



CITY OF SANTA MONICA Sidewalk Dining Guidelines

Applications for Sidewalk Dining are submitted through our [Online Application](#). All materials and development standards described below will be verified as part of the application process. Only complete applications can be submitted.

Establishing sidewalk dining on public property is a two-part process. After the Sidewalk Dining Permit is approved, an Outdoor Dining License Agreement must be established to use the public right-of-way. Both aspects are completed through the same online application, only one submittal is required.

What you will need to get started:

- 1) Completed Application.
- 2) Site Plan of your proposed sidewalk dining area, including total number of tables and chairs (see example site plans below).
- 3) Insurance.
- 4) Permit Application Fee
- 5) Once your permit is approved, you will be required to submit a security deposit prior to issuance of your Outdoor Dining License Agreement (ODA). This will include details on your monthly license fee (based on the size of your dining area). Upon receipt of your ODA, you are welcome to operate your new outdoor dining area!
- 6) Review one-time and ongoing fees related to Sidewalk Dining at the bottom of the online [Process Explainer](#).

Example site plans can be downloaded from the links below:

[City Wide Example Site Plan](#)

[Ocean Avenue Example Site Plan](#)

[3rd Street Promenade Example Site Plan](#)

[Adjacent Vacant Space Example Site Plan](#)

ELIGIBLE USES:

1. Sidewalk dining shall be associated with a legally established restaurant or other eating or drinking establishment.
2. Temporary, mobile, or freestanding food service providers or vendors are not eligible.

3. Establishments that serve alcoholic beverages in their sidewalk dining area are required to meet all applicable state ([California ABC](#)) and local requirements and any City-wide alcohol policies
4. Sidewalk dining may be temporarily established in front of an adjacent vacant space (AVS) to expand the primary outdoor dining area of an established eligible use as detailed later in these guidelines.

GENERAL STANDARDS:

1. Additional parking spaces are not required for outdoor dining and seating on sidewalks which is permitted by this program and compliant with all provisions of SMMC 9.31.200
2. These standards are applicable to all non-residentially zoned districts.
3. The elevation of the sidewalk dining area shall be at sidewalk level; and only semi-permanent barriers shall be permitted. License Agreements for the use of public property are required and shall be obtained from Economic Development.
4. All sidewalk dining areas shall be fully accessible, as required by ADA and Title 24.
5. The dining area should promote a visual relationship to the street and the eating/drinking establishment to which it is ancillary.
6. License Agreements for the use of public property are required and shall be obtained from Economic Development. This will be issued after you have received Sidewalk Dining Permit approval and have a stamped site plan. The License Agreement authorizes the use of the public right of way for a 5-year term and can easily be renewed.

DESIGN STANDARDS

PATH OF TRAVEL:

Building Code requires a clear path of at least 4'-0" between the edge of the proposed sidewalk dining area / barrier and any obstructions such as parking meters, benches, tree wells, signs, pedestrian ramps etc. In addition to Building Code's minimum path of travel, a sidewalk dining area must be set back from the back of curb as follows:

1. **Third Street Promenade:** An unobstructed path of at least 4'-0", and 5'-0" at bike racks, shall always be provided running parallel to the Promenade. The unobstructed path of travel shall be measured from the building side of whichever tree well is closest to the street. Along wider sections of the promenade the path shall be along second tree well (usually a Jacaranda) and along narrower sections the path shall be measured from the first tree well (usually a palm). [3rd Street Promenade Example Site Plan](#)

2. **Ocean Avenue:** A distance of no less than 8'-0" shall be maintained between the edge of the sidewalk dining area / barrier and the back of the curb. [Ocean Avenue Example Site Plan](#)
3. **Citywide:** A distance of no less than 5'-0" shall be maintained between the edge of the sidewalk dining area / barrier and the back of the curb and bike racks. [Ocean Avenue Example Site Plan](#)
4. No dining at Intersection corners: A corner clear space delineated by a 5-foot outward extension from the pedestrian ramp along the curb face and then extending back to the private property line.
5. A 5-foot separation is to be maintained between sidewalk dining and an alley or driveway.
6. In conjunction with an existing or proposed parklet, where City Staff has determined it will improve pedestrian safety and circulation, Public Works may approve all or a portion of a sidewalk dining area at the curb immediately abutting an approved parklet in front of the business street frontage. Curbside sidewalk dining may not result in the removal of parkways, trees, or other city landscape. Minimum pedestrian paths of travel on the sidewalk shall be no less than 8 feet on Ocean Avenue, 4 feet on the Third Street Promenade and 5 feet for all other areas of the city. All other minimum distances to street furniture, corners, alleys, bike racks, etc... as detailed in these guidelines must be maintained. No lights, cables, wires, banners, awnings or similar are permitted above or on the public right of way path of travel.

BARRIERS:

1. All barriers must be able to withstand inclement weather and the application of 100 pounds of horizontal force per linear foot.
2. The maximum height of a barrier shall be 3'-6" from the sidewalk level including the height of any landscaping.
3. Along Ocean Avenue a clear windscreen may be installed above the maximum 3'-6" tall barrier to a combined height of 5'-6" from the sidewalk. The area between the top of the barrier and the bottom of any awning shall remain open except during inclement weather.
4. Barriers connected to the building must obtain a building permit.
5. Use of example barrier connections is encouraged and eliminates need for design review of proposed barrier design. View examples here: [Example Barriers](#). Where it is not feasible to utilize an example barrier attachment due to the existing right of way conditions, the City may review and approve an alternative barrier connection that is consistent with City requirements and will not present a safety hazard.

AWNINGS:

1. Awnings may not be supported by the public right of way. Overhead connecting bars between the barrier structure and awning are prohibited.
2. No curtains or barriers of either clear or opaque material shall be hung from the awning. Clear or translucent curtains may be hung, temporarily, from awnings along Ocean Avenue during inclement weather.
3. Awnings must be regularly maintained and cleaned in accordance with the City's water conservation policies.
4. Frames supporting awnings shall be of noncombustible materials.
5. An awning's cover shall be an approved fire-retardant cover or noncombustible material for fixed awnings.
6. Pursuant to CBC 3202.3.1 awnings shall not extend into or occupy more than two-thirds the width of the sidewalk. All portions of any awning shall be a minimum of 8 feet above public walkway, including valances. Complete details shall be submitted to Building & Safety and design review for approval.

LIGHTING:

1. Lighting may be permanently affixed to the exterior of the primary building with appropriate electrical / building permits and design review approval.
2. Table lamps using liquid fuel or candles require an annual Fire Department permit and must comply with Uniform Fire Code design standards.

FURNITURE:

1. Tables, chairs, and umbrellas must be removable.
2. Furniture must be movable and may not be affixed to the public Right of Way.
3. Portable or permanent heaters require a building permit.

SIGNS:

1. A single sign having maximum dimensions of 24" x 42" may be affixed to a sidewalk dining barrier.
2. Sidewalk dining patios along the 3rd Street Promenade may erect one additional 2 SF sign permanently affixed to the barrier.

LANDSCAPING:

1. Landscape architecture is encouraged.
2. Water drainage onto the sidewalk is not allowed. Potted plants must have a saucer or other suitable system to retain seepage and be elevated to allow for air flow of at least 2 inches between saucer and sidewalk.
3. Stressed or dying plants must be replaced.
4. Parkways, the landscaped area between a sidewalk and the back of curb, may not accommodate outdoor dining and shall not be removed, destroyed, or altered for the purpose of creating an outdoor dining area.
5. Between Ocean Avenue and Main Street on Colorado Avenue where landscape within the public right of way is immediately abutting private property and would preclude the safe and reasonable establishment of an outdoor dining area, a proposal for the removal of landscape and replacement with alternative hardscape or other suitable material for outdoor dining may be considered and approved.

REFUSE:

1. No refuse and/or recycling enclosures or storage is allowed on the public sidewalk or in the sidewalk dining area.
2. Sidewalk dining areas must always remain clear of litter.

OPERATIONAL STANDARDS

1. Business management is responsible for running and operating the sidewalk dining area.
2. Sidewalk dining patios are for sit-down service only; patrons who are standing in the sidewalk seating area shall not be served.
3. The operation shall always be conducted in a manner not detrimental to surrounding properties by reason of lights, noise, activities or other actions. The operator shall control noisy patrons leaving the business.
4. At the end of the business day establishments are required to clean (sweep and mop) the area in and around the sidewalk dining area.
5. The hours of operation of a sidewalk dining area may not exceed the hours of operation of the associated food service establishment.
6. All plans and permits for the sidewalk dining area approved by the City must be kept on the premises for inspection at all times the establishment is open for business.
7. Modifications to the approved plans must be approved by the Public Works Department prior to the implementation of any modification.
8. All provisions of the Agreements must be complied with at all times.

Sidewalk Dining in front of an Adjacent Vacant Spaces (AVS)

1. For the purposes of this code section “adjacent” shall mean contiguous with; properties on the other side of an alley or street shall not be considered adjacent.
2. Sidewalk dining at an adjacent vacant tenant space /property shall be subject to all standards, restrictions, and entitlements applicable to sidewalk dining in front of the primary use except as modified or expanded on below.
3. Establishment of an AVS is subject to approval of the property owner of the adjacent space. A signed approval letter with evidence of ownership of the adjacent property where the AVS is proposed shall be provided as part of the application for the requested expansion.
4. An AVS may only be established in front of an unoccupied tenant space. An AVS shall be removed within 30 days at the request of the AVS property owner or upon occupancy of the adjacent tenant space.
5. An AVS is subject to parking requirements of SMMC 9.28.060 as above. If adequate parking is not available on the site of the primary use, parking allocated to the vacant adjacent tenant space may be used for the AVS.
6. An AVS shall not exceed the area of the permanent sidewalk dining area approved for the primary use.
7. An AVS is an intermediary use, during the vacancy of an adjacent space, barriers, awnings, canopies, and other furniture may not be permanently affixed to the building or the sidewalk / Public Right of Way.
8. Barriers shall be limited to 42” including along Ocean Avenue.
9. Additional sign area is not created or allocated for an AVS.

FEE ESTIMATE

Review fees are charged by each division that must review your sidewalk dining application. All applications are reviewed by Public Works and Economic Development, but certain designs also require review by Mobility, Planning, or Fire Departments. Individual department review fees range from \$250 - \$550.

In addition to the above review fees, a Wastewater Capital Facility Fee is assessed per seat of new dining area at the following rates.

- Restaurant - Sit Down (Full Service): \$1,071.97 per seat
- Restaurant - Sit Down (Fast Food): \$893.31 per seat