



VILLAGE OF PALMETTO BAY TEMPORARY OUTDOOR PERMIT



DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

9705 EAST HIBISCUS STREET

PALMETTO BAY, FL 33157

305-259-1234



INTRODUCTION

In an effort to help Palmetto Bay restaurants get up and running following the COVID-19 shutdown, the Village of Palmetto Bay has created the Restaurant Recovery Program, which allows restaurants to temporarily add or expand outdoor seating areas while meeting social distancing requirements.

Please keep in mind that **this permit is Temporary for 60 days with an extension up to (2) extensions approved by the Village Manager.**

Applicants must have a valid Village of Palmetto Bay Certificate of Use for “restaurant” or “food service establishment”. Alcohol service establishments, (bars, taverns, pubs, night clubs, banquet halls, etc.) may only continue to serve food for delivery or take out. Please read the full Restaurant Recovery Program Page for important details.

Before Applying: You will need to upload certain documents, so make sure you have collected and prepared the following documentation:

- ✚ Proof of Insurance - Photo / Electronic Copy (Read Full Requirements | See Sample Document)
- ✚ Your Business Tax Receipt (BTR) - Photo / Electronic Copy
- ✚ Your Alcohol License Number (If Applicable)
- ✚ A narrative description of the design concept intended use for the space, furnishings to be included, enhancement of streetscape, and maintenance plan.



TELL US ABOUT YOUR SIDEWALK CAFÉ

Is your proposed Sidewalk Café located solely in the frontage of your restaurant?

Do you own or lease the property?

When was the start date of your lease?

Does your food establishment sell alcohol? Required

Please list the name of the Property Owner.

DESCRIBE THE PROPOSED EXPANSION



Please provide a narrative description of the proposed expansion of sidewalk café seating areas onto the public rights-of-way or outdoor seating areas on private property.

Would you like to see a sample description before starting?

Please describe the design concept.

Please describe how you intend to use the space. Are you expanding to sidewalk, parking space, or private property? Tell us about the approximate dimensions and if there are any existing obstructions (signs, lights poles, trees, etc).

Please tell us what furnishings you will be using. List the number of tables and chairs with sizes. What the distances between and around furnishings? Provide 9' between tables to keep 6' between patrons. Describe any other important factors.

Please describe decorative elements you will be using to enhance the streetscape (Example: umbrella, tents, planters, etc.) Important Note: Planters can NOT be used as barricades.

Please describe your plan to maintain the property.

Please describe what protective devices (barriers, delineators, etc) you will use to provide a physical separation between customers and traffic lanes.



Please describe how the space will comply with the American Disabilities Act (ADA) requirements.

If you have any supplemental documents or pictures that you think would help describe your project, please upload them here.

APPLICANT INFORMATION

What is your (applicant) full name?



What is your email?

What is your phone number?

Is your mailing address different from the business address?

DOCUMENT SUBMISSION

All required documents must be submitted to Morelia Rodriguez at mrodriguez@palmettobay-fl.gov . The following documents are required:



- ✚ Proof of Insurance
- ✚ Certificate of insurance with respect to Commercial General Liability
 - The Certificate of Insurance (COI) / coverage documents must confirm the following:
 - Coverage for bodily injury including death, personal injury and property damage with limits of \$1,000,000 per occurrence, \$2,000,000 policy aggregate.
 - Safeguard against claims resulting from personal and advertising injury and products and completed operations exposures.
 - Must list the Village AND Miami Parking Authority as an additional insured on a primary and noncontributory basis, along with waiver of subrogation.
 - Workers' Compensation- The Applicant should furnish a COI subject to the statutory limits of the State of Florida. Waiver of subrogation included.
 - Liquor Liability (if applicable)- The Applicant should furnish a COI with limits of \$1,000,000 each common cause and \$2,000,000 policy aggregate listing the Village and Miami Parking Authority as an additional insured.

BUSINESS TAX RECEIPT



Every business needs to obtain a Village of Palmetto Bay Business Tax Receipt (BTR) to operate in the Village. Business owners are required to display this document on the premises. All required documents must be submitted to Morelia Rodriguez at mrodriguez@palmettobay-fl.gov . The following documents are required. We will need ONE of the following:

- + Your BTR Number OR
- + A copy or picture of the BTR related to this application. NOTE: Make sure it is the Village of Palmetto Bay BTR document, NOT the County Local Business Tax LBT
- + Your Business Tax Receipt number
- + OR Upload Your Business Tax Receipt (BTR)

MIAMI-DADE COUNTY REQUIREMENTS

EXHIBIT B

I. Outdoor Dining Areas Allowed Without Additional Permits



To provide greater flexibility and opportunity to serve patrons while this Emergency Order remains in effect, restaurants, snack shops, and other food service establishments shall be allowed to have outdoor dining as an ancillary use without obtaining additional permits, so long as they comply with all of the following conditions and maintain social distancing measures:

- 1) The food service establishment has all current state and local licenses required to operate.
- 2) The primary use of the establishment under non-emergency conditions is the preparation of food for consumption on premises, except that the establishment may continue to provide takeout service in accordance with Emergency Order 03-20.
- 3) Outdoor dining areas shall be managed, operated, and maintained as an integral part of the food service establishment.
- 4) Outdoor dining areas may only be located in one or more of the following:
 - a. Walkways and pedestrian areas that front the food service establishment.
 - b. The first row of parking spaces, only in accordance with the following requirements:
 - i. The parking is adjacent to the walkway fronting the unit or building (see Diagram 1).
 - ii. Where the outdoor dining area is adjacent to a drive aisle, driveway, or other vehicular use area, the exterior of the outdoor dining area is clearly delineated with bollards, cones, landscaping, planters, or combinations thereof.
 - iii. All handicapped-accessible ramps, parking spaces, and walkways shall remain fully accessible and shall not be used for outdoor dining. Additionally, manholes and other utility structures shall remain fully accessible at all times.
 - iv. Structures shall not be placed in or encroach into driveways or drive aisles.
 - v. Shade structures such as umbrellas and pop up tents are permitted, subject to the following:
 1. Tents shall be spaced a minimum of 10 feet from each other.
 2. Tents greater than 10' by 12' shall require a building permit in accordance with the Florida Building Code.
 - vi. Handicapped-accessible tables and safe, handicapped-accessible routes to and from washrooms shall be provided.
- 5) Outdoor dining areas are not located on any private or public road, drive aisle, or public sidewalk.
- 6) Outdoor cooking or food preparation is prohibited.
- 7) Tables and chairs in outdoor dining areas shall not be arranged in such a manner as to impede pedestrian access to the food service establishment or create an environment in which social distancing is difficult or impossible due to pedestrian traffic entering and exiting the establishment through the outdoor dining area.
- 8) Outdoor dining areas shall comply with handicapped accessibility requirements and shall provide for a minimum clear and open pathway of 36 inches.



- 9) Outdoor dining areas shall provide a minimum clearance of 3 feet from all fire department access and devices, such as Fire Department Connections (FDCs) and hydrants.
- 10) Outside public address systems are prohibited, except in connection with outdoor entertainment as permitted by section 33-150(H) of the Miami-Dade County Code or equivalent municipal regulation.
- 11) Alcoholic beverages may be served in accordance with the establishment's current state beverage license, provided that such service is strictly incidental to the service of food and is from a service bar only.
- 12) Blinking and flashing lights are prohibited.
- 13) The total occupancy of the interior and outdoor dining areas combined shall not exceed the establishment's current approved occupancy maximums under non-emergency conditions.
- 14) All spacing and social distancing mandates shall be adhered to within both the primary establishment and the outdoor dining areas (see Diagrams 2 and 3).
- 15) The sanitation standards and mandates set shall be observed in all outdoor dining areas.
- 16) This allowance under emergency powers shall not be construed to absolve a tenant from seeking any required consent from the property owner to provide for outdoor dining.

II. Outdoor Dining Areas for which Permits Are Required

In addition to the foregoing, food service establishments may provide additional outdoor dining areas in accordance with the following requirements while this Emergency Order remains in effect, subject to prior review and approval by the County's Development Services Division or applicable municipal zoning department. Approval of such additional outdoor dining areas, which may include, without limitation, landscaped and parking areas, shall be subject to the following requirements:

- (1) The property owner submits, or provides written authorization for a tenant to submit, an application for a "short term event permit" on a form provided by the County's Development Services Division. The application shall be accompanied by the following exhibits:
 - a) Site plan or survey depicting the area to be utilized.
 - b) Indication of the proposed occupancy of the proposed area.
 - c) Indication of the type of shade structures to be used.
 - d) Signature and seal of a Florida licensed and registered architect or engineer who will be responsible for performing plan reviews and inspections for Florida Building Code requirements.
- (2) The proposed site complies with all of the conditions in section I above, except that the location of the dining area shall not be limited to walkways or pedestrian areas that front the establishment or to the first row of parking spaces.
- (3) Landscaping is not removed or altered in any manner that would cause the foliage to die.
- (4) Outdoor dining areas shall not be located in dry retention areas.



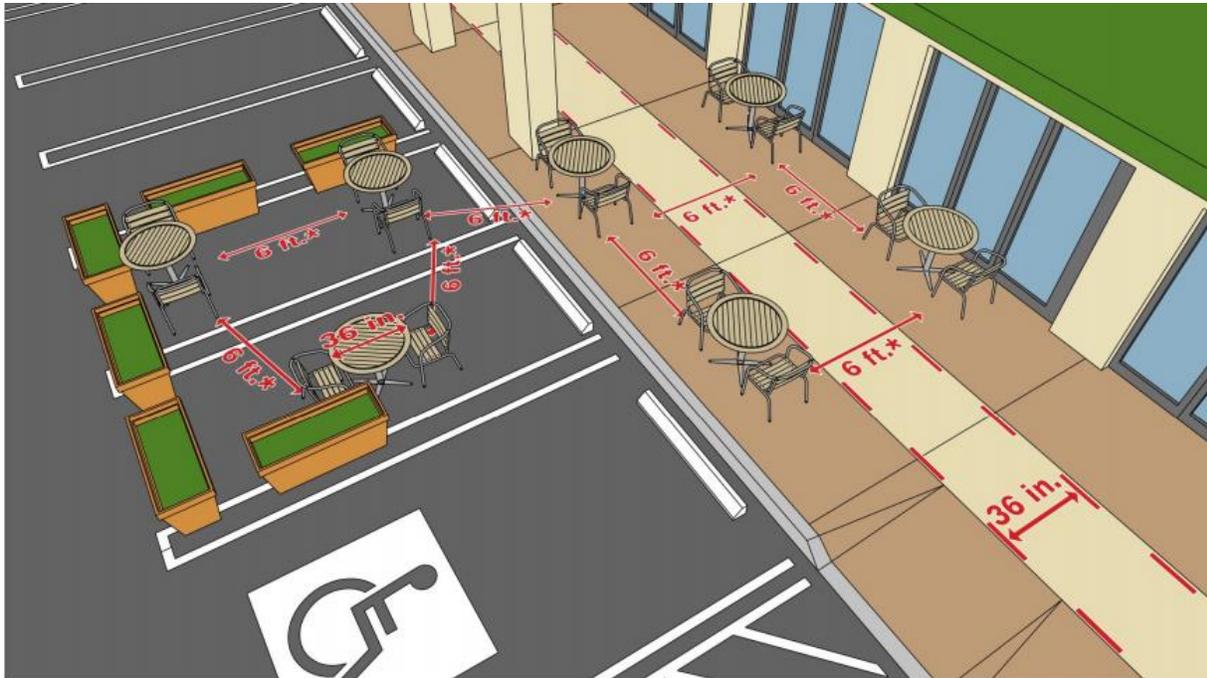
- (5) No more than 20 percent of the parking area may be used for outdoor dining, including
- (6) any parking stalls used in accordance with section I above.
- (7) Building permits shall be obtained for all structures that normally require one.

In unincorporated Miami-Dade County, applications can be submitted online at

<https://www.miamidade.gov/Apps/RER/EPSPorta>

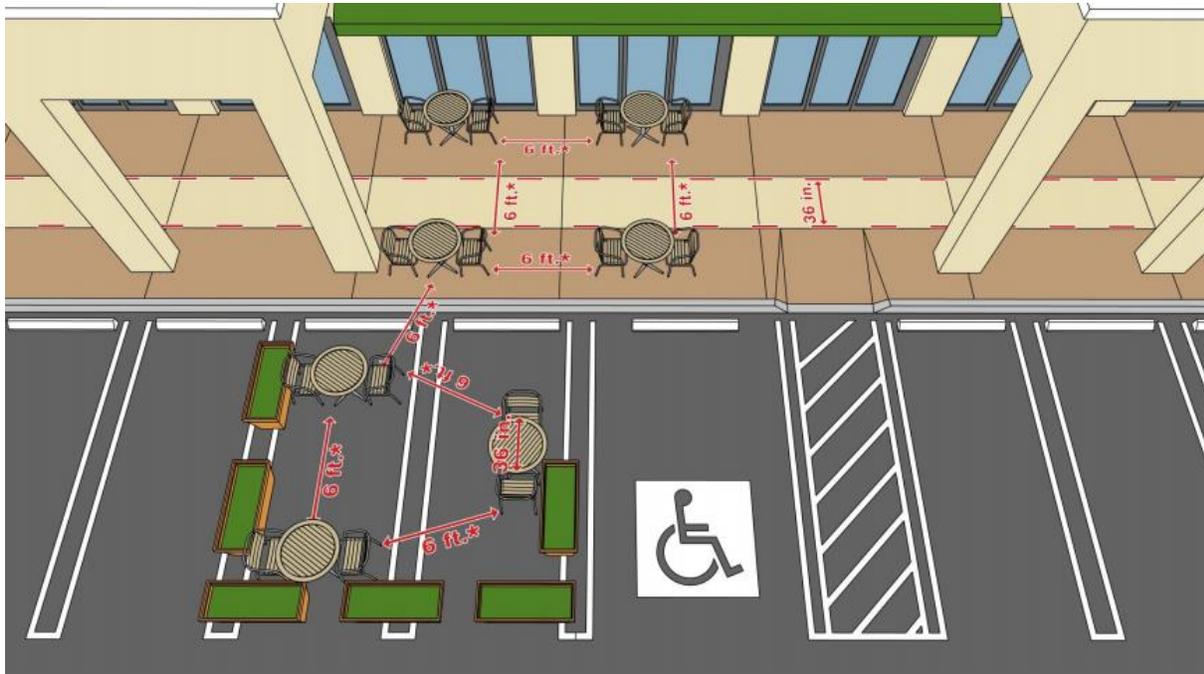
County staff is available to assist applicants by phone at 786-315-2660 or email at <mailto:james.byers@miamidade.gov> or <mailto:sydney.vincent@miamidade.gov>.

MINIMUM SPACING PER CURRENT SPACING MANDATE



***Minimum spacing per current spacing mandate**

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***Minimum spacing per current spacing mandate**

CONFIRMATION



By signing below, you affirm that the information you have provided is valid and that your businesses is following the guidelines by Miami-Dade County.
