



Outdoor Dining & Retail Displays, and Temporary Signage/Banners

Application Packet



**City of
Laguna Beach**
Community Development
Department

OUTDOOR DINING & RETAIL DISPLAY, AND TEMPORARY SIGNAGE POLICY (THROUGH JAN. 1, 2024 ONLY)

The Laguna Beach City Council has established an Economic Recovery and Business Development Plan to support local businesses affected by the COVID-19 pandemic. One such strategy to boost local commerce grants the Director of Community Development the ability to issue temporary use and sign permits through January 1, 2024, for outdoor dining, outdoor display, and temporary signs and banners subject to the guidelines described below. This policy has been developed in response to mandatory physical distancing measures set by the State of California. Laguna Beach businesses must continue to follow all State and County guidance to create a safe environment for their employees and patrons. Community updates and business resources are available online: <http://lagunabeachcity.net/cityhall/police/emergprep/coronavirus/>

Requirements for Outdoor Dining, Outdoor Retail Display, and Temporary Signage

This program is only available to restaurants and retailers that currently operate from a fixed location within the City. Outdoor dining and display areas and temporary signage are subject to administrative approval by the Director of Community Development in accordance with the following requirements:

Outdoor dining: Dining tables must be spaced to provide at least six feet of separation between parties. Furnishings may not obstruct entrances, exits, fire lanes, hydrants, drive aisles, or pedestrian or handicap access, nor conflict with other requirements of the Building and Fire codes. Applicants are strongly encouraged to designate outdoor areas adjacent to their place of business and on their property as outdoor dining area. If constraints limit the on-site opportunities, applicants may request an outdoor dining area on a nearby commercial property (e.g. parking lot) or public areas (e.g., sidewalk, City parking lot, and on-street parking spaces for parklets). Dining areas must provide physical barriers or separations to protect customers from vehicles. To maintain the public safety, dining areas may not extend into travel lanes.

Outdoor displays: Outdoor retail displays are limited to an 18 square-foot area adjacent to the storefront and shall maintain a minimum unobstructed sidewalk width of four feet and shall not obstruct building entrances. Creative or decorative displays (e.g. mannequins) and non-standard, artistic sale signage are encouraged.

Temporary signage: Deviations from the temporary sign design standards may be granted provided that the proposed signage is consistent with the architectural attributes and scale of the building in which the business is located. Freestanding A-frame signs limited to six square feet may be located at the storefront sidewalk if positioned to maintain pedestrian and vehicular circulation, including handicap accessibility requirements.

Note: Each application will be considered on a case-by-case basis, and special conditions may be imposed to mitigate potential impacts and account for site-specific factors, including but not limited to proximity to sensitive land uses (e.g., residences) and availability of off-street or on-street parking in the general vicinity to accommodate customers and employees.

What information is required to obtain approval?

- Completed Outdoor Dining, Retail Display, and Temporary Signage Application
- Site Plan (may be hand-drawn) identifying the outdoor dining area, furniture layout (e.g. tables, chairs, etc.) with minimum required clearances. Building and electrical permitting requirements will be determined during the application review process.
- Visual Examples such as photos of furnishings and fixtures.
- Sign Plan identifying the size, content, materials, and colors.
- Insurance documents.

For more information contact:
Department of Community Development, (949) 497-0713

OUTDOOR DINING, RETAIL DISPLAY, AND TEMPORARY SIGNAGE APPLICATION

(to be completed by City staff)

DATE: _____

Applicant _____ Telephone _____

| Address | Email |
|---------|-------|
|---------|-------|

| | |
|-------------|-----------|
| Legal Owner | Telephone |
|-------------|-----------|

| Address | Email |
|---------|-------|
|---------|-------|

PROPERTY INFORMATION:

Address _____ Suite _____

Assessor Parcel Number

Current Use

Issued Use Permits

II. PROPOSED TEMPORARY USE: Note: This program is only available to restaurants and retailers that currently operate from a fixed location within the City. The Community Development Director retains the discretion to refer applications to the Planning Commission if the proposal conflicts with the City's zoning standards or is contrary to the public interest and welfare. Decisions may be appealed to the City Council.

Describe the proposed temporary use(s). Include information about the hours of operation, the nature of the proposed use, and how impacts will be mitigated, such as for any anticipated traffic, parking, trash, noise and glare impacts.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and is set against a dark background.

IV. AFFIDAVIT:

I hereby certify that all of the above information contained in this application is, to the best of my knowledge and belief, true and correctly represented and that I have read and understand Chapter 25.05.035 of the Laguna Beach Municipal Code as well as the Interim Outdoor Dining, Retail Display, and Temporary Signage Informational Guide.

APPLICANT'S SIGNATURE

PROPERTY OWNER'S SIGNATURE

CITY OF LAGUNA BEACH
OUTDOOR DINING, RETAIL DISPLAY,
AND TEMPORARY SIGNAGE APPLICATION

II. FILING INSTRUCTIONS

Completed Application. Submit the Outdoor Dining Retail Display, and Temporary Signage application, along with information and graphics describing the proposed use and/or signage. Incomplete applications or insufficient information could delay the processing of the application. Temporary uses and/or temporary signage may not be established or installed until the permit has been approved.

Fee Schedule. Submit the \$382 application processing fee. All outdoor dining on public property or on private property where the location is not designated in the Conditional Use Permit for the business is also subject to an annual \$1,000 fee (base rate). When the outdoor dining area occupies public parking, the base rate is in addition to a \$7 per-square-foot annual fee.

Site Plan. Submit a site plan locating all furnishings, fixtures, and structures. As applicable, identify sidewalks, parking spaces, and drive aisles. Dimension the outdoor dining or display area, identify sidewalk and pedestrian access clearances, and note the minimum six feet of clearance between tables. Physical barriers or separations are required wherever dining areas occur within a parking lot or on-street parking spaces (i.e. parklets).

Visual Examples. Submit any photographs or catalogs that would assist with the description of the proposal.

Sign Plan. Submit a scaled drawing of all proposed signs (including window signs). Indicate the dimensions of each sign, location, height above ground, any graphics, letter size, font style, sign materials, colors, and lighting elements.

Insurance Requirements. Provide an insurance certificate and policy endorsement naming the City of Laguna Beach as an additional insured, and in an amount not less than \$1,000,000 (one million dollars). A Primary and Non-Contributory Endorsement is also required. A City of Laguna Beach Hold Harmless Agreement and Indemnification Agreement must be signed by the applicant prior to permit issuance and has been attached to this application.

Bond (for Parklets only). Parklet applications shall include a \$600 bond to the City of Laguna Beach for the removal of the parklet for reasons including, but not limited to: the parklet is a nuisance, the operator abandons the parklet, or the parklets pilot program is terminated. Additionally, the City maintains the discretion to have the parklet removed with a 24-hour notice.

Incentive (for Parklets only). You may be eligible for up to \$5,000.00 to offset the cost of parklet construction. The determination for incentive requests will be based on compliance with the parklet guidelines and other factors including location and need for outdoor seating. To apply, submit the following:

- Claim Voucher with the business name, address, and description of payment (see attached).
- Vendor W9.
- Vendor Information Form (see attached).

For Your Information:

- The Fire Department will review the application and recommend conditions of approval. Tents and canopies over 400 square feet, if proposed, must be flame retardant-certified and separately permitted. Outdoor seating plans must meet Fire Code requirements, including but not limited to points of egress and access to fire extinguishers.
- All temporary improvements are required to maintain a four-foot minimum clearance on all sidewalks and other areas providing required access and circulation. Exterior doors must also be kept clear to provide a five-foot landing.
- Where seating and/or tables are provided for the public, five percent but no less than one must be accessible.
- If the proposed outdoor dining or retail causes any adverse impacts to adjacent neighborhoods, the approval may be revoked and the operation shall cease immediately.

CITY OF LAGUNA BEACH
OUTDOOR DINING, RETAIL DISPLAY,
AND TEMPORARY SIGNAGE APPLICATION
DIRECTOR DETERMINATION

Temporary Use Permit _____ is hereby granted to the following extent:

The following conditions are set forth to protect the health, safety and welfare of the community and to assure the intent and purpose of the regulations:

General Standards

1. The Director of Community Development may modify the conditions of approval or revoke the permit if complaints are received or operating conditions cause adverse impacts to adjacent neighborhoods.
2. Failure to comply with each condition of approval and any other related federal, state and local regulations may be grounds for modification or revocation.
3. In the absence of specific provisions or conditions herein to the contrary, the application and all plans or exhibits attached to the application are relied upon, incorporated and made a part of this approval. It is required that such plans or exhibits be complied with and implemented in a consistent manner with the approved use and conditions of approval. Such plans and exhibits for which this Temporary Permit has been granted shall not be changed or amended except pursuant to a subsequent Temporary Permit as might otherwise be required or granted pursuant to the terms of Title 25 of the City of Laguna Beach Municipal Code.
4. The permittee shall defend, hold harmless and indemnify, at his/her/its expense, the City, City Council and members thereof, commissions, boards, officials, officers, employees, agents and representatives from any and all third party claims, actions or proceedings to the attack, set aside, void or annul and approval of this permit, which action is brought within the time period provided for in California Government Code Section 66499.37, as same may be amended. This obligation shall encompass all costs and expenses incurred by the City in defending against any claim, action or proceeding, as well as costs or damages the City may be required by a court to pay as a result of such claim, action or proceeding.
5. **This permit is valid through January 1, 2024.** All improvements associated with this approval shall be removed within two days of the expiration date.
6. The operations and use shall comply with the City's Noise Ordinance, which establishes the maximum allowable exterior noise levels (e.g., 70 dBA in most downtown zones, and 65 dBA for commercial uses located in other zoning districts). Noise complaints may lead to unannounced inspections and noise readings by City staff. Refer to LBMC 7.25 for more information.

Operational Standards

1. The owner of the primary business is responsible for proper operation of the outdoor dining area. Outdoor dining shall be continuously supervised by management or employees. Food establishments serving alcoholic beverages shall have a supervisor, at least 21 years of age, on-site at all times of operation. Any behavior that disturbs customers or passersby on the sidewalk will constitute grounds for revocation of any permit(s) to operate an outdoor dining area.
2. Establishments are required to maintain all areas in and around the sidewalk dining area in a manner which is clean and free of litter and debris.
3. The outdoor dining hours of operation shall be limited to the hours of operation of the associated food or beverage establishment.
4. All plans and permits for the outdoor dining area approved by the city must be kept on the premises for public inspection at all times during which the associated establishment is open for business.
5. Any outdoor dining in the public right-of-way shall maintain a minimum unobstructed passageway of four feet, as measured from the dining area to any obstruction including but not limited to light standards, benches, and street trees.
6. Lighting shall not cause direct glare or other visual obstruction to pedestrians or vehicle drivers along the street and public walkway and should illuminate only the sidewalk area.
7. The hours of operation shall be limited to the hours of the associated establishment, and may be reduced as necessary to ensure activities remain compatible with surrounding land uses.
8. All employees must wear face coverings.
9. Minimize person-to-person interaction by implementing single-use or digital menus and contactless payment options.
10. Self-service stations or buffets shall be prohibited.
11. Outdoor entertainment shall be subject to the approval of a Temporary Use Permit.

Outdoor Dining

1. Dining tables must be spaced to provide at least six feet of separation between parties.
2. Furnishings may not obstruct entrances, exits, fire lanes, hydrants, drive aisles, or pedestrian or handicap access, nor conflict with other requirements of the Building and Fire codes.
3. Parking lot and on-street parking (parklets) dining areas must provide physical barriers or separations to protect customers from vehicles.
4. Dining areas and physical barriers may not extend into travel lanes.
5. Tents and canopies, if applicable, must have the appropriate flame retardancy. Outdoor seating plans must meet Fire Code requirements, including but not limited to points of egress and access to fire extinguishers.
6. Where seating, tables, or counters are provided for the public, five-percent but never less than one must be accessible, as required by Section 1122B of the California Building Code.

Parklets

In addition to Outdoor Dining requirements, the following guidelines shall apply to Parklets unless otherwise approved by the Director or Community Development:

1. Maintain a minimum vehicular lane width of 10 feet.
2. Install barriers and wheel stops for protection from vehicles.
3. Prohibit parklet locations on Coast Highway.
4. ADA Compliance with no gap between the parklet and the curb.
5. Maintain a minimum four feet walking path on sidewalk clear from obstructions.
6. Restaurant cleaning and maintenance agreement for parklet and adjacent area outside of street-sweeping radius.
7. Slope not to exceed two percent with consideration of the street crown height.
8. Solid flooring surface materials only. No loose particles such as sand or loose stone.
9. Provide lighting, if intended for night use.
10. No wires or cords are allowed on or over the public right of way.
11. Any heating or lighting must be submitted on the plans with details for City review.
12. COVID-19 seat-spacing compliance of a minimum six feet apart between parties, diners, and pedestrians.
13. In order to justify the removal of public parking spaces, the business must offer a minimum of two out of the three meal services (e.g. breakfast, lunch and dinner), daily, in the parklet. The business may partner with another business within 100 feet of the parklet to help fulfill this requirement.
14. The proposed parklet location shall be adjacent to the primary business location.

Outdoor Displays

1. Outdoor retail displays are limited to an 18-square foot area adjacent to the storefront.
2. Outdoor displays shall maintain a minimum unobstructed sidewalk width of four feet and shall not obstruct building entrances.
3. Outdoor display shall be limited to the same merchandise that is permitted to be sold in the store.
4. Outdoor displays shall be placed so as not to interfere with the reasonable use of storefront windows for display purposes by adjacent businesses.
5. Outdoor displays shall not unreasonably obstruct visibility of other businesses.
6. Outdoor displays shall be maintained and in good repair at all times.
7. Outdoor displays for dining in public areas shall be limited to the hours of operation of the originating business and shall be removed from public view at the close of each business day.
8. Freestanding A-frame signs limited to six square feet may be located at the storefront sidewalk if positioned to maintain pedestrian and vehicular circulation, including handicap accessibility requirements.
9. Other Condition(s):

The above decision was rendered on _____.

Approved by:

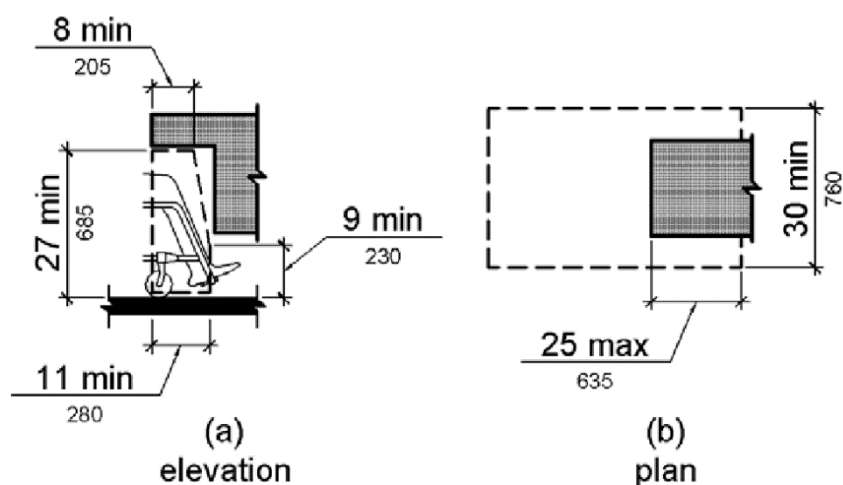
Community
Development

In coordination with:

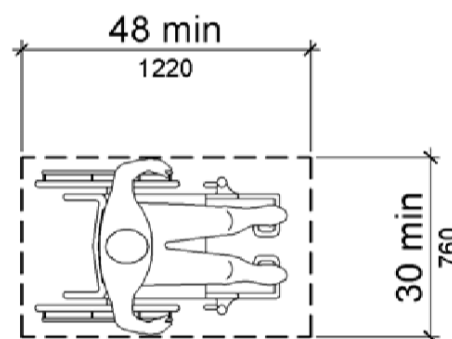
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| <input type="checkbox"/> Building Division | <input type="checkbox"/> Fire Dept. |
| <input type="checkbox"/> Police Dept. | <input type="checkbox"/> Public Works |

Supplemental Building Code Information For Disabled Access Regulations

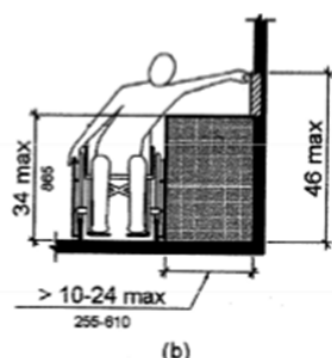
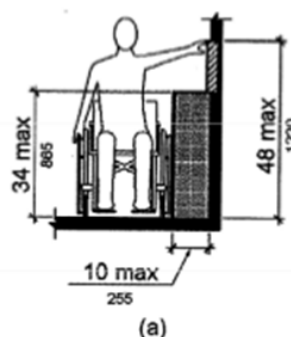
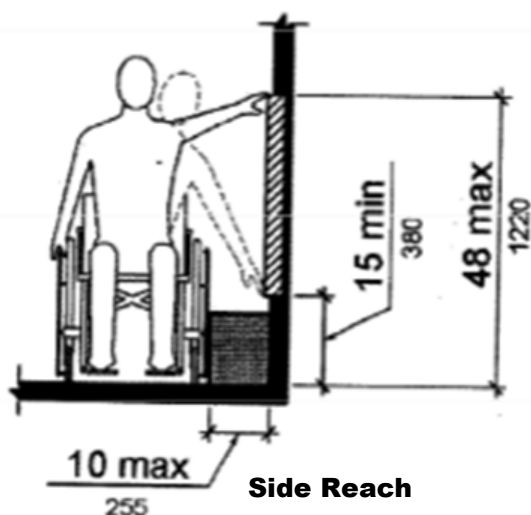
- 1) Where fixed or built-in seating, tables or counters are provided in accessible public use or common use areas, 5%, but never less than one, must be accessible. *CBC Sec.1122B.1*
- 2) If seating for persons in wheelchairs is provided at fixed tables or counters, knee spaces at least 27 inches high, 30 inches wide and 19 inches deep shall be provided. *CBC Sec.1122B.3*
- 3) The tops of tables and counters shall be 28 inches to 34 inches from the floor or ground. *CBC Sec.1122B.4*
- 4) Self-service tableware, dishware, condiments, food and beverage display shelves and dispensing devices shall comply with Sections 1118B and 1122B.4. *CBC Sec.1104B.5*
- 5) Where a single counter contains more than one transaction station, such as a bank counter with multiple teller windows or a retail sales counter with multiple cash register stations, at least 5%, but never less than 1, of each type of station shall be located at a section of counter that is at least 36" long and no more than 28" to 34" high. *CBC Sec.1122B.4*



**Figure 306.3
Knee Clearance**



**Figure 305.3
Clear Floor or Ground Space**



**Figure 308.3.2
Obstructed High Side Reach**

Note: Reach ranges may apply to many aspects of your business, including condiment counter areas.