

TRANSMITTAL TO CITY COUNCIL

Case No. CPC-2007-3827-ICO	Planning Staff Name(s) and Contact No. Marie Cobian 213-978-1201 Marie.Cobian@lacity.org	C.D. No. 1, 8, 9,10 and 15
Related Case No(s). N/A	Last Day to Appeal N/A	

Location of Project (Include project titles, if any.)

Fast Food Interim Control Ordinance for an area that includes all properties fronting on commercial corridors designated as Major Highway Class I, Major Highway Class II and Secondary Highway in Community Plan Areas: West Adams-Baldwin Hills-Leimert; South Los Angeles; and Southeast Los Angeles.

Applicant(s) and Representative(s) Name(s) and Contact Information, if available.

City of Los Angeles

Appellant(s) and Representative(s) Name(s) and Contact Information, including phone numbers, if available.

N/A

Final Project Description (Description is for consideration by Committee/Council, and for use on agendas and official public notices. If a General Plan Amendment and/or Zone Change case, include the prior land use designation and zone, as well as the proposed land use designation and zone change (i.e. "from Very Low Density Residential land use designation to Low Density land use designation and concurrent zone change from RA-1-K to (T)(Q)R1-1-K). In addition, for all cases appealed in the Council, please include in the description only those items which are appealable to Council.)

At its meeting of September 27, the City Planning Commission:

1. **Approved and recommended** that the City Council adopt the establishment of a proposed Interim Control Ordinance (ICO) to impose interim regulations on the issuance of all permits related to the establishment of new fast-food restaurants located on commercial or industrial zoned properties located along streets designated as Major Highway Class I, Major Highway Class II and Secondary Highway in the West Adams-Baldwin Hills-Leimert; South Los Angeles; and Southeast Los Angeles Community Plan Areas.
2. **Adopted** the Staff Recommendation Report with findings, as its report on the matter.
3. **Adopted** Categorical Exemption No. ENV-2007-3828-CE.

Items Appealable to Council


N/A

Fiscal Impact Statement <small>*If determination states administrative costs are recovered through fees, indicate "Yes."</small> Yes	Env. No. ENV-2007-3828-CE	Commission Vote: 6-0
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In addition to this transmittal sheet, City Clerk needs:

- (1) One original & two copies of the Commission, Zoning Administrator or Director of Planning Determination
- (2) Staff recommendation report
- (3) Appeal, if applicable;
- (4) Environmental document used to approve the project, if applicable;
- (5) Public hearing notice;
- (6) Commission determination mailing labels
- (7) *Condo projects only: 2 copies of Commission Determination mailing labels (includes project's tenants; and 500 foot radius mailing list*

NOV 30 2007
PLANNING & LAND
USE MANAGEMENT

 Gabrielle Williams, Commission Executive Assistant II City Planning Commission	Date 11/29/07
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LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning@lacity.org

Determination Mailing Date: NOV 29 2007

CITY COUNCIL
Room 395, City Hall

CASE NO. CPC-2007-3827-ICO

Location: Various

Council District: Nos. 1, 8, 9, 10 and 15

Plans: South Los Angeles; Southeast Los Angeles;
West Adams-Baldwin Hills-Leimert

Requests: Interim Control Ordinance

Applicant: City of Los Angeles

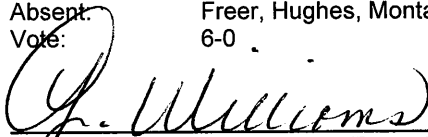
At its meeting on September 27, 2007, the following action was taken by the City Planning Commission:

1. **Approved and recommended** that the City Council adopt the establishment of a proposed Interim Control Ordinance (ICO), Exhibit E-1, as revised, to impose interim regulations on the issuance of all permits related to the establishment of new fast-food restaurants located on commercial or industrial zoned properties located along streets designated as Major Highway Class I, Major Highway Class II and Secondary Highway in the West Adams-Baldwin Hills-Leimert; South Los Angeles; and Southeast Los Angeles Community Plan Areas.
2. **Adopted** the Staff Recommendation Report with findings, as its report on the matter.
3. **Adopted** Categorical Exemption No. ENV-2007-3828-CE.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved:	Kay
Seconded:	Roschen
Ayes:	Cardoso, Kezios, Usher, Woo
Absent:	Freer, Hughes, Montañez
Vote:	6-0


Gabriele Williams, Commission Executive Assistant II
City Planning Commission

The City Planning Commission determination is final and not appealable to City Council.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachments: Draft Proposed Ordinance (Exhibit E-1) with Proposed Boundary Map (Exhibit E-2), Staff Recommendation Report w/ Findings

cc: Jeri Burge, Assistant City Attorney
Notification
Marie Cobian, Planning

ORDINANCE NO. _____

An ordinance imposing interim regulations on the issuance of all permits related to the establishment of new fast food establishments on commercial or industrial zoned properties located along streets designated as for properties on all Major Highway Class I, Major Highway Class II and Secondary Highway in the South Los Angeles, Southeast Los Angeles and West Adams-Baldwin Hills-Leimert Community Plan areas; and

WHEREAS, on June 19, 2007, the Planning and Land Use Management Committee of the City Council instructed the Department of City Planning to initiate proceedings to establish an interim control ordinance to prohibit the establishment of new fast food restaurants in South Los Angeles that will be effective for 365 days, or until the adoption of appropriate regulatory controls are established, and

WHEREAS, the proposed Interim Control Ordinance (ICO) is located within three Community Plan areas including the South Los Angeles Community Plan adopted on October 26, 1979 and revised on March 22, 2000; the Southeast Los Angeles Community Plan adopted on March 21, 1974 and revised on March 22, 2000; and the West Adams-Baldwin Hills-Leimert Community Plan adopted on January 7, 1980 and updated on May 6, 1998; and

WHEREAS, goals and objectives listed in the Community Plans address the need to: provide a strong and competitive commercial sector which best serves the needs of the community, attract uses which strengthen the economic base and expand market opportunities for existing and new businesses, enhance the appearance of commercial districts, and identify and address the over-concentration of uses which are detrimental to the health and welfare of the people of the community; and

WHEREAS, the South Los Angeles and the Southeast Los Angeles Community Planning areas are currently developing a package of incentives to attract dining establishments, grocery stores and healthy food options to enhance the quality of life for community stakeholders; and

WHEREAS, the proliferation of fast food establishments throughout the South Los Angeles area may create adverse quality of life impacts and without the use of appropriate planning and policy measures this type of development could continue to undermine the goals and objectives of the South Los Angeles Community Plans; and

WHEREAS, as part of the New Community Plan Program currently underway for the three Plan areas, additional regulatory controls will be implemented to address the over-concentration of certain uses, upgrade the physical condition of the area by requiring good urban design and elevate the quality of life for the community; and

WHEREAS, it is urgent to immediately impose interim regulations on the

issuance of all permits to prevent further adverse impacts to the community until the appropriate land use regulatory controls can be adopted;

NOW THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. **DEFINITIONS.** The following words or phrases, whenever used in this Ordinance, shall be construed as defined in this Section. Words and phrases not defined here shall be construed as defined in Section 12.03 of the Los Angeles Municipal Code.

PROJECT. The change of use, construction, erection, addition to or alteration of any building or structure on commercial or industrial zoned properties located in whole or in part along streets designated as Major Highway Class I, Major Highway Class II and Secondary Highway within the Interim Control Ordinance (ICO) boundary that result in the establishment of new fast food restaurants, or the expansion of an existing fast food restaurant's floor area, addition of seating and/or the addition of a drive-through. A project does not include construction that consists solely of interior remodeling, interior rehabilitation, minor exterior repair work, or routine maintenance which does not increase the floor area.

FAST FOOD ESTABLISHMENT. As defined in Section 16.05 B 2 (m) 3, any establishment which dispenses food for consumption on or off the premises, and which has the following characteristics: a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers.

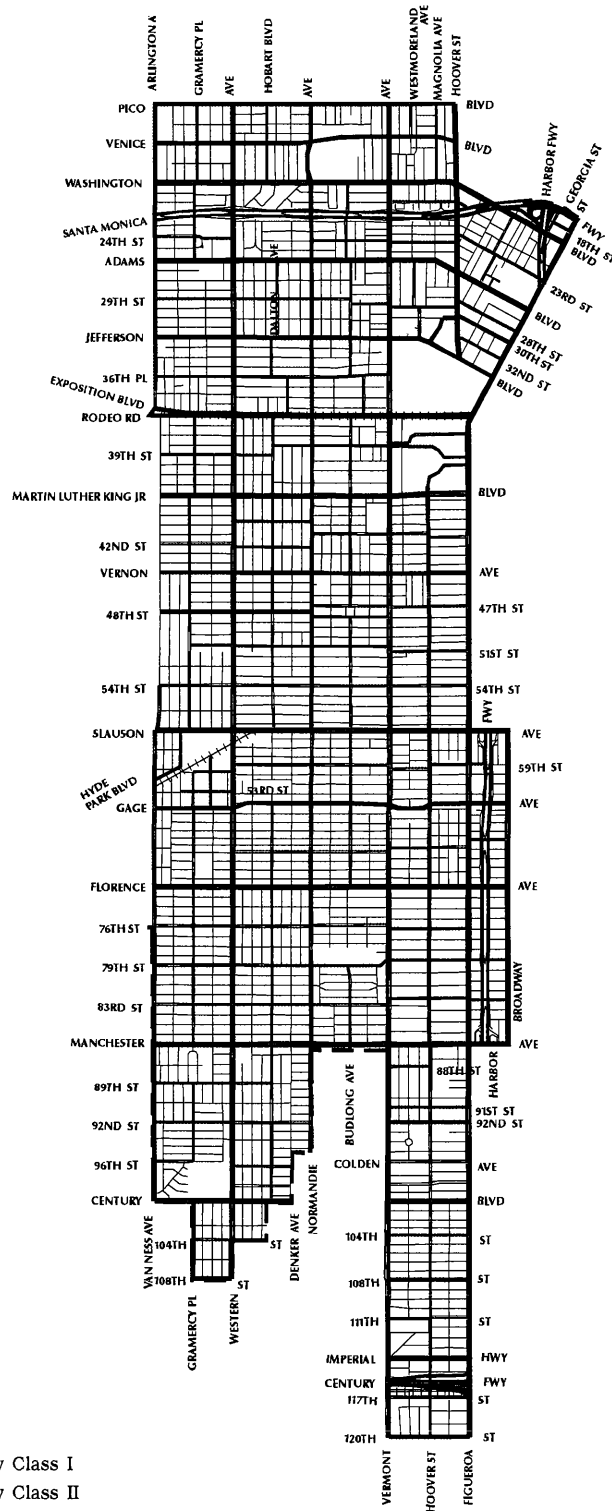
Sec. 2. **PROHIBITION.** Notwithstanding any provision of the Los Angeles Municipal Code to the contrary, for a period of 365 days from the effective date of this Ordinance, or until the adoption of appropriate regulatory controls that further regulate the establishment of fast food outlets within the boundary covered by the Interim Control Ordinance as shown on the map identified in Section 3 of this Ordinance becomes effective, whichever occurs first:

No permits including but not limited to building, grading, foundation and use permits shall be issued for any Project.

Sec. 3. **INTERIM CONTROL BOUNDARY.** The provisions of this ordinance shall apply to any Project located in whole or in part within the ICO boundary shown on the attached map:

DRAFT

EXHIBIT E-1

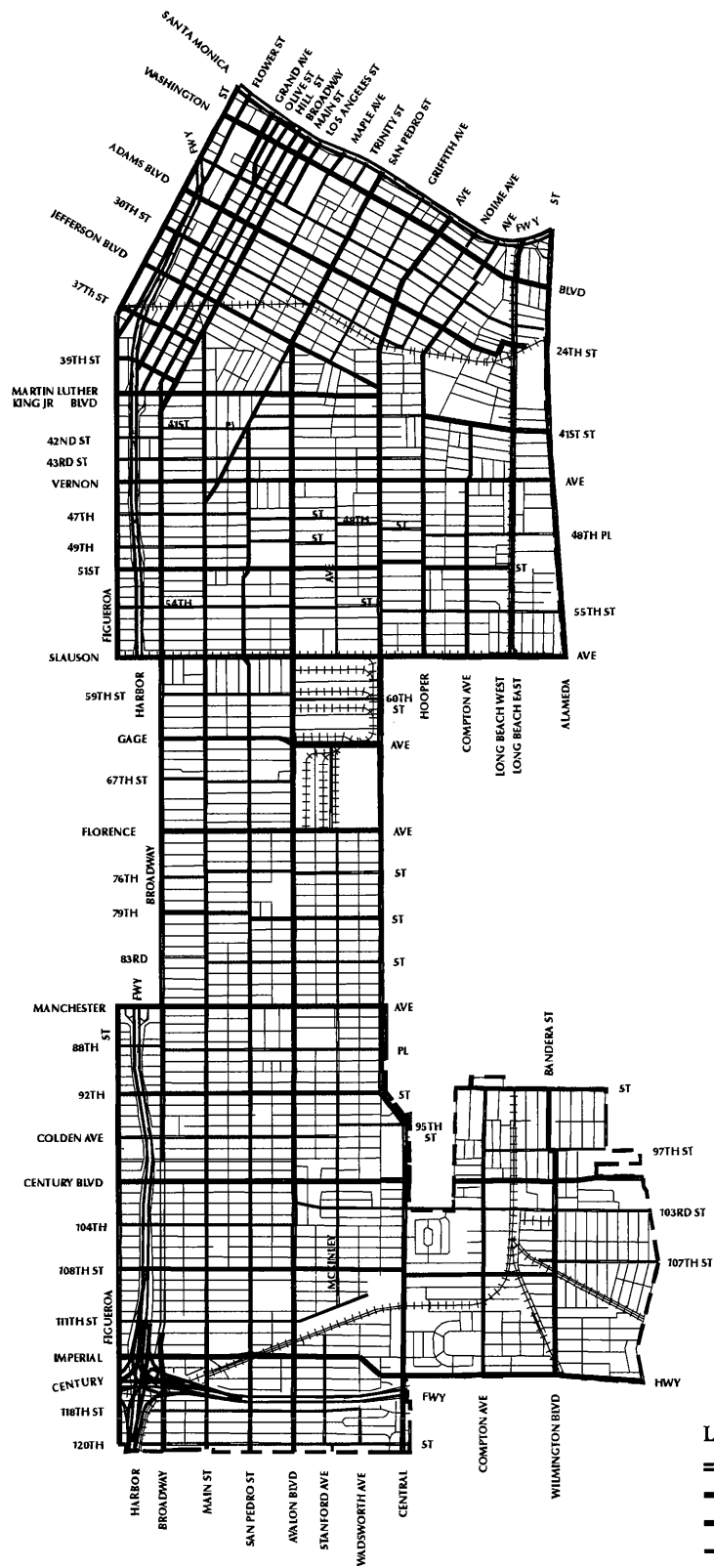


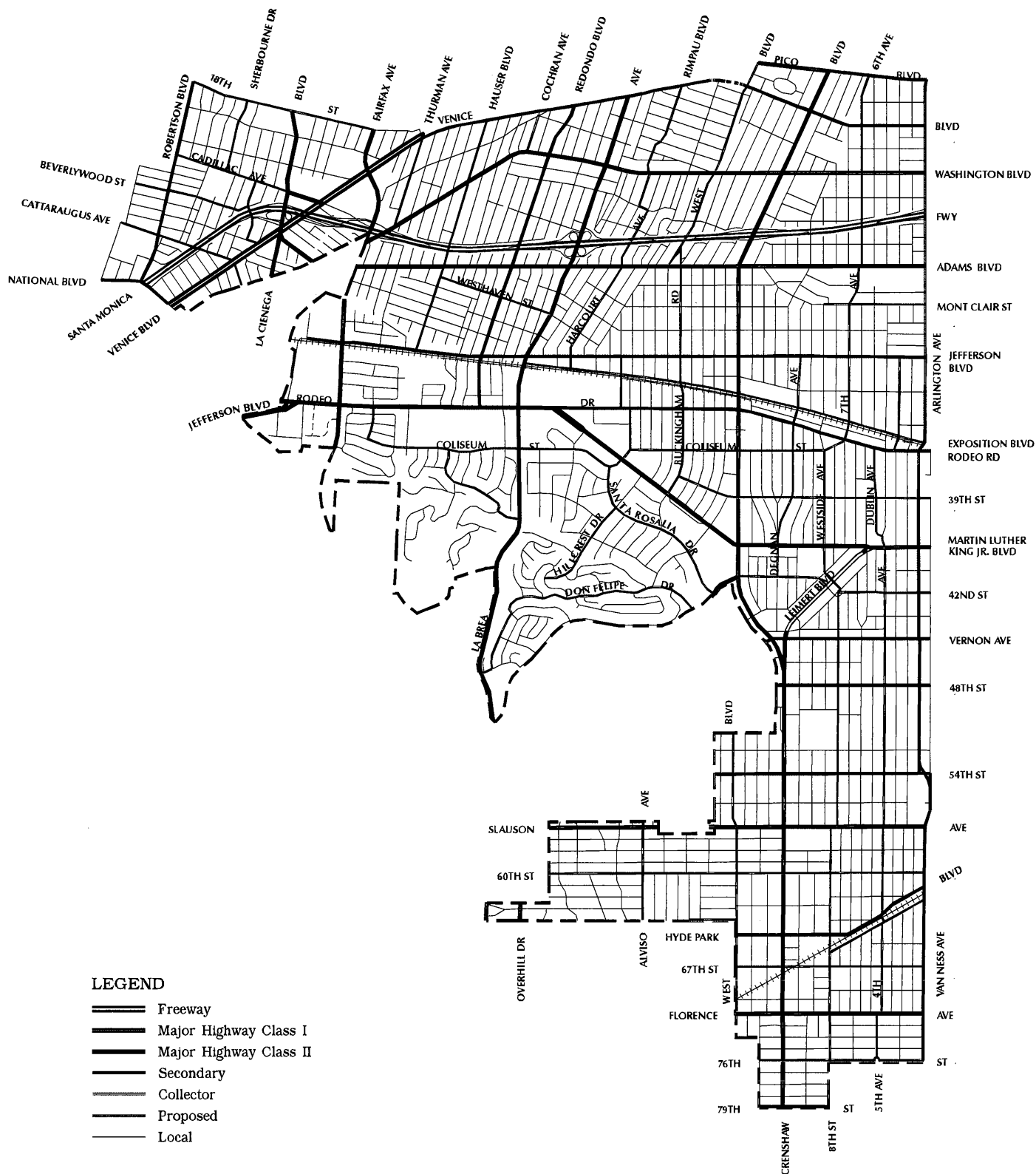
LEGEND

- Freeway
- Major Highway Class I
- Major Highway Class II
- Secondary
- Collector
- Proposed
- Local

GENERALIZED CIRCULATION SOUTH LOS ANGELES







GENERALIZED CIRCULATION WEST ADAMS - BALDWIN HILLS - LEIMERT



as of: May 27 2003-CPC2002-2756ZC/GPA PLT:07/20/06



Sec. 4. **EXCEPTIONS.**

A. The prohibition specified in Section 2 of this Ordinance shall not apply to any construction for which a building permit is required as follows:

1. To comply with an order issued by the Department of Building and Safety to repair, remove, or demolish an unsafe building or a substandard condition.
2. To rebuild a building or structure damaged as a result of fire, earthquake, or other natural disaster, provided that the development is not prohibited by any provision of the Los Angeles Municipal Code.
3. To projects consisting solely of tenant improvements, such as interior remodeling, interior rehabilitation or repair work of an existing building which **does not** increase the floor area and does not involve a change of use.

B. The prohibition specified in Section 2 of this Ordinance shall not apply to any building permit within the proposed area:

1. If architectural and structural plans sufficient for a complete plan check were accepted by the Department of Building and Safety on or before the adoption of this ordinance by City Council; and
2. If all Project fees or guarantees for the payment of fees for the Project were accepted by the Department of Building and Safety. This exception shall only apply if no subsequent changes are made to those plans which increase or decrease the height, floor area, or occupant load by more than five percent or change the use, or if any changes violate the Zoning Code regulations in force on the date that the plan check fee was paid.

C. However, any building permit issued pursuant to Exception B above shall become invalid if construction was not commenced within 180 days of issuance of Building Permit. Construction has commenced if construction pursuant to a valid building permit has progressed to the point that one of the inspections required by LAMC. Section 91.108.5 has been made and the work for which the inspection was called has been approved by the Department of Building and Safety.

Sec. 5. EXTENSION OF REGULATIONS. The City Council may by resolution, extend the provisions of this Ordinance for two (2) additional (6) month extensions, so long as the Council makes the following findings: That appropriate City agencies and officials are exercising due diligence to assure that the ordinance is being expeditiously processed.

Sec. 6. **HARDSHIP EXEMPTIONS.** The City Council, acting in its legislative capacity and by resolution, may grant exemptions from any or all of the provisions of this Ordinance in cases of extreme hardship duly established to the satisfaction of the City Council. An application for hardship exemption shall be filed with the City Clerk on forms provided by the Department of City Planning.

In processing hardship exemption applications, the following criteria shall be considered:

- PROLIFERATION & OVER CONCENTRATION: Prior to approving any fast food establishment within the greater South Los Angeles region, comprised of Southeast, South and West Adams-Baldwin Hills-Leimert, projects must be evaluated based on whether there is a proliferation and over concentration of said uses. More than one such establishment within a radius of 750 feet of the proposed project should be evaluated in light of the impacts that could result from proliferation and over concentration of fast food outlets in the region. As part of the filing requirements, Applicants shall submit a 750-foot radius map identifying all existing fast food establishments to the satisfaction of the City Council.
- BUILDING DESIGN: Projects should be designed to provide a building wall more-or-less continuous along the street frontage and typically located along the sidewalk. The height, bulk and massing of the proposed project should be compatible with the surrounding area.
- SURFACE PARKING: Locate parking at rear behind the commercial frontage and screen from view. Provide landscaping, such as trees, to mitigate the heat escape and break up the large expanse of surface parking. A minimum of 7% of the total area of a surface parking lot is to be landscaped.
- PEDESTRIAN ACTIVITY & TRAFFIC IMPACTS: Avoid multiple driveways and drive-throughs, which create traffic impacts and impact pedestrian activity. Drive-throughs shall not be permitted and the number of driveways shall be minimized and located on side streets where feasible. Projects should provide streetscape amenities where possible.
- SIGNAGE: Signage should be limited to tenant identification and be of an appropriate scale in relation to the building. Excessive signage shall be avoided. No more than one (1) wall sign and either one (1) sign attached to an awning or pedestrian sign shall be constructed, placed, or maintained for each establishment. Establishments that take their primary access from an exterior walkway open to the public and that are located on a street corner may have one (1) wall sign and either one (1) sign attached to an awning or pedestrian sign on each exterior wall of an establishment that abuts a street.

- LANDSCAPING: Projects should have a coordinated landscape plan and include abundant plant materials and features. All vegetation should be maintained in good condition.
- TRASH: Applicant shall have an adequate trash disposal plan to control litter including, sufficient trash receptacles on-site and frequent trash collection and disposal. Trash enclosures shall be enclosed by a minimum of five-foot high decorative masonry wall and shall be located where there will be minimum negative impact, physical or visual, on pedestrians, the flow of traffic, or adjacent uses.

Furthermore, the Director of Planning shall be the authority to interpret the definition of "Fast Food Establishment" when the application of the term to a specific establishment is not clear or in dispute.

Sec. 7. **SEVERABILITY.** If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance which can be implemented without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

Sec. 8. **APPLICABILITY OF THE ZONING CODE.** The regulations of this Ordinance are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code and any other ordinances adopted by the City Council, and do not contain any rights not otherwise granted under the provisions and procedures contained in that Chapter or any other ordinances.

Sec. 9. **URGENCY CLAUSE.** The City Council finds and declares that this Ordinance is required for the immediate protection of the Public Peace, Health and Safety for the following reasons: This Ordinance will prevent potentially irreversible adverse impacts on the community resulting from the establishment of additional fast food outlets. The proliferation of these uses in the area shown on the map has raised concerns in the community regarding the impacts caused by these uses. Without appropriate planning and policy measures this type of development could continue to undermine the goals and objectives of the South Los Angeles Community Plan. This Ordinance is necessary to prevent further impacts to the community, pending adoption of appropriate regulatory measures that regulate these uses. Therefore, this Ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 10. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____ Deputy

Approved _____

Mayor

Pursuant to Section 558 of the City Charter,
the City Planning Commission on September 27, 2007,
recommended this ordinance be adopted by the City
Council.

Gabriele Williams, Commission Executive Assistant II
City Planning Commission

File No. 07-1658
CPC-2007-3827-ICO



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



City Planning Commission

Date: September 27, 2007
Time: after 8:30 a.m.*
Place: 14410 Sylvan Street
Council Chamber, 2nd Floor
Van Nuys, CA 91401

Public Hearing: Required
Appeal Status: None
Expiration Date: None

Case No.: CPC 2007-3827-ICO
CEQA No.: ENV-2007-3828-CE
Council File No.: 07-1658
Plan Area: South Los Angeles, Southeast Los Angeles, and West Adams Baldwin Hills-Leimert
Specific Plan: None
Certified NC: Various
GPLU: Various
Zone: Various
Council District: 1,8,9,10,15
Applicant: City of Los Angeles

PROJECT LOCATION: The proposed Fast Food Interim Control Ordinance will affect all properties on commercial corridors designated as Major Highway Class I, Major Highway Class II and Secondary Highway in three (3) of the City of Los Angeles Community Plan areas: West Adams-Baldwin Hills-Leimert, South Los Angeles and Southeast Los Angeles.

PROPOSED PROJECT: The establishment of an Interim Control Ordinance (ICO) to temporarily prohibit the issuance of all permits related to the establishment of new fast-food restaurants located in whole or in part within the proposed ICO boundary. The ICO shall include an Urgency Clause making it effective upon publication and shall run for one year with two six month extensions by Council Resolution or until the adoption of appropriate land use regulatory controls.

REQUESTED ACTION: The City Planning Commission shall make a recommendation to the City Council regarding the proposed establishment of an Interim Control Ordinance for the South Los Angeles area.

RECOMMENDED ACTIONS:

1. **Approve** an Interim Control Ordinance (Exhibit E-2) imposing a temporary prohibition on the issuance of all permits related to the establishment of new fast food restaurants located in whole or in part within the proposed ICO boundary.
2. **Approve** the Staff Report and the Exhibits as the Commission Report.
3. **Adopt** Categorical and General Exemptions No. ENV-2007-3828-CE (Exhibit E-3).
4. **Adopt** the attached Findings.

S. GAIL GOLDBERG, AICP
Director of Planning

Signed Original in File
Charles J. Rausch, Jr., Senior City Planner

Signed Original in File
Faisal Roble, City Planner / (213) 978-1168

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Exhibit E-2: Draft Interim Control Ordinance
Exhibit E-3: Categorical and General Exemptions
Exhibit E-4: Council Motion
Exhibit E-5: American Journal of Public Health, April 2005, Vol. 95, No.4,
African Americans' Access to Healthy Food Options in South Los Angeles Restaurants.

PROJECT ANALYSIS

Project Summary

The purpose of the Fast Food Interim Control Ordinance (ICO) is to prevent any further impacts associated with the over-concentration and proliferation of fast food establishments within the South Los Angeles communities. The ICO would allow the Department of City Planning to study and develop solutions to the over-concentration of such uses and establish appropriate regulatory controls, thereby reducing and/or preventing the adverse public health, socio-economic and environmental impacts associated with such uses.

The enactment of the proposed ICO would:

- Prohibit the issuance of all permits associated with the establishment of new fast-food restaurants located in whole or in part within the proposed ICO boundary, unless a Hardship Exemption is granted by City Council per Section 6 of the Ordinance (Exhibit E-2).
- Remain in effect for a period of one year (with two six month extensions) or until the adoption of the appropriate land use regulatory controls have been prepared and adopted by the City Council and become effective, whichever occurs first.
- Not affect projects consisting solely of tenant improvements, such as interior remodeling, interior rehabilitation or repair work of an existing fast-food restaurant which **does not** increase the floor area and **does not** involve a change of use.

Background

On June 19, 2007, the Planning and Land Use Management Committee of the City Council adopted a motion, initiated by Council Districts 8 and 9, instructing the Department of City Planning to prepare an Interim Control Ordinance to temporarily prohibit all new fast-food restaurants from opening within the ICO boundary. The subject council motion was initiated to address some of the problems associated with fast food outlets, which, if left unchecked, could have detrimental impacts on the welfare and public health of the community. The ICO boundary covers the three Community Plan Areas that make up the South Los Angeles region.

The proposed ICO is an effort to address the over concentration of fast food restaurants along commercial corridors in South Los Angeles. There is a growing recognition both locally and nationally about the negative impact such land uses have on the built environment, as well as the linkage between fast food, poor nutrition and serious public health issues, such as obesity, hypertension and heart disease. In low-income communities, such as South Los Angeles, these issues are exacerbated by the lack of access to healthier alternatives. According to a report sponsored by Community Health Councils and published in the American Journal of Public Health (April 2005), disparities exist across different neighborhoods in terms of access to healthy food options, which increase the communities' risk of illness. The study indicates that, *"According to the US Economic Census, although the (West Los Angeles) comparison area had 1 restaurant for every 542 residents, the (South Los Angeles) target area had 1 restaurant for every 1,910 residents. In addition, the census indicated that the 2 areas have very different restaurant profiles. The census distinguished between "full service" (i.e. customers order are and served while seated and pat after eating) and "limited service" restaurants (i.e. customers order and pay before eating, there are not wait staff, and services are limited). Although 58% of*

the restaurants in the comparison area were full service, only 27% of the restaurants in the target area were full service."

Many jurisdictions have established a variety of regulations to address land use issues associated with the fast food industry and the proliferation of fast food restaurants. For example, some cities regulate the number of fast food restaurants within certain areas, including the cities of Arcata and Berkeley in California. Others, such as Port Jefferson, New York, Concord, Massachusetts and Calistoga, California ban fast food restaurants in certain districts, altogether. Moreover, recent state and federal legislations attempt to address the public health problems of low-income communities by focusing on issues such as encouraging healthy food retailers to locate in underserved communities (SB48); requiring chain outlets to disclose nutritional information and the use of trans fats (SB120 & AB97); and addressing the lack of recreational space through school/joint use facilities and proposed funding for outdoor activity/recreation programs (SB35 & SB207).

Issues

The South and Southeast Los Angeles Community Plans identify several issues affecting the South Los Angeles region including: *the lack of variety in the goods and services offered to the Community; the lack of continuity of complementary uses and cohesiveness along commercial frontages; and unsightliness of some new and existing construction due to the lack of landscaping, architectural character and scale.* A prominent issue in the South Los Angeles area is the lack of grocery stores, sit-down restaurants and other healthy food alternatives. Moreover, the prevalence of fast food restaurants along major commercial corridors or intersections raises many concerns including low-quality design, impacts to pedestrian activity, increased traffic and poor nutrition. A localized effort to address these concerns led to the establishment of tools to regulate fast food restaurants along a portion of Central Avenue. The proposed ICO seeks to expand that effort to the larger South Los Angeles region.

According to all three Community Plans, the predominant land use pattern in areas with a commercial land use designation is strip commercial uses which often results in conflict between traditional commercial development with store fronts built to the street and new development, which is often designed with parking adjacent to the street. Commercial land use policies listed in the community plan text therefore reflect the need to generate a variety of new commercial uses in the community to facilitate varieties of convenient shopping and easy access to services and more appropriate uses that would result in the physical and aesthetic upgrading of the area. As noted previously, fast food outlets typically have low-quality design, less landscape, ample concrete surface, all of which contribute to traffic, heat release into the air (urban heat island) and disproportionate air pollution in the area. In short, fast food restaurants are being designed or located in the community in a manner that is not consistent with the policies of the General Plan, the Community Plans, as well as the expressed guidelines of the City Planning Commission's 14 points.

Conclusion

The proliferation of fast-food establishments throughout the South Los Angeles region, concentrated specifically along many of the major commercial corridors, has contributed to socio-economic problems in the neighborhoods and created public health concerns through poor nutrition. In addition, due to the nature of such uses, negative aesthetic and environmental impacts such as generation of excessive amounts of traffic, heat and air pollution can inhibit pedestrian activity and impact adjacent communities. Measures that adequately address the

problems associated with fast food outlets and promote healthier alternatives must be implemented. The timely establishment of the Interim Control Ordinance (ICO) is needed in order to prevent any further impacts associated with the over-concentration of such uses within the South Los Angeles communities. The ICO would allow the Department of City Planning to study and develop solutions to the over-concentration of such uses, thereby reducing and/or preventing the adverse impacts related to such uses. Therefore, the Department of City Planning recommends that the City Planning Commission approve the staff report and attached findings establishing the proposed Interim Control Ordinance, attached as Exhibit C.

FINDINGS

General Plan/Charter Findings

Charter Section 253. For the immediate preservation of the public peace, health, and safety, the proposed ordinance contains an Urgency Clause making it effective upon publication. The Planning and Land Use Management Committee of the City Council instructed the Planning Department to initiate proceedings to establish an Interim Control Ordinance on June 19, 2007. This interim measure is essential to prevent further adverse impacts resulting from an increase of fast-food restaurants which if unregulated can degrade the quality of life for the residents of South Los Angeles. Moreover, a delay in the implementation of this ordinance could result in the addition of many more uses that will continue to impact the socio-economic and environmental conditions of the commercial corridors in South Los Angeles resulting in potentially irreversible adverse impacts on the community.

General Plan Consistency. The subject Interim Control Ordinance is in substantial conformance with the purposes, intent and provisions of the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning practice in that it provides protections to the South Los Angeles community by temporarily prohibiting the issuance of all permits related to the establishment of new fast-food restaurants within the proposed ICO boundary area until appropriate land use regulatory controls become effective.

The proposed ordinance is consistent with the following goals and objectives of the West Adams-Baldwin Hills-Leimert, South Los Angeles and Southeast Los Angeles Community Plans.

Goal 2 identified in the South Los Angeles and Southeast Los Angeles Community Plans calls for, *"A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district."* The South Los Angeles region is lacking in many goods and services, particularly healthy food outlets such as grocery stores and sit-down restaurants. Instead, there is a proliferation of fast food outlets providing poor nutrition to the community and contributing to blight, traffic and air pollution in the area. The proposed ICO would allow the City to begin to address the issues resulting from this sector of commercial activity.

The South Los Angeles and Southeast Los Angeles Community Plans (Objective 2-4) and the West Adams-Baldwin Hills-Leimert Community Plan (Objective 1-5) identify several proposed *Pedestrian Oriented Areas along major commercial corridors which should be protected from uses that are not compatible with the surrounding community and are detrimental to a pedestrian friendly environment.* Fast food establishments typically have drive-throughs and parking lots fronting the street creating a conflict between pedestrian activity and vehicles which are frequently accessing such establishments. Furthermore, the Community Plans identify the need to *attract uses which strengthen the economic base and expand market opportunities for existing and new businesses* (Objectives 2-3) and to *enhance the appearance of commercial districts* (Objective 2-5).

The West Adams-Baldwin Hills-Leimert Community Plan (Objective 1-3) calls for the need to *"identify and address the over-concentration of uses which have resulted in the encouragement of activities detrimental to the health and welfare of the people of the community"*. The proposed ICO is consistent with this objective in that the proposed ICO temporarily prohibits issuance of permits associated with the subject use that has been identified as creating a

negative environmental impact on the existing communities, endangering the health and welfare of individuals who work, reside, and/or attend school within the area.

Boundaries. The proposed Interim Control Ordinance (ICO) boundary is located within Council Districts 1, 8, 9, 10 and 15, as well as, within three (3) separate Community Plan Areas including the West Adams-Baldwin Hills-Leimert Community Plan adopted on January 7, 1980 and updated on May 6, 1998; the South Los Angeles Community Plan adopted on October 26, 1979 and revised on March 22, 2000; and the Southeast Los Angeles Community Plan, adopted on March 21, 1974 and revised on March 22, 2000. In addition, the ICO boundary also coincides with nine (9) Community Redevelopment Agency (CRA) Redevelopment Project areas.

CEQA Findings

The proposed Interim Control Ordinance (ICO) is exempt from the California Environmental Quality Act of 1970 (CEQA), pursuant to Article 19, Section 15308, Class 8, which "consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment". The proposed Interim Control Ordinance will place a temporary moratorium on the establishment of new fast food restaurants within the ICO boundary. The addition of more fast food outlets could continue to impact the socio-economic and environmental conditions of the commercial corridors in South Los Angeles resulting in potentially irreversible adverse impacts on the community. Thus, the use of Categorical Exemption Class 8 from the State CEQA Guidelines for the Interim Urgency Ordinance is consistent with other California jurisdictions, which find that the regulations placed upon the subject use is necessary for the protection of the environment and will prevent any further impacts associated with the over-concentration of such uses within the South Los Angeles communities.

Moreover, the proposed Interim Control Ordinance is exempt from the City's CEQA Guidelines pursuant to Article II Section 2 (m) in that it is only a temporary measure until appropriate land use regulatory controls are established and will not result in any impacts on the physical environment.

PUBLIC HEARING AND COMMUNICATIONS

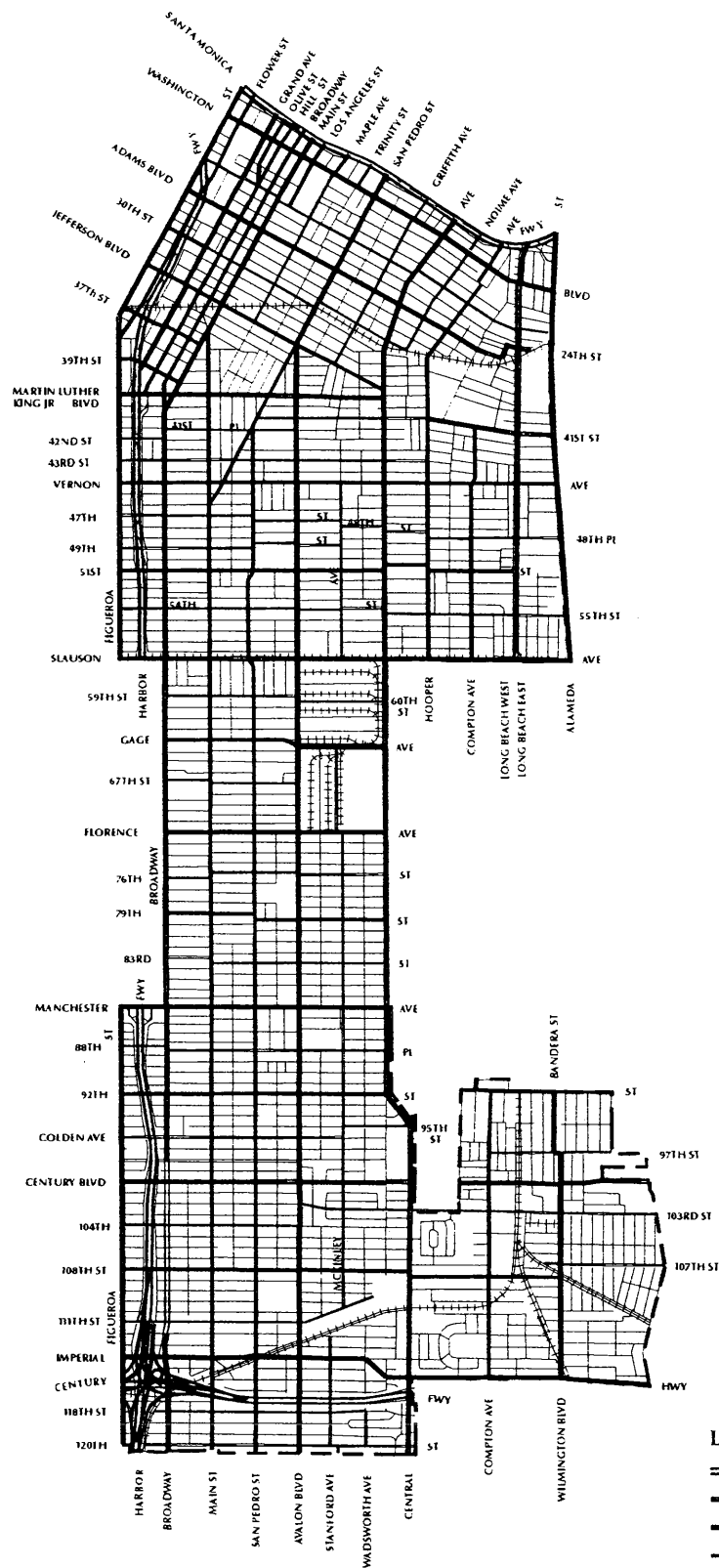
As of the date of this report, staff has received one written communication dated September 18, 2007 from the Community Health Councils expressing support for the proposed Fast Food ICO.

The proposed Fast Food ICO was presented to the South Los Angeles Area Planning Commission (APC) at its meeting of September 18, 2007 for review and comment. There were approximately 35 community members in attendance. Approximately fourteen (14) community members spoke in support of the ICO. There was no opposition to the ICO expressed at this meeting. The South Los Angeles APC recommended that the City Planning Commission approve the proposed ICO. In addition, the South Los Angeles APC provided several comments to be studied and considered as part of the development of the permanent regulatory controls to be implemented.

A Public Hearing on this matter will be held at the City Planning Commission meeting on September 27, 2007.

100





GENERALIZED CIRCULATION SOUTHEAST LOS ANGELES





ORDINANCE NO. _____

An ordinance imposing interim regulations on the issuance of all permits related to the establishment of new fast food establishments for properties on all Major Highway Class I, Major Highway Class II and Secondary Highways in the South Los Angeles, Southeast Los Angeles and West Adams-Baldwin Hills-Leimert Community Plan areas; and

WHEREAS, on June 19, 2007, the Planning and Land Use Management Committee of the City Council instructed the Department of City Planning to initiate proceedings to establish an interim control ordinance to prohibit the establishment of new fast food restaurants in South Los Angeles that will be effective for 365 days, or until the adoption of appropriate regulatory controls are established, and

WHEREAS, the proposed Interim Control Ordinance (ICO) is located within three Community Plan areas including the South Los Angeles Community Plan adopted on October 26, 1979 and revised on March 22, 2000; the Southeast Los Angeles Community Plan adopted on March 21, 1974 and revised on March 22, 2000; and the West Adams-Baldwin Hills-Leimert Community Plan adopted on January 7, 1980 and updated on May 6, 1998; and

WHEREAS, goals and objectives listed in the Community Plans address the need to: provide a strong and competitive commercial sector which best serves the needs of the community, attract uses which strengthen the economic base and expand market opportunities for existing and new businesses, enhance the appearance of commercial districts, and identify and address the over-concentration of uses which are detrimental to the health and welfare of the people of the community; and

WHEREAS, the South Los Angeles and the Southeast Los Angeles Community Planning areas are currently developing a package of incentives to attract dining establishments, grocery stores and healthy food options to enhance the quality of life for community stakeholders; and

WHEREAS, the proliferation of fast food establishments throughout the South Los Angeles area may create adverse quality of life impacts and without the use of appropriate planning and policy measures this type of development could continue to undermine the goals and objectives of the South Los Angeles Community Plans; and

WHEREAS, as part of the New Community Plan Program currently underway for the three Plan areas, additional regulatory controls will be implemented to address the over-concentration of certain uses, upgrade the physical condition of the area by requiring good urban design and elevate the quality of life for the community; and

WHEREAS, it is urgent to immediately impose interim regulations on the

issuance of all permits to prevent further adverse impacts to the community until the appropriate land use regulatory controls can be adopted;

NOW THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. **DEFINITIONS.** The following words or phrases, whenever used in this Ordinance, shall be construed as defined in this Section. Words and phrases not defined here shall be construed as defined in Section 12.03 of the Los Angeles Municipal Code.

PROJECT. The change of use, construction, erection, addition to or alteration of any building or structure located in whole or in part on the commercial corridors designated as Major Highway Class I, Major Highway Class II and Secondary Highways within the Interim Control Ordinance (ICO) boundary that result in the establishment of new fast food outlets. A project does not include construction that consists solely of interior remodeling, interior rehabilitation, minor exterior repair work, or routine maintenance which does not increase the floor area.

FAST FOOD ESTABLISHMENT as defined in Section 16.05 B 2 (m) 3. Any establishment which dispenses food for consumption on or off the premises, and which has the following characteristics: a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers.

Sec. 2. **PROHIBITION.** Notwithstanding any provision of the Los Angeles Municipal Code to the contrary, for a period of 365 days from the effective date of this Ordinance, or until the adoption of appropriate regulatory controls that further regulate the establishment of fast food outlets within the boundary covered by the Interim Control Ordinance as shown on the map identified in Section 3 of this Ordinance becomes effective, whichever occurs first:

No permits including but not limited to building, grading, foundation and use permits shall be issued for any Project.

Sec. 3. **INTERIM CONTROL BOUNDARY.** The provisions of this ordinance shall apply to any Project located in whole or in part within the ICO boundary shown on the attached map:



Sec. 4. **EXCEPTIONS.**

A. The prohibition specified in Section 2 of this Ordinance shall not apply to any construction for which a building permit is required as follows:

1. To comply with an order issued by the Department of Building and Safety to repair, remove, or demolish an unsafe building or a substandard condition.
2. To rebuild a building or structure damaged as a result of fire, earthquake, or other natural disaster, provided that the development is not prohibited by any provision of the Los Angeles Municipal Code.
3. To projects consisting solely of tenant improvements, such as interior remodeling, interior rehabilitation or repair work of an existing building which **does not** increase the floor area and does not involve a change of use.

B. The prohibition specified in Section 2 of this Ordinance shall not apply to any building permit within the proposed area:

1. If architectural and structural plans sufficient for a complete plan check were accepted by the Department of Building and Safety on or before the adoption of this ordinance by City Council; and
2. If all Project fees or guarantees for the payment of fees for the Project were accepted by the Department of Building and Safety. This exception shall only apply if no subsequent changes are made to those plans which increase or decrease the height, floor area, or occupant load by more than five percent or change the use, or if any changes violate the Zoning Code regulations in force on the date that the plan check fee was paid.

C. However, any building permit issued pursuant to Exception B above shall become invalid if construction was not commenced within 180 days of issuance of Building Permit. Construction has commenced if construction pursuant to a valid building permit has progressed to the point that one of the inspections required by LAMC. Section 91.108.5 has been made and the work for which the inspection was called has been approved by the Department of Building and Safety.

Sec. 5. EXTENSION OF REGULATIONS. The City Council may by resolution, extend the provisions of this Ordinance for two (2) additional (6) month extensions, so long as the Council makes the following findings: That appropriate City agencies and officials are exercising due diligence to assure that the ordinance is being expeditiously processed.

Sec. 6. HARDSHIP EXEMPTIONS. The City Council, acting in its legislative capacity and by resolution, may grant exemptions from any or all of the provisions of this Ordinance in cases of extreme hardship duly established to the satisfaction of the

City Council. An application for hardship exemption shall be filed with the City Clerk on forms provided by the Department of City Planning.

Sec. 7. **SEVERABILITY.** If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance which can be implemented without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

Sec. 8. **APPLICABILITY OF THE ZONING CODE.** The regulations of this Ordinance are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code and any other ordinances adopted by the City Council, and do not contain any rights not otherwise granted under the provisions and procedures contained in that Chapter or any other ordinances.

Sec. 9. **URGENCY CLAUSE.** The City Council finds and declares that this Ordinance is required for the immediate protection of the Public Peace, Health and Safety for the following reasons: This Ordinance will prevent potentially irreversible adverse impacts on the community resulting from the establishment of additional fast food outlets. The proliferation of these uses in the area shown on the map has raised concerns in the community regarding the impacts caused by these uses. Without appropriate planning and policy measures this type of development could continue to undermine the goals and objectives of the South Los Angeles Community Plan. This Ordinance is necessary to prevent further impacts to the community, pending adoption of appropriate regulatory measures that regulate these uses. Therefore, this Ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 10. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____

FRANK T. MARTINEZ, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By _____

City Attorney

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend it be adopted

September 27, 2007

See attached report.

S. GAIL GOLDBERG, AICP
Director of Planning

File No. 07-1658
CPC-2007-3827-ICO

EXHIBIT E-3

COUNTY CLERK'S USE	CITY OF LOS ANGELES OFFICE OF THE CITY CLERK ROOM 615, CITY HALL EAST LOS ANGELES, CALIFORNIA 90012 CALIFORNIA ENVIRONMENTAL QUALITY ACT <h2 style="margin: 0;">NOTICE OF EXEMPTION</h2> (Article 19 of the California CEQA Guidelines)	CITY CLERK'S USE
Submission of this form is optional. The form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.		
LEAD CITY AGENCY: City of Los Angeles Department of City Planning		COUNCIL DISTRICT 1,8,9,10,15
PROJECT TITLE: Fast Food Interim Control Ordinance (ICO)		LOG REFERENCE ENV-2007-3828-CE CPC 2007-3827-ICO
PROJECT LOCATION: The proposed project is the establishment of the Fast Food Interim Control Ordinance (ICO) to temporarily prohibit the issuance of all permits related to the establishment of new fast food outlets within the ICO boundary until the adoption of appropriate land use regulatory controls. The Fast Food ICO affects all properties located on Major Highway Class I, Major Highway Class II and Secondary Highway streets within three (3) City of Los Angeles Community Plan areas including, the West Adams Baldwin Hills-Leimert Community Plan, the South Los Angeles Community Plan and the Southeast Los Angeles Community Plan.		
DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: Establishment of the Fast Food Interim Control Ordinance (ICO) .		
NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:		
CONTACT PERSON Marie Cobian	AREA CODE 213	TELEPHONE NUMBER 978-1201
EXEMPT STATUS: (Check One)		
STATE CEQA GUIDELINES		STATE EIR GUIDELINE
<input type="checkbox"/> MINISTERIAL		Sec. 15268
<input type="checkbox"/> DECLARED EMERGENCY		Sec. 15269
<input type="checkbox"/> EMERGENCY PROJECT		Sec. 15269
<input checked="" type="checkbox"/> GENERAL EXEMPTION	Article II, Section 2(m) (City of Los Angeles Guidelines)	Sec. 15061 (b) (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Article 19 , Sec. 15308	Sec. 15300 <i>et seq.</i>
Classes <u>8</u> Category _____ (California CEQA Guidelines)		

EXHIBIT E-3

☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and city guideline provision.

JUSTIFICATION FOR PROJECT EXEMPTION: See attached narrative.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.

SIGNATURE <i>Marie Cobian</i>	TITLE Planning Assistant	DATE August 8, 2007
FEE: N/A	RECEIPT NO. N/A	REC'D. BY N/A
		DATE N/A

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Form Gen. 183 (Rev. 8-90) (Appendix A) (C.S. 4/98) (P.C. 5/02)

THE APPLICANT CERTIFIES THAT HE OR SHE UNDERSTANDS THE FOLLOWING:

Completion of this form by an employee of the City constitutes only a staff recommendation that an exemption from CEQA be granted. A Notice of Exemption is only effective if, after a public review and any required public hearings, it is adopted by the City agency having final jurisdiction (including any appeals) over the project application. If a CEQA exemption is found inappropriate, preparation of a Negative Declaration or Environmental Impact Report will be required. IF THE INFORMATION SUBMITTED BY THE APPLICANT IS INCORRECT OR INCOMPLETE SUCH ERROR OR OMISSION COULD INVALIDATE ANY CITY ACTIONS ON THE PROJECT, INCLUDING CEQA FINDINGS.

✕ _____
NAME (PRINTED)

✕ _____
SIGNATURE

MOTION

PLANNING and LAND USE MGT.

MAY 25 2007

The proliferation and concentration of fast food restaurants in certain areas of the City brings with it many social, economic, environmental and other concerns which merit closer review by the City.

The unique community issues raised by this sector of commercial activity has been recognized in many cities throughout the nation. Port Jefferson, New York has an ordinance which bars formula fast food restaurants from the village's historic commercial and waterfront districts. The ordinance strictly defines "formula fast food establishment" as, among other things, one which has standardized menus, ingredients, food preparation, decor, external facade and/or uniforms.

A tax in Chicago aims to reduce littering and to defray the city's cost for sanitation workers to clean up litter. There is an extra 0.5 percent charged for take-out foods from local restaurants, increasing the restaurant tax from 9.75 percent to 10.25 percent. The higher price for take-out foods encourages diners to stay indoors, and as a result, to put food wrappings and waste in provided receptacles.

These are but two examples of communities which have implemented measures legitimately addressing problems associated with the fast food industry.

In Los Angeles not only do we suffer from the increased waste which is generated from these establishments, but arguably the profuse over concentration of fast-food businesses in low-income areas, particularly along the Southeast Los Angeles commercial corridors, intensifies socio-economic problems in the neighborhoods, and creates serious public health problems through poor nutrition for children, magnets for juvenile delinquency, and a proportionally much higher cost for food.

As such, the City should enforce all land use regulatory controls to regulate the further over-concentration of fast food restaurants along all commercial corridors in Southeast Los Angeles.

I THEREFORE MOVE that the City Council instruct the Planning Department, with the assistance of the City Attorney, to prepare and process an Interim Control Ordinance (ICO), to prohibit all new fast food restaurants from opening on all Major Highway Class I, Major Highway Class II and Secondary streets designated in the West Adams-Baldwin Hills-Leimert, South Los Angeles and Southeast Los Angeles Community Plans; and,

I FURTHER MOVE that the ICO include an Urgency Clause making it effective upon publication; and,

I FURTHER MOVE that the ICO shall run for one year with two six month extensions by City Council Resolution, or until the adoption of the appropriate land use regulatory controls have been prepared by the Planning Department, adopted by the City Council and become effective, whichever occurs first; and,

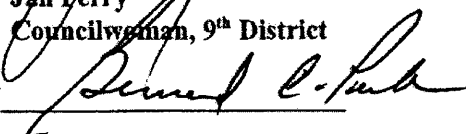
I FURTHER MOVE that the Planning Department prepare and present the ICO for the review and consideration of the Planning and Land Use Management (PLUM) Committee.

PRESENTED BY


Jan Perry
Councilwoman, 9th District

MAY 25 2007

SECONDED BY



African Americans' Access to Healthy Food Options in South Los Angeles Restaurants

LaVonna Blair Lewis, PhD, David C. Sloane, PhD, Lori Miller Nascimento, MPH, Allison L. Diamant, MD, MPH, Joyce Jones Guinyard, DC, Antronette K. Yancey, MD, MPH, Gwendolyn Flynn, for the REACH Coalition of the African Americans Building a Legacy of Health Project

Researchers and community activists have recognized the link between ecological factors (e.g., access to quality food) and the onset of medical conditions (e.g., cardiovascular disease, diabetes).^{1,2} Disparities exist across different neighborhoods in terms of access to healthy or higher quality foods; these disparities put certain communities at higher risk for illnesses. Studies have shown that neighborhoods with a higher proportion of African American residents have fewer supermarkets and fewer high-quality food options,^{3,4} as well as a disproportionate number of fast food restaurants.⁵

Numerous studies have demonstrated that regular consumption of fast food can lead to higher body mass index scores, which contributes to obesity and related illnesses.^{6,7} However, few studies have focused on the availability of healthy options in a community's nutritional resource environment.⁸ Meals purchased away from home continue to play an increasingly important role in American diets. Guthrie et al.⁹ reported that between 1977–1978 and 1994–1996, consumption of food prepared away from home increased from 18% to 32% of total calories consumed. Typically, meals purchased away from home contain high calorie content and large portion sizes.^{6,9,10} Health care providers and researchers have expressed concern that the increase in eating away from home has contributed to the growing epidemic of obesity in the United States.¹¹ Understanding the range of choices available in different communities may help public health advocates develop a strategy to reduce the adverse health effects of meals purchased away from home for groups at elevated risk within our society.

Individual food choices also are influenced by a sociocultural environment in which commercial advertising, marketing, and promotion attempt to influence the food and beverage

Objectives. We examined availability and food options at restaurants in less affluent (target area) and more affluent (comparison area) areas of Los Angeles County to compare residents' access to healthy meals prepared and purchased away from home. We also considered environmental prompts that encourage the purchase of various foods.

Methods. We designed an instrument to assess the availability, quality, and preparation of food in restaurants. We also assessed advertisements and promotions, cleanliness, and service for each restaurant. We assessed 659 restaurants: 348 in the target area and 311 in the comparison area.

Results. The nutritional resource environment in our target area makes it challenging for residents to eat healthy away from home. Poorer neighborhoods with a higher proportion of African American residents have fewer healthy options available, both in food selections and in food preparation; restaurants in these neighborhoods heavily promote unhealthy food options to residents.

Conclusions. Environment is important in understanding health status: support for the healthy lifestyle associated with lower risks for disease is difficult in poorer communities with a higher proportion of African American residents. (*Am J Public Health.* 2005;95:668–673. doi:10.2105/AJPH.2004.050260)

preferences and purchasing behaviors of target audiences. A growing body of literature documents cultural variations across the range of commercial advertisements that may contribute to health risk behavior disparities.^{12–21} A pattern of findings demonstrates significantly fewer advertisements for healthier food and beverage products (e.g., fruits, vegetables, and dairy products) in magazines and television shows that target African Americans specifically compared with those that target more general audiences. In addition, a significantly greater number of advertisements for unhealthy products (e.g., sodas, candy, and alcoholic beverages) appear in magazines and television shows that target African Americans.^{14,20} In the only "successful" litigation in this arena to date, General Foods settled a class action suit to address advertising of high-fat/high-sugar breakfast cereals with false claims of healthfulness that targeted low-income children of color.¹

An ecological approach to health promotion examines people's opportunities to choose. This approach includes health care

options, such as access to hospitals and other health care providers, and food services in the form of markets and restaurants. A rich resource environment provides greater opportunities for people to make choices that will lead to a healthier life.¹ Conversely, when nutritional resources are limited, such as in those areas researchers have termed "food deserts," the environment makes it more difficult for residents to sustain any effort to eat a healthy diet.^{22,23}

The richness of an area's resource environment can be measured by the services offered and by residents' access to those services. We suggest that access to healthy options in a restaurant, in addition to counting the types of restaurants, is a critical measure of the richness of an environment that supports healthy living. We examined the availability of restaurants and food options within these restaurants in more affluent and less affluent areas of Los Angeles County. We hypothesized that residents in South Los Angeles (target area) would have fewer healthy options in neighborhood restaurants than residents of West

Los Angeles (comparison area). In addition, we examined the environmental prompts that encourage the purchase of various foods (e.g., point-of-sale posters and other print advertisements at the restaurants), postulating that healthy food choices would be promoted less in South versus West Los Angeles.

METHODS

Study Context

Community Health Councils, Inc., (CHC) is a nonprofit health advocacy organization that has been launching programs to involve community residents in discussions about the health care system in Los Angeles County for more than 10 years. In 1999, CHC initiated the African Americans Building a Legacy of Health coalition in an effort to bring together organizations and individuals to combat health disparities and issues of access to health care. CHC led this coalition's effort to apply for funding from the Racial and Ethnic Approaches to Community Health (REACH 2010) programming initiative of the Centers for Disease Control and Prevention.

CHC received a planning grant in 1999, followed by 4 years of funding, to institute a series of interventions in South Los Angeles, Inglewood, and North Long Beach, areas with high proportions of African Americans. The African Americans Building a Legacy of Health coalition identified several intervention areas and organized advisory groups that focused on organizational wellness, racial justice, education and prevention, and economic parity. University of Southern California (USC) and University of California at Los Angeles (UCLA) faculty and staff have served as evaluators of the project from its planning phase.

We conducted community assessment activities as part of the economic parity intervention. The economic parity advisory group is a fluid pool of individuals and organizations interested in improving the community's recreational and nutritional resource environments through community assessments and subsequent community development. An exemplar of community-based participatory research, members of the workgroup developed instruments, conducted

the assessments, and presented findings to their respective communities.

Area Descriptions

The research was predicated on the assumption that a community's nutritional purchases range beyond the area defined by a census tract. Some individuals within a community might have considerable travel restrictions that limit their mobility; others might travel well beyond any 1 zip code to eat at a particular restaurant. We decided on the zip code area as the unit of analysis on the basis of these assumptions. The study areas were made up of zip codes that represent neighborhoods with a high proportion of African American residents (target area) compared with zip codes that include fewer African American residents (comparison area).

The target area consisted of 4 noncontiguous areas: 2 in South Los Angeles and 1 each in Inglewood and North Long Beach. The comparison area included zip codes in west Los Angeles. Restaurant surveys were used to inventory healthy food options in the selected target and comparison areas. Although these 2 areas were selected as part of the AABLH/REACH 2010 Project, they do not cover the entire AABLH project area. Because of the large number of restaurants, we confined our restaurant survey to specific zip codes within the larger AABLH project area to achieve a comprehensive inventory of restaurants within the specified areas (Figure 1).

In the target area, African Americans made up a significant portion of the population (35%) with moderate to low incomes (median=\$35 144). The difference in percentage of African American residents between the zip codes was broad, ranging from 14% in 90001 to 87% in 90305. The comparison area for this project had few African Americans (7.8%) and a higher median household income (\$47 697). However, for zip codes 90007 and 90001 in the target area and 90034 and 90035 in the contrast area, the proportion of African American residents was roughly the same.

Study Design and Data Sources

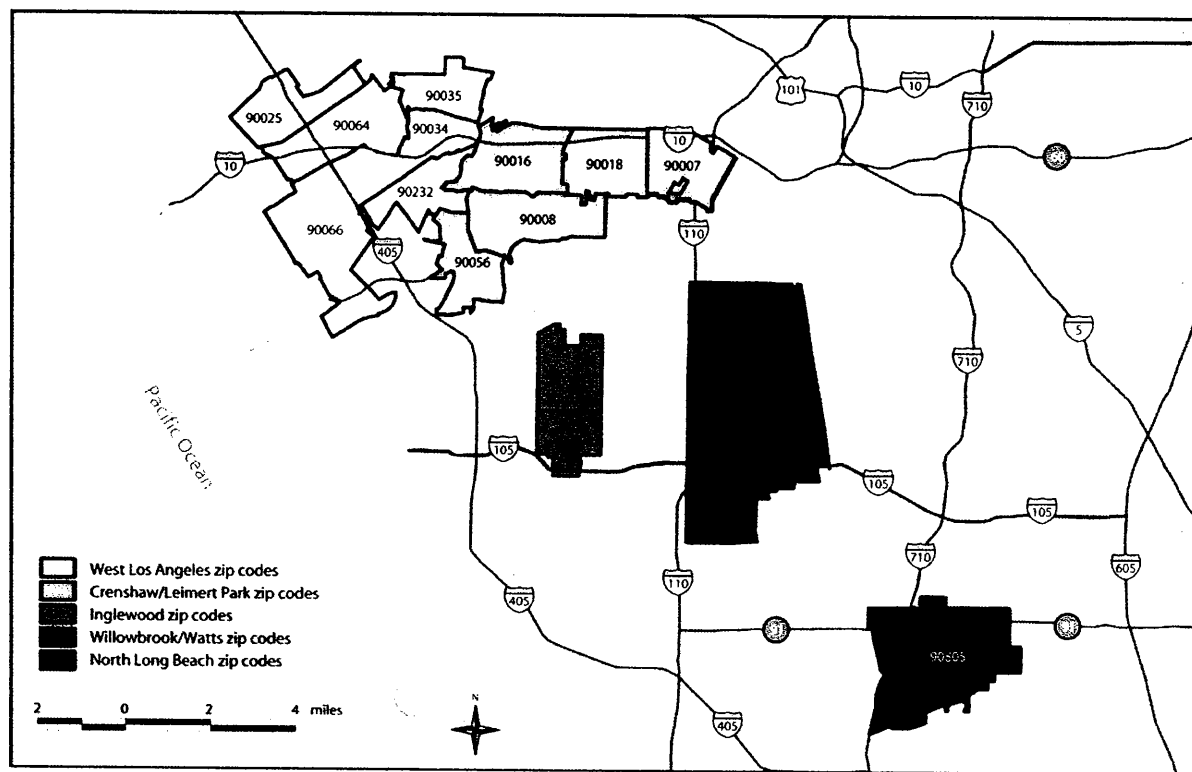
CHC created a "mini grant" process through which community organizations ranging from local churches to chapters of national African

American sororities could be granted small amounts of funding (up to \$5000) to assess restaurants in their communities. Through a competitive review process, 5 community organizations received funding to assess restaurants in the target area. The comparison area restaurants were assessed by students in the Master of Planning Program from USC. These students also conducted supplemental community inventories in the target area, as needed. All of the surveyors participated in the same training program, which served to reduce variation across surveyors.

A list of restaurants by zip code was extracted from an electronic database from each city's environmental health office. Surveyors were instructed to inventory at least 60 restaurants in their assigned zip codes; specifically, they were instructed to randomly survey 20 restaurants from each of the following 3 categories: fast food (i.e., food already prepared), fast casual (i.e., self-seating of patrons, food prepared after placing order), and sit down dining (i.e., hostess/wait staff seating, wait staff takes and submits order) restaurants. Surveyors noted that within some target area zip codes, the desired breakdown was impossible to achieve because of a lack of restaurants (i.e., not enough sit-down dining restaurants—a significant finding in and of itself).

After discussions with the AABLH coalition about what needed to be measured, justification for these measures, and related health issues surrounding restaurant use, we developed an instrument to inventory each restaurant. The questions covered issues identified by a literature search and community members to be crucial to understanding the healthiness of restaurants. The instrument was designed to assess the availability, quality, and preparation of food on the basis of a restaurant's menu to provide the least biased data. We used the menu as a source of information to allow for a standardized response to the questions and to obviate the need for interaction between the surveyor and restaurant employees. In addition, selected observational elements about the restaurant were assessed, including advertisements and promotions, cleanliness, and quality of service.

The instrument contained 21 main questions, some of which had multiple parts, for



Note. Adapted from Slone DC, Diamant AL, Lewis LB et al. *J Intern Med*. 2003;18:568-575.

FIGURE 1—Target and comparison neighborhoods, by zip code: Los Angeles, Calif.

a total of 62 separate questions. Items included information provided to the customer in the restaurant, such as pointing out healthy foods and providing nutritional information related to the selection. In addition, the instrument collected information about the types of food offered and options about healthy food preparation and whether customers could request a healthy alternative. Healthy food preparation options included the following: stir fry or sauté, broil, bake, boil, raw (no cooking needed), steam, roasted or rotisserie, grilled, or other (specify). Healthy menu options included the following: green salad, entrée salad, side order of cooked vegetables (without butter, cream, or oil), baked potato (without butter), brown rice, fresh fruit, fish, turkey burgers, soy/tofu, vegetarian, or other (specify). The survey also included questions about beverage options, meal prices, and store characteristics, such as access to parking, public transportation, cleanliness, and security.

Data Analysis

We used SAS, version 8.0 (SAS, Inc., Research Triangle Park, NC) to perform all statistical analyses; the results were presented in bivariate form. The bivariate significance tests used χ^2 and Fisher exact tests. The population data presented were taken from a compilation of US Census material provided by the United Way of Greater Los Angeles.²⁴ We used that population data and data from the US Economic Census for North American Industry Classification System number 7221 and 7222 to calculate ratios of restaurant to population.

RESULTS

Restaurant Environment

Table 1 provides a zip-code-by-zip-code comparison of the total population, African American population, and number of restaurants. The comparison area is home to a larger number of restaurants per population than the target area. According to the US Eco-

nomics Census, although the comparison area had 1 restaurant for every 542 residents, the target area had 1 restaurant for every 1910 residents. In addition, the census indicated that the 2 areas have very different restaurant profiles. The census distinguished between "full service" (i.e., customers order and are served while seated and pay after eating) and "limited service" restaurants (i.e., customers order and pay before eating, there are no wait staff, and services are limited).²⁴ Although 58% of the restaurants in the comparison area were full service, only 27% of the restaurants in the target area were full service.

We further explored this issue by examining local government online listings of restaurants in our target and comparison areas. We found that the average comparison area resident had 50% more restaurants to choose from than a resident in the target area.

We inventoried 659 of these restaurants (Table 2) in the 2 areas: 311 (47% of all restaurants listed in each city's environmental

TABLE 1—Zip Code-by-Zip Code Comparison of Area Restaurants in South Los Angeles, Calif

	Zip Code	Population			No. Restaurants		
		Total	African American	%	Full Service	Limited Service	Total
Target area							
North Long Beach	90805	91 663	21 414	23	11	38	49
Inglewood	90303	27 773	10 746	39	4	10	14
	90305	13 763	11 975	87	1	3	4
Crenshaw/Leimert Park	90007	45 021	5 561	12	15	39	54
	90008	30 840	23 943	78	9	16	25
	90016	46 968	22 026	47	7	18	25
	90018	47 127	20 092	43	6	17	23
	90056	8 108	5 792	71	3	2	5
Willowbrook/Watts	90001	54 481	7 608	14	9	18	27
	90002	44 584	15 837	36	0	7	7
	90003	58 187	18 356	32	9	16	25
	90059	38 123	17 199	45	1	7	8
	90061	24 503	10 923	46	1	11	12
Total ^a (%)		531 141	191 472	36	76 (27%)	202 (73%)	278
Comparison area							
West Los Angeles	90025	41 170	1 230	3	70	51	121
	90034	58 199	8 573	15	20	24	44
	90035	27 792	3 428	12	28	17	45
	90064	24 489	594	2	73	43	116
	90066	55 194	2 130	4	29	23	52
	90232	15 175	1 304	9	16	15	31
Total ^b (%)		222 019	17 259	8	236 (58%)	173 (42%)	409

^a1 restaurant for every 1910 persons.^b1 restaurant for every 542 persons.**TABLE 2—Restaurant Physical Environment Profile in South Los Angeles, Calif**

	Target Area (n = 348)	Comparison Area (n = 311)	P
Restaurant type (%)			
Fast food restaurants	25.6	11.2	<.001
Restaurant environment (% excellent)			
Cleanliness	3.6	21.6	<.001
Customer service	3.9	22.8	<.001
Clear menu	5.5	25.5	<.001
First impressions	3.0	19.6	<.001
Parking	4.9	20.0	<.001
Public transportation	4.6	26.2	<.001
Safety/security	2.7	24.0	<.001

health office restaurant database) in the comparison area and 348 restaurants (43%) in the target area. (The Environmental Health Offices must survey restaurants annually, making it a

more accurate count of restaurants.) The comparison area clearly has a greater diversity of dining options than the target area. We inventoried more fast food restaurants in the target

area (25.6%) than in the comparison area (11.2%). More detailed analysis is needed to determine the effect of the greater number of fast food restaurants in the target communities. In particular, there is evidence that the majority of fast food restaurants (particularly the large chains, such as McDonald's) are adding healthy menu options.

The target area restaurants were also significantly less likely than comparison area restaurants to receive high marks on assessments of the restaurant environment (i.e., what do customers experience or see when they arrive at a particular restaurant?) Here, fewer than 5% of the target area restaurants receive an "excellent" for cleanliness, customer service, first impressions, accessible parking, ease of access to public transportation, and safety/security (response categories were excellent, very good, average, fair, and poor).

Promotion and Availability of Healthy Options

Table 3 displays findings on the marketing or promotions and availability of healthy options. Diners were exposed to many more promotional prompts in the target area, with one third of the restaurants promoting specific items. However, those promotions were significantly less likely to be for healthy items than the smaller number of promotional items found in the comparison area. Comparison area restaurants were significantly more likely to make it easier for diners to find healthy food items by labeling them and providing nutritional information. Nine percent of the restaurants in the comparison area labeled healthy food options compared with 6.5% of the restaurants in the target area.

Restaurants in the 2 areas were significantly different in providing healthy options for diners. Comparison area restaurants were significantly more likely to offer options that were prepared in a healthier way (i.e., broiled instead of fried) and to offer a range of such options. In particular, almost 40% of the restaurants in the comparison area provided diners with 5 or more healthy preparation options compared with only 27% of the restaurants in the target area.

Similar results were noted when we explored healthier options on the menu. Some of

TABLE 3—Marketing and Availability of Healthy Options in Restaurants in South Los Angeles, Calif, Restaurants

	Target Area (n = 348)	Comparison Area (n = 311)	P
Marketing (% yes)			
Promotional advertisements	33.4	20.9	<.001
Healthy promotions	9.1	13.4	<.001
Healthy items labeled	6.5	9.1	<.05
Nutritional information	3.1	5.3	<.05
Availability of healthy options (% yes)			
5 or more healthy preparation options	27.2	38.8	<.001
5 or more healthier choice options	36.0	41.6	<.001

the items we looked for on the menus were a green salad, a side order of cooked vegetables, baked potato, brown rice, fresh fruit, fish (not fried), turkey burgers, soy or tofu dishes, and vegetarian entrees. Nearly 42% of the restaurants in the comparison area offered 5 or more of these healthy options compared with 36% of the restaurants in the target area.

DISCUSSION

Findings from our study indicate that communities in our target area offered a nutritional resource environment that makes it more challenging for residents to eat a healthy diet. Barriers to eating a healthy diet increase the risks for developing such conditions as obesity, cardiovascular disease, and diabetes. Our findings also support earlier research that US neighborhoods differ dramatically by race and socioeconomic factors in their out-of-home dining options. Poorer neighborhoods with a higher percentage of African American residents have fewer choices and more fast food restaurants. In addition, these restaurants heavily promote unhealthy food options to attract residents to eat in their restaurants and are significantly less likely to promote healthy items than restaurants in our comparison area. Our findings fit with a pattern that other researchers have found: African American communities are sites for promoting foods that do not support a healthy lifestyle.

Our findings go a step further by indicating that diners in the target area have fewer healthy options available to them in restaurants, both in the food selections and in food preparation. These findings have several implications. First, public health officials at-

tempting to improve the health of communities need to recognize that the environment in which residents live affects their ability to choose a healthier diet. In our target area, individuals may be motivated to eat better, but as demonstrated in a 2003 study of markets³ and now with our study of restaurants, residents do not have easy access to a wide range of healthy options. In addition, they are confronted by a barrage of prompts that encourage unhealthy options. Addressing these issues will require a variety of community advocacy strategies (e.g., conditional use business permits, advertising regulation, and labeling requirements).

Second, researchers need to study not only the number of fast food and other restaurants in a community but also the menu options available and promotional items once a customer enters the restaurant. As others have noted, fast food restaurants have responded to national concerns about obesity and are changing their menus to offer more healthy items. The issue is not simply a matter of restaurant categories (i.e., fast food versus other types of restaurants) but what menu options are available, the type of food preparation, and the customer's ability to make healthy substitutions (the latter of which was dismal according to our examination of restaurant menus).

Finally, health care providers and researchers have begun to understand and demonstrate that the nutritional resource environment is linked to individual health outcomes. Findings from the most recent Los Angeles County Health Survey indicate disproportionately higher rates of obesity, diabetes, hypertension, and cardiovascular disease in our target area than in the comparison area.²⁵

Limitations

The inventories used in this study were completed over a relatively long period of time, between 2002 and 2004. During that time, the atmosphere for healthier options was changing quite quickly. The inventories in the comparison area were conducted after those of the target area, which may have biased the findings. Moreover, the inventories were conducted as part of a community participatory research study that relied on community members to consistently and correctly record their inventories. Although CHC staff and evaluators trained community members to conduct the assessment, limited resources prevented us from verifying these data. Furthermore, we recognize that given our methodology, the results need to be replicated in other communities.

Some items were difficult for surveyors to categorize consistently. We found the clarity of menus was not equal, particularly when pointing out healthy options. However, the most difficult item was the category of restaurant. Surveyors struggled to distinguish between casual and sit-down restaurants. For this reason, we combined these categories and only reported on the distinction between fast food and other restaurants. In addition, the survey instrument was limited in that if an item was not mentioned on the printed menu, that information was lost. For example, if the restaurant offered a healthy special of the day, the item would not have been captured on the survey.

Conclusions

Our study examined the basis for the growing belief among health researchers that the environment is an important element in understanding the health status of American residents. We believe that our findings demonstrate the need to support further economic development in poorer areas and those with a higher proportion of African American residents by improving existing restaurants and by bringing new, health-oriented restaurants into the community so those areas can have a broader range of healthy options. Through these and other actions that expand access to healthy choice, we hope that the health disparities that plague our society will diminish, allowing all US residents to live longer and healthier lives. Further research needs to be conducted to replicate these findings in other

diverse cities and to distinguish the effects of race/ethnicity and income in determining the outcomes. ■

About The Authors

LaVonna Blair Lewis and David C. Sloane are at the University of Southern California School of Policy, Planning and Development, Los Angeles. Lori Miller Nascimento is with the Division of Community Health, Department of Family Medicine, University of Southern California Keck School of Medicine, Los Angeles. Allison L. Diamant is with the Department of General Internal Medicine and Health Services Research, University of California, Los Angeles (UCLA), School of Medicine. Joyce Jones Guinyard and Gwendolyn Flynn are with Community Health Councils, Inc, Los Angeles. Antronette K. Yancey is with the Division of Cancer Prevention and Control Research, UCLA Jonsson Comprehensive Cancer Center and the Department of Health Services, UCLA School of Public Health.

Requests for reprints should be sent to LaVonna Blair Lewis, PhD, School of Policy, Planning and Development, University of Southern California, 650 Childs Way, Ralph and Goldy Lewis Hall Room 309, Los Angeles, CA 90089-0626 (e-mail: llewis@usc.edu).

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Contributors

L.B. Lewis supervised the study and the data analyses. D.C. Sloane led the writing. L.M. Nascimento assisted with the study and helped complete the analyses. A.L. Diamant, J.J. Guinyard, A.K. Yancey, and G. Flynn assisted with the study and analyses. All authors helped to conceptualize ideas, interpret findings, and review drafts of the article.

Human Participant Protection

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