the window decal.
- E. An application for a sign permit must be submitted and approved before the erection, placement, alteration, replacement, reconstruction, relocation or expansion of any sign except those signs which are exempted from the requirement of a permit by an express provision of this chapter. Legally existing billboards are not required to obtain a permit for a change of message.
- F. The General Manager of Development Services, or his or her designee, is authorized and directed to enforce and administer the provisions of this Section. Violations of this Section may be enforced by administrative proceeding, civil action, or by criminal action as an infraction or misdemeanor at the discretion of the prosecuting attorney, with the amount of any fine or criminal

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penalty established by the City Council. In an action, attorneys' fees may be recovered by the prevailing party.

Section 2. If any provision(s) of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

PASSED, APPROVED and ADOPTED this ___ day of _____, 2007.

Mayor Jim Dear

ATTEST:

City Clerk Helen S. Kawagoe

APPROVED AS TO FORM:



City Attorney

