



Dine-Out EL MONTE

APPLICATION PACKET TO ESTABLISH
TEMPORARY DINING FOR EL MONTE
RESTAURANTS AND OTHER EATERIES



CITY OF EL MONTE

Community and Economic Development Planning Division

“Dine-Out El Monte” Application

Check all that apply:

Outdoor Dining on Private Property:

- Walkways and other paved areas
- Parking spaces

Outdoor Dining on Public Property:

- Public walkways and sidewalks
- Public parking spaces (in Downtown El Monte only)

FOR PLANNING USE ONLY

Date received: _____

Received by: _____

Assigned to: _____

Case Number: _____

Restaurant Name: _____

Project Address: _____

Zoning: _____ Assessor Parcel No. _____

General Plan: _____ Lot Size: _____

Type of Restaurant (check all that apply):

- Stand-alone building
- Part of commercial strip center
- Part of shopping center
- Includes a drive-thru

Restaurant Space SF: _____

Other Building Space: _____

Indoor seating (current): _____

Outdoor seating (current): _____

Applicant Name: _____

Address: _____

City/Zip: _____

Phone No: _____

Email: _____

Contact Person: _____

Address: _____

City/Zip: _____

Phone No: _____

Email: _____

Owner Name: _____

Address: _____

City/Zip: _____

Phone No: _____

Email: _____

Owner's Affidavit

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:

I/WE _____ BEING DULY SWORN, DEPOSE AND SAY, THAT I/WE AM/ARE THE OWNER (S) OF THE PROPERTY INVOLVED IN THIS PETITION, AND THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE AND BELIEF.

SIGNATURE: _____
ADDRESS: _____
CITY: _____
TELEPHONE: _____

SIGNATURE: _____
ADDRESS: _____
CITY: _____
TELEPHONE: _____

NOTE: This application must be signed by the same persons, and in the same manner as that in which title is held. Before signing, please examine your deed or title insurance policy.

Applicant's Signature

Date

Office Use

Date: _____ Received By: _____ File Number: _____

* The Application form being signed under penalty of perjury does not require notarization.

Updated 5/2020

PROVIDE A DESCRIPTION OF THE REQUEST:

1. Is there currently a private outdoor dining area? Yes No
2. What is the proposed outdoor dining area in square feet? _____
3. What are the proposed number of outdoor tables? _____
4. What are the proposed number of outdoor chairs? _____
5. Will all outdoor seating meet social distancing requirements? Yes No
6. Do you currently have the legal right to serve alcohol? Yes No
7. Will parking spaces be used for outdoor dining? Yes No
If yes, how many spaces for dining? _____
How many are in the entire parking lot or City block? _____
8. What are your existing restaurant's hours of operation?
Sun _____ Mon _____ Tue _____ Wed _____ Thu _____ Fri _____ Sat _____
9. Provide photos of the restaurant's interior and exterior, the proposed outdoor dining area and the proposed chairs, tables, railings, planters and/or umbrellas (catalog photos are ok).
10. Attach a copy of the restaurant's full menu.

WHICH TYPE OF OUTDOOR DINING IS BEING PROPOSED?

- Private walkways** – This includes oversized walkways and other paved areas on private property near the restaurant entrance.
- Private parking spaces** – This could be an option for restaurants located in larger shopping centers.
- Public sidewalks** – For restaurants that abut the public right-of-way.
- Public parking spaces** – This is limited to restaurant in the downtown area, where traffic is slower.

I AGREE TO COMPLY WITH ALL APPLICABLE STANDARDS ON THE FOLLOWING PAGES:

Applicant Signature

STANDARDS FOR ALL OUTDOOR DINING AREAS:

Definition:

1. The use shall be a bona fide restaurant, as defined by the El Monte Municipal Code, and have a valid City Business License. Nightclubs, gas station minimarts, convenience markets, grocery stores, liquor stores or other establishments that may sell food but are not defined as restaurants are ineligible to submit an application.

Access:

2. Outdoor dining areas shall maintain designated ingress and egress points and shall keep them clear and accessible at all times.
3. Disabled access and access to the restaurant or other building entrances shall be maintained at all times.
4. Vehicular driveways, pedestrian paths of travel, building entryways and exists and fire lanes shall not be blocked at any time.

Parking:

5. New on-site parking shall not be required for the outdoor dining areas, regardless of whether the dining is on private walkways, private parking spaces, public sidewalks or public parking spaces.

Design:

6. The use of umbrellas, awnings, trellis's, planters, railings and other decorative features are highly encouraged. The total overhead area of umbrellas, awnings or trellis's shall not exceed 400 square feet. Tents and chain-link fencing shall not be permitted.
7. There shall be no removal of required on-site landscaping to accommodate outdoor dining areas.
8. Temporary signs shall be limited to one (1) A-frame sign. No balloons, banners, streamers, flags or other similar features shall be permitted.
9. Outdoor dining areas shall be adequately lit at all times.

Maintenance and Operations:

10. The hours of operation for the outdoor dining area shall be limited to the hours of operation for the restaurant's indoor seating, or 10:00 PM daily, whichever is earlier.
11. The approval is not transferrable to any entity or person and is valid only to the original applicant.

12. Any outdoor dining area shall be kept in a good state of repair and maintained in a clean, safe and sanitary condition at all times. Regular cleanup of trash and debris shall be the responsibility of the restaurant owner. For fast-service restaurants (i.e. restaurants with a drive-thru or exterior pick-up window), a trash receptacle shall be included and regularly emptied.
13. The applicant shall provide a summary of how any tables, umbrellas, trash receptacles, etc. are stored and secured when the restaurant is closed to the public.
14. The restaurant shall follow all on-site dining guidelines and protocols for restaurants as published by the County of Los Angeles Department of Public Health.

Limitations:

15. Customized lighting and amplified sound system conducive of a nightclub atmosphere shall be prohibited at all times.
16. Live entertainment and dancing shall be prohibited at all times.
17. Promoter-produced parties or events shall be prohibited. These events include private parties that involve third parties who profit from organizing and/or drawing attendees to the events.
18. Outdoor dining areas shall not include areas for food preparation, plastic food displays, food storage or refrigeration.
19. Smoking shall be prohibited in all dining areas. Violators may be subject to a fine.

Expiration dates, violations and suspensions:

20. Outdoor dining shall not be permitted for restaurants that have existing cases with the City's Code Enforcement Division or are not compliance with existing conditions of approval for a Planning Division entitlement.
21. All permits shall expire on **September 30, 2020**, unless an extension is approved by the City Council. All tables, seating, fencing and other items shall be permanently removed by that date, or the business may be subject to City fines and penalties.
22. Outdoor dining approvals may be temporarily suspended without any prior notice or hearing, at the discretion of the Director of Community and Economic Development, Police Chief or Director of Public Works (for dining areas in the public right-of-way), if it is found that the use, occupation or obstruction may interfere with public safety, street improvement activities, construction activities, cleaning efforts or other similar activities or with the health, welfare or safety of the citizens of the City.
23. Outdoor dining permits shall be considered temporary and nonpermanent in nature, and the permittee shall have neither property interest in nor any entitlement to the granting or continuation of any such permit. Permits may be terminated by the City, with or without cause, regardless of the nature and scope of financial or other interest in, or on account of the permit or the permitted use.

24. The Community and Economic Development Director may, in his or her sole discretion, place additional conditions upon the issuance of the permit in order to insure the protection of the rights of all adjoining property owners and the health, safety and welfare of the public.

SPECIAL STANDARDS FOR OUTDOOR DINING AREAS ON PRIVATE PROPERTY

25. Outdoor dining on private walkways shall be limited to the restaurant building or tenant frontage. For multi-tenant centers, the restaurant may request seating in front of an adjacent business, subject to the property owner's and adjacent business owner's written consent.

26. Outdoor dining on private walkways may be defined by the placement of portable but sturdy fencing or other suitable dividers. Fencing shall not exceed a height of four (4) feet. Nothing shall be permanently fixed to the ground.

27. Outdoor dining on private parking spaces shall not occupy more than three (3) parking spaces or 25 percent of the total number of parking spaces, whichever is less.

28. Outdoor dining on private parking spaces shall be defined by the placement of a portable but sturdy fencing or other suitable dividers. Fencing shall not exceed a height of four (4) feet. Nothing shall be permanently fixed to the ground.

SPECIAL STANDARDS FOR OUTDOOR DINING AREAS ON PUBLIC PROPERTY

29. An Encroach Permit shall be obtained by the City's Department of Public Works.

Public Sidewalks:

30. Outdoor dining on public sidewalks shall be limited to the restaurant building or tenant frontage. For multi-tenant centers, the restaurant may request seating in front of an adjacent business, subject to the property owner's and adjacent business owner's written consent. It shall block any disabled access requirements and maintain the natural flow of pedestrian travel. It shall also maintain an adequate distance from all utilities, street furniture, and public infrastructure (e.g. bus stops and shelters, street signs, fire hydrants, etc.) at all times.

31. Outdoor dining on public sidewalks may be defined by the placement of portable by sturdy fencing or other suitable dividers. Fencing shall not exceed a height of four (4) feet. Nothing shall be permanently fixed to the ground.

32. Outdoor dining areas on public sidewalks shall not be located within 20 feet of an intersection or within ten (10) feet of a driveway or alley.

Public Parking Spaces:

33. Outdoor dining on public parking spaces shall be limited to the Downtown Main Street Specific Plan area (but shall remain prohibited on Santa Anita Avenue, Valley Boulevard and Ramona Avenue).

34. Outdoor dining on public parking spaces should be located in close proximity to the restaurant's main customer entrance. The dining area's size shall be no greater than three (3) parking spaces or 25 percent of the total number of parking spaces within the street block the restaurant is located, whichever is less.
35. Outdoor dining areas on public parking spaces shall be defined by the placement of a portable but sturdy fencing or other suitable dividers. Fencing shall not exceed a height of four (4) feet. Nothing shall be permanently fixed to the ground.

SPECIAL STANDARDS FOR RESTAURANTS SELLING ALCOHOL

36. Prior to serving alcohol in a dining area, the business must possess both a valid on-sale alcoholic beverage license for Type 41 (on-sale beer and wine eating place) or Type 47 (on-sale general eating place) or of their successor types. Alcohol service shall be in compliance with all applicable regulations and guidance issued by the California Department of Alcoholic Beverage Control at all times.
37. The use must be classified as a bona fide restaurant as defined in the El Monte Municipal Code and food service shall remain available during all hours of operation.
38. No cover charge, entry fees, or minimum drink orders shall be charged or required of patrons. The display of alcoholic beverages shall be interior only (no outdoor displays) at all times.

PROVIDE A SITE PLAN SHOWING THE FOLLOWING:

- Property lines and restaurant frontages.
- Location of barriers, tables, chairs, trash receptacles and distance separation.
- Show compliance with all public health guidelines and protocols related to COVID-19.
- Location of patron entry and exit.
- Location of planned electrical and mechanical equipment.
- Location of all above-surface improvements such as street lights and traffic signal poles, trees and tree wells, bus benches and trash receptacles.
- Show the existing and proposed pedestrian circulation pattern. Show compliance with all ADA requirements.
- Show the location of all utility connections to be used.
- The plan can be drawn on the following page or a separate 8.5x11" or 11x17" sheet of paper.

SITE PLAN:

