



Sunnyvale

Murphy Avenue - Outdoor Dining Conditions of Approval  
November 4, 2021

**August 2, 2021 Update to the Santa Clara County Health Order**

The following additional requirements and conditions will be applied to existing Approved Miscellaneous Plan Permits effective immediately.

**Planning:**

1. Compliance with Approved Miscellaneous Plan Permit, except as otherwise noted below.
2. The City may request removal of all street dining furnishings for any City-sponsored events. Notice will be provided to businesses five (5) days in advance.

**Public Works:**

1. A 5' minimum sidewalk or walkway will have to be maintained for ADA access on both sides of the street along the length of the Murphy Street closure.
2. The storm drain catch basins along Murphy must be covered to prevent debris from entering the storm drain system.
3. Businesses will have to sweep or blow the street clean to prevent garbage/waste from accumulating and entering the storm drain system.
4. Businesses must adhere to sidewalk cleaning schedule as it relates to moving furniture off of the sidewalk for cleaning
5. Businesses are not allowed to use the City maintained garbage cans on the street for waste disposal (ESD)
6. Do not attach anything (chain, etc.) to the Street Trees
7. Businesses should spot clean spills as they occur and ensure all spills are cleaned up at the end of the night
8. Businesses must maintain adequate waste disposal service levels.
9. Businesses are not allowed to use the electrical outlets in the tree wells

**Department of Public Safety:**

1. Dining layout must comply with the Santa Clara County Health Order (as updated).
2. An inspection by the Department of Public Safety, Fire Prevention Unit, shall be completed upon installation of the tables and prior to commencement of outdoor dining. You may contact Fire Prevention at [fireprotection@sunnyvale.ca.gov](mailto:fireprotection@sunnyvale.ca.gov) or 408-730-7212.
3. No permanent or heavy furniture within the 20' of the center of the street (light tables and chairs okay).
4. Items need to be removed from the street at night to allow appropriate access for fire response in the middle of the night. (SDA must establish a set time)
5. Businesses to utilize light weight tables and chairs that can be easily moved from the roadway (this requirement applies to the roadway lanes, center 20').
6. Businesses shall have a plan and provide basic training to staff on how to quickly move tables and chairs from the roadway to allow access for emergency vehicles.
7. All fire hydrants and water supply access areas need to be clear and accessible.
8. A 6' minimum pedestrian walkway in the center of Murphy Avenue will have to be maintained at all times. No furnishings of any kind may impede the 6' pedestrian walkway at any time.
9. Department of Public Safety reserves the right to add additional requirements or make changes to existing requirements as necessary.

**Department of Public Safety, cont.:**

10. Requirements related to the use of LPG heaters:

- a. LPG Heaters In Use: a. LPG heaters shall be installed and maintained in accordance with their listing. [CFC §603.5.2]
- b. LPG heaters in use shall be separated from combustibles as set forth in the manufacturer's product listing. In the absence of an owner's manual stating otherwise, the horizontal and vertical clearances shall be 5 feet. [Note: Most heaters have distance requirements stated on a permanently attached plate.] [CFC §603.5]
- c. LPG heaters in use shall not be located less than 5 feet from building openings. [CFC Table 6104.3]
- d. Structures such as walls, solid fences, earth or concrete barriers and other similar structures shall be avoided around or over LPG heaters. [Note: The base of the heater contains the LPG cylinder, and the presence of such structures can create significant hazards, such as pocketing of escaping gas, interference with the application of cooling water by firefighters, and the redirection of flames against the LPG cylinders.]
- e. LPG heaters are prohibited inside tents, canopies, and temporary membrane structures. [CFC §3104.13.1]
- f. Sources of ignition shall be prohibited within 5 feet of any LPG heater. "NO SMOKING" signs shall be posted at affected locations. [CFC §§305.1 and 310.3]
- g. LPG heaters shall not be located in exit pathways. [CFC §1028.2]

11. Temporary shade structures or utility tents are allowed based on the following guidelines:

- a. No greater than 8 feet in height
- b. No greater than 120 square feet in area
- c. Enclosed on no more than one side
- d. Tied down with a weight at each leg of the canopy
- e. Tagged with flame resistance documentation tag for fabric material used for top or side
- f. Propane/Butane heaters are not permitted under or within 5 feet of fabric material. Contact Fire for permit.
- g. LED lights may be installed on the temporary shade structures.
- h. You must contact Fire Prevention to schedule an inspection. Contact: [fireprotection@sunnyvale.ca.gov](mailto:fireprotection@sunnyvale.ca.gov) or 408-730-7212