



Interim Policy to Allow Temporary Outdoor Restaurant Seating and Commercial Activities

Purpose: The COVID 19 epidemic, shelter in place restrictions, and public health safety precautions requiring social distancing have resulted in a significant hardship for many restaurant, commercial, and service uses (Businesses). As the Health Order is eased, it is anticipated that these Businesses will be allowed to reopen with limited capacity in an effort to maintain separation standards and protect public health. As such, this policy is intended to provide these Businesses the opportunity to add additional outdoor seating and service areas, where feasible, to accommodate those social distancing requirements and minimize the loss of seating or sales capacity. The requirements and procedures below shall serve as the interim procedure for the City to approval additional temporary outdoor business areas.

Duration: The policy and resulting approval shall be in force for a period of 120 days following the Heath Department clearance for the general public to resume consumer activities with social distancing requirements. The policy may be extended should the social distancing provisions and occupancy limitations be further extended by the State or local Health Department.

Submittal Requirements: Any Business seeking to add additional outdoor seating or service areas, shall submit a Temporary Use Permit Application, along with a Site Plan and any additional documentation necessary to explain their proposal. The Application materials shall consider and conform to the following conditions:

General Provisions:

- The Temporary Use Permit Application shall be signed by the property owner.
- All Activities shall be confined to private property. The use of public right of way is not permitted as part of this policy.
- All proposed seating and service areas shall comply with social distancing requirements as outline by the active Health Order.
- All handicapped accessibility paths of travel shall be maintained.
- No landscape areas are to be used or removed for outdoor seating or service areas (exception: lawn areas may be utilized).
- Temporary power, tents, canopies or other structures shall be subject to building permit review consistent with Building Code requirements.
- Use of parking spaces for sales areas or dining areas or shall require a physical separation from parking lot traffic to ensure safety. The method/separation barrier is subject to staff review.
- Temporary Signage shall be reviewed under separate permit (Temporary Sign Permit)
- All outdoor seating and service area shall be secured when not in use.
- The Applicant shall be responsible for maintaining the outdoor area free from litter and shall not be used for storage of materials or goods.
- Any damage as a result of the temporary outdoor seating or service areas shall be repaired to prior conditions.

Restaurant Outdoor Dining:

- Nothing associated with this temporary approval shall eliminate the need for Health Department review and approval of the proposed dining area(s).
- The Applicant shall obtain and comply with any Alcoholic Beverage Control permit or requirements for the onsite consumption of alcohol.

Fees: All application fees are waived for the duration of the Health Order and this Interim Policy

Removal of Seating and Service Areas: All seating and Service areas approved under this interim policy shall be removed within 10 days following the lifting of the Health Order requiring to social distancing requirements and limiting business occupancy. Anyone wanting to extend the use of outdoor areas for regular business shall contact the Planning Services Division to verify regulatory requirements and formal permitting process consistent with City standards.