

MOTION

During the height of the COVID-19 pandemic, the City’s Al Fresco program provided an invaluable lifeline to our small business community, keeping restaurant doors open and money in the pockets of struggling Angelenos.

Since the program’s inception, the Planning Department has issued approximately 154 temporary authorizations for outdoor dining in the Coastal Zone. While a Coastal Development Permit (CDP) is typically required for restaurants within the Coastal Zone that seek to add or expand outdoor dining space, various state laws were enacted to provide an easy path for dining establishments to obtain temporary authorizations for outdoor dining during the pandemic.

These bills include Assembly Bill 61 (Gabriel), which temporarily suspends local parking requirements for outdoor dining purposes through December 31, 2023. Additionally, the Coastal Commission has granted a number of temporary CDP waivers to allow outdoor dining areas and other pandemic-related activities in the public right of way.

However, once AB 61 sunsets and the temporary waivers expire at the end of this year, any restaurant in the Coastal Zone looking to make their outdoor dining areas permanent would need to obtain a CDP to continue their outdoor dining operations. The costs and time needed to obtain a Coastal Development Permit are significant and impose a serious burden on our coastal food establishments. The timeline for processing a CDP is approximately 6 to 9 months, and the fee is approximately \$16,000. This extra burden on our Coastal Zone restaurants is unfair and the City must act in good faith to address this inequity.

The idea behind a programmatic CDP is to consolidate multiple CDPs under one application process. As of now, a programmatic CDP has been discussed at a cursory level and the details of how it will be implemented are not mentioned at all in the current Al Fresco outdoor dining on private property proposed ordinance (Council File No. 20-1074-S4).

If no provisions are made for the 154 restaurants in the Coastal Zone, then starting January 1, 2024, their outdoor dining spaces allowed under the temporary authorization would be in violation of the Coastal Act and subject to enforcement by the Coastal Commission. This outcome is unacceptable and can only be avoided if the City takes action now. As such, the Planning Department must take the necessary actions to create and implement a programmatic CDP for Al Fresco outdoor dining on both private property and those in the public right of way in the Coastal Zone.

I THEREFORE MOVE that the Council instruct the Planning Department, with the assistance of the Department of Transportation, Department of Building and Safety, Bureau of Engineering, and in consultation with the City Attorney, and the Coastal Commission, to prepare a report within 60 days with recommendations to establish a programmatic Coastal Development Permit for Al Fresco outdoor dining on both private property and in the public right of way in the Coastal Zone.

PRESENTED BY: Traci Park
TRACI PARK
Councilwoman, 11th District

SECONDED BY: [Signature]

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