



Limited Outdoor Operations APPLICATION

No Fee

Effective **Friday, August 28, 2020** and pursuant to the [Alameda County Shelter in Place Order HO 20-14c](#) (SIP Order), the City of Newark allows its business community to conduct limited outdoor operations. Please complete and submit this application to planning@newark.org to register your business for limited outdoor operations.

Business Information

Business Name: _____

Business Address: _____

 _____ Newark _____ CA

Business Type: Restaurant Personal Services

Business Phone: _____

Property Owner / Operator Information

Property Owner Name: _____

Property Owner Address: _____

Property Owner Cell Phone: _____

Property Owner Email: _____

On-Site Operator/Manger Name: _____

On-Site Operator/Manger Cell Phone: _____

On-Site Operator/Manager Email: _____

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Outdoor Operations – Information & Description

Total outdoor service area (square feet): _____

Number of outdoor tables: _____

Number of outdoor chairs: _____

Number of outdoor stations: _____

Number of employees (per shift): _____

Approved occupancy (indoor): _____

ABC License Yes No

ABC License Type (if applicable): _____

Hours for outdoor operation: _____ to _____

Total number of parking spaces available to business: _____

Total number of parking spaces requested for outdoor operation: _____

Description of outdoor operations (please provide as much detail as possible):

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Regulations¹

1. Safety barriers such as temporary walls, rails, or landscape planters shall be installed to protect outdoor seating/service areas from vehicles.
2. Outdoor operation areas shall not extend beyond the length of the parking stall, defined by the parking stall striping, or in the case of unmarked parallel parking in the public right-of-way, eight feet (8') from the adjacent curb. See Diagram A².
3. Outdoor operation areas shall not be located “outboard” of an establishment in areas where a drive isle is located between the business and the parking area. Outdoor operations would be allowed in single-loaded parking areas not separated by a drive aisle. See Diagram A.
4. Outdoor operations in a public space shall be designed to delineate a clear boundary to accommodate a pedestrian path of travel, and shall not be located within 10 feet of a driveway or 20 feet of a street corner.
5. Outdoor operations shall not occupy or limit access to ADA accessible parking spaces and loading areas.
6. Outdoor operations proposed in on-street parallel parking spaces shall not occupy more than two parking spaces.
7. On-street outdoor operations proposed in diagonal or perpendicular parking spaces shall not occupy more than three parking spaces.
8. On-street operation areas shall be defined by concrete or fillable plastic K-rail, heavy planter boxes, or similar devices that act as barriers sufficient to deter vehicle entry into the area. The barrier shall be supplemented with soft hit posts, wheel stops, or other reflective elements if adjacent to a public street.
9. Barriers associated with on-street operations shall be set back at least 4 feet from adjacent parallel parking spaces and 1 foot away from adjacent diagonal or perpendicular parking spaces.
10. Outdoor parklets in the public space shall conform to the performance standards and design recommendations for all patios.
11. Outdoor parklets in the public space require issuance of an Encroachment Permit and proof of insurance naming the City of Newark as additionally insured. Application for an Encroachment Permit shall be made through the Public Works Department.
12. The use of tents, temporary shelters, or coverings for outdoor dining shall require review and approval by the Alameda County Fire Department in accordance with current regulations and fees. Tents that do not have walls and that are less than 700 square feet do not require a Fire permit.

¹ Requirements may be modified at the discretion of the Community Development Director in response to unique site characteristics and limitations.

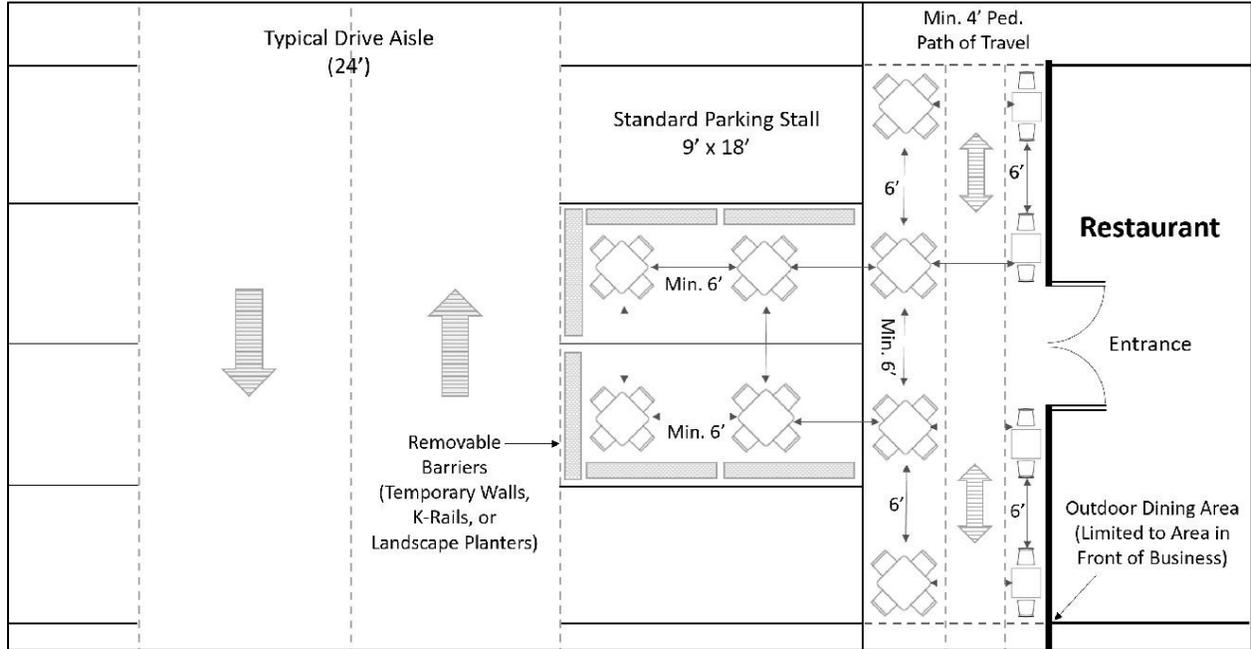
² Diagram A illustrates minimum requirements for social distancing and ADA access for limited outdoor operations. Interested businesses shall set up their outdoor operation areas to meet these basic safety requirements.

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Submittal Requirements

1. Limited Outdoor Operations Application
2. A diagram (see example below) or Google map indicating the location and number of parking spaces to be used for the temporary outdoor operations.

Diagram A



Signature & Authorization

By signing below, I hereby certify the following:

- The information provided on this form is true and correct.
- I have read and agree to comply with the City of Newark Limited Outdoor Operations Guidelines and
- I certify that the Property Owner listed above has reviewed my plans and granted permission to create or expand a temporary outdoor operation on the subject property.
- I acknowledge that the current provision for limited outdoor activity is temporary and will remain in effect only until the County Health Officer lifts or modifies the SIP, or as directed by the Newark City Council.
- I understand the City may inspect the outdoor operation area at any time to enforce compliance with the above provisions. Additionally, the City may require the temporary outdoor operation to be closed if it is detrimental to the health, safety, and welfare of the general public.
- I understand that alcohol may be sold to patrons in conjunction with a meal, but it may not be sold independently, and that bar areas shall remain closed to customers.

Signature

Date