



# City of Culver City

Mike Balkman Council  
Chambers  
9770 Culver Blvd.  
Culver City, CA 90232

## Staff Report

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**File #:** 20-933, **Version:** 1

**Item #:** A-5.

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**CC - (1) Discussion of Expanded Outdoor Dining Opportunities to Assist Local Restaurant Business Recovery from the Economic Impacts of the COVID-19 Pandemic; and (2) Direction to the City Manager as Deemed Appropriate.**

**Meeting Date:** May 11, 2020

**Contact Person/Dept:** Sol Blumenfeld / Community Development Director  
Charles D. Herbertson/Public Works Director/City Engineer

**Phone Number:** (310) 253-5700  
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**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☐ **Action Item:** ☒ **Attachments:** ☐

**Commission Action Required:** Yes ☐ No ☐ **Date:**

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (05/06/2020)

**Department Approval:** John Nachbar, City Manager (05/06/2020)

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### RECOMMENDATION

Staff recommends the City Council (1) discuss expanded outdoor dining opportunities to facilitate local restaurant recovery from the economic impacts of the COVID-19 pandemic; and (2) direct the City Manager as deemed appropriate.

### BACKGROUND

On April 27, 2020, the City Council directed staff to research the potential for temporarily expanding outdoor dining opportunities by allowing greater use of the public rights-of-way, including public sidewalks, temporary closure and repurposing of certain local streets for outdoor dining use, and expansion of the outdoor dining areas in Town Plaza.

The City currently allows outdoor dining with an Outdoor Dining Permit, issued by the Public Works

Department, with the concurrence of the Community Development Department. Outdoor dining on private property is regulated by Administrative Use Permit issued through the Community Development Department. The Outdoor Dining Permit on public property includes requirements for insurance, indemnity and a public right-of-way restoration deposit. A site plan is required for both public and private outdoor dining permits indicating the boundary of the outdoor dining area, dining area layout and any other items (heaters, lighting or signage, etc.) proposed to be included in the space. The outdoor dining fee for sidewalks is \$1.00 per sq. ft. per month, paid annually upon permit issuance and renewal.

The design and use of City sidewalks is guided by the American Disability Act (ADA) relative to sidewalk wheelchair access. A minimum 48" unobstructed path of travel is required along public sidewalks. Where there is greater sidewalk area that allows conforming ADA clearance, the sidewalk may be used for other purposes such as tree planting, planters and outdoor dining. Much of the Downtown contains outdoor dining area along Culver Boulevard, Washington Boulevard and Main Street. A few streets, for example the southeast corner of Van Buren Avenue, contain small segments of outdoor dining area that conform to the minimum ADA clearance requirement. There is also outdoor dining along Main Street and along some of the areas known as "Paseos" that run north to south between properties located between Culver and Washington Boulevards.

## **DISCUSSION**

### **Potential Areas to Consider for Expanded Sidewalk Outdoor Dining**

The potential areas for expansion of outdoor dining opportunities on sidewalks in the Downtown has not been determined at this time. This will require a survey by staff that will include extensive field work to determine where expansion can occur. Right-of-way widths will have to be measured and the distance from existing obstructions such as street trees, streetlights and fire hydrants determined. Although four feet is a minimum sidewalk width for ADA purposes, it is not always sufficient depending on pedestrian traffic. Thus, the expansion of outdoor dining is generally determined on a case by case basis, wherein staff seeks to obtain a balance between the desire for more outdoor dining space and the need of other competing uses of the public right-of-way. With the current Safer at Home order in place, staff did not have the ability to perform a survey in time for this report.

### **Issues to Consider with Expanded Sidewalk Outdoor Dining Opportunities**

- Maintaining adequate ADA clearance path of travel;
- Existing sloped sidewalk surface related to use for outdoor dining use and walkability;
- Not obstructing sidewalk drainage;
- Insurance and indemnity requirements for expanded use of City sidewalks;
- Conformance to Alcoholic Beverage Control (ABC) requirements for alcohol sales in expanded outdoor dining areas; and
- Lighting and barrier extensions for expanded outdoor dining areas.

### **Other Potential Areas and Issues to Consider for Expansion of Outdoor Dining**

Temporary potential local street closures under consideration for greater outdoor dining and

pedestrian amenities space include Canfield Avenue and Main Street in the Downtown. Both Main Street and Canfield Avenue carry relatively low volumes of auto traffic and may be repurposed for expanded outdoor dining opportunities, but the following issues must be addressed:

- Installation of K-rail or similar barriers for protection of people dining in the street;
- Temporary improvements such as planters and shade protection to enhance the street;
- Allocation of street areas contiguous with restaurant;
- ABC approval of alcohol sales in repurposed street areas and conformance to ABC requirements;
- City licensing approval for use of the repurposed street area;
- Insurance requirements (liability release and indemnification) for use of the repurposed street area;
- Lighting and barriers to serve the expanded outdoor dining areas; and
- Maintaining proper street drainage - not obstructing drainage.

#### Temporary Decks Create Outdoor Dining Space in Santa Monica

The City of Santa Monica has permitted expansion into the street right-of-way in certain locations and staff can explore the feasibility of this option in Culver City.

#### Use of Town Plaza Expansion for Expanded Outdoor Dining Opportunities

Town Plaza Expansion (Plaza) has been designed for pedestrians and some of it can be repurposed for outdoor dining use. The Plaza expansion was designed to communicate with the Culver Steps and the southerly and westerly ground level uses already include outdoor dining areas for approximately 4,700 sf. The plans for outdoor dining have been prepared in conformance with the City's outdoor dining guidelines. The approved areas for outdoor dining allow for pedestrian connection to Culver Boulevard from the north, adequate fire lane clearance from the south, and conformance with the original project entitlements. Much of the remainder of the Plaza near the restaurant businesses is dedicated to planting, public seating, fire lanes and the parking access driveway ramp. (Please see Attachment No. 1)

Other parts of the Plaza could accommodate outdoor dining providing the seating communicates with an existing retail space. There are three buildings located immediately to the south of Town Plaza Expansion that contain businesses that could benefit with expanded outdoor dining area, though some are used for office or retail uses. The Culver Hotel could also add expanded outdoor dining to the south.

### **FISCAL ANALYSIS**

There is no fiscal impact related to the discussion of Outdoor Dining Permits and outdoor dining. Currently, all outdoor dining fees are suspended through May 15, 2020 by public order of the City Manager. Depending on the extent of the expansion of outdoor dining areas within the City and the status of the outdoor dining fees in the future, there could be a fiscal impact, which can be evaluated as this issue is further developed.

**ATTACHMENTS**

1. Outdoor Dining Exhibit for Town Plaza Expansion

**MOTION**

That the City Council:

1. Discuss expanded outdoor dining opportunities to facilitate local restaurant recovery from the economic impacts of the COVID-19 pandemic; and
2. Direct the City Manager as deemed appropriate.