

APPLICATION FOR ADMINISTRATIVE APPROVAL FOR TEMPORARY OUTDOOR SEATING AREA (TOSA)



Town of Chesapeake Beach
8200 Bayside Rd. PO BOX 400 Chesapeake Beach, MD 20732
Phone (410) 257-2230

Filing Instructions

For businesses that qualify for the creation or expansion of a TOSA during the emergency related to COVID-19, applications and supplemental documents may be emailed to the Town Administrator, Holly Wahl, at hwahl@chesapeakebeachmd.gov.

1. Read all applicable TOSA standards and complete application;
2. Prepare all supporting materials listed under 'Checklist of Additional Submission Materials';
3. If the creation or expansion of the TOSA will be located on private property not currently controlled by the business, provide a letter of consent from the property owner granting permission for the TOSA;
4. Submit application and supporting materials via email to email address listed above, there is no fee required;
5. Contact Town Hall at (410)257-2230 prior to opening.

TEMPORARY OUTDOOR SEATING AREA APPLICATION	
Establishment/ Restaurant Name:	Date:
Business Address:	
Other Property Identifiers:	
Applicant Information	
Name:	Relation to Business:
Address:	Phone #:
Email Address:	Back Up Contact Name and Phone #:
Parking Arrangements	
Describe customer parking arrangements. Does restaurant have designated parking spaces? If so, where are these spaces located?	

Outdoor Seating

Note: carefully read through the TOSA standards before filling this section out

Describe location of proposed outdoor seating (sidewalk, parking lot, parking space, courtyard, etc....):

Is this an expansion of an existing permitted outdoor seating area?

Yes

No

Is the proposed seating area in the public right-of-way or in public space (e.g., sidewalk, street)?

Yes

No

Seating area size (square feet):

Seating area dimensions (length x width):

Proposed number of seats:

Proposed number of tables:

Will alcohol be served in TOSA?

Yes

No

If yes to alcohol, describe barrier to enclose seating area (required):

Are any of the following streetscape items currently within the proposed seating area (check all that apply):

☐ Tree Pit

☐ Street Light

☐ Permanent Signage

☐ Telephone / Electrical Pole

☐ Fire Hydrant

☐ Bike Rack

☐ Parking Meter

☐ Trash Can

☐ Newspaper Stand

Does restaurant offer take-out and delivery options:

Yes

No

Describe (current and/or proposed) location of temporary parking for food delivery drivers and take out customers:

Checklist of Additional Submission Materials

Note: clearly label all drawings, maps, and photos

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

☐ Aerial imagery such as Google Earth

☐ Photographs

☐ If available, a survey plat, drawings, or plans

☐ Plans for outdoor areas that allow smoking

☐ Provide the following only if TOSA is on private property not owned by business:

☐ 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 with Town staff's review:

☐ Copy of existing Certificate of Occupancy and Capacity Certificate for interior restaurant

☐ If applicable, copy of existing Certificate of Occupancy, Capacity Certificate, and seating chart for outdoor dining area

Requirements and Standards for Temporary Outdoor Seating Area (TOSA)

Application and Operation

In order to ensure the health and safety of restaurant patrons and the general public, restaurants that would like to open a TOSA will need to adhere to certain standards, which are outlined below and vary based on the location of the proposed TOSA.

MANDATORY REQUIREMENTS FOR ALL TOSAS

1. In addition to these TOSA standards, businesses must abide by all other federal, state, and local laws and regulations, including temporary measures that have been created in response to the COVID-19 crisis.
2. TOSAs are only permitted for existing restaurants or food/beverage service establishments with approved Certificates of Occupancy.
3. Tables and seating must be spaced in accordance with the Calvert County Health Department guidelines.
4. Outdoor cooking and food entertainment, live entertainment, gaming activities, TVs, and piped-in music within a TOSA are not allowed.
5. Restaurant patrons seated in a TOSA must have clearly visible and unobstructed access to restroom facilities within the restaurant.
6. TOSAs are to remain *temporary* structures (no fixtures permanently anchored to surface) and uses until their expiration and are to adhere to current building codes.

TOSA STANDARDS ON PUBLIC SIDEWALKS (PUBLIC RIGHT-OF-WAY)

1. Expanded or new TOSAs may extend into the public sidewalk provided that all tables are spaced a minimum of six feet apart.
2. All tables, chairs and barriers must be placed on a paved and flat surface and should not block entrances, exits, fire lanes, hydrants, sprinkler connection points, drive aisles, pedestrian or handicapped access.
3. All tables and associated furnishings must fit within the existing streetscape and should not impact any utilities, parking meters, signs, street lights or street trees.
4. A five-foot-wide clear path should be provided from the building entrance to the curb to maintain delivery and curbside pick-up operations.
5. Umbrellas, canopies, or awnings should not hang over adjacent clear paths designated for public circulation.
6. Minimum handicapped accessibility requirements are met.
7. Two remotely located exits are in place from any barrier or barricade being provided and a straight path of at least 44 inches shall be maintained between exits.
8. Any tented outdoor dining area is subject to life safety inspection.

TOSA STANDARDS FOR COORDINATED PEDESTRIAN CIRCULATION

1. Curbside parking spaces within the public right-of-way may be used for pedestrian circulation when permitted by the Town with the provision that necessary and appropriate safety and ADA accessible accommodations are maintained.
2. Temporary pavement markings and signs could also help define paths for social distancing and zones for curbside pick-up and delivery.
3. A minimum 6-foot-wide ADA-accessible pedestrian pathway should be maintained for public passage. If the pathway leads pedestrian to traverse a curb, proper ADA ramps must be provided.

Applicant Disclosure Agreements

- ☐ The undersigned attests that all of the information herein provided is true, correct, and accurate to the best of their knowledge.
- ☐ The undersigned acknowledges that approval of the TOSA is temporary, is subject to periodic review, and may be terminated at any time by the Town of Chesapeake Beach.
- ☐ The undersigned agrees to comply with all TOSA Mandatory Requirements and Guidelines that pertain to the specific location of the TOSA as outlined in this application document. Failure to comply may result in the revocation of TOSA approval and removal of the TOSA.
- ☐ The undersigned agrees to comply with all requirements set forth in all applicable federal, state, and local laws, ordinances, and regulations.
- ☐ The undersigns agrees to the understanding that final approval is subject to Town inspection of the set up of the TOSA to ensure compliance with the basic standards. **The undersigns agrees to call Town Hall at (410) 257-2230 prior to opening.**

Applicant Signature

Date