

Office Use:

[Redacted]

Date of License Agreement Execution

[Redacted]

Monthly License Fee



OUTDOOR BUSINESS FACILITY LICENSE APPLICATION

Business Information

Business Name

Business Address (Physical Location)

Business Owner Name (First & Last)

Business Telephone

Business License #

Applicant Name (First & Last)

Applicant Telephone

Applicant Email

Business Owner Mailing Address (Address, City, State, Zip Code)

Billing Address (Address, City, State, Zip Code)

The following must be submitted with this application:

Submittal Checklist

A detailed Site Plan on 8 1/2" x 11" paper. The plan must:

- Include dimensions of facility footprint and facility height.
- Include drawing of elevation showing facility height and overhead elements.
- Include facility location in relation to business frontage. If facility expands beyond facility frontage, include measurement of portion(s) of facility which expand beyond business frontage.
- Seating and table arrangement, including any built-in dining counter areas.
- Demonstrate compliance with all ADA requirements and be noted as such. Include location of accessible table, dimensions and slope of ramp if required, and path of travel, including dimensions, from facility entrance to accessible table.

A Design Plan with color photographs or images of your proposed Outdoor Business Facility showing:

- Area proposed for use.
- Proposed chairs, tables, umbrella, or heater (if any).
- Details showing compliance with all applicable design requirements including materials used, color, dimensions, and design of enclosures and railings.

A copy of business Certificate of Insurance naming the City of Santa Barbara as an additional insured per License requirements. Refer to the OBF License Agreement for complete list of insurance requirements.

- Commercial General Liability: No less than \$1,000,000 per occurrence.
- Worker's Compensation: No less than \$1,000,000 per incident.

Extended Frontage Usage Agreement, signed by business owner and property owner or representative, of impacted neighboring businesses if facility expands beyond business frontage.

Design Designation and Requirement Checklist

Description of Proposed Outdoor Business Facility

Facility **in operation** before September 20, 2022
(must meet design requirements for **Existing** facilities in
Section 1 below)

Facility **not in operation** before September 20, 2022
(must meet design requirements for **New** facilities in
Sections 1 & 2 below)

If facility is not yet in operation, what is the intended date of completion?

Section 1

Requirements for all Outdoor Business Facilities

- Facility must not damage pavement, landscaping, lighting, street trees, or any other City property. Facilities and accessories may not be attached to or hung from light poles, sign posts, or street trees.
- Platforms, barriers, and other enclosure materials must be stained, painted, or colored an El Pueblo Viejo District (EPV) approved iron color.
- Lattice, picket fence, turf grass, faux lawn, and carpet are prohibited.
- Umbrellas must be contained entirely within the facility and may not have lettering or logos on them.
- Posts may not extend higher than ten feet measured from the platform surface.
- Lighting must be self-contained within the facility and must be powered by City pedestals or portable electric power sources. Lighting may not cross sidewalks or be attached to trees.
- Must provide continuous, unobstructed clear drainage space equal to the height of the curb and width of the gutter apron. The entire length of this space must be accessible for cleaning. Portable items may not be stored in gutter and must not obstruct stormwater.
- Facility may not intrude on established twenty foot fire lane for the State Street Promenade.

Section 1 continued

Requirements for all Outdoor Business Facilities

- No plastic, vinyl, or white patio furniture.
- Screens and projections are not permitted on the exterior of buildings.
- Visible advertising, logos, banners, and promotional materials are prohibited in, on, and around all outdoor business facilities.
- A-frames, sandwich boards, and all other free-standing signs are prohibited on sidewalks and in the street.

Checklist may not include all relevant requirements. See the *Requirements for Operating a Business on the State Street Promenade* document for full list of applicable requirements and descriptions.

Section 2

Additional requirements for facilities not in operation before September 20, 2022.

- Facilities must be portable such that they may be removed from the street with 24 hours' notice, without the use of mechanized equipment.
- Enclosures and railings are limited to a maximum height of 48 inches and must incorporate space between railings to provide visibility to the architecture from the street. Curtains, walls, and enclosures above 48 inches are prohibited.
- Roofs, canopies, tents, and other overhead elements other than umbrellas are prohibited.

Office Use:

Business Name

Business Address

Accessibility Requirements Self-Certification

It is the responsibility of each business operator to provide outdoor dining in full compliance with accessibility requirements of the Americans with Disabilities Act (ADA) and the California Building Code (CBC). The checklists below were developed as part of the overall State Street requirements to assist restaurant operators with ADA compliance. Nothing contained herein shall replace or diminish any of the requirements under the ADA or CBC. Businesses are encouraged to retain the services of a Certified Access Specialist (CASp) to assist in the design and configuration of their facilities. For detailed descriptions of requirements with diagrams, please refer to *Requirements for Operating a Business on the Temporary State Street Promenade*.

Please note that each unique dining area must be in compliance with accessibility requirements. Interior, patio, sidewalk dining, and Outdoor Business Facilities are each required to be in compliance.

Ramp

Facility is level with sidewalk, no ramp required.

Facility is *not* level with sidewalk and requires a ramp.

Ramp is at least 4 feet wide.

Maximum running slope of 8.3% (1:12) and maximum cross slope of 2%.

Handrails are required on both sides if ramp slope exceeds 5%.

Level landings at top and bottom of ramp measuring at least 4 feet by 4 feet.

Unobstructed path of travel, at least 4 feet wide, from sidewalk to ramp.

Edge protection on each side of ramp.

Ramp must be firm, stable, and slip-resistant.

Ramp must be secure to prevent movement or shifting during use.

Ramp must not have abrupt vertical edges or variations over 1/2" in height. Edges or changes in height between 1/4" and 1/2" must be beveled to provide a smooth transition.

Facility Requirements

Vertical clearance (distance to any overhead element, including lighting and umbrellas) must be a minimum of 80 inches.

Gaps between surfaces (*ex: between curb and platform*) must be less than 1/2"

Accessible Seating

At least 5% of seating spaces, including tables and counter seating, must be accessible.

The table or counter surface must be between 28 and 34 inches high.

The space between the floor and the bottom of the table or counter must be at least 27 inches high.

Knee clearance must extend at least 19 inches under the table or counter. Knee clearance is measured from the edge of the table or counter to the outside edge of any obstruction under the table or counter, including table legs and bases. Pedestal-style tables are not accessible.

Table or counter legs, bases, or supports must be at least 30 inches apart, as measured from the narrowest point.

Each seat must have at least 30 inches by 48 inches of clear floor area and must be at least 4 feet from the nearest obstruction.

The International Symbol of Accessibility must be displayed at the table(s).

An accessible path of travel at least 44 inches wide must be maintained to the accessible table(s).

Office Use:

Business Name Business Address

Application Submission

This application along with all required inclusions shall be submitted:

Online: www.SantaBarbaraCA.gov/OBF License

In-Person: City of Santa Barbara – Public Works Department / Downtown Parking: 1221 Anacapa Street, Santa Barbara, CA 93101

By Mail: City of Santa Barbara – Public Works Department / P.O. Box 1990 Santa Barbara, CA 93102-1990

Note: Submittal of an application is NOT an approval to install your Outdoor Business Facility. You must wait until the Outdoor Business Facility License Agreement is approved and executed.

Questions

If you have any questions regarding the Outdoor Business Facility License Agreement program, please contact Downtown Parking at (805) 564-5656 or email OutdoorDining@SantaBarbaraCA.gov

Application Terms and Conditions

- Applicant has read and agrees to comply with the Requirements for Operating a Business on the Temporary State Street Promenade.
- Applicant understands that all outdoor business facilities are temporary.
- Applicant understands that the Outdoor Business Facility License Agreement is a month-to-month agreement.
- Applicant understands that the opportunity to operate on the Temporary State Street Promenade is revocable at any time.
- I will defend, indemnify and save harmless the City of Santa Barbara and its officers and employees from any and all loss, liability, damages, or judgements resulting from any claims made against any of them by reason of, or in connection with, operation of an outdoor business facility. I waive any loss or damage (direct or consequential) that may arise from the application of the provisions of Santa Barbara Municipal Code Chapter 9.95 and/or the regulations adopted as amended from time to time, and/or any condition or requirements applied or imposed by the City Engineer in connection with an Outdoor Business Facility.

[Signature Line]

Applicant Signature

[Name Line]

Applicant Name (Print/Type)

[Date Line]

Date

The above addresses Public Works Department concerns and requirements. Other City Divisions/Departments may have additional requirements. For information call (805) 564-5656

Office Use:

[Office Use Line]

Business Name

Submission Packet:

- Application
- Certificate of Insurance
- Site Plan
- Extended Frontage Use Agreement
- Design Plan / Photographs

Notes:

[Notes Area]

[Fee Line]

Est. License Fee

[Appt Date Line]

Appt Date.

[Agreement Signed Date Line]

Agreement Signed Date

[License Fee Line]

License Fee