

CALIFORNIA COASTAL COMMISSION

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January 30, 2024

To: Planning Directors of Coastal Cities and Counties
From: Dr. Kate Huckelbridge, Executive Director, California Coastal Commission
Re: AB 1217 and Extension of Parking Closures for Outdoor Dining Programs

On October 8, 2023, Governor Newsom signed into law [Assembly Bill 1217](#), which extends, through July 1, 2026, pandemic relief for businesses that temporarily suspends local parking requirements for outdoor dining purposes. Section 65907 of the Government Code specifies that, "to the extent that an outdoor expansion of a business to mitigate COVID-19 pandemic restrictions on indoor dining interferes with, reduces, eliminates, or impacts required parking for existing uses, a local jurisdiction that has not adopted an ordinance that provides relief from parking restrictions for expanded outdoor dining areas shall reduce the number of required parking spaces for existing uses by the number of spaces that the local jurisdiction determines are needed to accommodate an expanded outdoor dining area."

Pursuant to Public Resources Code Section 30611, the Commission has issued numerous Coastal Development Permit (CDP) waivers for pandemic relief activities since March of 2020, including for outdoor dining programs in existing coastal zone parking areas. Existing approvals have allowed use of public and private parking spaces for outdoor dining purposes in existing rights-of-way, local government-owned and privately-owned parking spaces, and/or parklets which are immediately adjacent to the business providing the outdoor dining program in areas that are already developed and equipped with ADA access improvements. Sidewalks must also remain open and in compliance with all ADA guidelines. Existing waivers issued for outdoor dining programs should be assumed to be extended by virtue of AB 1217. Any proposal for permanent outdoor dining programs should only be permitted through a regular CDP process and local governments seeking a permanent outdoor dining program are encouraged to seek CDP approval promptly rather than waiting until June of 2026.