

Restaurant/Retail Outdoor Seating Guidelines

The following requirements are put in place to allow businesses located in unincorporated Adams County – such as restaurants, boutique retail, etc. – to temporarily engage in commerce outside of their normal footprint in order to promote social distancing and public health measures related to COVID-19. The following requirements must be adhered to by businesses wishing to temporarily operate an expanded outdoor footprint.

- Who is eligible to apply?
 - Applicants can include places of public accommodation offering food, beverages, or alcoholic beverages for public consumption (restaurants, coffee houses, brew pubs, etc.) as well as for the sale of goods to the public (retail sales).
 - Applicants must also comply with all applicable zoning, building, and fire codes.
- What is allowed in this expanded space?
 - Allowed activities include sit-down service, customer pick-up, carryout, and display of merchandise for sale.
- Where is the expanded area allowed (subject to approval)?
 - Patio
 - Plaza
 - Parking spaces
 - Landscaping area
 - Sidewalk
- Total Occupancy: Occupancy shall not exceed standard building occupancy for the location, and per the Governor’s Order, indoor dining service must be limited to no more than 50% of the indoor posted occupancy code limit with no more than 50 people total, whichever is less. For example, if the standard building occupancy is 100, 50 guests may be seated inside, and the outdoor seating capacity may be expanded to up to 50 guests. This ensures the business is still meeting standard building and fire code occupancy standards for restrooms. Social distancing practices must be observed.
- Expanding into Parking Lots: Business owners may apply for a temporary waiver of parking space requirements. This waiver will allow businesses to situate tables/sales racks in a designated parking area. The following conditions must be met to allow expansion into designated parking spaces:
 - The parking lot used for the expansion is owned by the business, or the business can provide written permission from the lot owner to use that space.
 - Must provide ADA accessibility and may not block ADA parking spaces.
 - Not negatively impacting the parking needs of another adjacent business. For example, if the lot is shared by multiple businesses, you only use those spaces allotted to your use of the property.
 - Parking spaces utilized must not exceed 50% of total parking area.
 - The expanded footprint area is controlled (ex. temporary fencing 4 feet in height or less or another type of divider separating the space from the parking area).
 - Submit a site plan to Adams County detailing the waiver request.
- Liquor Licensing: Coordinate with Adams County Licensing Administrator Brandan Slattery (BSlattery@adcogov.org) to file for a temporary Liquor Modification of Premise form. Fill in the

first page and section 9 later in the form and sign the oath on the last page. The form can be found [here](#).

- Tri County Health Standards: If a restaurant is solely expanding seating and/or host station to a parking lot or other space, it does NOT need to go through a TCHD Retail Food Establishment Plan Review. If a restaurant plans on expanding operations beyond seating/host station, including moving equipment or service areas such as a drink station, water station, ice storage, etc., a retail food plan review may be required. Those businesses should contact the TCHD Plan Review Team at 303.846.6230 or planreview@tchd.org for further guidance.
- When will this expire?
 - This program for the temporary expanded outdoor footprint will expire by the end of October 2020. County staff will re-evaluate the program leading up to this expiration date.
- Safety Guidelines for Temporary Use of Outdoor Space
 - Temporary outdoor seating/merchandise areas must not block egress from the building. Exiting is allowed through the temporary outdoor space as long as the exit path is defined and remains clear.
 - Parking stalls designated for the disabled must remain accessible, including any ramps or accessible routes into the building.
 - All exterior electrical wiring must be approved for exterior use and suitable for wet locations (including property GFCI protection). Electrical wiring must be properly supported, be protected from physical damage, and not create a tripping hazard.
 - A minimum of a 5-foot pedestrian pathway must be maintained through sidewalk seating/merchandise areas.
 - Ensure there is access for all modes of transportation, including pedestrians and cyclists.
- Building permits will be required for new construction, additions, or alternations, including:
 - Any permanent improvements such as awnings or patio covers
 - Permanent fences or barriers
 - Installation of permanent electrical power or lighting
 - Installation of heating appliances that are connected to building services
 - Moving walls
 - Demolition
 - Interior remodeling