



OUTDOOR DINING REGULATIONS

The Outdoor Dining Regulations (Agoura Hills Municipal Code (AHMC) Section 9395) have been amended. Outdoor dining is any dining area with seats or tables located outdoors, and a table provides seating for 1 to 4 people.

All restaurants with outdoor dining, whether they have previously operated with outdoor dining or not, are required to apply for and receive an Outdoor Dining Permit, which is either a Zoning Clearance, a Minor ODP, or a Major ODP:

1. **Zoning Clearance, Staff Review:** 1-3 tables not to exceed 360 square feet, (AHMC §9395.2(A)(1)(a)).

If there are four or more tables, or more than 360 square feet, whichever is less, then one of the following permits is required:

2. **Minor Outdoor Dining Permit, Director Review:** when the outdoor area does not exceed 10% of the existing interior dining and waiting area. (AHMC §9395.2(A)(2)(a)).

Or,

3. **Major Outdoor Dining Permit, Planning Commission Review:** when the outdoor area is greater than 10% of the existing interior dining and waiting area. (AHMC §9395.2(A)(2)(b)).

Each application will be reviewed for code consistency, including reviews by outside agencies which may include Los Angeles County Fire Department, Los Angeles County Health Department, or California Department of Alcoholic Beverage Control.

Every ODP is reviewed to ensure that the following findings (§9595.3) can be made:

- A. The proposed outdoor dining use is consistent with the general plan and any specific plans adopted for the area.
- B. The proposed outdoor dining use will not adversely affect existing and anticipated development in the vicinity and will promote the harmonious development of the area.

- C. The proposed outdoor dining use will not create any significant parking or traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards and will not impede the safe and orderly flow of pedestrians along the public right-of-way.
- D. The proposed outdoor dining use will not be detrimental to the public health, safety, or general welfare.

Should you have further questions regarding Outdoor Dining Permits, please contact Dawn Robinson, Land Use Technician, at drobinson@agourahillscity.org or (818) 597-7337.



OUTDOOR DINING PERMIT OPERATIONAL STANDARDS

1. All outdoor dining shall be located within the private parking lot, private sidewalk, and/or other private outdoor space immediately adjacent to the dining establishment.
2. Dining establishments that serve alcoholic beverages in their outdoor dining area shall be required to meet the additional specific standards from the state alcoholic beverage control board as well as all other applicable federal, state, and local requirements.
3. Temporary, mobile, or freestanding food service providers are not eligible under these standards.
4. An obstruction-free, clear sidewalk area for pedestrian traffic passing through the outdoor dining and seating area shall be required. Dining areas shall not be permitted in areas where less than a four-foot obstruction-free pedestrian area exists between outside the outdoor dining area and any obstructions such as streets, trees, newsstands, bus benches, or curblines.
5. No sign, including signs on table umbrellas, shall be permitted in the outdoor dining area of the establishment with the exception of an identification or menu sign.
6. All fire department regulations and standards concerning exterior lighting and power shall be met. These regulations and standards shall be supplied at the time of application.
7. All fire department regulations and standards concerning adequate access shall be met.
8. All outdoor dining sites shall be handicapped accessible per federal, state, and local requirements.
9. The property owner, the property management, and the management of the dining establishment shall be responsible for compliance with all outdoor dining requirements.
10. Contact information for the property owner, the property management, or the management of the dining establishment shall be posted on-site during operating hours.
11. Unruly behavior shall not be permitted in the outdoor dining area.

12. Outdoor dining areas, including flooring, shall remain clear of litter, food scraps, and soiled dishes at all times. Where eating establishments provide self-service take-out service, an adequate number of employees shall be maintained to clear refuse or litter on a regular basis even though table service is not provided. Concrete flooring shall be washed daily.
13. At the end of the business day, establishments shall be required to clean (sweep and mop) the area in and around the outdoor dining area.
14. If disposable utensils are used, the establishment shall comply with all applicable recycling programs and all provisions of the Agoura Hills Municipal Code.
15. Outdoor dining areas shall be continuously supervised by management or employees of the dining establishment. Dining establishments serving alcoholic beverages shall have a supervisor on-site at all times.
16. Outdoor dining areas shall be operated in a manner that meets all requirements of the health department of Los Angeles County and any other applicable regulations.
17. Outdoor speakers are prohibited.
18. Any dining establishment that provides outdoor dining requiring an outdoor dining permit shall provide the required parking for the dining area, as defined in §9654.6.
19. The design materials and colors used for chairs, tables, lighting and other fixtures including umbrellas and awnings for both public eating and food establishments shall be generally consistent with both the architectural style and colors used on the building facade and the quality of the shopping center fixtures, as determined by the director.
20. The layout of outdoor dining and seating areas required as part of the outdoor dining permit shall be in conformance with design established by the department of planning and community development.
21. Outdoor dining areas requiring a minor or major outdoor dining permit pursuant to §9395.2 shall provide barriers or enclosures to designate outdoor dining areas. Barriers or enclosures must conform to the building and safety department's installation standards and be removable (capable of being removed, if needed, by use of recessed sleeves and posts, or by wheels which can be locked into place). All barriers must be able to withstand inclement outdoor weather and one hundred (100) pounds of horizontal force at the top of the barricade when in their fixed positions. The height of any barrier shall

not be less than three (3) feet, or more than three and one-half (3½) feet, including the top of any landscaping.

22. Any landscaping used for barriers shall be properly maintained. Water drainage onto the sidewalk shall not be allowed. Stressed or dying landscaping must be promptly replaced. Potted plants shall have a saucer or other suitable system to retain seepage and be elevated to allow for air flow of at least two (2) inches between the saucer and the sidewalk.
23. Upon termination of the outdoor dining use, the outdoor dining barriers shall be removed and the sidewalk returned to its original condition.
24. Any other regulation promulgated by the director of planning and community development to implement the provisions of this chapter.

For a complete code review of outdoor dining regulations, visit AHMC §9395 at https://library.municode.com/ca/agoura_hills/codes/code_of_ordinances?nodeId=ART_IXZO_CH3CODI_PT12SPCOUSST_9395OUDIDEOPSTPUDE



OUTDOOR DINING PERMIT SUBMITTAL REQUIREMENTS

1. Complete the Master Planning Application and Outdoor Dining Permit Supplemental Questionnaire.
2. Submit fees.

Zoning Clearance (3 or fewer tables, or less than 360sf, whichever is less):

Entitlement fee (Plan Check, Administrative): \$68

4 or more tables or more than 360 square feet, whichever is less:

Minor ODP Review (less than or equal to 10% of existing dining/waiting area):

Entitlement fee: \$1,413
Building and Safety Review: \$286
CEQA review, if required: TBD

Major ODP Review (greater than 10% of existing dining/waiting area):

Entitlement fee: \$1,413
Building and Safety Review: \$286
Public Noticing: \$1,061
CEQA review, if required: TBD

If the property is located in the Agoura Village Specific Plan (AVSP) area, and the outdoor dining area is more than 200 square feet in size:

Agoura Village Development Permit (AVDP) Deposit \$8,000

If changes are proposed that require a review of traffic safety or patterns:

Traffic Engineering Deposit \$4,286

A Conditional Use Permit (CUP) may be required if the restaurant has been operating without a CUP for alcohol service, or if the CUP entitlement is required to be updated for the additional alcohol service area. In those cases, the following fees will also apply:

CUP \$2,220
Public Noticing \$1,061
CEQA Review \$812

3. Yearly Inspections required by AHMC §9395.2(D)

Site Check

\$293

4. Provide dimensioned site and floor plans, to scale, showing existing and proposed dining and waiting areas.
5. Show obstruction free, four-foot (4') wide clear pedestrian pathways (AHMC §9395.1(4)).
6. Provide a parking analysis showing existing and proposed parking spaces. All new dining areas shall provide parking at 9.6 parking spaces/1,000 square feet (AHMC §9654.6 B).
7. Provide existing and proposed plumbing fixture counts for all bathrooms. Additional dining area may trigger the need for additional plumbing fixtures. If this is the case, a building permit will be required.
8. Provide furniture specifications including dimensions, color, and design.
9. Provide barrier and enclosure specifications.
10. Provide approval from California Department of Alcoholic Beverage Control (ABC) showing that the license has been updated or amended to include the expansion area. Staff will advise the applicant if additional entitlement(s) related to alcohol service are required from the City of Agoura Hills prior to the issuance of an ODP.
11. Review AHMC §9395.1 and show compliance with all sections.



OUTDOOR DINING PERMIT SUPPLEMENTAL QUESTIONNAIRE

Check yes or no for each question below:	Yes	No
1. Is the proposed outdoor dining area between 1 and 3 tables*, and less than 360 square feet in size?		
2. Is the proposed outdoor dining area 4 or more tables*, and less than 10% of the existing interior dining and waiting area?		
3. Is the proposed outdoor dining area 4 or more tables*, and more than 10% of the existing interior dining and waiting area?		
4. Are structures proposed as a part of the ODP application? If so, provide details on plans. Building permit(s) may be required.		
5. Is landscaping (including potted plants) proposed in the outdoor dining area? If so, provide details on plans.		
6. Are heating fixtures proposed in the outdoor dining area? If so, provide details on plans.		
7. Is lighting proposed in the outdoor dining area? If so, provide specification sheets and show all lighting features on plans.		
8. Have you verified if the existing bathroom plumbing fixtures are sufficient to accommodate the additional outdoor dining area? Adding outdoor dining <u>may trigger the need for additional plumbing fixtures</u> , such as water closets, urinals, sinks, hand washing stations, and water fountains.		
9. Is the restaurant located in the Agoura Village Specific Plan area? If so, an AVDP permit may be required; additional fees will apply.		
10. Does the restaurant currently serve alcohol?		
11. Does the restaurant currently have a CUP entitlement to serve alcohol? If so, provide the entitlement case number here: _____		
12. Is alcohol service proposed in the new outdoor dining area?		
13. Has an application been filed with the California Department of Alcoholic Beverage Control (ABC) to expand the alcohol service area?		
14. By checking yes, you are verifying that you have reviewed the "Disability Access Requirements and Resources" handout and were given the CASp Specialist informational form.		

*table = seating for 1-4 persons, including areas without a table, such as a bench or sofa

X _____
APPLICANT SIGNATURE AND PRINTED NAME

X _____
DATE