



Permit No.: _____

Date: _____

PLANNING APPLICATION

TEMPORARY PERMIT RESTAURANT OUTDOOR SEATING COVID-19



Fee: \$0.00

APPLICANT REQUIRED INFORMATION

Restaurant Name(s): _____

Property Address/Location _____

Assessor's Parcel No(s) _____

Property Owner(s) _____

Phone _____

Owner's Address _____

Owner's Email Address _____

Applicant/Business Owner (if different than Property Owner) _____

Phone _____

Applicant/Business Owner's Address _____

Applicant/Business Owner's Email Address _____

Designated Representative of Applicant(s)/Owner(s) (ONE ONLY) _____

Phone _____

PROJECT INFORMATION

Check all that apply:

- Master Application – Expansion of Outdoor Dining (for all restaurants located in the center)
- Individual Application - Expansion of Outdoor Dining on Public Right-of-Way (public parking, etc.)
- Individual Application - Expansion of Outdoor Dining on Private Property (shopping center, private parking, etc.)
- Temporary Street Closure
- Pick-up Zone

PROCESS

1. Submit application online to Jill Bergman, Economic Development Manager at (925) 314-3369 or jbergman@danville.ca.gov, or David Crompton, Principal Planner at (925) 314-3349 or dcrompton@danville.ca.gov.
2. Applications shall be reviewed prior to permit issuance. All approved applications will be required to adhere to the following conditions of approval.
3. If the proposed seating is located within a shopping center, signatures of the shopping center management representative, property owner, and/or business owner shall be required. Shopping center management representatives are encouraged to obtain one 'master permit' for all restaurants within the shopping center and are required to regulate compliance of the temporary permit with tenants.
4. Application may be submitted for use of a common area for multiple tenants. Please refer to the required information listed below that will need to be included on the project plans.

CONDITIONS OF APPROVAL

1. This process facilitates the ability of restaurants to temporarily expand existing outdoor seating areas to comply with social distancing requirements related to COVID-19, as determined by the County, State and Centers for Disease Control and Prevention. This temporary permit does not permit the resultant number of seats (indoors and outdoors) to exceed previously permitted number for this business.
2. This temporary permit is valid for a period of up to three months and may be extended if there is a continuing need for social distancing at the expiration of the three (3)-month period.
3. Proposed outdoor seating areas 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.
4. No disabled parking may be used for this purpose unless the entire private parking lot is closed for seating.
5. The property owner and business owner shall both agree on the proposed design and shall both be responsible for developing a temporary strategy to adhere to requirements. Property owners and tenants shall be responsible for any necessary insurance and lease adjustments.
6. The applicant shall be responsible for adhering to all applicable State and Federal Accessibility code requirements as they relate to the proposed outdoor seating area and maintain accessible path of travel to existing disabled parking spaces.
7. Prior to commencing business on any public right-of-way, the Applicant shall procure and maintain a Commercial General Liability insurance policy with a minimum of One Million Dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. The policy shall name the Town of Danville, its elected and appointed officials, employees and agents as additional insureds.

SITE PLAN

A site plan must be submitted with the application, and shall include the following information:

1. Title on the Site Plan: “TEMPORARY RESTAURANT OUTDOOR SEATING COVID-19
2. Address of property
3. Restaurant name
4. Photos of the proposed location
5. The site plan does not need to be to exact scale, but shall include sufficient information to identify the location of the table and seating such as the location of the restaurant building, and the existing and adjacent outdoor dining uses proposed (e.g., existing patios, seating areas and expanded area)
6. The following standards are required to maintain in compliance accessibility standards:
 - a. Accessible paths of travel from the proposed dining area to accessible parking and public way
 - i. 48” minimum main aisle widths
 - ii. 36” minimum service aisle widths
 - iii. 5% maximum slope
 - iv. 2% maximum cross slope, etc.
 - b. Designated Accessible seating for all types of seating
 - i. Tables, bar seating, etc.
 - c. Accessible doors and gates
 - i. 32” minimum clear opening
 - ii. 24” minimum clearance on strike side of doors
 - iii. Accessible hardware, etc.
 - d. Accessibility Signage
 - i. Provide details of accessibility signage
 - e. Lighting for accessible travel pathways and seating areas

REVIEW PROCESS

The objective would be to provide an over-the-counter review of the application submittal whenever possible, based on adequate information submitted. At times, there may be a need to take in the application submittal for review after a site assessment.

Subsequent to outdoor seating installation, the Town will conduct a site inspection to provide guidance on any adjustments necessary to ensure patron safety and to comply with federal accessibility requirements.

STATEMENT OF CONSENT
Business and/or Property Owner

I am the owner of record of the business/property specified in this application and am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application.

I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application. The business/property owner agrees to defend, indemnify and hold harmless the Town, its Town Council, its officers, boards, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party to attack, set aside, or void the project approval or any permit authorized for the project, including reimbursing the Town its attorney's fees and costs incurred in defense of the project.

I have read, agree with and commit to compliance with all applicable codes, regulations and conditions of approval associated with this application.

Authorized Signature: _____
Property Owner/Leasing Agent

Date: _____

Authorized Signature: _____
Applicant/Business Owner

Date: _____