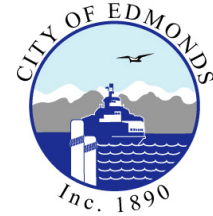


City of Edmonds Development Information



STREATERY HANDOUT

Street Use Permit

Streateries, located in the Right of Way are regulated under Edmonds Community Development Code (ECDC) Chapter 18.70 Street Use and Encroachment Permits; and Chapter 17.70.040 Bistro and Outdoor Dining.

STREATERY: A regulated Streatery area is that portion of the public right of way, typically in a vehicle parking space, that has been designed to allow for food and beverage services. Alcohol service is subject to Washington State Liquor and Cannabis Control Board (WSLCCB) licensing requirements. To provide greater opportunities for outdoor dining and beverage service, stateries may be permitted, subject to the following requirements.

Please Note: Any streatery in existence on December 1, 2020 under a special event permit may continue such use until January 17, 2021, provided that a street use permit for the streatery is applied for by **January 11, 2021** and the City determines that the streatery meets or can meet the requirements of this section and issues a permit for it, with any conditions.

STREATERY PERMIT FEES:

Street Use Permit:	\$110 + City Surcharge (<u>waived</u>)
Permit Renewal Fee:	\$30

A Streatery shall be permitted for a period of no more than one year. Permits may be considered for extensions of three to six month increments provided:

- A Street Use permit for Streatery has been issued.
- Annual Renewal fee has been paid, as applicable
- A current copy of a Certificate of Insurance is on file with the City

SUBMITTAL REQUIREMENTS:

1. **Complete, Signed Streatery Application** (attachment A)
2. **Site Plan**: Show the proposed streatery area and surrounding site features. An example streatery site plan is attached in this handout for reference (attachment B) The site plan shall include the following:
 - a. Business name, owner, address of streatery.
 - b. Parking stall(s) to be used, platform, if applicable, location of barriers, location of entrance. Please note widths, lengths and setbacks where applicable.

- c. Safety end barriers: see next section for placement requirements and attachment D for details.
 - d. Existing site features: for example, entrance to streatory, restaurant and sidewalk dining where applicable, trees and tree grates, planters, signs, poles, utility appurtenances, fire hydrants, etc. Also, road and sidewalk features (i.e. driveways, alleys, intersection, ramps, curbing, etc.) within 10 lineal feet in either direction of the proposed streatory area.
3. **Dining Plan:** The purpose of this plan is to show the location and type of screening to be used, as well as the items that will be inside the streatory for example; tables, seating, heaters and any other objects to be located within the streatory. An example dining plan is attached in this handout for reference (attachment C.) Please include dimensions of furniture etc. as well as setback distances where applicable.
 4. **Platform Construction Drawing:** Drawing shall show how the platform will be constructed, including the base and how it meets flush with the curb/sidewalk.
 - a. Platform shall meet load bearing limits per building code.
 - b. Base shall leave a minimum gap of 1 ft from the curb
 - c. Platform shall have a ½” max horizontal gap between sidewalk and platform
 - d. Edge of platform at sidewalk shall have a ¼” beveled edge
 5. **Elevation Sketch:** Drawing is a cross section of the streatory area. Heights of tents, canopies, screens, view ports, barriers, etc. should be included in this plan. See elevation detail on attachment D for more information.
 6. **Certificate of Insurance:** (see form, attachment E)
 - a. The city requires insurance coverage of a minimum of \$300,000 Personal Injury, and \$100,000 Property Damage.
 - b. City of Edmonds shall be named as additional insured.
 - c. Name of business, business owner, and address of streatory shall be included in the description are of the certificate.

TRAFFIC SAFETY CONTROLS:

Water Filled Barriers: Barriers shall be placed on the end(s) of the streateries to enhance safety. Barriers shall have the following dimensions:

- Height: 42”
- Width: 24”
- Length: 72” for parking stalls with width 8’ or greater / 60” for parking stalls less than 8’ wide

Water filled barriers shall be placed a maximum of 1 ft from edge of drive lane and a minimum of 1 ft from the curb. Barriers shall be placed with edge a minimum of 1ft from the parking space edge. Color preference is white.

Planter Barriers: Planters used as a barrier option shall meet the following dimensions and setbacks.

- Height: 30”
- Width: 12”
- Length: 24” a minimum of two planters this length are required for a barrier.

Planter barriers shall be placed a maximum of 1 ft from edge of drive lane and a minimum of 1 ft from the curb. Barriers shall be placed with edge a minimum of 1ft from the parking space edge. Space between planters shall be a minimum of 2 ft.

Other Barrier Types: Other barrier types may be approved by the city engineer on review. For a barrier review, submit barrier type drawing or manufacturer's information. Include dimensions and other information specific to use.

Reflective Delineators: Reflective delineators are required to be installed at each of the corners of the streatory adjacent to the drive lane. Delineators shall be 42" in height and the color preferred is white.

Also see **Attachment D** for more information.

REVIEW CRITERIA:

Streatory proposals shall be reviewed for compliance with Street Use permit requirements and the conditions outlined below:

1. A streatory must be located fully or partially adjacent to the business that it serves, provided that if the business is not adjacent to one or more suitable parking spaces, another business or property owner may give its written concurrence for the parking space in front of it to be used for a streatory.
2. Streateries shall not be located in ADA parking stalls, loading/unloading zones, in front of fire hydrants or bus stops, or over the top of city storm catch basins.
3. The maximum length of a streatory is two vehicle parking spaces. For corner locations, the two spaces may be comprised of one parking space on each of the adjacent intersecting streets.
4. No more than two streateries shall be located next to each other.
5. There shall be a single opening, maximum width of 10 feet, customer entry. Tables shall be served only from within the streatory areas.
6. Each streatory must be protected at its end(s) from any adjacent vehicle parking space by an approved barrier. Each barrier must include adequate lighting or reflective markings, as approved by the city engineer, for night-time visibility to drivers (See barrier information in Attachment D.)
7. All streateries shall be located within the marked parking stalls and none of its elements should extend outside of this area.
8. A streatory must be located on an ADA-accessible raised platform that is flush with the sidewalk. The platform must be ADA-accessible from the public sidewalk and, upon entering the streatory, a wheelchair-user must be able to access at least one seat at a table on the platform. Exception: A streatory may be allowed without a platform if the business has other open-air dining that is ADA-compliant and available for customer use.
9. Screening shall be located on the streatory side that is adjacent to and parallel with the traffic lane. Such screening shall be at least 30 inches high and primarily consist of: (a) lattice, picket, or solid fencing; (b) fabric or membrane material; or (c) containerized plantings where the container is at least 30 inches in height. Above 36 inches in height, any screening from the traffic lane will have views into and out of the streatory. An applicant may propose a different material that provides both external views and a sense of separation, subject to approval by the building official.

10. All tents, canopies, fabric screens, and umbrellas are subject to approval by the building official for any structural requirements and by the fire marshal for flame-retardance. See Tents and Canopy Guidelines Handout for more information.
11. Tents and canopies must be fully open to the air on at least one side. If the open side is less than 8 linear feet, a second side must have ventilation or the current recommendations from the Governor for COVID safety whichever are more restrictive.
12. Tents, canopies, awnings, fabric screens, and umbrellas shall be primarily yellow, white, or red, or any combination of those colors. Material that is transparent may also be acceptable. (Tents, canopies etc. that are documented as being purchased by the applicant prior to January 1, 2021, may be of any color.)
13. Fuel-burning heaters and open flames, such as candles, torches and fire pits, are not allowed within 3 feet of any fabric (including tents and canopies) unless approved by the fire marshal. See Tents and Canopy Guidelines Handout for more information.

Additional Information and Requirements:

E75 Street Use Permit Requirements
Tents and Canopy Guidelines

Attachments:

- A - Streatery Street Use Application
- B - Example Site Plan
- C - Example Dining Plan
- D - Safety Barrier and Elevation Details
- E – Insurance Certificate

Note: This information should not be used as a substitute for City codes and regulations. The Edmonds Community Development Code (ECDC) may be viewed at www.edmondswa.gov. The applicant is responsible for ensuring compliance with the fees and regulations that are applicable at the time of submittal. If you have a specific question about a certain aspect of your project, or to submit current insurance information, please email the Engineering Division at engineeringpermits@edmondswa.gov. Please note that other local, state, and/or federal permits or approvals may be required.

City of Edmonds Development Services Department

121 5th AVE N, Edmonds WA 98020

Telephone: 425-771-0220



STREATERY PERMIT APPLICATION

Business Name _____ Address _____

Business Owner _____ Phone _____ Email _____

Property Owner Name _____ Phone _____ Email _____

If Streatery will be located within street frontage other than the above address, complete the following:

Alternate Address _____

Adjacent Property Owner _____ Phone _____ Email _____

For all applications, complete the following:

Streatery Area: No. of parking stalls _____ Total Length _____ ft Width _____ ft

- Streatery is adjacent to business, has an outdoor ADA-compliant space on site so will not install a platform. In this case, identify where the business's outdoor ADA-compliant dining space is located, related to the site.
- Streatery is adjacent to business and has an outdoor ADA-compliant dining space on site but will install a platform even though not required for ADA-compliance.
- Streatery is adjacent to business but has no outdoor ADA-compliant dining space on site so installation of ADA platform is required.

Key Relevant City Codes and Handouts:

18.70 STREET USE AND ENCROACHMENT PERMITS

17.75 OUTDOOR DINING

17.70.040 TEMPORARY USES

BUILDING HANDOUT: TENTS, CANOPIES AND OTHER TEMPORARY STRUCTURES

NOTE: State requirements related to COVID-19 protection and requirements of the Washington Liquor and Cannabis Board must also be met.

APPLICATION SUBMITTAL REQUIREMENTS

(See Streateries Handout E75C for more information and examples)

1. A Complete, Signed Street Use Application *(See Handout E75)*.
2. Alternate Location Agreement *(if applicable)*.
3. Site Plan showing location of pedestrian entry to platform and location of tables, furniture, heaters, electrical connections, equipment barriers, and other components.
4. Platform Construction Drawing.
5. Tent/Canopy structure information, including whether any membrane structure has a flame retardant certificate and the length of openings and walls. If the membrane is not transparent or is a color other than white, yellow or red, provide documentation on when the membrane structure was purchased.
6. Elevation Drawing showing a dimensioned cross section of the streatery area *(see example in Handout)*.

STREATERY PERMIT APPLICATION, *continued*

7. Screen information (height, material, etc.) for each side of the streatory. Heater information (type, model, etc.) and information on any other heating-type equipment.
8. Type of end barrier(s) to be used where adjacent to a vehicle parking space.
9. Other pertinent information (*optional*).

In addition, Building and Fire Marshal review and approval is required for tents or other fabric or membrane structures, fuel-burning heaters, and open flames proposed for use by streatory. See Handout referenced above for submittal information. A separate Building or Operational Permit is not required for a streatory.

Conditions (*not necessarily all-inclusive*):

- A streatory may be permitted as a type of street use in the parking lane of any public street on a block where retail or restaurant use is located.
- A streatory shall be permitted for a period of no more than one year, provided that the permit may be extended in three- to six-month increments.
- A streatory must be located fully or partially adjacent to the business that it serves, provided that if the business is not adjacent to one or more suitable parking spaces, another business or property owner may give its written concurrence for the parking space in front of it to be used for a streatory.
- The maximum length of a streatory is two vehicle parking spaces. On corner locations, the two spaces may be comprised of one parking space on each of the adjacent intersecting streets.
- No more than two streateries shall be located next to each other, a length of 4 consecutive parking stalls.

PROPERTY/BUSINESS OWNER(S) TO READ AND SIGN

*NOTE: The issuance of this permit is understood by the property/business owner(s) to be of a temporary nature, shall vest no permanent right and shall be issued and may in any case be revoked at the sole discretion of the City per ECDC 18.70.040. By signing this application, they accept responsibility for all existing and/or future street uses. **Property/business owner(s) are responsible to continually provide a current copy of the insurance certificate to the City.***

INDEMNITY: The property/business owner(s) understand and by their signature to this application, agree to hold the City of Edmonds harmless from any injuries, damages or claims of any kind or description whatsoever, foreseen or unforeseen, that may be made against the applicant or the City of Edmonds, or any of its departments or employees, including but not limited to the defense of any legal proceedings including defense costs, court costs, and attorney fees by reason of granting this permit. In addition, the property/business owner(s) understand that they shall provide and continually maintain during the term of the permit a certificate of insurance naming the city as an additional insured, with respect to liability, and providing that it shall be primary as to any other policy of insurance.

CODE APPLICATION: By signing below the property/business owner(s) warrant that they have read or had the opportunity to read Chapter 18.70, 17.75, and 17.70.040, of the Edmonds Community Development Code and they understand that all terms of the adopted ordinance are incorporated herein as if set forth in full and permits therefore are subject to the terms of those Chapters.

Business Owner(s) Signature

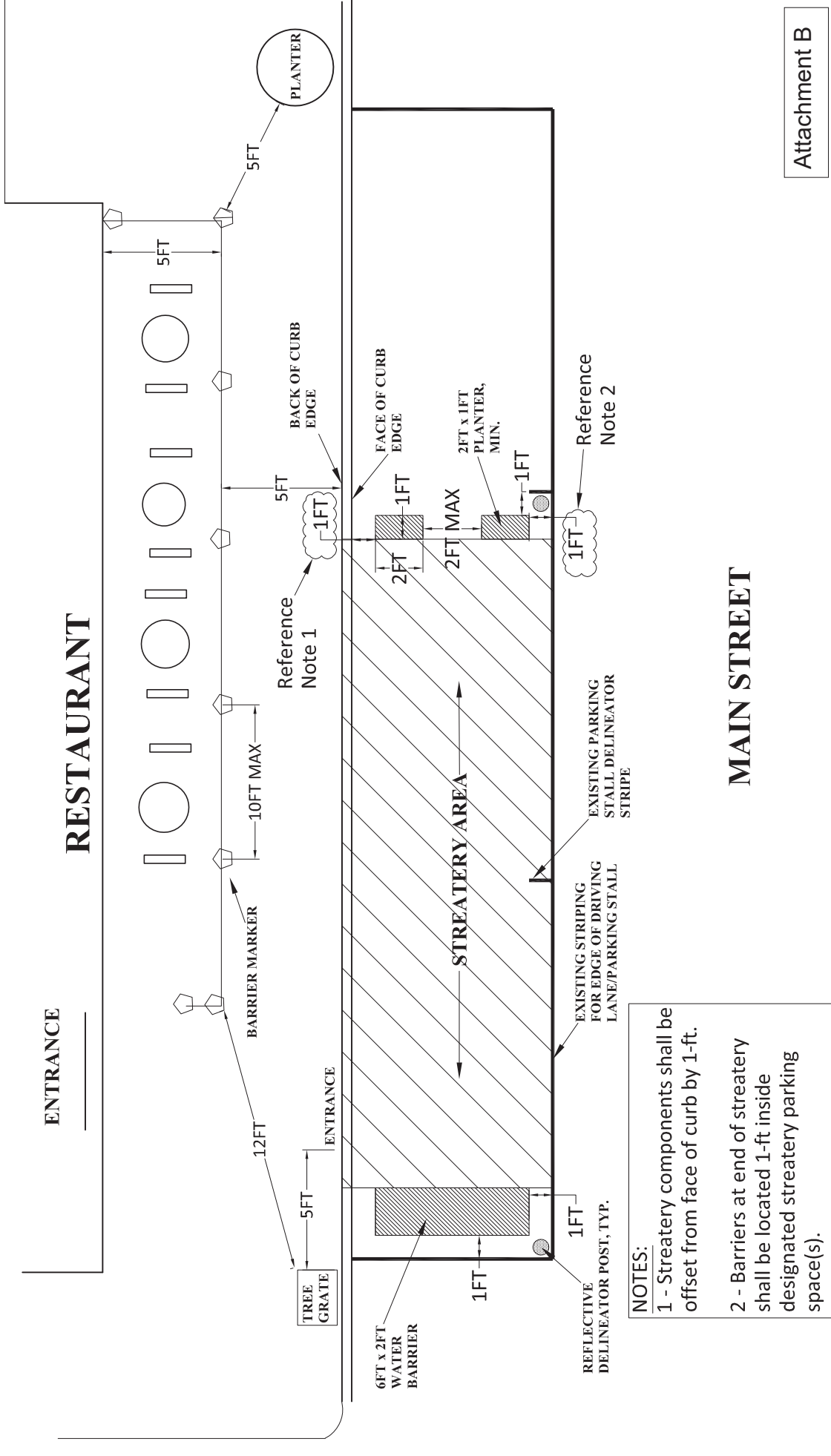
Date

Mailing Address: _____

Phone: _____

EXAMPLE SITE PLAN

RESTAURANT
 123 MAIN ST.
 OWNER: JANE SMITH
 PHONE:
 DATE:



NOTES:
 1 - Strettery components shall be offset from face of curb by 1-ft.
 2 - Barriers at end of strettery shall be located 1-ft inside designated strettery parking space(s).

EXAMPLE DINING PLAN

RESTAURANT
 123 MAIN ST
 OWNER: JANE SMITH
 PHONE:
 DATE:

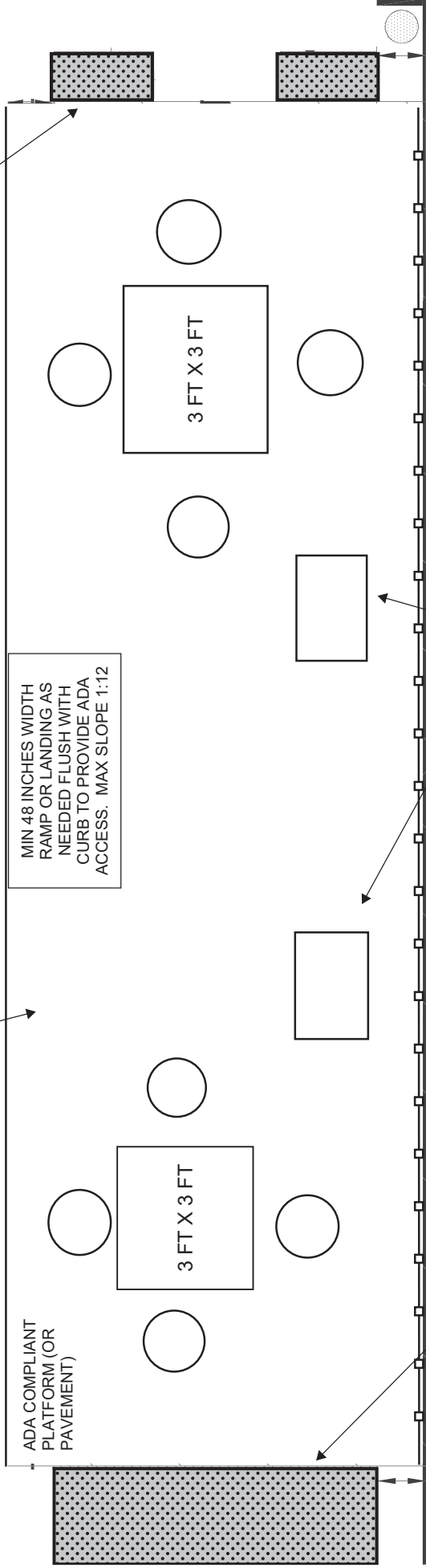
2 PARKING STALLS
 (38 FT X 8 FT)

TENT OPEN
 SIDES

ENTRANCE

MIN 48 INCHES WIDTH
 RAMP OR LANDING AS
 NEEDED FLUSH WITH
 CURB TO PROVIDE ADA
 ACCESS. MAX SLOPE 1:12

ADA COMPLIANT
 PLATFORM (OR
 PAVEMENT)



TENT SOLID
 SIDES

RADIANT HEATERS 3
 FT MIN FROM TENT
 SIDES AND TOP

SCREENING OPTION
 PICKET FENCE
 30" IN HEIGHT

NOTES:
 1 - See Tent and Canopy Guidelines for more information.
 2 - Platform shall be constructed to support loads per building code.
 3 - All streateries shall meet state and city requirements, including the Governor's orders related to Covid-19.

Water-filled Barriers shall be placed 1 ft offset from the curb and 1 ft offset from travel lane. Color preference of barrier is white. Barriers shall be of the following dimensions:

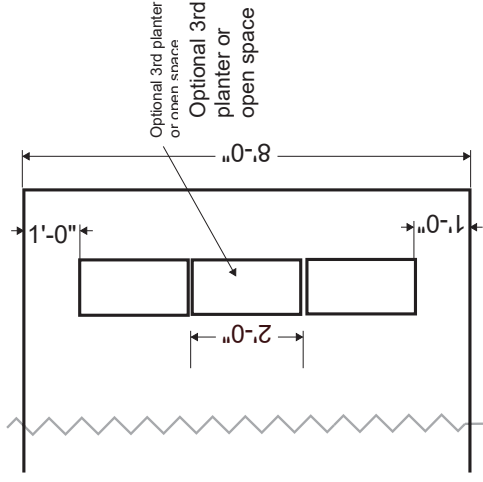
Height: 42"

Width: 24"

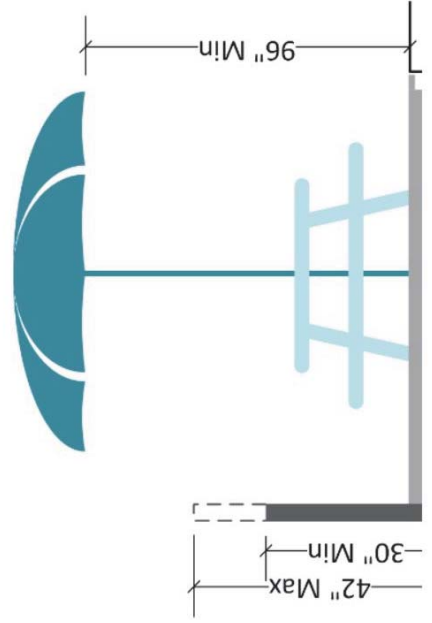
Length: 72" for stall widths 8 ft or greater, 60" for stall widths under 8 ft.



Planter Box Barriers shall be a minimum of 24" x 12". Any combination of planter lengths that provide for a 1 ft offset from curb and a 1 ft offset from travel lane can be used provided there is no more than a 2 ft gap between the planters. Planters shall be a minimum of 30" in height.



Elevations: All structures shall meet clear zone height of 7 ft. Barriers, screens, tents and canopies shall meet height restrictions and open view requirements of ECDC 18.70.030 C6. Structures to be included in elevation are barriers, screening, tents, canopies, heaters, umbrellas, trees, street lights within 5 ft of streatory and other similar items.



Delineator posts shall be located at the outside corners of the streatory adjacent to the travel lane to provide enhanced visibility at night. Delineators shall be white posts with two strips of reflective tape at the top and 42" in height.



Traffic Safety Suppliers:
<https://www.trafficsafetywarehouse.com>
<https://www.trafficsafetystore.com>
<https://www.barricade.com>



CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

PRODUCER



SAMPLE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER **A**COMPANY LETTER **B**COMPANY LETTER **C**COMPANY LETTER **D**COMPANY LETTER **E**

INSURED

Name of Insured
Property Address

COVERAGES

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS	
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCURRENCE <input type="checkbox"/> OWNER'S & CONTRACTORS PROTECTIVE				GENERAL AGGREGATE	\$
					PRODUCTS-COMP/OPS AGGREGATE	\$
					PERSONAL INJURY	\$ 300
					PROPERTY DAMAGE	\$ 100
					FIRE DAMAGE (ANY ONE FIRE)	\$
					MEDICAL EXPENSE (ANY ONE PERSON)	\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY				CSL	\$
					BODILY INJURY (PER PERSON)	\$
					BODILY INJURY (PER ACCIDENT)	\$
					PROPERTY DAMAGE	\$
	EXCESS LIABILITY <input type="checkbox"/> OTHER THAN UMBRELLA FORM					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY	\$ (EACH ACCIDENT) \$ (DISEASE-POLICY LIMIT) \$ (DISEASE-EACH EMPLOYEE)
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

It is understood and agreed that the City of Edmonds is named as an additional insured.

Business Name, Owner Name and Address of Streatery.

*Insurance certificate to be provided to the City at beginning of each calendar year, no later than January 21st.

CERTIFICATE HOLDER

City of Edmonds
Engineering Division
121 5th Avenue North
Edmonds, WA 98020

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
AUTHORIZED REPRESENTATIVE