

Agreement in Lieu of Site Plan Review for Temporary Outdoor Seating permits –  
COVID 19 (revised 5/15/2020)

In lieu of submitting a site plan for review to determine the compliance with zoning regulations, I agree to the following requirements:

1. *Parking spaces must be maintained for customer use based on 1 space for every 200 square feet of gross floor area of the businesses structure (not outdoor area being used). Ex-Restaurant "A" has a 4000SF building /200 = 20*
2. *Placement of temporary outdoor seating will not cover handicap parking spaces.*
3. *Placement of temporary outdoor seating will not impede traffic or vehicle access to required parking spaces.*
4. *Placement of temporary outdoor seating will not impede Fire access to connections, standpipes/sprinkler hook-up.*
5. *Placement of temporary outdoor seating cannot impede fire lanes.*
6. *A Temporary Certificate of Occupancy will be issued for use of the outdoor seating only while the State of Virginia is under the COVID 19 restrictions and must be removed once the restrictions have been lifted.*
7. *Tents over 900 square feet holding 50 or more occupants will be inspected and approved by the Fire Marshal prior to occupancy. Inspections must be requested and completed prior to occupancy of the outdoor seating area.*
8. *Inspections by Zoning and Fire can be completed at any time during business hours of operation.*
9. *The Temporary Certificate of Occupancy will expire 90 days from the date of issuance or upon such time that the Governor's COVID -19 Pandemic Order #61 is modified or rescinded, whichever comes first.*

Attached to this agreement is an example of a typical site plan that would be used to determine the required number of spaces that must be maintained for customer use during the temporary use of outdoor seating. This is just an example, and each location will have different configurations and calculations.

This permit is only for the outdoor seating temporary Certificate of Occupancy and does not cover any tents, fences or any other required approvals from Virginia ABC, Virginia Department of Health or other required State, Federal or Local approval agencies related to this use. This permit also does not dictate the capacity allowed for the outdoor seating which would be per State requirements of 50% of the allowable capacity of the business. It is the responsibility of the permit holder/property owner or other responsible party to ensure compliance with all regulations for operation, including, but not limited to application of the Commonwealth of Virginia Executive Order Sixty-One.

Any violation of the requirements of this permit, or any other condition that creates a safety or health hazard, shall require immediate corrective action as directed. Failure to comply with required corrective action shall immediately result in the Temporary Certificate of Occupancy being revoked.