Restaurant Beverage Program

CITYWIDE PROPOSED CODE AMENDMENT

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May 2020
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Introduction

- Council motion: create an administrative process for on-site alcohol consumption, subject to a set of standards

- In response, the proposed ordinance would create the **Restaurant Beverage Program (RBP)**
  - Sit-down restaurants only
  - More than 50 performance standards
  - Mandatory inspections and enforcement
Los Angeles City Planning

Background

- Conditional Use Permit (CUP) required to sell alcohol
  - 6+ months processing time
  - $13,000+ permit fees
  - Public hearing
- Same process for restaurants, bars, & liquor stores
- Process can be time-consuming and costly for small businesses
- COVID-19 financial impact on small businesses
Changes from October 2018 Draft

- More selective eligibility criteria
- Additional performance standards
- Strengthened enforcement process
Timeline

- **Initial draft ordinance released**: October 2018
- **Staff-level hearings**: December 2018 - January 2019
- **Additional input & revision**: January 2019 - March 2020
- **Revised draft ordinance released**: April 2020
- **Update information session**: May 2020
- **City Planning Commission**: June 11, 2020 (tentative)
RBP Overview

- Creates administrative review process
  - ~3 week processing time
  - ~$4,000 in fees
- Bars, nightclubs, retailers **NOT** eligible
- Must meet 50+ performance standards
- Subject to mandatory inspections
- “Three-strike” enforcement procedure
- Subject to nuisance abatement and revocation proceedings
Only for Select Restaurants

- Must be a *sit-down restaurant*
  - Kitchen, full menu, no takeout- or delivery-only, no drive-through
- Hours limited to 7am-11pm
- Food service available at all times
- Employees deliver food to tables
- Seating: 20 minimum, 150 maximum
- Not part of multiple-tenant entitlement
- No pool/billiard tables, dancing, Adult Entertainment
Benefits New and Existing Restaurants

- Eligible new restaurants awaiting CUP review may participate in RBP instead

- Existing restaurants seeking new CUPs or with expiring CUPs can apply for RBP
  - Must meet all RBP requirements

- Partial fee refund if already filed for CUP or renewal
No Bars or Nightclubs

- Employees conduct all service of alcohol
- No minimum drink purchase or admission charge
- No distilled spirits by the bottle or wine bottles that exceed 750mL
- No age-limit restrictions
- No events where pre-purchased tickets are exchanged for alcoholic beverages (e.g. pub crawls)
- Employees cannot accept or solicit beverages from customers
Good-Neighbor Standards

- Outdoor seating limitations
  - Up to 30% of seats can be outdoors
  - No TV monitors or music
  - No shared seating
  - Additional restrictions near residences
- No live entertainment, karaoke, DJs
- Only indoor background music allowed
- Comply with citywide noise regulations
- Cannot entirely close for private events
- No portable bars
- Seating cannot block view of occupants
Security & Monitoring

- Maintain premises in good condition
  - Debris- and graffiti-free, maintain bins, no loitering sign, adequate illumination
- Take all reasonable steps to prevent unneighborly behavior
- Camera surveillance system
- Electronic age verification device
- No smoking/hookahs/vaping
- On-duty manager at all times
- Alcohol training program for employees
Community Monitoring

- Restaurant must:
  - Post decal indicating they are subject to the Program’s standards
  - Post signs with a phone number and email address for complaints
  - Respond to complaints within 24 hours
  - Log complaints and how they were resolved
Administration

- Council Office and Neighborhood Council notified of new applications
- Program applicants must:
  - Pay inspection fees
  - Submit floor plans and site plan
  - Record a covenant agreeing to comply with the Program’s standards
- Must reapply if there is a change in alcohol license, floor plan, or owner
Enforcement

- Restaurant must enroll in Monitoring, Verification & Inspections Program (MVIP)
  - Two unannounced inspections in three years
- Three “strikes” in two years results in a five-year suspension
  - “Strike” = LADBS Order to Comply or LAPD citation filed with LA Superior Court

PERFORMANCE

Excellent ☑
Good ☐
Average ☐
Poor ☐
Next Steps

City Planning Commission Meeting
June 11, 2020 (tentative)

The staff report will be available at least 72 hours before the meeting date here:

https://planning.lacity.org/about/commissions-boards-hearings

Send comments to roberto.luna@lacity.org
Thank You

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More Information:
planning.lacity.org