



# Future of Outdoor Dining (FOOD) Study

EDC Update

June 13, 2023



# Study Schedule

**Aug 15, 2022**

County  
Manager  
Removal of  
Emergency  
Order

FOOD Study  
Launch

Sept- Nov '22

## Phase 1

### Information Gathering

- Review of TOSAs & existing policies
- Research benchmark communities
- Community Engagement
  - Online Feedback Form (approx., 2,000 responses)
  - Virtual Roundtable Events (2)

Dec- Feb/Apr '23

## Phase 2

### Information Gathering/ Community Review

- Synthesize findings from Phase 1
- County Board extension of COGO (Jan 2023)
- **Develop & Release Draft Framework with recommendations**
- **Additional Community Engagement Opportunities**

May- July '23

## Phase 3

### Information Sharing

- Zoning Ordinance Amendments
- Updates to Outdoor Café Guidelines
- June**
  - Request to Advertise
  - Commission Review
- July**
  - Planning Commission
  - County Board

**Aug 15, 2023**

TOSA Program  
Ending

New Outdoor  
Dining  
Regulations in  
Effect

# FOOD Study Purpose & Primary Goals

- Incorporate aspects of the Temporary Outdoor Seating Areas (TOSA) program into Arlington's framework for "permanent" outdoor cafés
- Inform other changes to current regulations for managing outdoor cafés
- Create a clear pathway forward for current TOSA permit holders looking to transition to/update permanent outdoor cafes

## Overarching Study Themes:

- Restaurants as a Public Good
- Restaurant Recovery & Resiliency
- Different Places & Spaces





# Temporary Outdoor Seating Areas (TOSAs)

- TOSAs were established in 2020 to help restaurants and businesses during the COVID-19 pandemic
  - Flexible Design & Operational Guidelines established
  - Online submission process- no application fee
    - Interdepartmental staff review team
    - Approved by County Manager
- **Approx. 119 TOSAs (public & private)**
- **TOSAs will expire August 15<sup>th</sup>, 2023**





# Outdoor Café – TOSA Examples





# Private Parking (off-street)

Existing TOSAs located within required parking



(2019)



(2022)



# Outdoor Café- TOSA Examples

**TOSAs in private parking spaces**



**TOSAs with pedestrian path in street parking lane**





# Phase 1 Engagement- What we heard

## Overview of Community Priorities and Considerations w/ TOSAs

- Support for local businesses
- Enjoyment of outdoor dining
- Provide safe, accessible pedestrian circulation
- Support for reduced parking for expanded outdoor dining
- Streamline the process





# Recommended Framework- Key Elements

## 1. Encroachment Ordinance & Outdoor Café License (New County Code Chapter)

- Administrative process/ requirements for outdoor café license, application and fee

## 2. Zoning Ordinance Amendments

- Permit allowing outdoor seating in public spaces via administrative review
- Ability for County Board modification of parking requirements for seats located on required private parking spaces





# Staff Analysis & Recommendations

## Existing & Proposed Process

| Approval Process             | Existing Standards  | Proposed Standards  |
|------------------------------|---|---|
| By-right<br>(administrative) | 1) Private property, unencumbered by public easements                         | 1) Private property, unencumbered by public easements<br>2) Public sidewalks within rights-of-way <ul style="list-style-type: none"> <li>• Includes utility/street easements</li> <li>• Excludes travel-way or parking space</li> </ul> |
| County Board Use Permit      | 2) Public rights-of-way; public easements on private property, including POPS | 3) Privately owned public spaces (POPS)   |

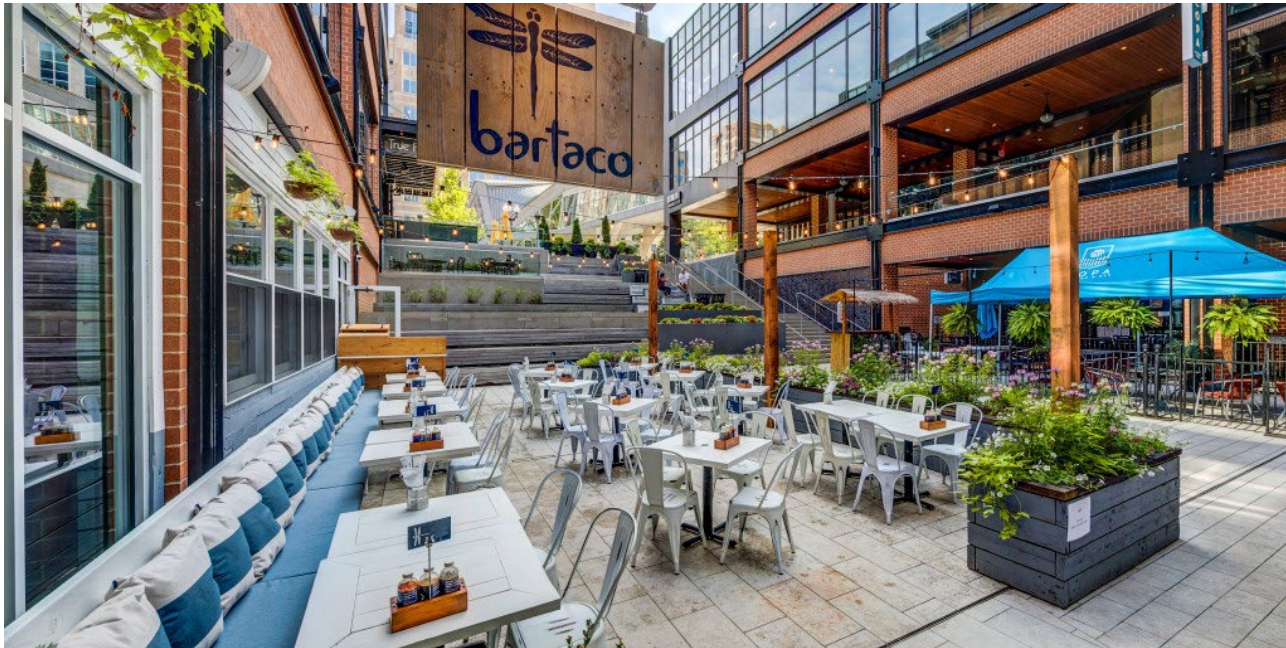




# Privately-Owned Public Spaces (POPS)

## Examples of Outdoor Cafes in POPS/ Public Access Easement Areas

- Approved as Use Permit by County Board

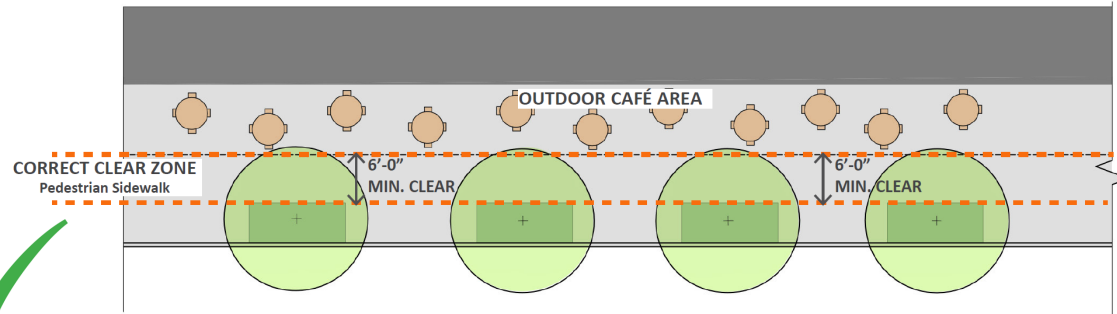




# Summary of Recommendations- Public Property

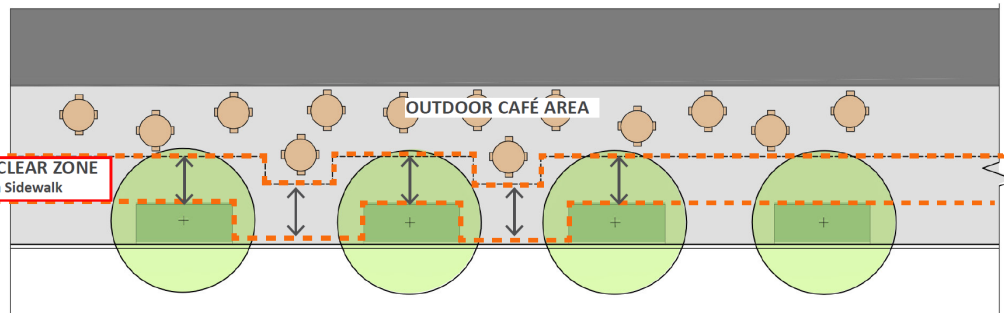
## Clear Sidewalk

- 6' straight, unobstructed pedestrian clear zone must be maintained (*unless greater as required by site plan*)



The Clear Zone is measured in a consistently straight path from the closest obstructions on both sides. Six feet minimum must be left clear for pedestrians. Site Plan Conditions or Sector Plans may call for a wider clear zone.

INCORRECT CLEAR ZONE  
Pedestrian Sidewalk



The Clear Zone must be a straight path. The Clear Zone cannot zigzag or be measured from varied obstruction points along the pedestrian path.





# Summary of Proposed Zoning Amendments

- **Reflect proposed changes for the approval process:**
  - 1. Privately-owned Public Spaces (POPS)**
    - Requirement for use permit & outdoor café license
  - 2. Public Property (sidewalks)**
    - Requirement for outdoor café license
    - Clear sidewalk dimension of 6-feet (or site plan requirement, if greater)
  - 3. Private Property**
    - Use of parking spaces for outdoor café by use permit approval





# Approval Process

## Outdoor Cafes in the Public Space

- **Streamlined Administrative Process proposed**
- **Administrative Review Process- Benefits**
  - Streamlines the Review Process
  - Reduced Costs, Time and Resources for staff and applicant
  - Proposed outdoor café license





# Commission Review

- ✓ 5/9- Zoning Committee
- ✓ 5/25- Transportation Commission (info)
- ✓ 6/5- Pedestrian Advisory Committee
- ✓ 6/6- Zoning Committee Meeting
- ✓ 6/7- Chamber of Commerce
- **6/13- Economic Development Commission**
- **6/13- County Board Request to Advertise**
  - Zoning Ordinance Amendments
  - Encroachment Ordinance & Fee schedule
- **6/20- Park and Recreation Commission**
- **6/29- Transportation Commission (action)**
- **7/3- Planning Commission**
- **7/15- County Board- Action**
  - Zoning Ordinance Amendments
  - Encroachment Ordinance & Fee schedule



# Submit your feedback

- Provide your feedback, comments or questions by visiting the project page or by contacting staff



<https://www.arlingtonva.us/Government/Programs/Building/FOOD-Study>

**Staff Contact:** Brett Wallace, [bhwallace@arlingtonva.us](mailto:bhwallace@arlingtonva.us)



A photograph of an outdoor dining area, likely a patio or terrace, featuring several tables and chairs. Large blue umbrellas with the 'Cuervo' logo are prominent. A rainbow flag flies on a pole in the background. The scene is set against a clear blue sky. The text 'Thank you' is overlaid in white in the center of the image.

Thank you