



## PUBLIC PARTICIPATION NOTICE

Public Participation Accessibility for the Adjourned Meeting of the Paramount Planning Commission scheduled for **August 23, 2023**.

### **In-person Attendance:**

The public may attend the Planning Commission meeting in-person.

### **Public Comments:**

Members of the public wanting to address the Planning Commission, either during public comments or for a specific agenda item, or both, may do so by the following methods:

- **In-Person**

If you wish to make a statement, please complete a Speaker's Card prior to the commencement of the Public Comments period of the meeting. Speaker's Cards are located at the entrance. Give your completed card to a staff member and when your name is called, please go to the podium provided for the public.

- **E-mail: [planning@paramountcity.com](mailto:planning@paramountcity.com)**

E-mail public comments must be received by **5:00 p.m. on Wednesday, August 23, 2023**. The e-mail must specify the following information: 1) Full Name; 2) City of Residence; 3) Phone Number; 4) Public Comment or Agenda Item Number; 5) Subject; 6) Written Comments.

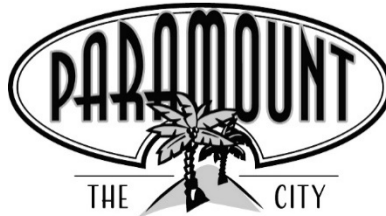
- **Teleconference: (562) 220-2036**

Participants wishing to address the Planning Commission by teleconference should call City Hall at **(562) 220-2036** by **5:00 p.m. on Wednesday, August 23, 2023** and provide the following information: 1) Full Name; 2) City of Residence; 3) Phone Number; 4) Public Comment or Agenda Item Number; 5) Subject. Teleconference participants will be called back during the Planning Commission meeting on speaker phone to provide their comments.

All public comments are limited to a maximum of three minutes unless an extension is granted. Please be mindful that the meeting will be recorded as any other person is recorded when appearing before the Planning Commission, and all other rules of procedure and decorum will apply when addressing the Planning Commission by teleconference.

# AGENDA

Paramount Planning Commission  
August 23, 2023



*Safe, Healthy, and Attractive*

Adjourned Meeting  
City Hall Council Chambers  
6:00 p.m.

City of Paramount

16400 Colorado Avenue ♦ Paramount, CA 90723 ♦ (562) 220-2000 ♦ [www.paramountcity.com](http://www.paramountcity.com)

**Public Comments:** If you wish to make a statement, please complete a Speaker's Card prior to the commencement of the Public Comments period of the meeting. Speaker's Cards are located at the entrance. Give your completed card to a staff member and when your name is called, please go to the rostrum provided for the public. Persons are limited to a maximum of three (3) minutes unless an extension of time is granted. No action may be taken on items not on the agenda except as provided by law.

**Americans with Disabilities Act:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (562) 220-2220 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**Note:** Agenda items are on file in the Planning Department office and are available for public inspection during normal business hours. Materials related to an item on this Agenda submitted after distribution of the agenda packet are also available for public inspection during normal business hours in the Planning Department office. The Planning Department office is located at City Hall, 16400 Colorado Avenue, Paramount.

## Notes

CALL TO ORDER:	Chair Gordon Weisenburger
PLEDGE OF ALLEGIANCE:	Chair Gordon Weisenburger
ROLL CALL OF MEMBERS:	Commissioner Javier Gonzalez Commissioner David Moody Commissioner Linda Timmons Vice Chair Ernie Esparza Chair Gordon Weisenburger

## PUBLIC COMMENTS

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## NEW BUSINESS

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### PUBLIC HEARINGS

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1. [CONDITIONAL USE  
PERMIT NO. 943](#) A request by Jose J. Perez/Casa Adelita to extend customer seating at an existing restaurant to an outdoor seating area at 8063 Alondra Boulevard in the C-3 (General Commercial) zone. This project is a Class 1 (existing facilities) Categorical Exemption pursuant to Article 19, Section 15301 of California Environmental Quality Act (CEQA) Guidelines
2. [CONDITIONAL USE  
PERMIT NO. 944](#) A request by Casa Gamino to extend customer seating at an existing restaurant to an outdoor seating area at 8330 Alondra Boulevard in the C-3 (General Commercial) zone. This project is a Class 1 (existing facilities) Categorical Exemption pursuant to Article 19, Section 15301 of California Environmental Quality Act (CEQA) Guidelines
3. [CONDITIONAL USE  
PERMIT NO. 945](#) A request by El Tapatio Restaurant & Grill, LLC to modify an existing outdoor customer seating area at an existing restaurant at 7528 Rosecarns Avenue, Suite B in the PD-PS (Planned Development with Performance Standards) zone. This project is a Class 1 (existing facilities) Categorical Exemption pursuant to Article 19, Section 15301 of California Environmental Quality Act (CEQA) Guidelines

## COMMENTS

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4. [COMMENTS](#)
- City Attorney
  - Commissioners
  - Staff

## ADJOURNMENT

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To a meeting on September 6, 2023 at 6:00 p.m.

AUGUST 23, 2023

PUBLIC HEARING

CONDITIONAL USE PERMIT NO. 943

- A. HEAR STAFF REPORT.
- B. OPEN THE PUBLIC HEARING.
- C. HEAR TESTIMONY IN THE FOLLOWING ORDER:
  - (1) THOSE IN FAVOR
  - (2) THOSE OPPOSED
  - (3) REBUTTAL BY THE APPLICANT
- D. MOTION TO CLOSE THE PUBLIC HEARING.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[ ] APPROVED	ABSENT: _____
[ ] DENIED	ABSTAIN: _____

- E. MOTION IN ORDER:  
READ BY TITLE ONLY, WAIVE FURTHER READING AND ADOPT  
PLANNING COMMISSION RESOLUTION NO. PC 23:027, APPROVING  
A REQUEST BY JOSE J. PEREZ/CASA ADELITA, TO EXTEND  
CUSTOMER SEATING AT AN EXISTING RESTAURANT TO AN  
OUTDOOR SEATING AREA AT 8063 ALONDRA BOULEVARD IN THE  
C-3 (GENERAL COMMERCIAL) ZONE.

CONTINUED... PLEASE TURN PAGE

MOTION:

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

[ ] APPROVED

[ ] DENIED

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_



## **CITY OF PARAMOUNT PLANNING DEPARTMENT STAFF REPORT SUMMARY**

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<b>PROJECT NUMBER:</b>	<b>Conditional Use Permit No. 943</b>
<b>REQUEST:</b>	<b>Extend customer seating at an existing restaurant to an outdoor seating area</b>
<b>APPLICANT:</b>	<b>Jose J. Perez/Casa Adelita</b>
<b>MEETING DATE:</b>	<b>August 23, 2023</b>
<b>LOCATION:</b>	<b>8063 Alondra Boulevard</b>
<b>ZONE:</b>	<b>C-3 (General Commercial)</b>
<b>GENERAL PLAN:</b>	<b>Central Business District</b>
<b>PROJECT MGR/PLANNER:</b>	<b>Kevin Chun/John King</b>
<b>RECOMMENDATION:</b>	<b>Approval</b>



**To:** Honorable Planning Commission  
**From:** John Carver, Planning Director  
**By:** Kevin Chun, Special Projects Manager  
John King, AICP, Assistant Planning Director  
**Date:** August 23, 2023

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**Subject: CONDITIONAL USE PERMIT NO. 943  
JOSE J. PEREZ/CASA ADELITA**

## **BACKGROUND**

### **Request**

This application is a request by Jose J. Perez/Casa Adelita to extend customer seating at an existing restaurant to an outdoor seating area at 8063 Alondra Boulevard in the C-3 (General Commercial) zone. The property is located on the northwest corner of Alondra Boulevard and Orizaba Avenue. The 29,938 square foot site is developed with a standalone 5,167 square foot restaurant.

The Development Review Board will review Development Review Application No. 23:010, a request to install an outdoor customer seating area at an existing restaurant, at its meeting later this evening.

### **Existing Approval**

Casa Adelita has operated at the present location since 2005 following Planning Commission approval of Conditional Use Permit No. 572 for a 110-seat restaurant. The restaurant is authorized to serve beer, wine, and distilled spirits for onsite consumption with approved Conditional Use Permit No. 578 and maintains a "Type 47" license with the California Department of Alcoholic Beverage Control.

The Planning Commission approved an amendment to Conditional Use Permit No. 572 in 2013 to allow extended hours of operation from 8:00 a.m. to 11:00 p.m. on Sundays through Thursdays and 8:00 a.m. to 12:00 a.m. on Fridays and Saturdays.

On February 20, 2014, Planning Department staff approved Administrative Action No. 1752, which allowed construction of a 213 square foot addition to the 4,954 square foot restaurant building. The resulting remodel retained the 110 customer seats.



The City Council approved a City Council Permit for live entertainment (live music and karaoke) in 2010, and the City Council approved amendments to the approved live entertainment in 2010 and 2017. The current City Council Permit allows a combination of hosted karaoke and mariachi performers from 6:00 p.m. to 11:00 p.m. on Thursdays, 6:00 p.m. to 12:00 a.m. on Fridays, 12:00 p.m. to 12:00 a.m. on Saturdays, 12:00 p.m. to 11:00 p.m. on Sundays, and 6:00 p.m. to 12:00 a.m. on the same special dates (holidays, restaurant anniversary, birthday of one of the owners) throughout the year.

### **Al Fresco Dining Program**

The applicant is participating in the Al Fresco Dining Program. In 2020 at the height of the COVID-19 pandemic, the City Council approved a temporary outdoor dining program which the Planning Department implemented as Paramount Al Fresco. Casa Adelita maintained outdoor dining in the parking lot during that time with City authorization. By 2022 with health protocols changing and the public eager to return to a choice of indoor and outdoor dining options, the City Council allocated American Rescue Plan Act (ARPA) funds toward the design and construction of outdoor dining areas. The program is designed to benefit small businesses, which are more vulnerable to changes to public health protocols.

### **DESCRIPTION**

A 424 square foot decorative outdoor seating area is proposed for a landscaped area to the west of the existing restaurant and toward the front of the Alondra Boulevard side of the property. The seating area will accommodate 24 customer seats and comply with Americans with Disabilities Act (ADA) requirements. A steel planter and cable rail fencing will surround the perimeter of the seating area. The surface will be poured-in-place concrete paving with a graphical pattern finish. A covered structure supported by six posts will provide shade to diners. The seating area will be accessed from a nearby door along the west side of the building. The existing drive-through area will not interfere with the proposed outdoor seating area. Outdoor music will not be permitted.

### **Photos**

Below is a photo looking north at the subject building. The approximate project area is circled in blue.



The following is an aerial photograph of the subject property. The approximate project area is circled in blue.

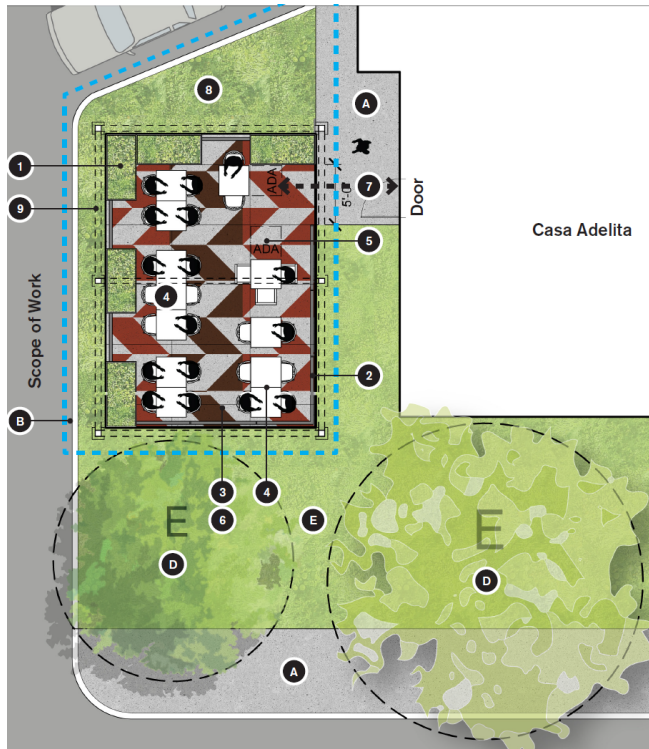


## Plan

Below is a rendering of the outdoor seating area.



Below is a conceptual plan.



## Analysis

The proposed restaurant patio is located in an appropriate zone. The location is adequate in size and location for the proposed business. As outdoor music will not be permitted and given the 160-foot distance from the proposed dining area and the residential property to the north, noise impacts will be minimal.

## Environmental Assessment

This project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Section 15301, Class 1 Categorical Exemption – minor alteration not involving substantial expansion.

## FISCAL IMPACT

There is no fiscal impact for the conditional use permit. However, small business assistance funding for design and construction for the AI Fresco Dining Program is included in the adopted Fiscal Year 2024 budget.

## **VISION, MISSION, VALUES, AND STRATEGIC OUTCOMES**

The City's Vision, Mission, and Values set the standard for the organization; establish priorities, uniformity, and guidelines; and provide the framework for policy decisionmaking. The Strategic Outcomes were implemented to provide a pathway to achieving the Vision of a city that is safe, healthy, and attractive. This item aligns with Strategic Outcomes No. 1: Safe Community and No. 3: Economic Health.

## **RECOMMENDED ACTION**

It is recommended that the Planning Commission read by title only, waive further reading, and adopt Resolution No. PC 23:027, approving Conditional Use Permit No. 943, subject to the following conditions:

1. Except as set forth in conditions, development shall take place substantially as shown on the approved site plan. Any material deviation must be approved by the Planning Department before construction.
2. This Conditional Use Permit shall not be effective for any purposes until the applicant has first filed at the office of the Planning Commission a sworn affidavit acknowledging and accepting all conditions of this Conditional Use Permit. The affidavit shall be submitted by Friday, September 8, 2023. Failure to provide the City of Paramount with the requisite affidavit within the stated here in above shall render the Conditional Use Permit void.
3. All Conditional Use Permit No. 943 conditions of approval shall be included as general notes on all submitted sets of building plans.
4. This approval is valid for a period of one year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
5. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated, and the privileges granted hereunder shall lapse.
6. It is further declared and made a condition of this Conditional Use Permit that if any condition hereof is violated or if any law, statute, or ordinance is violated, the exception shall be suspended, and the privileges granted hereunder shall lapse, provided that the applicant has been given written notice to cease such violation and has failed to do so within thirty (30) days of receipt of said notification.

7. The applicant understands that an Unclassified Use Permit, Conditional Use Permit, and/or Variance granted under the Zoning Ordinance, or any section thereof, is granted and accepted by all parties with the express understanding that the Planning Commission may hold a public hearing, notice of time and place of which shall be given to the applicant, if one or more of the following conditions exists:
  - a) That the approval was obtained by fraud;
  - b) That the need for which such approval was granted has ceased to exist or has been suspended for one year or more;
  - c) That the Unclassified Use Permit, Conditional Use Permit, and/or Variance is being, or recently has been, exercised contrary to the terms or conditions of such approval or in violation of any statute, provision of the Code, ordinance, law, or regulation;
  - d) That the need for which the approval was granted was so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance (Section 17.48.070, Paramount Municipal Code).

If after such hearing, the Planning Commission finds that any grounds for modification, suspension, or revocation exist, the Planning Commission may modify, suspend, or revoke such Unclassified Use Permit, Conditional Use Permit, and/or Variance.

8. All applicable development fees are due prior to the issuance of building permits.
9. The applicant shall comply with all conditions of approval from Conditional Use Permit No. 572, Conditional Use Permit No. 578, the City Council Permit for Live Entertainment, Administrative Action No. 1752, and Development Review Application No. 23:010.
10. All required permits and licenses from all relevant regulating bodies shall be valid at all times. A copy of all licenses, permits, and conditions shall be posted and maintained in a place conspicuous and readable by all employees and customers of the business.
11. No exterior structural alteration or building color change, other than the colors or building treatments originally approved, shall be permitted without the prior approval of the Planning Department.
12. The installation of exterior window security bars, security door, and security gates is prohibited in accordance with Section 17.24.070(C) of the Paramount Municipal Code.
13. The applicant shall maintain sufficient quantities of matching exterior paint to remove graffiti, blemishes, and peeling paint.

14. Tarps are prohibited from use as carports, patio covers, shade covers, and covers for outdoor storage in all front and side setback areas, rear yard areas, over driveways, and in parking and circulation areas.
15. The applicant and all successor tenants shall obtain and maintain a current City of Paramount business license.
16. The business hours of operation of the interior of the restaurant shall be limited to 8:00 a.m. to 11:00 p.m. on Sundays through Thursdays and 8:00 a.m. to 12:00 a.m. on Fridays and Saturdays. Outdoor customer dining shall be limited to 8:00 a.m. to 10:00 p.m., all days of a week.
17. Special events, including but not limited to events produced or administered by independent promoters, shall be reviewed in accordance with Special Event Permit regulations by the Planning Department. The applicant shall submit a Special Event Permit application at least two weeks in advance of a proposed event.
18. The trash enclosure shall be cleaned and refurbished as needed and maintained in good condition.
19. The approved floor plan shall not be changed without prior approval by the Planning Department.
20. It shall be unlawful for any person, who is intoxicated, or under the influence of any drug, to enter, be at, or remain upon the licensed premises as set forth in Section 25602(a) of the California Business and Professions Code.
21. No outside loitering or consumption of alcoholic beverages beyond the outdoor patio area shall be allowed on the premises, and a sign to this effect shall be posted. A professionally fabricated sign indicating as such shall continue to be posted.
22. The applicant and/or any employees shall not sell, furnish, or give any alcoholic beverage to any person under 21 years of age, as set forth in Section 25658(a) of the California Business and Professions Code.
23. The approved floor plan shall not be changed without prior approval by the Planning Department and the Los Angeles County Sheriff's Department.
24. All employees shall possess at the site a valid driver license or identification card issued by the California Department of Motor Vehicles. All employees shall present such identification upon demand by any regulatory official.
25. Hookah tobacco use is prohibited.



26. Live entertainment, including but not limited to karaoke, musicians, and disc jockeys, is prohibited in the outdoor patio area. Future consideration of outdoor live entertainment would require separate review and approval by the City Council.
27. All alcoholic beverages purchased on the subject site shall be consumed within the business establishment premises.
28. The Public Safety Department and Planning Department shall review and approve the security camera locations and orientations, including comprehensive camera views of the establishment interior, exterior, and parking lot. The approved cameras or more technologically advanced versions of the approved cameras shall be maintained in perpetuity. In the event of an incident and upon request, the business owners shall allow unimpeded inspection of the security camera system to Sheriff's Department and City of Paramount personnel.
29. A sufficient amount of lighting, as determined by the Planning Department and the Public Safety Department, shall illuminate the premises. New light fixtures as needed shall be reviewed and approved by the Planning Department for their decorative quality and location, and permits shall be obtained.
30. The applicant shall comply with all relevant labor laws and regulations of the Division of Labor Standards Enforcement of the California Department of Industrial Relations and the Division of Occupational Safety and Health (Cal/OSHA).
31. In the ongoing business operations, the applicant shall comply with all relevant federal, state, and local laws and regulations of all relevant government agencies, including but not limited to (1) the Los Angeles County Fire Department, (2) the Industrial Waste Unit of the Los Angeles County Department of Public Works (3) the South Coast Air Quality Management District, and (4) the California Department of Resources Recycling and Recovery (CalRecycle).
32. In the ongoing business operations, the applicant shall comply with the Noise Ordinance (Chapter 9.12 of the Paramount Municipal Code).
33. The business shall comply with organic waste disposal requirements of Chapter 13.09 of the Paramount Municipal Code.
34. Signs, banners, and feather flags require separate review and approval by the Planning Department prior to fabrication and installation. Damage to the building exterior from wall signs that have been removed shall be repainted and repaired as needed.
35. Window sign area shall be limited to forty percent of each grouping of adjacent panes of glass.

36. The applicant shall comply with Chapter 8.20 (Urban Stormwater Management) of the Paramount Municipal Code. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, the parking lot, and the surrounding property perimeter. The parking lot shall be completely swept and maintained free of debris and litter on each day the restaurant is open for business to the public. Areas adjacent to a parking lot, including, but not limited to, planters, loading and unloading areas, and surrounding public rights-of-way shall be maintained free of debris and litter by sweeping and other equally effective measures. Such debris and litter shall be collected and properly disposed of in compliance with all applicable local, State, and Federal regulations.
37. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, and the surrounding property perimeter.
38. The applicant must obtain relevant permits from all relevant agencies, including the Building and Safety Division, Los Angeles County Department of Public Health, and the California Department of Alcoholic Beverage Control (ABC).
39. Future tenant improvements and other construction shall meet all requirements of the Building and Safety Division.
40. The applicant shall provide documentation to the Planning Department confirming the California Department of Alcohol Beverage Control authorization for the sale of beer and wine for onsite consumption within the new outdoor patio area.
41. The outdoor seating area is limited to 24 customer seats.
42. The outdoor seating area shall comply with Americans with Disabilities Act (ADA) requirements.
43. The landscaping in the planters adjoining the outdoor seating area shall be maintained in healthy, thriving condition perpetuity. Weeds shall be regularly removed.
44. The outdoor dining area shall be regularly cleaned in accordance with Los Angeles County Department of Public Health requirements.
45. The outdoor dining area shall be secured at night to prevent trespassers and vandalism.
46. All requirements of the Al Fresco Dining Program shall be met.
47. An electronic copy (PDF format) of the plans shall be submitted to the Planning Department prior to permit issuance.



48. At the completion of the project, final approval from the Planning Division shall be obtained. All conditions of approval shall be met prior to final approval by the Planning Division.

CITY OF PARAMOUNT  
LOS ANGELES COUNTY, CALIFORNIA

**PLANNING COMMISSION  
RESOLUTION NO. PC 23:027**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT SETTING FORTH ITS FINDINGS OF FACT AND DECISION RELATIVE TO CONDITIONAL USE PERMIT NO. 943, A REQUEST BY JOSE J. PEREZ/CASA ADELITA TO EXTEND CUSTOMER SEATING AT AN EXISTING RESTAURANT TO AN OUTDOOR SEATING AREA AT 8063 ALONDRA BOULEVARD IN THE C-3 (GENERAL COMMERCIAL) ZONE

WHEREAS, the Planning Commission of the City of Paramount has received an application from Jose J. Perez/Casa Adelita for a conditional use permit (CUP) to extend customer seating at an existing restaurant to an outdoor seating area at 8063 Alondra Boulevard in the C-3 (General Commercial) zone; and

WHEREAS, Ordinance No. 178, the Zoning Ordinance of the City of Paramount, requires the Planning Commission to announce its findings and decisions in zoning matters; and

WHEREAS, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Section 15301, Class 1 Categorical Exemption – minor alteration to an existing private structure.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT AS FOLLOWS:

**SECTION 1.** The above recitations are true and correct.

**SECTION 2.** The Planning Commission finds that it has conducted all the public hearings necessary and in compliance with State Law and the Municipal Code of the City of Paramount.

**SECTION 3.** The Planning Commission finds that all requirements of notice have been complied with pursuant to State Law and the Municipal Code.

**SECTION 4.** The Planning Commission finds that the evidence presented does justify the granting of this application for the following reasons:

1. The requested use at the location proposed will not:
  - a. Adversely affect the health, peace, safety or welfare of persons residing or working in the surrounding area;
  - b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; nor

- c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this chapter, or as is otherwise required in order to integrate such use with the uses in the surrounding area; and
3. That the proposed site is adequately served:
  - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
  - b. By other public or private service facilities as are required.

**SECTION 5.** That pursuant to Resolution No. 82:043 of the City Council the time limit to seek judicial review pursuant to California Code of Civil Procedure is ninety (90) days from the date hereof.

**SECTION 6.** The Planning Commission hereby approves the applied for Conditional Use Permit as to use in the above entitled matter, subject to the following conditions:

1. Except as set forth in conditions, development shall take place as shown on the approved site plans and elevations. Any material deviation must be approved by the Planning Department before construction.
2. This Conditional Use Permit shall not be effective for any purposes until the applicant has first filed at the office of the Planning Commission a sworn affidavit acknowledging and accepting all conditions of this Conditional Use Permit. The affidavit shall be submitted by Friday, September 8, 2023. Failure to provide the City of Paramount with the requisite affidavit within the stated here in above shall render the Conditional Use Permit void.
3. All Conditional Use Permit No. 943 conditions of approval shall be included as general notes on all submitted sets of building plans.
4. This approval is valid for a period of one year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
5. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated, and the privileges granted hereunder shall lapse.

6. It is further declared and made a condition of this Conditional Use Permit that if any condition hereof is violated or if any law, statute, or ordinance is violated, the exception shall be suspended, and the privileges granted hereunder shall lapse, provided that the applicant has been given written notice to cease such violation and has failed to do so within thirty (30) days of receipt of said notification.
7. The applicant understands that an Unclassified Use Permit, Conditional Use Permit, and/or Variance granted under the Zoning Ordinance, or any section thereof, is granted and accepted by all parties with the express understanding that the Planning Commission may hold a public hearing, notice of time and place of which shall be given to the applicant, if one or more of the following conditions exists:
  - a) That the approval was obtained by fraud;
  - b) That the need for which such approval was granted has ceased to exist or has been suspended for one year or more;
  - c) That the Unclassified Use Permit, Conditional Use Permit, and/or Variance is being, or recently has been, exercised contrary to the terms or conditions of such approval or in violation of any statute, provision of the Code, ordinance, law, or regulation;
  - d) That the need for which the approval was granted was so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance (Section 17.48.070, Paramount Municipal Code).

If after such hearing, the Planning Commission finds that any grounds for modification, suspension, or revocation exist, the Planning Commission may modify, suspend, or revoke such Unclassified Use Permit, Conditional Use Permit, and/or Variance.

8. All applicable development fees are due prior to the issuance of building permits.
9. The applicant shall comply with all conditions of approval from Conditional Use Permit No. 572, Conditional Use Permit No. 578, the City Council Permit for Live Entertainment, Administrative Action No. 1752, and Development Review Application No. 23:010.
10. All required permits and licenses from all relevant regulating bodies shall be valid at all times. A copy of all licenses, permits, and conditions shall be posted and maintained in a place conspicuous and readable by all employees and customers of the business.

11. No exterior structural alteration or building color change, other than the colors or building treatments originally approved, shall be permitted without the prior approval of the Planning Department.
12. The installation of exterior window security bars, security door, and security gates is prohibited in accordance with Section 17.24.070(C) of the Paramount Municipal Code.
13. The applicant shall maintain sufficient quantities of matching exterior paint to remove graffiti, blemishes, and peeling paint.
14. Tarps are prohibited from use as carports, patio covers, shade covers, and covers for outdoor storage in all front and side setback areas, rear yard areas, over driveways, and in parking and circulation areas.
15. The applicant and all successor tenants shall obtain and maintain a current City of Paramount business license.
16. The business hours of operation of the interior of the restaurant shall be limited to 8:00 a.m. to 11:00 p.m. on Sundays through Thursdays and 8:00 a.m. to 12:00 a.m. on Fridays and Saturdays. Outdoor customer dining shall be limited to 8:00 a.m. to 10:00 p.m., all days of a week.
17. Special events, including but not limited to events produced or administered by independent promoters, shall be reviewed in accordance with Special Event Permit regulations by the Planning Department. The applicant shall submit a Special Event Permit application at least two weeks in advance of a proposed event.
18. The trash enclosure shall be cleaned and refurbished as needed and maintained in good condition.
19. The approved floor plan shall not be changed without prior approval by the Planning Department.
20. It shall be unlawful for any person, who is intoxicated, or under the influence of any drug, to enter, be at, or remain upon the licensed premises as set forth in Section 25602(a) of the California Business and Professions Code.
21. No outside loitering or consumption of alcoholic beverages beyond the outdoor patio area shall be allowed on the premises, and a sign to this effect shall be posted. A professionally fabricated sign indicating as such shall continue to be posted.
22. The applicant and/or any employees shall not sell, furnish, or give any alcoholic beverage to any person under 21 years of age, as set forth in Section 25658(a) of the California Business and Professions Code.

23. The approved floor plan shall not be changed without prior approval by the Planning Department and the Los Angeles County Sheriff's Department.
24. All employees shall possess at the site a valid driver license or identification card issued by the California Department of Motor Vehicles. All employees shall present such identification upon demand by any regulatory official.
25. Hookah tobacco use is prohibited.
26. Live entertainment, including but not limited to karaoke, musicians, and disc jockeys, is prohibited in the outdoor patio area. Future consideration of outdoor live entertainment would require separate review and approval by the City Council.
27. All alcoholic beverages purchased on the subject site shall be consumed within the business establishment premises.
28. The Public Safety Department and Planning Department shall review and approve the security camera locations and orientations, including comprehensive camera views of the establishment interior, exterior, and parking lot. The approved cameras or more technologically advanced versions of the approved cameras shall be maintained in perpetuity. In the event of an incident and upon request, the business owners shall allow unimpeded inspection of the security camera system to Sheriff's Department and City of Paramount personnel.
29. A sufficient amount of lighting, as determined by the Planning Department and the Public Safety Department, shall illuminate the premises. New light fixtures as needed shall be reviewed and approved by the Planning Department for their decorative quality and location, and permits shall be obtained.
30. The applicant shall comply with all relevant labor laws and regulations of the Division of Labor Standards Enforcement of the California Department of Industrial Relations and the Division of Occupational Safety and Health (Cal/OSHA).
31. In the ongoing business operations, the applicant shall comply with all relevant federal, state, and local laws and regulations of all relevant government agencies, including but not limited to (1) the Los Angeles County Fire Department, (2) the Industrial Waste Unit of the Los Angeles County Department of Public Works (3) the South Coast Air Quality Management District, and (4) the California Department of Resources Recycling and Recovery (CalRecycle).

32. In the ongoing business operations, the applicant shall comply with the Noise Ordinance (Chapter 9.12 of the Paramount Municipal Code).
33. The business shall comply with organic waste disposal requirements of Chapter 13.09 of the Paramount Municipal Code.
34. Signs, banners, and feather flags require separate review and approval by the Planning Department prior to fabrication and installation. Damage to the building exterior from wall signs that have been removed shall be repainted and repaired as needed.
35. Window sign area shall be limited to forty percent of each grouping of adjacent panes of glass.
36. The applicant shall comply with Chapter 8.20 (Urban Stormwater Management) of the Paramount Municipal Code. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, the parking lot, and the surrounding property perimeter. The parking lot shall be completely swept and maintained free of debris and litter on each day the restaurant is open for business to the public. Areas adjacent to a parking lot, including, but not limited to, planters, loading and unloading areas, and surrounding public rights-of-way shall be maintained free of debris and litter by sweeping and other equally effective measures. Such debris and litter shall be collected and properly disposed of in compliance with all applicable local, State, and Federal regulations.
37. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, and the surrounding property perimeter.
38. The applicant must obtain relevant permits from all relevant agencies, including the Building and Safety Division, Los Angeles County Department of Public Health, and the California Department of Alcoholic Beverage Control (ABC).
39. Future tenant improvements and other construction shall meet all requirements of the Building and Safety Division.
40. The applicant shall provide documentation to the Planning Department confirming the California Department of Alcohol Beverage Control authorization for the sale of beer and wine for onsite consumption within the new outdoor patio area.
41. The outdoor seating area is limited to 24 customer seats.
42. The outdoor seating area shall comply with Americans with Disabilities Act (ADA) requirements.

43. The landscaping in the planters adjoining the outdoor seating area shall be maintained in healthy, thriving condition perpetuity. Weeds shall be regularly removed.
44. The outdoor dining area shall be regularly cleaned in accordance with Los Angeles County Department of Public Health requirements.
45. The outdoor dining area shall be secured at night to prevent trespassers and vandalism.
46. All requirements of the Al Fresco Dining Program shall be met.
47. An electronic copy (PDF format) of the plans shall be submitted to the Planning Department prior to permit issuance.
48. At the completion of the project, final approval from the Planning Division shall be obtained. All conditions of approval shall be met prior to final approval by the Planning Division.

**SECTION 7.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this 23rd day of August 2023.

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Gordon Weisenburger, Chair

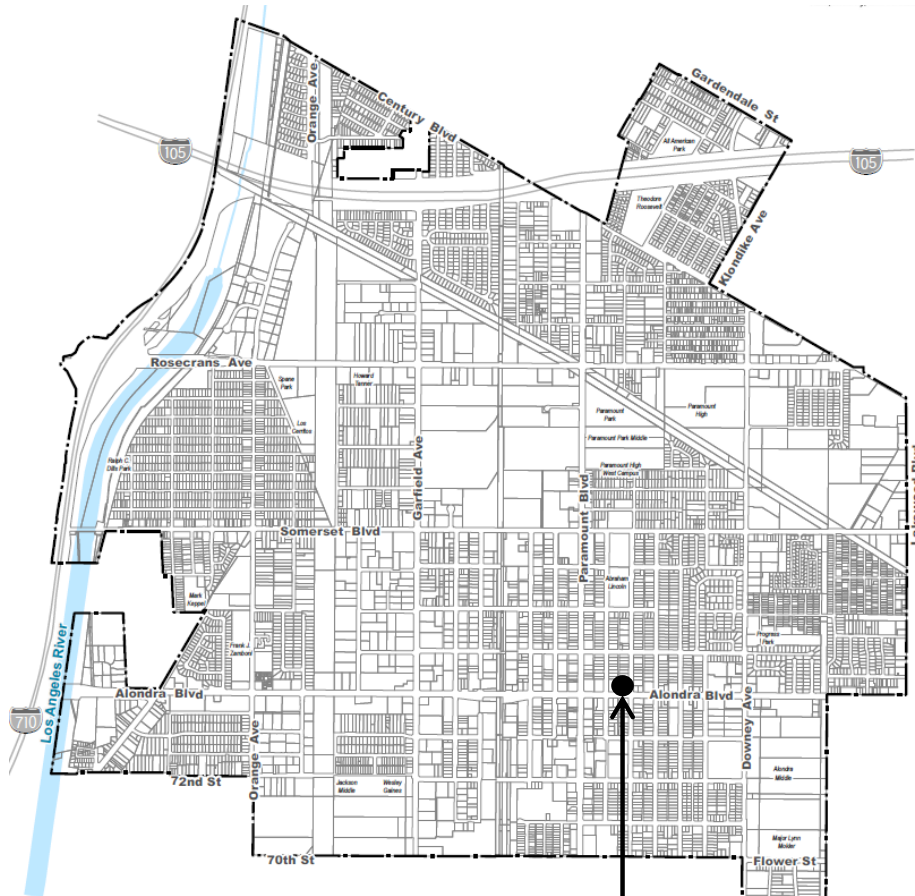
Attest:

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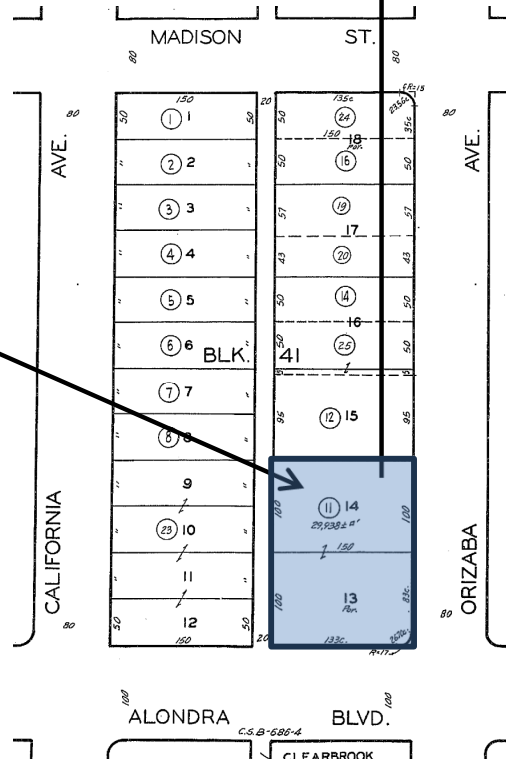
Valerie Zaragoza, Administrative Assistant



# Conditional Use Permit No. 943



Subject  
Property



8063 Alondra Blvd.

AUGUST 23, 2023

PUBLIC HEARING

CONDITIONAL USE PERMIT NO. 944

- A. HEAR STAFF REPORT.
- B. OPEN THE PUBLIC HEARING.
- C. HEAR TESTIMONY IN THE FOLLOWING ORDER:
  - (1) THOSE IN FAVOR
  - (2) THOSE OPPOSED
  - (3) REBUTTAL BY THE APPLICANT
- D. MOTION TO CLOSE THE PUBLIC HEARING.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[ ] APPROVED	ABSENT: _____
[ ] DENIED	ABSTAIN: _____

- E. MOTION IN ORDER:  
READ BY TITLE ONLY, WAIVE FURTHER READING AND ADOPT  
PLANNING COMMISSION RESOLUTION NO. PC 23:028, APPROVING  
A REQUEST BY GLORA M. GAMINO/CASA GAMINO FAMILY  
RESTAURANT, INC., TO EXTEND CUSTOMER SEATING AT AN  
EXISTING RESTAURANT TO AN OUTDOOR SEATING AREA AT 8330  
ALONDRA BOULEVARD IN THE C-3 (GENERAL COMMERCIAL)  
ZONE.

CONTINUED... PLEASE TURN PAGE

MOTION:

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

[ ] APPROVED

[ ] DENIED

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_



## **CITY OF PARAMOUNT PLANNING DEPARTMENT STAFF REPORT SUMMARY**

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<b>PROJECT NUMBER:</b>	<b>Conditional Use Permit No. 944</b>
<b>REQUEST:</b>	<b>Extend customer seating at an existing restaurant to an outdoor seating area</b>
<b>APPLICANT:</b>	<b>Gloria M. Gamino/Casa Gamino Family Restaurant, Inc.</b>
<b>MEETING DATE:</b>	<b>August 23, 2023</b>
<b>LOCATION:</b>	<b>8330 Alondra Boulevard</b>
<b>ZONE:</b>	<b>C-3 (General Commercial)</b>
<b>GENERAL PLAN:</b>	<b>Central Business District</b>
<b>PROJECT MGR/PLANNER:</b>	<b>Kevin Chun/John King</b>
<b>RECOMMENDATION:</b>	<b>Approval</b>



**To:** Honorable Planning Commission  
**From:** John Carver, Planning Director  
**By:** Kevin Chun, Special Projects Manager  
John King, AICP, Assistant Planning Director  
**Date:** August 23, 2023

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**Subject: CONDITIONAL USE PERMIT NO. 944  
GLORIA M. GAMINO/CASA GAMINO FAMILY RESTAURANT, INC.**

## **BACKGROUND**

### **Request**

This application is a request by Gloria M. Gamino/Casa Gamino Family Restaurant, Inc. to extend customer seating at an existing restaurant to an outdoor seating area at 8330 Alondra Boulevard in the C-3 (General Commercial) zone. The property is located on the southwest corner of Alondra Boulevard and Indiana Avenue. The 22,938 square foot site is developed with a standalone 4,116 square foot restaurant constructed in 1966.

The Development Review Board will review Development Review Application No. 23:011, a request to install an outdoor customer seating area at an existing restaurant, at its meeting later this evening.

### **Existing Approval**

Casa Adelita has operated at the present location for decades, and the restaurant use predates the City requirement for a conditional use permit. Since 1978, the California Department of Alcoholic Beverage Control has authorized the restaurant to serve beer, wine, and distilled spirits for onsite consumption with a "Type 47" license. The applicant maintains a shared parking agreement with Emmanuel Reformed Church, which owns the 30,000 square foot parking lot to the west of the subject restaurant property.

### **Al Fresco Dining Program**

The applicant is participating in the Al Fresco Dining Program. In 2020 at the height of the COVID-19 pandemic, the City Council approved a temporary outdoor dining program which the Planning Department implemented as Paramount Al Fresco. Casa Adelita maintained outdoor dining within the public sidewalk along Indiana Avenue and the rear parking lot during that time with City authorization. By 2022 with health protocols changing and the public eager to return to a choice of indoor and outdoor dining options, the City Council allocated American Rescue Plan Act (ARPA) funds toward the design and construction of outdoor dining areas.

## DESCRIPTION

A 443 square foot decorative outdoor seating area is proposed for a portion of the parking lot to the south of the Casa Gamino restaurant building. The seating area will accommodate 22 customer seats and comply with Americans with Disabilities Act (ADA) requirements. The asphalt surface will be replaced with poured-in-place concrete paving with a graphical pattern finish. A 36-inch-high steel planter and cable rail fencing will surround the perimeter of the seating area. A shade sail supported by steel posts will shade diners. String lights will be strung overhead. Outdoor music will not be permitted.

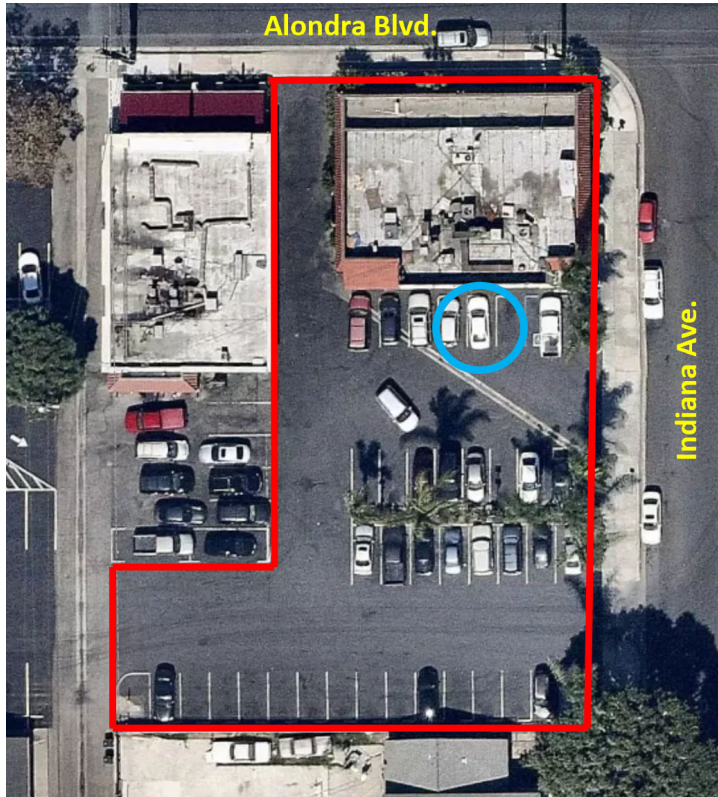
## Photos

The first photo is a southeast view at the subject building. The project area would be within the parking area to the rear. The second photo is looking west from Indiana Avenue and shows the proposed outdoor dining area in a blue circle.





The following is an aerial photograph of the subject property. The approximate project area is circled in blue.



## Plan

Below is a rendering of the outdoor seating area.



Casa Gamino

Scope of Work

ADA

2'-0" CLR MIN

1-6'

1 2 3 4 5 6 7 8 9 10

A B C D E F

The proposed restaurant patio is located in an appropriate zone. The location is adequate in size and location for the proposed business.

This project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Section 15301, Class 1 Categorical Exemption – minor alteration not involving substantial expansion.

There is no fiscal impact for the conditional use permit. However, small business assistance funding for design and construction for the AI Fresco Dining Program is included in the adopted Fiscal Year 2024 budget.



## **VISION, MISSION, VALUES, AND STRATEGIC OUTCOMES**

The City's Vision, Mission, and Values set the standard for the organization; establish priorities, uniformity, and guidelines; and provide the framework for policy decisionmaking. The Strategic Outcomes were implemented to provide a pathway to achieving the Vision of a city that is safe, healthy, and attractive. This item aligns with Strategic Outcomes No. 1: Safe Community and No. 3: Economic Health.

## **RECOMMENDED ACTION**

It is recommended that the Planning Commission read by title only, waive further reading, and adopt Resolution No. PC 23:028, approving Conditional Use Permit No. 944, subject to the following conditions:

1. Except as set forth in conditions, development shall take place substantially as shown on the approved site plan. Any material deviation must be approved by the Planning Department before construction.
2. This Conditional Use Permit shall not be effective for any purposes until the applicant has first filed at the office of the Planning Commission a sworn affidavit acknowledging and accepting all conditions of this Conditional Use Permit. The affidavit shall be submitted by Friday, September 8, 2023. Failure to provide the City of Paramount with the requisite affidavit within the stated here in above shall render the Conditional Use Permit void.
3. All Conditional Use Permit No. 944 conditions of approval shall be included as general notes on all submitted sets of building plans.
4. This approval is valid for a period of one year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
5. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated, and the privileges granted hereunder shall lapse.
6. It is further declared and made a condition of this Conditional Use Permit that if any condition hereof is violated or if any law, statute, or ordinance is violated, the exception shall be suspended, and the privileges granted hereunder shall lapse, provided that the applicant has been given written notice to cease such violation and has failed to do so within thirty (30) days of receipt of said notification.

7. The applicant understands that an Unclassified Use Permit, Conditional Use Permit, and/or Variance granted under the Zoning Ordinance, or any section thereof, is granted and accepted by all parties with the express understanding that the Planning Commission may hold a public hearing, notice of time and place of which shall be given to the applicant, if one or more of the following conditions exists:
  - a) That the approval was obtained by fraud;
  - b) That the need for which such approval was granted has ceased to exist or has been suspended for one year or more;
  - c) That the Unclassified Use Permit, Conditional Use Permit, and/or Variance is being, or recently has been, exercised contrary to the terms or conditions of such approval or in violation of any statute, provision of the Code, ordinance, law, or regulation;
  - d) That the need for which the approval was granted was so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance (Section 17.48.070, Paramount Municipal Code).

If after such hearing, the Planning Commission finds that any grounds for modification, suspension, or revocation exist, the Planning Commission may modify, suspend, or revoke such Unclassified Use Permit, Conditional Use Permit, and/or Variance.

8. All applicable development fees are due prior to the issuance of building permits.
9. The applicant shall comply with all conditions of approval from Development Review Application No. 23:011.
10. All required permits and licenses from all relevant regulating bodies shall be valid at all times. A copy of all licenses, permits, and conditions shall be posted and maintained in a place conspicuous and readable by all employees and customers of the business.
11. No exterior structural alteration or building color change, other than the colors or building treatments originally approved, shall be permitted without the prior approval of the Planning Department.
12. The installation of exterior window security bars, security door, and security gates is prohibited in accordance with Section 17.24.070(C) of the Paramount Municipal Code.
13. The applicant shall maintain sufficient quantities of matching exterior paint to remove graffiti, blemishes, and peeling paint.

14. With the sole exception of the proposed shade sail over the 443 square foot outdoor dining area, tarps are prohibited from use as carports, patio covers, shade covers, and covers for outdoor storage in all front and side setback areas, rear yard areas, over driveways, and in parking and circulation areas.
15. The applicant and all successor tenants shall obtain and maintain a current City of Paramount business license.
16. The business hours of operation of the interior of the restaurant shall be limited to 9:00 a.m. to 10:00 p.m. on Sundays through Thursdays and 9:00 a.m. to 11:00 a.m. on Fridays and Saturdays. Outdoor customer dining shall be limited to 8:00 a.m. to 10:00 p.m., all days of a week.
17. Special events, including but not limited to events produced or administered by independent promoters, shall be reviewed in accordance with Special Event Permit regulations by the Planning Department. The applicant shall submit a Special Event Permit application at least two weeks in advance of a proposed event.
18. The trash enclosure shall be cleaned and refurbished as needed and maintained in good condition.
19. The approved floor plan shall not be changed without prior approval by the Planning Department.
20. It shall be unlawful for any person, who is intoxicated, or under the influence of any drug, to enter, be at, or remain upon the licensed premises as set forth in Section 25602(a) of the California Business and Professions Code.
21. No outside loitering or consumption of alcoholic beverages beyond the outdoor patio area shall be allowed on the premises, and a sign to this effect shall be posted. A professionally fabricated sign indicating as such shall continue to be posted.
22. The applicant and/or any employees shall not sell, furnish, or give any alcoholic beverage to any person under 21 years of age, as set forth in Section 25658(a) of the California Business and Professions Code.
23. The approved floor plan shall not be changed without prior approval by the Planning Department and the Los Angeles County Sheriff's Department.
24. All employees shall possess at the site a valid driver license or identification card issued by the California Department of Motor Vehicles. All employees shall present such identification upon demand by any regulatory official.
25. Hookah tobacco use is prohibited.

26. Live entertainment, including but not limited to karaoke, musicians, and disc jockeys, is prohibited in the outdoor patio area. Future consideration of live entertainment would require separate review and approval by the City Council.
27. All alcoholic beverages purchased on the subject site shall be consumed within the business establishment premises.
28. The Public Safety Department and Planning Department shall review and approve the security camera locations and orientations, including comprehensive camera views of the establishment interior, exterior, and parking lot. The approved cameras or more technologically advanced versions of the approved cameras shall be maintained in perpetuity. In the event of an incident and upon request, the business owners shall allow unimpeded inspection of the security camera system to Sheriff's Department and City of Paramount personnel.
29. A sufficient amount of lighting, as determined by the Planning Department and the Public Safety Department, shall illuminate the premises. New light fixtures as needed shall be reviewed and approved by the Planning Department for their decorative quality and location, and permits shall be obtained.
30. The applicant shall comply with all relevant labor laws and regulations of the Division of Labor Standards Enforcement of the California Department of Industrial Relations and the Division of Occupational Safety and Health (Cal/OSHA).
31. In the ongoing business operations, the applicant shall comply with all relevant federal, state, and local laws and regulations of all relevant government agencies, including but not limited to (1) the Los Angeles County Fire Department, (2) the Industrial Waste Unit of the Los Angeles County Department of Public Works (3) the South Coast Air Quality Management District, and (4) the California Department of Resources Recycling and Recovery (CalRecycle).
32. In the ongoing business operations, the applicant shall comply with the Noise Ordinance (Chapter 9.12 of the Paramount Municipal Code).
33. The business shall comply with organic waste disposal requirements of Chapter 13.09 of the Paramount Municipal Code.
34. Signs, banners, and feather flags require separate review and approval by the Planning Department prior to fabrication and installation. Damage to the building exterior from wall signs that have been removed shall be repainted and repaired as needed.
35. Window sign area shall be limited to forty percent of each grouping of adjacent panes of glass.

36. The applicant shall comply with Chapter 8.20 (Urban Stormwater Management) of the Paramount Municipal Code. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, the parking lot, and the surrounding property perimeter. The parking lot shall be completely swept and maintained free of debris and litter on each day the restaurant is open for business to the public. Areas adjacent to a parking lot, including, but not limited to, planters, loading and unloading areas, and surrounding public rights-of-way shall be maintained free of debris and litter by sweeping and other equally effective measures. Such debris and litter shall be collected and properly disposed of in compliance with all applicable local, State, and Federal regulations.
37. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, and the surrounding property perimeter.
38. The applicant must obtain relevant permits from all relevant agencies, including the Building and Safety Division, Los Angeles County Department of Public Health, and the California Department of Alcoholic Beverage Control (ABC).
39. Future tenant improvements and other construction shall meet all requirements of the Building and Safety Division.
40. The applicant shall provide documentation to the Planning Department confirming the California Department of Alcohol Beverage Control authorization for the sale of beer and wine for onsite consumption within the new outdoor patio area.
41. The outdoor seating area is limited to 22 customer seats.
42. The outdoor seating area shall comply with Americans with Disabilities Act (ADA) requirements.
43. The landscaping in the planters adjoining the outdoor seating area shall be maintained in healthy, thriving condition perpetuity. Weeds shall be regularly removed.
44. The outdoor dining area shall be regularly cleaned in accordance with Los Angeles County Department of Public Health requirements.
45. The outdoor dining area shall be secured at night to prevent trespassers and vandalism.
46. All requirements of the Al Fresco Dining Program shall be met.
47. An electronic copy (PDF format) of the plans shall be submitted to the Planning Department prior to permit issuance.

48. At the completion of the project, final approval from the Planning Division shall be obtained. All conditions of approval shall be met prior to final approval by the Planning Division.

CITY OF PARAMOUNT  
LOS ANGELES COUNTY, CALIFORNIA

**PLANNING COMMISSION  
RESOLUTION NO. PC 23:028**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT SETTING FORTH ITS FINDINGS OF FACT AND DECISION RELATIVE TO CONDITIONAL USE PERMIT NO. 944, A REQUEST BY GLORIA M. GAMINO/CASA GAMINO FAMILY RESTAURANT, INC. TO EXTEND CUSTOMER SEATING AT AN EXISTING RESTAURANT TO AN OUTDOOR SEATING AREA AT 8330 ALONDRA BOULEVARD IN THE C-3 (GENERAL COMMERCIAL) ZONE

WHEREAS, the Planning Commission of the City of Paramount has received an application from Gloria M. Gamino/Casa Gamino Family Restaurant, Inc. for a conditional use permit (CUP) to extend customer seating at an existing restaurant to an outdoor seating area at 8330 Alondra Boulevard in the C-3 (General Commercial) zone; and

WHEREAS, Ordinance No. 178, the Zoning Ordinance of the City of Paramount, requires the Planning Commission to announce its findings and decisions in zoning matters; and

WHEREAS, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Section 15301, Class 1 Categorical Exemption – minor alteration to an existing private structure.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT AS FOLLOWS:

**SECTION 1.** The above recitations are true and correct.

**SECTION 2.** The Planning Commission finds that it has conducted all the public hearings necessary and in compliance with State Law and the Municipal Code of the City of Paramount.

**SECTION 3.** The Planning Commission finds that all requirements of notice have been complied with pursuant to State Law and the Municipal Code.

**SECTION 4.** The Planning Commission finds that the evidence presented does justify the granting of this application for the following reasons:

1. The requested use at the location proposed will not:
  - a. Adversely affect the health, peace, safety or welfare of persons residing or working in the surrounding area;
  - b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; nor

- c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this chapter, or as is otherwise required in order to integrate such use with the uses in the surrounding area; and
3. That the proposed site is adequately served:
  - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
  - b. By other public or private service facilities as are required.

**SECTION 5.** That pursuant to Resolution No. 82:043 of the City Council the time limit to seek judicial review pursuant to California Code of Civil Procedure is ninety (90) days from the date hereof.

**SECTION 6.** The Planning Commission hereby approves the applied for Conditional Use Permit as to use in the above entitled matter, subject to the following conditions:

1. Except as set forth in conditions, development shall take place as shown on the approved site plans and elevations. Any material deviation must be approved by the Planning Department before construction.
2. This Conditional Use Permit shall not be effective for any purposes until the applicant has first filed at the office of the Planning Commission a sworn affidavit acknowledging and accepting all conditions of this Conditional Use Permit. The affidavit shall be submitted by Friday, September 8, 2023. Failure to provide the City of Paramount with the requisite affidavit within the stated here in above shall render the Conditional Use Permit void.
3. All Conditional Use Permit No. 944 conditions of approval shall be included as general notes on the approved set of building plans.
4. This approval is valid for a period of one year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
5. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated, and the privileges granted hereunder shall lapse.



6. It is further declared and made a condition of this Conditional Use Permit that if any condition hereof is violated or if any law, statute, or ordinance is violated, the exception shall be suspended, and the privileges granted hereunder shall lapse, provided that the applicant has been given written notice to cease such violation and has failed to do so within thirty (30) days of receipt of said notification.
7. The applicant understands that an Unclassified Use Permit, Conditional Use Permit, and/or Variance granted under the Zoning Ordinance, or any section thereof, is granted and accepted by all parties with the express understanding that the Planning Commission may hold a public hearing, notice of time and place of which shall be given to the applicant, if one or more of the following conditions exists:
  - a) That the approval was obtained by fraud;
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  - c) That the Unclassified Use Permit, Conditional Use Permit, and/or Variance is being, or recently has been, exercised contrary to the terms or conditions of such approval or in violation of any statute, provision of the Code, ordinance, law, or regulation;
  - d) That the need for which the approval was granted was so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance (Section 17.48.070, Paramount Municipal Code).

If after such hearing, the Planning Commission finds that any grounds for modification, suspension, or revocation exist, the Planning Commission may modify, suspend, or revoke such Unclassified Use Permit, Conditional Use Permit, and/or Variance.

8. All applicable development fees are due prior to the issuance of building permits.
9. The applicant shall comply with all conditions of approval from Development Review Application No. 23:011.
10. All required permits and licenses from all relevant regulating bodies shall be valid at all times. A copy of all licenses, permits, and conditions shall be posted and maintained in a place conspicuous and readable by all employees and customers of the business.
11. No exterior structural alteration or building color change, other than the colors or building treatments originally approved, shall be permitted without the prior approval of the Planning Department.

12. The installation of exterior window security bars, security door, and security gates is prohibited in accordance with Section 17.24.070(C) of the Paramount Municipal Code.
13. The applicant shall maintain sufficient quantities of matching exterior paint to remove graffiti, blemishes, and peeling paint.
14. With the sole exception of the proposed shade sail over the 443 square foot outdoor dining area, tarps are prohibited from use as carports, patio covers, shade covers, and covers for outdoor storage in all front and side setback areas, rear yard areas, over driveways, and in parking and circulation areas.
15. The applicant and all successor tenants shall obtain and maintain a current City of Paramount business license.
16. The business hours of operation of the interior of the restaurant shall be limited to 9:00 a.m. to 10:00 p.m. on Sundays through Thursdays and 9:00 a.m. to 11:00 a.m. on Fridays and Saturdays. Outdoor customer dining shall be limited to 8:00 a.m. to 10:00 p.m., all days of a week.
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19. The approved floor plan shall not be changed without prior approval by the Planning Department.
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25. Hookah tobacco use is prohibited.
26. Live entertainment, including but not limited to karaoke, musicians, and disc jockeys, is prohibited in the outdoor patio area. Future consideration of live entertainment would require separate review and approval by the City Council.
27. All alcoholic beverages purchased on the subject site shall be consumed within the business establishment premises.
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35. Window sign area shall be limited to forty percent of each grouping of adjacent panes of glass.
36. The applicant shall comply with Chapter 8.20 (Urban Stormwater Management) of the Paramount Municipal Code. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, the parking lot, and the surrounding property perimeter. The parking lot shall be completely swept and maintained free of debris and litter on each day the restaurant is open for business to the public. Areas adjacent to a parking lot, including, but not limited to, planters, loading and unloading areas, and surrounding public rights-of-way shall be maintained free of debris and litter by sweeping and other equally effective measures. Such debris and litter shall be collected and properly disposed of in compliance with all applicable local, State, and Federal regulations.
37. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, and the surrounding property perimeter.
38. The applicant must obtain relevant permits from all relevant agencies, including the Building and Safety Division, Los Angeles County Department of Public Health, and the California Department of Alcoholic Beverage Control (ABC).
39. Future tenant improvements and other construction shall meet all requirements of the Building and Safety Division.
40. The applicant shall provide documentation to the Planning Department confirming the California Department of Alcohol Beverage Control authorization for the sale of beer and wine for onsite consumption within the new outdoor patio area.
41. The outdoor seating area is limited to 22 customer seats.
42. The outdoor seating area shall comply with Americans with Disabilities Act (ADA) requirements.
43. The landscaping in the planters adjoining the outdoor seating area shall be maintained in healthy, thriving condition perpetuity. Weeds shall be regularly removed.

- 44. The outdoor dining area shall be regularly cleaned in accordance with Los Angeles County Department of Public Health requirements.
- 45. The outdoor dining area shall be secured at night to prevent trespassers and vandalism.
- 46. All requirements of the Al Fresco Dining Program shall be met.
- 47. An electronic copy (PDF format) of the plans shall be submitted to the Planning Department prior to permit issuance.
- 48. At the completion of the project, final approval from the Planning Division shall be obtained. All conditions of approval shall be met prior to final approval by the Planning Division.

**SECTION 7.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this 23rd day of August 2023.

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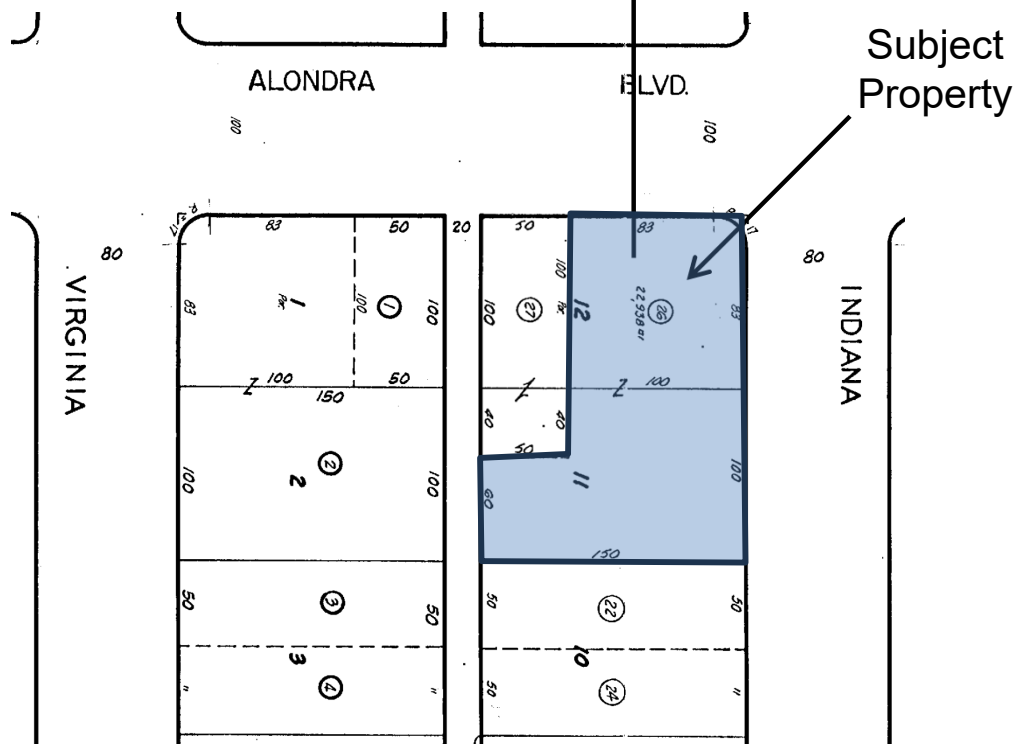
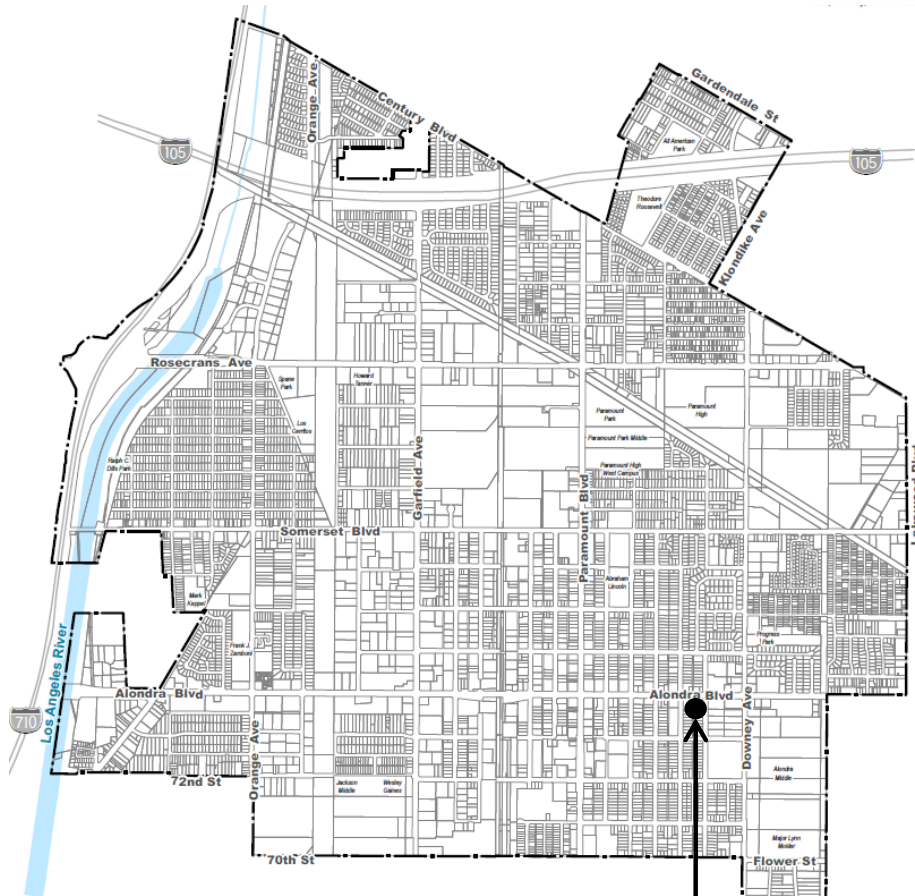
Gordon Weisenburger, Chair

Attest:

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Valerie Zaragoza, Administrative Assistant

# Conditional Use Permit No. 944



8330 Alondra Blvd.

AUGUST 23, 2023

PUBLIC HEARING

CONDITIONAL USE PERMIT NO. 945

- A. HEAR STAFF REPORT.
- B. OPEN THE PUBLIC HEARING.
- C. HEAR TESTIMONY IN THE FOLLOWING ORDER:
  - (1) THOSE IN FAVOR
  - (2) THOSE OPPOSED
  - (3) REBUTTAL BY THE APPLICANT
- D. MOTION TO CLOSE THE PUBLIC HEARING.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[ ] APPROVED	ABSENT: _____
[ ] DENIED	ABSTAIN: _____

- E. MOTION IN ORDER:  
READ BY TITLE ONLY, WAIVE FURTHER READING AND ADOPT  
PLANNING COMMISSION RESOLUTION NO. PC 23:029, APPROVING  
A REQUEST BY EL TAPATIO RESTAURANT & GRILL, LLC, TO  
MODIFY AN EXISTING OUTDOOR CUSTOMER SEATING AREA AT  
AN EXISTING RESTAURANT AT 7528 ROSECRANS AVENUE, SUITE  
B IN THE PD-PS (PLANNED DEVELOPMENT WITH PERFORMANCE  
STANDARDS) ZONE.

CONTINUED... PLEASE TURN PAGE

MOTION:

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

[ ] APPROVED

[ ] DENIED

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_





## **CITY OF PARAMOUNT PLANNING DEPARTMENT STAFF REPORT SUMMARY**

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<b>PROJECT NUMBER:</b>	<b>Conditional Use Permit No. 945</b>
<b>REQUEST:</b>	<b>Modify an existing outdoor customer seating area at an existing restaurant</b>
<b>APPLICANT:</b>	<b>El Tapatio Restaurant &amp; Grill, LLC</b>
<b>MEETING DATE:</b>	<b>August 23, 2023</b>
<b>LOCATION:</b>	<b>7528 Rosecrans Avenue, Suite B</b>
<b>ZONE:</b>	<b>PD-PS (Planned Development with Performance Standards)</b>
<b>GENERAL PLAN:</b>	<b>Commercial</b>
<b>PROJECT MGR/PLANNER:</b>	<b>Kevin Chun/John King</b>
<b>RECOMMENDATION:</b>	<b>Approval</b>



**To:** Honorable Planning Commission

**From:** John Carver, Planning Director

**By:** Kevin Chun, Special Projects Manager  
John King, AICP, Assistant Planning Director

**Date:** August 23, 2023

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**Subject: CONDITIONAL USE PERMIT NO. 945  
EL TAPATIO RESTAURANT & GRILL, LLC**

## **BACKGROUND**

### **Request**

This application is a request by El Tapatio Restaurant & Grill, LLC to modify an existing outdoor customer seating area at an existing restaurant at 7528 Rosecrans Avenue, Suite B in the PD-PS (Planned Development with Performance Standards) zone. The restaurant is located within the 2.22-acre Farmers Market Plaza on the southeast corner of Rosecrans Avenue and Garfield Avenue. The applicant has leased space since 2020 in a 5,700 square foot building, constructed in 1990, that is also leased by Abe's Donuts and Botas Guadalajara.

The Development Review Board will review Development Review Application No. 23:012, a request to modify an outdoor customer seating area at an existing restaurant, at its meeting later this evening.

### **Existing Approvals**

In March 1990, the Planning Commission approved Conditional Use Permit (CUP) No. 274, allowing the restaurant use at the subject location. In May 1992, CUP No. 341 was approved, allowing beer and wine sales for onsite consumption. The restaurant ownership and name changed several times since the original approvals, but the CUPs remain in place as the uses have continued uninterrupted.

In February 2022, the Planning Commission approved Conditional Use Permit No. 915, allowing outdoor seating when the equivalent number of indoor seating in the restaurant is closed. The sale of beer and wine ("Type 41" license) is presently in pending status with the California Department of Alcoholic Beverage Control (ABC).

## **Al Fresco Dining Program**

The applicant is participating in the Al Fresco Dining Program. In 2020 at the height of the COVID-19 pandemic, the City Council approved a temporary outdoor dining program which the Planning Department implemented as Paramount Al Fresco. By 2022 with health protocols changing and the public eager to return to a choice of indoor and outdoor dining options, the City Council allocated American Rescue Plan Act (ARPA) funds toward the design and construction of outdoor dining areas.

### **DESCRIPTION**

The outdoor seating area is located to the south of the El Tapatio restaurant building and is not visible from Rosecrans Avenue or Garfield Avenue. The seating area will comply with Americans with Disabilities Act (ADA) requirements. The existing concrete surface and metal perimeter fencing will remain. A shade sail supported by a steel pole with a powdercoated finish on one corner and attachments to the building at the other three corners will shade diners. String lights will be strung overhead. Outdoor music will not be permitted.

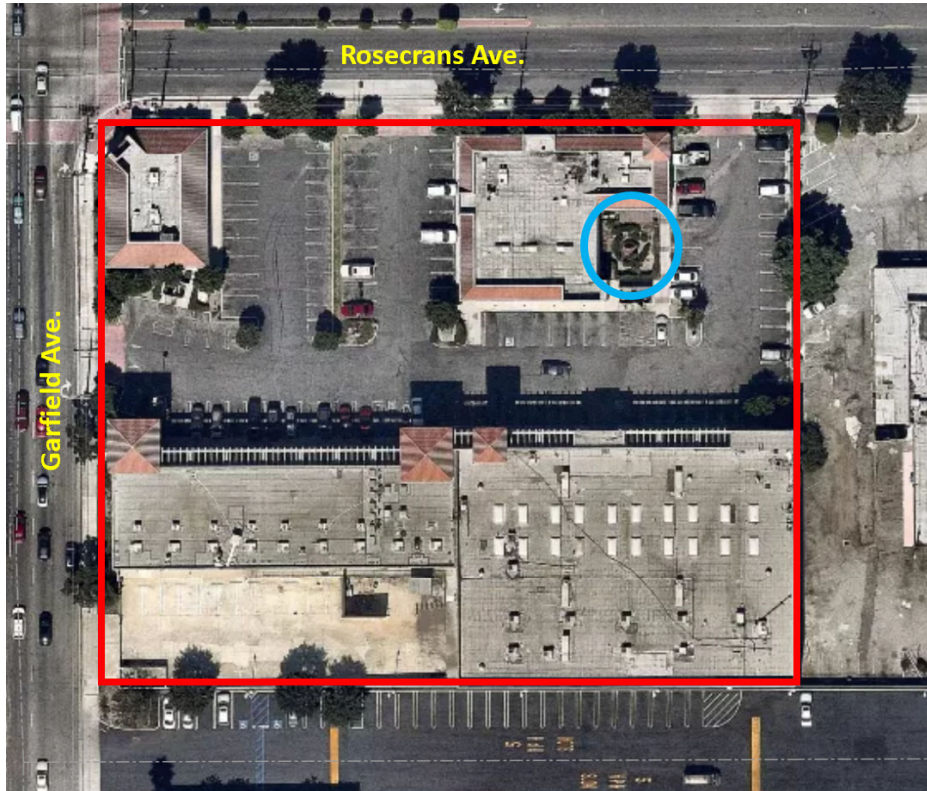
The existing business operations are Monday through Sunday between the hours of 8:00 a.m. to 6:00 p.m. Four employees staff the restaurant.

### **Photos**

Below is a photo looking west at El Tapatio Restaurant and the outdoor dining area.



The following is an aerial photograph of the subject property. The approximate project area is circled in blue.



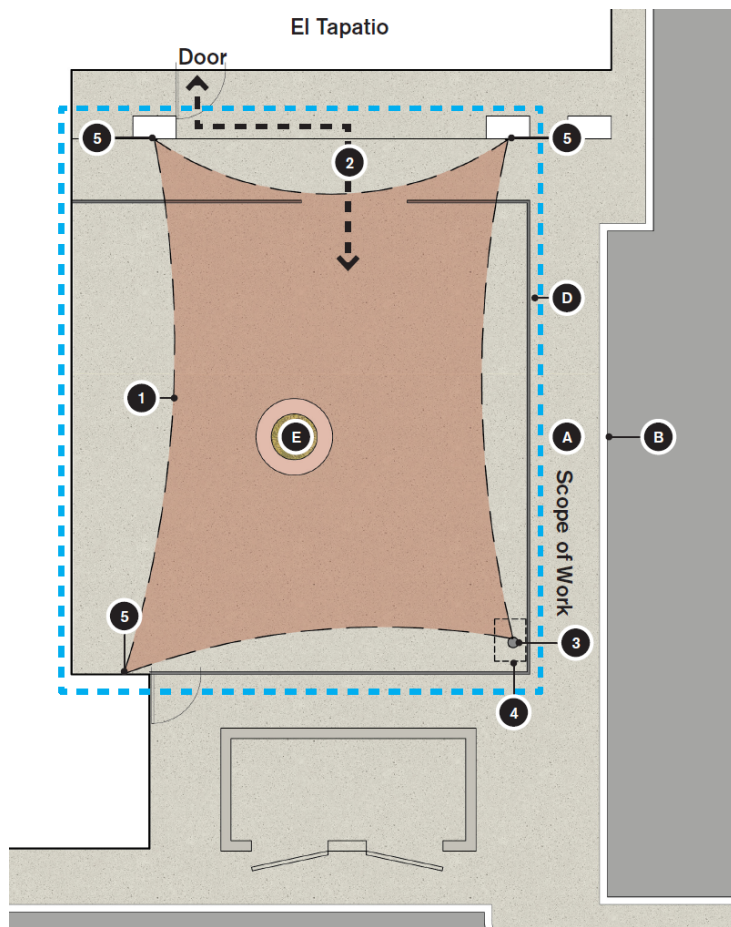
## Plan

Below is a rendering of the outdoor seating area.





Below is a conceptual plan.



## Analysis

The proposed restaurant patio is located in an appropriate zone. The location is adequate in size and location for the proposed business.

## Environmental Assessment

This project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Section 15301, Class 1 Categorical Exemption – minor alteration not involving substantial expansion.

## FISCAL IMPACT

There is no fiscal impact for the conditional use permit. However, small business assistance funding for design and construction for the Al Fresco Dining Program is included in the adopted Fiscal Year 2024 budget.

## **VISION, MISSION, VALUES, AND STRATEGIC OUTCOMES**

The City's Vision, Mission, and Values set the standard for the organization; establish priorities, uniformity, and guidelines; and provide the framework for policy decisionmaking. The Strategic Outcomes were implemented to provide a pathway to achieving the Vision of a city that is safe, healthy, and attractive. This item aligns with Strategic Outcomes No. 1: Safe Community and No. 3: Economic Health.

## **RECOMMENDED ACTION**

It is recommended that the Planning Commission read by title only, waive further reading, and adopt Resolution No. PC 23:029, approving Conditional Use Permit No. 945, subject to the following conditions:

1. Except as set forth in conditions, development shall take place substantially as shown on the approved site plan. Any material deviation must be approved by the Planning Department before construction.
2. This Conditional Use Permit shall not be effective for any purposes until the applicant has first filed at the office of the Planning Commission a sworn affidavit acknowledging and accepting all conditions of this Conditional Use Permit. The affidavit shall be submitted by Friday, September 8, 2023. Failure to provide the City of Paramount with the requisite affidavit within the stated here in above shall render the Conditional Use Permit void.
3. Written property owner authorization for the modified outdoor seating area shall be submitted to the Planning Department.
4. All Conditional Use Permit No. 945 conditions of approval shall be included as general notes on all submitted sets of building plans.
5. This approval is valid for a period of one year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
6. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated, and the privileges granted hereunder shall lapse.
7. It is further declared and made a condition of this Conditional Use Permit that if any condition hereof is violated or if any law, statute, or ordinance is violated, the exception shall be suspended, and the privileges granted hereunder shall lapse, provided that the applicant has been given written notice to cease such violation and has failed to do so within thirty (30) days of receipt of said notification.

8. The applicant understands that an Unclassified Use Permit, Conditional Use Permit, and/or Variance granted under the Zoning Ordinance, or any section thereof, is granted and accepted by all parties with the express understanding that the Planning Commission may hold a public hearing, notice of time and place of which shall be given to the applicant, if one or more of the following conditions exists:
- a) That the approval was obtained by fraud;
  - b) That the need for which such approval was granted has ceased to exist or has been suspended for one year or more;
  - c) That the Unclassified Use Permit, Conditional Use Permit, and/or Variance is being, or recently has been, exercised contrary to the terms or conditions of such approval or in violation of any statute, provision of the Code, ordinance, law, or regulation;
  - d) That the need for which the approval was granted was so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance (Section 17.48.070, Paramount Municipal Code).

If after such hearing, the Planning Commission finds that any grounds for modification, suspension, or revocation exist, the Planning Commission may modify, suspend, or revoke such Unclassified Use Permit, Conditional Use Permit, and/or Variance.

9. All applicable development fees are due prior to the issuance of building permits.
10. The applicant shall comply with all conditions of approval from Development Review Application No. 23:012.
11. All required permits and licenses from all relevant regulating bodies shall be valid at all times. A copy of all licenses, permits, and conditions shall be posted and maintained in a place conspicuous and readable by all employees and customers of the business.
12. No exterior structural alteration or building color change, other than the colors or building treatments originally approved, shall be permitted without the prior approval of the Planning Department.
13. The installation of exterior window security bars, security door, and security gates is prohibited in accordance with Section 17.24.070(C) of the Paramount Municipal Code.
14. The applicant shall maintain sufficient quantities of matching exterior paint to remove graffiti, blemishes, and peeling paint.

15. With the sole exception of the proposed shade sail over the outdoor dining area, tarps are prohibited from use as carports, patio covers, shade covers, and covers for outdoor storage in all front and side setback areas, rear yard areas, over driveways, and in parking and circulation areas.
16. The applicant and all successor tenants shall obtain and maintain a current City of Paramount business license.
17. The business hours of operation of the, including the hours of alcoholic sales and consumption and including indoor and outdoor dining areas, shall be limited to 8:00 a.m. to 9:00 p.m., Monday through Sunday.
18. Special events, including but not limited to events produced or administered by independent promoters, shall be reviewed in accordance with Special Event Permit regulations by the Planning Department. The applicant shall submit a Special Event Permit application at least two weeks in advance of a proposed event.
19. The trash enclosure shall be cleaned and refurbished as needed and maintained in good condition.
20. The approved floor plan shall not be changed without prior approval by the Planning Department.
21. It shall be unlawful for any person, who is intoxicated, or under the influence of any drug, to enter, be at, or remain upon the licensed premises as set forth in Section 25602(a) of the California Business and Professions Code.
22. No outside loitering or consumption of alcoholic beverages beyond the outdoor patio area shall be allowed on the premises, and a sign to this effect shall be posted. A professionally fabricated sign indicating as such shall continue to be posted.
23. The applicant and/or any employees shall not sell, furnish, or give any alcoholic beverage to any person under 21 years of age, as set forth in Section 25658(a) of the California Business and Professions Code.
24. The approved floor plan shall not be changed without prior approval by the Planning Department and the Los Angeles County Sheriff's Department.
25. All employees shall possess at the site a valid driver license or identification card issued by the California Department of Motor Vehicles. All employees shall present such identification upon demand by any regulatory official.
26. Hookah tobacco use is prohibited.



27. Live entertainment, including but not limited to karaoke, musicians, and disc jockeys, is prohibited in the outdoor patio area. Future consideration of live entertainment would require separate review and approval by the City Council.
28. All alcoholic beverages purchased on the subject site shall be consumed within the business establishment premises.
29. The Public Safety Department and Planning Department shall review and approve the security camera locations and orientations, including comprehensive camera views of the establishment interior, exterior, and parking lot. The approved cameras or more technologically advanced versions of the approved cameras shall be maintained in perpetuity. In the event of an incident and upon request, the business owners shall allow unimpeded inspection of the security camera system to Sheriff's Department and City of Paramount personnel.
30. A sufficient amount of lighting, as determined by the Planning Department and the Public Safety Department, shall illuminate the premises. New light fixtures as needed shall be reviewed and approved by the Planning Department for their decorative quality and location, and permits shall be obtained.
31. The applicant shall comply with all relevant labor laws and regulations of the Division of Labor Standards Enforcement of the California Department of Industrial Relations and the Division of Occupational Safety and Health (Cal/OSHA).
32. In the ongoing business operations, the applicant shall comply with all relevant federal, state, and local laws and regulations of all relevant government agencies, including but not limited to (1) the Los Angeles County Fire Department, (2) the Industrial Waste Unit of the Los Angeles County Department of Public Works (3) the South Coast Air Quality Management District, and (4) the California Department of Resources Recycling and Recovery (CalRecycle).
33. In the ongoing business operations, the applicant shall comply with the Noise Ordinance (Chapter 9.12 of the Paramount Municipal Code).
34. The business shall comply with organic waste disposal requirements of Chapter 13.09 of the Paramount Municipal Code.
35. Signs, banners, and feather flags require separate review and approval by the Planning Department prior to fabrication and installation. Damage to the building exterior from wall signs that have been removed shall be repainted and repaired as needed.
36. Window sign area shall be limited to forty percent of each grouping of adjacent panes of glass.

37. The applicant shall comply with Chapter 8.20 (Urban Stormwater Management) of the Paramount Municipal Code. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, the parking lot, and the surrounding property perimeter. The parking lot shall be completely swept and maintained free of debris and litter on each day the restaurant is open for business to the public. Areas adjacent to a parking lot, including, but not limited to, planters, loading and unloading areas, and surrounding public rights-of-way shall be maintained free of debris and litter by sweeping and other equally effective measures. Such debris and litter shall be collected and properly disposed of in compliance with all applicable local, State, and Federal regulations.
38. The outside premises shall be maintained in a clean manner at all times, and trash and debris shall be promptly removed from the yard areas, landscaped areas, and the surrounding property perimeter.
39. The applicant must obtain relevant permits from all relevant agencies, including the Building and Safety Division, Los Angeles County Department of Public Health, and the California Department of Alcoholic Beverage Control (ABC).
40. Future tenant improvements and other construction shall meet all requirements of the Building and Safety Division.
41. The applicant shall provide documentation to the Planning Department confirming the California Department of Alcohol Beverage Control authorization for the sale of beer and wine for onsite consumption within the new outdoor patio area.
42. The outdoor seating area shall comply with Americans with Disabilities Act (ADA) requirements.
43. The landscaping in the planter within the outdoor seating area shall be maintained in healthy, thriving condition perpetuity. Weeds shall be regularly removed.
44. The outdoor dining area shall be regularly cleaned in accordance with Los Angeles County Department of Public Health requirements.
45. The outdoor dining area shall be secured at night to prevent trespassers and vandalism.
46. All requirements of the Al Fresco Dining Program shall be met.
47. An electronic copy (PDF format) of the plans shall be submitted to the Planning Department prior to permit issuance.

48. At the completion of the project, final approval from the Planning Division shall be obtained. All conditions of approval shall be met prior to final approval by the Planning Division.

CITY OF PARAMOUNT  
LOS ANGELES COUNTY, CALIFORNIA

**PLANNING COMMISSION  
RESOLUTION NO. PC 23:029**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT SETTING FORTH ITS FINDINGS OF FACT AND DECISION RELATIVE TO CONDITIONAL USE PERMIT NO. 945, A REQUEST BY EL TAPATIO RESTAURANT & GRILL, LLC TO MODIFY AN EXISTING OUTDOOR CUSTOMER SEATING AREA AT AN EXISTING RESTAURANT AT 7528 ROSECRANS AVENUE, SUITE B IN THE PD-PS (PLANNED DEVELOPMENT WITH PERFORMANCE STANDARDS) ZONE

WHEREAS, the Planning Commission of the City of Paramount has received an application from El Tapatio Restaurant & Grill, LLC for a conditional use permit (CUP) to modify an existing customer seating area at an existing restaurant to at 7528 Rosecrans Avenue, Suite B in the PD-PS (Planned Development with Performance Standards) zone; and

WHEREAS, Ordinance No. 178, the Zoning Ordinance of the City of Paramount, requires the Planning Commission to announce its findings and decisions in zoning matters; and

WHEREAS, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Section 15301, Class 1 Categorical Exemption – minor alteration to an existing private structure.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT AS FOLLOWS:

**SECTION 1.** The above recitations are true and correct.

**SECTION 2.** The Planning Commission finds that it has conducted all the public hearings necessary and in compliance with State Law and the Municipal Code of the City of Paramount.

**SECTION 3.** The Planning Commission finds that all requirements of notice have been complied with pursuant to State Law and the Municipal Code.

**SECTION 4.** The Planning Commission finds that the evidence presented does justify the granting of this application for the following reasons:

1. The requested use at the location proposed will not:
  - a. Adversely affect the health, peace, safety or welfare of persons residing or working in the surrounding area;

- b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; nor
  - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- 2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this chapter, or as is otherwise required in order to integrate such use with the uses in the surrounding area; and
- 3. That the proposed site is adequately served:
  - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
  - b. By other public or private service facilities as are required.

**SECTION 5.** That pursuant to Resolution No. 82:043 of the City Council the time limit to seek judicial review pursuant to California Code of Civil Procedure is ninety (90) days from the date hereof.

**SECTION 6.** The Planning Commission hereby approves the applied for Conditional Use Permit as to use in the above entitled matter, subject to the following conditions:

- 1. Except as set forth in conditions, development shall take place as shown on the approved site plans and elevations. Any material deviation must be approved by the Planning Department before construction.
- 2. This Conditional Use Permit shall not be effective for any purposes until the applicant has first filed at the office of the Planning Commission a sworn affidavit acknowledging and accepting all conditions of this Conditional Use Permit. The affidavit shall be submitted by Friday, September 8, 2023. Failure to provide the City of Paramount with the requisite affidavit within the stated here in above shall render the Conditional Use Permit void.
- 3. Written property owner authorization for the modified outdoor seating area shall be submitted to the Planning Department.
- 4. All Conditional Use Permit No. 945 conditions of approval shall be included as general notes on the approved set of building plans.
- 5. This approval is valid for a period of one year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.

6. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated, and the privileges granted hereunder shall lapse.
7. It is further declared and made a condition of this Conditional Use Permit that if any condition hereof is violated or if any law, statute, or ordinance is violated, the exception shall be suspended, and the privileges granted hereunder shall lapse, provided that the applicant has been given written notice to cease such violation and has failed to do so within thirty (30) days of receipt of said notification.
8. The applicant understands that an Unclassified Use Permit, Conditional Use Permit, and/or Variance granted under the Zoning Ordinance, or any section thereof, is granted and accepted by all parties with the express understanding that the Planning Commission may hold a public hearing, notice of time and place of which shall be given to the applicant, if one or more of the following conditions exists:
  - a) That the approval was obtained by fraud;
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  - c) That the Unclassified Use Permit, Conditional Use Permit, and/or Variance is being, or recently has been, exercised contrary to the terms or conditions of such approval or in violation of any statute, provision of the Code, ordinance, law, or regulation;
  - d) That the need for which the approval was granted was so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance (Section 17.48.070, Paramount Municipal Code).

If after such hearing, the Planning Commission finds that any grounds for modification, suspension, or revocation exist, the Planning Commission may modify, suspend, or revoke such Unclassified Use Permit, Conditional Use Permit, and/or Variance.
9. All applicable development fees are due prior to the issuance of building permits.
10. The applicant shall comply with all conditions of approval from Development Review Application No. 23:012.

11. All required permits and licenses from all relevant regulating bodies shall be valid at all times. A copy of all licenses, permits, and conditions shall be posted and maintained in a place conspicuous and readable by all employees and customers of the business.
12. No exterior structural alteration or building color change, other than the colors or building treatments originally approved, shall be permitted without the prior approval of the Planning Department.
13. The installation of exterior window security bars, security door, and security gates is prohibited in accordance with Section 17.24.070(C) of the Paramount Municipal Code.
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17. The business hours of operation of the, including the hours of alcoholic sales and consumption and including indoor and outdoor dining areas, shall be limited to 8:00 a.m. to 9:00 p.m., Monday through Sunday.
18. Special events, including but not limited to events produced or administered by independent promoters, shall be reviewed in accordance with Special Event Permit regulations by the Planning Department. The applicant shall submit a Special Event Permit application at least two weeks in advance of a proposed event.
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25. All employees shall possess at the site a valid driver license or identification card issued by the California Department of Motor Vehicles. All employees shall present such identification upon demand by any regulatory official.
26. Hookah tobacco use is prohibited.
27. Live entertainment, including but not limited to karaoke, musicians, and disc jockeys, is prohibited in the outdoor patio area. Future consideration of live entertainment would require separate review and approval by the City Council.
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48. At the completion of the project, final approval from the Planning Division shall be obtained. All conditions of approval shall be met prior to final approval by the Planning Division.

**SECTION 7.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this 23rd day of August 2023.

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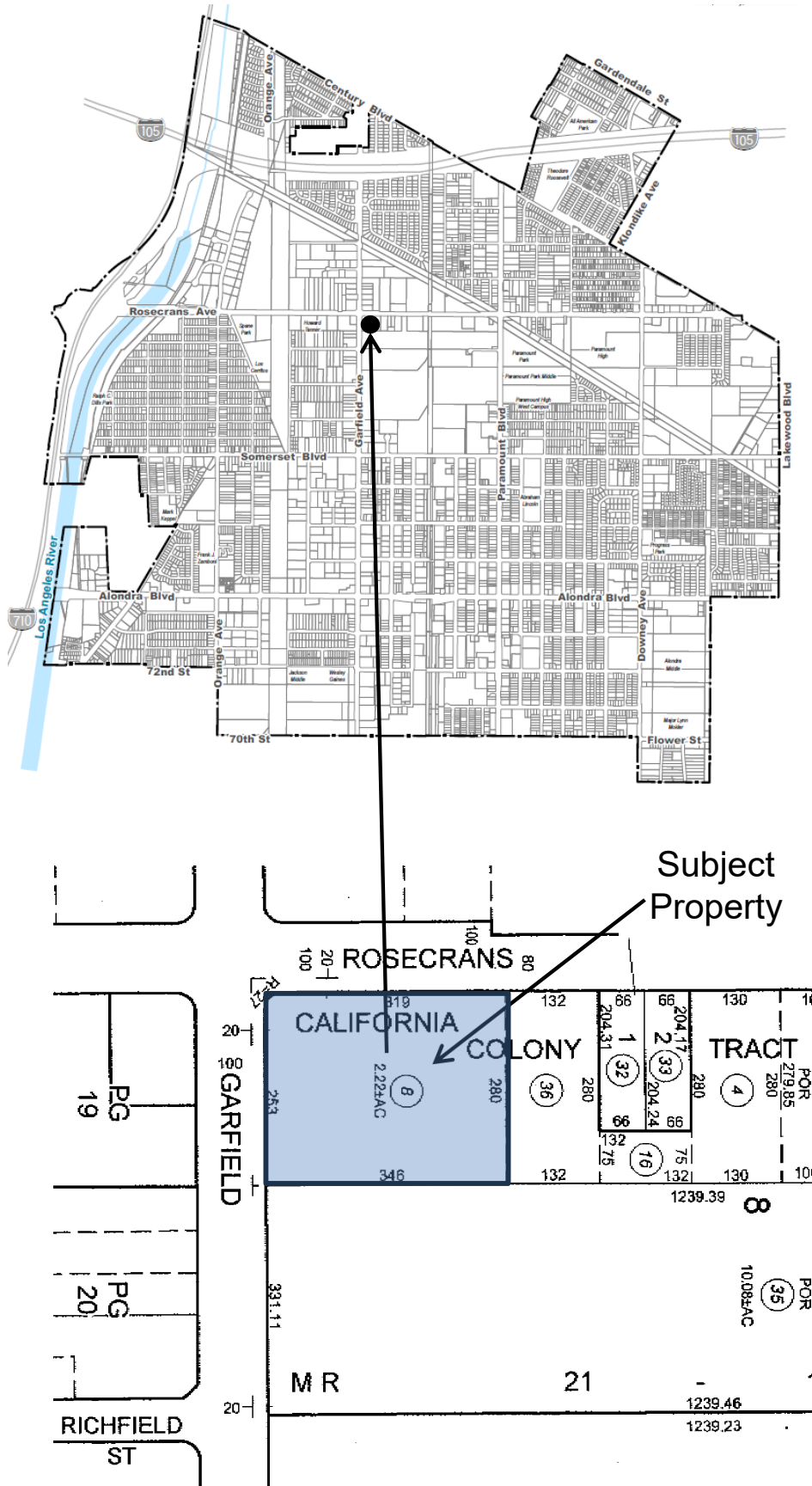
Gordon Weisenburger, Chair

Attest:

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Valerie Zaragoza, Administrative Assistant

# Conditional Use Permit No. 945



7528 Rosecrans Ave., Suite B

AUGUST 23, 2023

PLANNING COMMISSION

COMMENTS FROM CITY ATTORNEY, COMMISSIONERS, AND STAFF