

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

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EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

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April 10, 2019

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

REPORT ON TIMELINE RELATIVE TO LAND USE OPERATING STANDARDS APPLICABLE TO EXISTING ALCOHOL ESTABLISHMENTS THAT DO NOT HAVE A CONDITIONAL USE PERMIT AND OPERATE UNDER GRANDFATHERED LAND USE RIGHTS TO SELL ALCOHOL AT A PROPERTY; CF 17-0957

On March 6, 2019, the City Council adopted Planning and Land Use Management Committee's (PLUM) February 26, 2019 report instructing:

1. The Department of City Planning (Department), in consultation with the City Attorney, and with the assistance of the Los Angeles Department of Building and Safety, to prepare and present an Ordinance that contains land use operating standards applicable to existing alcohol establishments that do not have a Conditional Use Permit and operate under grandfathered land use rights to sell alcohol at a property;
2. The Department to use the City of Oakland's Deemed Approved Ordinance as a model; and
3. The Department to report in 30 days on a timeline for the above matter.

PLUM's report instructs the Department to prepare and process an amendment to the Zoning Code, which involves multiple steps, outlined as follows.

Code Amendment Steps

Background and Best Practice Research

- Review other cities' modifications to Oakland model
- Determine and map locations of existing grandfathered establishments

Development of Draft Ordinance and CEQA Review

- Analyze integration into Zoning Code and overlap with other ordinances or existing provisions
- Draft the ordinance
- Prepare California Environmental Quality Act (CEQA) document

Outreach

- Develop outreach material
- Release draft ordinance for 60 day review period and make presentations to interested groups
- Hold open house(s) and public hearing(s)
 - Present proposed ordinance and answer questions
 - Take public testimony

Recommendation to City Planning Commission

- Review comments received
- Evaluate modifications to proposed ordinance
- Draft revised ordinance
- Prepare recommendation report to the City Planning Commission

City Council Action

- Review by the PLUM Committee followed by the full City Council
- Review and sign-off by the Mayor

Comprehensive background and best practices research is the first step in understanding how best to meet the intent of the PLUM Committee's instructions. The City of Oakland, as well as a number of other cities, have adopted Deemed Approved ordinances that have been in effect since as early as 1993. Ordinances of other cities include modifications to the Oakland model which may be appropriate for the City of Los Angeles. In order to make this determination, Department staff will need to reach out to these cities to understand which aspects of the ordinances have been working well and which could be improved upon. Analysis of existing conditions regarding the number and distribution of grandfathered establishments is also important in understanding the scope of businesses affected by this ordinance. This analysis involves coordination with the state Department of Alcohol Beverage Control to obtain alcohol license data followed by further investigation to determine which establishments are still operating under grandfathered land use rights today. The locations that are identified through this exercise will need to be mapped using Geographic Information Systems (GIS). Documenting the existing framework will enable Department staff to understand the full context and impact of this ordinance and ensure the Department's recommendation is enforceable and effective.

Staff will then develop a draft ordinance and engage in public outreach. Once the draft ordinance is complete, staff will prepare outreach materials to accompany its public release, which per Department policy should take place at least 60 days prior to its consideration by the City Planning

Commission (CPC). Following release of the draft ordinance, the Department will reach out to the public and make presentations to interested groups and stakeholders. In addition, the Department will hold at least one combined open house/public hearing for interested parties to have an opportunity to learn about the proposal, ask questions, and provide testimony. In evaluating whether revisions to the draft ordinance are in order, staff will consider feedback heard at the meetings and hearing(s) or received in writing during this comment period. All of the research, analysis, and other considerations taken into account in forming the final proposal will be summarized in a recommendation report to the CPC. The City Council's action and the Mayor's review will begin after the CPC makes its recommendation.

An ordinance undergoing these required steps will take nine (9) months or more to move through the review period and arrive at the City Council for consideration. Various factors, such as the number of public hearings, nature of comments received, and CEQA review, can impact the overall timeline.

Please contact Phyllis Nathanson at (213) 978-1474 with any questions regarding this report.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to read "K. J. Keller", with a long horizontal flourish extending to the right.

Kevin J. Keller, AICP
Executive Officer

VPB:KJK:AV:TR:je