

ORDINANCE NUMBER 2851 (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING SECTION 6.44.030 OF CHAPTER 6.44 OF THE SANTA MONICA MUNICIPAL CODE TO AUTHORIZE ENTERTAINMENT ZONES IN THE DOWNTOWN CORE, ON PORTIONS OF THE SANTA MONICA PIER, AND ALONGSIDE PORTIONS OF MAIN STREET AND MONTANA AVENUE

WHEREAS, the economic downturn starting with the COVID-19 pandemic, exacerbated by the recent Southern California wildfires, and continuing economic challenges nationwide, have had a devastating impact on Santa Monica's restaurants, bars, and entertainment venues; and

WHEREAS, finding new ways to attract residents, workers, and visitors to our downtown and neighborhood commercial corridors will be critical to the continued recovery of the City's nightlife sector and economy; and

WHEREAS, across the country, numerous states, including Michigan, Ohio, North Carolina, and Kansas, have found success enlivening communities through the designation of areas where businesses may sell alcoholic beverages for consumption within public spaces adjacent to their licensed premises; and

WHEREAS, in 2025, the State of California adopted Senate Bill 969, which authorizes cities and counties to create by ordinance Entertainment Zones to enable restaurants and bars to sell open containers of approved alcoholic beverages for consumption within Entertainment Zones; and

WHEREAS, the City has an important government interest in maintaining a thriving business community and protecting the health, safety, and economic welfare of its citizens and businesses; and

WHEREAS, the continued impact of the pandemic, along with the impacts of the recent California wildfires, have resulted in businesses, and particularly restaurants and entertainment venues, suffering significant economic hardships; and

WHEREAS, allowing people to buy open container drinks from local bars, restaurants, wineries, and breweries and enjoy them outside in designated public spaces during certain hours for the purpose of creating active, commercial corridors, will stimulate economic recovery; and

WHEREAS, on May 13, 2025, the City Council adopted Ordinance No. 2811 (CCS) ("Ordinance No. 2811"), which added Chapter 6.44, governing "Entertainment Zones" in the City, to the Santa Monica Municipal Code; and

WHEREAS, Ordinance No. 2811 was the first Entertainment Zone Ordinance in Southern California; and

WHEREAS, Section 6.44.030(a) of the Santa Monica Municipal Code provided for an initial entertainment zone on the Third Street Promenade; and

WHEREAS, the Third Street Promenade Entertainment Zone has received praise from participating restaurants for attracting additional customers to the Promenade; and

WHEREAS, data reflects an increase in attendance at existing and new events in the Third Street Promenade Entertainment Zone; and

WHEREAS, on January 22, 2026, Downtown Santa Monica, Inc. voted to support expanding the downtown entertainment zone to provide greater flexibility for event activations; and

WHEREAS, the City Council intends to establish an entertainment zone in Downtown Santa Monica which will be limited in the associated Management Plan to event-only activations until further direction from the City Council; and

WHEREAS, the Santa Monica Pier is designated as a Public Pier pursuant to California Code of Regulations title 14, section 1.88, which describes Public Piers as, among other things, having the characteristics of unrestricted free access for the general public; and

WHEREAS, the City Council desires to establish a Pier Entertainment Zone to include the western Observation Deck and the Pier Parking Deck that is limited in the associated Management Plan to event-only activations until further direction from the City Council; and

WHEREAS, the Main Street and Montana Avenue Business Improvement Districts have expressed an interest in establishing event-based Entertainment Zones; and

WHEREAS, the City Council desires to establish entertainment zones on Main Street and Montana Avenue that are limited in the associated Management Plans to event-only activations until further direction from the City Council; and

WHEREAS, the City Council desires that the entertainment zones established by this ordinance be limited to event-only activations at this time to continue gathering data concerning operational requirements, including safety and controlling access; and

WHEREAS, the Santa Monica Police Department was consulted with on the proposed entertainment zone expansions and provided feedback as detailed in the accompanying staff report; and

WHEREAS, on March 24, 2026, the City Council conducted a duly noticed public hearing, and, after considering all oral and written testimony, and certain corrections read into the record by the City Attorney, the City Council desires to amend Section 6.44.030 to authorize additional entertainment zones pursuant to Sections 23039.5 and 25690 of the California Business and Professions Code, subject to state and local regulatory approvals and activation in the Management Plans associated with each Entertainment Zone, in Downtown Santa Monica, in the Santa Monica Pier, Montana Avenue, and Main Street, as described below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 6.44.030 is hereby amended to read as follows:

6.44.030 Entertainment Zones

(a) Third Street Promenade Entertainment Zone

(1) All public streets, sidewalks, and public rights-of-way on Third Street between Wilshire Boulevard and Broadway are hereby designated as the Third Street Promenade Entertainment Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.

(2) Outdoor consumption of alcoholic beverages within the Third Street Promenade Entertainment Zone is authorized seven days a week between the hours of

8:00 a.m. and 2:00 a.m., subject to any additional limitations imposed by any ABC permit or license and by the Management Plan for the Third Street Promenade Entertainment Zone. The City may temporarily limit the hours of operation of the Third Street Promenade Entertainment Zone if it deems it necessary to address specific public health and safety concerns.

(3) Off-site sale of open alcoholic containers by a participating holder of an ABC license or permit may consist of beer, wine, and/or distilled spirits subject to the conditions and limitations imposed on the establishment by their local entitlements or ABC privileges, and any additional limitations imposed by the Management Plan for the Third Street Promenade Entertainment Zone.

(b) Downtown Entertainment Zone

(1) With the exception of the areas contained within the Third Street Promenade Entertainment Zone, which are subject to subsection (a) and the Management Plan for the Third Street Promenade Entertainment Zone, all other public streets, sidewalks, and public rights-of-way from Ocean Avenue to 4th Street and from Wilshire Boulevard to Pico Boulevard, as further outlined in the map attached hereto as Attachment A, are hereby designated as the Downtown Entertainment Zone under Sections 23039.5 and 25690 of the California Business and Professions Code. The map of the Downtown Entertainment Zone shall be retained on file with the Office of the City Clerk.

(2) Outdoor consumption of alcoholic beverages within the Downtown Entertainment Zone is authorized seven days a week between the hours of 8:00 a.m. and 2:00 a.m., subject to any additional limitations imposed by any ABC permit or license and

by the Management Plan for the Downtown Entertainment Zone. The City may temporarily limit the hours of operation of the Downtown Entertainment Zone if it deems it necessary to address specific public health and safety concerns.

(3) Off-site sale of open alcoholic containers by a participating holder of an ABC license or permit may consist of beer, wine, and/or distilled spirits subject to the conditions and limitations imposed on the establishment by their local entitlements or ABC privileges, and any additional limitations imposed by the Management Plan for the Downtown Entertainment Zone.

(c) Pier Entertainment Zone

(1) As the Santa Monica Municipal Pier is a designated Public Pier pursuant to California Code of Regulations title 14, section 1.88, certain public streets, sidewalks, and public rights-of-way on and around the Santa Monica Municipal Pier, including the Western Observation Deck and the Pier Parking Deck, as more fully described in the map attached hereto as Attachment B, are hereby designated as the Pier Entertainment Zone under Sections 23039.5 and 25690 of the California Business and Professions Code. The map of the Pier Entertainment Zone shall be retained on file with the Office of the City Clerk.

(2) Outdoor consumption of alcoholic beverages within the Pier Entertainment Zone is authorized seven days a week between the hours of 8:00 a.m. and 2:00 a.m., subject to any additional limitations imposed by any ABC permit or license and by the Management Plan for the Pier Entertainment Zone. The City may temporarily limit the hours of operation of the Pier Entertainment Zone if it deems it necessary to address specific public health and safety concerns.

(3) Off-site sale of open alcoholic containers by a participating holder of an ABC license or permit may consist of beer, wine, and/or distilled spirits subject to the conditions and limitations imposed on the establishment by their local entitlements or ABC privileges, and any additional limitations imposed by the Management Plan for the Pier Entertainment Zone.

(d) Montana Avenue Entertainment Zone

(1) All public streets, sidewalks, and public rights-of-way on Montana Avenue between 6th Street and 17th Street are hereby designated as the Montana Avenue Entertainment Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.

(2) Outdoor consumption of alcoholic beverages within the Montana Avenue Entertainment Zone is authorized seven days a week between the hours of 8:00 a.m. and 2:00 a.m., subject to any additional limitations imposed by any ABC permit or license and by the Management Plan for the Montana Avenue Entertainment Zone. The City may temporarily limit the hours of operation of the Montana Avenue Entertainment Zone if it deems it necessary to address specific public health and safety concerns.

(3) Off-site sale of open alcoholic containers by a participating holder of an ABC license or permit may consist of beer, wine, and/or distilled spirits subject to the conditions and limitations imposed on the establishment by their local entitlements or ABC privileges, and any additional limitations imposed by the Management Plan for the Montana Avenue Entertainment Zone.

(e) Main Street Entertainment Zone

(1) All public streets, sidewalks, and public rights-of-way on Main Street between Pico Boulevard and the City Limits at Dewey Street, including portions of side streets west of Main Street to Neilson Way: Bay Street, Bicknell Avenue, Pacific Street, Hill Street, Kinney Street, and Ashland Avenue are hereby designated as the Main Street Entertainment Zone under Sections 23039.5 and 25690 of the California Business and Professions Code.

(2) Outdoor consumption of alcoholic beverages within the Main Street Entertainment Zone is authorized seven days a week between the hours of 8:00 a.m. and 2:00 a.m., subject to any additional limitations imposed by any ABC permit or license and by the Management Plan for the Main Street Entertainment Zone. The City may temporarily limit the hours of operation of the Main Street Entertainment Zone if it deems it necessary to address specific public health and safety concerns.

(3) Off-site sale of open alcoholic containers by a participating holder of an ABC license or permit may consist of beer, wine, and/or distilled spirits subject to the conditions and limitations imposed on the establishment by their local entitlements or ABC privileges, and any additional limitations imposed by the Management Plan for the Main Street Entertainment Zone.

SECTION 2. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any

court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective thirty days after its adoption.

APPROVED AS TO FORM:


HEIDI VON TONGELN
City Attorney

ATTACHMENT A - Map of Downtown Entertainment Zone Area

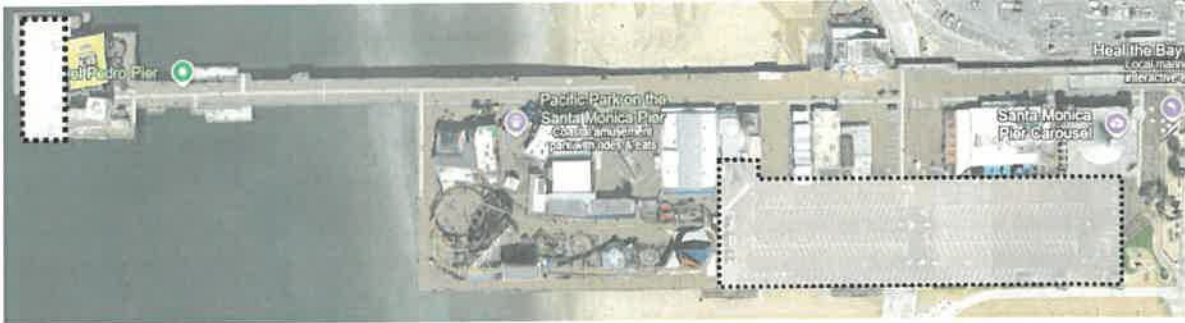
Downtown Entertainment Zone Area



ATTACHMENT B - Map of Pier Entertainment Zone Areas

Pier Entertainment Zone Areas

- Pier Parking Deck
- West Observation Deck



 Pier Entertainment Zones

Approved and adopted this 14th day of April, 2026.



Caroline Torosis, Mayor

State of California)
County of Los Angeles) ss.
City of Santa Monica)

I, Denise Anderson-Warren, Interim City Clerk of the City of Santa Monica, do hereby certify that the foregoing Ordinance No. 2851 (CCS) had its introduction on March 24th, 2026 and was adopted at the Santa Monica City Council meeting held on April 14th, 2026, by the following vote:

AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Negrete,
 Mayor Torosis

NOES: None

ABSENT: Mayor Pro Tem Zwick

ATTEST:



Denise Anderson-Warren, Interim City Clerk

4-30-2026
Date

A summary of Ordinance No. 2851 (CCS) was duly published pursuant to California Government Code Section 40806.