

1. This grant authorizes the use of the subject property for the operation of a day spa with massage/accupressure therapy as depicted on the approved revised Exhibit "A", subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 10.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 60 days from the date of approval.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
9. **This grant will terminate on xxxx, 2016.**

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.

10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$1,500.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **ten (10) annual inspections**. The inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150.00 per inspection.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. The subject property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
16. Proposed signs shall be developed in accordance with Section 22.44.410 as applicable or as provided in Part 10 of Section 22.52. of the County Code.
17. The property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". All revised site plans must be accompanied by the written authorization of the property owner.
18. The operation and maintenance of the day spa including massage shall be further subject to all of the following restrictions:
 - a. Operating hours shall be between the hours of 7 a.m. to 9 p.m., daily;

- b. Any person administering massage therapy at the subject property shall be so licensed and maintain appropriate certifications required to practice massage therapy in the County of Los Angeles;
- c. The massage operation shall be made available for inspection by the County of Los Angeles Sheriff's Department and Department of Regional Planning;
- d. The sale of alcoholic beverages is prohibited;
- e. A minimum of twenty-one (21) on-site automobile parking spaces, developed to the specifications listed in Section 22.52 of the County Code shall be available for the day spa. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use;
- f. The permittee shall post within the facility in a visible location to all employees and patrons the telephone numbers for the local law enforcement agency and the County of Los Angeles Zoning Enforcement Section to call in the event of any problems at the establishment. This information shall be provided in both English and the predominant language of the community;
- g. No adult programming be aired on any television or other electronic device in the establishment;
- h. That all acupuncture treatment rooms remain without doors as shown on the floor plan;
- i. No part of the building where massage or massage services are being conducted shall be equipped with any electronic, mechanical or artificial device used, or capable of being used for recording or videotaping, for monitoring the activities, conversations, or other sounds in the treatment room or room used by customers;
- j. All massage technicians must wear a picture identification issued by the Treasurer and Tax Collector;
- k. The permittee shall comply with all applicable requirements of Chapter 7.54 of the Los Angeles County Business License Code. A responsible person licensed under Section 7.54.210 of the Business License Code acting as a manager shall be on the premises at all times the business is open. The manager shall be familiar with the requirements of Chapter 7.54 of the County Business License Code and be capable of communicating these provisions to employees and patrons of the establishment;

- l. That all valid licenses, permits and a copy of the final Business License Commission's adopted conditions shall be posted in immediate public view upon entering the reception area;
- m. That all staff members, whether employees or independent contractors, shall possess at the site, a valid California Department of Motor Vehicle (DMV) identification. All such staff members shall present such identification immediately upon the request of the Sheriff's Department;
- n. A person shall not enter, be or remain in any part of the massage parlor or premises licensed as such while in the possession of or consuming or using any alcoholic beverages or drugs. The licensee, manager, and every supervising employee, shall not permit any such person to enter or remain upon such premises; and
- o. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.