



Recommendations for Temporary Expansion of Restaurant Seating Areas

May 8, 2020

Administrative Change: Zoning Code relief for restaurants to provide more usable seating area to maximize social distancing can be accommodated administratively without requiring a code change during the period of emergency declarations.

Limits and Restrictions: Specific limits are not recommended on seating area expansions to allow maximum flexibility to accommodate a wide variety of business sizes, locations and types. This would apply to restaurants in shopping centers, retail strips, stand-alone structures and multi-use buildings. Potential expansion areas could include vacant land, vacant building space, common areas, sidewalks, parking lots, etc. More importantly restaurants would have flexibility to work with the landlord/building owner to identify the best locations to establish expanded seating areas.

Adjacency of Seating Areas: The expanded seating area does not have to be immediately adjacent to the existing restaurant footprint. It may be desirable to establish a seating area on the shady side of a storefront or other areas such as a parking lot away from the main structure. It is noted there may be certain state liquor license requirements, which Pima County and other jurisdictions do not have control over, that need to be adhered to and may affect the location of the expanded seating.

Café Seating on Sidewalks and Common Areas: Seating outdoors near an entrance or patio to a restaurant is currently permitted in commercial zones. Café seating is fairly common at restaurants throughout the County such as North Italia, Blanco Taco and others at La Encantada, but is potentially underutilized especially during hotter months. Promenades and sidewalk areas have minimal criteria that must be maintained when expanding into these areas, such as providing 6 feet of distance for safe ingress/egress. A minimum distance of 8 feet, or 5 feet if there are wheel stops, must be maintained from the seating area to the parking lot curb.

Use of Parking Lot: Most shopping centers in unincorporated Pima County, and likely other jurisdictions, are substantially over-parked and have promenades that could be utilized to expand seating to offset table loss from indoor seating limits and to maximize distances between patrons. However, expanded seating areas should not block parking spaces designated for individuals with disabilities or emergency services access lanes.



Wherever parking or loading spaces are used for expanded seating, adherence to the following criteria is recommended:

- Barriers with a minimum height and weight similar to curbs or wheel stops shall be provided on the Parking Area Access Lanes (PAAL) and along the sides of seating areas where adjacent parking spaces will remain in use.
- A five foot clear zone shall exist between the parking area barriers the expanded seating area. Tables and equipment must not be located in this five foot clear zone.

On Street Parking Spaces: These locations could be easily converted to outdoor seating areas or “parklet” type seating areas. These locations, typically found in mixed-use, urban and downtown settings, could be use as seating area extensions. If located within a public street, approval of the jurisdiction’s Transportation Department would be required.

Temporary Shade and Tent Structures: If a tent structure is utilized, and is less than 900 square feet and open on two or more sides, no permit is necessary in unincorporated Pima County. If a tent structure over 900 square feet is erected, a building permit is required with a Fire Department inspection.

Other Permits: If construction or erecting of a structure is proposed that involves electrical, grading/drainage, plumbing or other non-minor improvements, a staff evaluation will determine what other permits may be needed in consultation with the restaurant owner/operator. Most “pop-up” style café and outdoor seating will not trigger any permits.

Other Agencies’ Requirements: Expansions must adherence to applicable requirements of other agencies such as the Pima County Food Code and pandemic-related reopening guidelines and the Arizona Department of Liquor License and Control regulations.

Signage: Enforcement of temporary sign requirements and prohibitions have previously been suspended in unincorporated Pima County, and many other jurisdictions, to allow the use of temporary signage to inform customers during the pandemic emergency declaration.

Landlord/Property Owner Consent: With landlord or property owner consent, and subject to adherence to these outlined recommendations, restaurants may establish expanded seating areas in locations authorized by the landlord or property owner such as courtyards, promenades, sidewalks, parking lots, loading bays, etc.

Review Process: For unincorporated areas, Pima County Development Services Department will provide same day review and evaluation for proposed temporary outdoor expansion. A simple floor/table plan, landlord/owner consent letter, and vehicle barrier diagram (when located in parking lot) can be submitted by email to DSDPlanning@pima.gov for review.