

# Restaurant Outdoor Dining within Private Parking Lots

## *Coronavirus Relief and Impact Mitigation*

### **Introduction**

To offer relief to local restaurants and reduce the negative impact on operations caused by the Coronavirus, the Planning and Community Development Department has explored options to administratively allow for outdoor dining within private parking areas. Due to social distancing requirements, restaurants will have significantly reduced seating capacity, which will negatively affect normal restaurant operations. We seek to reduce this negative impact by allowing administrative approval of outdoor seating and a waiver of parking requirements. Below are the application and design requirements.

### **Requirements**

It is proposed that outdoor seating areas meet the following criteria:

#### **1. Eligibility**

- a. Existing restaurants with indoor seating are eligible for outdoor dining in private parking lots, as long as they have permission from the private parking lot property owner.
- b. Restaurants with the ability to meet the State, Federal, and Local Emergency orders with respect to occupancy.
- c. The outdoor dining area will be permitted from the date of approval through the end of September 2020.

#### **2. Parking Requirements**

- a. Minimum parking requirements may be administratively waived by the Village to allow for adequate outdoor seating.
- b. Available parking will need to be preserved, at a level determined by the Village, which provides adequate parking for the needs of the restaurant. In consultation with the Village, restaurants shall work with their landlord (if applicable) to ensure adequate parking is available for other businesses operating within a multi-tenant property.

#### **3. Seating Area Design and Use**

- a. Tables shall have a minimum separation of six feet, or the minimum stipulated distance as may be required by the State or Federal Government.
- b. If delivery of food requires walking through a pedestrian space, food must be covered.
- c. A barrier or fencing system shall be used to enclose the outdoor seating area, and shall be of sufficient size and design as to deter the unintentional encroachment of vehicles into the dining area.
- d. Barriers, tables, and chairs shall be designed to withstand a wind pressure of not less than 30-pounds per square inch.
- e. The outdoor dining area can be operated between the hours of 7:00am to 10:00pm on Sunday through Wednesday, and from 7:00am to 11:00pm Thursday through Saturday.

#### **4. Maximum Area**

- a. Total combined indoor and outdoor seating shall not exceed the seating capacity of the restaurant prior to the implementation of Coronavirus restrictions.
- b. If the State or Federal Government imposes more stringent restrictions, those restrictions shall apply.

#### **5. Health and Life Safety**

- a. At no time shall the outdoor dining area impede fire access or block fire lanes.
- b. Food transported from the restaurant to the outdoor dining area shall meet Food Safety requirements.
- c. The restaurant shall regularly clean and maintain the outdoor seating area.

6. Tenting/Canopies

- a. Tents 400 square-feet in size or under are allowed without a building permit.
- b. If the tent is open on all sides, the maximum permitted tent size without a building permit is 700 square-feet.

7. Aesthetics/Ambiance

- a. Incorporation of landscaping is encouraged to enhance ambiance and improve the aesthetics of the outdoor dining area.

Please note:

1. The Village maintains the right to require modification or removal of the outdoor dining area in the event that issues arise.
2. All other Village codes, Liquor License restrictions, and signage restrictions shall remain in full effect.

**Coronavirus Relief Outdoor Dining Application**

The Coronavirus Relief Outdoor Dining Application requires the following information:

1. Contact information, restaurant address, and restaurant name.
2. Current dining area size in square-feet.
3. Current dining area capacity.
4. Indoor seating area capacity with Coronavirus restrictions.
5. Proposed outdoor dining size in square-feet.
6. Proposed outdoor seating area capacity.
7. A seating plan for the outdoor dining area.
8. A plat of survey, site plan, or aerial demonstrating that the dining area does not block fire access lanes or negatively impact parking lot circulation (i.e. creating dead ends).
9. Details on the proposed dining area enclosure.
10. If applicable, written correspondence from the parking lot property owner agreeing to use of the parking lot for outdoor seating.
11. Signed acknowledgement that:
  - a. The restaurant is responsible for regularly cleaning and maintaining the outdoor dining area.
  - b. Compliance with applicable health codes and Coronavirus restrictions.
  - c. The Village may, at its discretion, require modification, restrictions, or removal of the outdoor dining area.

**Procedure**

Applications will be submitted to the Planning & Community Development Department. They will then be routed to the following Departments for review and response within two business days:

1. Planning and Community Development – *Application Intake, Zoning Review*
2. Building & Life Safety – *Fire Access, Barrier Construction, Tenting*
3. Fire – *Fire Access*
4. Health – *Compliance with Applicable Health Codes and Coronavirus Restrictions*
5. Village Manager's Office – *Liquor License Compliance*

# Coronavirus Relief Application for Outdoor Dining on Private Property

May 2020



# Application Requirements & Rules

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*Outdoor Seating Areas must meet the following criteria:*

## **1. Eligibility**

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- b. Restaurants with the ability to meet the State, Federal, and Local Emergency orders with respect to occupancy.
- c. The outdoor dining area will be permitted from the date of approval through the end of September 2020.

## **2. Parking Requirements**

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- a. Incorporation of landscaping is encouraged to enhance ambiance and improve the aesthetics of the outdoor dining area.

### **Please note:**

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2. All other Village codes, Liquor License restrictions, and signage restrictions shall remain in full effect.

# Application

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## General Information:

Contact Person:	
Contact E-mail:	
Restaurant Name:	
Restaurant Address:	

## Dining Area Information:

Current Indoor Dining Area (in Square-Feet)	
Current Indoor Dining Area Seating Capacity:	
Indoor Dining Area Seating Capacity with Coronavirus Restrictions:	
Proposed Outdoor Dining Area (in Square-Feet):	
Proposed Outdoor Dining Area Seating Capacity:	

## Required Documentation Checklist:

Completed Application	
Outdoor Dining Area Seating Plan	
Site Plan, Plat, or Aerial showing the Dining Area in relation to the Restaurant, Drive Aisles, and Fire Lanes	
Details on the proposed Outdoor Dining Area enclosure	
Written Authorization from the Property Owner	
Signed Applicant Acknowledgement	

# Applicant Acknowledgement

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I acknowledge the following with respect to the proposed Outdoor Dining Area on Private Property:

1. The restaurant is responsible for regularly cleaning and maintaining the outdoor dining area.
2. The restaurant shall comply with applicable health codes and Coronavirus restrictions.
3. The Village may, at its discretion, require modification, restrictions, or removal of the outdoor dining area.
4. The Outdoor Dining Area shall comply with all other applicable Village Codes, Liquor License Requirements, and Signage Limitations.

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Applicant Name

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Applicant Signature

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Date