



PERMANENT OUTDOOR DINING PERMIT APPLICATION FORM

BUSINESS INFORMATION	
BUSINESS NAME:	
CONTACT PERSON:	
ADDRESS:	
PHONE:	
EMAIL:	

PROPERTY OWNER INFORMATION	
NAME:	
ADDRESS:	
PHONE:	
EMAIL:	

OUTDOOR SEATING PLAN				
FOOD AND BEVERAGE: <small>(CHECK BOX)</small>	<input type="checkbox"/>	FOOD WITH ALCOHOL	<input type="checkbox"/>	FOOD WITHOUT ALCOHOL
		# OF TABLES		# OF CHAIRS
<small>(CHECK BOX)</small>	<input type="checkbox"/>	TRASH & RECEPTACLE	<input type="checkbox"/>	FENCING / BORDER
PATIO / SEATING AREA DIMENSIONS:				
TOTAL OUTDOOR OCCUPANCY:				
OPERATION HOURS / DAYS:				

ACKNOWLEDGEMENT

To the fullest extent permitted by law, the Applicant shall indemnify, defend, and hold harmless the City, and any and all of its employees, officials, and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses, or costs of any kind, whether actual, alleged, or threatened, including attorney's fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the granting of this permanent outdoor dining permit or the performance of outdoor dining by the Applicant or by any individual or entity for which the Applicant is legally liable including, but not limited to, officers, agents, employees, or sub-consultants of the Applicant.

<i>Applicant Signature</i>	<i>Date</i>
<i>Property Owner Signature</i>	<i>Date</i>



PERMANENT OUTDOOR DINING PERMIT DEVELOPMENT STANDARDS

GENERAL REQUIREMENTS

Landscaped Areas:



Parking Lots:



Private Sidewalks, breezeways, plazas

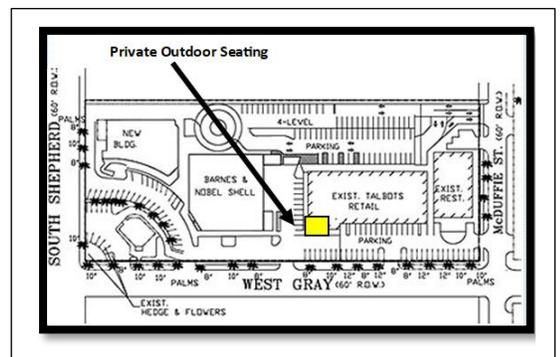
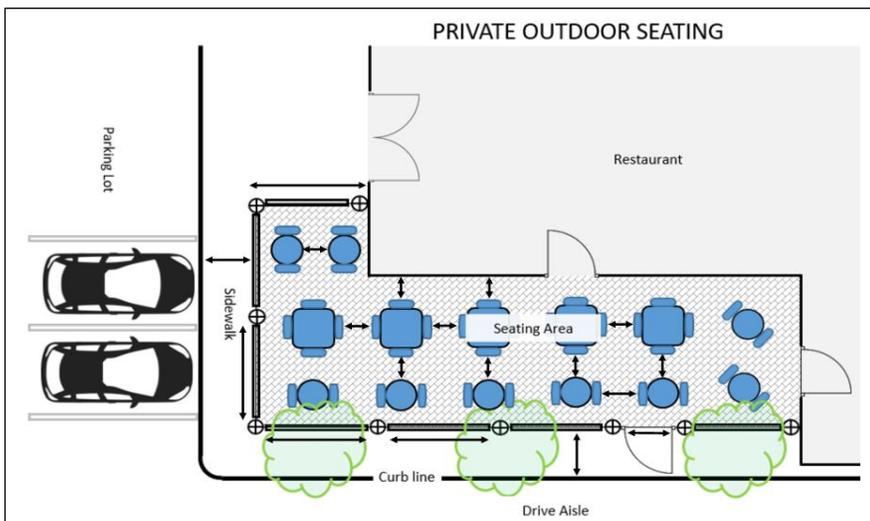


- Outdoor dining may be located in existing landscaping – up to 10% of the total required landscaping for the property / shopping center.
- Must be on a permanent pad – minimum 100 square feet in area.
- May include permanent barriers – fencing / railing / planters.
- 5 foot required setback if adjacent to public street / public sidewalk.
- Setback 30 feet from intersections and driveways.
- Adequate access is maintained for vehicular traffic, pedestrians, and Fire Department.
- Shall not interfere with vehicle clearance or vehicle door swings.
- Outdoor dining may be exclusive for the restaurant.
- Width of exclusive outdoor dining area limited to the space directly in front of tenant space.
- 4 feet unobstructed clearances required for pedestrians.

FLOOR PLAN

- SAMPLE -

SITE PLAN





PERMANENT OUTDOOR DINING PERMIT DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS	
<p>Fencing / Barrier</p> 	<p>Fencing shall be 3 feet tall minimum - glass/transparent barrier up to 6 feet approved by the Planning Director.</p>
<p>Outdoor Furniture (tables/chairs)</p> 	<ul style="list-style-type: none"> Shall be compatible with main building. Regular maintenance required. Secured at night or moved inside business.
<p>Awnings/umbrellas/coverings</p> 	<ul style="list-style-type: none"> 7 ft. overhead clearance required. Dining area only. Fire-retardant, pressure-treated or manufactured of fire-resistant material.
<p>Signage</p> 	<p>Up to a 4 square foot menu board may be attached to patio fencing.</p>
OPERATIONAL STANDARDS	
<ul style="list-style-type: none"> Heating units permitted – 2 ft. clearance from walkways and overhangs. No heating, cooking, or open flames permitted. Exit path required – minimum 44-inch wide from building and outdoor area. Security cameras installed – recordings made available to Police Department upon request. Smoking prohibited. 	
ALCOHOL SALES / SERVICE	
<ul style="list-style-type: none"> Shall have a supervisor, at least 21 years of age, on-site at all times of operation. Comply with all State Alcoholic Beverage Control Department (ABC) requirements. A continuous permanent barrier shall be installed a minimum of 3 feet in height. Employees to obtain Licensee Education on Alcohol and Drugs (LEAD) Certificates. Signage shall be posted within the outdoor dining area stating, "No person under 21 will be served alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages." Signs shall be posted at the exits stating, "No alcohol consumption beyond this point." 	



PERMANENT OUTDOOR DINING PERMIT ADDITIONAL REQUIREMENTS

SUBMITTAL REQUIREMENTS	
Application	Completed Site Plan and Outdoor Dining Permit application.
Application Fee	\$120
Business License	A copy of current City-Issued Business License.
Site Plan / Floor Plan	The site plan must be drawn to scale using a straight edge. Plan features must depict the following: north arrow; location of outdoor seating in relation to business frontage; dimensions of business frontage; dimensions of outdoor seating area; type and location of fencing; site furnishings showing location and number of tables and chairs, umbrellas, etc.; location of waste receptacles; pedestrian spaces; existing improvements, such as hydrants, trees, parking lot lights, etc.; and a legend describing site features.
Fencing	A cross-section of the fence area showing height and length of the fence plus any features on the fence.
Other Items	City staff reserves the right to require additional items be submitted for a full review of the application.
Submittal Format	(1) Hardcopy of Plans – No smaller than 11” x 17”. The Project Planner will determine if size is acceptable; OR , (1) electronic version of plans – via email or flash/USB drive.

OUTDOOR SEATING CONDITIONS	
Approval	Written consent from the property owner or property management company.
Use	Food and beverage service only. No alcohol may be served and/or consumed without proper licensing. Alcoholic beverages must remain inside the seating area.
Cleanliness	Seating area swept and mopped daily.
Hours*	Same hours as indoors for restaurant.
Music*	Comply with noise ordinance – not permitted after 10 PM.
*Conditional Use Permit	If within direct view and 200 feet from a residential property hours may be restricted to 7 AM to 9 PM. Hours of operation past 9 PM and before 7 AM will require approval of a Conditional Use Permit (CUP) from the Planning Commission.



PERMANENT OUTDOOR DINING PERMIT

APPROVAL PROCESS

Once a completed application is filed, the Planning Staff will review the application for completeness within 10 working days. If determined not complete, the applicant will be required to submit additional information to include with the application.

When the application is determined to be complete, a Permanent Outdoor Dining Permit will be issued. This approval is to entitle the use on the property – not for construction purposes.

The applicant will be required to submit plans to the Building Department for a Building Permit. A Building Permit is required to ensure the project complies with the California Building Code and is safe for occupied use. The applicant will also be required to contact the Orange County Health Care Agency for any Health Department requirements.

Once plans have been approved by the Building Department, a Building Permit will be issued and construction can begin. Subsequent inspections will be required during the construction phase. Once the construction of the outdoor dining area has passed all Building Inspections, occupancy of the area will be allowed.

ZONING CODE

For the complete text to the Zoning Ordinance, please refer to the City of Fountain Valley Municipal Code, Chapter 21.10.070.

[Fountain Valley Municipal Code \(Fountain Valley, California\) \(qcode.us\)](http://www.fountainvalley.org/qcode.us)

DEPARTMENT CONTACTS

Planning Department	714-593-4425	https://www.fountainvalley.org/420/Planning-Division
Building Department	714-593-4429	https://www.fountainvalley.org/397/Building-Permits
Planning & Building Dept.	EMAIL:	Planning.building@fountainvalley.org
OC Health Care Agency - Plan Check	714-433-6074	https://www.ochealthinfo.com/about-hca/public-health-services/environmental-health-services/food/plan-check

City of Fountain Valley

10200 Slater Avenue
Fountain Valley, CA 92708

