



The information below is being provided in an effort to simplify and expedite review and approval of Temporary Use Permits (“TUP”) for outdoor dining on Grand Avenue.

- 1) Black “event” fencing will be required for all approved outdoor dining areas. No other types of fencing are permitted, and nothing solid shall be adhered to or placed on or against the fencing. (The City may place k-rail in certain areas for safety purposes.)
- 2) Fencing shall be red-headed to the asphalt.
- 3) The applicant is required to provide brown, oak wine barrels approximately 35 inches in height with galvanized street straps to be placed between fence sections. Barrels must be filled with sand. Barrels are required between every one or two sections of fencing depending on the dimensions of the dining area.
- 4) Restaurants can utilize individual umbrellas. Matching umbrellas (same color) are encouraged. Pop-up tents/canopies are NOT permitted.
- 5) All outdoor dining areas in Grand Avenue shall be set back a minimum of two (2) feet from the outer edge of the parking spaces utilized for seating.
- 6) Businesses are required to provide decorative planters to be placed on top of the barrels. Planters must be at least half the width of the top of the barrel. Businesses are free to choose whatever plants they wish, however they cannot remain in the original (plastic) containers they come in.
- 7) Maintenance of fences, barrels, planters, landscaping, seating areas, umbrellas, etc., is the responsibility of business owner. Failure to maintain the materials may result in revocation of the TUP.
- 8) Updated insurance with a minimum coverage of \$1 million, and covering the City, must be provided prior to approval of the TUP.
- 9) The business owner shall be responsible for obtaining approval from the California Department of Alcoholic Beverage Control, County Department of Environmental Health, and any other agencies, if applicable.
- 10) New TUPs are required for anyone wishing to set up outdoor dining on Grand Avenue. TUPs issued any time prior to May 1, 2022, are not valid.
- 11) TUPs shall expire one week prior to commencement of construction of Phase 2 of the Grand Avenue Vision Plan.
- 12) The City reserves the right to revoke the TUP for non-compliance with the conditions above or as otherwise provided by law.

Submittal Requirements:

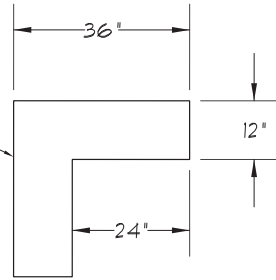
All items must be provided at time of submittal. Incomplete applications will not be accepted. This will allow us to expedite our review of applications.

- A completed, signed TUP application, including a signed indemnification form on the second page of the application packet.
- A site plan showing the following information:
  - Location proposed for use as outdoor dining area
  - Number and location of parking spaces to be used
  - Perimeter fencing and barrels
  - Storefronts of businesses, including the businesses' names that the dining area would be set up in front of
  - A note on the site plan, initialed by the applicant, stating that they accept responsibility for the maintenance of wine barrels, fencing, planters, landscaping, seating areas, and umbrellas.
- If the dining area is proposed to be set up in front of other businesses, an additional copy of the Site Plan(s) signed by those business or property owners shall also be provided.
- Proof of liability insurance naming the City as additionally insured and providing a minimum of \$1 million coverage.

Please reference previously permitted outdoor dining areas on Grand Avenue and the attached exhibits for the standard approved layout and specifications. Approved planters can be found at the following link: <https://www.plantercraft.com/product/corten-steel-corner-planter/>.

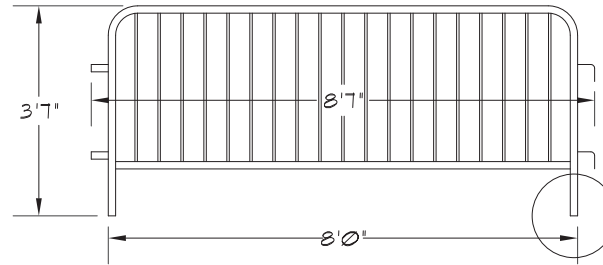
Please contact the Planning Division at (760) 839-4671 if you have any questions.

ON TRAFFIC FACING SIDE  
INSTALL OBJECT MARKER OM3-R



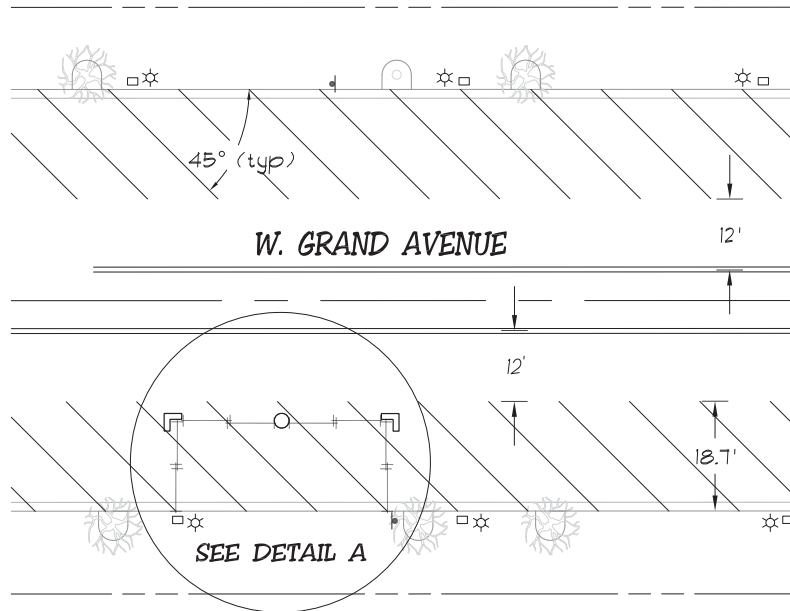
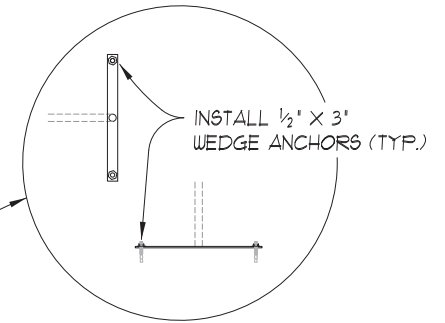
**PROPOSED PLANTER**

SCALE 1" = 1'



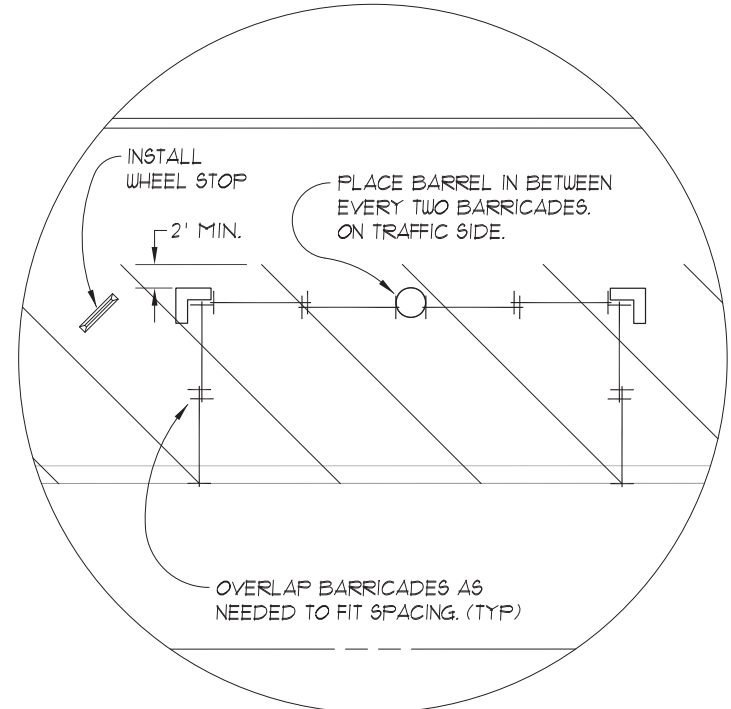
**PROPOSED BARRICADE**

SCALE 1" = 1'



**W. GRAND AVENUE**

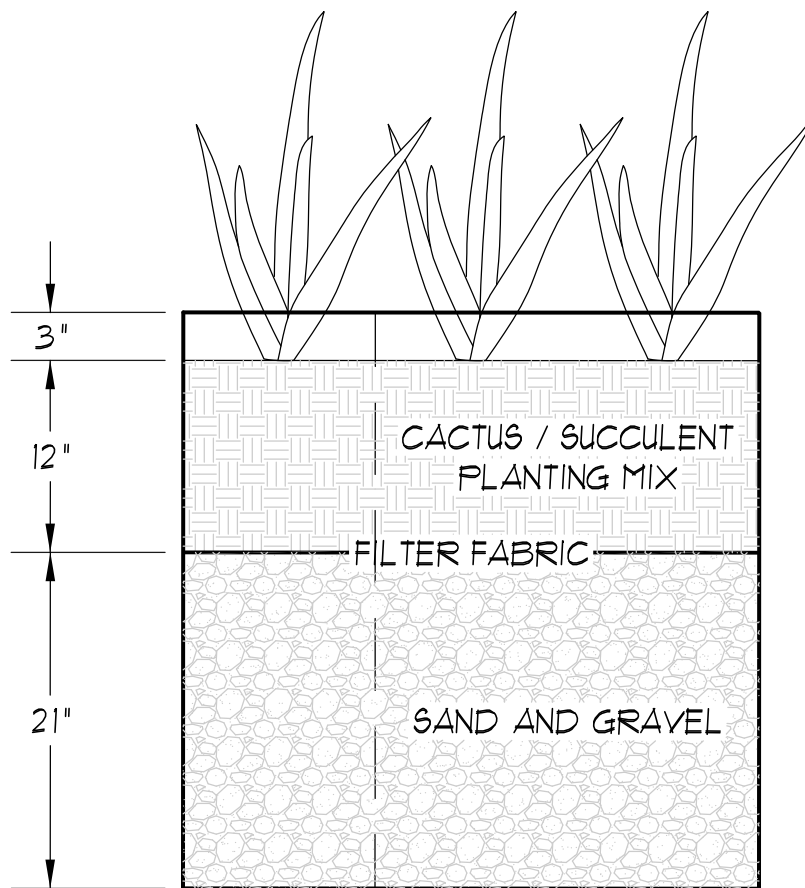
SEE DETAIL A



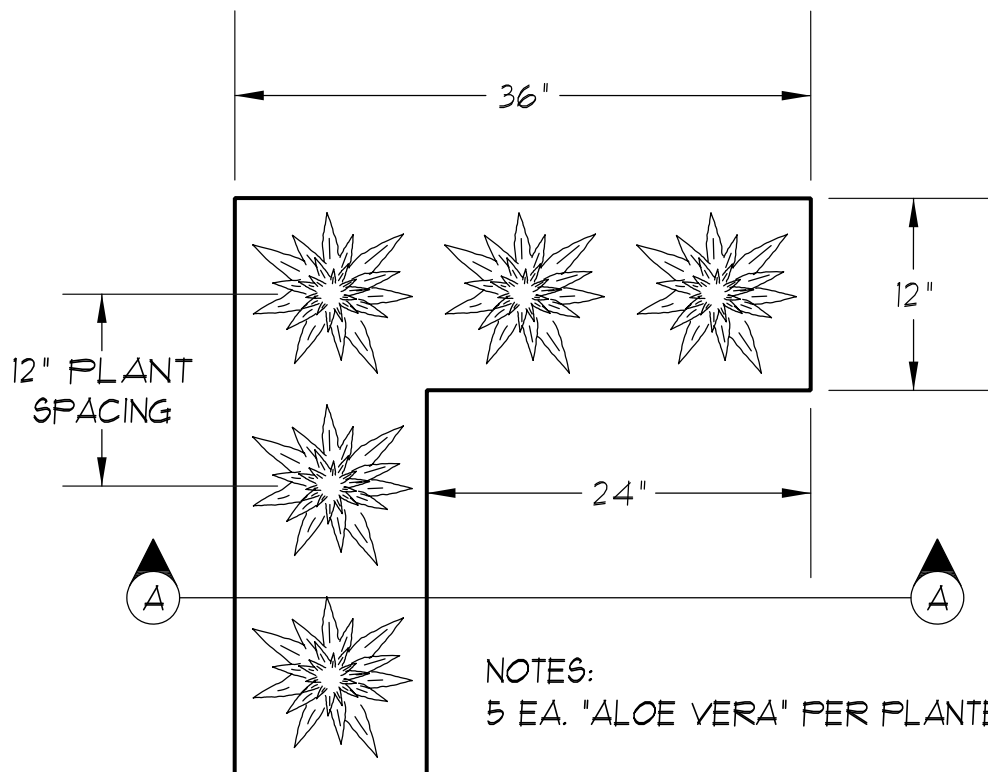
**DETAIL A**

SCALE 1" = 5'

EXHIBIT FOR:  
**ON - STREET DINING - GRAND AVE.**



SECTION A - A



NOTES:  
5 EA. "ALOE VERA" PER PLANTER

SCALE 1" = 1'

EXHIBIT FOR:  
**ON - STREET DINING - PLANTING**



**CITY OF ESCONDIDO**  
**Planning Division**  
**201 North Broadway**  
**Escondido, CA 92025-2798**  
**(760) 839-4671**  
**Fax: (760) 839-4313**

FOR INTERNAL USE ONLY
Date Submitted: _____
Fees Paid: _____
Receipt No.: _____
Related Case File(s): _____
Reviewed By.: _____
<input type="checkbox"/> Approved
<input type="checkbox"/> Conditionally Approved (see conditions below)
<input type="checkbox"/> Denied
Date: _____

**TEMPORARY USE PERMIT APPLICATION**

**APPLICANT/CONTACT PERSON**

**OWNER** (If multiple owners/addresses, attach additional sheets as necessary.)

Name (Print): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Name (Print): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 (authorizing applicant to submit application)

**SITE INFORMATION**

**EVENT INFORMATION**

Business Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Assessor Parcel No.: \_\_\_\_\_  
 Zone: \_\_\_\_\_

Person in Charge (at site): \_\_\_\_\_  
 (if other than applicant)  
 Phone No. (at site): \_\_\_\_\_  
 Date of Event: \_\_\_\_\_ Start \_\_\_\_\_ End \_\_\_\_\_  
 Time of Event: \_\_\_\_\_ Start \_\_\_\_\_ End \_\_\_\_\_

Detailed description of event (attach additional sheets if necessary): \_\_\_\_\_  
 \_\_\_\_\_

Square footage of area devoted to the event: \_\_\_\_\_  
 Number of parking spaces to be used for display: \_\_\_\_\_ Total number of on-site parking spaces: \_\_\_\_\_  
 Describe temporary structures and/or lighting: \_\_\_\_\_  
 Describe amplification or live entertainment: \_\_\_\_\_  
 Describe signage proposed (size, color, material, location): \_\_\_\_\_  
 \_\_\_\_\_

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Site Plan Attached      **FOR STAFF USE ONLY (Do not write below this line)**

**Fire Dept.**       Approval       Denial      **Building Division**       Approval       Denial

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_      Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Conditions of Approval: \_\_\_\_\_  
 \_\_\_\_\_

## TEMPORARY USE PERMIT APPLICATION

A Temporary Use Permit is required for all outdoor sales events or promotions of a limited duration and frequency located on private property in the [CG](#), [CP](#), [CN](#) and existing [PD-C](#) zones and in certain districts of the [Downtown Specific Planning Area](#), and the South Escondido Boulevard and [East Valley Parkway](#) Area Plans. Temporary sales events at any one location or commercial center shall not exceed three (3) days during any three (3) month period. Events include, but are not limited to, parking lot sales, tent sales and seasonal or promotional events. The purpose of the use permit is to ensure the safe and orderly outdoor display of merchandise while attracting interest, adding character, and increasing pedestrian traffic to a commercial area which can extend economic benefits to all commercial enterprises within that area.

A Temporary Use Permit is restricted to private property only and shall not adversely impact parking lot circulation. Events shall not be permitted within parking areas containing less than 20 spaces. A maximum of 20% of the required parking spaces for the sponsoring business, or 5% of the spaces within a commercial center containing multiple tenants may be utilized for the display and sale of merchandise. No encroachment into the public right-of-way is permitted. See [Section 33-1534](#) of the Zoning Code for a complete list of development standards.

Applications for Temporary Use Permits shall be made at least thirty (30) days in advance of the event. A Temporary Use Permit can be issued for multiple events on the same site for the length of time specified under [Section 33-1534](#) of the Zoning Code.

### **Submittal Requirements**

1. Completed and signed [application form](#).
2. Copy of current Business License.
3. Copy of County of San Diego Health Department approval/certification (if food sales are proposed).
4. Four (4) copies of the site plan and elevation plans (if applicable), drawn to scale, including the following information:

#### Site Plan:

- a. North arrow and graphic scale.
  - b. Exterior boundaries of the subject property and property dimensions.
  - c. Location and widths of streets and alleys adjacent to the property and all driveway cuts.
  - d. Existing buildings (if multi-tenant, show suite sizes and each suite frontage dimension).
  - e. Display area, including dimensions and number of parking spaces utilized.
  - f. Existing parking area and spaces (see [Section 33-1534](#) of the Zoning Code for limitations on amount of parking that may be used for display).
  - g. Existing landscaping in proximity to display area.
  - h. Location and details of proposed temporary lighting (must conform to [Article 35](#), Outdoor Lighting).
  - i. Location and distances of the limits of display area to edge of sidewalk, the edge of curb and driveway cuts.
  - j. Dimensions and height of any structures used for display.
5. Size, materials and location of any signage associated with the display.

## **Procedure**

Temporary Use Permits are administered pursuant to [Article 73](#) of the Escondido Zoning Code.

Once a complete application is submitted, the Planning, Building and Fire Department staff will review the information and approve, conditionally approve or deny the request within 20 working days of a receipt of a complete application.

All sales events shall be subject to all applicable codes and ordinances including, but not limited to, [Article 73](#) (Outdoor Sale and Display of Retail Merchandise), [Article 35](#) (Outdoor Lighting), and [Ordinance 90-08](#) (Noise Ordinance).

Temporary Use Permits shall be valid for no longer than one year from the date of issuance, provided that the permit shall be extended automatically on a yearly basis unless written notice of termination is given to the permittee no less than thirty (30) days prior to the expiration of the permit.

The decision of the Planning Division may be appealed to the Planning Commission pursuant to [Division 6 of Article 61](#) of the Escondido Zoning Code. If no timely appeal is filed, the decision of the Planning Division shall be final. The applicant shall be notified in writing of the final decision.

**Signatures.** Applicant and property owner signature lines must be signed, even if the applicant and property owner are the same. The signature of the architect and/or engineer is also required if drawings are submitted by professional architects and/or engineers.

**Applicant**

As part of this application the applicant hereby agrees to defend, indemnify and hold harmless the City of Escondido, its Council, boards and commissions, officers, employees, volunteers, and agents from any claim, action, or proceeding against the City of Escondido, its Council, boards and commissions, officers, employees, volunteers and agents, to attack, set aside, void or annul an approval of the application or related decision, including environmental documents, or to challenge a denial of the application or related decisions. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth herein. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed.

By signing below, I hereby certify that the application I am submitting, including all additional required information, is complete and accurate to the best of my knowledge. I understand that any misstatement or omission of the requested information or of any information subsequently requested may be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper by the City of Escondido.

Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

**Property Owner**

By signing below, I hereby certify under penalty of perjury, that I am the owner of record of the property described herein and that I consent to the action requested herein. All other owners, lenders or other affected parties on the title to the property have been notified of the filing of this application. Further, I hereby authorize City of Escondido employees and officers to enter upon the subject property, as necessary to inspect the premises and process this application.

In order to facilitate the public review process, the City requires that property owners agree to allow any plans or drawings submitted as part of the application to be copied for members of the public. Property owner(s) hereby agree to allow the City to copy the plans or drawings for the limited purpose of facilitating the public review process.

Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

**Architect/Engineer**

In order to facilitate the public review process, the City requires that architects and engineers agree to allow any plans, drawings, studies or reports submitted as part of the application to be copied for members of the public. Architect/Engineer hereby agrees to allow the City to copy the plans, drawings, studies or reports for the limited purpose of facilitating the public review process.

Architect: \_\_\_\_\_

Date: \_\_\_\_\_

Engineer: \_\_\_\_\_

Date: \_\_\_\_\_