

CONDITIONAL USE PERMIT EXTENSIONS FOR RESTAURANTS

The restaurant industry has been deeply impacted by the COVID-19 pandemic. At various times, restaurants could only operate on a takeout or delivery basis, and at other times indoor dining was only allowed with a limited capacity. Numerous restaurants have closed permanently and those that remain open have incurred significant losses and experienced continued hardship.

The Los Angeles County Board of Supervisors (Board) has taken several actions to support the restaurant industry since the pandemic began. In July 2020, we initiated a COVID-19 Temporary Outdoor Dining Program, serving as a lifeline to restaurants when indoor dining areas were completely closed or had limited capacity. In June 2021, the Board directed the Chief Executive Office to collaborate with several County Departments to outline the scope of a permanent outdoor dining program. After reviewing their recommendations, in April 2022 the Board initiated two separate ordinances amending the County Code to create regulations for permanent outdoor dining within the public right-of-way and on private property.

However, given the depth and breadth of the impact to restaurants, an overwhelming amount of which are small businesses, there is still more we can do to help the long-term recovery of the industry. One such action is to extend Conditional Use Permits (CUPs) for restaurants in our unincorporated communities.

CUPs for restaurants include a grant term with an expiration date. Before that expiration date, restaurants must apply for a new CUP. This process involves a public hearing, helping ensure that the restaurants operate in a responsible manner, especially if they sell alcoholic beverages, and are otherwise compatible with their neighborhoods. However, this process can be expensive and time consuming, especially for small business owners. Therefore, I propose that we extend the grant term for all currently valid CUPs by eighteen months to acknowledge the financial impacts of the pandemic and provide restaurants with more time to prepare their applications for new CUPs. All other conditions would remain in effect unchanged, and the County Code allows for CUPs to be modified or revoked before the end of the extended grant term, if necessary to address public health and safety concerns.

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MOTION

SOLIS _____

KUEHL _____

HAHN _____

BARGER _____

MITCHELL _____

I, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

1. Find that the recommended action is categorically exempt (Class 1, Existing Facilities) from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the State CEQA Guidelines and the County's Environmental Document Procedures and Guidelines because it only involves the continued operation of restaurants in existing structures and facilities that are already permitted for this use, with no physical expansion or other change of use; and
2. Extend the grant term of all CUPs for restaurants that are valid and in effect as of August 30, 2022, by eighteen months, with all other conditions remaining in effect unchanged.

I, FURTHER MOVE THAT THE BOARD OF SUPERVISORS: Direct the Executive Officer of the Board to send a letter to all eighty-eight (88) incorporated cities within Los Angeles County (County) to encourage them to take similar actions to support the long term recovery and vitality of the County's restaurant industry.

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KB:aso