



LADOT Draft On-Street Dining Policy Summary of Public Comments

January 2024

Allow for private events in Al Fresco on-street dining areas, as private events can be anything from a set of reserved tables for a birthday party, baby shower, memorial, or other low-impact events as it relates to surrounding merchants and communities.

LADOT has revised its policy to reflect that private events *with* cover charges are prohibited. Private events without cover charges, such as table reservations, are allowed.

Allow ambient music in Al Fresco on-street dining areas.

At this time LADOT will be continuing to not allow ambient music in on-street dining areas as City enforcement staff do not have the resources to address ambient music violations, which would require decibel readers and after hours inspections.

The draft indicates that these outdoor dining spaces must always be a primary seating area for the restaurant. We ask for more flexibility. Restaurants often will close a seating section indoors based on their own staffing levels and/or the number of active diners. That same flexibility should be allowed for these outdoor dining spaces. If one is tight on staff on a given day and has low customer counts, why should the restaurant be forced to service a section of seating (Al Fresco) that may not be necessary?

LADOT has revised its minimum use requirements to reflect that on-street dining areas should be open and available for use during *most* business hours, rather than *all* business hours. LADOT has provided more flexibility by adding, "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."

The requirement that on-street dining areas must be used as primary seating areas will be kept as is. As parking spaces are permanently lost, it is important that on-street dining areas be open and available to use by the public to the greatest extent possible. LADOT has received complaints from the public throughout the temporary program that some dining areas are minimally used throughout the year.

Allow for both 29" and 42" height tables and/or communal tables with seating.

LADOT's policy does not prohibit communal style tables. Per the recently adopted Al Fresco Ordinance, all businesses are required to abide by the Alcohol Service Standards found in Section Section 12.21 A.24, which state:

When a revocable permit is issued for outdoor dining in the public right-of-way and alcohol service is proposed pursuant to the administrative alcohol authorization process in LAMC Section 12.21 A.24(e) below, all the following standards apply:



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- A. *All alcohol shall be delivered to and served at tables by employees.*
- B. *All patrons shall be seated.*
- C. *Only fixed or portable bars not used as a point of sale are permitted in an Outdoor Dining Area.*

Allow shade coverings that are greater than 10 feet tall in height, as common store bought canopies and tents can often exceed this height.

LADOT has revised the policy and will now allow storebought umbrellas, tents, and canopies to exceed 10 feet in height, subject to approval. LADOT will continue to not allow custom-built wood dining structures to exceed 10 feet in height from the flooring.

Allow for more than two parking metered spaces per business.

There are several LA Al Fresco participants that were previously approved for three or more metered parking spaces. These businesses can continue to use these spaces without shrinking their existing footprint. New applicants for on-street dining revocable permits will only receive up to two parking spaces if they are metered. Businesses with non-metered parking spaces may exceed two spaces upon approval from LADOT.

Omit the need for an electrical permit for outdoor lighting.

LADOT has clarified in the policy that electrical permits are only needed for the outdoor outlet receptacle itself, if it has not already been permitted. Businesses will not need to obtain any new or additional permits to have outdoor lighting in the on-street dining area if the outdoor outlet has already been permitted.

Allow more flexibility for transferring permits to a new business at the same address. Currently the language reads, “Permits cannot be automatically transferred to a new business. If the restaurant changes name or ownership, a new permit is required.”

LADOT has revised its policy to reflect that changing a business name (with same owner) does not warrant a new permit, but changing business ownership will still require a new permit.

Provide information on disabled access requirements.

Our policy has incorporated more information on disabled access requirements. Businesses are still required to read through and ensure State Building Code requirements found in Chapter 11B are met. LADOT will be providing additional guidance outside of this policy in a visual guidebook.