

EMERGENCY TEMPORARY USE PERMIT APPLICATION

(TO SUPPORT RESTAURANTS, WINE TASTING ROOMS AND RETAIL BUSINESSES)



Planning Department
1572 Railroad Ave.
St. Helena, CA 94574

FILE NUMBER _____

For additional information, zoning, forms & documents please visit us on the web at: <http://www.cityofsthelema.org/content/planning>

PLEASE TYPE OR PRINT

Business Name _____

Business Address _____

APN _____ Additional APN _____

Business Type: Restaurant Tasting Room/ Bar Retail Other _____

APPLICANT INFORMATION

Name _____

Address _____

City _____

State _____ Zip _____

Phone _____

Email _____

PROPERTY OWNER INFORMATION

Name _____

Address _____

City _____

State _____ Zip _____

Phone _____

Email _____

NOTE: Additional property owner(s) and/or applicant(s) information (name, address, phone number, email, and signature) shall be attached to the application. In the case of partnership, all general and limited partners shall be identified. In the case of a corporation, all shareholders owning 10% or more of the stock and all officers and directors shall be identified.

INFORMATION AND QUALIFICATIONS

The Emergency Temporary Use Permit (pursuant to Urgency Ordinance adopted by the City Council on June 9, 2020) is intended to offer businesses flexibility with their seating and retail arrangements to cope with the new demands caused by COVID-19. It allows businesses limited additional seating or displays on patios or walkways, and/or to be placed on adjacent lawn, up to the maximum approved seat count identified in the business' use permit as applicable.

IN ORDER TO BE ELIGIBLE, EACH BUSINESS MUST COMPLY WITH THE FOLLOWING:

- COVID-19 industry-specific requirements established by County of Napa, in coordination with rules set by the State of California.
- ADA accessibility requirements for use of the additional identified seating / display area.
- Any applicable ABC licensing requirements use of space may require.
- Approval of landlord (if different than owner of business) to participate in the program.
- Written authorization from land owner (if different than owner of business) to utilize private parking spaces for outdoor tables or merchandise.
- Social distancing and industry sector requirements.
- Any other federal, state, or local laws or regulations applicable to the use.

DESCRIPTION: Please describe the proposed outdoor seating (or other arrangements) for your business below.

THESE ADDITIONAL TERMS APPLY FOR PERMITTEES:

- The City may deny the permit for failure to comply with the requirements of federal, state, or local laws or regulations.
- For liability and ABC considerations, adjacent or additional space use must be on the same parcel or an adjacent parcel owned by the same party or a parent or subsidiary of the party.
- Emergency temporary use permits will expire upon the termination of the declaration of local emergency.
- The Planning and Building Director reserves right to revoke the emergency temporary use permit for non-compliance with urgency ordinance adopted by City Council on June 9, 2020.

I, _____, hereby file this Emergency Temporary Use Permit application and agree to comply with minimum requirements noted on page 1 of this application. **I will not make any changes affecting the outdoor operation of my business until I have received approval from the City of this application.**

In the event the property owner is different from the applicant, the property owner must sign to indicate her/his/its consent to the filing and agreement to be liable with the applicant for the payment of processing fees.

In the event the City is required to take or is subject to legal action to enforce any of the terms and conditions of this application, applicant and property owners agree to pay to City reasonable attorney fees and costs incurred in such action.

We, the owner and the applicant, agree to defend, indemnify, and hold the City, and its officers, and employees harmless from any claims, demands, obligations, actions, causes of action, suits, losses, judgements, fines, penalties, liabilities costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever that may arise from or in any manner related to the issuance of the emergency temporary use permit.

Date: _____ **Applicant's Signature:** _____

Date: _____ **Property Owner's Signature:** _____

Date: _____ **Property Owner's Signature:** _____

REQUIREMENTS FOR A COMPLETE APPLICATION:

The following list is not exhaustive, some applications may require additional information. Consult with a planning staff member to determine whether additional materials are required for your project.

Incomplete applications will not be accepted.

APPLICATION FORM - with all property owner's signatures, including all parties holding a title interest.

DESCRIPTION- please describe the proposed additional seating or other arrangements for your business. (Refer to top of page 2)

SITE PLAN - please attach a sketch of additional seating/display areas identified (if applicable). Also show, at a minimum, parcel boundaries, location of structure(s), setbacks, sidewalk dimensions and minimum 48" ADA clearance, location of driveway (if applicable); and the location and names of adjacent and abutting streets.

For questions related to this application please contact:

Aaron Hecock Senior Planner at AHecock@cityofsthelena.org or 707-968-2747

To submit an application please contact or email items to:

Xinia Gamero Permit Technician II at XGamero@cityofsthelena.org or 707-968-2659

OFFICE USE ONLY

Approved By: _____ Date: _____

Denied By: _____ Date: _____

Planning Staff Signature: _____

Conditions : _____
