



**Community Development Department
Planning Division**

200 Old Bernal Avenue • P.O. Box 520
Pleasanton, California 94566-0802
Phone 925-931-5600 • pod@cityofpleasantonca.gov
www.pleasantonpermits.com

TEMPORARY OUTDOOR DINING OR DISPLAY ON PRIVATE PROPERTY

Consistent with the County of Alameda Health Order, the City of Pleasanton may authorize restaurants, cafes, bars, and retail stores to provide alternatives to their existing indoor and outdoor configurations by extending operations to temporary outdoor areas including sidewalks, parking lots or other required open space areas, within private property. Please email the completed application, along with a site plan diagram or aerial photo of proposed setup, to pod@cityofpleasantonca.gov for staff to review and process.

Location of Existing Business: _____
(Street Address, Suite. No) (Zip Code)

Business Owner's Name (Print): _____

Name of Business: _____

Bus. Phone: (____) _____ **Email:** _____

Mailing Address (if different from above): _____
(Address, City, State, Zip Code)

Owner of Property (if other than Business Owner): _____

Owner Mailing Address: _____
(Address, City, State, Zip Code)

Total Number of existing seats (indoor & outdoor Pre-COVID): _____

Number of proposed temporary outdoor seats: _____

Attach a site plan diagram, sketch or aerial photo of proposed setup.

Please **check each box, sign and date below** to indicate you understand and will comply with the following, and email to pod@cityofpleasantonca.gov:

- Applicant shall comply with all provisions of the Alameda County Order of the Health Officer, and as it may be amended or superseded, allowing restaurants and/or retail stores to operate for outdoor dining and curbside pickup.
- The temporary outdoor dining area shall be allowed for three-months and may be extended if there is a continuing need for social distancing at the expiration of the three-month period. The temporary outdoor dining or display area shall be removed within three business days of the expiration of the Order. Non-compliance may result in requirement to correct, or renovation of this permit.
- Temporary outdoor dining area where alcoholic beverages will be served shall include appropriate fencing or other barriers to delineate the space and adhere to Alcohol Beverage Control (ABC) regulations. The barrier material shall be durable enough to ensure public safety. [Note: Any ABC-required permit shall be obtained, prior to operation. <https://www.abc.ca.gov/licensing/license-forms/form-abc-218-instructions/>]
- Applicant shall be responsible for adhering to all applicable State and Federal Accessibility code requirements as they relate to the proposed outdoor seating or display area and maintain accessible path of travel to existing disabled parking space. Temporary outdoor dining areas or display areas may not occupy, or block required disabled parking spaces.
- New or expanded seating areas cannot result in a total occupancy greater than the originally approved occupancy limit (number of seats).

- Temporary outdoor dining areas or outdoor display areas are not permitted within public rights-of-way or on public sidewalks
- Temporary outdoor dining areas or outdoor display areas shall not be located within eight-feet of property lines shared with a residential use.
- The only permitted furniture within the temporary outdoor dining areas are tables, chairs, and properly anchored umbrellas or temporary tent/shade structures. Any furniture within the temporary outdoor dining areas or outdoor display areas shall be properly secured or brought in at night.
- Temporary tents/shade structures shall be open on at least three sides and shall be located so as not to interfere with operations of other uses on the property or inhibit accessibility or emergency access.
- No heaters, smoking or open flames of any kind shall be permitted in or under temporary tents/shade structures and a State approve fire extinguisher shall be within 75-feet of each tent/shade structure.
- Temporary physical barriers shall be provided to separate outdoor dining or outdoor display areas from parking and drive aisles.
- Temporary outdoor dining or display areas cannot interfere with normal vehicle traffic movement including fire department access to the building and access to fire hydrants and other firefighting equipment.
- No amplified music is permitted within the temporary outdoor dining or display area.
- Hours of operation for temporary outdoor dining and display areas are 7 a.m. to 10 p.m. daily.
- I am the owner of record of the business specified in this application and am authorized, or I am an agent on behalf of the owner of record of the business specified in this application, and I am empowered to act on all matters relating to this application. I declare the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.
- To the extent permitted by law, the applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employee and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys' fees and costs incurred in defense of the litigation. The City may in its sole discretion elect to defend any such action with attorneys of its choice.

I certify I have read, understand, and will comply with the regulations indicated above and this approval applies to the existing business and address listed above.

Business Owner's Signature: _____ **Date:** _____

Property Owner's Signature: _____ **Date:** _____

(For Staff Use)