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June 16, 2025

Honorable City Council
c/o Petty Santos
City Clerk
Room 360, City Hall

JOINT REPORT BACK REGARDING ADDRESSING THE LACK OF ENROLLMENT IN THE PERMANENT L.A. AL FRESCO PROGRAM; COUNCIL FILE NO. 20-1074-S6

SUMMARY

This joint report is in response to Council's instruction for the Bureau of Engineering (BOE), Los Angeles Department of Building and Safety (LADBS), Los Angeles Department of Transportation (LADOT), Bureau of Sanitation (LASAN), Economic and Workforce Development Department (EWDD), with the assistance of the Department of City Planning (City Planning) as well as other relevant agencies, in consultation with the City Attorney to report back with recommendations to address the lack of enrollment in the permanent L.A. Al Fresco program.

RECOMMENDATIONS

That the City Council:

1. DIRECT BOE to continue with the new service category for Al Fresco on the Virtual Counter system and other service platforms to expeditiously assist businesses and perform a bi-monthly email outreach until the new deadline on January 31, 2026, to businesses that have not transitioned their temporary Sidewalk Dining authorization to the permanent L.A. Al Fresco program.
2. DIRECT LADBS to continue to enhance and improve the Al Fresco ePlanLA module to achieve maximum efficiency, leading to a higher level of enrollment, and to continue to promote the Restaurant and Small Business Express Program (RSBEP).

3. AUTHORIZE EWDD to utilize funds allocated to the Jobs and Economic Development Incentives (JEDI) Program permit fee reduction incentive, currently held by LADBS and City Planning, to subsidize AI Fresco-related BOE, LADOT, and LASAN permit fees for businesses located in approved JEDI Zones.
4. Authorize the Controller to transfer \$200,000 from the Building and Safety Building Permit Enterprise Fund No. 48R, Department No. 08, Balance Sheet Account 2222, in the following amounts to the following departments and accounts:
 - a. \$80,000 to the Los Angeles Bureau of Engineering Special Services Fund No. 682 Department No. 50, Account No. TBD, entitled "JEDI Program AI Fresco Permit Reduction Incentive".
 - b. \$8,000 to the Department of Transportation Trust Fund No. 840, Department No. 94, Account No. TBD, entitled "JEDI Program AI Fresco Permit Reduction Incentive"; and
 - c. \$112,000 to the Los Angeles Bureau of Sanitation (LASAN) Fund No. 208, Department No. 50, Departmental Revenue Source Code 518801 Miscellaneous Revenue-Others.
5. DIRECT EWDD, BOE, LADOT, and LASAN to establish policies and procedures for eligibility for the JEDI Program permit fee reduction incentive for AI Fresco businesses located in approved JEDI Zones.

BACKGROUND

In response to the COVID-19 pandemic, on May 29, 2020, the City of Los Angeles (City) launched the first phase of the L.A. AI Fresco Program to support outdoor dining opportunities for restaurants. Through L.A. AI Fresco, the City offered streamlined and immediate Temporary Use Authorizations for eligible businesses to provide outdoor seating in areas including sidewalks and private parking lots. Phase 2 of L.A. AI Fresco was launched on June 26, 2020, expanding options to include street parking spaces, lane closures, and street closures for outdoor dining service.

On November 4, 2020, the City Council adopted the Transportation Committee Report, under Council File No. 20-1074-S1, to extend the LA AI Fresco Temporary Use Authorizations to at least six months after the end of the City's Safer L.A. Emergency Order.

On December 6, 2022, a Notice of Status of Local Emergency was issued by Mayor Garcetti recommending the City Council to terminate the local emergency, effective on February 1, 2023. On the following day, the City Council approved the amending motion terminating the local emergency on February 1, 2023.

In December 2023, the City Council adopted Ordinance No. 188,073 to create a permanent AI Fresco Program for outdoor dining on private property and streamline Zoning Code regulations for outdoor dining.

On October 9, 2024, the City Council adopted the Trade, Travel, and Tourism Committee Report, under Council File No. 20-1074-S6, relative to addressing the lack of enrollment in the permanent L.A. AI Fresco program. The City Council action instructed the following to be included within the joint report:

1. Possible pathways to extend the L.A. AI Fresco Temporary Use Authorization Program.
2. A discussion of the fees that are charged to businesses throughout the L.A. AI Fresco application process, including ways to alleviate the burden these fees present and any concerns associated with Proposition 218.
3. An update on the L.A. AI Fresco Small Business Fee Reduction Program, including the number of businesses that have enrolled in the program and the amount of fee reductions distributed through the program.
4. An identification of potential inefficiencies in the City's administration of the permanent L.A. AI Fresco program that may be preventing higher enrollment, including, but not limited to, an assessment of the responsibilities of each Department involved in the permitting process and their ability to meet those responsibilities.
5. An identification of engagement strategies the City can employ to support restaurant operators and help facilitate the transition from the temporary authorization program to the City's permanent L.A. AI Fresco program at no additional cost to potential applicants, such as creating temporary AI Fresco public counters across the City's Development Services Center for the first year of permanent phase-in.
6. Resources required across departments to effectively and efficiently administer this program.

The Council Motion (Raman - Padilla) under Council File 20-1074-S6 was dated June 28, 2024, approximately one month before the original expiration date of the L.A. AI Fresco Temporary Use Authorization Program (July 31, 2024). The program has since been extended by Mayor Bass until January 31, 2026, according to the latest announcement on December 11, 2024. As a result, businesses have been provided with additional eighteen months to obtain their permanent L.A. AI Fresco permits.

Previous extensions to the temporary L.A. AI Fresco Temporary Use Authorization Program were granted through Mayoral or Council action.

DISCUSSION

Permanent L.A. Al Fresco Program and Transition Process

Revocable Permit (R-Permit)

A Revocable Permit (R-Permit) is required for encroachments within the public right-of-way per the Los Angeles Municipal Code (LAMC) Section 62.118.2. Specific permits do not exist for Sidewalk Dining and On-Street Dining. Consequently, the R-Permit is the process under BOE that is used to authorize sidewalk dining and on-street dining encroachments in the public right-of-way.

Sidewalk Dining

R-Permits for Sidewalk Dining have been processed and issued by BOE before the establishment of the temporary L.A. Al Fresco program in 2020. On October 20, 2021, the Board of Public Works adopted the revisions to the Sidewalk Dining Policy which simplified the permit process and made it less expensive by lowering the R-Permit fee from the Tier 2 fee of \$1,854 to the Tier 1 fee of \$556. Furthermore, on May 11, 2022, the Board of Public Works adopted the revised policy on Sidewalk Dining and the automated L.A. Al Fresco transition process which authorized BOE to charge a lower fee of \$149 instead of the Tier 1 fee for the R-Permits that were issued under the automated transition process.

To begin the automated transition process from an Al Fresco Temporary Use Authorization to a BOE R-Permit for Sidewalk Dining, applicants only need an Angeleno account with the same email address that was used in the temporary Al Fresco program and answer the pre-screening questions in the [online R-Permit application portal](#). Since there is no plan review, the permit is automatically issued after the applicants acknowledge the permit requirements and pay the fee of \$149. However, after the permit issuance, the applicants must complete the permit requirements within six months, which include providing proof of Liability Insurance, paying the Sewer Facility Charge, and notarizing the Waiver of Damages form. Since the Sidewalk Dining transition process is automated but needs to be initiated by the applicants, the BOE's responsibilities include assisting applicants who may have trouble with the transition process, preparing the Waiver of Damages form, and processing the documents submitted for the permit requirements.

For new Sidewalk Dining permit applications, applicants are required to submit an online R-Permit application and a plan showing the proposed encroachments and dining facility. The BOE's responsibilities include application processing, performing a technical review for accessibility and public safety, performing field investigations if deemed necessary, assisting applicants, preparing the Waiver of Damages form, and processing documents. In addition to the R-Permit, if there is installation or construction in the public right-of-way, an A-Permit will be required which is sequentially processed by the BOE staff after the R-Permit issuance.

On-Street Dining

On-Street Dining is now included as an encroachment category in the R-Permit application as of February 1, 2024. For this encroachment category, BOE works collaboratively with LADOT, where LADOT reviews the initial application, approves the location for feasibility, processes documents, and then forwards to BOE to finalize and issue the permit.

Submission of the initial R-Permit application is just one step in a multi-step process to obtaining the permit. Applicants have between five to 10 steps to complete, which vary depending on the business' circumstances. Five of these steps are required by LADOT, which include signing an agreement letter, submitting Liability Insurance, modifying an existing dining area to meet LADOT's new policies, paying permitting fees, and having an approved site plan. Per direction from the City Attorney's Office, all dining areas need to comply with local and state accessibility codes, and this is done through the site plan review process and later through inspections. Depending on the business's circumstances, five additional steps may be required by other departments - structural plan approval by BOE if the dining area has tall vertical posts, alcohol approval by City Planning if serving alcohol, landscaping approval by the Bureau of Street Services (StreetsLA) in order to have living plants in the outdoor dining area, a Coastal Development Permit (CDP) for applicants in the Coastal Zone, and Historic Preservation Overlay Zone (HPOZ) approval from City Planning if the applicant is in the overlay zone.

New and transitioning businesses have the same number of application steps to complete, as no department has waived these requirements for participants in the temporary L.A. Al Fresco Program. As a result, existing businesses benefit from fee subsidies (discussed further in this report), but do not have a streamlined application process.

LADBS Building Permit

LADBS is responsible for the approval of building permit applications for construction and development on private property. All permanent Al Fresco projects within private property require a building permit to ensure that all installations comply with pertinent state and local regulations.

As of October 31st, 2024, LADBS has screened more than 350 Al Fresco building permit applications within the department's goal of 2 business days, assigned and reviewed more than 177 projects, and issued 16 building permits, one of which has received a certificate of occupancy. Once the permit holder obtains a certificate of occupancy for outdoor dining, the site will be permanent. LADBS continues processing building permit applications and assisting applicants through the permitting process.

City Planning Al Fresco Alcohol Authorization Process

Within the first ten months of the permanent L.A. Al Fresco Program, approximately 200 Al Fresco Alcohol Authorization requests were submitted to City Planning. Over half of

them have been completed within that time, with an average processing time of less than thirty days. While the relative rate of completion is high, two main hurdles are faced by those businesses that have not received authorization: (1) they do not already have the required alcohol approval from the City or license from the State, and (2) insufficient project plan information was provided.

To obtain Al Fresco Alcohol Authorization through Los Angeles City Planning, applicants apply through the department's Online Application System (OAS). Applicants must submit proof of an existing alcohol authorization (such as a Conditional Use Permit, Restaurant Beverage Program Authorization, or historical proof of alcohol sales before March 1, 1977), a valid alcohol license number from the California Department of Alcoholic Beverage Control, and a menu of food items for sale and served during all operating hours.

Additionally, applicants must provide detailed project plans that clearly outline the outdoor dining area's location, dimensions, property lines, entrances/exits, furnishings, and points of sale. For Outdoor Dining Areas on private property, a Building Permit Clearance Summary Worksheet (CSW) or Certificate of Occupancy (C of O) is required. For outdoor dining areas in the public right-of-way, an Interdepartmental Routing Transmittal from the BOE or LADOT must be submitted. Once all required documents are reviewed and verified by a planner in the Department's Beverage and Entertainment Streamlining Unit, the authorization is finalized, and the applicant will receive their Al Fresco Alcohol Authorization and clearance.

State Authorizations for Alcohol Service and Coastal Zone Operations

Establishments that service alcoholic beverages or are within the Coastal Zone are required to obtain additional authorizations from the California Department of Alcoholic Beverage Control or the California Coastal Commission, respectively. In some instances, establishments must obtain authorizations from both State agencies. During the State and local emergency periods, establishments were granted temporary waivers and permits from these agencies in order to operate outdoor dining areas. Both agencies extended the expiration of their temporary authorizations to June 30, 2026, which is five months after the latest January 31, 2026, expiration of the City's Temporary Use Authorization. Aligning local expirations with State expirations could promote clear and consistent requirements.

Applicable Fees

The L.A. Al Fresco Temporary Use Authorization Program provided permit authorizations for Sidewalk Dining, On-Street Dining, and Private Property Outdoor Dining, at no cost to businesses for the entire length of the program. In order to obtain a permanent outdoor dining permit, administered by either BOE or LADBS, businesses must pay certain fees on a one-time basis. Below are the types of fees businesses may pay for their permanent Al Fresco permits.

BOE R-Permit Fee

The R-Permit fee is required for all Sidewalk Dining and On-Street Dining applications to compensate BOE staff time for application processing, plan review, and field investigation. In accordance with the Board of Public Works Policy on Sidewalk Dining, all new Sidewalk Dining permit applications, that do not require field investigations, shall be subject to the Tier 1 R-Permit Fee of \$556. This fee also applies to new On-Street Dining permit applications. The Tier 2 R-Permit Fee of \$1,854 is for permits that require field investigations, as determined by BOE. The Tier 3 R-Permit Fee or actual cost is for cases where the Board of Public Works approval is required to deviate from the Sidewalk Dining policy or there is a request to appeal a BOE decision to the Board of Public Works.

On May 11, 2022, the Board of Public Works adopted the revised policy on sidewalk dining and the automated L.A. AI Fresco transition process. The revised policy authorized BOE to charge one hour of the Special Engineering Fee (\$149 per hour) for those transitioning from the temporary program to R-Permits. Therefore, for businesses transitioning from Sidewalk Dining or On-Street Dining Temporary Use Authorizations to R-Permits, the permit processing fee is \$149 instead of the Tier 1 R-Permit Fee of \$556. Also, businesses that want to transition both Sidewalk Dining and On-Street Dining together will only be subject to a single \$149 fee.

BOE A-Permit Fee

In addition to the R-Permit fee, all Sidewalk Dining and On-Street Dining applicants who propose to have construction or excavation in the public right-of-way will need to obtain an A-Permit. On-street Dining applicants who have or wish to construct a custom-fabricated dining structure with vertical posts will be required to have a structural plan review and subsequently obtain an A-Permit. This currently represents around 55 percent of On-Street Dining participants. The A-Permit fee typically consists of the hourly Special Engineering Fee of \$149 per hour for a structural review, the hourly Special Inspection Fee of \$95 per hour, and the A-Permit basic fee of \$273.

LADOT Application Review Fee

The LADOT Application Review Fee is required for all On-street Dining applications. Though BOE acts as the permit issuer for On-Street Dining, LADOT is the agency that processes applications, and this fee compensates staff time for plan review, inspections, and communication with applicants. For businesses transitioning from the Temporary Use Authorization Program, the application review fee is \$1,200 and for new applicants, the review fee is \$1,500.

LASAN Low Impact Development (LID)

LID Plan Check fees range from \$824 to \$1,545, depending on the size and scope of work proposed. These fees are required as part of the plan check process, however, AI Fresco projects are not expected to require LID due to the nature of their scope of work. At its lowest threshold, LID Plan Check is required for scopes of work that propose 2,500 sq ft or more of impervious area; this area may be new, added/increased, or replaced. Since the adoption of the AI Fresco program, no AI Fresco project has required a plan check review by LID.

LASAN Sewer Facility Charge (SFC)

This fee is required for all Sidewalk, On-Street, and Private Property Outdoor Dining applications per the City Attorney's Office, as it is charged based on proportionate use (flow, biochemical oxygen demand, and suspended solids) of the City's sewer system. Since all customers do not exert the same demands on the wastewater system, the amount of flow, as well as the strength of the wastewater discharged to the system, are applied to specific unit costs to calculate the appropriate SFC's for each customer. Typical flows and strengths of wastewater discharged by specific customer types, as well as the unit costs for the SFC, are incorporated into the overall SFC rate charged to customers. SFC's for seated dining generally range from \$138 per seat to \$165 per seat, depending on if the establishment is a full-service (sit-down) restaurant or a limited-service (take-out) restaurant. With the current adopted fees, a sit-down restaurant requesting 20 seats for an outdoor dining area would pay \$3,300 in one-time SFC's.

LADBS Submittal Fee and Final Fee

The first primary fee associated with the permitting process is the submittal fee, also known as the plan check fee, collected at the time of plan submittal which is required per LAMC 91.107.3.1. LAMC 98.0422 allows an expedited review process when a fee is paid, the fee for this expedited review process is 50 percent of the submittal fees in addition to the normal submittal fees. This option is available to all permit applications and can be used by businesses utilizing the permanent L.A. Al Fresco program to reduce the turnaround time to receive plan check corrections and clearances.

The second fee associated with the permitting process is the final fee, also known as the permit fee, collected at the time of permit issuance per section LAMC 91.107.2.

Both of these primary fees are based on either the construction valuation of the project or on the number of expected hours for review of the plan and inspection.

City Planning Al Fresco Alcohol Authorization Fees

If a business intends to expand alcohol service onto an outdoor dining area, whether on private property or in the public right-of-way, an alcohol authorization from City Planning is required. Provided that the business has a valid primary alcohol authorization and meets the Al Fresco Ordinance standards, they may obtain a streamlined administrative Al Fresco Alcohol Authorization to expand alcohol service onto the outdoor dining area. Through June 30, 2025, a fee for the authorization does not apply to businesses with an existing L.A. Al Fresco Temporary Use Authorization. Businesses without an existing Temporary Use Authorization will pay a \$398.52 fee during the 2024-25 Fiscal Year. The Al Fresco Alcohol Authorization procedure is only administered concurrent with or subsequent to a valid permit application process with LADBS or BOE.

L.A. Al Fresco Small Business Fee Reduction Program

The L.A. Al Fresco Small Business Fee Reduction Program launched on February 1, 2024, through American Rescue Plan Act (ARPA) funding allocated by the Mayor's Office for the Al Fresco Program. The fee reduction program provides subsidies for businesses applying to transition their L.A. Al Fresco Temporary Use Authorizations for Sidewalk Dining or On-Street Dining to R-Permits. Businesses automatically have these fee subsidies applied to their BOE R-Permit Fee, LADOT Application Review Fee, and their LASAN Sewer Facility Charge. EWDD collaborated with LADOT to implement the Al Fresco Small Business Fee Reduction Program and EWDD reviews subsidy applications to ensure business eligibility and compliance with funding requirements.

An average applicant of the L.A. Al Fresco Small Business Fee Reduction Program had over half of their permit fees subsidized. As of December 1, 2024, 376 applicants have received fee subsidies - 124 applicants for On-Street Dining and 252 applicants for Sidewalk Dining. The program distributed over \$600,000 in funds, with applicants receiving between \$977 - \$2,999 in subsidies. This program concluded on November 30, 2024.

Under Council File 20-1074-S5, City Council and the Mayor approved \$1.4 million of American Rescue Plan Act (ARPA) funding, originally allocated for other economic development activities, to augment the availability of funds for permit fee assistance for Al Fresco businesses. Al Fresco Temporary Authorization holders that are required to obtain a Coastal Development Permit from City Planning or a building permit from LADBS in order to establish a permanent outdoor dining area will be able to use these funds to supplement application and/or permit costs.

Engagement Strategies to Promote Higher Enrollment

To transition from the Al Fresco Temporary Use Authorization to the permanent outdoor dining permit, businesses or applicants are required to initiate the permit application process. To help inform businesses on how to transition to the appropriate permanent outdoor dining permit(s), applicants can view the online Al Fresco Guide for Businesses on the BuildLA portal at <https://buildla.lacity.org/alfresco>. In addition to the BuildLA portal, relevant departments have assisted and collaborated with the Mayor's Office to draft a guidebook, present at multiple webinars, and attend in-person Al Fresco workshops in which businesses were able to directly engage with City staff. The guidebook, led by the Mayor's Office, is, in part, intended to provide applicants with support on how to design outdoor dining areas that are compliant with the permanent standards. The guidebook currently does not have a tentative completion date.

There is an interest from businesses and the larger hospitality industry in having LADOT and LADBS create pre-approved standard plans for structures, which businesses can voluntarily use at no-cost. Standard plans could be used to expedite the plan review process. Along with the Mayor's Office, the departments that are involved in the Al Fresco efforts explored the possibility of developing standard plans. Completion of these efforts

would require soliciting and onboarding a consultant, which has been estimated to be between \$250,000 and \$500,000. Due to budgetary constraints, this initiative was not pursued.

To help promote higher enrollment, the following are additional engagement services provided by different departments and bureaus.

Bureau of Engineering (BOE):

As of November 2024, out of 1,422 businesses that had the temporary Sidewalk Dining authorizations, approximately 270 businesses had transitioned their temporary authorizations and received R-Permits through the automated process. To understand and identify the reasons for the low rate of enrollment in the automated transition process, BOE staff conducted research to determine the number of operating businesses and performed extensive outreach by calling each business that was found to still be in operation. After completing the research, it was found that 230 businesses were no longer in operation and 27 businesses were not eligible to transition because they were not applicable businesses or they were located outside the City of Los Angeles. Furthermore, after completing the task to call each business, it was also found that 564 businesses were not interested in transitioning their temporary Sidewalk Dining authorizations, 22 businesses had duplicate Sidewalk Dining authorizations, and 127 businesses were not responsive. For those that were not interested in transitioning, approximately 95% of the businesses stated that Sidewalk Dining was not desired or ideal for their operations because of unsuitable locations to have Sidewalk Dining, limited sidewalk width, lack of restaurant staff, and safety concerns.

Currently, applicants can obtain services from BOE in multiple ways including a virtual appointment system, an in-person appointment system, a Customer Service Request (CSR) system, and a virtual counter system through the BOE Permits and Services portal at engpermits.lacity.org. Using the virtual counter system, applicants can log in virtually and wait in a short line without making appointments ahead of time. As part of the engagement strategies, since November 2024, a new service category for AI Fresco has been added to the virtual counter system to mainly assist outdoor dining businesses. For businesses that have not transitioned to the R-Permit, BOE has already sent multiple email notifications in May, June, July, October, and November 2024 notifying them of the transition process and the deadline. Additional email notification is planned to be sent bi-monthly until the new deadline in January 2026.

To assist businesses in meeting accessibility and emergency access requirements when proposing outdoor dining in the public right-of-way, BOE has created the L.A. AI Fresco Disabled Access Toolkit.

Through this report and in coordination with EWDD, LASAN, and LADOT, BOE is also requesting approval to establish policies and procedures for eligibility for the JEDI Program permit fee reduction incentive for AI Fresco businesses located in approved JEDI Zones in order to additionally promote higher enrollment.

Economic and Workforce Development Department (EWDD):

Through its BusinessSource Center System (BSCs), EWDD provides support and technical assistance to businesses seeking to obtain permanent AI Fresco permits. BSCs have partnered with the Mayor's Office of Business and Economic Development (MOBED) to host AI Fresco application clinics to provide critical information about the requirements of AI Fresco permits.

In addition, to promote higher enrollment, BSCs conducted targeted outreach to over 250 businesses to ensure that business owners were aware that the AI Fresco permanent permit application was open and to offer assistance to complete the permitting process.

The BSCs will continue to support AI Fresco Program engagement strategies through one-on-one consulting to assist businesses with the permitting process, floorplan layout support, financial assessment and analysis for access to capital for expanding AI Fresco operations, and other wraparound services to assist with specific needs of AI Fresco businesses. Services provided by the BSCs are at no cost to eligible LA City businesses, and are available in Spanish, Armenian, French, Korean, Mandarin, Russian and Vietnamese.

Based on interactions with AI Fresco clients, a BSC reported that renewal and inspections fees are a major barrier for businesses to apply for the permanent permit. As a strategy to increase participation, EWDD recommends leveraging funds allocated to JEDI permit fee reductions to subsidize AI Fresco permit costs for establishments located in approved JEDI Zones.

The JEDI Program has a focus on creating good-paying jobs for local residents, revitalizing areas that have been historically underinvested, and promoting industries that are likely to be critical in the City's future economy. In March 2020, the City Council approved the policy to establish JEDI Zones, including a menu of incentives and services that promote economic activity in these areas of high need (CF 13-093-S2). One of the approved incentives is a subsidy to reduce the cost of LADBS and City Planning permits required to renovate buildings occupied by eligible businesses in approved JEDI Zones. The City Council allocated \$1 million of former Urban Development Action Grant (UDAG) funds to provide permit fee reduction assistance of up to \$10,000 per eligible business. Of the approved allocation, \$700,000 was transferred to LADBS and \$300,000 was transferred to City Planning. To date, \$78,000 has been obligated through fee reduction certificates issued to ten eligible projects. A balance of approximately \$922,000 remains available for fee reductions.

Through this report EWDD is seeking approval to use the JEDI Program permit fee reduction funds, originally earmarked only for LADBS and City Planning permits, to also allow subsidizing AI Fresco permits required by other City Departments, including BOE, LADOT, and LASAN. EWDD is requesting the City Council to direct all pertinent departments to work with EWDD to establish processes to implement JEDI AI Fresco permit subsidies.

JEDI Permit fee reduction funds will be used on a first come, first served basis until funds are exhausted

Los Angeles Department of Transportation (LADOT):

After businesses submit an application to transition their permit, LADOT provides a summary of all required submittals and approvals, and subsequently follows up with each applicant every 2-4 weeks to remind them of any outstanding items in their application. While email is LADOT's primary form of communication, it has posed challenges, with many preferring phone or in-person communication. Due to limited staffing, program staff do not have an in-person counter but have launched a virtual meeting appointment system in December 2024.

Between February to June of 2024, LADOT performed an extensive outreach campaign by email, phone, and in-person to businesses with L.A. Al Fresco Temporary Use Authorizations that still needed to apply for an R-Permit. As a result of this campaign, as of December 2024, all businesses in the temporary program have submitted their initial R-Permit application. LADOT faces a unique challenge, in that all businesses have initiated the process to obtain a permanent permit, but the majority of these businesses have still not completed the application process. Many businesses do not have the help of a professional such as a consultant, expeditor, or architect. This has made steps like site plan preparation or day-to-day email communication challenging for the business owner with the workload of managing a restaurant. Businesses have taken, on average, three months to complete application steps after they were communicated by LADOT.

LADOT has prepared various guidance and materials since February 2024 to help businesses navigate through the transition process. This includes a tutorial for how to apply for an R-Permit, a visual guidebook to commonly required construction modifications needed to dining areas, a tutorial for how to pay an invoice through the Universal Cashiering System, a sample of an acceptable insurance document, and several non-professional sample site plans. The sample site plans have proved the most valuable to businesses.

Los Angeles Department of Building and Safety (LADBS):

Once the Al Fresco Ordinance was adopted, LADBS published an Information Bulletin to provide guidance for the plan check and permitting processes for outdoor dining areas (Al Fresco) on private property. This Information Bulletin is currently available on the Department's website to assist the public. LADBS also designed a tutorial video to help applicants successfully navigate and apply for outdoor dining permits online.

LADBS created a dedicated Al Fresco email to help applicants with any inquiries related to outdoor dining within private property. The dedicated Al Fresco email is constantly monitored by the LADBS Restaurant and Small Business Express Program (RSBEP). The goal of the RSBEP is to make the permitting and inspection process more efficient by enhancing coordination in permitting, construction, and inspection. The RSBEP streamlines the approval process, providing assistance to business owners as well as

their design and construction teams. Restaurants, bars and AI Fresco projects may apply to this complimentary program regardless of permit valuation. LADBS has promoted the RSBEF to all AI Fresco applicants as a free program to businesses transitioning from AI Fresco who may not be familiar with the code requirements or permitting process, and will continue to promote this program as it does not have a sunset date.

LADBS launched the AI Fresco Fast Track Program to facilitate the plan check process and alleviate plan requirements for certain eligible projects. LADBS will continue to assist AI Fresco applicants through the permitting process and recently enhanced the online application process to incorporate the AI Fresco Fast Track Questionnaire within the online application module, ePlanLA. The department's AI Fresco Fast Track Questionnaire was originally drafted as a fillable PDF application, since then it has been integrated into the ePlanLA module to streamline the application process. This change is aimed at reducing the extra steps involved in the application process, including the need for applicants to download, fill out, sign, and upload the questionnaire. The enhancement will allow more applicants to use the program and will notify them of their eligibility or if complete plans are required for their work scope. The updated AI Fresco ePlanLA module launched on October 22, 2024, gives all AI Fresco applicants the opportunity to enroll in the Fast Track program within the process of applying for the AI Fresco building permit application. More applicants are likely to take advantage of the AI Fresco Fast Track Program as it will be an embedded part of the application process, leading to a higher level of AI Fresco enrollment. LADBS will continually work to enhance and improve the AI Fresco ePlanLA module to achieve maximum efficiency.

Los Angeles Department of City Planning:

Throughout the L.A. AI Fresco ordinance adoption process and the transition process to permanent permits, City Planning has been engaging with hospitality professionals and the communities they serve to promote a process and set of standards that are both rigorous and accessible. In addition to the outreach and engagement actions leading up to the adoption of the AI Fresco Ordinance, City Planning's implementation period has included robust engagement efforts, including cross-promotions with the Mayor's office and the permitting agencies—as well as a number of independent engagement efforts.

In addition to the five Mayor-led inter-agency presentations that City Planning participated in between February and June 2024 and two additional events in November and December 2024, City Planning also participated in two small business events hosted by Council District 7 and one by Council District 1 between May and July 2024.

City Planning has also promoted the program through a social media campaign, through its external newsletter, several e-blasts, a banner on the department's homepage, new information on its "Alcohol Sales" page, and enhancements to its online application system and its services on BuildLA.

Since the permanent program launched, City Planning has been mindful that the AI Fresco program is meant to provide a low-barrier entry point to support small businesses.

To advance this objective, the department also released a bi-lingual interactive voice service, provides in-person and virtual consultations in several languages, and distributes informational materials in English and in Spanish.

Resources to Administer Permanent L.A. AI Fresco Program

Bureau of Engineering (BOE):

There are 4 BOE District Offices within the City of Los Angeles. Each BOE District Office processes R-Permit applications that fall within their service area. For transitioning and new businesses, BOE has already identified a minimum of 2 staff in each BOE District Office to effectively assist applicants on Sidewalk Dining and On-Street Dining permit application processes.

BOE has also identified a team to perform engagement strategies including managing the virtual counter and Appointment System for AI Fresco, responding AI Fresco questions on the Customer Service Request (CSR) system, sending email notification, contacting businesses, and attending in-person AI Fresco workshops to support businesses and facilitate the transition process.

By identifying and assigning existing BOE staff to process AI Fresco applications and administer the automated transition process, no additional resources are requested at this time.

Los Angeles Department of Transportation (LADOT):

In the Fiscal Year 2022 budget, LADOT received three positions to administer a permanent On-Street Dining program. This included one (1) Supervising Transportation Planner I, one (1) Transportation Engineering Associate III, and one (1) Management Analyst, later converted to a Transportation Planning Associate I. As of November 2024, only two of these positions are filled - the Supervising Transportation Planner I and a Transportation Engineering Associate. As a result, only two employees are processing the 145 applications received for those transitioning from the temporary program as well as any new applications received after the launch of the permanent program.

The Prioritized Critical Hiring (PCH) process has impacted filling the additional position. As a result, this has impacted the turnaround times for application review, plan review, inspections, and general outreach and facilitation with businesses. The duties of the vacant Transportation Planning Associate I would have been focused on outreach to businesses, application support, and developing additional guidance, tutorials, and application materials. Filling this position would allow LADOT to have faster turnaround times as well as provide more assistance to businesses in person, by phone, and by email.

LA Sanitation and Environment (LASAN):

At this time, LASAN requests no additional resources in order to implement the AI Fresco program. AI Fresco projects are not expected to require a Plan Check Review or service by Low Impact Development (LID), and AI Fresco projects are not expected to require additional reviews for the LASAN Sewer Facility Charge (SFC) beyond what is completed by the Bureau of Engineering as part of the normal permitting process.

Los Angeles Department of Building and Safety (LADBS):

At this time, no additional resources are requested; LADBS will continue to advise, guide, and assist all permanent AI Fresco applicants through the department's Permitting, Inspection, and Code Enforcement processes. As the L.A. AI Fresco Temporary Use Authorizations are set to expire on January 31, 2026, staff demand may change.

City Planning:

City Planning has nine staff within the Beverage and Entertainment Streamlining (BES) unit who specialize in alcohol-related applications, including Conditional Use Permits for the sale and service of alcoholic beverages, Restaurant Beverage Program (RBP) authorizations, as well as AI Fresco Alcohol Authorizations. Applicants can contact BES for guidance by emailing planning.BES.unit@lacity.org, calling (213) 202-5456 or scheduling a virtual meeting through the BuildLA appointment system¹.

To submit an AI Fresco Alcohol Authorization application, applicants visit the department's Online Application System (OAS) portal². For more detailed information about alcohol-related programs, processes, resources, and services, applicants can visit the department's "[Alcohol Sales](#)" resource page³ on the City Planning website. This page includes application information, resources, and links to helpful tools to support applicants through the alcohol authorization processes.

At this time, City Planning requests no additional resources in order to implement the AI Fresco program.

Economic and Workforce Development Department (EWDD):

Currently, EWDD is leveraging existing resources to oversee BSC AI Fresco activities, and no additional resources are requested at this time. However, EWDD will continue to assess activity levels to determine if additional staff support is required in the future, to effectively and efficiently administer this program.

If you have any questions, please contact Interim City Engineer Alfred Mata at alfred.mata@lacity.org.

¹ <https://appointments.lacity.org/apptsys/Public/Account>

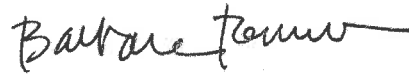
² <https://plncts.lacity.org/oas>

³ <https://planning.lacity.gov/project-review/alcohol-sales>

Respectfully submitted,



Alfred Mata, P.E.
Interim City Engineer
Bureau of Engineering
Department of Public Works



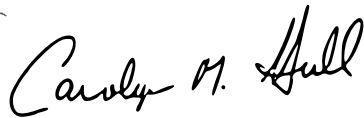
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LA Sanitation & Environment
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TA/TS;eg

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