

Memorandum

Date: September 21, 2026

To: Mandi

From: Sarah Wauters

Subject: Compliance Issues at Nalu Vida, 1 Washington Blvd.

Nalu Vida sits at the last lot before the beach at the end of Washington Blvd. As such, it sits within the Dual Permit Jurisdiction Coastal Zone and is subject to the jurisdiction of the Coastal Commission. In 1992, prior owners of a business on the site expanded a covered porch and seating into the public sidewalk (public right-of-way) and applied for the necessary Coastal Development Permit for that purpose. This document is still relevant in that all the conditions named therein run with the land and are binding on all successors and assigns.

Now, the business owners are applying for a new Coastal Development Permit to cover the 67 additional seats (spoken of during the meeting on 9/17) that comprise the outdoor seating area constructed during the Covid-19 era and covered by the Temporary Al Fresco permit that was received during that time. The City of Los Angeles is now requiring that businesses using the right of way enter into an application for a permanent Al Fresco Dining Permit – which involves obtaining approval from LADOT, an R-Permit from the Bureau of Engineering, payment of extra fees for the use of the sewer, fees for Fire Inspection, and any associated building permits for structures that have been erected. In addition, for all Coastal Zone restaurants using the sidewalk, the street, or their previous on-site parking, the restaurants must obtain a Coastal Development Permit.

Compliance Issues –

Conditions stipulated in Application 5-92-137 – all these conditions run with the land.

1. **Seating Capacity** – Total seating may not exceed 67 seats at any time. Assuming that there are no more than 67 seats inside and in the previously permitted patio area, this is exceeded by the present outdoor area by another 67 seats. This extension is the subject matter of the present application. It is possible to interpret that the document means to limit the pre-Al Fresco program seating capacity indefinitely because of the lack of additional parking at the coast.
2. **Loading** – Requirement of no loading in parking spaces. No evidence of non-compliance.

3. **Public Park Benches** – Non-compliant. No benches are presently in the public sidewalk, and the areas where the tables and chairs are placed would not allow for a public bench to exist nor a place for the non-paying public to sit.
4. **Bike lane extension and bike rack** – the present area of the Al Fresco barriers partially overlaps the bike lane and reduces its safety. The required bike racks that were once placed in the sidewalk are no longer there.
5. **Lack of Parking Supply** – the 5-92-137 report recited that without additional parking supply, the restaurant is not allowed to increase its seating count from 67. The additional 25 seats had to be moved from the interior to the outdoor patio. The two additional parking spaces on Washington in front of the restaurant that existed after the completion of the covered patio are now occupied by the temporary Al Fresco area at issue now. Staff Report for Application 5-92-137 “However, the project is conditioned to limit the seating capacity of the restaurant to its existing capacity which is 67 persons. This will ensure that the parking demand is not increased over and above its current level.”
6. **Finding from the Staff Report:** “The Commission finds that, as conditioned, the proposed project will not negatively impact coastal access in the area. Only as conditioned to the limit seating capacity, prohibit loading in public parking spaces, provide public improvements, and require a future improvements deed restriction is the project consistent with Sections 30210, 30212.5, and 30252 of the Coastal Act.”

Temporary Al Fresco Permit Violations

1. **Amplified music/speakers** are mounted to the front of the building and broadcast onto the sidewalk and street where the temporary alfresco dining is located. Violation of LAMC § 12.21 A.24(d)(1)(ii). See attached photographs.
2. A television in the covered patio area is visible from the Street. This may constitute a violation under LAMC section 12.21A.24(d)(1)(iii).
3. **Live music and DJs** have been performing on site in the Al Fresco Dining area outside, on the street and sidewalk. Please refer to the photos drawn from the Nalu Vida Instagram promotion account attached here. Violation of LAMC § 12.21 A.24(d)(1)(iv). Does the establishment have any event permits for those dates when bands are placed outside?
4. **Noise levels** in the Al Fresco Dining Area exceed standards set forth in Ordinance No. 156,363. These have been measured multiple times above the mandated levels by surrounding residents. Violation of LAMC § 12.21 A.24(d)(1)(vi).

Questions with Regard to Other Authorities:

1. Does the owner/applicant have an **R-Permit from the Bureau of Engineering** for use of the public right-of-way for the street, sidewalk and use of the sidewalk to support a wall mounted pergola?
2. Has the owner/applicant received approval from the **LADOT** for the placement and the barriers surrounding the Al Fresco Dining Area?
3. Has the owner/applicant obtained a building permit from **LADBS** for the wood frame, wall-mounted pergola stretching over the public sidewalk?
4. The applicant is presently subject to an Order to Comply concerning the painted advertisement on the side of the building. When will this be resolved?