

Land Use Related Suspension of Enforcement

To support local business, the City of Alexandria suspended enforcement of the following land use regulations. The City Council ratified these actions on April 14th, May 26th, and July 7th and with this action seek to ratify the extension of these suspensions until March 31, 2021.

Restaurant Deliveries and Pick-up

The City is suspending enforcement of delivery regulations in order to allow all restaurants to provide delivery service and pick-up service. Delivery vehicles and customer pick-ups may use on-street parking subject to posted parking requirements. (Zoning Ordinance Section 11-500)

Hours of Operation

The City is suspending enforcement of hours-of-operation restrictions on restaurants, convenience stores, catering operations and automobile service stations (gasoline stations). (Zoning Ordinance Section 11-500)

Sidewalk/Parking Lot Vending

The City is permitting restaurants and retail establishments to vend on adjacent sidewalks or parking lots. Vending is limited to the placement of orders and customer pick-up. Establishments must limit gatherings to not more than 10 people and ensure that at least a six-foot distance between patrons is maintained. (Zoning Ordinance 7-1500)

Off Premises Alcohol Sales

The City is suspending enforcement of local restrictions on alcohol sales, including off-premises alcohol sales and delivery. Business remain subject to all VABC licensure requirements. (Zoning Ordinance Section 11-500)

Alexandria Outdoor Dining Program

Within the King Street Outdoor Dining (KSOD) area

In addition to the current program, which allows participants in the KSOD program to have outdoor dining on sidewalks under certain guidelines, participants will also be permitted to set up outdoor dining in parking spaces outside of their businesses in alignment with social distancing guidelines. A current certificate of insurance must be submitted to Planning & Zoning to be eligible. Those who are not presently registered for the KSOD program, may apply to Planning & Zoning. The 2020 fees have been waived and rapid processing of applications is planned. The Old Town Business and Professional Association (OTBA) will coordinate the designation of parking spaces for outdoor dining use and communicate that to Planning & Zoning. Participants must comply with modified guidelines of the Parklet Program, including the location of parking spaces for outdoor dining away from corners or on streets with a high traffic volume.

Code Sections that have been suspended:

Section 5-8-3(f) - review by Traffic and Parking Board before recommendation to the Director of T&ES. Section 10-2-24 - Emergency and experimental regulations also allows for this suspension.

All areas outside the KSOD boundaries

Under this program, outdoor dining is permitted on restaurant property and in the public right-of-way (sidewalks, parking spaces, parking lots) where it will not detrimentally impact adjacent uses. Restaurant operators may take advantage of this program by submitting basic information identifying proposed locations and square footage for outdoor dining and number of seats, to Planning & Zoning. If on private land not controlled by the operator, the operator must indicate permission of the property owner. The application should also note compliance with specific criteria outlined below. Staff from Planning & Zoning, Transportation & Environmental Services, Health, Fire and Police will review the requests at no cost to the applicant.

Criteria for Suspension:

- Restaurants may use parking spaces in front of their business, adhering to the modified guidelines of the Parklet Program, including the location of parking spaces for outdoor dining away from corners or on streets with a high traffic volume.
- Restaurant seating must be arranged in accordance with social distancing requirements.
- Restaurant must contact T&ES to install wheel stops and flex posts for outdoor dining areas in parking spaces.
- Outdoor dining on sidewalks must allow for at least five feet of continuous pedestrian access.
- Outdoor dining hours must be the same as approved in the restaurant SUP.
- Live entertainment is not permitted.
- Liability insurance certificate required for use of public right-of-way.

Code Sections that have been suspended:

Section 5-8-3(f) - review by Traffic and Parking Board before recommendation to the Director of T&ES. Section 10-2-24 - Emergency and experimental regulations also allows for this suspension.

Section 5-2-29 – Street encroachments

Section 11-513 – Administrative Special Use Permit

Outdoor dining in off-street parking spaces on private property

Restaurant operators may use off-street spaces located on the same property for outdoor dining where it will not detrimentally impact adjacent uses. Restaurant operators may take advantage of this program by submitting basic information identifying proposed locations for outdoor dining, number of seats, and number of parking spaces used, to Planning & Zoning. This would also note compliance with specific criteria outlined below. Staff from Planning & Zoning, Transportation & Environmental Services, Health, Fire and Police will review the requests within three days at no cost to the applicant.

Criteria for Suspension:

- Restaurant seating must be arranged in accordance with social distancing requirements.

- Outdoor dining hours must be the same as approved in the restaurant SUP.
- Live entertainment is not permitted.

Code Sections that have been suspended:

Section 11-513 – Administrative Special Use Permit

Section 8-200(A)(17) – General parking regulations, restaurant

Temporary Outdoor Use for Retail and Health and Fitness Uses

Retail Uses

Retail businesses may request the use of sidewalks, on-street parking spaces, and privately-owned parking lots and spaces to display their products and conduct sales, where it will not detrimentally impact adjacent uses. Retail operators may take advantage of this program by submitting basic information identifying proposed locations and square footage for outdoor use to Planning & Zoning. The request form and a letter of agreement with conditions will also ensure compliance with specific criteria outlined below. Staff from Planning & Zoning, Transportation & Environmental Services, Health, Fire and Police will review the requests at no cost to the applicant. T&ES will install wheel stops and flex posts for outdoor retail areas in on-street parking spaces.

Code Sections that have been suspended:

Section 5-8-3(f) - review by Traffic and Parking Board before recommendation to the Director of T&ES. Section 10-2-24 - Emergency and experimental regulations also allows for this suspension.

Section 5-2-29 – Street encroachments

Section 8-200(A)(16) – General parking regulations, specific commercial

Sec. 7-1500 - Outdoor display, sale or storage of goods or merchandise. All other references to the prohibition of the conduct of outdoor business.

Criteria for Suspension:

- Retail operators may use parking spaces in front of their business, adhering to the modified guidelines of the Parklet Program, including the location of parking spaces for outdoor dining away from corners or on streets with a high traffic volume.
- Social distancing requirements must be met.
- Outdoor display on sidewalks must allow for at least five feet of continuous pedestrian access.
- Live entertainment is not permitted.
- Liability insurance certificate is required for use of public right-of-way.
- If on private land not controlled by the operator, the operator must indicate permission of the property owner.

Health and fitness uses in off-street parking spaces on private property

Health and business operators may request the use of privately-owned parking lots and spaces to offer classes and provide access to fitness equipment, where it will not detrimentally impact adjacent uses. They may take advantage of this program by

submitting basic information identifying proposed locations and square footage to Planning & Zoning. This would also note compliance with specific criteria outlined below. Staff from Planning & Zoning, Transportation & Environmental Services, Health, Fire and Police will review the requests within three days at no cost to the applicant.

Criteria for Suspension:

- Social distancing requirements must be met.
- Live entertainment is not permitted.
- If private land is not controlled by the operator, the operator must indicate permission of the property owner.

Code Sections that have been suspended:

Section 8-200(A)(16) – General parking regulations, specific commercial

Section 8-200(A)(18) – General parking regulations, miscellaneous commercial

Section 11-513 – Administrative Special Use Permit

Tolling of Validity Periods for Certain Land Use Permits

Certain land use approvals (special use permits, development special use permits, BAR certificates of appropriateness and permits to demolish) require the applicant to take an action within a prescribed time frame (commence construction, open the business, etc.). Because many applicants are not able to make the normal progress on their projects during the COVID-19 emergency, staff will not count the period of the emergency against these time limits.

Applications approved prior to the declaration of the emergency in mid-March will receive an automatic 12-month extension on the time of validity of their DSP, SUP, DSUP, or BAR Certificate of Appropriateness/Permit-to-Demolish. Applications approved during the emergency will receive a pro-rata extension. The 12-month extension is based on an assumption that the emergency will end on March 31, 2021. If the emergency continues, the validity period extension will be expanded automatically until the emergency does conclude.

BAR: 10-206 - Issuance, expiration and procedures for certificates of appropriateness or permits.

DSPs, SUPs, and DSUPs: 11-418 - Time of validity; 11-506 - Duration of Valid Permit

Transportation Management Plan (TMP) Survey

This is a new waiver that was granted by the City Manager and will be ratified by the City Council for the first time on October 6th. The City Manager is waiving the requirement for developments with a Transportation Management Plan to conduct an annual survey of its residents, tenants, and employees to determine the effectiveness of the TMP. Given that travel and commute patterns are drastically different this year, staff believes these surveys will not yield reliable results or provide meaningful data.

Code Section that has been waived:
Section 11-707(B) - Conditions and requirements

Transportation Suspension of Enforcement

Under City Code Section 10-2-24 the following were previously approved:

- Curbside Pick-up Areas
- Closure of 100 block of King Street and Wales Alley to Vehicular Traffic

These will be extended through March 31, 2021 pursuant to the City Manager's authority under the Continuity of Government Ordinance.