



City of Bothell™

# DEVELOPMENT SERVICES

BUILDING • COMMUNITY RISK REDUCTION • ENGINEERING • PLANNING • PERMIT SERVICES • TRANSPORTATION

## PUBLIC AREA USE PERMIT – Outdoor Dining

Submit your application online at [www.MyBuildingPermit.com](http://www.MyBuildingPermit.com).  
 Select Right-of-Way > Any Project Type > Annual Permits > Sidewalk Cafe

46a

A Right-of-Way Public Area Use Permit is required for Sidewalk cafes, merchant displays, or any other private use of public property not exempted by BMC 17.20.020.

### PROPERTY INFORMATION

**Project/Business/Tenant Name** (if applicable): \_\_\_\_\_

Site Address: \_\_\_\_\_ Suite No: \_\_\_\_\_

Parcel No: \_\_\_\_\_

**Property Owner:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: ( \_\_\_\_ ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

### PRIMARY CONTACT INFORMATION:

*This person is designated by the applicant to receive all communications, correspondence, determinations, and notices required by applicable development regulations.*

**Contact Person:** \_\_\_\_\_ Company Name: \_\_\_\_\_

Relationship to the Applicant \_\_\_\_\_

Mailing address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone ( \_\_\_\_ ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

### APPLICANT

**Applicant:** \_\_\_\_\_

Mailing address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone ( \_\_\_\_ ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

### Indemnity

Applicant understands and by his signature to this application agrees to indemnify, defend and hold harmless the City of Bothell, its agents and employees from and against any and all claims, losses or liability, including attorney’s fees arising from injury or death to persons or damage to property occasioned by any act, omission or failure of the applicant, his officers, agents and employees, in performing the work authorized by this permit. This paragraph shall not apply to any damage resulting from the sole negligence of the City, its agents and employees. To the extent any of the damages referenced by this paragraph were caused by or resulted from the concurrent negligence of the City, its agents or employees, this obligation to indemnify, defend and hold harmless is valid and enforceable only to the extent of the negligence of the applicant, his officers, agents and employees.

### Inspection

I hereby authorize City representative(s) to inspect my property Monday through Friday, between the hours of 8 a.m. and 5 p.m. during this permit application process for purposes of verifying site conditions.

\_\_\_\_\_  
Owner or Authorized Representative

\_\_\_\_\_  
Date

## Outdoor Dining & Retail (where permitted per 12.06.060 or 12.64)

### Plan and Application Requirements:

Applicant	Staff
<input type="checkbox"/> General vicinity of proposed site including nearest intersections and use location	<input type="checkbox"/>
<input type="checkbox"/> Site plan (to scale) including: <ul style="list-style-type: none"> <li>• Dimensions of dining area location</li> <li>• Sidewalk or other area to be used</li> <li>• Indicate proposed type of seating</li> <li>• Indicate proposed markings or barricade to be used</li> <li>• Any signs proposed to be used</li> </ul>	<input type="checkbox"/>
<input type="checkbox"/> Full and complete description of the use proposed by the applicant, and the duration of such proposed use including days and hours of operation.	<input type="checkbox"/>
<input type="checkbox"/> If alcohol will be served within flex use zone, then plans must show how alcohol use area will be designated with either pavement markers or railings. If alcohol will not be served in the flex use zone then the plans must clearly state no alcohol will be served.	<input type="checkbox"/>
<input type="checkbox"/> A Certificate of Insurance naming the City of Bothell as additional insured with a CG2012 attachment must be received prior to issuance of permit (see certificate of insurance requirements handout).	<input type="checkbox"/>
Outdoor Dining Permit Fees (2022 rates): <ul style="list-style-type: none"> <li>• Outdoor dining and/or general usage permit fee: \$139</li> <li>• If railing permit then add a review fee of \$165</li> <li>• Outdoor dining - flexible zone use: on/before March 15<sup>th</sup> \$165, after March 15<sup>th</sup> \$493.</li> <li>• Monthly use charge per square foot (gross square footage in right of way): \$0.11</li> <li>• Add 5% Technology Fee</li> <li>• Annual Renewal Fee: \$111</li> </ul>	

- **See Outdoor Dining & Retail packet for more detailed information and instructions.**
- Outdoor seating, tables, table umbrellas and other appurtenances of outdoor dining may be placed on public sidewalks, provided a minimum sidewalk width of five feet measured to the street side of the sidewalk shall be kept clear for pedestrians.
- The proposed use shall not protrude into or over any portion of a public place open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering the use of such place by vehicles or pedestrian travel. In addition, in the event the requested permit involves encroachment or partial obstruction of a sidewalk or other walkway open to the public, a minimum of five feet of unobstructed sidewalk or other walkway shall be maintained at all times;
- Ongoing uses of public areas for uses including but not limited to outdoor dining and merchant displays may be issued longer term permits, up to one year, which shall be renewable annually or for multiple years;
- The applicant shall agree to authorize such inspections as are reasonably necessary in the enforcement of this chapter.
- As described in the Outdoor Dining & Retail information packet, Outdoor Dining & Retail Permits are an annual permit expiring December 31st each year. Flex zone permits are limited to May 1st through September 30th.