

CITY OF TAMPA'S

LIFT UP

LOCAL

ECONOMIC RECOVERY PLAN

**A Guide for Expanded
Restaurant + Retail Space**

Revised 5.19.2020

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1. PREFACE

Governor DeSantis Executive Order 20-112

On April 29, Governor Ron DeSantis announced a plan for Florida's reopening post COVID-19. This Executive Order 20-112, as amended, also referred to as "Phase 1," takes effect Monday, May 4, 2020 at 12:01 a.m. and lasts until the Governor issues a subsequent order. This order is in effect statewide. The Phase 1 Executive Order and Task Force report provide the following recommendations:

- ▶ Bars, pubs, and nightclubs that derive more than 50 percent of gross revenue from the sale of alcohol beverages* shall remain closed for on-premise consumption

**This includes establishments that have a state "quota" license for unrestricted alcoholic beverage sales.*

- ▶ Restaurants and food establishments* licensed under Chapters 500 and 509, Florida Statutes, may allow on-premises consumption of food and beverage, so long as they adopt appropriate social distancing measures and limit their **indoor occupancy to no more than 50 percent of their building occupancy, excluding employees.**

**This may include establishments that derive more than 50 percent of gross revenue from the sale of alcohol beverages but are ALSO a food establishment licensed under FS Ch. 500 or 509.*

- ▶ Appropriate social distancing requires maintaining a **minimum of 6 feet between parties**, except to the extent that appropriate partitioning is in place
- ▶ Parties should not exceed 10 people. Businesses should limit inside waiting areas for patrons waiting to be seated.
- ▶ Businesses should thoroughly clean and disinfect all surfaces after each use.
- ▶ Businesses should consider a reservations-only business model or call-ahead seating to manage spacing in restaurant.
- ▶ **Outdoor dining areas should be prioritized** with six-foot spacing between tables.
- ▶ All bar counter areas shall be closed to seating.
- ▶ On-site sale and retail businesses will be allowed to operate at 50 percent occupancy and should abide by the safety guidelines issued by the CDC and OSHA.

- ▶ **Facial coverings** should be worn for all those in face-to-face interaction roles (e.g., servers, retail workers) and where six foot social distancing cannot be maintained.

City of Tampa Restaurant + Retail Recovery Program

In concert with the Governor's Executive Order, the City of Tampa has created the following guidelines to temporarily allow restaurants and retail businesses to expand their business footprint onto the public rights-of-way or in privately owned parking facilities without meeting certain City code and permit requirements.



"We want to lift up our local businesses through this recovery and empower them to re-open responsibly, by giving our local business owners as many tools and as much space as possible to safely serve guests, we can work together to protect our workforce, our customers, and our community. Our small businesses are the backbone of our economy, and we need their help to safely and successfully re-open our city and get back to all the things we love--one step at a time."

Jane Castor, City of Tampa Mayor



"The safety of the public is our top priority as the City moves forward to reopen. Law enforcement has properly planned strategies and logistical needs to aide and educate consumers and business owners with guideline restrictions. Our efforts will ensure all comply with social distancing standards and sanctions."

Brian Dugan, City of Tampa Police Chief



"Tampa Fire Rescue, including the Fire Marshal's Office and the Emergency Management Division, stand ready to implement this measured approach to balance the health and safety of our community with the economic revival we need. Our mission is service to the public and our commitment has not wavered."

Nick LoCicero, City of Tampa Fire Chief

City of Tampa COVID-19 Requirements

In the interest of public safety, the following requirements will be applicable to all restaurants and retail businesses in the City of Tampa that utilize any City rights-of-way for outdoor seating:

- ▶ Indoor capacity limited to **50% of building occupancy**, excluding staff personnel.
- ▶ All indoor and outdoor seating must be spaced at least **six feet apart**, except to the extent that appropriate partitioning is in place.
- ▶ It is strongly encouraged to **test your workforce for COVID-19**. Call (813) 272-5900 for free testing. No symptoms necessary, and insurance is not required.
- ▶ Use disposable paper **menus**.
- ▶ Provide easily accessible sanitizer for patrons and employees.
- ▶ It is strongly encouraged to implement **contactless ordering and payment processes**.
- ▶ All restaurants are encouraged to use **a reservation process** to prevent capacity issues. Restaurants using Parklets or participating in the 'Café and Retail' zones are **REQUIRED** to use a reservation process to prevent patrons from congregating while waiting for service.
- ▶ **Facial coverings** must be worn by "front of house" staff members who interact with customers.
- ▶ **Limit contact with dining guests** by reducing the number of visits wait staff make to each table.

Restaurant + Retail Recovery Program Overview

The City of Tampa's Restaurant + Retail Recovery Program has been established to ensure businesses have the greatest ability to operate successfully during the COVID-19 economic recovery. Phase 1 of the program entails leveraging available private and public space to be used as expanded areas for restaurant and retail activity while maintaining public safety requirements.



Economic Recovery Call Center

The City of Tampa has established a Call Center to communicate with local businesses during economic recovery from the COVID-19 pandemic.

Call: 1-833-TPA-INFO (1-833-872-4636)

Visit: www.tampagov.net/emergency-management/step-by-step

Temporary Outdoor Dining + Retail Activity on Private Property (Sidewalks + Parklets)

Restaurants and retail establishments with access to private sidewalks or private parking may utilize these areas for dining or retail services, in accordance with the safety guidelines outlined in Section 2 of this guidebook, provided the consent of the landlord or property-owner is obtained.

Temporary Outdoor Dining + Retail Activity in Public Rights-of-Way

The City of Tampa is temporarily suspending City Code and permit application and approval requirements for restaurants and retail businesses to expand operating space in designated portions of the public rights-of-way. These areas are limited to all sidewalk areas and adjacent on-street parking spaces (if available) on City and County roadways. State roads are excluded from this program as the City does not regulate State rights-of-way.

To participate in the program, minimum life safety requirements and Americans with Disability Acts (ADA) must still be met as described in Section 2 of this guidebook. It shall be the responsibility of the business to ensure that these requirements are maintained at all times the business is operating within the public right-of-way. To request use of metered public parking spaces adjacent to your business, please contact the City of Tampa at 1-833-TPA-INFO (1-833-872-4636).

“Café & Retail Zones” are specific areas that the City of Tampa has proactively identified that will have full or partial road closure, and a map of these locations is on the City’s Lift Up Local webpage: <https://www.tampagov.net/emergency-management/LiftUpLocal>.

Types of public spaces used for this purpose:

Sidewalks

Private use of sidewalk space has typically required Sidewalk Café Permits (per Chapter 22, Subdivision IX, of the City of Tampa Code of Ordinances). The City of Tampa is temporarily suspending City Code and the requirement to apply for a permit and now allowing businesses to temporarily use sidewalks for additional restaurant seating or retail purposes. Requirements are described further in Section 2 of this guidebook.



Parklets

Parklets are on-street parking spaces that have been temporarily converted for other uses, such as expanded outdoor dining areas.

Café & Retail Zones

This involves closure of portions of a street near a concentration of businesses to provide additional space in a safe and protected setting that can serve multiple businesses.

2. RESTAURANT + RETAIL RECOVERY PROGRAM

The City of Tampa is taking steps to ensure businesses have the ability to operate safely and successfully during the COVID-19 economic recovery using available private and public right-of-way.

Temporary Outdoor Dining + Retail Activity on Private Property

In accordance with City of Tampa Executive Order 2020-15, businesses may expand dining and retail areas to certain areas of private property not typically permitted for business activity, such as private outdoor areas and parking lots.

Private Parking Lots

Up to 50% of off-site private parking spaces counted for required parking may be converted to outdoor dining or retail space, when the lot is immediately adjacent to the parent property. The converted use must be in conformance with all Tampa Fire Rescue requirements for building accessibility, and social distancing requirements that provide at least six feet spacing between tables and pathways. Additionally, no parking for disabled persons may be repurposed for restaurant or retail use.

The required landscape and buffer areas for the off-site private parking spaces (Vehicular Use Areas), shall not be used as an expanded converted use for restaurants or retail operations. There shall not be parking, outside seating, or retail activities in these areas.

Use of Parking Spaces on Private Property

Up to 50% of required on-site parking spaces may be converted to outdoor dining areas or retail space to expand the footprint of the business operation. The converted use must be in conformance with all Tampa Fire Rescue requirements for building accessibility and social distancing requirements which provide at least six feet spacing between tables and pathways. Additionally, no parking for disabled persons may be repurposed for restaurant or retail use.

The required landscape and buffer areas for the on-site parking spaces (Vehicular Use Areas), shall not be used as an expanded converted use for restaurants or

retail operations. There shall not be parking, outside seating, or retail activities in these areas.

Erection of Tents and Other Shade Structures on Private Property

Tents that are 10 feet by 10 feet in size or smaller may be erected in parking spaces to provide shade for the dining area. The Fire Marshal requirements listed under “General Requirements for Restaurants, Use of Tents or Shade Structure” must be met.

Tents or shade structures that are larger than 10 feet by 10 feet in size must comply with I.F.I.A. tent handbook requirements.

Setbacks on Private Property

Any permanent structures being proposed to expand the seating area for outdoor seating must meet required yard setbacks. Temporary placement of equipment such as wash stations and hand sanitizing stations or stations for staff set up and service do not need to meet required yard setbacks.

Temporary Outdoor Dining + Retail Activity in Public Rights-of-Way (Sidewalks + Parklets)

In accordance with City of Tampa Executive Order 2020-15, the City of Tampa is temporarily authorizing restaurants and retail businesses to expand dining and retail operations onto all sidewalks and on-street parking spaces (parklets) on City and County Roads within the City, provided the applicable requirements described below can be met. The City has also identified certain roadways for full road closures (Café & Retail Zones) and will be temporarily making these street areas available for expanded dining and retail activity, consistent with the requirements and conditions described in this guidebook.

Sidewalks

Sidewalk activation for restaurants and retail businesses have typically required Sidewalk Café Permits (per Chapter 22, Subdivision IX, of the City of Tampa Code of Ordinances). The City of Tampa is suspending the requirement to apply for a permit and now allowing businesses to temporarily use sidewalks, subject to the conditions in this Guidebook, for additional restaurant seating or retail purposes.

Expanded Sidewalk Requirements for Restaurant & Retail

For the duration of Governor DeSantis' Executive Order 20-112, as amended, City Code requirements regarding certain permitting of sidewalk cafes shall be temporarily suspended. Businesses utilizing City rights-of-way shall comply with the following requirements during this time period. Operational Requirements for Sidewalk Cafes per Sec. 22-227 shall remain in effect as described below and shall generally apply to all private business operations including retail establishments.

General Requirements

Outdoor café seating and retail operations within sidewalks and public rights of way shall maintain:

- ▶ Adequate pedestrian flow of at least 6 feet; A graphic depicting outdoor seating parameters is attached to this guidebook.
- ▶ Access to public utilities, building entrances, crosswalks, bus stops and transient entrances;
- ▶ Pedestrian and traffic safety; and
- ▶ Aesthetic compatibility with the surrounding area.

Location Requirements

1. The width of the sidewalk café or retail space is restricted as follows:
 - a. The width shall not exceed the width of the sidewalk frontage of the subject property. However, the area of the permit may be extended up to a maximum of fifty (50) feet on one (1) side of the subject location, subject to the provisions of subsection b. of this section.
 - b. The sidewalk café or retail area may extend by a maximum of fifty (50) contiguous feet in the public right-of-way on one (1) side and/or the other side of the private property so long as the property directly abuts the public right-of-way. Adjacent businesses are strongly encouraged to coordinate.
2. A clearly marked, unobstructed, and durable pedestrian right-of-way, also known as the "pedestrian path", that meets required accessibility standards, of no less than **six (6) feet** shall be maintained for each sidewalk café area and shall adhere to the following standards:
 - a. The minimum distance of said path shall be measured from the portion of the sidewalk café/retail space boundary which is nearest either the curb line or the nearest obstruction.
 - b. In no event may recesses in the sidewalk café/retail space boundary be used to satisfy this unobstructed width requirement

for said path, except that the corners of the sidewalk café/retail space may be rounded or mitered.

- c. Sidewalk cafés/retail spaces shall maintain a clearance of **six (6)** feet around the corners of other sidewalk cafés measured in radius.
3. The pedestrian path shall maintain a minimum of six (6) feet from large obstructions. No tables, or chairs, umbrellas or other fixtures shall be permitted within six (6) feet of a pedestrian crosswalk or corner curb cut. For the purposes of this section, large obstructions shall be bus stops shelters, newsstands, existing planters or any other object greater than fifteen (15) square feet in area.
4. Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers or seating. The twenty (20) feet fire lane shall not be obstructed at any time. There shall be a minimum of forty (40) inches in distance separating the edge of a table or chair to a fire department connection.
5. No object shall be permitted around the perimeter of an area occupied by tables and chairs which would have the effect of forming a physical or visual barrier discouraging the free use of the tables and chairs by the general public or which would have the effect of obstructing the pedestrian path.
6. The operational hours of the space shall be restricted to the adjacent business operating hours.

Construction; signage; maintenance and Umbrellas

1. Appropriate lighting of the sidewalk café/retail space is required if operating outside of daytime hours.
2. Use of landscaping and planters is permissible, however these materials should not be permanently affixed to any public rights-of-way.
3. All signage must be in compliance with this Code. Signs are prohibited on umbrellas, chairs, tables and other permissible fixtures which are located on the public right-of-way, except that the establishment identified on the permit and/or its logo shall be permitted on umbrellas.
4. Use of removable barriers to define the sidewalk café is permissible.
5. No heating, cooking or open flames are permitted in the sidewalk café. However, space heaters are permitted provided that they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material.
6. No food preparation, plastic food displays, food storage, or refrigeration apparatus shall be allowed on the public right-of-way.

7. Umbrellas and other decorative material shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than six (6) feet, eight (8) inches (eighty (80) inches) above the sidewalk.

City of Tampa Right to Clear Right-of-Way

The City reserves the right to remove a sidewalk café/retail space that (i) creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic due to existing conditions on the surrounding public right-of-way if it finds the installation represents a danger to the health, safety or general welfare of the public (ii) a business violates the requirements of these Guidelines or Executive Order 2020-15.

The City may require the removal, temporary or permanent, of the sidewalk café/retail space when redevelopment of the street or sidewalk, or utility repairs necessitates such action, or the permittee fails to comply with the criteria set forth in Sec. 22-226 of the Code of Ordinances. Any costs incurred by the City for removal or storage of sidewalk café tables, chairs and other equipment shall be the responsibility of the business. The city is not responsible for any damages or loss of equipment removed pursuant to this subsection.

Parklets



Parklets can be used by one or more businesses, and don't require streets to be closed. The City will be temporarily suspending certain codes and permitting requirements for private use of on-street parking spaces within the public right-of-way, for uses consistent with the requirements in this guidebook.

- ▶ Metered parking spaces must be requested and approved in advance by contacting the City Call Center at 1-833-TPA-INFO. The City of Tampa Parking Division will bag spaces at no cost to the

business, and the business will then be permitted to temporarily use the additional space for restaurant or retail use.

- ▶ Non-metered spaces may be activated by an adjacent business at any time without notification to the City.

Temporary Removable Barrier Materials

Temporary barrier materials, such as those depicted below, can be utilized to better define boundaries of extended business operations. Any equipment or furniture placed in the parking space cannot be placed closer than 2 feet from the edge of the adjacent travel lane. Safe pedestrian pathways between barrier walls must be provided. For questions relating to barrier wall placement, please call the Tampa Fire Marshal's office at (813) 274-7000.



Temporary Surface Materials

Temporary surface materials, such as those depicted below, are permitted for application on sidewalks and parking spaces.



Café & Retail Zones

The City has designated three (3) Café & Retail Zones where the City will close selected portions of an entire street and require detours for vehicles. These zones will provide the maximum additional space, serve many businesses in a concentrated area, and will be installed 24 hours per day/7 days per week, for the duration of this pilot program

In the interest of public safety, full street closure locations and hours of operation are approved and deployed by the City of Tampa in advance. The City will provide the maintenance of traffic plan to close the roadway for vehicles and deploy necessary detours and signs to direct traffic away from the closure.

It is the responsibility of the business to activate these spaces with temporary materials such as tables and chairs, umbrellas, and visual/physical barrier materials.

Business Responsibilities for Street Activations

It shall be the responsibility of the business to activate the spaces described in this section with temporary materials such as tables and chairs, umbrellas, and visual/physical barrier materials as needed per site specific conditions. Maintenance (daily upkeep, litter cleanup, etc.) associated with business operations shall also be the responsibility of the business.

Alcoholic Beverages

Restaurants and food establishments licensed under Florida Statutes Chapters 500 and 509, will be permitted to sell and allow on-premise consumption of alcoholic beverages within expanded dining areas on private property, on immediately adjacent sidewalks, within parklets and within Café & Retail Zones that have been closed to traffic by the City of Tampa. This includes both of the following situations:

- ▶ Restaurants that currently have a license that limits sales of alcoholic beverages to fifty percent or less
- ▶ All establishments that derive more than 50 percent of gross revenue from the sale of alcohol beverages AND are ALSO a food establishment licensed under FS Ch. 500 or 509.

Restaurants utilizing public rights-of-way for outdoor dining shall comply with the following closing times:

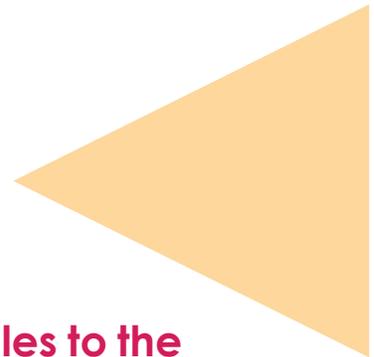
- ▶ Thursday through Saturday – close at 11:00 PM
- ▶ Sunday through Wednesday – close at 10:00 PM

Restaurants not currently permitted to sell alcohol will not be affected by this program.

Use of Tents or Shade Structures on Sidewalks, On-Street Parking Spaces, or Closed Streets

- ▶ The following requirements shall apply to use of tents or shade structures within public spaces:
 - The maximum size tents that may be placed within sidewalks and parking spaces will be 10-foot by 10-foot.
 - No staking of tents is permitted in public rights-of-way.
 - All tent legs must be weighted
 - Each leg must have a minimum of 40lbs.
 - Weights must be securely attached to canopy roof and canopy leg separately
 - Ropes and straps should be high quality
 - Bungee or rubber straps are prohibited
 - Weights must be on the ground and not dangling
 - Weights and lines must not pose a hazard and be clearly visible
 - For maximum safety, tents should be secured as soon as they are put up, and brought down as soon as weight is removed. Do not leave unsecured tents at any time.
 - Heaters of any kind shall not be used under tents or umbrellas.
 - Smoking is prohibited under tents and shade structures.
 - Tents must not have closed walls in place while open to the public, and all sides should be open for air flow.
- ▶ Items that make acceptable weights:
 - 5 gallon bucket full of water, sand, or concrete
 - 4" PVC pipe at least 36" long filled with concrete
 - Large commercially available tent weights
 - Sandbags or salt bags 40lbs or heavier
- ▶ Requirements for tents larger than 10-foot by 10-foot
 - Shall only be placed on private property or city parks (not sidewalks or streets)
 - Must comply with IFIA Tent Handbook
- ▶ Fire Marshal Checklist for Operating Tents within City Limits
- ▶ The Fire Marshal's office will have staff available to assist with ensuring life safety needs and can be reached by calling (813) 274-7000.

3. FREQUENTLY ASKED QUESTIONS



Do I need a permit or approval to add restaurant tables to the sidewalk in front of my business?

No, the requirement to obtain a Sidewalk Café Permit has been temporarily suspended for the duration of City of Tampa Executive Order 2020-15.

Do I need to get approval to take over a public parking space in front of my business?

On-street parking spaces with parking meters must be approved by the City of Tampa. Businesses may call 1-833-TPA-INFO (1-833-872-4636) to request one or more parking meters be bagged/covered so the parking space may be used by the business for the duration of the pilot.

On-street spaces without parking meters do not require any notification of the City. Un-metered spaces are available for business use consistent with the requirements in this guidebook for the duration of the pilot.

How do I request closure of the street adjacent to my business?

The City has designated three (3) Café & Retail Zones where the City will close selected portions of an entire street and require detours for vehicles. These zones will provide the maximum additional space, serve many businesses in a concentrated area, and will be installed 24 hours per day/7 days per week, for the duration of this pilot program

All locations are on city-owned streets. To request consideration of a Café & Retail Zone in front of your business, please call 1-833-TPA-INFO (1-833-872-4636).

What are the hours of operation allowed on sidewalks, parklets, and in Café & Retail Zones?

The permitted business hours of operation for indoor portions of your business should remain consistent with your businesses typical hours of operations. If you are expanding operations outdoors, outdoor seating hours end at 10 pm Sunday through Wednesday and 11 pm Thursday through Saturday. Please be mindful of your neighbors and any additional noise that may be generated.

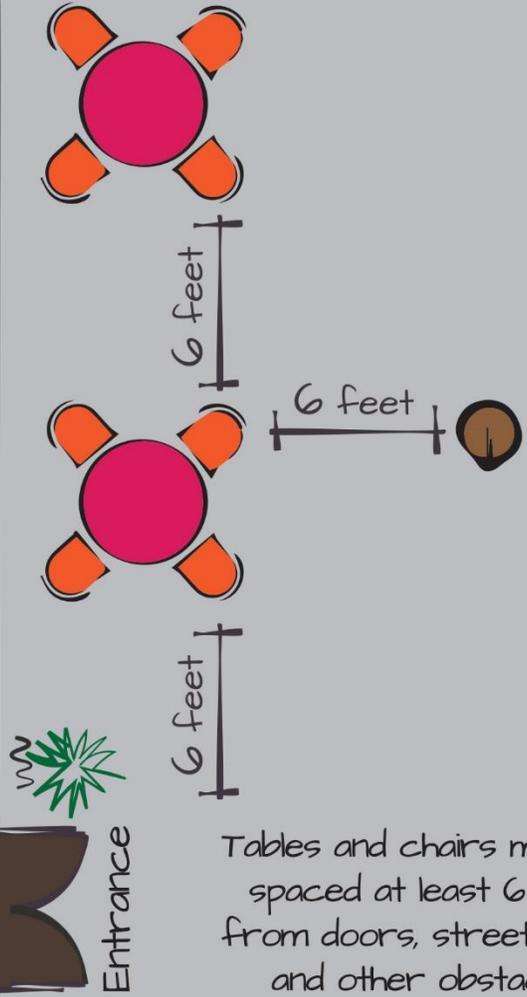
What if I don't know my businesses' capacity or occupancy load, how do I calculate the allowable 50%? Does the 50% rule apply to both inside and outdoors?

The "50% rule" only applies to indoor capacity requirements, but excluding employees. Outdoor requirements are based on table spacing of 6 feet (measured from the backs of chairs) and provisions for safe pedestrian pathways. If you don't know the allowable capacity of your business to calculate the 50%, please call the Fire Marshal at (813) 274-7000.

How does the "6-foot rule" work for restaurant seating?

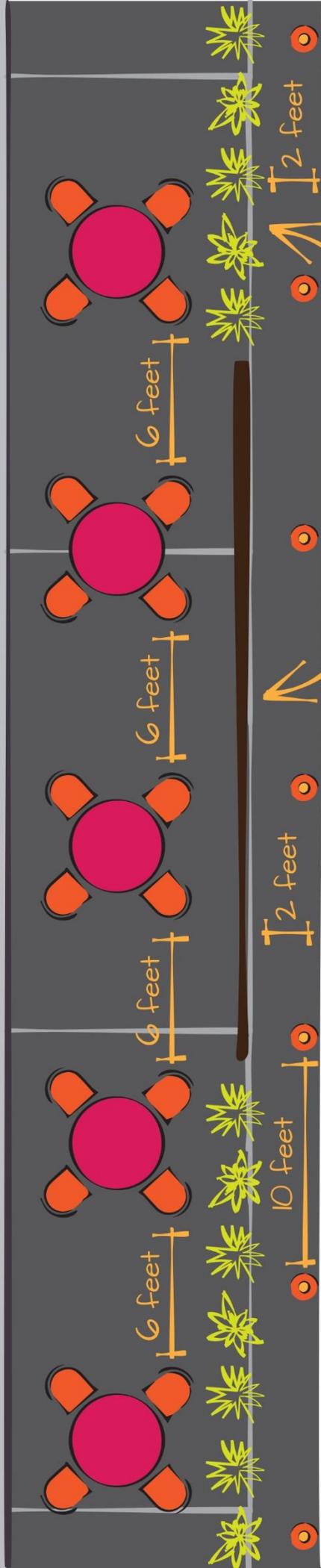
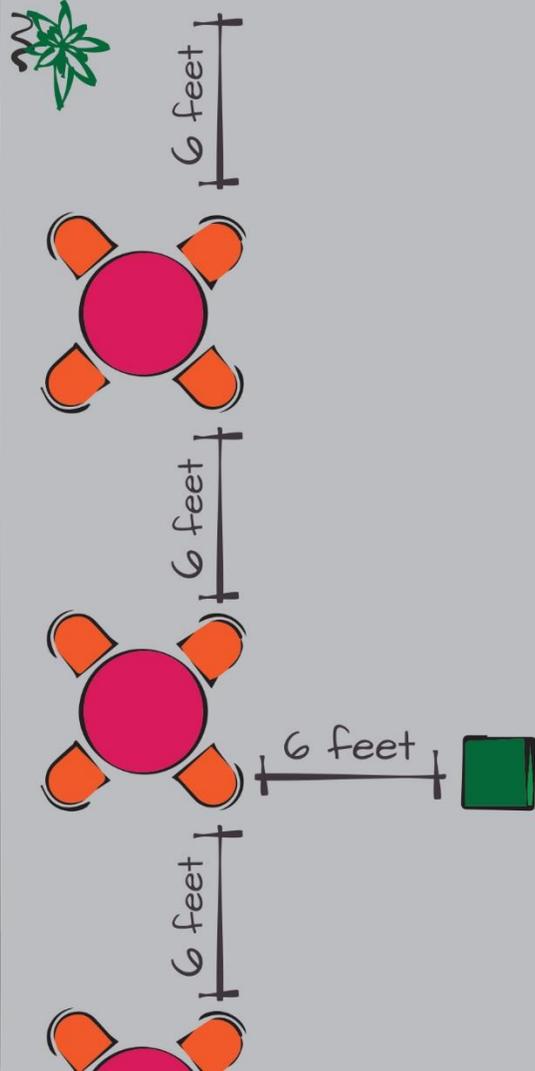
If people are at a table together, they don't need to be 6 feet apart. Each table setting needs to be 6' from other tables measured from the back of each chair, chair-to-chair, unless appropriate partitioning is in place.

Existing Business



Tables and chairs must be spaced at least 6 feet from doors, street lamps, and other obstacles

Existing Business



Parklet seating must be separated from traffic by at least 2 feet using barricades or self standing planter boxes.



36-inch tall orange reflectorized traffic cones must be placed 10 feet apart between barriers and edge of travel lane

Please note: Parklets should not be located within 15 feet of a fire hydrant.