

MOTION

There are numerous establishments in the City that dispense alcoholic beverages, including beer and wine. An overconcentration of these type of uses, may lead to the deterioration of neighborhoods and quality of life.

When there is an overconcentration of alcohol retail establishments, nuisance conditions can detrimentally impact entire neighborhoods, and thereby contribute to the deterioration of peace, health, and public safety. Local government has the authority to protect the public health, safety, and welfare of its residents. Land use regulatory controls can be used to regulate the overconcentration of a use, or to mitigate and ameliorate nuisance abatement conditions.

In 1997, the City adopted the *South Central Alcohol Sales Specific Plan* (Ordinance No. 171681), requiring the conditional use approval for establishments dispensing for sale alcoholic beverages, including beer and wine, for off-site consumption in South Central Los Angeles, generally bounded by the Santa Monica Freeway on the north and City boundaries on the east, south and west.

It has been twenty years since the adoption of the *South Central Alcohol Sales Specific Plan*, and there are other communities in the City that are in need of similar land use regulatory controls as it relates to the sales of alcohol. While a Specific Plan may not be the land use tool that works best in all areas of the City, a new land use tool can be developed, such as *Alcohol Restricted Use Subdistricts* (ARUS), overlay districts that would serve to restrict the overconcentration of alcohol retailers in areas of the City where the retail sale of alcohol is negatively impacting neighborhoods and its residents.

The proposed ARUS would include the following terms: (1) a description of its location; (2) a statement of whether the restriction applies to on-sale alcohol establishments, off-sale alcohol establishments, or both; and (3) the effective date; (4) alcohol establishments whose license application is on file with the California Department of Alcoholic Beverage Control (ABC) prior to the effective date of legislation, such as an ordinance, establishing an ARUS, shall not be prohibited.

I THEREFORE MOVE that the Council instruct the Planning Department, in consultation with the City Attorney, to prepare a report in 60 days, on the feasibility of establishing a process to create *Alcohol Restricted Use Subdistricts*, that would serve to restrict the overconcentration of alcohol retailers in areas of the City where the retail sale of alcohol is negatively impacting neighborhoods and its residents, and in addition to report on the feasibility of having all appealed Conditional Use Permits (CUPs) sent to Council for final approval.

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