

PUBLIC WORKS COMMITTEE REPORT relative to transitioning the LA AI Fresco Program to a permanent program.

Recommendations for Council action:

1. INSTRUCT the Department of City Planning (DCP), in coordination with the Los Angeles Department of Building and Safety (LADBS), Los Angeles Fire Department, and City Attorney, to prepare and present a Citywide ordinance creating a permanent AI Fresco program and generally streamlining outdoor dining provisions throughout the Zoning Code.
2. INSTRUCT the DCP to undertake an outreach process, including current temporary AI Fresco participants, community stakeholders, and industry representatives, in the preparation of the permanent AI Fresco and outdoor dining ordinance.
3. INSTRUCT the DCP, LADBS, Los Angeles Department of Transportation, Bureau of Engineering (BOE) and other applicable departments, to develop a set of proposed regulations and processes, which are consistent and complementary, for a permanent AI Fresco and outdoor dining program.
4. INSTRUCT the DCP and the LADBS to report to Council within 90 days with a status report regarding the development of outdoor dining provisions, including consideration of the following:
 - a. Parking issues, including an evaluation of corridors with a high concentration of outdoor dining and increased dining capacity in relation to parking availability, and metrics that can be used to determine an appropriate number of additional outdoor dining seats; potential limits on the amount of on-site parking that may be converted to outdoor dining in order to achieve program-wide equity; whether any limits should apply to patios that do not impact on-site parking, or the number or percentage of seats that may be required without providing additional parking.
 - b. Noise issues, including whether different rules should apply depending on whether the outdoor dining is on a side of structure facing residential uses.
 - c. Alcohol service.
 - d. The feasibility of a program similar to the Restaurant Beverage Program that creates a streamlined approval process for applicants that meet a set of standard conditions and allows Councilmembers to include or exclude areas that are eligible for that program.
 - e. The feasibility of different regulations in different parts of the City based on factors like intensity of development, availability and use of transit and modes other than privately-owned vehicles, and on-street parking demand.
 - f. Enforcement of requirements and conditions, including cooperation among the LADBS, the BOE, the Bureau of Street Services and the Los Angeles Police Department, and including ability to conduct inspections and enforcement during evening and weekend hours.
 - g. The feasibility of a program similar to Accessory Dwelling Unit (ADU) program that includes a suite of design options for outdoor dining structures and spaces that can be selected from by permittees and applicants in order to streamline the approval process and achieve program compliance.

Fiscal Impact Statement: None submitted by the DCP nor LADBS. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

SUMMARY

At the meeting held on January 26, 2022, your Public Works Committee considered a DCP/LADBS joint report relative to transitioning the LA AI Fresco Program to a permanent program.

After an opportunity for public comment was held, the Public Works Committee moved to approve the recommendations stated in the joint report as amended, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

PUBLIC WORKS COMMITTEE

| <u>MEMBER</u> | <u>VOTE</u> |
|---------------|-------------|
| BLUMENFIELD | YES |
| LEE | ABSENT |
| DE LEÓN | YES |
| O'FARRELL | YES |
| KORETZ | YES |

ME 1/26/22

-NOT OFFICIAL UNTIL COUNCIL ACTS-