

Communication from Public

Name: Eddie Navarrette
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Council File No: 20-0380-S1
Comments for Public Posting: Please see attached letter.



Via Email

November 5, 2020

Department of City Planning

Andrew Pennington, City Planning Assistant
200 N. Spring St., Room 720
Los Angeles, CA, 90012

Re: CPC-2020-4926-CA (Local Emergency Code Amendment – Targeted Small Business Relief)

Dear Mr. Pennington:

The Independent Hospitality Coalition (IHC) represents over 450 members made up of local food service business operators and employees within the Los Angeles area. We were created to provide a voice and representation for our workforce and essential businesses that are engrained in Los Angeles' local economy.

We are writing in support of **Case No. CPC-2020-4926-CA** and **Council File: 20-0380-S1**, which is being heard at the Planning Commission meeting on Monday, November 9th at 1:30 PM. The proposed emergency ordinance would: (1) extend all expiring CUPs for 12 months after expiration of the Emergency Declaration; (2) suspend any requirement that a business provide additional parking in connection with a change of use in an existing structure during the 12 months after the Emergency Declaration; and (3) suspend any condition requiring a business to provide off-site or valet parking for a period of 6 months after the expiration of the Emergency Declaration. **We cannot emphasize enough the importance of this ordinance to help keep our restaurants open and thriving, which not only provides employment for thousands of City residents, but provides much needed tax dollars for the City.**

The restaurant and hospitality industry has been decimated by the COVID-19 virus. The number of jobs expected to evaporate from the independent hospitality industry, including restaurants, is astronomical, and will make a negative impact in the years ahead while the industry recovers from the devastating impacts on the virus. As independent small businesses, we don't have access to financing and funding for support like other large businesses have the ability to do.

IHC supports this emergency ordinance because it allows small local businesses greater flexibility to operate during these unprecedented times. Parking has always

been a major hurdle for restaurants, adding months of rent to pile up while officials and architects decipher parking math problems. We don't know when our customers feel comfortable to dine indoors again, but **we need the help now**. The Emergency Parking Ordinance will provide restaurants the ability to rebound from the impacts of COVID-19 and encourage operators to add additional square feet or patio seating temporarily to safely serve more patrons and hopefully survive the pandemic. This ordinance also will help reduce the burden on staff to decipher parking requirements for restaurants, and unpermitted sit down restaurants challenged by parking requirements can finally legalize themselves capturing more revenue for the City and the operator.

Based on our knowledge and experience of the industry, we would like to suggest a few changes that we hope will be considered in the final version of the ordinance to be approved by the City Planning Commission. IHC's recommendations include:

1. Include basements in the area where a change of use can occur.

Basements are under-utilized because they are permitted for storage or another use with a low parking requirement, and the change of use would require too much parking. By explicitly referencing basements, the ordinance's language is clear that these areas can be part of the change of use.

2. Include new patio areas.

"Outdoor Dining" allows a patio to be any size, and it does not trigger required parking or new floor area if the patio is uncovered. Conversely, "Outdoor Eating Areas" can be covered or uncovered, but they cannot be larger than 50% of the dining area of the ground floor restaurant. If they exceed this threshold then parking is required. "Outdoor Eating Areas" also require a restaurant to have indoor seating in order to provide outdoor seating, which isn't always feasible for small restaurants. The two conflicting codes create confusion and prevent the expansion of patios at restaurants around the city. Los Angeles is ideally suited for patio dining, and many restaurants have significantly expanded their patio areas through the LA AI Fresco program. This amendment to the ordinance would allow more restaurants to be able to legalize and maintain patios that they have built as part of the LA AI Fresco program, and would allow restaurants to provide more patio seating in the long-term.

3. Redefine what qualifies as "existing" required parking.

A change of use requires that all existing parking be maintained, even if there is no new required parking. The way that LADBS has interpreted this requirement is very strict. If there is a parking area shown anywhere on any building permit, it is viewed as existing parking – even if it is not actually listed anywhere as required parking. As a result, properties that do not have any actual required parking are being burdened with continuing to maintain existing unrequired parking. This in turn prevents them from being able to use open space on their property for outdoor dining, an addition to their property, or even to provide parking required for an expansion or change of use. Often these parking areas are substandard and it becomes logistically difficult to match an old site plan which may have

been drawn by hand without a ruler. It would be a much more fair interpretation of “existing” parking if only existing required parking had to be maintained.

Thank you for the hard work you and your staff have invested in this ordinance and thank you for considering our recommended changes. This ordinance provides small businesses the opportunity to keep our restaurants open and viable, which supports jobs and brings economic vitality to the City. We truly appreciate your efforts to ensure we can continue to safely serve Los Angeles residents. We hope you will continue to recognize that and support the thousands of restaurants struggling to make it through this pandemic.

If you have any questions or would like more information, please do not hesitate to reach out to me directly at Eddie Navarrette 213-687-6963, ext. 101.

Thank you,

A handwritten signature in black ink, appearing to read 'Eddie Navarrette', with a stylized flourish at the end.

Eddie Navarrette
IHC Advocacy Committee Chair
eddie@fedesignandconsulting.com

About IHC

The Independent Hospitality Coalition (IHC) is a coalition of California hospitality workers whose purpose is to provide representation for our growing workforce and essential businesses, creating awareness of our role in the economic fabric of society. Our mission is to have a seat at the table to help shape policy and legitimize our crucial impact on communities and cities throughout California. More information can be found here:

<https://www.independenthospitality.org/>