



City of Los Altos Sidewalk Dining Program Guide

January 2023

Description

This program guide describes the procedures existing and proposed downtown businesses must follow to be permitted for outdoor dining within the public right-of-way immediately adjacent to the establishment. Interested businesses must provide a complete submittal with all required documents and the initial application fee to the City of Los Altos for consideration.

Approved dining areas are executed by a City Removal & Maintenance Agreement that is reviewed annually for operational standards set forth within this Program Guide. Each approved dining area shall be automatically renewed each year unless otherwise determined during its annual review.

City staff will complete an annual inspection in addition to ongoing monitoring to verify and ensure aesthetics, cleanliness, and the approved precise seating layout of the dining area are maintained. Approved dining areas shall remain safe and compliant with all applicable accessibility standards including but not limited to the Americans with Disabilities Act Accessibility Standards and Chapter 11B of the California Building Code, Los Altos Municipal Code, or other applicable laws.

Any inspections performed by the City are for its sole and exclusive benefit and for the benefit of the general public, and a business owner should not rely on the fact that the City has performed an inspection as evidence that the business' dining area is safe or compliant with applicable accessibility standards including but not limited to the Americans with Disabilities Act Accessibility Standards and Chapter 11B of the California Building Code, Los Altos Municipal Code, or other applicable laws.

Design Specifications

Location

- Shall maintain at least a 5-foot wide minimum clearance along the sidewalk to provide an accessible route along the existing public right of way.
- Shall ensure that pedestrians have a safe route from parked vehicles to the sidewalk.
- Shall receive written permission from both neighboring business owner to place sidewalk dining in front of neighboring business.

Accessibility

- Shall provide access to and throughout the seating areas by meeting the minimum requirements for accessibility based on the Americans with Disabilities Act 2010 Accessibility Standards, the current California Building Code (CBC), Chapter 11B – Accessibility, as well as other applicable standards and guidelines.
 - A business owner is strongly encouraged to engage the services of a Certified Access Specialist. The City does not guarantee that a dining area designed in accordance with City standards will comply with applicable disability access laws.
- Minimum 5% of all outdoor seating to be accessible and identify all the accessible tables with the International Symbol of Accessibility.
- Shall provide the specific requirements for accessible routes leading to and through the dining areas including clear width, slope, cross slope, vertical transitions, protruding object/headroom hazards, and openings along the circulation path.

Furniture

- Shall be made of high quality metal or wood material.
- Shall replace outdoor dining furniture on a regular basis.
- Businesses must bring all furniture, except for dining tables, inside their business outside of posted operating business hours.

Umbrellas

- Secure umbrellas down with umbrella stand.
- Must have a headroom clearance of 80” minimum high.
- All umbrellas shall be uniform in color for each table with no advertising or signage.

Other requirements

- Demonstrate that the dining area is regularly used by customers and maintained by the business owner.
- Businesses must include area in ABC license.
- Abide by all other restrictions placed by the City of Los Altos not outlined in this guide.
- No private garbage cans, bus stations, or dish collectors may be located in dining areas.

Submittal Fee

Applicants must submit a one-time initial application fee of \$250 to cover the costs of reviewing the initial application and approval of the sidewalk dining.

By every December 31st, in alignment with the business license and downtown parking permit deadlines, applicants will need to provide a new signed copy of the application, signed permit agreement, updated insurance documents, and a check for the Council-approved fee.

The annual sidewalk dining fee will be \$3.00 per square foot. For example, a sidewalk dining area may be 4 feet wide and 25 feet long. If you multiply 100 square feet by the \$3.00 per square foot fee, a business would pay an annual fee of \$300 for their sidewalk dining permit.

Submittal Requirements

- Completed Los Altos Sidewalk Dining Program Application
- Signed City Removal & Maintenance Agreement
- Layout plan for the proposed dining area project, including the precise floor plan of tables, description and schematic of barrier, and disability access plan¹
- Certificate of insurance

Please submit all the above required documents to the City of Los Altos for review through email to acarnesecca@losaltosca.gov.

Every applicant is required to schedule an on-site meeting with a City staff representative prior to an application submission. If you have any questions regarding the dining areas or dining area application process, please contact the City of Los Altos Economic Development team at (650) 947-2620 or acarnesecca@losaltosca.gov.

¹ The City is not responsible for determining whether the disability access plan complies with the Americans with Disabilities Act or other applicable disability access laws. Every business owner that participates in the dining area program is strongly encouraged to engage the services of a Certified Access Specialist.