

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at NCsupport@lacity.org.

This is an automated response, please do not reply to this email.

Contact Information

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The Board approved this CIS by a vote of: Yea(26) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 03/14/2023

Type of NC Board Action: Against unless Amended

Impact Information

Date: 03/14/2023

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 20-1074

Agenda Date:

Item Number:

Summary: Please see attached PDF.



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COMMUNITY IMPACT STATEMENT

PASSED 26-0-0-0 on March 14, 2023

COUNCIL FILE(S):

Council File [20-1074](#) (LA Al Fresco Program / Permanent Sidewalk Dining Permits / Transition Process)

CITY PLANNING CASE(S):

[CPC-2022-8179-CA](#) – Also emailed to alfresco.planning@lacity.org

POSITION: OPPOSE UNLESS AMENDED

On May 29, 2020, Mayor Garcetti announced the L.A. Al Fresco program, which permitted restaurants to utilize private parking lots, street parking spaces, lane closures, street closures, and sidewalks for outdoor dining. It is not hyperbole to say that the L.A. Al Fresco program saved many restaurants from going under during the COVID-19 pandemic.

The L.A. Al Fresco program was a huge success, with over 2,500 restaurants taking advantage of it. In addition to helping restaurants survive, the program brought streets to life; previously barren parking lots or spaces brimmed with the hustle and bustle of Angelenos enjoying a meal.

As the City of Los Angeles considers how to make the L.A. Al Fresco into a permanent program, it is unfortunately doing what it does best – overcomplicating it. What used to be a few minute application process online threatens to become a multiple months



(or even years!) long process, the cost of which will be out of reach for the majority of restaurateurs. In short, the current [draft ordinance](#) as contemplated by the city will likely mean the end of most outdoor dining in the City of Los Angeles.

No one wants outdoor dining to end – restaurants, still recovering from COVID-19 and dealing with inflation in supply prices, want to continue it. Patrons want to continue it. And the city claims to want to continue it.

The following changes will allow this popular program to continue, conform to needed fire code and ADA standards, and not overburden restaurants:

1. **Sec. 8(A)(24)(c)(iv) – If a restaurant has an existing CUP or CUB, they should be allowed to do a simple, quick, online amendment with their outdoor dining plans.** It should *not* be required that they complete a new application for a CUP or CUB, which can cost tens of thousands of dollars, take many months, and only serve to enrich the consultants that help most restaurants with this. If liability is an issue, the city could require that the restaurant name the city as an “additional insured” in their insurance policy.
2. **Sec. 8(A)(24)(d)(iii)(1)(a-c) – We don’t see why outdoor entertainment or activity should be prohibited.** Each AI Fresco installation is different, but in many cases, a screen to watch sports, live singing or entertainment, or dancing may not disturb the peace of the neighborhood, but may instead liven it up! We suggest removing these three blanket prohibitions, and dealing with any prohibitions needed on a case-by-case basis.



3. **Sec. 8(A)(24)(e)(i) – This section must be removed; restaurants should be able to choose as many parking spaces on private property as they wish.** Many AI Fresco installations take up more than five parking spots, and many restaurants would rather have 20 people dining instead of 5 people storing their car. This should be left up to the restaurant and not dictated by the city.
4. **Sec. 8(A)(24)(f)(i-ii) – Existing, permitted AI Fresco programs that comply with current AI Fresco rules should not need to apply for a CUP to continue as-is.**
5. **Sec. 8(A)(24)(d)(i)(5) – AI Fresco setbacks are unnecessary.** A restaurant that already has a busy parking lot, entrance, sidewalk or other property abutting its property line need not give up some of that already-used space to a setback for an outdoor dining area.

Thank you for your attention to this critical issue, and we hope you will make the suggested changes above to stop the “[sucker punch](#)” your proposed draft would deliver to restaurants in continuing their AI Fresco installations.

Michael Schneider
Vice Chair, Mid City West Neighborhood Council