

Al Fresco Dining: Building Division Guidelines and FAQ's

The guidelines provided herein are for *temporary* building elements located on private property or in the Public Right of Way. Temporary elements may remain in place for the duration of the local emergency declared by the City Council and must be removed within 30-days of the termination of the local emergency. The Building Division is offering an expedited building permit process for temporary elements requiring a building permit. Permanent elements located on private property or in the Right of Way must follow standard permitting procedures and comply with all applicable codes, laws, and regulations.

Work requiring a building permit includes, but is not limited to:

- Tents greater than or equal to 750 square feet (SF)
- Structures greater than 120 SF. Structures may have a roof but must remain open on three-sides.
- New platforms, ramps, or stairs
- Modifications to accessible parking
- Any electrical work
- For a complete list of work exempt from building permits, see the Building Division website <https://www.cityofsacramento.org/Community-Development/Building/Permit-Services/Required-Permits>

1. Guidelines for temporary on or offsite outdoor facilities not requiring a building permit.

- No permanent item or structure shall be installed.
- Disabled access from site arrival points to the outdoor facility shall be provided. If restrooms are open, an accessible route of travel is required connecting them with every other accessible element.
- Tents under 750 SF complying with Sacramento Fire Department Safe Outdoor Dining guidelines are allowed.
- Structures not greater than 120 SF are allowed.
- Accessible parking spaces, and the vehicular route(s) serving those spaces, shall be kept open and available for unrestricted use.
- Use of removable, non-fixed barriers (planters, railing, etc.) to define the dining space is allowed.
- Maintain unobstructed access to fire lanes, fire hydrants, fire hose connections and entrances and exits to all buildings as applies.
- Outdoor spaces used for this purpose shall have clear and unobstructed access to the public right of way.

2. Submittal requirements for temporary on or offsite outdoor facilities requiring a building permit.

Plans shall be prepared and submitted by a licensed design professional. The building permit submittal shall include:

- Incorporate all items noted in item #1 above.
- A scaled site plan showing property lines, location of tents or other structures, distances from tents/structures to property lines and to existing structures, location of existing structures, accessible routes of travel, locations of existing accessible parking spaces, locations of temporary improvements as proposed.
- A floor plan of the tent showing the occupant load, the means of egress, along with the location and type of heating appliances proposed.
- Detailing for the tent and State fire marshal certified flame-retardant material.

- A licensed architect or engineer must prepare plans and calculations showing the tents or other structures are in compliance with the 2019 California Building Codes (CBC).
- A licensed electrical contractor must obtain a separate permit for any work (electric heating, lighting or any other electrical wiring) in connection with a tent, whether the tent requires a permit or not. Electrical wiring must comply with the 2019 California Electric Code (CEC).

Any work in the Public Right of Way must comply with the Al Fresco Outdoor Dining Off-site Permitting Process. <https://www.cityofsacramento.org/-/media/Corporate/Files/EDD/Economic-Relief/Guidelines-for-Outdoor-Dining---Off-site-Permit-Process.pdf?la=en>

Additional guidelines from the County of Sacramento Environmental Management Department are here: <https://emd.saccounty.net/EMD-COVID-19-Information/Pages/default.aspx>

For questions on these building guidelines or the building permit process, please contact EZPermit@cityofsacramento.org or (916) 808-5318.

Frequently Asked Questions (FAQ's):

1. Can we put a tent over the temporary patio structure that was built and if so, what is the best way to secure the tent to the structure?
A temporary tent may be installed in the Public Right of Way or on private property. Tents may not be secured to existing structures. Tents under 750 SF do not require a building permit. Tents 750 SF and larger require a building permit.
2. Can we build roofs/ enclosures over patio structures? If so, what would the process be?
A temporary roof and one-sided enclosure may be built over patio structures installed in the Public Right of Way or on private property. The enclosure must be open on three sides. Structures 120 SF and less do not require a building permit. Structures greater than 120 SF require a building permit.
3. Can we attach plexiglass on the sides of our patio structure to block wind?
A temporary plexiglass wall may be added to one side of the structure; dining areas must remain open on three sides. A building permit is required for a plexiglass wall over 4 feet in height. Plexiglass partitions 4 feet in height and shorter used to separate tables in an open area (no roof) do not require a building permit.
4. What kind of outdoor structure can we build that would allow us to have heaters and lights within the patio?
Temporary tents open on three sides may have electric heaters installed per the manufacturer's specifications and listing if a minimum three-foot clearance is provided and maintained from all combustible materials. Propane heaters located on the perimeter of the open sides of the tent may be considered on a case-by-case basis.
5. How long will it take to get my building permit?
The Building Division is committed to expediting the permit process for restaurant owners looking to add temporary outdoor dining. We will intake plans within 24-hours, complete the plan review within five days, and once approved we will issue the permit within 24-hours.