

MOTION BY SUPERVISOR HOLLY J. MITCHELL

April 5, 2022

PERMANENT OUTDOOR DINING ORDINANCES

At the Los Angeles County (County) Board of Supervisors' (Board) direction, the Departments of Public Works and Regional Planning initiated a COVID-19 Temporary Outdoor Dining Program in July 2020. Over 100 restaurants throughout our unincorporated communities have received permits for temporary outdoor dining areas on sidewalks, parklets, alleyways, and private parking lots. The temporary program intended to support the hospitality industry during periods of time in which indoor dining areas were completely closed or had limited capacity. This program has promoted neighborhood vitality through expanded public spaces and increased pedestrian activity for the businesses that were aware of and able to navigate the process.

In recognition of the temporary program's success, in June 2021 the Board directed the Chief Executive Officer to collaborate with several County departments to outline the scope of a permanent outdoor dining program. The report back recommended that amendments to the County Code were an important first step towards establishing a permanent program. Specifically, two separate ordinances amending Title 16 (Highways), which regulates the public right-of-way, and Title 22 (Planning and Zoning), which regulates private property, are necessary. The scope of the ordinance amending Title 16 should include requirements for permits, permit fees, and design plans, including standard design plans; requirements for traffic impacts and controls; standards for the maintenance and

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repair of facilities in the public right-of-way; and procedures for alley closures and other public right-of-way vacations.

The scope of the ordinance amending Title 22 should include identifying the various zones where outdoor dining will be allowed; development standards, such as those related to outdoor dining area size, separation from driveways and loading zones, landscaping, barriers, signage, and outdoor lighting; performance standards, such as those related to operations, live entertainment, amplified sounds, and trash disposal; and considerations for parking.

Further, in recognition that the temporary program was disproportionately underutilized in the communities most impacted by COVID-19, the County must take further measures to explore ways to ensure equitable access to the resources and benefits of a permanent County program.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Direct the Director of the Department of Public Works (DPW), in consultation with County Counsel and the Directors of the Departments of Fire, Public Health (DPH), and Regional Planning (DRP), to initiate an ordinance amending Title 16 as described in this motion and present the ordinance to the Board of Supervisors (Board) for consideration at a future public hearing within the next six months;
2. Direct the Director of DRP, in consultation with County Counsel and the Departments of Fire, DPH, and DPW, to initiate an ordinance amending Title 22 as described in this motion and present the ordinance to the Regional Planning Commission and the Board for consideration at future public hearings within the next 6 months; and
3. Direct the Directors of DPW and DRP, in consultation with the Chief Executive Officer and the Director of the Department of Consumer and Business Affairs, to (a) conduct outreach regarding both ordinances to a wide range of stakeholders, such as residents, owners of existing restaurants in unincorporated communities, hospitality industry organizations, and other business groups, and community-based organizations especially in communities that were hardest hit by the COVID-19 pandemic, as soon as

possible, and (b) identify measures, outreach, grant resources, loans and technical assistance that ensures equitable participation in a permanent outdoor dining program. A written report regarding the foregoing must be delivered to the Board no less than 90 days prior to its consideration of the revised ordinances.

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