

# SPECIAL INSTRUCTIONS FOR ALCOHOL (CUB) & ENTERTAINMENT (CUX) – LAMC 12.24 W.1 & 12.24 W.18

Los Angeles City Planning

The Special Instructions for Alcohol (CUB) & Entertainment establishments is a required attachment to the Department of City Planning (DCP) Application Filing Instructions ([CP-7810](#)). Only utilize this form when filing for a Conditional Use Permit pursuant to LAMC Sections 12.24 W.1 for alcohol establishments or 12.24 W.18 for entertainment.

## **ADDITIONAL REQUIREMENTS/FINDINGS FOR APPROVAL OF A CUB or CUX:**

*For a CUB or CUX request to be considered, the following additional information and findings must be provided.*

- 1. RADIUS MAP FOR ALCOHOL USES.** The following requirements are separate from the Public Noticing requirements detailed in the Mailing Notification Procedures ([CP-2074](#)), which will be requested by the Project Planner 6-8 weeks prior to the public hearing:
  - An electronic copy of a **RADIUS MAP FOR ALCOHOL USES**, showing land uses to a 600-foot radius.
  - A **LIST OF ALCOHOL ESTABLISHMENTS** between 600 and 1,000 feet of the site. Include in the list the type of license and address.
  - A **LIST OF THE FOLLOWING USES** within 600 feet:
    - (1) Residential uses and type (single-family, apartment, hotel, etc.);
    - (2) Churches;
    - (3) Schools, including nursery schools and child-care facilities;
    - (4) Hospitals;
    - (5) Parks, public playgrounds and recreational areas; and
    - (6) Establishments dispensing, for consideration, alcoholic beverages for consumption on or off premises.
  
- 2. FINDINGS (on a separate sheet)**
  - a. General Conditional Use for CUB and/or CUX**
    - i. That 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.
    - ii. That 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.
    - iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.
  
  - b. Additional Findings for CUB**
    - i. That the proposed use will not adversely affect the welfare of the pertinent community.
    - ii. That 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.

- iii. That 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.

**3. QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE**

- a. What is the total square footage of the building or center the establishment is located in? \_\_\_\_\_
- b. What is the total square footage of the space the establishment will occupy? \_\_\_\_\_
- c. What is the total occupancy load of the space as determined by the Fire Department? \_\_\_\_\_
- d. What is the total number of seats that will be provided indoors? \_\_\_\_\_ Outdoors? \_\_\_\_\_
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? \_\_\_\_\_
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both? \_\_\_\_\_
  - i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? \_\_\_\_\_
- g. Are you adding floor area? \_\_\_\_\_ If yes, how much is enclosed? \_\_\_\_\_ Outdoors? \_\_\_\_\_

**h. Parking**

- i. How many parking spaces are available on the site? \_\_\_\_\_
- ii. Are they shared or designated for the subject use? \_\_\_\_\_
- iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? \_\_\_\_\_
- iv. Have any arrangements been made to provide parking off-site? \_\_\_\_\_
  - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? \_\_\_\_\_

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

- 2. Please 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.
- 3. Will valet service be available? \_\_\_\_\_ Will the service be for a charge? \_\_\_\_\_
- i. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? \_\_\_\_\_
- j. 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 B17? \_\_\_\_\_

**4. QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT**

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

	<b>M</b>	<b>Tu</b>	<b>W</b>	<b>Th</b>	<b>F</b>	<b>Sa</b>	<b>Su</b>
Proposed Hours of Operation							

b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc.? Please specify: \_\_\_\_\_

**Note:** An establishment that allows for dancing needs a conditional use pursuant to LAMC Section 12.24 W.18.

c. Will there be minimum age requirements for entry? \_\_\_\_\_ If yes, what is the minimum age requirement and how will it be enforced? \_\_\_\_\_

d. Will there be any accessory retail uses on the site? \_\_\_\_\_ What will be sold? \_\_\_\_\_

**e. Security**

i. How many employees will you have on the site at any given time? \_\_\_\_\_

ii. Will security guards be provided on-site? \_\_\_\_\_

1. If yes, how many and when? \_\_\_\_\_

iii. Has LAPD issued any citations or violations? \_\_\_\_\_ If yes, please provide copies.

**f. Alcohol**

i. Will there be beer & wine only, or a full line of alcoholic beverages available? \_\_\_\_\_

ii. Will "fortified" wine (greater than 16% alcohol) be sold? \_\_\_\_\_

iii. Will alcohol be consumed on any adjacent property under the control of the applicant? \_\_\_\_\_

iv. Will there be signs visible from the exterior that advertise the availability of alcohol? \_\_\_\_\_

**v. Food**

1. Will there be a kitchen on the site? \_\_\_\_\_

2. Will alcohol be sold without a food order? \_\_\_\_\_

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? \_\_\_\_\_

4. Provide a copy of the menu if food is to be served. **TBD**

**vi. On-Site**

1. Will a bar or cocktail lounge be maintained incidental to a restaurant? \_\_\_\_\_

a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.

2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")? \_\_\_\_\_
  - a. If yes, a request for off-site sales of alcohol is required as well.
3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time? \_\_\_\_\_

vii. **Off-Site**

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? \_\_\_\_\_
2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)? \_\_\_\_\_

viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements -- <http://www.abc.ca.gov/>.

**5. CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)**

- a. Is this application a request for on-site or off-site sales of alcoholic beverages? \_\_\_\_\_
  - i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? \_\_\_\_\_
    1. If no, contact ABC to determine whether the proposed site is located in an area whereby:
      - a. issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or
      - b. if issuance would result in or add to an undue concentration of licenses.
  - b. 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**.

**6. ADDITIONAL REQUIREMENTS FOR MAIN CUBs/CUXs.** In addition to all requirements detailed in the DCP Application Filing Instructions ([CP-7810](#)), applications for Main CUBs/CUXs shall include:

- A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating: the type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; the identifying address or suite/unit number corresponding to each CUB/CUX request; and (if known) the tenant-operator of each alcohol and/or entertainment establishment.
- All CUB or CUX requests on the subject site clearly identified and labeled on the plot plan and applicable floor plans, indicating: each type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; and the identifying address or suite/unit number corresponding to each CUB/CUX request.

**NOTE:** *Please consider submitting documents beyond the requirements outlined in this form. If there are other circumstances which may further a more complete understanding of the project, do not hesitate to submit such information. The documents submitted with the application and the public hearing constitute the **primary opportunity** to clarify and define the project.*