REIMAGINING OUTDOOR SPACE: RESTAURANTS AND RETAIL

GUIDELINES FOR EXPANDED AND NEW OUTDOOR SEATING

JUNE 2020

coronavirus.dc.gov

DC HEALTH
GOVERNMENT OF THE DISTRICT OF COLUMBIA

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MURIEL BOWSER, MAYOR

As part of the District's Phase One reopening, outdoor space can be transformed in the following ways:

- **Restaurants** can convert sidewalk space, alleys, parking lanes and travel lanes into ***parklets and outdoor dining seating.***
- **Community organizations** (specifically, Advisory Neighborhood Commissions [ANCs], Main Street Organizations, or Business Improvement Districts [BIDs]) can turn an entire block face of parking or travel lane(s) into ***streateries***; and parts of an alley or other public space into ***dining plazas***.
- **Retailers** can use outdoor space for ***curbside pickup and delivery***.

To achieve the crucial balance of reopening restaurants and minimizing the spread of the coronavirus (COVID-19), the District has developed guidelines for how this can be done safely. These guidelines draw on the guidance of DC Health, the Centers for Disease Control and Prevention (CDC) and national/international best practices.

Applicability

The expansion and creation of new outdoor seating will be temporarily permitted for eligible restaurants and other licensed food establishments based by their Certificate of Occupancy.

Streatery, plaza, or alley closures can only be sought by Business Improvement Districts (BID), Main Street Organizations, or Advisory Neighborhood Commissions (ANC).

Use of Public Space

These guidelines demonstrate how public space can be used for expanded and new seating. It is not a one-size-fits-all approach and provides a menu of options that can be arranged to fit the needs of individual businesses, commercial districts, and neighborhoods. Applicants can apply for new and expanded seating at the following locations:

Restaurants Only

Sidewalks

- Immediately in front of the restaurant; and
- Adjacent space with written consent from the adjacent ground-floor business or property owner.

Parking spaces

- Immediately in front of the restaurant (also known as a Parklet); and
- Adjacent spaces with written consent from the adjacent ground-floor business or property owner.

Community Organizations Only

Streatery: An entire block face of parking or travel lane(s); and

Dining plaza: Portions of an alley or other public space.

Public Space Design Requirements

Businesses should measure the width of the sidewalk between the curb and face of building to determine an accurate width of the adjacent sidewalk. The following are minimum distances required for all uses of public space; some will need clear delineation with tape on the ground:

- 6-foot minimum pedestrian clear path on sidewalk (some locations may have a larger minimum to maintain the existing sidewalk clearance);
- 4-foot buffer between the outdoor seating area and the pedestrian clear path (the buffer can include lightweight easily movable furnishings);
- 6-foot spacing from back of chair to adjacent tables;
- 4-foot buffer between outdoor seating and an adjacent business frontage (unless the applicant receives written consent to expand in front of the neighboring business);
- If the existing sidewalk cafe is an enclosed café, it must always operate as an unenclosed cafe, regardless of weather; and
- 3-foot clearance from fire hydrants.

Barriers

For extended seating in the parking lane, such as a parklet, please refer to DDOT's Parklet Guidelines for details and note that a raised platform is not required during Phase 1, but a temporary Americans with Disabilities Act (ADA) ramp will be required.

Streateries, which extend seating along an entire block face or more, require that each end of the block be protected by NCHRP 350-TL-1 Longitudinal Barriers (i.e., jersey or water-filled barriers). The District Department of Transportation (DDOT) will determine the barrier needs and requirements based on the street classification, volume, and speed. For a full street closure of all travel lanes to create a Streatery, a heavy-duty vehicle with a driver will be required to allow access to a required 20-foot Fire Lane.

Applicants may provide additional buffering in the form of planters, potted plants, milk crates, straw bales, or similar design elements for aesthetics purposes only, and they are not considered to be barriers.

Furniture

Furniture can include tables, chairs, and table umbrellas. Tents larger than 10-feet x 10-feet are not permitted.

Spacing

Seating shall be spaced 6 feet apart from seats at adjacent tables and a 6-foot pedestrian path must be maintained.

Graphic Depictions

Diagrams on the following pages use a consistent family of parts to show how public space can be used for expanded restaurant seating.

While queuing, there should be markings on the ground 6-feet apart to indicate spaces in the queuing line.

BARRIER

DDOT approved barrier for restaurants using a part of the roadway.

BARRIER

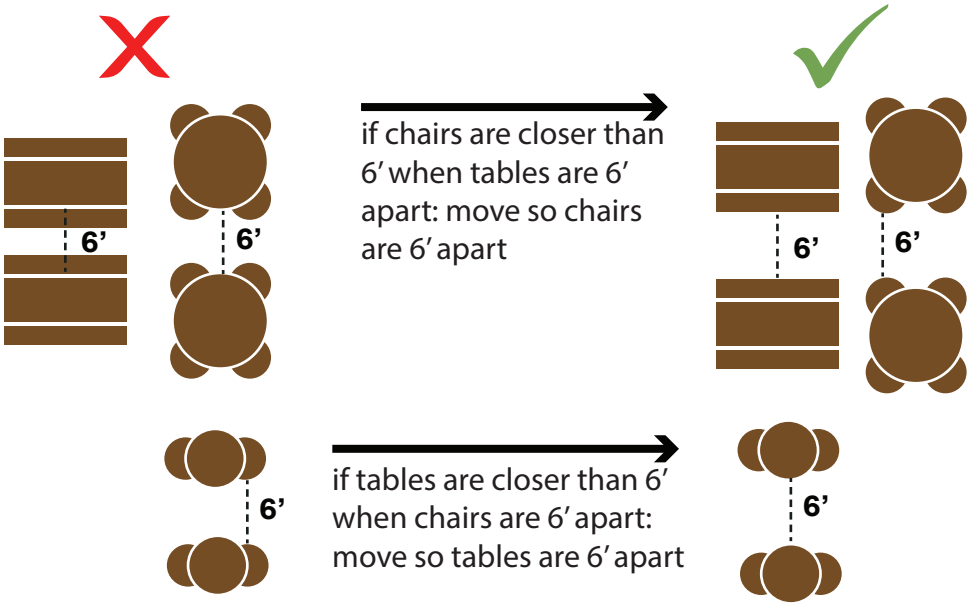
Black barriers indicate a heavy-use barrier such as water-filled or jersey.

ADA ramp

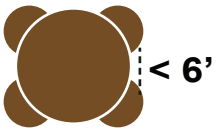
Any outdoor seating not at side-walk level is required to have ADA access to the seating

Restaurant Seating Spacing

Restaurants are encouraged to use their existing furniture for outdoor seating, provided a minimum of 6 foot spacing of chairs at adjacent tables is always maintained.



it is ok if chairs at the same table are not spaced 6’ from eachother



Restaurants with Exiting Sidewalk Seating

Minimum Social Distancing Standards

Adjacent Pedestrian Path: 6 feet

Buffer between Tables: 6 feet

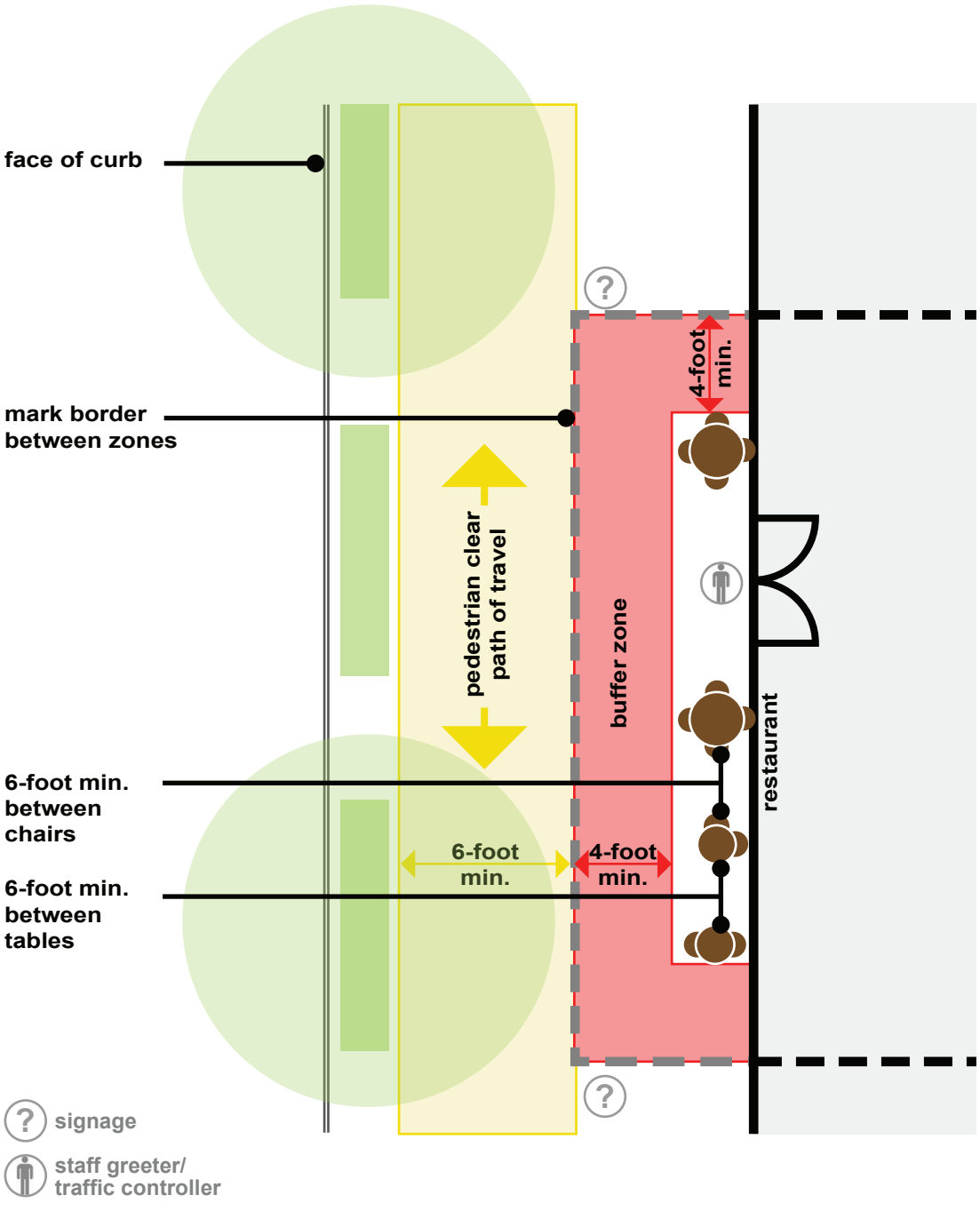
Buffer between Pedestrian Path and Tables: 4 feet

Required Delineations with Tape

Clear Sidewalk Width

Buffer Between Tables

Buffer Between Tables and Pedestrian Path



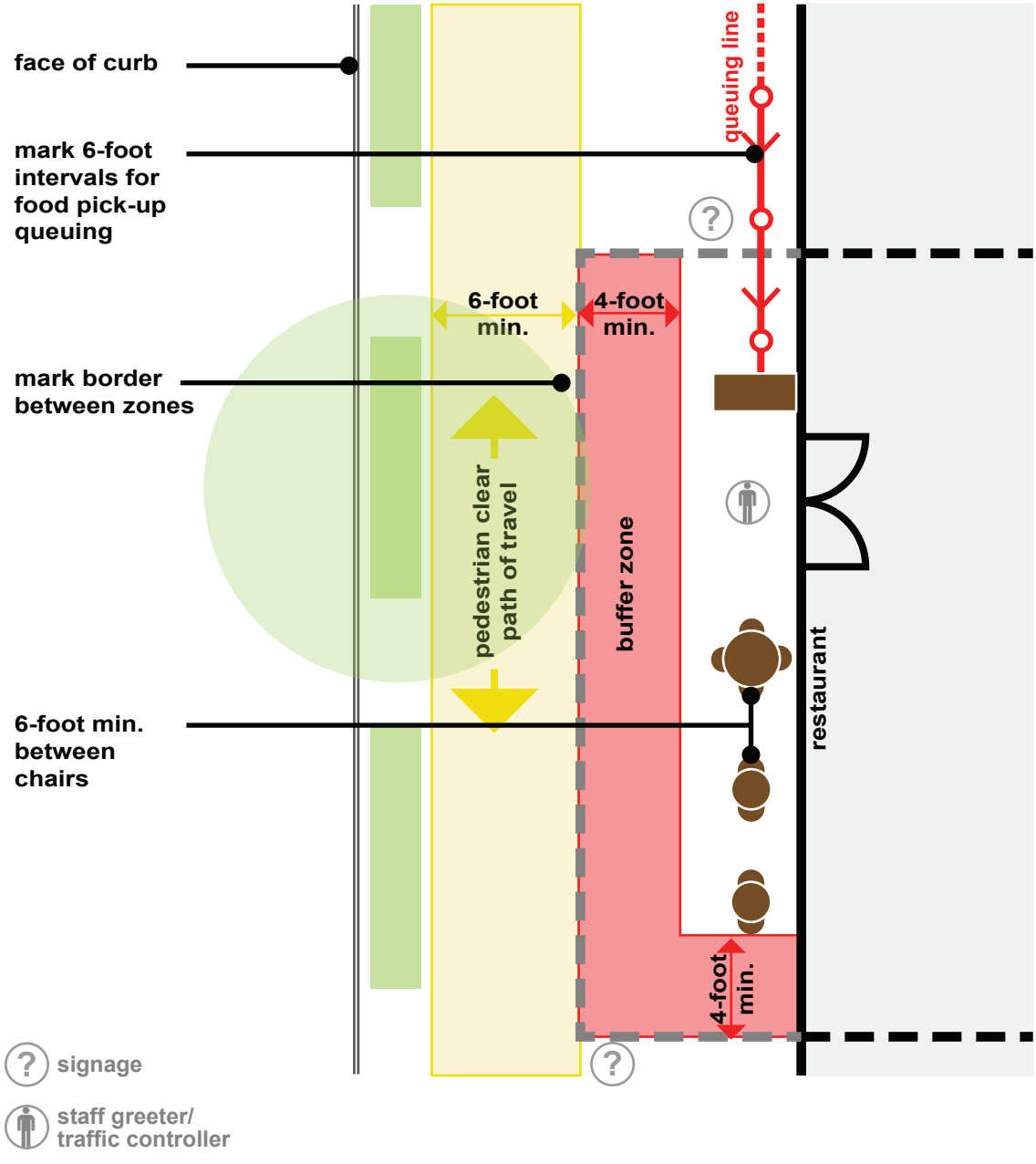
Restaurants with Exiting Sidewalk Seating and Pick-Up Zone

Minimum Social Distancing Standards

Adjacent Pedestrian Path: 6 feet
Buffer between Tables: 6 feet
Buffer between In-line Customers: 6 feet
Buffer between Pedestrian Path and Tables: 4 feet

Required Delineations with Tape

Clear Sidewalk Width
Buffer Between Tables
Buffer Between Tables and Pedestrian Path
Customer Queuing and Spacing



sidewalk seating with food pick-up

Restaurants with Parklet Seating

Minimum Social Distancing Standards

Clear Adjacent Sidewalk Width: 6 feet

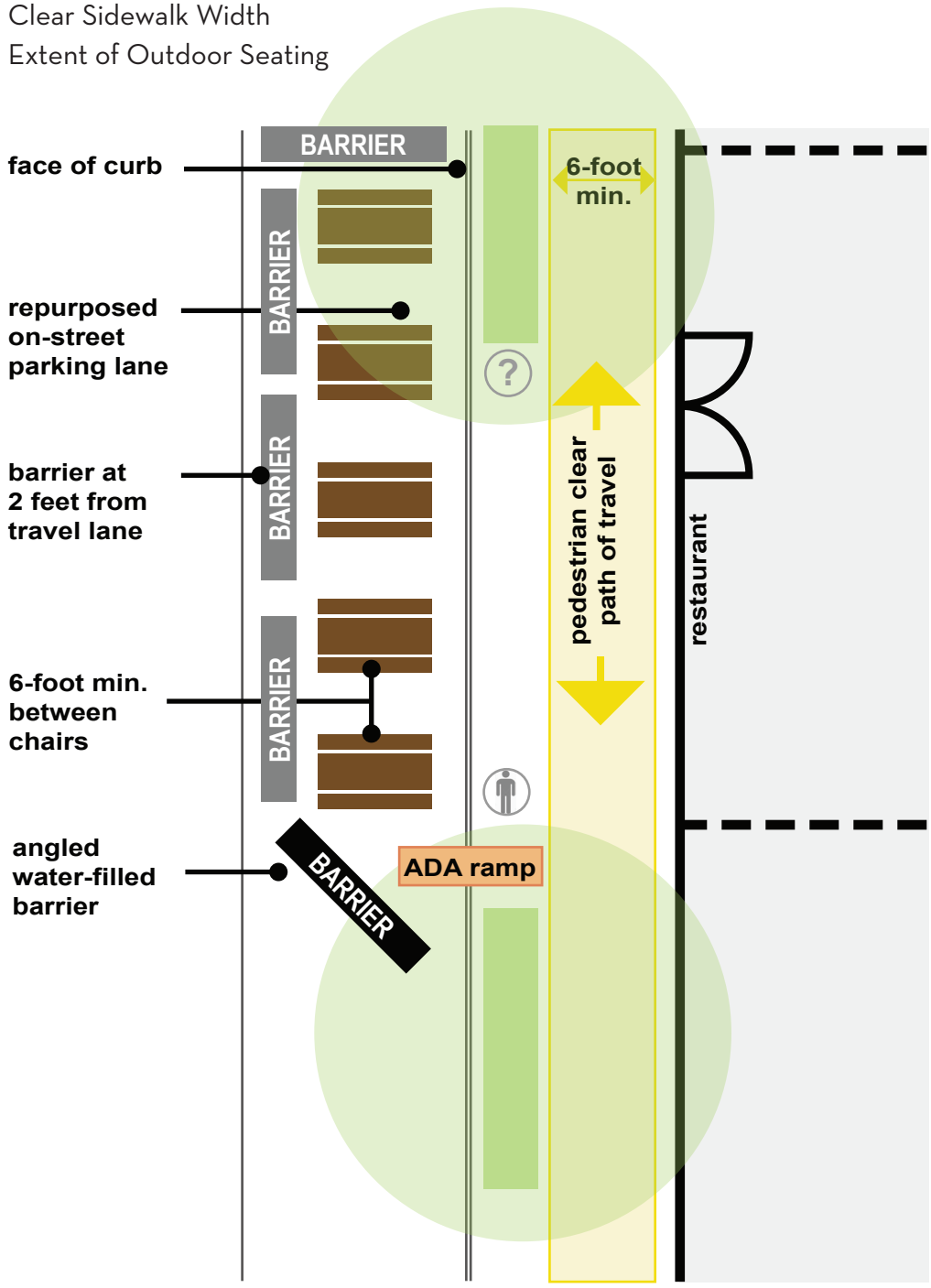
Outdoor Seating Area: 6 feet or more

Distance Between Tables: 6 feet

Required Delineations with Tape

Clear Sidewalk Width

Extent of Outdoor Seating



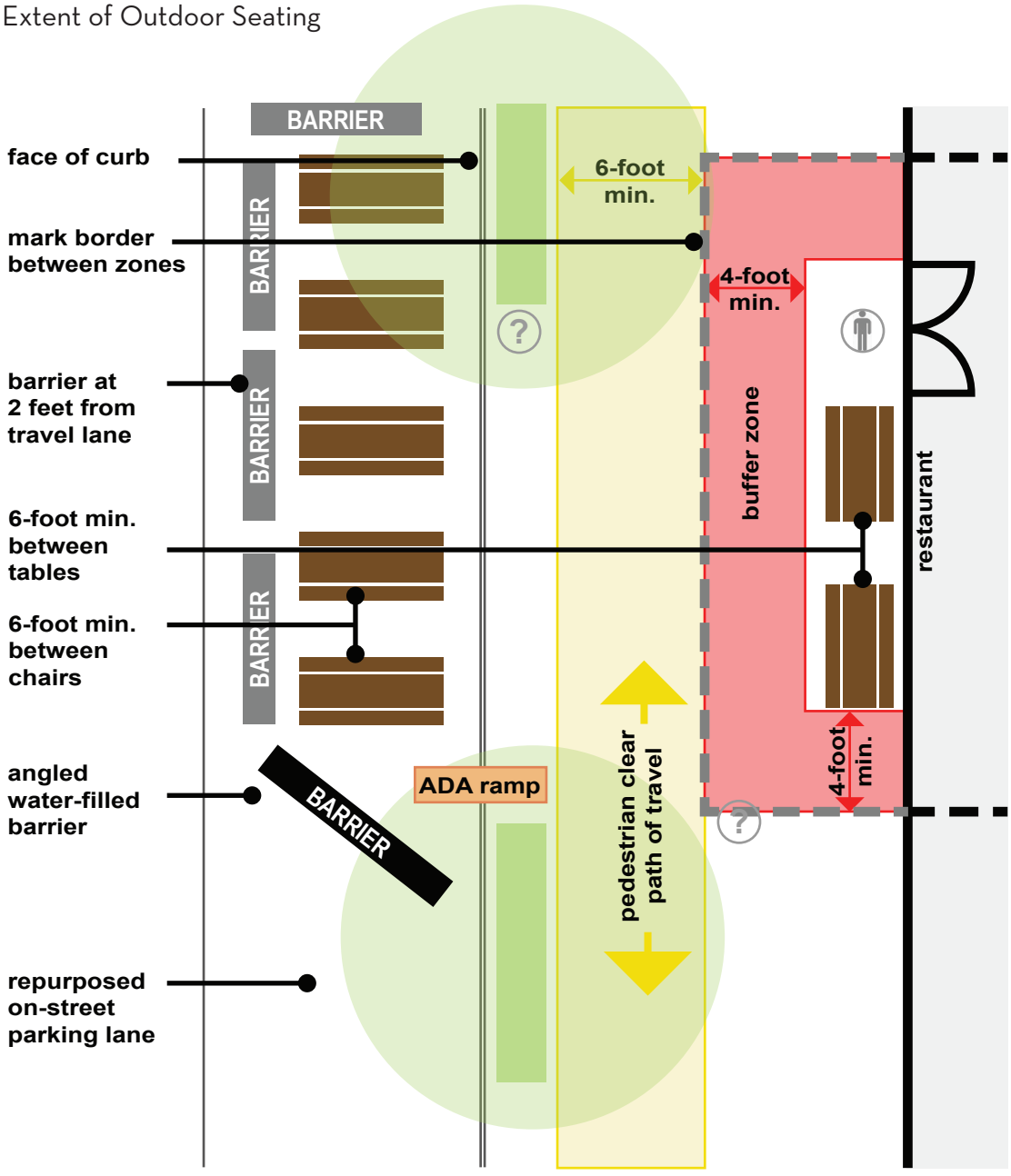
Restaurants with Parklet Seating

Minimum Social Distancing Standards

Clear Adjacent Sidewalk Width: 6 feet
Outdoor Seating Area: 6 feet
Distance Between Tables: 6 feet
Buffer between Pedestrian Path and Tables: 4 feet

Required Delineations with Tape

Clear Sidewalk Width
Extent of Outdoor Seating



sidewalk seating with parklet seating

Alley Extension

This option expands seating into alleys with extra legs that are not needed for circulation. This could be for seating associated with a specific restaurant or general seating for multiple restaurants, food trucks, or sidewalk vendors. DDOT will evaluate circulation needs and coordinate with Fire and Emergency Services (FEMS) to determine what is appropriate.

Minimum Social Distancing Standards

Distance between tables: 6 feet

Fire lane: 20 feet

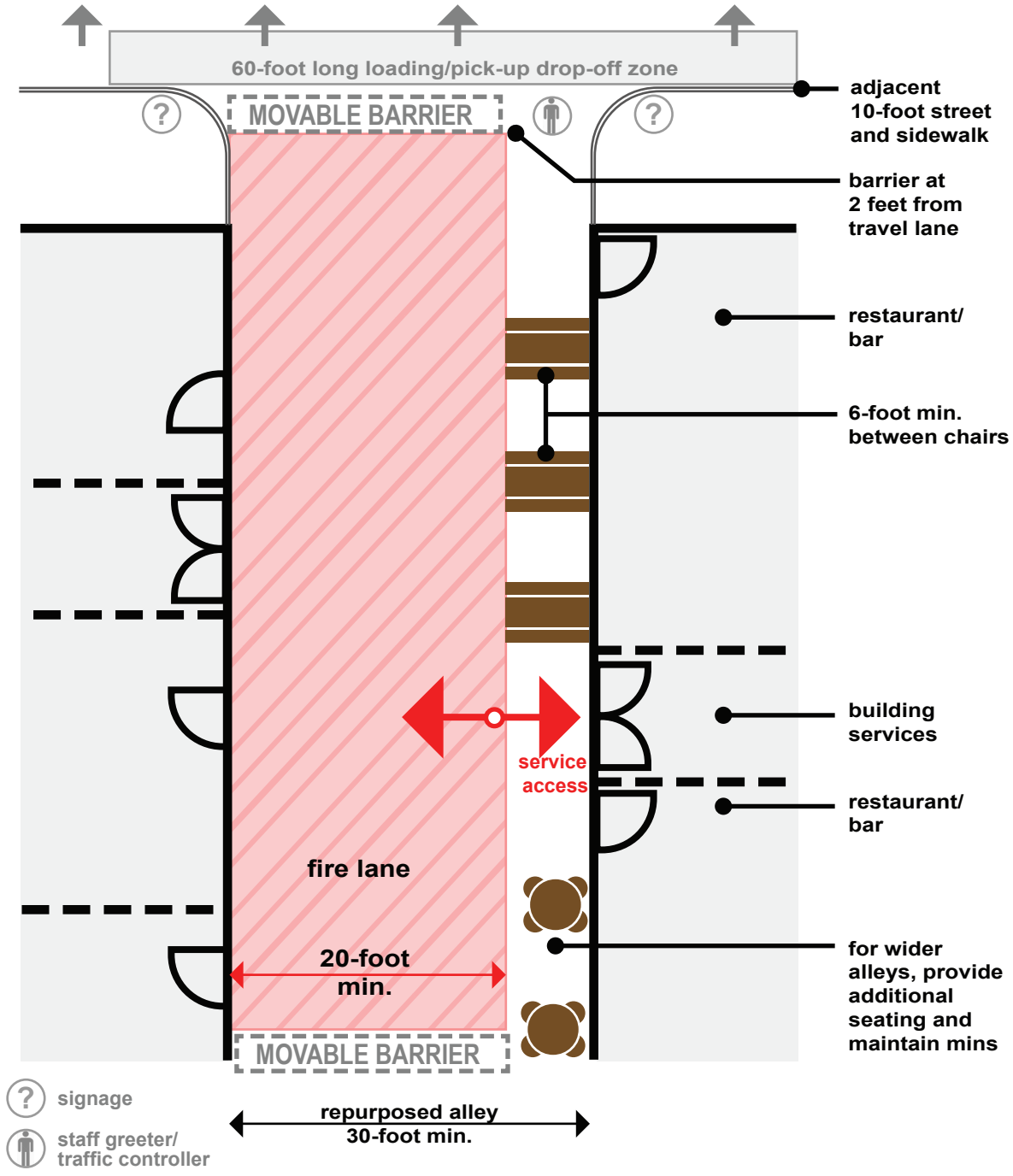
Clear path to service entrances: 6 feet

Required Delineations with Tape

Fire lane

Seating area

Vehicle barriers



Plazas

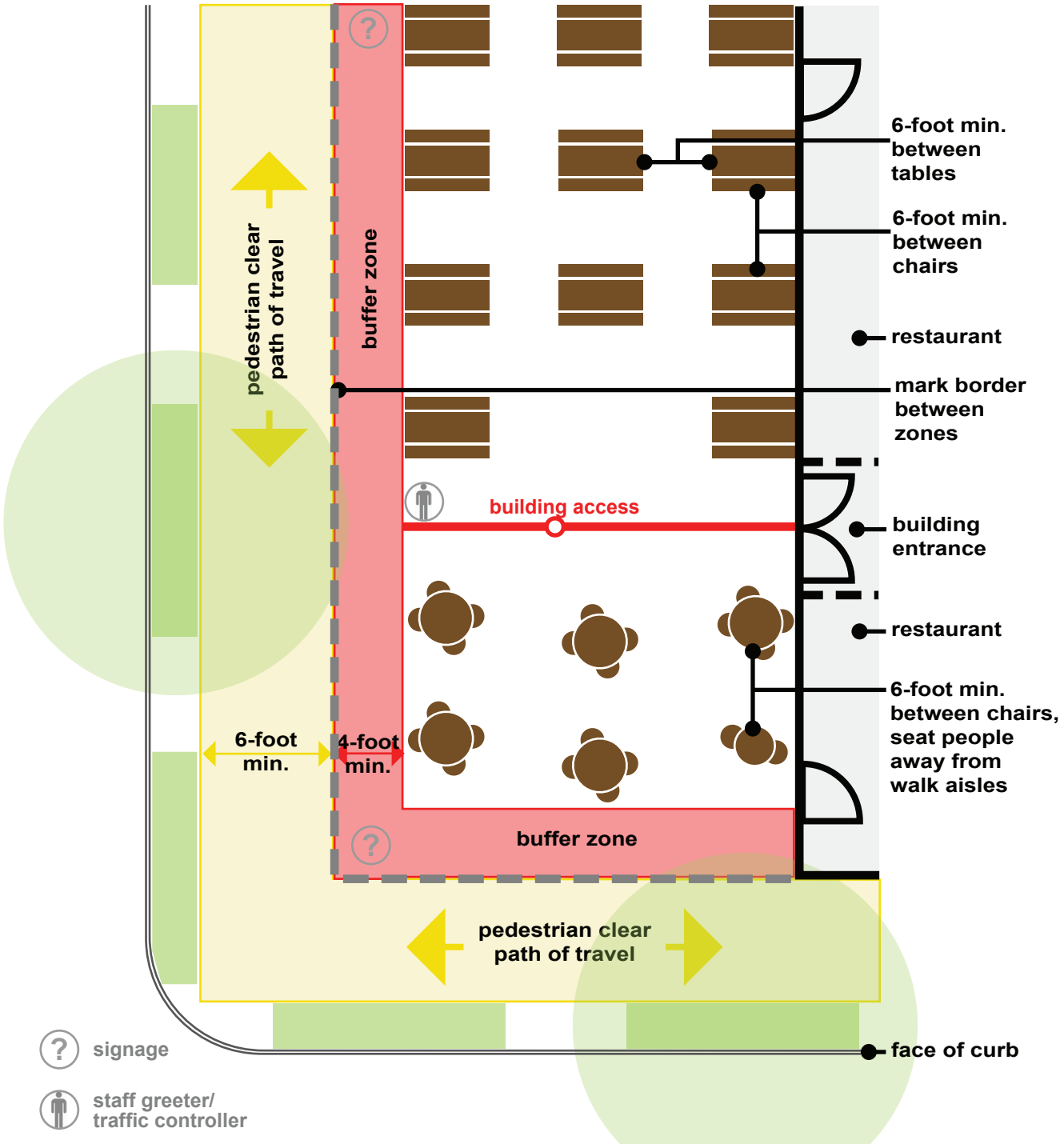
This option expands seating into wide public spaces areas. This seating can be associated with a specific restaurant or general seating for multiple restaurants, food trucks, or sidewalk vendors; however, it must be applied for by a community organization.

Minimum Social Distancing Standards

- Distance between tables: 6 feet
- Clear pedestrian path: 6 feet
- Clear path to building entrances: 6 feet
- Buffer between pedestrian path and tables: 4 feet

Required Delineations with Tape

- Clear sidewalk width
- Seating area
- Clear path to building entrances



plazas

Streateries

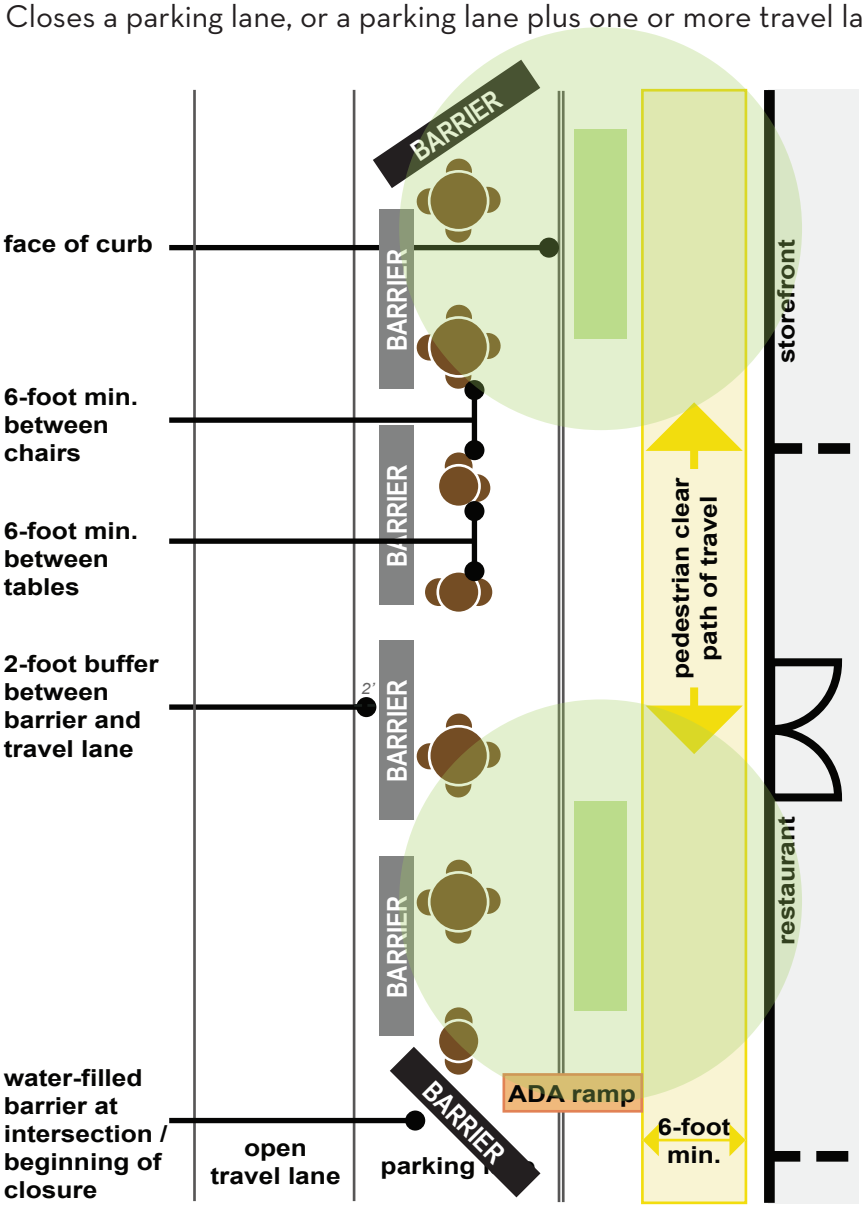
A Streatery expands beyond individual parklets and closes one or more lanes of an entire block. Streateries are not festivals or one-time special events, but temporary lane or road closures that facilitate well-ventilated, safe dining options that adhere to the District's social distancing requirements during the COVID-19 pandemic. Most streets may not be eligible for use as a Streatery due to transportation impacts and will be subject to a detailed transportation assessment and determination by DDOT.

Eligible Applicants

Must qualify as a Business Improvement District (BID), Main Street Organization, or Advisory Neighborhood Commission (ANC). Individual restaurants are not eligible to apply.

Lane Closure: One or More Travel Lanes

Closes a parking lane, or a parking lane plus one or more travel lanes to vehicle traffic, but not the entire roadway.



signage

staff greeter/ traffic controller

streateries
option 1
one or more travel lane closure

Locations

- Approximately 75 percent or more of the ground-floor street frontage consists of commercial uses; and
- Vehicle speeds of 25 mph or less.

Lane closures are not permitted on:

- Interstates, Other Freeways or Expressways; and
- Two-way streets with only two lanes of travel whose closure results in a one-way vehicle circulation.

Duration

24 hours, seven (7) days a week for the duration of the public health emergency.

Conditions

Lane closures should:

- Not have an adverse impact on fire lanes, fire hydrant access, or other emergency vehicle response; and
- Not interfere with access to private property (e.g., driveways, delivery/loading zones, parking garages).

Lane Closure: All Travel Lanes

Temporarily closes an entire roadway to vehicle traffic for a specified time period. Restaurants will be able to expand their dining service into the parking lane and all travel lanes.

Locations

Applicants may apply for a part-time block closure on blocks where approximately 75 percent or more of the ground-floor street frontage consists of commercial uses.

Block closures are not permitted on:

- Interstates, other freeways or expressways, or principal arterial segments;
- Roadway segments with emergency facilities (e.g., fire station, police station, etc.); and
- WMATA Bus Routes (Metrobus major routes, local routes, or commuter routes); DC Circulator Routes; DC Streetcar Routes.

Duration

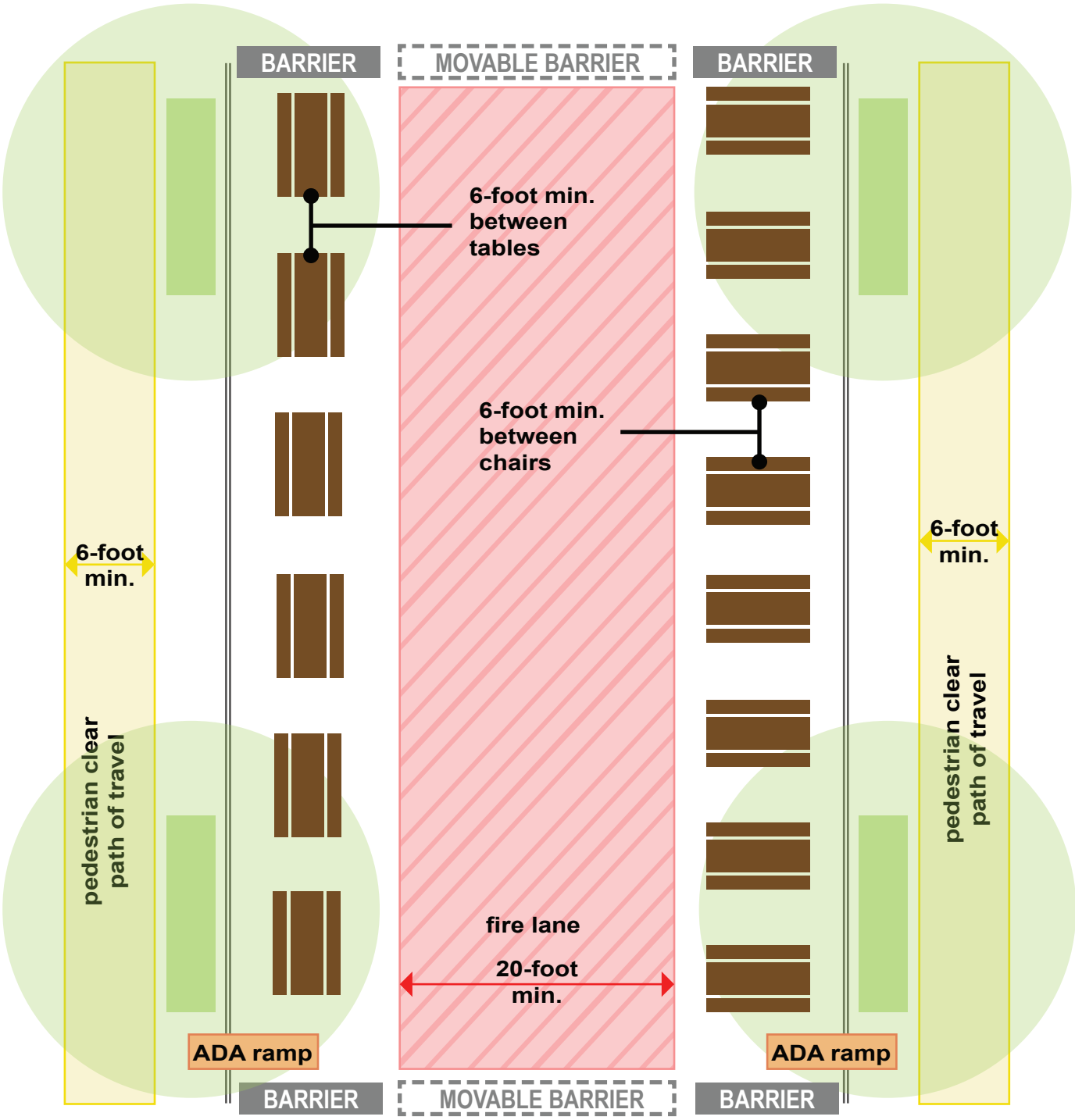
Part-time block closures would close a roadway to vehicle traffic during the following times:

- Thursdays and Fridays from 4:00 p.m.to 11:00 p.m. (happy hour and dinner)
- 10:00 a.m. Saturday to 10:00 p.m. Sunday (breakfast, brunch, lunch, dinner)

Full-time block closures would close all travel lanes, the entire roadway to vehicle traffic for 24 hours, seven (7) days a week. Restaurants would be able to expand their dining service into the entire roadway, except for the designated fire lane.

Conditions

- Closures will not have adverse impact on fire lanes, hydrant access, or other emergency vehicle response;
- A heavy-duty vehicle and driver are to be located at any designated 20-foot fire lane;
- Closures should not interfere with access to private property (e.g., driveways, delivery/loading zones, parking garages);
- Restaurants should bring in furniture one hour before the end of the block closure;
- Consider impacts that may require rerouting WMATA Bus Routes, DC Circulator Routes, and DC Streetcar Routes; and
- All elements in the roadway should be removed during the times specified for Department of Public Works (DPW) street sweeping or for regular cleaning by a designated Clean Team.



streateries
options 2 & 3
all lanes closure: part-time & full-time

signage

staff greeter/
traffic controller

Registration and Permitting

All restaurants requesting new or expanded outdoor space must register at coronavirus.dc.gov/phaseone. Following registration, businesses with an existing sidewalk cafe permit are authorized to begin operations upon receipt of registration confirmation. Others businesses must file a public space permit online at tops.ddot.dc.gov after registration.

Public Space Use	Registration Required on Google Form	Permit Required in TOPS	Permit Type in TOPS	When Operations Can Begin
Existing Sidewalk Cafe - No Change to Perimeter	No	No	N/A	Immediately
Existing Sidewalk Cafe with use of Expanded Space	Yes	Yes	Temporary Sidewalk Table Service*	Upon Completing Registration
New Sidewalk Table Service	Yes	Yes	Temporary Sidewalk Table Service*	Upon Completing Registration
Parklet	Yes	Yes	Parklet**	Upon Permit Approval
Streatery	Yes	Yes	Other Special Event*	Upon Permit Approval
Plazas & Alleys	Yes	Yes	Other Special Event*	Upon Permit Approval

*Found in the Occupancy section of TOPS
**Found in the Public Space Rental/ Annual Permit section of TOPS

Insurance Requirements

All businesses operating outdoor seating areas must provide information on insurance. Please identify the appropriate category and submit a Certificate of Insurance verifying that the applicable coverages are in place, as provided in the tables below.

Additionally, the Certificate of Insurance must reflect that the Government of the District of Columbia:

- Is named as certificate holder.
- Is named as an additional insured.
- Was issued a waiver of subrogation.

Questions – orm.insurance@dc.gov

Restaurant/Sidewalk Café in addition to store front (no alcohol served):

Coverage	Occurrence Limit	Aggregate Limit
General Liability	$1,000,000	$2,000,000
Auto Liability (if applicable)	$1,000,000	Not Applicable
Umbrella Liability	$2,000,000	$2,000,000

Restaurant/Sidewalk Café in addition to store front, serving alcohol:

Coverage	Occurrence Limit	Aggregate Limit
General Liability	$1,000,000	$2,000,000
Auto Liability (if applicable)	$1,000,000	Not Applicable
Liquor Liability	$1,000,000	$1,000,000
Umbrella Liability	$3,000,000	$3,000,000

FAQs

When can a restaurant with existing or expanded outdoor seating begin to operate?

Beginning Friday, May 29, 2020, every restaurant with existing or new outdoor seating on the sidewalk area must register online at coronavirus.dc.gov and are eligible to open immediately once the registration process is completed. Restaurants that are not expanding their seating do not have to register. Parklets and Streateries require an additional TOPS application and approval before they can begin to operate in the proposed curb or travel lane.

Which type of permits will the ANC review?

Given that these uses of public space are temporary, ANC review is not required, except for Level 3 Streateries.

How long are the permits valid?

All permits for outdoor seating and pick-up/drop-off are set to expire on July 24, 2020 along with the Public Health Emergency designation and are subject to renewal.

How does the "6-foot rule" work for restaurant seating?

If customers are at a table together, they do not need to be 6 feet apart. Each table needs to be at least 6 feet from other tables measured from the back of each chair, chair-to-chair, unless appropriate partitioning is in place.

Can I have a pick-up space and a parklet on a street?

Yes, depending on existing dimensions and support by adjoining businesses that would allow a restaurant enough vehicles spaces to accommodate both uses.

Will Parklets require a raised platform to level with the sidewalk?

No, these temporary parklets and Streateries are not required to have a platform but need to provide a moveable ADA ramp to the seating area from the sidewalk.

Alcoholic Beverage Regulation Administration (ABRA) Related

Who is eligible to participate?

On-premises retailer licensees (Convention Center food and alcohol retailers, hotels, multipurpose facilities, nightclubs, private clubs, restaurants, and taverns), common carriers, and manufacturers with an on-site sales and consumption permit.

Can licensees expand their licensed sidewalk cafes or summer gardens?

Yes—but all licensees must first register and receive approval. Licensees seeking to expand seating onto public space (sidewalk, parklet, or a designated food and retail zone) require DDOT approval. Licensees seeking to expand onto private property must also complete the same registration form but will be prompted to bypass non-applicable questions. DDOT approval is not required for outdoor seating on private property.

Are rooftops eligible?

New and expanded outdoor dining seating is only allowed on ground and street level. Rooftops currently licensed as summer gardens may be used and all guidelines above apply, including seating configurations, patron queueing, and shade structures.

Can licensees share outdoor dining space?

No.

Is there a prepared food requirement?

Yes. Licensees must have a food menu in use containing at least three (3) prepared food items and require the purchase of one or more prepared food items per table. Prepared food items cannot be a pre-packaged snack such as chips, pretzels, cookies, candy bar, or nuts.

Any food items sold and/or served must be prepared on premise by the licensed entity, or off premise at another licensed entity, or an entity that is deemed approved to sell and/or serve food by DC Health.

Is BYOB permitted?

No. Patrons are prohibited from bringing and consuming their own alcoholic beverages.

Is a licensee's expanded outdoor dining space subject to provisions included in an existing Settlement Agreement?

No.

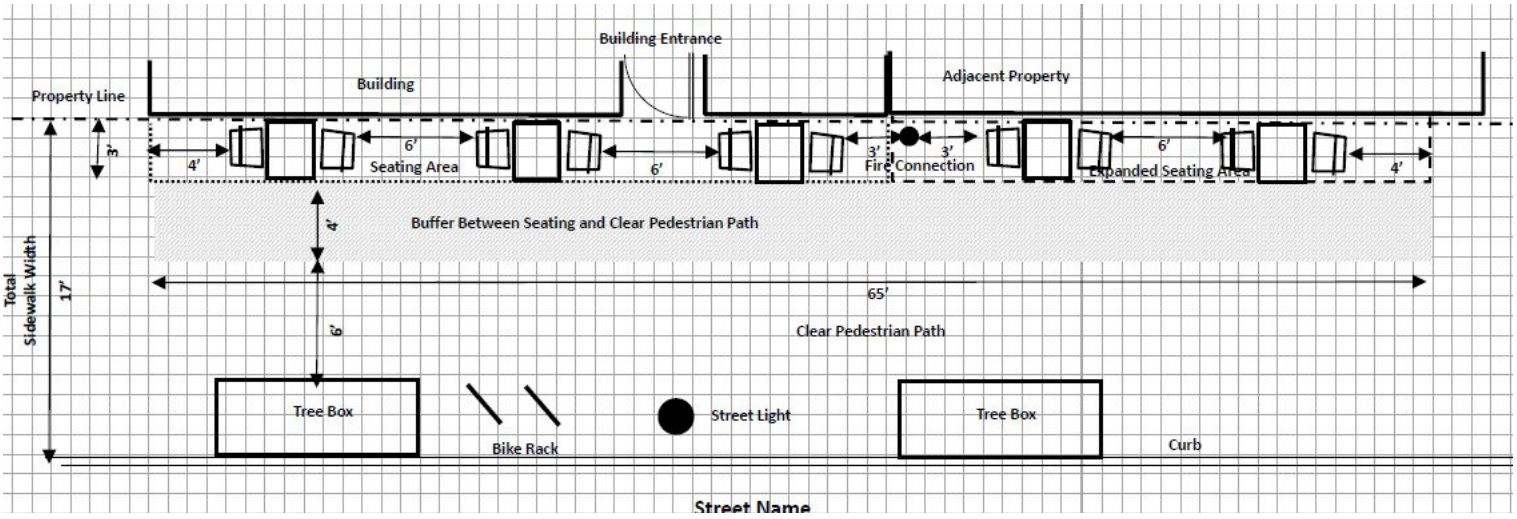
Is a licensee's existing sidewalk café or summer garden on its license subject to provisions in an existing Settlement Agreement?

Yes. The parties to a Settlement Agreement that address currently licensed outdoor dining can petition the ABC Board to waive specific provisions for up to 180 days.

Additional FAQs related to ABRA can be found here.

Seating Areas Site Plan Examples and Checklist

Site plans for seating areas need to include dimensions showing appropriate distances are being met between clear pedestrian paths in the sidewalk, seating areas, and tables and chairs within the seating areas. The example below shows the elements and dimensions that must be included on the site plan.



Seating areas must meet certain requirements to comply with safety standards reviewed by several District agencies. They are listed below:

1. Accurate Site Plan (and in some cases elevations)

Site plans need to include every element located in public space around a seating area and be drawn to scale (see sample plans and template available for applicants to create site plans for outdoor seating areas):

- Property Line
- Street Trees
- Streetlights
- Tables and Chairs
- Delineation of Seating Area
- Delineation of Expanded Seating Area (if appropriate)
- Dimension Showing Adequate Social Distancing
- 4-foot buffer Between Seating Area and Adjacent Clear Pedestrian Path

Note: Elevations are needed for all outdoor seating areas proposing awnings, umbrellas, planters, and fences.

2. Site Layout and Fixtures

Location of tables, chairs, and other fixtures needs to be shown on the site plan and meet the following criteria:

- 6-foot distance between tables chairs
- 4-foot buffer between seating area and adjacent clear pedestrian path in the sidewalk
- 4-foot buffer between seating at either end of the seating area and the edge of the seating area
- 8-foot clearance from sidewalk to lowest points on an umbrella, tent, or canopy (if applicable).
- 3-foot clearance from fire connections
- Seating areas can be enclosed with a fence of temporary planter up to 36 inches in height, but must be open above 36 inches on all sides:
- 36 inches maximum height for all planters (this includes vegetation within planter)
- 36 inches maximum height for all fences that also must be predominantly open in design
- Trash storage is not allowed within a seating area or in the vicinity of a seating area.

3. Adjacent Sidewalk Width

The clear sidewalk around a seating area must maintain a minimum 10-foot width between the seating area and the nearest obstruction like a streetlight, tree box, or regulatory sign pole.

- 4-foot minimum buffer zone between seating area and the adjacent clear pedestrian path
- 6-foot clear pedestrian path between the buffer zone and the nearest obstruction
- 15 foot from adjacent bus stops

Relevant Existing Regulations and Standards

Prior to the COVID-19 pandemic, the District created policies and guidelines that regulate public space. These regulations assisted staff in creating the guidelines in this document and may help applicants understand how the public space will be regulated once the pandemic ends. Please review the list below of the District's current public space regulations.

General

District of Columbia Municipal Regulations, Titles 11, 12-A, and 24
Public Realm Design Manual
DDOT Design and Engineering Manual
Streetscape Design Guidelines

Sidewalk Cafés

Parklet Guidelines

Park(ing) Day Event Guidelines

Block Party (Not permitted in Phase 1) For Reference Only