



# CITY OF SANTA MONICA OUTDOOR DINING STANDARDS FOR THIRD STREET PROMENADE

## PURPOSE

The purpose of this document is to establish standards for outdoor dining on the Third Street Promenade. These standards are developed to ensure that the space used for outdoor dining will, at all times, serve a public purpose and allow for adequate pedestrian circulation. The overall objective of outdoor dining is to create an attractive visual relationship between diners and pedestrians.

These standards are also developed to assist applicants with the design and management of their outdoor dining areas and should not be construed as government agency requirements for starting a new business, or expanding an existing business to provide new services. Business owners must secure the appropriate licenses and permits from the Alcoholic Beverage Control Board, City of Santa Monica, Building and Safety Division, City Planning Division, Finance Department (Business License) and the Resource Management- Economic Development Division (“RMD-EDD”).

*NOTE: Installation or construction of Outdoor Dining enclosures may not begin until an “Outdoor Dining License Agreement” is signed by the City Manager.*

## ELIGIBLE USES

1. Establishments located in the Bayside District which provide take out food service, specialty food service (e.g., cookies, ice cream) and full menu food services are eligible.
2. Establishments that serve alcoholic beverages in their outdoor dining area are required to meet the additional specific standards outlined in this document for the alcohol service as well as all other applicable state and local requirements.
3. 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”.
4. Temporary, mobile or free-standing food service providers are not eligible under these standards.

## ELIGIBLE SITES AND CONFIGURATION

1. The area covered by these standards is restricted to the Bayside District Area consisting of the three blocks of the Third Street Promenade, between Wilshire Boulevard on the north and Broadway on the south.

2. Allowable areas for outdoor dining are identified in the Illustrations B, C and D. These areas, which range from six to twelve feet from the building's edge, were established to accommodate pedestrian flow and fire access paths.
3. The layout of outdoor dining areas shall be in conformance with Illustrations E and F, as applicable.
4. An obstruction free, clear sidewalk area for pedestrian traffic passing through the Promenade is required. Dining areas shall not be permitted in areas where less than an 8 foot obstruction free pedestrian area exists between outside the café area and any obstructions such as street, trees, newsstands, bus benches, or the curb line. Dining areas shall not be permitted within 15 feet of the curb line at both ends of each block (see Illustrations B, C and D).
5. The elevation of the outdoor dining area shall be the same elevation as the sidewalk; platforms are not permitted.
6. Dining areas shall be required to maintain building egress as defined by the Uniform Building Code.
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. (Refer to Illustrations E, F and G for barrier standards.).
8. The size and scale of the dining area shall be compact to suggest intimacy and should promote a visual relationship to the Promenade, as approved by the Santa Monica Architectural Review Board.

### DESIGN STANDARDS

1. Barriers are to designate outdoor dining areas. Barriers must be removable, that is not removed each evening, but capable of being removed, if needed, as by use of recessed sleeves and posts, or by wheels which can be locked into place (see Illustration G).

*NOTE: Any modification to public surfaces, such as borings for recessed sleeves or post holes, must be approved by the Department of Environmental and Public Works Management.*

2. All barriers must be able to withstand inclement outdoor weather and one hundred (100) pounds of horizontal force at the top of the barricade when in their fixed positions.
3. The height of any barrier shall not exceed three (3) feet, or 3' 6", including the top of any landscaping.
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. Such tables shall be limited to a dimension of 24" x 30". The outdoor dining furniture must be approved first in writing by the Planning Division. The rental rate for outdoor dining in this configuration shall be based on an area that is six (6) foot depth and the width of the building, less width of the entrance walkway. For the sight impaired, either potted plants (4' to 5' in height) situated at each far corner of the outdoor dining area, or a color/texture inset in the cement along the border of the dining area is required.

5. The use of retractable awnings or removable umbrellas is encouraged provided that they maintain at least eight (8) feet and seven (7) feet, respectively, of clearance above the sidewalk level and do not exceed fifteen (15) feet in height. Awnings may extend 6 feet from the building front and may not cover more than 50% of the outdoor dining area, whichever is less. Awnings must be regularly maintained and cleaned in accordance with the City's water conservation policies, (bucket and brush method). Commercial and product logos are not permitted on awnings, umbrellas or in any other outdoor display; restaurant logos must be approved in writing by the Architectural Review Board.
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 Promenade, and should illuminate only the outdoor eating area. (General illumination should be at five footcandles, with a maximum of ten footcandles.) Table lamps or candles are encouraged. Wired electrical fixtures will be allowed outside the face of the building if contained within the barrier and installed by a licensed electrician. An electrical permit must be obtained from the Building and Safety Division to install outdoor lighting.
7. The design materials and colors used for chairs, tables, lighting and other fixtures including umbrellas and awnings shall be generally consistent both with the architectural style and colors used on the building façade and the quality of the Third Street Promenade fixtures.
8. Barriers utilizing any type of stretched canvas material must be strung through eye hooks.
9. No signs are permitted in the outdoor dining area with the exception of an identification or menu sign. The sign must be approved by the Architectural Review Board (ARB) in accordance with the standards of this document. Product names may not appear in these areas.
10. A landscape maintenance program shall be submitted with the outdoor dining application. Once approved by the Architectural Review Board, landscaping must be properly maintained. Water drainage onto the Promenade shall not be allowed and stressed or dying landscape must be promptly 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.
11. At the termination of the License Agreement, the outdoor dining barriers must be removed and the sidewalk returned to its original condition.
12. All outdoor dining sites must be handicapped accessible.
13. Any modification to the approved plans must be approved by the Architectural Review Board and all City and State agencies as applicable prior to the initial construction or implementation of any modification and must comply with applicable guidelines, then in effect.

#### 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.
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 non-alcoholic 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, and offered by one of the following agencies: Alcohol Beverage Control Board (alcohol training), the California Highway Patrol (designated driver program), or the Santa Monica Police Department.
6. Outdoor dining areas, including flooring, must remain clean of litter, food scraps, and soiled dishes at all times. Where eating establishments provide self-service 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. Concrete flooring must be washed daily. Trash receptacles must be provided inside 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. If disposable utensils are used, the establishment must comply with all applicable recycling programs.
9. 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.
10. Outdoor dining areas shall be continuously supervised by management or employees of the establishment. Food establishments serving alcoholic beverages must have a supervisor on site at all times. Behavior that disturbs customers or passersby on the Promenade will not be tolerated and constitutes a violation of these standards.
11. 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.
12. Outdoor dining areas shall be operated in a manner that meets all requirements of the Health Department of Los Angeles County and any other applicable regulations.
13. Un-amplified musical instruments or sound reproduction systems are permitted in outdoor eating areas, but shall be maintained at sufficiently low volumes so as not to unduly intrude on neighboring businesses or exceed limits set by the City's Noise Ordinance.
14. All provisions of the License Agreement, and any future adopted city-wide alcohol policy, must be complied with at all times.