

**CITY OF SANTA MARIA
COVID -19 LOCAL EMERGENCY ORDER AND
REGULATION NO. 2020-3**

**PERMITTED TEMPORARY MODIFICATIONS TO
BUSINESS OPERATIONS**

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency in the State of California related to the COVID-19 pandemic; and

WHEREAS, on March 12, 2020, a Declaration of Local Health Emergency relating to COVID-19 was issued by the County Health Office and Public Health Director of the County of Santa Barbara; and

WHEREAS, on March 18, 2020 and renewed on March 25, 2020 and April 1, 2020, the City Manager of Santa Maria, acting as the Director of Emergency Services, proclaimed the existence of a local emergency in light of COVID-19 in the City of Santa Maria; and

WHEREAS, on March 18, 2020, Governor Newsom issued an Executive Order N-33-20, requiring the shelter-in-place of all residents in California and the closure of all non-essential businesses; and

WHEREAS, on April 7, 2020, the Santa Maria City Council adopted a resolution proclaiming a local emergency regarding COVID-19 and ratifying the proclamations of local emergency by the City Manager acting as the Director of Emergency Services; and

WHEREAS, on May 20, 2020, the California Department of Public Health approved and posted to the State's website the County of Santa Barbara's Variance Attestation allowing the County to move further into the Stage Two Resilience Roadmap to include dine-in restaurants and retail; and

WHEREAS, on May 21, 2020, the Health Officer of the Santa Barbara County Public Health Department issued Health Officer Order No. 2020-8.2, which provides guidance to businesses in the County regarding operations under the State Stay-at-Home Order and the Stage Two Resilience Roadmap; and

WHEREAS, pursuant to Government Code Section 8634 and Title 2, Chapter 2.17, Section 2-17.06 of the Santa Maria Municipal Code, the Director of Emergency Services is empowered to make and issue orders and regulations on matters reasonably related to the protection of life and property; and

WHEREAS, in order to assist business owners in complying with the County's Health Officer Order No. 2020-8.2 and the County of Santa Barbara's Reopening in Safe Environment ("RISE") Guide, the City's Director of Emergency Services desires to temporarily allow modifications to the City of Santa Maria's ("City") land use regulations as part of the City's phased re-opening.

NOW, THEREFORE, it is hereby ordered that:

SECTION 1.

The above recitals are true and correct and incorporated herein.

SECTION 2.

The following modifications to land use regulations shall be temporarily allowed, as part of the City's phased re-opening.

- A. Businesses authorized to reopen are exempt from temporary signage requirements, for the purpose of communicating information regarding hours of operation, including special hours for seniors and other designated groups, updates to inventory and service availability, occupancy requirements and other accommodations. The types of temporary signage allowed will be in accordance with the City's temporary sign ordinance, except "A-Frame" signs can be used at designated curb-side pick-up locations while the emergency declaration is in place.
- B. Retail businesses and restaurants may designate non-ADA parking stalls as assigned parking areas for merchandise or food pick-up, or for delivery services. In addition, restaurants may also use non-ADA parking stalls for "car hop"-style menu ordering and dining, provided that these parking stalls are sufficiently separated to allow customers the ability to meet social distancing guidelines.
- C. Restaurants may use their respective parking lot (non-ADA parking stalls) to establish temporary outdoor dining areas, with tables and seats arranged to meet social distancing guidelines, and other performance measures as set by the health authority. Vehicle travel lanes, including fire lanes, and access required under the Americans with Disabilities Act shall be preserved. The temporary outdoor dining areas shall be clearly delineated by bollards, posts, or other mechanism to ensure safety from vehicles. Potted landscaping and other shade coverings can be used to enhance ambiance and provide a comfortable environment.

SECTION 3.

Restaurants requesting to use parking areas for outdoor dining shall electronically submit a site plan or clear aerial photo to the Director of Community Development with a delineation of the outdoor dining area, along with a description of the modified business operation and safety protocol that ensures the safety of both customers and

employees. The Director of Community Development, or designated staff, will provide review and a determination of approval or denial.

The business shall agree to adhere to all applicable Federal, State, County and local regulations and guidelines. This includes reviewing and implementing as necessary the industry sector guidelines contained within the Santa Barbara County Reopening in Safe Environment (“RISE”) Guide.

SECTION 4.

The service of alcoholic beverages in restaurant temporary outdoor dining areas shall be allowed to the extent the service is allowed by the California Department of Alcoholic Beverage Control. The temporary outdoor dining area shall be physically separated from pedestrian traffic. The restaurant shall post a written notice to customers that the drinking or carrying of an open container of alcohol is prohibited outside of the outdoor area. The restaurant shall comply with all current and emergency regulations for the serving of alcohol as promulgated by the California Department of Alcoholic Beverage Control.

SECTION 5.

The Public Works Director may temporarily close streets or parking spaces within the Downtown Specific Plan area in order to facilitate temporary dining areas for the use of abutting fixed location restaurants.

SECTION 6.

The modifications to land use regulations do not alleviate a business from codes and standards that govern safety, health and welfare, including, but not limited to, building and fire codes that ensure proper and adequate occupancy and access.


The allowed modifications to land use regulations do not include new construction or significant modifications to established structures.

SECTION 7.

This Order shall remain in effect for the duration of the City’s declared emergency unless rescinded by the Director of Emergency Services.

A copy of this order shall be posted on all outside public access doors of City Hall and in one public place within any area of the City within which this order and regulation applies.

Date: 5/22/2020



Jason Stilwell
Director of Emergency Services