



# CITY OF LAGUNA HILLS

## EMERGENCY TEMPORARY USE PERMIT APPLICATION – NO FEE

<b>Business Name</b>	
<b>Business Address</b>	
<b>Type of Business</b> (check all that apply) <input type="checkbox"/> <i>Restaurant</i> <input type="checkbox"/> <i>Retail</i> <input type="checkbox"/> <i>Recreation</i> <input type="checkbox"/> <i>Personal Care/Fitness</i> <input type="checkbox"/> <i>Other</i> _____	
<b>Applicant Name</b>	
<b>Applicant Phone Number</b>	<b>Applicant Email Address</b>
<b>Property/Commercial Center Name</b>	

<b>Description of Proposed Outdoor Use (i.e. seating, number of parking spaces utilized, hours of operation, temporary structures, etc.)</b> <hr/> <hr/> <hr/> <hr/> <hr/>
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<b>Submittal Requirements</b>			
<input type="checkbox"/> <i>Completed Application</i>	<input type="checkbox"/> <i>Site Plan</i>	<input type="checkbox"/> <i>Signage Plan</i>	<input type="checkbox"/> <i>Encroachment Permit (opt.)</i>

<b>Applicant Signature</b>	<b>Date</b>
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*By signing above, you are acknowledging that you have read and agree to abide by the Guidelines identified on Page 2 of this Application and all applicable Federal, State, and County requirements.*

<b>STAFF USE ONLY</b>						
Permit Number					Issue Date	
COUO on File	Y / N	COUO Number			Center File	
Staff Review	<input type="checkbox"/> <i>Complete Application</i>	<input type="checkbox"/> <i>Site/Signage Plans</i>	<input type="checkbox"/> <i>Site Plan Conflicts</i>	<input type="checkbox"/> <i>Map Entry</i>		
Staff Initial		OTC	Y / N	Remarks		

*Document Date: June 25, 2020*



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## EMERGENCY TEMPORARY USE PERMIT GUIDELINES

In order to slow the spread of COVID-19, State and County officials issued orders requiring most Californians to stay at home, which has had a substantial impact on many businesses small and large. As these stay-at-home orders are relaxed, the City of Laguna Hills would like to assist businesses with managing the impact of social distancing requirements on business operations by temporarily authorizing businesses to expand their permitted footprint in outdoor areas adjacent to or near their tenant space. This temporary program includes, but is not limited to, utilization of commercial center common areas, on-street and off-street parking areas, and public and private sidewalk spaces for dining, and reduction of on-site parking requirements to assist with outdoor dining layouts, safe and efficient merchandise pickup for retail locations, and other commercial activities. The following Guidelines will facilitate businesses interested in obtaining an Emergency Temporary Use Permit:

### Guidelines

- A. To be eligible for issuance of an Emergency Temporary Use Permit, the business must have been lawfully established on the property prior to March 19, 2020. A City-issued Certificate of Use and Occupancy (COUO), Orange County Health Permit, or appropriate Alcoholic Beverage Control License are examples of documentation that can be used to confirm the business was lawfully established on the property. Businesses established on or after March 19, 2020 must have a City-issued COUO to be eligible for an Emergency Temporary Use Permit.
- B. The term of the Emergency Temporary Use Permit would commence with the ability of businesses to resume activity (i.e., in-restaurant dining, indoor retail, personal fitness/gym, etc.) as allowed by the State of California and/or the County of Orange. Unless extended by the Director of Emergency Services (City Manager), the term of the Emergency Temporary Use Permit would end 14 calendar days after Director of Emergency Services suspends the Executive Orders, or on November 2, 2020, whichever comes first.
- C. All improvements associated with the Emergency Temporary Use Permit shall be subject to and shall comply with all applicable codes and requirements of the California Building Code, Orange County Fire Authority (OCFA), Orange County Health Care Agency, California Department of Alcoholic Beverage Control (ABC), as well as preserve existing site accessibility for the disabled. Please refer to the [State's industry guidance](#) and the County's [industry guidance](#) as resources. Restaurants are expected to continue to follow all State and County guidance for restaurant operation. For more specific guidance for bars and restaurants, please refer to the California Department of Public Health's [guidance for Dine-in restaurants](#) as well as its [checklist for dine-in restaurants](#) to show customers and employees that you've reduced the risk of exposure to COVID-19 and are open for business.
- D. Each business will be allocated a minimum of two parking stalls adjacent to their storefront to operate. Businesses are encouraged to collaborate with Property Manager/Owner to determine possible locations for creating shared dining and food/merchandise pickup areas for multiple businesses in common areas such as covered patios, plazas, or parking lots.
- E. In order to accommodate the use of existing parking stalls for outdoor activities, a reduction in on-site parking requirements on private property will be allowed. Up to 50% of the existing/available parking stalls within each commercial/retail center may be utilized. Requests for additional space are subject to the approval of the Community Development Director. Interim parking requirements may vary between different commercial retail centers; please contact Planning Division staff for assistance with configuring the outdoor area for your business. Approval of the Property Manager/Owner is strongly encouraged.
- F. Temporary structures less than 400 square feet are allowed; tents 400 square feet or greater require review and approval by OCFA. Temporary electrical power is allowed, but will require a separate building permit. Use of extension cords to supply power to an area is not recommended.
- G. Up to two Directional/Informational Banners (i.e. Now Open), up to 40 square feet each, may be used. The signs must be located on private property, and not within the City's right-of-way.



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- H. Businesses shall comply with the smoking policies established in Chapter 5-28 of the Laguna Hills Municipal Code. Please note that smoking is prohibited within 20 feet of any outdoor patio or dining area.
- I. Approved activities shall not result in a public nuisance.
- J. Approved activities shall be conducted solely within the area identified on the required Site Plan. If there are any changes to the proposed Site Plan, the Community Development Department shall be notified immediately. Violation of the Guidelines may be subject to modification, suspension, or revocation of the Emergency Temporary Use Permit.

### Application Submittal Requirements and Instructions

**The City will process the Application for Emergency Temporary Use Permit Authorization as a NO FEE permit.**

When applying for Emergency Temporary Use Permit, please submit the following:

- **Completed Application** signed by the Applicant.
- **Site Plan** (8 ½" x 11") that shows the approximate location, layout, and dimensions of the Emergency Temporary Use Permit area. The Site Plan shall identify areas that will be cordoned off, the size (square feet) of the area utilized, entrance/exit points, temporary and fixed partitions/barriers/delineations, and locations of temporary equipment and structures (i.e., tables, chairs, shade, etc.), and any other pertinent information. Generally, for accessibility compliance, please maintain a three-foot accessible path of travel at all times.
- **Signage Plan** that shows the proposed location and dimensions for permitted temporary signage.
- **Encroachment Permit (if necessary)**. If the Emergency Temporary Use Permit is proposed over City-owned right-of-way or property, an Encroachment Permit is required. Please contact the Public Services Department at 949-707-2650 for the Encroachment Permit Application and submittal requirements.

Please submit the completed application and all required materials to the Planning Division by emailing Senior Planner Jay Wu at [jwu@lagunahillsca.gov](mailto:jwu@lagunahillsca.gov). Staff will review the application materials and determine if the application qualifies for over-the-counter approval or if further review is needed. If Building Permits are needed, review of the Emergency Temporary Use Permit application will take approximately three business days. If requested, an appointment can be made to consult with Community Development Department staff at City Hall, located at 24035 El Toro Road, Laguna Hills.

If approved, the Emergency Temporary Use Permit will be subject to City inspection to confirm compliance with the Site Plan, site circulation, signage, and ADA accessibility requirements.

If you have any questions regarding the Emergency Temporary Use Permit Guidelines or Application, please contact Senior Planner Jay Wu at [jwu@lagunahillsca.gov](mailto:jwu@lagunahillsca.gov) or at 949-707-2662.

### Agreement with Guidelines

In signing the Emergency Temporary Use Permit Application, the Applicant agrees to abide by the above provisions.

### Special Conditions (list here, if any)