



ALCOHOL & ENTERTAINMENT ESTABLISHMENTS Plan Approval

Related Code Sections

Los Angeles Municipal Code (LAMC) Sections 13B.2.1.H. (Class 1 Conditional Use Permit) and 13B.2.2.H. (Class 2 Conditional Use Permit) of Chapter 1A authorize Plan Approval applications for alcohol establishments subject to LAMC Sections 12.24 W.1 (Class 2 Conditional Use Permit) or 12.24 X.2 (Class 1 Conditional Use Permit), or entertainment subject to 12.24 W.18 (Class 2 Conditional Use Permit) of Chapter 1.

Public Hearing and Notice

This entitlement requires notification of Abutting Property Owners from the boundaries of the subject site. Please note a greater noticing requirement may be required based on the most recent decision letter. This is for informational purposes only and not required at the time of filing, unless otherwise requested. Refer to the Mailing Procedures Instructions ([CP13-2074](#)) and Posting Instructions ([CP-7762](#)) for applicable requirements.

Specialized Requirements

When filing for the above application, the following items are required in addition to those specified in the City Planning Application Filing Instructions ([CP13-7810](#)).

Continuing Term-Limited Conditional Uses (ZA Memo 122)

This form is to be completed when utilizing the provisions established in ZA Memorandum No. 122. The Memorandum allows for applicants to continue any **still valid** approval that has been term-limited, through the Plan Approval procedure. Applicants are advised that the Plan Approval must take effect **before** the original approval expires for it to remain valid meaning there can be no lapse in time. For example, if the original approval dated 1/1/2010 was approved for a term-limit of five years (expiring on 1/1/2015), and if the average case processing time is one year, the applicant would be advised to file at latest on 1/1/2014. Filing well before the expiration date is strongly recommended.

Additional Information

For a Plan Approval request to be considered, the following information and findings must be provided:

Original Approval

- Provide a copy of the original entitlement, together with any appeals.

- If there is no original entitlement, and the Plan Approval is being filed on a Deemed-to-be-Approved Conditional Use establishment (PAD), provide a copy of the Building Permit, Certificate of Occupancy, or other documentation that originally permitted the use.

Condition Compliance (on a separate sheet)

- Provide supplemental information that verifies compliance with all current conditions of approval. List the condition number, the text of the condition, and an explanation or documented proof of how the condition has been met.

Example: **Condition 22:** No dancing or dance floor is permitted.

Proof: The attached floor plan and accompanying photos show fixed seats and tables throughout the venue with no room for a dance floor or dancing.

Specialized Questions

The items below cover important information which will help acquaint the decision maker with your request. The information is required but should not be considered as a limitation upon materials to be submitted. The applicant is encouraged to include any additional relevant materials. In the space below, or on separate paper, if necessary, complete the following:

Physical Development of the Site

1. What is the total square footage of the building or center in which the establishment is located?

2. What is the total square footage of the space the establishment will occupy? _____
3. What is the total occupancy load of the space as determined by the Fire Department? _____
4. What is the total number of seats that will be provided: Indoors? _____ Outdoors? _____
5. If there is an outdoor area, will there be an option to consume alcohol outdoors?
 YES NO N/A
6. If there is an outdoor area, is it located on private property or the public right-of-way, or both?

7. If an outdoor area is within the public right-of-way, has a revocable permit been obtained?
 YES NO N/A
8. Is floor area being added? YES NO
If YES, how much is enclosed? _____ Outdoors? _____

- 9. Is the site located within 1,000 feet of any schools (public, private, or nursery), churches or parks? YES NO
- 10. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B.17? YES NO

Parking

- 11. How many parking spaces are available on the site? _____
- 12. Are they shared or designated for the subject use? _____
- 13. If adding floor area, what is the parking requirement as determined by the Department of Building and Safety (LADBS)? _____
- 14. Have any arrangements been made to provide off-site parking? YES NO
If YES, is the parking secured via a private lease or a covenant/affidavit approved by LADBS?

Note: Required parking must be secured via a covenant pursuant to LAMC Section 12.26 E.5 of Chapter 1. A private lease is only permitted by a Zone Variance.

- 15. Provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.
- 16. Will valet service be available? YES NO
- 17. Will the service be for a charge? YES NO

Operation of the Establishment

- 18. Has the use been discontinued for more than a year? YES NO
*If YES, it is **not eligible** for the Plan Approval process.*
If NO, the applicant may be required to prove that the discontinuance of the use did not occur. See LAMC Section 12.23 B.9 or 12.24 Q.

- 19. What are the proposed hours of operation and which days of the week will the establishment be open?

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation							

- 20. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke,

video game machines, etc.?

YES NO

If YES, describe: _____

Note: An establishment that allows for dancing needs a Class 2 Conditional Use Permit pursuant to 12.24 W.18 of Chapter 1.

21. Will there be minimum age requirements for entry?

YES NO

If YES, what is the minimum age requirement and how will it be enforced? _____

22. Will there be any accessory retail uses onsite?

YES NO

If YES, what will be sold? _____

Security

23. How many employees will be on the site at any given time? _____

24. Will security guards be provided onsite?

YES NO

If YES, how many and when? _____

25. Has LAPD issued any citations or violations?

YES NO

If YES, provide copies.

Alcohol

26. Will there be beer & wine only, or a full line of alcoholic beverages available? _____

27. Will "fortified" wine (greater than 16% alcohol) be sold?

YES NO

28. Will alcohol be consumed on any adjacent property under the control of the applicant?

YES NO

29. Will there be signs visible from the exterior that advertise the availability of alcohol?

YES NO

Food

30. Will there be a kitchen on the site?

YES NO

31. Will alcohol be sold without a food order?

YES NO

32. Will the sale of alcohol exceed the sale of food items on a quarterly basis? YES NO

33. Provide a copy of the menu if food is to be served.

On-Site

34. Will a bar or cocktail lounge be maintained incidental to a restaurant? YES NO
If YES, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.
35. Will off-site sales of alcohol be provided accessory to on-site sales (“Take Out”)? YES NO
If YES, a request for off-site sales of alcohol is also required.
36. Will discounted alcoholic drinks (“Happy Hour”) be offered at any time? YES NO

Off-Site

37. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? YES NO
38. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 750 ml? YES NO

Note: Contact the California Department of Alcoholic Beverage Control (ABC) regarding its requirements at <http://www.abc.ca.gov/>.

Caldera Bill (CA Business and Professions Code Section 23958 and 23958.4)

39. Is this application a request for on-site or off-site sales of alcoholic beverages? YES NO

If YES, is the establishment a bona-fide eating place (restaurant) or hotel/motel?

If NO, contact ABC to determine whether the proposed site is located in an area where issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or if issuance would result in, or add to an undue concentration of licenses.

Notes: If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for **public convenience** or **necessity**. This is in addition to obtaining the Conditional Use Permit or Plan Approval. Contact the ABC regarding its requirements at <http://www.abc.ca.gov/>.

Findings

The decision maker must decide if the facts presented in the record support the findings (i.e., criteria for approval) established in the LAMC. On a separate sheet, provide a detailed justification/explanation of how the proposed project conforms with the following:

1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.
2. The project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.
3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

Supplemental Findings

In addition to the above findings for approval, the decision maker must also consider the following matters. The information is required but should not be considered as a limitation upon materials to be submitted. The applicant is encouraged to include any additional relevant materials.

1. The proposed use will not adversely affect the welfare of the pertinent community.
2. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, 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 these 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.
3. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.