

OUTDOOR DINING

An Outdoor Dining permit is required for all outdoor dining in the City. Outdoor furniture proposed should be compatible with the appearance and design of the building, present an attractive and inviting area for outdoor dining, and maintain Americans with Disabilities Act (ADA) accessibility. Outdoor dining which is proposed in the City's public-right-of way is subject to additional requirements as detailed in Section 13.04.435 of the Pleasanton Municipal Code (PMC). Applicants are encouraged to read this PMC section prior to applying for an Outdoor Dining permit. If approved, conditions are applied to Outdoor Dining permit approvals which aim to balance the request of the applicant with the public health, safety, and welfare of the neighboring area. Additionally, upon approval, outdoor dining in the City's public-right-of-way requires an Outdoor Dining Agreement and general liability insurance with an Additional Insured Endorsement naming the City. Sewer connection fees will be required for all new outdoor dining areas based on the total outdoor dining area. For more information on sewer connection fees, reach out to the Building Division at 925-931-5300.

REVIEW PROCESS OVERVIEW

When your application is submitted it will be reviewed for completeness and assigned to a staff planner. Projects in the Downtown area are referred to the Pleasanton Downtown Association for review and comment. For projects outside of the City right-of-way or in the City's right-of-way but with no alcohol service, once the application is deemed complete and consistent with the regulations, the project will be approved by the Zoning Administrator (ZA).

For projects in the City's right-of-way with alcohol service, a public notice will be mailed to all property owners and occupants within a 300-foot radius of the project site, which commences a 7-day comment period during which interested parties may review application materials, provide comments, and/or request a ZA hearing. If no hearing requests are received, and the project is consistent with the regulations, the project will be approved. If within the 7-day comment period the ZA receives a request for a hearing, an administrative hearing will be scheduled. At an administrative hearing, the staff planner presents the proposal to the ZA. The applicant and any other party may also speak and provide comments. The ZA takes action on the application, taking into account all public input and applicable City regulations.

Action by the Zoning Administrator (whether there is a hearing or not) is subject to a 15-day appeal period. If no appeals are filed, the project becomes effective after the 15-day appeal period. If the ZA action is appealed, the item is forwarded to the Planning Commission. If the Planning Commission action is appealed, the item is forwarded to the City Council. Actions taken by the City Council are final unless challenged in a court of law.

SUBMITTAL REQUIREMENTS

Following is a list of plans and documents that may be required for an Outdoor Dining permit application submittal. Please consult with planning staff prior to submittal.

- Application and fee:** An Application for Development Review form can be obtained online at www.pleasantonpermits.com or from the Planning Division at 200 Old Bernal

Avenue. The property owner must sign the application form or provide a written letter of authorization upon submittal. Outdoor dining in the City's right-of-way does not require the City's signature on the application form. The Outdoor Dining permit application fee is due at the time of submittal.

- **Project Plans:** Three (3) full size (24" x 36") or reduced size (11" x 17") sets, and a digital copy of the following is required:
 - a. **Site Plan:** An exhibit which includes a north arrow, scale bar, property lines, dimensions (see below for more details on which dimensions are required), the existing building walls, entries, and windows, modifications to landscaping, modifications to paving, curb edge, adjacent streets, existing (if applicable) and proposed outdoor dining perimeter area, and proposed outdoor furniture (e.g., chairs, tables, umbrellas¹, heat lamps, menu boards, host stations, planters, etc.). A partial site plan of the subject area is acceptable. Dimensions should be provided on the site plan for the following:
 - Perimeter of the outdoor dining area
 - From the edge of the outdoor dining area (measured from outermost encroachment into the sidewalk) to the edge of the curb ²
 - From the edge of the outdoor dining area (measured from the outermost encroachment into the sidewalk) to the outer perimeter of any object within the sidewalk (e.g., bicycle racks, mailboxes, benches, planters, posts/columns, etc.)
 - From the edge of the outdoor dining area (measured from outermost encroachment into the sidewalk) to the inner perimeter of a tree grate (if no tree grate is provided, then as measured to the outer edge of the tree well)
 - From the edge of both door jambs in any access door on the building and 8-feet out perpendicular from any access door³
 - b. **Railing Detail:** Provide a detail of the railing or barrier around the outdoor dining area, if proposed. Include information on the color, material, and height.
 - c. **Furniture Exhibits:** Provide exhibits showing all of the proposed outdoor furniture. This can be manufacturer images or photos, but should be representative of the proposed materials and colors.

¹ Please note the minimum vertical clearance from the sidewalk to the bottom of the umbrella canopy is 7-feet. The clearance height should be noted on the furniture exhibit for proposed umbrellas.

² A 4-foot unobstructed sidewalk clearance for pedestrians shall be maintained at all times.

³ No outdoor dining shall be located as to block access from a building. As such, a minimum unobstructed clear area shall be maintained which extends 2-feet to either side of both door jambs and 8-feet perpendicularly from the door in a closed position.