

# Development Services Department

## 8th Update to Land Development Code

### New Sidewalk Café Permit Process

*July 19, 2013*

*Outside the Coastal Overlay Zone*



# Development Services Department

## 8th Update – Sidewalk Café

### Goals of Code Update

- **Simplify / clarify development regulations**
- **Eliminate redundancies and contradictions**
- **Make the code more adaptable**



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### 1. Streamline the Permit Process:

- Reduce the process level from a Neighborhood Use Permit (Process 2) to a process 1 limited use for establishments that meet the criteria.

### 2. Reduce the minimum width required for clear path

- Reduce the minimum width for path of travel from 8 feet to 5 feet (consistent with Street Design Manual, California Building Code, & other cities)

### 3. Provide an option for a café with no barrier

- Allow sidewalk cafes to set up a single row of tables and chairs within a 4 foot 6 inch extension of the establishment without the need for a barrier.



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### Other Approvals:

- **If alcohol will be served, ABC license is still required.**
  - Apply for extension of premises of the existing license
  - Obtain a new license.
- **Sidewalk Café in a planned districts is subject to PDO**
- **This Amendments will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.**



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### Sidewalk Café – Permit Costs

- Amendments will significantly reduce costs (-75%)
- Eliminates requirement for costly NUP in most locations
- Allows for single permit to address all right-of-way and building permit issues-- flat fee permit, non appealable
- An annual inspection of a sidewalk café shall be required to ensure compliance with the limited use regulations for sidewalk cafes.



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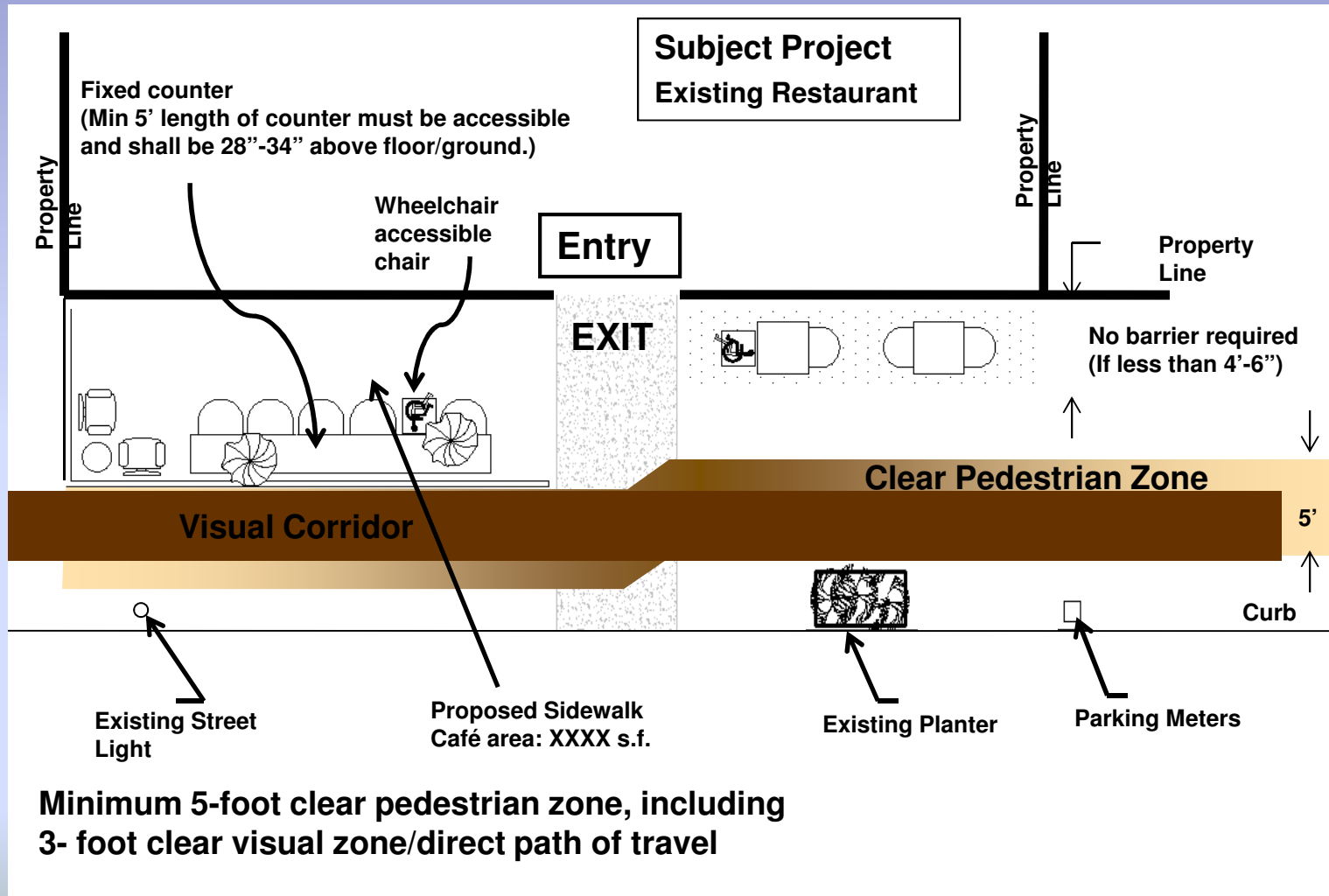
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### Required Permits For Sidewalk Café:

- Public Right of Way Enhancement/Use Program (PROW)
- Encroachment, Maintenance and Removal Agreement (EMRA) &
  - 1- Public Right-of-Way Permit **or**
  - 2- Building Permit as applicable to project scope.
- A Process Two Neighborhood Use Permit (NUP) will be required prior to approval of Construction Permit/EMRA:
  - The proposed sidewalk café is located within the Coastal Overlay Zone;
  - The proposed sidewalk café is located in Downtown Community Plan Area; or
  - If deviations are requested from the applicable regulations in Section §141.0621(a).



# Development Services Department Sidewalk Cafes- Pedestrian Path



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<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Arto1Divisiono6.pdf>

<http://www.sandiego.gov/development-services/pdf/industry/infobulletin/ib523.pdf>