

ADMINISTRATIVE POLICY

Date: 06/01/20

TEMPORARY OUTDOOR DINING ACCOMODATION POLICY IN RESPONSE TO COVID-191.0 PURPOSE:

- 1.1 To provide temporary regulations to allow for expanded outdoor seating areas for restaurants in response to social distancing and occupancy requirements for restaurants to open for on-site dining.

2.0 POLICY:

- 2.1 The City of Blaine has established a policy and procedure to allow for temporary regulations for outdoor dining due to the COVID-19 pandemic.

3.0 PROCEDURES:

- 3.1 A restaurant shall submit an application to the Community Development Department. The request must include a narrative, site plan, traffic management plan, seating layout, floor plan, proposed occupancy number, sign plan, and temporary structures.
- 3.2 The plan will be reviewed and approved administratively after review by planning, engineering, fire, building, and city clerk. Note that separate permits may be required for tents.
- 3.3 There is no fee for this application.

4.0 PLANNING AND ENGINEERING REVIEW CRITERIA:

- 4.1 If a restaurant doesn't currently have a Conditional Use Permit (CUP) for outdoor dining, no CUP is required.
- 4.2 If parking stalls are used for seating, sufficient parking must exist. Analysis of parking will be based on the number of outside seats, whether curb-side pickup occurs and the number of employees. If restaurants are allowed to operate with indoor dining or if a business that share parking reopen or increase capacity, a reanalysis of parking requirements may occur. Parking can be accommodated for off-site, provided that a shared parking agreement is supplied.
- 4.3 Signage shall be limited to temporary banners and directional signage for parking. No signage is permitted off-site or in the right-of-way.
- 4.4 All activity must be on the subject property and requires landlord approval if space is leased.
- 4.5 Chairs and tables must be displayed and stored in a neat and orderly manner.
- 4.6 Hours of operation of an outdoor dining will/shall be restricted to the hours of operation of the restaurant's interior space. Outdoor dining area shall not operate between the hours of 1AM and 7AM. New outdoor dining areas shall close by 10PM if located within 200 feet of a residential property.

5.0 FIRE AND BUILDING INSPECTIONS REVIEW CRITERIA:

- 5.1 Any seating cannot block fire exits, fire lanes, ADA accessible routes or handicap parking stalls.
- 5.2 Any proposed tents must meet applicable state and local fire codes and may require an additional permit. Any other temporary structures must meet state and local fire and building codes. A separate tent permit may be required for tents over 400 sf. No fee will be charged for a tent permit.
- 5.3 Maximum outdoor seating capacity shall be consistent with the latest Governor's Executive Order.
- 5.4 All Food and beverages must be prepared inside the building or within a preexisting outdoor bar. No temporary bars, food prep areas, grills, etc. are permitted outside the building.
- 5.5 Any heating apparatuses must be approved and meet applicable codes.
- 5.6 Interior bathrooms are allowed to be used. No outdoor, temporary bathroom facilities shall be allowed.

6.0 LIQUOR LICENSE/CITY CLERK REVIEW CRITERIA:

- 6.1 Seating for restaurants with on-sale liquor licenses must be contiguous to the restaurant and delineated. No alcohol shall be consumed or served outside of designated areas. Areas can be delineated by temporary items such as ropes, planters, etc. No snow fence shall be allowed.
- 6.2 License holders must notify their insurance provider of the amended licensed premise where liquor will be consumed or served.
- 6.3 No "tailgating" is permitted.
- 6.4 No live music or activities other than outdoor dining shall be permitted unless a Special Events Permit is applied for and approved. No fee will be charged for a Special Event Permit.

7.0 POLICY LENGTH:

- 7.1 This policy shall expire on October 31, 2020 unless amended by action of the city council.

8.0 ADMINISTRATIVE RESPONSIBILITY:

- 8.1 The Community Development Department shall be responsible for implementing this policy.

Michelle A. Wolfe
City Manager