



Staff Report

File #: REPORT 18-0438, Version: 1

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Regular Meeting of July 17, 2018

RECEIVE TRI-ANNUAL REPORT FOR ON-SALE ALCOHOLIC BEVERAGE CONDITIONAL USE PERMITS

Recommended Action:

Receive and file the tri-annual report.

The tri-annual review covering the period from November 1 - April 30, 2018, was submitted on June 25, 2018. Based on the information in the report, no establishment has reached the "Standard Initiating Planning Commission Review."

Background:

Since 2014 the tri-annual reviews of on-sale alcoholic beverage establishments includes the two-step process of providing an informational report before scheduling a hearing. The Process and Standards, updated in 2017, is Attachment 1.

Recent changes to the process and reporting for this review, recommended by the Planning Commission, were approved by the City Council in September 2017, and include reporting and conducting the review three times a year. This is the second report in 2018 and covers the prior 6 months (the first four months of this year, and the last two months of 2017). A third report will be presented in October which will cover the period between March and August. The required 50/50 reports for the first half of 2018 will be addressed at the October meeting.

Analysis:

Police Reports and ABC Activity:

The Police Report and ABC Activity are included as Attachment 2, with their current data sheet as Attachment 3 and last reporting spread sheet as Attachment 4. The Police Department summary of DUI and Drunk in Public is included as Attachment 5.

Occupant Load:

The threshold to trigger review is one (1). Code Enforcement routinely checks on-sale establishments and did not report occupant load violations during the review period. As we reported last period, we are working with the Los Angeles County Fire Department to organize routine patrols

and start a data base for inclusion in future reports. Their business license inspection report is included as Attachment 5 and indicates 68 businesses were inspected, of which 3 were late night establishments. No violations were reported.

The presence of Code Enforcement and HBPD efforts has resulted in few warnings being issued. Warnings typically are issued when a place of business appears to or has been counted and confirmed to be close to its posted occupant load.

Code Enforcement and Fire Prevention:

Statistical Data Relating to Business Checks of Alcohol Serving Establishments July 1 through December 31, 2017 is contained in Attachment 6, with the current reporting period report as Attachment 7.

Code Enforcement/Violation of CUP Conditions: Violations that are both a code violation and a CUP violation are only counted once. Code Enforcement issued no citations during this period. While several businesses received warnings, policy is to request compliance prior to issuing a Citation during a single shift. No businesses were cited during this reporting period.

Businesses required to submit food to alcohol sales ratio reports per conditions in their CUPs must continue to do so and failure to do so is counted as part of the CUP review. Waterman's, 22 Pier Avenue, and Día de Campo, 1238 Hermosa Avenue, are required to submit quarterly reports, which need not be audited. Standing Room, 1320 Hermosa Avenue, must submit quarterly reports audited by a CPA. Since these reports are due triannually, the reports for the first half of 2018 will be included in our next report.

Based on the "Procedure for Review of On-Sale Alcoholic Beverage Conditional Use Permit" no businesses have reached the "Standard Initiating P.C. Review" based on the "standards that would trigger a referral to the Planning Commission for a CUP review and potentially for a subsequent modification/revocation hearing."

Summary and Recommendations: The data relating to the Tri-Annual Review criteria is summarized below for specific businesses.

Process Criteria Statistics for All Businesses (November 2017-April 2018)

Criteria	Summary of All Businesses
Violation of Operating Hours	0
ABC Violations (underage serving, violation of hours, etc.	0
Criteria (continued)	Summary of All Businesses (continued)
Overcrowding Citation	0

Serious Crime on Premises indicative of Lack of Adequate Security	1*
Criminal Citation of Staff while Working/on Premises	1***
Noise Citation	0
Outdoor Encroachment Permit Violation	0
Building Code Violation (incl. remodeling without permit)	0
Health Department Violation	0
Sign Ordinance Violation	0
NPDES Violation	0
Violation of any CUP Condition**	0

*There were six assault reports; however only one was determined to be a result of Lack of Adequate Security.

That event occurred at Hennessey's and was included in the last report

** Most Code violations are also CUP violations and are not counted twice.

***This was the serving underage patrons incident at Abigails/Alta House, which was included in the last report.

Attachments:

1. Process and Standards, updated 2017.
2. Police/ABC Report for this period
3. Police Statistics for this period
4. Police Statistics, July 1 to December 31, 2017
5. Police Department Summary DUI & Drunk in Public, January 1 to April 30, 2018
6. LACoFD Business License inspection report
7. Code Enforcement Data July 1 to December 31, 2017
8. Code Enforcement Data November 1, 2017 to April 30, 2018

Respectfully Submitted by: Bob Rollins, Building Official

Approved: Ken Robertson, Community Development Director