

REVISED LAND USE AND ENVIRONMENTAL FINDINGS

LAND USE FINDINGS

In accordance with City Charter Section 556, the proposed ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan. The proposed ordinance furthers the following objective and policy of the General Plan:

Framework Element (Chapter 7 Economic Development):

Objective 7.4. Improve the provision of governmental services, expedite the administrative processing of development applications, and minimize public and private development application costs.

The proposed ordinance would create the Restaurant Beverage Program (RBP) and the Restaurant Beverage Program- Alcohol Sensitive Use Zone (RBP-ASUZ), administrative review processes that would allow qualifying sit-down restaurants to serve alcoholic beverages without obtaining a Conditional Use Permit (CUP), subject to eligibility criteria, performance standards, and enforcement procedures. The Programs introduce two administrative processes that can be completed in a fraction of the time and cost it takes to obtain a CUP without compromising on good-neighbor, enforcement, and security requirements and prohibitions. Furthermore, providing an alternative processing route will not only reduce uncertainty and costs for qualifying sit-down restaurants, but will also reduce the backlog of cases for the Department of City Planning and allow for more efficient allocation of staff resources.

Policy 7.4.1 Develop and maintain a streamlined development review process to assure the City's competitiveness within the Southern California region.

Several cities in the Southern California region, such as Santa Monica, Beverly Hills, San Diego, and Fullerton, have implemented a similar administrative review process to serve alcohol. The proposed ordinance will improve the City's competitiveness with other cities in the region which are already offering this option. These processes allow eligible restaurants to serve alcohol without a CUP if they follow certain restrictions. Each city has different restrictions for restaurants that take advantage of such a process, but most relate to restrictions on noise, seating, and allowed activities, such as prohibitions on pool tables and live entertainment, seating, as well as requirements such as adequate illumination and proper maintenance of the premises, such as cleaning debris, removing graffiti, and emptying trash bins.

Policy 7.4.3 Maintain development fee structures that do not unreasonably burden specific industry groups, are financially competitive with other cities in the region, and reduce uncertainty to the development community.

Obtaining a CUP for alcoholic beverages can take more than six months and cost more than \$13,000 in permit fees and other expenses. A quicker, more predictable, and more affordable approval process to serve alcohol would assist small and locally-owned businesses, most of which are assets to their communities and do not have problems related to alcohol. These

businesses have the most to gain from this proposed ordinance, with the opportunity to create new economic and employment opportunities for local residents. Furthermore, the RBP and RBP-ASUZ will build on the City's efforts to provide relief to small businesses facing economic hardship due to the COVID-19 emergency and Safer LA restrictions. And as previously mentioned, the proposed ordinance will improve the City's competitiveness with other cities in the region which are already offering this option.

Policy 7.10.1 Focus available implementation resources in centers, districts, and mixed-use boulevards or "communities of need."

The RBP and RBP-ASUZ's main objective is to assist small businesses, which are less likely to have capital from investors, by creating a quicker, more predictable, and more affordable process by which they can obtain local authorization to serve alcoholic beverages. While the RBP and RBP-ASUZ are available to all eligible sit-down restaurants, small, locally-owned, and minority-owned businesses have the most to gain from the new process. With less time and reduced cost compared to the CUP process, the RBP and RBP-ASUZ can create a point of entry for these businesses to open or expand, and in turn help diversify the types of businesses that are located in a community. This may result in economic and employment opportunities for local residents, reduced traffic, and community empowerment.

ENVIRONMENTAL FINDINGS

Approval of the project is supported by the Negative Declaration and Categorical Exemption (ENV-2018-4661-ND, ENV-2020-3154-CE) prepared for this project. The Negative Declaration concludes that the proposed ordinance would not have a significant effect on the environment, and therefore, an Environmental Impact Report is not required.

In accordance with the California Environmental Quality Act (CEQA), the proposed ordinance meets the criteria of a Categorical Exemption pursuant to CEQA Guidelines Section 15301 (Existing Facilities), because it would involve a negligible expansion of use. Furthermore, there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies.

It is reasonably anticipated the proposed ordinance will not be associated with significant environmental impacts. The proposed ordinance is not anticipated to directly or indirectly 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. It does not directly authorize new restaurants to be built and is only available where restaurants are an allowed use. There is no basis to find that the Project would induce substantial numbers of new restaurants in the City. Furthermore, the proposed ordinance contains measures to avoid environmental impacts, such as noise and adverse behavior.

The Negative Declaration was published in the Los Angeles Times on May 7, 2020, opening a 30-day period to receive comments. It reflects the lead agency's independent judgment and

analysis. On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed ordinance will have a significant effect on the environment.

An errata was prepared to clarify and correct information in the Negative Declaration in response to the recommendations adopted by the City Council on June 30, 2021 to amend the proposed draft ordinance. The errata concludes that the requested amendments do not constitute substantial changes that would require a major revision of the previously published Negative Declaration as they do not substantially change this project. None of these changes substantially modify the analysis or conclusions of the Negative Declaration, but instead reduce potential impacts within the previously circulated document. Furthermore, the errata maintains that the proposed draft ordinance will cause less than significant impacts or no impacts at all to the environment.