



# Outdoor Dining Permit Application

## Community Development Department

317 North Douty Street

Hanford, CA 93230

Office (559)585-2580

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Website: [www.cityofhanfordca.com](http://www.cityofhanfordca.com)

TDD/TYY, Dial 711

Project Address:		Project APN:	
Parcel Size:		Nearest Major Intersection:	
General Plan Designation:		Zone District Designation:	
Business Name:			
Business Description (check all that apply):	<input type="checkbox"/> Dining Establishment <input type="checkbox"/> Alcohol Sales <input type="checkbox"/> Pass-Through Counter <input type="checkbox"/> Sidewalk Counter Service <input type="checkbox"/> Drive-Thru Lane(s) <input type="checkbox"/> Drinking Establishment – <b>primary use is the serving of alcohol</b>		
Hours of Operation:			

## APPLICANT INFORMATION

FINAL COMMENTS WILL BE MAILED TO THE ADDRESS PROVIDED BELOW (CHECK ONE)

MAILING ADDRESS       EMAIL ADDRESS

Name	
Address	
City, State, Zip	
Phone Number	
Email Address	

ARE YOU THE PROPERTY OWNER  YES       NO

If signed by other than the property owner, the Agency Authorization Form on the reverse page must be completed.

Signature:		Date:	
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## OFFICE USE ONLY

DATE RECEIVED		BY:
PROJECT NUMBER		
FILE NUMBER		

**Attach the following (check box to confirm attachment):**

Plans and Drawings - attach a site plan to clearly demonstrate your proposal.

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**Outdoor Dining Permit Submittal Requirements:**

Submit **four** copies for review. Plans must be clear, legible and on a sheet size appropriate to identify all necessary project information. Minimum size: 8 ½ " x 11 ".

The Site Plan shall identify all of the following:

- Scale and north arrow
- Dimensions of property
- Existing Structures
- Location of area to be used for outdoor dining (dimensions)
- Proposed outdoor dining structures (tables, umbrellas, etc.)
- Entrance/exits to outdoor dining area
- Parking
- Drive approach(es)
- Loading and storage areas
- Trash refuse area
- Existing and proposed fences/walls
- Drive-thru lanes (in applicable)
- Other information that may be required to assist in evaluation of the Temporary Use.

**\*City Staff may request additional information.**

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**CITY OF HANFORD**

**Agency Authorization Form**

**OWNER:**

I, \_\_\_\_\_, declare as follows:  
(Property Owner's Name)

I am the owner of certain real property bearing assessor's parcel numbers(s) (APN's):  
\_\_\_\_\_  
\_\_\_\_\_

**AGENT:**

I designate \_\_\_\_\_, to act as my duly authorized agent  
(Agent's Name) (Please type or print.)  
for all purposes necessary to (list permit type) \_\_\_\_\_  
relative to the property mentioned herein.

**DECLARATION:**

I declare under penalty of perjury the forgoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
\_\_\_\_\_  
\_\_\_\_\_

**OWNER**

\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(Mailing Address of Owner)

\_\_\_\_\_  
(Owner Phone Number)

**AGENT**

\_\_\_\_\_  
(Signature of Agent)

\_\_\_\_\_  
(Mailing Address of Agent)

\_\_\_\_\_  
(Agent Phone Number)

**APPROVED BY CITY OF HANFORD**

\_\_\_\_\_  
Date: \_\_\_\_\_  
(Signature)

An **encroachment permit** Section 17.60.110 Outdoor Dining Areas

- C. Where Permissible. All outdoor dining areas must be located and operated adjacent to and incidental to the operation of a dining establishment or drinking establishment. Use of the sidewalk must be confined to the actual sidewalk and public right-of-way frontage of a dining establishment and must not encroach upon adjacent sidewalk or public right-of-way.
- D. Required Sidewalk Width. Use of the sidewalk area for an outdoor dining area is permitted only where the sidewalk is wide enough to allow for a minimum of four consecutive feet of sidewalk width at every point in front of the dining establishment which is clear and unimpeded for pedestrian and wheelchair traffic.
- E. Alcoholic Beverages:
  - 1. The outdoor dining area must be immediately adjacent to and abutting the dining establishment or drinking establishment.
  - 2. The outdoor dining area, when serving alcohol and when permitted by this section to be located on a sidewalk, must be clearly delineated from pedestrian traffic with a minimum 30-inch to a maximum 36-inch tall removable open-style railing, fence or roped boundary or plants and flowers in ornamental planter boxes and pots that area architecturally compatible with the structure housing the dining establishment.
  - 3. The operator shall post a written notice to customers as approved by the City, which states that the drinking or carrying of an alcoholic beverage is prohibited and unlawful outside of the outdoor dining area.
  - 4. The service of alcoholic beverages in the outdoor dining area must be licensed by the California Department of Alcoholic Beverage Control and comply with all licensing requirements.
  - 5. For drinking establishments, the service and consumption of alcoholic beverages is restricted to only on-site outdoor areas enclosed by a six-foot tall solid wall or fence, architecturally compatible with the structure housing the drinking establishment.
- F. Health Standards. Prior to serving any food or beverage in an outdoor dining area, the outdoor dining area must be inspected and approved by the Kings County Health Department. All exterior surfaces within the outdoor dining area shall be kept clean at all times. Restrooms shall be provided in the adjoining dining establishment and drinking establishment. The operator shall maintain the outdoor dining area, including without limitation, the sidewalk surface and furniture and adjacent areas, in a clean and safe condition at all times.
- G. Hours of Operation. Hours of operation for outdoor dining areas are to coincide with those of the dining establishment, or drinking establishment, or the hours of operation set by the Alcohol Beverage Control license if alcohol is served, whichever is more restrictive.
- H. Special Closures. The City shall have the right at any time, and from time to time, to prohibit the use of the public sidewalk and public right-of-way as an outdoor dining area. Such problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades, marches, repairs to the street or sidewalk, or from emergencies occurring in the area.
- I. Permit Issuance, Findings, and Conditions: The following conditions must be satisfied before an outdoor dining permit can be issued:
  - 1. The proposed operation of the outdoor dining area satisfies all of the applicable provisions of this section.
  - 2. An outdoor dining area located on a public area satisfies all of the applicable provisions of this section.
  - 3. No signage is allowed in the outdoor dining area except for one menu display sign no larger than four square feet per face. Signs with more than two faces are prohibited. Only plain, unmarked umbrellas may be used in an outdoor dining area. Professionally designed, temporary special-for-the-day signs may be permitted up to a total of two square feet in area.
  - 4. The applicant shall execute an indemnity agreement in a form provided by the City pursuant to which, the applicant agrees to indemnify, defend, and hold the City and its officials, officers, employees and agents harmless from any and all claims, damages, costs, including reasonable attorney fees, and losses arising from, or in any way related to the applicant's operation of the outdoor dining area.
  - 5. If any portion of the outdoor dining area is located in the public sidewalk or public right-of-way, the applicant shall maintain, at all times during which the outdoor dining permit is in effect, a policy of general comprehensive liability insurance with limits as approved by the City and insuring against injury or death of a person and for claims of property damage resulting from the applicant's use of its outdoor dining area. The City and its officials, officers, employees, and agents shall be named as additional insured under such insurance policy, and the applicant shall cause its insurer to waive the right of subrogation with respect to the City and its officials, officers, employees, and agent. The applicant will deliver to the City endorsements to the applicant's insurance policy as evidence of the satisfaction of these insurance requirements.
  - 6. Such other conditions as the City may deem necessary, including, without limitation, conditions to ensure the public safety, to protect public improvements and provide aesthetic improvements.
  - 7. No merchandise of any kind shall be displayed in the outdoor dining area except as specifically allowed by the outdoor dining permit.
- J. All outdoor dining furniture, including tables, chairs, umbrellas, and planters, shall be movable. All outdoor furniture must be of commercial quality to withstand the wear of outdoor use; plastic tables and chairs are not permitted. Umbrellas must be secured with a minimum base of not less than 60 pounds.

- K. Term. An outdoor dining permit is personal to the applicant and may not be transferred, assigned or conveyed to any other person. An outdoor dining permit shall terminate on the date the applicant no longer operates the outdoor dining area or discontinues the use of the outdoor dining area for a continuous 12 month period. If a dispute arises as to the date of the termination, the decision of the City as the date of termination shall be final and binding upon the applicant.
- L. Violation/Revocation. The Community Development Director shall provide written notice to an applicant of any violation of its outdoor dining permit. Such written notice shall identify the violations of the outdoor dining permit and any provisions of this section. The applicant shall have seven days from the date of such written notice to cure the violations identified in the written notice. If the violations are not cured to the satisfaction of the Community Development Department within said seven day period, the applicant's outdoor dining permit shall automatically terminate without further action by the City and the applicant shall immediately discontinue use of the outdoor dining area. If the City, in its sole discretion, determines that the continued operation of an outdoor dining area is an immediate threat to the health or safety of any citizen of the City, the Community Development may immediately, and without written notice and opportunity to cure, revoke an outdoor dining permit. If an outdoor dining permit is terminated or revoked, the City shall not process an application for an outdoor dining permit for that same manager/owner of the premises for a period of six months from the date of termination or revocation.