

Exhibit A

COVID-19 Restaurant Expansion Seating Area Regulations

Introduction

California's COVID-19 Industry Guidance: Dine-in Restaurants (Guidance) provides information to support a safe and clean environment for workers and customers. Compliance with the Guidance could result in a reduction of tables that would financially impact a restaurant in which it is not cost effective to operate. By issuing a *Temporary Use Permit – COVID-19*, the City is allowing restaurants to temporarily expand their footprint into public spaces and other areas to accommodate dine-in service at pre-COVID-19 levels. The City is also providing an opportunity for additional social distancing to increase safety of restaurant personnel and patrons. The below provides a roadmap for restaurants to follow.

Requirements for a Temporary Use Permit – COVID-19 (TUP-COVID-19)

To be issued a TUP-COVID-19, restaurants must:

- Remain in compliance with the COVID-19 Industry Guidance: Dine-in Restaurants document;
- Be registered at www.vcreopens.com.
- Remain in compliance with the County of Ventura Health Officer's Orders.
- Remain in compliance with the County of Ventura Environmental Health regulations.
- Remain in compliance with California Alcohol Beverage Control (ABC) regulations.
- Remain in compliance with the Simi Valley Municipal Code.

General Requirements

- A TUP-COVID-19 will be authorized while dine-in restaurant services are allowed at reduced seating capacities.
- ADA accessibility is required to be maintained at all times for expanded seating areas.
- Where applicable and possible, all the restaurants in the shopping center should cooperate in preparing a centralized seating area utilizing vacant tenant spaces or outdoor seating areas.
- The temporary seating capacity combined with the originally approved seating area shall not exceed the originally approved occupancy for the restaurant(s).
- A letter of permission from the property owner must be submitted if the applicant does not own the property where the dining is to be located.
- Social distancing must also be maintained to individuals in a public sidewalk or from anyone that may be standing in line for seating or take out.
- The layout cannot block egress.
- Restaurants that have a previously approved alcoholic beverage license may continue to sell alcoholic beverages in accordance with the ABC Fourth Notice of Regulatory Relief (or any successor Notice) within the expanded outdoor dining area.
- All dining areas must be maintained and kept clean of litter.

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- No bar seating or temporary outdoor bars will be permitted on the expanded footprint area.
- No food and beverages of any kind may be stored or displayed outside.
- Areas subject to TUP-COVID-19 are for dine-in serving of food only and shall not be used for live entertainment or any other purposes.

Use of Vacant Tenant Spaces

Vacant storefront spaces may be used by restaurants to expand their footprint under the following guidelines:

- Vacant spaces must be in the same shopping center as the subject restaurants.
- Tenant spaces must meet all Ventura County Fire Department and Simi Valley Building & Safety requirements for the proposed occupancy and ADA accessibility.
- Provide a scaled diagram of the currently licensed premises and the proposed temporary area, clearly delineating the respective spaces.
- If multiple access points are available for the spaces, there should be separately designated entry and exit points.

Outdoor Seating Areas

Outdoor areas adjacent to a restaurant may be used to expand the footprint of the restaurant under the following guidelines:

- Outdoor seating areas may include sidewalks, parking lots, and unused patio areas.
- The allowable number of parking spaces to be utilized for outdoor seating will be the minimum necessary but determined on a case-by-case basis.
- If use of public sidewalks are being proposed, City authorization must be obtained via issuance of an encroachment permit. Proof of insurance may be required naming the City as additional insured in addition to all encroachment permit requirements.
- If possible, expanded outdoor seating shall not block or restrict access to handicapped parking spaces (to be reviewed on a case-by-case basis).
- Outdoor seating areas cannot interfere with deliveries. If space is limited, the restaurant can provide alternative hours for deliveries that are outside of normal operating hours.
- For outdoor seating areas, provide a scaled diagram of the currently licensed premises and the proposed temporary area, clearly delineating the respective spaces, and include the following:
 - Size and placement of the proposed seating area;
 - If using parking spaces, indicate number to be used;
 - Path of pedestrian travel from restaurant(s) to seating area. If this path crosses drive aisles, signage may be required to warn drivers of frequent pedestrian crossings;

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- Temporary or fixed barriers or delineations to be utilized that will enable the restaurant to control the temporary area;
- Traffic management devices to be used to prevent entry of vehicles into seating area if using parking spaces;
- If required, a 20-foot wide path will need to be maintained for Fire Department access and any required fire access must be maintained.
- Entrance and exit from the seating area;
- Any railings, canopies, cooking appliances, heaters, temporary electrical cords, and other relevant information;

Additional safety considerations

- Tents and canopies are allowed subject to compliance with all required Fire and Building codes. If the seating area will include any tents or canopies, obtain copies of the flame resistance certificate(s) from the tent manufacturer or rental company.
- Seating cannot be expanded into unimproved properties or areas identified as open space, preserve, drainage or detention areas.

Signage

- Each business can have one free-standing (12 square foot maximum) sign advertising the outdoor seating area. The free-standing sign can be placed within the outdoor seating area facing the path of travel.
- Directional and safety signs are exempt from this requirement.

TUP-COVID-19 Application

A Temporary Use Permit-COVID-19 application including the following elements:

- Letter of permission from property owner acknowledging authorization of the restaurant expansion.
- Scaled diagram as noted above
- Text and square footages of promotional signs if any are to be used
- Indicate originally approved occupancy and occupancy with expanded seating areas
- An affidavit confirming that deliveries will not be impacted and the required Fire Department, Ventura County Environmental Health Department and Department of Alcohol Beverage Control regulations will be complied with
- All fees related to a TUP-COVID-19 are waived

A TUP-COVID-19 may be cancelled as follows:

- Upon the termination of the local emergency by the City Council.
- Failure to comply with the COVID-19 Industry Guidance: Dine-in Restaurants.

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- Failure to remain in compliance with ABC regulations, regulations of the County of Ventura Environmental Health, violation of the Orders of the County of Ventura Health Officer, or for violation of applicable laws, rules, ordinances, and other directives pertaining to business activities conducted on the premises and expanded area;
- Failure to comply with the TUP-COVID-19 permit.
- For disturbance of the quiet enjoyment of nearby residents and businesses.

Interested restaurants should contact the Planning Division at 805-583-6769 or enviroservices@simivalley.org to obtain a TUP-COVID-19 application.