



TEMPORARY RIGHT OF WAY USE PERMIT APPLICATION

Community & Economic Development

City of Arlington • 18204 59th Avenue NE • Arlington, WA 98223 • Phone (360) 403-3551

BUSINESS NAME:
APPLICANT / BUSINESS OWNER
Name:
Address:
City: State: Zip: Phone:
Email:
City of Arlington Business License #: WA Business License #:
PREFERRED CONTACT INFORMATION
Address:
City: State: Zip: Phone:
Email:

Café/Outdoor Seating Location Description (include street name(s) the café will be fronting): _____

Parklet Location Description (include street name(s) the parklet will be fronting): _____

Merchandise Display Location: _____

Existing food service establishment permit? Yes No

Liquor to be sold or consumed on premises? Yes No

Liquor served or consumed in Sidewalk Café or Parklet? Yes No

Sidewalk Width (building to back of curb): _____ feet

Sidewalk Use Dimensions: _____ ft. x _____ ft. (L x W)

Remaining Sidewalk Width (use boundary to obstruction such as tree, meter bike rack, etc. - minimum 5 feet required): _____ feet

Number of Tables / Seats (include standing service areas):
Tables: _____ Seats: _____

Months of Operation: _____ to _____

Days of Operation (i.e. Monday – Saturday): _____ thru _____

Hours of Operation (i.e. 11 am - 9 pm): _____ am _____ pm

Will the café be on a deck or elevated surface? Yes No

If yes:
Square footage of deck: _____ Square feet

Highest elevation of walking surface from sidewalk surface: _____ Feet / Inches

TEMPORARY RIGHT OF WAY USE PERMIT APPLICATION SUBMITTAL REQUIREMENTS

A minimum of an 8 ½ x 11 inch Site plan must be submitted with the following information included:

- Dimension of Building /Business Frontage
- Sidewalk Dimensions:
 - Curb to Building
 - Curb to Use Area
 - Distance from Obstructions (i.e. tree wells, light poles, signs, hydrants, bike racks, etc.) in the sidewalk use area – **minimum of five (5) feet clearance is required.**
- Street Trees shown with distance to Use Area (*if applicable*)
- ADA ramps shown (*if applicable*)
- Street furniture shown (*i.e. benches, newspaper boxes, etc., if applicable*)
- Loading Zone and driveway approaches shown (*if applicable*)
- Alley (*if adjacent*)

Permitted Use must comply with the following requirements:

- The width of the permitted footprint of the use may not be greater than the width of the pedestrian clear zone, a minimum of five feet(5)
- Use must be sited in a manner that does not inhibit the operation, maintenance, visibility, or functionality of any utilities or street fixtures
- All installations shall be easily removable. Bolt down features with threaded studs protruding from the sidewalk, or similar mounting features, are not permitted.
- Must show that all applicable “social distancing” requirements can be met/maintained
- Must show ADA Compliance within the Use Area
- An overhead clear zone of eight (8) feet must be maintained
- Use must occur in front of the business or property that is applying for permitted use

If for Parklet use, additional information and a more detailed site plan will be required.

- For Café/Outdoor dining/or Outdoor Seating serving Liquor, provide written approval from the Washington State Liquor and Cannabis Board (WSLCB) and any applicable approval from the Snohomish Health District.
- Signed and dated copy of the Hold Harmless and Indemnity Agreement pursuant to Arlington Municipal Code 12.50.120
- Proof of Commercial General Liability Insurance coverage in the amount of \$500,000 naming the CITY OF ARLINGTON, 238 N Olympic Avenue, Arlington, WA 98223 as ADDITIONALLY INSURED (Certificate of Insurance)
- Application and Review Fees
 - Fees are based on Annual Lease Rate and applicable Leasehold Tax (currently 12.84%)
 - Processing/Technology Fee \$25.00
 - ****Please enclose the Processing/Technology fee with the Completed Application and Site Plan. Permit fee will be due at time of issuance.***

Total Leased Area _____Sq. ft. Current Annual Rate per Sq. ft. \$ _____OTBD 1, 2, 3

Current Annual Rate per Sq. ft. \$ _____ All Other Zones

Current Leasehold Tax Rate \$ _____

Signature

Title

Print Name

Date

Please submit the Completed Application, Hold Harmless and Indemnity Agreement and Site Plan by one of the following methods.

Email: ced@arlingtonwa.gov

Mail: 18204 59th Avenue NE, Arlington WA 98223

Drop-off box in Foyer: 18204 59th Avenue NE, Arlington WA 98223

Payment may be made by check (note on the check memo line: Right of Way Use and Business Name) or indicate if you would like us to email a link for payment by debit/credit card.

TEMPORARY RIGHT OF WAY USE PERMIT HOLD HARMLESS AND INDEMNITY AGREEMENT

For consideration of permission by the City of Arlington to the undersigned Permittee(s) to utilize public Right of Way for private use at _____ to be in operation from _____ to _____ (month/year) between the hours of _____ and _____ the undersigned Permittee(s) agree(s) to hold harmless and indemnify the City of Arlington, its officers, agents, and employees, from any and all liability, claims, actions, judgements, damages, or injuries of every kind and nature whatsoever, by or to any and all person or property which damage or injury arises out of the above described right of way use, whether the liability, claims actions, judgements, damages, or injuries are caused by, or arise out of the negligence of the City of Arlington, its officers, agents, or employees. The Permittee(s) agree(s) to waive all claims against the City of Arlington, its officers, agents or employees on account of any loss, damage, or injury from whatever cause which may occur to Permittee(s) or Permittee's(s') property, arising out of the above described right of way use. Permittee(s) also agree(s) to reimburse the City of Arlington for any damage done to City property arising out of the described use.

The undersigned Permittee(s) agree(s) to defend the City of Arlington, its officers, agents, and employees, against any claims brought or actions filed against the City of Arlington, its officers, agents, and employees with respect to the sidewalk café, whether such claims or actions are rightfully or wrongfully brought or filed. In case a claim should be brought or an action filed with respect to the right of way use, the undersigned Permittee(s) agree(s) that the City of Arlington may employ attorneys of its own selection to appear and defend the claim or action on behalf of the City of Arlington, its officers, agents or employees, at the expense of the undersigned Permittee(s).

Dated this _____ day of _____, 2020.

CITY OF ARLINGTON

PERMITTEE(S)

_____ Marc Hayes, Director Community & Economic Development 18204 59 th Avenue NE Arlington WA 98223	Business Name: _____ Owner Signature: _____ Owner Name: _____ Mailing Address: _____ City, State, Zip: _____
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