



COVID-19 TEMPORARY USE PERMIT APPLICATION
Outdoor Operations for Certain Personal Care Services
 DEVELOPMENT SERVICES DEPARTMENT
Applications must be completed legibly and in entirety.

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The purpose of the COVID-19 Temporary Use Permit (TUP) Application is to provide the flexibility for certain personal care service establishments to temporarily expand their footprint into outdoor areas, including parking lots or other common areas, to accommodate services while there are closures for indoor operations, and to also implement safe social distancing guidelines. The processing time for a COVID-19 TUP is typically one (1) to two (2) business days.

BUSINESS NAME: _____ **BUSINESS PHONE:** _____

MAILING ADDRESS: (for licenses and notices)

_____ Street Address _____ City _____ State _____ Zip Code

BUSINESS LOCATION ADDRESS: (PO Boxes / commercial mailboxes **not valid**)

_____ Street Address _____ City _____ State _____ Zip Code

WEBSITE: _____ **EMAIL:** _____

BUSINESS OWNER NAME: _____ **BUSINESS OWNER PHONE:** _____

PROPERTY OWNER NAME: _____ **PROPERTY OWNER PHONE:** _____

PROPERTY OWNER ADDRESS: (Residence of owner if sole proprietorship; headquarter location if corporation)

_____ Street Address _____ City _____ State _____ Zip Code

LAND USE DESIGNATION: _____ **HOURS OF OPERATION:** (Include peak hours) _____

BUSINESS TYPE: _____

OCCUPANCY INFORMATION:
 How many square feet is the building/suite your business is located? _____
 How many seats/people is the establishment approved for? _____
 What is the total number of seats/people to used for the outdoor operations? _____
 What type of equipment will be placed outdoors? _____

PARKING INFORMATION:
 How many parking spaces are provided on the entire site? _____
 How many parking spaces are required for your business? _____
 How many parking spaces will be used for Outdoor Operation Area? _____

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct

_____ **Print Name** _____ **Signature of Owner or Designated Representative** _____ **Date** _____
Please Note: All businesses must comply with all applicable City, County, State, and Federal laws and regulations. The business owner/operator is responsible for obtaining all necessary permits, licenses, or approvals.

PART A: TEMPORARY USE PERMIT SUBMITTAL CHECKLIST

+ ALL ITEMS MUST BE INCLUDED AT THE TIME OF FILING +

PLEASE RETURN THIS CHECKLIST WITH APPLICATION PACKET UPON SUBMITTAL. ONLY USE CITY FORMS. IF MORE SPACE IS NEEDED, USE ATTACHMENTS. COMPUTER GENERATED APPLICATIONS ARE NOT ACCEPTABLE.

1. **Two* copies** of completed Land Use Application Questionnaire. **All owners** must sign the Application Certificate. The notarized power of attorney must contain the names of all owners.
2. **Two* copies** of the site plan and floor plan on separate sheets (do not attach them together) drawn at a scale to accurately delineate the project (**no larger than 11" x 17"**). Refer to the Site Plan Checklist for specific requirements.
3. **One copy** of a Letter of Authorization from the property owner addressed to the City of Yucaipa that provides their approval of the proposed temporary Outdoor Operations Area. This can be also be satisfied by having the property owner sign the application page.
4. If your business proposes seating within the Public Right-Of-Way (ROW), submit **one copy** of the Proof of Liability Insurance naming the City of Yucaipa as additional insured. *Please note, seating within the ROW requires a separate Encroachment Permit through the Engineering Division.*
5. If your business proposes to use a tent, canopy, or other similar shading device, provide **one copy** of the flame resistance certificate(s) from the tent manufacturer or rental company.
6. If temporary signage is proposed, provide **one colored copy** of the proposed sign.

PART B: PLAN CHECKLIST FOR TEMPORARY USE PERMIT

SITE PLAN: A site plan is a detailed drawing, preferably to scale, on one (1) sheet of paper (**maximum 11" x 17"**) of the entire land parcel showing buildings, improvements, other physical site features, and all dimensions. Please make every effort to draw plans to scale, and ensure that plan details are legible to facilitate a more expeditious review.

All items listed below must be on the site plan. The application will not be taken in if any items are left off. PLEASE RETURN THIS CHECKLIST WITH APPLICATION PACKET UPON SUBMITTAL.

1. **Identification:** Indicate names, addresses, and telephone numbers of the Record Owner, Applicant, and the business name.
2. **Site Location:** Provide the address and suite number(s) for the business, and include the Assessor's Parcel Number (APN) for the property.
3. **North Point:** Indicate north point, date of drawing, and the scale. The direction of the "north" arrow should be shown pointing towards the **top or right hand side** of the site plan.
4. **Dimensions:** Indicate property lines and show dimensions.
5. **Roads:** Indicate the name, location, and width of all boundary streets or private road easements on the property.
6. **Drainage:** Indicate any drainage areas, including detentions basins, that are located on the property.
7. **Structures (Project Area):** Indicate all existing structures on the property, including but not limited to buildings, shading devices, walls, fences, signs, curbs, driveways, and sidewalks. For buildings, indicate their building footprint dimensions and square footage.
8. **Parking:** Show parking areas for the site project: To assist in the development of the proposed outdoor seating, include the following details:
 - a. Indicate locations of the parking stalls. Identify any handicap and/or compact spaces, as well as loading zones.
 - b. Show dimension/type of parking spaces, aisle/driveway widths and directional arrows indicating the flow of traffic.
9. **Outdoor Operation Area:** Show which areas within the Public Right-of-Way, shared common area, or parking lot that are to be designated for the Outdoor Operations area. Include the following details:
 - a. If the outdoor operations are proposed within a parking lot, identify the number and location of parking spaces that will be occupied by the proposed services.
 - b. Identify access that will be provided from the place of business to the outdoor operations

- area. The area shall be contiguous with or adjacent to a licensed establishment.
- c. Identify the location and number of seats or tables to be used. Indicate the distances between each proposed table and any path of travel around the proposed areas for each customer and include the path a travel for staff entering/exiting the place of business.
 - d. Identify locations for where equipment shall be placed and or stored during business hours.
 - e. Identify all power equipment, and the power source for that equipment.
 - f. If a screening barrier is proposed, identify the type and location of the proposed barrier.
 - g. Include a tally showing the total number of seats to be provided.
 - h. If a shading device is proposed, identify the type, square footage, height, and location of the proposed shading device. Provide one colored brochure or photo example of the proposed shading device.
 - i. Show locations for where personal care equipment shall be stored, and locations for the safe disposal of soiled equipment/products.

FLOOR PLANS: On a separate sheet, provide floor plan diagrams of the existing (pre-COVID-19) and proposed COVID-19 TUP layout. A floor plan is a detailed drawing, shown as the view from above, that details the interior layout of the existing business. **The floor plan shall be printed on a separate 11” x 17” sheet and all details should be legible.** Indicate the configuration for the proposed personal care services, and show the distances between each table/seat that are to be used. Show all paths of travel within the place of business.

Exhibit A

Outdoor Operations for Certain Personal Care Services Regulations

Introduction:

The City of Yucaipa is committed to supporting its local businesses and ensuring the health, safety, and welfare of its citizens. To mitigate periods where the number of COVID-19 cases increase, the State and County orders may require the closure of indoor operations for certain personal care service sectors but may permit those operations to be located outside. By issuing a *COVID-19 Temporary Use Permit (COVID-19 TUP)*, the City is permitting and giving flexibility to these personal service sectors to temporarily expand their footprint into parking lots and other common areas to accommodate outdoor operations. The City is also providing additional social distancing opportunities to increase safety of employees and patrons, consistent with the state and county orders. These regulations provided below and implemented through the newly created COVID-19 TUP application give the necessary guidance for certain personal care service sectors to follow while the limitations of indoor operations remain to ensure that potential conflicts with the proposed Outdoor Operations and the existing commercial site design do not occur. Please note that these regulations do not apply if state and County orders prohibit the operation of certain personal care service sectors for both indoor or outdoor operations, or if indoor operations are allowed at full capacity.

Relevant Agency Requirements:

To be issued a COVID-19 TUP, businesses must remain in compliance with the following:

- Their respective COVID-19 Industry Guidance (ex. Hair Salon and Barbershop Services, and Personal Care Services). In addition, businesses licensed by the Department of Consumer Affairs's Board of Barbering and Cosmetology shall adhere to their "Outside Services Checklist of Establishments"
(https://www.barbercosmo.ca.gov/forms_pubs/outside_checklist.pdf)
- County of San Bernardino COVID-19 related Orders.
- County of San Bernardino Environmental Health regulations.
- California Department of Industrial Relations (Cal/OSHA) regulations.
- Yucaipa Municipal Code.

General Requirements:

The following provides a brief outline of the requirements and general limitations of the Additional Outdoor Seating area process:

- A COVID-19 TUP shall be approved by the City Planner to authorize the emergency outdoor operation areas, and shall remain in effect while the businesses are prohibited from operating indoors, but where state and County orders allow for outdoor operations.
- A COVID-19 TUP cannot authorize a capacity beyond what was the original indoor capacity that had been permitted prior to the COVID-19 emergency declaration.
- No fees are required with the submittal of the COVID-19 TUP.

- ADA accessibility shall be maintained at all times, and cannot be impacted by the additional outdoor seating areas.
- A letter of permission from the property owner must be submitted with the COVID-19 TUP.
- Personal service establishment shall be located contiguous with or adjacent to a licensed establishment.
- Social distancing must also be maintained to individuals in a public sidewalk or from anyone that may be standing in line.
- All areas must be maintained, and shall be kept clean of litter and debris.
- Any damage to sidewalks or parking lot areas shall be repaired by the business.
- Outdoor operation areas shall not be used from the hours of 10:00pm to 6:00am.
- The City reserves the right to modify the layout of the outdoor operation area to address any conflicts observed.

Outdoor Seating Areas Guidelines:

Outdoor areas contiguous with or adjacent to an existing and licensed establishment be used to expand their footprint under the following guidelines:

- Outdoor operation areas may include parking lots and unused patio areas, and in some cases, may include sidewalk areas, provided pedestrian access and ADA requirements are met.
- The allowable number of parking spaces to be utilized for outdoor seating will be the minimum necessary, but shall be determined on a case-by-case basis.
- Outdoor operation areas cannot block any drive aisles, driveways, or ADA-designated spaces within a parking lot.
- If use of public sidewalks are being proposed, City authorization must be obtained via issuance of an encroachment permit. Proof of insurance may be required naming the City as additional insured in addition to all encroachment permit requirements.
- Outdoor operation areas cannot interfere with deliveries. If space is limited, the business can provide alternative hours for deliveries that are outside of normal operating hours.
- Tents and canopies are allowed subject to compliance with all required Fire and Building codes. If the seating area will include any tents or canopies, obtain copies of the flame resistance certificate(s) from the tent manufacturer or rental company.
- Outdoor operation areas cannot be expanded into unimproved properties or areas identified as open space, drainage or detention areas of the site.
- Equipment used for the business, including powercords, fitness equipment, chairs and other items, shall be positioned as to not interfere with pedestrian and vehicular access of the site.

Buffering Requirements:

- Depending on the location, temporary buffers between the outdoor operational areas and any adjacent drive aisles may be necessary. Subject to City approval, buffers may consist of the following:
 - Planters
 - Railing

- Cabling
- Other mechanisms deemed appropriate by the City.
- Reflective elements must be installed at the outdoor dining area corners.
- Buffers should be attractive in design.

Signage:

- Each business is permitted to have one temporary free-standing (12 square foot maximum) sign that advertises the outdoor operation area. The free-standing sign can be placed within the additional outdoor seating area, facing the path of travel.
- Directional and safety signs are exempt from this requirement.

TUP-COVID-19 Application:

To provide for the review of any proposed outdoor operation area, applicants are required to complete and submit a COVID-19 TUP application (separate attachment). The COVID-19 TUP application provides details on what elements are required, and includes the following:

- Letter of permission from property owner acknowledging authorization of the restaurant expansion.
- Text and square footages of promotional signs if any are to be used.
- Indicate originally-approved occupancy, and proposed occupancy with the outdoor operation areas.
- Indicate the number of parking spaces to be used.
- A site plan showing the proposed outdoor operation area and its relationship to the site and the place of business. Details of the site configuration, area access, site buffering, and methods to minimize conflicts with the rest of the commercial site shall be included. In addition, demonstrate compliance with the applicable COVID-19 Industry Guidance.

Cancellation:

A COVID-19 TUP shall be cancelled for any of the following reasons:

- Upon the termination of the local emergency by the City Council or when indoor operations are permitted by the state and County.
- Failure to comply with the applicable COVID-19 Industry Guidance.
- Failure to remain in compliance with applicable regulations.
- Failure to comply with the COVID-19 TUP permit.
- For disturbance of the quiet enjoyment of nearby residents and businesses.