



CITY OF SANTA MONICA

Sidewalk Dining Guidelines

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

Approval of an application for sidewalk dining on the public right-of-way is a two-part process. After City approval of a sidewalk dining permit, an Outdoor Dining License Agreement (“ODA”) must be approved by Economic Development Division to operate sidewalk dining on the City’s public right-of-way. Only one online application is required to complete the two-part process.

What you will need to get started:

1. Completed application.
2. Permit application fee.
3. Submittal of a site plan for the proposed sidewalk dining area, including total number of tables and chairs (see example site plans below). The sidewalk dining area must be designed, located, and operated consistent with these guidelines and standards specified under Santa Monica Municipal Code (SMMC) Section 9.31.200.
4. Insurance that meets City requirements.
5. Following the approval of a sidewalk dining permit, you must submit a security deposit to the Economic Development Division for approval of an ODA. The ODA will specify terms and conditions for operating sidewalk dining and will identify the monthly license fee (based on the size of your dining area). Upon approval of an ODA, you are authorized to operate your new sidewalk dining area.
6. Review one-time and ongoing fees applicable to sidewalk dining at the bottom of the online [Process Explainer](#). If you increase the amount of seats for sidewalk dining, such fees may include a Wastewater Capital Facility (WCF) Fee as specified in more detail below.

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/drinking establishment.
2. Temporary, mobile, or freestanding food service providers or vendors are not eligible.
3. Establishments that wish to serve alcoholic beverages within a sidewalk dining area must meet all applicable [California Department of Alcohol and Beverage Control \(ABC\)](#) and any City-wide alcohol requirements.
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 below.

GENERAL STANDARDS:

1. These sidewalk dining standards are applicable to all non-residentially zoned districts.
2. Additional parking spaces are not required for sidewalk dining.
3. The elevation of the sidewalk dining area shall be at sidewalk level and only semi-permanent barriers shall be permitted.
4. All sidewalk dining areas shall be fully accessible, as required by the American with Disabilities Act ("ADA") and Title 24 of the California Code of Regulations.
5. The sidewalk dining area should promote a visual relationship to the street and eating/drinking establishment to which it is ancillary.
6. An Outdoor Dining Agreement (ODA) for a five-year term will be issued after City approves a sidewalk dining permit and City issues a stamped and site plan. An ODA can be renewed provided the sidewalk dining operations comply with the ODA's terms and conditions.
7. There shall be no addition to the building in the public right-of-way.
8. Sidewalk Dining Operations must comply with SMMC Section 4.12.060 requirements for exterior noise standards. All forms of speaker amplifications in the dining area are prohibited.
9. In addition to the required security deposit, if improvements other than the standard [Pre-Approved Barrier^{\(OBJ\)}](#) are proposed a performance bond subject to review and approval by Public Works shall be required.

DESIGN STANDARDS

PATH OF TRAVEL:

The California Building Code ("CBC") that was adopted by the City 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 the CBC'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" (or 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 the 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 5'-0" at bike racks. [City Wide Example Site Plan](#)
4. No dining at intersection corners: A corner clearance space delineated by a 5' outward extension from the pedestrian ramp along the curb face and then extending back to the private property line.
5. A 5'-0" separation must be maintained between sidewalk dining and an alley or driveway.

CURBSIDE DINING IMMEDIATELY ABUTTING AN APPROVED PARKLET

1. In conjunction with an approved or proposed parklet, where the City determines that it will maintain pedestrian safety and circulation, the City may approve a sidewalk dining area that is located at the curb immediately abutting an approved parklet in front of the business street frontage as described in Section 3.6.6 and 3.7.3 of the [Parklet Manual](#).
2. Curbside sidewalk dining must not result in the removal of parkways, trees, or other City landscape as provided in Section 3.11.5 of the Parklet Manual.
3. Curbside sidewalk dining may remove parking meters with the approval from the Parking Manager and must pay the applicable removal and reinstallation fee to the City.
4. Minimum pedestrian paths of travel on the sidewalk shall be no less than 8'-0" on Ocean Avenue, 4'-0" on the Third Street Promenade, and 5'-0" for all other areas of the City. All other minimum distances to street furniture, corners, alleys, and bike racks, as detailed in these guidelines, must be maintained.
5. No banners, solid roofs (such as plywood roof sheathing, polycarbonate sheets, sheet metal, solid tents (such as E-Z up canopies)), or similar improvements are permitted above or on the public right-of-way path of travel or above the curbside dining area. Overhead

coverings for curbside dining immediately abutting a parklet must comply with Section 3.5 and Section 3.7 of the Parklet Manual.

6. Electrical cords and cables shall comply with Section 3.9 of the Parklet Manual.
7. A trellis, as defined in the Parklet Manual, may be allowed over the curbside dining area and must be designed in compliance with Section 3.6 of the Parklet Manual.
8. A parklet covering as defined in the Parklet Manual may be allowed over the curbside dining area and must be designed in compliance with Section 3.7 of the Parklet Manual.
9. A contiguous barrier or enclosure from the parklet to the curbside dining may be used to delineate the dining footprint.

BARRIERS:

1. Barriers on the sidewalk or curbside dining area immediately abutting an approved parklet are defined as the material around the perimeter of the outdoor dining area that is affixed to the public right-of-way.
2. If barriers are installed around the sidewalk dining area, they shall be in the manner required by these guidelines.
3. All barriers must be able to withstand inclement weather and the application of 100 pounds of horizontal force per linear foot.
4. The maximum height of a barrier shall be 3'-6" from the sidewalk level including the height of any landscaping.
5. 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 bottom of any awning shall remain open except during inclement weather.
6. As an alternative, and subject to the approval of the Director, along Ocean Avenue at the intersection of Colorado Avenue the following standards shall apply: 1) a maximum height of 13'-8" is permitted for outdoor dining as measured from the sidewalk; 2) a maximum height of 5'-6" is permitted for the barrier; and 3) a clear windscreen or operable windows may be installed above the barrier to a combined maximum height of 12'-4" as measured from the sidewalk.
7. An applicant must procure a building permit to install barriers connected to a building.
8. Use of example barrier connections is encouraged to eliminate the need for design review of proposed barrier design. View examples here: [Example Barriers](#). Where it is not feasible to use 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. Awning is defined pursuant to [SMMC Section 9.52.020.0190](#). If an awning is installed for the sidewalk dining, it must comply with the requirements of these guidelines.
2. Awnings may be used in conjunction with sidewalk dining and shall be adequately secured to the building and shall comply with the CBC and any applicable design guidelines.
3. Awnings may not be supported by the public right-of-way.
4. No curtains or barriers of either clear or opaque material shall be hung from the awning, except that clear or translucent curtains may be hung temporarily from awnings along Ocean Avenue during inclement weather.
5. Awnings must be regularly maintained and cleaned in accordance with the City's water conservation policies.
6. Frames supporting awnings shall be of noncombustible materials.
7. An awning's cover shall be an approved fire-retardant cover or noncombustible material for fixed awnings.
8. Pursuant to CBC Section 3202.3.1, awnings shall not extend into or occupy more than two-thirds the width of the sidewalk. Awnings shall not extend over the public right-of-way path of travel. All portions of any awning shall be a minimum of 8'-0" above public right-of-way, including valances. Complete details shall be submitted to the Building & Safety and design review for approval.

PROPANE HEATERS:

1. Propane heaters require an annual permit from the Santa Monica Fire Department (SMFD). If storing more than one tank on-site, a separate SMFD permit is required.
2. Only one additional propane tank can be stored on-site. Propane tanks cannot be stored inside or under coverings. They must be stored in an upright fixed position to prevent damage and potential leaks.
3. Propane heaters may not be placed underneath overhead covers, awnings, or trellises, inside buildings or tents, and they must have a 5'-0" clearance from any flammable/combustible materials. A permit for use of propane heaters will not be issued with a trellis or overhead covering, unless covering is retractable.
4. Propane heaters must maintain a 6'-0" vertical and horizontal clearance from any street tree.
5. A final on-site SMFD permit inspection will be conducted to ensure proper spacing of propane heaters from combustibles and emergency access/egress.

LIGHTING:

1. Lighting fixtures may be permanently affixed onto the exterior front of the sidewalk dining operator's principal building with a building permit.
2. Table lamps using liquid fuel or candles require an annual SMFD permit and must comply with Uniform Fire Code design standards.

FURNITURE:

1. The furnishings for the sidewalk dining area shall consist only of movable tables, chairs, umbrellas, planters, and other City approved portable fixtures.
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 signs in conformance with [SMMC Chapter 9.61](#).

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" 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 to create 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 therefore would preclude the safe operation of sidewalk dining, the City may consider and approve a proposal for the removal of landscape and replacement with alternative hardscape or other suitable material for sidewalk dining.

REFUSE:

1. No refuse and/or recycling enclosures or storage is allowed on the public right-of-way or within the sidewalk dining area.

2. Sidewalk dining areas must always remain clear of litter.

OPERATIONAL STANDARDS

1. Business operators are responsible for operating the sidewalk dining area in compliance with City rules and approved ODA.
2. Sidewalk dining areas are for sit-down service only; patrons who are standing within the sidewalk seating area shall not be served.
3. Sidewalk dining shall always be conducted in a manner not detrimental to surrounding properties by reason of lights, noise, activities, or other actions. The business 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 for a sidewalk dining area may not exceed the hours of operation of the associated food service establishment.
6. At all times, the approved plans and permits for sidewalk dining must be available at the business where sidewalk dining is located for City's inspection during the hours that the establishment is open for business.
7. Modifications to approved site plans must be approved by the Public Works Department prior to modifying the sidewalk dining area and may require amendments to the ODA.
8. At all times, a business operator must comply with the terms and conditions of the approved ODA.

SIDEWALK DINING IN FRONT OF ADJACENT VACANT SPACES (AVS)

1. Sidewalk dining may be temporarily established in front of an adjacent vacant space (AVS) to expand the approved primary sidewalk dining area. For the purposes of this section, "adjacent" means contiguous with the proposed sidewalk dining area expansion; properties on the other side of an alley or street shall not be considered adjacent.
2. Sidewalk dining may only be established in front of a vacant property space. Approved sidewalk dining in front of an AVS must be removed within 30 days upon the request of the property owner of the AVS, or upon its occupancy.
3. Sidewalk dining in front of an AVS is subject to City approval and approval of the property owner of the AVS. To permit sidewalk dining in front of an AVS, the City requires: (1) signed consent form from the property owner of the AVS and (2) evidence that the person that signed the consent form owns the AVS

4. Sidewalk dining in front of an AVS is subject to all standards and restrictions applicable to sidewalk dining except as modified or expanded below. [Adjacent Vacant Space Example Site Plan](#)
5. Sidewalk dining in front of an AVS shall not exceed the area of the approved primary sidewalk dining area.
6. As sidewalk dining in front of an AVS can only be temporary, barriers, awnings, canopies, and other furniture may not be permanently affixed to the building or the public right-of-way.
7. Barriers shall be limited to 42", including along Ocean Avenue.
8. Additional sign area will not be permitted for dining in front of an AVS.

THIRD STREET PROMENADE ENTERTAINMENT ZONE SIDEWALK BAR

1. Businesses with an approved sidewalk dining license and that have a valid EZSM Participation Agreement may install a temporary bar within a sidewalk dining license area for service of alcoholic beverages directly onto the Promenade during an activation of the Entertainment Zone.
2. Sidewalk dining operators shall procure all required local, county, and state licenses/permits prior to operating the outdoor bar, including a license to serve alcoholic beverages from the Department of Alcohol Beverage Control.
3. The sidewalk bar shall not be affixed to the public right-of-way and shall be movable.
4. The bar cannot encroach onto the ADA required minimum unobstructed path of travel or ingress or egress path of travel.
5. Licensee must remove the bar from the sidewalk dining area when there is no activation within the Entertainment Zone and when outside the operating hours of the Entertainment Zone.