

COMMUNICATION FROM CHAIR AND MEMBER, AD HOC COMMITTEE ON COMPREHENSIVE JOB CREATION PLAN relative to the creation of an administrative process for issuing over-the-counter on-site alcohol Conditional Use Permits.

Recommendations for Council action:

1. INSTRUCT the Department of City Planning (DCP), with the assistance of the City Attorney, to draft an Ordinance amending Zoning Code Sections 12.22 and 12.24 to create an administrative process for business that meet the Prospective Standard Limitations, and include:
  - a. Clarification that Prospective Standard Limitation No. 25 (of the Attachment to the DCP report dated March 21, 2018) will not prohibit outdoor dining if the project is abutting or across an alley from an agricultural or residential zoned lot, but would do so if the project's outdoor dining area is abutting or across an alley from such zones.
  - b. A requirement that that the DCP provide notification to Neighborhood Councils of an application in their areas along with the Prospective Standard Limitations that the business would have to abide by.
  - c. A more detailed definition of what constitutes background music or ambient music.
2. INSTRUCT the DCP to hold staff-level public hearings on this matter and report to the Ad Hoc Committee on Comprehensive Job Creation Plan and Planning and Land Use Management Committee with the draft Ordinance.

Fiscal Impact Statement: None provided by the DCP. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes.

Against:

Mid-Town North Hollywood Neighborhood Council

Against unless amended:

Northwest San Pedro Neighborhood Council

## SUMMARY

At a special meeting held on April 18, 2018, the Chair and a Member of the Ad Hoc Committee on Job Creation Plan considered a DCP report dated March 21, 2018 relative to the creation of an administrative process for issuing over-the-counter on-site alcohol Conditional Use Permits.

Representatives of the DCP provided an overview of the DCP report on the matter and responded to related questions. During discussion of the matter, the Committee inquired about the Prospective Standard Limitation No. 21 relative to prohibiting live entertainment, but allowing background or ambient music. The DCP representatives explained that the purpose of the

Limitation was to prohibit live entertainment such as bands, performers, etc. that were intended to be the primary source of entertainment, as well as amplified music. DCP clarified that the proposed Standards would allow a person, such as a pianist, harpsichordist, etc., to provide ambient or background music as long as the music was not amplified. However, the Committee requested that the DCP provide a more detailed definition of what would constitute "background music or ambient music."

Additionally, the Committee Chair requested that DCP consider changes to the Prospective Standard Limitation No. 25 that prohibits outdoor dining or dining in the public right-of-way if the project is abutting or across an alley of "A" (Agricultural) or "R" (Residential) zoned lots. The Chair mentioned an example of the numerous establishments along Ventura Boulevard in his district that have outdoor dining in the front of the establishment while abutting a Residential zone at the rear of the business, and that the City would want to continue encouraging this. However, the DCP representatives noted instances where the outdoor dining might be located on the side of the project and continue to the rear of the project or is primarily located at the rear, and in such cases would be disruptive to the abutting Residential Zone. The Committee Chair requested that the DCP amend the Prospective Standard Limitation to allow outdoor dining for projects abutting or across an alley from the above-mentioned zones, but prohibit the outdoor dining if that dining area abuts or is across an alley from those zones.

Lastly, the Committee Chair requested that the DCP provide notification to Neighborhood Councils whenever there is an application by a business for an administrative or express alcohol consumption Conditional Use Permit for a project in their areas, and also notify them of the Standard Limitations with which the business must comply.

After further consideration, and after providing an opportunity for public comment, the Chair and Member of the Ad Hoc Committee on Job Creation Plan instructed the DCP, with the assistance of the City Attorney, to prepare a draft Ordinance amending the Zoning Code to create an administrative process for businesses that meet the Standard Limitations to obtain alcohol consumption Conditional Use permits (including the changes/clarifications to the Prospective Standard Limitations Nos. 21 and 25 as detailed in the Recommendations above), and report to the Ad Hoc Committee on Job Creation Plan and Planning and Land Use Management Committee with the draft Ordinance. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

COUNCILMEMBER PAUL KREKORIAN, CHAIR  
AD HOC COMMITTEE ON JOB CREATION PLAN

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
KREKORIAN:	YES
WESSON:	ABSENT
ENGLANDER:	ABSENT
BLUMENFIELD:	YES

HARRIS-DAWSON: ABSENT

REW 4/25/18 FILE NO. 17-0981

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**