



# *Public Works*

LOS ANGELES COUNTY

Los Angeles County Public Works

## Temporary Outdoor Dining Program

Alley and Road Closure Guidelines for Restaurants in  
Unincorporated LA County Communities

1-4-2021



**Record of Revisions**

Number	Description of Revision	Revision Effective Date
1	Extended program expiration date from September 30, 2020, to December 31, 2020	10-1-2020
2	Extended program expiration date from December 31, 2020, to March 31, 2021	1-4-2021

## **COVID-19 Temporary Outdoor Dining Program**

### **Alley and Road Closure Guidelines for Restaurants Located in Unincorporated Los Angeles County**

#### **A. Purpose**

As Los Angeles County moves toward recovery during the COVID-19 emergency, social (physical) distancing measures aimed at curtailing the spread of the virus prevent restaurants from operating at full capacity. To counter these limitations, many jurisdictions across the country have repurposed sidewalks, alleys, parking spaces, and private parking lots to provide additional dining space.

This document outlines the eligibility criteria, applicant requirements, and application and review processes for restaurant owners and sponsors interested in obtaining a Temporary Alley Closure Permit from Public Works. The permit would allow an alley to be temporarily closed to vehicular traffic while maintaining pedestrian access for outdoor dining purposes.

While this document mainly provides guidance on obtaining a temporary alley closure permit, many of the same requirements would apply to temporary street closures. However, depending on the street's characteristics and usage, these closures may take different forms. Therefore, it is recommended that anyone interested in obtaining a temporary street closure permit contact Public Works, at (626) 458-3901 to first discuss the proposal. Additional information can be found in Section F of these guidelines.

#### **B. Temporary Alley Closure Eligibility Criteria**

1. Sponsor Eligibility. The following types of organizations may be best suited to accept the responsibilities of an alley closure:

- Business Improvement District (BID)
- Community Benefit District (CBD)
- Chambers of Commerce
- Nonprofit and community-based organizations

However, individual restaurant owners may also be temporary alley closure sponsors, and the County may consider other eligible sponsors.

2. Alley Closure Location Eligibility. Any alley proposed to be temporarily closed must:

1. Be located in an unincorporated County community.
2. Be a public alley maintained by Public Works.
3. Only serve the restaurants participating in and utilizing the alley closure.

If the requested temporary closure is for an alley that serves other businesses or residents/tenants, the applicant must submit written support from the affected parties. Written support may be in the form of a letter or e-mail.

### **C. Temporary Alley Closure Sponsor Requirements**

In consideration of Public Works issuing a temporary alley closure permit, the sponsor must comply with the following conditions for the entire duration during which the temporary permit is valid:

1. Ensure each participating restaurant maintains a valid County business license.
2. Ensure each participating restaurant maintains a valid County health permit.
3. Maintain a minimum \$1,000,000 per occurrence limit for Commercial General Liability insurance policy naming the County as an additional insured.
4. Agree to defend, indemnify, and hold harmless the County, its supervisors, elected officials, public officials, appointed officers, employees, agents, and volunteers as against, and in regard to any demands, claims, actions, lawsuits, proceedings, averments, allegations, verdicts, judgments, settlements, orders, rulings, costs, expenses, and/or fees, including attorney's fees and expert witness fees, arising from injuries and/or damages allegedly caused by, or related to, the conduct of applicant, its employees or agents, including without limitation, negligent or tortious conduct, under this temporary permit and/or in breach or violation of this temporary permit that conduct may include without limitation, placement, use, or maintenance of outdoor dining furnishings, and equipment.
5. Ensure that only authorized alley closure dining furnishings and equipment are within the public right-of-way. The following are considered authorized alley closure dining furnishings and equipment:
  - i. Tables
  - ii. Chairs
  - iii. Benches
  - iv. Potted plants
  - v. Trash receptacles

- vi. Umbrellas, canopies, or pop-up tents
  - vii. Other items will be considered on a case by case basis
6. Locate all authorized outdoor furnishings and equipment at least 5 feet from any existing above-ground obstruction, which includes, without limitation, streetlight poles, utility poles, trees, signposts, or news racks.
  7. Maintain a minimum 5-foot-wide path along the sidewalk for pedestrian access at all times. This means traffic safety barriers shall be placed in such a way to allow pedestrian access along the fronting roadway across the alley intersection.
  8. Maintain a 5-foot obstruction-free pedestrian path into and throughout the alley closure at all times.
  9. Arrange authorized furnishings and equipment in the closure in such a way to protect the health, safety, and general welfare of the public and not interfere with other establishments. Permittee shall place furnishings consistent with the current health officer orders.
  10. Ensure that authorized alley closure dining furnishings and equipment are not attached to the pavement, curb, gutter, or sidewalk, and do not damage this infrastructure.
  11. Ensure that dining within the temporary alley closure only occurs between the hours of 6 a.m. and 11 p.m.
  12. Ensure alcoholic beverages are served in the public right-of-way only if the existing establishment:
    - a. Is authorized to sell alcoholic beverages by a valid Conditional Use Permit or is deemed approved pursuant to Los Angeles County Code Section 22.140.030 (Alcoholic Beverage Sales) and;
    - b. Has obtained a COVID-19 Temporary Catering Authorization from the California Department of Alcoholic Beverage Control.

Consumption of alcoholic beverages must occur in compliance with all the requirements of the underlying approval, including hours of operation.

13. Ensure that dining within the temporary alley closure takes place in accordance with the Los Angeles County Department of Public Health's Guidance for Outdoor Dining During COVID-19 State Order.
14. Ensure that food preparation is not conducted in the temporary alley closure.

15. Expressly acknowledge that the County may revoke the temporary alley closure permit, without hearing, at any time, in the County's sole discretion, for any reason, including without limitation, noncompliance, unsafe conditions, or discontinuation of the Program.
16. Ensure the provided temporary permit certificate is displayed prominently within the alley closure.
17. Ensure compliance with applicable then-current Americans with Disabilities Act (ADA) requirements.
18. Ensure that trash bins and services are provided throughout the alley closure.
19. Ensure that the temporary alley closure remains free from any food or beverage spillage or trash.
20. Ensure that alternative accommodations are made for trash removal, if the alley is used by waste haulers as a means of picking up trash for any of the businesses or residents that abut the alley.
21. Ensure compliance with Section E (Traffic Safety Barriers) of these guidelines.

#### **D. Temporary Alley Closure Available Design and Installation Options**

Applicants may choose to have Public Works design and install K-rail type traffic safety barriers for the temporary alley closure (Option 1), or the applicant may choose to hire an engineer and a contractor to design and install K-rail or another acceptable traffic safety barrier at the alley closure site (Option 2). These options are summarized in table D-1 and further described in Sections D.1 and D.2.

**Table D-1**

	<b>Option 1: Public Works Designs and Installs Traffic Controls</b>	<b>Option 2: Applicant Designs and Installs Traffic Controls</b>
<b>Application and Plan Submittals</b>	<ul style="list-style-type: none"> <li>Applicant submits application and site plan showing the layout of furnishings and equipment within the alley closure.</li> </ul>	<ul style="list-style-type: none"> <li>Applicant submits application and:               <ol style="list-style-type: none"> <li>Site plan showing the layout of furnishings and equipment within the alley closure.</li> <li>Traffic control plans* for the alley closure.</li> </ol> </li> </ul> <p>* Must be signed and stamped by a licensed professional engineer in the State of California.</p>
<b>Application and Plan Reviews</b>	<ul style="list-style-type: none"> <li>Public Works reviews and approves application and site plan showing the layout of furnishings and equipment within the alley closure.</li> </ul>	<ul style="list-style-type: none"> <li>Public Works reviews and approves application and               <ol style="list-style-type: none"> <li>Site plan showing the layout of furnishings and equipment within the alley closure.</li> <li>Traffic control plans for the alley closure</li> </ol> </li> </ul>
<b>Installation</b>	<ul style="list-style-type: none"> <li>Public Works furnishes and implements traffic control plans for alley closure.</li> <li>Applicant provides alley closure furnishings and equipment.</li> </ul>	<ul style="list-style-type: none"> <li>Applicant's contractor installs traffic controls per an approved traffic control plan.</li> <li>Applicant provides alley closure furnishings and equipment.</li> </ul>
<b>Inspection</b>	<ul style="list-style-type: none"> <li>No Inspections are required.</li> </ul>	<ul style="list-style-type: none"> <li>Public Works inspects the traffic controls.</li> </ul>

1. Option 1 – Public Works Designs and Installs Traffic Controls

This Section outlines the process for an applicant interested in obtaining a temporary parklet permit and having Public Works design and install the necessary traffic controls associated with the temporary alley closure. Under this option, Public Works would design and implement a traffic control plan.

Under this option, no inspections by Public Works would be necessary.

a. Application Process (Option 1)

To be considered for a temporary alley closure permit, the applicant must submit an online application to Public Works through the County's Electronic Permitting and Inspections portal, EPIC-LA.

- i. Cost. Depending on the characteristics and usage of the alley or road, closure of these facilities may take different forms and vary in cost and scale. Restaurant owners interested in closing an alley or road may contact Public Works at (626) 458-3901 to obtain more information and an estimated cost. Payment of fees and/or a deposit may be necessary.
- ii. Application submission materials. Applicants shall provide the following during the application process:
  1. Acknowledgment agreeing to the Sponsor Requirements described in Section C.
  2. Description of the temporary alley closure dining furnishings and equipment (e.g., tables, chairs, etc.).
  3. Dimensioned site plan depicting the location of the proposed temporary alley closure along with all pertinent existing roadway features, including without limitation, the following:
    - a. Sidewalk
    - b. Parking stalls
    - c. Adjacent bicycle lane or vehicular travel lane
    - d. Location of existing utility pullboxes in the sidewalk and in the street
    - e. Location of catch basins/drains
    - f. Existing stopping/parking restrictions
    - g. Nearby driveways
    - h. Permanent above-ground street fixtures, such as utility poles, streetlights, parking meters, electrical boxes, fire hydrants, and newspaper stands

The site plan should also depict the proposed layout of the temporary alley closure dining furnishings and equipment with a 5-foot obstruction-free pedestrian path into and throughout the alley closure.



4. Evidence of Commercial General Liability Insurance with a minimum of \$1,000,000 per occurrence limit, naming the County as an additional insured.
5. A copy of the restaurant's valid health permit.
6. Letters of Support from adjacent businesses, residents and/or tenants that also utilize the alley to access their properties. Public Works may require, in its sole discretion, that the applicant provide additional Letters of Support from additional parties. This written support may be in the form of a letter or e-mail.

b. Review and Implementation Process (Option 1)

- i. Review of Application and Site Plan. Upon receipt of a completed application and deposit (if necessary), Public Works will ensure that the applicant provided all required documentation and will review the site plan showing the proposed location for the temporary alley closure to ensure it meets the minimum eligibility criteria.

Public Works may, in its sole discretion, deny the application if it is determined that the alley closure will impact traffic movement and circulation, or that the alley closure would leave no suitable available alternative routes for traffic. Public Works may also deny the application if the proposed alley closure would conflict with any upcoming projects (by Public Works or others).

- ii. Design and Installation of Traffic Controls. Once the application and site plan has been reviewed and approved, Public Works will prepare traffic control plans and install K-rail type traffic safety barriers at the temporary alley closure site.
- iii. Occupying the Temporary Alley Closure. Once the traffic controls have been installed Public Works will issue the sponsor an encroachment permit authorizing occupancy of the space pursuant to the Sponsor Requirements described in Section C.
- iv. Temporary Permit Certificate. Public Works will issue a temporary permit to the applicant that includes project conditions that must be abided by as well as a certificate that must be displayed prominently within the alley closure. The certificate will include a permit number and contact information for the general public to report concerns. The applicant bears the sole responsibility to arrange the authorized temporary alley closure dining furnishings and equipment pursuant to the site plan provided at the time of application. Should an

alternate layout be necessary or desired, the applicant shall provide a new site plan to Public Works.

## 2. Option 2 – Applicant Designs and Installs Traffic Safety Barriers

This Section outlines the process for an applicant interested in obtaining a temporary alley closure permit and hiring an engineer and contractor to design and install the necessary traffic controls associated with the temporary alley closure. Under this option, the applicant would need to submit traffic control plans signed and stamped by a licensed professional engineer in the State of California for review and approval by Public Works. The plans need to call for the installation of appropriate traffic safety barriers and any necessary signing and striping. While K-rail, water barriers, or fiberglass 800 pounds (minimum) planters will be considered as appropriate, other Caltrans recognized traffic safety barriers to adequately close the alley may be considered as noted in Section E. The applicant is responsible for the implementation of the approved plans.

### a. Application Process (Option 2)

To be considered for a temporary alley closure permit, the applicant must submit an online application to Public Works through the County's Electronic Permitting and Inspections portal, EPIC-LA.

- i. Cost. Depending on the characteristics and usage of the alley or road, closure of these facilities may take different forms and vary in cost and scale. Restaurant owners interested in closing an alley or road may contact Public Works at (626) 458-3901 to obtain more information and an estimated cost. Payment of fees and/or a deposit may be necessary.
- ii. Application submission materials. Applicants shall provide the following during the application process:
  1. Acknowledgment agreeing to the Sponsor Requirements described in Section C.
  2. Description of the temporary alley closure dining furnishings and equipment (e.g., tables, chairs, etc.).
  3. Dimensioned site plan depicting the location of the proposed temporary alley closure along with all pertinent existing roadway features, including without limitation, the following:
    - a. Sidewalk
    - b. Parking stalls
    - c. Adjacent bicycle lane or vehicular travel lane

- d. Location of existing utility pullboxes in the sidewalk and in the street
- e. Location of catch basins/drains
- f. Existing stopping/parking restrictions
- g. Nearby Driveways
- h. Permanent above-ground street fixtures, such as utility poles, streetlights, parking meters, electrical boxes, fire hydrants, and newspaper stands

The site plan should also depict the proposed layout of the temporary alley closure dining furnishings and equipment with a 5-foot obstruction-free pedestrian path into and throughout the alley closure.

- 4. Evidence of Commercial General Liability Insurance with a minimum of \$1,000,000 per occurrence limit, naming the County of Los Angeles as an additional insured.
- 5. A copy of the restaurant's valid health permit.
- 6. Letters of Support from adjacent businesses, residents and/or tenants that also utilize the alley to access their properties. Public Works may require, in its sole discretion, that the applicant provide additional Letters of Support from additional parties. This written support may be in the form of a letter or e-mail.
- 7. Detailed traffic control plans signed and stamped by a licensed professional engineer in the State of California, showing the location of any proposed traffic safety barriers signing, and/or striping.

b. Review and Implementation Process (Option 2)

- i. Review of Application and Site Plan. Upon receipt of a completed application and deposit (if necessary), Public Works will ensure that the applicant provided all required documentation and will review the site plan showing the proposed location for the temporary alley closure to ensure it meets the minimum eligibility criteria. Concurrently Public Works will also review the traffic control plans submitted by the applicant.

Public Works may, in its sole discretion, deny the application if it is determined that the alley closure will impact traffic movement and circulation, or that the alley closure would leave no suitable available alternative routes for traffic. Public Works may also deny the

application if the proposed alley closure would conflict with any upcoming projects (by Public Works or others).

ii. Traffic Control implementation and Inspection:

Upon plan approval, the County will issue the applicant a road encroachment permit to begin implementing the traffic controls at the location. Once installed, the applicant shall schedule with Public Works an inspection of the traffic controls.

iii. Occupying the Temporary Alley Closure. Once the applicant installs the traffic controls per an approved plan, has it inspected by Public Works, the applicant may occupy the space pursuant to the Applicant Requirements described in Section C.

iv. Temporary Permit Certificate. Public Works will issue a temporary permit to the sponsor that includes project conditions that must be abided by as well as a certificate that must be displayed prominently within the temporary alley closure. The certificate will include a permit number and contact information for the general public to report concerns. The sponsor bears the sole responsibility to arrange the authorized temporary alley closure dining furnishings and equipment pursuant to the site plan provided at the time of application. Should an alternate layout be necessary or desired, the applicant shall provide a new site plan to Public Works.

**E. Temporary Alley Closure Traffic Safety Barriers**

Temporary alley closures shall be designed to protect the occupants from an errant vehicle.

a. The permittee shall utilize one of the following traffic safety barriers:

- i. Concrete Jersey barrier (or K-rail)
- ii. Water-filled Jersey barrier
- iii. Fiberglass 800-pound (minimum) planters on the upstream side of the alley closure
- iv. Other Caltrans-recognized traffic safety barriers may be considered

b. Retroreflective material shall be used on the upstream end and along the barriers

**F. Temporary Road Closures**

Community groups, residents, and other stakeholders may work with Public Works to obtain a permit for temporary street closures in unincorporated County in accordance

with Los Angeles County Code, Title 16. Depending on the street's characteristics and usage, these closures may take different forms and vary in cost and scale. Due to the complexity involved, restaurant operators inquiring about the feasibility of closing a street for dining operations may contact Public Works at (626) 458-4921 for more information. Payment of fees and/or a deposit may be necessary.

#### **G. Temporary Permit Expiration, Revocation, Notification, and Impoundment**

1. Temporary Permit Expiration. The temporary alley or street closure permit shall automatically expire on March 31, 2021.

The County may choose to extend this date, depending on, among other things, the health officer orders that are in effect at the time of expiration.

2. Revocation. The County reserves the right to revoke the temporary permit before its expiration date, at any time, for any reason, including without limitation, noncompliance, unsafe conditions, or discontinuation of the Program.
3. Notification. Public Works will notify the permittee of the temporary permit revocation by the preferred method of contact noted on the application. Upon notification of revocation, the permittee shall immediately cease the use of the public right-of-way for outdoor dining purposes and remove all temporary alley closure traffic controls and dining furnishings and equipment from the public right-of-way.
4. Impoundment. If the permittee fails to cease the use of the public right-of-way upon notification of revocation as described in Section G.3, Public Works may, in its sole discretion, impound the temporary alley traffic controls and dining furnishings and equipment pursuant to Los Angeles County Code Section 16.27.120.

Furthermore, Public Works may, in its sole discretion, impound such traffic controls furnishings and equipment without any advance notice to the permittee if the furnishings and equipment constitute an immediate threat to the health, safety, or welfare of the public. Public Works shall not be held responsible for damages to furnishings and equipment upon impoundment and may impose an impound fee to the permittee.

#### **H. Enforcement**

The following contact information will be on the Temporary Alley or Street Closure Permit Certificate that must be prominently displayed within the alley or street closure for the public to view. If a concern is reported, the responsible County department will investigate.

- General Program Information:

Public Works, Transportation Planning and Programs Division, at (626) 458-3901

- Pedestrian route access:  
Public Works, Land Development Division, at (626) 458-4921
- Food safety:  
Public Health, Environmental Health Division, at (888) 700-9995
- Social (Physical) Distancing:  
Public Health, Environmental Health Division, at (888) 700-9995
- Noise:  
Public Health, Environmental Health Division, at (888) 700-9995

#### **I. Evaluation**

Restaurant operators will be provided a survey inviting feedback on the COVID-19 Program. The County will utilize feedback from restaurant operators to inform future Public Works programs.

#### **J. Additional Information**

Additional information regarding temporary alley and street closures, including frequently asked questions, visit <https://pw.lacounty.gov/outdoor-dining>.

#### **K. Guideline Updates**

This guideline is intended to be a living document and periodic updates may be made at the Public Works' sole discretion. Participants will be notified by e-mail of any changes to the Program that may affect their use of the County road right-of-way.

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