



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

March 31, 2010

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**REGARDING: PROJECT NUMBER R2008-01599 – (5)  
CASE: CONDITIONAL USE PERMIT NO. 200800133  
4177 LIVE OAK AVENUE, ARCADIA, CA 91006  
SOUTH ARCADIA ZONED DISTRICT**

Dear Applicant:

The Regional Planning Commission, by its action of, **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 6 requires that the permittee file an affidavit accepting the conditions before the grant becomes effective.

The applicant or/and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. The **appeal period for the project will end at 5:00 p.m. on April 14, 2010**. Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specific period, the Regional Planning Commission action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Rob Glaser of my staff at (213) 974-4971 or email at [rglaser@planning.lacounty.gov](mailto:rglaser@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Richard J. Bruckner  
Director

Samuel Dea, Supervising Regional Planner  
Special Projects Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)  
c: BOS; DPW (Building and Safety); Zoning Enforcement, Jan Ogata  
RJB:SD:rg

**FINDINGS AND ORDER OF  
THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES**

**PROJECT NUMBER R2008-01599 – (5)  
CONDITIONAL USE PERMIT NO. 200800133**

**REQUEST:** The applicant, A+ Relaxing, is requesting approval of a Conditional Use Permit to authorize a massage parlor in the C-3 (Unlimited Commercial) Zone. Massage parlors are uses subject to permit pursuant to Section 22.28.210 of the Los Angeles County Zoning Code.

**HEARING DATE: MARCH 31, 2010**

**PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:**

A duly noticed public hearing was held on March 31, 2010 before the Regional Planning Commission. Commissioners Rew, Modugno, Valadez, Bellamy, and Helsley were all in attendance for the Public Hearing. The applicant presented several letters of support for the request. Staff then presented the applicant's request.

After the staff presentation, the applicant's husband, Richard Kieta provided the Commission with a history of the permitting process and answered questions regarding the operation of the facility from Commissioners Helsley and Modugno. The Commission granted the request after the questions were answered by Mr. Kieta. The Commission **approved** CUP No. 200800133 with the findings and conditions as presented.

Findings

1. The subject property is located at 4177 Live Oak Avenue (on the northwest corner of the intersection of 10<sup>th</sup> Avenue and Live Oak Avenue), Arcadia, CA 91006 within the South Arcadia Zoned District.
2. The subject property is zoned C-3 (Unlimited Commercial). The surrounding properties are zoned as follows:
  - North: R-A (Residential Agriculture) Zone and R-3-P (Limited Multiple Residence – Parking) Zone.
  - East: C-3 (Unlimited Commercial) Zone.
  - South: A-1-5,000 (Light Agriculture – 5,000 square foot minimum lot size requirement) Zone.
  - West: C-3 Zone.

3. The existing land use for the subject property is developed as a multi-tenant commercial building. The existing land use for the surrounding properties are as follows:

North: Single-Family Residences and a Mobile Home Park.  
East: Distribution Office, Marble Shop and a Mobile Home Park.  
South: Single-Family Residences.  
West: Retail Businesses, Restaurant, Physic Service, Tavern, Alcoholics Anonymous Office, Tattoo Shop, Barber Shop, Library, Private School and Professional Offices.

4. This approval is to authorize the operation and maintenance of a massage parlor in the C-3 (Unlimited Commercial) Zone as required by Section 22.28.210 of the County Code. The facility consists of three rooms for massage treatment, one bathroom, a janitor's closet, a supply cabinet and a reception/waiting area.

5. The subject property is designated as Category 1 (one to six dwelling units per gross acres) in the Countywide General Plan Land Use Policy Map. The Countywide General Plan Land Use Policy Map designation of Category 1 depicts the generalized residential land uses within the surrounding area of the subject property. Non-residential uses such as commercial and retail development may be located in Category 1 designated areas and are consistent with the intent and policies of the General Plan. The use of the subject property for a massage parlor is consistent with the General Plan. The following polices from the Countywide General Plan supports the proposed use:

- Land Use Policy No. 9. – *“Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and location controls.”*  
This facility will provide an opportunity for the adjacent neighborhood residents to get massage service at a convenient location. This facility will compliment the community character since it is utilizing an existing multi-tenant commercial complex constructed in 1953, within an established neighborhood. All the commercial buildings fronting the Live Oak Avenue commercial corridor are single story and have entrances to the business from the major highway similar to the subject property. Parking may be found on Live Oak Avenue in front of the business and in parking lots behind the businesses. No modifications to the building are being proposed. The design and scale of this building fit into the community character of the commercial corridor established along Live Oak Avenue. Most buildings along this corridor have multiple tenant spaces in order to provide a variety of commercial businesses. These buildings are single story and have frontage along Live Oak Avenue.
- Land Use Policy No. 10. – *“Encourage the clustering of well designed highway orientated commercial facilities in appropriate and conveniently spaced locations.”*

The existing multi-tenant commercial complex is located along Live Oak Avenue, which is a designated major highway. There are several retail businesses located along this commercial corridor and the proposed massage parlor will blend into the character of this area. The character of this commercial corridor has a variety of tenant spaces located in single story buildings which all have frontage along Live Oak Avenue. Several parking lots are located to the rear and side of these businesses. Customers of the facility will have ample on and off-site parking and adequate access to the subject property from Live Oak Avenue.

- General Policy No. 64. – *“Promote jobs within commuting range of urban residential areas in order to reduce commuting time, save energy, reduce air pollution and improve public convenience.”*

The proposed massage parlor business is conveniently located within an established neighborhood consisting of single-family residences and a mobilehome park. The proximity of this facility to residential uses allows local residents the opportunity to be within walking distance, thus contributing to vehicle trip reduction and improve air quality. Being able to provide jobs in close proximity to residential areas, could potentially have less automobile traffic impacts to major transportation corridors in the surrounding area.

6. The zoning category for the subject property is C-3 (Unlimited Commercial) zone. A massage parlor is a use subject to permit in the C-3 zone pursuant to Section 22.28.210 of the Los Angeles County Code. The existing commercial complex was legally constructed and established in 1953. At that time, the facility was subject to development standards for the C-4 zone. The 1953 parking standards require one parking space per 500 feet for office/retail uses. Based on this standard, the 3,700 sq.ft. building (which includes the detached metal garage) would then require eight parking spaces. The parking for this facility currently has 15 parking spaces (14 standard and 1 handicapped) which do not meet current code requirements, but the layout of these parking spaces prevent some of the spaces to be utilized. The current code requirement would require 15 parking spaces. The parking space layout was reconfigured due to a cargo container and a permitted metal structure being placed in the parking lot. A cargo container is permitted for outside storage pursuant to Section 22.28.270(D) of the Los Angeles County Code. The applicant's site plan depicts 15 parking spaces, but only 13 parking spaces can be used. The massage facility will not require additional parking spaces than what is currently provided because the subject property is legal non-conforming due to standards.
7. The location of the project site is on a corner lot fronting on a commercial corridor with a major highway (Live Oak Avenue) to the south, a local street (10<sup>th</sup> Avenue) to the east and an alley to the north. The facility has direct access from a parking lot to the rear of the property where it is adjacent to a single-family residential neighborhood, but separated by an alley. The existing commercial complex serves as a buffer to the nearby single-family residences from the noise generated by vehicles traveling along Live Oak Avenue.

8. The proposed massage parlor is located in an existing multi-tenant commercial building and will not require significant modifications to the existing building or require additional parking. The subject property is an irregular shaped, corner lot improved with a single-story multi-tenant commercial building. There are three retail spaces located in the building consisting of a 950 sq.ft. glass shop, a 700 sq.ft. nail salon, and a 1,100 sq.ft. massage parlor. A parking area is located behind the building with thirteen (13) spaces (12 standard and one handicapped). The parking lot has access from 10th Avenue with a rolling gate located at the driveway entrance. Within the parking lot there is a permitted 954 sq.ft. detached metal storage structure and a 320 sq.ft. cargo container associated with the glass business. A five (5) foot high fence surrounds the parking area. A service alley is located behind the parking lot separated by a gate.
9. The 1,100 sq.ft. tenant space for the massage parlor consists of three rooms with doors for massage treatment, one bathroom, a janitor's closet, a supply cabinet and a reception/waiting area. The reception/waiting area is furnished with three chairs, two of which are used for foot massage service. A lounge at the rear of facility has a couch and television used exclusively for employee(s). A washing machine and dryer is located in the laundry room to the rear of the facility for sanitation purposes. Direct access to the massage parlor is available from the back entrance located at the parking area or the front entrance along Live Oak Avenue.
10. There is no landscaping provided around the property, except for a street tree located in the sidewalk along Live Oak Avenue. The 10% landscaping requirement for commercial uses (and building coverage requirement not to exceed 90%) was first adopted by Ordinance No. 83-0161, effective October 14, 1983. The existing multi-tenant commercial complex is legal non-conforming due to parking and landscaping standards. The massage parlor business will be compatible with the commercial character, since all business buildings have street frontage along Live Oak Avenue to disguise the parking.
11. The facility currently has one employee operating the massage parlor. The hours of operation for the business are from 10:30 a.m. to 9:00 p.m. Mondays through Fridays, 10:30 a.m. to 5:00 p.m. on Saturdays and 12:30 a.m. to 9:00 p.m. on Sundays. The arrangement of the facility has three rooms for massage service furnished with massage tables. Doors are attached to each of these rooms for changing purposes only and remain unlocked during service.
12. The subject massage parlor was in violation of County Code in early 2008, for operating a massage parlor without a Conditional Use Permit (CUP). A Notice of Violation was issued on April, 30 2008 and the applicant subsequently filed an application for a CUP. The applicant, on June 3, 2008, requested a "Clean Hands Waiver" to allow the continued operating a massage parlor while processing a CUP to legalize the use. The "Clean Hands Waiver" was granted by the Department of Regional Planning on July 21, 2008 and the applicant filed a request for a CUP on August 26, 2008.

13. The Department of Regional Planning has determined that a Categorical Exemption, Class 1 Categorical Exemption- Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines, since the project is located within an existing multi-tenant commercial building and will not require addition or significant alteration to the structure.
14. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
15. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to ten (10) years.
16. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set

forth in Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION:**

1. The Regional Planning Commission finds that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 200800100 is **APPROVED**, subject to the attached conditions.

c: Regional Planning Commission, Zoning Enforcement, Building and Safety

**VOTE: 5 – 0 – 0 – 0**

**CONCURRING: Valadez, Bellamy, Helsley, Rew, and Modugno**

**DISSENTING: NONE**

**ABSTAINING: NONE**

**ABSENT: NONE**

**ACTION DATE: March 31, 2010**

SD:rg

This grant authorizes the operation and maintenance of a massage parlor in the C-3 Zone (Unlimited Commercial). The massage parlor is located at 4177 Live Oak Avenue (on the northwest corner of the intersection of 10<sup>th</sup> Avenue and Live Oak Avenue), Arcadia, CA 91006. The tenant space for the massage parlor consists of three rooms for massage treatment, one bathroom, a janitor's closet, a supply cabinet and a reception/waiting area. This approval is subject to the following conditions of approval:

1. 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.
2. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County 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. 6, and until all required fees have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2, and Condition Nos. 3, 4, and 8 shall be effective immediately upon final approval of this grant by the County.
3. 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 promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. 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 according to Los Angeles County Code Section 2.170.010.

5. 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.
6. 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 property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. **This grant will terminate on March 31, 2020.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.

Upon the expiration of this grant, 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 expiration date of this grant, whether or not any modification to the use is requested at that time.

8. This grant shall expire unless used within ninety (90) days from the date of final approval by the County. A single thirty (30) day time extension may be requested in writing and with payment of the applicable fee prior to the expiration date. For purposes of this provision, satisfaction of conditions number 6 and number 9 shall be considered used of the this grant.
9. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$2,000.00. 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, including adherence to development in accordance with the site plan on file. The fund provides for **ten (10)** annual inspections. Inspections shall be unannounced.

10. 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's health or safety or so as to be a nuisance.
11. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
14. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
16. In the event of graffiti or other extraneous markings occurring, 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
19. The following conditions apply to the establishment and operation of the approved massage parlor:
  - a. The operator of the massage parlor and all technicians employed in or utilizing the parlor shall obtain a Business Licenses pursuant to Title 7 of the County Code and such license shall be maintained in effect for the life of the grant. The massage parlor operator and all technicians shall comply with all regulations or conditions of said license and violations of this license shall also be considered violations of this grant. Copies of all

current licenses for the parlor and technicians shall be submitted to the Director subsequent to all renewals and new licenses being granted.

- b. The permittee shall comply with all requirements of Chapter 7.54 of the Los Angeles County Business License Code including, but not limited to, the following:
  - i. No massage or massage services shall be given in a business or premises within any cubicle, room, booth, or other area which is fitted with a door capable of being locked. The premises' exterior doors and the doors separating the waiting or reception area from the remainder of the premises shall remain unlocked during business hours (including electric locking devices).
  - ii. Minimum lighting shall be provided in accordance with the building code, and, in addition, at least one artificial light of not less than 40 watts shall be provided in each enclosed room or booth where massage services are being performed on a patron.
  - iii. Minimum ventilation shall be provided in accordance with the building code.
  - iv. Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.
  - v. Hot and cold running water shall be provided at all times.
  - vi. Separate closed cabinets shall be provided for the storage of clean and soiled linen, and shall be plainly marked: "Clean Linen," "Soiled Linen."
  - vii. In any establishment in which massage services are rendered only to members of the same sex at any one time, such persons of the same sex may be placed in a single separate room; or the operators of the massage establishment may elect to place such persons of the same sex in separate enclosed rooms having adequate ventilation to an area outside said room while massage services are being performed.
  - viii. A minimum of one separate washbasin shall be provided in each massage establishment for the use of employees of any such establishment, which basin shall provide soap or detergent and hot and cold running water at all times, and shall be located within or as close as practicable to the area devoted to the performing of massage services. In addition, there shall be provided at each

washbasin sanitary towels placed in permanently installed dispensers.

- ix. The licensee shall conduct or operate a massage parlor from 10:30 a.m. to 9:00 p.m. Mondays through Fridays, 10:30 a.m. to 5:00 p.m. on Saturdays and 12:30 a.m. to 6:00 p.m. on Sundays, and shall exclude all customers, patrons and visitors before or after those hours.
- x. No building or part thereof 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, conversation, or other sounds in the treatment room or room used by customers.
- xi. All walls, ceilings, floors and all other physical facilities for the establishment shall be in good repair and maintained in a clean and sanitary condition.
- xii. Clean and sanitary towels and linens shall be provided for each patron of the establishment or each patron receiving massage services. No common use of towels or linens shall be permitted.
- xiii. Standard or portable massage tables shall be used with a durable, washable plastic or other waterproof material as a covering. Foam pads more than four inches thick or more than four feet wide may not be used. Beds, mattresses and water beds may not be used in the administration of a massage.
- xiv. A person shall not enter, be or remain in any part of a massage parlor or premises licensed as such while in the possession of, consuming or using any alcoholic beverage or drugs. The licensee, manager, and every supervising employee, shall not permit any such person to enter or remain upon such premises.
- xv. No massage or massage services may be administered unless the patron wears clothing which covers the patron's genitals, and if the patron is female, the breasts. The massage technician shall at all times while on the premises of the establishment, be clean, and wear nontransparent outer garments covering the body from knee to neck.
- xvi. All massage technicians must wear a picture identification issued by the treasurer and tax collector while working in a massage parlor. The Los Angeles County Sheriff's Department shall conduct a background check on all massage parlor personnel prior to the

issuance of a picture identification by the Los Angeles County Treasurer and Tax Collector.

xvii. All establishments licensed under Section 7.54.210 of the Business License Code shall at all times the establishment is open have a responsible person licensed under Section 7.54.210 acting as manager on the premises at all times. The manager must be familiar with the requirements of Chapter 7.54 of the Business License Code and be capable of communicating these provisions to employees and patrons of the establishment. Further, that person shall meet the following qualifications:

1. Shall be at least twenty-one (21) years of age.
2. Shall possess on the premises a valid state picture identification card or driver's license.
3. Shall have the ability to effectively communicate with any County regulatory officials.

The manager shall introduce himself to any County regulatory official immediately upon notification of that official's presence at the business. The manager and all staff members shall cooperate with any County regulatory official's investigation.

- c. All massage technicians shall be maintained as "employees" as defined by State and federal labor law unless a written sublease is executed to assign a specific treatment area to an independent contractor. Any independent contractors utilizing the booth shall obtain a separate massage parlor business license prior to commencing operation.
- d. The massage parlor operator and all technicians shall comply with any requirements subsequently adopted by the Business License Commission with respect to the operation of the facility.
- e. The business license commission shall revoke any license issued pursuant to Part 1 and Part 2 of Chapter 7.54 of the Business License Code upon receiving satisfactory evidence that either:
  - i. The licensee has been convicted of or entered a plea of guilty or nolo contendere to any violation of Penal Code Section 647(b), 266(h), 266(i), 315, or 316; or
  - ii. The licensee has violated any provision of Chapter 7.54 of the county code on two separate occasions within a 12-month period.

Whenever a license has been revoked, the former licensee, whether a person, partnership, or corporation, shall not be granted a new license for a period of one year from the date of revocation. Should the Business License Commission revoke any license, the Regional Planning Commission shall initiate proceedings to revoke or modify the Conditional Use Permit for this use.

- f. No adult programming shall be aired on any television or other electronic device within the parlor.
  - g. Patrons of the establishment shall not remove or change clothing at any time during their patronage of the establishment.
20. The massage parlor operator shall, within sixty (60) days of the approval date of this grant, submit to the Director for review and approval three (3) copies of floor plans of their respective parlor, drawn to scale, and depicting the layout of the parlor including, but not limited to, any partitions, waiting areas, massage areas, sinks, etc. The subject parlor shall be developed and maintained in substantial compliance with the approved floor plans. Any changes to the floor plans shall be submitted to the Director for review and approval as a revised Exhibit "A."

SD:rg