

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-003768-(2)
CONDITIONAL USE PERMIT NO. RPPL2023003810

PROJECT DESCRIPTION

The project is to authorize the sale of alcoholic beverages (beer, wine, and distilled spirits) for off-site consumption as an accessory use in an existing grocery market, with a change from a Type 20 California Department of Alcohol Beverage Control (“ABC”) License to a Type 21 ABC License, subject to the following conditions of approval:

GENERAL CONDITIONS

1. **Permittee.** Unless otherwise apparent from the context, the term “Permittee” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. **Affidavit of Acceptance.** 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 Los Angeles County ("County") Department of Regional Planning (“LA County 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. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of decision of this grant by the County.
3. **Date of Final Approval.** Unless otherwise apparent from the context, the term “date of final approval” shall mean the date the County’s action becomes effective pursuant to County Code Section 22.222.230 (Effective Date of Decision and Appeals).
4. **Indemnification.** 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 or any other applicable limitations period. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the Permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. **Litigation Deposit.** 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 make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning's cooperation in the

defense, including but not limited to, depositions, testimony, and other assistance provided to Permittee or Permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the Permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the Permittee according to County Code Section 2.170.010 (Fees for Providing County Records).

6. **Invalidation.** If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. **Recordation.** Prior to the use of this grant, the Permittee, or the owner of the subject property if other than the Permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk (i.e. Recorder's Office). In addition, upon any transfer or lease of the property during the term of this grant, the Permittee, or the owner of the subject property if other than the Permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **Grant Term. This grant shall terminate on October 15, 2035.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue the sale of alcoholic beverages after such date, whether or not the Permittee proposes any modifications to the use at that time, the Permittee shall file a new Conditional Use Permit application with LA County Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve (12) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the Permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. **Expiration.** This grant shall expire unless used within two (2) years from the date of decision for this grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. **Inspections.** 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. No provision of any easement of or any other encumbrance on the property shall exempt the Permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be

made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved Exhibit "A" on file. The Permittee shall deposit with the County the sum \$2,280.00, which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides for five (5) inspections.

Inspections may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS). Use of a UAS requires the consent of the Permittee pursuant to LA County Planning's UAS policy, which may be updated from time to time, and which shall be provided to the Permittee upon request.

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 one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$456.00 per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

11. **Revocation.** 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 ("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, or as otherwise authorized pursuant to County Code Chapter 22.238 (Modifications and Revocations). Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions and may result in revocation.
12. **County Fire Code.** All development pursuant to this grant shall comply with the requirements of Title 32 (Fire Code) of the County Code to the satisfaction of the County Fire Department.
13. **County Public Works Requirements.** All development pursuant to this grant shall comply with the requirements of the County Department of Public Works to the satisfaction of said department.
14. **Exhibit "A."** All development pursuant to this grant shall comply with the requirements of Title 22 (Planning and Zoning) of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of LA County Planning ("Director").

15. **Maintenance.** The Permittee shall maintain the subject property in a neat and orderly fashion. The Permittee shall maintain free of litter all areas of the premises over which the Permittee has control.
16. **Graffiti.** All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by LA County Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the Permittee shall remove or cover said markings, drawings, or signage within 48 hours, 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.

17. **Revisions to the Exhibit "A."** The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **an electronic copy** of a modified Exhibit "A" shall be submitted to LA County Planning by **December 15, 2025**.
18. **Subsequent Revisions to the Exhibit "A."** In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit **an electronic copy** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A." All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
19. **Conditions of Approval Maintained on the Premises.** The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff, LA County Planning staff member, ABC agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

20. **Container Size and Quantity.** The following restrictions apply to the size of alcoholic beverage containers that may be sold on the premises:
 - a. Malt beverages (e.g. beer, ale, stout, and malt liquors) shall not be sold in a single bottle or container less than 16 ounces or greater than 750 milliliters or 25.4 ounces. The Permittee shall post signs on the coolers and the cashier station stating that the sale of single bottles or containers of malt beverages (e.g. beer, ale, stout, and malt liquors) that are less than 16 ounces in size, or greater than 750 milliliters or 25.4 ounces in size, is prohibited. However, malt beverages (e.g. beer, ale, stout, and malt liquors) in single bottles or containers

- that are less than 16 ounces in size, or greater than 750 milliliters or 25.4 ounces in size, may be sold in manufacturer pre-packaged multi-unit quantities, such as a six-pack of 12-ounce bottles or containers or a three-pack of 24-ounce bottles or containers;
- b. There shall be no wine, except for wine coolers, sold in containers of less than 750 milliliters. Wine coolers shall not be sold in less than four-pack quantities; and
 - c. No miniature containers of any type of alcoholic beverages may be sold.
21. **On-Site Consumption Prohibited.** The consumption of alcoholic beverages shall be prohibited on the subject property. The Permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises. The Permittee shall instruct all employees regarding these restrictions. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
22. **Loitering.** Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with County Code Chapter 22.114 (Signs) 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. If loitering occurs on a continuous basis, as determined by the County Sheriff, a security guard shall be required during business hours at the discretion of the Director.
23. **State Training Program.** All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All new designated employees shall be required to attend. The Permittee shall display a certificate or plaque in a publicly accessible area of the establishment, such as the lobby, indicated they have participated in this program. Proof of completion of the facility's training program by employees, the licensee, and all managers shall be provided to LA County Planning within ninety (90) days of the effective date of this grant, and subsequently within ninety (90) days of the hire date of all new employees and/or managers.
24. **Minimum Age to Purchase Alcoholic Beverages.** Alcoholic beverages shall only be sold to patrons age 21 or older. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
25. **Intoxicated Persons.** The Permittee and all managers and employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.
26. **Exterior Advertising.** The Permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property, including

windows, walls, fences or similar structures, or within any portion of the interior of any structure that is visible from the outside.

27. **Address Number Sign.** A numbering address sign, in compliance with County Code Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from the property grounds and the nearest public street, to the satisfaction of the Director.
28. **Public Telephones.** No publicly accessible telephones shall be maintained or permitted on the exterior of the premises. Any existing publicly accessible telephones shall be removed within ninety (90) days of the effective date of this grant.
29. **Exterior Lighting.** The Permittee shall provide adequate exterior lighting above all entrances and exits to the premises and in all parking areas and walkways under control of the Permittee or required as a condition of this grant. All exterior lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed to direct light and glare only onto the premises, shall also be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off within thirty (30) minutes after conclusion of activities, except for sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
30. **Prohibited Security Doors and Windows.** Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
31. **Property Maintenance.** The premises, including exterior facades, designated parking areas, fences, and adjacent sidewalks and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.
32. **Prohibited Coin-operated Machines.** The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, except for official State Lottery machines.

PROJECT SITE-SPECIFIC CONDITIONS

33. **Scope of Approval.** This grant authorizes the sale of alcoholic beverages (beer, wine, and distilled spirits) for off-site consumption as an accessory use within an existing grocery market, as depicted on the approved plans marked Exhibit "A."
34. **Authorized Hours for Alcoholic Beverage Sales.** This grant authorizes the sale of alcoholic beverages from 10:00 a.m. to 10:00 p.m. daily.

The Permittee may, at their sole discretion, operate the grocery market outside of these hours, provided that no alcoholic beverages are sold.

35. **Lockable Coolers.** Alcoholic beverages shall be stored in lockable coolers, which shall be kept locked between the hours of 10:00 p.m. on each day and 10:00 a.m. on the next day, which is when alcoholic beverages shall not be sold in accordance with Condition No. 34, above.
36. **Shelf Space Limitation.** The shelf space devoted to alcoholic beverages shall be limited to five percent (5%) of the total shelf space in the grocery market, as depicted on the floor plan and shelf plans labeled Exhibit "A."
37. **Display of Alcoholic Beverages.** The Permittee shall display alcoholic beverages only in the cooler or shelving designated for the display of said beverages as depicted on the floor plan and shelf plans labeled Exhibit "A." No additional display of alcoholic beverages shall be provided elsewhere on the premises.
38. **Surveillance Recording Equipment.** Security cameras shall be maintained inside the grocery market, outside facing Lennox Boulevard, and outside facing the parking abutting the alley. Recordings shall be retained for a minimum of thirty (30) days and shall be immediately produced upon request of any County Sheriff or LA County Planning staff member.
39. **Security Alarms.** Security alarms shall be maintained inside the store.
40. **Outdoor Uses Prohibited.** There shall be no outdoor sales, storage, or displays of merchandise.
41. **Temporary Window Signage.** Temporary window signs shall not exceed 25 percent (25%) of the area of any single window and shall not exceed 25 percent (25%) of the area of adjoining windows on the same frontage.
42. **Fresh Produce and Whole Grains.** The Permittee shall offer a minimum of three (3) varieties of fresh produce free from spoilage and two (2) whole grain items for sale on a continuous basis. For purposes of this condition, "fresh produce" shall be defined as any edible portion of a fresh fruit or vegetable, whether offered for sale whole or pre-sliced, and "whole grain items" shall be defined as any food from either:
 - a. A single ingredient product of the seed or fruits of various food plants, such as brown rice, whole oats, quinoa, or barley; or
 - b. A pre-packaged grain product, such as whole wheat bread or whole wheat crackers, in which the word "whole" appears first in the ingredients list of the product.
43. **Display of Fresh Produce and Whole Grains.** The products required by Condition No. 42, above, shall be displayed in high-visibility areas meeting one or more of the following criteria, as depicted on the approved floor and shelf plans labeled Exhibit "A."
 - a. Within ten (10) feet of the front door;
 - b. Within five (5) feet of a cash register;
 - c. At eye-level on a shelf or within a cooler, refrigerator, or freezer case;

- d. On an end cap of an aisle; or
- e. Within a display area dedicated to produce that is easily accessible to customers.