



## Executive Order, July 7–14, 2020

*On July 7, 2020, Mayor Kevin L. Faulconer signed an [Executive Order](#) to allow immediate Sidewalk Café use, and use of private parking lots for outdoor dining. The Executive Order is only in effect until an Interim Urgency Ordinance for temporary outdoor business permit streamlining goes before Council on Tuesday, July 14.*

### IMMEDIATELY:

# SIDEWALK USE for EATING AND DRINKING ESTABLISHMENTS ONLY

You are hereby authorized by Executive Order 2020-8 to utilize sidewalk areas immediately adjacent to your establishment within the public right-of-way for the placement of removable tables, chairs, umbrellas, and barriers until July 14, 2020.

Executive Order 2020-8 only applies to existing permitted Eating and Drinking Establishments.

You are not authorized to install or construct any type of platform, affixed barrier, or shade structure.

You are not authorized to penetrate right-of-way pavement in any way with any type of bolt, screw, clamp, or penetration.

You must maintain a four-foot unobstructed accessible path of travel within the right-of-way through or around your sidewalk café.

After July 14, Businesses in a Business Improvement District (BID) need only to obtain a Public Right of Way Permit from their BID.

Businesses not within a BID must apply for a new Temporary Outdoor Business permit starting July 14, 2020 to continue to utilize sidewalk areas immediately adjacent to their establishments.

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Check the maps [here](#) to determine if you are in a BID.

Specific instructions will be provided tomorrow on how to apply for the required Temporary Outdoor Business permit for your Sidewalk Cafe.

### **PRIVATE PROPERTY - PARKING LOT USE - for EATING AND DRINKING ESTABLISHMENTS ONLY**

You are hereby authorized by Executive Order 2020-8 to utilize parking spaces and parking drive-aisle areas immediately adjacent to your establishment within your private property for the placement of removable tables, chairs, umbrellas, and barriers.

This authorization will be propped to be extended upon the Council's adoption of the July 14 interim Urgency Ordinance for 45 days, and again by Council before the 45 days expires for up to another 10.5 months, but in effect as long as social distancing is required by the Public Health Officer.

Executive Order 2020-8 only applies to existing permitted Eating and Drinking Establishments.

You are not authorized to install or construct any type of platform, affixed barrier, or shade structure as a part of this Executive Order.

You must obtain a Fire-Rescue Department special event permit (costs will be waived) if you enclose 50 or occupants or more within a fenced or barriered area.

You must obtain a Fire-Rescue Department special event permit (costs will be waived) for detached/removable pop-up tents larger than 400 square feet.

You can obtain a Fire-Rescue Department special event permit here:

<https://www.sandiego.gov/sites/default/files/singleapp.pdf>

No Development Services Department (DSD) permit is needed as this change of use is being temporarily allowed by right by the Executive Order, and will also be allowed by the interim Urgency Ordinance for 45 days, and again by Council before the 45 days expires, for up to another 10.5 months, but in effect as long as social distancing is required by the Public Health Officer.

### **PUBLIC RIGHT-OF-WAY PARKING SPACE USE aka PEDESTRIAN PLAZA**

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Executive Order 2020-8 does not authorize the use of Parking Spaces within the Public Right-of-Way for temporary outdoor business operations.

The Temporary Outdoor Business Operation Program will be considered by the City Council on July 14, 2020, and it will provide a streamlined permitting process for Pedestrian Plazas.

A Temporary Outdoor Business permit for Pedestrian Plazas will be required for the use of Parking Spaces within the Public Right of Way, and appropriate safety measures will be reviewed and approved by DSD as expeditiously as possible.

A Temporary Outdoor Business Encroachment Agreement will need to be included and signed by the business applicant.

Specific instructions will be provided tomorrow on how to apply for the required Temporary Outdoor Business permit for your Pedestrian Plaza.

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