

City of Campbell



Flexible Business Operation Guidelines Public Parking Lots

August 2020

Operations in Public Parking Lots

Purpose – The purpose of the Flexible Business Operation Guidelines is to temporarily allow businesses the opportunity to alter their operations beyond that approved by the City in an effort to encourage economic recovery as a result of the COVID-19 pandemic. These Guidelines will serve as land use allowances until such time as the County Public Health Officer Orders are discontinued or the City determines that such operational expansions are no longer warranted.

Permit Process – An Encroachment Permit issued by the Public Works Department will be required to perform outdoor business operations in public parking lots. Application processing fees will be waived in an effort to minimize business expenses necessary to support economic recovery efforts. Instructions on how to apply for an Encroachment Permit are included in this document. Provided permit applications are complete, permits can be processed in 1-3 business days from submittal.

Allowances – The City will allow all businesses to expand their operations outside of their enclosed tenant spaces for business operations provided that they comply with [California State Industry Guidance](#), the [County of Santa Clara Health Order and Mandatory Directives](#), and professional standards issued by [State Licensing Boards and Bureaus](#) in the following manner:

1. Parking Area – A business may occupy parking stalls in a public parking lot so long as the stalls are located immediately contiguous to a sidewalk which fronts the subject building occupied by merchants. In other words, a guest should not have to walk across a vehicle drive aisle in order to gain access into an area being used for business activity.
 - a. The number of parking stalls used for outdoor activities and operations shall not exceed 40% of the parking stalls required for the particular business. In other words, if a business requires ten parking stalls, only four stalls can be used for the expansion.
 - b. Parking stalls used for outdoor dining shall be located immediately contiguous to any sidewalk which fronts the subject building occupied by merchants, so as to avoid having a customer walk across a vehicle drive aisle in order to gain access into the area being used for the dining, retail or other business activity.
2. Designated outdoor dining areas:
 - Tables and chairs must be placed to achieve accessibility standards.
 - The edge of each table must be spaced at least 10 feet apart from the edge of the nearest table to allow at least six feet social distancing between customers seated at different tables.

- Employees and patrons must wear face coverings and only can remove when eating and drinking while seated at a table outdoors
3. Expansion Area Safety – The business expansion area shall be marked with appropriate barriers that will achieve employee and customer safety as well as define the area’s periphery. Barriers shall be sturdy enough to not be moved or knocked over by people, wind and vehicles. Such barriers shall be selected between the property owner and tenant in that the City has relinquished all responsibility from these allowances.
 4. Hours of Operation – The hours of operation shall not exceed 7:00 a.m. to 11:00 p.m., seven days a week.
 5. Heating Devices – Heating devices, such as propane heaters, may be utilized for day or nighttime operations. Storage of propane canisters shall be in conformance with required Fire Codes. Heating devices are not allowed to be placed under an umbrella, tent or other covering.
 6. Tents and Coverings – Umbrellas with secure bases and tents with three open sides to provide adequate air flow are allowed. Such fabric should be fire retardant and comply with applicable Fire Codes.
 7. Lighting – Lighting will be permitted for nighttime operations. Such lighting shall not disrupt surrounding properties or create vehicle circulation issues. Any extension cords used to provide power to the expanded area shall be securely fastened to the ground to avoid tripping hazards or impede in accessibility. Tabletop lights which do not require the use of extension cords are also allowed.
 8. Alcohol Service – Operational expansions involving the sale of alcoholic beverages for restaurants and other food service facilities with an existing ABC license require a [Temporary Catering Authorization](#) (TCA) from the Department of Alcohol Beverage Control (ABC). The TCA Application is available [here](#). Applicant is responsible for securing this and any other permits from ABC. Except for wine tasting businesses, alcohol can only be purchased on the same receipt as a bona fide meal.
 9. Live Entertainment – No live entertainment or amplified music is allowed exterior to the business.

Performance Measures

The following measures shall be followed, for activity conducted within a public parking lot:

1. Social Distancing – Maintain at least 6 feet from others at all times and provide hand washing/sanitizing supplies to customers and staff.
2. Face Coverings – Employees and patrons must wear masks or face coverings at all times except for very young children, people for whom face coverings are medically inadvisable, or for communication by or with people who are hearing impaired.
3. Reporting COVID-19 Cases to County Public Health Department – Businesses must alert the Public Health Department if workers test positive for COVID-19, and ensure workers alert their employers if they were at work while infectious.
4. Signage – All businesses must print the updated “COVID-19 Prepared” Sign and Social Distancing Protocol Visitor Information” sheet included in the current County [Social Distancing Protocol](#). Both items must be posted prominently at all facility entrances.
5. Maintenance – Designated outdoor business operation areas shall be maintained free of debris and clutter and shall not create public nuisance issues as specified in [Campbell Municipal Code Chapter 6.10 \(Nuisance Abatement and Administrative Penalties\)](#). Appropriate waste collection containers shall be provided, and all areas shall be regularly cleaned pursuant to the current County Public Health Officer Order. Exterior business trash cans shall be emptied every evening at close of business. It is the responsibility of the tenant to implement this requirement on a regular basis.
6. Storage – Except for any tents, furniture, or display racks, all other outdoor items and loose products shall be brought inside the business tenant space at close of business to diminish vandalism or clutter.
7. Accessibility – All accessibility requirements are required to be maintained consistent with State and local laws. City sidewalks and other exterior paths of travel shall have continuous and unobstructed paths of travel that are at least five feet wide. All crosswalks and pedestrian ramps must remain clear and unobstructed to pedestrians and people with disabilities.
8. Discontinuance – Once the County Public Health Officer Order has been rescinded or the City of Campbell makes the determination that the Flexible Business Operation Guidelines no longer apply, the City will notify the property owner and tenant that the expansion area shall be returned back to its pre-existing purpose. The area shall be returned back to its previous existing purpose within 30 days of such notice.

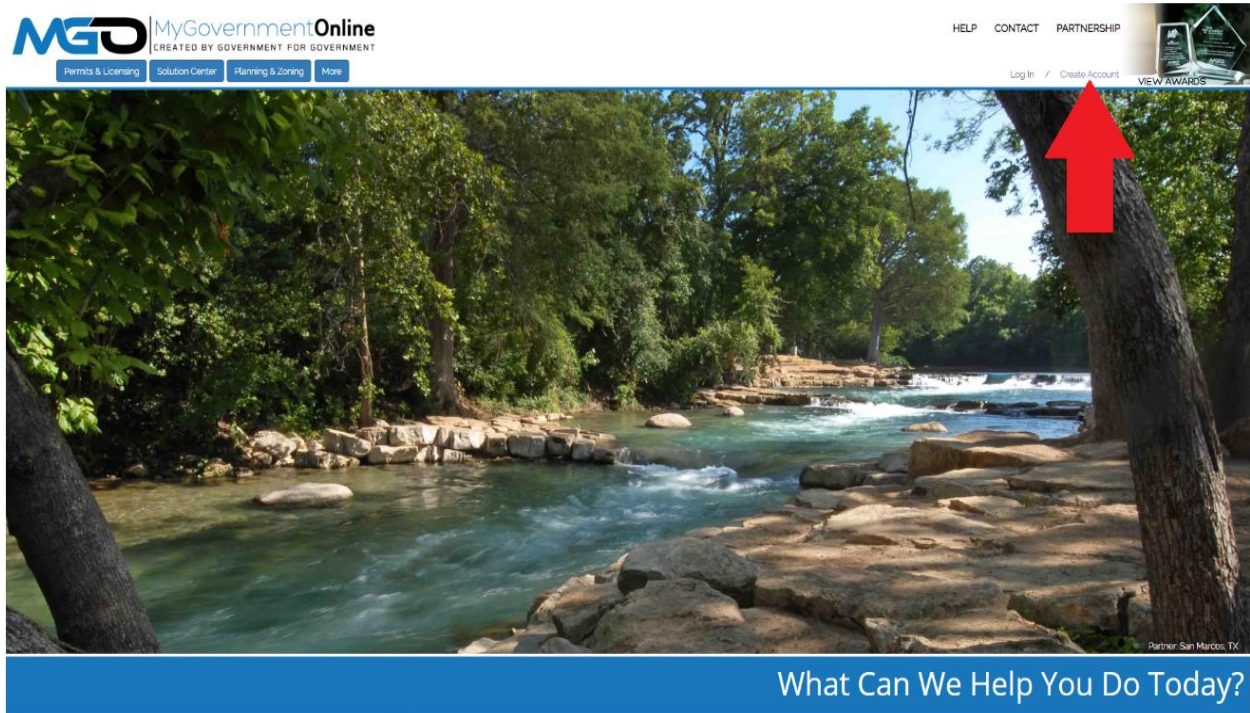
9. State or County Permit Authority – Any State or County permit requirements shall be met. It is the responsibility of the business owner to secure all required permits.

Applying for an Encroachment Permit

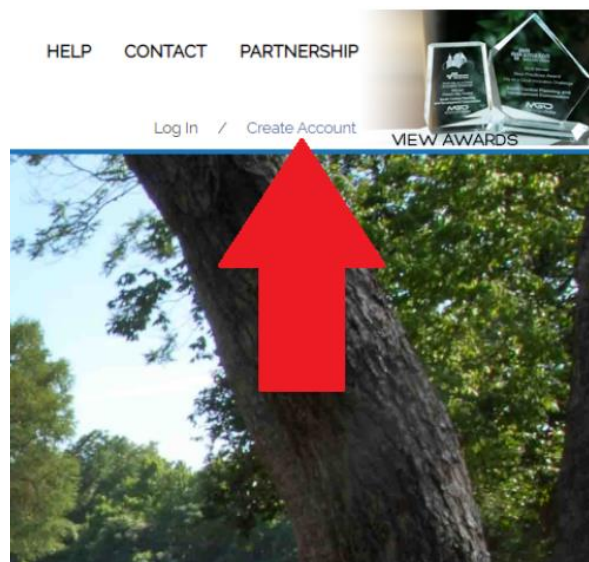
The City of Campbell is accepting applications online during the COVID-19 pandemic.

Create an Account

1. Go to mygovernmentonline.org (MGO) and click on the “Create Account” link as shown below.



The image below is a larger view of the “Create Account” link for reference.



2. Provide the following user account login information to create your new account:

- Valid email address and password (passwords are case sensitive)
- Your name
- Phone number
- Challenge question and answer (Your answer should be one word)

3. You will receive a call from MGO prompting you to answer your challenge question.

4. You will receive an “Account Created” confirmation stating that your account has been created. Click the Close button to close the message. A telephone call to the telephone number you provided will follow shortly. When you receive the call, answer the call and press the number 1 on your keypad when prompted. This completes the account activation process.

If you do not receive the telephone call within 10 minutes, call the My Government Online Support Team at 1-866-957-3764, option 2 for assistance. Please have your e-mail address and the telephone number used to create your account ready.

Apply for a Permit

1. Login at mygovernmentonline.org.
2. Go to the “Permits and Licensing” button in the top left area of the screen and click on “Apply Online.”



- In order, select the State, Jurisdiction, and Project Type as shown below and then click "Next."

MGGO | MyGovernmentOnline
CREATED BY GOVERNMENT FOR GOVERNMENT

Permits & Licensing | Solution Center | Planning & Zoning | More

Apply Online

Jurisdiction and Request Type *

Some jurisdictions do not accept online applications.
If your jurisdiction or jurisdiction's department is not listed please contact that jurisdiction directly for their application

Country: * United States (dropdown) State: * California (dropdown)

Jurisdiction: * Campbell (dropdown)

Project Type: * (dropdown menu open showing options: - Select -, Building Division, Campbell Police Permits, and Public Works Engineering Division)

Next

- Click "Get Started on a New Application"

MGGO | MyGovernmentOnline
CREATED BY GOVERNMENT FOR GOVERNMENT

Permits & Licensing | Solution Center | Planning & Zoning | More

Apply Online

Jurisdiction and Request Type *

Online Permitting Application *

Get Started on a New Application

Add a permit to an existing project

5. On the “Select an Application Type,” choose “Encroachment Permit – Miscellaneous” and click “Next.”



Permits & Licensing

Solution Center

Planning & Zoning

More

Apply Online

Jurisdiction and Request Type *

Online Permitting Application *

Select an Application Type

Select an Application Type: *

- Select an Option -
- Select an Option -
- Encroachment Permit - Land Development
- Encroachment Permit - Miscellaneous
- Encroachment Permit - R1 - Residential
- Encroachment Permit - Storage Container
- Encroachment Permit - Utility Work
- Map Review - Certificate of (Map) Correction

6. Enter the address of the property fronting the street area you want to use and click “Next.”

Physical Address or Location *

Please provide the physical address or location of your project.

My Project has been addressed by the Jurisdiction.

Address or Location: * City: * Zipcode: *

Next

Files Upload

7. Complete the “Applicant’s Contact Information” page and check the “Notify” boxes for preferred way(s) you would like to a Public Works employee to contact you. Click “Next.”

Applicant's Contact Information

First Name Last Name Suffix Business Name

Mailing Address
 Address City State Zipcode

Email Notify

Cell Phone () Notify

Home Phone () Notify

Work Phone () Notify

8. Skip the “Contractor’s Contact Information” page and click “Next.”
9. On the “Application Questionnaire” page:
 - a. Describe what the area will be used for, the type of equipment will be used such as tables, chairs, display racks, lighting, umbrellas, canopies, tents, etc.
 - b. Select “Other” for “Type of Work”
 - c. Select “Yes” for “Are any traffic lanes being closed for proposed work?”
 - d. Select “Yes” for Are any street closures and detours necessary for proposed work?”

Application Questionnaire

ENC Permit (Misc. Other)

Describe the work being proposed
4000 char(s) available.

Type of Work

Are any traffic lanes being closed for proposed work?

Are any street closures and detours necessary for proposed work?

All items marked with a red asterisk are required fields and must be completed before you are able to submit your appl
 If you are unsure of a required field's answer you may skip the question to answer other questions.
 After you press "next" to advance to the "review" section, you can press the "Save" button to save your progress and re

10. Click the "Upload Files" button to upload a PDF file of a drawing showing how the area will be laid out like a floor plan. The drawing can be drawn by computer or hand drawn with information printed clearly. Outdoor space can extend from the curb to the center line and equal to the width of your business' store front.

Files Upload

If you are attaching any files to this application, click "Upload Files", select the files. If you are expected to include files with your application, a notice will appear.

- Files

Upload Files

Back Next

Review

11. Click the "Upload Files" button again to upload a PDF copy of commercial general liability insurance and worker's compensation insurance listing the City of Campbell as an additional insured party.

12. Click "Submit" to complete the process.

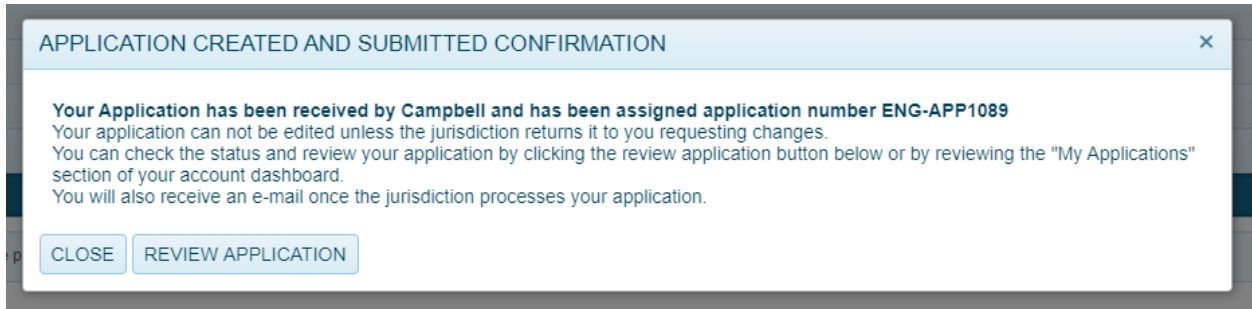
Review

To save your current progress and complete your application another time, please press save before exiting.

Your application is ready to submit to the jurisdiction.

Back Save Submit

13. You will receive a confirmation message and an application number. The Public Works Department will receive your application for processing. A Public Works staff member will contact you regarding next steps and assistance.



If you wish to speak with a member of the Public Works Department concerning your application, call (408) 866-2150.