

**Urgency Ordinance Authorizing the Outdoor Operations of
Qualifying Establishments (Restaurants, Wineries, Breweries,
and Bars) Pursuant to a Special Temporary Outdoor Dining
Permit.**

June 5, 2020



**CITY OF
CUPERTINO**

Background

- Shelter-in-Place
 - March 16, 2020 (County)
 - March 19, 2020 (State)
 - March 31, 2020 (County)
 - April 29, 2020 (County)
 - May 4, 2020 (State)
 - June 5, (County)

Restaurants, Wineries, Breweries, or Bars

- No authorized food/beverages service on site until later phase.
- Santa Clara County allows outdoor dining on June 5.
- Ordinance establishes operation process.

State and Local Guidelines for Outdoor Dining

- *Santa Clara County Appendix C-1: Additional Businesses Allowed to Operate*
- *California Department of Health's COVID-19 Industry Guidance: Dine-In Restaurants.*

Special Temporary Outdoor Dining Permit

- CMC19.60.050 limits outdoor seating to 20% of the indoor seating capacity.
- Ordinance will temporarily suspend requirement and allow outdoor service of food and beverages.

Special Temporary Outdoor Dining Permit Requirements

- Limited Seating & use of parking spaces.
- Adherence to State and County Guidelines.
- Comply with any requirements imposed by Building Division, Environmental Services Division, Public Works Department, and Santa Clara County Fire Department.

Permit Limitations

- Approved, conditionally approved or denied by Director of CDD.
- No application fee.
- Non-transferable.

Recommended Action

- Find the proposed action exempt from CEQA; and,
- Enact Urgency Ordinance No. 20-XXXX