

City of Campbell



Flexible Business Operation Guidelines

Downtown Campbell

Revised August 4, 2020

Flexible Business Operation Guidelines

Campbell Avenue Street Closure

Beginning on Tuesday, July 28 and ending Monday, August 31, the City Council authorized closure of East Campbell Avenue between Third Street and Ainsley Park for a 30-day period to allow businesses to operate outdoors. Although the street will close on Tuesday, businesses won't be able to utilize the street closure until the morning of Friday, July 31 when all of the barricades are permanently established. Evaluation of the street closure will occur after two weeks in case changes need to be made.

The following guidelines must be followed by each business that chooses to operate outdoors and on Campbell Avenue.

Permit Process – An Encroachment Permit issued by the Public Works Department will be required for the temporary use of Campbell Avenue. Application processing fees will be waived in an effort to minimize business expenses necessary to support economic recovery efforts. Instructions on how to apply for an Encroachment Permit are included in this document. Provided permit applications are complete, permits can be processed in 1-2 business days from submittal.

Fire Access Discretion – In issuing Encroachment Permits, the Public Works Department will need to ensure, to the greatest extent possible, that a 20-foot access is provided on Campbell Avenue. Therefore, there may be instances where businesses will be unable to utilize portions of the roadway as compared to their neighboring business. Factors that will influence the decision-making process include the likelihood that two opposing businesses wish to utilize the street frontage, the ability to access the subject building via an alley or cross street (when located on a corner), and the timing of when the Encroachment Permit application was received. Providing access that allows a fire truck to weave through the street will be acceptable.

General Allowances – Restaurants – The City will allow restaurant businesses that currently exist in the Downtown, which have direct access fronting East Campbell Avenue, provided they comply with [California State Industry Guidance](#), the [County of Santa Clara Health Order and Mandatory Directives](#), the professional standards issued by [State Licensing Boards and Bureaus](#), and the ability to maintain fire access in the following manner:

1. Designated outdoor dining areas:
 - A restaurant may conduct outdoor dining up to five (5) feet from the centerline of Campbell Avenue.
 - The dining area shall not extend beyond the width of the restaurant store front. An expansion beyond the storefront width may only be permitted upon

the written approval of the adjacent business and acceptance by the Public Works Department.

- Tables and chairs must be placed to achieve accessibility standards.
 - The edge of each table must be spaced at least 10 feet apart from the edge of the nearest table to allow at least six feet social distancing between customers seated at different tables.
 - Employees and patrons must wear face coverings and only can remove when eating and drinking while seated at a table outdoors.
 - The hours of operation shall not exceed 7:00 a.m. to 11:00 p.m., seven days a week.
 - To Address Fire Access:
 - Within the two driving lanes, furniture shall be light weight for ease of relocation in case of an emergency.
 - The business staff is responsible for moving the furniture for emergency response vehicle access.
 - No heaters, umbrellas, tents or coverings are allowed in the driving lanes.
 - At the close of business, all furniture shall be removed from the two driving lanes, so they are free and clear between the hours of 11:00 p.m. to 7:00 a.m.
2. Tents and Coverings – Umbrellas with secure bases and tents, without walls, are permitted only within the location of the on-street parking stalls, leaving the two driving lanes free from these items. Such fabric should be fire retardant and comply with applicable Fire Codes.
 3. Heating Devices – Heating devices are allowed to be placed within on-street parking stalls, but not under any tents or coverings. Heating devices are not allowed to be placed within the two driving lanes as to not hinder emergency response vehicle access.
 4. Lighting – Dining lighting will be limited to tabletop lights which do not require the use of an extension cord.
 5. Alcohol Service – Operational expansions involving the sale of alcoholic beverages require a [Temporary Catering Authorization](#) (TCA) from the Department of Alcohol Beverage Control (ABC). The TCA Application is available [here](#). Applicant is responsible for securing this and any other permits from ABC. Except for wine tasting businesses, alcohol can only be purchased on the same receipt as a bona fide meal.
 6. Live Entertainment – No live entertainment is allowed.

General Allowances – Non-Restaurant – The City will allow all other businesses that currently exist in the Downtown, which have direct access fronting East Campbell Avenue, provided they comply with [California State Industry Guidance](#) and [County of Santa Clara Health Order and Mandatory Directives](#), the professional standards issued by [State Licensing Boards and Bureaus](#), and the ability to maintain fire access in the following manner:

1. Designated outdoor use areas:

- A business may locate their operations outdoors up five (5) feet from the centerline of Campbell Avenue.
- The operation areas shall not extend beyond the width of the business storefront. An expansion beyond the storefront width may only be permitted upon the written approval of the adjacent business owner and acceptance by the Public Works Department.
- Merchandise and placement of tables/chairs shall preserve accessibility standards.
- The hours of operation shall not exceed 7:00 a.m. to 11:00 p.m., seven days a week.
- Employees must wear face coverings.
 - To Address Fire Access:
 - Within the two driving lanes, retail items for sale shall be on racks, with locking wheels, for ease of moving.
 - Services, involving the placement of furniture, shall not be located within the driving lanes.
 - All heavy items displayed for sale shall be located within the on-street parking stalls, leaving the two driving lanes occupied by lighter weight items.
 - The business staff is responsible for moving displayed items or personal service items from the two driving lanes for emergency response vehicle access.
 - No umbrellas, tents or coverings are allowed in this area.
 - At the close of business, all retail and personal service items shall be removed from the two driving lanes, so they are free and clear between the hours of 11:00 p.m. to 7:00 a.m.

2. Tents and Coverings – Umbrellas with secure bases and tents, without walls, are permitted only within the location of the on-street parking stalls, leaving the two driving lanes free from these items. Such fabric should be fire retardant and comply with applicable Fire Codes.

3. Heating Device – No heating devices are permitted for businesses other than restaurant operations.

4. Lighting – Lighting may be permitted with battery operated equipment to avoid the use of extension cords which can create tripping hazards.

Operations on Public Sidewalks

The following Guidelines apply to all permitted businesses that wish to expand their operations **onto the public sidewalk** within Downtown Campbell. All eligible businesses may take advantage of these allowances thereby creating improved flexibility from any previously established land use entitlement received for the particular business or that which is currently prescribed within the Campbell Municipal Code.

Permit Process – An Outdoor Display (includes all business services) or Outdoor Dining Permit will be required for the creation of or expansion to an existing display/dining area permit. The application processing fees will be waived in an effort to minimize business expenses necessary to support economic recovery efforts.

Allowances – The City will allow all businesses to expand their operations outside of their enclosed tenant spaces in the following manner:

1. Public Sidewalks – A business may occupy the public sidewalk for purpose of retail display and outdoor dining, upon the issuance of an Outdoor Display (includes all other business services) or Outdoor Dining Permit.
2. Location – The outdoor business activity may be located beyond the applicant's occupied tenant space and in front of an adjacent tenant space upon the written approval of that tenant.
3. Hours of Operation - The hours of operation shall not exceed 7:00 a.m. to 11:00 p.m.
4. Heating Devices – Heating devices, such as propane heaters, may be utilized for day or nighttime operations. Storage of propane canisters shall be in conformance with required Fire Codes.
5. Lighting – Lighting will be permitted for nighttime operations. Such lighting shall not disrupt surrounding properties or create vehicle circulation issues. Any extension cords used to provide power to the expanded area shall be securely fastened to the ground to avoid tripping hazards or impede in accessibility.
6. Alcohol Service – Operational expansions involving the sale of alcoholic beverages will need an updated ABC license. The applicant is responsible for securing a permit from the State Department of Alcohol Beverage Control.
7. Live Entertainment – No live entertainment is allowed, unless authorized by the County Public Health Officer.

Operations on Private Property

The following Guidelines apply to all permitted businesses that wish to expand their operations **within private parking lots and private common areas**. All eligible businesses may take advantage of these allowances thereby creating improved flexibility from any previously established land use entitlement received for the particular business or that which is currently prescribed within the Campbell Municipal Code.

Permit Process – No permit process is required for outdoor business operations within private parking lots or private common areas.

Allowances – The City will allow all businesses to expand their operations outside of their enclosed tenant spaces in the following manner:

1. Location – The outdoor business activity may be located:
 - On an adjacent private parking lot upon written approval of all ownership interests of said parking lot so long as no more than 20% of the existing parking stalls are occupied by the outdoor activity.
 - On an adjacent private property so long as the activity remains outside, the activity does not disrupt the existing property's use, and written approval of the property owner is received.
2. Expansion Area Safety – If the expanded operation is located within a private parking lot, the outdoor area shall be delineated with appropriate barriers that will achieve employee and customer safety as well as define the area's periphery. Such barriers shall be selected between the property owner and tenant in that the City has relinquished all responsibility from these allowances. Implementation of these guidelines is solely up to the permissions granted by the property owner and under a mutually acceptable agreement between owner and tenant.
3. Hours of Operation - The hours of operation shall not exceed 7:00 a.m. to 11:00 p.m.
4. Heating Devices – Heating devices, such as propane heaters, may be utilized for day or nighttime operations. Storage of propane canisters shall be in conformance with required Fire Codes.
5. Lighting – Lighting will be permitted for nighttime operations. Such lighting shall not disrupt surrounding properties or create vehicle circulation issues. Any extension cords used to provide power to the expanded area shall be securely fastened to the ground to avoid tripping hazards or impede in accessibility.
6. Alcohol Service – Operational expansions involving the sale of alcoholic beverages will need an updated ABC license. The applicant is responsible for securing a permit from the State Department of Alcohol Beverage Control.

7. Tents and Coverings – Tents and coverings are permitted. Such fabric shall be fire retardant and comply with applicable Fire Codes.
8. Live Entertainment – No live entertainment is allowed, unless authorized by the County Public Health Officer.

Performance Measures

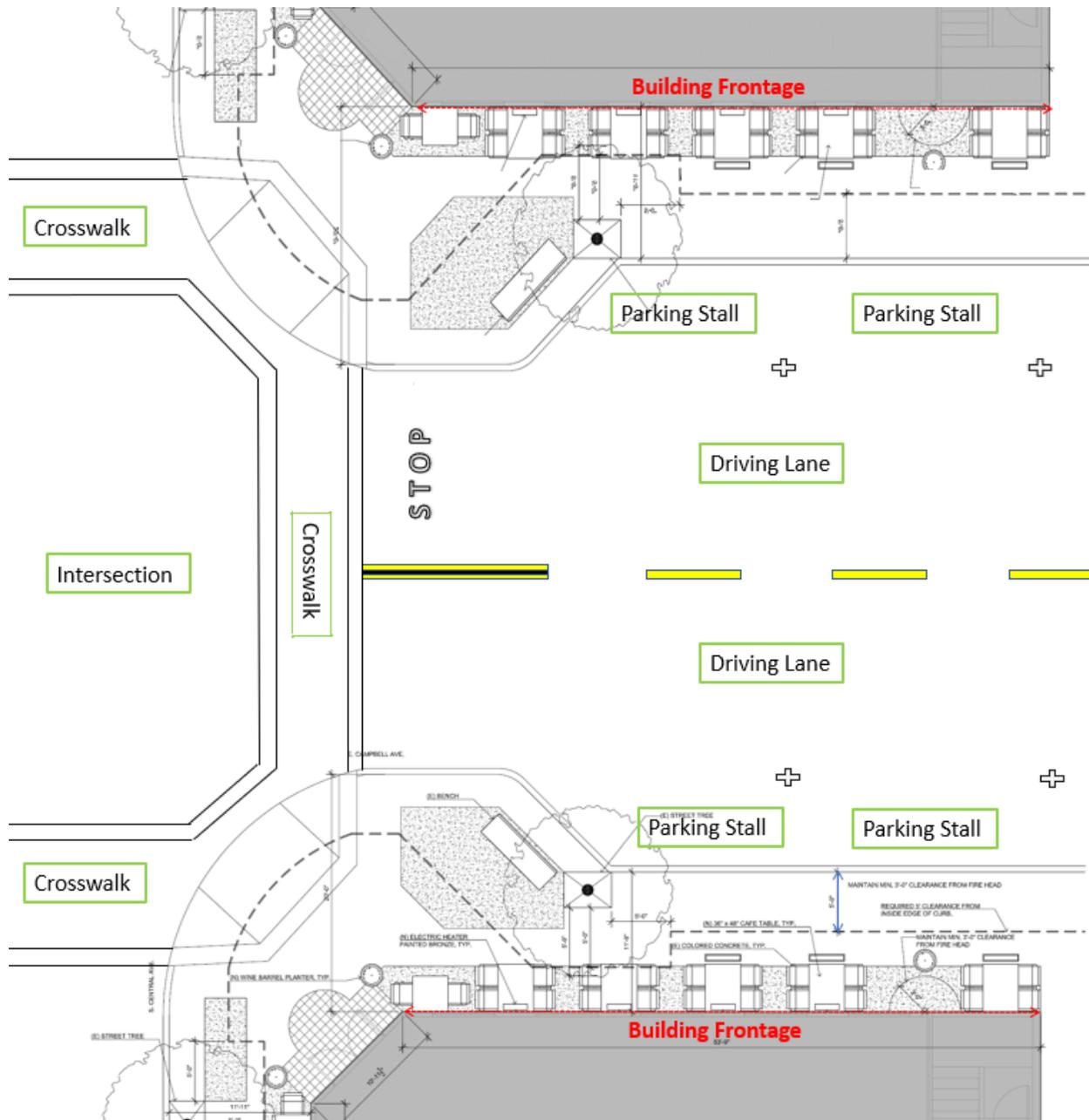
The following measures shall be followed, as applicable to either activity conducted within Campbell Avenue, a public sidewalk, or a private property/parking lot:

1. Social Distancing – Maintain at least 6 feet from others at all times and provide hand washing/sanitizing supplies to customers and staff.
2. Face Coverings – Employees and patrons must wear masks or face coverings at all times except for very young children, people for whom face coverings are medically inadvisable, or for communication by or with people who are hearing impaired.
3. Reporting COVID-19 Cases to County Public Health Department – Businesses must alert the Public Health Department if workers test positive for COVID-19, and ensure workers alert their employers if they were at work while infectious.
4. Signage – All businesses must print the updated “COVID-19 Prepared” Sign and Social Distancing Protocol Visitor Information” sheet included in the current County [Social Distancing Protocol](#). Both items must be posted prominently at all facility entrances.
5. Delineation of Space – All businesses that choose to operate outdoors, within the public right-of-way, should delineate their respective spaces through application of tape attached to the ground. No stanchions will be allowed.
6. Maintenance – Designated outdoor business operation areas shall be maintained free of debris and clutter and shall not create public nuisance issues as specified in [Campbell Municipal Code Chapter 6.10 \(Nuisance Abatement and Administrative Penalties\)](#). Appropriate waste collection containers shall be provided, and all areas shall be regularly cleaned pursuant to the current County Public Health Officer Order. It is the responsibility of the tenant to implement this requirement on a regular basis.
7. Storage – Except for any tents, furniture, and lighting located within the on-street parking stalls, all other outdoor furniture and loose products shall be brought inside the business tenant space at close of business to diminish vandalism and to allow access for garbage collection and street maintenance. In addition, all items must be removed from on-street parking stalls at the close of business on Sundays and

Thursdays to allow for street sweeping which occurs on Monday and Friday mornings (typically at 5:00 AM.).

8. Vehicle Access to Closed Roadways – Access to the closed roadway by private vehicles is prohibited unless prior approval is granted by the Public Works Director.
9. Discontinuance – The street closure will conclude 30 days from its onset unless modified or discontinued at the discretion of the City Council after which time businesses will be notified in advance of any changes.
10. Accessibility – All accessibility requirements are required to be maintained consistent with State and local laws. City sidewalks and other exterior paths of travel shall have continuous and unobstructed paths of travel that are at least five feet wide. All crosswalks and pedestrian ramps must remain clear and unobstructed to pedestrians and people with disabilities.
11. State or County Permit Authority – Any State or County permit requirements shall be met. It is the responsibility of the business owner to secure all required permits.

Location of Driving Lanes and Parking Stalls on East Campbell Avenue

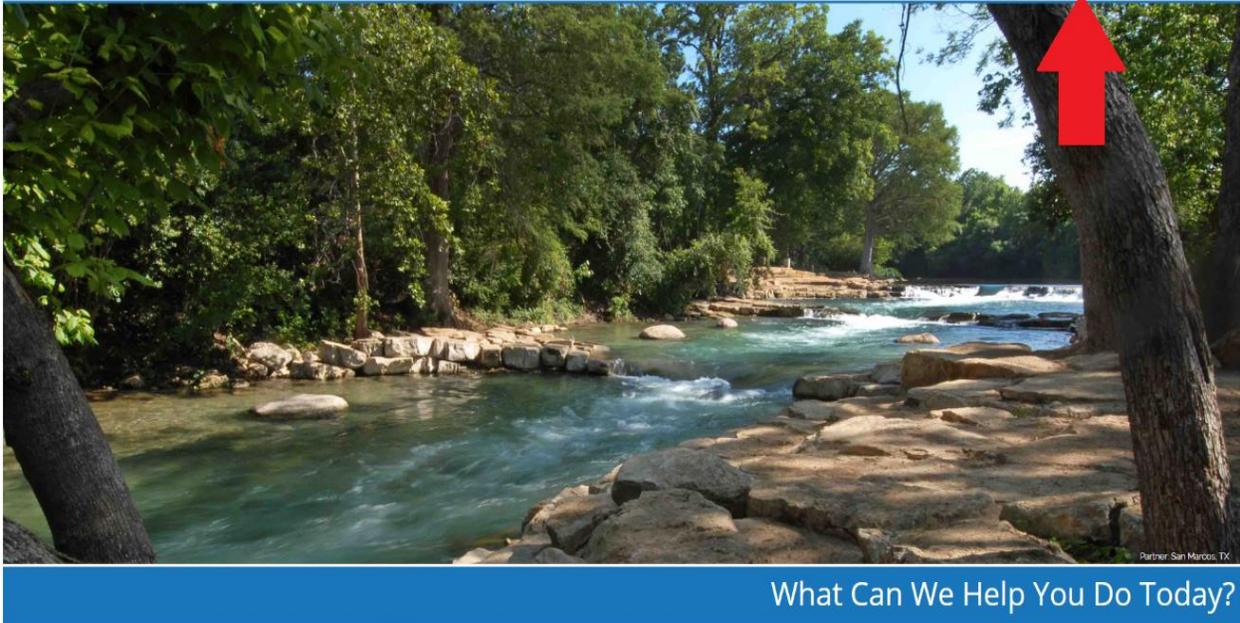


Applying for an Encroachment Permit

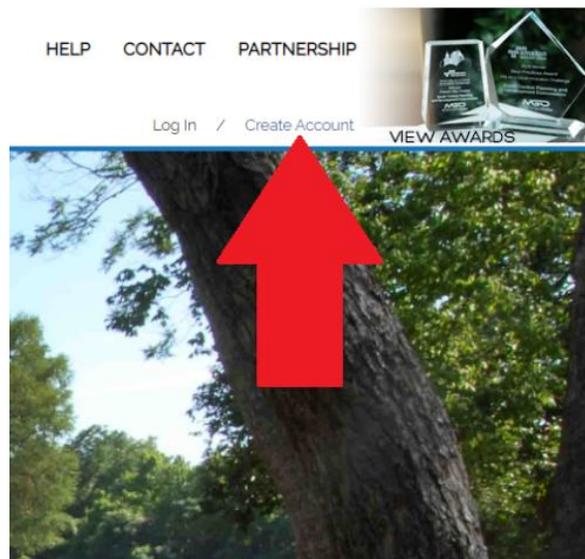
The City of Campbell is accepting applications online during the COVID-19 pandemic.

Create an Account

1. Go to mygovernmentonline.org (MGO) and click on the "Create Account" link as shown below.



The image below is a larger view of the “Create Account” link for reference.



2. Provide the following user account login information to create your new account:

- Valid email address and password (passwords are case sensitive)
- Your name
- Phone number
- Challenge question and answer (Your answer should be one word)

3. You will receive a call from MGO prompting you to answer your challenge question.
4. You will receive an “Account Created” confirmation stating that your account has been created. Click the Close button to close the message. A telephone call to the telephone number you provided will follow shortly. When you receive the call, answer the call and press the number 1 on your keypad when prompted. This completes the account activation process.

If you do not receive the telephone call within 10 minutes, call the My Government Online Support Team at 1-866-957-3764, option 2 for assistance. Please have your e-mail address and the telephone number used to create your account ready.

Apply for a Permit

1. Login at mygovernmentonline.org.
2. Go to the “Permits and Licensing” button in the top left area of the screen and click on “Apply Online.”



3. In order, select the State, Jurisdiction, and Project Type as shown below and then click “Next.”

MGO MyGovernmentOnline
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Permits & Licensing | Solution Center | Planning & Zoning | More

Apply Online

Jurisdiction and Request Type *

Some jurisdictions do not accept online applications.
If your jurisdiction or jurisdiction's department is not listed please contact that jurisdiction directly for their application

Country: * United States State: * California

Jurisdiction: * Campbell

Project Type: * - Select -

Next

- Select -
- Building Division
- Campbell Police Permits
- Public Works Engineering Division

- Click “Get Started on a New Application”

MGO MyGovernmentOnline
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Apply Online

Jurisdiction and Request Type *

Online Permitting Application *

Get Started on a New Application

Add a permit to an existing project

- On the “Select an Application Type,” choose “Encroachment Permit – Miscellaneous” and click “Next.”

Apply Online

Jurisdiction and Request Type *

Online Permitting Application *

Select an Application Type

Select an Application Type: *

- Select an Option -
- Select an Option -
- Encroachment Permit - Land Development
- Encroachment Permit - Miscellaneous
- Encroachment Permit - R1 - Residential
- Encroachment Permit - Storage Container
- Encroachment Permit - Utility Work
- Map Review - Certificate of (Map) Correction

6. Enter the address of the property fronting the street area you want to use and click "Next."

Physical Address or Location *

Please provide the physical address or location of your project.

My Project has been addressed by the Jurisdiction.

Address or Location: * City: * Zipcode: *

Next

Files Upload

7. Complete the "Applicant's Contact Information" page and check the "Notify" boxes for preferred way(s) you would like to a Public Works employee to contact you. Click "Next."

Applicant's Contact Information

First Name Last Name Suffix Business Name

Mailing Address

Address City State Zipcode

Email Notify

Cell Phone () Notify

Home Phone () Notify

Work Phone () Notify

8. Skip the “Contractor’s Contact Information” page and click “Next.”
9. On the “Application Questionnaire” page:
 - a. Describe what the area will be used for, the type of equipment will be used such as tables, chairs, display racks, lighting, umbrellas, canopies, tents, etc.
 - b. Select “Other” for “Type of Work”
 - c. Select “Yes” for “Are any traffic lanes being closed for proposed work?”
 - d. Select “Yes” for Are any street closures and detours necessary for proposed work?”

Application Questionnaire

ENC Permit (Misc. Other)

Describe the work being proposed
4000 char(s) available.

Type of Work

Are any traffic lanes being closed for proposed work?

Are any street closures and detours necessary for proposed work?

All items marked with a red asterisk are required fields and must be completed before you are able to submit your application to the jurisdiction.
If you are unsure of a required field's answer you may skip the question to answer other questions.
After you press "next" to advance to the "review" section, you can press the "Save" button to save your progress and return to your application at a later date.

10. Click the “Upload Files” button to upload a PDF file of a drawing showing how the area will be laid out like a floor plan. The drawing can be drawn by computer or hand drawn

with information printed clearly. Outdoor space can extend from the curb to the center line and equal to the width of your business' store front.

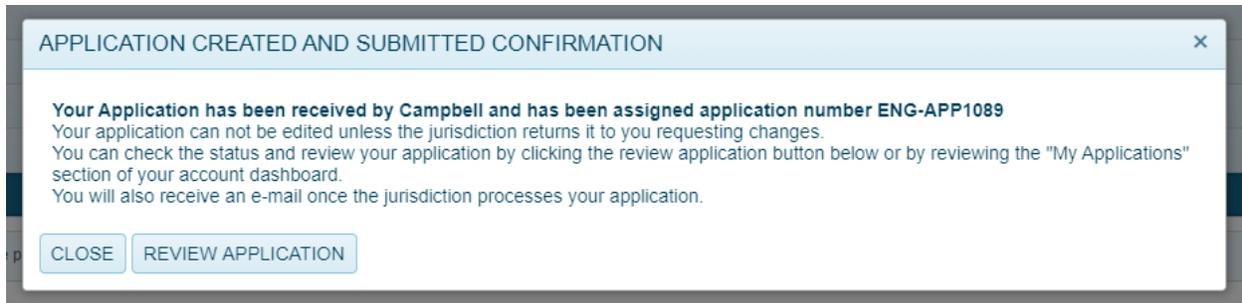
The screenshot shows a web interface for uploading files. At the top is a dark blue header with the text "Files Upload". Below the header is a light blue box containing the instruction: "If you are attaching any files to this application, click 'Upload Files', select files. If you are expected to include files with your application, a notice will appear." Below this box, the text "- Files" is displayed. Underneath, there is a button labeled "Upload Files". At the bottom of the main content area, there are two buttons: "Back" and "Next". A light blue bar at the very bottom of the interface contains the word "Review".

11. Click the "Upload Files" button again to upload a PDF copy of commercial general liability insurance and worker's compensation insurance listing the City of Campbell as an additional insured party.

12. Click "Submit" to complete the process.

The screenshot shows a web interface for reviewing an application. At the top is a dark blue header with the text "Review". Below the header is a light blue box containing the instruction: "To save your current progress and complete your application another time, please press save before exiting." Below this box, the text "Your application is ready to submit to the jurisdiction." is displayed. At the bottom of the main content area, there are three buttons: "Back", "Save", and "Submit".

13. You will receive a confirmation message and an application number. The Public Works Department will receive your application for processing. A Public Works staff member will contact you regarding next steps and assistance.



If you wish to speak with a member of the Public Works Department concerning your application, call (408) 866-2150.

Example of a Drawing of an Expanded Outdoor Retail Area*

* “Adjacent Business Area” does not need to be included in drawings submitted for an encroachment permit but is only shown for illustrative purposes. Drawings don’t have to be to this level of sophistication. This is just an example showing what to include in your drawing.

