



## OUTDOOR DINING DESIGN

### GUIDELINES

V.1.2024

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## OVERVIEW OF PERMITTING PROCESS

Establishing outdoor dining on public property involves a three-part process: (1) Conducting a feasibility review of the proposed outdoor dining area; (2) Applying for an outdoor dining use permit and navigating the license agreement process; (3) Reviewing the permit application and issuing permits accordingly. Applicants can expect to spend a week or two assembling and submitting the application form and exhibits and paying the initial fee. Initial application review typically takes about two weeks. The entire review and approval process will depend on the applicant's timely completion of additional steps and payment of all fees, as well as submission of any requested revisions and/or additional materials. The Administrative and Planning Commission review process for outdoor dining can also be viewed in Chapter 7: Administration of the Downtown Specific Plan.

### Step 1. Feasibility Review of the Proposed Outdoor Dining in Public Property

Parklets and sidewalk dining (collectively referred to as “outdoor dining”) are permitted through an Outdoor Dining Use Permit and License Agreement process involving the following steps:

#### PRE-APPLICATION REQUIREMENTS (NO FEE)

A pre-application meeting is required with a Public Works and Community Development staff member. Applicant shall provide preliminary details and conceptual plans to help illustrate their proposal to determine the feasibility of the proposed outdoor dining location and design. The proposed dining structure must not obstruct the view of neighboring businesses, including their signage, address numbers, or any other important business advertisements. The pre-application submittal shall include the following information:

- A. Location map - Mapping/Aerial photo of the property and adjacent improvements.
- B. Photographs of Existing Site Conditions - Document the existing conditions of the sidewalks, curb conditions, nearby utilities, nearest crosswalks, streetscape, traffic signs, street trees, bike racks, etc.
- C. Design Concept - Provide a rough sketch or photographs of similar outdoor dining that portray the intended design of the proposed outdoor dining.

### Step 2. Application for Outdoor Dining Use Permit and License Agreement Process

Provided the pre-application meeting establishes that the proposed location is feasible, then the Applicant shall complete the applicable application forms.

1. Start a project on the City’s online permitting system, EZ Permit Hub. Plans will be

concurrently routed to all necessary Departments for review. Website link is:  
<https://elsegundoca.portal.opengov.com/>

2. Upload Exhibits A thru D online
  - Exhibit A – Site Plan for your proposed outdoor dining installation
  - Exhibit B – Proposed Barrier Details and/or Front View
  - Exhibit C – Manufacturers’ Cut Sheet and/or Photographs of proposed materials used
  - Exhibit D – Proposed Furniture and Equipment Inventory
3. Upload a copy of your current and valid City of El Segundo Business License
4. Upload a copy of your current and valid liability insurance
5. Once all requirements are complete, submit your application
6. Pay the associated fees. Weblink for payment is: [EZ Permit Hub](#)

### Step 3. Permit Application Review and Issuance

#### A. Review of Application

The site plan, elevations, and construction drawings will be routed through the City Departments for review and approval. If insufficient to approve, the applicant will be notified along with comments identifying necessary changes to obtain approval. A staff member may contact you by email to:

- Request additional information or materials and answer any questions.
- Send invoices for any remaining fees.
- Let you know once the application has been approved.

#### B. Outdoor Dining Review

All outdoor dining is subject to design review. This process includes the notification of immediate neighboring properties and review decisions by the City’s Planning Commission. More details on this part of the process can be found in the [Downtown Specific Plan Chapter 7: Administration](#).

#### C. Approval

If approved, the process to obtain a permit is as follows:

1. Applicant pays the prorated annual license fee for the remainder of the calendar year along with a maintenance deposit and other fees as applicable.
2. City will issue an annual Outdoor Dining Use Permit and License Agreement for the applicant to sign and return.
3. City will issue requirements for the annual renewal of the Outdoor Dining Use Permit and License Agreement, including a schedule of annual fees.
4. Applicant will notify the Public Works at 310-524-2360 at least 72 business hours prior to installation of the outdoor dining. This will allow time for staff to place no-parking signs in the affected space(s) if applicable.
5. Applicant shall set in the field traffic control devices per the approved traffic

control plan and notify Public Works in advance of commencing construction.

6. Upon completion of construction, the applicant will request a final inspection by calling 310-524-2360. The Public Works Inspector will ensure compliance with the approved construction plans and if not, will provide a list of changes to be made to bring the outdoor dining into compliance.

Permits for approved applications will only be issued after completion of additional steps and payment of all fees. Approved permits will then be issued.

## **OUTDOOR DINING GUIDELINES**

The City of El Segundo (City) has established a program for the development and operation of outdoor dining in downtown El Segundo, where certain conditions for eligibility are met. The program is intended to encourage the activation of the public right-of-way, provide increased business opportunities for businesses and restaurants, and increase opportunities for outdoor dining and other uses. The following guidelines and related fees shall govern the design, permitting, and operation. The City may modify these guidelines from time to time to ensure compliance with applicable state laws, local codes, and safety regulations.

### **ELIGIBILITY:**

- A. **ELIGIBLE APPLICANTS:** Restaurants, retailers, and other businesses may apply for the temporary closure and use of one or more parking space(s) that are located immediately in front of their property limits for outdoor dining or other business uses (“Parklet”). Restaurants, retailers, and other businesses may apply for the temporary use of the sidewalk located immediately in front of their property limits for outdoor dining or other business uses (“Sidewalk Dining”).

Where the applicant does not own the property in which their restaurant or business is located, then the property owner’s approval is required.

The proposed dining structure must not obstruct the view of neighboring businesses, including their signage, address numbers, or any other important business advertisements.

Eligible applicants shall remit a license fee equivalent to the City’s Outdoor Dining rate established by the City Council. Applicants are required to remit a fee to process their application. Upon issuance of a permit, applicants shall provide a prorated license fee for the remainder of the calendar year in advance, and provide a one-time maintenance deposit that is refunded upon termination of the permit provided the applicant removes

the outdoor dining improvements and restores the right of way to its original condition.

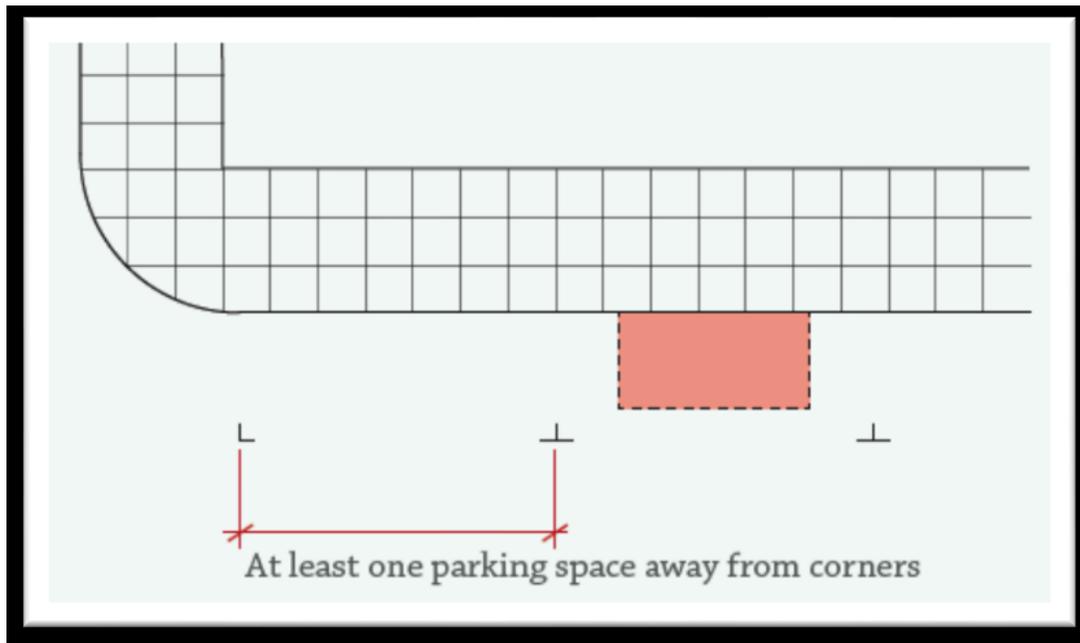
Other than the placement of one ancillary sandwich board sign, parklets and sidewalk dining are to be used only to place tables, chairs, a platform with railings/enclosure, landscaping, lighting, speakers, planter boxes, a roof or other equipment and devices necessary for creating open space for public use, a small garden, to create a customer waiting area, a stage for acoustic musicians to perform, or for serving food to outdoor dining customers. Outdoor dining may not be used to display or conduct retail product sales, or to render personal or other services.

- B. **ELIGIBLE STREETS:** Parklets are permitted on streets with speed limits of 25 mph or lower, which include a dedicated on-street parking lane. Parklets on streets with speed limits over 25 mph will be considered on a case-by-case basis. Sidewalk dining is permitted where through access and path of travel may be maintained along the right-of-way.
- C. **PARKLET SIZE:** A parklet may occupy a maximum of three parking spaces or up to the length of a business frontage, whichever is less. Larger parklets will be considered on a case-by-case basis based on site constraints or limitations to maximize the use of space within three adjacent parking stalls or the length of a business frontage.

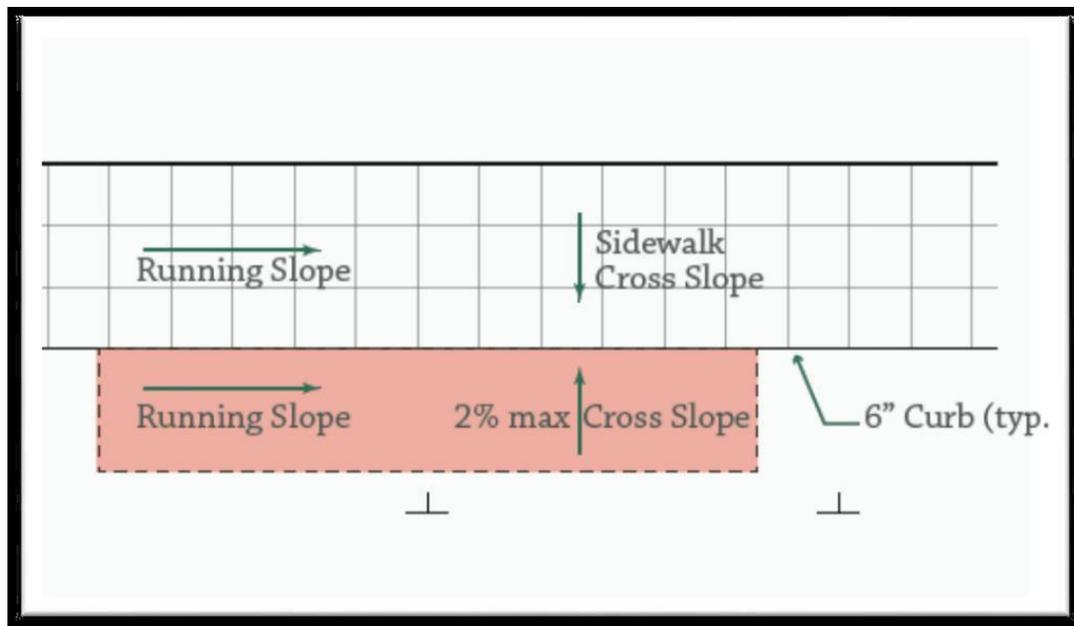
**SIDEWALK DINING SIZE:** Sidewalk dining may occupy a maximum length of a business frontage.

- D. **OUTDOOR DINING LOCATION:** Outdoor dining will be reviewed to determine whether its proposed location will interfere with view preservations of historic buildings and landmarks, public art, and to determine if the architectural design of the structure(s), and their materials and colors, are compatible with the scale and character of surrounding development and other improvements on the site, consistent with the Downtown Specific Plan.

Parklets may be placed in non-restricted on-street parking spaces in commercially zoned areas and may not be placed within a blue, green, red, yellow, or white-painted curb. To improve driver visibility parklets may not be located within a minimum of one parking space (approximately 20 feet) from an intersection with a crossing road or crosswalk. The allowable distance is subject to review by City staff considering the type of intersection, type of control, crosswalk, and other pavement markings, etc. Parklets may not be located within designated turn lanes, tapers, or bike lanes.



- E. **RUNNING SLOPE:** Parklets are generally permitted on streets with a running slope (grade) of five percent (5%) or less, with a maximum cross slope of two percent (2%) or less.



- F. **UTILITIES:** Outdoor Dining areas are not permitted in front of, or within 15 feet of a fire hydrant or over a fire hydrant shut-off valve. Parklets and sidewalk dining constructed with irremovable materials may not be constructed over any utility access covers. Applicants are required to photograph and take a thorough inventory of any utility access

covers in the proposed parklet area to ensure none are present, which may require looking under parked cars.

Momentary access must be provided to any City staff or other public utility company from time to time that has underground conduits running beneath the parklet or sidewalk dining area. Applicants understand and agree that City crew roadway restriping, resurfacing, and utility company access may require the temporary removal of all, or a portion of the constructed parklet or sidewalk dining to provide access. Accurate reinstatement of the outdoor dining or its components will be the responsibility of the applicant.

### APPLICATION SUBMITTAL REQUIREMENTS:

Parklets and sidewalk dining are permitted through an Outdoor Dining Use Permit and License Agreement. The application must be accompanied with the following exhibits and attachments:

Exhibit A: Site Plan for your proposed outdoor dining installation.

#### Requirements:

- All plan pages should be labeled "Exhibit A"
- Plan document should be sized 11" x 17"
- Completed plan document must be converted to pdf
- Plan requirements:
  1. Plan document must include a north arrow, street names, business address, and business name.
  2. Plan must include a signature block.
  3. Plan should be accurate, dimensioned, and use legibly sized font.
  4. Plan should list the total square footage (not including the entryway area)
  5. Plan drawing must show all features located within 100 feet of the proposed outdoor dining area and at a minimum contain the following:
    - a) Applicant business storefront with property lines
    - b) Storefronts adjacent to the business with business name and address
    - c) Adjacent streets and distance to closest crosswalks and/or intersection
    - d) Full sidewalk
    - e) Trees, fire hydrants, electrical boxes, sign poles, and other permanent installations
    - f) Current street parking spots
    - g) At-grade roadway markings (colored curbs, lane striping, parking stall markings, etc.)
    - h) At-grade utilities (panels, storm drains, sewer maintenance holes, electric covers, etc.)
    - i) Tables, chairs, planter boxes, and other furnishings.

Exhibit B: Barrier Detail and/or Front View.

Provide a map/sketch of any physical barriers that will be installed, or if no barrier, then show a front view of the venue showing table locations. Photographs of manufacturers' cut sheets depicting any physical barriers, design, planters, bollards, lighting, speakers, wheel stops, etc., which will be used in the dining area.

Requirements:

- All pages should be labeled "Exhibit B"
- Copies and images must be converted to PDF and should be combined when possible
- PDFs should be sized 11" x 17" or 8.5" x 11"

Exhibit C: Manufacturers' Cut Sheets and/or Photographs.

Provide copies of manufacturers' cut sheets and/or color photographs of all furniture and equipment to be used in the area.

Requirements:

- All pages should be labeled "Exhibit C"
- Copies and images must be converted to PDF and should be combined when possible
- PDFs should be sized 11" x 17" or 8.5" x 11"
- Design must meet design requirements as provided in the Downtown Specific Plan

Exhibit D: Furniture and Equipment Inventory

Provide an inventory list of all furniture and equipment to be installed in the exterior space. Front, left, and right-side detailed elevation drawings depicting placement of the items listed above including the parklet platform, wheel stops, bollards, planters, seating, lighting, speakers, and furniture placement. The elevations shall include dimensions.

Requirements:

- All pages should be labeled "Exhibit C"
- Copies and images must be converted to pdf and should be combined when possible
- Pdfs should be sized 11" x 17" or 8.5" x 11"
- Design must meet design requirements as provided in the Downtown Specific Plan

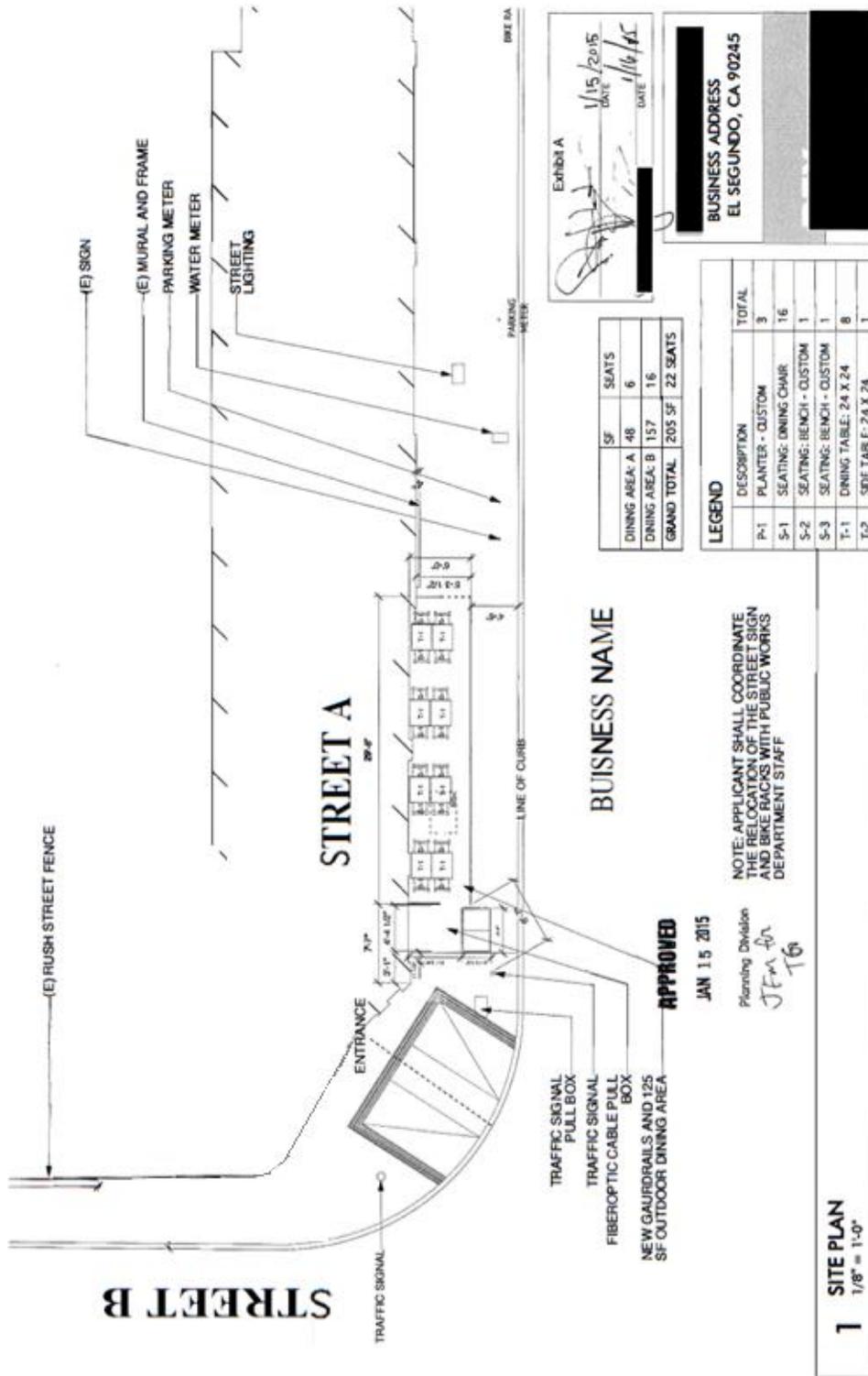
Attachments:

- I. Submit a summary description of the business operation and the intended use of the parklet or sidewalk dining.
- II. Pay the application fees.
- III. Submit a traffic control plan consistent with provisions of the CA Manual on

Uniform Traffic Control Devices for review and approval prior to pursuing project construction.

- IV. Applicant submits evidence of required insurance.
- V. Applicant submits a copy of their active El Segundo business license.

EXHIBIT A EXAMPLE



BUSINESS NAME

Exhibit A  
 1/15/2015  
 DATE DATE

DINING AREA:	SF	SEATS
A	48	6
B	157	16
<b>GRAND TOTAL</b>	<b>205 SF</b>	<b>22 SEATS</b>

BUSINESS ADDRESS  
 EL SEGUNDO, CA 90245

**LEGEND**

DESCRIPTION	TOTAL
P-1 PLANTER - CUSTOM	3
S-1 SEATING: DINING CHAIR	16
S-2 SEATING: BENCH - CUSTOM	1
S-3 SEATING: BENCH - CUSTOM	1
T-1 DINING TABLE: 24 X 24	8
T-2 SIDE TABLE: 24 X 24	1

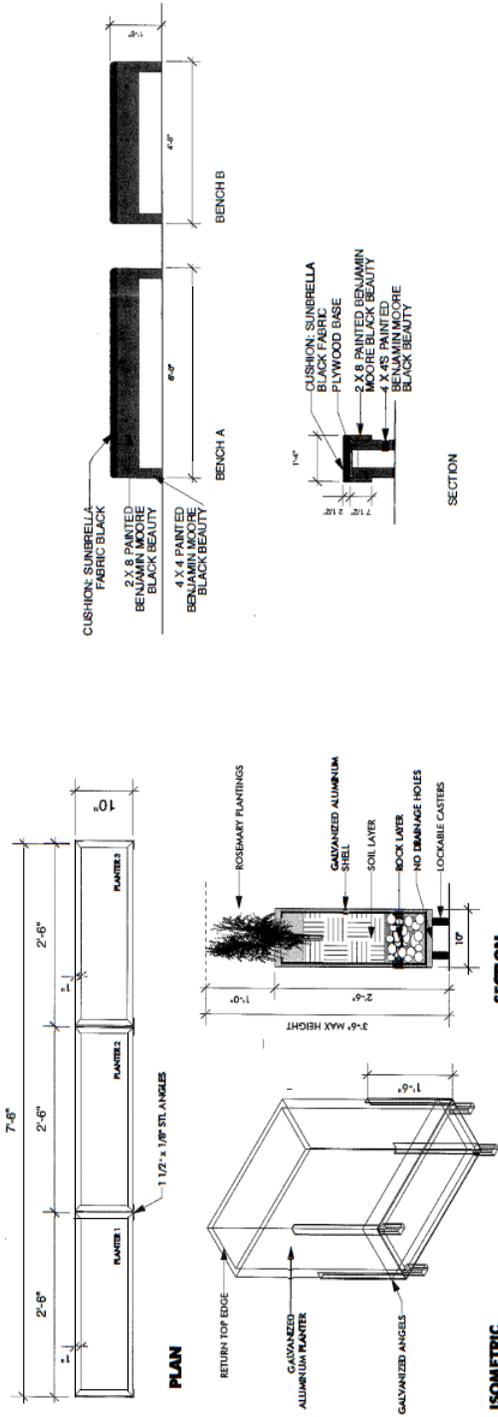
NOTE: APPLICANT SHALL COORDINATE THE RELOCATION OF THE STREET SIGN AND BIKE RACKS WITH PUBLIC WORKS DEPARTMENT STAFF

**APPROVED**  
 JAN 15 2015  
 Planning Division  
 JEM for T6

**1** SITE PLAN  
 1/8" = 1'-0"



**EXHIBIT C EXAMPLE**



**2 CUSTOM PLANTER**  
3/4" = 1'-0"

**3 CUSTOM BENCHES**  
3/8" = 1'-0"

<p>CHAIRS: M781B BLACK METAL FINISH</p>	<p>TABLETOPS: T1 AND T2 METAL ONYX FINISH</p>	<p>TABLEBASE: CC-17 28" H BLACK FINISH</p>	<p>ROSEMARY PLANTS IN CUSTOM PLANTERS</p>	<p>GALVANIZED METAL CUSTOM PLANTERS</p>	<p>BENJAMIN MOORE PAINT BLACK BEAUTY PAILING AND BENCHES</p>
<b>1 FURNITURE / SPECIFICATIONS</b>					
<p>Exhibit C</p> <p><i>[Signature]</i> 1/5/2015 DATE</p> <p><b>BUSINESS ADDRESS</b> EL SEGUNDO, CA 90245</p>					

## REVIEW AND APPROVAL PROCESS:

The site plan, elevations, and construction drawings will be routed through the City Departments for review and approval. If insufficient to approve, the applicant will be notified along with comments identifying necessary changes to obtain approval. If approved, the process to obtain a permit continues as follows:

- I. The applicant submits evidence of required insurance. Provide evidence of:
  - Workers' compensation coverage as required by State law
  - Comprehensive general liability coverage with minimum \$2,000,000 per occurrence and minimum \$2,000,000 aggregate
  - Named additional insured as follows: "The City of El Segundo, members of its City Council, boards and commissions, officers, agents, and its employees."
  - Further requirements enumerated below.
- II. Applicant submits a copy of their active El Segundo business license.

### [Learn more about obtaining an El Segundo City Business License](#)

- III. Applicant pays the prorated annual license fee for the remainder of the calendar year along with a maintenance deposit and other fees as applicable.
- IV. The City will issue an annual Use Permit and License Agreement for the applicant to sign and return.
- V. The City will issue requirements for the annual renewal of the Use Permit and License Agreement, including a schedule of annual fees.
- VI. The applicant will notify the Public Works at 310-524-2360 at least 72 Business hours prior to installation of the Parklet. This will allow time for staff to place no-parking signs in the affected space(s).
- VII. The applicant shall set in the field traffic control devices per the approved traffic control plan and notify Public Works in advance of commencing construction.
- VIII. Upon completion of construction, the applicant will request a final inspection by calling 310-524-2360. The Public Works Inspector will ensure compliance with the approved construction plans and if not, will provide a list of changes to be made to bring the Parklet or Sidewalk Dining into compliance.

## Additional Considerations

Additional measures may be required of applicant businesses depending on case-by-case circumstances. El Segundo must balance the needs of competing uses of the public right-of-way and consider the safety of everyone in the vicinity. For example, businesses must comply with American Disability Act (ADA) requirements, including a minimum 48" unobstructed path of

travel on public sidewalks and into and out of dining areas for wheelchair access, however, more space may be required depending on pedestrian traffic. Examples of other issues considered by Public Works:

- Existing sloped sidewalk surfaces available
- Sidewalk drainage
- Available lighting
- Necessity, cost, impact, and feasibility of installing k-rail or water-filled barriers
- Impacts of added proposed enhancements, such as planters and shade protection
- Adequate fire clearance
- Trash and utility services access
- Applicants' conformance with the prior permits and ongoing entitlements
- Contiguous allocations of street areas
- Area traffic patterns, turn lanes, bike access, pedestrian flow, and other mobility issues
- Impacts on local parking supply

## DESIGN GUIDELINES:

- a. **Downtown Specific Plan Compliance:** The Downtown Specific Plan includes Building Development Standards unique to each of the respective Districts, including the Main St. District, Richmond Street District, Grand Avenue District, and Civic Center District. In order to ensure continuity of design and aesthetics, and enhance the streetscape oriented toward the street, all outdoor dining enhancements, materials, and design must be consistent with the applicable Building Development Standards and Supplemental Area-Wide Standards and Guidelines found in the Downtown Specific Plan.
- b. **Parking:** Consistent with the Downtown Specific Plan, replacement parking for converted on-street parking stalls and sidewalk dining area is not required for outdoor dining up to 500 square feet. Any portion of outdoor dining in excess of 500 square feet shall provide additional off-street parking at the ratio of 1 space/300 square feet.
- c. **Parklet footprint:** Most Parklets are the size and length of one, two, or three adjacent parking spaces including the required buffer areas. The City will consider larger parklets depending on the existing site conditions, which requests will be evaluated on a case-by-case basis.

All parklets are required to include a minimum 4' setback on either end to buffer the Parklet from adjacent on-street parking spaces and a minimum 1' buffer adjacent to the auto or bike travel lane. Parallel parking spaces typically range between 18 to 20 feet in length. With a standard 4-foot setback on both ends and a 20-foot typical parking space length, parklet lengths would be as follows:

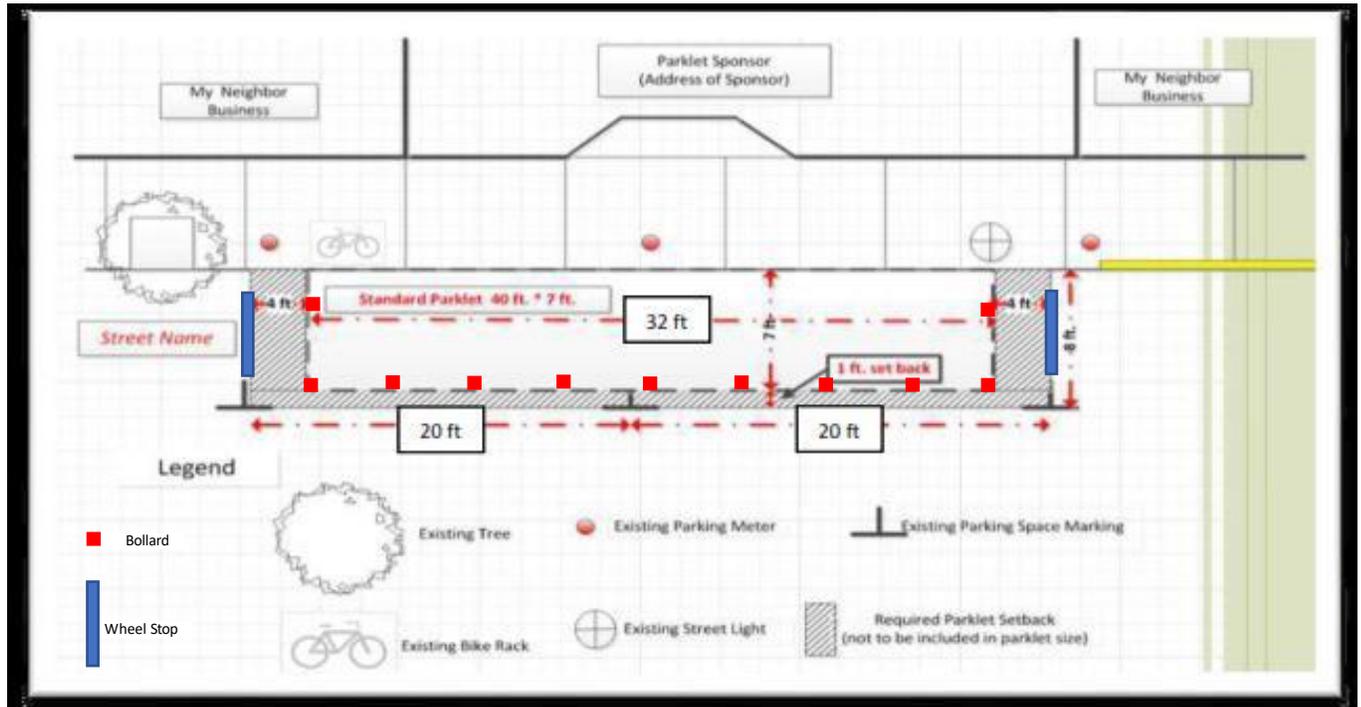
<i>Equivalent Parking Spaces (20')</i>	<i>Setbacks (2x 4' = 8')</i>	<i>Parklet length</i>
<b>1 Parking Space</b>	<b>8 feet</b>	<b>12 feet</b>
<b>2 Parking Spaces</b>	<b>8 feet</b>	<b>32 feet</b>
<b>3 Parking Spaces</b>	<b>8 feet</b>	<b>52 feet</b>

- d. **Adjacent parking:** Parklets may not use any part of an adjacent parking space. In areas where parking is not striped, the parklet shall not leave an “orphaned” space that is too small to park a full-sized passenger vehicle.
- e. **Wheel Stops:** For parklets located within parallel parking spaces, a four-foot-long concrete, rubber, or metal wheel stop shall be installed at least one foot from the curb at the 4’ edge of each perimeter parking space. When parklets are installed adjacent to parallel parking spaces, wheel stops should be setback four feet from the parklet structure. For angled parking spaces and parklets located adjacent to driveways, the City will work with the applicant to determine the appropriate location for the placement of wheel stops.
- f. **Vehicle Barrier Systems:** One of the following may be used to satisfy required vehicle barrier systems.
  - i. **Bollards:** Six-foot-long concrete bollards containing a 1/2-inch steel sheath that are placed four feet above grade and buried two feet below grade are to be placed 4’ apart from one another along the perimeter of the parklet and a maximum of 2’ away from any corner.

Performance Standard: All vehicle impact protection devices shall be engineered and determined to be in compliance with the low-speed vehicle impact testing standards F3016 (S20 or S30) prescribed by ASTM International. Compliance with the ASTM F3016 S20 or S30 standard shall be confirmed and certified by a bollard manufacturer or licensed professional engineer. If the vehicle protection device is not S-rated, an analysis of the site conditions, approach routes, topography, and type of proposed vehicle impact protection device(s), including size and depth of footings, shall be submitted showing the vehicle impact device(s) to be equivalent to an S20 or S30 standard.

- ii. **Vehicle Barrier Systems (i.e. K-rail):** Loads on Vehicle Barrier Systems. Vehicle barrier systems for passenger vehicles shall be designed to resist a single load of 6,000 lb. (26.70kN) applied horizontally in any direction to the barrier system and shall have anchorages or attachments capable of transferring this load to the structure. For the design of the system, the load shall be assumed to act at heights between 1 ft 6 in. (460 mm) and 2 ft 3 in. (686 mm) above the floor or ramp surface, selected to produce the maximum load effect. The load shall be applied on an area not to exceed 12 inches by 12 inches (305 mm by 305 mm), and located as to produce the maximum load effects.

**SETBACK AND BUFFER STANDARDS FIGURE**



- g. Enclosure: The tops of parklet or sidewalk dining walls shall not be higher than 36" above the ground however, narrow support pillars or posts may be built above 36" to support a roof or to mount lighting fixtures, lighting strings, or speakers, provided the roof is no lower than 7½' high and provided the roof sustains a minimum wind speed of 110 mph. The height of the parklet or sidewalk dining structure may be increased with clear plexiglass or other material that does not obstruct visibility.
- h. Lighting: Applicants interested in lighting should consider solar-powered lighting that use a rechargeable battery. Parklets and sidewalk dining however, may have lighting fixtures or lighting strings installed on poles with or without a roof provided they are rated for outdoor use and their power cord is plugged into an enclosed Ground Fault Circuit Interrupter outlet located on the face or roof of the building. Running conduits or extension cords along the ground to the dining area from the building to provide electrical power is prohibited and can be a tripping hazard.
- i. Speakers: Outdoor dining may have speakers mounted within them provided they are rated for outdoor use and their cords are connected in an aerial fashion to equipment located inside or outside of the building that is owned or occupied by the Applicant. Alternatively, speakers may be mounted directly upon the face of the building that is owned or occupied by the Applicant. Running conduits or speaker wire along the ground to the outdoor dining from any building is prohibited.
- j. Music Operation: Unamplified acoustic musical instruments and electric sound reproduction systems will require an Amplified Sound Permit, and shall be operated at sufficiently low volumes so as not to create a public nuisance or unduly intrude on neighboring businesses,

residents, or users of the public right-of-way beyond the dining area.

- k. **Width:** Parklets should be a minimum width of 6 feet (or the width of the existing parking lane including the minimum 1' buffer). Parklets generally entail the conversion of one or more parallel parking spaces but may vary according to the site, context, and desired character of the installation.
- l. **Reflectivity:** Reflective elements/devices are required at the outside corners of all parklets. Soft-hit posts equipped with reflective surfaces are a typical solution deployed along the perimeter; however, the City will consider other reflective elements incorporated into the parklet design to enhance the visibility of the structure including at night.
- m. **Driveways:** Parklets and sidewalk dining located adjacent to driveways must be set back twenty feet from the outside edge of the driveway apron. The City may consider shorter separation requirements for smaller driveways.
- n. **Easy Removal:** Since parklets and sidewalk dining are temporary and will be placed atop critical infrastructure and utilities such as gas lines, sewer, and water mains, they must be designed for easy removal in case emergency access is required. No outdoor dining component may weigh more than 200 pounds per square foot.
- o. **Advertising/Signs:** With the exception of one menu sandwich board, advertising, marketing, promotional activities or any other signage is prohibited in the parklet or sidewalk dining.
- p. **ADA Compliance:** If other areas of the business do not achieve minimum ADA accessibility requirements, then the parklet or sidewalk dining design shall be accessible to the disabled in accordance with ADA standards. Access shall adhere to the Uniform Building Code and Title 24 (California Building Standards Code) of the California Code of Regulations and include:
  - i. This includes the use of slip-resistant surface materials, maximum allowable slopes, and other provisions.
  - ii. The ability for wheelchair users to access the dining area.
- q. **The Platform Deck:** Each parklet requires a platform that is flush with the curb. Construction drawings must be submitted for the seating deck so that the City can review the structural base for the parklet. In designing the deck, the following provisions apply:
  - i. The parklet base should be a freestanding structural foundation that rests on the street surface. This frame should not be permanently attached to the street, curb, or adjacent planting strip. The applicant may, however, use pin bolts to attach the parklet to the curb and street below.
  - ii. **Bolting:** Parklets may include buried bollards and bolted platforms to the existing curb, provided the curb and roadway are restored to their original condition upon their removal.
  - iii. **Non-slip platform surface:** The surface of the parklet platform shall be fabricated from

durable, non-reflective, slip-resistant, aesthetically pleasing materials designed to withstand outdoor conditions. Surface materials shall not be prone to corrosion and shall be able to withstand power-washing when needed.

- iv. Access: Parklets may not be built over existing utility access points unless the utility agrees, in writing, that the creation of a hinged door on the platform to access them is acceptable.
- v. Surface materials: With the exception of soil contained inside planter boxes, loose particles, such as sand, gravel or loose stone are not permitted in the Parklet.
- vi. Drainage: The Parklet cannot impede the flow of curbside drainage on all sides and underneath the platform directly over the gutter. Designers are required to cover openings at either end of the parklet with screens to prevent blockage from debris while allowing water to flow along the gutter and into the storm drain. The platform shall contain a minimum 4" high X 1' long unobstructed cutout along the entire length of the gutter to provide unimpeded stormwater flow to the storm drain.
- vii. Platform cross slope: The Parklet platform cannot exceed two percent cross slopes.
- viii. The Platform Edge: The platform requires a positive edge or railing along the open sides of the deck surface that is parallel to the vehicular traffic lane, to inhibit people who, while lingering, may inadvertently wander into vehicular traffic.

A positive edge along vehicular traffic lane and parking space may be achieved by providing a railing of no less than 36 inches in height with openings of no more than 4 inches, or by other means as described in the next paragraph.

Railing structural capacities:

Handrails, guardrails, and their supports must be designed for 50 lbs. per linear foot, applied in any direction at the top of the top rail, and a concentrated load of 250 lbs. applied in any direction at any location along the top of the top rail. Guardrail infill and bottom rails are to be designed for 100 lbs. acting on a projected area of 1 sq. ft, including the open space between components.

Where required, guardrail height must be a minimum of 36 inches above the leading edge of the tread or walking surface. Opening limitations: open guards shall have balusters or ornamental patterns such that a 4-inch diameter sphere cannot pass through any opening up to a height of 36 inches.

Other means for achieving this positive edge may include raised planters no less than 24 inches high and 12 inches deep, built-in seating or other built-in furnishings no less than 24 inches high and no less than 12 inches deep, dense plantings that visually enclose the space and discourage pass through, or some other such similar means. In some instances, such as residential streets, alleys, shared public ways, or other non-arterial streets, other barriers may be considered on a case-by-case basis.

In other areas, for example, where the edge is perpendicular to the vehicle traffic lane, where any portion of the deck surface's perimeter is ½" or more above the street, curb, or sidewalk level, the edge shall be positively marked by a vertical element or barrier that is 24 inches minimum in height. These vertical elements shall have visual contrast

with the Deck Surface material: either light on dark or dark on light.

## FEE SCHEDULE:

You will be invoiced for all fees and the invoice will include instructions on payment process

### Application Fee

#### **\$3,796.73 one-time fee**

Charged immediately following the submission of the permit application (with exhibits).

Must be paid before application will be reviewed.

Application fee will not be refunded if permit application is denied.

### Public Right-of-Way Restoration Fee and Maintenance Deposit

#### **\$XXXX deposit**

Calculated by number of dining seats and outdoor dining square footage.

Deposit partially covers costs to City for set up, removal and restoration or right-of-way upon vacation of the outdoor dining area.

### Annual Outdoor Dining Fee

#### **\$1,026.25 reoccurring fee**

Initial annual fees paid mid-year will be prorated.

Renewal fees are invoiced annually.

## MAINTENANCE

- I. The Parklet and Sidewalk Dining is required to be well maintained and in good condition as outlined in the terms and conditions of the Use Permit and License Agreement. Parklet and sidewalk dining owners are required to develop a maintenance plan for keeping the dining area free from debris, grime, and graffiti, and to ensure any plants remain in good health and not grown in a manner that would obstruct visibility of the adjacent travel lane and/or intersections. Graffiti must be removed within 24-hours.
- II. Restaurants are required to sweep the sidewalk and roadway area immediately surrounding the Parklet and to keep it litter-free as City street sweepers are unable to do so.
- III. The area beneath the parklet platform shall be cleaned and rinsed out at least once a month.

## PERMIT RENEWAL:

The Use Permit and License Agreement will be renewed upon payment of the annual license fee, submittal of a renewed certificate of insurance, and prior year performance review by Public Works.

## CHANGE of OWNERSHIP:

If the applicant's business changes ownership or ceases to operate, the permit may be automatically terminated and the platform, bollards, wheel stops, etc. shall be removed by the applicant (unless the applicant is a tenant on the premises and the property owner of these premises agrees, in writing, to assume the responsibility of removing the parklet if the new tenant of these premises or new owner of applicant's business does not wish to use the parklet), and the parking space(s), bike rack(s), and any other impacted road elements will be restored. Any new tenant or new operator of the applicant's business may enter into a new agreement for remainder of annual permit and obtain a new Use Permit and License Agreement from the City.

## REMOVAL

- I. Self-initiated removal: If the applicant decides to no longer use the parklet or sidewalk dining, or the permit has expired, the applicant is responsible for removing all related elements and restoring the public right-of-way to its original condition. Removal and restoration of the area requires an additional permit, which may be obtained from the Department of Public Works at (310) 524-2360. Failure to remove the outdoor dining elements and restore the right-of-way will result in forfeiting the maintenance deposit. Applicants shall reimburse the City for any costs to remove the outdoor dining elements and/or restore the right-of-way that exceeds the amount of their maintenance deposit.
- II. Streetscape maintenance and improvements: In some instances, such as street repaving or utility work, the City may require the applicant to remove their parklet temporarily. The City or utility will provide adequate notification to permit holders that a parklet will need to be temporarily removed for repaving, utility, or other street work. In these situations, you may need to store your parklet off-site during these construction activities. Parklet removal and reinstallation shall be performed at the sole cost of the permit holder.
- III. Emergencies. Because parklets may be placed atop utilities there may be instances where the parklet will require immediate removal with little notice (such as a gas leak, water main break, sewage pipe break, etc.). During these emergencies, the City or other public utility may remove the parklet or sidewalk dining with little or no notice.

## INSURANCE

The Applicant (Permitee) shall obtain and maintain in force during the life of the Parklet or Sidewalk Dining Use Permit and License Agreement comprehensive general liability, automotive, and workers compensation insurance in amounts and coverage as determined by the City Attorney and specified in the Use Permit and License Agreement. Failure to maintain active insurance policies is grounds for revocation of the permit.

### MINIMUM INSURANCE REQUIREMENTS FOR OUTDOOR DINING

**Insurance**: Without limiting its obligations pursuant to the Hold Harmless Section of this

Permit, the Permittee shall procure and maintain, at Permittee's own cost and expense and for the duration of this Permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Permittee's operations within the City.

- A. Prior to commencing operations pursuant to this Permit, Permittee shall submit duly executed certificates of insurance for the following:
  1. An occurrence-based Comprehensive General Liability ("CGL") policy, at least as broad as ISO Form CG 001, in the minimum amount of two million dollars (\$2,000,000) each occurrence, with not less than two million dollars (\$2,000,000) in annual aggregate coverage. City reserves the right however, to require Permittee to increase the coverage amount of their policy to four million (\$2,000,000) in the aggregate at any time in the future at its sole and absolute discretion. The CGL policy shall meet the following requirements:
    - a. The policy shall provide coverage for personal injury, bodily injury, advertising injury, death, accident and property damage, as those terms are understood in the context of a CGL policy;
    - b. The policy shall provide coverage for owned, hired and non-owned automobile liability;
    - c. The policy shall include coverage for liability undertaken by contract covering, to the maximum extent permitted by law, Permittee's obligation, under the Hold Harmless Section of this Permit, to indemnify the City of El Segundo, members of its City Council, boards and commissions, as well as its officers, agents and employees;
    - d. The policy shall not exclude coverage for Completed Operations Hazards or Athletic or Sports Participants; and,
    - e. The City of El Segundo, members of its City Council, boards and commissions, officers, agents and its employees will be named as additional insured in an endorsement to the policy, which shall be provided to the City and approved by the City's City Attorney prior to the issuance of this Permit.

2. Business Automobile Liability Insurance in the minimum amount of one million dollars (\$1,000,000) each occurrence, with not less than two million dollars (\$2,000,000) in annual aggregate coverage.
  3. Workers' Compensation limits as required by the Labor Code of the State of California with Employers' Liability limits of one million dollars (\$1,000,000) per accident.
- B. The City may waive one or more of the coverages listed in this section. This waiver must be express and in writing and will only be made upon a showing by the Permittee that its operations in and with respect to the City are not such as to impose liability within the scope of that particular coverage.
- C. Additional insurance requirements:
1. All insurance listed in this section shall be issued by companies licensed to do business in the State of California, with a claims paying ability rating of "BBB" or better by S&P (or the equivalent by any other rating agency) and a rating of A: VII or better in the current Best's Insurance Reports;
  2. Permittee shall provide the City with at least thirty (30) days prior written notice of any modification, reduction, or cancellation of any of the policies required in by this section;
2. Upon 30-day written notice to the Permittee, the City, in its sole discretion, may increase the scope or dollar amount of coverage required under any of the policies described above or may require different or additional coverages, including but not limited to increasing the CGL insurance annual aggregate.