

MOTION

For decades, the City has used its land use and planning authority to place specific conditions on alcohol sales through Conditional Use Beverage Permits, which allows permit holders to sell alcohol.

These alcohol-specific conditions constitute a path whereby restaurants, markets and liquor stores can find mutually agreeable land use conditions with their surrounding communities and promote public safety and welfare. These conditions have been imposed for precise reasons, and it is best for the Department of City Planning to follow the established procedures and handle any changes with sensitivity.

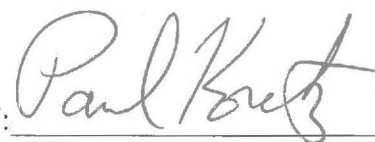
However, in 2012 the City began prohibiting Zoning Administrators from imposing alcohol-specific conditions on Conditional Use Beverage Permits, on the grounds that State law preempts the City's ability to impose such conditions. However, this position is based on outdated evidence that reflects neither current State law nor the practices of numerous other California jurisdictions.

This substantial change in long-standing City practice occurred without public process or a vote by the City Council. In addition, it is imperative that Council offices and the original parties involved be notified and included in this process.

It would be useful to consider reinstating Los Angeles communities' right to exert local controls over the sale and service of alcohol in their communities.

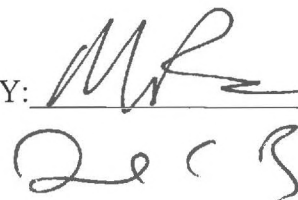
I THEREFORE MOVE that the Department of City Planning be instructed to report with recommendations regarding the imposition of land use conditions on Conditional Use Beverage Permits specific to the sale and service of alcohol, enforcement of previously-imposed conditions on the sale or service of alcohol, and requirements to notify the original parties involved in the creation of the conditions.

PRESENTED BY:



PAUL KORETZ
Councilmember, 5th District

SECONDED BY:



cc

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