



**TEMPORARY CONVERSION OF PRIVATE PARKING INTO  
OUTDOOR CAFÉ SEATING OR OUTDOOR RETAIL SPACE  
NOTIFICATION TO CITY**

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Business Name: \_\_\_\_\_  
Site Address: \_\_\_\_\_  
Applicant Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Proposed dimensions of outdoor café seating or retail area: \_\_\_\_\_

How many private parking spaces would be converted to café seating or retail area? \_\_\_\_\_

**ALLOWED SCOPE**

This notification is for businesses that would like to temporarily expand outdoor café seating or outdoor retail space into adjoining private parking stall(s) for the duration of Phase 2 and 3 of Washington's Safe Start plan. Such conversion of private parking requires notification to the City using this form and compliance with scope and conditions set forth below.

If the applicant is not the owner of the property, this notification shall include a letter from the property owner authorizing the proposed use of private parking spaces.

The temporary outdoor use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.

Existing ADA (American with Disabilities Act) parking stalls shall not be displaced by the proposed outdoor use.

All business must follow the guidelines and restrictions of the Washington's Safe Start plan and those of King County Public Health. Businesses may find the latest COVID-19 information for Washington and King County at the following websites:

Safe Start: Business Guidance, County Status and What's Open:  
<https://coronavirus.wa.gov/what-you-need-know/safe-start>

King County Public Health, COVID-19 Resources for Businesses:  
<https://www.kingcounty.gov/depts/health/covid-19/workplaces.aspx>

Restaurants should also contact Washington State Liquor and Cannabis Board if they intend to extend outside liquor service:  
[https://lcb.wa.gov/sites/default/files/publications/temp\\_links/Coronavirus-Extending-Outside-Liquor-Service-6-11-20.pdf](https://lcb.wa.gov/sites/default/files/publications/temp_links/Coronavirus-Extending-Outside-Liquor-Service-6-11-20.pdf)



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### **General Conditions of Private Parking Conversation to Temporary Outdoor Use:**

The applicant agrees to the following limitations of the proposed temporary outdoor use:

- A. The area shall be physically protected from vehicles as necessary;
- B. The area shall maintain an ADA accessible route;
- C. Any establishment that serves alcoholic beverages shall comply with all applicable Washington Liquor and Cannabis Board regulations;
- D. Any use of heating equipment or canopies requires the approval from the [Fire Department](#);
- E. No off-premises advertising signs or displays are allowed;
- F. The use must meet the guidelines and restrictions of the Washington's Safe Start plan and King County Public Health's guidelines for restaurants and other food businesses;
- G. The area shall be maintained in a clean and litter-free condition and shall be cleaned not less often than once daily;
- H. The temporary outdoor use shall not impair the normal, safe, and effective operation of a permanent use on the same site;
- I. The temporary outdoor use shall not significantly impact public health, safety, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity;
- J. The temporary outdoor use shall not be materially detrimental to the surrounding uses in terms of traffic, noise, and other external effects;
- K. The temporary outdoor use shall maintain safe and efficient on-site circulation and ingress and egress to and from public rights-of-way;
- L. The temporary outdoor use shall obtain any required City of Kirkland permits, licenses and other approvals (e.g., business license, building permits for structures that are not exempt, etc.);
- M. If the outdoor use is found by the City to create land use compatibility issues or detrimental impacts to nearby uses, the City may impose additional conditions on the use in order to mitigate those impacts. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, and requirement for screening or enclosure;
- N. Any violation of the foregoing conditions shall constitute grounds for immediate termination of the use.



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The undersigned agrees to defend, pay, indemnify, and save harmless the City of Kirkland, its officers, agents and employees from any and all claims for damage or injury, real or imaginary which may be made against the City, its officers, agents or employees where such claim arises out of the construction, development, maintenance or utilization of the hereinbefore described public right of way or the responsibilities of the permittee arising out of this permit, excepting therefrom only those instances where the sole proximate cause of such damage or injury is the negligence of the City of Kirkland, its officers, agents or employees. The indemnification herein provided shall include indemnification for reasonable attorney's fees required to be incurred by the City of Kirkland in the investigation or defense of any such claim or in seeking performance of the permittee.

I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

**Owner or Authorized Agent:**

By signing this document, I agree to its terms and conditions.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

--This Section for Staff Use Only--

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Comments/Conditions: \_\_\_\_\_

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