

Date of Application: \_\_\_\_\_

**APPLICATION FOR REVOCABLE PERMIT  
OUTDOOR DINING ON PUBLIC PROPERTY**

ALL APPLICANTS MUST HAVE AN EXISTING BUSINESS LICENSE OR BE IN THE PROCESS OF ACQUIRING A BUSINESS LICENSE. **(THERE IS A \$25.00 NON-REFUNDABLE FEE DUE AT TIME OF APPLICATION).**

PHONE # \_\_\_\_\_ FEDERAL TAX ID \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

NAME OF RESTAURANT \_\_\_\_\_

RESTAURANT ADDRESS \_\_\_\_\_

**Description for use of Property:**

Along with this Application, there must be included a dimension site plan drawn to scale on at least 8 1/2" x 11" paper. The site plan should show property lines, width of sidewalk, location of any trees, street lights, vaults within the right-of-way (or other obstacles) the location, number and size of tables, and the location of entries into adjacent buildings. Indicate number and general location of existing seating and number and specific location of expansion. Also indicate type of on-street parking (parallel/metered) and designated on-site parking. Applicant will also need to provide an original Certificate of Insurance complying with the insurance requirement checklist provided herein.

**TYPE OF ALCOHOL BEVERAGE LICENSE USED IN YOUR BUSINESS:**

**Outdoor alcohol beverage service is allowed only when served in addition to food service. (Please note: Private Clubs have different requirements, which require a lease agreement using a separate process.)**

None

Class B Beer-Restaurant. Beer sold in original containers along with food items

**APPROVAL CRITERIA**

1. A pedestrian corridor of usable sidewalk space shall be maintained and unobstructed by trees, poles, meter, fountains, etc., and the proposed outdoor dining area. For the purposes of the Permit, usable sidewalk space is defined as; 4 feet in residential areas (with park strip), 5 feet in residential areas when sidewalk is adjacent to curb, 6 feet in retail areas, 8 feet in the Central Business District, and 10 feet on Main Street in the Central Business District.
2. Restaurants serving alcoholic beverages in conjunction with food sales shall be able to contain and control distribution to the Permit area.
3. Public facilities such as drinking fountains, fire hydrants, trashcans, or crosswalks shall not be obstructed.
4. Dining shall not interfere with the growth or maintenance of street trees.
5. Umbrellas over tables shall no project into the pedestrian walking corridor.
6. Auxiliary lighting or outdoor heaters are prohibited.

**CONDITIONS OF APPROVAL**

***Applicant agrees to comply with the following general conditions and those contained in the Permit.:***

1. Placement of tables and chairs shall be limited to the total frontage area occupied by the business in the approved arrangement pattern shown on the exhibit page of the Permit and shall not be altered ***without prior City approval.***
2. Tables, chairs or umbrellas shall not encroach onto the designated pedestrian corridor or public way.
3. Tables and chairs shall be removed and brought in ***daily*** when the restaurant is closed, during inclement weather, or at the request of the City.
4. The restaurant management is responsible for the removal of litter, debris, snow and sidewalk cleaning within a 10 ft radius of the dining area.
5. There shall be no additional signage other than normal menus and logos on umbrella canopies. Umbrellas must be at least a minimum of 84 inches in height.
6. The permit may be renewed for one (1) additional year period provided Permittee has complied with all terms and conditions of the Permit and
7. Permittee is responsible for the repair of any damage to public facilities (including grass damage in parking strip areas) and to clean the Permit area each day from food, drink spills and other debris.
8. Sidewalk dining is subject to periodic inspection by the Engineering and Transportation Division for compliance and enforcement.
9. Other dining facilities such as cooking implements, coolers, serving tables, bars, etc., ***are prohibited.***

**FOR STAFF USE ONLY**

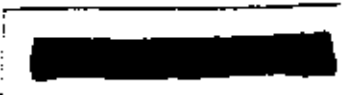
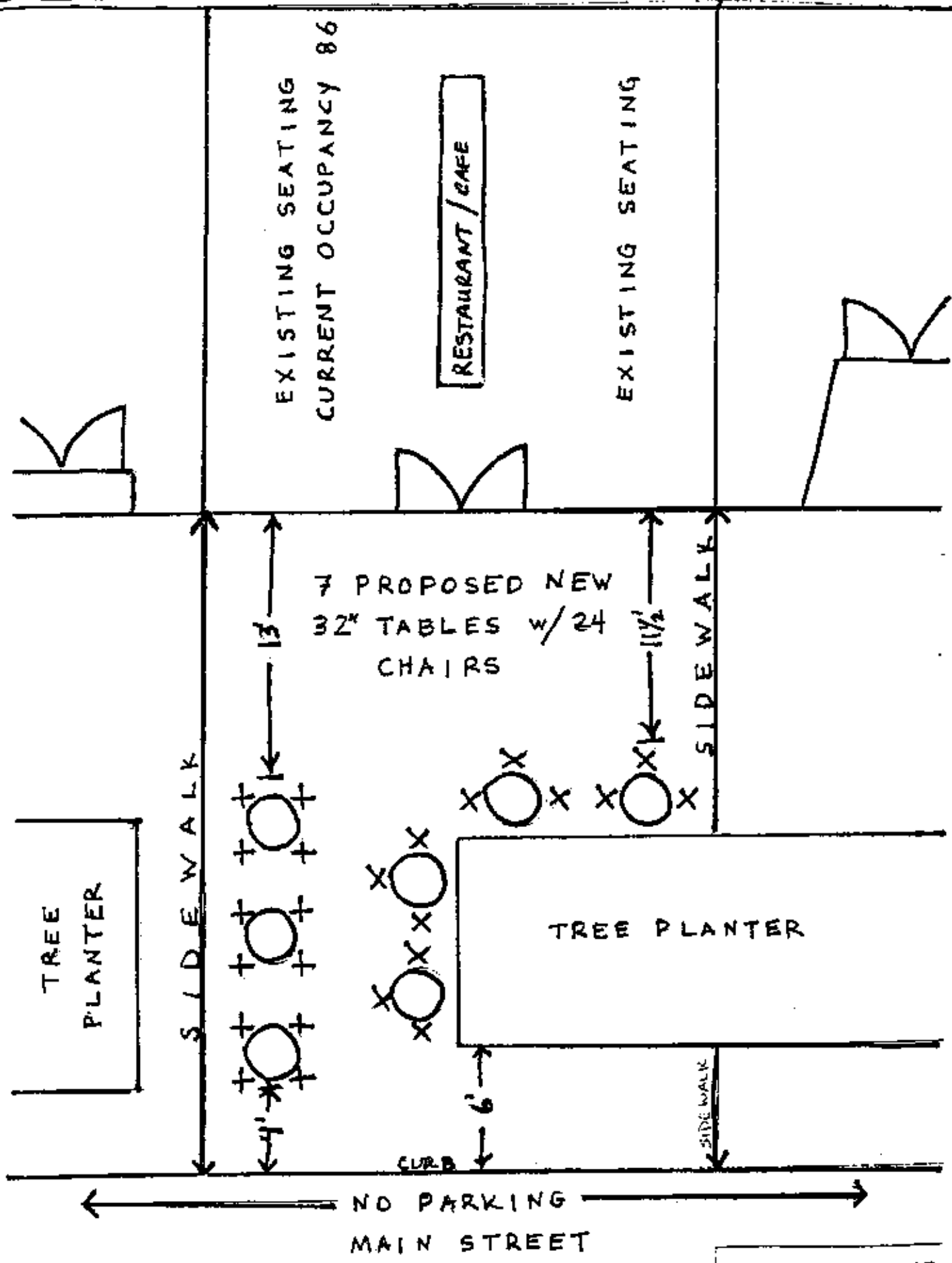
**APPROVALS:**

**PERMITS COUNTER** \_\_\_\_\_ **TRANSPORTATION** \_\_\_\_\_

**PUBLIC UTILITIES** \_\_\_\_\_ **ENGINEERING** \_\_\_\_\_

**PROPERTY MGMT** \_\_\_\_\_

# EXAMPLE EXHIBIT A:



### **21A.40.065 Outdoor Dining:**

Outdoor dining, in conjunction with a licensed indoor restaurant, tavern, brewpub, microbrewery, private club, market, deli, and other retail sales establishment that sell food or drinks, is allowed within the buildable lot area, in all zoning districts where such uses are allowed, as either a permitted or conditional use.

Outdoor dining, in conjunction with a licensed indoor restaurant, tavern, brewpub, microbrewery, private club, market, deli, and other retail sales establishment that sell food or drinks, is allowed within the required landscaped yard or buffer area, in all commercial and manufacturing zoning districts where such uses are allowed, excepting the RB, CN, MU and R-MU zones (see chapter 21A.52 of this title), subject to the following conditions:

- A. All requirements of chapter 21A.48 and section 21A.36.020 of this part are met.
- B. All required business, health and other regulatory licenses for the adjoining indoor restaurant, tavern, brewpub, microbrewery, private clubs, market, deli, and other retail sales establishment that sell food or drinks, have been secured; and
- C. A detailed site plan demonstrating the following:
  1. All the proposed outdoor dining activities will be conducted on private property owned or otherwise controlled by the applicant and that none of the activities will occur on any publicly owned rights of way unless separate approval for the use of any such public rights of way has been obtained from the city;
  2. The location of any paving, landscaping, planters, fencing, canopies, umbrellas or other table covers or barriers surrounding the area;
  3. The proposed outdoor dining will not impede pedestrian or vehicular traffic; and
  4. The main entry has a control point as required by state liquor laws.
- D. The proposed outdoor dining complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for property.
- E. Live music will not be performed nor loudspeakers played in the outdoor dining area unless the decibel level is within conformance with the Salt Lake City noise control ordinance, chapter 9.28 of this code.
- F. No additional parking is required unless the seating capacity is being increased by more than five hundred (500) square feet. Parking for outdoor dining areas in excess of five hundred (500) square feet is required at a ratio of three (3) stalls per one thousand (1,000) square feet of outdoor dining area. This requirement may be waived as a special exception, subject to subsection 21A.52.100F of this title, or if the outdoor dining is approved as part of a conditional use, chapter 21A.54 of this title. No additional parking is required in the D-1, D-2, D-3, D-4 or G-MU zone. (Ord. 13-04 § 19, 2004; Ord. 12-01 § 1, 2001)

### **21A.52.030 Special Exceptions Authorized:**

In addition to any other special exceptions authorized elsewhere in this title, the following special exceptions are authorized under the provisions of this title:

- O. Outdoor dining in required yard areas (subsection 21A.52.100F of this chapter);

### **21A.52.100 Specific Conditions For Certain Special Exceptions:**

The following special exceptions shall be subject to the particular specific conditions set forth below:

- F. Outdoor Dining In Required Yard Areas: The board of adjustment may approve as a special exception outdoor dining in required front, rear and side yards if the board of adjustment finds that:
  - 1. The proposed outdoor dining is in conjunction with and incidental to an allowed and licensed indoor restaurant, private club, tavern, market, deli, and other retail sales establishment that sell food or drinks, in the RB, CN, MU and R-MU zones or any zone allowing such uses where the outdoor dining does not comply with chapter 21A.48 or subsection 21A.36.020B of this title;
  - 2. All required business, health and other regulatory licenses for the adjoining indoor restaurant have been secured; and
  - 3. A detailed site plan demonstrating the following:
    - a. All the proposed outdoor dining activities will be conducted on private property owned or otherwise controlled by the applicant and that none of the activities will occur on any publicly owned rights of way unless separate approval for the use of any such public rights of way has been obtained from the city,
    - b. The location of any paving, landscaping, planters, fencing, canopies, umbrellas or other table covers or barriers surrounding the area, and
    - c. The proposed outdoor dining will not impede pedestrian or vehicular traffic;
  - 4. The proposed outdoor dining complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property;
  - 5. Live music will not be performed nor loudspeakers played in the outdoor dining area unless the decibel level is within conformance with the Salt Lake City noise control ordinance, chapter 9.28 of this code; and
  - 6. Parking will be adequate to support the additional parking needs of the outdoor dining activities. Shared parking is allowed.