



# Outdoor Dining in Bellevue

April 8, 2021

Welcome!

Please be sure that your microphone is **muted**. We will get started in just a couple of minutes.





# Agenda

## 1. Recap last year's program

## 2. Non-permitting resources

- Marketing support from the BDA
- Restaurant advising from BINW
- Additional federal aid

## 3. Permitting process

- Sidewalk and On-Street Spaces
- Parking Lot and Private Property

## 4. Questions & Answers





# Last Year

- COVID-19 restrictions were a major impact on local restaurants.
- **Five restaurants** deployed on-street patio spaces from mid-August through early October.
- BDA provided significant implementation and marketing support.
- Microsoft provided a large sponsorship to defray some costs.
- Feedback was extremely positive.







# This Year

- Expand the spirit of this program **across the rest of downtown and the city.**
- Mix of spaces, including:
  - Sidewalk
  - Parking lot and private property
  - On-street / parking lane







# Marketing and Financial Assistance







# Heart of Bellevue

- BDA is providing marketing support to businesses located downtown.
- Focus on promoting offerings, driving traffic, strengthening sense of place, and **boosting economic activity.**
- Promo materials, digital and physical assets, social media campaign.
- Will feature stories about the “**people behind the place.**”
- Connect at **bellevuedowntown.com.**





(re)STARTUP425

We will navigate the COVID-19 pandemic together.

The Eastside's economy doesn't recognize borders. So we're working together to connect businesses and nonprofits to **resources**, provide one-on-one financial **technical assistance**, and **share** your ongoing business operations with the community.

Business Response Team

## Business Resources

We're here for you. Find resources below to help your business, your employees, and your customers.



# Financial Advising

- Outdoor dining can be an added cost.
- Our advisor can help you create a plan to make outdoor dining work **financially**.
- **100% free!**
- Can also assist with federal and state relief programs, PPP loans, EIDL loans, Working Washington grants, and other relief.
- Get started at **re.startup425.org**.





# Restaurant Revitalization Fund



- \$28.6 billion in federal **grants** to restaurants, bars, and cafés.
- Based on lost revenue from 2019 to 2020, with \$5M max award.
- Can fund payroll, rent, utilities, supply, inventory, and other expenses.
- SBA is developing the program application process right now.
- Get started at **re.startup425.org**.





# Permits for Outdoor Dining







# Right of Way

## **Right of Way (ROW) Permitting** **processes and requirements for Outdoor Dining**

3 Different permit types for Outdoor Dining within the ROW

1. Sidewalk Seating area
2. Sidewalk Café
3. On Street Dining (as a response to COVID-19)





# Right of Way



## Sidewalk Seating Area

A Seating Area permit allows for tables and chairs to be set out on the sidewalk directly adjacent to the business. **Table service is not allowed, and alcohol cannot be served or consumed.**

These can be used by both customers and the general public.





# Right of Way



## Sidewalk Café

Allows for table service. If the permitted business holds a liquor license, alcohol may be served.

Demarcation of the sidewalk café area is required and may consist of railings, planters, and City-installed pavement markings.





# Right of Way

## On Street Dining

Response to the COVID-19 pandemic. This permit is a temporary permit. Use of the city street is allowed through **Ordinance 6530**.

With placement of vehicle barriers, applicants can place tables and chair on the city street within designated parking stalls upon ROW review and approval.

ROW does require that applicant first explore and take advantage of all other Outdoor Dining options (public or private) prior to On-Street Dining.





# Right of Way

## Overview for Sidewalk Café (TE) Permit Application

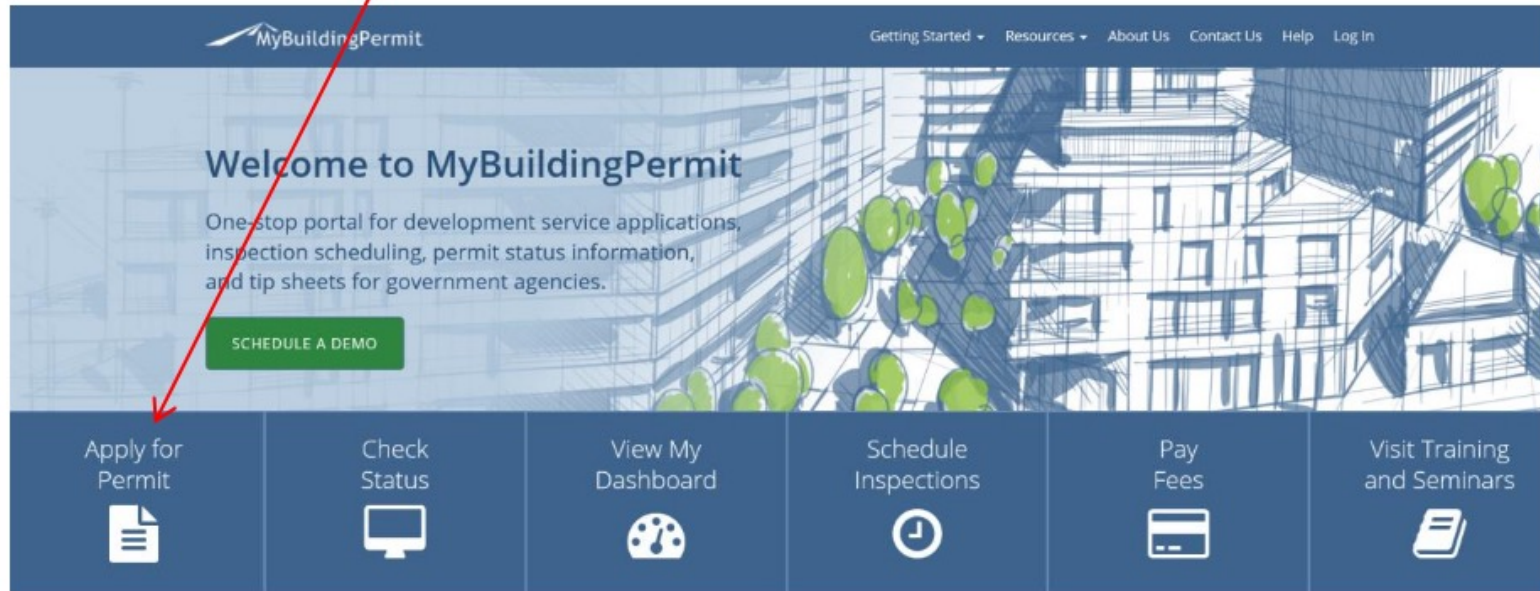
All Outdoor dining will fall under this permit type.

Permits will need to be applied for online through MyBuildingPermit.com. By selecting the following when prompted.

### Instructions

1. Log in to MyBuildingPermit.com
2. Click on **Apply for Permit**

1. **Application Type** – Right of Way
2. **Project Type** – Other Project Type
3. **Activity Type** – Annual Permit
4. **Scope of Work** – Sidewalk Café





# Right of Way



## Required documents when applying for Outdoor Dining within the Right of Way

(Applicant is required to read all requirements found within the Standards that provide further detail on the items below)

- **Building owner authorization** (city has recently created a template for this requirement)
- **Proof of Insurance** naming the City of Bellevue as an additional insured (see standards)
- **Indemnification & Hold Harmless Agreement** (provided to applicant to complete once the application has been submitted)
- Copy of **WSLCB license** if applicable
- Provide a **description of proposed use** (see standards)
- **Site plan** that must show the items requested in the standards. The site plan must meet all requirements for ADA. If all ADA requirements can't be met, then a permit will not be approved for that location. (see standards)
- Site plans (Sidewalk Café & Seating Area) are typically reviewed for non-COVID times. It is the business owner's responsibility to make sure current phasing requirements are being met
- **Fees** have been waived for 2021 as a response to the COVID-19 pandemic





# Right of Way

## Why a permit?

ROW needs to confirm compliance of the proposed use for City, State and Federal requirements.

A few of those include:

- City Transportation Design Manual Compliance
- Fire Department Compliance
- Building Code Compliance
- Americans with Disability Act (ADA) Compliance
- Washington State Liquor and Cannabis Board (WSLCB) Compliance
- COVID-19 Compliance







# Right of Way

## Americans with Disability Act (ADA)

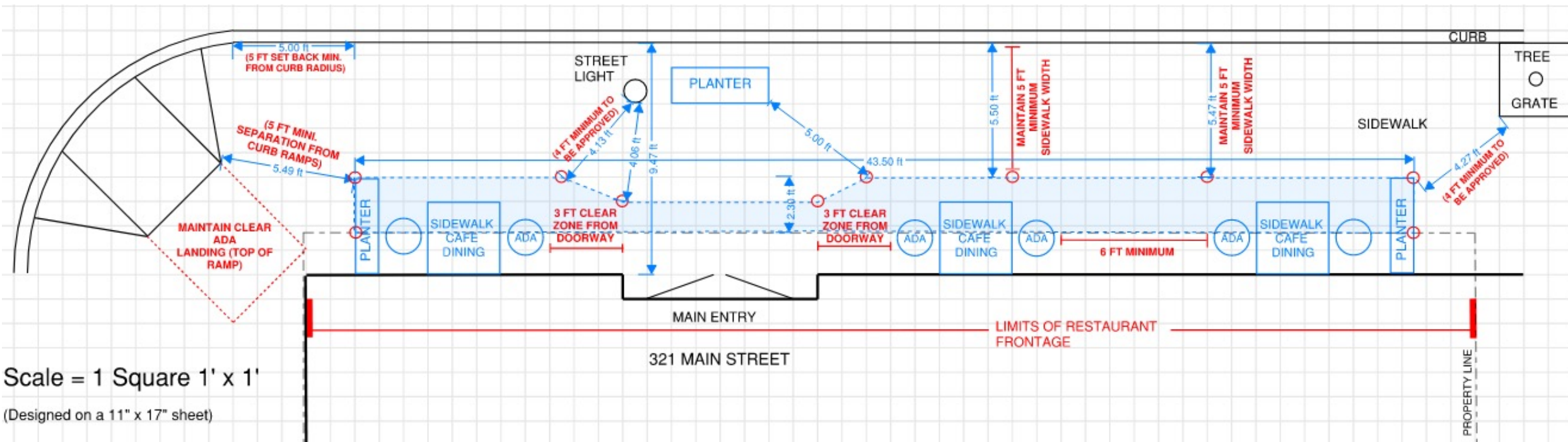
- Pedestrian Access Route (PAR) is to be maintained.
- Wheelchair accessibility for 5% (or 1 out of 20) of seating area, though no less than 1 seating area.
- Ramp landing clearance
- Cane detection needs to be provided at leading and trailing ends regardless if barriers are proposed.

**SIDEWALK WIDTHS REQUIRED TO BE MAINTAIN THOUGH SIDEWALK CAFE per - II.B.**

**5 FT MINIMUM - NON ARTERIAL ROADS**  
**5 FT MINIMUM - MAIN STREET**  
**7 FT MINIMUM - ARTERIAL ROADS**  
**7 FT MINIMUM - GRAND WALKWAY**

**5 FT MINIMUM ADA SEPARATION FROM CURB RAMP REQUIRED**

**4 FT MINIMUM - LESS THAN 5 FT IN LIMITED LENGTHS (SINGLE POINTS) WILL REQUIRE ADDITIONAL REVIEW & APPROVAL (NOT GUARANTEED)**





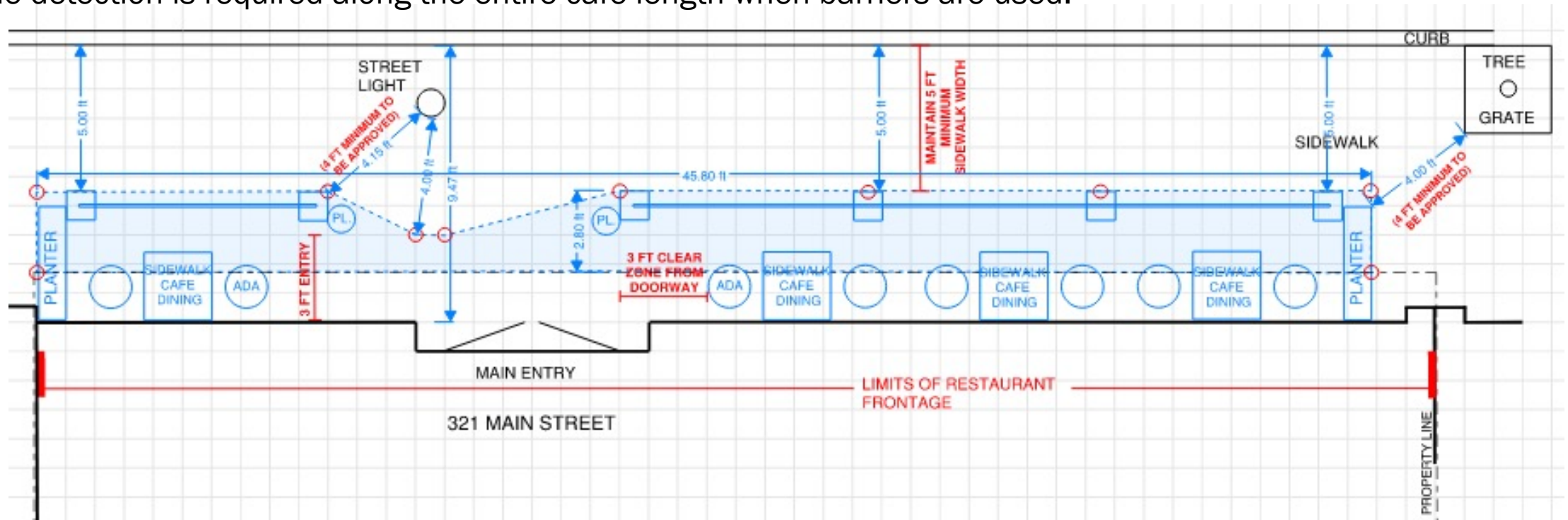


# Right of Way

## Washington State Liquor and Cannabis Board (WSLCB)

Those establishments serving alcohol will need to meet WSLCB requirements:

- Having barriers that are 42" in height, with opening for ingress/egress that does not exceed 10 foot in total length. Unless approval has been obtained by the WSLCB for 6" demarcation in place of railing.
- Cane detection is required along the entire café length when barriers are used.



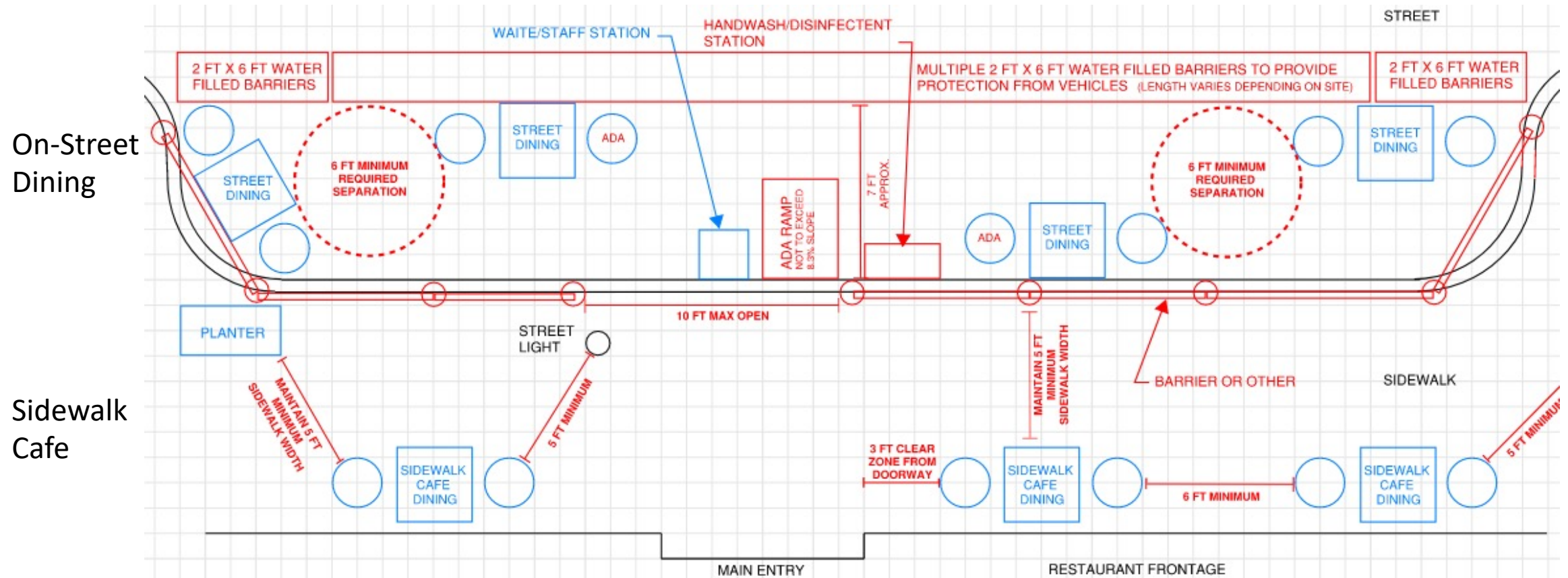




## COVID-19 Phase Requirements

# Right of Way

- 6 foot of separation between diners is required (sitting at different tables).
- Barriers to be in place where the required 6' of separation cannot be met (ADA compliance still applies).
- For additional information on King County COVID-19 requirements please visit the websites: [Open Air and Outdoor Seating Requirements](#) and [King County COVID-19 Guidance and Restrictions](#)



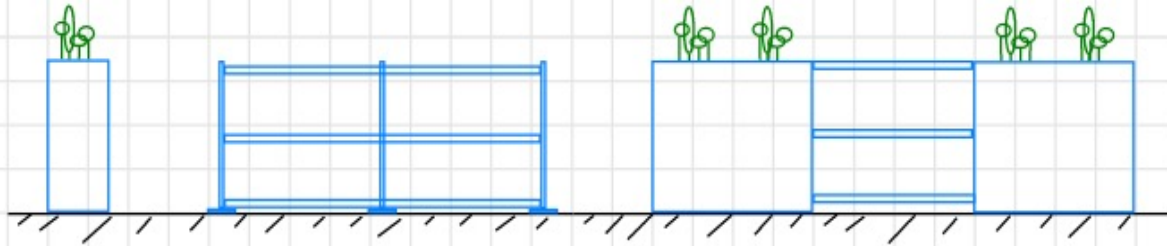


# Right of Way

## Combined Requirements Explained

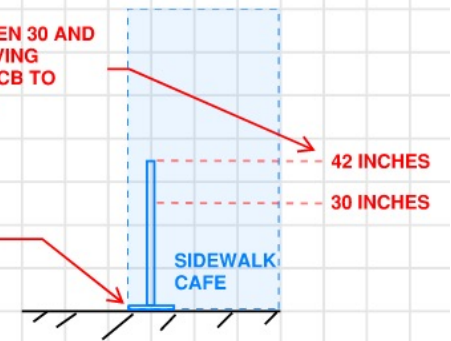
- Barriers 42" in height, for alcohol service with WSLCB approval for 6" demarcations.
- Cane detection needs to be provided when barriers are used.
- Pedestrian Access Route (PAR) and wheelchair accessibility
- Use of city right of way or public access easements

PLANTERS, RAILING OR COMBINATION OF BOTH CAN BE USED AS BARRICADES TO SERVE AS BOTH WSLCB AND ADA CANE COMPLIANCE



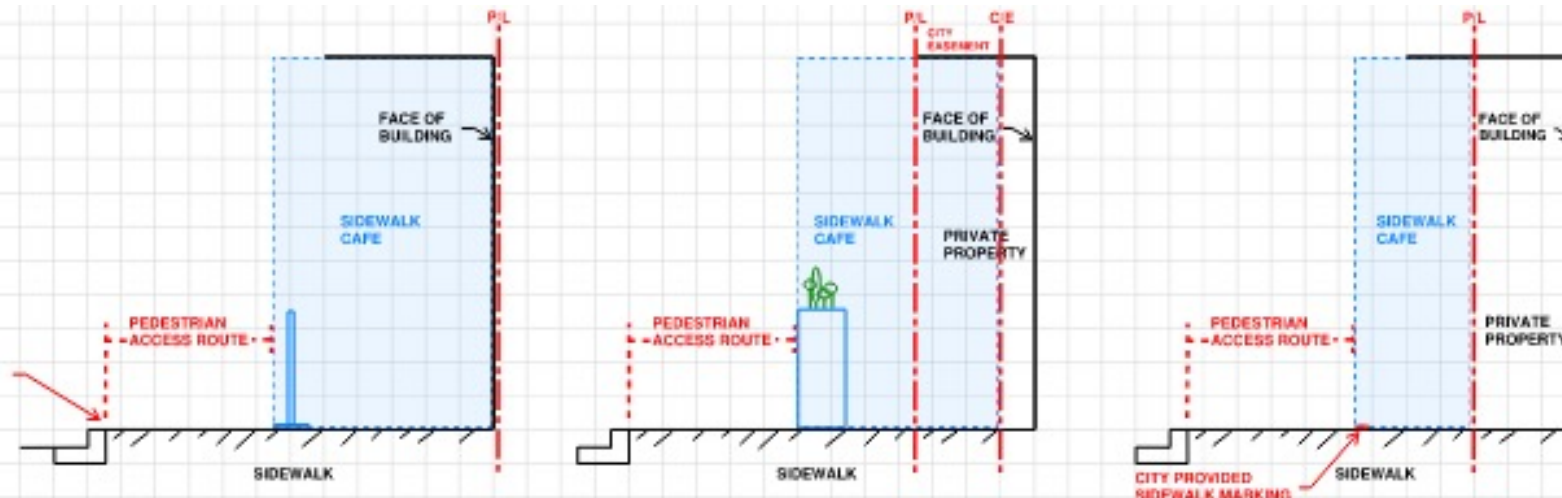
VERTICAL BARRICADES MUST BE BETWEEN 30 AND 42 INCHES IN HEIGHT, 42 INCHES IF SERVING ALCOHOL (UNLESS APPROVED BY WSLCB TO USE CITY 6" DEMARCATION MARKERS).

BASE OF BARRICADE NEEDS TO BE ACCOUNTED FOR WITHIN THE LIMITS OF PROPOSED R.O.W. USE, AS THEY REQUIRE PEDESTRIANS TO MOVE AROUND THEM.



P.L. - PROPERTY LINE  
C.E. - CITY EASEMENT

P.A.R. TO BE MEASURED FROM BACK OF CURB



**SIDEWALK WIDTHS REQUIRED TO BE MAINTAIN THOUGH *SIDEWALK CAPE* per - II.B.**

**5 FT MINIMUM - NON ARTERIAL ROADS**  
**5 FT MINIMUM - MAIN STREET**  
**7 FT MINIMUM - ARTERIAL ROADS**  
**7 FT MINIMUM - GRAND WALKWAY**

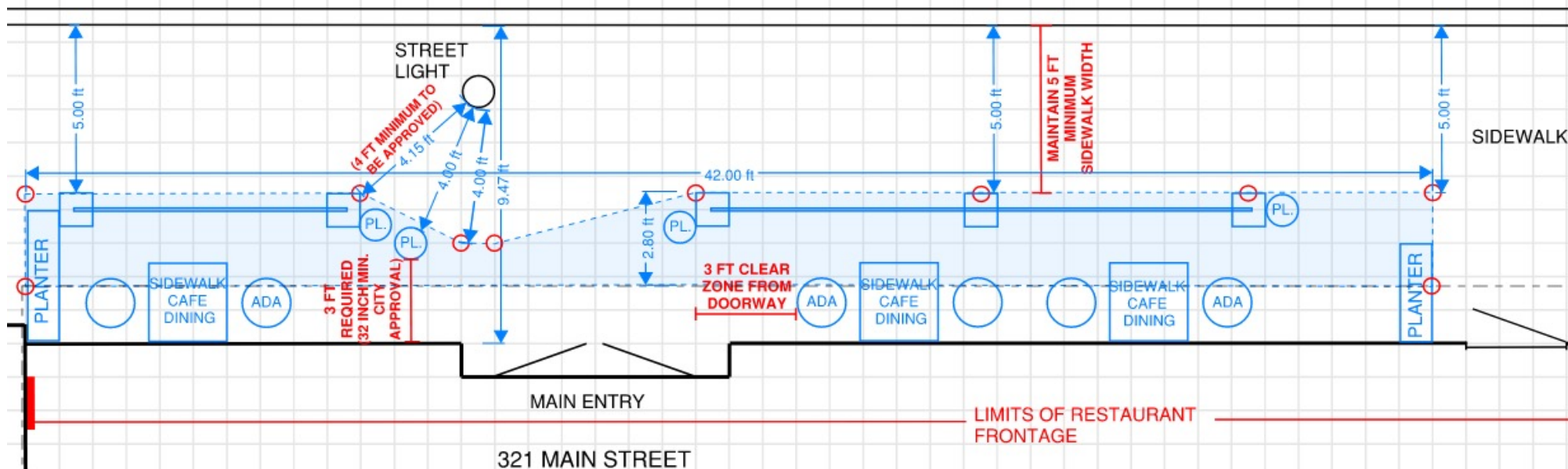
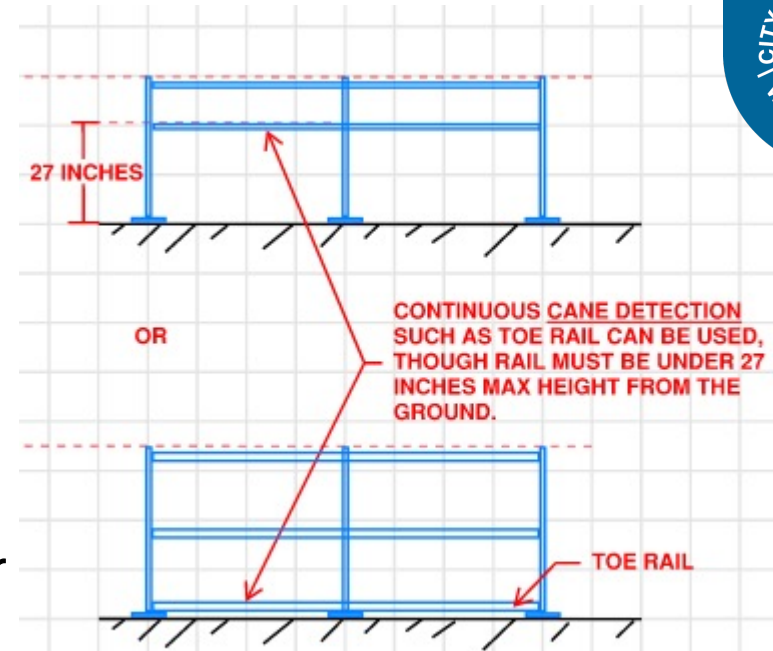
**4 FT MINIMUM - LESS THAN 5FT IN LIMITED LENGTHS (SINGLE POINTS) WILL REQUIRE ADDITIONAL REVIEW & APPROVAL (NOT GUARANTEED)**

**○ = DEMARCATION OF *SIDEWALK CAPE* LIMITS, TO BE INSTALLED BY THE CITY AFTER PERMIT ISSUANCE. MARKERS PER III.B.1.c.**

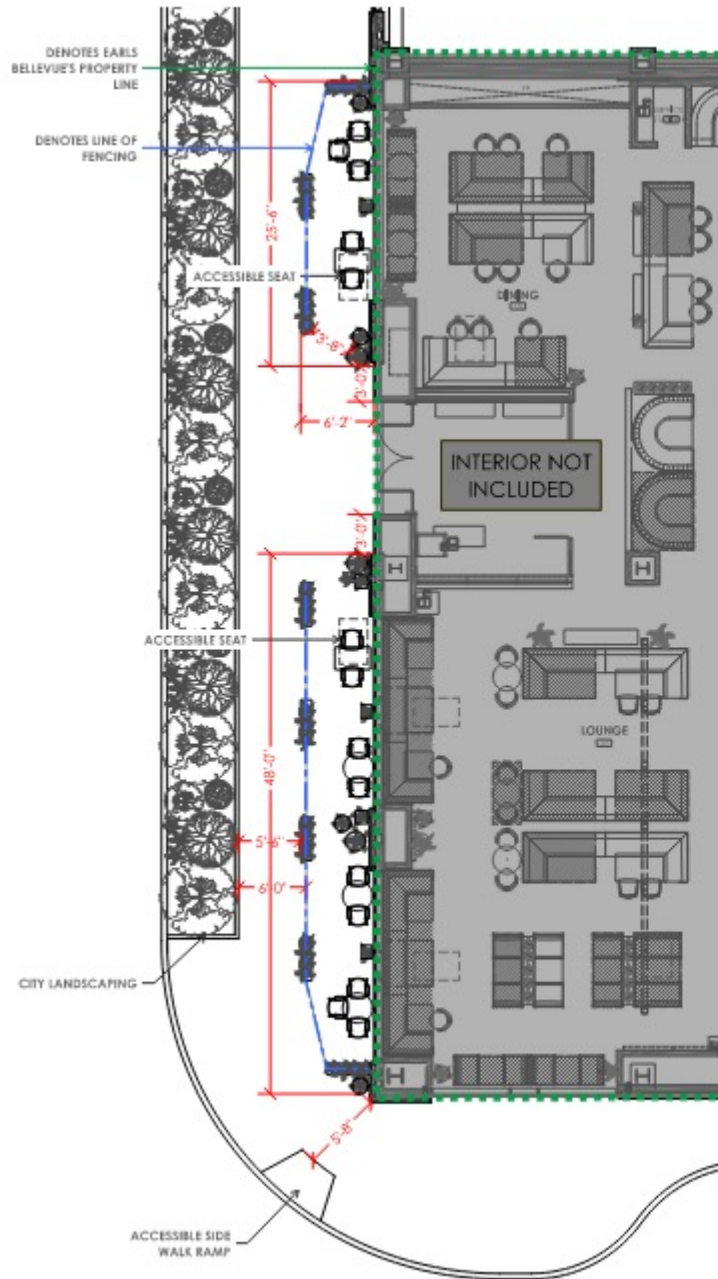


## Combined Requirements Continued

- Barriers 42” in height, for alcohol service with WSLCB approval for demarcations.
  - Cane detection needs to be provided when barriers are used.
  - ADA compliance meeting a clear Pedestrian Access Route (PAR)
  - ADA compliance providing wheelchair accessibility
  - Use of city right of way or public access easements
- 
- **City will be installing 6” demarcations within the next few weeks for Sidewalk Cafés and Seating Areas with an active permit**







#### PROPOSED FENCING

CUSTOM PLANTERS  
W/INTEGRATED METAL FENCE



#### PROPOSED FURNITURE



BISTRO TABLE



A.D.A. TABLES  
(2 AS SHOWN ON PLAN)



CHAIRS W/CUSHION





# Right of Way



- The city will address enforcement in meeting city, state and federal compliance.
- City will be responding to public complaints regarding obstruction of sidewalk or not meeting COVID-19 concerns.
- ROW will be updating its website to provide all information covered. Will be shared upon request.

Contact the **ROW team** with questions or to get started:

- [crivera@bellevuewa.gov](mailto:crivera@bellevuewa.gov) (primary)
- (425) 452-7942
- [smakepeace@bellevuewa.gov](mailto:smakepeace@bellevuewa.gov) (secondary)
- (425) 452-2888





# Private Property

- Types of Spaces:
  - Not typically used for outdoor dining
  - Parking lots, private patios, lawns, buffer areas
- Apply at **mybuildingpermit.com** for a “Temporary Use Permit.”
  - Site Plan and/or Photos
  - Liquor License and Added Activities Acknowledgement\*
  - Temporary Use Abatement Agreement\*
  - Proof of Bellevue business license\*
- Allows temporary use **up to 90 days after** the expiration of the civil emergency order.





# Private Property

- Temporary Use Permits issued over the past year are **automatically valid** until 90 days after the civil emergency order expires.
  - In other words, **no action is required** if you were issued a Temporary Use Permit last year.
- Contact our **Land Use team** with questions or to get started:
  - [landusereview@bellevuewa.gov](mailto:landusereview@bellevuewa.gov)
  - (425) 452-4188



## Q&A

Please use the “raise hand” feature or type your question in the chat tool.







# Outdoor Dining in Bellevue

April 8, 2021

**Learn more:**

[bellevuewa.gov/outdoor-dining](https://bellevuewa.gov/outdoor-dining)

**Reach out with questions:**

(425) 452-4114

[agill@bellevuewa.gov](mailto:agill@bellevuewa.gov)