



CITY OF EL CENTRO
 COMMUNITY DEVELOPMENT DEPARTMENT
 Planning and Zoning Division
 1275 W. Main Street, El Centro, CA 92243
 Tel. (760) 337-4545 | ecplanning@cityofelcentro.org
www.cityofelcentro.org/1176/Community-Development

Sidewalk Dining Application

INSTRUCTIONS: Complete and submit this packet with all required documents and payment for processing fees. Review “Application Submission Requirements and Fees” on page 3 for more information.

PROPERTY OWNER (Property owner information must match County Property records; grant deed, lease agreement, or purchase agreement may be accepted.)		APPLICANT (if different from Property Owner)	
Name:	Name:		
Company:	Company:		
Phone:	Phone:		
Mailing Address:	Mailing Address:		
City, State, ZIP:	City, State, ZIP:		
Email Address:	Email Address:		
<i>I hereby certify the truth of this application and acknowledge that any inaccuracies in it shall, at the City's option, result in automatic invalidation of the action based thereon and that final approval is dependent on compliance with the City's requirements.</i>			
Signature of Owner:		Date:	
Signature of Applicant:		Date:	
PROJECT INFORMATION (attached additional pages if needed)			
Project Address/Location:			
APN(s):		Zoning Designation(s):	
Project Description (Hours of operations, etc.)			
BUSINESS LICENSE INFORMATION			
Name of Business:			
Business License Number:			
STAFF USE ONLY			
Date Submitted:	Application Fee:	Intake Staff Initial:	
Project ID(s):		MyGov No. -	

REVIEW AND SIGN WAIVER, RELEASE AND INDEMNIFICATION ON PAGE 2

WAIVER, RELEASE AND INDEMNIFICATION

As a term or condition of the grant of this Approval or Permit, and as confirmed by their signatures below, the Applicant and any Owner(s) to the fullest extent allowed by law, waives and releases the City of El Centro and its officers, agents, and employees (collectively the “City”) from and against any and all liability from the application for the Approval or Permit, the issuance of such Approval or Permit, or the City’s enforcement or failure to enforce the conditions of such Approval or Permit. The undersigned certify that they and/or any entity in which they have an interest shall not file or cause to be filed any claims or proceedings against the City as a result of the application, the issuance of the Approval or Permit and/or the City’s enforcement of or the failure to enforce the conditions of the Approval or Permit.

In addition, as a condition of applying for and or accepting this Approval or Permit from the City, the undersigned, on behalf of itself/themselves and any entity in which it/they has/have an interest, shall indemnify, defend and hold harmless the City from any and all liability, claims, challenges or demands of any nature brought by a third-party (specifically including but not limited the California Environmental Quality Act (CEQA)) based upon the approval or issuance of the Approval or Permit and/or the operation of the project that is the subject of the Approval or Permit.

Applicant’s agreement set forth here commences as of the date the application is filed with the City and remains in full force and effect until dismissal of any litigation (or other resolution) and/or the statute of limitations period.

After review and consideration of all the foregoing terms and conditions, Applicant and Property Owner, by their signatures below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions. **The Director of Community Development and the Director of Public Works may modify, suspend, or revoke a permit for noncompliance, public safety issues, or inconsistency with the intent of this program.**

PROPERTY OWNER	APPLICANT (if different from Property Owner)
Signature	Signature
Printed Name	Printed Name
Title	Title

INSTRUCTIONS: Submit this page with all required documents and payment for processing fees.

REQUIRED APPLICATION SUBMITTAL DOCUMENTS

- | |
|--|
| ☐ Outdoor Dining Application |
| ☐ Business License |
| ☐ General Liability with City of El Centro as additional insured *See Requirements Below* |
| ☐ Site Plan of outdoor dining space |
| ☐ Notarized Permission Letter from neighboring property owner and tenant
if applicable |

OPERATIONAL REQUIREMENTS

Sidewalk dining operations shall comply with the following guidelines:

- Must obtain City Business License prior to commencement of any activities
- Outdoor dining operations shall occur only within the area approved under permit and must be directly associated with the adjoining business.
- Smoking or vaping of any substance is prohibited within the sidewalk dining area, per City and State public health regulations.
- Setup of any nature on dedicated landscaped areas will be prohibited.
- Generators and portable restrooms not allowed with this permit.
- The applicant shall be responsible to take all necessary safety measures to protect any guests.
- Use shall be limited to dining and drinking; no outdoor food preparation or cooking or display or sale of merchandise shall be permitted within the public right-of-way.
- FOG's (fats, oils, grease), waste or debris shall not be discharged or caused to indirectly discharge (spills, etc.) into any storm system, sewer system or any other City facilities.
- The permitted area must remain clean, sanitary, and free of debris or obstruction at all times.
- Trash, storage, and equipment shall not be placed within or adjacent to public right-of-way.
- Operations shall occur only during the business's approved hours; all furniture and accessories must be removed during non-operational hours. No permanent fixtures allowed.
- Compliance with State Department of Alcoholic Beverage Control (ABC) license conditions is required where alcohol is served.
- A copy of the approved Sidewalk Dining Permit must be posted on-site.
- Nonuse of the approved area for thirty (30) consecutive days constitutes expiration of the permit and requires resubmission.
- The applicant shall be responsible for the repair, replacement, and/or restoration of any/all damages caused by the activities performed under this permit to any City owned property including, but not limited to: road, utilities, curb & gutter, sidewalks, Landscape, Irrigation etc. All incurred costs related to the aforementioned shall be completely borne of the applicant.

INSURANCE REQUIREMENTS

A certificate insurance of shall be received by the City of El Centro at the time your application is submitted and prior to the issuance of your Outdoor Dining Permit including the following:

- Name the “City of El Centro, its officers, employees, and agents” as additionally insured.
 - If policy contains “blanket” additional insured, then the certificate must note “City of El Centro is additional insured by blanket endorsement”
- Insurance must be issued by an admitted carrier in the State of California and with an A.M. best rating of A or better.
- Minimum Limits for Outdoor Dining Program:
 - \$1,000,000 per occurrence
 - \$2,000,000 aggregate

DESIGN REQUIREMENTS

Prior to the start of operations, the business shall undergo a pre-inspection of the sidewalk dining or retail area by the City to verify compliance with all design and safety requirements.

All sidewalk dining areas must be designed, installed, and maintained in a manner consistent with City standards. Any deviations from approved design, operational, or location standards shall require review and approval by the Administrative Committee.

1. SITE STANDARDS

Sidewalk dining layout shall comply with the following guidelines:

- Must maintain a minimum distance of 2 feet from the curb
- Visual obstructions at corners shall comply with Section 29-143(11)(a) of the City Code.
- Building entrances shall remain unobstructed, maintaining a minimum 4ft clear pedestrian path.
- The sidewalk area directly adjacent to the front façade of the associated business shall be utilized before any area along the curb or street edge is used.
- Sidewalk surfaces must be level and maintained in good repair, consistent with Public Works standards for grade, materials, and drainage.
 - Vertical displacement (uplift) shall not exceed ½ inch.
 - Horizontal displacement (cracks or gaps) shall not exceed 1 inch.

2. ACCESSIBILITY & CIRCULATION

Sidewalk dining areas must be designed and operated to provide unobstructed, and accessible seating and routes consistent with the Americans with Disabilities Act (ADA) and City standards as follows:

- Sidewalk surfaces shall not exceed a 2% running or cross slope.

- A continuous, unobstructed paved path of travel at least 4ft wide must be maintained.
- The path shall remain free of obstructions such as furniture, gates, lighting, or planters.
- Paths may meander to avoid fixed elements but must maintain a consistent, common surface at least 3ft wide.
- At least 1 wheelchair-accessible seating space must be provided for every 20 seats.
- Layouts and seating arrangements shall maintain accessible routes and comply with state and federal ADA requirements.

3. FURNISHING & LANDSCAPES

Sidewalk dining areas must use furnishings, landscaping, and accessories that are uniform, functional, and adheres to the following guidelines and standards:

- Items shall be movable, and maintained in a safe, sanitary, and attractive condition.
- Items shall be grouped to maintain required pedestrian clearance and circulation.
- Graffiti-resistant materials or coatings are encouraged;
- Umbrellas: Must be suitable for outdoor use, maintain a minimum overhead clearance of 7 ft and maximum height of 10ft, and shall not extend into pedestrian pathways.
- Lighting fixtures: Adequate lighting must be provided when sidewalk dining operations occur during evening hours to ensure the safety and visibility of patrons and pedestrians. Must be safely installed within the permitted area, not protrude into public right-of-way, and have all wiring kept clear of pedestrian paths.
- Portable heaters: Permitted if located at least 4ft from buildings and combustible materials, or as per manufacturer specifications.
- Landscaping: Must comply with Section 29-142 of the City Code and be maintained in healthy, orderly condition.

4. ENCLOSURE DESIGN

Sidewalk dining areas may utilize permanent enclosures to define the permitted space, provided they comply with Section 29-143 and Section 29-144 of the City Code and adhere to the following requirements:

- Barriers may consist of railings, fences or planter boxes 3 feet in height. Must utilize high-quality, durable elements such as wood, cable, steel, or iron.
- Solid walls, chain-link, rope rails, buckets, flag poles, newspaper stands, or waste receptacles are prohibited as enclosures.
- Transparent or shatterproof materials may be added atop fixed barriers for wind protection, provided visibility and safety are maintained.
- Enclosures shall be maintained in a clean, safe, and sanitary condition at all times.
- No business signage may be attached to barriers or railings.