
Sec 74-196. – Use of Sidewalk for Outdoor Dining

The purpose of this section is to establish regulations to allow limited dining to encroach into the public right-of-way and that is accessory to a restaurant, café, specialty food establishment or other eating establishments, bars, taverns, cocktail lounge, craft breweries/distilleries, tap rooms, tasting rooms or wine bars on when located on private property. It is intended that such outdoor dining will not unduly restrict public access or utilize a design that detracts from the image and appearance of the surrounding area.

- (a) The outdoor dining area shall require approval of an encroachment permit subject to SFMC Sec. 74-196 prior to the placement of any furniture associated with the operation of the outdoor dining area.
- (1) An encroachment permit must include a site plan drawn to scale that delineates the dimensions of the proposed outdoor dining area, furniture arrangement, path of travel, development standards and design standards described below; a colors and materials sheet of the proposed furniture and dimensions, fees, insurances, indemnification of the city from liability (in a form approved by the City Attorney), and any other plans, documents or information as required by the form provided by the Public Works Department.
 - (2) A building, electrical or mechanical permit may be required depending on the scope of the proposed outdoor dining area.
 - (3) Prior to occupancy of an outdoor dining area an inspection is required.
 - (4) An annual inspection of an outdoor dining area shall be required to ensure compliance with the limited use regulations for outdoor dining.
 - (5) Violations of the outdoor dining area standards may result in enforcement actions up to and including revocation of said permit and termination of use.
 - (6) A copy of the approved encroachment permits and/or building permit, as applicable for an outdoor dining area shall be kept on premises of the associated establishment.
 - (7) Each permit issued shall be personal to the permittee and is not transferable, delegable, or assignable. Any attempted transfer, delegation, or assignment of the permit shall be void. In the event of a transfer of the business of the permittee, the transferee shall obtain a new permit prior to the operation of an outdoor dining area.
- (b) The applicant shall, at its own cost and expense, procure and maintain in force policies of commercial general liability insurance (CGL) in an amount not less than \$1,000,000 per occurrence and shall add the City of San Fernando as Additionally Insured; and Worker’s Compensation and Employer’s Liability in statutory amounts.
- (c) Development standards for permitted outdoor dining are listed below:
- (1) Dining areas shall maintain building ingress and egress as defined by the Uniform Building Code and emergency access in accordance with California Fire Code. In addition, an unobstructed path of ingress and egress travel with a minimum 4-foot width that leads occupants directly from exit doors to the public right-of-way.
 - (2) All furniture associated with the outdoor dining areas shall not be permanently affixed to the sidewalk or public area in which it is proposed.
 - (3) Tables and chairs shall be placed only in the locations shown on the approved site plan.
 - (4) Barriers to delineate the outdoor dining area are recommended, but not required unless alcohol will be served in the outdoor dining area. The barrier must be moveable and designed as specified below.
 - (5) A clear path, free of all obstructions to the flow of pedestrian traffic, shall be provided in the public right-of-way and shall be maintained at all times. Obstructions include traffic signals or signs, light standards, parking meters, bus stops, trash receptacles, benches, trees, gates that open outward beyond the perimeter of the outdoor dining area, and similar objects.
 - a. The clear path shall be a paved sidewalk that is at least 4 feet wide.
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- b. The clear path may meander from side to side to avoid obstructions, but shall maintain a continuous, common surface at least 4 feet in width that provides a direct path of travel past the outdoor dining.
 - c. The clear path shall be measured from the outermost point of the outdoor dining to the curb or to the nearest obstruction within the flow of pedestrian traffic, whichever is shorter.
 - d. Recesses in the building façade shall not be used to satisfy the clear path requirement.
 - e. A minimum emergency service access gap of 4 feet with horizontal and vertical clearance shall be required for every 20 feet of linear street frontage.
- (6) Outdoor dining shall be designed and operated so that it may be used by people of all abilities by complying with all of the following:
- a. The surface of the outdoor dining area shall be level and have a running slope and a cross slope that do not exceed 2 percent (1 unit in 50 units' horizontal).
 - b. The outdoor dining area shall not be located on a raised platform or in a sunken area.
 - c. At least one wheelchair accessible seating space shall be provided for every 20 seats, or as required by the California Building Code, or the American Disabilities Act, whichever is greater .
 - d. When multiple wheelchair accessible seating spaces are provided, they shall be distributed and integrated within the outdoor dining area.
 - e. Wheelchair accessible seating spaces shall have a minimum unobstructed maneuverability dimension of 30 inches in width by 48 inches in depth.
 - f. Access to designated wheelchair seating spaces shall be provided through an accessible path with not less than 36 inches unobstructed width.
 - g. The interior of the outdoor dining area shall consist solely of moveable furnishings, including moveable tables, chairs, and umbrellas.
- (d) Parking for outdoor dining portion of an eating establishment shall only be required if and only for the area over the thresholds identified below:
- (1) The area of the outdoor dining area is greater than 200 square feet; or
 - (2) The area of an outdoor dining area exceeds 25% of the combined total of the gross floor area of the associated eating establishment and the area of the outdoor dining area.
- (e) Design standards for permitted outdoor dining are listed below:
- (1) A colors and materials sheet shall be included in the site plan application to provide the colors, materials of all furniture, barriers, lighting and landscaping that is to be in the outdoor dining area. Exact dimensions and specifications shall be included.
 - (2) Dining/seating area barriers (fences, gates, ropes, etc.) shall be visually appealing, and help to separate the dining/seating area from the sidewalk.
 - (3) Fabric inserts (natural or synthetic) of any size are not permitted to be used as a part of a barrier.
 - (4) The use of chain-link, cyclone fencing, chicken wire or similar material is prohibited.
 - (5) Materials not specifically manufactured for fencing or pedestrian control are prohibited unless they are expressly allowed elsewhere in these guidelines.
 - (6) Materials such as buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc. are not permitted and shall not be used as components of a barrier.
 - (7) All furniture and fixtures must be of sufficiently sturdy construction as not to blow over with normal winds.
 - (8) Furniture and fixtures must not be secured to trees, lampposts, street signs, hydrants, or any other public street infrastructure by any means, whether during restaurant operating hours or when the restaurant is closed.
 - (9) Outdoor dining furniture shall be made of high-quality, durable materials that provide an attractive design and are appropriate use for outdoor use. Folding chairs, lightweight, plastic, deteriorated, U.V. damages, splintered or similar furniture will not be approved or placed in the outdoor dining area. Sealed or painted metal or wood tables are recommended.
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- (10) Upholstered chairs are permitted. Upholstery is not permitted to be of any fluorescent or other strikingly bright or vivid colors.
 - (11) All materials shall be well maintained without stains, rust, tears, or discoloration. Materials that show signs of significant wear/age be replaced.
 - (12) Awnings or umbrellas may be used in conjunction with outdoor dining, and umbrellas shall not be used as a permanent roof or shelter over the outdoor dining. Umbrellas should not be used during extreme wind.
 - (13) Umbrellas shall be constructed of a canvas-type, durable, and fade and fire-resistant material suitable for outdoor use. No plastic fabrics, plastic or vinyl-laminated fabrics, or any type of rigid materials are permitted.
 - a. Umbrellas must be free of advertisements or product names.
 - (14) All parts of any umbrella (including the fabric and supporting ribs) must be contained entirely within the outdoor seating area.
 - (15) Umbrellas shall be installed and maintained so as to provide pedestrian clearance by maintaining 7 feet of clearance from the ground to the lowest edge of the umbrella..
 - a. The 7 foot minimum height includes not only the umbrella frame and panels, but also any decorative borders such as fringes, tassels or other such ornamentation.
 - b. No part of an umbrella may exceed a height of 9 feet above the surface of the outdoor dining area to avoid an undue visual obstruction of other businesses.
 - (16) A barrier may be in the form of open fencing, railing, landscape planters, rope or chain that must be a minimum of 3 feet, but not taller than 4 feet in height.
 - (17) If a barrier is rope or chain, the rope or chain must have a minimum diameter of one inch. Vertical support posts must be constructed of metal or wood. A stanchion base shall not be domed, and shall not be more than one-half (1/2) of an inch above the surface of the floor.
 - (18) Fabric inserts (natural or synthetic) of any size are not permitted to be used as part of a barrier.
 - a. The use of chain-link, cyclone fencing, chicken wire or similar material is prohibited.
 - b. Materials not specifically manufactured for fencing or pedestrian control are prohibited unless they are expressly allowed elsewhere in these guidelines.
 - c. Materials such as buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc. are not permitted and shall not be used as components of a barrier.
 - (19) No banners or signage shall be displayed on the barrier of an outdoor dining area or within the outdoor dining area other than the name of the establishment that may be placed on umbrellas or on the valance of an awning with an overhang not lower than 84 inches from the finished grade of the ground of the outdoor dining area.
 - (20) Signage is not permitted within an outside dining area except with a valid City permit. No extra or additional signage is permitted solely as a result of having an outdoor dining area.
 - (21) Portable heaters, if provided, shall be located a minimum of 4 feet away from the exterior face of the building and from any combustible materials, including architectural projections, or in accordance with manufacturer recommendations, whichever is most restrictive.
 - (22) Planters may be made out of wood, ceramics, stone, metal or high quality thick plastic planter boxes.
 - (23) Planters shall contain live plant materials in healthy condition, subject to the approval of the Public Works department. Seasonal, thematic planter displays are encouraged. Stressed, dead, or dying landscape must be promptly replaced but not more than 72 hours. Artificial plants; empty planters; or planters with only bare dirt, mulch, straw, woodchips or similar material are not permitted. No thorny plants may be placed in planters.
 - (24) Planters shall have a self-contained watering reservoir system that prevents any leakage.
 - (25) Illuminated outdoor dining areas shall incorporate lighting which shall be installed to prevent glare onto, or direct illumination of, any public space or property or use.
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- (26) Lighting fixtures may be permanently affixed to the front of the associated eating establishment but shall not protrude into the pedestrian path. Lighting shall be mounted so that all wiring is concealed. Rope or string lights are allowed provided they are installed to the requirements of the Building Code and manufacturer's specifications. Spotlights and illumination for advertising are prohibited.
- (f) Operating standards for outdoor areas are below:
- (1) Outdoor dining shall be operated in a manner that meets all requirements of the Health Department of Los Angeles County and any other applicable regulations.
 - (2) Exclusive of the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas shall be limited to the hours between 7:00 a.m. and 11:00 p.m., daily.
 - (3) Within the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas shall be limited to the hours between 7:00 a.m. and 12:00 a.m., daily.
 - (4) An outdoor dining area may provide either waiter/waitress service or self-service.
 - (5) At the end of the business day, establishments shall clean (sweep and mop) the area in and around the outdoor dining area. The outdoor dining area shall be clean and free of litter at all times. Waste receptacles are encouraged.
 - (6) Dining equipment (including, but not limited to, tables, chairs, space heaters, barriers) must be stored in an area not visible from the public right-of-way or from any plaza area outside of business hours.
 - (7) Live entertainment, television monitors, screens, speakers, dancing, pool tables, billiard tables, adult entertainment uses, and cover charges are prohibited in the outdoor dining area.
 - (8) Outdoor dining shall comply with the sound level limits of the associated eating establishment in accordance with San Fernando Municipal Code Chapter 34 Article II.
 - (9) All forms of vaping, smoking and the use of tobacco products in the outdoor dining area shall comply with San Fernando Municipal Code Chapter 23.
 - (10) Outdoor cooking is permitted in an outdoor dining area in compliance with the LA County Health Department, CA Building Code and City of LA Fire Code.
 - (11) Establishments which propose to serve alcoholic beverages in the outdoor dining area shall comply with the standards established by the California Department of Alcoholic Beverage Control and shall update their approvals from said department to include the new outdoor dining area if necessary. The outdoor dining area shall be:
 - a. Physically defined and clearly part of the establishment it serves as an accessory use to; and
 - b. Supervised by a restaurant employee to ensure compliance with laws regarding the on-site consumption of alcoholic beverages.
- (g) Subject to sections below of this section, the Director of Public Works or their designee may immediately deny a permit application, or revoke or suspend a permit, if the Director of Public Works finds that: (1) the provisions of this chapter have not been satisfied or violated; or (2) any necessary health permits has been suspended, revoked, or canceled; or (3) the operation of the outdoor dining constitutes a public nuisance, pursuant to Article V of this code; or (4) if the operation of the outdoor dining is endangering, jeopardizing, or otherwise constituting a menace to the public convenience, health, interest, safety, or the general welfare of persons residing or working in the vicinity of the proposed use; or (5) the primary use ceases to operate at the location.
- (1) Notice of violation of any standards of operation shall be made verbally or in writing to the permittee by the Director of Public Works or designee, any department or division head or designee, the Police Department or the Fire Department. A verbal notice of violation shall be followed by a written notice to the permittee. A copy of the notice shall be given to the Director of Public Works. The permittee shall immediately cure the violation upon receipt of verbal or written notice. If the violation is not cured immediately, the Director of Public Works or designee may revoke or suspend the permit.
 - (2) Notice of violation of the outdoor dining development or design standards shall be made in writing to the permittee by the Director of Public Works or designee, any department or division head or designee, the Police Department, or the Fire Department. A copy of the notice shall be given to the
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Director of Public Works. The permittee shall have 10 days to cure the violation. If the violation is not cured within 10 days after the issuance of the notice to the permittee, the Director may revoke or suspend the permit.

- (3) The Director of Public Works or designee may immediately deny a permit application, or revoke or suspend a permit, for any single violation of this chapter, and shall immediately revoke the permit of any permittee who has committed three violations of this chapter within a twelve-month period.
- (4) Any permittee whose permit application has been denied, or whose permit has been revoked or suspended, may request in writing a hearing before the Director of Public Works. The Director of Public Works shall grant the request and hold an informal hearing, where the basis for the denial, revocation or suspension shall be explained to the permittee. The permit applicant or permittee shall have the opportunity at the hearing to present evidence of compliance with the provisions of this code. If, after the hearing, the Director of Public Works lets stand their decision to deny the permit application, or revoke or suspend the permit, the permit applicant or permittee may appeal the decision of the Director of Public Works to the City Manager, or designee, whose action shall be deemed final.
- (h) Upon permit termination (for any reason), the permittee shall remove, at its own expense, all personal property, furnishings, and equipment from the public right-of-way. All outdoor dining barriers shall be removed and the sidewalk shall be returned to its original condition. Any personal property remaining within the road right-of-way or parking area shall be removed pursuant to the laws of the State of California.
- (i) A violation of this chapter is subject to the administrative citation provisions of subject to SFMC Article III of this code.

Sec. 74-1967. Temporary use of sidewalk or roadway.

The city council or the administrative officer or the administrative officer's designee is authorized to grant the temporary use of any sidewalk or roadway for any purpose at such locations and under such conditions as it deems appropriate.

(Code 1957, § 23.119)

Sec. 74-1978. Permit terms.

Any permit granted by the city council for any encroachment under any of the sections of this division may be upon such terms and conditions as the council may fix and determine. The violation of any such terms or conditions shall be grounds for immediate revocation of such permit.

(Code 1957, § 23.120)

Sec. 74-1989. Painting or marking sidewalk.

It shall be unlawful for any person to write, paint, mark, deface, or draw upon any sidewalk or roadway without first having obtained a permit from the city council.

(Code 1957, § 23.121)

Sec. 74-199200. Obstruction of public way declared nuisance.

Anything placed or permitted to remain upon any sidewalk or roadway, in violation of this division, is declared to be a public nuisance. In addition to other remedies provided by law, the city engineer is authorized and empowered to abate the nuisance by removing such obstruction.

(Code 1957, § 23.122)

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Secs. 74-2005—74-225. Reserved.

Chapter 106- ZONING

ARTICLE VI. - GENERAL REGULATIONS

(reserve 106-1516-1519 in Division 18.- Prohibition on Commercial Cannabis Activity)

DIVISION 19. - OUTDOOR DINING

Sec. 106-1520. – Intent and purpose.

The purpose of this division is to establish requirements for outdoor dining area that is accessory to a restaurant, café, specialty food establishment or other eating establishments, bars, taverns, cocktail lounge, craft breweries/distilleries, tap rooms, tasting rooms or wine bars on when located on private property.

Sec. 106-1521. – Requirements.

- (j) The outdoor dining area shall require approval of a site plan review pursuant to Article II. – Administration Division 3 of this Chapter. See also Section 74-196 of the San Fernando Municipal Code, “Use of Sidewalk for Outdoor Dining.”
- (k) Prior to the installation of any structural, mechanical, electrical or plumbing improvements associated with the outdoor dining or sitting area, a Building permit shall be obtained.
- (l) Prior to occupancy of an outdoor dining or seating area an inspection is required.

Sec. 106-1522. - Development standards.

- (a) Base Zone regulations for setbacks, and maximum lot coverage, and emergency access in accordance with the California Fire Code, shall apply.
- (b) Dining areas shall maintain building egress as defined by the Uniform Building Code.
- (c) Tables and chairs shall be placed only in the locations shown on the approved site plan.
- (d) Barriers to delineate the outdoor dining area are recommended, but not required unless alcohol will be served in the outdoor dining area. The barrier may be either permanently installed or moveable.
- (e) When located immediately adjacent to a residential use, or other sensitive uses, provisions shall be made to minimize noise, light, and odor impacts on the residential use.
- (f) Outdoor dining may be covered or uncovered. Awnings or umbrellas may be used in conjunction with outdoor dining, but shall not be used as a permanent roof or shelter over the outdoor dining.
- (g) Outdoor dining shall be designed and operated so that it may be used by people of all abilities by complying with all of the following:
 - (1) The surface of the outdoor dining area shall be level and have a running slope and a cross slope that do not exceed 2 percent (1 unit vertical in 50 units’ horizontal).
 - (2) The outdoor dining area shall not be located on a raised platform or in a sunken area, unless an accessible ramp is provided in accordance with the California Building Code, or the American Disabilities Act, whichever provides greater accessibility.
 - (3) Access openings should be placed in a location that will not create confusion for visually impaired pedestrians.
 - (4) At least one wheelchair accessible seating space shall be provided for every 20 seats, or as required by the California Building Code, or the American Disabilities Act, whichever is greater.

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- (5) When multiple wheelchair accessible seating spaces are provided, they shall be distributed and integrated within the outdoor dining area.
 - (6) Wheelchair accessible seating spaces shall have a minimum unobstructed maneuverability dimension of 30 inches in width by 48 inches in depth.
 - (7) Access to designated wheelchair seating spaces shall be provided through an accessible path with not less than 48 inches unobstructed width.
 - (h) Parking for the outdoor dining portion of an eating establishment shall only be required if and only for the area over the thresholds identified below:
 - (1) The area of the outdoor dining area is greater than 200 square feet; or
 - (2) The area of an outdoor dining area exceeds 25% of the combined total of the gross floor area of the associated eating establishment and the area of the outdoor dining area.
 - (i) When outdoor dining is proposed on the parking area for the establishment, the required parking can be provided as described in the San Fernando Municipal Code Section 106-827.

Sec. 106-1523. – Design standards.

- (a) A colors and materials sheet shall be included in the site plan application to provide the colors, materials of all furniture, barriers, lighting and landscaping that is to be in the outdoor dining area. Exact dimensions and specifications shall be included.
- (b) Dining/seating area barriers (fences, gates, ropes, etc.) shall be visually appealing, and help to separate the dining/seating area from the sidewalk.
- (c) Fabric inserts (natural or synthetic) of any size are not permitted to be used as a part of a barrier.
- (d) The use of chain-link, cyclone fencing, chicken wire or similar material is prohibited.
- (e) Materials not specifically manufactured for fencing or pedestrian control are prohibited unless they are expressly allowed elsewhere in these guidelines.
- (f) Materials such as buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc. are not permitted and shall not be used as components of a barrier.
- (g) All furniture and fixtures must be of sufficiently sturdy construction so as not to blow over with normal winds.
- (h) Furniture and fixtures must not be secured to trees, lampposts, street signs, hydrants, or any other public street infrastructure by any means, whether during restaurant operating hours or when the restaurant is closed.
- (i) Outdoor dining furniture shall be made of high-quality, durable materials that provide an attractive design and are appropriate use for outdoor use. Folding chairs, lightweight, plastic, deteriorated, U.V. damages, splintered or similar furniture will not be approved or placed in the outdoor dining area. Sealed or painted metal or wood tables are recommended.
- (j) All materials shall be well maintained without stains, rust, tears, or discoloration. Materials that show signs of significant wear/age shall be replaced.
- (k) Umbrellas shall be constructed of a canvas-type, durable, and fade and fire-resistant material suitable for outdoor use. No plastic fabrics, plastic or vinyl-laminated fabrics, or any type of rigid materials are permitted.
- (l) Umbrellas shall be installed and maintained so as to provide pedestrian clearance by maintaining 7 feet of clearance from the ground to the lowest edge of the umbrella.
 - (1) The 7-foot minimum height includes not only the umbrella frame and panels, but also any decorative borders such as fringes, tassels, or other such ornamentation.
 - (2) No part of an umbrella may exceed a height of 9 feet above the surface of the outdoor dining area to avoid an undue visual obstruction of other businesses.
- (m) Umbrellas shall be set back a minimum of 3 feet from the neighboring property measured from the outer most edge of the umbrella to the property line.

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- (n) Umbrellas must be free of advertisements or product names.
 - (1) Umbrellas must not contain signage for the restaurant or for any other entity in the form of wording, logos, drawings, pictorial or photographic representations, or any other similar identifying characteristics.
 - (o) All parts of any umbrella (including the fabric and supporting ribs) must be contained entirely within the outdoor seating area.
 - (p) Umbrellas must blend appropriately with the surrounding built environment.
 - (q) Umbrella fabric must be one solid color, and is not permitted to be a fluorescent or other strikingly bright or vivid color.
 - (r) Barriers made of walls, railings, fences, planter boxes, solid wood fences or concrete walls or a combination thereof are acceptable.
 - (s) Barriers shall be no taller than 4 feet in height, unless the barrier is preexisting and exceeds 4 feet in height or a barrier greater than 4 feet in height is required pursuant to another section of the Municipal Code or other codes. Railing and fencing must be constructed of metal, (aluminum, steel, iron, or similar) or wood and must be of a dark color (either painted or stained).
 - (t) To ensure their effectiveness as pedestrian control devices and their ability to be detected by persons with vision impairments, barriers must meet the following measurements:
 - (1) Planters may not exceed a height of 36 inches above the level of the sidewalk. Plants may not exceed a height of 108 inches (8 feet) above the level of the sidewalk.
 - (2) In the case of a rope or chain enclosure, the rope or chain must not exceed 27 inches above the sidewalk surface.
 - (3) All barriers must be detectable to visually impaired pedestrians who employ a cane for guidance. Therefore, the bottom of the barriers must be no greater than 27 inches above the sidewalk surface.
 - (4) Fences or other perimeter enclosures with a height of between 36 inches and 48 inches must be at least 50 percent open (see-through) in order to maintain visibility of street level activity. Any enclosure with a height over 48 inches must be at least 80 percent open (see-through).
 - (5) Any access opening within the barrier must measure no less than 44 inches in width.
 - (u) When abutting public property, a barrier may be in the form of open fencing, railing and /or landscape planters that must be a minimum of 3 feet, but not taller than 4 feet in height.
 - (v) If a barrier is moveable, it shall be affixed while the establishment is open for business. Rope or chain barriers are permitted. The rope or chain must have a minimum diameter of one inch. Vertical support posts must be constructed of metal or wood. A stanchion base shall not be domed, and shall not be more than one-half (1/2) of an inch above the surface of the floor.
 - (w) A stanchion or other vertical supporting member that has a base must not be a tripping hazard.
 - (x) No banners or signage shall be displayed on the barrier of an outdoor dining area or within the outdoor dining area other than the name of the establishment that may be placed on umbrellas or on the valance of an awning with an overhang not lower than 84 inches from the finished grade of the ground of the outdoor dining area.
 - (y) Portable heaters, if provided, shall be located a minimum of 4 feet away from the exterior face of the building and from any combustible materials, including architectural projections, or in accordance with manufacturer recommendations, whichever is most restrictive.
 - (z) Planters may be made out of wood, ceramics, stone, or high quality thick plastic planter boxes.
 - (aa) Planters shall contain live plant materials in healthy condition. Seasonal, thematic planter displays are encouraged. Stressed, dead, or dying landscape must be promptly replaced. Artificial plants; empty planters; or planters with only bare dirt, mulch, straw, woodchips or similar material are not permitted.
 - (bb) Planters shall have a self-contained watering reservoir system that prevents any leakage.

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- (cc) Illuminated outdoor dining areas shall incorporate lighting which shall be installed to prevent glare onto, or direct illumination of any public space or property or use.
 - (dd) Lighting shall be mounted so that all wiring is concealed. Rope or string lights are allowed provided they are installed to the requirements of the Building Code and manufacturer's specifications. Spotlights and illumination for advertising are prohibited.

Sec. 106-1524. – Operating standards.

- (a) Outdoor dining shall be operated in a manner that meets all requirements of the Health Department of Los Angeles County and any other applicable regulations.
- (b) Exclusive of the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas city-wide shall be limited to the hours between 7:00 a.m. and 11:00 p.m., daily.
 - (1) Within the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas shall be limited to the hours between 7:00 a.m. and 12:00 a.m., daily.
 - (2) When the primary use requires a conditional use permit, the hours and days of operation of the outdoor dining area shall be identified in the approved conditional use permit.
- (c) An outdoor dining area may provide either waiter/waitress service or self-service.
- (d) The outdoor dining area shall be clean and free of litter at all times. Waste receptacles are encouraged.
- (e) Dining equipment (including, but not limited to, tables, chairs, space heaters, barriers) may remain in place when not in use if located on private property; dining equipment, if stored, may not be stored in an area visible from the public right-of-way or from any plaza area.
- (f) Live entertainment, television monitors, screens, dancing, pool tables, billiard tables, adult entertainment uses, and cover charges are prohibited in the outdoor dining area.
- (g) Food trucks are permitted with an approved conditional use permit pursuant to Division 4 of this Chapter.
- (h) Outdoor dining shall comply with the sound level limits of the associated eating establishment in accordance with San Fernando Municipal Code Chapter 34 Article II.
- (i) All forms of vaping, smoking and the use of tobacco products in the outdoor dining area shall comply with San Fernando Municipal Code Chapter 23.
- (j) Outdoor cooking is permitted in an outdoor dining area in compliance with the LA County Health Department, CA Building Code and City of LA Fire Code.
- (k) Establishments which propose to serve alcoholic beverages in the outdoor dining area shall comply with the standards established by the California Department of Alcoholic Beverage Control and shall update their approvals from said department to include the new outdoor dining area if necessary. The outdoor dining area shall be:
 - (1) Physically defined and clearly part of the establishment it serves as an accessory use to; and
 - (2) Supervised by a restaurant employee to ensure compliance with laws regarding the on-site consumption of alcoholic beverages.

Sec. 106-1525. – Denial, Revocation, or Suspension of Permit

- (a) Violations of the outdoor dining area standards may result in enforcement actions up to and including revocation of said permit and termination of use.

A violation of this chapter is subject to the administrative citation provisions of subject to SFMC Article III of this code.

Sec. 106-827. - Location of parking.

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- (a) Parking spaces required for uses shall be located on the same lot as the use for which such spaces are provided. For nonresidential development, ~~a variance may be granted to allow~~ some or all of the required parking spaces ~~may to~~ be located off site if facilities and/or in-lieu fees determined by city council resolution are provided instead of the required parking spaces and with a City-approved Off-Site Parking Plan. Conditions for granting ~~a variance~~ the Off-Site Parking Plan require findings that the Off-Site Parking Plan variance will be an incentive to, and a benefit for, the proposed nonresidential development and that a public transit facility is available for providing public transit patrons access to the nonresidential development.
- (b) A nonresidential off-street parking lot may be permitted in a residential zone if the parking lot is located immediately adjacent to or across an alley, street, or easement from a nonresidential zoning district.
- (c) Notwithstanding subsections (a) and (b) of this section, ~~only if parking for new development, change in use intensity resulting from an enlargement of an existing building footprint occurring in the central business district, as defined in the city's general plan, may take place on the same and/or a different site under the same or different ownership as the use served, provided that~~ the shared use of parking facilities may be permitted where particular uses or activities meet the following conditions:
- (1) Parking facilities for any nonresidential use may share parking facilities with another use if no substantial conflicts exists in the principal operating hours of the uses proposed to share parking facilities;
 - (2) The maximum distance between the outer boundaries of the uses proposed to share parking facilities shall be ~~available parking is located within~~ 500 feet ~~of~~ from the uses being served, measured from the nearest corner of the parking facility to the entrances of the uses being served via the shortest pedestrian route; and
 - (3) The adjacent or nearby properties shall not be adversely affected by the proposed shared parking.
 - (4) Parking facilities used for off-site parking, except city parking lots, shall require a written agreement between property owners specifying the term of the agreement, the number of spaces to be ~~provided~~ required of each use proposing to share parking facilities and further documenting how the sharing arrangement will satisfy the parking needs of each affected use, and the location and layout of the parking facility represented on a site plan. The agreement shall be submitted to the director of community development ~~planning director~~ for approval before it is recorded in the official records of the county recorder's office, on title to the property where the off-site parking is being provided. A conformed copy of the recorded agreement shall be delivered to the Director of Community Development ~~planning director~~ prior to the issuance of a certificate of occupancy.
- (d) Notwithstanding subsections (a) and (b) of this section, managed or valet parking may be provided for all on-site or off-site parking subject to a Parking Plan approved by the Director of Community Development which shall include:
- (1) An executed lease agreement for the use of the off-site vehicle parking area;
 - (2) A site plan prepared a by design professional indicating all site features, address and address of the property served by the parking, site ingress and egress location(s); proposed queuing location (if any) and the identified land uses; and the total parking spaces required and where provided;
 - (3) The hours and method of parking operation including vehicle storage and retrieval process;
 - (4) The number of parking attendants serving the parking facility; and
 - (5) Methods for vehicles storage and retrieval during non-operating hours.