



# **CITY OF SANTA MONICA**

## **Outdoor Dining Standards**

### **For Transit Mall**

#### **(Santa Monica Boulevard and Broadway)**

#### PURPOSE

The purpose of this document is to establish standards for outdoor dining on both sides of Santa Monica Boulevard and both sides of Broadway between Ocean Avenue and 5<sup>th</sup> Street in conjunction with the Transit Mall. The Guidelines accommodate pedestrian circulation, meet applicable code requirements as well as create well-designed and attractive outdoor dining areas.

These standards should not be construed as all governmental agency requirements for starting a new business, or for expanding an existing business to provide new services. The business owner must secure the appropriate approvals, licenses and permits for the Alcoholic Beverage Control Board, Planning and Community Development Department, the Finance Department (Business License), the Resource Management Department-Economic Development Division ("RMD-EDD") for a License Agreement, and any other appropriate authority independent of the Outdoor Dining Application process.

*NOTE: Installation or construction of outdoor dining enclosures may not begin until "Outdoor Dining License Agreement" is signed by the City Manager.*

#### ELIGIBLE USES

1. Restaurant establishments located on either side of Santa Monica Boulevard and Broadway between Ocean Avenue and 5<sup>th</sup> Street which provide full menu food services, take out food service, and specialty food service (e.g., cookies, ice cream) are eligible.
2. Temporary, mobile or freestanding food service providers or vendors are not eligible.
3. Establishments that serve alcoholic beverages in their outdoor dining area are required to meet the additional specific standards outlined in this document for alcohol service as well as all other applicable state and local requirements and any City-wide alcohol policies adopted.
4. Outdoor dining areas must be designated for combined food and beverage service. Food must be purchased in order to be served alcohol. All restaurants are required to post appropriate signage or print on the menu: "Food purchase is required in all outdoor dining areas. Alcohol may not be served without food".

## ELIGIBLE SITES AND CONFIGURATIONS

1. The area covered by these standards is restricted to the north and south side of Santa Monica Boulevard and both sides of Broadway between Ocean Avenue and 5<sup>th</sup> Street.
2. The total use for dining, landscaping, wall, etc., shall be no greater than six (6) feet from the building property line, and an obstruction free pedestrian area of a minimum of six (6) feet must be provided between the exterior of the dining structure and landscaping, and any obstructions such as street trees, newsstands, bus benches, bike racks, light poles or other street elements (see Illustration A).
3. Dining areas shall not be permitted within 15 feet of the closest curb line of the cross streets (including the Promenade) at both ends of each block and shall not be permitted in areas where less than a six foot obstruction free pedestrian area exists between the outdoor dining area and any obstruction such as trees, light poles, chairs, bus shelters etc. Adjacent to any alley or driveway, the outside border of outdoor dining shall be setback 6 feet from the intersection of the alley or driveway. A 45 degree cone of vision must be provided to assist driver vision and emergency access (see Illustration B).
4. The layout of outdoor dining areas must maintain a clear passageway and/or emergency exit.
5. The elevation of the outdoor dining area shall be at sidewalk level; only semi-permanent barriers shall be permitted; and License Agreements shall be issued.
6. All outdoor dining areas shall be fully accessible to the physically handicapped, as required by Title 24.
7. Establishments which serve alcoholic beverages are required to provide a physical barrier that meets the requirements of this document and those of the Alcoholic Beverage Control Board (see Illustration B).
8. The dining area should promote a visual relationship to the street improvements along Santa Monica Boulevard and Broadway.

## DESIGN STANDARDS

1. New outdoor dining areas are to be designated with semi-permanent barriers. Semi-permanent barrier construction must conform to the installation standards and be removable. Barriers utilizing any type of stretched canvas material must be strung through reinforced eyelets. Barriers shall have rubberized footings to avoid damage to the sidewalks.

*NOTE: Modification to sidewalk surfaces, such as borings for recessed sleeves or post holes, is not permitted.*

2. All barriers must be able to withstand inclement outdoor weather.
3. The maximum height of an opaque barrier shall be three feet six inches (3'6") from the sidewalk level including the height of any landscaping. The area between the top of the barrier and the bottom of any awning shall remain open. No Transparent barriers (such as Plexiglas or plastic) are permitted between the top of the opaque barrier and the bottom of the awning.

4. No barrier is required if the food provider limits outdoor tables and chairs to one row abutting the wall of the establishment and no alcohol is served or consumed. Such tables shall be limited to the dimension of 24" x 30". The outdoor dining furniture must be first approved by the Architectural Review Board (ARB). For the sight impaired, potted plants (maximum four feet in height) situated at each far corner of the outdoor dining area is required. The rent for outdoor dining in this configuration shall be based on an area that is six (6) foot depth and the width of the building.
5. An awning may extend over the entire area. Overhead connecting bars between the barrier structure and awning are strictly prohibited. Awnings must be regularly maintained and cleaned in accordance with the City's water conservation policies. An awning maintenance program shall be submitted as part of the materials submitted with the outdoor dining application.
6. Lighting shall be incorporated into the façade of the building, and shall complement the style of the building. Lights on buildings shall not be glaring to pedestrians on the sidewalk. (A minimum of 5 footcandles on the sidewalk shall be provided.) Table lamps or candles are encouraged. Table lamps using liquid fuel or candles used in a place of public assembly will require an annual Fire Department permit and must comply with Uniform Fire Code design standards. An applicant must obtain an electrical permit for a lighting plan from the City's Building and Safety Division.
7. The design, materials and colors used for chairs, tables, lighting and other fixtures shall be generally consistent both with the architectural style and colors used on the building façade. The design must be approved by the Architectural Review Board (ARB) if appropriate, and the Planning and Community Development Department, City Planning Division.
8. No signs are permitted in the outdoor dining area. Signs must be approved by the ARB and the Planning and Community Development Department, City Planning Division in accordance with the standards of this document. However, a two square foot menu board may be permanently attached to the outdoor dining barrier without ARB approval. No portable signs, sandwich signs or other non-permanent menu signs may be installed. Product names may not appear on awnings.
9. Landscape architecture and landscape maintenance program shall be submitted with the outdoor dining application. Water drainage onto Santa Monica Boulevard or Broadway shall not be allowed and stressed or dying plants must be replaced. Potted plants must have a saucer or other suitable system to retain seepage and be elevated to allow for air flow of at least 2" (two inches) between saucer and sidewalk. Plants shall be removed from the sidewalk when the business is closed.
10. Removable demarcation markers indicating the approved location of the barriers must be visible at all times.

#### OPERATIONAL STANDARDS

1. Restaurant management is responsible for running and operating the outdoor dining area.
2. Outdoor dining patios are for sit-down food and beverage service only; no stand-up service is permitted.

3. When the establishment's kitchen closes, further seating in the outdoor dining area is prohibited. The outdoor dining area must close when those patrons already seated in the outdoor area leave. The latest hour for serving alcoholic beverages in the outdoor dining area is 11:30 P.M. (food service may continue), or no later than the closing of the associated food service of the establishment, whichever is first. All alcoholic beverages must be removed from the outdoor dining area no later than 12:00 midnight.
4. Unruly behavior is not permitted in the outdoor dining area.
5. All establishments serving alcohol shall participate in a designated driver program and maintain a working relationship with a taxi service for the safety of their customers. Establishments are encouraged to provide specials on nonalcoholic beverages to designated drivers. It is mandatory that the establishment serving alcohol in the outdoor dining area send its food servers and bartenders to a minimum of one class per year organized by any authorized association such as: Alcohol Beverage Control Board (alcohol training), the California Highway Patrol (designated driver program), or the Santa Monica Police Department.
6. Outdoor dining areas, including sidewalk surfaces must remain clear of litter, food scraps, and soiled dishes at all times. Where eating establishments provide self-service or take-out service, they must maintain an adequate number of employees to clear refuse or litter on a regular basis even though table service is not provided. The sidewalk must be cleaned daily. If sidewalk is not cleaned, City crews will clean the surface and charge the business double the City's cost. Trash receptacles must be provided in the building.
7. At the end of the business day establishments are required to clean (sweep and mop) the area in and around the outdoor dining area.
8. The maximum hours of operation of an outdoor dining area may be established by the City and may be less than, but shall not exceed the hours of operation of the associated food service establishment.
9. Outdoor dining areas shall be continuously supervised by employees of the establishment. Food establishments serving alcoholic beverages must have a supervisor on site at all times.
10. All plans and permits for the outdoor dining area approved by the City must be kept on the premises for inspection at all times the establishment is open for business.
11. Any modification to the approved plans must be approved by the Planning and Community Development Department, City Planning Division and the Environmental and Public Works Management Department prior to the implementation of any modification.
12. Outdoor dining areas shall meet all requirements of the Health Department of Los Angeles County and any other applicable regulations.
13. Musical instruments or sound reproduction systems are not permitted in outdoor dining areas. Sound systems may not be used for any advertising or solicitation purpose for the restaurant or any product or service.
14. All provisions of the Agreements must be complied with at all times.

# Illustration A

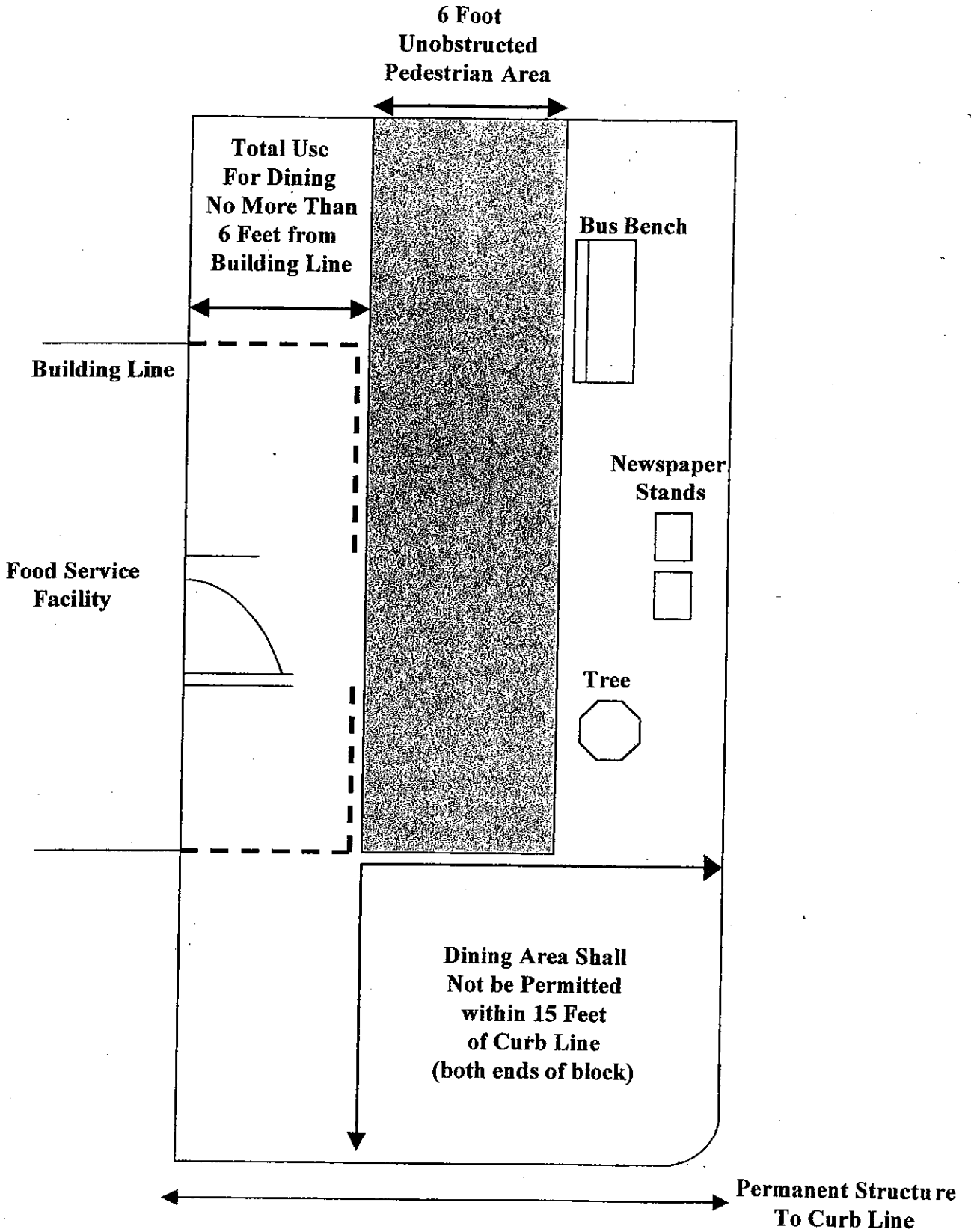


Illustration B

