



LADOT On-Street Dining Policy

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1. Overview

Definitions

- **Revocable Permit (R-Permit)** - A permit that grants conditional encroachment of the public right-of-way by private parties. This permit type authorizes outdoor dining in the public right-of-way but not on private property
- **On-Street Dining** - A type of encroachment category under an R-Permit application. Encompasses two types of outdoor dining that repurpose parking or curb space: Curbside Dining, and Parking Lane Dining
- **Curbside Dining** - An outdoor dining option that repurposes one or more parking spaces on the street to create an outdoor dining area for a single business
- **Parking Lane Dining** - An outdoor dining option that repurposes multiple parking spaces on a block face to create an outdoor dining area for a minimum of three businesses

2. Approval Criteria for On-Street Dining

Travel Lanes

Curbside Dining is allowed on streets with up to two travel lanes in each direction. Parking Lane Dining is allowed on streets with up to three travel lanes in each direction. Left turn lanes, right turn lanes, or center turning lanes are not considered travel lanes for this requirement.

Street & Sidewalk Clearance

If the buildings on either side of the street of a requested on-street dining area are less than 30 feet tall, a minimum of 20 feet of vehicle driving space must be maintained on the street for fire truck passage. If the building on either side of the street is more than 30 feet tall, a minimum of 28 feet of driving space must be maintained on the street. If these criteria are not met, the Los Angeles Department of Transportation (LADOT) must obtain approval from the Los Angeles Fire Department (LAFD) for On-Street Dining.

The sidewalk in front of an on-street dining area must be wide enough to accommodate a five-foot sidewalk Pedestrian Access Route (PAR) clear of encroachments (tables and chairs) and obstructions, such as power poles, street lights, parking meters, and trees. The PAR may be reduced to four feet if approved by the Bureau of Engineering (BOE) in advance.

Speed Limit

Curbside Dining is allowed on streets with a speed limit of up to 30 MPH. In some instances, LADOT may conditionally allow Curbside Dining on streets with a speed limit of 35 MPH if there is a greater distance from the outer edge of the curbside dining area to the outer lane line of the nearest travel lane, or if the location is on a block that has speed tables.

Parking Lane Dining is only allowed on streets with a speed limit of 35 MPH. If there are multiple businesses on a block interested in On-Street Dining and they are located on a street with a speed limit under 35 MPH, the businesses must each apply for curbside dining areas.

Streets with a speed limit above 35 MPH will not be approved for any form of On-Street Dining.

Curb Markings

On-Street Dining is permitted in marked, unmarked, and metered parking spaces along the curb. Businesses who wish to use yellow curbs (commercial loading), white curbs (passenger loading), and green curbs (short-term parking) must obtain written agreement from the majority of the businesses on the block face in order to use these curb areas for On-Street Dining.

- *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations will have this requirement waived if LADOT has received no complaints regarding the use of these colored curb zones.*

LADOT will not approve On-Street Dining in accessible parking zones (blue curbs). In most cases, LADOT will not approve an on-street dining area in red curbs, however, LADOT may make exceptions if the red curb does not impose on visibility and safety.

Bicycle Lanes

On-Street Dining is allowed on streets with standard (Class II) bicycle lanes and shared (Class III) bicycle lanes, where parking is directly adjacent to the curb. The dining area cannot block or encroach the bicycle lane. On-Street Dining is not allowed on streets with a protected (Class IV) bicycle lane, where the bicycle lane is directly adjacent to the curb.

Unpermitted Zones

In *almost* all cases, On-Street Dining will not be approved in the following zones:

- Electric vehicle charging stations
- Shared vehicle parking spaces (i.e., BlueLA)
- Bike share stations, motorcycle parking, or dockless mobility parking zones on the street
- Public alleys
- Taxi stands
- Valet zones
- Streets with existing farmers' markets (except with written permission from the market manager)

In *all* cases, On-Street Dining will not be approved in the following zones:

- Vehicle travel lanes
- Bus-only lanes
- Bus stops
- Peak-hour travel lanes, tow-away no-stopping zones, and tow-away no-parking zones
- Existing marked and unmarked pedestrian crossings
- Accessible parking stalls, access aisles, and associated accessible routes

To provide adequate access to public and private utilities, LADOT will generally not approve On-Street Dining over storm drain grates, utility access panels, maintenance holes, water meters, or water valves.

On-street dining areas must have a minimum of a 48-inch accessible route on the sidewalk from the dining area to the business's main entrance. For this reason, On-Street Dining will not be approved if sidewalk infrastructure or a landscaped parkway prohibits an accessible route from being provided. Businesses interested in installing lateral paved walkways across a landscaped parkway must obtain a construction permit (A-Permit) in addition to an R-Permit.

Dining Area Width

If the street has marked parking spaces or edge line striping, the on-street dining area must be fully contained within the marked lines. If the parallel parking spaces are not marked, the allowable width will be between seven to eight feet, with an exact width to be determined by LADOT. Deviations from these rules are subject to LADOT approval.

The width between the face of the building and the outer end of the on-street dining area cannot exceed 40 feet, to ensure that an aerial fire truck ladder can reach the building. If this criterion is not met, LADOT must obtain LAFD approval in advance.

Dining Area Length

Curbside dining areas have a minimum length of approximately one parking space but are typically approved at a length of two parking spaces, or approximately 40 feet. Curbside dining areas that extend beyond two parking spaces, or 40 feet, may be approved if the additional parking spaces are not metered and if they are in the business's frontage. Curbside Dining in angled parking spaces will typically be approved at a length equivalent to two parking spaces. Dining areas in angled parking spaces extending beyond two parking spaces may be approved if the additional parking spaces are not metered and are within the business's frontage.

- *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations that have three or more metered parking spaces will be allowed to continue using them if LADOT has received no complaints regarding insufficient parking on the block.*

The length of the Curbside dining area must be at least partially in front of the business frontage and cannot be entirely in the frontage of neighboring properties. If a parking space of a curbside dining area is more than 50% in a neighboring property's frontage, a written agreement from that neighboring property owner is required.

- *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Curbside Dining will have this requirement waived if LADOT has received no complaints from impacted neighboring businesses.*

Parking Lane Dining has a minimum length of 60 feet (roughly equivalent to three parking spaces), not including the required crash cushion barrier, and has a maximum length of all parking spaces on a single block face. If any non-food and beverage serving establishments are within the proposed footprint of the Parking Lane Dining area and will be impacted by the project, the applicant/sponsor must provide written permission from each impacted business owner or must otherwise obtain approval from the local Council Office.

- *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Parking Lane Dining will have this requirement waived if LADOT has not received complaints from other establishments on the block that have had parking removed.*

All Parking Lane Dining applications will be subject to LAFD approval to ensure fire and emergency access can be maintained.

Businesses must fully utilize each parking space allocated to them. LADOT will not approve a partial amount of any marked parking space.

Setbacks & Visibility

On-street dining areas have the following setback requirements to ensure drivers and pedestrians are fully visible to each other, and to provide sufficient clearance for emergency access:

- A 15-foot setback from fire hydrants is always required
- A 6-foot clear path must be maintained on the street in front of a Fire Department Connection (FDC) against a building. This clear path shall be measured from the center of the FDC out 3 feet on each side. If the business is adjacent to an FDC, LADOT must obtain LAFD approval in advance.
 - *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for On-Street Dining may have this requirement waived, subject to LAFD approval.*
- If the existing or proposed on-street dining area is in front of the business's main entrance, LADOT must obtain LAFD approval in advance. LAFD may require a 48-inch or 6-foot gap in the dining area in front of a main entrance, depending on the permitted building occupancy.
 - If the interior restaurant capacity is 99 or fewer occupants, a 48-inch wide gap may be required, measured 24 inches on each side from the center of the main entrance. An exception may be granted if there is less than 20 feet in length and 48 feet in width from the door of the main entrance to the end of the on-street dining area on at least one side.
 - If the restaurant capacity is 100 or more occupants, a 6-foot wide gap may be required, measured 3 feet from each side from the center of the main entrance door
 - LAFD may additionally require a 48-inch gap from secondary exit doors
 - LAFD will generally require a three-foot gap in the on-street dining area for every 40 feet in length of an on-street dining area.
 - All gaps must be open to the sky and must include a removable barrier facing the street.
 - Where ambiguity exists, LAFD will interpret and apply these requirements on a case-by-case basis.
 - *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for On-Street Dining may have this requirement waived, subject to LAFD approval.*

- Intersection setbacks are typically designated with existing red curb, and on-street dining areas are not permitted in red curb zones established for visibility. As part of an on-street dining installation, LADOT reserves the right to add additional red curb to meet current LADOT standards for visibility.
- If the business is adjacent to an alley or driveway, a setback up to the length of one parking space may be required to maintain visibility.
- LADOT may prohibit certain businesses near intersections or driveways from having vertical posts or fixed shade coverings in order to maintain visibility.
- On streets with angled parking, a setback of 1 or 2 feet (to be determined by LADOT) will be required from parking stall lines to ensure there is sufficient space for car doors to open.
- The City will typically require a five-foot setback from any storm drain grates, utility access panels, maintenance holes, transformers, water meters, or water valves.
- LADOT will typically require furnishings to have a four-foot setback from utility poles.

Businesses should have windows and/or doorways that allow for sight lines to the on-street dining area from inside the business. On-street dining areas that are not visible from inside the business will be subject to LADOT approval.

Minimum Use Requirements

Businesses must meet the following minimum use requirements as on-street dining areas permanently remove public parking spaces on a block.

- Businesses must be open and operational before a permit will be issued.
- Businesses must be open at least the majority of the week, which will be verified by LADOT in advance.
 - *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations that are not open the majority of the week will have this requirement waived if LADOT has not received complaints about the business and/or their operating hours.*
- On-street dining areas must be used as primary seating areas rather than as overflow seating. On-street dining areas cannot be used only seasonally, only during special events, or only during peak business hours.
- The on-street dining area should be open and available for use during most of the business's hours.
- The business must fully use the on-street dining area within the first 30 days of installation.

- If a business is having temporary staffing issues that prevent them from using the on-street dining area for a period of time, the business must communicate this to LADOT.

If there is reasonable suspicion that a dining area is not meeting these minimum use requirements, the permit is subject to revocation.

3. Design Requirements for On-Street Dining

Businesses must consider the movability of furnishings, structures, decking, and equipment, as they may need to be moved or removed for routine utility or street construction work conducted by the City, utility companies, or contractors. At least one week's notice will be provided in these situations. Dining areas may also need to be moved or removed during an emergency, which may require less than a week's notice. The business is fully responsible for the costs and labor associated with any temporary removals and re-installations. While reasonable efforts will be made to avoid damages, the City is not responsible for any damages incurred to any business property due to moving dining area materials in the case of an emergency.

Securing the Perimeter

A curbside dining area must have walls on all three sides. A wall is defined as a continuous barrier that surrounds the dining area and prevents people from traveling through the dining area. These walls must be procured and installed by the business and will be subject to approval and inspection by the City. These walls cannot be moved, removed, or replaced without approval from LADOT in advance.

On streets with a speed limit of 25 MPH or lower, an approved wall or fence may be sufficient to create the perimeter on two sides of the curbside dining area, with covered water barriers or approved protective planters required on the third side that faces oncoming traffic. Any approved walls must meet the following requirements:

- Must be sturdy enough to not bend, fall over, or be easily pushed over
- Must be between 30 inches to 42 inches in height
- Shall be no more than 50% open, from the base of the dining area to the top, to ensure that patrons and objects cannot pass through the walls
- Walls shall meet accessibility standards on cane detection and protruding objects found in the California Building Code Chapter 11B
- Metal barricades, or crowd control barricades, can be used as walls
- Gaps between any separate pieces of a wall placed side by side must be less than four inches wide, and each separate piece must be fully connected and locked together

- Walls with pointed tops are prohibited
- Horizontal planter boxes may be allowed as walls, contingent on them meeting all other requirements. The use of horizontal planters must be stated in the application and approved by the City in advance. Wooden planter boxes must have interior plant liners.
- Any plant materials placed on top of approved walls must be a maximum height of 42 inches, including the height of the wall itself. Plant selection, planter specifications, and irrigation methods must be approved by the City in advance.
- Dark-colored walls are not recommended to ensure proper visibility. Dark-colored walls will require additional reflective devices as designated by LADOT
- The following devices and materials cannot be used as walls:
 - Stanchions, chains, tape, rope, and other similar devices
 - Glass and plexiglass
- Fixed walls shall not be installed on the side facing the sidewalk unless conditionally allowed by LADOT due to the slope of the street.
- If bench seating is integrated into a wall, the back wall of the bench must be a minimum of 6 inches wide.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Curbside Dining must meet the above requirements prior to the issuance of an R-Permit.

For Parking Lane Dining, concrete K-rail must delineate the dining area on the side facing the travel lane, with a crash cushion on the leading end and water barriers on each end of the dining area. Concrete K-rail must be procured and installed by the businesses. LADOT will create the engineering plan that lists the number and placement of concrete K-rail pieces and the crash cushion. The concrete K-rail must meet the following requirements:

- Must not exceed 42 inches in height
- Must be locked together in the entire length of the dining area
- Shall not be used for any kind of support or integrated as a weight-bearing element

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Parking Lane Dining must meet the above requirements prior to the issuance of an R-Permit.

Within six months of installation, the exterior side of the concrete K-rail must be painted or decaled with a design and materials that have been approved in advance by the City. Any paint, decals, or sticker wraps should not be dark in color and must not include advertising of the business.

- *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations will have this requirement waived, but are strongly encouraged to decorate the exterior of concrete K-rail.*

Removable Emergency Barrier

For businesses that are required to have a 48-inch, 3-foot, or 6-foot clear path to the street, a removable barrier is required facing the street throughout the clear path. The removable barrier must meet the following requirements:

- Must prevent customers, including small children and the visually impaired, from walking into the street
- Must be solid or have gaps no larger than 4 inches in diameter
- Must be designed and constructed so that it cannot be readily climbed by small children
- Must have detectable edging to be 2 inches maximum above the walking surface
- Must be made of a rigid material. Chains or ropes are not allowed
- Must be easily removed in case of an emergency, even when a business is not open
- Must not be locked to ensure emergency responders have access at all times, including when the business is not open
- Be easily identified from the street/road, and have the words 'Emergency Access' written on it
- *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for On-Street Dining may have this requirement waived, subject to LAFD approval*

Water Barriers

On streets with a speed limit of 30 MPH, water barriers must create a continuous perimeter on all three sides of a curbside dining area. The side that faces oncoming traffic must have two water barriers placed parallel to each other. LADOT may conditionally allow businesses on a 30 MPH street with a standard (Class II) bike lane to have an approved wall instead of water barriers on the side of the dining area facing the street. On streets with a speed limit of 25 MPH, water barriers may be used on all three sides of the dining area but are not required (see Section 'Securing the Perimeter'). The water barriers must meet the following requirements:

- Must be between 30 inches to 42 inches high
- Must have a method of interlocking with one another
- For parallel parking spaces, the water barriers on the longest side of the dining area (against the travel lane) must be interlocked with one another, while the

pieces on each end of the dining area must be placed perpendicular to the curb at a 90-degree angle

- Water barriers that are placed perpendicular to the curb must allow room for curbside drainage by leaving a one foot gap between the curb and the water barrier
- For angled parking spaces, interlocked water barriers must be installed on the side facing the travel lane and, in some cases, may also be required on the leading edge of the dining area, subject to LADOT direction. For 25 MPH streets, approved protective planters may be used in place of water barriers in angled parking spaces
- Must be completely filled with water and used according to the manufacturer's instructions at all times. The City prohibits the use of sand or dirt in water barriers
- Must not be used for any kind of support or integrated as a weight-bearing element
- The valve to empty the water barrier must be facing the street and not the interior of the dining area to ensure easier access to the drain if needed

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Curbside Dining must meet the above requirements prior to the issuance of an R-Permit.

Businesses must enclose the water barriers with a covering that is approved by LADOT in advance. The enclosure must cover the water barrier on all sides and must provide access to inspect and refill the barriers as needed. Placing a vinyl wrap, sticker, or fabric on water barriers may act as a cover, but must be approved by LADOT in advance.

- *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Curbside Dining will have this requirement waived, but are strongly encouraged to place an approved cover over any water barriers.*

Protective Planters

Protective planters can be used in place of the required water barrier on streets with a speed limit up to 25 MPH. All protective planters will require specifications to be submitted and approved by the City in advance. For a planter to be used instead of a water barrier, it must meet the following minimum criteria:

- Should be made of fiberglass material, unless otherwise approved by the City
- Must weigh at least 700 pounds when filled with sand, soil, and plant material. Planters with forklift cutouts are recommended, or otherwise, the business should have a plan in place for how planters will be moved if required.

- Must be at least 30 inches high, and the total height of the planter and plants combined must not exceed 42 inches.
- Gaps between individual planters placed side by side must be less than four inches wide.
- If a protective planter is adjacent to a circulation path and the width of the protective planter's footing or base is narrower than the body of the planter, businesses must ensure it meets state and federal requirements on protruding objects.
- Plant selection and irrigation details must be approved by the City in advance of obtaining a revocable permit.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Curbside Dining must meet the above requirements prior to the issuance of an R-Permit.

Crash Cushion

Crash cushions are required for all parking lane dining areas and must be attached to the first piece of concrete K-rail on the side approaching oncoming vehicles. The crash cushion must meet the following requirements:

- Must be crash-rated up to 45 MPH
- Must be fully attached to the adjacent concrete K-rail
- Cannot be covered or painted
- Must be fully filled with water or meet the manufacturer's specifications. They cannot be filled with sand or dirt.
- Must not be used for any kind of support or integrated as a weight-bearing element
- For safety reasons, businesses cannot establish outdoor dining within the length of the crash cushion.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for Parking Lane Dining must meet the above requirements prior to the issuance of an R-Permit.

Retro-Reflectivity

On the top corners of exterior walls or structures, reflective tape or reflectors are required. Retro-reflective tape or reflectors should also be applied to the top of planters facing oncoming traffic. Additional reflective devices may be required if the dining area has dark-colored walls.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet the above requirements prior to the issuance of an R-Permit.

Required Signage & Equipment

- Curbside dining areas must display one 12-inch by 36-inch Object Marker Sign (OM-3R), consisting of a vertical rectangle with alternating black and retroreflective yellow stripes pointing downward toward the direction of the vehicle travel lane. This sign must be displayed on the outer (left) edge of the side that faces oncoming traffic. For parking lane dining areas, an Object Marker Sign will typically be attached to the front of the crash cushion or will otherwise need to be installed separately onto the crash cushion.
- On-street dining areas are required by LAFD to display the address of the business on a sign at a height of 36 to 42 inches on the street-facing side of the dining area and be readily visible to emergency responders.
 - Address numbers shall be a minimum of four inches tall with black numbers on a white background or other high-contrasting colors.
 - *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for On-Street Dining may have this requirement waived, subject to LAFD approval.*
- On-street dining areas are required by LAFD to display a sign with the FDC address that services the building. FDC address can be provided by LAFD upon request.
 - Address numbers shall be a minimum of four inches tall with black numbers on a white background or other high-contrast colors.
 - *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for On-Street Dining may have this requirement waived, subject to LAFD approval.*
- Each dining area shall have one portable 2A:10BC fire extinguisher that must be securely mounted, clearly visible, and accessible with appropriate signage.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet the above requirements prior to the issuance of an R-Permit.

Shade Coverings

The use of any shade covering, including umbrellas, canopies, tents, and fabric sails, must be specified in the application and approved in advance. They must comply with local and state building codes and fire codes. The shade covering must meet the following requirements, though these do not supersede City or state code:

- Must be made of a cloth or fabric material and cannot be solid wood, metal, plastic, or other hard materials. Fabric must be treated with flame propagation performance treatment. The fabric must have a California flameproof label and must be maintained and treated per the manufacturer's and the California State Fire Marshal (CSFM) recommendations.
- Must be fully contained within the approved footprint and cannot extend into the adjacent travel lane or the sidewalk
- Must have a minimum of seven feet of vertical clearance between the flooring of the dining area and the shade covering
- The top of the shade covering must not exceed 10 feet from the flooring of the dining area, unless otherwise approved by LADOT in advance.
- Must provide a fully visible vertical clearance area between 42 inches and seven (7) feet, with the exception of narrow support poles or vertical posts that are integrated into a structure
 - *Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet this requirement prior to the issuance of an R-Permit.*
- Must not be attached or adhered to utility poles, light poles, parking meters, tree wells, water barriers, or other City infrastructure
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- If larger than 700 square feet, a shade covering requires a Specific Use Permit from LAFD and the Building & Safety Department (LADBS).
 - Exception: The aggregate area of multiple shade coverings placed side by side with a fire break clearance of 12 feet between each shade covering may exceed 700 square feet total without requiring permits
- Shade coverings that are fixed or anchored to a dining structure or wall through vertical posts must undergo a structural review performed by the BOE Development Services Program. Free-standing shade coverings, including movable shade umbrellas or canopies, are strongly encouraged as they do not require structural review.
- If a business uses shade coverings on the street, LAFD will require a 10-foot separation from the shade covering on the street to any shade covering that may exist on the sidewalk, including umbrellas and awnings. Deviation from this will require approval from LAFD.
 - *Exception: Businesses with existing L.A. Al Fresco Temporary Use Authorizations for On-Street Dining may have this requirement waived, subject to LAFD approval.*

Note: Unless otherwise noted, businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet the above requirements within six months of issuance of an R-Permit.

Accessibility

The on-street dining area must be designed and operated so that it is accessible to people with disabilities, in compliance with federal, state, and local disabled access requirements. The most commonly applicable accessibility requirements for on-street dining are integrated throughout this document, but businesses are required to refer to the California Building Code Chapter 11B for complete information.

Platforms and Decking

The on-street dining area must be designed and operated so that it is accessible to people with disabilities, in compliance with federal, state, and local disabled access requirements. This can be met by providing a deck that is flush with the sidewalk. If no sidewalk exists at the location, a deck may be prohibited. In some cases, such as locations with angled parking or low-height curbs, LADOT may allow ramps to be used instead of a deck. Ramps must meet California Building Code Chapter 11B requirements and must be approved by the City in advance.

Decks must comply with the following requirements, but these do not supersede any requirements in the California Building Code.

- Must be constructed of durable, fire-resistant materials able to withstand the effects of the outdoor environment
- Platforms shall be designed to be load-bearing
- Pouring concrete for the deck or the deck platform is strictly prohibited
- Floor surfaces of the deck adjacent to the accessible seating area must comply with California Building Code Chapter 11B on accessibility. This includes meeting standards for slope, elongated openings, and changes in vertical height. Changes in level between the deck and the adjacent curb must also comply with Chapter 11B requirements.

The deck must meet the following requirements to allow curbside drainage flow:

- A four inch high by eight inch wide minimum clear gutter space against the curb shall be provided along the entire length of the platform, though LADOT encourages platforms that allow water to pass underneath across the entire width of the platform
- Openings at both ends of the gutter opening shall be covered with a metal screen

The City strongly recommends decks that allow for easy disassembly in the case of required street construction work or for an emergency.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet all the above requirements within six months of the issuance of their R-Permit.

Structures

Structures are defined as fabricated enclosures that may consist of walls, decks, and/or shade covering. Businesses are allowed to fabricate structures that meet the requirements found in this section and all other sections. Structures that include fixed vertical posts must have structural plans reviewed and approved by the BOE Development Services Program prior to the issuance of an R-Permit. The drawings and calculations shall be stamped and signed by a California-licensed Civil or Structural Engineer. Structures with only decks and/or walls without vertical posts will not need structural review.

- *Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must have signed and stamped structural plans approved by the City within six months of the issuance of their R-Permit.*

Businesses that wish to construct a new structure or modify an existing structure must obtain an A-Permit through BOE for construction in the public right-of-way.

The following guidelines and requirements apply to structures:

- Structures shall be designed with structural integrity and all their components shall be designed and built to support anticipated live loads and wind loads.
- Structures shall comply with disabled access requirements in California Building Code Chapter 11B.
- The structure must comply with the other design requirements found in this policy.
- The City encourages the use of high-quality, durable, natural materials such as fire-treated wood, metal, or other materials that will withstand year-round wear and tear.
- Overhanging objects, including string lights and shade coverings, must be a minimum of 7 feet above the floor of the dining area.
- No part of a structure may exceed the maximum height of 10 feet from the flooring of the dining area.
- The City encourages the use of removable and reusable hardware, such as screws, bolts, etc. so that a structure can be quickly and easily disassembled, stored, and reassembled if required by the City.
- Structures must include all minimum required walls, and all components of the structure must be fully contained within the approved footprint of the dining area and cannot overhang onto or be located on the sidewalk or travel lane.

- Structures may act as an approved cover for water barriers.
- If bench seating is fabricated on the interior side of a wall, the backrest of the bench must have a 6-inch separation from the outer edge of the wall.
- For Parking Lane Dining, all structures must be fully contained within the interior side of the concrete K-rail. Concrete K-rail cannot be covered by a structure.

When designing structures, businesses must consider the movability and disassembly of structures for any required street construction work or in the case of an emergency. Structures that are modular and allow easy disassembly are preferred, as temporary removals will be incurred at the cost of the business.

Transparent walls above the 42-inch wall height requirement will be subject to LADOT approval. Glass is a prohibited material for transparent walls. Removable, roll-up, plastic, vinyl, or other temporary walls that are not included in structural calculations must be removed before any severe weather event.

Furnishings & Decorations

- All furnishings and decorations must be fully contained within the approved footprint and perimeter walls and cannot be stored outside of the dining area.
- Furnishings and decorations must be fully tied down or sturdy enough not to be blown away in high winds.
- Fixed walls are prohibited facing the sidewalk, unless conditionally approved by LADOT.
- Furnishings and equipment, including planters, placed on the sidewalk are only allowed contingent on a separate revocable permit for the sidewalk.
- All decorative plants and planters must have a combined height no greater than 42 inches for visibility through the dining area.
 - *Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet the above requirements prior to the issuance of an R-Permit.*
- For any plants and planters in an on-street dining area, the planter, plant selection, and irrigation method must be approved by the City in advance through the application process.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet all these requirements within six months of the issuance of their R-Permit.

Advertising

Per City ordinance, outdoor dining areas in the public right-of-way must not contain any advertising, marketing, or promotional signage or materials.

- *Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet this requirement within six months of the issuance of their R-Permit.*

Heating

Outdoor heating fixtures must be used in accordance with State and City Code Requirements. Businesses must ensure the use and operation of propane heaters comply with LAFD regulations.

Propane heaters cannot be placed underneath overhead canopies, awnings, inside buildings, or tents, and must have a 5-foot clearance radius (top, bottom, and sides) from the edge of the heat shield.

Liquid Propane Gas (LPG)

A separate Special or LAFD Operational Permit is required for the use and storage of LPG. A site plan with each heater's desired location is required at the time of LAFD permit application. A final on-site LAFD permit inspection will be conducted to ensure proper spacing of heaters from combustibles and access routes.

Businesses are allowed to store propane tanks on-site in an approved outdoor container/rack. No indoor storage of any amount of propane is allowed. The proposed outdoor storage of propane containers requires plan review and inspection by LAFD. The following are additional storage requirements for propane containers:

- Storage of more than 10 gallons (equivalent to two standard 5-gallon tanks) of propane requires an LAFD CUPA permit
- The maximum amount of propane allowed to be stored in an approved container/rack is 60 gallons (equivalent to 12 standard 5-gallon tanks)
- LPG storage is not allowed in the public right-of-way

Businesses without an approved private outdoor dining storage area must remove the tanks from the premises at the close of business every day.

Electric heaters are prohibited in on-street dining areas.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must meet the above requirements prior to the issuance of an R-Permit.

Lighting

Lighting cords cannot be connected from an on-street dining area to the building overhead or across the sidewalk without an LAFD clearance. LADOT encourages the use of wireless, solar, or battery-operated lights. Any lighting must meet the following requirements:

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- Wired lighting must be rated for outdoor use.
- Wired lighting may not be affixed to any public assets or city property, including street fixtures, street trees, or public utilities.
- Cords must have a seven-foot vertical clearance from the flooring within the on-street dining area.
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- Lighting must not create a glare for moving vehicles
- Lighting shall not flash, strobe, or be at high intensities

4. Operational Rules and Responsibilities

Maintenance Agreement

Applicants are required to sign a maintenance agreement that commits the business to keeping the outdoor dining area clean and habitable. Prior to issuance of the R-Permit, the business must sign and submit an agreement that specifies:

- If the dining area has plants, landscape maintenance must occur at least monthly. This includes ensuring planters with plants meet the 42-inch height requirement from the ground, and ensuring debris/trash does not accumulate in planters.
- Gutter maintenance for decks and platforms must occur at least monthly, which includes cleaning the outside perimeter of your dining area and underneath the deck to ensure proper water drainage flow.
- If the dining area has water barriers, maintenance must occur at least monthly. This includes checking water levels, replacing water if needed, and checking for damage, leaks, and ensuring water barriers are locked together.
- Deep cleaning should occur at least monthly. This includes power washing and deep cleaning furnishings and equipment, such as deck surfaces, walls, structures, shade coverings, and furniture.
- Graffiti removal must occur at least monthly, but the City highly encourages businesses to remove graffiti immediately.

- Inspections of furniture conditions should occur at least quarterly, which include checking for damaged, loose, or cracked furnishings, equipment, and structures, and repairing items as needed.
- The business must have a plan for how your dining area will be moved/disassembled in the case of an emergency or for street maintenance, which includes specifications on which items in your dining area can be disassembled, where equipment will be stored, and who would perform this work (staff, contractor, etc.)
- The business must have a plan for the removal of the dining area if they no longer wish to use it or if the business permanently closes, including who will perform this work.

Note: Businesses with existing L.A. Al Fresco Temporary Use Authorizations must have a signed and approved maintenance plan within six months of the issuance of their R-Permit.

Operational Rules

The operational rules for On-Street Dining will be enforced by StreetsLA's Investigation and Enforcement Division. Warnings or fines may be issued for non-compliance, and permit violations may result in revocation of the permit. If a permit is revoked, the permittee shall remove all encroachments at no cost to the City and restore the public right-of-way to the satisfaction of the City.

The operational rules for On-Street Dining will apply to all new and existing participants upon issuance of their R-Permit.

Minimum Standards

- The R-Permit certificate shall be posted on the business's storefront and made clearly visible to the public at all times.
- Businesses shall not exceed the seating limit approved and listed on the R-Permit.
- The City reserves the right to revoke the permit at any time for any reason.
- Permits and furnishings cannot be automatically transferred to a new business. If the restaurant changes ownership, a new permit will be required.
- The on-street dining area shall not be modified from the approved conditions and site plan without written approval by the City. Any unapproved modifications may result in the revocation of a permit.

- All furnishings and equipment shall be placed within the approved footprint of the on-street dining area and cannot be stored in adjacent parking spaces or red-curbed areas.
- The dining area shall comply with requirements and guidelines from the City of Los Angeles, Los Angeles County Public Health, the Americans with Disabilities Act, California Building Code, and all others as applicable.
- The dining area shall always be maintained in a clean and orderly manner. All food or drink spills and trash of any kind must be immediately removed from the dining area.
- Nightly cleaning of the premises, outdoor seating areas, and adjoining sidewalk areas is required to ensure they are free of debris and litter.
- Private dining trash must be collected and deposited in private trash receptacles, not placed in public trash receptacles.
- Alcoholic beverages may only be served in the public right-of-way with the approval from the Department of City Planning and the California Department of Alcohol and Beverage Control. Businesses must abide by the alcohol service standards specified in the Los Angeles Municipal Code Section 12.21 A.24
- Outdoor dining areas shall operate no later than 10:30 p.m. on Sundays through Thursdays and 11:00 p.m. on Fridays and Saturdays if abutting or across an alley from a residential zone, not including the RAS zone. If the outdoor dining area is not abutting or across an alley from a residential zone, then the Outdoor Dining Area is subject to any applicable hours limitation imposed by law, discretionary action, or previously issued permit.
- Access must be maintained to city assets, including but not limited to bike racks, streetlight posts, trees, utilities, public furniture, and parking meters. Generally, a four-foot clearance should be provided
- All Outdoor Dining areas shall be maintained so they are accessible to people with disabilities in accordance with state and federal regulations.
- The noise levels of the Outdoor Dining Area shall not exceed the standards set forth in the Noise Ordinance
- The business must continue to meet the minimum use requirements for On-Street Dining permits, which include:
 - The business must be open at least the majority of the week
 - On-street dining areas should be open and available for use during most of the business hours
 - On-Street Dining should be used as a primary seating area, not as overflow seating. They cannot be used seasonally, only for special events, or only during peak business hours.

Prohibited Activity

- Music, speakers, live entertainment, including but not limited to disc jockeys, karaoke, dancing, pool tables, billiard tables, and adult entertainment, are prohibited.
- Television monitors and screens are prohibited.
- Private events with cover charges within the outdoor dining area
- Smoking in or near the outdoor dining area in accordance with the Los Angeles Municipal Code, Section 41.50.B
- Items other than food or beverages shall not be sold within the outdoor dining area
- Food preparation is not permitted within the outdoor dining area
- Outdoor dining areas shall not be used as food pickup areas, queuing areas for entry into a business, or a pathway for travel
- Generators are prohibited in the outdoor dining area or as a source of electricity for equipment in the outdoor dining area
- No advertising of any kind is permitted in the public right-of-way in accordance with the Los Angeles Municipal Code, Section 67.02.

Additional Responsibilities of the Business

- Agreeing to defend, indemnify, and hold the City of Los Angeles harmless for any loss or liability, including but not limited to, damage or injury related to the outdoor dining encroachment
- Uploading general liability insurance that meets the City's requirements annually onto Kwikcomply.org
- Removing and reinstalling furniture, decorations, equipment, and structures (at the sole cost of the business) if directed by the City for utility or construction work, or in the case of an emergency. Ensuring there is adequate storage space for such items and having a plan in place for storage
- Upon permanent closure of the business or cessation of use of an outdoor dining area, the permittee shall be responsible for removing all items in the outdoor dining area at the permittee's expense and returning the public right-of-way to its original condition.
- Ensuring that equipment is tied down or put away at night and during storms or high winds so that equipment does not get lost, stolen, moved, or blown away
- Furnishings and equipment may remain in the dining area outside of business hours unless otherwise specified by LADOT. The City is not

responsible for vandalism, theft, or misuse. It is the permittee's sole risk to leave personal property in the dining area.

- Notifying the City immediately of any accidents or other incidents that have caused or may cause injury to people or outdoor dining equipment, and any claim for injury, death, property damage, or theft
- For businesses with existing barriers and umbrellas provided by LADOT, the business is responsible for maintaining, moving, removing, and replacing all equipment upon issuance of the R-Permit.
- Ensuring all water barriers are completely filled with water at all times