



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

June 3, 2010

TO: Wayne Rew, Chair  
Pat Modugno, Vice Chair  
Esther L. Valadez, Commissioner  
Leslie G. Bellamy, Commissioner  
Harold V. Helsley, Commissioner

FROM: Tyler Montgomery *TM*  
Regional Planning Assistant II  
Zoning Permits II Section

SUBJECT: **PROJECT NO. R2008-02217-(1)**  
**LOCAL PLAN AMENDMENT NO. 200800011**  
**ZONE CHANGE NO. 200800009**  
**CONDITIONAL USE PERMIT NO. 200800181**  
**ENVIRONMENTAL ASSESSMENT NO. 200900025**  
**June 16, 2010 Public Hearing**  
**Agenda Item No. 7**

This item was continued from the previous public hearing of May 5, 2010, at which Commissioners Rew, Valadez, Bellamy, and Helsley were present. The continuation was granted in order for the applicant to explore a redesign of the project site and for Regional Planning staff to determine the necessary steps for the applicant to seek relief from the applicable sign standards in the East Los Angeles Community Standards District (CSD) in order to develop the project as proposed.

At the May 5, 2010 public hearing, the Commission requested that the applicant explore redesigning the site layout so that it incorporated a five-foot-wide landscaped buffer along the entire length of its northern and western boundaries, as required by the East Los Angeles Community Standards District (CSD). The Commission also requested that the trash enclosure be relocated from the northern edge of the property, which borders single-family residences, to the western edge of the property. Finally, the Commission requested that the applicant consider rotating the convenience store 90 degrees and moving it from the western portion to the northern portion of the property in order to better facilitate the movement of the trash enclosure.

An updated site plan has been submitted by the applicant's representatives. It depicts the trash enclosure at the western edge of the property and a five-foot-wide landscaped buffer that runs the length of its northern and western boundaries, although there is a 14-foot discontinuance wherein the trash enclosure has been located. The applicant has stated that, due to circulation issues, it is not feasible to relocate the convenience store building to the northern portion of the property.

To clarify the applicant's request related to project signage, the applicant is requesting to deviate from applicable sign standards in the CSD. In addition to the approximately 115-square-foot fuel pricing sign allowed pursuant to Section 22.52.970.D of the Zoning Ordinance, the proposed project would include business identification signage exceeding the maximum height and signage area allowed pursuant to the CSD. The project includes an existing pole sign that exceeds the maximum height of structures allowed in the CSD by approximately 15 feet. The CSD limits the maximum height of structures to 40 feet in height, and the existing pole sign is approximately 55 feet in height. The proposed business identification signs total approximately 502.3 square feet, which includes approximately 127.3 square feet of signage to be mounted on the building façade as well as approximately 375 square feet of sign face on the existing pole sign. This 502.3 square feet of sign area exceeds the 114 square feet of sign area that would be permitted under the CSD. As part of the CUP application, therefore, the applicant is requesting approval of the additional height for the pole sign as well as the additional sign face area.

Based on the revised site plan provided, staff continues to recommend approval of the proposed project. Staff is providing revised findings and conditions of approval for the project reflecting the changes to the site plan as necessary and clarifying the deviations from the applicable sign standards under the CSD.

Enclosures:

Revised Draft CUP Findings  
Revised Draft CUP Conditions  
Updated site plan

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

**PROJECT NUMBER R2008-02217-(1)  
CONDITIONAL USE PERMIT NUMBER 200800181**

**REGIONAL PLANNING COMMISSION HEARING DATE: MAY 5, 2010**

## **SYNOPSIS:**

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).

## **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:**

### Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).
2. The granting of this conditional use permit is contingent upon the approval of Local Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors.
3. The subject property is located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
4. The site is approximately one-half acre and developed with an existing ARCO service station. The property is level and paved, except for 540 square feet of landscaping. It is located at the northwest corner of Dennison Street and South Ditman Avenue in East Los Angeles, and an on/off ramp for the northbound Santa Ana Freeway (Interstate 5) connects to this intersection from the south. The subject property is accessed via four (4) driveways: two (2) from Ditman Avenue to the east and two (2) from Dennison Street to the south.
5. The subject property is proposed to be zoned C-1-DP (Restricted Business;

Development Program).

6. Surrounding properties within the 500-foot radius of the project are zoned as follows:
  - North: R-3 (Limited Multiple Residence)
  - South: Santa Ana (5) Freeway
  - East: C-1-DP (Restricted Business; Development Program)
  - West: R-3 (Limited Multiple Residence)
7. Land uses within 500 feet of the subject property consist of the following:
  - North: Single-family and multiple-family residences
  - South: Santa Ana (5) Freeway
  - East: Service station and convenience store
  - West: Single-family and multiple-family residences
8. Zone Exception Case No. 9050 authorized the establishment of a service station at the subject property. The permit was approved in 1970, and the use amortized in 1991. Nonconforming Review No. 92-255 allowed the continued operation of the service station. The permit was approved in 1993 and expired in 2008.
9. The subject property is proposed to be designated as Major Commercial within the East Los Angeles Community Plan. The purpose of this land use classification is to provide for a variety of both large and small businesses. The establishment of a service station and convenience store is consistent with this designation.
10. The applicant proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property. The new building would have a maximum height of 20 feet. The project would add 1,569 square feet of landscaping, for a total of 2,109 square feet, and nine (9) on-site parking spaces would be provided, one of which would be reserved for the handicapped. Two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps would remain, although they would be refurbished. The property is level and paved, with two driveways accessing Dennison Street to the south and two driveways accessing Ditman Avenue to the east. A new 25-foot-high monument sign is proposed for the southeastern corner of the property, and an existing 55-foot-high pole sign is proposed to remain. A trash enclosure would be located on the southwestern portion of the property.
11. Pursuant to Section 22.28.100 of the Los Angeles County Planning and Zoning Code (Title 22), premises in zone C-1 may be used for the sale of alcoholic beverages, for either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit. A conditional use permit is also necessary for the establishment of a new use at the property, due to the -DP zoning overlay.

12. Less than 90 percent (2,120 sq. ft., or 11 percent) of the applicant's site plan is occupied by the proposed convenience store. This adheres to the development standards for the C-1 zone. Exactly 10 percent of the lot area (1,945 sq. ft.) is proposed to be landscaped, which also conforms to the C-1 development standards.
13. Per Section 22.52.1110 of the County Code, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. All other uses other than business or professional offices shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used. The subject market has a floor area of 2,120 square feet and thus would require eight (8) parking spaces. Nine (9) parking spaces would be provided, one of which would be reserved for the handicapped.
14. The East Los Angeles CSD requires a five-foot-wide landscaped buffer along the northern and western property lines. This is not provided for approximately 14 feet along the western boundary, where the trash enclosure would be located. A five-foot buffer would not be practical for this area, as the additional space in front of the enclosure is required to maintain traffic circulation throughout the site.
15. Under the requirements of the East Los Angeles CSD, the 2,109 square feet of landscaping proposed for the project site would require the installation of 42 trees. Because adequate spaces for trees on the site are limited, a minimum of 10 trees will be planted within the proposed landscaping.
16. The requirements of the CSD would normally allow a total sign area of 114 square feet for the proposed project. The project would deviate from CSD standards by maintaining approximately 502.3 square feet of signage. The gasoline pricing monument sign is not included in this calculation, per Section 22.52.970(D) of the County Code.
17. The project would deviate from CSD height standards, as the existing pole sign would exceed the 40-foot height limit by 15 feet.
18. The Commission finds that the above requested deviations from the CSD are necessary, as it would be impractical to compel the removal of the pre-existing pole sign, for which the deviations are required.
19. Staff has determined that a Negative Declaration is the appropriate environmental document under California Environmental Quality Act (CEQA) reporting requirements. The project design and/or imposed conditions would mitigate the project's environmental impact to a level of no significance.
20. Statistical data from the California Department of Alcoholic Beverage Control (ABC)

report that the site of the subject request is located within a high crime reporting district and is within a census tract with an over-concentration of alcohol sales.

21. The East Los Angeles Station of the Los Angeles County Sheriff's Department was consulted regarding the project. No comments were provided.
22. As per the requirements of the Los Angeles County Code, the public hearing was adequately noticed through mailings, newspapers advertisement, and on-site posting. Case-related materials were also posted at the local library and on the Regional Planning web page. No comments were received from the public regarding the project proposal.
17. There is one sensitive use within 600 feet of the project site—Ruben Salazar Park. The impact of the project would be mitigated by the fact that the applicant has agreed to purchase an existing liquor license within the East Los Angeles area. Therefore, no new licenses would be added.
18. The granting of this conditional use permit to sell beer and wine for off-site consumption at a new convenience store would serve as a public convenience, as there are no other markets selling beer and wine within the immediate area.

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

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. 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, and 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 and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and

- F. The requested use at the proposed location result in an undue concentration of similar premises; however, the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, and the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Commission adopts the Negative Declaration associated with Environmental Assessment No. 200900025.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200800181 is **APPROVED** subject to the attached conditions.

**VOTE:**

**Concurring:**

**Dissenting:**

**Abstaining:**

**Absent:**

**Action Date:**

- 1. c. Each Commissioner, Zoning Enforcement, Building and Safety.

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1. This grant authorizes the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption within the C-1-DP (Restricted Business; Development Program) zone, and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD), as depicted on the approved 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 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 conditions of this grant and until all required fees have been paid pursuant to Condition Nos. 10 and 11. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4 [indemnification], 5 [litigation deposit], and 6 [expiration date] shall be effective immediately upon final approval of this grant by the County.
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 to Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, at least six months before the expiration date.
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 property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. **This grant shall terminate on June 16, 2020.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the sale of beer and wine 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 of this permit, whether or not any modification of the use is requested at that time. The expiration of this grant shall not apply to the continued use of the service station and/or convenience store without any beer or wine sales.
10. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees (**currently \$2,085.25**) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code.
11. 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. **The permittee shall deposit with the County of Los Angeles the sum of \$1,000.00.** 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. These funds provide for **five (5) biennial** inspections. 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 amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost, whichever is greater.

12. 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.
13. 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.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Public Health.
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 business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.
16. 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.
17. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.
18. The grant shall not be valid without the subsequent approval of Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors. Both cases were heard by the Regional Planning Commission concurrently with this grant and were recommended for approval to the Board of Supervisors.

19. The maximum height of the pole sign on the southwestern corner of the property shall be 55 feet, and the maximum area of all sign faces thereon shall be 375 square feet. The maximum height of all other structures shall be 40 feet.
20. The maximum sign area for the facility shall be 502.3 square feet. This does not include the gasoline pricing monument sign, the maximum sign area of which shall be 120 square feet.
21. A minimum of 2,109 square feet of landscaping shall be maintained on the project site. Within 30 days of final approval of this grant, the permittee shall submit a landscaping plan containing no fewer than 10 trees to the Director of Planning for review and approval. Landscaping shall comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.
22. All construction machinery shall be with suitable exhaust and air-intake silencers/mufflers, idling shall be minimized, and machinery shall be turned off when not in use and placed as far as possible from nearby residences. Construction activity shall be prohibited between 7 p.m. and 7 a.m., and all day on Sundays and legal holidays. Noise from compressors, air conditioners, and/or refrigeration units shall be limited to 55 dBA at the adjacent residential property lines. Such equipment shall also be shielded by an acoustical barrier or structure to cover the line of sight from adjacent residential units.
23. Before a building or grading permit is issued, the project will be required to obtain an approved NPDES permit from the Los Angeles County Department of Public Works. All development and redevelopment projects which fall into one of the Standard Urban Stormwater Mitigation Plan (SUSMP) project types must obtain SUSMP approval by the appropriate agency
24. The permittee shall suspend construction in the vicinity of a cultural or paleontological resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist or paleontologist can examine them and determine appropriate mitigation measures.
25. The project will comply with SCQAMD Rule 403—Fugitive Dust control measures. The project will incorporate all right-of-way improvements required by the Department of Public Works. The project shall comply with all EVR Phase II vapor recovery

standards.

26. Before the issuance of building permits, the project will be required to obtain approval from the Department of Public Works regarding right-of-way improvements. Existing driveway aprons and curb ramps along the project site frontage shall be reconstructed to ADA standards.
27. Should any future operation within the project site include the construction, modification, removal, or excavation of underground storage tanks, industrial waste treatment or disposal facilities, and/or stormwater treatment facilities, Public Works' Environmental Programs Division shall be contacted for required approvals and operating permits.
28. Prior to the demolition of the existing building, a statistically valid number of soil samples and accompanying analysis shall be obtained from the project site and submitted to the Los Angeles County Fire Department Health Hazardous Materials Division, to the satisfaction of said division.
29. This grant allows for the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption, located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District of Los Angeles County, subject to the following conditions:
  - a. The sale of beer and wine for off-site consumption shall be permitted only between the hours of 10:00 am – midnight, Sunday through Thursday, and between the hours of 10:00 am – 1:00 am Friday and Saturday;
  - b. No beer or wine shall be displayed within five feet of the cash register or the front door;
  - c. No sale of alcoholic beverages shall be made from a drive-in window;
  - d. No display or sale of beer or wine shall be made from an ice tub;
  - e. No self-illuminating advertising for beer or wine shall be located on buildings or windows;
  - f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area;
  - g. The permittee shall not advertise alcoholic beverages on the exterior walls or windows of the subject market or at any exterior location on the subject property;
  - h. The permittee shall post the following signs on the premises (in English and Spanish) to the satisfaction of the Director of Planning:

- i. Prohibiting the consumption of alcoholic beverages on site and prohibiting loitering;
  - ii. Notifying patrons that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle;
  - iii. Stating that the cash register contains \$100.00 or less in cash and that the drop safe is not accessible to employees, and;
- i. The permittee shall not sell beer in individual containers of less than 48 ounces or multiple containers in less than six-pack quantities;
  - j. The permittee shall not sell wine, with the exception of wine coolers, in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
  - k. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
  - l. The permittee shall maintain a video camera mounted inside the premises in such a position as to be visible to patrons yet not accessible by reach;
  - m. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of beer and wine on site. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
  - n. All sellers of alcoholic beverages must be at least 18 years old. Between the hours of 10:00 pm and 1:00 am, all sellers of alcoholic beverages must be at least 21 years old. The licensee (or designated representative thereof), all managers, and employees of the establishment 18 years of age or older shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the California Department of Alcoholic Beverage Control, or an equivalent program as determined by the Director of Planning. This training shall be ongoing and all new employees shall be required to attend. The licensee shall display a certificate or plaque in a public area of the establishment indicating they have participated in this program;
  - o. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control;

- p. The permittee shall place at least one 13-gallon trash receptacle inside the business and one 32-gallon trash receptacle outside the business for use by customers;
- q. Outside storage is expressly prohibited;
- r. Off-site signs are prohibited;
- s. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
- t. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage
- u. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines;
- v. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- w. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages sold, furnished, or given away in quantities of less than 24 in their original multi-container package;
- x. Public telephones located in front of the premises shall be for outgoing calls only;
- y. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Enforcement Inspector or ABC investigator. The market manager and all employees of the market shall be knowledgeable of the conditions herein;
- z. A minimum of nine (9) off-street parking spaces, including one space reserved for the handicapped, shall be provided on site.