



City of Santa Rosa

Placement of Temporary Outdoor Restaurant Seating – Private Property

Purpose

The purpose of this document is to describe the requirements and guidelines associated with the temporary addition or expansion of outdoor seating needed to offset any loss of existing seating areas due to social distancing requirements set forth under the Sonoma County Health Order. Temporary seating will be allowed adjacent to any legal restaurant use when the installation and placement of the seating can be performed in a manner consistent with the requirements highlighted within this document. This document focuses on the placement of temporary seating within private property boundaries. [Click here](#) for information regarding the placement of temporary outdoor seating areas within a public sidewalk or street.

The program is intended to support outdoor dining, with or without table service, incidental to a public eating establishment. All elements associated with the seating area must be easily removable and shall only include items such as chairs, tables, foldable awnings, and umbrellas. Easily removable fencing or barriers will also be allowed if needed for any alcohol service allowed under a valid California Alcoholic Beverage Control (ABC) license. Seating areas will not be permitted to incorporate any advertising, amplified sound, or the consumption of alcohol, except in conjunction with a public eating establishment with a valid California ABC license.

The Planning and Economic Development will be prioritizing the submittal of all permit applications. Most permits will be issued within 1-2 working days from the date of application submittal. City staff are available to review any preliminary proposals prior to submitting formal applications. Contact the Planning and Economic Development Department at 707-543-3080 or economicdevelopment@srcity.org to discuss preliminary proposals or submittal requirements.

Permit Requirements

The installation and operation of temporary seating shall be performed under a Building Permit. The permittee will be responsible for all requirements contained in the permit, as well as any applicable codes, polices and standards associated with the permitting process

Property Owner Approval

Prior to issuance of the building permit, the applicant shall submit a written statement from the property owner(s) approving the use of the proposed location for outdoor seating. This requirement only applies to situations in which the current property owner is not acting as the permit applicant.

Duration of Temporary Use

Temporary seating areas constructed under this program will be allowed to operate until the Sonoma County Health Order is rescinded or amended to remove or reduce social distancing requirements that apply to the interior seating areas of restaurants. The temporary program is intended to provide a replacement option to any existing indoor or outdoor seating lost to social distancing requirements. The program cannot result in an exceedance in the occupancy levels that were approved with the original restaurant use. The applicant will be granted a maximum 30-day window from the date of the rescinded or amended Health Order to reduce the seating approved under the permit to offset the total count of any interior or permanent exterior seats regained. The permittee may also exercise any permitting paths that existing in this time frame to convert the seating to a permanent status.

Placement

The relocation of interior commercial restaurant spaces impacted by governing health orders to outdoor areas on private property, shall be allowed in private parking spaces, within sidewalks, alleys and other common use hardscape areas, including suitable landscape areas such as lawns, subject to requisite ADA requirements. Installations consistent with this policy shall not require any additional entitlements related to parking reductions.

Design Requirements

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| Accessibility | <ul style="list-style-type: none"> All seating areas that are required to be accessible shall maintain compliance with accessibility requirements outlined in the Americans with Disabilities Act (ADA) and the California Building Code. Access to any features afforded to customers shall be provided to those with access needs. (Access to restrooms, pay stations, or any other features must be provided in an equivalent fashion.) Click here to review a guidance document associated with accessibility standards as they apply to restaurant seating. |
| Fire and Public Utilities | <ul style="list-style-type: none"> All components associated with the seating area shall maintain a clearance of at least 3’ from all hydrants and fire department connections. This separation will also apply to any above ground public utility structures and access lids such as sewer manholes, water valve covers, meter box lids and utility vault covers. Components that create additional difficulties during an emergency removal process such as umbrellas, fences, and non-rolling planters shall maintain a 5’ separation from the utility and fire protection items highlighted above. |
| Maintenance and Operations | <ul style="list-style-type: none"> Any movable furniture (i.e. tables, chairs, umbrellas, etc.) and equipment not secured within fencing shall be removed during non-business hours. |

California Alcoholic Beverage Control (ABC)

Applicants shall comply with all applicable ABC regulations regarding alcohol use for their establishment. The issuance of a building permit does not constitute any ABC approval or zoning approval for alcohol use by the City. Applicants are solely responsible for securing a valid ABC license to allow/extend business operations within the additional seating areas.

Application Process

1) Application submittal

All applications shall be submitted digitally by following the building permit submittal instructions available at srcity.org/permittingservices.

- a) Application Form. All Applicants shall complete the building permit application.
- b) Site Plan. The site plan shall show the following information (provide as much detail as possible to aid in the City's review of the application). The plan may be hand drawn on 8 ½" x 11" sheets:
 - 1) Show the proposed footprint of the seating area including dimensions (length and width).
 - 2) Show and list elements proposed within the proposal including tables, chairs, awnings, umbrellas, fences, planters, etc.
 - 3) Show and label:
 - i. Approximate property lines
 - ii. Existing building(s) including doorway location(s)
 - iii. Width of business frontage
 - iv. Name and address of business
 - v. Name and address of adjacent businesses
 - vi. Sidewalk widths
 - vii. Street name(s)
 - viii. All surface structures within 20 feet of the proposed location (e.g., fire hydrants, parking meters, poles, signs, street trees, manholes, utility covers, storm drain inlets, bike racks, streetlights, other outdoor seating areas, etc..).
 - ix. Location and dimensions associated with any existing or proposed outdoor accessible seating
 - x. Any barrier indicators for items protruding into the path of travel (see accessibility guidance document)
- c) Site Pictures. Pictures of the current site conditions at the proposed location.
- d) Owner Approval Letter. A written statement from the current property owner(s) approving the proposed location. (*Required only if current property owner is NOT permit applicant.*)

2) Permit Issuance

Permits will be approved and issued digitally. Once the proposal is deemed "approved", the permittee will be required to pay any applicable building permit fees as described in the [current fee schedule](#). The applicant may contact the Planning and Economic Development Department at 707-543-3080 or economicdevelopment@srcity.org to discuss applicable fees.

3) Construction

The permittee or contractor will be required to perform all construction notifications and schedule inspections as specified on the issued permit.

4) Monitoring and Compliance

It is the responsibility of the permittee to ensure that the seating areas always remain in compliance with the conditions of the permit. The area should be kept clean and inviting for members of the public.