

March 28, 2023

OUTDOOR DINING DRAFT ORDINANCE CONSIDERATION



CITY OF
HERMOSA
BEACH

TEMPORARY OUTDOOR DINING

- During COVID-19 pandemic, City and businesses moved quickly to implement outdoor dining and other associated programs
- This included on-street dining decks, downtown lane reconfigurations, private property dining, and additional encroachment areas on Pier Plaza



TEMPORARY OUTDOOR DINING

- In December 2021, City Council directed staff to come back with a permanent program
- Fees of \$1.50 per square foot were implemented March 1, 2022
- Temporary orders have extended program multiple times with a final deadline of May 1 given by Council



TEMPORARY OUTDOOR DINING

- Staff has been working to develop the permanent program elements
- Feedback from community has come from the many Council meetings, individual meetings with businesses, stakeholder groups, Economic Development Committee, surveys, and information session meeting



PERMANENT OUTDOOR DINING

- Pertains only to Public Right-of-way use
– not private property
- Staff is working on multiple fronts to develop program
 - Environmental Analysis
 - Program Guidelines
 - Fee structure
 - Ordinance (Code changes)



CODE CHANGES

- Changes both minor and significant may be made to the Municipal Code to allow for the permanent outdoor dining program
- Staff seeks Council's direction to help refine the ordinance for April



CODE CHANGES

- Proposed that all encroachments must reapply and must be clear of code violations or delinquent fees
- Some other key elements for Council consideration:
 - Live Music
 - Alcohol Service
 - Lane Reconfigurations
 - Temporary encroachments



LIVE MUSIC

- Urgency ordinance allowed live entertainment indoors and outdoors during pandemic
- Continued indoor music could come separately to Council
- Continuing outdoor music could be considered here and brought back

ALCOHOL SERVICE

- Currently temporary encroachments are allowed to serve alcohol with food, with ABC approval. This continues per AB61 through early 2024
- Council may continue this with verification of ABC approvals

LANE RECONFIGURATIONS

- Separate from, but linked to, on-street dining
 - Allows comfortable buffer zone for decks and safe separation from vehicles
 - Removal would shrink deck space
 - Traffic Impacts have been minimal
 - Could be brought back as Resolution

TEMPORARY ENCROACHMENTS

- On-street, Pier Plaza, off-Plaza
- On-street are proposed to have maximum sizes similar to current program
- Council may maintain as is, eliminate, or revise encroachments
- Proposed that outdoor retail only allowed on Plaza

TEMPORARY ENCROACHMENTS

- It is proposed to unite permanent and temporary encroachments, should Council choose, to improve admin. and enforcement
- Revisions could include maximum size or restriction to frontage only
- Revisions could also be linked to hours of operation

TEMPORARY ENCROACHMENTS

- Both Pier Plaza and on-street areas average about 500 square feet
- Pier Plaza temporary encroachments range from 120 sq ft to 1095 sq ft
- 4 Plaza temp. encroachments are over 500 sq ft. One off-Plaza is over 500 sq ft
- Three Plaza encroachments encroach outside of business frontage

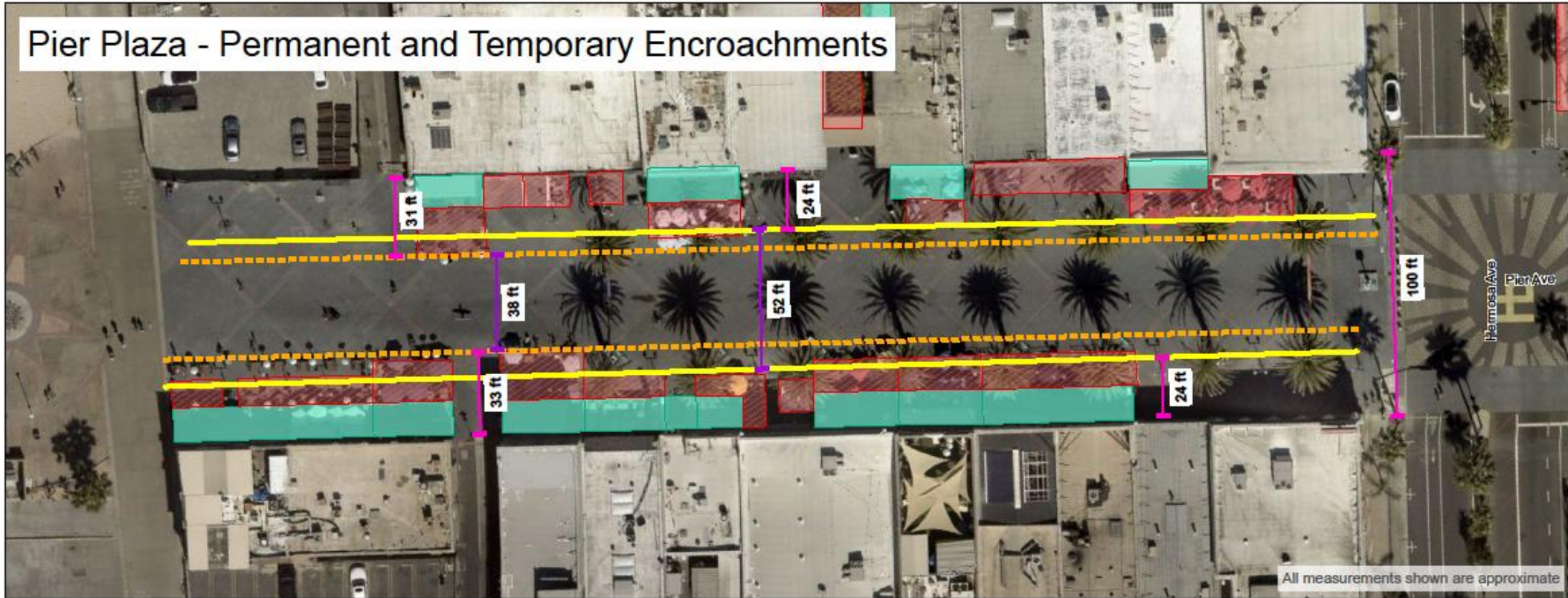


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Pier Plaza - Permanent and Temporary Encroachments



Pier Plaza - West Facing



April 2020



June 2022

Pier Plaza - East Facing



March 2017



June 2022

TEMPORARY ENCROACHMENTS

- A 500 square foot maximum would address frontage issues as well
 - Loreto Plaza
- Council could consider different close times for encroachment area use
 - Applied consistently to all businesses and both permanent and new encroachment areas
 - Could consider late-night businesses revising hours of operation to improve consistency



OTHER CONCERNS

- Temporary extension may be necessary past May 1
- City will need permit from Coastal Commission
- Ongoing monitoring and adjustments are anticipated