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BID INFO

Board of Directors:

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 Sylvia Weintraub, Secretary
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 Isack Fadlon, Board Member
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 David Hay, Board Member

Staff:

Executive Director: Donald Duckworth
 Marketing Director: Kim Sudhalter
 Cleaning: Streetscape Services
 Safety: Critical Solutions (CSPSG)

Meetings:

BID Board Meetings: 2nd Friday of
 the month, 10am. **Crime Prevention:**
 1st Wednesday of the month, 7pm.
 Check BID website for Zoom links.

Resources:

LAPD: De'Antraye Dantzler,
 (213) 793-0708, 40675@lapd.online

BID Security Ambassador:

Please call (213) 423-8108 or email
 MelroseBIDAmbassador@gmail.com

Graffiti Removal/Sidewalk Cleaning:

Contact Don Duckworth,
 duckworth.donald@gmail.com

Website & Social Media:

www.melroseartsdistrict.com
FB: melroseartsdistrict
IG: melroseartsdistrict
TW: melroseartsdist

NEW RESTAURANT PERMIT LAWS

The Restaurant Beverage Program (**RBP**) is a new administrative review process available for qualifying sit-down restaurants requesting to serve alcoholic beverages. The **RBP** eliminates the need to obtain a Conditional Use permit (**CUB**), which significantly shortens the processing time and lowers the cost of obtaining the City's approval. To apply, restaurants must be located in an **RBP**-eligible geographic area of the city and must comply with a set of 50+ standards.

We thought it would be useful to outline the differences between the **RBP** vs. **CUB** processes if you are thinking about opening a restaurant in the Melrose Arts District.

Restaurant Beverage Program (**RBP**) vs. Conditional Use Permit (**CUB**)

RBP approvals are **administrative** – your project cannot be denied if it satisfies all of the requirements of the ordinance. In return, approval grants are typically more rigid and the use must be more established prior to filing, as detailed below.

CUB approvals are **discretionary** – the Zoning Administrator is the ultimate decision maker and can choose to approve all, some or none of your request, as well as impose conditions of approval if they see fit. This is because you are able to ask for a much greater variety of entitlements, often outside the scope of the **RBP**.

Timelines & Flexibility

RBP approvals are tenant specific for an established tenant with a lease in place, as well as a Certificate of Occupancy denoting the tenant as a bonafide restaurant, and are required before filing. Assuming these requirements are met, the timeframe for **RBP** filings is much faster, averaging about **6 to 8 weeks** from date of submission.

A **CUB** approval requires fewer aspects of the project to be 'set in stone' to begin filing. Building permit acquisitions can be concurrent with **CUB** filings. A letter of intent from a prospective tenant can suffice for initial filing and tenants can be swapped during the filing process if circumstances change. However, the average **CUB** approval timeline is about **10 to 12 months**.



NEW RESTAURANT PERMIT LAWS (cont.)

Depending on exact project circumstances, the option to expedite the **CUB** process is often available for an additional fee reducing this timeframe to about 6 months. State ABC licensing timeline is typically 4 to 6 months and can run concurrent with either **RBP** or **CUB**.

Comparison of Entitlements

RBP approvals are subject to several restrictions:

- Hours of operation limited to **7am-11pm**
- No form of live entertainment permitted
- Maximum occupancy, regardless of building permit status, is **150 seats**
- A maximum of **50%** of restaurant space may be used for private events at any operating time
- More plan detail required on security/lighting features
- Outdoor dining areas that would be adjacent to A- or R-zoned lots (including alley separation) must be buffered by a fully-enclosed structure of at least 8 feet in height, except for public sidewalk dining obtained via revocable permit.

With a **CUB**, more options are able to be requested:

- Hours of operation up to **6am-2am**
- Live/amplified music, DJ, dancing, performances
- Occupancy is not further limited beyond building permit
- Private events may be held

Additional outreach to neighborhood councils, council offices, police departments and nearby residents are thus required.

Cost Comparison

RBP current estimated filing costs:

- \$6,200.43 in City filing fees
- \$3,500 consultant fee (est.)
- No additional notification/effectuation fees

CUB current estimated filing costs:

- \$14,173.29 City filing fees
- \$8,500 optional fee for expedited filing
- \$8,500 consultant fee (est.)
- \$2,500 (estimated) public notification fees
- \$6,200.43 post-approval City effectuation fees
- \$1,000 post approval consultant effectuation fee

RBP and **CUB** approvals can include either Beer & Wine (Type 41) OR Full-line alcohol (Type 47) sales. Both require site/floor plans and a sample menu. Menu and kitchen plans need not be finalized. Any encroachment (e.g. outdoor dining) on public right of way will require a revocable permit.

For more information on **RBP** and **CUB** requirements, visit <https://planning.lacity.org/restaurant-beverage-program> or contact Ivan Taylor at Zenith Platform, ivan@zenithplatform.com.