



July 7, 2021

Arlington County Board
2100 Clarendon Boulevard, Suite 300
Arlington, VA 22201

Dear Chair de Ferranti,

The Arlington Chamber of Commerce is pleased to support Arlington County's work to adapt its Temporary Outdoor Seating Area (TOSA) program into permanent code. TOSAs have been among Arlington County's most successful responses to the COVID-19 pandemic by helping restaurants to maintain service, preserving jobs and hope for these small businesses to survive. Moreover, by bringing activity to Arlington's streetscapes, TOSAs provided an outlet for our community during a time of isolation and social distancing. Adapting TOSA provisions into Arlington's permanent code will support restaurants' recovery from continuing challenges stemming from the pandemic and will contribute to Arlington's vibrancy.

We commend Arlington County's recent action to create a Temporary Certificate of Occupancy to redress an unintended limit on serving patrons in both dining rooms and TOSAs. This action reflects the TOSA program's original spirit of creatively developing novel approaches to unforeseen problems. This quick action shows the responsiveness that the restaurants need to support their continued recovery. We look forward to working together to maintain the same approach to expanding outdoor seating permanently.

There are several components to making the permanent expansion of outdoor seating a success. We recognize that some changes will be necessary to existing TOSAs whose designs may not fit well into their locations or which created inadvertent accessibility challenges. But, most arrangements under the TOSA program have worked well, and so we encourage Arlington County to work with restaurants to find solutions, rather than establishing one-size-fits-all regulations. Moreover, a streamlined process for zoning ordinance and minor site plan amendments will ensure that restaurants are not prevented from adding outdoor service by documents approved prior to the expansion of outdoor seating. We further ask that Arlington County complete this work before the end of 2021 so that restaurants can transition from TOSAs to permanent outdoor seating without costly interruption.

We encourage Arlington County to build flexibility into the code in consideration of restaurants that will open in the future. Recodifying Arlington's outdoor seating regulations provides the opportunity for streamlining the process for restaurants to apply for certificates of occupancy and use permits involving outdoor seating. Also, as TOSAs functioned as many restaurants' primary serving areas during the pandemic and many patrons seek outdoor dining even in more regular circumstances, we recommend that Arlington County consider outdoor seating as more than an auxiliary to indoor service.

Arlington County staff have been consistent in their engagement with the Chamber and with Arlington's restaurants dating back to when the Forward Virginia reopening plan first

highlighted the need for outdoor seating. We particularly appreciate Planning Director Anthony Fusarelli's work on establishing TOSAs and ensuring the program's success. We similarly are grateful to Jill Hunger of the Planning Division and Kate Paine of Arlington Economic Development for their continued work on TOSAs, including developing the Temporary Certificate of Occupancy and joining our Government Affairs & Economic Development Committee to discuss plans for adapting TOSAs into permanent code. We look forward to continuing to engage with Arlington County's leadership and staff, and we thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Kate Bates". The signature is written in a cursive, flowing style.

Kate Bates
President & CEO

CC: Arlington County Board Vice Chair Katie Cristol and members Christian Dorsey, Libby Garvey, and Takis Karantonis; County Manager Mark Schwartz; Director Anthony Fusarelli and Jill Hunger, Arlington County Planning Division; Director Telly Tucker and Kate Paine, Arlington Economic Development