



Application Guidebook



2022

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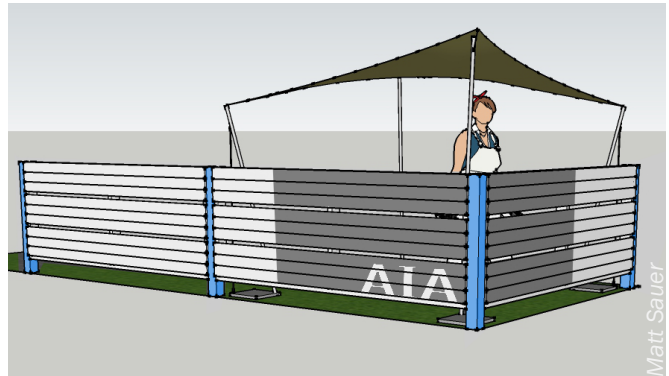
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Matt Sauer



Matt Sauer

CONTACT

For public right-of-way application questions:

Joe Weinel
 Chief Engineer
 Bureau of Design Engineering
 Division of Civil Engineering
 Department of Public Works

 (937) 333-4218
 joe.weinel@daytonohio.gov

For private property installation questions:

Carl Daugherty
 Zoning Administrator - Division Manager
 Div. of Housing Services
 Department of Planning, Neighborhoods &
 Development

 (937) 333-3903
 carl.daugherty@daytonohio.gov

ABOUT

About this guidebook

The City of Dayton's **Pop-Up Patio Application Guidebook** leads applicants through the process for authorization to install a temporary patio, parklet, or pedlet within the public right-of-way or on private property. This guidebook provides an overview of the program, regulations, process, procedures, terms and conditions, and design best practices for expanding or creating temporary outdoor seating areas. Business owners, property owners, and other potential applicants are encouraged to read this guidebook in advance of submitting an application.

Many thanks to Public Health Dayton Montgomery County and Downtown Dayton Partnership for their guidance and contributions to the design of this program.

About the program

Launched in 2020, the Pop-Up Program was conceived as an emergency response program, a tool to help businesses survive the COVID-19 health crisis. The pilot program was well received and in 2021, the City of Dayton decided to adopt the program permanently.

The concept for the Pop-Up Patio program grew from the tradition of Parklets. Parklets are gathering spaces that offer public seating accessible by all. In the City of Dayton's program, the focus is on creating additional private seating areas managed and maintained by private businesses. Pop-Up spaces are not intended as one-time event spaces, large gathering opportunities, or parties. Rather, they are intended to provide additional flexibility for local businesses as they activate the area outside their operations and seek to test out new or expanded outdoor service areas.

Pop-up Patios may be located on the sidewalk or in an existing parking lot, parklets and pedlets



are located in the parking lane adjacent to the curb – designed as an extension of the sidewalk.

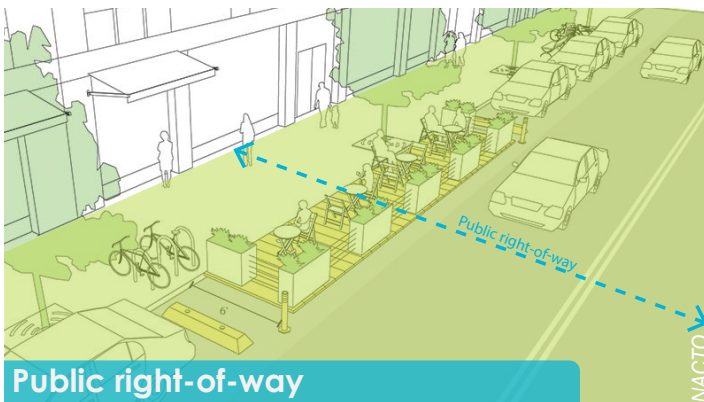
The City supports business' use of temporary and low-cost materials to quickly install a temporary patio, parklet or pedlet; however, all materials must meet the design standards laid out in this guidebook. Each application will be reviewed individually and will allow for the unique situations found at each of our unique business locations.

Temporary Patios on Private Property

The City is allowing businesses to temporarily expand or create outdoor seating areas on private property. Interested businesses must follow the application process outlined on page 6. Proposals will be reviewed by the City's Zoning Administrator, Carl Daugherty, to identify any zoning regulation implications and provide feedback on installation options. Prior to installation, businesses must receive a zoning certificate from the Zoning Administrator.

Applicants are encouraged to review and follow the design guidelines included in the Temporary Patio section of this guidebook. Terms and Conditions for temporary patios installed on private property are included in the Appendix.

DEFINITIONS



Public right-of-way

Public right-of-way

An easement (privilege or right) for public travel. In our cities, public right-of-ways take the form of sidewalks, streets, alleys, multipurpose paths, and other public spaces.

Temporary Patio

New or expanded seating areas installed in the public right-of-way (sidewalks or in parallel parking spaces) or in a private parking lot.



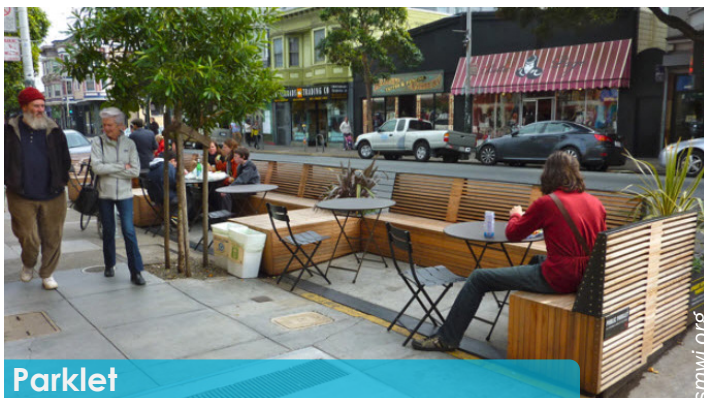
Temporary Patio

Parklet (Platform Cafe)

Seating platforms that convert curbside parking spaces (or public right-of-way) into commercial dining space.

Pedlet

Pedlets are public platforms that convert curbside parking spaces into safe, pedestrian walkways. These installations provide access around expanded or new patios installed on the sidewalk.



Parklet

Temporary

For the purposes of the Pop-Up Patio Program, “temporary” means that all materials, furniture, barriers, and installations – whether on private property or in the public right-of-way – are easily removed, are not affixed to the ground (excluding safety equipment such as wheel-stops bolted to the pavement).

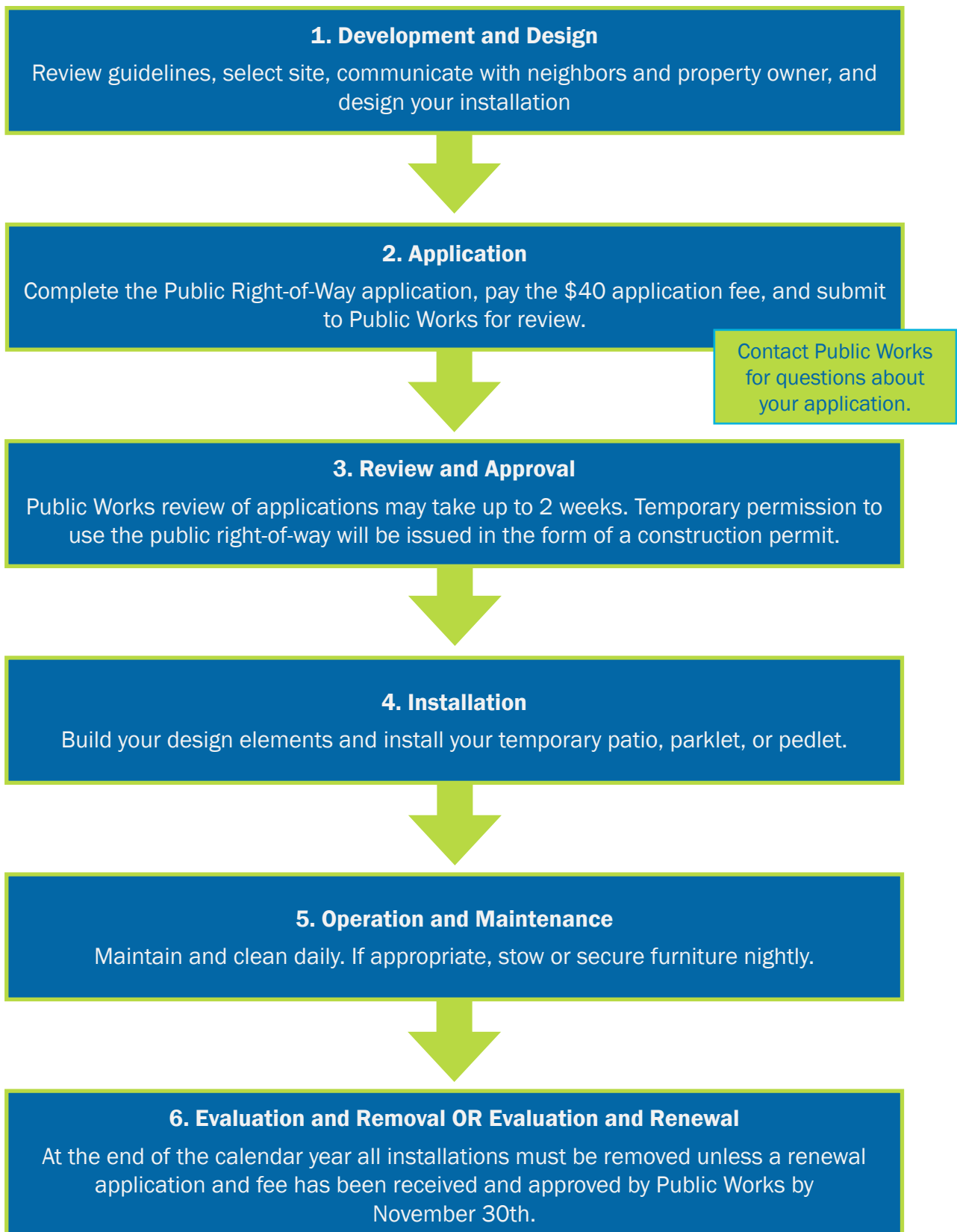
Permanent

For the purposes of the Pop-Up Patio Program, “permanent” means any installation – whether on private property or in the public right-of-way – that will be affixed to the ground and is not easily removed. These permanent installations shall be reviewed through either the Special Privilege or Zoning and Building permit process and are not eligible for a Pop-Up permit.

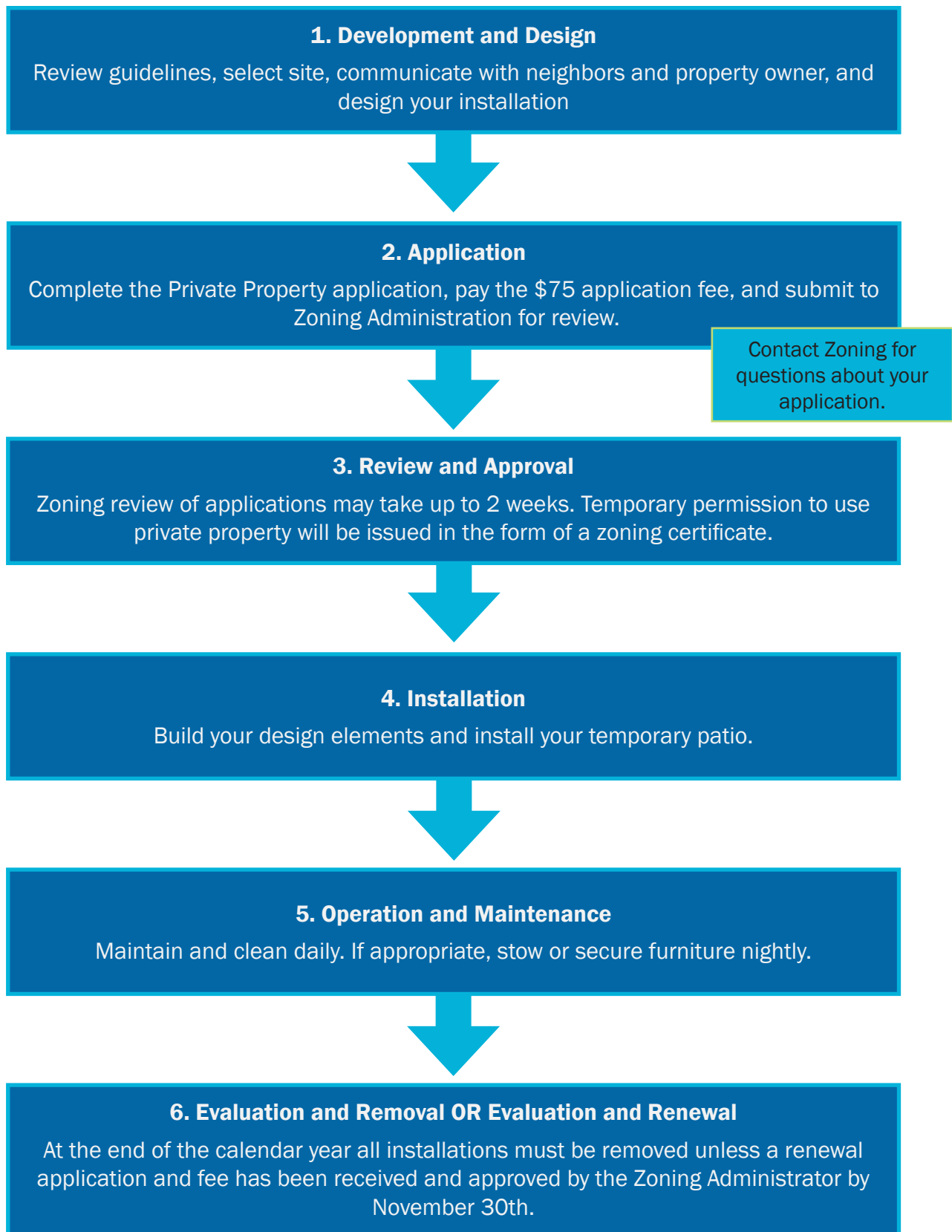


Pedlet

PROCESS OVERVIEW: PUBLIC RIGHT-OF-WAY



PROCESS OVERVIEW: PRIVATE PROPERTY





REGULATIONS

ELIGIBLE APPLICANTS

Eligible applicants must have the organizational capacity to manage the installation and maintenance of a new or expanded outdoor space.

Eligible applicants may be, but are not limited to:

- Ground-floor business owners
- Property owners
- Non-profit and community-based organizations
- Special service districts
- Others on a case-by-case basis

Roles and Responsibilities

Applicant Responsibility	City Responsibility
<ul style="list-style-type: none">• Application submission• Design• Letters of support (if applicable)• Installation and/or construction• Maintenance• Liability• For parklets and pedlets, installation of necessary traffic devices (wheel stops, flexible bollards, traffic/parking signage or markings)	<ul style="list-style-type: none">• Program management• Application review• Design review and approval• Permit/certificate issuance• Site inspection• Oversight and enforcement

SITE SELECTION

In order to ensure the safety of all users, applicants should carefully consider the best location for their installation. The City recognizes that every business location is different and will require tailored site plans and special accommodations. We will review every application and site plan individually to ensure adequate access remains around existing street lights, street trees, planters, etc. and to ensure pedestrians can pass by easily.

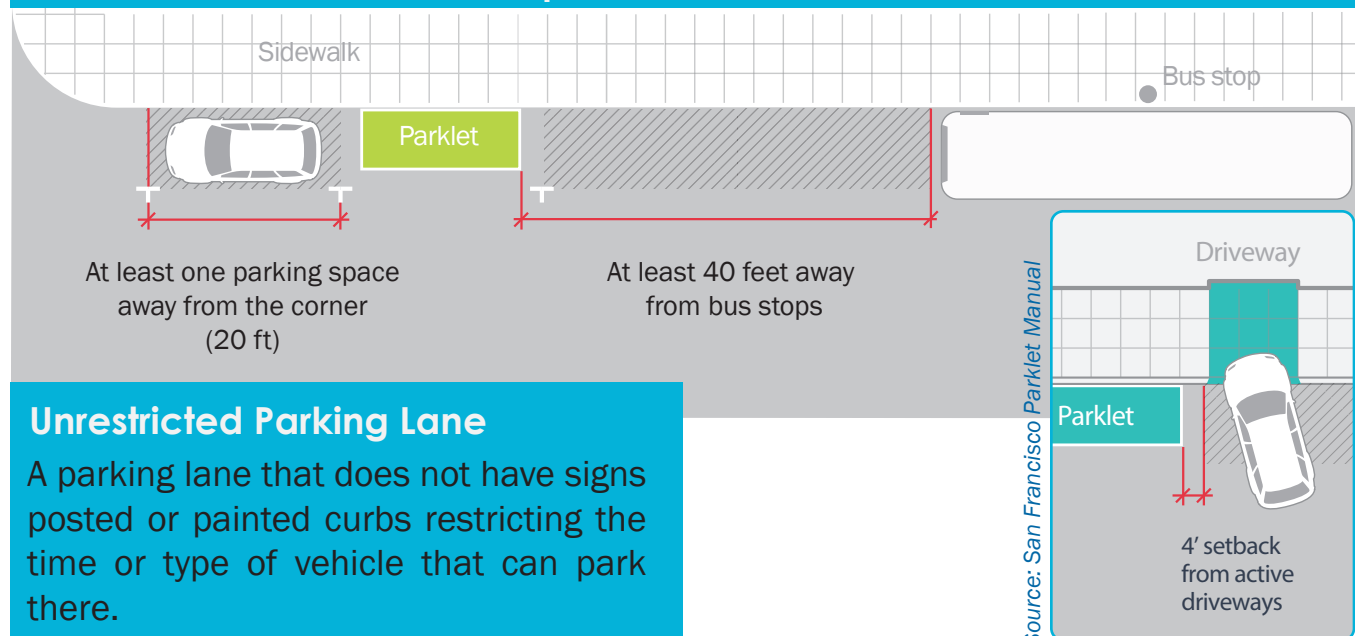
All sites must meet the following requirements:

- Not located within a residential area (business must be in a commercial-zoning district)
- Does not block access to public utilities, waste collection receptacles, hydrants, alleys, manhole covers, ADA parking spaces, or driveways
- If in the public right-of-way, the installation must fit within the applicant's property boundaries or frontage
- Not exceed 2,500 square feet in total area.

If proposing a parklet or pedlet:

- Located in an unrestricted parking lane, parallel to the curb edge, adjacent to the sidewalk
- Does not block existing street drainage patterns
- Located at least one 20' parking space away from the nearest intersection
- Cannot occupy more than 3 parking spaces
- Cannot be located in or within 40' of a bus stop
- Cannot be located on streets with steep slopes
- Include a 3- to 4-foot inner buffer when adjacent to another parking space (see diagram on p 13)

Corner Locations and Bus Stops



Unrestricted Parking Lane

A parking lane that does not have signs posted or painted curbs restricting the time or type of vehicle that can park there.

PUBLIC HEALTH AND SAFETY

Public Health

All applicants with the desire to install outdoor seating areas in support of a restaurant operation must meet the Ohio Uniform Food Safety Code including building code compliance, sanitation, solid waste disposal, food and equipment storage, and dogs in outdoor dining areas.

The intent of the Pop-Up Patio Program is to help our business community expand capacity by providing a streamlined permitting process for temporary exterior seating and retail spaces. The program is not intended to support large exterior party venues or to accommodate large gatherings. Installations intended for large events, or one-time occurrences, shall be submitted through the City's existing special event review process. Any Pop-Up Patio application or proposal that violates this intent will be denied approval.

Public Safety

Site selection is a crucial element in ensuring the safety of installations within the public right-of-way. For the purposes of the City of Dayton's program, parklets and pedlets must include the installation of vertical elements or barriers such as planters, railings, cables, etc. to help distinguish the seating or pedestrian space created by the parklet or pedlet from the moving and parked car traffic on the street. Reflective elements and wheel stops are required on the corner posts around the perimeter of installation in the parking lane of the street.

The City of Dayton will work with our local businesses to address individual concerns, but any applicant found to be in knowing violation of these public health and safety regulations will be required to close their temporary patio or parklet.

Vertical, reflective elements

Wheel stops bolted to the pavement



LIQUOR PERMITS

Restaurant and bar owners who wish to serve alcohol in their temporary expanded or new outdoor seating area must comply with current Division of Liquor Control regulations.

Per the Division of Liquor Control, temporary expansions of liquor permits shall expire on December 31, 2022. Until December 31, 2022, temporary expansions of liquor permits shall follow the following process:

- The permit holder should email the Division of Liquor Control at notifydolc@com.ohio.gov your permit number, where you are expanding to (i.e., parking lot), and the start and end date for when the expanded sales will occur in your notification.
- The permit holder must also notify the Cincinnati District office of the Department of Public Safety Investigative Unit by emailing the same information to ADOIUCin@dps.ohio.gov.

Access a full explanation of this process and the rules and requirements for temporary versus permanent liquor permit expansions in the [Department of Commerce's publication: *Temporary Expansions at Your Liquor Permit Premises*](#).

DESIGN STANDARDS

The City supports the use of temporary or low-cost materials to create temporary pop-up patio spaces; however, all materials must improve the pedestrian experience in the public right-of-way. Street scapes are our City’s living room, and all pop-up spaces must be visually pleasing and fit within the context of their environment. If an applicant wants to propose a permanent installation, additional design standards will apply.

The purpose of the Pop-Up Patio program is to facilitate activation of our commercial districts through the use of temporary installations managed by private businesses. This program supplements the existing Special Privilege and Zoning Permit processes already in place for permanent installations. The table below provides an explanation of key differences between the two types of installations and examples of each.

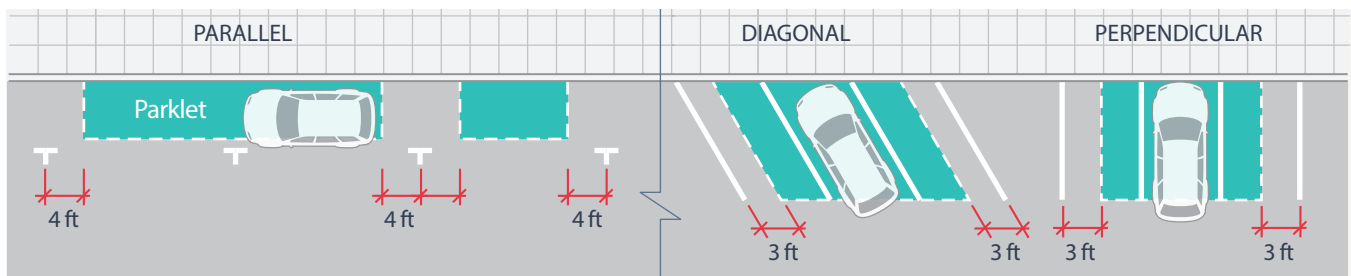
Temporary Pop-Up Installation	Permanent Installation
<p>All objects or materials are easily removed and are not affixed to the ground (with the exclusion of safety equipment such as wheel stops bolted to the pavement).</p>	<p>Objects or materials will be affixed to the ground permanently and are not easily removed.</p>
<p>If building an enclosure (such as a greenhouse), constructing a temporary structure, or utilizing outdoor heaters, you may need a Building permit. Contact Building Services at 937.333.3883 with questions.</p>	<p>A zoning review and building permit will be required for all permanent outdoor installations. Contact Building Services at 937.333.3883 for more informatin.</p>
<p>Applications are reviewed and approved through the Pop-Up Patio program.</p>	<p>Applications are reviewed and approved through either the Special Privilege or Zoning and Building permit process and are not eligible for the Pop-Up Patio program.</p>
<p>Examples of temporary installations include:</p> <ul style="list-style-type: none"> • planter boxes with rope used as patio barriers • moveable patio furniture • wooden platforms built in the street on top of the pavement • moveable fencing that is not affixed to the ground • collapsible igloos, tents, or enclosures used in inclement weather • moveable outdoor heaters 	<p>Examples of permanent installations include:</p> <ul style="list-style-type: none"> • permanent fencing or railings bolted to the sidewalk • new awnings or decks attached to a principle building • furniture or fixtures affixed to the pavement • concrete or stone fire pits built on the pavement

All Pop-Up installations shall:

- Have a barrier, fence, or perimeter enclosure no higher than 3 feet to define the space.
- Utilize materials or elements that provide a sense of enclosure or create a boundary around the installation (planters, barrels, stantions, etc.)
- (If using rope or chain) Utilize bright colors to help low vision pedestrians see thin elements.
- Install rope, chain or lights no lower than 2' off the ground to prevent tripping hazards.
- Design electrical connections to buildings that do not impede pedestrian traffic.
- Not connect to City light poles.
- Place elements that cross or sit perpendicular to the walking path of the sidewalk no greater than 2' apart.

In addition to the above, all parklets and pedlets shall:

- Have reflective vertical elements that make them visible to traffic, such as flexible posts or bollards.
- Be buffered by a minimum of 4 feet from adjacent parallel parking spaces and 3 feet from adjacent diagonal or perpendicular parking spaces using a wheel stop.
- Have a minimum of a 1-foot buffer space from the edge of the parking lane or 13 feet from the nearest lane line.
- Have a flush transition at the curb to permit easy access for wheelchairs or others with mobility issues and to avoid any tripping hazards.
- Have a surface that is constructed of a slip-resistant material that has a minimum load bearing weight of 100 pound per sq ft.
- Utilize barriers such as planters or railings to protect the user.
- Maintain clear, unobstructed sightlines to and from the street
- Be ADA compliant (refer to the ADA's website for all requirements)
- Not block curbside drainage
- Provide sidewalk-facing edges that are open to pedestrians
- Be constructed of durable, quality materials



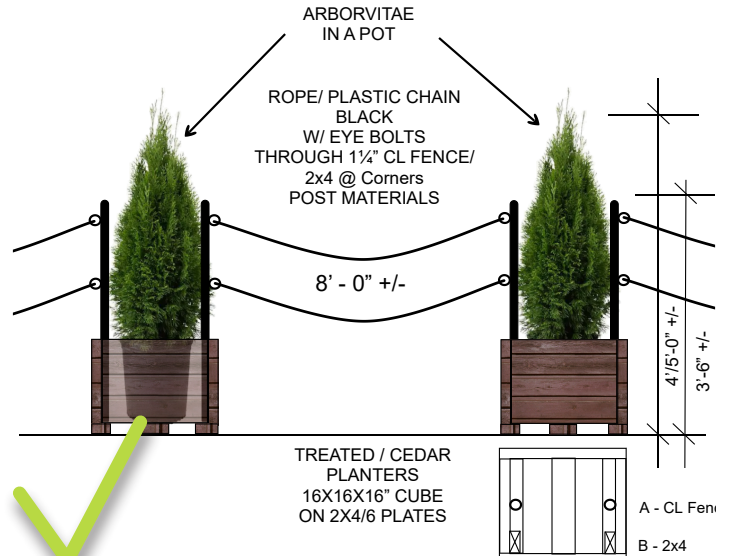
Source: San Francisco Parklet Manual

Temporary Patios

Temporary patios may be constructed out of simple and mobile materials to allow easy set-up and tear-down. However, materials must be stable (not easily knocked over), create a sense of enclosure for the outdoor area, and look nice.

For more examples of how to create modular units or repurpose other materials to create barriers check out the *Tactical Urbanist's Guide to Materials and Design* (free to download here: tacticalurbanismguide.com)

Concrete or water filled jersey barriers shall not be used to construct temporary patios within the public right-of-way.



Planter boxes combined with vertical posts, small plants, and a simple chain reduce the costs for materials



Planter boxes provide visual interest while marking the boundary of a space



Barrels provide stable vertical elements combined with simple rope to mark the boundary of an outdoor space



Reusing materials and sprucing them up (like the pallets shown) can provide a cheap way to create fencing

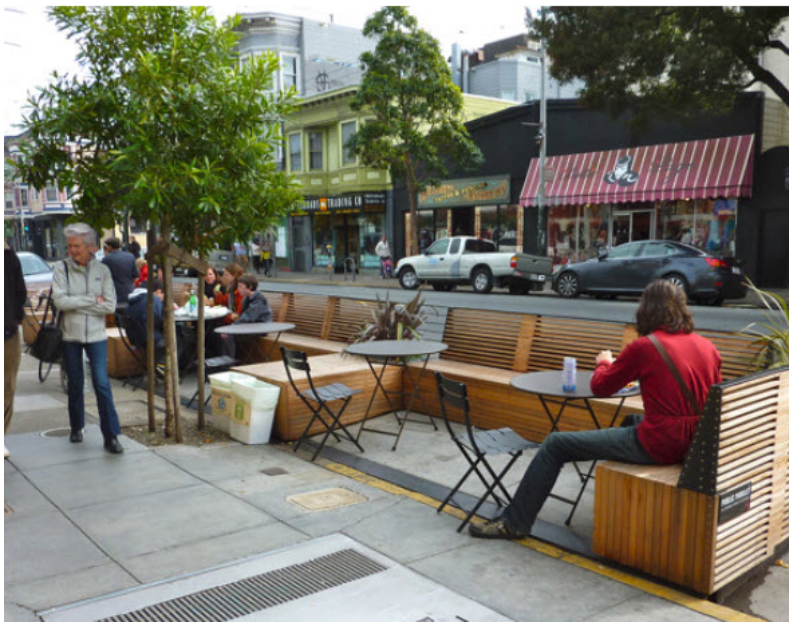


Jersey barriers are not permitted.

Parklets and Pedlets

Parklets and Pedlets need to be constructed out of more durable and stable materials than temporary patios. Platforms must support 100 Lbs per square foot, be level, not impede the flow of stormwater, and connect to the curb. Parklets and pedlets must include vertical elements that alert vehicles to their presence and include materials that create some enclosure around the perimeter (and also look nice).

For more examples for how to create a parklet, visit the National Association of City Transportation Officials' (NACTO) Parklets guide online (free to access here: [Parklets](#))



Close-up of drainage allowance

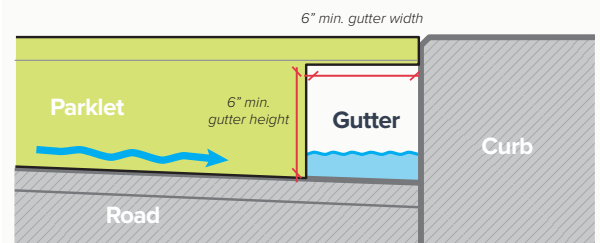
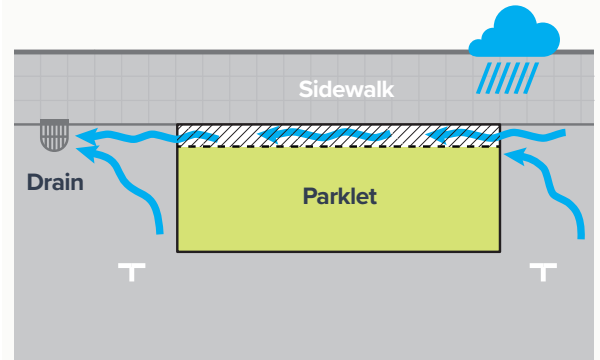
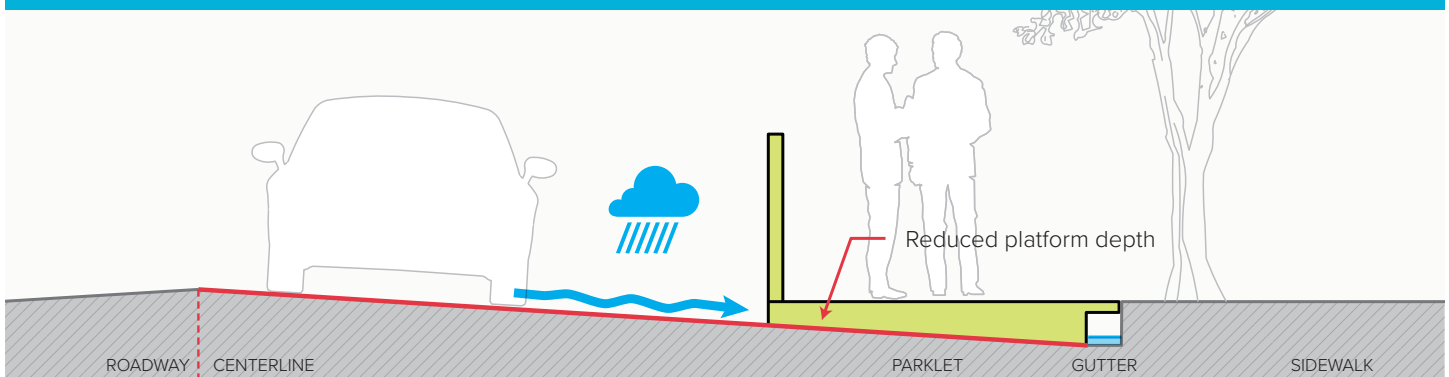


Illustration of platform design and stormwater flow



Source: *San Francisco Parklet Manual*



PROCESS AND PROCEDURES

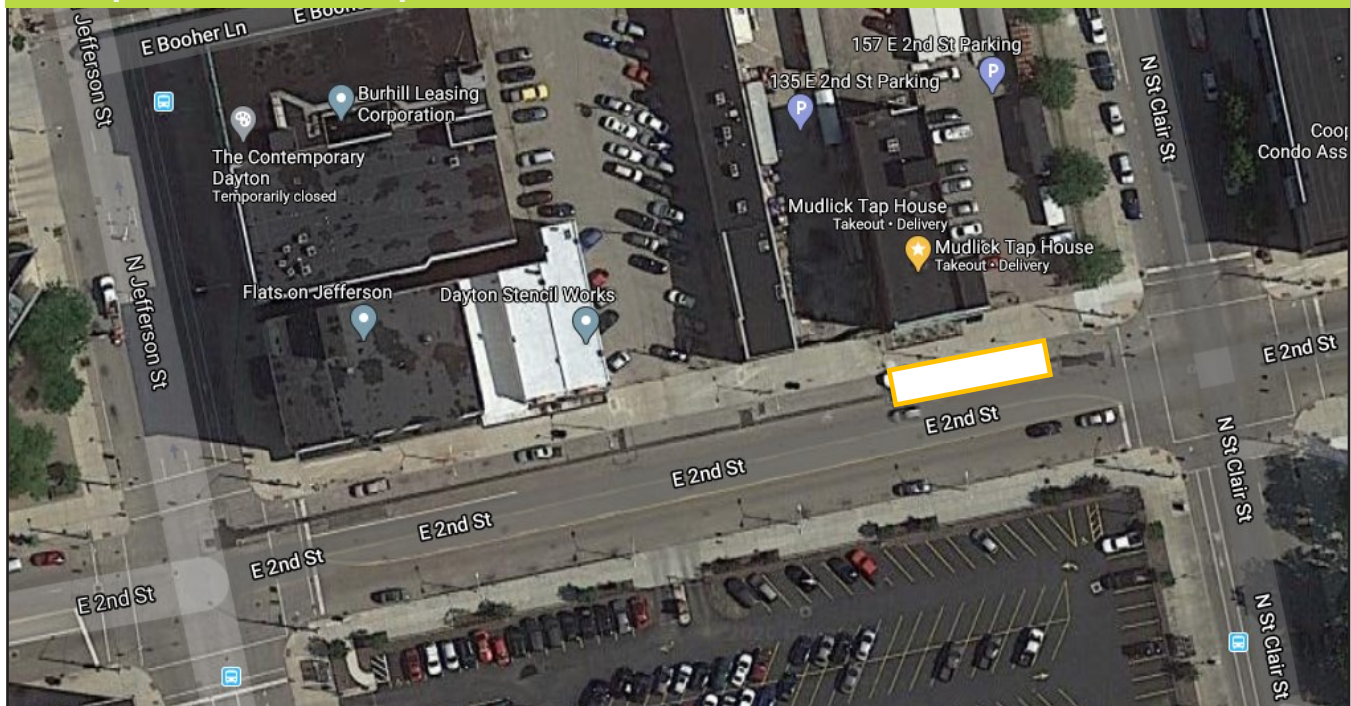
APPLICATION

The City of Dayton's Department of Public Works will review all applications for pop-up patio installations located within the public right-of-way while the Zoning Administrator will review applications for temporary patios located on private property.

Applications shall include:

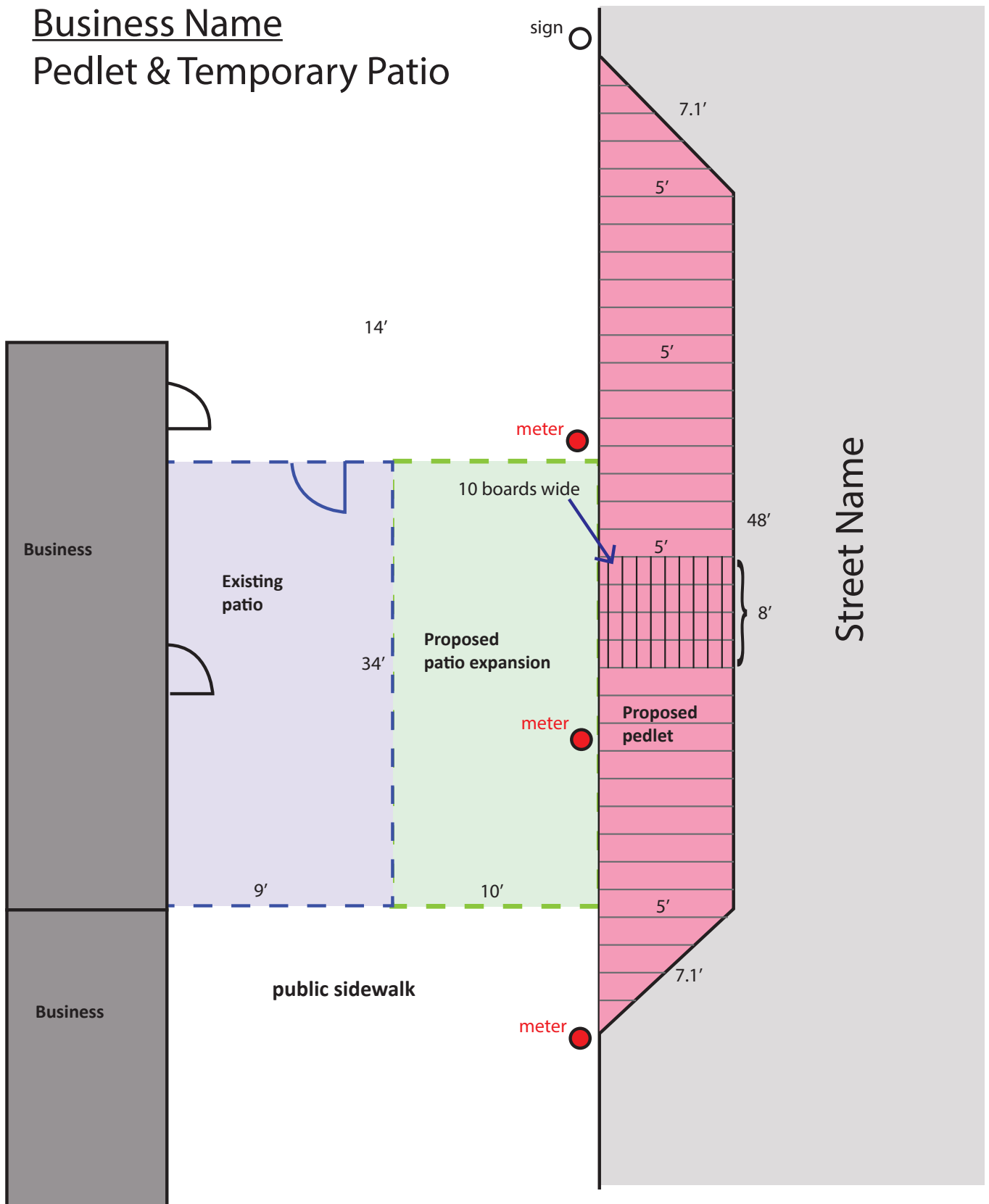
- Completed application form (See Appendix)
- Payment of a one-time application fee of either \$40 (public right-of-way installations) or \$75 (private property installations) made payable to the "City of Dayton"
- Adjacent address and photographs of proposed location
- A map showing the installation's location (see example below)
- A scaled drawing showing the design of the installation (see example site plans on following pages), location of existing signs, waste containers, and meters
- Proof of permission from the property owner (see letter template in the Appendix)
- If a site plan extends past the applicant's property boundaries or business frontage, proof of support from neighboring businesses
- Pictures or drawings that illustrate the materials to be used in the installation
- Brief description of operations including if alcohol sales will occur and hours of operation
- Proof of liability insurance
- Maintenance Plan (See maintenance checklist example on page 17)

Example location map



Example site plan: Public Right-of-Way

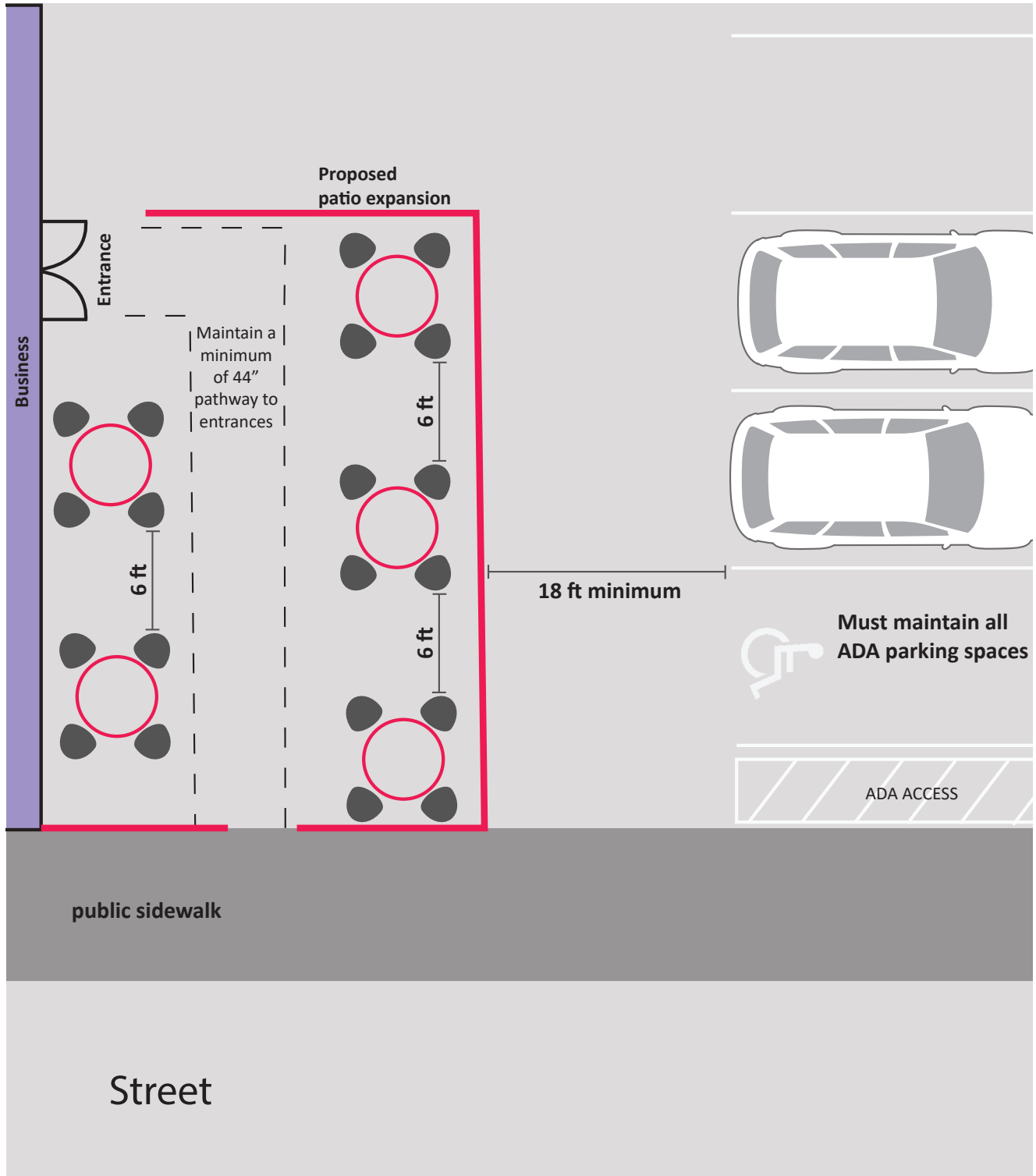
Business Name
Pedlet & Temporary Patio



Example site plan: Private Property

Business Name

Private Temporary Patio



REVIEW AND APPROVAL

The City of Dayton's Public Works Department and Zoning Administrator will review applications to:

- Determine if the application is complete.
- Determine if the application meets all requirements.
- Review individual aspects related to the specific location and street scape elements.

The City expects application reviews to take up to 2 weeks to complete.

Applicants will be notified in writing if their application is approved or denied. Approved applicants for installation within the public right-of-way will receive a construction permit and will be authorized to begin construction, installation, or use of the public right-of-way. Approved applicants for installations on private property will receive a zoning certificate and will be authorized to begin construction and installation on private property.

Decisions to deny the application will state the reasons for denial and provide the applicant information on how to appeal the denial determination.

All appeals shall be submitted in writing. Appeals of public right-of-way decisions shall be sent via certified U.S. mail to the City Manager or Director of Public Works. Appeals of private property zoning decisions shall be sent via email to the City's Zoning Administrator for review by the City Manager or her designee.

If an applicant is requesting a permanent installation, the applicant will need to apply for a special privilege permit and follow the established process for permanent approval. For more information about the special privilege permit process contact, Joe Weinel at (937) 333-4218.

INSTALLATION

When the City notifies applicants about approval, City staff will also advise applicants on site-specific considerations related to your installation. Materials should be assembled off-site to the extent possible in order to reduce the installation time in the street or blocking vehicle egress.

If an applicant's installation will be located within a metered parking space, they will be required to rent meter covers from the Department of Public Works for \$1 each. Meter covers must be in place for the duration of the meter closure.

Permanent installations of parklets or pedlets will require additional oversight and inspections. Contact Joe Weinel at (937) 333-4218 for more information. Permanent patios installed on private property will require full permitting and zoning reviews; applicants should contact Carl Daugherty at (937) 333-3903 for more information.

OPERATION AND MAINTENANCE

Applicants are solely responsible for the maintenance and upkeep of their installations. This includes all duties and costs related to keeping the installation clean and in good condition. Areas should be cleaned daily, furniture stowed or locked nightly (if appropriate), and any damage repaired promptly. Proper maintenance is a condition of the permission to install, and failure to conduct proper maintenance may result in the loss of permission.

Example Maintenance Checklist:

- Clean up rubbish within and around the pop-up
- Sweep the area in and around the pop-up
- Remove debris against the outside edge of the pop-up (especially at the curb to help maintain free flow of storm water drainage)
- Water and maintain plantings
- Place furniture each morning
- Wipe down tables and chairs after each use
- If appropriate, take down and secure furniture overnight

REMOVAL OR RENEWAL AND ANNUAL INSPECTION

Removal

If a renewal application is not submitted, businesses are to remove all temporary installations and restore spaces to their original condition no later than December 31.

Renewal and Annual Inspection

If a business desires to maintain a temporary installation for the next calendar year, a renewal application must be submitted by November 30th of the current year. If any changes to the previously approved site plan are proposed, a new complete application must be submitted for review and approval. Renewal applications must include payment of the annual application fee, a completed renewal form, updated copy of liability insurance, and letters of support or permission as needed.

Prior to approving a renewal application, City staff will conduct an annual inspection to ensure materials installed remain safe and meet program requirements.

All pop-ups must be constructed and installed in a way that allows them to be easily removed when needed. In rare circumstances, the City may require the temporary or permanent removal of a pop-up patio. Applicants must be able to do so within 30 days of our notice. The City reserves the right to remove your installation if emergency or utility work needs to be conducted. The applicant is responsible for all costs associated with the disassembly and removal of the pop-up.



APPENDIX

APPLICATION CHECKLIST

- I have read and reviewed the Pop-Up Patio Program Application Guidebook and the Pop-Up Patio Program Terms and Conditions.
- My business/organization has the capacity to manage an installation and the daily maintenance of a new or expanded outdoor space.
- I found a location that meets all of the site selection requirements (with the understanding that the City of Dayton will do its best to meet the unique needs of each business and make accommodations when necessary).
- (If serving food) My business/restaurant is able to meet the Ohio Uniform Food Safety Code and is able to comply with any additional orders issued by the State of Ohio Governor's Office.
- (If serving alcohol) I understand that I must follow current Division of Liquor Control regulations prior to serving alcohol in my Pop-Up space.
- I have reviewed the Design Standards and have planned my installation to meet them, including all social distancing requirements.
- I have assembled and submitted all of my application materials including:
 - A completed application form
 - A check or money order made payable to the "City of Dayton" in the amount of:
 - \$40 for an installation in the public right-of-way OR
 - \$75 for an installation on private property
 - Photographs of the proposed location
 - A map showing the installation's location
 - A scaled drawing (or site plan) showing the design of the installation
 - Proof of permission from the property owner
 - (If applicable) Proof of support from neighboring businesses
 - Pictures or drawings that illustrate the materials to be used in the installation
 - A brief description of operations, including if alcohol sales will occur and hours of operation
 - Proof of liability insurance
 - A maintenance plan
- I am aware that City of Dayton employees will monitor my installation and may request that I complete short surveys to report how the installation is going.
- I agree to remove my temporary installation by December 31 and return the property to its original condition OR submit a renewal application by November 30 for the new year.

APPLICATION FORM: PUBLIC RIGHT-OF-WAY

For Permit for Privileges in Streets and Public Places

Dayton, Ohio _____ 20 _____

TO THE DIRECTOR OF PUBLIC WORKS

_____ Applicant, owner, lessee(*) by
_____, the duly authorized representative makes
application for a permit for _____

_____ in front of
Lot number _____, known as number _____ Street

Pursuant to all of the provisions of Section 95.30 to 95.49, both inclusive, of the Revised Code of General Ordinances as the same now exist or may hereafter be amended, and with such other provisions of other ordinances as may be passed by the Commission, which said existing and future ordinances are made a part of this contract by express reference.

It is understood and agreed that if this application is granted and a permit is issued for the purpose aforesaid, same will be accepted by the applicant subject to all the conditions set out in Sections 95.30 to 95.49, both inclusive, of the Revised Code of General Ordinances as the same now exists or may hereafter be amended as well as subject to such other and further conditions as may hereafter imposed by law or ordinance.

Applicant

By _____
Authorized Agent

(*) Strike out word or words not applicable.

Owner

APPLICATION FORM: PRIVATE PROPERTY



City of Dayton
 Department of Economic Development
 Division of Building Inspection
 One Stop Center

371 W. Second St.
 Dayton, Ohio 45402
 Phone: 937-333-3883
 Fax: 937-333-4284

Building / Zoning Application

Project address _____
 Applicant _____
 Applicant address _____
 City _____ State ____ ZIP _____
 Federal I.D. # _____
 Person to contact _____
 Phone # _____ Cell # _____
 Email _____

PERMIT # _____
 Occupant or Project _____
 Property Owner _____
 Owner Address _____
 City _____ State ____ ZIP _____
 Agent's Name _____
 Phone # _____ Cell # _____

SEPARATE PERMITS ARE REQUIRED FOR ANY FIRE PROTECTION SYSTEMS, WRECKING, ELECTRICAL, HEATING, OR PLUMBING WORK

Commercial plan review fee must be paid at the time of application. Fees are based on the value of the project. Enter the estimated value of the work represented on the drawings that accompany this application.

I certify the information contained in this form is complete and accurate, and the work will be done as described hereon, and in accordance with the laws and ordinances of the City of Dayton.

Applicant's signature and date _____

Project Value
 \$ _____

DO NOT WRITE BELOW THIS LINE – FOR OFFICE USE ONLY

AREA (SF):	CONST. TYPE:	USE GROUP:	NO. OF PLANS SUBMITTED:
PROJECT/ZONING DESCRIPTION:			
	ASSIGN	REJ	APPROVED
FLOOD PLAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ZONING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENGINEERING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ADDRESS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FIRE PREV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STRUCTURAL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WATER ENG.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PLUMBING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEATING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ELECTRICAL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEALTH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FIRE DEPT.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ZONING DISTRICT: _____ OVERLAY: _____			
BZA CASE #: _____ PLAN BRD CASE #: _____			

BPIO _____ - _____ - _____
 LOT # _____ ATLAS _____

DATE STAMP

PLAN FILE #

REV. 11/18

REQUIREMENTS FOR SUBMITTING BUILDING PLANS

A minimum of three (3) sets of plans are required for all Commercial and Residential Projects. Two (2) sets are required for separate submittals of mechanical work (HVAC, Electric, Plumbing) and for all fire suppression and alarms.

For commercial projects, the **Design Professional's signature and SEAL** must be on all plans.

If the project will require permits for Electrical, HVAC, or Plumbing, the schematics should be submitted with your plans.

PLANS **MAY NOT BE ACCEPTED** WITHOUT ALL NECESSARY INFORMATION. SEE CHECKLIST BELOW:

- | | |
|--|---|
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> HVAC Schematic |
| <input type="checkbox"/> Building Code Notes | <input type="checkbox"/> Plumbing Schematic |
| <input type="checkbox"/> Accessibility* | <input type="checkbox"/> Structural Plans |
| <input type="checkbox"/> Architectural Plans | <input type="checkbox"/> Electrical Schematic |

* New construction, additions and changes in occupancy of buildings must meet ICC A117.1 Accessibility Guidelines, including: handicap accessible restrooms, entrance ramps and parking spaces. These items must be shown on the plans for approval.

Separate plan submittal (two sets of drawings) is required for the following types of projects.

- Fire Suppression w/Calculations
- Fire Alarm System w/Strobes & Horns and calculations
- Kitchen Hoods

PERMIT FEES

COMMERCIAL PLAN REVIEW FEES will be collected when plans are submitted.

Plan Review fees are 0.1% of the Project Value, with a minimum fee of \$30.00, plus a 3% State surcharge.

Building permit fees are calculated in accordance with the "BOCA" type of construction method using the use group, the type of construction and the square footage of the project or based on the Project Value.

Calculations for permits fees:

Note: A State of Ohio surcharge will be added to all the following permit fees. The state surcharge is 3% of the permit fee for commercial projects and 1% of the permit fee for residential projects.

For Project Values less than \$2000, the permit fee shall be \$35.00 (\$60.00 minimum for mechanical work) plus the State of Ohio surcharge. NOTE: A Building Permit will also include the Zoning Certificate Fee.

For Project Values more than \$2000 but less than \$100,000, the fee shall be \$35.00 plus 1.0% of the costs in excess of \$2000.

Example: Assume Project Value = \$50,000; Permit Fee = $\{[(\$50,000 - \$2,000) \times 0.010] + \$35\} = \515.00 . Add to this amount the State of Ohio surcharge. NOTE: A Building Permit will also include the Zoning Certificate Fee.

For Project Values \$100,000 or more, the fee shall be \$1015.00 plus 0.50% of the cost in excess of \$100,000.

Example: Assume Project Value = \$500,000; Permit Fee = $\{[(\$500,000 - \$100,000) \times 0.005] + \$1015\} = \$3,015.00$. Add to this amount the State of Ohio surcharge. NOTE: A Building Permit will also include the Zoning Certificate Fee.

Zoning Certificate Fee:

Zoning certificate fees are charged on all building permits. Zoning fees are 0.2% of the cost, with a minimum fee of \$75.00 and a maximum of \$10,000. *(The state surcharge is not added to this fee.)*

Example: Project Value = \$50,000; Zoning Fee = $\$50,000 \times 0.002 = \100.00

Additional Fees:

- Revisions to Plans - A minimum fee will be charged for the second and subsequent filing of changes and/or additions of \$150.00 for commercial and \$75.00 for residential plans.
- Certificate of Use and Occupancy (CUO) – The fee is \$203.30 for commercial or \$100.60 for residential property. The fee for a replacement CUO is \$36.05 for commercial or \$35.35 for residential. The Ohio State surcharge is included in the fee amounts shown. Fees for time limited occupancy CUOs will also include a \$50.00 inspection fee and a \$30.90 plan review fee.
- Construction Water is charged for all **NEW** construction. Call the Department of Water for more information at 937-333-6804 or 937-333-3749.
- Special Inspections - Inspections to assess vehicle, fire, or wind damage to buildings and to assess property listed as a nuisance by Housing Inspection are limited to 1-, 2-, and 3-family dwellings with a fee of \$50.00 for the inspection. All other structures must have an assessment made by a licensed professional registered with the State of Ohio.

Rev 11/18

PERMISSION LETTER TEMPLATE

[[NAME OF BUSINESS]]

[[ADDRESS]]

[[CONTACT]]

Dear [[PROPERTY OWNER NAME, NEIGHBOR NAME]],

I would like to take advantage of the City of Dayton's Pop-Up Patio program which allows private businesses to create or expand temporary outdoor dining or customer service areas.

I am writing today [["as your tenant" OR "as your neighbor"]] to seek your permission

[[CHOOSE ONE]]

...to expand my business' existing patio space to include adjacent space on the sidewalk.

...to create new outdoor dining space by creating a parklet.

...to create a pedlet into the adjacent parking spaces that will allow safe pedestrian travel around my expanded outdoor dining area.

I am following the rules set forth by the City of Dayton to create this outdoor space for my customers, and I'm happy to share details about the layout and setup of the space, if you would like. If you'd like to see all the guidelines in detail, you can find a copy at DaytonOhio.gov/patio.

This temporary installation will only remain in place through December 31, [YEAR]. If I have your permission to proceed with this plan, please sign below. I am happy to answer any questions as best I can. If I plan to extend the installation beyond December 31, [YEAR], I will be required to submit a renewal application including a renewed permission letter from you.

Sincerely,

[[SIGNATURE]]

YES, I understand the nature of this Pop-Up Patio program, and I consent to this business' application, knowing this business must adhere to the guidelines established by the City of Dayton.

(sign name)

(print name)

RENEWAL APPLICATION FORM

ANNUAL RENEWAL APPLICATION FORM

Project information

Project address _____
Lot number _____
Applicant Name _____
Applicant Address _____
City _____ State _____ Zip _____
Person to contact _____
Phone # _____ Cell# _____
Email _____

Select the type of Pop-Up Patio Permit you received:

- Pop-Up Permit for Streets and Public Places**
Email renewal application and all required attachments listed below to Joe Weinel at joe.weinel@daytonohio.gov

- Zoning Certificate for Private Property**
Email renewal application and all required attachments listed below to Carl Daugherty at carl.daugherty@daytonohio.gov

Required Attachments

- Copy of approved site plan to be re-used
- Renewal fee payable to the City of Dayton (\$40 for right-of-way; \$75 for zoning)
- Updated copy of liability insurance
- If applicant is a tenant of a building, an updated letter documenting permission from the property owner to install proposed pop-up for another calendar year
- If applicable, updated letter of support from neighboring businesses

****If any changes are proposed to the site plan approved, you must submit a new application following the original guidelines found at www.daytonohio.gov/890/Patio-Program****