

Errata to Initial Study / Negative Declaration

Restaurant Beverage Program Ordinance

January 4, 2022

INTRODUCTION

The City of Los Angeles (City) has prepared this Errata sheet to clarify and correct information in the Negative Declaration (ND) for the Restaurant Beverage Program Ordinance (ENV-2018-4661-ND), referred herein as the RBP ND.

The RBP ND evaluated the impacts associated with a proposed Ordinance (“Project”) establishing the Restaurant Beverage Program (RBP) that allows qualifying sit-down restaurants, subject to more than 50 eligibility criteria, performance standards, and enforcement mechanism, to sell or dispense alcoholic beverages for on-site consumption without obtaining a Conditional Use Permit (CUP).

An Initial Study was prepared in accordance with California Environmental Quality Act (CEQA) (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.).

The document published on May 7, 2020 evaluated the potential environmental effects resulting from the Project. The Project is subject to the CEQA statute and guidelines. Therefore, the City prepared the RBP ND in compliance with the relevant provisions of CEQA and the State CEQA Guidelines. Based on the analysis provided within this Initial Study, the City concluded that the Project will not result in significant impacts on the environment.

The City, as Lead Agency, is proposing to modify the Project by adding an additional version of the RBP known as the Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ), which would contain additional provisions and stricter standards than the previously analyzed original RBP. The City is also proposing a few modifications to the provisions and standards of the RBP.

In accordance with CEQA and CEQA Guidelines, this Errata addresses changes to the previously published RBP ND.

STATUTORY BACKGROUND

The City of Los Angeles is the CEQA lead agency responsible for the Project. State CEQA Guidelines §15073.5(a) requires that a lead agency re-circulate a negative declaration “when the document must be substantially revised.” A “substantial revision” includes: (1) identification of a new, avoidable significant effect requiring mitigation measures or project revisions and/or (2) determination that proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required. Recirculation is not required when new information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration. Based on the

requirements identified above in Section 15073.5(a), the City determined the identified revisions do not represent substantial revisions that would require recirculation of the environmental document and an errata to the Restaurant Beverage Program Ordinance Initial Study (May 2020) was the appropriate clarifying document. That is, the revisions do not result in new significant environmental impacts, substantially modify the analysis or conclusions of the document, but instead reduce potential impacts within the previously circulated document.

PROJECT REVISIONS

The revised Project incorporates two main changes:

- Creating an alternate version of the Restaurant Beverage Program (RBP) known as the Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ), which contains more provisions and enforcement procedures than the RBP.
- The City Council has the ability to establish, and subsequently modify, by Council Resolution areas that would be eligible for the RBP or RBP-ASUZ. The City Council may further determine, via Council Resolution, if areas opted-into the RBP-ASUZ shall be limited to the sale of beer and wine only during the first year.

This Errata identifies changes to the published RBP ND, which analyzed the RBP but did not analyze the RBP-ASUZ. The Errata will also identify a few changes to the standards of the RBP and the project description of the RBP ND.

In summary, the Project is a proposed amendment to the Zoning Code that will create the RBP and RBP-ASUZ, which will allow qualifying sit-down restaurants, subject to more than 50 eligibility criteria, performance standards, and an enforcement mechanism, to sell or dispense alcoholic beverages for on-site consumption without obtaining a Conditional Use Permit (CUP), the latter version containing additional provisions. The City Council has the ability to establish, and subsequently modify, by Council Resolution areas that would be eligible for the RBP or RBP-ASUZ.

Moreover, the RBP is an administrative process that allows the sale of alcoholic beverages subject to enforcement and safety provisions and standards. The City is proposing two slight changes to the initially analyzed RBP: the seat minimum will be reduced from 20 to 10 and the outdoor dining seating limitation will be removed. The newly proposed RBP-ASUZ is modeled after the RBP and contains all the provisions of the RBP as well as additional eligibility and enforcement standards. Among these additional standards is an outreach plan to the applicable Neighborhood Council, Business Improvement District, or community organization within the vicinity of the applicant restaurant. The RBP-ASUZ also limits the gross annual sales of alcohol to 45 percent of the restaurant's total sales. Most significantly, the RBP-ASUZ applies a one-year provisional period with a complaint portal review as an added enforcement process. If a restaurant exceeds the valid complaint threshold during this complaint portal review, it will no longer be eligible for the RBP-ASUZ. Lastly, the City Council may further determine whether an area opted-into the RBP-ASUZ shall be limited to beer and wine only during this one-year provisional period. No other aspects of the previously adopted environmental project description will be changed.

As shown in the attached tracked changes RBP ND document, the revised project description is as follows (deletions are ~~strikeout~~; additions are underlined):

The Project is a proposed ordinance establishing the Restaurant Beverage Program (RBP) and the Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ) that allows qualifying sit-down restaurants, subject to more than 50 eligibility criteria, performance standards, and enforcement mechanism, to sell or dispense alcoholic beverages for on-site consumption without obtaining a Conditional Use Permit (CUP), the latter version containing additional provisions. The City Council has the ability to establish, and subsequently modify, by council resolution areas that would be eligible for either version of the RBP. Establishments in these areas are eligible for their respective version of the RBP only if they are sit-down restaurants with a full menu and kitchen where food is prepared on-site. This excludes bars, nightclubs, entertainment venues, and alcohol retailers, ~~among other uses that tend to generate impacts to a community, such as noise and crowds.~~ Many of the Project's standards, including operations, security, and monitoring, mirror conditions of approval applied to establishments during the CUP process. The Project's eligibility criteria and performance standards contain measures to minimize noise by placing restrictions on outdoor seating areas and background music and prohibits live entertainment, dancing, and other activities that could disturb neighbors. Security and monitoring guidelines further minimize impacts by mandating restaurants to take proactive measures to clean litter and debris, as well as taking reasonable steps to prevent behavior that adversely affects or detracts from the quality of life for adjoining neighbors. Lastly, the Project establishes a process for restaurants to apply for both versions of the RBP, a new enforcement mechanism, and ~~compliance fees. Enforcement includes penalties for violating the Project's standards.~~ If a restaurant receives three citations within two years, it is no longer eligible to sell or dispense alcohol through its respective version of the RBP for five years. Restaurants serving alcohol under the RBP-ASUZ would be subject to a one-year provisional period, during which the public may submit complaints via a complaint portal. If a restaurant receives more than five validated complaints at the end of this period, they are no longer eligible for the RBP-ASUZ.

The requested changes do not constitute substantial changes that would require major revision to the previously published RBP ND due to new or increased impacts as they do not substantially change the Project. None of these changes substantially modify the analysis or conclusions of the document, but instead reduce potential impacts within the previously circulated document. Moreover, the previous RBP ND identified less than significant impacts or no impacts at all. The previously published RBP ND in tracked changes format is below in its entirety for reference. Changes to the text are noted with underline (for added text) or ~~strikeout~~ (for deleted text).

Restaurant Beverage Program Ordinance

Case Number: ENV-2018-4661-ND

Project Location: Citywide - Ordinance applicable to specific geographic areas within commercial and manufacturing zones

Community Plan Area: Citywide

Council District: Citywide

Project Description: The Project is a proposed ordinance establishing the Restaurant Beverage Program (RBP) and the Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ) that allows qualifying sit-down restaurants, subject to more than 50 eligibility criteria, performance standards, and enforcement mechanism, to sell or dispense alcoholic beverages for on-site consumption without obtaining a Conditional Use Permit (CUP), the latter version containing additional provisions. The City Council has the ability to establish, and subsequently modify, by council resolution areas that would be eligible for either version of the RBP. Establishments in these areas are eligible for their respective version of the RBP only if they are sit-down restaurants with a full menu and kitchen where food is prepared on-site. This excludes bars, nightclubs, entertainment venues, and alcohol retailers, ~~among other uses that tend to generate impacts to a community, such as noise and crowds~~. Many of the Project's standards, including operations, security, and monitoring, mirror conditions of approval applied to establishments during the CUP process. The Project's eligibility criteria and performance standards contain measures to minimize noise by placing restrictions on outdoor seating areas and background music and prohibits live entertainment, dancing, and other activities that could disturb neighbors. Security and monitoring guidelines further minimize impacts by mandating restaurants to take proactive measures to clean litter and debris, as well as taking reasonable steps to prevent behavior that adversely affects or detracts from the quality of life for adjoining neighbors. Lastly, the Project establishes a process for restaurants to apply for both versions of the RBP, a new enforcement mechanism, and ~~compliance fees. Enforcement includes penalties for violating the Project's standards~~. If a restaurant receives three citations within two years, it is no longer eligible to sell or dispense alcohol through its respective version of the RBP for five years. Restaurants serving alcohol under the RBP-ASUZ would also be subject to a one-year provisional period, during which the public may submit complaints via a complaint portal. If a restaurant receives more than five validated complaints at the end of this period, they are no longer eligible for the RBP-ASUZ.

PREPARED BY:

May 2020

The City of Los Angeles
Department of City Planning

INITIAL STUDY

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INITIAL STUDY

1 INTRODUCTION

This Initial Study (IS) document evaluates potential environmental effects resulting from construction and operation of the proposed ordinance establishing the **Restaurant Beverage Program** and the **Restaurant Beverage Program- Alcohol Sensitive Use Zone** ("Project"). The Project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). Therefore, this document has been prepared in compliance with the relevant provisions of CEQA and the State CEQA Guidelines as implemented by the City of Los Angeles (City). Based on the analysis provided within this Initial Study, the City has concluded that the Project will not result in significant impacts on the environment. This Initial Study and Negative Declaration are intended as informational documents, and are ultimately required to be adopted by the decision maker prior to project approval by the City.

1.1 PURPOSE OF AN INITIAL STUDY

The California Environmental Quality Act was enacted in 1970 with several basic purposes: (1) to inform governmental decision makers and the public about the potential significant environmental effects of proposed projects; (2) to identify ways that environmental damage can be avoided or significantly reduced; (3) to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures; and (4) to disclose to the public the reasons behind a project's approval even if significant environmental effects are anticipated.

The Los Angeles City Council instructed the Department of City Planning to prepare the Project. The Department of City Planning, as Lead Agency, has determined that the Project is subject to CEQA, and the preparation of an Initial Study is required.

An Initial Study is a preliminary analysis conducted by the Lead Agency, in consultation with other agencies (responsible or trustee agencies, as applicable), to determine whether there is substantial evidence that a project may have a significant effect on the environment. If the Initial Study concludes that the Project, with mitigation, may have a significant effect on the environment, an Environmental Impact Report should be prepared; otherwise the Lead Agency may adopt a Negative Declaration or a Mitigated Negative Declaration.

This Initial Study has been prepared in accordance with CEQA (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.).

1.2 ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into five sections as follows:

1 INTRODUCTION

Describes the purpose and content of the Initial Study, and provides an overview of the CEQA process.

2 EXECUTIVE SUMMARY

Provides Project information, identifies key areas of environmental concern, and includes a determination whether the project may have a significant effect on the environment.

3 PROJECT DESCRIPTION

Provides a description of the environmental setting and the Project, including project characteristics and a list of discretionary actions.

4 EVALUATION OF ENVIRONMENTAL IMPACTS

Contains the completed Initial Study Checklist and discussion of the environmental factors that would be potentially affected by the Project.

5 CONCLUSION

Describes the overall findings of the Initial Study and recommends next steps.

1.3 CEQA PROCESS

In compliance with the State CEQA Guidelines, the City, as the Lead Agency for the Project, will provide opportunities for the public to participate in the environmental review process. As described below, throughout the CEQA process, an effort will be made to inform, contact, and solicit input on the Project from various government agencies and the general public, including stakeholders and other interested parties.

1.3.1 Initial Study Review Process

At the onset of the environmental review process, the City has prepared this Initial Study to determine if the proposed Project may have a significant effect on the environment. This Initial Study determined that the Project does not have significant environmental impacts.

A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) or Negative Declaration (ND) is provided to inform the general public, responsible agencies, trustee agencies, and the county clerk of the availability of the document and the locations where the document can be reviewed. A 30-day review period is identified to allow the public and agencies to review the document. The notice is mailed to any interested parties and is noticed to the public through publication in a newspaper of general circulation.

The decision-making body then considers the ND, together with any comments received during the public review process, and may adopt the ND and approve the project. In addition, when approving a project for which an ND has been prepared, the decision-making body must find that

there is no substantial evidence that the project will have a significant effect on the environment, and that the ND reflects the lead agency's independent judgement and analysis.

INITIAL STUDY

2 EXECUTIVE SUMMARY

PROJECT TITLE	RESTAURANT BEVERAGE PROGRAM ORDINANCE
ENVIRONMENTAL CASE NO.	ENV-2018-4661-ND
RELATED CASES	CPC-2018-4660-CA ENV-2018-4661-CE <u>ENV-2020-3154-CE</u>

PROJECT LOCATION	CITYWIDE
COMMUNITY PLAN AREA	CITYWIDE
GENERAL PLAN DESIGNATION	N/A
ZONING	N/A
COUNCIL DISTRICT	CITYWIDE

LEAD AGENCY	CITY OF LOS ANGELES
STAFF CONTACT	ROBERTO LUNA
ADDRESS	200 N. SPRING ST. LOS ANGELES, CA 90012
PHONE NUMBER	213-473-9701
EMAIL	ROBERTO.LUNA@LACITY.ORG

APPLICANT	CITY OF LOS ANGELES
ADDRESS	N/A
PHONE NUMBER	N/A

Executive Summary

The Project is a proposed ordinance establishing the Restaurant Beverage Program (RBP) and Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ) that allows qualifying sit-down restaurants, subject to more than 50 eligibility criteria, performance standards, and an enforcement mechanism, to sell or dispense alcoholic beverages for on-site consumption without obtaining a Conditional Use Permit (CUP), the latter version containing additional provisions.

The City Council has the ability to establish, and subsequently modify, by council resolution areas that would be eligible for either version of the RBP. Establishments are eligible in these areas for their respective version of the RBP only if they are sit-down restaurants with a full menu and kitchen where food is prepared on-site. This excludes bars, nightclubs, entertainment venues, and alcohol retailers, among other uses that tend to generate impacts to a community, such as noise and crowds.

Many of the Project's standards, including operations, security, and monitoring, mirror conditions of approval applied to establishments during the CUP process. The Project's eligibility criteria and performance standards contain measures to minimize noise by placing restrictions on outdoor seating areas and background music and prohibits live entertainment, dancing, and other activities that could disturb neighbors.

Security and monitoring guidelines further minimize impacts by mandating restaurants to take proactive measures to clean litter and debris, as well as taking reasonable steps to prevent behavior that adversely affects or detracts from the quality of life for adjoining neighbors. Lastly, the Project establishes a process for restaurants to apply for the RBP, a new enforcement mechanism, and ~~compliance~~ fees.

Enforcement includes penalties for violating the Project's standards. If a restaurant receives three citations within two years, it is no longer eligible to sell or dispense alcohol through its respective version of the RBP for five years. Restaurants serving alcohol under the RBP-ASUZ would also be subject to a one-year provisional period, during which the public may submit complaints via a complaint portal. If a restaurant receives more than five validated complaints at the end of this period, they are no longer eligible for the RBP-ASUZ.

The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses.

In most cases, the environmental factors are not impacted at all. In a few cases where there may be a potential impact, it has been determined to be less than significant. As a result, the Initial Study finds no potential impacts, and a Negative Declaration will be prepared.

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED

(e.g. permits, financing approval, or participation agreement)

None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| ☐ Aesthetics | ☐ Greenhouse Gas Emissions | ☐ Public Services |
| ☐ Agriculture & Forestry Resources | ☐ Hazards & Hazardous Materials | ☐ Recreation |
| ☐ Air Quality | ☐ Hydrology / Water Quality | ☐ Transportation |
| ☐ Biological Resources | ☐ Land Use / Planning | ☐ Tribal Cultural Resources |
| ☐ Cultural Resources | ☐ Mineral Resources | ☐ Utilities / Service Systems |
| ☐ Energy | ☐ Noise | ☐ Wildfire |
| ☐ Geology / Soils | ☐ Population / Housing | ☐ Mandatory Findings of Significance |

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Roberto Luna

Planning Assistant

PRINTED NAME

TITLE

SIGNATURE

January 4, 2022

DATE

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - b) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Earlier Analysis Used. Identify and state where they are available for review.
- 7) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 8) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 9) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
- 10) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

INITIAL STUDY

3 PROJECT DESCRIPTION

3.1 PROJECT SUMMARY

Project Description: The Project is a proposed ordinance establishing the Restaurant Beverage Program (RBP) and the Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ) that allows qualifying sit-down restaurants, subject to more than 50 eligibility criteria, performance standards, and enforcement mechanism, to sell or dispense alcoholic beverages for on-site consumption without obtaining a Conditional Use Permit (CUP), the latter version containing additional provisions. The City Council has the ability to establish, and subsequently modify, by council resolution areas that would be eligible for either version of the RBP. Establishments in these areas are eligible for their respective version of the RBP only if they are sit-down restaurants with a full menu and kitchen where food is prepared on-site. This excludes bars, nightclubs, entertainment venues, and alcohol retailers, ~~among other uses that tend to generate impacts to a community, such as noise and crowds~~. Many of the Project's standards, including operations, security, and monitoring, mirror conditions of approval applied to establishments during the CUP process. The Project's eligibility criteria and performance standards contain measures to minimize noise by placing restrictions on outdoor seating areas and background music and prohibits live entertainment, dancing, and other activities that could disturb neighbors. Security and monitoring guidelines further minimize impacts by mandating restaurants to take proactive measures to clean litter and debris, as well as taking reasonable steps to prevent behavior that adversely affects or detracts from the quality of life for adjoining neighbors. Lastly, the Project establishes a process for restaurants to apply for both versions of the RBP, a new enforcement mechanism, and ~~compliance fees~~. ~~Enforcement includes penalties for violating the Project's standards~~. If a restaurant receives three citations within two years, it is no longer eligible to sell or dispense alcohol through its respective version of the RBP for five years. Restaurants serving alcohol under the RBP-ASUZ would also be subject to a one-year provisional period, during which the public may submit complaints via a complaint portal. If a restaurant receives more than five validated complaints at the end of this period, they are no longer eligible for the RBP-ASUZ.

3.2 ENVIRONMENTAL SETTING

3.2.1 Project Location

Citywide - The Restaurant Beverage Program (RBP) and Restaurant Beverage Program-Alcohol Sensitive Use Zone (RBP-ASUZ) are eligible in within commercial and manufacturing zones in geographic areas approved by the City Council located within the boundaries of the City of Los Angeles, which encompasses approximately 465 square miles.

3.2.2 Existing Conditions

The City has an approximate land area of 465 square miles (297,600 acres) with an estimated population of nearly 4.0 million residents in 2017, according to the American Community Survey (ACS). The City lies within Los Angeles County which encompasses 4,000 square miles, 88 incorporated cities, and more than 10 million residents, according to the ACS. The City is divided into 15 City Council Districts and 35 Community Plan

Areas. More than 87 percent of the City is developed with urban uses. Commercial zoning and development occurs throughout the City and is typically concentrated along major thoroughfares and in major commercial nodes because of economic and mobility reasons and to provide a buffer between residential uses and busy commercial and industrial areas.

Section 12.21 A.10 of the Los Angeles Municipal Code (LAMC) states that the sale or dispensing of alcoholic beverages is prohibited without a Conditional Use Permit (CUP) in accordance with Section 12.24 of the LAMC, which is available only for establishments on property zoned for commercial or industrial uses. This CUP is available for any alcohol-related business type, including restaurants, bars, nightclubs, and liquor stores.

The CUP for alcoholic beverages is a discretionary entitlement process subject to a public hearing and environmental review. The decision-maker weighs public comment and project circumstances in their determination that, if an approval, then the project will not have a significant impact. Such determination includes a number of conditions, some of which are tailored specifically to the project and others more standard and typically applied to most projects. To ensure the approval of the CUP does not significantly impact the community, standard conditions address noise, lighting, graffiti, safety, security, training, and monitoring, among other issues. Thousands of restaurants in the City have a CUP that allows them to serve alcohol, and the City regularly reviews applications for new permits.

Restaurant owners and operators in the City have indicated this process can be long and costly, especially for restaurants that serve alcohol incidental to dining and do not cause large impacts to its surrounding neighbors. Furthermore, the current process creates a burden on small businesses that rely on alcohol sales to stay financially viable while providing little commensurate benefit for the community.

To address this problem, the Project creates an administrative clearance process and a provisional administrative clearance that reduces the approval process to sell or dispense alcohol for on-site consumption for eligible sit-down restaurants to roughly three weeks and lowers costs from approximately \$13,000 to approximately \$4,000. To be able to apply for ~~the~~ either administrative clearance, restaurants must meet and maintain specific eligibility requirements and follow operational, security, monitoring, and administrative standards that are similar to conditions of approval placed on establishments during the CUP process designed to prevent potential negative impacts associated with alcohol consumption. If a restaurant repeatedly fails to follow the proposed standards, it becomes ineligible to participate in the Project for five years and must apply for a CUP in order to continue selling or dispensing alcohol. The provisional administrative clearance also contains a review of complaints submitted through a complaint portal one year after the clearance is authorized.

Most of the alcohol-related applications in the City are for restaurants. From January 2019 to June 2019, the City approved 47 cases from all types of establishments, 34 of which were for restaurants. During this six-month period, the City also approved CUPs for two bars, a grocery store, a retail drug store, a minimarket/service station, a convenience store, a wine bar, a winery, a supermarket, an arts and crafts school, and a retail store.

A case study that examined the 34 approved restaurants' approval letters indicated that 24 percent of them would have been eligible for the Project. Another 35 percent of the 34

restaurants met all but one of the Project's eligibility criteria and 26 percent met all but two. Many of the Project's operating standards mirror typical conditions of approval, and that is also seen in the approval letters (more information about the Project's standards is detailed in the "Project Overview" section of this report). For instance, more than 70 percent of the 34 restaurants had conditions that prohibited live entertainment, ~~82 percent had less than 30 percent of its total dining in outdoor areas~~, and none were allowed to share seating with other establishments. Lastly, 82 percent of these 34 approved restaurants had less than 30 percent of its total dining in outdoor areas. The absence of an outdoor seating limit in the Project will not create a significant impact as most restaurants seeking a CUP already have limited outdoor seating.

One can reasonably assume reducing the time and costs needed to sell or dispense alcohol for eligible sit-down restaurants would increase the number of establishments that sell or dispense alcohol from the current amount. However, the Project's eligibility criteria and operating standards are designed to filter out inappropriate operators and minimize significant environmental impacts, such as noise. Furthermore, the Project establishes an enforcement mechanism that results in suspension from the Program for repeat violations.

Additional details of the Project's standards and how they will work to reduce potential impacts associated with this Project are contained in the "Analysis" section of this report.

3.3 DESCRIPTION OF PROJECT

3.3.1 Project Overview

The Project is a proposed ordinance establishing the Restaurant Beverage Program (RBP) and the Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ) that allows qualifying sit-down restaurants, subject to more than 50 eligibility criteria, performance standards, and enforcement mechanism, to sell or dispense alcoholic beverages for on-site consumption without obtaining a Conditional Use Permit (CUP), the latter version containing additional provisions.

Many of the Project's standards, including operations, security, and monitoring, mirror conditions of approval applied to establishments during the CUP process and are intended to limit the impact participating RBP-restaurants will have on the environment, including noise.

Lastly, the Project establishes a process for restaurants to apply for the RBP or RBP-ASUZ, a new enforcement mechanism, and compliance fees. Enforcement includes penalties for violating the Project's standards.

An overview of the eligibility criteria, performance standards, and enforcement mechanism is found below.

A restaurant is eligible for the RBP or RBP-ASUZ only if it is located within an area mapped and adopted by City Council for the RBP or RBP-ASUZ, respectively. The City Council may further determine, by resolution, if restaurants located in an Alcohol Sensitive Use Zone shall be limited to the sale of beer and wine only during the provisional one (1) year period. Furthermore, establishments are eligible for their respective version of the RBP only if they are sit-down restaurants with a full menu and kitchen where food is prepared on-site. This excludes bars, nightclubs, entertainment venues, and alcohol retailers,

among other uses that tend to generate impacts to a community, such as noise and crowds. Additional eligibility criteria include, but are not limited to:

- The restaurant must operate under a Type 41 or Type 47 license issued by the Department of Alcoholic Beverage Control.
- If the restaurant or property has been the subject of nuisance abatement or revocation, it is eligible for the RBP or RBP-ASUZ upon conclusion of those proceedings only if the proceeding(s) did not result in the revocation of any permit or require any corrective conditions.
- A minimum of ~~20~~ 10 seats and a maximum of 150 seats, including outdoor seating.
- The restaurant has obtained the necessary approvals to operate any outdoor seating.
- The restaurant is not a drive-through fast food establishment or part of any multiple-tenant entitlement.
- The restaurant is not located in a hotel (including a motel).
- Hours of operation are limited to 7:00 am to 11:00 pm.
- Employees must deliver all food and beverages, except for takeout or delivery orders, to tables.
- There are no pool tables, billiard tables, dancing or Adult Entertainment.
- The Project contains alcohol-related eligibility standards, which include:
 - Employees conduct all service of alcohol.
 - There is no age limitation restricting access to any portion of the restaurant.
 - There is no minimum drink purchase required of patrons or charge for admission.
 - The restaurant does not organize or participate in organized events where participants or customers pre-purchase tickets or tokens to be exchanged for alcoholic beverages at the restaurant, such as pub crawls.
 - The restaurant does not sell distilled spirits by the bottle, or wine or champagne bottles that exceed 750 milliliters.
 - No employee, while working, shall solicit or accept any beverages from customers while on the premises nor sit or spend time with customers while on the premises.
 - (RBP-ASUZ only) Prior to filing the application, the applicant must conduct outreach by presenting information about the restaurant at one or more public meetings, as outlined in the Project.
 - (RBP-ASUZ only) The restaurant must operate with gross annual sales of alcohol not in excess of 45 percent of the restaurant's total sales.

The Project's operating standards contain measures to minimize noise by placing restrictions on outdoor seating and background music and prohibits live entertainment, dancing, outdoor television screens and other activities that could disturb neighbors. These include, but are not limited to:

- ~~A maximum of 30 percent of the total number of seats can be located outdoors, which is limited to seated patrons.~~
- Television monitors, screens, music, and speakers are prohibited in any outdoor dining areas.
- Shared seating between the restaurant and other ~~establishments~~ restaurants is prohibited.
- Restaurants with booth or group seating and private dining or banquet rooms must follow specific guidelines to ensure the visibility of patrons.
- Only fixed bars that are depicted on floor plans are allowed.
- If the restaurant abuts or is across an alley from an A or R-zoned lot, outdoor dining areas must be entirely buffered from the A or R-zoned lot by an enclosed building and limited to the ground floor only. The former requirement does not apply to outdoor dining permitted on a public sidewalk by a revocable permit.
- Live entertainment, karaoke, and disc jockeys are prohibited.
- Entertainment in conjunction with the restaurant is limited to ambient indoor background music at a low volume to complement the dining experience.
- Any music, sound or noise which is under control of the restaurant must not violate citywide noise regulations.
- A City-issued identification must be posted in the restaurant in an area clearly visible to the public indicating that the restaurant is subject to the requirements and restrictions of their respective version of the RBP.
- The entire restaurant cannot be closed to the public for private events or be used as a private club. Any portion of the restaurant used for private events is subject to all the same standards and hours of operation stated in the Project.
- ~~An up-to-date~~ telephone number and an email address must be provided for complaints or concerns regarding the operation of the restaurant and must be posted on a sign at the entry and customer service desk, front desk, or near the reception area.
- The restaurant must respond to complaints within 24 hours and maintain a log of all calls and emails.

Security and monitoring guidelines further attempt to minimize impacts by mandating restaurants to take proactive measures to clean litter and debris, as well as taking reasonable steps to prevent behavior that adversely affects or detracts from the quality of life for adjoining neighbors. The restaurant is also responsible for, but not limited to, the following:

- Maintaining the premises and adjoining rights-of-way free of debris and litter.
- Keeping all trash and recycling bins closed and locked at all times when they are not in use and shall be maintained such that they do not overflow.
- Removing or painting over all graffiti on the premises within 24 hours of its occurrence.
- Posting a “No Loitering or Public Drinking” sign next to every exit, as loitering shall be prohibited on all areas under the establishment’s control.
- Monitoring both patron and employee conduct on the premises to prevent behavior that adversely affects or detracts from the quality of life for adjoining residents, property owners, and businesses.
- The restaurant shall take all reasonable steps to ensure the conditions and activities on the premises do not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
- Discouraging illegal and criminal activity on the premises.
- Complying with the California Labor Code, which prohibits the smoking of tobacco or any non-tobacco substance within any enclosed place of employment.
- Retaining and maintaining in operational condition an electronic age verification device on the premises available for use during operational hours, as well as instructing employees its use.
- Staffing at least one on-duty manager with authority over the activities within the establishment at all times to monitor the premises to ensure compliance of all applicable state laws, municipal code requirements, and the conditions imposed by the Department of Alcoholic Beverage Control.
- Enrolling all employees involved in the sale or dispensing of alcohol in an appropriate training program as listed in the Project.

Lastly, the Project describes procedures to administer and enforce both versions of the RBP, such as fees, inspection, enforcement, and other requirements. Procedures described include, but are not limited to:

- Applicants for both versions of the RBP must pay the fees ~~required for Monitoring Restaurant Beverage Program Compliance and Inspection and Field Compliance Review of Operations~~ as listed in the Project.
- The City has the authority to conduct inspections to verify compliance with any and all requirements of the Project. This includes two unannounced inspections, as described in the Ordinance. ~~In addition, the restaurant must comply with the requirements of the City’s Monitoring, Verification, and Inspection Program (MViP), as described in the Project.~~
- Prior to the administrative clearance, the owner and operator is required to record a covenant agreeing to comply with the requirements prescribed in the Project.

- The owner or operator is required to provide a floor plan and site plan to the Department of City Planning that shows compliance with the applicable floor plan and site plan standards.
- A copy of the RBP or the RBP-ASUZ requirements is required to be retained on the premises at all times and produced upon request by the Los Angeles Police Department, the Department of Building and Safety, the Department of City Planning, or the California Department of Alcoholic Beverage Control.
- The City Council District Office and Certified Neighborhood Council within which the restaurant is located are required to be notified at the time an application for the RBP or the RBP-ASUZ is filed.
- The owner and the operator of the restaurants are required to reapply for the administrative clearance if there is a change in State alcohol license type; a modification to the floor plan, including, but not limited to, floor area or number of seats; or a change in the ownership or the operator of the restaurant.
- If a restaurant receives three citations within two years for violating any of the RBP requirements outlined in the Project, it shall not be eligible for the RBP or the RBP-ASUZ for five years. Additionally, the restaurant cannot serve alcohol unless it obtains a CUP.
- Additional provisions for the RBP-ASUZ only include, but are not limited to:
 - The applicant must also submit with the application a flyer or other summary including the restaurant name, contact information, projected opening date, menu and alcohol to be sold (beer, wine, and/or distilled spirits).
 - The applicant must also submit with the application proof of attending one or more public meetings, as outlined in the Project.
 - The restaurant is subject to a review to determine valid complaints by the Department of City Planning upon completion of a one year provisional period. Valid complaints consist of verified complaints submitted through a designated portal, Orders to Comply issued by the Department of Building and Safety for violations to the provisions of the Project, and citations issued by the Los Angeles Police Department.
 - If the restaurant receives five or more valid complaints upon completion of the one year provisional period, the restaurant will no longer be eligible for the RBP-ASUZ. If the restaurant receives 4 or less complaints, it will be allowed to continue in the RBP-ASUZ.

3.3.2 Analysis

Thousands of restaurants in the City have a Conditional Use Permit (CUP) that allow them to sell or dispense alcohol for on-site consumption, and the City regularly reviews applications for new permits, as explained in the “Existing Conditions” section of this report. The Project allows eligible sit-down restaurants to serve alcoholic beverages through ~~an~~ two new administrative clearance processes instead of a discretionary CUP

process, which will result in a significant reduction in application processing time and expense to restaurant owners.

While this Project enables a more streamlined path for businesses to sell or dispense alcohol, it also contains more than 50 performance standards and a strict enforcement mechanism that must be adhered to. The Project's requirements limit environmental impacts by establishing specific eligibility requirements that identify proper sit-down restaurants and filter out inappropriate operators. Participating ~~RBP~~ restaurants also need to abide by standards concerning the operations of the restaurant and patron behavior. In addition to responding to complaints in a prompt manner, an enforcement mechanism ensures ~~RBP~~ participating restaurants do not deviate from the Project's strict standards. Cumulatively, these standards serve to limit the impact ~~RBP~~ participating restaurants have on noise, nuisance-related issues, and other environmental impacts associated with establishments that sell alcohol. Most of the standards in the ordinance mirror conditions commonly placed on restaurants and other establishments during the CUP process to reduce such impacts, as explained in the "Existing Conditions" section of this report. In essence, these requirements restrict the Project to only sit-down restaurants that take measures to limit noise and environmental impacts.

The Project is not anticipated to directly result in any new development. It does not change zoning or General Plan designation, create any zoning entitlements, approve any development projects or introduce any new land uses. Second, it does not directly authorize new restaurants to be built and is only available where restaurants are an allowed use.

The Project is not expected to indirectly result in any substantial new development. As an initial matter, the Project is designed to reduce the application processing time and expense related to serving alcohol for eligible sit-down restaurants and, consequently, there is a possibility it would motivate potential business owners to open restaurants who would not have otherwise opened restaurants due to the time or financial restraints related to securing a CUP. As a result, this could lead to an increase in the number of restaurants in the City.

However, based on the case study detailed above, it appears that the Project would only apply to a small percentage of restaurants that would apply. There are numerous additional factors and expenses that go into opening new restaurants and the City processing times and fees for alcoholic beverage service is merely one factor. Additionally, any restaurant serving alcohol would still need to obtain a license from the State. Furthermore, there is a limited amount of land allotted for restaurant use in the City. Based on all of the above, it is not reasonably foreseeable that the Project would result in any substantial increase in development in the City. Additionally, it would be speculative to anticipate where a handful of new restaurants would develop in a Citywide ordinance, in light of the thousands of locations a restaurant would be allowed. There is no basis to find that the Project would induce substantial numbers of new restaurants in the City.

For the ~~above~~ reasons stated above, it is reasonably anticipated that no significant environmental impacts will be associated with this Project. An in-depth analysis of the Project's measures to avoid environmental impacts follows below.

In order for establishments to be eligible for the RBP or the RBP-ASUZ, they must meet the requirements described in the previous section. As a starting point, an establishment

must be a bona fide eating place (restaurant) with a full menu and a full kitchen where food is prepared on-site. Bars, nightclubs, retail stores, and other uses that tend to generate large amounts of noise or have adverse effects on the surrounding community are excluded from the Project. These uses will still need to go through the discretionary CUP process. Additionally, drive-through fast food restaurants or those part of a multiple-tenant entitlement are not eligible for the RBP or the RBP-ASUZ. The Project further refines eligibility by establishing a seating minimum and maximum, hours of operation, and how food is served. Activities such as pool and billiard tables, dancing, and adult entertainment are not allowed. Lastly, the Project contains alcohol-related standards that also narrow eligibility, such that the restaurant must not have a minimum drink purchase, sell distilled spirits by the bottle, or participate in organized events where participants exchange tickets or tokens for alcoholic beverages, among others. These restrictions, in essence, ensure that establishments do not include activities that go beyond those associated with a sit-down restaurant.

The Project's development and operational standards contain direct measures to minimize the generation of noise by placing restrictions on outdoor seating, live entertainment, noise levels, and background music, among other issues. To limit noise produced by outdoor seating, ~~the Project only allows a maximum of 30 percent of the total number of seats to be located outdoors.~~ if an outdoor area is next to or across the alley from a lot zoned residential or agricultural, ~~outdoor areas~~ it must be entirely buffered by an enclosed building and are limited to the ground floor only. Outdoor areas must also not contain any television monitors, screens, music, or speakers. Standards also prohibit live entertainment, karaoke, and disc jockeys. Furthermore, entertainment is limited to ambient indoor background music at low volume to complement the dining experience. Above all, RBP participating restaurants must comply with citywide noise regulations and make the appropriate adjustments if they are found noncompliant. These requirements ensure that impacts to noise caused by patrons and the restaurant itself will be avoided.

As part of the development and operational standards, ~~RBP participating~~ restaurants must post a sign clearly visible to the public stating that the restaurant is subject to the requirements and restrictions of the Project, as well as maintain a copy of the requirements on the premises. A telephone number and email address of the owner or operator for complaints or concerns is required to be posted at entry and within the restaurant and updated as necessary. The Project mandates that ~~RBP participating~~ restaurants respond to complaints within 24 hours and maintain a log of all calls and emails. These standards will allow patrons and the surrounding community to voice concerns and report RBP or RBP-ASUZ violations, which help reduce environmental impacts as well.

The Project's security and monitoring requirements also limit the harm ~~RBP participating~~ restaurants may cause on the environment, including noise. For instance, ~~RBP participating~~ restaurants must maintain the premises and adjoining rights-of-way free of debris and litter, maintain all trash and recycling bins so that they do not overflow, and remove or paint over any graffiti. RBP Participating restaurants must also be responsible for patron, employee, and other people's conduct on the premises, such that there is no loitering, public drinking, smoking, and other behavior that adversely affects or detracts from the quality of life for adjoining residents, property owners, and businesses. They must also discourage any illegal and criminal activity on the premises. The security and monitoring requirements also include preventive measures, such as requiring at least one on-duty manager on the premises at all times to ensure compliance with all applicable

laws, codes, and regulations. All employees involved in the sale or dispensing of alcohol must complete an appropriate training program.

While there may be some increase in the number of businesses selling or dispensing alcohol from the baseline, the Project's enforcement mechanism will help ensure that RBP participating restaurants have only limited environmental impacts, if any. There are two up to three enforcement programs that disincentivize violating RBP the Project's requirements. First, if an RBP participating restaurant receives three citations – defined as an Order to Comply issued by the Department of Building and Safety (DBS) or a citation issued by the Police Department ~~that has been filed with the Los Angeles County Superior Court~~ – within a two year period, the restaurant is no longer able to sell alcohol through its respective version of the RBP for five years. The restaurant would only be able to continue selling alcohol during that five year period with an approved CUP.

Secondly, at the time of application for RBP or the RBP-ASUZ, restaurants must pay the fees required for Monitoring Restaurant Beverage Program Compliance and Inspection and Field Compliance Review of Operations. All restaurants participating in the program will be required to enroll in the City's existing Monitoring, Verification, and Inspection Program (MViP), which entails two unannounced City-initiated inspections over a period of five years. The California Department of Alcohol Beverage Control (ABC) may be notified of issued citations, which may trigger additional investigation. These enforcement measurements and penalties for violation help to ensure that nuisance-related issues will be kept to a minimum, and that impacts on issues such as noise will be kept to less than significant levels.

A third procedure, exclusive for restaurants in the RBP-ASUZ, is a review to determine valid complaints by the Department of City Planning upon completion of a one year provisional period. Valid complaints consist of complaints submitted through a designated portal that results in a City enforcement-related action, Orders to Comply issued by DBS, and citations issued by the Police Department. If the restaurant receives five or more valid complaints upon the completion of the one year provisional period, the restaurant shall be suspended from the RBP-ASUZ.

The Project utilizes multiple measures to limit its scope and impact on the environment. Below, in Section 4 of this document, is a discussion of potential impacts under each environmental factor. In most cases, the environmental factors are not impacted at all. In a few cases where there may be a potential impact, it has been determined to be less than significant. As a result, the Initial Study finds no potential impacts, and a Negative Declaration will be prepared.

3.4 REQUESTED PERMITS AND APPROVALS

The Initial Study will analyze impacts associated with the Project and will provide environmental review sufficient for all necessary entitlements and public agency actions associated with the Project. The discretionary entitlements, reviews, permits and approvals required to implement the Project include, but are not necessarily limited to, the following:

This Project is an amendment to the Zoning Code that will create the Restaurant Beverage Program and the Restaurant Beverage Program- Alcohol Sensitive Use Zone, ~~an~~ administrative clearance processes enabling qualifying sit-down restaurants that comply with set standards to sell or dispense alcoholic beverages for on-site consumption without a Conditional Use Permit.

INITIAL STUDY

4 ENVIRONMENTAL IMPACT ANALYSIS

I. AESTHETICS

	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
Except as provided in Public Resources Code Section 21099 would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

a) Have a substantial adverse effect on a scenic vista?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in an adverse effect on a scenic vista. Furthermore, the Project will not result in changes to a structure's physical shape or size, nor will it create any physical changes to the environment. The Project is not anticipated to result in new development that could affect scenic vistas. Therefore, no impact related to this issue would occur.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a state scenic highway?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would substantially damage scenic resources. Furthermore, the Project does not involve scenic resources or be likely to result in new development that could damage scenic resources. Therefore, no impact related to this issue will occur.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would substantially degrade the existing visual character or quality of public views in non-urbanized areas or conflict with applicable zoning and other regulations governing scenic quality. Therefore, no impact related to this issue would occur.

d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would create a new source of substantial light or glare which would adversely affect daytime or nighttime views. The Project is not anticipated to result in new development that could create a new source of substantial or glare. Therefore, no impact related to this issue will occur.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would convert any farmland to non-agricultural use. Furthermore, the Project does not involve or include farmland or agricultural use. Therefore, no impacts related to this issue would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would conflict with or change existing zoning for agricultural use or a Williamson Act Contract. Furthermore, the Project does not involve or include farmland or agricultural use. Therefore, no impacts related to this issue would occur.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned timberland production. Furthermore, the Project does not involve or include forest land or timberland. Therefore, no impacts related to this issue would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would result in the loss of forest land or conversion of forest land to non-forest use. Furthermore, the Project does not involve or include forest land. Therefore, no impacts related to this issue would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would involve other changes in the existing environments which could result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use. Furthermore, the Project does not involve or include forest land or agricultural uses. Therefore, no impacts related to this issue would occur.

III. AIR QUALITY

Where available, the significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would conflict with or obstruct implementation of an applicable air quality plan.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to a change in traffic patterns that would increase or change vehicle emissions from existing conditions.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are a great deal of additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment under an applicable federal or state ambient air quality standard.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to a change in traffic patterns that would increase or change vehicle emissions from existing conditions.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in the exposure of sensitive receptors to substantial pollutant concentrations.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to a change in traffic patterns that would increase or change vehicle emissions from existing conditions.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would result in other emissions, such as those leading to odors that could adversely affect a substantial number of people. Therefore, no impacts related to this issue would occur.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the US Fish and Wildlife Service. As such, activities permitted by the Project would not result in the reasonably foreseeable impacts or modifications to the habitats and species identified in question.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the US Fish and Wildlife Service. As such, activities permitted by the Project would not result in the reasonably foreseeable impacts or modifications to the habitats and species identified in question.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. As such, activities permitted by the Project would not result in the reasonably foreseeable impacts or modifications to the habitats and species identified in question.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of nature wildlife nursery sites. As such, activities permitted by the Project would not result in the reasonably foreseeable impacts or modifications to the habitats and species identified in question.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would conflict with any policies or ordinances protecting biological resources. As such, activities permitted by the Project would not result in the reasonably foreseeable impacts or modifications to the habitats and species identified in question.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would conflict with the provisions of any habitat conservation plan or sustainability plan, including the General Plan Conservation Element. Therefore, no impacts related to this issue would occur.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☒
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

a) Cause a substantial adverse change in the significance of a historical resource as pursuant to State CEQA Guidelines §15064.5?

No Impact. State CEQA Guidelines Section 15064.5 defines a historical resources as: 1) a resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources; 2) a resource listed in a local register of historical resources or identifies as significant in a historical resource survey meeting certain state guidelines; or 3) an object, building, structure, site, area, place, record or manuscript which a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency's determination is supported by substantial evidence in light of the whole record. A project-related significant adverse effect would occur if a project were to adversely affect a historical resource meeting one of the above definitions.

The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would result in a substantial adverse change in the significance of a historical resource. As such, activities permitted by the Project would not result in the reasonably foreseeable impacts or modifications of a historical resource. Therefore, no impacts related to this issue would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines §15064.5?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would result in a substantial adverse change in the significance of an archeological resource. Furthermore, no grading or excavation is proposed as part of the Project, nor are such activities reasonably foreseeable consequences of activities authorized by the Project. Therefore, no impacts related to this issue would occur.

c) Disturb any human remains, including those interred outside of formal cemeteries?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would disturb any human remains, including those interred outside formal ceremonies. Furthermore, no grading or excavation is proposed as part of the Project, nor are such activities reasonably foreseeable consequences of activities authorized by the Project. Therefore, no impacts related to this issue would occur.

VI. ENERGY

	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in consumption of energy resources.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Furthermore, any new restaurant will be required to comply with all applicable energy efficiency standards designed to conserve energy and, although new development is not anticipated as part of this Project, any newly constructed restaurant would be required to comply with the Los Angeles Green Building Standards Code (LA Green Code), which is aimed at reducing Greenhouse Gas (GHG) emissions by imposing stringent standards to reduce energy consumption. Therefore, a less than significant impact related to this issue would occur.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in consumption of energy resources.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Furthermore, any new restaurant will be required to comply with all applicable energy efficiency standards designed to conserve energy and, although new development is not anticipated as part of this Project, any newly constructed restaurant would be required to comply with the LA Green Code, which is aimed at reducing GHG emissions by imposing stringent standards to reduce energy consumption. Therefore, a less than significant impact related to this issue would occur.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c. Be located on a geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in a rupture of a known earthquake fault or exacerbate existing environmental conditions so as to potentially cause such rupture. The Project is not anticipated to result in substantial new development. Grading, excavation or other fault endangering activities associated with new development are not anticipated. Therefore, no impact related to this issue would occur.

ii) **Strong seismic ground shaking?**

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in strong seismic ground shaking or exacerbate existing environmental conditions so as to potentially cause strong seismic ground shaking. The Project is not anticipated to result in substantial new development. Grading, excavation, or other activities associated with increasing strong seismic ground shaking are not anticipated. Therefore, no impact related to this issue would occur.

iii) **Seismic-related ground failure, including liquefaction?**

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in seismic-related ground failure or exacerbate existing environmental conditions so as to potentially cause seismic-related ground failure. The Project is not anticipated to result in substantial new development. Grading, excavation, or other activities associated with seismic-related ground failure are not anticipated. Therefore, no impact related to this issue would occur.

iv) **Landslides?**

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in landslides or exacerbate existing environmental conditions so as to potentially cause landslides. The Project is not anticipated to result in substantial new development. Grading, excavation, and other potential landslide inducing activities are not anticipated. Therefore, no impact related to this issue would occur.

b) **Result in substantial soil erosion or the loss of topsoil?**

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in substantial soil erosion or the loss of topsoil or exacerbate existing environmental conditions so as to potentially cause substantial soil erosion or the loss of topsoil. The Project is not anticipated to result in substantial new development. Grading and excavation activities associated

with soil erosion and loss of topsoil are not anticipated nor is any intensity in use beyond baseline conditions. Therefore, no impact related to this issue would occur.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would create ground instability. The Project is not anticipated to result in substantial new development. Ground destabilizing activities such as grading and excavation are not anticipated nor is any intensity in use beyond baseline conditions. Therefore, no impact related to this issue would occur.

d) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in development that would be located on expansive soil. Therefore, no impacts related to this issue would occur.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in development that would involve the use of septic tanks or alternative wastewater disposal systems. Therefore, no impacts related to this issue would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would directly or indirectly destroy a unique paleontological resource or site or unique geological feature. The Project is not anticipated to result in substantial new development. Ground disturbing activities such as grading and excavation that could directly or indirectly destroy a unique paleontological resource or site or unique geological feature are not anticipated. Therefore, no impacts related to this issue would occur.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase in the number of restaurants could lead to a change in traffic patterns that could increase or change vehicle GHG emissions from existing conditions.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Furthermore, any new restaurant will be required to comply with all applicable energy efficiency standards designed to conserve energy thereby reducing GHG emissions and, although new development is not anticipated as part of this Project, any newly constructed restaurant would be required to comply with the GHG reducing standards included in the LA Green Code. Therefore, a less than significant impact related to this issue would occur.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The activities allowed by the Project would also not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase in the number of restaurants could lead to a change in traffic patterns that could increase or change vehicle emissions from existing conditions.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants or restaurants that would be inconsistent with the SCS/RTP. Furthermore, any new restaurant will be required to comply with all applicable energy efficiency standards designed to conserve energy thereby reducing GHG emissions and, although new development is not anticipated as part of this Project, any newly constructed restaurant would be required to comply with the GHG reducing standards included in the LA Green Code. Therefore, a less than significant impact related to this issue would occur.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in new development that would involve routine transport, use, or disposal of hazardous materials. Therefore, no impacts related to this issue would occur.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in new development that would involve or authorize any excavation or contraction-related activity which could result in the release of hazardous materials into the environment. Additionally, restaurants are not expected to use hazardous materials other than typical small quantities of household hazardous materials, such as cleaning agents, and it is not expected to result in increased impacts over any current uses or baseline conditions. Therefore, no impacts related to this issue would occur.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in new development that would emit any hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, no impacts related to this issue would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The Project is not anticipated to result in new development located on a Cortese listed site and will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would involve or permit any activity on a hazardous materials site. Therefore, no impacts related to this issue would occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in new development that would result in a safety hazard or excessive noise for people residing or working in the project area.

The Project is available citywide in areas mapped and adopted by City Council Resolution for the RBP or the RBP-ASUZ, but only where restaurants are an allowed use. The addition of the ability to serve alcoholic beverages near airports would not create an additional safety hazard because the Project's eligibility criteria and operating standards are designed to limit and minimize noise generated by ~~RBP-designated participating~~ restaurants. Establishments that wish to participate in the RBP or the RBP-ASUZ must be sit-down restaurants and meet numerous other eligibility criteria. Bars, nightclubs, and other venues that tend to generate a large amount of noise are ineligible. All restaurants under the RBP or RBP-ASUZ must comply with citywide noise regulations and are subject to nuisance abatement and revocation proceedings. Further standards aimed at limiting noise in participating restaurants include prohibiting dancing, live entertainment, and adult entertainment at all times; limiting entertainment to indoor ambient background music at low volume; restricting hours of operations between the hours of 7:00 AM and 11:00 PM; and stipulating outdoor seating restrictions. Furthermore, music, speakers, television monitors or screens are prohibited in outdoor eating areas. These standards ensure that noise impacts will be avoided.

Additionally, there must be at least one manager on duty at all times of the operation of the restaurant to ensure the restaurant's compliance with the Project's requirements and other applicable laws, codes, and regulations. If the restaurant fails to follow the Project's requirements and receives three police citations or Orders to Comply from the Department of Building and Safety within two years, they become ineligible to participate in the RBP or the RBP-ASUZ for five years. This ensures that repeat violators do not continue receiving the benefits of the program.

Therefore, taking into consideration the requirements and enforcement mechanism set forth above, the Project would result in a less than significant impact.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in new development that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Furthermore, no aspects of this Project would inhibit access to hospitals, emergency response centers, highways, bridges, or airports.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase in the number of restaurants could lead to an increase in transit, roadway, bicycle, or pedestrian traffic near or around Project locations.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, and is not anticipated to result in any new development that would expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Because the Project is not anticipated to result in new development and is limited to areas where restaurants are already a permitted use, there is no reasonably foreseeable increased risk involving wildland fires. Therefore, no impacts related to this issue would occur.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒
i. Result in substantial erosion or siltation on- or off-site;				
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv. Impede or redirect flood flows?				
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

No Impact. The Project is not anticipated to result in substantial new development or change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in a violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Additionally, any eligible-RBP restaurants would comply with all applicable water quality standards, wastewater discharge requirements, and other measures designed to protect surface and ground water quality. Therefore, no impacts related to this issue would occur.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact. The Project is not anticipated to result in substantial new development and does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would substantially decrease groundwater supplies or interfere with groundwater recharge. Furthermore, because no substantial new development is anticipated, sustainable groundwater management impeding activities such as grading or excavation are not anticipated. Therefore, no impacts related to this issue would occur.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site;

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would result in substantial erosion or siltation on- or off-site. Furthermore, because no substantial new development is anticipated, potentially eroding or siltation activities such as grading or excavation are not anticipated. Therefore, no impacts related to this issue would occur.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would result in a substantial increase in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Therefore, no impacts related to this issue would occur.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would create or contribute runoff

water which would exceed existing or planned stormwater drainage system capacity or provide substantial additional sources of polluted runoff. Therefore, no impacts related to this issue would occur.

iv. Impede or redirect flood flows?

No Impact. New development is not anticipated to result from this Project nor will it change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would impede or redirect flood flows. Therefore, no impacts related to this issue would occur.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that risk or be foreseeably likely to lead to development that will release pollutants due to project inundation in flood hazard, tsunami, or seiche zones. Therefore, no impacts related to this issue would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Furthermore, because no substantial new development is anticipated, no conflicting or obstructing activities such as grading and excavation is anticipated. Therefore, no impacts related to this issue would occur.

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

a) Physically divide an established community?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would physically divide an established community. Therefore, no impacts related to this issue would occur.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. Substantial new development is not anticipated to result from this Project nor will it change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation.

Furthermore, any new restaurant will be required to comply with all applicable energy efficiency standards designed to conserve energy and, although new development is not anticipated as part of this Project, any newly constructed restaurant would be required to comply with the LA Green Code. Therefore, no impacts related to this issue would occur.

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Furthermore, because no substantial new development is anticipated, mineral-impacting activities such as grading and excavation are not anticipated. Therefore, no impacts related to this issue would occur.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would result in the loss of availability of any locally-important mineral resource recovery site and is not expected to foreseeably result in substantial new development. Therefore, no impacts related to this issue would occur.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would generate a substantial increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

There is a possibility of an increase in operation noise levels in ~~RBP~~ participating restaurants. For this reason, the Project's eligibility criteria and operating standards are designed to limit and minimize noise generated by ~~designated RBP participating~~ restaurants. Establishments that wish to participate in the RBP or the RBP-ASUZ must be sit-down restaurants and meet numerous other eligibility criteria. Bars, nightclubs, and other venues that tend to generate a large amount of noise are ineligible. All restaurants under the RBP or RBP-ASUZ must comply with citywide noise regulations and are subject to nuisance abatement and revocation proceedings. Further standards aimed at limiting noise in participating restaurants include prohibiting dancing, live entertainment, and adult entertainment at all times; limiting entertainment to indoor ambient background music at low volume; restricting hours of operations between the hours of 7:00 AM and 11:00 PM; and establishing outdoor seating area restrictions. For restaurants that are adjacent or across an alley from a residential or agricultural zoned lot, outdoor eating areas must be entirely buffered from the lot by an enclosed building to mitigate noise. These restrictions would lessen the impact of the absence of an outdoor seating limit. Furthermore, music, speakers, television monitors or screens are prohibited in outdoor eating areas. These standards ensure that noise impacts will be avoided.

Additionally, there must be at least one manager on duty at all times of the operation of the participating restaurant to ensure the restaurant's compliance with the Project's requirements and other applicable laws, codes, and regulations. If the restaurant fails to follow the Project's requirements and receives three police citations or Orders to Comply from the Department of Building and Safety within two years, they become ineligible to participate in the RBP or the RBP-ASUZ for five years. Restaurants serving alcohol under the RBP-ASUZ would also be subject to a one-year provisional period, during which the public may submit complaints via a complaint portal. If a restaurant receives more than five validated complaints at the end of this period, they are no longer eligible for the RBP-ASUZ. This ensures that repeat violators do not continue receiving the Project's benefits.

Therefore, taking into consideration the requirements and enforcement mechanism set forth above, the Project would result in a less than significant impact.

b) Generation of excessive groundborne vibration or groundborne noise levels?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, nor is it anticipated to result in development that would generate excessive groundborne vibration or groundborne noise levels. Furthermore, the Project would not intensify the use of any restaurant beyond the baseline conditions. Therefore, no impacts related to this issue would occur.

c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, nor is it anticipated to result in development that would expose people residing or working within the vicinity of a private airstrip or an airport land use plan or within two miles of a public airport or public use airport to excessive noise levels.

The Project is available citywide in areas mapped and adopted by City Council Resolution for the RBP or the RBP-ASUZ, but only where restaurants are an allowed use. The addition of the ability to serve alcoholic beverages near airports would not create an additional safety hazard because the Project's eligibility criteria and operating standards are designed to limit and minimize noise generated by RBP participating restaurants. Establishments that wish to participate in the RBP or the RBP-ASUZ must be sit-down restaurants and meet numerous other eligibility criteria. Bars, nightclubs, and other venues that tend to generate a large amount of noise are ineligible. All restaurants under the RBP or RBP-ASUZ must comply with citywide noise regulations and are subject to nuisance abatement and revocation proceedings. Further standards aimed at limiting noise in participating restaurants include prohibiting dancing, live entertainment, and adult entertainment at all times; limiting entertainment to indoor ambient background music at low volume; restricting hours of operations between the hours of 7:00 AM and 11:00 PM; and establishing outdoor seating restrictions. Furthermore, music, speakers, television monitors or screens are prohibited in outdoor eating areas. These standards ensure that noise impacts will be avoided.

Additionally, there must be at least one manager on duty at all times of the operation of the participating restaurant to ensure the restaurant's compliance with the Project's requirements and other applicable laws, codes, and regulations. If the restaurant fails to follow the Project's requirements and receives three police citations or Orders to Comply from the Department of Building and Safety within two years, they become ineligible to participate in the RBP or the RBP-ASUZ for five years. Restaurants serving alcohol under the RBP-ASUZ would also be subject to a one-year provisional period, during which the public may submit complaints via a complaint portal. If a restaurant receives more than five validated complaints at the end of this period, they are no longer eligible for the RBP-ASUZ. This ensures that repeat violators do not continue receiving the Project's benefits.

Therefore, taking into consideration the requirements and enforcement mechanism set forth above, the Project would result in a less than significant impact.

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would induce substantial unplanned growth in an area either directly or indirectly or foreseeably result in substantial new development. Furthermore, it is not reasonably foreseeable that the Project will, nor does the Project intend to, induce substantial unplanned population growth. The Project does not propose to change or add roads or other infrastructure that would induce such growth. Therefore, no impacts related to this issue would occur.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would displace substantial numbers of existing people or housing. Furthermore, there would not be a necessity to construct replacement housing.

The Project covers several commercial zones that also allow residential uses. Permitted uses in these zones include for-profit businesses such as restaurants, retail stores, and offices, in addition to multifamily residences. As a result, commercial and residential uses often coexist but do not conflict, such as in mixed-use development where these uses complement one another. The Project creates a new administrative processes for serving alcoholic beverages for eligible sit-down restaurants that are already permitted uses in the zones in question. Additionally, as discussed above, only a limited number of restaurants are expected to qualify for this Project per year. As a result, no impact on the number of residential units is expected to result from the Project. Therefore, no impacts related to this issue would occur.

XV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

a) Fire protection?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, nor is it anticipated to result in new development that would increase demands on fire protection services as to require the construction of new or expanded facilities.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could then increase demands on fire protection services.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

b) Police protection?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would significantly increase demands on police protection services.

The Police Department's involvement in the Project only extends to issuing citations for violations of the Project by participating restaurants or patrons wherever they may be applicable. Moreover, the Project includes more than 50 requirements that participating restaurants must follow to ensure police protection service demands are not significant. These requirements are aimed at preventing loitering, noise, and other activities on the premises that may adversely affect or detract from the quality of life for the adjoining residents, property owners, and businesses. If a participating restaurant fails to follow the requirements and receives three police citations or Orders to Comply from the Department of Building and Safety within two years, they become ineligible to participate in the RBP or the RBP-ASUZ for a period of five years. This ensures that repeat violators do not continue receiving the ~~RBP Project's~~ RBP Project's benefits.

However, there is no evidence that the Project would increase demands on police protection services as to require the construction of new or expanded facilities. Therefore, a less than significant impact would occur.

c) Schools?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would increase demands on schools as to require the construction of new or expanded facilities. Therefore, no impacts related to this issue would occur.

d) Parks?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would increase demands on parks as to require the construction of new or expanded facilities. Therefore, no impacts related to this issue would occur.

e) Other public facilities?

Libraries

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would increase demands on libraries as to require the construction of new or expanded facilities. Therefore, no impacts related to this issue would occur.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Therefore, no impact related to this issue would occur.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would include any recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impact related to this issue would occur.

XVII. TRANSPORTATION¹

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☒	☐

¹ While the new VMT Transportation Thresholds have been adopted, this is in place as an option until July 1, 2020.

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would conflict with an applicable program, plan, ordinance, or policy establishing measures of effectiveness for the performance of a circulation system.

There is a possibility the Project may lead to an increase in the number of restaurants in the City given it provides eligible sit-down restaurants a significant reduction in application processing time and expense to serve alcohol. Furthermore, potential business owners may become motivated to open restaurants who would have otherwise not been able to without the Program due to time or financial restraints.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in transit, roadway, bicycle, or pedestrian traffic near or around Project locations.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Less Than Significant Impact. State CEQA Guidelines Section 15064.5 defines a criteria for analyzing transportation impacts for land use projects where 1) vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact; 2) projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact; and 3) projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would substantially increase vehicle miles traveled. The Project applies citywide in areas mapped and adopted by City Council Resolution for the RBP or the RBP-ASUZ, so it is likely that some Project locations may be located within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor and would, therefore, be presumed to have a less than significant impact if evaluated separately.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in vehicle miles traveled.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would substantially increase hazards due to a geometric design feature or incompatible uses. Furthermore, the Project does not permit or propose activity that will result in changes to roads. Therefore, no impact related to this issue would occur.

d) Result in inadequate emergency access?

Less Than Significant Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would result in inadequate emergency access or substantially impair an adopted emergency response plan or emergency evacuation plan.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in transit, roadway, bicycle, or pedestrian traffic near or around Project locations.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would result in a substantial adverse change in the significance of a tribal cultural resource. Additionally, most tribal cultural resources are expected with buried resources and in land associated with tribal practices and the Project is not anticipated to result in any new development that would require soil excavation and ground disturbance. Therefore, no impacts related to this issue would occur.

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

No Impact. The project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would result in a substantial adverse change in the significance of a tribal cultural resource. Additionally, most tribal cultural resources are expected with buried resources and in land associated with tribal practices and the Project is not anticipated to result in any substantial new development that would require soil excavation and ground disturbance. Therefore, no impacts related to this issue would occur.

Assembly Bill 52 (AB 52) established a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in Public Resources Code 21074, as part of CEQA. As specified in AB 52, lead agencies must provide notice inviting consultation to California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed ordinance if the Tribe has submitted a request in writing to be notified of proposed ordinances. The Tribe must respond in writing within 30 days of receipt of the City's AB52 notice. The Native American Heritage Commission (NAHC) provided a list of Native American groups and individuals who might have knowledge of the religious and/or cultural significance of resources that may be in and near the project site. In accordance with AB 52, notice of the Project was provided on March 23, 2020 to tribes who have requested such notice in the City of Los Angeles, and no tribes requested consultation.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would require the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in use of utilities such as electric power, natural gas, or telecommunications facilities.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses, or foreseeably result in substantial new development that would require a significant amount of water. Furthermore, the Project is expected to have sufficient water supplies available during normal, dry, or multiple dry years.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in use of water supplies.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would generate a significant amount of wastewater.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in generation of wastewater.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in generation of solid waste.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Furthermore, any eligible ~~RBP~~ restaurants would comply with all applicable federal, state, and local statutes and regulations related to solid waste.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in generation of solid waste.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The Project will change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would substantially impair an adopted emergency response plan or emergency evacuation plan.

As described above, the reduced barriers to obtaining authorization to sell alcohol that the Project provides to eligible sit-down restaurants may result in an increase in restaurants in the City. This increase could lead to an increase in transit, roadway, bicycle, or pedestrian traffic near or around Project locations.

However, any increase is speculative and is expected to be insignificant, as only a minority of sit-down restaurants will be eligible for the RBP or the RBP-ASUZ, and those eligible restaurants must be in locations where restaurants are an allowed use. Additionally, there are numerous additional factors and expenses that go into opening new restaurants. The City has no evidence that this Project would result in a substantial number of new restaurants. Therefore, a less than significant impact related to this issue would occur.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would exacerbate wildfire risks, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, no impact related to this issue would occur.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts on the environment. Therefore, no impact related to this issue would occur.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses or foreseeably result in substantial new development that would expose people or structures to significant risks, such as flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, no impacts related to this issue would occur.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

No Impact. For the reasons stated in this Initial Study, the Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The Project does not expressly authorize new development, and no new development is expected to occur for the reasons set forth above.

As discussed in Section V (Cultural Resources) and Section XVIII (Tribal Cultural Resources), the Project would have no impacts on archaeological and paleontological resources and tribal cultural resources. No further analysis is required.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

No Impact. For the reasons stated in this Initial Study, the Project would not potentially result in any significant impacts and would not have the potential to contribute to cumulative impacts. The project is not anticipated to result in substantial new development and as such will not contribute to cumulative impacts or have cumulatively considerable impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

No Impact. For the reasons stated in this Initial Study, the Project would not potentially cause substantial adverse effects on human beings, either directly or indirectly.

5 CONCLUSION

Based upon the information set forth above, in the staff report related to this Project, and the substantial evidence contained in the whole of the record of proceedings, the City has determined that the adoption of this ordinance will not have a significant effect on the environment and a Negative Declaration may be adopted.