



City of La Quinta

Design and Development Department

78-495 Calle Tampico

La Quinta, California 92253

Telephone: (760) 777-7125 Fax: (760) 777-1233

<https://www.laquintaca.gov/>

PLANNING APPLICATION – OUTDOOR DINING

A. APPLICATION INFORMATION

Business Name _____

Site Address/Location _____

Business License No. _____

Project Description _____

B. APPLICANT/OWNER INFORMATION

Primary Contact: _____
(Name) (Telephone) (Email)

Applicant: _____
(Name) (Telephone)

(Mailing Address) (Email)

Owner(s): _____
(Name) (Telephone)

(Mailing Address) (Email)

C. APPLICANT CERTIFICATION

The applicant agrees to indemnify, defend and hold harmless the City of La Quinta, its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this application. The City of La Quinta shall have sole discretion in selecting its defense counsel. The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

I certify that I have read this application packet in its entirety and understand the City's submittal and review process and the requirements for this application. I further certify that each application item submitted as part of this application is consistent with the minimum required contents for that item as described in the submittal checklist. I understand and agree that, if during the processing of the application, it is determined the information does not strictly meet such standards or contains errors or omissions, clarification and/or supplemental information may be required and the preparation of such information may be considered, in the Design and Development Director's or his/her designee's judgment, an unreasonable delay and will result in a suspension of processing time limits as may apply pursuant to California Government Code Section 65943, California Code of Regulations, Title 14, Section 15109, or other applicable law.

Applicant's Signature _____ Date _____

Print Name _____

OWNER CERTIFICATION / AUTHORIZED AGENT

I certify under the penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this application and I am authorizing and hereby do consent to the filing of this application and acknowledge that the final approval by the City of La Quinta, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner/Authorized Agent Signature* _____ Date _____

Print Name _____

***An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner. Any off-site work identified on the plans must be accompanied by a statement of authorization with a notarized signature of the subject property owner.**

SECTION D - APPLICATION SUBMITTAL REQUIREMENTS

Outdoor dining is subject to the requirements of [State of California COVID19 Dine-In Restaurant Guidance](#). Registration for outdoor dining is required for restaurants that propose dining area that exceeds 100 square feet.

APPLICATION INFORMATION - Each of the following items is required for submittal. Information can be completed within this application and/or submitted as attachment(s) to application.	
Description of Outdoor Dining area (check boxes where applicable)	
- Is outdoor dining proposed on sidewalk? ¹ (Y/N)	
- Is outdoor dining proposed within parking lots? ² (Y/N)	
- If utilizing parking spaces for dining, indicate number of proposed to be used	
- Will alcohol be served in outdoor area? ³ (Y/N)	
- Is outdoor music/entertainment proposed? (Y/N)	
- Is outdoor dining proposed in City right of way? ⁴ (Y/N)	
- Will applicant install tent(s)? (Y/N)	
Please provide any additional description of outdoor area:	
Site Plan (example attached) - Please include as much of the following information as possible: <ul style="list-style-type: none"> • Business location, proposed outdoor dining area(s), and entrances/exits. • Identification of: Adjacent streets, property lines, sidewalks, parking stalls, drive aisles, neighboring businesses, and existing and temporary structures 	
Proof of Insurance – Please attach adequate proof of insurance to use proposed expanded area.	
SUPPLEMENTAL INFORMATION – This information is not required but could be attached to enhance application	
Photograph of proposed outdoor dining area	
Description of proposed furniture: Including photograph or vendor specification, amount and description of proposed furniture. Include quantity, colors, materials, and types of chairs, tables, umbrellas, barrier(s), etc	

¹ Changes in floor level are not permitted with exception of slope which shall not be steeper than 1:48 (2%), consistent with California Building Code.

² A continuous unobstructed path connecting all functional areas, including raised or sunken areas, and outdoor areas that can be negotiated by a person with a disability using a wheelchair, and that is also safe for and usable by persons with other disabilities. Accessible routes may include walks (less than 2% slope), ramps (less than 5% slope), curb ramps (up to 8.33% slope), elevators, and lifts, consistent with California Building Code.

³ Outdoor sale of alcohol is subject to the requirements of the California Department of Alcoholic Beverage Control (ABC). Applicant shall submit City with proof of ABC approval as part of application, if applicable.

⁴ For outdoor dining proposed on City owned right-of-way, separate approval by City of La Quinta Public Works department is required. Applicant will need to submit additional insurance as required and approved by the City of La Quinta Public Works Department and Risk Manager.

Please e-mail completed applications to CommunityDevelopmentWebmail@laquintaca.gov
If you have any questions regarding the above items, please contact the Planning Division at CommunityDevelopmentWebmail@laquintaca.gov and/or (760) 777-7125

SECTION E – EXPENDITURE REIMBURSEMENT LIST

Please list all expenditures below associated with this program to be purchased or installed, if any. You will be eligible for reimbursement of all approved items by the City's Finance Department.

Examples of approved items include, but are not limited to,: Misters, Tents/Shade Structures, Patio Furniture, and other durable goods that have the explicit purpose of supporting Outdoor Dining. Operational and/or disposable items do not qualify for the al fresco dining 100% rebate, but may qualify as reimbursable at 80% under other rules of the rebate program. Please ask City Staff for details at ED@Laquintca.gov. Maximum rebate available, for all rebate items combined, not to exceed \$20,000.

Additional information on the City's reimbursement program can be found at www.laquintca.gov/covid19businessloan You can e-mail ED@laquintaca.gov for any additional questions on the reimbursement program

NOTE: ALL ITEMS MUST HAVE VERIFIED PURCHASE RECIEPTS WITH THE DATE AND TOTAL EXPENDITURE CLEARLY VISIBLE TO BE ELIGIBLE FOR REIMBURSEMENT

No.	Item Type	Quantity	Cost Per Item	Total Cost
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				

Photograph(s) of the items may be attached to this application to better understand items. Additional purchases may be submitted for reimbursement through the City's reimbursement program after application submittal.

Office Use

Sample Site Plan

47150 Washington Street
 Location: Southeast Corner of Washington and Ave 47th
 Number of Parking Spaces Occupied: 4 spaces
 Drive Aisles Occupied: N/A
 Temporary Structure: 800 square foot canopy
 Number of additional seats: 60

- Property Lines
- Canopy Area
- Exits Path of Travel
3 foot minimum clearance

20 feet 40 feet 800 Square Foot Canopy Structure

36" minimum width

6ft minimum separation

Medical Office

Office Use

36" minimum width

6ft minimum separation

Restaurant #1

Restaurant #2

N

Vacant Land



June 1, 2020

CASE NUMBER

AL Fresco Application 2020-XXXX

ACTIVITY/EVENT

Johns Pizza
May 20, 2020
54321 Main Street La Quinta, CA 92253

APPLICANT

John Smith
Johns Pizza
54321 Main Street La Quinta, CA 92253

APPROVAL

The Design and Development Department has reviewed and approved your Al Fresco Dining Application.

This approval authorizes the applicant to conduct outdoor “al fresco” dining pursuant to compliance with all conditions of approval of this permit. The applicant must obtain any permits, as may be required below, in order to physically set up the event.

CONDITIONS OF APPROVAL

1. The applicant agrees to indemnify, defend and hold harmless the City of La Quinta (“the City”), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this al fresco application. The City of La Quinta shall have sole discretion in selecting its defense counsel. The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.
2. Applicant shall comply with requirements of [State of California COVID19 Dine-In Restaurant Guidance](#).
3. The outdoor dining is approved for the duration of the COVID-19 crisis. City staff will notify applicants of when Al Fresco program is ending to discuss timely removal or entitlement options for permanent outdoor infrastructure.
4. The applicant shall obtain all other applicable permits, if required, from the appropriate agencies (i.e. Fire Department, Building Department, Sheriffs Department, etc.).

5. Electrical heating, cooking equipment, and extension cords shall be of a grounded type, and approved for exterior use upon inspection.
6. Any building, structure, facility, complex or improved area, or portions thereof, which are used by the general public shall be provided barrier free design to ensure that these improvements are accessible to and usable by persons with disabilities. Plans shall fully detail compliance with the California Accessibility Standards defined in Title 24 Chapter 11B and Federal ADA Regulations.
7. The serving of alcoholic beverages during the event shall be subject to the rules and requirements of the Riverside County Health Department and State of California Alcoholic Beverage Control (ABC), respectively. Applicant shall provide City proof of approval from ABC prior to sale of alcohol outside.
8. Dining area floor and ground surfaces shall be stable, firm, and slip resistant and shall not exceed a 2% slope in any direction, consistent with California Building Code.
9. All outdoor high-contact surfaces, like tables and chairs, shall be disinfected thoroughly between uses.
10. For outdoor dining proposed on City owned right-of-way, separate approval by City of La Quinta Public Works department is required. Applicant will need to submit the following insurance documents as required and approved by the City of La Quinta Public Works Department and Risk Manager:
 - General Liability – \$1M per occurrence / \$2M general aggregate
 - General Liability – **Additional Insured Endorsement** (for ongoing and completed operations)
 - General Liability – **Primary / Non-contributory Endorsement**
 - Automobile Liability – \$1M combined single limit
 - Workers' Compensation – Statutory Limits / Employer's Liability \$1M per accident or disease
 - Workers' Compensation – **Waiver of Subrogation Endorsement**
11. The set-up and operation of the dining area shall be consistent with the attached exhibits and information on file. Applicant shall contact Design and Development Department for modifications and/or additions to outdoor dining.
12. All tents, umbrellas and other membrane shade structures shall be adequately roped, braced and anchored to withstand the elements of weather and prevent against collapsing. Those structures proposed for installation for a period of 180

days or more, or when in excess of 400 square feet and having side walls, or those open on all sides having a maximum size in excess of 700 square feet, including when aggregate area of multiple tents placed side by side exceed these thresholds, shall require structural calculations be prepared in accordance with Chapter 16 of the California Building and furnished at the time of application to determine their structural stability against collapse.

13. The event is subject to spot inspections by City staff to ensure compliance with the conditions of this letter.
14. Certain areas providing access to the event area are public and, as such, general public access may not be denied or restricted in any manner that extends beyond the limits of this application as approved.
15. The applicant shall conform to the City's Noise Ordinance (Municipal Code Section 9.100.210) and specifically the following noise limitations:
 - Before 10:00pm: Sixty-five decibels (75 dB(A))
 - After 10:00pm: Fifty decibels (65 dB(A))

If the noise consists entirely of impact noise, speech or music, or any combination thereof, each of the noise levels specific above shall be reduced by five dB(A).

16. Fire and building permits shall be obtained for any portable generators. Portable generators shall not be placed directly on the ground but secured and protected per CEC regulations. Extension cords shall be ground-secured to prevent tripping. Any lighting shall be directed away from surrounding roadways and surrounding residential properties. No spot or searchlights are permitted.
17. Surrounding roadways and intersections shall remain readily accessible for passage of emergency response vehicles and private vehicles.
18. Roadways/traffic aisles to structures and activities in and around the business will be maintained accessible to emergency vehicles at all times.
19. Public property shall not be defaced by paint or other types of permanent materials such as pen, markers, etc.
20. The dining area shall not be detrimental to the health, safety and general welfare of the community in the area of the proposed event.
21. No designated fire lanes, fire hydrants or any other Fire Department appliances shall be blocked or obstructed. All motor vehicles shall be parked in designated parking areas.

22. Smoking shall not be permitted in any tent or canopy or in any adjacent area where hay, sawdust or any other combustible materials are stored or used unless approved by the fire inspector. NO SMOKING signs shall be posted in all tents and canopies.
23. Generators (and/or internal combustion power sources) shall be separated from temporary membrane structures, tents, canopies by a minimum of 20 feet and be isolated from contact with the public. Additional fuel containers will not be allowed to be stored with the generator. Each generator will need to have a 10BC fire extinguisher, with a current service tag (within one year). Combustible material (including trash) shall be kept clear of the generators.
24. Extension cords shall be over-current protected and/or ground-fault interrupter protected. No additional taps are to be in any device. All extension cords shall be of 12/3 gauge wire or greater with approved connectors.
25. Accumulation of combustible material (including trash) will be prohibited near any ignition sources or required exits.
26. The sites used shall be left clean and in its original manner after use. All dining areas shall be left free of debris at the end of each day's activities, and after the event concludes.
27. Any damage to public hardscape caused by this outdoor dining shall be repaired as directed by the City Engineer. This includes but is not limited to sidewalks, curb and gutter, landscaping, and pavement especially within the surrounding public streets.

FINAL ACKNOWLEDGEMENT/CONTACT INFORMATION

By holding this outdoor events, the applicant agrees to indemnify, defend and hold harmless the City of La Quinta ("the City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this temporary use permit. The City of La Quinta shall have sole discretion in selecting its defense counsel. The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

The City may elect to add, modify, or remove Conditions to this application request to mitigate any problems that arise not previously addressed herein.