



# City of Morro Bay

Community Development Department  
955 Shasta Ave  
Morro Bay, CA 93442  
(805) 772-6261  
www.morro-bay.ca.us

## Temporary Use Permit Application Outdoor Dining, Sales & Other Outdoor Uses For Private Property

This application is intended to specify requirements in order to approve temporary uses, on private property, that comply with section 17.30.050 of the Morro Bay Municipal Code allowing the phased re-opening of local businesses in a way that **promotes safe social distancing**. Upon approval, the Temporary Use Permit will allow businesses to operate under special conditions in a way that protects the public health, safety, and welfare of the City and its visitors.

### Note to Applicants:

- This document is intended to provide minimum requirements for obtaining a temporary use permit for operating under special conditions during the Coronavirus public health crisis. Some applications may require additional information not listed here, as determined by the project planner.
- You are responsible for the accuracy and completeness of all application materials. Incorrect or incomplete information may result in a delay or denial of your application
- All application materials become the property of the City of Morro Bay and are subject to public review.
- All applications materials must be clear and legible. Faxes, poor reproductions, and cluttered or confusing drawings will not be accepted.

Business Name and Address: \_\_\_\_\_

Assessor's Parcel Number (APN): \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Existing Use: \_\_\_\_\_

Project Description: \_\_\_\_\_

Proposed days and hours of operation: \_\_\_\_\_

Applicant: \_\_\_\_\_

Applicant Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Property Owner Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Property Owner phone number: \_\_\_\_\_ Email: \_\_\_\_\_

By signing and submitting this application, the Applicant:

1. Acknowledges that acceptance of this application does not imply approval/authorization of this request and that this application may be denied or that conditions may be attached to this approval to assure compliance with applicable Municipal Code requirements.
2. Agrees to comply with the State of California and/or County of San Luis Obispo recommendations for business reopening and social distancing for as long as those orders remain in effect. County Reopening Link: <https://www.emergencyslo.org/en/reopening.aspx>
3. Understands that any failure to adhere to the State's or County's guidelines will result in disciplinary action which may include, but not be limited to, the immediate suspension of the Permit.
4. Understands that permit approval for the new outdoor seating/retail or other special operating conditions will last for a maximum of 6-months from permit issuance with the ability extend the permit for an additional 6-months at the discretion of the Community Development Director.
5. Understands that the temporary use authorized by this permit is at my own risk and agrees to defend, indemnify, release and hold harmless the City, its City Council, boards, commissions, officers and employees from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the temporary use permit activities. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, or proceeding whether incurred by the permittee, City, and/or the parties initiating or bringing such proceeding.
6. Agrees to comply with all requirements of Resolution 75-20, Exhibit B as approved by the Morro Bay City Council on August 11, 2020.
7. Declares under penalty that the foregoing statements and answers and all the data information, documents and evidence herewith submitted are to the best of the Applicant's knowledge and belief, true and correct.

Applicant's signature: \_\_\_\_\_ Date \_\_\_\_\_

Property owner's signature: \_\_\_\_\_ Date \_\_\_\_\_

# Temporary Use Permit Submittal Requirements

## General Requirements

Three copies of all application materials for Planning, Public Works, and Fire Department review and an electronic copy. **Site plans should be minimum of 8.5"x11"**.

*Note these are the minimum submittal requirements. Additional information may be required to fully evaluate your application following initial review by staff. If you have any questions, please contact Planning staff prior to submitting an application.*

**Fee:** No Fee required

## Site Plan (may be hand-drawn or a satellite image with information overlaid)

- Clear dimensioned site plan showing north arrow and scale
- Label all street names and abutting streets on site plan
- Specified Areas for the temporary use, such as patios, entryways, onsite sidewalks, parking lots, etc.
- Locations and dimensions of all:
  - Outdoor dining tables that comply with social distancing requirements. Refer to San Luis Obispo Reopening plan for guidance: <https://www.emergencyslo.org/en/reopening.aspx>
  - Sales areas
  - Outdoor Use Area
  - Pedestrian walkways (maintaining a minimum of 4' of sidewalk access)
  - Vehicle entry and exit paths, etc.
  - Distance from existing structures
  - Location of required outdoor trash receptacles
  - **\*Please note that ADA parking areas or access paths cannot be blocked by temporary outdoor seating\***

## Other Required Information

- Written narrative of business operation and proposed concept for social distancing
- Plan for collection and disposal of all trash and recycling generated from business operations. Disposal shall not be in public trash or public recycle facilities.
- Proposed signage, including size of each sign, proposed location, and method of attachment or display.
- City of Morro Bay business license.
- Applicant shall be required to enter into an agreement with the City to indemnify, defend and hold harmless the City of Morro Bay, and its officers, agents and employees. The indemnification language will be included in the Temporary Use Permit.

## Resolution 75-20, Exhibit B

### Temporary Use Permit Program for Establishment of Outdoor Sales, Dining and Other Uses on Private Property

#### **General Requirement**

The TUP program will be administered consistent with the following requirements:

1. All permits issued under this program shall comply with Section 17.30.050 of the Morro Bay Municipal Code (Temporary Use Permits).
2. To encourage temporary use of private outdoor spaces for dining, retail sales or other commercial uses. All associated off street parking requirements shall be temporarily waived for the effective period of the permit.
3. Applicant shall be authorized to utilize up to 50% of existing parking lot space for outdoor seating, sales or other commercial uses, with all associated parking requirements waived for the effective period of the permit.
4. TUP's shall be valid for an initial period of 6-months with the ability for the Community Development Director to extend the TUP for an additional 6-months upon application by the applicant
5. The \$292 administrative TUP fee is waived for the TUP program

#### **Site Plan Requirements**

##### **Site Plan (may be hand-drawn or a satellite image with information overlaid)**

1. Clear dimensioned site plan showing north arrow and scale
2. Label all street names and abutting streets on site plan
3. Identify areas for the temporary use, such as patios, entryways, sidewalks, parking lots, etc.

##### **Locations and dimensions of all:**

1. Outdoor dining tables that comply with 6-foot social distancing requirements,
2. Outdoor sales/use areas,
3. Pedestrian walkways (maintaining a minimum of 4' of sidewalk access),
4. Vehicle entry and exit paths, etc.
5. Distance from existing structures
6. ADA parking areas or access paths cannot be blocked by temporary outdoor uses

#### **Other Required Information**

1. Written narrative of business operation and proposed concept for social distancing
2. Plan for collection and disposal of all trash and recycling generated from business operations. Businesses placing tables and chairs outside shall be required to provide outdoor trash receptacles. Disposal shall not be in public trash or public recycle facilities.

3. Proposed signage, including size of each sign, proposed location, and method of attachment or display.
4. City of Morro Bay business license.  
The applicant shall enter into an agreement with the City to indemnify, defend and hold harmless the City of Morro Bay, and its officers, agents and employees.