

CITY OF WATSONVILLE



COVID-19 OUTDOOR DINING & ACTIVITES STANDARDS

Community Development Department
250 Main Street
Watsonville, CA 95076

Temporary Outdoor Activities Guidance

This guidance establishes criteria for temporary outdoor dining and other related uses located on public or private sidewalks or converted parking areas in response to the COVID-19 County Health Order.

A. Required Agreement.

Temporary Outdoor Activities on sidewalks and in converted parking areas within the public right-of-way or on private property require a Temporary COVID-19 Outdoor Activities and Encroachment Agreement and self certification. **NO FEES ARE REQUIRED.**

Application Checklist:

Each application for temporary outdoor activities shall include the following:

- Temporary COVID-19 Outdoor Activities and Encroachment Agreement application with signatures from property owner(s) and proof of insurance.
- Site plan including building entrance, proposed activity area, and safe path of travel between building and proposed outdoor activity area.
- Floor plan of outdoor activity area showing chairs and tables in compliance with ADA, California Building Code Chapter 11B and California Department of Public Health/Cal OSHA COVID -19 Industry Guidance for Dine-In Restaurants.
- For restaurants, show all measurements for dining area, width for ADA and California Building Code Chapter 11B path of travel, width for sidewalks (if applicable), and separation between tables.
- If uneven surface exists, such as a curb or step, provide details of compliance with ADA and California Building Code Chapter 11B.
- Photos or manufacturer specifications of furniture and umbrellas.

B. Permitted Zoning Districts

Temporary outdoor dining and activities are allowed in all commercial and industrial zoning districts.

C. Standards

Temporary outdoor dining and activities shall comply with the City of Watsonville Temporary Outdoor Activities Guidance.

Temporary Outdoor Activities Standards

1) Location. Temporary outdoor dining and activities are permitted on public or private sidewalks and converted parking areas:

- a. When incidental to and part of a primary use; and
- b. When located along the buildings frontage (preferred), or alternative location as necessary due to existing built conditions of the site.

2) Number of Areas. Businesses proposing an outdoor activities area are confined to a single location. A business with existing outdoor area may expand the outdoor area to a second location on the site subject to review by the Planning Department.

3) Floor and Ground Surfaces. Floor and ground surfaces shall be stable, firm, and slip resistant.

4) Safe Passage.

- a. All temporary outdoor activities must comply with ADA and the provisions of the California Building Code, Chapter 11B for Accessibility.
- b. Outdoor temporary activities on sidewalks is permitted only where the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the activities area. The sidewalk immediately adjacent to the business shall have adequate space to accommodate tables and chairs and shall provide adequate safe passage along the sidewalk for pedestrian and wheelchair users of the sidewalk. A minimum width of four feet shall be maintained along the sidewalk. No tables or chairs shall be placed or allowed to remain on any sidewalk that inhibit the minimum four feet passage.
- c. Temporary activities in converted parking areas is permitted when existing safe path of travel is maintained for pedestrian flow and an accessible route to and within the activity area is provided.

5) Ramps.

- a. Changes in level may not be more than 1/4 inch maximum vertical or 1/2 inch beveled with a slope not greater than 1:2.
- b. Changes in level greater than 1/2 inch high shall be ramped with the following requirements:
 - Ramp runs shall have a running slope not steeper than 1:12
 - Cross slope of ramp runs shall not be steeper than 1:48
 - Clear width of ramps shall be 48 inches—handrails may encroach 3 1/2" at each side maximum at handrail height.

Temporary Outdoor Activities Standards

- Rise for ramps shall be 30" maximum
- Ramps shall have landings at the top and bottom of each ramp run. Top landings shall be 60 inches wide minimum and 60 inches long. Bottom landings shall be 60 inches wide minimum and 72 inches long in the direction of the ramp run.
- Changes in direction shall have a clear landing 60 inches minimum by 72 inches minimum in the direction of downward travel from upper ramp.
- If a ramp runs has a rise greater than 6 inches or a horizontal projection greater than 72 inches, then it shall have handrails on both sides. Handrails are not required on curb ramps or adjacent to seating in assembly areas.
- Handrails at a height of 34 inches to 38 inches shall be provided on each side of the ramp. Handrails are not required on curb ramps or adjacent to seating in assembly areas.
- A curb or barrier shall be provided that prevents the passage of a 4 inch sphere where any portion of the sphere is within 4 inches of the finish floor or ground surface. To prevent wheel entrapment the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp.

6) Furniture and Signage Location.

- a. Tables and chairs in a sidewalk activities area shall be configured to comply with the California Department of Public Health/Cal OSHA COVID-19 Industry Guidance for Dine-In Restaurants. Also, tables and chairs shall be setback at least eight feet from a bus stop.
- b. Five percent of seating shall be designated as accessible which meets all accessibility requirements for clear floor area and knee and toe space.
- c. All outdoor activities furniture, including tables, chairs, umbrellas, and planters, shall be movable.
- d. All temporary improvements to separate the outdoor activities area from the sidewalk, such as a railing, shall relate to the architectural design of the primary restaurant structure in color, materials, and scale.
- e. Umbrellas shall be secured with a minimum base of not less than sixty pounds.
- f. One minimally sized temporary sign (8.5" by 14") will be permitted for each temporary outdoor activity. Please provide information in your submittal for review and approval.

Temporary Outdoor Activities Standards

7) Food and Beverages. The service of alcoholic beverages within the temporary dining area requires the restaurant have an active conditional use permit to serve alcohol, and shall comply with the following requirements:

- a. The outside dining area shall be situated adjacent to and abutting the indoor restaurant which provides it with food and beverage service. If located in a parking area, the parking spaces should be adjacent to the restaurant with existing pedestrian circulation maintained on the site, to the extent possible. Alternative locations which are adjacent but not connected to the restaurant may be approved by the Community Development Director.
- b. The outside dining area shall be clearly separate and delineated from the areas of the sidewalk or parking areas. Temporary structures such as railings, stanchions, and planters shall relate to the architectural design of the primary restaurant in color, materials, and scale. The California Department of Alcohol Beverage Control does not have a minimum height limit for the infrastructure delineating the dining area.
- c. One or more signs shall be posted during hours of operation stating that alcohol is prohibited outside of the dining area.
- d. The applicant shall obtain all licenses required for on-site consumption of alcoholic beverages from state authorities for the expanded dining area prior to serving alcohol to patrons.
- e. The outside dining area shall receive all necessary licenses for on-site consumption of food from County of Santa Cruz Health Department.

8) Trash and Maintenance.

- a. Storage of trash is prohibited within or adjacent to the sidewalk dining area. All trash and litter shall be removed as it accumulates or otherwise becomes a public nuisance.
- b. The permittee shall be responsible for all maintenance and cleaning of the agreement area. The dining area, including the sidewalk or parking area surface and furniture, shall be maintained in a clean and safe condition.

9) Hours of Operation. Sidewalk and outdoor activities areas may occur between 7:00 a.m. and 10:00 p.m. Sunday through Thursday and until 11:00 pm on Friday and Saturday, unless otherwise restricted by a use approval.

10) Approval Time Limit. Temporary COVID-19 Outdoor Activities and Encroachment Agreements are valid for a one year period, with automatic monthly extensions through the life of the State or County mandated social distancing requirements.

Temporary Outdoor Activities Standards

11) Other Agency Approvals. Permits or approvals may be required by other agencies, including but not limited to: the Santa Cruz County Health Services Agency, Santa Cruz County Department of Environmental Health, City of Watsonville Department of Public Works, the Watsonville Fire Department, the Department of Alcoholic Beverage Control, California Department of Transportation, and other state or federal agencies. It is the applicant's responsibility to ensure that approvals from other agencies are obtained as required. All activities on the property must maintain conformance with existing permits and licenses, except as modified by this agreement.

12) Structures and Inspections. Proposed structures larger than 120 square feet require a City building permit and some structures, such as canopies, require inspection. Electrical work also requires permits and inspections. It is the applicant's responsibility to contact the Building Division if permits or inspections are needed, please call 831-768-3050 for an inspection.

13) Life Safety Requirements. At least one 2A10BC rated fire extinguisher will be provided in an accessible visible locations for outdoor operations using any number of tents. Points of ingress and egress will not be blocked or left propped open for any reason. New outdoor operations cannot impeded emergency access to any building, fire hydrant, sprinkler FDC, PIV or fire lane. All accessible paths of travel shall maintain a minimum 48 inches in width.

14) Parking. No more than 35 percent and up to 65 percent of on-site parking required by WMC 14-17 *et seq* will be converted to and expanded for outdoor use (requires additional planner review to ensure adequate parking is available).

15) Public Right-of-Way. Any use of the City's public right-of-way, including public sidewalks and off-site parking fronting the property, must be approved by the City Department of Public Works and Utilities and an **encroachment permit** is required. Contact Chris Gregorio at 768-3071 or christopher.gregorio@cityofwatsonville.org.

Any use of the State right-of-way (SR 152 or SR 129), including sidewalks, would require an encroachment permit from the State <https://dot.ca.gov/programs/traffic-operations/ep>

16) COVID-19 Recovery Guidance. Federal, State or County-issued guidance regarding COVID-19 recovery for restaurants or other industries will be adhered to.

17) Additional conditions. Based on the proposed temporary use description and the site plan, additional conditions may be added to the issued Temporary Agreement by the Planning and/or other Departments, if necessary to protect public safety and welfare

Temporary Outdoor Activities Standards:

Tents & Canopies

- Tents are allowed up to 400 SF (with maximum of two side walls)
- Canopies (no side walls) are allowed up to 700 SF
- Any tents or canopies exceeding this size requires a permit from the Fire Department (WFD) - contact use at 831-768-3050 for more information and to obtain a permit if needed
- All temporary structures and their sidewall must meet NFPA 701, CPAI-84 standards to ensure they are fire resistive
- 2A:10BC Fire Extinguisher(s) must be in place and maintained inside or adjacent to the tent/ canopy
- Clear and unobstructed entrance and existing pathways must be maintained at all times at a minimum of 36" wide
- Tents/Canopies must not obstruct visibility of any roadway signage (stop signs, cross walks, etc.)
- All temporary structures shall be properly anchored and secured to prevent movement or collapse from wind or other unforeseen conditions/actions
- Ensure that any stakes and lines on private property do not pose a tripping hazard and a height clearance is maintained for pedestrian passage
- NO SMOKING is allowed at any time and no open flame devices, grills or cooking equipment are allowed in OR under tents/canopies

Heaters

Electric Heaters::

- Only electric powered heating devices are allowed inside OR under a tents/canopies
- Electric heaters shall maintain 24" of clearance/separation from all combustible materials
- Electric heaters and all other electronic appliances shall be listed and approved by UL, FM or other approved testing agencies
- Extension cords required for electric heaters must be protected from both environmental and physical damage and must be clearly marked to avoid or prevent tripping hazards

Open Flame Heaters:

- Open Flame Heaters (e.g. propane, diesel, kerosene fueled) are NOT permitted under ANY temporary structures (tent/canopies)
- Open Flames Heaters are permitted ONLY outside of temporary structures provided there is a clearance of 36" on all sides from combustible materials
- Heater controls and fuel sources must be locked or secured to prevent unauthorized use by anyone other than employees. Any unforeseen conditions presenting hazards shall be immediately abated or corrected and subject to review by the fire department.

Lighting

- Outdoor lighting must be provided using low wattage bulbs only
 - ◆ Solar lighting is encouraged
 - ◆ Outdoor rated extension cords are allowed but must be protected from both environmental and physical damage at all times and must be clearly marked to avoid or prevent a tripping hazard
 - ◆ Hard wired lighting, especially on public property, is subject to electrical permitting and building code requirements
- Lighting and other electric appliances shall be listed for outdoor use by UL, FM or another approved testing agencies
- Lighting fixtures may be temporarily affixed to the exterior portion of the building occupied by the restaurant facing the outdoor dining area, provided that any such lighting meets applicable California Electrical Code standards
- Generators are not allowed to be used as a power source for any equipment in the outdoor expansion area