

**PLANNING COMMISSION  
MEETING AGENDA  
THURSDAY JUNE 20, 2024 6:00 PM  
SAN DIMAS COUNCIL CHAMBER  
245 EAST BONITA AVENUE**

---

**COMMISSION MEMBERS**

Chair David Bratt, Vice Chair John Davis, Commissioner Doran Barnes, Commissioner Margie Green, Commissioner James Shirley

**CALL TO ORDER AND FLAG SALUTE**

**CONSENT CALENDAR**

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the Planning Commission requests separate discussion.)

**PUBLIC HEARING**

PH 1. Discussion and Consideration to Approve Municipal Code Text Amendment 24-03, A request to Amend Title 18 of the San Dimas Municipal Code to Create Standards for Outdoor Dining and Seating Areas along with Associated Clean Up Items

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution PC-1678 recommending approval of MCTA 24-03 to the City Council.

PH 2. Discussion and Consideration of a Municipal Code Text Amendment 23-03 to amend various chapters of Title 18 of the San Dimas Municipal Code to update housing definitions, allow a variety of housing types, update the Density Bonus ordinance, and amend Chapter 17.08 Required Maps of Title 17 Subdivisions to incentivize lot consolidation of housing sites as required by State law and the City's Housing Element.

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution PC-1679 recommending approval of MCTA 23-03 to the City Council.

**ORAL COMMUNICATION**

- a. Community Development Department
- b. Members of the Audience

(Members of the audience are invited to address the Planning Commission on any item not on the agenda. Under the provisions of the Brown Act, the Commission is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date.)

c. Planning Commission

- Commissioners' Report on Meetings Attended at the Expense of the Local Agency (Pursuant to AB 1234 – G.C. §53232.3(d))

**ADJOURNMENT**

---



**Notice Regarding Americans with Disabilities Act:** In compliance with the ADA, if you need assistance to participate in a city meeting, please contact the City Clerk's Office at (909) 394-6216. Early notification before the meeting you wish to attend will make it possible for the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Copies of documents distributed for the meeting are available in alternative formats upon request. Any writings or documents provided to the Planning Commission regarding any item on this agenda will be made available for public review Monday through Thursday 7:30 a.m. to 5:30 p.m. and on Fridays from 7:30 a.m. to 4:30 p.m. in the Planning Division. In addition, most documents are posted on the City's website at [www.sandimasca.gov](http://www.sandimasca.gov).

If you are unable to attend, you may submit comments via email to [planning@sandimasca.gov](mailto:planning@sandimasca.gov) or call (909) 394-6250 no later than June 20, 2024 at 5:00 p.m.

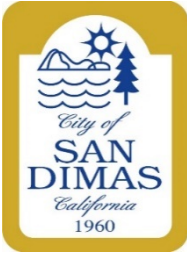
**Posting Statement:** I declare under penalty of perjury that on June 13, 2024, I posted a true and correct copy of this agenda on the bulletin board in the Civic Center Plaza of City Hall at 245 E. Bonita Ave., San Dimas Library 145 N. Walnut Ave., San Dimas Post Office 300 E. Bonita Ave., Von's Via Verde Shopping Center 1160 Via Verde Ave., and on the City's website [www.sandimasca.gov/agendas-minutes/](http://www.sandimasca.gov/agendas-minutes/) as required by law.

June 14, 2024

*Kimberly Neustice*

---

Kimberly Neustice, Senior Management Analyst



## Agenda Item Staff Report

**To:** Honorable Chair and Members of Planning Commission  
*For the Meeting of June 20, 2024*

**From:** Luis Torrico, Director of Community Development

**Subject:** Discussion and Consideration to Approve Municipal Code Text Amendment 24-03, A request to Amend Title 18 of the San Dimas Municipal Code to Create Standards for Outdoor Dining and Seating Areas along with Associated Clean Up Items

---

### SUMMARY

Currently, the San Dimas Municipal Code does not provide regulations regarding commercial outdoor dining areas; however, an outdoor dining policy was created and adopted by the City Council as merchants and community members expressed a desire to have outdoor dining in various commercial zones. In addition, a membrane structure policy was created to regulate what type of structures and materials are appropriate for use in residential and commercial zones, including outdoor dining areas.

At the August 9, 2022 City Council meeting, Staff presented the City's outdoor dining and membrane structure policy to the Council and requested direction regarding the outdoor dining requirements for restaurants in the City and the temporary outdoor dining structures. After discussing the item, the Council directed Staff to bring back proposed standards for outdoor dining for consideration.

At the August 22, 2023 City Council meeting, Staff presented proposed standards that could be applied to permanent outdoor dining areas. After discussing the item, the Council directed Staff to bring back an ordinance incorporating the standards discussed at the meeting, allowing existing parking spaces to be converted into permanent outdoor dining, explore communal outdoor dining, and also directed Staff to give restaurants notice to remove temporary outdoor dining structures installed in response to the COVID pandemic.

The proposed ordinance will create standards for outdoor dining and seating areas in accordance with the Council's direction.

### **RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution PC-1678 recommending approval of MCTA 24-03 to the City Council.

### **FISCAL IMPACT**

There is no fiscal impact for the recommended action.

### **BACKGROUND**

Currently, the San Dimas Municipal Code does not include standards for outdoor dining areas. In response to a request from merchants and community members to provide outdoor dining areas in commercial zones, the City created an Outdoor Dining in Commercial Zones policy (**See Attachment 2 - Outdoor Dining in Commercial Zones Policy**). The Outdoor Dining policy includes:

1. No additional parking required for establishments that comply with the City's Parking Standards and provides outdoor seating for 12 people or less.
2. Standards that regulate pedestrian access, maintenance, and procedures for occupying within the public rights-of-way.
3. Applications submitted for outdoor dining are subject to review and approval by the Director of Community Development and if necessary, the City Engineer.

In addition to the Outdoor Dining policy, the City created a Membrane Structure policy (**See Attachment 3 - Membrane Structure Policy**) to regulate temporary membrane structures in residential and commercial zones, which also apply to outdoor dining areas. The original adopted policy did not allow membrane structures in business/commercial zones unless approved for a special event with a Temporary Use Permit. In addition, permanent structures were preferred for use in conjunction with outdoor dining areas; however, the policy did not reflect this.

In 2008, the San Dimas Wine Shop, located in the Town Core, installed a cabana membrane structure over their outdoor patio area without approval. Subsequently, the business owner submitted an application to the Development Plan Review Board (DRPB) to allow the cabana membrane structure to be used from November 2008 to May 2009. As it did not comply with the adopted policy, the DPRB denied the request. The business owner appealed the DPRB's decision to the City Council, and after discussing the item the City Council denied the appeal and upheld the DPRB's decision due to their request not complying with the City's membrane structure policy.

Additionally, at the same meeting the City Council directed Staff to work with the Planning Commission to review and update the membrane structure policy as required. In 2009, the policy was updated and approved by the Planning Commission and the City Council. The revisions to the membrane structure policy included:

1. Standards for non-residential zones, consisting of requiring permanent shade or shelter structures, such as patio trellis or awnings within commercial zones.
2. Required that the material and design be compatible with the primary building and consistent with historic architecture on any structure listed on the City's historic resources survey.
3. Membrane structures require approval by the DPRB.

There are a number of existing businesses within the City that provide outdoor dining areas in compliance with the City's Outdoor Dining in Commercial Zones and Membrane Structure policies. Some of these businesses include Rody's, Railside Café, Panera Bread, Café Rio and The Habit Burger Grill.

In 2020, in response to the COVID-19 pandemic and to meet County Health Orders, the City permitted the use of temporary outdoor dining areas and structures to allow restaurants and other businesses to continue operations during the pandemic. A variety of temporary outdoor dining areas and structures/canopies have been allowed through this process within pedestrian walkways and parking areas. Since these temporary structures were not meant to be permanent and were allowed in response to an emergency order, compliance with the City's Outdoor Dining in Commercial Zones and Membrane Structure policies, parking requirements, Building Code and disabled access were not required to be met.

As previously mentioned, these temporary outdoor dining areas and structures do not meet various City or Building Code requirements, such as disabled access. Therefore, if a business owner wanted to convert the temporary outdoor dining area or structure to be permanent, these areas or structures would be required to meet all existing City and Building codes and policies.

On August 9, 2022, Staff presented the City's outdoor dining and membrane structure policy to the Council and requested direction regarding the outdoor dining requirements for restaurants in the City and the temporary outdoor dining structures. After discussing the item, the City Council directed Staff to bring back proposed standards for outdoor dining for consideration.

At the August 22, 2023 City Council meeting, Staff presented proposed standards that could be applied to permanent outdoor dining areas. After discussing the item, the Council directed Staff to bring back an ordinance incorporating the standards discussed at the meeting, allowing existing parking spaces to be converted into permanent outdoor dining, explore communal outdoor dining areas, and also directed Staff to give restaurants a 90-day notice to remove temporary outdoor dining structures. Subsequent to the notice being sent out, the Council reconsidered the 90-day notice and on October 10, 2023, the Council voted to extend the timeframe to remove the temporary structures by June 30, 2024.

### **DISCUSSION/ANALYSIS**

The proposed ordinance creates standards for outdoor dining and seating areas located on public property, such as sidewalks, and on private property, and will also apply to previously approved permanent outdoor dining areas that are looking to expand. The ordinance will create permitting and review process, development standards, operational standards, and post permit approval procedures for outdoor dining and seating areas.

The ordinance will apply to any new outdoor dining and seating area located on public property such as sidewalks, and on private property. Outdoor dining and seating areas located on private property may consist of areas located directly in front of the establishment, conversion of existing parking spaces or a communal outdoor dining and seating area for two (2) or more establishments. Outdoor dining areas located at the rear of an establishment will not be subject to this ordinance. Those requests will be reviewed like any other addition to an existing establishment; however, parking requirements as proposed by this amendment, and discussed later in this report, will be applicable.

The ordinance proposes development standards for outdoor dining located within a public sidewalk or in front of an establishment on private property, for areas created from converted existing parking spaces, and for communal outdoor dining areas. Standards related to maintaining accessible sidewalk or pedestrian path, fencing/barrier standards, standards for umbrellas, awnings and similar covers, and furniture and equipment standards will be applicable all outdoor dining and seating areas proposed by this ordinance. Development standards for converted existing parking spaces and communal outdoor dining areas will include, but not be limited to, the maximum number of parking spaces that can be converted without providing additional parking, the maximum size of the communal space without providing additional parking, which spaces can be converted, and require that dining area floor be comprised of decking or other raised foundation that is ADA compliant.

Operational standards, which will be applicable to all types of outdoor dining and seating areas proposed by this ordinance, will include compliance with the Health Department, Alcohol Beverage Control and all other applicable regulations such as noise, hours of operation, cleaning and maintenance of the outdoor dining and seating area and associated furniture.

The proposed amendments will also require parking standards for the proposed outdoor dining and seating areas. These types of establishments are intended to provide additional opportunities for diners and enhance the pedestrian ambiance. Therefore, the proposed amendments to Chapter 18.156 Vehicle Parking and Storage will provide flexibility and some relief from parking requirements to encourage outdoor dining and seating areas. The proposed parking requirements will consist of the following:

*Outdoor dining and seating area located on the public sidewalk or on private property; either in the front or at the rear of the establishment:*

- No additional parking shall be required if located within the boundaries of the Downtown Specific Plan (DTSP).
- Located outside of the DTSP; No parking for seating for up to 20 persons. If more than 20 seats are provided, one (1) parking space for every six (6) seats above 20 seats.

*Conversion of existing parking spaces into outdoor dining and seating areas*

- No additional parking required for the conversion of up to five (5) parking spaces, unless there are existing circulation and parking impacts at the site, at which a parking study will be required which will be used to determine the number of parking spaces that may be converted.
- Conversion of six (6) or more parking spaces will require replacement parking at a rate of one (1) parking spaces for every two (2) converted spaces above the first five (5) converted spaces.

*Communal outdoor dining and seating area*

- No additional parking required if proposed area does not exceed 50 percent of the establishments' combined dining floor area, including any bar area, unless there are existing circulation and parking impacts at the site, at which a parking study will be required which will be used to determine the number of required parking spaces.

- Areas that exceed 50 percent of the establishments' combined dining floor area, including any bar area, will require replacement parking at a rate of one (1) parking space for every two (2) converted spaces or one (1) parking space for every six (6) seats above 20 seats, whichever is greater. These parking requirements will be applicable only to the area exceeding 50 percent of the establishments' combined dining floor area, including any bar area.

The proposed ordinance will allow restaurants, cafes, and other food service establishments to provide outdoor dining and seating areas for their customers. The proposed ordinance will replace the City's existing Outdoor Dining in Commercial Zones policy and portions of the Membrane Structure policy that apply to outdoor dining, and will implement the direction provided by the City Council. Restaurants that still have their temporary outdoor dining structures erected as part of the City's temporary COVID response, will be required to remove their structures by June 30, 2024, but the proposed amendments will provide an opportunity for permanent outdoor dining and seating areas to be installed.

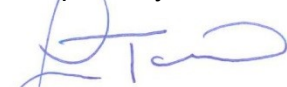
### **ALTERNATIVES**

The Planning Commission could propose changes to the proposed ordinance or not recommend approval to the City Council.

### **ENVIRONMENTAL REVIEW**

Pursuant to CEQA guidelines Section 15061 (b)(3), CEQA does not apply to this item because there is no potential for causing a significant effect on the environment. Therefore, no additional environmental review is needed at this time.

Respectfully submitted,



Luis Torrico  
Director of Community Development

Attachments:

1. PC Resolution 1678
2. Outdoor Dining in Commercial Zones Policy
3. Membrane Structure Policy

RESOLUTION PC-1678

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 24-03, AN AMENDMENT TO TITLE 18 OF THE SAN DIMAS MUNICIPAL CODE TO CREATE STANDARDS FOR OUTDOOR DINING AND SEATING AREAS ALONG WITH ASSOCIATED CLEAN UP ITEMS**

**WHEREAS**, an Amendment to the San Dimas Municipal Code has been duly initiated by the City of San Dimas; and

**WHEREAS**, the Amendment is described as an amendment to Chapter 18 of the San Dimas Municipal Code to create standards for outdoor dining and seating areas along with associated clean up items; and

**WHEREAS**, the Amendment would affect certain parcels of the City within nonresidential zones, including mixed-use zones; and

**WHEREAS**, notice was duly given of the public hearing on the matter and that public hearing was held on June 20, 2024 at the hour of 6:00 p.m., with all testimony received being made a part of the public record; and

**WHEREAS**, all requirements of the California Environmental Quality Act have been met for the consideration of whether the project will have a significant effect on the environment. It has been determined that his action is not a project under CEQA, as there will be no direct physical or reasonably foreseeable indirect physical change to the environment.

**NOW, THEREFORE**, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, the Planning Commission now finds as follows:

- A. The proposed Municipal Code Text Amendment will not adversely affect adjoining property as to value, precedent or be detrimental to the area.

The proposed amendment will create standards for outdoor dining and seating areas throughout the City. The amendments include codifying an existing outdoor dining policy and creating new standards that will be applicable to new outdoor dining and seating areas, and existing ones looking to expand. Outdoor dining provides additional opportunities for diners and enhance the pedestrian ambiance when provided on public right-of-way and adjacent to establishments located on private property. Standards have been included in the proposed ordinance that will mitigate impacts to adjacent properties and surrounding neighborhoods.



- B. The proposed Municipal Code Text Amendment will further the public health, safety and general welfare.

The proposed Municipal Code Text Amendment will further the general welfare of San Dimas by creating standards that will regulate outdoor dining and seating areas and also protect adjacent businesses and properties, and surrounding neighborhoods. The ordinance is intended to allow outdoor dining and seating areas which provide additional dining opportunities for residents and the general public, and will also include standards and operational requirements that, when done correctly, will protect the public health, safety and general welfare.

- C. The proposed Municipal Code Text Amendment is consistent with the General Plan and applicable Zoning.

The proposed amendment will be consistent with the General Plan and applicable Zoning in the sense that it will further enhance uses currently allowed within nonresidential zones, including mixed-use zones. The addition of standards to regulate and facilitate outdoor dining and seating areas will be incidental to restaurants, cafes and other food service establishments currently allowed in the underlying zone. The amendment will also further the General Plan goals by encouraging ground floor uses that will enhance the pedestrian experience.

**NOW, THEREFORE, BE IT FURTHER RESOLVED, PURSUANT TO THE ABOVE FINDINGS,** that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 24-03 as set forth in Attached Exhibit A.

**PASSED, APPROVED and ADOPTED,** the 20th day of June, 2024 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:

---

Kimberly Neustice, Senior Administrative Analyst

Exhibit A**New Chapter Created****Chapter 18.142****DEVELOPMENT STANDARDS FOR SPECIFIC LAND USES****Sections:****18.142.010 Purpose.****18.142.020 Outdoor dining and seating areas****18.142.010 Purpose.**

The purpose of this Chapter is to establish development standards and restrictions of certain land uses while striving to maintain the overall character of the underlying zone. It is intended to supplement the standards in the underlying zones where deemed necessary, and appropriate to ensure development compatibility with the area.

**18.142.020 Outdoor dining and seating areas**

The purpose of this section is to regulate and permit outdoor dining and seating areas on public and private property in nonresidential zones, including mixed-use zones. The standards for outdoor dining and seating areas are intended to f. Outdoor dining and seating areas must be incidental to a permitted restaurant, café or other food service business as determined by the Director of Community Development or designee.

- A. Applicability. The provisions of this Section shall apply to (1) all new outdoor dining and seating areas on public rights-of-way, such as sidewalks, or on private property, and (2) all existing outdoor dining and seating areas that are expanded. For purposes of this Section, existing outdoor dining and seating areas mean those that were approved by the Planning Division, except those approved pursuant to the City's temporary COVID-19 policy, which do not qualify as existing. Notwithstanding the foregoing, this Section shall not apply to outdoor dining and seating areas which are located at the rear of an establishment within the establishment's leasable area.
- B. Permitting & review process.
  1. Outdoor dining and seating areas on public property are subject to the following, along with any applicable fees and documents required by the application to be submitted.
    - a. Encroachment Permit. No person shall establish any outdoor dining and seating area within a public right-of-way, without approval and issuance of an encroachment permit from the Director of Public Works or designee.
    - b. Planning Review. Outdoor dining shall not be established within a public right-of-way until an application has been reviewed and approved by the Director of Community Development or designee.

Adjoining business establishments will be notified if the application is approved.

- c. Outside Agency Review. Outdoor dining and seating areas which include permanent improvements may be subject to review and approval by outside agencies such as utility companies. The applicant seeking approval of the outdoor dining and seating area shall be responsible for submitting application and fees to such outside agencies.
2. Outdoor dining and seating areas on any private property are subject to the following, along with any applicable fees and documents required by the application to be submitted.
    - a. Planning Review. Outdoor dining shall not be established on any private property until an application has been reviewed and approved by the Director of Community Development or designee. Adjoining business establishments will be notified if the application is approved.
  3. Plans required. All applications for an outdoor dining and seating area, on private or public property, shall include plans satisfactory to the Director of Community Development and for the public right-of-way, the Director of Public Works. The site plan shall include, but not be limited to, the dimensions of the outdoor dining and seating area and relation to existing infrastructure, all improvements, number of tables and seats, fencing/barriers, heating equipment, lighting, and any utilities.
  4. All applications shall include authorization from the property owner or property owner's authorized agent.

#### C. Development standards

1. The following standards shall apply to all outdoor dining and seating areas located on any public or private property:
  - a. The outdoor dining and seating area shall at all times maintain a minimum clearance of five feet for use of the sidewalk or pedestrian path by the general public.
  - b. The outdoor dining and seating area shall not obstruct any entries, exits, permitted signs, mailboxes, utilities, public seating, public safety measures, or extend into the safe line-of-sight distances at intersections, as determined by the City Engineer.
  - c. Outdoor dining shall not inhibit vehicular or pedestrian circulation.
  - d. The width of the outdoor dining and seating area shall not exceed the width of the frontage of the establishment.

- e. The pedestrian path shall be measured from the dining area boundary to the back of curb and other obstructions (e.g. planters, utility boxes).
- f. No tables, chairs, umbrellas, shade structures, or other fixtures shall be permitted within the pedestrian path.
- g. Fencing/Barriers. City may require fencing or similar treatment to delineate the space and provide a safety barrier for patrons. If fencing or similar treatment is requested by the applicant, it shall comply with the following:
  - i. Design may consist of planters, metal, wood, glass fencing or other material deemed appropriate by the Director of Community Development. Glass improvements are not permitted in the public right-of-way.
  - ii. Shall not exceed 36-inches in height. Glass or fully transparent enclosures of up to six feet may be permitted by the Director of Community Development. Glass improvements are not permitted in the public right-of-way.
  - iii. If planters are installed, the planter itself shall not exceed 36-inches, and the vegetation (live or artificial) height shall not exceed 6 feet measured from the lowest adjacent finish grade.
  - iv. For restaurants serving alcohol, the barrier shall comply with the Alcoholic Beverage Control requirements.
- h. Outdoor dining shall be separated from parking facilities by pedestrian walkways, landscaping, decorative fences, or other means approved by the Director of Community Development.
- i. Awnings, covers, furniture, umbrellas, shade structures, or other physical elements shall be compatible with the character of the main structure and regularly maintained in good working order. Faded and ripped fabric and materials shall be replaced.
- j. Awnings, umbrellas, and similar covers must allow vertical clearance of seven feet above sidewalk level, and shall provide coverage of the dining area only and maintain a two foot horizontal clearance from pedestrian walkways.
- k. Umbrellas shall be free of any commercial advertisements with the exception of the name and/or logo of the restaurant.

- l. Shade structures, umbrellas and other decorative materials shall be fire-retardant, pressure-treated or manufactured of fire-resistant material.
  - m. Heating units may be permitted if they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two feet from the edge of public walkways and from any umbrella canvas, any foliage, or any other flammable object or material. No heating units with open flames are permitted. Heating units in the right-of-way must be approved by the Director of Public Works.
  - n. Outdoor dining area shall incorporate lighting for evening dining which shall be compatible with the character of the main structure, shall be hardwired, and shall be installed to prevent glare onto, or direct illumination of, any residential property or use, or impact to the safety of the traveling public. Use of glass within the public right-of-way is not permitted.
  - o. Any equipment associated with the outdoor dining area shall be hardwired and be an outdoor approved type. Equipment UL listing may be required at the discretion of the Director of Community Development or Public Works Director.
  - p. Furniture material shall be of a color and design, which is complimentary to the character of the main structure and shall consist of durable material such as wood or metal.
  - q. Parking. See Chapter 18.156 Vehicle Parking and Storage
  - r. The outdoor dining and seating area shall comply with all applicable Building, Fire and City codes.
  - s. The Director of Community Development or Director of Public Works may place additional conditions upon the issuance of the permit to ensure the protection of the public walkway, the rights of all adjoining property owners, and the health, safety, and welfare of the public.
2. Conversion of existing parking on private property. With the exception of parking standards, the standards in 18.142.020.C.1 shall apply to the conversion of existing private parking spaces into outdoor dining and seating areas. The following standards shall also apply when converting existing private parking spaces:
  - a. Parking. See Chapter 18.156 Vehicle Parking and Storage.

- b. Required ADA parking spaces may not be converted into an outdoor dining and seating area.
  - c. Parking spaces to be converted shall be limited to those located within the width of the frontage of the establishment.
  - d. The dining area floor shall be comprised of decking or other raised foundation that is ADA compliant and differentiates the dining area from the surrounding parking lot.
  - e. Establishments that have existing outdoor dining areas that provide for up to 20 seats, shall not be allowed to convert parking into an outdoor dining and seating area.
3. Communal outdoor dining and seating areas. Commercial centers with two or more restaurants, cafés or other food service businesses may provide shared outdoor dining and seating areas. With the exception of parking standards, the standards in 18.142.020.C.1 shall apply the shared outdoor dining and seating areas. The following standards shall also apply to shared outdoor dining and seating areas:
- a. Parking. See Chapter 18.156 Vehicle Parking and Storage.
  - b. Properties with existing circulation and parking impacts may require a parking study to the satisfaction of the Director of Community Development.
  - c. Required ADA parking spaces may not be converted into an outdoor dining and seating area.
  - d. When parking spaces are converted, the dining area floor shall be comprised of decking or other raised foundation that is ADA compliant and differentiates the dining area from the surrounding parking lot.

D. Operational standards

1. The business owner shall be responsible for maintaining all chairs, tables, fencing, paving, ground surfaces, landscaping and other improvements associated with outdoor dining in a safe, sound, and visually attractive condition.
2. Tables shall be placed only in the locations shown on the approved site plan.
3. Movable furniture must be secured or moved inside at closing time.
4. Outdoor dining areas shall be operated in a manner that meets all requirements of the health department and all other applicable regulations such as noise, laws, city ordinances, or standards.

5. Outdoor dining areas shall contain waste receptacles for use by patrons, unless table service is provided.
6. Cleaning of the outdoor dining area is the responsibility of the associated restaurants and must comply with National Pollutant Discharge Elimination System standards.
7. Alcoholic beverages may be served in an outdoor dining area, provided approvals are obtained from the City and the Department of Alcoholic Beverage Control (ABC).
8. The size of a permitted outdoor dining area shall not be increased or the arrangement substantially altered, unless the Director of Community Development has reviewed and approved a new application under this Section.
9. The hours of operation for outdoor dining and seating areas shall be limited to the hours of operation for the associated establishment; however, the Director of Community Development may restrict the hours of the outdoor dining and seating area due to noise and safety concerns.

E. Post permit approval procedures

1. Temporary Suspension. Any permit for a dining or seating area, whether located on public or private property may be temporarily suspended, pursuant to written notice, when, in the discretion of the Director of Community Development or Director of Public Works, such use may interfere with the rights, health, welfare, or safety of the neighboring property owners and the others using the area.
2. Expiration. If the outdoor dining and seating area, whether located on public or private property, is discontinued, unused or abandoned for a period of one year, the permit shall automatically become null and void. A new application pursuant to the requirements of this Section shall be required for any outdoor dining and seating area that has been, in part or whole, expired, revoked, or terminated.
3. Revocation.
  - a. Outdoor dining and seating areas on public property. The use of a public sidewalk or any other public right-of-way under this Section is on a temporary and nonpermanent basis. Any outdoor dining and seating area in the public right-of-way may be revoked by the Director of Public Works if it is determined that any portion of the approved encroachment permit has been violated.
  - b. Outdoor dining and seating areas on private property. Any outdoor dining and seating area approved pursuant to this Section may be revoked by the Director of Community Development after at least five days' written notice to the permittee if it is determined that any

portion of this Section has been violated. Pursuant to the written notice, the permittee shall have the opportunity to remedy the violation to the satisfaction of the Director of Community Development.

4. Appeal. Any decision made pursuant to this section is final, unless appealed to the Planning Commission within 14 days after the date the decision is made. Any appeal shall be submitted on forms provided by the City along with application fees pursuant to the adopted fee resolution schedule. Any appeal of the Planning Commission’s decision shall be governed by the provisions of Chapter 18.212.

**Changes to  
Chapter 18.156 Vehicle Parking and Storage**

New text in blue underlined  
~~Deleted text is in Red and Strikethrough~~

**18.156.050 Automobile parking spaces required.**

<b>Use</b>	<b>Minimum Off-Street Parking Required</b>
D. Commercial Uses	
1. Hotels and motels	One space per room for projects up to 100 guest rooms, plus required spaces for other uses associated with the primary use. For projects over 100 rooms, parking shall be determined by the conditional use permit process and based on a parking study, prepared by a registered traffic engineer or approved alternative, provided by the applicant and approved by city
2. Bed and breakfast	One space per bedroom, plus two spaces for the manager
3. Retail uses and service businesses	Minor tenants (individual tenant up to 20,000 square feet in floor area): one space per 225 square feet of floor area.  Major tenants (individual tenant over 20,000 square feet in floor area): one space per each 225 square feet of floor area for the first 20,000 square feet; then one space for each 275 square feet for floor area over 20,000 square feet.
4. Major shopping center	Four and one-half spaces per 1,000 square feet of total floor area, provided that offices shall not exceed 10% of total floor area unless a greater amount is authorized with a conditional use permit.



- |  |   |
|--|---|
| 5. Auto repair facilities  | Three parking spaces per repair bay, with a minimum of 12 parking spaces  |
| 6. Auto sales  | One space for every 800 square feet of floor area of sales area, plus additional required spaces for other uses onsite  |
| 7. Service stations  | One space for each 400 square feet of floor area, not including service bay area; two spaces for each service bay   |
| 8. Service stations when associated with a snack shop or convenience market                | One space for each 225 square feet of floor area; however, one space may be reduced if eight or more gasoline pumps are provided. Two spaces shall be provided for each service bay               |
| 9. Car wash  | Full service: ten spaces or one space for each employee whichever is greater.<br><br>Self service: one space per wash bay. The wash bay may not account for the required space                    |
| 10. Banks and savings and loans  | See administrative office requirements.   |
| 11. Lumber yards and retail nurseries  | One space for each 225 square feet on interior sales area, plus one space for every 1,000 square feet of outdoor sales and storage area   |
| 12. Restaurants, cafes, nightclubs, bars and similar uses, excluding fast food restaurants | One space for every 75 square feet of floor area, plus one space for every 25 square feet of dance floor area   |
| 13. Fast food restaurants  | One space for every 75 square feet of floor area; however, for drive-through facilities, four spaces may be reduced from required total for fast food uses with a minimum of eight queuing spaces |

14. Outdoor dining and seating areas:

Outdoor dining and seating areas located on public property or in front or rear of an establishment on private property that are located within the boundaries of

No additional parking shall be required.

the Downtown Specific Plan.

Outdoor dining and seating areas located on public property or in front or rear of an establishment on private property

Additional parking is not required for establishments which comply with Chapter 18.156 (Parking) and where outdoor dining does not exceed seating for 20 persons. Establishments with more than 20 seats shall provide parking at a rate of one parking space for every six seats above 20 seats.

Outdoor dining and seating areas converted from existing parking spaces (18.142.020.

Five or fewer existing parking spaces may be converted into an outdoor dining and seating area without providing additional parking, unless existing circulation and parking impacts exist as determined by the Director, in which case a parking study will be required to identify parking demand. After review of the parking study, the Director shall determine the number of existing parking spaces (not exceeding five) that may be converted into an outdoor dining and seating area.

Conversion of six or more additional parking spaces will require replacement parking at a rate of one parking space for every two converted spaces above the first five converted spaces.

Communal outdoor dining and seating areas (18.142.020.3)

Shared outdoor dining and seating areas that do not exceed 50 percent of the establishments' combined dining floor area, including any bar area, will not require new or replacement parking, unless existing circulation and parking impacts exist as determined by the Director, in which case a parking study will be required to identify parking demand. After review of the parking study, the Director shall determine the number of required parking spaces.

Shared outdoor dining and seating areas that exceed 50 percent of the establishments' combined dining floor area, including any bar area, will require replacement parking at a rate of one parking space for every two converted spaces or one parking space for every six seats above 20 seats, whichever is greater. These parking requirements will be applicable to the area above 50 percent of the establishments' combined dining floor area, including any bar area.

145. Furniture and appliance stores, hardware stores and household equipment shops

One space for each 300 square feet of floor area

The Planning Department offers informational brochures on the following topics:

- Artificial Turf Guidelines
- Banners and Temporary Signs
- CEQA and Environmental Review Classification of Use
- Conditional Use Permits
- Development Agreements
- Development Plan Review Board Fees and Charges
- For Sale/For Lease Signs
- General Plan
- Lot Line Adjustments
- Mills Act
- Municipal Code Text Amendments
- Outdoor Dining Policy
- Outdoor Displays of Merchandise
- Permanent Signs
- Permit Streaming Act
- Planning Commission
- Portable Signs
- Property Information
- Public Notice Requirements
- Residential Care Facilities
- RV & Trailer Parking
- Signs in the Historic Downtown Area
- Site Plan Requirements
- Specific Plans
- Storage Structures
- Subdivisions
- Temporary Use Permits
- Trash Enclosure Standards
- Tree Preservation
- Variances
- Window Replacement – Town Core
- Window Signs
- Zone Changes
- Zoning Descriptions

*\*These brochures are generally intended to assist in the processing of application material. They do not necessarily provide every detail regarding Municipal Code regulations.*

# Outdoor Dining in Commercial Zones



City of San Dimas  
Planning Division  
245 East Bonita Ave.  
San Dimas, CA. 91773

ATTACHMENT 2

**Planning Department**  
City Hall, 245 East Bonita Avenue  
San Dimas, California 91773  
(909) 394-6250  
[planning@sandimasca.gov](mailto:planning@sandimasca.gov)

Mon-Thurs 7:30 a.m. - 5:30 p.m.  
Fridays 7:30 a.m. - 4:30 p.m.

[www.sandimasca.gov](http://www.sandimasca.gov)

Merchants and community members have expressed a desire to have outdoor dining in various commercial zones. In addition, the San Dimas General Plan encourages outdoor uses as a means to revitalize and improve downtown as a community focus (SDGP, p. 11-44). Until such time as a municipal code text amendment may be processed to address this issue, the City has developed the following interim policy.

**OUTDOOR DINING ALLOWED**

Outdoor dining shall only be allowed as an incidental use to an established restaurant, coffee house, or other food service business.



**APPLICATION REQUIRED**

Outdoor dining shall not be established on any property until an application has been reviewed and approved by the Director of Community Development pursuant to Chapter 18.12 of the Municipal Code. The application shall include a detailed site plan, improvement plan, permission from the property owner and/or management company, and fees in the amount of \$83. If outdoor dining is proposed in the public right-of-way or in a common area of a shopping center, adjoining business establishments will be notified of the application. Applications will be reviewed by City Staff.

Additional parking is not required for establishments which comply with Chapter 18.156 (Parking) and where outdoor dining allows seating for 12 or fewer persons.

**STANDARD CONDITIONS**

1. The business owner shall at all times maintain a minimum 4-foot clearance for use of the sidewalk by the general public.
2. Outdoor dining shall not obstruct any entries, exits, permitted signs, mailboxes, utilities, public seating, public safety measures, or extend into the safe line-of-sight distances at intersections, as determined by the City Engineer.
3. Outdoor dining shall be separated from parking facilities by pedestrian walkways, landscaping, decorative fences, walls, or other means approved by the Director of Community Development.
4. The business owner shall be responsible for maintaining all chairs, tables, fencing, paving, ground surfaces, landscape, and other improvements associated with outdoor dining in a safe, sound, and visually attractive condition.
5. The business owner shall ensure the outside dining area is continuously cleaned of any debris, litter or food scraps. If smoking is allowed, the business owner shall provide ashtrays.
6. Signs, banners, and outdoor events shall be subject to separate application and permit procedures.
7. If outdoor dining is located within the public right-of-way, the business owner shall submit an application for an encroachment permit to the Public Works Department. To the greatest extent possible, landscaping in the right of way will be preserved or enhanced. The business owner shall notify the Public Works Department before any work within the public right-of-way begins.
  - A City inspector/representative shall

inspect all irrigation, planting, ground cover, and construction. Paving, landscaping, and fencing materials and design shall be installed to the satisfaction of the Director of Community Development and the City Engineer.

8. Any approval granted pursuant to this policy may be modified or revoked at any time and for any circumstances the City deems appropriate, including failure to comply with policy guidelines herein and/or failure to comply with local, State, or Federal laws and regulations. Upon notification by the City of San Dimas, the business owner shall remove all improvements and uses and return the premises to its previous condition. Subsequent to this authorization, should permanent development standards regulating outdoor dining be adopted by the City, the business owner shall be responsible for obtaining the necessary authorizations and/or permits pursuant to those standards.
9. The decision of the Director of Community Development shall be final unless appealed within 14 days of issuance of conditions subject to the provisions of Chapter 18.212 of the San Dimas Municipal Code.

**SPECIAL CONDITIONS**

- Special conditions will be determined on a case-by-case review. Samples are provided below.
10. Tables and chairs (shall/shall not) be required to be taken indoors at the close of business each day.
  11. Alcoholic beverages may be served in an outdoor dining area, subject to approval by the City and the Department of Alcoholic Beverage Control (ABC).





## Canopies and Other Membrane Structures Codes & Policies

***This handout is not intended to apply to awnings or umbrellas.***

Membrane structures shall:	Code Explanation:
1. Not be allowed in required setback areas in any zone.	Structures are not allowed in setback areas per Zoning Code.
2. Not exceed a maximum height of 12 feet in any zone.	California Building Code restricts height to 1 story/12 feet as measured from grade up to the midpoint (average) of highest roof surface.
3. Require a building permit if attached to a building	California Building Code requires a building permit if a structure is attached to a building.
4. Require a building permit if maintained on a property for more than 6 months.	California Building Code requires temporary structures after 180 days to be considered permanent and subject to a building permit.
5. Require a building permit if covers an area greater than 120 square feet and used for 10 or more people. (Generally, when used as a vehicle shelter, a building permit would not be required).	California Building Code requires building permit for temporary structures exceeding "120 square feet, including connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering of 10 or more persons."
6. Comply with California Fire Code and Los Angeles County Fire Department standards for tent or air-supported membrane structures greater than 200 square feet or a canopy greater than 400 square feet.	LA County Fire Department enforces the California Fire Code, as amended by LA County Fire Code, and requires a separate permit regardless of how long temporary structure is maintained.
7. Comply with all standards of the zone.	Per Zoning Code. If located within the Town Core, shall comply with all Town Core Design Guidelines.
8. Not obstruct any parking space or access thereto, except through a Temporary Use Permit for special event; however, in no case shall fire lanes be obstructed.	Parking spaces and drive aisles are required to be maintained unobstructed per Zoning Code. Fire Lanes shall be kept "free and clear" per LA County Fire Code.
Membrane structures shall:	Policy Explanation:
1. Not be allowed in any non-residential zone, except as permitted in conjunction with an approved temporary event.	Permanent shade or shelter structures are required (e.g., patio trellis, awnings, or room additions) subject to DPRB review.
2. Use appropriate materials and design (style, shape, color) compatible with primary building.	Heavyweight cloth, such as canvas or similar durable fabric, is preferred. Thin, shiny or plastic-looking materials are discouraged, except side panels should be clear vinyl rather than solid or mesh fabrics for security visibility.
3. Use materials and design consistent with historic architecture on any structure listed on the City of San Dimas 1991 Historic Resources Survey.	Obviously modern materials, finishes, hardware, and design are discouraged. Follow U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. If located in Town Core, also follow the Town Core Design Guidelines.