

**CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY
ZONING INFORMATION FILE**

ZI No. 1231

ZI HISTORY

EFFECTIVE

EXPIRES

168,583

03/15/93

CUC

162,218

05/31/87

CUC

171,681

09/13/97

CUC

COUNCIL FILE:

84-1970

ADDRESS:

Various

LEGAL DESCRIPTION:

Various

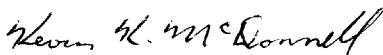
COUNCIL DISTRICTS:

1, 6, 8, 9, 10 & 15

COMMENTS:

The Specific Plan for the sale of alcoholic beverages for off-site consumption in South Central Los Angeles has been revised by Ordinance #171,681. This ordinance requires additional findings for granting conditional use permits. It also specifies that existing uses may not be continued or re-established without conditional use approval in any of the following cases:

1. The establishment changes its type or retail alcoholic beverage license within a license classification; or
2. The operation of the establishment is abandoned or discontinued, including the case where the alcoholic beverage license for such operation is suspended for a continuous period of one year; or
3. There is a substantial change in the mode or character of operation of the establishment, including any expansion by more than ten percent of the floor area, seating or occupancy, whichever applies, existing as of May 4, 1987; except that construction for which a building permit is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition is exempt from this provision. Any expansion of less than ten percent of the floor area, seating or occupancy, whichever applies, requires the approval of plans pursuant to Section 12.24G1 of the Code.



Kevin K. McDonnell
Zoning Engineer

KM:SH
ZI1231

MAP LIST FOR ZI 1231

66B197	90A199	96B189
66B201	90A201	96B193
	90A203	96B197
	90A207	96B201
69B197		96B205
69B201		96B209
	90B189	
	90B193	
72B197	90B197	96A205
72B201	90B201	96A207
	90B205	97.5A205
	90B209	97.5A207
75B197	90B213	97.5A209
75B201	90B217	
		99B185
78B197	91.5A191	99B189
78B201	91.5A199	99B193
	91.5A201	99B197
	91.5A203	99B201
81B197	91.5A205	99B205
81B201	91.5A207	99B209
84B197	93B189	102B185
84B201	93B193	102B189
84B205	93B197	102B193
84B209	93B201	102B197
84B213	93B205	102B201
84B217	93B209	102B205
	93B213	102B209
	93B217	
87B197		
87B201		105B177
87B205	93A193	105B181
87B209	93A195	105B185
87A213	93A205	105B189
87A215	93A207	105B193
87B217		105B197
		105B201
	94.5A193	105B205
88.5A213	94.5A195	105B209
88.5A215	94.5A207	

MAP LIST FOR ZI 1231

108B181	114B209	
108B185	114B213	120A209
108B189		120A211
108B193		120A215
108B197	114A211	
108B201	114A213	
108B205		121.5A209
108B209		121.5A211
108B213	117B177	
	117B181	
	117B185	123B181
111B177	117B189	123B185
111B181	117B193	123B189
111B185	117B197	123B193
111B189	117B201	123B197
111B193	117B205	
111B197	117B209	
111B201	117B213	123A201
111B205	117B217	123A203
111B209		123A205
111B213		123A207
	117A213	123A209
111A201	118.5A213	124.5A201
		124.5A203
112.5A203		124.5A205
112.5A215	120B177	124.5A207
	120B181	
114B177	120B185	
114B181	120B189	126A201
114B185	120B193	126A203
	120B197	126A205
114B189	120B201	
114B193	120B205	
114B197	120B209	126B193
114B201	120B213	126B205
114B205	120B217	

ZI 1231
R9.13.97

—:sh

ORDINANCE NO. 171681

An ordinance amending Ordinance No. 162,128, to revise the procedures for obtaining conditional uses for the sale of alcoholic beverages, including beer and wine, for off-site consumption in the South Central area of the City.

WHEREAS, there continues to be an unusually large number of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for off-site consumption, generally located in the South Central Area of the City of Los Angeles, including portions of the South Central Los Angeles, Southeast Los Angeles and West Adams District Plan Areas (hereinafter "Area"); and

WHEREAS, the existence of this inordinate number of establishments appears to directly contribute to numerous peace, health, safety and general welfare problems in the Area, including loitering, littering, drug trafficking, prostitution, public drunkenness, defacement and damaging of structures, pedestrian obstructions, as well as traffic circulation, parking and noise problems on public streets and neighborhood lots; and

WHEREAS, the existence of such problems creates serious impacts on the health, safety and welfare of residents of nearby single- and multiple-family areas, including fear for the safety of their children and of visitors to the Area, as well as contributing to the deterioration of their neighborhoods, and concomitant devaluation of their property and destruction of their community values and quality of life; and

WHEREAS, the district plans for this Area provide for a commitment by "the City to the redirection of its energies toward the improvement and upgrading of declining areas of Los Angeles in general and the South Central Los Angeles District in particular" and an intent to ". . . encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live in the district . . . contribute to a healthful and pleasant environment, balance growth with stability, . . . and promote a socio-economic climate which will result in stable and desirable neighborhoods for the residents. . . ;" and

WHEREAS, on May 28, 1983, the City Council adopted a motion which requested the Police, Fire and Public Safety Committee to investigate the problems associated with liquor store outlets in the Area and, pursuant to such report, the

Working Group on Liquor Store Outlets has held regular meetings and has focused attention on ways to eliminate these problems on and about the premises of liquor outlets in the Area and has prepared a draft report of recommendations for the review of the Police, Fire and Public Safety Committee of the City Council; and

WHEREAS, the Working Group on Liquor Outlets has compiled information which indicates serious problems in this Area and provides the substantive information for the imposition of a permanent control measure to prohibit the introduction of any additional establishments or any expansion or changes in the mode or character of operation of such existing establishments within the Area unless new or expanded establishments have first been thoroughly reviewed by the City through a conditional use process; and

WHEREAS, on September 6, 1983, the City Council, being aware of the serious concerns raised by such establishments in the Area and desiring to prevent any worsening of such situation and any further such intrusions into such neighborhoods, requested the City Attorney, with the assistance of the Department of City Planning, "to prepare and present an appropriate ordinance establishing a conditional use process governing off-site liquor outlets, with the goal of inhibiting or reversing the proliferation of such outlets in heavily impacted areas of the City;" and

WHEREAS, the City Council, being aware of the serious concerns raised by the number of such establishments in the area and desiring to prevent any worsening of such neighborhood conditions, adopted a two-year interim specific plan ordinance (Ordinance No. 158,820) on March 27, 1984, which established a process of conditional use approval for establishments seeking licensing for the sale of alcoholic beverages, including beer and wine, for off-site consumption in the South Central Area; and

WHEREAS, the operative period of the interim specific plan was extended by resolution of the City Council on April 30, 1986 for one year and expired on April 30, 1987; and

WHEREAS, it is desirous that existing alcoholic beverage (including beer and wine) outlets continue to be subject to regulatory control; and

WHEREAS, the City Council adopted the South Central Specific Plan for Conditional Use Approval for Sale of Alcoholic Beverages in March, 1987, and the specific plan went into effect on May 4, 1987 as Ordinance No. 162,128; and

WHEREAS, in the intervening period since May, 1987, it has become clear that the stated goal of inhibiting or reversing the proliferation of off-site alcoholic beverage, (including beer and wine) outlets in heavily impacted areas of the City has not been achieved; and

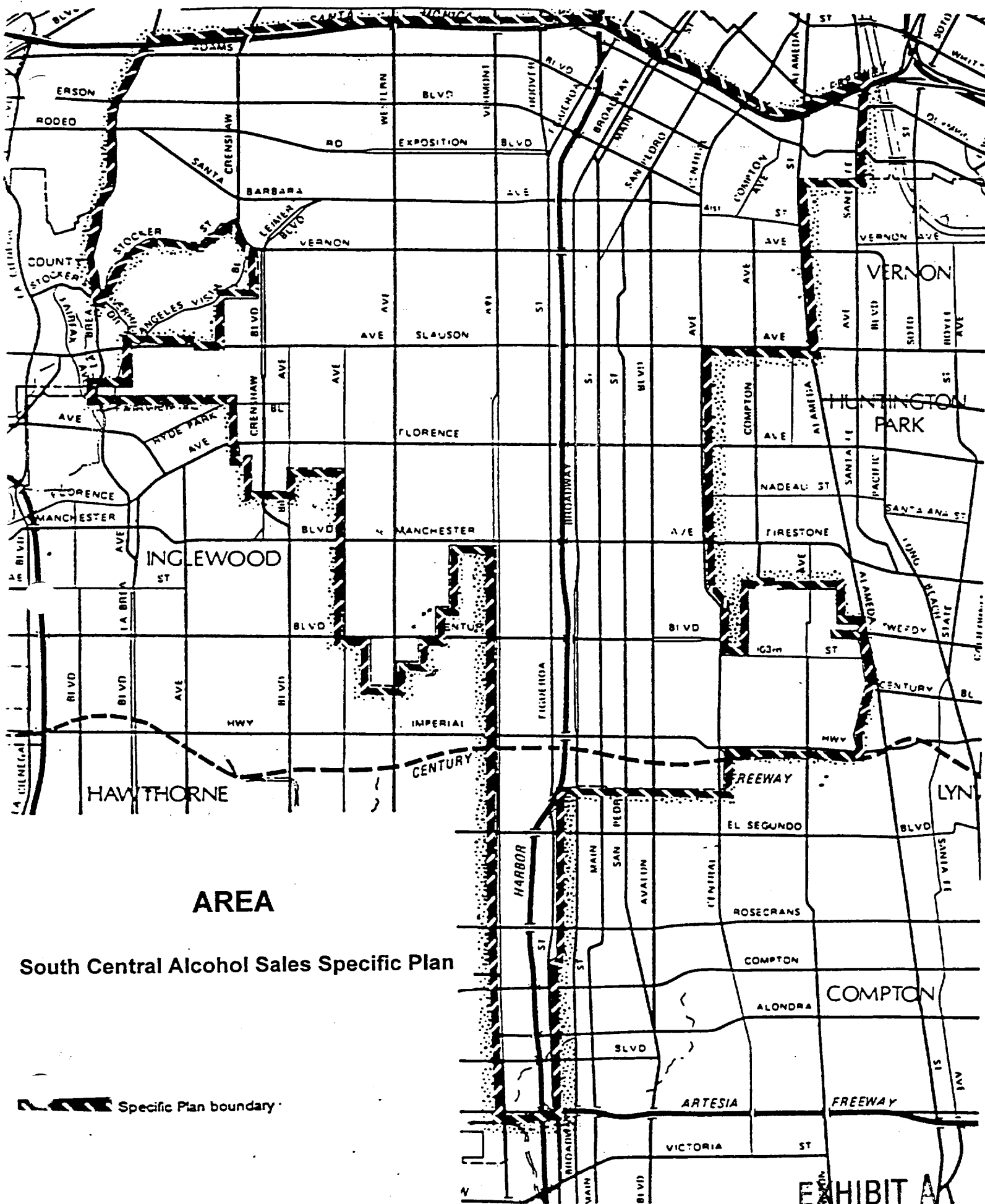
WHEREAS, in May, 1994, the Los Angeles Police Department released neighborhood crime statistics which documented the correlation between the presence of alcoholic beverage (including beer and wine) sales outlets and high levels of crime; and

WHEREAS, in March, 1994, the City Council instructed the City Planning Department, with the assistance of the City Attorney, to prepare and process amendments to the specific plan which would require additional findings of approval and bring more existing alcohol beverage (including beer and wine) sales outlets under regulatory control;

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. ESTABLISHMENT OF A SPECIFIC PLAN FOR CONDITIONAL USE APPROVAL FOR THE SALE OF ALCOHOLIC BEVERAGES, INCLUDING BEER AND WINE. The City Council hereby establishes a specific plan for conditional use approval for establishments dispensing for sale or other consideration alcoholic beverages, including beer and wine, for off-site consumption, which are located in that portion of the City as depicted on the map below (referenced as Exhibit A) within the dotted black lines (hereinafter the "Area"), generally bounded by the Santa Monica Freeway on the north and City boundaries on the east, south and west.



Sec. 2. CONDITIONAL USE APPROVAL REGULATION.

Beginning on May 4, 1987, no person shall establish in the Area an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for off-site consumption, without first obtaining conditional use approval from the City of Los Angeles as set forth herein.

Sec. 3. APPLICABILITY OF THE ZONING CODE.

A. The regulations of the specific plan are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code and any other ordinance and do not convey any rights not otherwise granted under the provisions and procedures contained in that chapter, except as specifically provided herein.

B. Whenever this specific plan contains provisions which differ from provisions contained in Chapter 1 of the Los Angeles Municipal Code, this specific plan shall prevail and supersede the applicable provisions of that Code.

Sec. 4. APPLICABILITY OF INTERIM SPECIFIC PLAN

ORDINANCE NO. 158,820. The conditional use regulations set forth in Section 2 of the Interim Specific Plan Ordinance (Ordinance No. 158,820) expired on April 30, 1987. However, all the provisions of the Interim Specific Plan Ordinance, including the conditional use regulations, shall be considered as remaining in full force and effect thereafter for the purpose of initiating, maintaining or defending any administrative, civil or criminal proceedings with respect to any right, liability or offense that may have arisen pursuant to the provisions of that ordinance.

Sec. 5. PROCEDURES.

A. The City Planning Commission, and the City Council on appeal, shall have authority to approve the use of a lot in the Area for an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for off-site consumption. In granting a conditional use approval, the City Planning Commission, and the City Council on appeal, shall follow the procedures set forth in Section 12.24 of the Los Angeles Municipal Code.

B. In addition to the findings required in Section 12.24 D of the Los Angeles Municipal Code, the City Planning Commission, or the City Council on appeal, shall also make all of the following findings:

1. that the proposed use will not adversely affect the welfare of area residents;

2. that the granting of such application will not result in an undue concentration in the Area of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of such establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the Area; and

3. that the proposed use will not detrimentally affect nearby residentially zoned communities in the Area after giving consideration to the distance of the proposed use from the following:

(a) residential buildings; and

(b) churches, schools, hospitals, public playgrounds and other similar uses; and

(c) other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.

The distance between any two establishments which dispense alcoholic beverages, including beer and wine, for sale or other consideration for off-site consumption shall be measured in a straight line without regard to intervening structures from the closest property line of each establishment. The distance between any such establishment and any religious institution, school or public park shall be measured in a straight line without regard to intervening structures from the closest property line of the establishment to the closest property line of the religious institution, school or public park.

C. Whenever an application for a conditional use has been filed pursuant to this ordinance, the City Planning Commission shall give notice of this fact forthwith to the City Council members whose districts include portions of the Area.

D. Each application or appeal filed in connection with a conditional use pursuant to this ordinance shall be accompanied by payment of the same fee as that set forth in Section 19.01 C of the Los Angeles Municipal Code.

E. Whenever an application for a conditional use is approved pursuant to the provisions of this ordinance, the City Planning Commission shall review the operation of the establishment at least one year but not more than two years after the approval is granted; the purpose of this review will be to make a determination that the establishment is in compliance with all conditions imposed. The applicant shall file an application for a conditional use plan approval, which shall be accompanied by the payment of appropriate fees pursuant to Section 19.01 I of this Code and must be accepted as complete by the Planning Department public counter.

F. Covenant and Agreement. Prior to the issuance of any permits relative to this matter, a covenant and agreement to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement must be submitted to the City Planning Commission for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the City Planning Commission for attachment to the subject case file.

Sec. 6. EXISTING USES. The use of a lot for an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for off-site consumption may not be continued or re-established without conditional use approval granted in accordance with the provisions of this ordinance, if any of the following occur after May 4, 1987:

A. The establishment changes its type of retail alcoholic beverage license within a license classification;
or

B. The operation of the establishment is abandoned or discontinued, including the case where the alcoholic beverage license for such operation is suspended for a continuous period of one year; or

C. There is a substantial change in the mode or character of operation of the establishment, including any expansion by more than ten percent of the floor area, seating or occupancy, whichever applies, existing as of May 4, 1987; except that construction for which a building permit is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition is exempt from this provision. Any expansion of less than ten percent of the floor area, seating or occupancy, whichever applies, requires the approval of plans pursuant to Section 12.24 G1 of this Code.

Sec. 7. ADDITIONAL AUTHORITY. For any conditional use, granted in accordance with the provisions of this ordinance or any existing use subject to this ordinance, and notwithstanding any provision of the Los Angeles Municipal Code to the contrary:

The Zoning Administrator may require the modification, discontinuance or revocation of any such conditional use or existing use in accordance with the procedures and standards set forth in Section 12.24 I and J of the Los Angeles Municipal Code.

Further, any conditional use approval granted pursuant to the Interim Specific Plan Ordinance (Ordinance No. 158,820) shall continue in full force and effect and shall be subject to the provisions of Section 12.24 I and J and this ordinance.

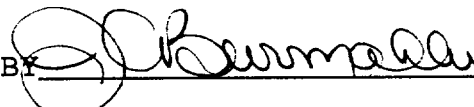
Sec. 8. SEVERABILITY. If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this ordinance which can be implemented without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

(22896)

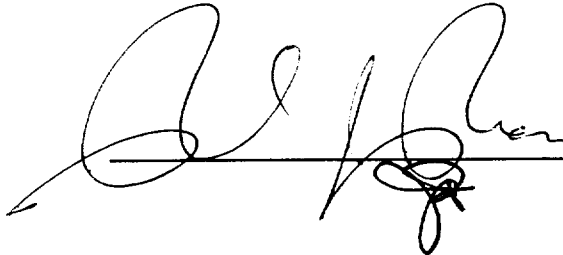
Sec. 9. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles JUL 30 1997 and was passed at its meeting of AUG 06 1997

J. MICHAEL CAREY, CITY CLERK

BY  Deputy

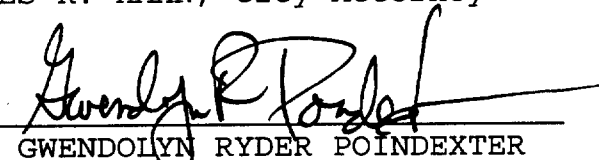
Approved AUG 11 1997

 Mayor

Approved as to Form and Legality

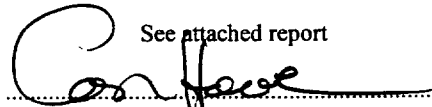
NOV 26 1996

JAMES K. HAHN, City Attorney

BY 
GWENDOLYN RYDER POINDEXTER
Assistant City Attorney

Pursuant to Sec. 97.8 of the City Charter,
approval of this ordinance recommended
for the City Planning Commission.....

November 15, 1996

See attached report

Director of Planning

File No. 83-1589-S4 / 94-0622

MAP LIST FOR ZI 1231

66B197
66B201

69B197
69B201

72B197
72B201

75B197
75B201

78B197
78B201

81B197
81B201

84B197
84B201
84B205
84B209
84B213
84B217

87B197
87B201
87B205
87B209
87A213
87A215
87B217

88.5A213
88.5A215

90A199
90A201
90A203
90A207

90B189
90B193
90B197
90B201
90B205
90B209
90B213
90B217

91.5A191
91.5A199
91.5A201
91.5A203
91.5A205
91.5A207

93B189
93B193
93B197
93B201
93B205
93B209
93B213
93B217

93A193
93A195
93A205
93A207

94.5A193
94.5A195
94.5A207

96B189
96B193
96B197
96B201
96B205
96B209

96A205
96A207
97.5A205
97.5A207
97.5A209

99B185
99B189
99B193
99B197
99B201
99B205
99B209

102B185
102B189
102B193
102B197
102B201
102B205
102B209

105B177
105B181
105B185
105B189
105B193
105B197
105B201
105B205
105B209

MAP LIST FOR ZI 1231

108B181	-114B209	120A209 -
108B185	-114B213	120A211 -
108B189		120A215 -
108B193		
108B197	-114A211	
108B201 -	-114A213	
108B205 -		121.5A209 -
108B209 -		121.5A211 -
108B213	-117B177	
	-117B181	
	-117B185	123B181 -
111B177	-117B189	123B185 -
111B181	-117B193	123B189 -
111B185	-117B197	123B193 -
111B189	-117B201	123B197 -
111B193	-117B205	
111B197	-117B209	
111B201	-117B213	123A201 -
111B205	-117B217	123A203 -
111B209		123A205 -
111B213		123A207 -
	-117A213	123A209 -
111A201	-118.5A213	124.5A201 -
		124.5A203 -
-112.5A203		124.5A205 -
-112.5A215	-120B177	124.5A207 -
	-120B181	
-114B177	-120B185	
-114B181	-120B189	126A201 -
-114B185	-120B193	126A203 -
	-120B197	126A205 -
-114B189	-120B201	
-114B193	-120B205	
-114B197	-120B209	126B193 -
-114B201	-120B213	126B205 -
-114B205	-120B217	

ZI 1231
R9.13.97
____:sh