



1 Section 1. The regulations herein are temporary and are being put in place to address  
2 the extraordinary circumstances caused by the COVID 19 pandemic on local businesses. The  
3 ordinance will expire on January 1, 2022, except for Sections 6(g) and 7 as indicated therein.  
4

5 Section 2. *Restaurant Deliveries and Pick-up.* Notwithstanding the requirements of  
6 Section 11- 500 of the Zoning Ordinance, restaurants may provide delivery service and pick-up  
7 service without amending current special use permits or obtaining new special use permits.  
8 Delivery vehicles and customer pick-ups may use on-street parking subject to posted parking  
9 requirements.  
10

11 Section 3. *Hours of Operation.* Notwithstanding the requirements of Section 11-500  
12 of the Zoning Ordinance, the hours-of-operation for restaurants, convenience and grocery stores,  
13 catering operations and automobile service stations (gasoline stations) may be modified without  
14 amending current special use permits or obtaining new special use permits.  
15

16 Section 4. *Sidewalk/Parking Lot Vending.*  
17

18 (a) Notwithstanding the requirements of Section 7-1500 of the Zoning Ordinance, restaurants  
19 and retail establishments are permitted to vend on adjacent sidewalks or parking lots. Vending is  
20 limited to the placement of orders and customer pick-up. To the extent required, establishments  
21 must put in place limitations in compliance with the most current health and safety standards.  
22

23 (b) A temporary exception to Section 5-2-29 of the City Code is hereby authorized to allow  
24 restaurants and retail establishments to vend on adjacent sidewalks pursuant to Section 4(a)  
25 above.  
26

27 Section 5. *Off Premises Alcohol Sales.* Notwithstanding the requirements of Section  
28 11-500 of the Zoning Ordinance, local restrictions on alcohol sales are suspended, including off-  
29 premises alcohol sales and delivery restrictions without having the amend a current special use  
30 permit or obtain a new special use permit. Businesses remain subject to all VABC licensure  
31 requirements.  
32

33 Section 6. *Alexandria Outdoor Business Expansion Program.*  
34

35 (a) Within the King Street Outdoor Dining (KSOD) area  
36 Restaurants within the KSOD may continue to utilize the KSOD program in Section 6-800 of the  
37 Zoning Ordinance and comply with the applicable guidelines therein.  
38

39 In addition to the program in Section 6-800 of the Zoning Ordinance, restaurants may set up  
40 outdoor dining in parking spaces outside of their businesses if:

- 41 • All current health and safety standards are complied with;
- 42 • A current certificate of insurance is submitted to the Department of Planning and Zoning  
43 (P&Z);
- 44 • For a restaurant without a current permit for the KSOD program, an application must be  
45 submitted to and approved by P&Z;
- 46 • Participants comply with modified guidelines of the Parklet Program, including the

1 location of parking spaces for outdoor dining away from corners or not on streets with a  
2 high traffic volume; and

- 3 • The year-round outdoor storage of dining furniture will also be permitted whether the  
4 restaurant is open or closed.

5  
6 There are no fees for this approval.

7  
8 (b) All areas outside the KSOD boundaries

9 Notwithstanding the requirements of Section 11-513 of the Zoning Ordinance, outdoor dining is  
10 permitted on restaurant property and in the public right-of-way (sidewalks, parking spaces,  
11 parking lots) where it will not detrimentally impact adjacent uses. Use will be allowed upon  
12 review and approval by staff from the P&Z, Transportation and Environmental Services (T&ES),  
13 Health, Fire and Police departments of an application.

14  
15 An application must be submitted to P&Z including:

- 16 • The proposed locations and square footage for outdoor dining
- 17 • number of seats;
- 18 • If the public right of way will be used, a current certificate of insurance must be  
19 submitted to P&Z to be eligible;
- 20 • If on private land not controlled by the operator, the operator must indicate permission of  
21 the property owner; and
- 22 • An explanation of compliance with specific criteria outlined below.

23  
24 Approval Criteria:

- 25 • Restaurants may use parking spaces in front of their business, adhering to the modified  
26 guidelines of the Parklet Program, including the location of parking spaces for outdoor  
27 dining away from corners or not on streets with a high traffic volume.
- 28 • Restaurant seating must be arranged in accordance with current health and safety  
29 standards.
- 30 • Restaurant operators must request that T&ES install traffic safety measures such as wheel  
31 stops and flex posts for outdoor dining areas in parking spaces in the public right-of-way.
- 32 • Outdoor dining on sidewalks must allow for at least five feet of continuous pedestrian  
33 access.
- 34 • Outdoor dining hours must be the same as approved in the restaurant's special use permit.
- 35 • Live entertainment is not permitted.
- 36 • Liability insurance certificate required for use of public right-of-way.

37  
38 There are no fees for this approval.

39  
40 (c) A temporary exception to Section 5-2-29 of the City Code is hereby authorized to allow  
41 restaurants and retail establishments to have outdoor dining on adjacent sidewalks and public  
42 parking spaces pursuant to Section 6(b) above.

43  
44 (d) Outdoor dining in off-street parking spaces on private property

45 Notwithstanding the requirements of Section 8-200(A)(17) and 11-513 of the Zoning Ordinance,  
46 restaurant operators may use off-street spaces located on the same property for outdoor dining

1 where it will not detrimentally impact adjacent uses. Use will be allowed upon review and  
2 approval by staff from the P&Z, T&ES, Health, Fire and Police departments of the letter  
3 agreement.

4  
5 A letter agreement must be submitted to P&Z with the following information:

- 6 • Proposed locations for outdoor dining,
- 7 • Number of seats,
- 8 • Number of parking spaces used, and
- 9 • Compliance with specific criteria outlined below.

10  
11 Approval Criteria:

- 12 • Restaurant seating must be arranged in accordance with current health and safety  
13 standards.
- 14 • Outdoor dining hours must be the same as approved in the restaurant's special use permit.
- 15 • Live entertainment is not permitted.

16  
17 There are no fees for this approval.

18  
19 (e) Retail Uses

20 Notwithstanding the requirements of Sections 5-2-29, 5-8-3(f), and 10-2-24 of the City Code and  
21 Sections 7-1500 and 8-200(A)(16) of the Zoning Ordinance, retail businesses may request the  
22 use of sidewalks, on-street parking spaces, and privately-owned parking lots and spaces to  
23 display their products and conduct sales, where it will not detrimentally impact adjacent uses.  
24 Use will be allowed upon review and approval by staff from the P&Z, T&ES, Health, Fire and  
25 Police departments of the required information.

26  
27 The following must be submitted to P&Z:

- 28 • Proposed locations and square footage for outdoor space;
- 29 • A current certificate of insurance; and
- 30 • A letter of agreement with conditions ensuring compliance with the specific criteria  
31 outlined below.

32  
33 Approval Criteria:

- 34 • Retail operators may use parking spaces in front of their business, adhering to the  
35 modified guidelines of the Parklet Program, including the location of parking spaces for  
36 outdoor retail away from corners or not on streets with a high traffic volume.
- 37 • Retail operators must request that T&ES install traffic safety measures such as wheel  
38 stops and flex posts for outdoor retail areas in parking spaces in the public right-of-way.
- 39 • Social distancing requirements must be met.
- 40 • Outdoor display on sidewalks must allow for at least five feet of continuous pedestrian  
41 access.
- 42 • Live entertainment is not permitted.
- 43 • Liability insurance certificate is required for use of public right-of-way.
- 44 • If on private land not controlled by the operator, the operator must indicate permission of  
45 the property owner.

1 There are no fees for this approval.  
2

3 (f) Health and fitness uses on sidewalks, in off-street parking spaces on private property and in  
4 on-street parking spaces  
5 Notwithstanding the requirements of Sections 8-200(A)(16), 8-200(A)(18), and 11-513 of the  
6 Zoning Ordinance, health and fitness business operators may request the use of sidewalks,  
7 privately-owned parking lots and spaces and on-street parking spaces to offer classes and provide  
8 access to fitness equipment, where it will not detrimentally impact adjacent uses. Use will be  
9 allowed upon review and approval by staff from the P&Z, T&ES, Health, Fire and Police  
10 departments of the required information.  
11

12 The following must be submitted to P&Z:

- 13 • Proposed locations and square footage for outdoor space;
- 14 • A current certificate of insurance; and
- 15 • A letter of agreement with conditions ensuring compliance with the specific criteria  
16 outlined below.  
17

18 Approval Criteria:

- 19 • Health and fitness use operators may use sidewalks and parking spaces in front of their  
20 business, adhering to the modified guidelines of the Parklet Program, including the  
21 location of parking spaces for fitness uses away from corners or not on streets with a high  
22 traffic volume.
- 23 • Business operators must request that T&ES install traffic safety measures such as wheel  
24 stops and flex posts for outdoor fitness areas in parking spaces in the public right-of-way.
- 25 • Current health and safety standards must be met.
- 26 • Outdoor activities on sidewalks must allow for at least five feet of continuous pedestrian  
27 access.
- 28 • Live entertainment is not permitted.
- 29 • Liability insurance certificate is required for use of public right-of-way.
- 30 • If private land is not controlled by the operator, the operator must indicate permission of  
31 the property owner.  
32

33 There are no fees for this approval.  
34

35 (g) Retractable Awnings in the Old and Historic Alexandria District and in the Parker Gray-  
36 Historic District  
37 Notwithstanding Section 10-103(A) and 10-203(A), retractable awnings may be administratively  
38 approved and are subject to the criteria listed in the Old and Historic Alexandria District and  
39 Parker-Gray Historic District Design Guidelines awning chapter. Permits issued pursuant to this  
40 section will expire on or before November 1, 2023, unless an extension is approved by the Board  
41 of Architectural Review.  
42

43 (h) Building Permit Fees  
44

45 Notwithstanding Resolution Number 2769, building permit fees are not being charged for  
46 proposals associated with the outdoor business operations of restaurants, retail stores and fitness

1 uses. Businesses are eligible with P&Z approval for temporary outdoor business expansions or  
2 the KSOD program or City Council approval of a special use permit for outdoor dining.

3  
4 (i) Fire Prevention Permit Fees

5 Notwithstanding Ordinance Number 5150, fire prevention permit fees are not being charged for  
6 proposals associated with the outdoor business operations of restaurants, retail stores and fitness  
7 uses. Businesses are eligible with P&Z approval for temporary outdoor business expansions or  
8 the KSOD program or City Council approval of a special use permit for outdoor dining.

9  
10 Section 7. *Tolling of Validity Periods for Certain Land Use Permits.*

11  
12 Notwithstanding Sections 10-206, 11-418 and 11-506 of the Zoning Ordinance, the validity  
13 period for development site plans, special use permits, development special use permits,  
14 certificate of appropriateness, and permits to demolish shall be extended for the number of  
15 months as follows:

- 16 • For applications approved prior to March 14, 2020: 12 months or the number of months  
17 that the City's Declaration of Local Emergency is in place, whichever is longer
- 18 • For applications approved March 14, 2020 or after: the number of months beginning on  
19 the approval date through the expiration of the City's Declaration of Local Emergency.

20  
21 Section 8. *Transportation Management Plan (TMP) Survey.* The annual survey  
22 required by Section 11-707(B) will not be required until the termination of this temporary  
23 ordinance.

24  
25 Section 9. *Designation of Parking Spaces for curbside pick up.* Notwithstanding  
26 Section 5-8-3(f) of the City Code, the City staff will continue to designate public parking spaces  
27 as curbside pick- up areas. Spaces will be chosen based on proximity to restaurants and retail  
28 uses and will minimize impacts on surrounding properties.

29  
30 Section 10. *Closure of 100 block of King Street.* Notwithstanding Section 5-8-3(f),  
31 the closure of the 100 block of King Street to vehicular traffic will continue.

32  
33 Section 11. *City Emergency Use.* Notwithstanding the definition of public building in  
34 Section 1-125 of the Zoning Ordinance, any special use permit issued for the use of a city  
35 building, park or facility, or any Zoning Ordinance section or current special use permit that  
36 limits uses on private property, the City is authorized to use its facilities and those it obtains  
37 permission from private property owners to utilize to address public needs in response to the  
38 COVID-19 emergency. Such uses will be deemed permitted uses in that zone related to the  
39 public use. Locations will be chosen to minimize impacts on surrounding properties.

40  
41 Section 12. That the director of planning and zoning be, and hereby is, directed to  
42 record the foregoing text amendment.

43  
44 Section 13. That this ordinance shall become effective on the date and at the time of  
45 its final passage. This ordinance shall expire as set forth in Section 1.

JUSTIN WILSON  
Mayor

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5 Introduction: 12/8/20  
6 First Reading: 12/8/20  
7 Publication:  
8 Public Hearing: 12/12/20  
9 Second Reading: 12/12/20  
10 Final Passage: 12/12/20