

RESOLUTION NO. 2020-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMARILLO WAIVING THE ZONE CLEARANCE FEE AND ALLOWING FOR ADJUSTED PARKING STANDARDS FOR TEMPORARY OUTDOOR DINING AREAS DURING THE LOCAL STATE OF EMERGENCY IN THE CITY OF CAMARILLO DUE TO COVID-19

The City Council of the City of Camarillo resolves as follows:

SECTION 1. The City Council of the City of Camarillo finds and declares as follows:

A. In December 2019, reports began spreading worldwide about a flu-like virus first found in China that was significantly more deadly than the flu generally, with the virus becoming known as the Coronavirus ("COVID-19").

B. On March 4, 2020, a State of Emergency was proclaimed by Governor Gavin Newsom.

C. On March 11, 2020, the World Health Organization ("WHO") classified the spread of COVID-19 internationally as a global pandemic.

D. On March 12, 2020, Dr. Robert Levin, Ventura County Health Officer issued a Declaration of Local Health Emergency in which he proclaimed and ordered that a local health emergency exists in the County of Ventura due to COVID-19.

E. On March 12, 2020, Governor Gavin Newsom issued Executive Order N-25-20 with orders including an order that all residents are to heed any orders and guidance of state and local public health officials.

F. On March 13, 2020 at 9:04 am, City Manager David J. Norman, acting in his capacity as the City of Camarillo Director of the Emergency Operations Center ("EOC"), issued a Proclamation ("Proclamation") ordering there is a local state of emergency which now exists in the City of Camarillo due to COVID-19.

G. On March 13, 2020 at 7 pm, there was a Special Meeting of the City Council at which the Council adopted Resolution 20-36 confirming the existence of a local emergency and ratifying the EOC's Proclamation.

H. On March 19, the Governor issued Executive Order N-33-2, ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of 16 critical infrastructure sectors.

I. On March 19, 2020, the California Department of Alcoholic Beverage Control (ABC) suspended enforcement of specific legal prohibitions to assist California's alcoholic beverage industry during the COVID-19 pandemic and released a Notice of Regulatory Relief to help licensees with economic challenges brought on by the spread of the virus.

J. On March 20, the Ventura County Health Officer issued an Order directing persons living in the County of Ventura to stay at their place of residence and restricting non-essential activities in response to COVID-19, imposing stay-at-home directives and further operational restrictions on businesses within the County in an effort to stop the spread of COVID-19.

K. On April 9, 2020, the Ventura County Health Officer issued an Order prohibiting all gatherings, adding to the list of essential businesses and requiring implementation of physical distancing guidelines protocols.

L. On April 20, 2020, the Ventura County Health Officer issued an Order closing certain non-essential businesses and prohibiting non-essential activities to combat COVID-19.

M. On May 7, 2020, the Ventura County Health Officer issued an Order requiring all businesses to establish, implement, and enforce COVID-19 prevention plans, and reiterating that all permanent food facilities may only prepare and offer food to customers via delivery service, pick up for takeout, and drive-thru.

N. On May 12, 2020, Governor Newsom issued guidance for the eventual reopening of restaurants for dine-in services in counties certified as meeting state benchmarks for addressing the COVID-19 pandemic.

O. On May 15, 2020, ABC released the Fourth Notice of Regulatory Relief allowing for relaxing the ABC regulation for serving alcoholic beverages on outdoor dining areas associated with an existing restaurant.

P. The City Council desires to help facilitate business recovery while maintaining physical distancing guidelines during the COVID-19 public health emergency by waiving Zone Clearance fees and allowing adjusted parking standards for temporary outdoor dining areas.

SECTION 2. Temporary Outdoor Dining Areas.

A. As dine-in eating at restaurants reopen under Phase 2 of the Governor's 'Stay-at-Home' executive order, physical distancing guidelines will require reduced seating inside.

B. By issuing a Zone Clearance for temporary outdoor dining areas, the City will be able to track and review proposals, including that adequate parking is provided to the satisfaction of the Community Development Director or designee to support business recovery.

C. Requiring the payment of fees for the temporary establishment of an outdoor dining area for restaurants is overly restrictive to businesses during a pandemic.

D. The City of Camarillo has an interest in ensuring businesses within the City may reopen safely and provide assistance by waiving the Zone Clearance fee and adjusting parking standards.

E. For restaurants within the City of Camarillo to qualify for a no-fee Zone Clearance for a temporary outdoor dining area, the proposed outdoor dining area must meet the following criteria:

1. Is intended to facilitate opening for dine-in service and comply with physical distancing guidelines.
2. Not block or enclose any required exits.
3. Not cover or block any accessible parking spaces.
4. Maintain Americans with Disabilities Act accessibility.

5. Be an area under the control of the restaurant or an area where authorization has been obtained (such as from the landlord).
6. If located in Camarillo Old Town, also obtain a no-fee Street Furniture Permit for Old Town.
7. Comply with all Ventura County Environmental Health regulations.
8. Comply with any relevant Department of Alcoholic Beverage Control regulations.
9. Have an active City of Camarillo Business License.
10. Provide adequate parking to the satisfaction of the Community Development Director, or designee.
11. Comply with the Governor Orders and guidance.
12. Comply with the Ventura County Health Officer Orders.

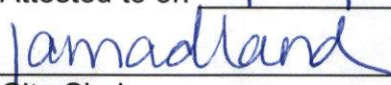
SECTION 3. Permit Fee Waiver. The City Council orders that during the local state of emergency in the City of Camarillo due to COVID-19, all Zone Clearance fees are waived for Temporary Outdoor Dining Areas.

SECTION 4. Adjusted Parking Standards. The City Council orders that during the local state of emergency in the City of Camarillo due to COVID-19, parking standards may be adjusted to the satisfaction of the Community Development Director, or designee under a Zone Clearance for a temporary outdoor dining area.

SECTION 5. Effective Date and Duration. This shall be effective immediately upon adoption of the Resolution and shall remain in effect unless and until it is rescinded by a Resolution adopted by the City Council.

PASSED AND ADOPTED May 22, 2020.


Mayor

Attested to on 5/22/2020

City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Resolution No. 2020-63 was adopted by the City Council of the City of Camarillo at a regular meeting held May 22, 2020, by the following vote:

AYES: Councilmembers: Craven, Kildee, Mulchay, Santangelo, Mayor Trembley
NOES: Councilmembers: None
ABSENT: Councilmembers: None


City Clerk

