



# TEMPORARY USE PERMIT OUTSIDE BUSINESS OPERATION

## APPLICATION

**BUSINESS NAME:** \_\_\_\_\_

**APPLICANT NAME:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**APPLICANT ADDRESS:** \_\_\_\_\_

**APPLICANT PHONE:** \_\_\_\_\_

**STORE ADDRESS** \_\_\_\_\_

**Description of project:** including: number of parking spaces or drive aisles to be impacted; percentage of parking spaces to be impacted; proposed improvements; hours of use; potential service of alcohol; signage; barriers; trash receptacles; operations; and other requests as part of the application.

---

---

---

---

### ATTACH

- Floor plan of any usable private outdoor space including, but not limited to: tables and chairs or sales racks reflecting social distancing requirements; location of other fixtures such as umbrellas or portable heaters; walkway dimensions to meet ADA requirements for accessibility; planters; and all barriers.
- If a tent is used, that is larger than 10 feet x 10 feet, this shall appear in the plans and will require a Building Department permit.
- Liability Insurance Coverage. Proof of Insurance is required. In addition to one-million dollars in General Liability, an endorsement specifically naming "The City of Los Alamitos, its officers, employees, agents and volunteers as additional insureds" is required.
- If drive aisles and parking spaces are impacted, a traffic plan is required.
- If temporary directional or other signs are proposed, a sign plan is required.

## PERMIT

Staff conditions are provided below:

1. This permit does not permit the building of any arbor, gazebo, or overhead structures as part of this approval.
2. All business activities within the designated outdoor area shall be limited to the business listed on the TUP application.

3. All business activity shall take place within the store or designated outdoor dining/outdoor retail area and must have a valid business license to operate in the City.
4. The applicant shall maintain adequate security personnel to ensure the security of merchandise on display, if necessary.
5. All business activities and items used within the designated outdoor area shall substantially comply with the attached site plan that must be filed with the Development Services Department.
6. All equipment within the designated outdoor area, as approved on the site plan, shall be installed per the manufacturer's specifications.
7. Any litter on-site or within the public right-of-way attributable to this use shall be removed daily.
8. All activities related to this use shall comply with the City of Los Alamitos Noise Ordinance (LAMC 17.20).
9. The applicant shall keep clear all required exits and ADA accessible paths of travel at all times.
10. Standard and ADA accessible parking spaces shall be available to all customers. If existing permanent ADA accessible parking spaces are obstructed, an equal number shall be temporarily located as close to the building as possible.
11. If electrical will be provided, temporary electric power and lighting installations shall comply with Article 590 CEC 2019. The applicant shall submit plans to the Building Official for review and approval as necessary.
12. All customers shall have access to restroom facilities in the existing buildings or provide access to temporary restrooms within 250 feet from the event area. ADA accessibility to the restrooms shall be maintained.
13. Alcoholic beverage sales and distribution are subject to ABC licensing requirements. Issuance of the ABC license may be subject to conditions related to the sales, service, and consumption of alcoholic beverages.
14. Any on-site food service shall be approved by the Orange County Health Care Agency guidelines.
15. All fire lanes shall be kept clear of any tables, chairs, displays, etc.
16. Temporary tents and/or canopies shall be anchored to resist windy conditions in accordance with the manufacturer's installation instructions.
17. Tent materials shall be approved and labeled by the State Fire Marshal as flame resistant.
18. One 2A-10BC portable fire extinguisher for every five (5) canopies shall be mounted, readily identifiable, and available when a series of canopies are in use.
19. If the use requires extra planned or unplanned City services such as police, code enforcement, or public works services, the applicant shall reimburse the City for any costs associated with the planned or unplanned City services.
20. Where applicable per a TUP, barriers, preferably decorative in nature, shall be placed around the outdoor customer areas and to close off drive aisles as needed, subject to approval by the Orange County Fire Authority and City Engineer.
21. Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers or seating.
22. Sanitation standards as provided by the County, State, and Federal governments shall be followed.
23. Appropriate six-foot distancing shall be maintained between groups of customers.
24. Businesses shall attempt to create special zones for delivery-based services.

- 25. Employees and workers should wear face coverings over their noses and mouths while performing their work.
- 26. Business should provide easily accessible hand sanitizer for customers and employees.
- 27. It is strongly encouraged to implement contactless ordering and payment processes.
- 28. Restaurants are encouraged to use a reservation process to prevent capacity issues.
- 29. Restaurants are encouraged to use disposable menus.
- 30. Canopies, umbrellas, and other decorative material shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. Canopies, opened umbrellas and other decorative features shall maintain a minimum clearance of six (6) feet, eight (8) inches (eighty (80) inches) above the ground.
- 31. Installation of a generator requires a permit from the Building Department. Generators may be permitted but must be located as far away as possible from pathways, seating areas and other businesses. When a generator is proposed, secondary containment for portable generators shall be provided and comply with the attached conditions of CASWA BMPs for Spill Prevention and Control (WM-4).
- 32. No amplified music or public address system is permitted.

Application  Approved  Denied

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

***The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. Term. Businesses may continue to operate in conjunction with their approved TUP, provided that all health and safety requirements are being met. The TUP will expire fourteen (14) days after the City rescinds its proclamation of local emergency.***

***I understand and hereby agree to abide by all the above conditions of approval imposed by this permit and understand issuance of this permit is discretionary and the use applied for is not allowed by right and will become null and void if all the conditions of approval are not met.***

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

**\*\*\* A copy of this approval letter shall be kept in a conspicuous location on the site \*\*\***