

REIMAGINING OUTDOOR SPACE: RESTAURANTS

DRAFT GUIDELINES FOR EXPANDED AND NEW OUTDOOR SEATING

MAY
2021



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DISTRICT OF COLUMBIA
DC MURIEL BOWSER, MAYOR

As part of the District’s ReOpen DC effort during the COVID-19 public health emergency, 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***.

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.

This document will help interested applicants understand the design guidelines for streateries and the review process needed for approval. The streatery guidelines may be used for the duration of the District’s COVID-19 public health emergency. Upon termination of the public health emergency, the District anticipates issuing revised guidance to restaurants and community organizations regarding the continued use and treatments of public space. Certain provisions in this document are special accommodations during the public health emergency and, as such, are subject to change at the completion of the public health emergency.

Please look to DDOT’s [Parklet Guidelines](#) for existing guidance for permanent modifications to public space.

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Applicability

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

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

Sidewalk

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

Parking Spaces/Parklet

- Immediately in front of the restaurant; 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

Alley and Dining Plaza

Portions of an alley or other public space.

General Public Space Design Requirements

The following section outlines the design requirements for expanded outdoor dining space. Permits will only be issued where these requirements can be maintained, including adequate pedestrian space and adherence to public health guidance. If Applicants are unsure if they qualify or what type of expanded dining works in their location, please reach out to DDOT at neighborhood.planning@dc.gov.

BUFFERS

Businesses or community organizations 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 on the ground:

- **6-foot minimum pedestrian clear path** on sidewalk. The pathway must be straight and cannot include the tree box area or any obstructions.
- **4-foot buffer between the outdoor seating area and the pedestrian clear path.** The buffer can include the existing treebox area if directly adjacent to the proposed seating or lightweight easily movable barriers that cannot be affixed or bolted to the ground.
- **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.
- **3-foot clearance from fire hydrants.**
- **Cannot occupy the front of a main residential entrance and needs to leave one (1) vehicle parking space for the entrance.**

If an Applicant has a pre-COVID enclosed sidewalk cafe public space permit approved by the Public Space Committee, the cafe must operate as an unenclosed cafe at all times.



THE SECTION OF THE SIDEWALK WITH TREE BOXES AND STREET FURNITURE CAN COUNT AS THE REQUIRED 4-FOOT BUFFER BUT CANNOT BE COUNTED AS PART OF THE 6-FOOT PEDESTRIAN CLEAR PATH.

Typical scored concrete sidewalks are scored on a 3-foot by 3-foot pattern, making it an easy way to measure if the sidewalk is wide enough to accommodate spacing requirements.



THE 4-FOOT BUFFER MUST BE CLEARLY DELINEATED AS SHOWN ABOVE WITH YELLOW TAPE AND MOVABLE PLANTERS.



IF IGLOOS ARE USED FOR ALL TABLES, DDOT DOES NOT REQUIRE THE 4-FOOT BUFFER.



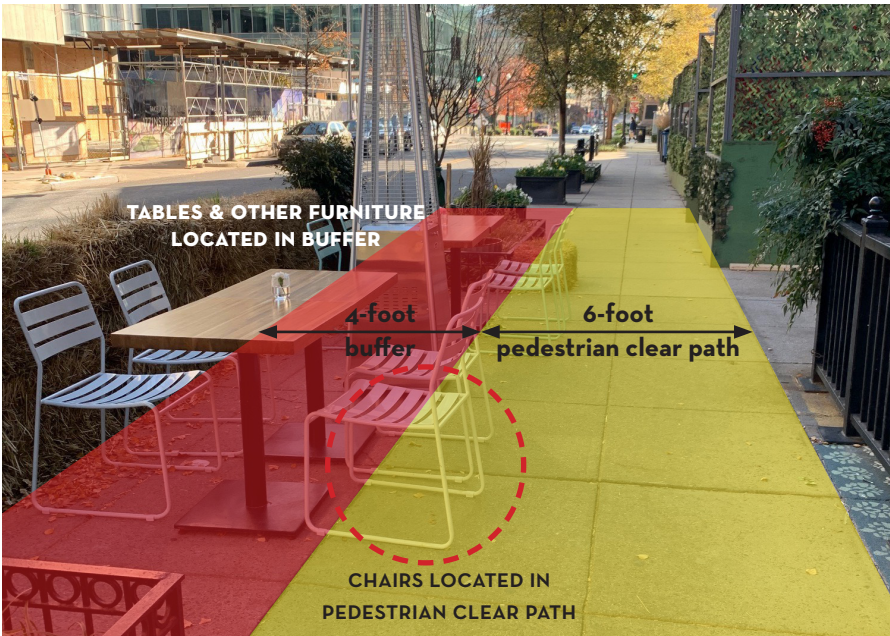
THE 4-FOOT BUFFER IS ALSO A REQUIREMENT FOR EXISTING SIDEWALK CAFES. THIS MEANS THERE SHOULD BE NO SEATING OR TABLES IN THE FIRST 4 FEET OF PERMITTED CAFE SPACE.

The 4-foot buffer can include lightweight and movable elements that help delineate the seating space and make a pleasant atmosphere including planters, fencing, pedestrian-scale local art, etc.

SEATING CAPACITY

The number of seats allowed within a Streatery is determined by dividing the total square feet of the Streatery by 15. For example, a standard Streatery for one parking space measures six (6) by 12 feet, or 72 square feet (6 x 12 = 72). The maximum seating capacity for the area would be five (72 / 15 = 4.8 or 5 seats).

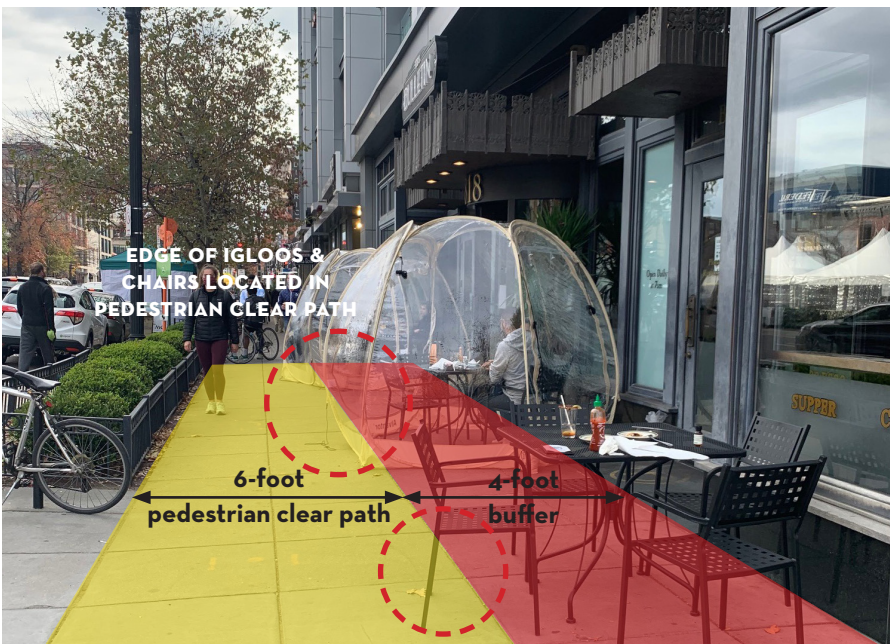
X INSUFFICIENT SIDEWALK & BUFFER SPACE



Both of these sidewalk cafes are **NOT** consistent with guidelines because:

- A 6-foot clear pedestrian pathway is not maintained;
- A 4-foot buffer between the pedestrian pathway and dining area is not maintained; and
- The extent of the sidewalk cafe is not delineated or marked with tape or barriers.

Because of the narrow sidewalk at both of these locations, DDOT would recommend a parklet if possible.



The use of igloos can allow businesses to extend into the buffer, but not the clear pedestrian path.

BARRIERS

Sidewalks

Barriers for sidewalk cafes may include tape markings on the sidewalk or vertical elements such as planters, potted plants, milk crates, pedestrian-scale local art, etc. that are connected with string, ropes, chains, or some other continuous material.

Parklets and Streateries

Parklets and Streateries **must have a physical edge to buffer the outdoor dining area from adjacent vehicular traffic in the travel lane and also in the parking lane.** This can take the form of planters, railing, cabling, or some other appropriate buffer. Barrier objects may be spaced apart, with a two (2) foot maximum space between barrier objects. If barrier objects are spaced apart, they must be linked by rope, bungee cords, chains, tape, or some other similar item.

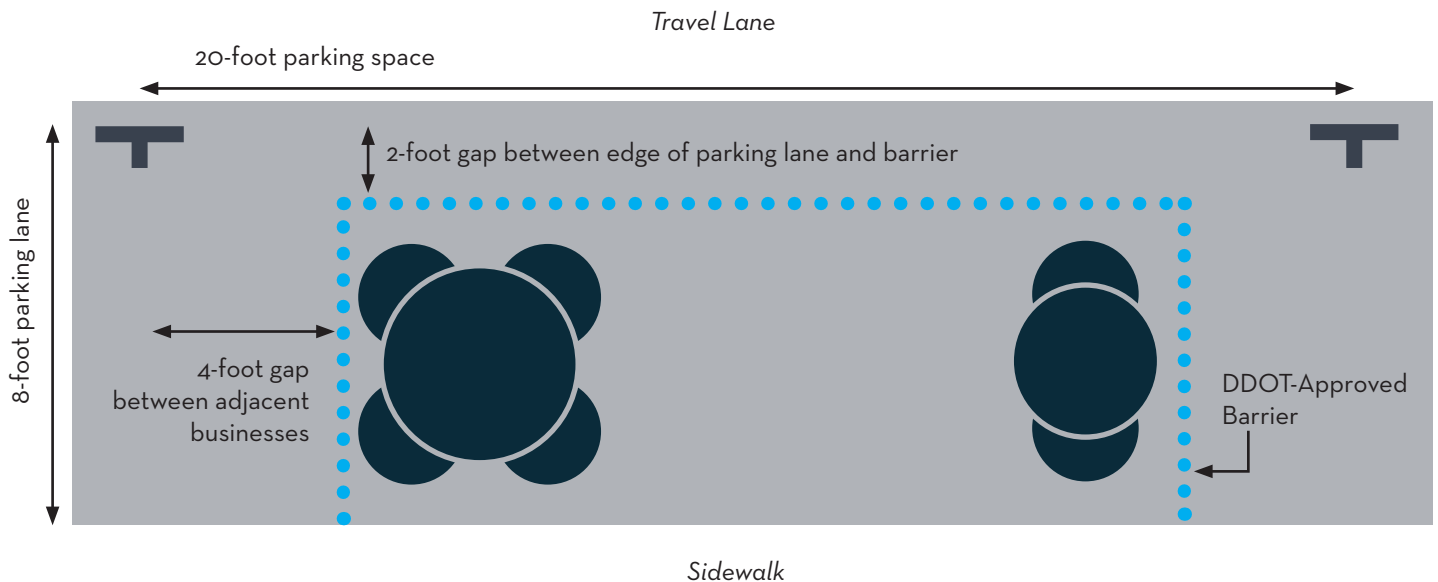


ALL BARRIERS MUST BE APPROVED BY DDOT AS PART OF THEIR TEMPORARY PERMIT. BARRIER OBJECTS CAN BE SPACED UP TO TWO (2) FEET APART, BUT MUST BE LINKED AS SHOWN IN THE IMAGE TO THE LEFT.

DDOT STAFF MAY ASK FOR ADDITIONAL BARRIERS BASED ON ROADWAY CHARACTERISTICS

Parallel parking spaces in the District typically measure eight (8) feet wide by 20 feet long. Within these dimensions, the outer edge of the parklet must have a two-foot clear zone from the adjacent travel lane. With standard setbacks, the dimensions of a parklet would be:

- **Six (6) feet by 12 feet in one parking space; and**
- **Six (6) feet by 32 feet in two adjacent spaces.**



For Parklets, a water-filled or concrete jersey barrier (NCHRP 350-TL-1 Longitudinal Barriers) shall be placed at the end of the parklet that faces incoming traffic. Streeteries, which extend seating along an entire block face or more, require that each end of the block be protected by concrete or water-filled jersey barriers. For Streeteries that close all travel lanes, a 20-foot fire lane shall be preserved at all times within the roadway with movable Type 3 Barriers at both ends. The District Department of Transportation (DDOT) will determine the barrier needs and requirements based on the street classification, volume, and speed. **Upon approval of the Parklet, email neighborhood.planning@dc.gov to request delivery of water-filled or concrete barrier(s).**

RAISED PLATFORM/ADA ACCESSIBILITY

For Parklets, a raised platform is not required during the public health emergency, but a **temporary Americans with Disabilities Act (ADA) ramp is required**. The ramp must start at the sidewalk furniture zone and lead to a 5-foot by 5-foot minimum clear turning radius in the Parklet, and have at least a 3-foot clear path to the ADA-accessible table(s) when located in the Parklet.



ADA-ACCESSIBLE RAISED PLATFORM



TEMPORARY ADA RAMP

If a platform is constructed, the Applicant must include the following design requirements:

- Decking and platforms are prohibited in alleys and on sidewalks.
- The top of the parklet platform must be flush with the sidewalk with a maximum gap of one-half inch for ADA compliance.
- A minimum 36-inch clear width entryway to the parklet must be maintained, without vertical protrusions, at all times to comply with ADA Standards.
- The space underneath the platform surface, including all manholes and utility access points, must be accessible for maintenance through access panels, removable planks, etc.
- Design parklets to provide positive drainage along the gutter with sufficient clearance to meet DDOT spread requirements. Design the structure to maximize the drainage capacity and provide maintenance access to the drainage channel.

Permit applications must include all utilities, manholes, poles, and storm drains in design drawings. To accommodate emergency access to utilities, the Applicant must be available to move the platform within three hours upon DDOT request. DDOT and/or utilities have the right to remove platforms if emergency work is required and platforms could be damaged in the process. Please be aware that additional review time will be needed if platforms are included in the Parklet design.

ENCLOSED STRUCTURES

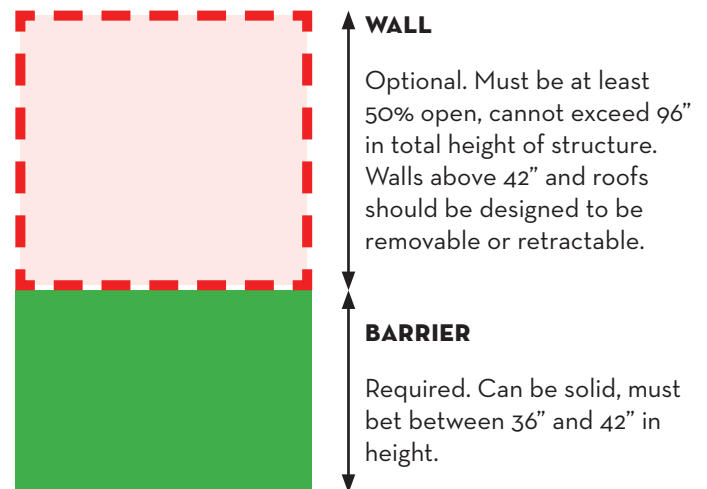
Structures with **two or more walls and a roof** must adhere to DC Health Restaurant Guidance for indoor dining. **“Walls” are defined as tent flaps or vertical elements above 42 inches in height.** All indoor spaces shall adhere to the Subtitle A (Food and Food Operations) of Title 25 of the District of Columbia Municipal Regulations (DCMR) and all requirements for the safe operation of indoor restaurants during the public health emergency. This includes meeting air exchange rates as described in 25 DCMR 3009.3 and 3009.4.

- 3009.3 Each room in which food or drink is prepared, or in which utensils are washed, shall be provided with facilities for at least eight (8) air changes per hour. Recirculation of air is not permitted.
- 3009.4 Each room in which food or drink is served shall be provided with facilities for at least five (5) air changes per hour, and not more than fifty percent (50%) recirculation of air shall be permitted.

Igloos, greenhouses, and other plastic domes for individual parties will also be required to meet requirements as described in 3009.3. These structures shall not contain more than six (6) guests and must be cleaned and sanitized between parties.

The proposed design of a Parklet or Streatery should maintain a visual connection to the street and should not obstruct views. Walls, fencing, planters, and other vertical elements must have a height of at least 36 inches and a maximum height of 42 inches (3 feet, 6 inches) including plants when present.

Structures over 42 inches must not exceed 96 inches (8 feet) in overhead clearance, and be at least 50 percent open or use completely transparent materials (e.g. plexiglass frames) thereby not obstructing line of sight. Walls above 42 inches and roofs should be designed to be removable or retractable.



Structures that are greater than 42" and 50% open qualify as a wall. Businesses that choose to install walls with a clear material or 50% open for two (2) or more sides of their expanded seating must take into account indoor dining requirements and regulations.

X NONCOMPLIANT ENCLOSED STRUCTURES



This Parklet is **NOT** consistent with the guidelines because:

- The walls above 42 inches are not 50% open or using a transparent material.

The Parklet could be brought into compliance by removing half of the boards to meet the required 50% open above 42 inches.



This Parklet is **NOT** consistent with the guidelines because:

- The walls above 42 inches are not 50% open or using a transparent material.
- The Applicant drilled materials into the roadway

The Parklet could be brought into compliance by removing half of the boards to meet the required 50% open above 42 inches and stabilizing the structure through weights rather than drilling.

Electric and gas portable heaters are permitted for temporary use within an outdoor dining area during the public health emergency. The use of heating appliances shall be guided by the manufacturer's instructions and the following fire code safety requirements:

Portable Fuel-Fired Outdoor Heaters

- Shall not be located or used inside of a structure or membrane tent;
- Shall not be located within five (5) feet of a building, including entrances and exits;
- Shall not be located beneath combustible decorations, overhangs, awnings, or within five (5) feet of combustible surfaces;
- The heating elements shall be permanently guarded as to prevent accidental contact by persons or material;
- Shall be equipped with a tilt or tip-over shut-off that automatically shuts off the flow of gas if appliance is tilted more than 15 degrees from the vertical position;
- The propane tanks capacity shall not exceed 20 pounds;
- Fuel container replacement shall not take place while the public is present;
- Propane gas containers shall not be inside of buildings or outdoor winter structures/igloos; and
- LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Lockable, ventilated cabinets made of metal construction are highly recommended.

Electric Portable Space Heaters

- Shall be operated only in locations for which they are listed;
- Only listed and labeled portable, electric heaters shall be used;
- Shall be tested and listed in published reports of inspected electrical equipment by an approved agency and installed and maintained in accordance with all instructions included as part of such listing; and
- Shall not be operated within three (3) feet of any combustible materials.

Note: These appliances draw high amperage which can cause an extension cord to overheat and fail, causing a fire. No generators are permitted within public space.

Extension Cords

Extension cords may be used to supply electric portable space heaters under the following conditions:

- Must be rated 10-gauge or larger. The ampacity of the extension cords shall not be less than the rated capacity of the portable appliance supplied by the cord.
- Shall be plugged directly into an approved receptacle and serve only one portable appliance.
- Shall be grounded where serving grounded portable appliances.
- Shall be maintained in good condition without splices, deterioration or damage.
- Shall not be suitable for permanent wiring.
- Shall be used only with portable appliances and be disconnected when not in use.

Note: The Fire Marshal's Office strongly recommends temporary wiring in lieu of extension cords. Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. Temporary wiring methods shall meet the applicable provisions of NFPA 70.

TENTS

Tents are permitted for temporary use within an outdoor dining area during the public health emergency and must abide by the following guidelines:

- Tent/canopy should be made of fire-resistant material;
- Tents must have a minimum vertical clearance of eight (8) feet; and
- Cooking and food preparation and open flames under tents is prohibited.
- Tent/canopy ceiling must be a minimum of five (5) feet from any fuel fired heater.

Tents will be inspected in the general course of business by the DC Fire and EMS Department (FEMS).



FURNITURE

Furniture can include tables, chairs, and table umbrellas. At least 5% of all tables and chairs must be ADA-accessible. All proposed furniture, including tents and tent leg support, must not encroach on the 6-foot pedestrian clear path of travel or hinder its accessibility. Lighting must not be pointed in the direction of traffic to reduce the risk of blinding motorists. Power cords must not create a trip hazard.



H Street NE Design Requirements

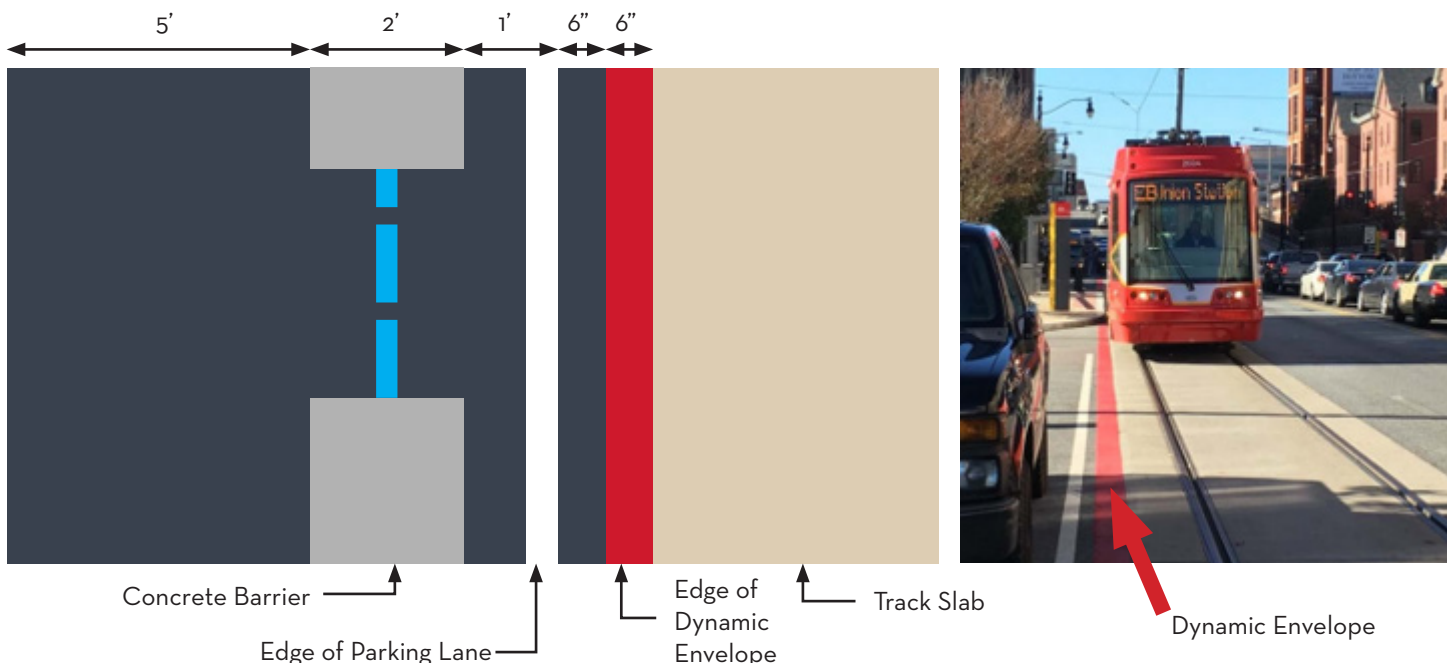
Due to the additional risks posed by the DC Streetcar along the H Street Corridor, the following guidelines were created to provide the most support to businesses along the corridor while maintaining the safety of their patrons and visitors. Applicants on H Street must abide by the general public space design guidelines in the section above, except for where they vary in this section.

ADDITIONAL REQUIREMENTS FOR STREETCAR CORRIDOR

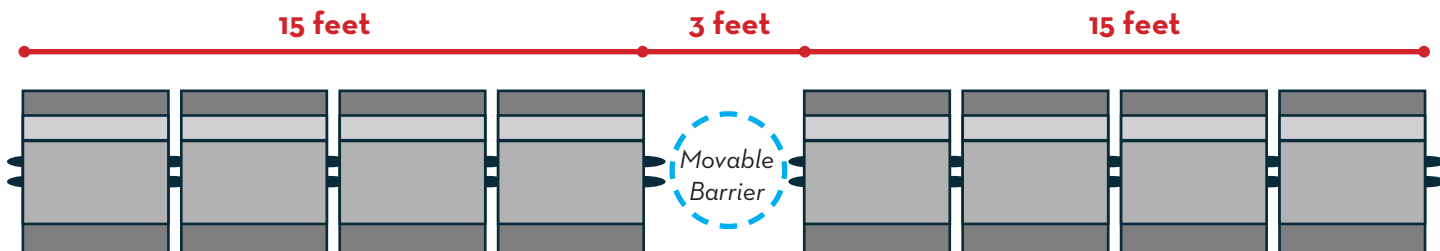
- ✓ *Barriers must be placed at least one (1) foot from edge of Streetcar's Dynamic Envelope*
- ✓ *Barriers must be continuous with a three (3) foot movable barrier every 15 feet*
- ✓ *Any vertical barriers must be secured to jersey barriers*
- ✓ *Lighting installed within parklet must be firmly secured, power cords must not create a trip hazard*
- ✓ *Tent peaks must be a maximum of nine (9) feet height from ground level*
- ✓ *Tents must be secured firmly and removed during periods of high winds*
- ✓ *Heating sources should be placed six (6) feet from street edge of Parklet or Streatery and cannot be placed under overhead wires*

BARRIERS

To ensure the safety of all patrons in the Parklet, barriers must be placed at least one (1) foot from the edge of the Streetcar's Dynamic Envelope (identified by the edge of the thick red line on the outside of the track slab). DDOT provides concrete barriers on a first-come, first-serve basis - businesses should be aware that DDOT's barriers are approximately two (2) feet wide and would reduce the usable Parklet space by that much. Businesses can also provide their own barriers if approved in the public space permit.



Barriers must be placed continuously with 3-foot gaps every 15 feet. This gap provides emergency egress for the Streetcar. In the 3-foot gap, the Applicant must place an easily movable barrier. Potential barriers include chain, rope, plants/planters, wood, etc. If you are unable to provide movable barriers, please reach out to DDOT for assistance.



DDOT recommends installing a vertical barrier on top of jersey barriers to reduce the risk of patrons reaching outside the parklet space. Vertical barriers can provide an aesthetic enhancement to the Parklet using planters, trellises, plexiglass, tent walls, and other material to provide a visual separation for the patrons. **Vertical barriers must be secured to the concrete barriers, not exceed 84 inches from the ground level, and be at least 50 percent open or use completely transparent materials (e.g. plexiglass frames) thereby not obstructing the line of sight.** All lights, furniture, and other public space elements must be secure from falling or being blown into the Streetcar right-of-way. This is critically important while the Parklet is not in use. Lighting must not be pointed in the direction of traffic to reduce the risk of blinding motorists and streetcar operators.



TENTS AND HEATERS

Tent peaks in the Parklet must be a maximum of nine (9) feet to ensure a 10-foot clearance from electric wires overhead. Tents and canopies must be firmly secured when installed to ensure the tent does not blow over during high winds. If tents cannot be firmly secured, the business must remove the tent(s) while the parklet is not in use and during periods of high winds. Heating sources must not be placed within six (6) feet of the streetcar side edge of the parklet and cannot be placed under overhead wires.

CONTACT

Please reach out to Emma Blondin at emma.blondin@dc.gov with questions regarding H Street-specific guidelines.

Alley Extension

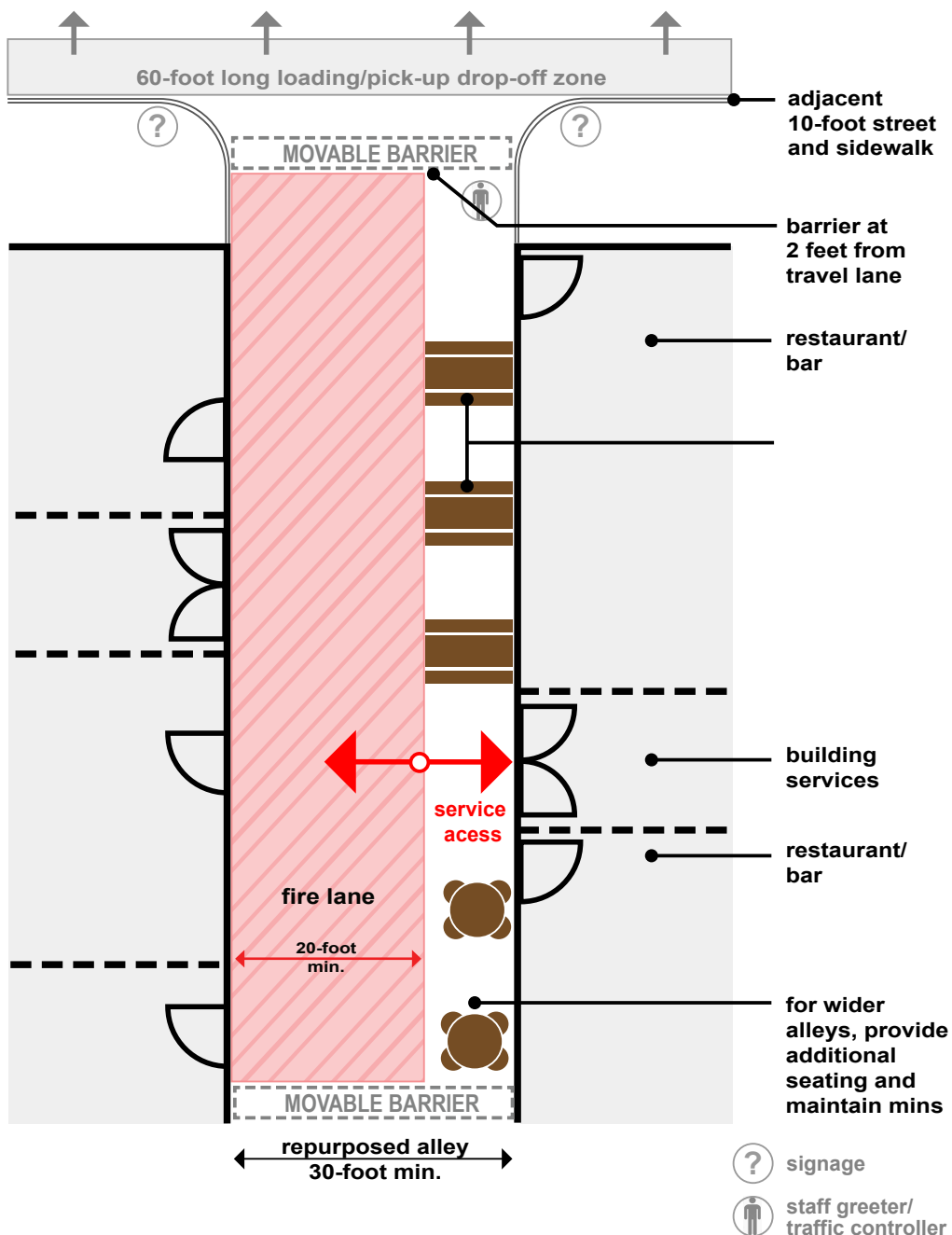
This option expands seating into alleys with extra legs that are not needed for circulation. This could be for seating associated with a specific restaurant or general seating for multiple restaurants, food trucks, or sidewalk vendors. DDOT will evaluate circulation needs and coordinate with Fire and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

Minimum Social Distancing Standards

- Fire lane: 20 feet
- Clear path to service entrances: 6 feet

Required Delineations with Tape

- Fire lane
- Seating area
- Vehicle barriers



Streateries

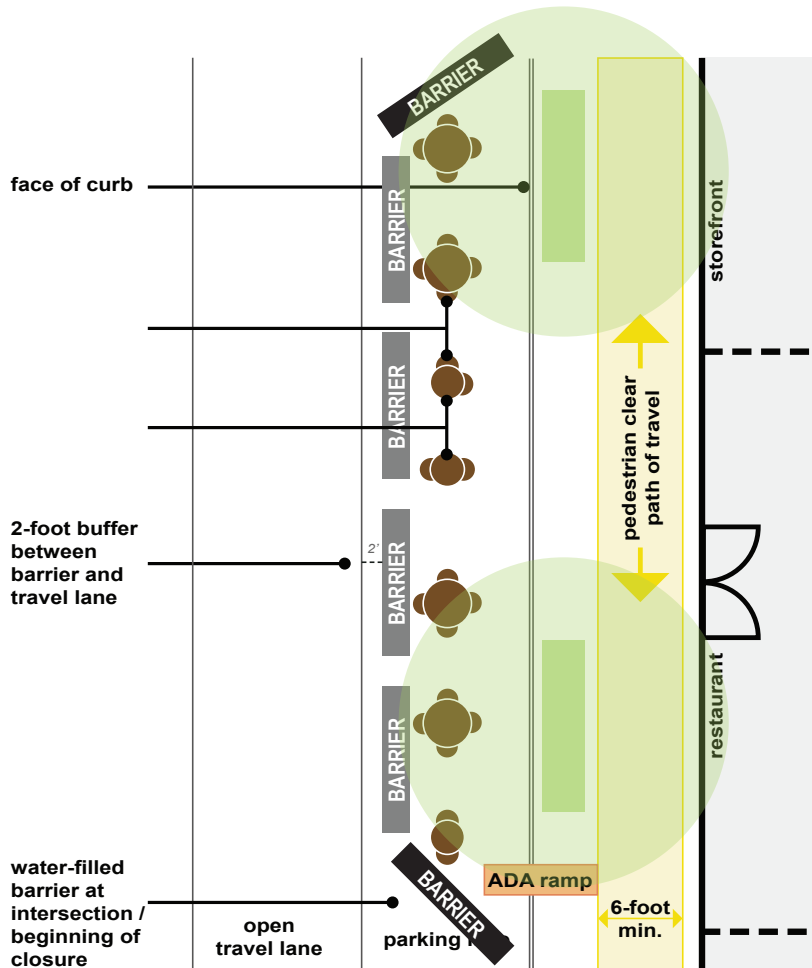
A Streatory expands beyond individual parklets and closes one or more lanes of an entire block. Streateries are not festivals or one-time special events, but temporary lane or road closures that facilitate well-ventilated, safe dining options that adhere to the District’s social distancing requirements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



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:

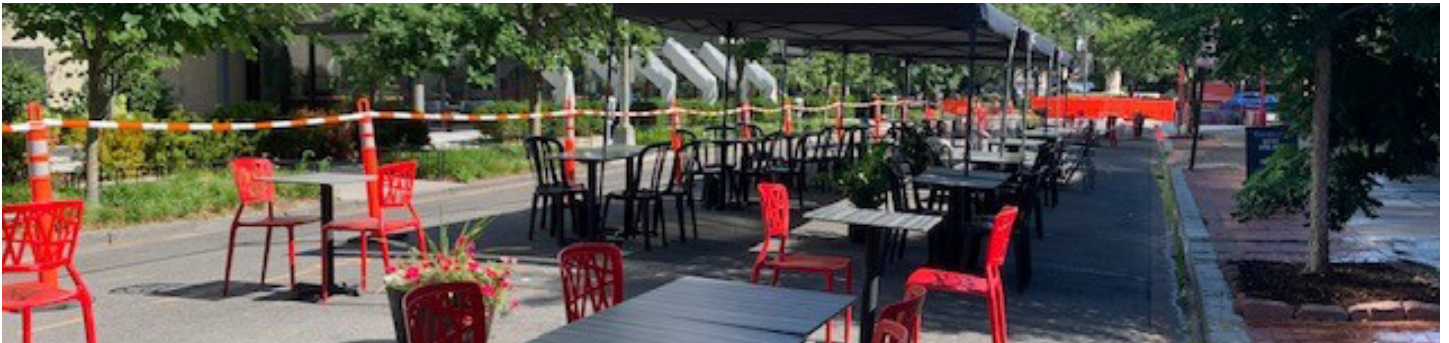
- Not have an adverse impact on fire lanes, fire hydrant access, or other emergency vehicle response; and
- Not interfere with access to private property (e.g., driveways, delivery/loading zones, parking garages).

streateries
option 1
one or more travel lane closure



LANE CLOSURE: ONE OR MORE 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

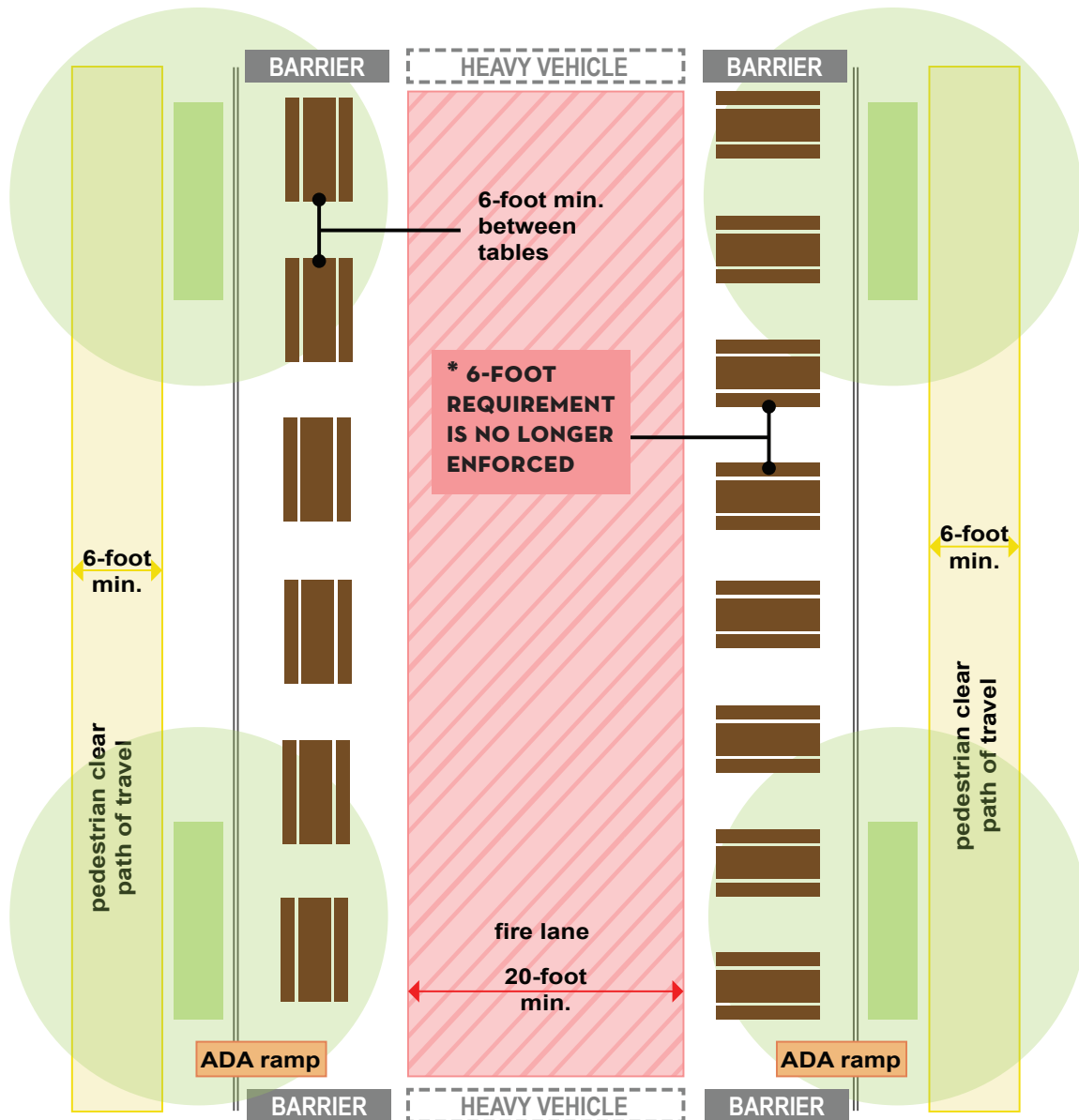
Part-time block closures would close a roadway to vehicle traffic during the following times:

- 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

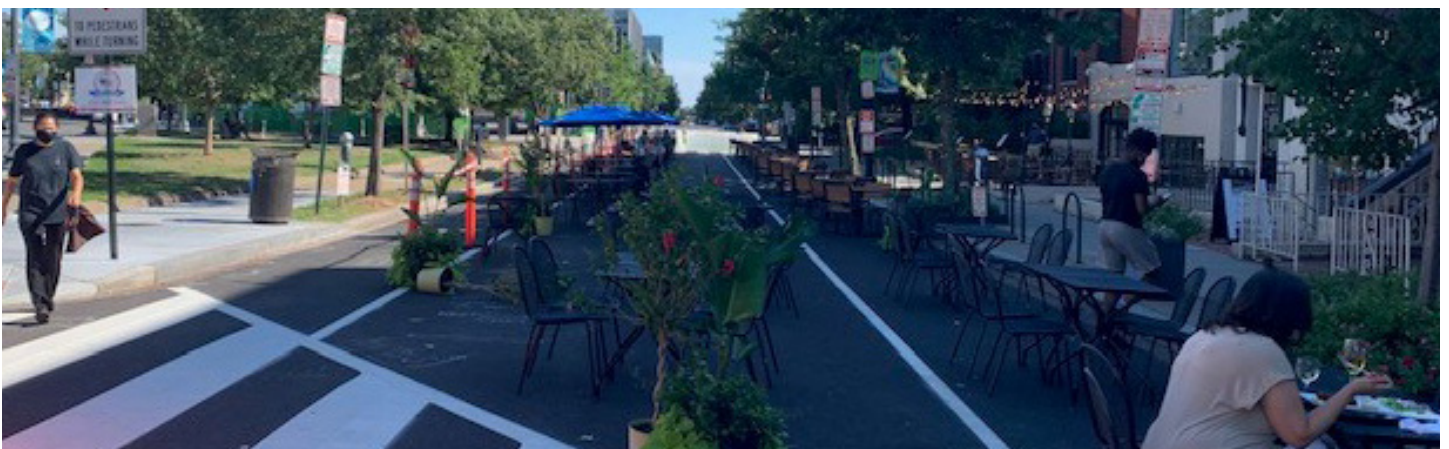
- Closures will not have adverse impact on fire lanes, hydrant access, or other emergency vehicle response;
- A heavy-duty vehicle and driver are to be located at any designated 20-foot fire lane;
- Closures should not interfere with access to private property (e.g., driveways, delivery/loading zones, 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.



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

? signage

staff greeter/
traffic controller



Registration and Permitting

STEP 1. COMPLETE THE GOOGLE REGISTRATION FORM.

All restaurants requesting new or expanded outdoor space must register at the following [Google Registration Form](#).

STEP 2. APPLY FOR A PUBLIC SPACE PERMIT.

Applicants proposing a new sidewalk café, Parklet, Streatery, or outdoor dining within a plaza or alley must file a public space permit online at tops.ddot.dc.gov after registering via the above Google Registration Form. All existing permits with DDOT, DCRA, and ABRA for the restaurant must be up to date with no outstanding fees, otherwise a public space permit will not be issued. **Once issued, Applicants must display the valid permit in public space and have the approved site plan immediately available on site for inspections.**

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	Yes	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

For a complete application, Applicants must include the following documents with their public space permit:

- Proof of completing the Expanded Outdoor Dining/Streatery Registration Form
- Copy of certificate of occupancy
- Copy of business license
- Proof of insurance
- Site plan of the proposed outdoor dining area with dimensions and to scale (can be hand drawn)
- Letter of support from adjacent business(es), property owners, building management or condo board, if the outdoor dining area is in front of their building façade
- Letter of support from the ANC commissioner, if the applicant is extending into a resident only parking lane or loading zone (parklet only)

STEP 3. APPLY FOR PERMIT(S) TO ALLOW VERTICAL STRUCTURES.

Applicants proposing vertical elements or structures within public space (e.g. wooden walls above 42”, platforms, tents, heaters, etc.) associated with their new outdoor dining area must also submit the permits shown in the chart below. Once issued, Applicants must display the valid permit in public space and have the approved site plan immediately available on site for inspections.

Vertical Structure		Type of Permit Required	Where to Apply	Agency Reviewers
Tents*	Up to 400 sq ft	Construction Permit Fixture: Winter Tent for Streatery/ Public Space	TOPS	DDOT, DC Health
	401 sq ft or greater	Construction Permit Fixture: Winter Tent for Streatery/ Public Space	TOPS	DDOT, DCRA, FEMS, DC Health, ABRA
Tent Permit		Project Dox DCRA will notify Applicant when to submit a permit in Project Dox upon review of the TOPS permit		
Temporary Structures*	Platforms	Construction Permit Fixture: Temporary Platform for Outdoor Dining	TOPS	DDOT, DCRA, OP
		Building Permit	Project Dox DCRA will notify Applicant when to submit a permit in Project Dox upon review of the TOPS permit	
	Roofs and/or walls above 42”	Construction Permit Fixture: Temporary Walls for Outdoor Dining	TOPS	DDOT, DCRA, FEMS, DC Health, OP
		Building Permit	Project Dox DCRA will notify Applicant when to submit a permit in Project Dox upon review of the TOPS permit	
Heaters*	Portable fuel-fired heaters	Construction Permit Fixture: Winter Heater (Propane) for Streatery/Public Space	TOPS	FEMS
		Mayor’s Emergency Order - Propane Use: Heating - Portable Outdoor	FEMS Online Permit	
	Electric portable heaters	Construction Permit Fixture: Winter Heater (Electrical) for Streatery/Public Space	TOPS	FEMS
		Mayor’s Emergency Order - Propane Use: Heating - Portable Outdoor	FEMS Online Permit	

**These permits can be included in a single permit application in TOPS (e.g., if a location will have both a winter structure and heaters, they can both be included in a single TOPS permit application). TOPS is DDOT's permitting system; Project Dox is DCRA's permitting system*

Tent permits require the following documents for a complete submittal:

- Copy of the underlying permit allowing the restaurant to use the space where the tent(s) will be placed (e.g. sidewalk café permit, temporary sidewalk table service permit, parklet permit for public space or a valid eligible certificate of occupancy for private property use, such as a rooftop or a summer garden).
- Site plan including the tent's location, base, dimensions, square footage, number and location of tables and seats, heaters, and ADA ramp locations.
 - The site plan cannot expand the already approved perimeter of the dining area as per the underlying permit or certificate of occupancy noted in the first bullet point.
- Elevations showing a vertical cut of the proposed tent, structural tie down/anchoring, lights, and heaters.
- Statement indicating whether the tent is enclosed, hours of operation, and occupancy load per current public health orders.
 - Hours of operation cannot exceed the already approved hours of operation for the underlying permit of certificate of occupancy noted in the first bullet.
- Certificate of Flame Resistance from the tent manufacturer.

Winter structure permits require the following documents for a complete submittal:

- Copy of the underlying permit allowing the restaurant to use the space where the winter structure(s) will be placed (e.g. sidewalk café permit, temporary sidewalk table service permit, parklet permit for public space or a valid eligible certificate of occupancy for private property use, such as a rooftop or a summer garden).
- Site plan showing the structure's location, dimensions, square footage, seating, and ADA ramp locations.
 - The site plan cannot expand the already approved perimeter of the dining area as per the underlying permit or certificate of occupancy noted in the first bullet point.
- Elevations of all sides of the structure including dimensions and materials.
- Structural drawing showing framing plan, anchor to ground details and member connection details. Drawings shall be sealed and signed by a design professional registered to practice in the District of Columbia.

Heater permits require the following documents for a complete submittal:

- Copy of the underlying permit allowing the restaurant to use the space where the heater(s) will be placed (e.g. sidewalk café permit, temporary sidewalk table service permit, parklet permit for public space or a valid eligible certificate of occupancy for private property use, such as a rooftop or a summer garden).
- Site plan showing the location and number of heaters and storage of LP tanks.
 - The site plan cannot expand the already-approved perimeter of the dining area as per the underlying permit or certificate of occupancy noted in the first bullet point.
- Specifications of heaters and approved heavy duty extension cords, if applicable.
- **Heaters cannot be used until you have a permit and a fire inspector has completed a site visit**

FEES

The normal fees charged by DCRA, DDOT and FEMS have been temporarily waived during the COVID-19 public health emergency, with one exception:

The permit fee for portable fuel-fired (propane) heaters is only waived for the first 200 lbs. of propane (10 tanks at 20 lbs. each). Any propane permitted after the initial 200 lbs. will incur the normal associated fees.

Insurance Requirements

The following insurance requirements will be effective through December 31, 2021:

- General Liability: \$1 million per occurrence / \$2 million aggregate
- Workers' Compensation: \$500,000 per accident for injury, per employee for disease, and for policy disease limit
- Automobile Liability (for food trucks only): \$1 million per occurrence combined single limit for bodily injury and property damage
- Execute Indemnification and Hold Harmless Agreement.

To find updated outdoor dining insurance requirements, visit <https://orm.dc.gov/page/requirements-cafes-retail>.

Snow Events & Emergencies

Notifications will be sent out as soon as possible when road pretreatment (salt or brine/beet juice mixture) could occur prior to inclement weather. Restaurants on impacted streets should adjust their outdoor operations accordingly. In the event of inclement weather, business owners are asked to clear their sidewalks, Streateries and/or Parklets of snow within eight (8) hours of a storm's end.

If the weather prediction indicates a significant accumulation of snow, the Mayor may declare a snow emergency. An announcement of a snow emergency declaration will be made prior to the snow emergency going into effect to give businesses time to prepare their expanded outdoor spaces for inclement weather. **Streateries, Parklets, and sidewalk cafes shall not be used during a snow emergency.** At such time, businesses/permit holders should bring in all furniture and other elements within the outdoor dining areas, except for the barriers.

Site Plan Requirements

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 for temporary sidewalk table service applications.

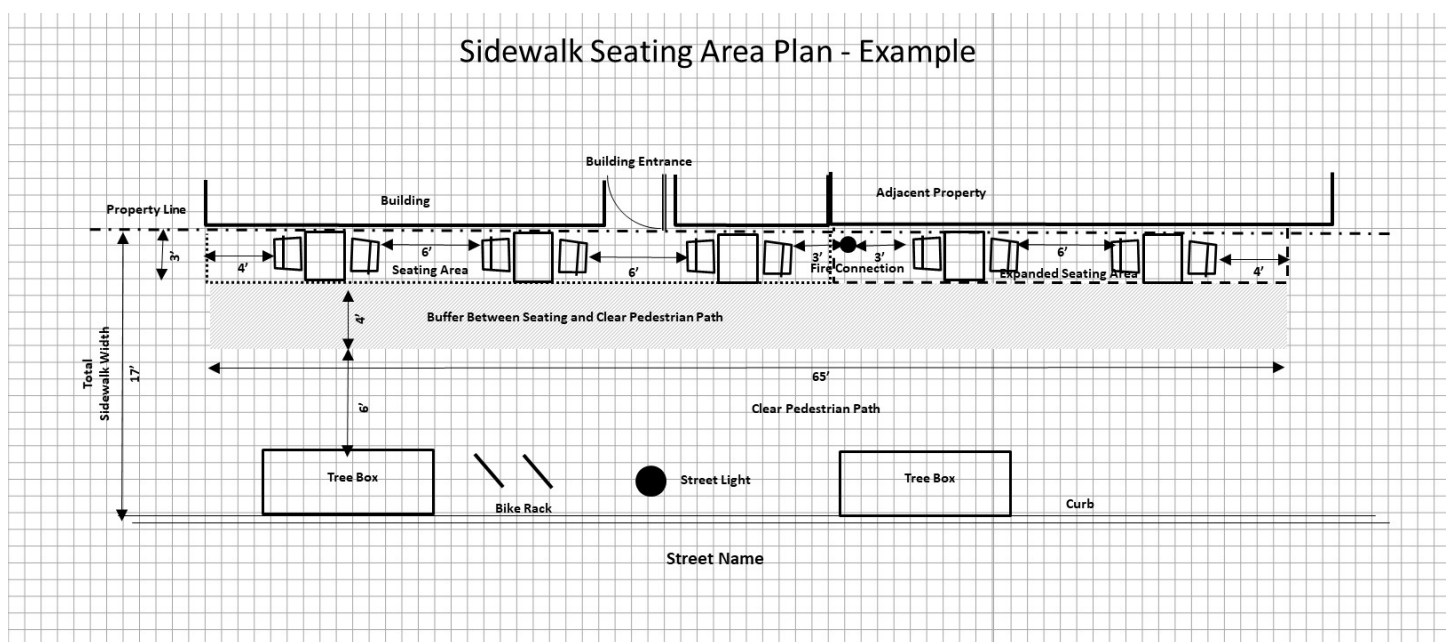
Site plans must be drawn to scale with dimensions and include the locations of every element in public space between the property line and the curb and within the outdoor dining area, including:

- Property line
- Building façade with projections and entry/exit points
- Street trees/tree boxes
- Furniture zone elements (streetlights, bike racks, fire hydrants, regulatory sign pole, public benches)
- Sidewalk grated vaults
- Tables and chairs, with at least 5% of those being ADA accessible
- Delineation of seating area
- Delineation of expanded seating area (if appropriate)
- Dimensions showing adequate social distancing
- 4-foot buffer between seating areas and adjacent clear pedestrian path, or plexiglass barrier
- ADA ramps or platforms
- Sidewalk widths, including the 6-foot clear pedestrian pathway
- Barriers and vertical structures (awnings, umbrellas, planters, fences, tents, etc.)

Site plans including platforms and/or structures must include the following construction details, and if possible should be stamped by a certified PE:

- Any hardware such as fasteners to be used in the construction process
- A detail showing how you will maintain positive drainage flow along the curb line. You should also articulate how you will access the drainage channel if it gets blocked.
- Drainage calculations for spread, ponding depth, and drainage channel capacity.

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



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. Applicants, however, will need a letter of support from their respective ANC or SMD to move forward with a Parklet or Streatery proposed in a Residential Parking Permit (RPP) zone or Commercial Loading Zone.

How long are the permits valid?

All permits for outdoor seating and pick-up/drop-off are set to expire on July 25, 2021 or with the end of the Public Health Emergency designation and are subject to renewal.

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, Parklets and Streateries are not required to have a platform but need to provide a moveable ADA ramp from the sidewalk to the seating area, with a 5-foot x 5-foot minimum clear turning radius and at least 3-foot minimum clear access to all ADA-accessible tables.

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](#).

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.

- District of Columbia Municipal Regulations, Titles 11, 12-A, and 24
- [Public Realm Design Manual](#)
- [DDOT Design and Engineering Manual](#)
- Streetscape Design Guidelines relating to the proposed application location
- [Sidewalk Cafés](#)
- [Parklet Guidelines](#)
- [Park\(ing\) Day Event Guidelines](#)

CONTACT INFORMATION

Questions regarding:

- Propane and outdoor heating, please contact (202) 442-4447 or info.fems@dc.gov
- Tent and heater permits, please contact Sydney Lester at Sydney.lester@dc.gov
- Streatery permits, please contact Kimberly Vacca at Kimberly.vacca@dc.gov