



Permit Fee Waived by City

**ACKNOWLEDGEMENT FORM FOR TEMPORARY MASTER LICENSE
 FOR NEW OR EXPANDED OUTDOOR OPERATIONS**

In response to a declared emergency and related economic hardship, the City is exercising its emergency powers to authorize temporary measures that facilitate the economic recovery of Concord's businesses.

BUSINESS OWNER	PHONE
BUSINESS NAME	E-MAIL ADDRESS
BUSINESS ADDRESS	CITY ZIP
PROPERTY OWNER	PHONE
MAILING ADDRESS	CITY ZIP

Describe the New or Expanded Outdoor Operations: *(Please provide a detailed description. Example: "Expansion of outdoor patio by 300 sq. ft. to include six additional tables..." or "Expansion of business outdoors to facilitate retail pick-up area and two carousels of sunglasses for retail sales,...")*

New or Expanded Outdoor Operations are temporarily allowable as accessory commercial uses and are exempt from the standard permitting requirements and conditions regulating temporary uses and structures, outdoor sales and displays, and outdoor sidewalk cafes and outdoor seating areas pursuant to Development Code Sections 18.200.160, 18.200.190 and 18.200.200. Temporary master license approvals allow eligible properties and businesses to create or expand outdoor areas for temporary uses such as dining, merchandise display, and pick-up areas, as well as hair salons and barber shops, subject to the following criteria:

- 1. Businesses Eligible for Temporary Master License for New or Expanded Outdoor Operations.** The following types of businesses are eligible to submit an application for a license for New or Expanded Outdoor Operations: Full service and limited service restaurants, microbreweries that serve food and retail businesses, as well as hair salons and barber shops. Such businesses acknowledge that the license is for a **limited duration**, and operations will be required to cease and the Outdoor Operations Area restored back to its original state within 30 days upon resumption of normal business operations, as stipulated by Contra Costa Health Services.
- 2. Location.** The New or Expanded Outdoor Operations associated with the business shall be conducted entirely within the approved expanded area adjacent to the business, and in coordination with any previously approved sidewalk café or outdoor cafe permit for outdoor dining. In areas outside of downtown, outdoor eating areas shall be located at least 100 feet from a residential dwelling. Approvals and conditions associated with existing outdoor café/sidewalk café permits shall remain in effect.
- 3. Outdoor Operations Area.** The business owner acknowledges that they have coordinated with adjacent business owners regarding the delineation of their Outdoor Operations Area, as shown on the plans for submittal. Boundaries on-site shall be consistent with the business owner's site plan submitted with their approved application.

4. **Clients or Customers.** No clients or customers shall be permitted in the approved Outdoor Operations Area of the business outside of the hours of operation between 7:00 a.m. and 10:00 p.m. The business shall finish taking food orders for seated customers prior to 9:30 p.m.
5. **Parking.** The Outdoor Operations Area shall not eliminate or encroach into parking areas unless authorized by the property owner. Adequate on-site parking and safe vehicular circulation must be provided to serve all businesses on the property. A vehicle used in conjunction with a business shall be parked in compliance with all applicable parking requirements for the business, and not within the Outdoor Operations Area.
6. **Appearance.** The commercial appearance of the property at which the business is conducted shall be maintained in a professional manner, with proper sanitation, and regular collection of trash and recycling, as appropriate. Hair salons and barber shops shall comply with the *COVID-19 Guidance for Hair Salon and Barbershop Services Provided Outdoors*, dated July 20, 2020, provided by the State Department of Public Health, linked on the City's Planning Division webpage. The Outdoor Operations Area shall be cleared of all equipment and in no case shall they be used for outdoor storage of any kind during non-operating hours. All Outdoor Operations must cease and be restored to normal operations within 30 days of the Contra Costa Health Services order allowing full resumption of indoor restaurant and retail business operations.
7. **Lighting.** Outdoor areas operating during evening hours shall provide adequate lighting to ensure that improvements and furniture do not become hazardous to pedestrians.
8. **Temporary Signage.** New signage is limited to the City's requirements for temporary banners (Section 18.180.120(A)2, unless superseded by the City's Concord Forward Action Plan. However, in association with the Temporary Master License, temporary banners may remain in place up to 30 days after the Contra Costa Health Services orders are lifted for indoor restaurant and retail operations, allowing full resumption of business operations.
9. **Storage.** No equipment, parts, materials, supplies, merchandise, refuse, or debris shall be stored outdoors in the area of the Outdoor Operations Area. Equipment, materials, supplies, or merchandise shall be stored within the commercial facility.
10. **Deliveries.** Deliveries shall be coordinated to occur outside of normal peak business hours to reduce conflicts and nuisance issues due to delivery truck circulation, loading/unloading, and idling.
11. **Nuisances.** No special outdoor operations associated with a business shall be conducted in a manner which creates a public nuisance under state law or under the Concord Municipal Code. Without limiting the foregoing, a business shall not create noise, odor, dust, vibration, smoke, electrical disturbance, or any other interference with adjacent uses of neighboring property. There shall be no excessive use of, or unusual discharge into, any one or more of the following utilities: water, sanitary sewers, electrical, garbage, or storm drains.
12. **Insurance and Indemnification.** For insurance, if in Public ROW, refer to "Item 4 – Temporary Encroachment Permit Application, No. 11". Indemnification – The Licensee, for himself, his contractors, and employees, agrees to save, indemnify and hold harmless the City of Concord or its representatives from all liabilities and claims for damages by reason of injury or death to any person or persons, or damage to property from any cause whatsoever while in, upon or in any way connected with the work covered by this Encroachment Permit, and does further agree to defend the City in any claim arising out of or as a result of the work done under this permit.
13. **Compliance with Other Requirements.** The business shall comply with all other applicable state laws and city ordinances, including any local and state licensing requirements.
14. **Service of Alcoholic Beverages.** Service and consumption of alcoholic beverages requires a license by the Department of Alcoholic Beverage Control. **Please indicate whether you plan to serve alcoholic beverages within the Outdoor Operations area. If yes, provide your ABC License # _____.**

By signing this form, the business owner acknowledges that the outdoor operations are accessory and temporary to the property's use as a restaurant and/or retail use, that it will comply with the criteria stated herein, and that any violation of said criteria will result in possible rescission of license approval, fines, penalties or legal action.

I, _____, acknowledge that the proposed Temporary Master License for New or Expanded Outdoor Operations is accessory to the primary use as a commercial business, that it will comply with the criteria stated herein, and that any violation of these restrictions may result in possible fines, penalties or legal action.

CERTIFICATION:

I hereby certify that the statements furnished above, and in the attached exhibits, present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge. It is the Business Owner's sole responsibility to obtain approval from the property owner or property manager to conduct New or Expanded Outdoor Operations on the property. The property owner or property manager of record will be notified of any violations related to the Temporary Master License for New or Expanded Outdoor Operations.

(Please retain a copy of this permit for your records along with your business license, and any ABC license. You may be requested to present these records to the City of Concord for verification purposes.)

Business Owner Signature

Date