

**City of Santa Ana:
A Guide for Outdoor
Business Operations
"Take It Outside"**

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PREFACE

REOPENING CALIFORNIA

Governor Gavin Newsom issued Executive Order N-33-20 on March 19, 2020. After many businesses and activities were allowed to reopen, Governor Newsom ordered many indoor operations to cease statewide and added new restrictions in counties including Orange County in July 2020. Restaurants, retail, and personal services are authorized to open outdoors only, and must abide by the safety guidelines issued by the [State](#), [CDC](#), and [OSHA](#).

RESTAURANT + RETAIL RECOVERY PROGRAM

The City of Santa Ana is taking steps to ensure businesses have the ability to operate safely and successfully during the COVID-19 economic recovery using available private and public right-of-way.

GUIDELINES TO EXPAND SEATING AND SALES AREAS

Per Executive Order 5-2020, the City of Santa Ana provides the following guidelines:

- ▶ Restaurants and food establishments licensed under Chapter 41 of the Santa Ana Municipal Code (SAMC) may allow outdoor consumption of food and beverages, so long as they adopt appropriate social distancing measures.
- ▶ All outdoor seating must be spaced **at least 6 feet between parties**. Outdoor seating and sales areas shall be separated by stanchions, barriers, planters, or similar means to outline the specific area.
- ▶ Restaurants using Food Islands or participating in the “Café and Retail” zones are **required to use a reservation process** to prevent patrons from congregating while waiting for service.
- ▶ Businesses should **thoroughly clean and disinfect** all surfaces after each use. Businesses should also provide **easily accessible sanitizer** for patrons and employees.
- ▶ It is strongly encouraged to **test your workforce for COVID-19**. No symptoms or insurance is necessary.
- ▶ Businesses should also use **disposable paper menus** and are strongly encouraged to implement **contactless ordering and payment processes**.
- ▶ Outdoor alcohol sales is permitted in full accordance with California Department of Alcoholic Beverage Control (ABC) and City approved standards.
- ▶ **Facial coverings should be worn** for all those in face-to-face interaction roles (e.g. servers, retail workers) and where six-foot social distancing cannot be maintained.
- ▶ Bars, pubs, and nightclubs shall continue to comply with the state order.



TEMPORARY OUTDOOR DINING + RETAIL ACTIVITY IN PUBLIC RIGHTS-OF-WAY IN ONLY IN DOWNTOWN

In accordance with Executive Order 5-2020, the City of Santa Ana is temporarily authorizing restaurants and retail businesses to expand dining and retail operations onto sidewalks and parking spaces (Food Islands/Parklets) on City roads or parking lots within Downtown Santa Ana. The City will also identify certain roadways for full road closures (Café & Retail Zones) and will be temporarily making these street areas available for expanded dining and retail activity. It is the business's responsibility to ensure that minimum life safety requirements and Americans with Disability Act (ADA) requirements are maintained at all times. See **Exhibit A** for a map of Downtown Santa Ana.

Sidewalks

For the duration of Governor Newsom's stay-at-home order, City Code requirements regarding certain permitting of sidewalk cafes shall be temporarily suspended. Businesses utilizing City rights-of-way shall comply with the following requirements during this time period. Operational requirements for Sidewalk Cafes per the SAMC shall remain in effect as described below and shall apply to all private business operations including retail establishments.



General Requirements:

Outdoor seating or sales area operations within sidewalks and public rights-of-way shall maintain the following:

- ▶ Adequate and unobstructed pedestrian flow of at least 4 feet
- ▶ Access to public utilities, crosswalks, bus stops, and other required entrances/exits
- ▶ Access to fire hydrants, fire hose connections for sprinkler systems, and building entrances/exits shall not be obstructed. **The twenty (20) feet fire lane shall not be obstructed at any time.**
- ▶ The operational hours of the outdoor space shall be restricted to the operating hours of the business.

See **Exhibit B** for outdoor seating parameters.

Food Islands/Parklets in Downtown

Food Islands (or parklets) are on-street parking spaces that have been temporarily converted for other use, such as expanded outdoor dining areas. Food Islands can be used by one or more businesses, and don't require streets to be closed. The City



will be temporarily suspending certain codes and permitting requirements for private use of on-street parking spaces within the public right-of-way.

- ▶ Metered parking spaces must be requested and approved in advance by contacting the City at **(714) 647-5477**. The City will bag metered spaces at no cost to the business, and the business will be permitted to temporarily use the additional space for restaurant or retail use.
- ▶ Non-metered spaces may be activated by an adjacent business at any time without notification to the City.

Temporary Barriers and Surface Materials

Temporary barrier materials, such as pedestrian rails, bike racks, wood, plants, A-frames, or painted plastic, can be utilized to better define boundaries of extended business operations. Any equipment or furniture placed in the parking space cannot be placed closer than two (2) feet from the edge of the adjacent travel lane. Safe pedestrian pathways between barrier walls must be provided. For questions relating to barrier wall placement, please call **Victor Chaidez** with the Public Works Agency at **(714) 647-5609** or **Julie Castro-Cardenas** from the Community Development Agency at **(714) 673-3619**. Temporary surface materials, such as chalk or turf, are permitted for application on sidewalks and parking spaces.

Café & Retail Zones

Café and Retail Zones involve closures of portions of a street near a concentration of businesses to provide additional space in a safe and protected setting that can serve multiple businesses. Full street closure locations and hours of operation will be approved and deployed by the City of Santa Ana in advance. The City will provide the maintenance of traffic plans to close the roadway for vehicles and deploy necessary detours and signs to direct traffic away from the closure. It is the business's responsibility to activate these spaces with temporary materials such as tables, chairs, umbrellas, and visual/physical barrier materials.

These zones will be installed 24 hours a day/7 days per week for the duration of this pilot program. To request consideration of a Café & Retail Zone in front of your business, please call the **Community Development Agency** at **(714) 673-3619** or **William McGovern** from the Police Department at **(714) 647-5840**. See **Exhibit C** for sample street closure maps.

City of Santa Ana Right to Clear Right-of-Way

The City reserves the right to remove an outdoor seating or sales area that (i) creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic due to existing conditions on the surrounding public right-of-way if it finds the installation represents a danger to the health, safety or general welfare of the public or (ii) a business violates the requirements of these Guidelines or Executive Order 5-2020.



The City may require the removal, temporary or permanent, of the outdoor seating or sales area when necessary, or the permittee fails to comply with the criteria set forth in Chapters 10, 36, and 41 of the SAMC. Any costs incurred by the City for removal or storage of sidewalk café tables, chairs and other equipment shall be the responsibility of the business. The City is not responsible for any damages or loss of equipment removed pursuant to this subsection.

TEMPORARY OUTDOOR DINING + RETAIL ACTIVITY ON PRIVATE COMMERCIAL PROPERTY CITYWIDE

Up to 50% of off-site private parking spaces counted for required parking may be converted to outdoor dining or retail space, when the lot is immediately adjacent to the parent property. The converted use must be in conformance with all Orange County Fire Authority (OCFA) requirements for building accessibility, and social distancing requirements that provide at least six feet spacing between tables and pathways. Additionally, **no** parking for disabled persons may be repurposed for restaurant or retail use. See **Exhibit D** for a sample layout.



The required landscape and buffer areas for the off-site private parking spaces (Vehicular Use Areas), shall not be used as an expanded converted use for restaurants or retail operations. There shall not be parking, outside seating, or retail activities in these areas.

Tents, Umbrellas, and Other Shade Structures

Tents that are 10 feet by 10 feet in size or smaller may be placed in parking spaces to provide shade for outdoor dining and retail areas. Businesses must adhere to OCFA requirements. See **Exhibit E** for additional guidelines on the use of tents, umbrellas, or shade structures within public spaces.

MOBILE FOOD VENDING

Mobile food vendors may operate within private or city-owned parking lots with the permission of the property owner and in accordance with guidelines and regulations from the CDC, County of Orange, and the City of Santa Ana. **Mobile food vendors that are interested in vending in private or city-owned parking lots must [register](#) with the City of Santa Ana to participate.**



Mobile food vendors must adhere to the following:

- Receive **written permission** from the private parking lot property owner.
- If it is a city-owned parking lot, please contact **Julie Castro-Cardenas, Economic Development Specialist II** from the Community Development Agency at **(714) 673-3619** or **William McGovern, Special Events Coordinator** from the Santa Ana Police Department at **(714) 647-5840**.
- Maintain a valid City of Santa Ana Business License.
- Maintain a current County of Orange Health Care Agency permit for mobile food vending and have access to restroom facilities for employees.
- Parking lots must be zoned commercial, industrial, or specific plans allowing for commercial and industrial use.
- Each mobile food vendor may occupy a **maximum parking space of 30 feet x 20 feet**, but may **NOT exceed 25% of the entire parking lot**. Multiple food vendors may operate in a lot, but may not occupy more than 25% of the lot. **Up to 50% of a private parking lot can be used cumulatively for restaurants, retail, mobile food vending, and personal services.**
- May not impose on primary business use of parking requirements when open for business.
- May not operate on a property with a competing business during business hours.
- Operate **no later than 2 a.m.** daily. If operating within 500' from a residential zone, may only operate **until 12:00 a.m.**
- Set up **4 feet from any structure or building**.
- Depending on the parking area and spaces allotted, vendors may use **TWO 10'x10' canopy and up to 4 tables** maximum per mobile food vendor.
- May NOT block parking stalls for patrons with disabilities, driveways, or emergency and designated fire access.
- May NOT create dangerous situations for pedestrians, cyclists, or motorists (i.e. blocking visibility at corners or driveways).
- Ensure COVID-19 distance protocols as recommended by the County of Orange and other State agencies.
- Parking area and radius must be maintained clean at all times.
- At night, low voltage lighting may be permitted.
- No amplified noise. If operating as public nuisance, **permission to operate may be revoked**.

See **Exhibit F** for a sample layout for mobile food vending.

TEMPORARY SALE & CONSUMPTION OF ALCOHOL

The City of Santa Ana will temporarily allow the sale and consumption of alcohol within private or public outdoor dining or Food Islands that are operated and



approved by business owners that have permits and authorization from the Alcoholic Beverage Control, as outlined in the Fourth Notice of the ABC guidelines: <https://www.abc.ca.gov/fourth-notice-of-regulatory-relief/>

See **Exhibit G** for additional information on applying to ABC for temporary catering authorization.

OUTDOOR PERSONAL SERVICES

In July 2020, Governor Gavin Newsom announced [guidelines](#) for hair salons and barbers as well as [guidelines](#) for Expanded Personal Care Services to operate outdoors.

The City of Santa Ana is temporarily authorizing personal services to be offered outdoors citywide with the following requirements:

- May operate on private parking lots with **written permission** from the property owner.
- The City is temporarily suspending the requirement of a land use certificate and permitting requirement for sidewalk use.
- May occupy a **maximum parking space of 30 feet x 20 feet**, but may **NOT exceed 25% of the entire parking lot**. **Up to 50% of a private parking lot can be used cumulatively for restaurants, retail, mobile food vending, and personal services.**
- May operate on **sidewalks directly adjacent storefront** if businesses do not have private outdoor areas or an onsite parking lot.
 - Must maintain Americans with Disability Act (ADA) requirements at all times, including **adequate and unobstructed pedestrian flow of at least 4 feet**.
- Must maintain a **minimum of 15 feet away from any other businesses** during normal business hours.

Hair salons and barbershops must also be in accordance with all State guidelines as follows:

- Outdoor operations may be conducted under a tent, canopy, or other sun shelter as long as no more than one side is closed, allowing sufficient outdoor air movement.
- Salons/barbershops should not perform a service that would require a customer to have to enter the establishment.
- Maintain at least six feet between and among workers and customers, except when providing services.
- Establish an outdoor reception area where customers can check in while following physical distancing guidelines. If possible, implement virtual check-in technology.
- Stagger appointments to reduce reception congestion and ensure adequate time for proper cleaning.
- Perform thorough cleaning in high-traffic areas and clean at the beginning and end of each shift and in between customers.



- Must continue to follow [existing California Board of Barbering and Cosmetology rules](#)

ADDITIONAL RESOURCES

The City of Santa Ana has established a Business Resource Hotline for local businesses to communicate and get resources during economic recovery from the COVID-19 pandemic. Available Monday through Thursday during normal business hours.

Call: (714) 647-5477

Visit: <https://www.santa-ana.org/businesses-and-workers-impacted-coronavirus>



EXHIBIT A: Downtown Santa Ana Business Improvement District Boundaries

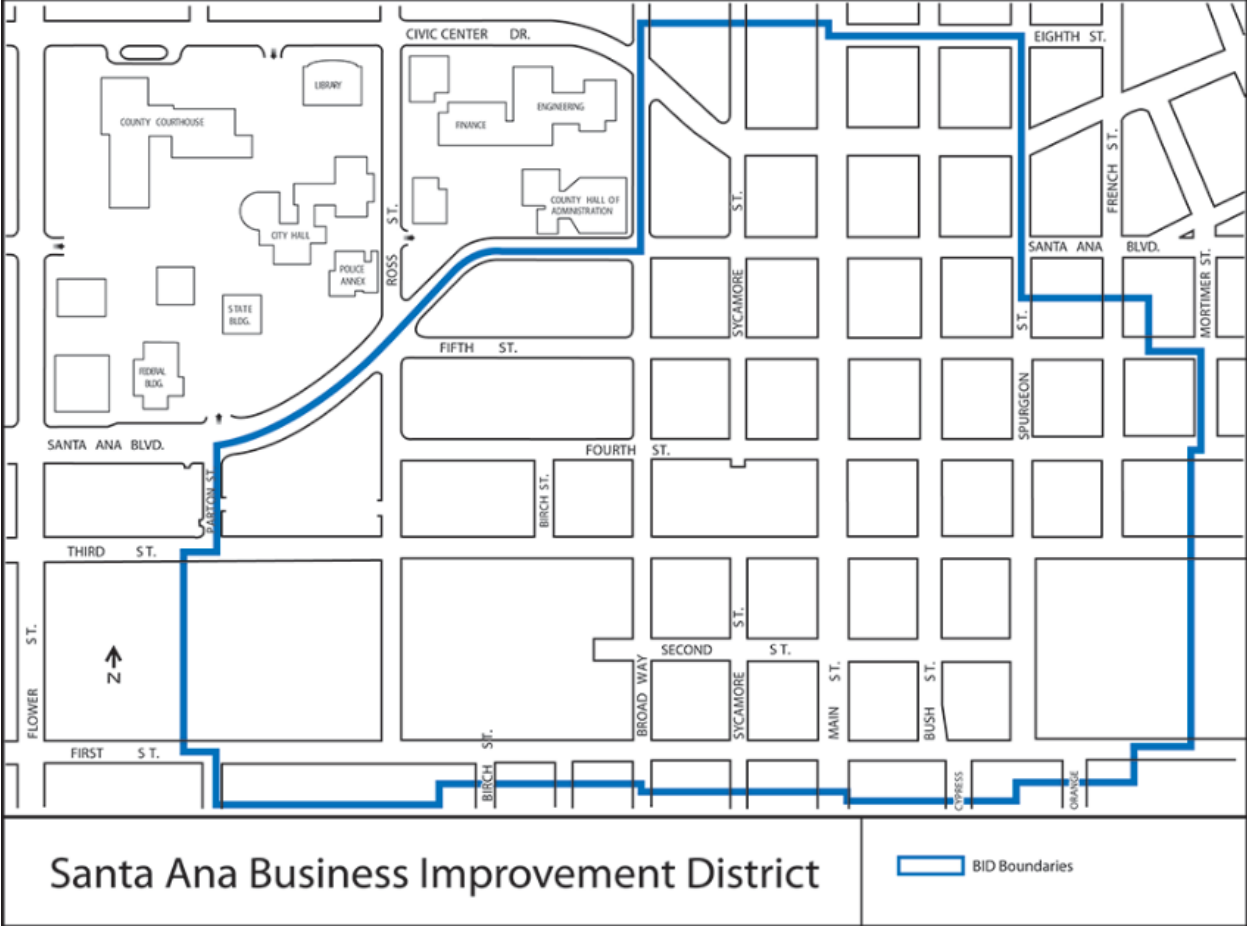


EXHIBIT B: Outdoor Seating Area Guidelines

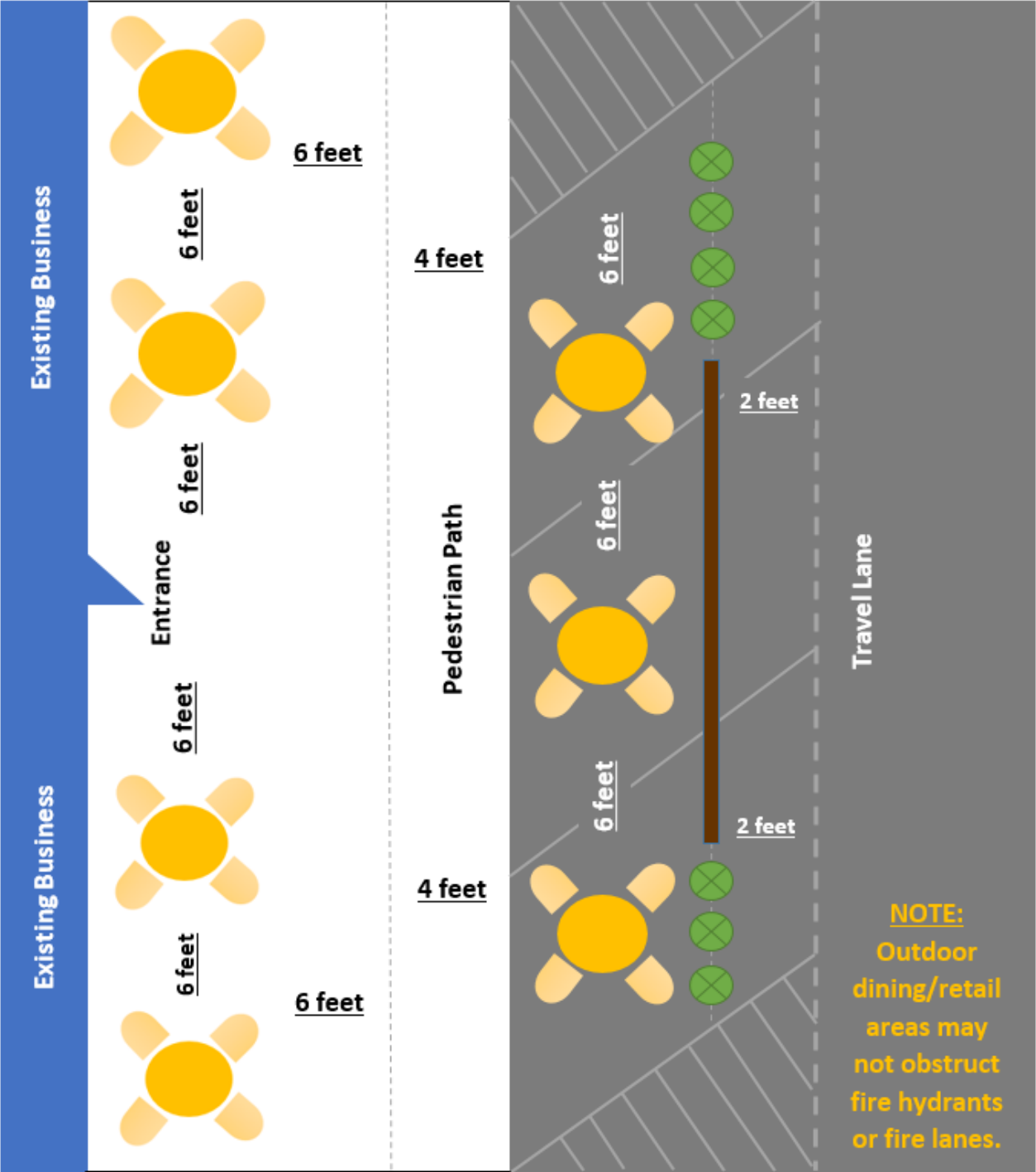


EXHIBIT C: Sample Street Closures

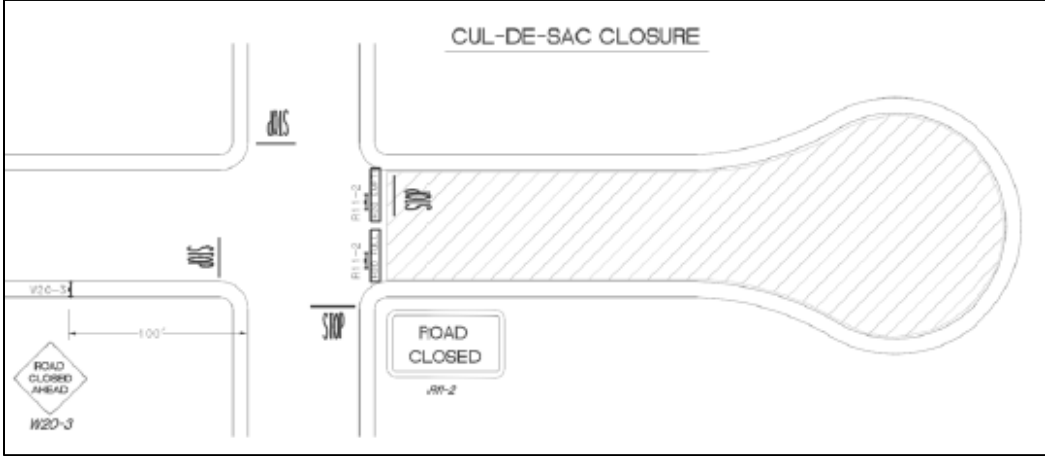
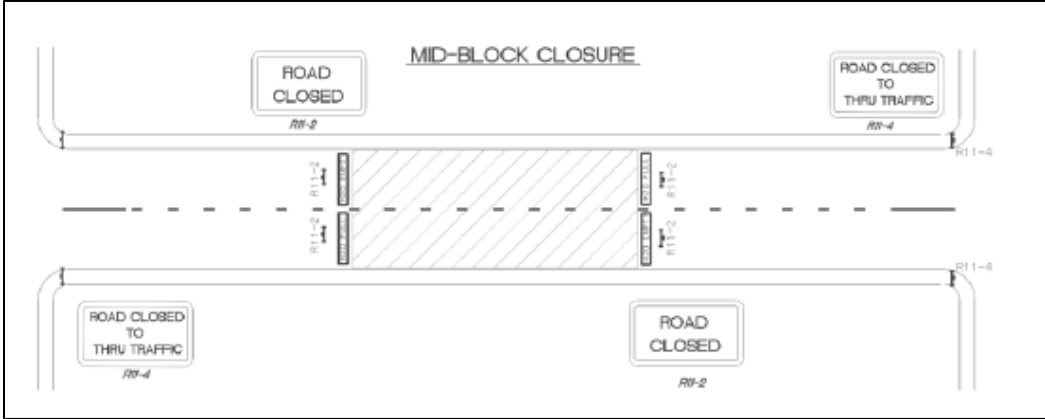
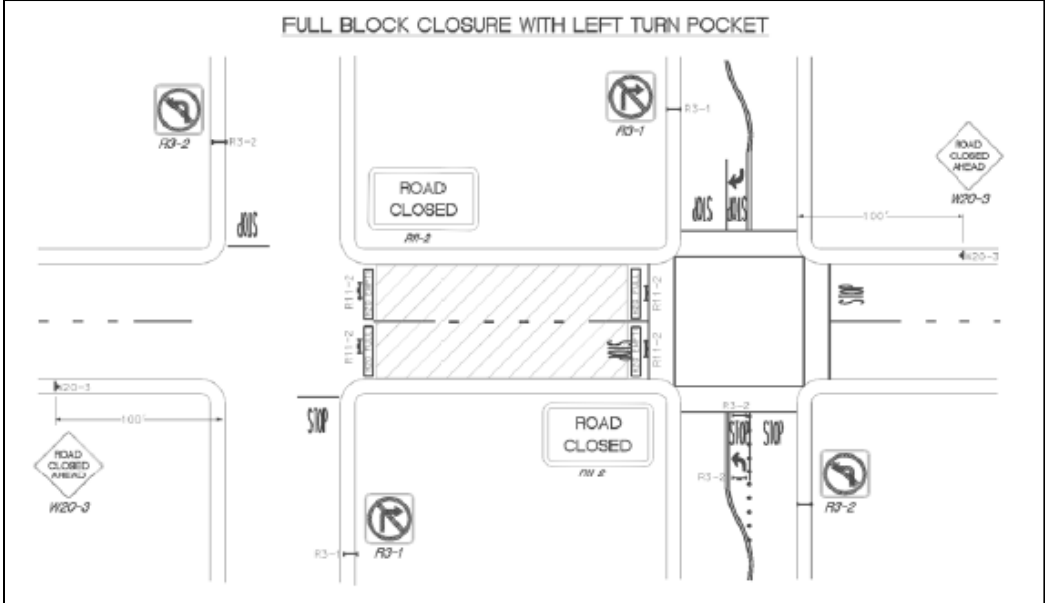
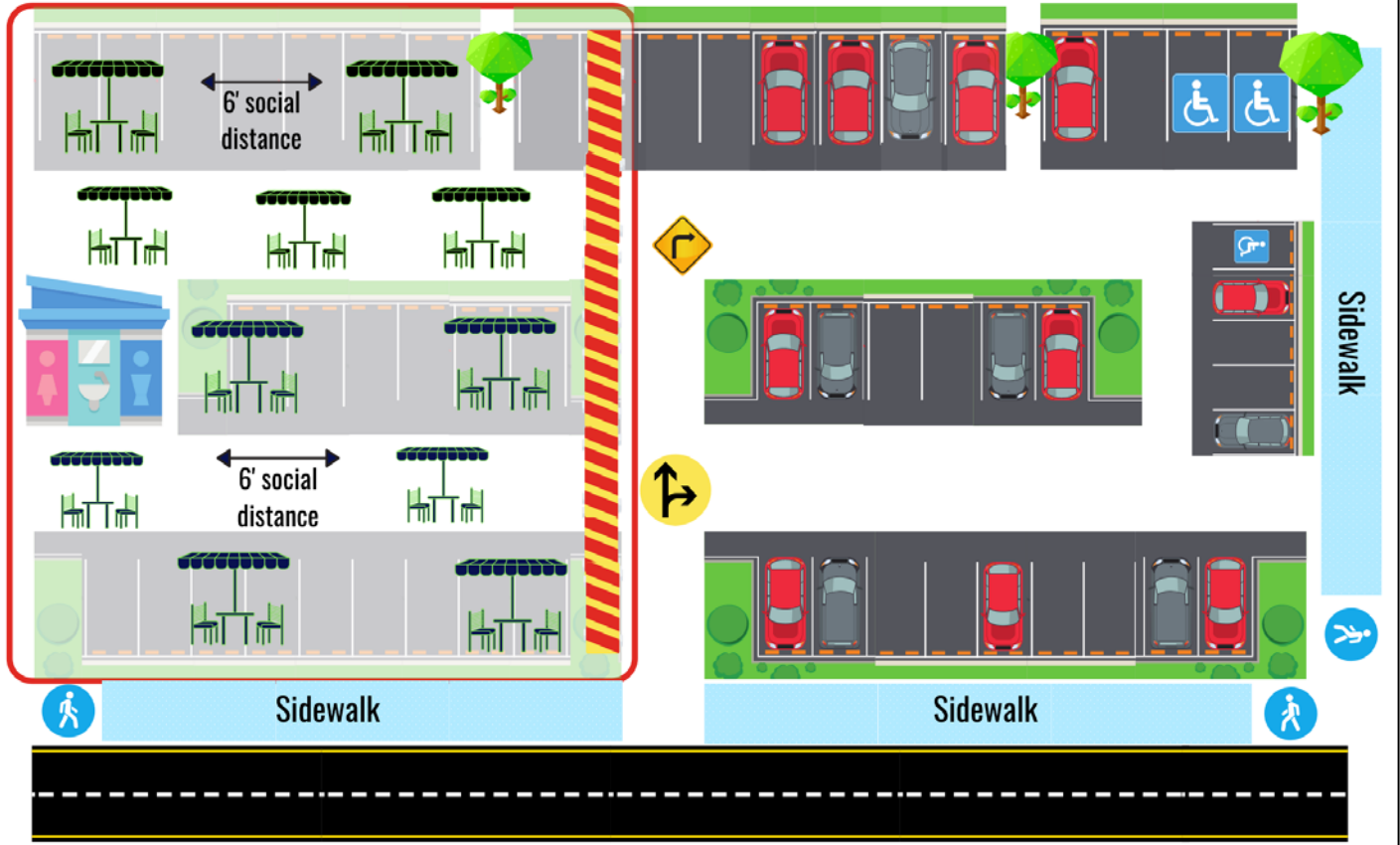


EXHIBIT D: Sample Layout of Outdoor Dining in Parking Lots

Outdoor Dining in Private or Public Parking Lots



 Max 50% of Parking Lot for Outdoor Dining

 Do Not Block Handicap Stalls

 Create a highly visible barrier


 Create highly visible traffic signs



EXHIBIT E: Guidelines for Tents, Umbrellas, or Shade Structures

The following requirements shall apply to use of tents or shade structures within public spaces:

- ▶ The maximum size tents that may be placed within sidewalks and parking spaces will be 10-foot by 10-foot.
- ▶ No more than five tents that are 10x10 may be positioned side by side.
- ▶ No staking of tents is permitted in public rights-of-way.
- ▶ All tent legs must be weighted.
- ▶ Each leg must have a minimum of 40lbs.
- ▶ Weights must be securely attached to canopy roof and canopy leg separately.
 - Ropes and straps should be high quality.
 - Bungee or rubber straps are prohibited.
- ▶ Weights must be on the ground and not dangling.
- ▶ Weights and lines must not pose a hazard and be clearly visible.
- ▶ For maximum safety, tents should be secured as soon as they are put up, and brought down as soon as weight is removed. Do not leave unsecured tents at any time.
- ▶ Heaters of any kind shall **not** be used under tents or umbrellas.
- ▶ Smoking is prohibited under tents and shade structures.
- ▶ Tents must **not** have closed walls in place while open to the public, and all sides should be open for air flow.

Items that make acceptable weights:

- ▶ 5 gallon bucket full of water, sand, or concrete
- ▶ 4" PVC pipe at least 36" long filled with concrete
- ▶ Large commercially available tent weights
- ▶ Sandbags or salt bags 40lbs or heavier

Requirements for tents larger than 10-foot by 10-foot:

- ▶ Shall only be placed on private property or city parks (not sidewalks or streets)
- ▶ Must comply with OCFA requirement



EXHIBIT F: Sample Layout for Mobile Food Vending in Parking Lots

Mobile Food Vendors may vend on Parking Lots

Santa Ana Executive Order 5-2020

4' VENDOR DISTANCE FROM STRUCTURES

20' MAX

6' Social Distance

30' MAX

Driveway Entrance

A Guide for Expanded Restaurant + Retail Space
<https://www.santa-ana.org/cd/economic-development>
 Registration Required: <https://bit.ly/2YMYfKZ>
 Questions: (714) 673-3619

GUIDELINES

- ✔ Must Register
<https://bit.ly/2YMYfKZ>
- ✔ Must have written permission from property owner
- ✔ 30' x 20' per mobile food vendor
- ✔ Vendors may use up to 25% of parking spaces
- ✔ 4' away from structure
- ✔ 2 canopies 10'x10' and up to 4 tables/chairs allowed
- ✔ Do Not block driveways or Handicap stalls
- ✔ May not operate on a property with a competing business during business hours
- ✔ May Not operate past 12AM if within 500' of residential zone
- ✔ May Not operate past 2AM in non-residential



EXHIBIT G: Temporary Catering Authorization

A COVID-19 Temporary Catering Authorization allows the on-sale consumption of those alcoholic beverages for which the licensee has on-sale privileges on property that is adjacent to the licensed premises, that is under the control of the licensee, and where bona fide meals are being served.

The [COVID-19 Temporary Catering Authorization Application \(Form ABC-218 CV19\)](#) shall include:

1. A diagram of the currently licensed premises and the proposed temporary area, clearly delineating the respective spaces;
2. An explanation of the licensee's legal ability to control the proposed temporary area (e.g., the licensee owns or rents the area, the local governing authority has authorized the licensee to use the area for the service of meals and alcoholic beverages, or the licensee has another type of permission to use it);
3. What temporary or fixed barriers or delineations will be utilized that will enable the licensee to control the temporary area;
4. Whether the temporary area will be shared with any other person, whether or not a licensee, and whether any other licensee will be permitting the consumption of alcohol in the area;
5. A statement that a copy of the application has been forwarded to the appropriate local law enforcement agency;
6. A statement by the licensee that the temporary authorization is consistent with the terms herein, as well as all state and local directives regarding the operation of an on-site food service; and
7. A **non-refundable** application fee of \$100.

Upon filing of the application and payment of the fee, the applicant may begin exercising retail privileges in the temporarily authorized area. The authorization will be valid indefinitely, unless cancelled as provided below.

The authorization may be cancelled as follows:

1. Upon the termination of this COVID-19 Temporary Catering Authorization program;
2. For any violation of the ABC Act, or for violation of applicable laws, rules, ordinances, and other directives pertaining to business activities conducted on the premises and expanded area;
3. For disturbance of the quiet enjoyment of nearby residents;
4. Upon objection by local law enforcement;
5. If operation of the temporarily authorized area is inconsistent with State or local public health directives, including social distancing directives or guidance; or
6. If in the discretion of the Department continuance of the temporary authorization will negatively impact the public's health, safety, or welfare.



EXHIBIT H: Flyers and Other Resources

