

APPLICATION FOR ADMINISTRATIVE APPROVAL FOR PUBLICLY ACCESSIBLE TEMPORARY OUTDOOR SEATING AREA (PATOSA)



Office of the County Manger
 2100 Clarendon Boulevard, Suite 302, Arlington, Virginia 22201
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 countymanager@arlingtonva.us

Filing Instructions

Applicants that wish to create a publicly accessible temporary outdoor seating area or enhance an existing outdoor seating area may submit applications and supporting materials to Kate Paine at kpaine@arlingtonva.us.

1. Read all applicable guidelines and complete application
2. Prepare all supporting materials listed under 'Checklist of Additional Submission Materials'
3. Submit application and supporting materials via email to kpaine@arlingtonva.us
4. Questions? Email kpaine@arlingtonva.us.

APPLICANT INFORMATION:			
Name:		Date:	
Address:		Phone #:	
Email Address:		Back Up Contact Name and Phone #:	
OUTDOOR SEATING			
NOTE: CAREFULLY READ THROUGH THE GUIDELINES BEFORE FILLING OUT THIS SECTION			
Property Address:		RPC# (Real Property Code):	
Type of property:	This property is a:		Existing Seating Area:
<input type="checkbox"/> Privately-owned Property with a Public Easement <input type="checkbox"/> County-owned Property	<input type="checkbox"/> Plaza <input type="checkbox"/> Parking Space <input type="checkbox"/> Park <input type="checkbox"/> Street <input type="checkbox"/> Sidewalk <input type="checkbox"/> Other: _____		<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe location of proposed publicly accessible outdoor seating (plaza, park, sidewalk, street, etc.)			
Seating area size (square feet):		Seating area dimensions (length & width):	
Seats <i>Number of existing seats:</i> <i>Number of proposed new seats:</i>		Tables <i>Number of existing tables:</i> <i>Number of proposed new tables:</i>	
Description of other proposed elements (tents, heaters, etc.) - Include quantity, dimensions, material: Please be advised that structures larger than 120 square feet require a building permit. Heating elements require a Fire Prevention Permit.			
Are any of the following streetscape items currently with the proposed seating area (check all that apply):			
<input type="checkbox"/> Bike Rack <input type="checkbox"/> Parking Meter	<input type="checkbox"/> Trash Can <input type="checkbox"/> Fire Hydrant	<input type="checkbox"/> Tree Pit <input type="checkbox"/> Street Light	<input type="checkbox"/> Permanent Signage <input type="checkbox"/> Telephone / Electric Pole

CHECKLIST OF ADDITIONAL SUBMISSION MATERIALS

NOTE: CLEARLY LABEL ALL DRAWINGS, MAPS, AND PHOTOS

Provide the following items that depicts the EXISTING site, including area where outdoor seating is proposed:

- Aerial Map
- Photographs
- If available, a survey plat, drawings, or plans

Provide a Plat/Site Plan that depicts the PROPOSED publicly-accessible seating area. The Plat/Site Plan shall be inclusive and show the following:

- Existing site conditions, including any streetscape items previously listed (tree pits, etc..)
- Location and number of seats and tables
- Location of other temporary elements such as tents, canopies, umbrellas, planters, etc...
- Location of portable outdoor heaters / heating elements
- Minimum distance of 6 feet between tables or seating clusters
- Maximum of 10 people per table or seating cluster
- Minimum clear sidewalk width of 6 feet for pedestrian passage on public sidewalk and in public space
- Elements in plat/site plan are drawn to scale and illustrate the minimum clearances as indicated above
- ADA accessible elements
- Photos or renderings of proposed elements

Provide the following only if the PATOSA is on private property not owned by the applicant:

- Statement of Consent from Property Owner to include owner's name, title, address, phone number and email
- Not applicable

If available, please also provide the following to assist the County staff's review (do not contact the County for this information):

- Copy of existing landscape plan or similar
- Not applicable

REQUIREMENTS AND GUIDELINES FOR PUBLICLY ACCESSIBLE TEMPORARY OUTDOOR SEATING AREA (PATOSA)

In order to ensure the health and safety of the general public, applicants that would like to establish a publicly accessible temporary outdoor seating area will need to adhere to certain requirements and guides which are outlined below, and may vary based on the proposed location and elements of the PATOSA.

MANDATORY REQUIREMENTS FOR ALL PATOSAS:

1. All elements of the PATOSA must be fully accessible to the public. Direct commerce in designated areas not allowed unless otherwise allowed by County ordinance. Applicant understands and agrees that the PATOSA is not for the exclusive use of the applicant. Seating is available to the public on a first-come-first service basis, and applicant shall not exclude certain persons or businesses from using the PATOSA. This restriction shall not apply to applicant requesting law enforcement assistance in dealing with unruly, violent or destructive patrons, or otherwise requesting the enforcement of any applicable laws.
2. In addition to the PATOSA requirements, applicants must abide by all federal, state, and local laws and regulations, including temporary measures that have been created in response to COVID-19 crisis, which include, but are not limited to, the Governor's Executive Order 61 and Executive Order 62, the Uniform Statewide Building Code, the Virginia Statewide Fire Prevention Code, all applicable Health Department laws and regulations, ADA requirements, and all County Ordinances and regulations not modified, waived, or suspended under the Continuity of Governance Ordinance.
3. Applicant is responsible for installation, maintenance and removal of temporary seating and other elements
4. Permanent elements of the existing plaza or open space must not be removed or made inaccessible, unless through the permit application there was an explicit trade-off of existing and enhanced seating elements for the purposes of public health or circulation
5. All elements shall not impact any utilities, parking meters, signs, street lights, trees, and landscaping elements.
6. Umbrellas, canopies, or awnings shall not hang over adjacent clear paths designated for public circulation.
7. If the plaza is adjacent to public sidewalks, public sidewalks must maintain a minimum of six feet for accessible pedestrian passage.
8. Proposed modifications must not impede existing fire lanes, access, egress, FPF, hydrants, etc.
9. Tables and other group seating structures (picnic tables, cabanas, etc.) must be spaced at least six feet apart.
10. Seating areas and individual seats must be clearly defined. Tables without clearly defined seats will not be allowed.
11. Structures shall be temporary in nature and not affixed to the ground or adjacent buildings; however temporary structures may be used to winterize existing permanent furniture elements.
12. Permits are valid until the County determines otherwise. They will be subject to periodic review, and may be terminated at any time, especially if detrimental impacts to other uses in the public eased area, neighboring properties, or the broader community cannot be effectively mitigated.
13. To the extent the applicant wishes to establish a PATOSA on a site owned or controlled by the County, the applicant shall comply with all County requirements to gain access to the site, including but not limited to entering into any necessary agreements with the County and obtaining permissions from any additional property owners.

APPLICANT DISCLOSURE AGREEMENTS:

___ The undersigned attests that all the information herein provided is true, correct, and accurate to the best of their knowledge.

___ The undersigned acknowledges that approval of the PATOSA is temporary, is subject to periodic review, and may be terminated at any time by Arlington County.

___ The undersigned agrees to comply with all PATOSA Mandatory Requirements and Guidelines that pertain to the specific location of the PATOSA. Failure to comply may result in the revocation of the PATOSA approval and removal of the PATOSA.

___ The undersigned attests that all the requirements set forth in all applicable federal, state, and local laws, ordinances, and regulations, including, by way of illustration and not limitation, those administered by the Governor of Virginia, the Virginia Alcoholic Beverage Control Board, and the following Arlington County departments: the Zoning Office, the Inspection Service Division, the Community Code Enforcement Office, the Police Department, the Fire Marshal's Office, the Department of Environmental Services, and the Department of Human Services.

Applicant Signature

Date