

COUNTY CLERK'S USE

CITY OF LOS ANGELESOFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012**CALIFORNIA ENVIRONMENTAL QUALITY ACT****NOTICE OF EXEMPTION**

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

CPC-2018-4660-CA

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2020-3154-CE

PROJECT TITLE

Restaurant Beverage Program Ordinance

COUNCIL DISTRICT

Citywide

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

Citywide☐ Map attached.

PROJECT DESCRIPTION:

☒ Additional page(s) attached.

An ordinance creating an administrative review process for select sit-down restaurants to sell or dispense alcoholic beverages for on-site consumption, subject to a set of standards. Also see attachment.

NAME OF APPLICANT / OWNER:

City of Los Angeles (Department of City Planning)

CONTACT PERSON (If different from Applicant/Owner above)

Roberto Luna

(AREA CODE) TELEPHONE NUMBER

(213) 473-9701

EXT.

N/A

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) **Sec. 15301 / Class 1**☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:


☒ Additional page(s) attached**Please see attachment.**☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Roberto Luna, 

STAFF TITLE

Planning Assistant

ENTITLEMENTS APPROVED

FEE:

RECEIPT NO.

REC'D. BY (DCP DSC STAFF NAME)

DISTRIBUTION: County Clerk, Agency Record

Attachment to Notice of Exemption from CEQA
ENV-2020-3154-CE

PROJECT DESCRIPTION

The project is a proposed ordinance establishing an administrative review process that allows qualifying restaurants to sell or dispense alcoholic beverages for on-site consumption, as an alternative to a discretionary Conditional Use Permit process. Participating restaurants must meet eligibility criteria intended to limit the project to bona fide dine-in restaurants, as well as operational standards designed to prevent adverse impacts on the surrounding neighborhood. Participating restaurants must have an operational kitchen, offer a full menu during operating hours, and may not offer food exclusively for takeout or delivery. Drive-through fast food restaurants are not eligible. No live entertainment, adult entertainment or dancing is allowed, and restaurants are subject to citywide noise regulations. The operator must keep the premises clear of graffiti, litter, and loitering. The establishment is prohibited from being leased out to promoters charging admission for parties advertised and open to the public, and any private parties held on the premises are subject to the same standardized set of limitations and requirements as the restaurant. The establishment must comply with provisions that protect against crime and unlawful use of alcohol, such as lighting, camera surveillance, age verification equipment, and required specialized training for alcohol service for all employees. The establishment must maintain a log to collect and respond to complaints. The establishment must display City-issued identification indicating that the restaurant is subject to the special requirements and restrictions being proposed in this ordinance. The establishment is required to enroll in the Monitoring, Verification, and Inspection Program, which provides unannounced inspections by the City. Participants not adhering to the standardized set of limitations and requirements are subject to enforcement measures.

JUSTIFICATION FOR CEQA EXEMPTION
(Class 1, Category 15301 Existing Facilities)

Pursuant to CEQA Guidelines Section 15301, Article 19 Categorical Exemption Class 1 exempts projects that consist of operations or minor alterations of existing facilities involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

The project is a proposed ordinance establishing an administrative review process that allows qualifying restaurants to sell or dispense alcoholic beverages for on-site consumption, subject to a set of standards. The project impacts the operations of existing restaurants but does not authorize activities that would intensify the use of any restaurant beyond the baseline conditions. The project does not authorize any construction projects or changes to floor plans. Therefore, the project would involve a negligible expansion of use.

Pursuant to CEQA Guidelines Section 15300.2, none of the exceptions to qualifying for a Categorical Exemption apply. The project does not authorize any construction projects, and thus will not result in a construction project having a significant effect or unusual circumstance, or affect scenic highways, hazardous waste sites, or historical resources. Also, the project does not authorize any new uses that are not already allowed by the underlying zone, as the project only provides for administrative review for alcoholic beverages being served in eligible full-service restaurants that would otherwise be allowed to operate.