



NORFOLK VIRGINIA

6 MARCH 2023

Adopted by Norfolk City Planning Commission
May 25, 2023

PROGRAM GOAL

UNLEASH THE POWER OF OUTDOOR COMMERCIAL SPACES

This document is your tool to design, locate, get approval for and operate your outdoor commercial space.



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City of Norfolk, Virginia

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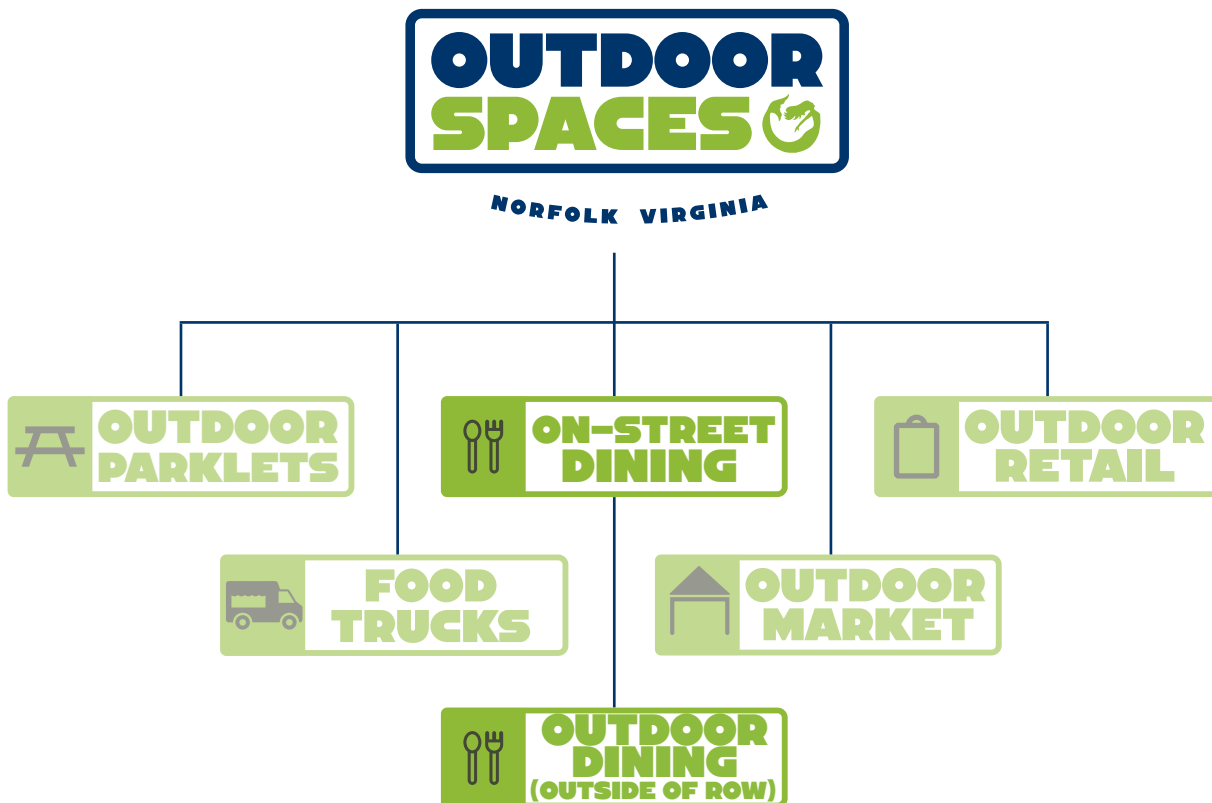
PROGRAM OVERVIEW

Norfolk Outdoor Spaces celebrates our city's many forms of open spaces as invaluable opportunities to bring communities together; support small businesses, grow our local economy and make our streets even safer and more vibrant places. Over time, this program is designed to grow to include all forms of commercial uses that desire to operate outdoors, whether it is for a weekend, a season or semi-permanently. While the primary audience is our city's retail and restaurant community, this program is designed to serve any entity that will benefit from outdoor activity while contributing to the overall vitality of its street or neighborhood.

Awareness of the value inherent to our outdoor spaces has been growing for some time but, like so many other aspects of our community life, was

accelerated during the COVID-19 pandemic. The duration and impact of that event gave all of us the opportunity and mandate to boldly experiment and learn from using our shared common areas in new ways. Norfolk Outdoor Spaces learns from this shared experience, combining in a sustainable program the most effective elements of OpenNorfolk (set to expire at the end of 2022), the Streatery Guidelines and On-Street Dining Regulations.

Over time, it will also likely include enabling guidance for food trucks, pop-up retail, markets and other similar uses of outdoor spaces. Its launch and implementation acknowledges a wide variety of existing outdoor retail conditions and will strive to transition these instances to Norfolk Outdoor Spaces as appropriate.



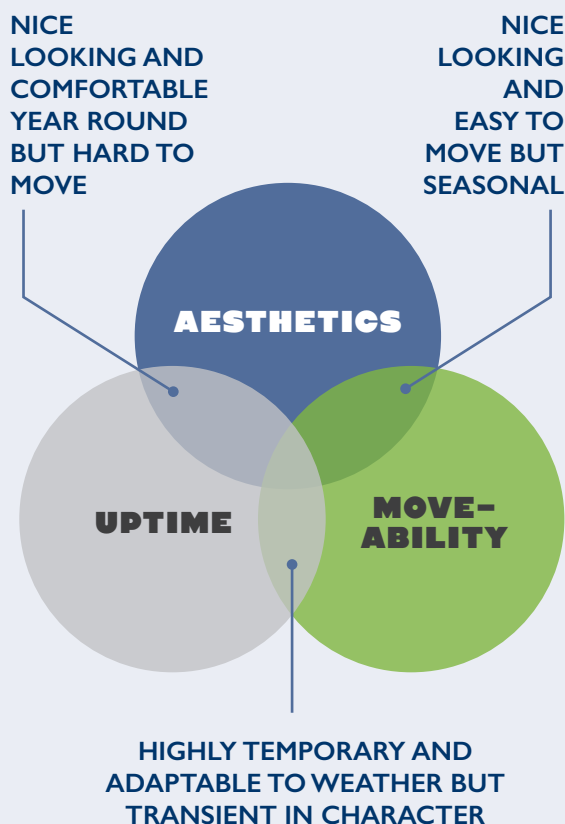
PROGRAM GOALS

Norfolk Outdoor Spaces is the product of City staff, City Council, Planning Commission, numerous boards and organizations, and the direct engagement of restaurants and small businesses working together to craft a sustainable, flexible, equitable and user-friendly system to unleash the power of our outdoor commercial spaces.

The launch of the Norfolk Outdoor Spaces program is an opportunity to solidify how we manage the design and operation of outdoor commercial environments; scale-up where it may be utilized to reach a broader swath of businesses and locations; and set up a system that streamlines the approval process.

The goals of this project are to:

- ≈ Enliven Norfolk's public realm
- ≈ Provide resilience to events that disrupt normal operations
- ≈ Build on the success of OpenNorfolk
- ≈ Unburden small businesses and provide meaningful ways to test new ideas, open up shop and thrive
- ≈ Unleash new economic growth and cultural expression opportunities
- ≈ Provide a predictable yet flexible administrative process



This project strives to find an equitable balance between a number of competing forces such as, but not limited to:

- ≈ Public and private uses
- ≈ Downtown and neighborhood commercial environments
- ≈ Predictability and market-driven entrepreneurship
- ≈ Individual business operations and district experiences
- ≈ Neighborhood character context and innovative design solutions
- ≈ Permanence and incremental opportunity or need for change

PRE-APPLICATION CHECK LIST

Begin by responding to the questions below:

Do you own or represent a retail business licensed to do business in Norfolk and in good standing that wants to conduct part or all of its business outdoors?

- ☐ Yes
- ☐ No

Do you own the property or have support from the property owner at or near where the outdoor business will be operating?

- ☐ Yes
- ☐ No

If proposing to do your project off of your property, have you explored all outdoor possibilities on your property for conducting outdoor business (such as, but not limited to off-street parking, patio, yard or similar space)?

- ☐ Yes
- ☐ No

Have you met with your immediate neighbors to discuss your project?

- ☐ Yes
- ☐ No

Are you willing to play an active role in further enlivening Norfolk's public realm?

- ☐ Yes
- ☐ No

IF YOU ANSWERED YES TO ALL OF THE ABOVE THEN NORFOLK OUTDOOR SPACES MAY BE A VALUABLE PROGRAM FOR YOUR BUSINESS.

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ON-STREET DINING





Vine Street, Cincinnati, Ohio

INTRODUCTION

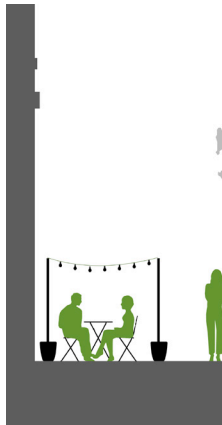
GUIDE TO ON-STREET DINING

On-Street Dining has traditionally been permitted through the City's encroachment process, requiring an application to the Department of Public Works, review by operational departments, review and approval through the City's design review process and a vote by City Council, resulting in an ordinance authorizing the on-street dining. This new process, outlined in these guidelines, will allow for administrative review and approval, with permission given through the granting of a permit. However, if an applicant wishes to pursue on-street dining that exceeds the limits of these guidelines, such as exceptions to allowable materials, then the traditional encroachment process is still available.

ON-STREET DINING PROJECT TYPES

The On-Street Dining Program is intended for those restaurants that, after exploring on-site alternatives, have elected to build an outdoor dining experience within the right-of-way. On-Street Dining Projects may be designed for a Pop-Up, Seasonal or Semi-Permanent run time and locate either adjacent to the business, detached from the business but still on the sidewalk, or curbside in the street where designated parking exists.

ON SIDEWALK ADJACENT TO BUILDING



ON SIDEWALK DETACHED FROM BUILDING

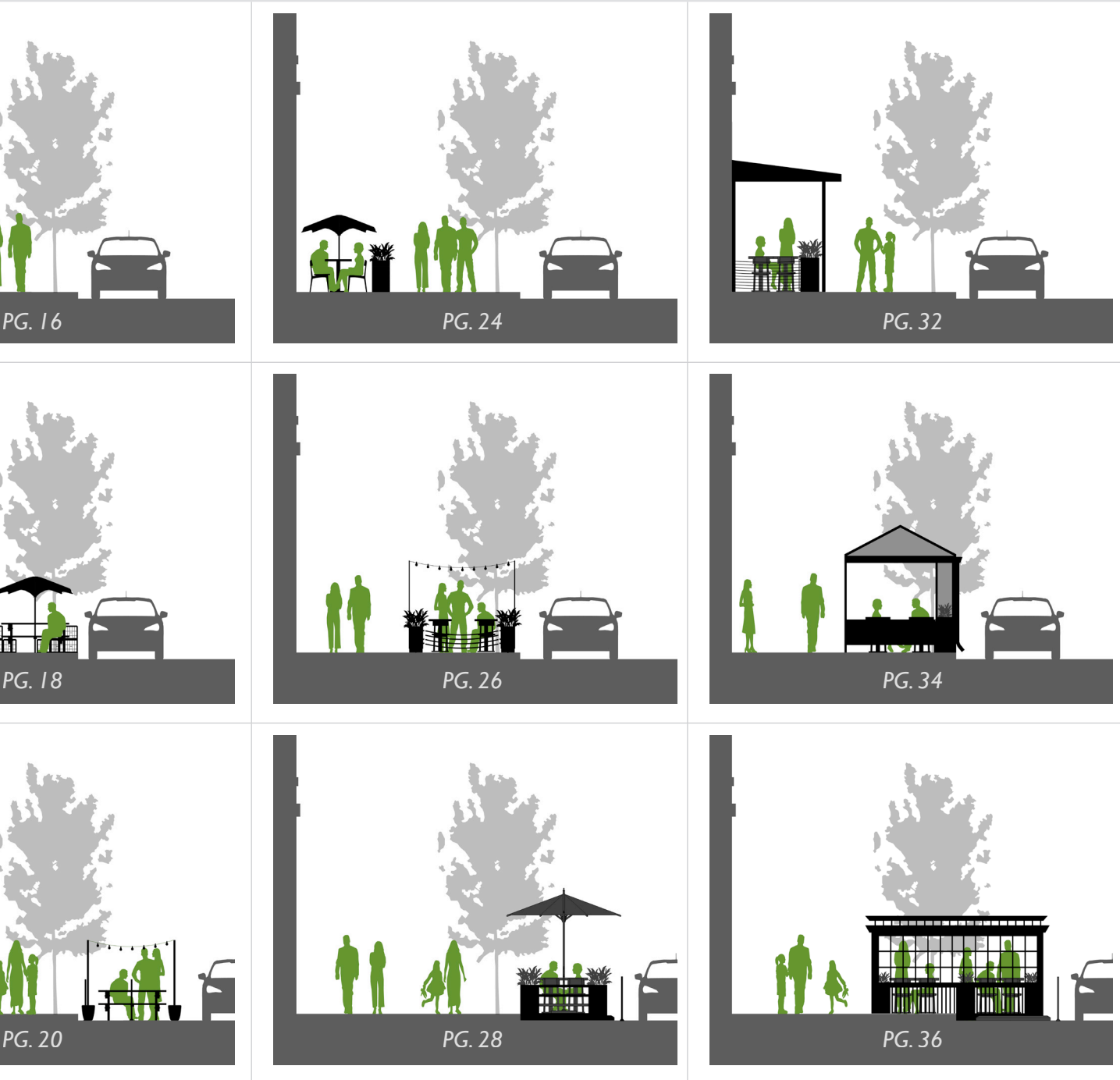


ON STREET



LOWER COST/
LIMITED USE

POP-UP SEASONAL SEMI-PERMANENT



FASTER STREETS/
WIDER SIDEWALKS

SLOWER STREETS/
NARROWER SIDEWALKS

HIGHER COST/
GREATER USE

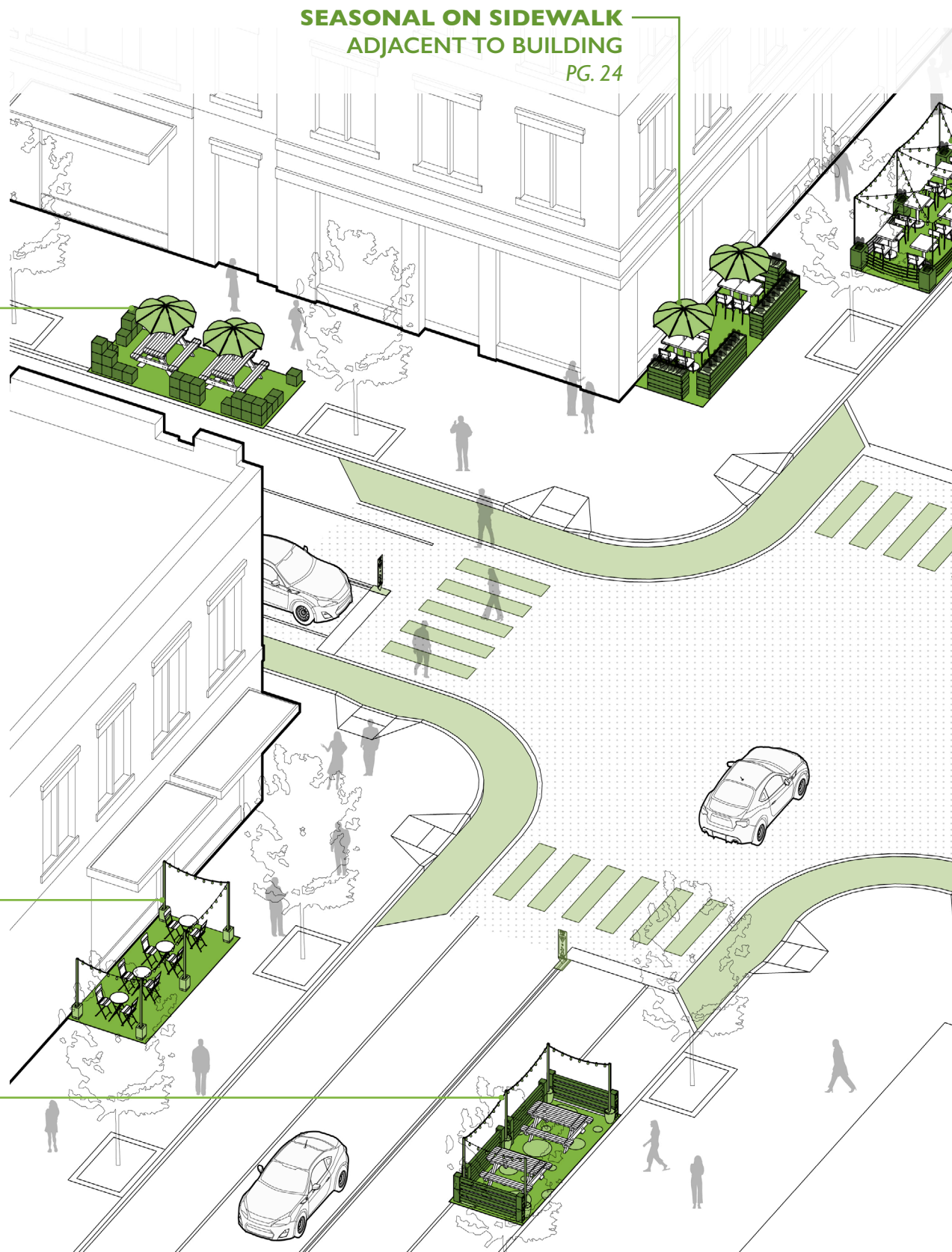
GUIDE TO ON-STREET DINING

**SEASONAL ON SIDEWALK
ADJACENT TO BUILDING**
PG. 24

**POP-UP ON
SIDEWALK
DETACHED
FROM BUILDING**
PG. 16

**POP-UP ON
SIDEWALK
ADJACENT TO
BUILDING**
PG. 18

**POP-UP ON
STREET**
PG. 20



PROJECT TYPES OVERVIEW

FINDING THE RIGHT PROJECT TYPE

GUIDANCE FOR EXISTING PROJECTS STARTING MMM, DD, 2023:

- ≈ All existing OpenNorfolk projects must be brought into compliance with this program. Contact Right-of-Way Management for assistance in transitioning.
- ≈ Legacy projects (>3 years old), otherwise in good standing, may continue using their current encroachment permit until it expires or there is a change in ownership.

REVIEW, APPROVALS, AND INSPECTIONS

Intake	Public Works / Right-of-Way Management
Reviewing Bodies	As required by Right-of-Way Management and location (if in Historic Overlay or do not meet the requirements in this document, for instance)
Appeals	City Council
Sunset Period	Installation must be completed within 4 weeks of beginning construction
Inspections	Fire Marshal and others as necessary

APPLICATION PROCESS

1

COMPLETE THE PRE-APPLICATION CHECK LIST

Make sure that Norfolk Outdoor Spaces is a good fit for your needs and can support your business.

2

SCHEDULE A MEETING

Contact us at on-streetdining@norfolkoutdoorspaces.com to schedule a pre-application meeting with Right-of-Way Management or our on-call consultants once the checklist is completed to ensure you find the right type of Norfolk Outdoor Spaces project for your needs and location. It is at this meeting where it will be determined if a new or amended Conditional Use Permit, a new zoning certificate, and/or a building permit will be required for your project.

3

START APPLICATION PROCESS

Submit your application and necessary project materials. Application available at www.norfolk.gov/NorfolkOutdoorSpaces.

4

CALCULATE PROJECT FEES

Estimate your project application and permitting fees.

5

REVIEW OPERATIONS & MANAGEMENT REQUIREMENTS

If applicable to your type of project, review and accept the Norfolk Outdoor Spaces Operations and Management Agreement.

6

COMPLETE THE PROJECT REVIEW

Ensure that your project is complete and compliant with the requirements of Norfolk Outdoor Spaces and relevant overlay districts.

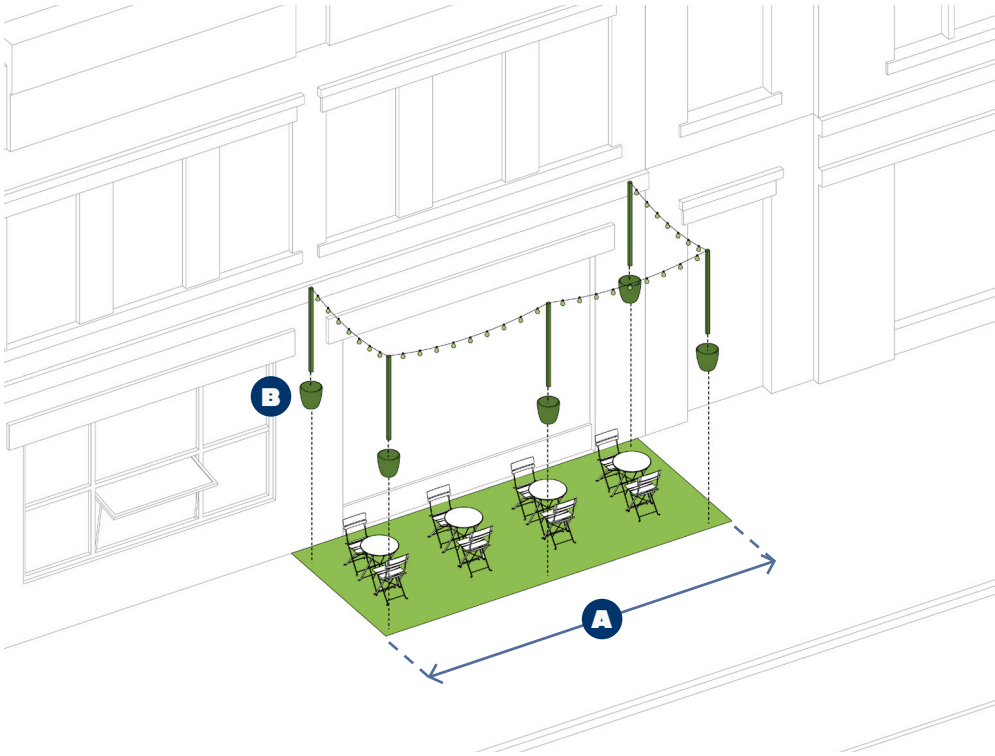
7

OBTAIN APPROVAL AND COMPLETE INSTALLATION

Most projects that do not require a new or amended conditional use permit meet the requirements may be approved administratively. A completed project site inspection will be conducted within 4 weeks of approval.

ON SIDEWALK ADJACENT TO BUILDING

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

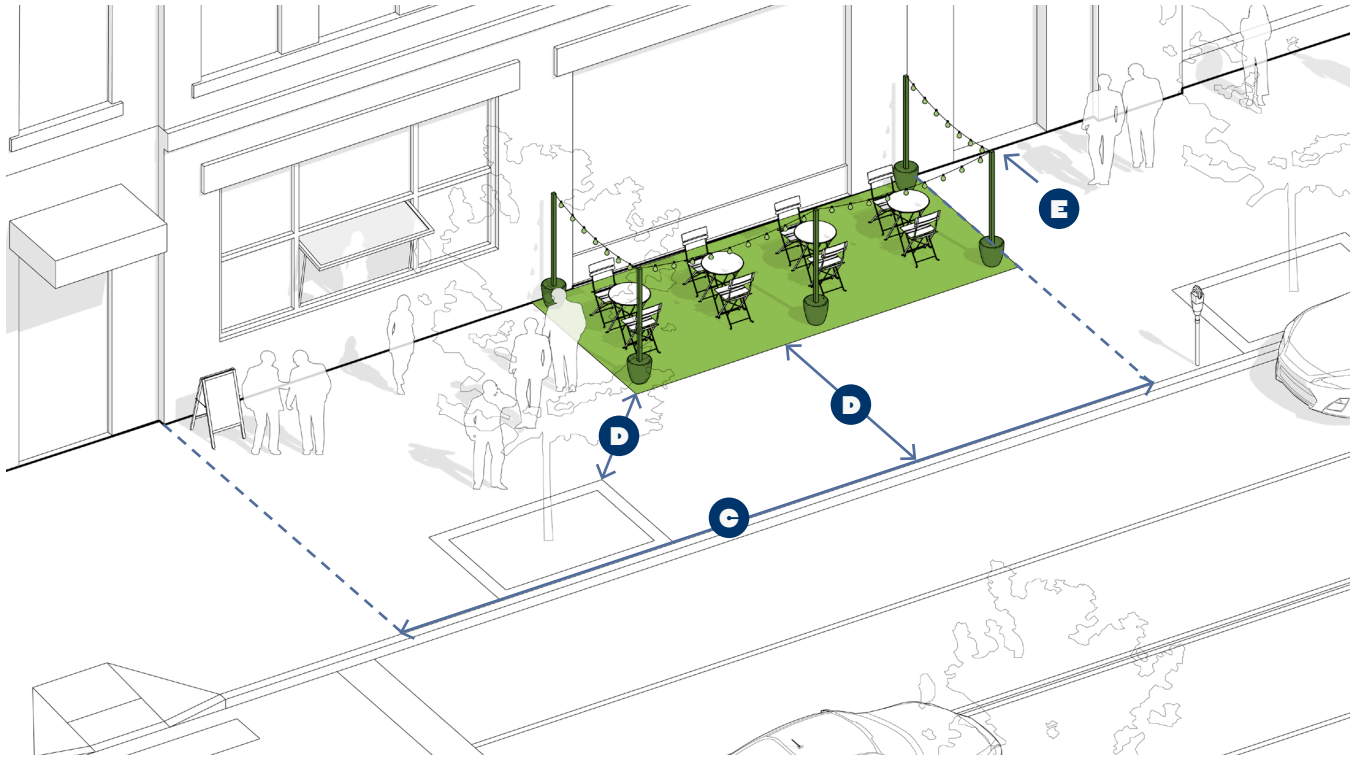
Vertical & Overhanging Structures

Maximum height	12'
Percent of wind break area to remain open to allow for visibility and airflow	30%
Wind speed freestanding walls must withstand	50 MPH
Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (long side)	75%
Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%
Umbrellas are enclosed within project area	

Landscape

- B** Planters and their materials must be portable at all times

LOCATION STANDARDS



Location

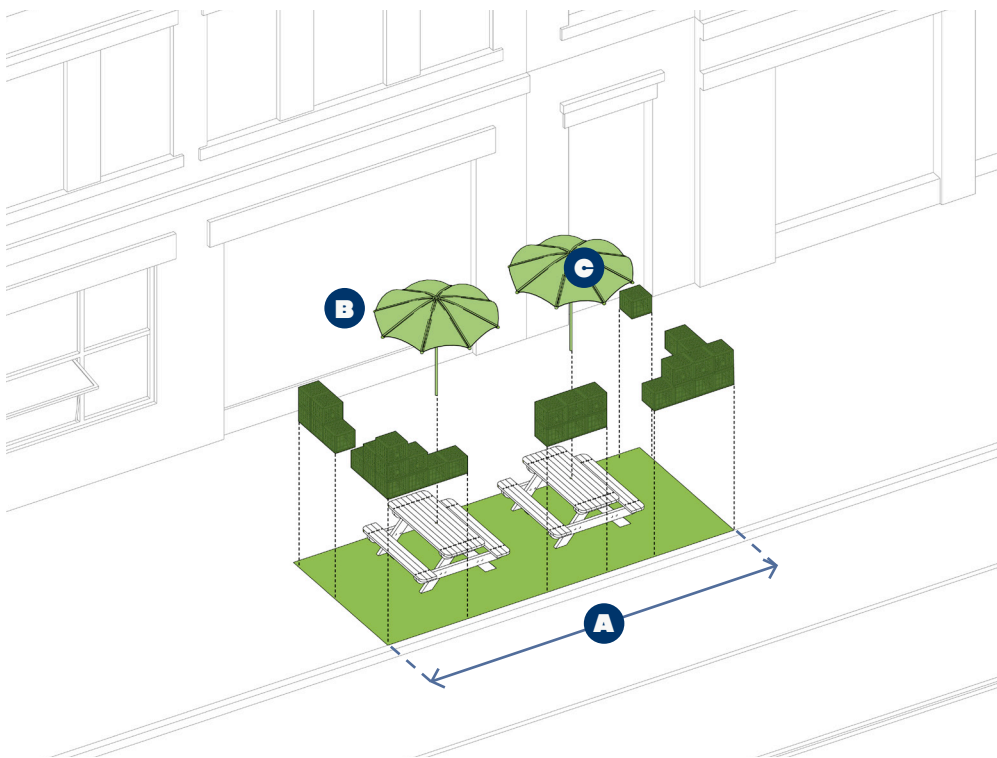
C	Located within the frontage of the primary business	
D	Required sidewalk clearance	6' min.
E	Must not negatively affect safe emergency egress from the adjacent building	
	Distance from building exit (except for access directly associated with the project)	3' min.

OTHER CONSIDERATIONS

- ≈ Special Event Permit may be required
- ≈ Special Event Insurance may be required
- ≈ Project cannot be renewed
- ≈ No affiliated restaurant shall be permitted for more than five (5) pop-up spaces in any single calendar year.

ON SIDEWALK DETACHED FROM BUILDING

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

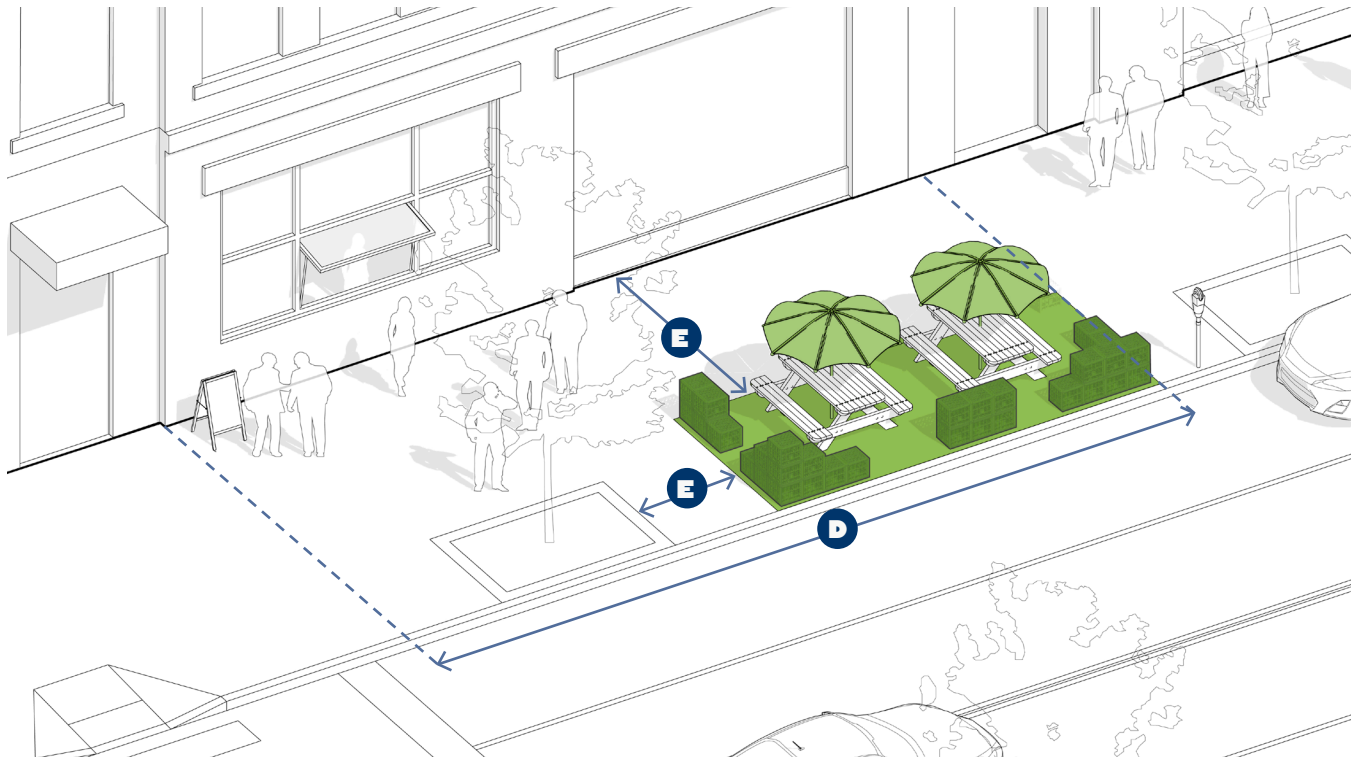
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Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%
B Umbrellas are enclosed within project area	
C Distance overhead structures should maintain from curb to avoid "mirror zone" (horizontally)	1'
Distance overhead structures should maintain from curb to avoid "mirror zone" (vertically)	8'
Design should allow for passenger-side doors to open, while limiting patrons from exiting into traffic	

Landscape

Planters and their materials must be portable at all times

LOCATION STANDARDS



Location

- D** Located within the frontage of the primary business
- E** Required sidewalk clearance 6' min.

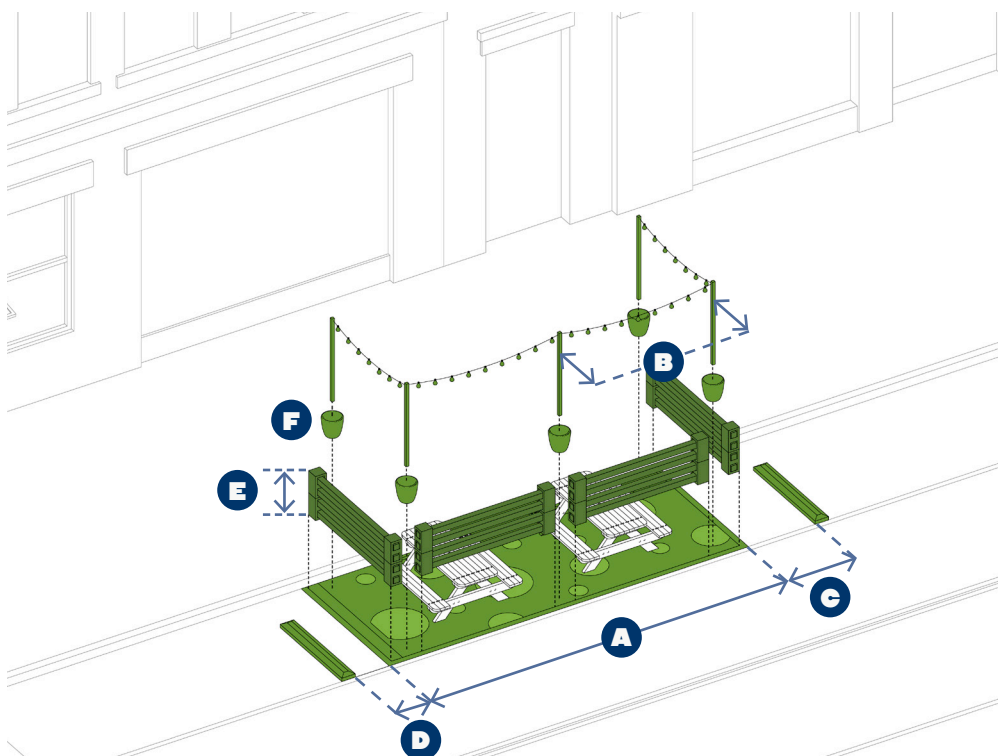
OTHER CONSIDERATIONS

- ≈ Special Event Permit may be required
- ≈ Special Event Insurance may be required
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POP-UP PROJECTS

ON-STREET

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

Vertical & Overhanging Structures

Maximum height	12'
Percent of wind break area to remain open to allow for visibility and airflow	30%
Wind speed freestanding walls must withstand	50 MPH
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Umbrellas are enclosed within project area	
B Distance overhead structures should maintain from flow of traffic to avoid "mirror zone" (horizontally)	1'
Distance overhead structures should maintain from pavement to avoid "mirror zone" (vertically)	8'
Design should limit patrons from exiting into traffic	

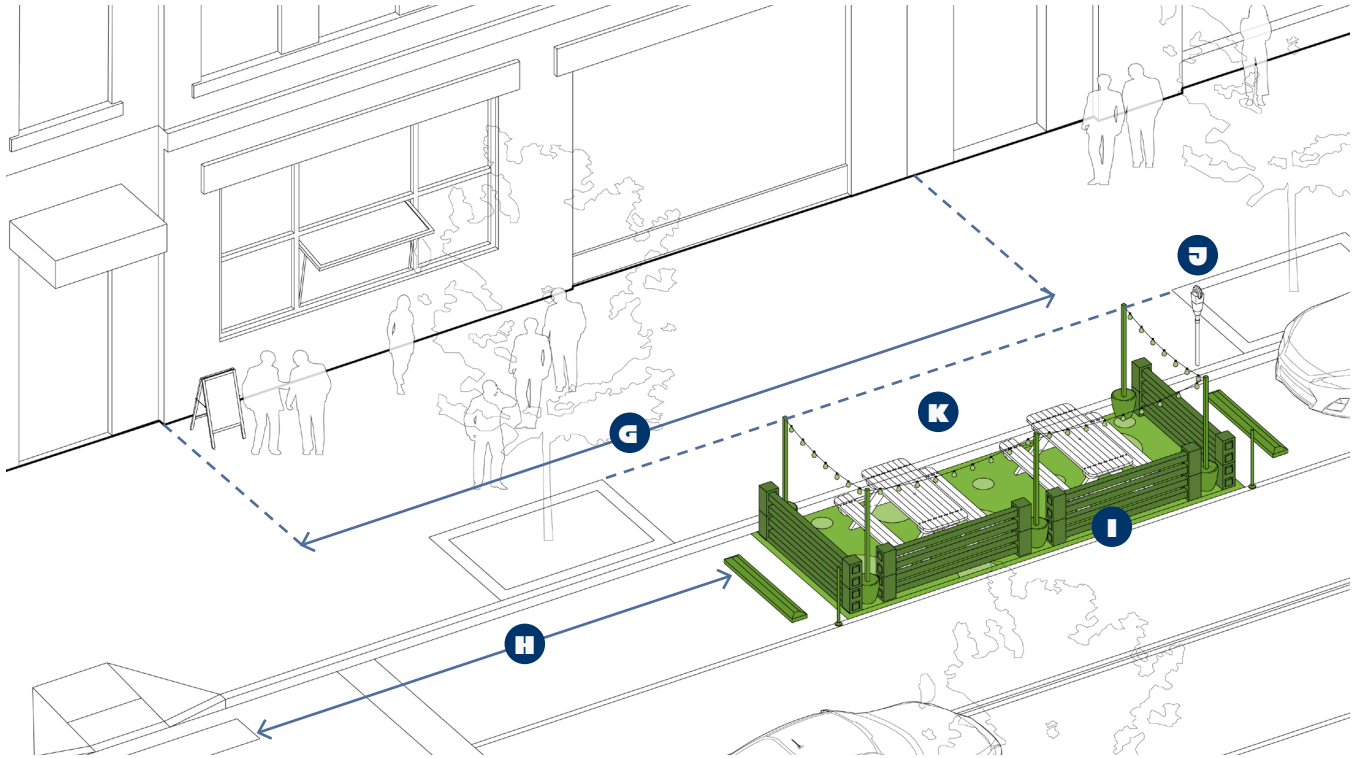
Barriers & Fencing

C Distance from leading edge	4'
D Distance from trailing edge	2'
E Barrier or railing required on all traffic-facing sides	3.5'H min.

Landscape

- F** Planters and their materials must be portable at all times

LOCATION STANDARDS



Location

G	Percentage of the outdoor dining that may overlap a neighboring frontage (pending property owner's approval)	25%
H	Location from intersection and/or marked crosswalk	>20'
I	Minimum spacing from cartway (i.e. drive lane)	1'
	Does not interfere with existing turning movements	
	Posted street speed limit is at or below	25 MPH
J	Marked parking space	
	Maintains and allows expansion of on-street bike/scooter parking	
K	Dining area may extend into tree zone as needed but may not adversely impact the health of planting or tree areas	

OTHER CONSIDERATIONS

- ≈ Special Event Permit may be required
- ≈ Special Event Insurance may be required
- ≈ Project cannot be renewed
- ≈ No affiliated restaurant shall be permitted for more than five (5) pop-up spaces in any single calendar year.
- ≈ Additional traffic calming or pedestrian safety measures (signage, paddles, road closures, etc.) should be explored with the City

POP-UP PROJECTS

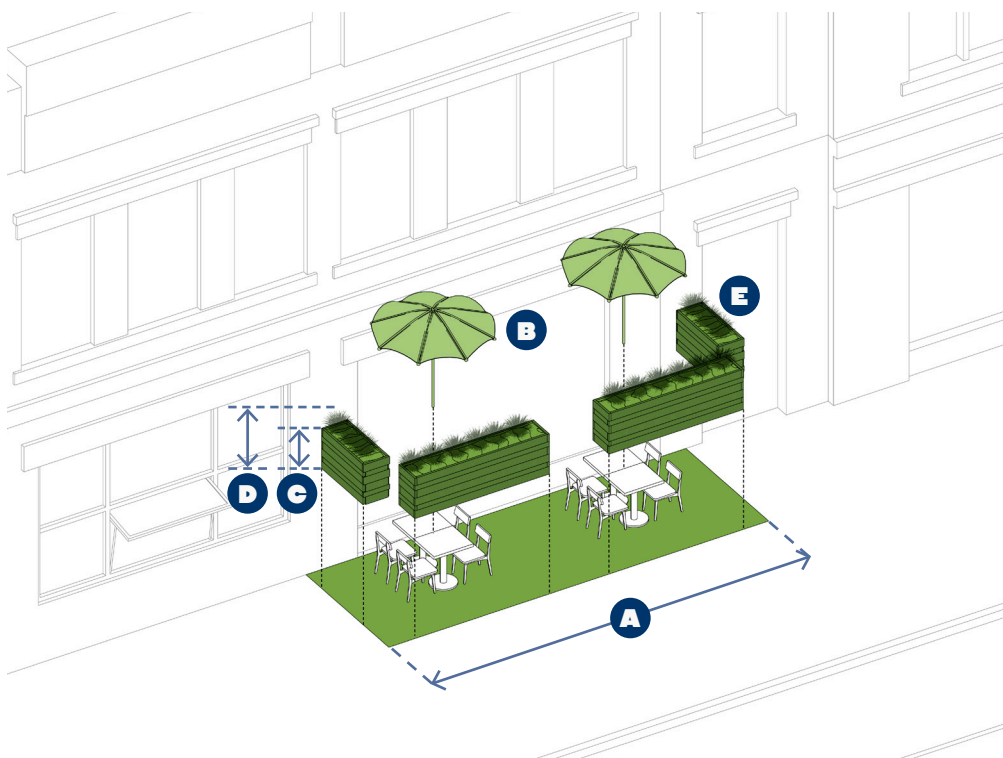
GALLERY OF EXAMPLES





ON SIDEWALK ADJACENT TO BUILDING

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

Vertical & Overhanging Structures

Maximum height	12'
Percent of wind break area to remain open to allow for visibility and airflow	30%
Wind speed freestanding walls must withstand	50 MPH
Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (long side)	75%
Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%
B Umbrellas are enclosed within project area	

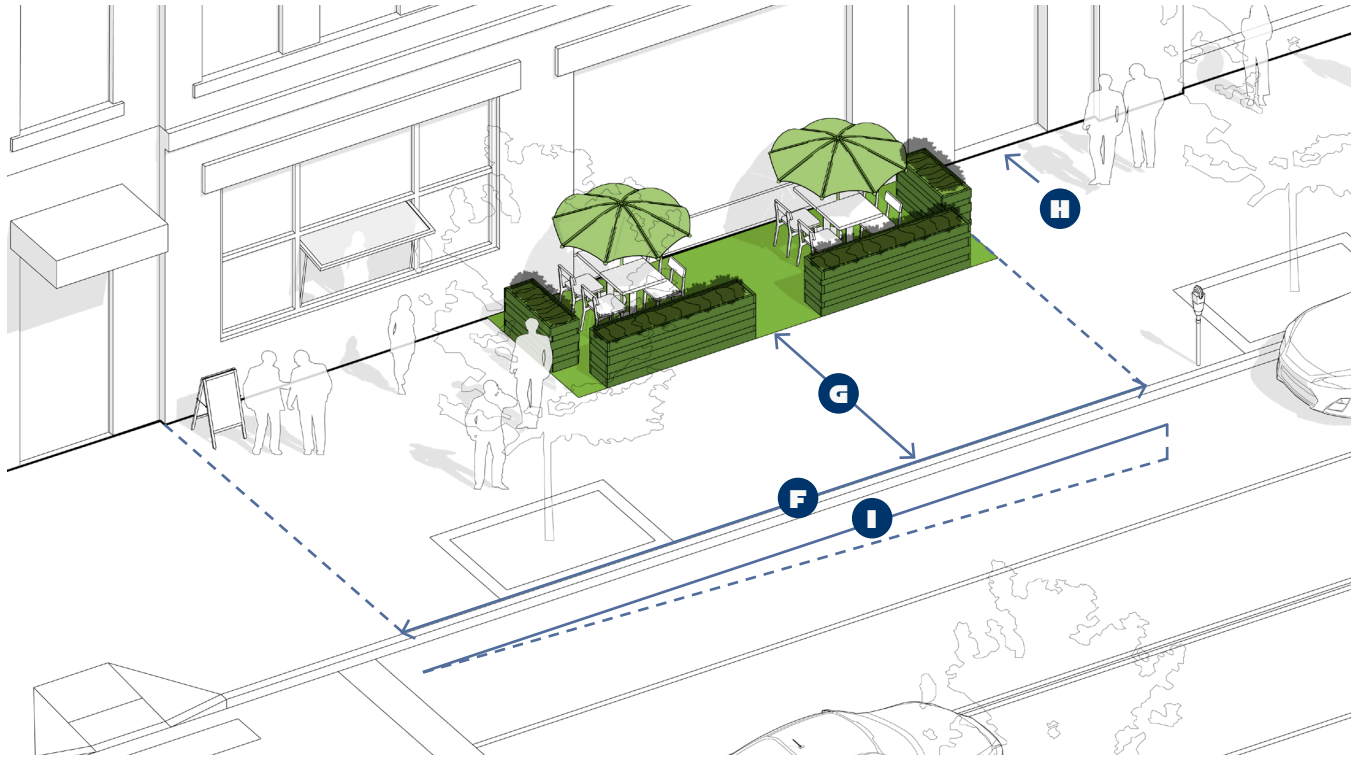
Barriers & Fencing

Leading edge for people with visual impairments	
C Maximum height	50 in.
Maximum distance above sidewalk	27 in.

Landscape

C Maximum planter height above sidewalk level	50 in.
D Maximum plant height above sidewalk level	9 ft.
E Planters and their materials must be portable at all times	

LOCATION STANDARDS



Location

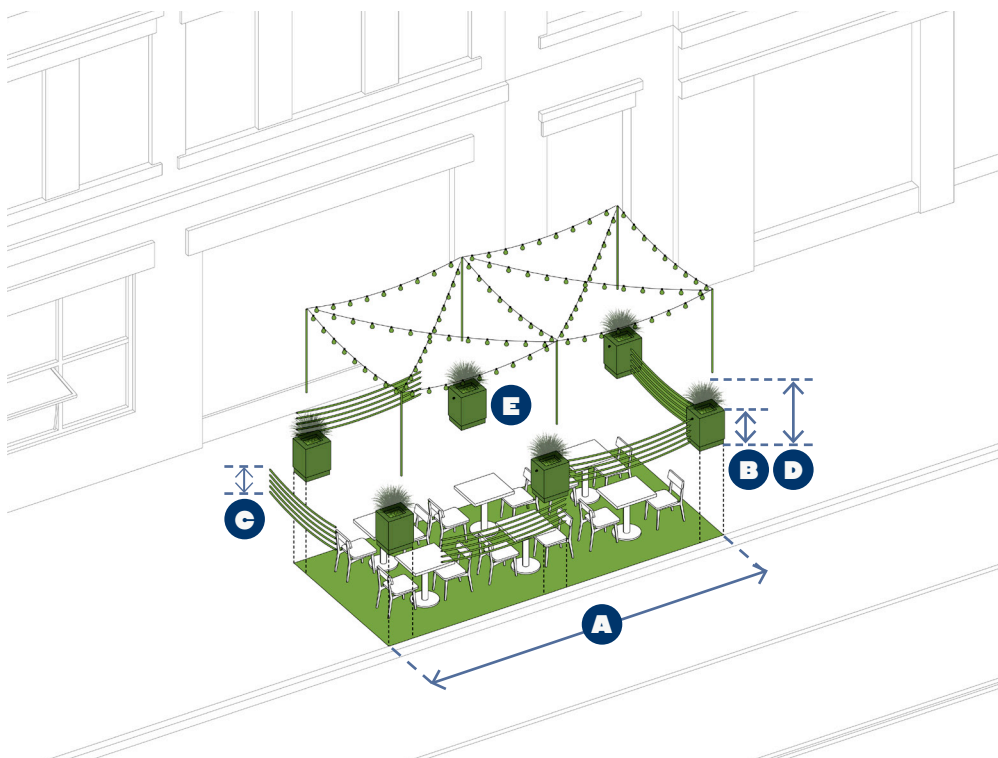
F	Located within the frontage of the primary business	
	Permitted number of projects of each project type	1
G	Minimum required sidewalk clearance	6'
H	Must not negatively affect safe emergency egress from the adjacent building	
I	Slope of street	<5%
	Minimum distance from building exit (except for access directly associated with the project)	3'

OTHER CONSIDERATIONS

- ≈ Project can be renewed two times
- ≈ Must agree to terms in Operations and Management Agreement
- ≈ Effort should be made to minimize obstruction of architectural features and signage

ON SIDEWALK DETACHED FROM BUILDING

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

Vertical & Overhanging Structures

Maximum height	12'
Percent of wind break area to remain open to allow for visibility and airflow	30%
Wind speed freestanding walls must withstand	50 MPH
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Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%
Umbrellas are enclosed within project area	
Design should allow for passenger-side doors to open, while limiting patrons from exiting into traffic	
Distance overhead structures should maintain from curb to avoid "mirror zone" (horizontally)	1'
Distance overhead structures should maintain from curb to avoid "mirror zone" (vertically)	8'

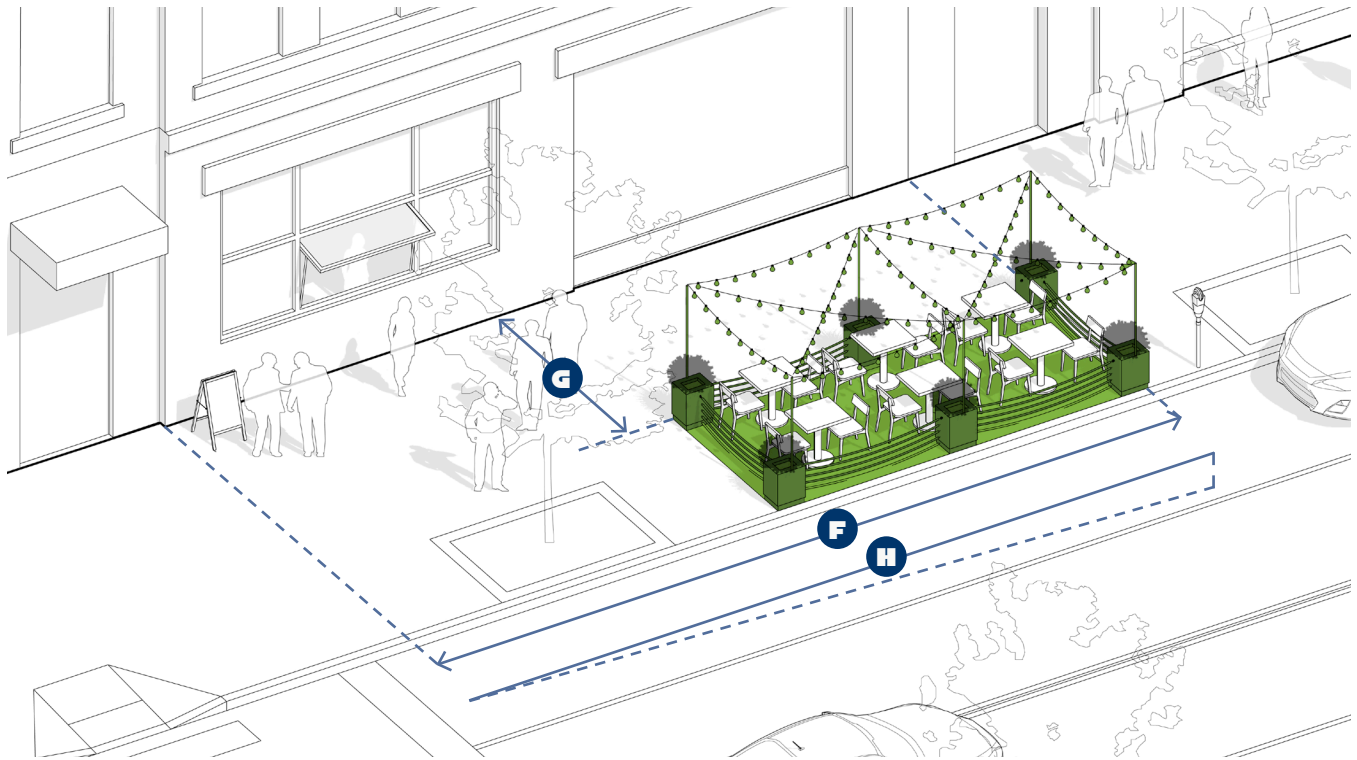
Barriers & Fencing

Leading edge for people with visual impairments	
B Maximum height	50 in.
C Maximum distance above sidewalk	27 in.

Landscape

B Max. planter height above sidewalk level	50 in.
D Max. plant height above sidewalk level	9 ft.
E Planters and their materials must be portable at all times	

LOCATION STANDARDS



Location		
F	Located within the frontage of the primary business	
	Permitted number of projects of each project type	1
G	Minimum required sidewalk clearance	6'
H	Slope of street	<5%

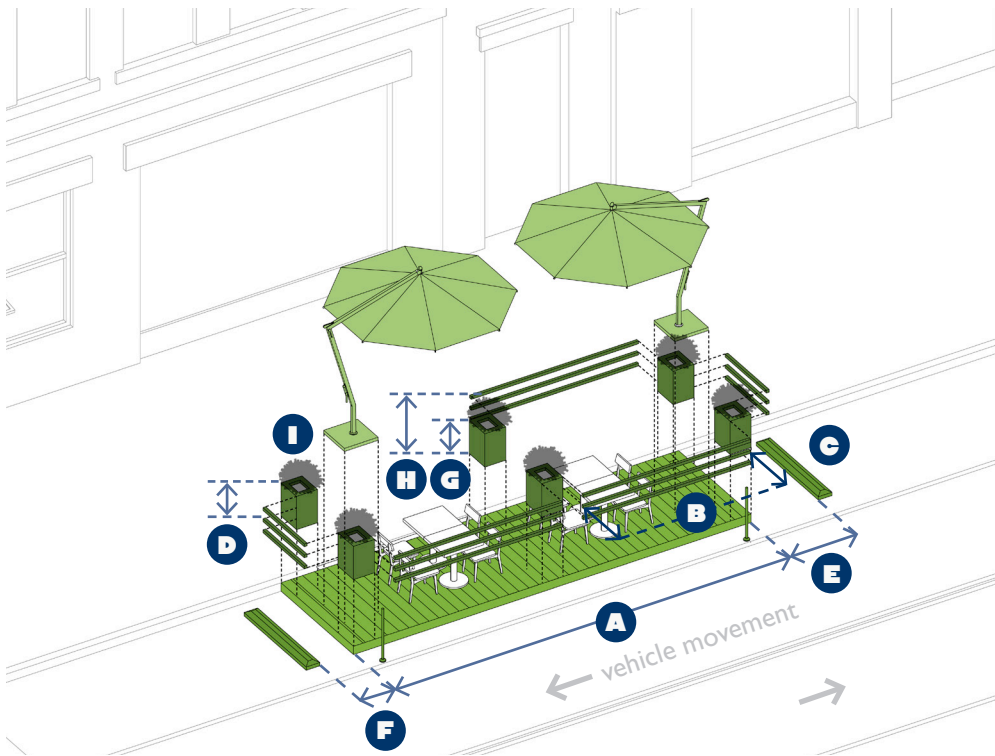
OTHER CONSIDERATIONS

- ≈ Project can be renewed two times, after which it must be converted to semi-permanent
- ≈ Must agree to terms in Operations and Management Agreement
- ≈ Effort should be made to minimize obstruction of architectural features and signage

SEASONAL PROJECTS

ON-STREET

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

Vertical & Overhanging Structures

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Wind speed freestanding walls must withstand	50 MPH
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Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%
Distance overhead structures should maintain from flow of traffic to avoid "mirror zone" (horizontally)	1'
Distance overhead structures should maintain from pavement to avoid "mirror zone" (vertically)	8'
Umbrellas are enclosed within project area	
Design should limit patrons from exiting into traffic	

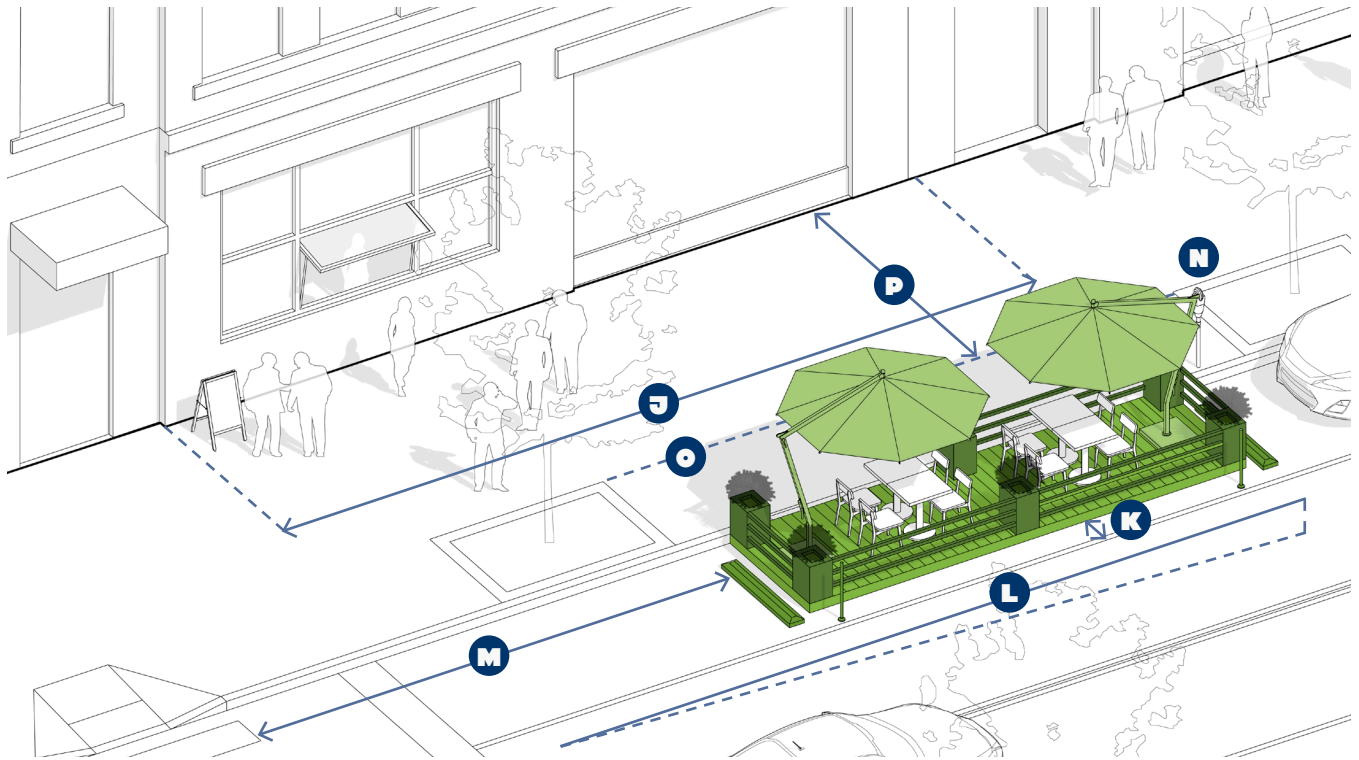
Barriers & Fencing

C Leading edge for people with visual impairments	
D Maximum height	50 in.
B Minimum height, barrier required on all traffic-facing sides (3 typical)	42 in.
Maximum distance above sidewalk	27 in.
E Distance from leading edge	4 ft.
F Distance from trailing edge	2 ft.

Landscape

G Max. planter height above sidewalk level	50 in.
H Max. plant height above sidewalk	9 ft.
I Planters and their materials must be portable at all times	

LOCATION STANDARDS



Location

J	Percentage of the outdoor dining that may overlap a neighboring frontage (pending property owner's approval)	25%
K	Minimum spacing from cartway (i.e. drive lane)	1'
	Permitted number of projects of each project type	1
	Minimum access width needed if contiguous project(s) exceeds 150 linear feet (LF)	22 ft.
L	Slope of street	<5%
M	Distance from intersection and/or marked crosswalk	>20 ft.
	Does not interfere with existing turning movements	
	Posted street speed limit is at or below	25 MPH
N	Marked parking space	
	Curbside service zone spaces for every project	0.25
P	Minimum required sidewalk clearance	6'
	Maintains and allows expansion of on-street bike/scooter parking and curbside loading/servicing	
O	Dining area may extend into tree zone as needed but may not adversely impact the health of planting or tree areas	

OTHER CONSIDERATIONS

- ≈ Project can be renewed two times, after which it must be converted to semi-permanent
- ≈ Must agree to terms in Operations and Management Agreement
- ≈ Corner flex posts shall meet City standard and be provided by the owner
- ≈ Additional traffic calming or pedestrian safety measures (signage, paddles, road closures, etc.) should be explored with the City
- ≈ Effort should be made to minimize obstruction of architectural features and signage

SEASONAL PROJECTS

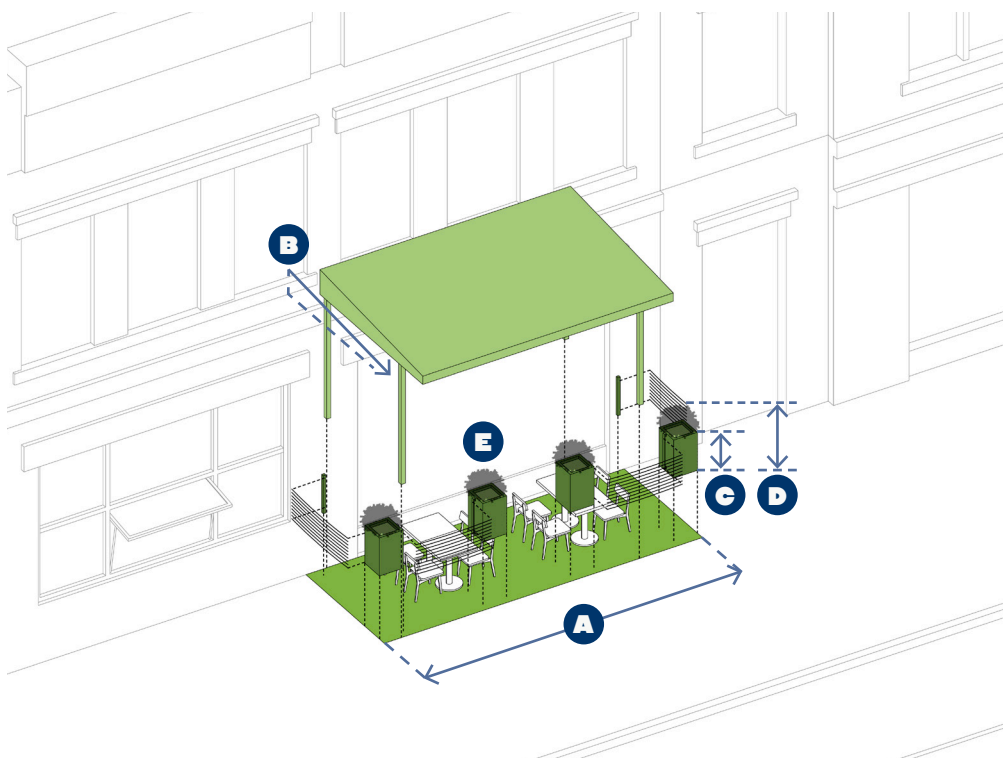
GALLERY OF EXAMPLES





ON SIDEWALK ADJACENT TO BUILDING

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

Vertical & Overhanging Structures

Maximum height	12'
Percent of wind break area to remain open to allow for visibility and airflow	30%
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Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%

Umbrellas are enclosed within project area

Awnings that are permanently affixed to the building require separate encroachment permit

- B** Overhanging structure (i.e. roof or awning) must be sloped toward the street or have a drainage system

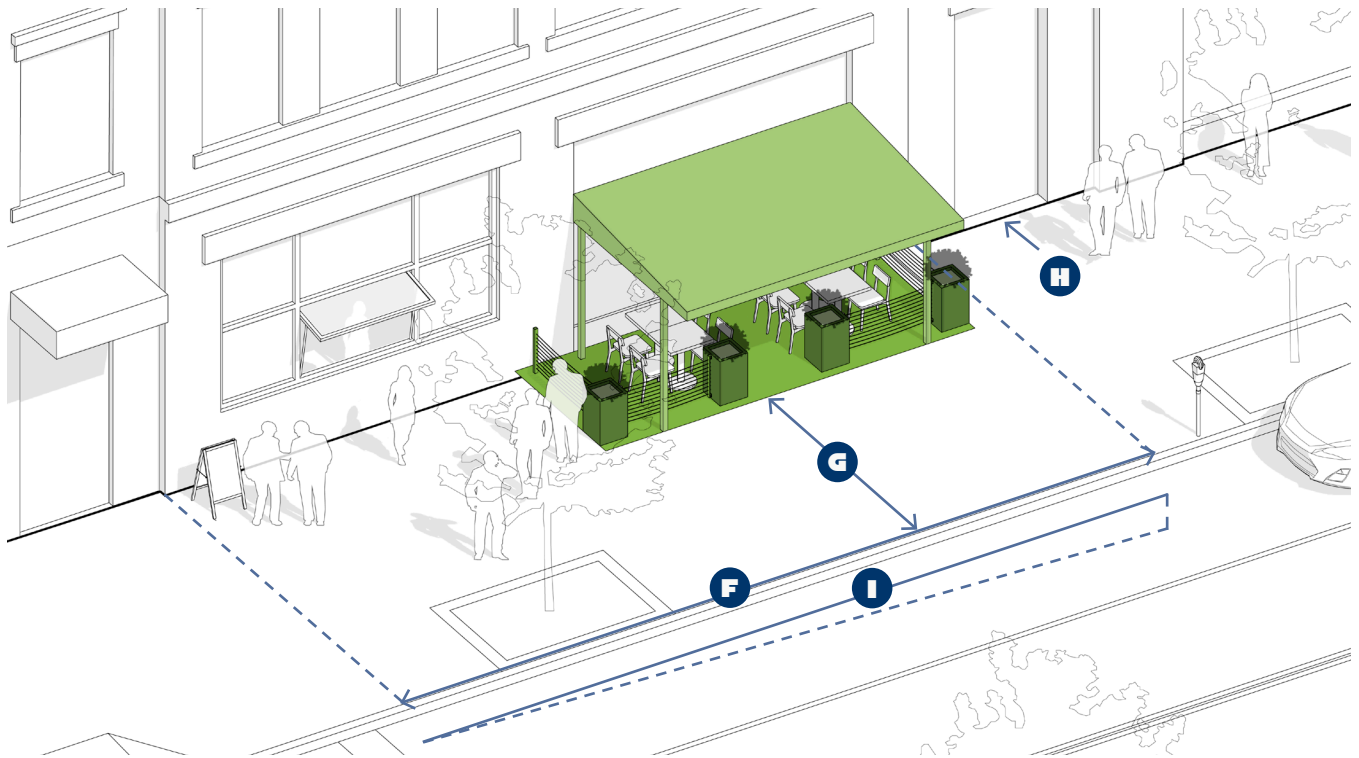
Barriers & Fencing

Leading edge for people with visual impairments

Landscape

C Maximum planter height above sidewalk level	50 in.
D Maximum plant height above sidewalk level	9 ft.
E All planters must have live plants contained within them	

LOCATION STANDARDS



Location

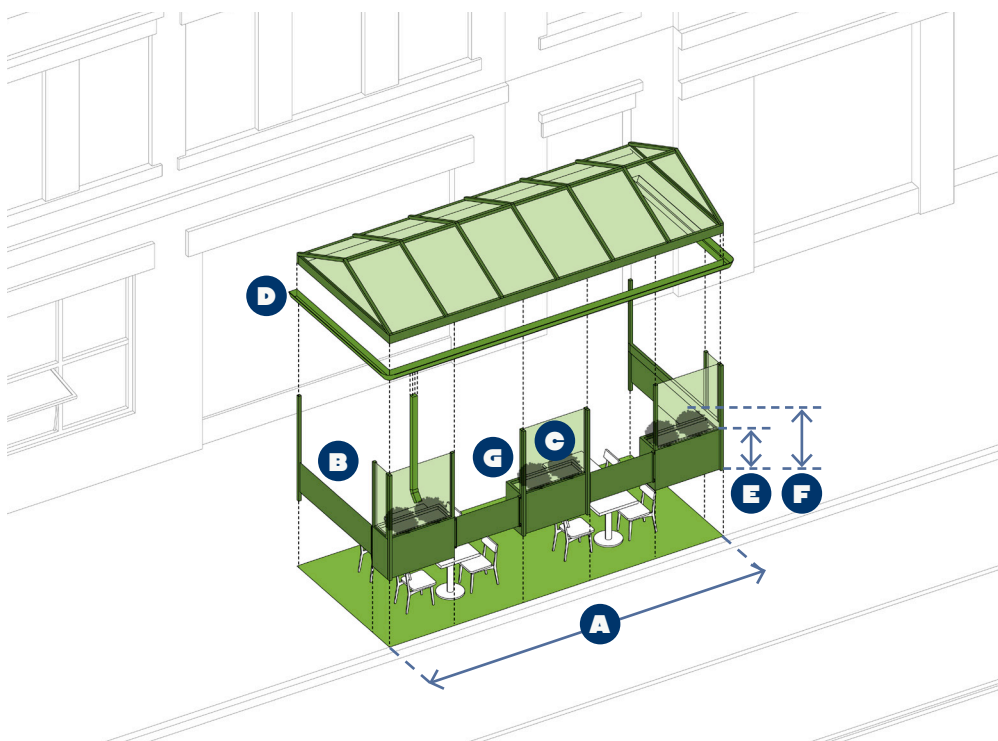
F	Located within the frontage of the primary business	
	Permitted number of projects of each project type	1
G	Minimum required sidewalk clearance	6'
H	Must not negatively affect safe emergency egress from the adjacent building	
I	Slope of street	<5%
	Minimum distance from building exit (except for access directly associated with the project)	3'

OTHER CONSIDERATIONS

- ≈ Project may be renewed
- ≈ Must agree to terms in Operations and Management Agreement
- ≈ May require Building Permit
- ≈ For projects associated with businesses that operate under a conditional use permit, project size, occupancy, and hours of service limitations may result
- ≈ If project is located in an Historic Overlay or Local Historic District, review by the Architectural Review Board and a Certificate of Appropriateness may be necessary.
- ≈ Effort should be made to minimize obstruction of architectural features and signage

ON SIDEWALK DETACHED FROM BUILDING

DESIGN STANDARDS



Size

- A** Linear feet not greater than the primary business frontage

Vertical & Overhanging Structures

Maximum height	12'
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Wind speed freestanding walls must withstand	50 MPH
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Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%
Distance overhead structures should maintain from curb to avoid "mirror zone" (horizontally)	1'
Distance overhead structures should maintain from curb to avoid "mirror zone" (vertically)	8'
Umbrellas are enclosed within project area	
D Overhanging structure (i.e. roof or awning) must be sloped toward the street that drains directly to the gutter	
Design should allow for passenger-side doors to open if adjacent to parking spaces, while limiting patrons from exiting into traffic	

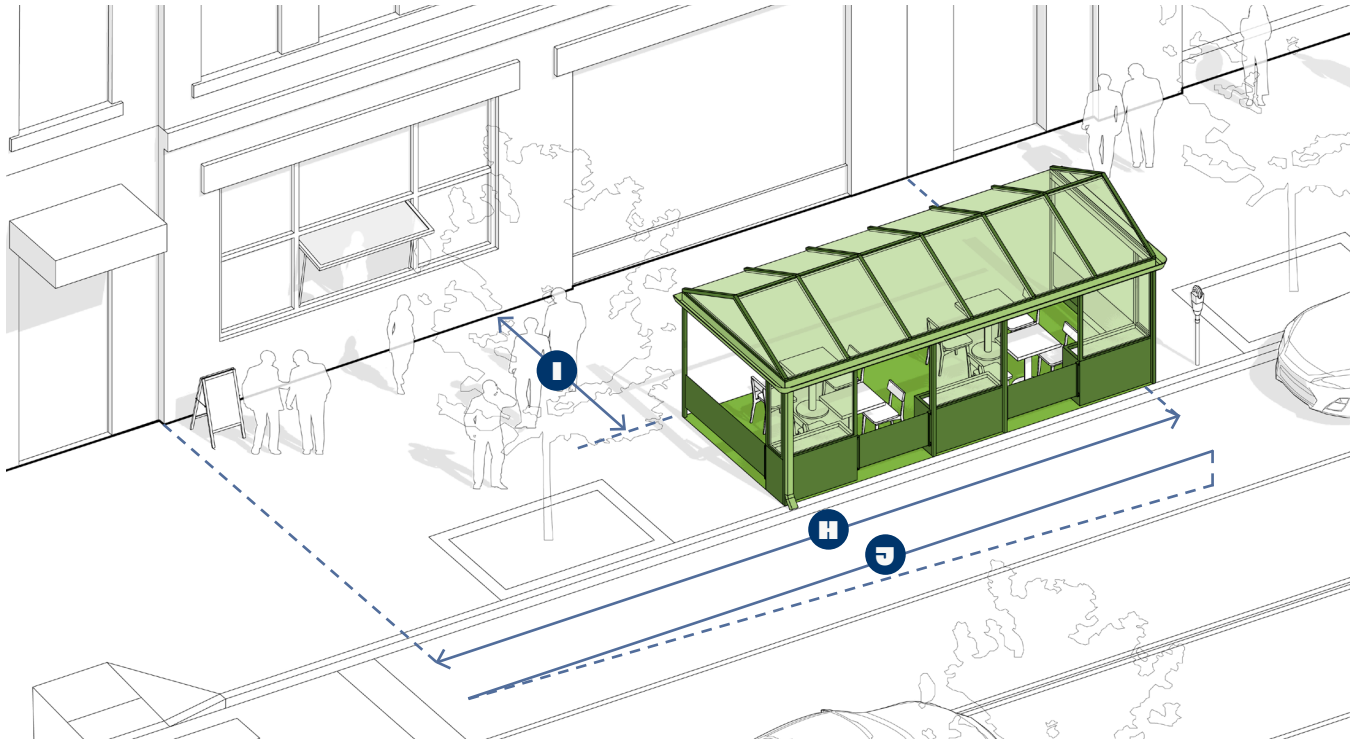
Barriers & Fencing

Leading edge for people with visual impairments

Landscape

E Max. planter height above sidewalk level	50 in.
F Max. plant height above sidewalk level	9 ft.
G All planters must have live plants contained within them	

LOCATION STANDARDS



Location

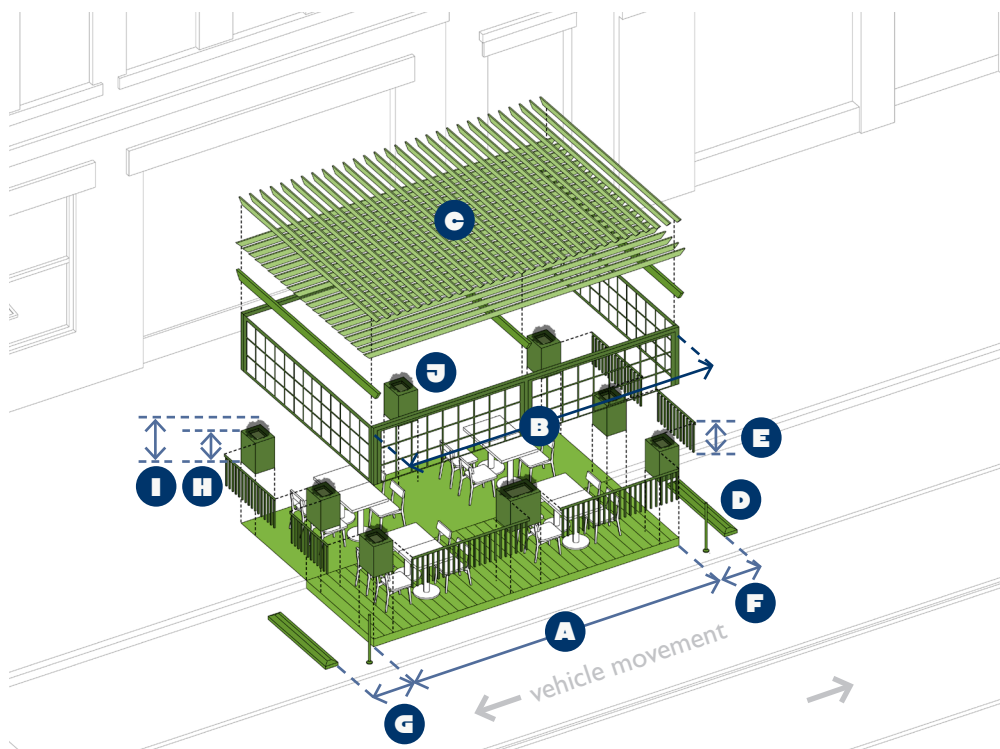
H	Located within the frontage of the primary business	
	Permitted number of projects of each project type	1
I	Minimum required sidewalk clearance	6'
J	Slope of street	<5%

OTHER CONSIDERATIONS

- ≈ Project may be renewed
- ≈ Must agree to terms in Operations and Management Agreement
- ≈ May require Building Permit
- ≈ For projects associated with businesses that operate under a conditional use permit, project size, occupancy, and hours of service limitations may result
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- ≈ Effort should be made to minimize obstruction of architectural features and signage

SEMI-PERMANENT PROJECTS ON-STREET

DESIGN STANDARDS



Size

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Vertical & Overhanging Structures

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Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (long side)	75%
Minimum percentage of enclosures to remain open and/or feature transparent materials for line of sight (short side)	20%
Distance overhead structures should maintain from flow of traffic to avoid "mirror zone" (horizontally)	1'
Distance overhead structures should maintain from pavement to avoid "mirror zone" (vertically)	8'

Umbrellas are enclosed within project area

- C** Overhanging structure (i.e. roof or awning) must be sloped toward the street or have a drainage system
Design should limit patrons from exiting into traffic

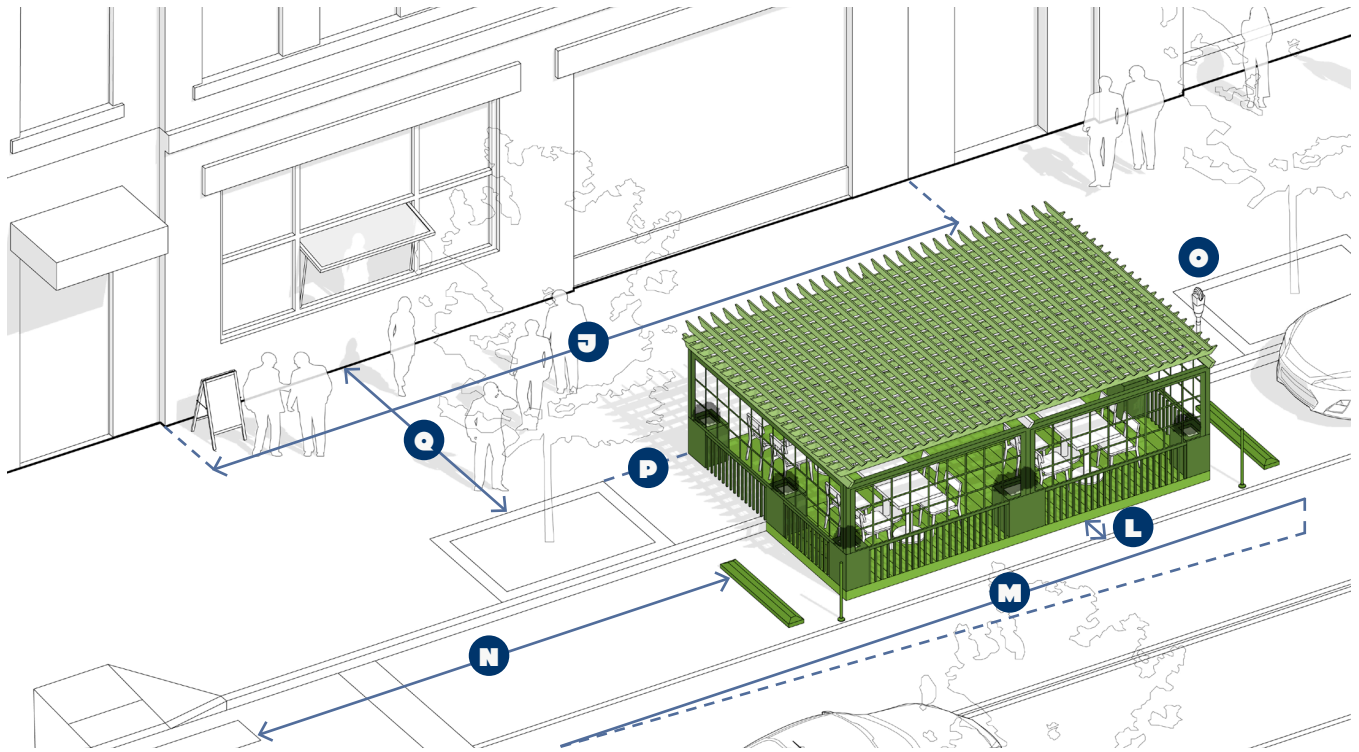
Barriers & Fencing

D Leading edge for people with visual impairments	
E Minimum height, barrier required on all traffic-facing sides (3 typical)	42 in.
F Distance from leading edge	4 ft.
G Distance from trailing edge	2 ft.
Corner flex posts	

Landscape

H Max. planter height above sidewalk level	50 in.
I Max. plant height above sidewalk	9 ft.
J All planters must have live plants contained within them	

LOCATION STANDARDS



Location		
K	Percentage of the outdoor dining that may overlap a neighboring frontage (pending property owner's approval)	25%
L	Minimum spacing from cartway (i.e. drive lane)	1'
	Permitted number of projects of each project type	1
	Minimum access width needed if project is more than 150 linear feet (LF)	22 ft.
M	Slope of street	<5%
N	Distance from intersection and/or marked crosswalk	>20 ft.
	Posted street speed limit is at or below	25 MPH
O	Marked parking space	
	Curbside service zone spaces per project	0.25
P	Minimum required sidewalk clearance	6'
	Does not interfere with existing turning movements	
	Maintains and allows expansion of on-street bike/scooter parking and curbside loading/servicing	
P	Dining area may extend into tree zone as needed but may not adversely impact the health of planting or tree areas	

OTHER CONSIDERATIONS

- ≈ Project may be renewed
- ≈ Must agree to terms in Operations and Management Agreement
- ≈ May require Building Permit
- ≈ For projects associated with businesses that operate under a conditional use permit, project size and occupancy limitations may result
- ≈ Corner flex posts shall meet City standard and be provided by the owner
- ≈ Additional traffic calming or pedestrian safety measures (signage, paddles, road closures, etc.) should be explored with the City
- ≈ If project is located in an Historic Overlay or Local Historic District, review by the Architectural Review Board and a Certificate of Appropriateness may be necessary.
- ≈ For 8 or more Projects along a street within a block, explore with City:
 - Speed humps if there are none
 - Permanent sidewalk extensions if not yet built
- ≈ Effort should be made to minimize obstruction of architectural features and signage

SEMI-PERMANENT PROJECTS

GALLERY OF EXAMPLES

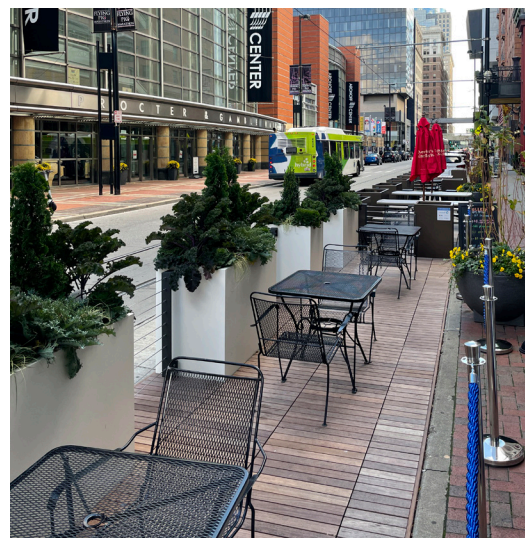
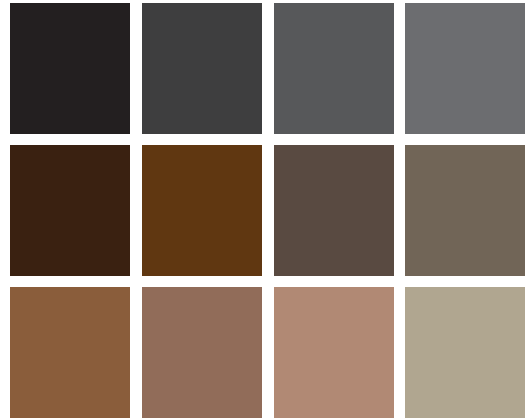




ADDITIONAL REQUIREMENTS

COLOR PALETTE

Unless constructed of naturally rot-resistant wood, project structural components must be painted. Projects must utilize a base structure neutral color palette of dark grays, blacks, and browns. Accent colors related to the associated business may be incorporated as part of project detailing.



TRAFFIC CALMING

On-street projects will benefit greatly from the use of traffic calming installations and devices. These devices should be explored and deployed in coordination with the City, as advised by Right-of-Way Management.

- ≈ Pedestrian paddles
- ≈ Temporary/permanent curb extensions (bulb-outs)
- ≈ Temporary/permanent sidewalk extensions
- ≈ Raised crosswalks



ON-STREET DINING FEE CALCULATIONS

FEE SCHEDULE FOR OUTDOOR DINING ENCROACHMENTS

Application Fee	Fee	Notes
Pop-Up	\$25	one time fee
Seasonal	\$50	one time fee
Semi-Permanent	\$100	one time fee

Lease Fee		
Tier 1: Granby Street south of Virginia Beach Boulevard		
Pop-Up	\$100	flat fee per event (regardless of size)
Seasonal	\$800	flat fee per parking space or per 20 feet of linear frontage per 120 days
Semi-Permanent	\$14/SF	per square foot per year
Tier 2: Remainder of Downtown Streets, with the exception of Alleys, in the Downtown Improvement District as defined in Norfolk city Code, Sec. 24-212 and Colley Avenue		
Pop-Up	\$50	flat fee per event (regardless of size)
Seasonal	\$600	flat fee per parking space or per 20 feet of linear frontage per 120 days
Semi-Permanent	\$10/SF	per square foot per year
Tier 3: Alleys Downtown and City-wide not classified as Tier 1 or Tier 2.		
Pop-Up	\$25	flat fee per event (regardless of size)
Seasonal	\$400	flat fee per parking space or per 20 feet of linear frontage per 120 days
Semi-Permanent	\$6/SF	per square foot per year

OFF-STREET DINING RETROFITS





Colonial Ave, Norfolk, VA

INTRODUCTION

GUIDE TO OFF-STREET DINING RETROFITS

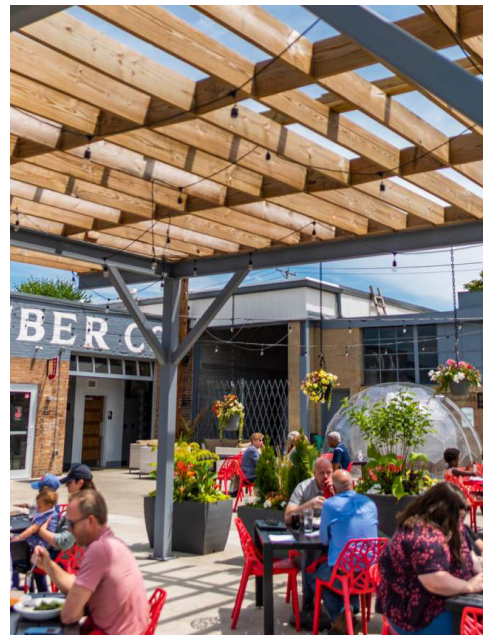
Norfolk Outdoor Space's Off-Street Dining Retrofit Program encourages businesses and property owners to repurpose spaces typically used for parking and open space to create more vibrant and engaging outdoor retail experiences. Off-Street Dining has traditionally been permitted through the City's Conditional Use Permit in most cases. The new program, outlined in these guidelines, will allow for temporary permits or new/modified Conditional Use Permits, as required, to be granted for approved projects. If an applicant wishes to pursue off-street projects that exceeds the limits of these guidelines, additional requirements and review may be necessary.

Temporary

An outdoor dining use of or for a limited duration. This is most appropriate where an applicant wishes to "test" the market, etc.

Accessory

A seasonal or semi-permanent outdoor dining use that is incidental to and customarily associated with a principal use, and, unless otherwise specifically provided, that is located on the same premises.



PROJECT CRITERIA

	TEMPORARY	ACCESSORY/ SEASONAL	ACCESSORY/ SEMI-PERMANENT
Runtime	<ul style="list-style-type: none"> 72 hours as permitted in zoning approval 	<ul style="list-style-type: none"> Up to 6 months 	<ul style="list-style-type: none"> More than 6 months
Delineations	<ul style="list-style-type: none"> Light-weight delineations (chain/rope stanchions, etc) 	<ul style="list-style-type: none"> Moveable fences/barricades/ planters 	<ul style="list-style-type: none"> Fixed and moveable fences/barricades/ planters
Heating & Cooling	<ul style="list-style-type: none"> Fire pits may be used but must be removed after hours 	<ul style="list-style-type: none"> Portable heating/cooling 	<ul style="list-style-type: none"> Portable heating/cooling
Signage	<ul style="list-style-type: none"> No changes to signage 	<ul style="list-style-type: none"> Building signage must not be obstructed 	<ul style="list-style-type: none"> New building signage may be created if obstructed by project
Lighting	<ul style="list-style-type: none"> Existing building lighting, table-scaled lighting only 	<ul style="list-style-type: none"> String lighting 	<ul style="list-style-type: none"> String lighting or small-scale catenary lighting
Ground Surface	<ul style="list-style-type: none"> No changes to ground surface 	<ul style="list-style-type: none"> Removable and painted ground surfaces 	<ul style="list-style-type: none"> Decking with minimal disturbance of existing subsurface/drainage permitted Modifications permitted subject to its ability to maintain or improve its current function as parking or open space
Furnishings	<ul style="list-style-type: none"> Moveable furniture only 	<ul style="list-style-type: none"> Tents, canopies, and other membrane enclosures Picnic tables and other outdoor-grade products Bus stations permitted, but no food/drink service except for windows out of building 	<ul style="list-style-type: none"> Anchored trellises Pre-engineered structures (ie greenhouses) May include bussing stations and food/drink service (if food safety and ABC permits)

INTRODUCTION

GUIDE TO OFF-STREET DINING RETROFITS

TEMPORARY

These projects utilize low-cost materials and are intended as short term design interventions (72 hours).

ACCESSORY/SEASONAL

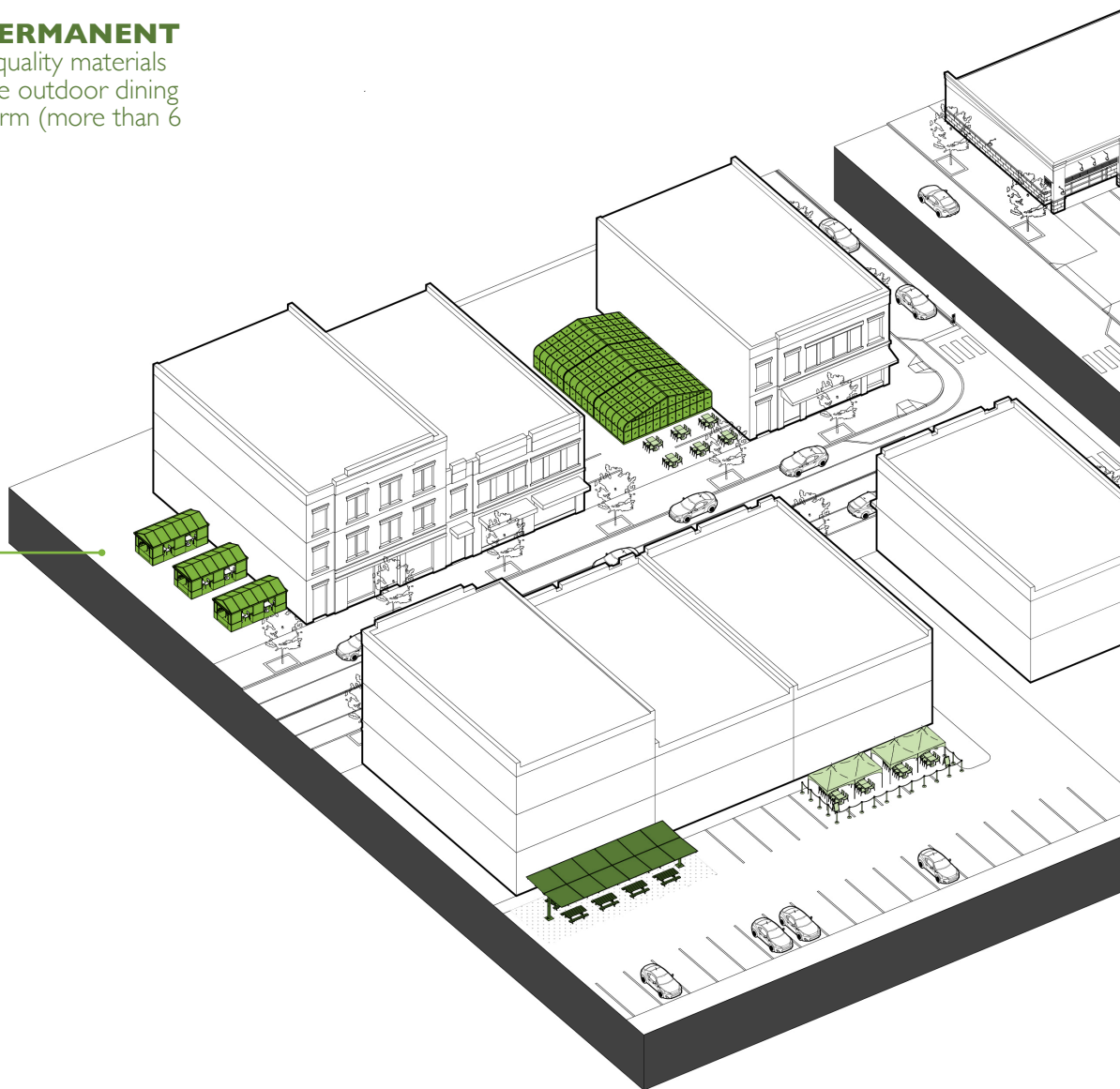
These projects utilize moderately priced materials and are intended to provide outdoor dining experiences on a seasonal basis (up to 6 months).

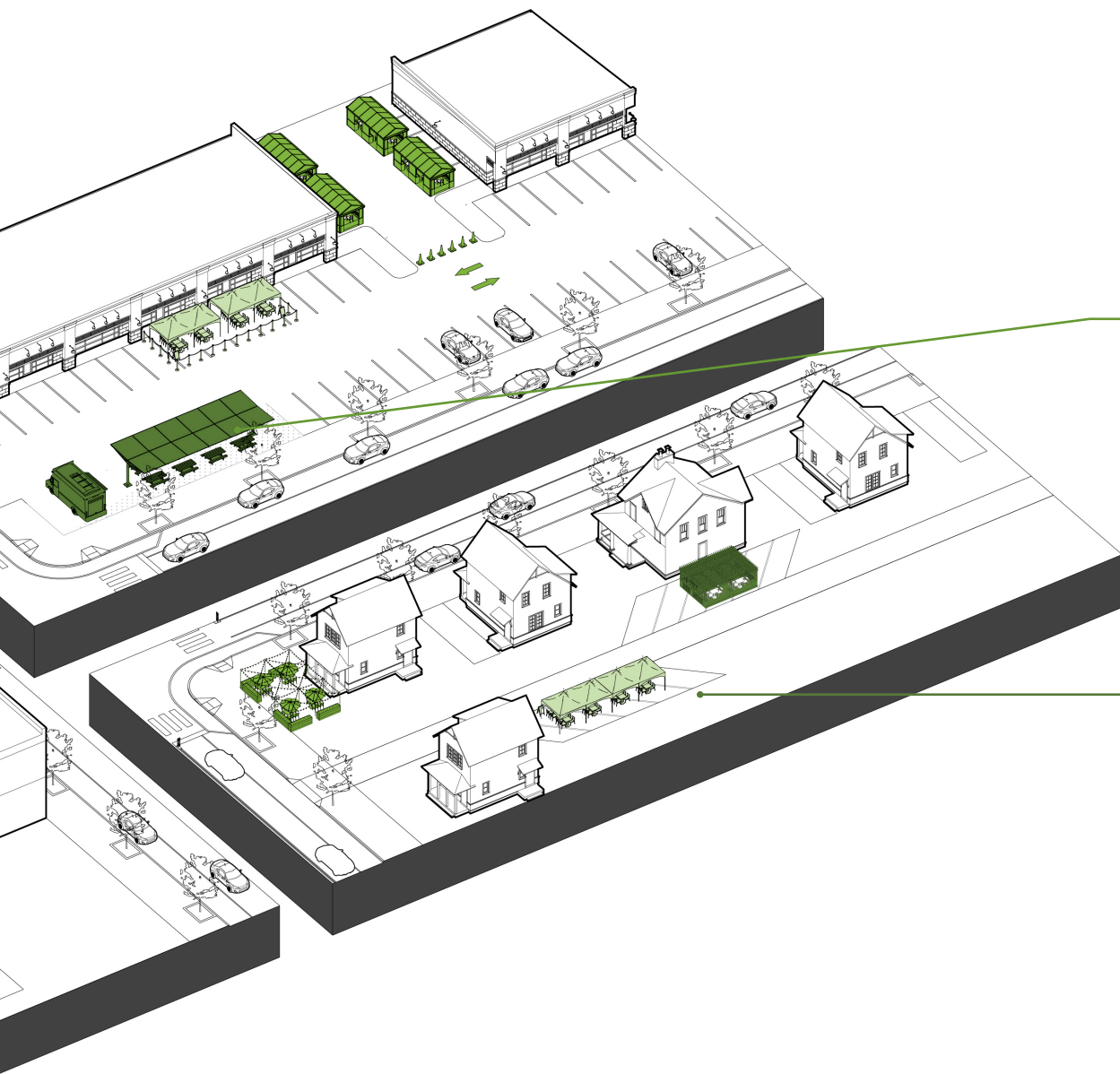
ACCESSORY/SEMI-PERMANENT

These projects utilize high quality materials and are intended to provide outdoor dining experiences for the long term (more than 6 months).

TEMPORARY

PG. 52





**ACCESSORY/
SEMI-PERMANENT**
PG. 56

**ACCESSORY/
SEASONAL**
PG. 54

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APPLICATION PROCESS

1

COMPLETE THE PRE-APPLICATION CHECK LIST

Make sure that Norfolk Outdoor Spaces is a good fit for your needs and can support your business.

2

SCHEDULE A MEETING

Contact us at zoningdsc@norfolk.gov to schedule a pre-application meeting with the City Planning Department once the checklist is completed to ensure you find the right type of Norfolk Outdoor Spaces project for your needs and location. It is at this meeting where it will be determined if a new or amended Conditional Use Permit, a new zoning certificate, and/or a building permit will be required for your project. You may be referred to our on-call consultants for design assistance.

3

START APPLICATION PROCESS

Submit your application and necessary project materials. Application available at www.norfolk.gov/NorfolkOutdoorSpaces.

4

REVIEW

Your application fees will be determined during your pre-application meeting.

5

COMPLETE THE PROJECT REVIEW

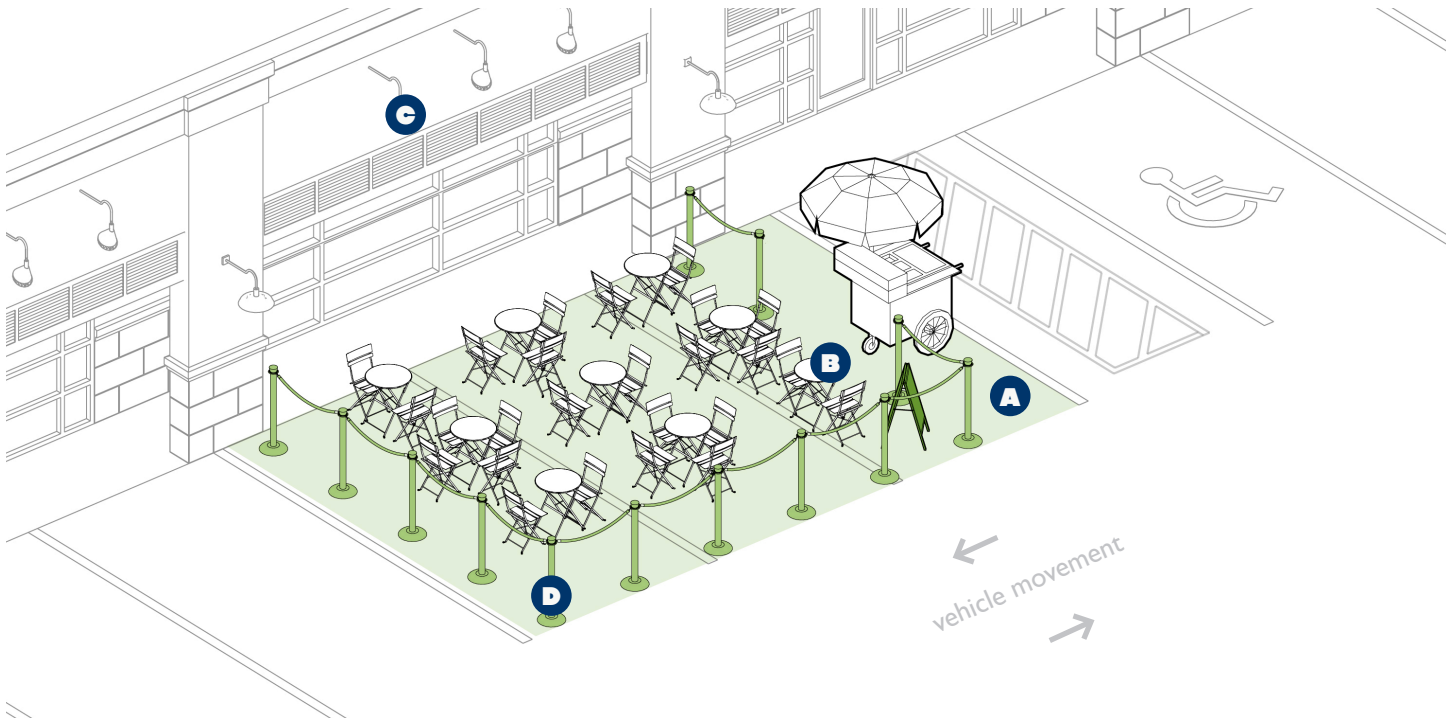
Ensure that your project is complete and compliant with the requirements of Norfolk Outdoor Spaces and relevant city requirements.

6

OBTAIN APPROVAL AND COMPLETE INSTALLATION

Most projects that do not require a new or amended conditional use permit may be approved administratively. Planning staff will outline a project schedule at the pre-application meeting.

TEMPORARY



Location & Size

- A** No size limit

Vertical & Overhanging Structures

Wind speed freestanding walls must withstand	50 MPH
Umbrellas shall be enclosed within project area	

Furniture & Lighting

B Movable furnishings only	50 MPH
C Existing building lighting, table-scaled lighting only	
D Light-weight delineations for barriers/fencing only (chain/rope stanchions, etc)	

Landscape

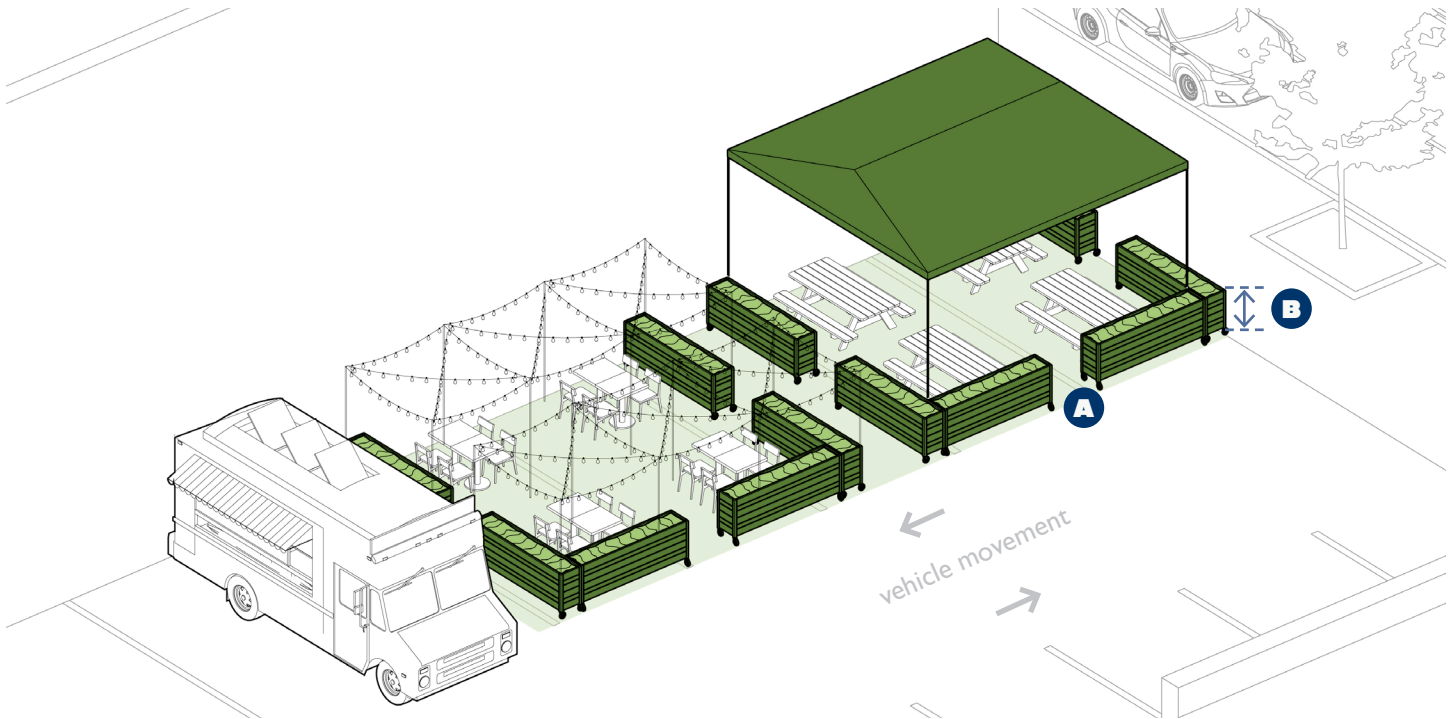
Planters and their materials must be portable



OTHER CONSIDERATIONS

- ≈ Only deployed during active service
- ≈ Food trucks and carts permitted but must be removed outside of primary use's operational hours
- ≈ Fire pits may be used but must be removed after hours

ACCESSORY/SEASONAL



Location & Size

- A** Projects in the Downtown and Traditional Character Districts may utilize up to 30% of current parking for outdoor dining. Those projects requesting to utilize more than 30% of the required parking will require a Conditional Use Permit.
- Projects in the Suburban and Coastal Character Districts may only use the number of parking spaces that exceed the required number of spaces unless approved through a Conditional Use Permit.

Furniture & Lighting

Secured fences/barricades/planters	50 MPH
Project-specific lighting permitted	
B Maximum height for barriers/fencing	50"

Landscape

Max. planter height above surface	50"
Max. plant height above surface	9'

Vertical & Overhanging Structures

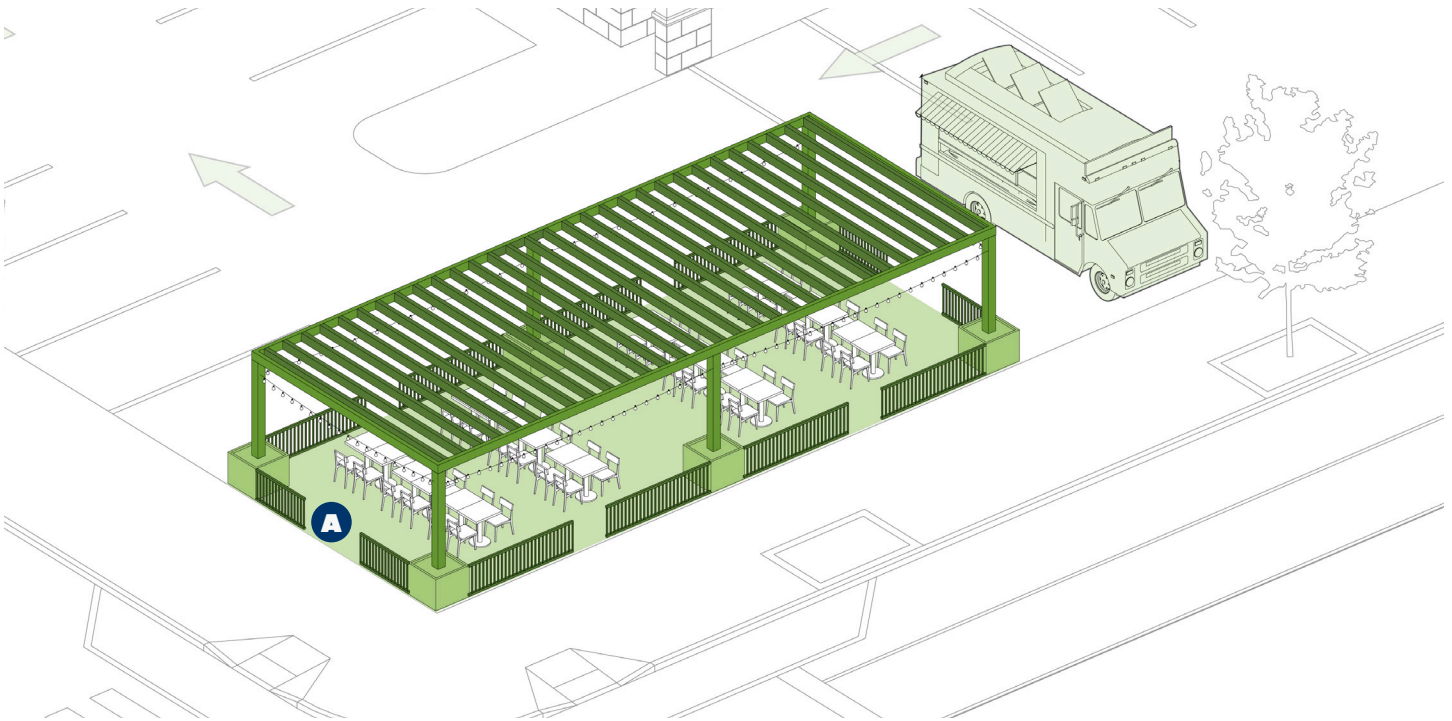
Maximum height	12'
Wind speed freestanding walls must withstand	50 MPH
Umbrellas shall be enclosed within project area	



OTHER CONSIDERATIONS

- ≈ Deployed for up to 6 months.
- ≈ Portable heating and cooling permitted, see general requirements
- ≈ May include busing stations but not food/drink service (except for windows out of building or approved food truck/trailer)
- ≈ Building signage must not be obstructed
- ≈ All outdoor dining improvements removed after expiration.

ACCESSORY/SEMI-PERMANENT



Location & Size

- A** Projects in the Downtown and Traditional Character Districts may utilize up to 30% of current parking for outdoor dining. Those projects requesting to utilize more than 30% of the required parking will require a Conditional Use Permit.
- Projects in the Suburban and Coastal Character Districts may only use the number of parking spaces that exceed the required number of spaces unless approved through a Conditional Use Permit.

Vertical & Overhanging Structures

Maximum height	12'
Wind speed freestanding walls must withstand	50 MPH
Umbrellas shall be enclosed within project area	
Overhanging structure may not drain toward street	

Furniture & Lighting

Anchored and secured fences/barricades/ planters permitted	
Project-specific lighting permitted	
Anchored trellises and pre-engineered structures permitted	
Maximum height for barriers/fencing	50"

Landscape

Max. planter height above surface	
Max. plant height above surface	



OTHER CONSIDERATIONS

- ≈ Deployed for 6+ month duration
- ≈ Portable heating and cooling permitted, see general requirements
- ≈ Ground surface and landscaping may be modified subject to its ability to maintain or improve its current function as parking or open space
- ≈ New building signage may be created if obstructed by project
- ≈ May require a building permit

ADDITIONAL REQUIREMENTS





Colonial Ave, Norfolk, VA

REQUIREMENTS FOR ALL PROJECTS

KEY T = Temporary SEA. = Accessory/Seasonal S.P. = Accessory/Semi-Permanent
 ● = Required ○ = Required for On-Street Projects Only

DESIGN		T	SEA.	S.P.
General	Applicant has reviewed applicable design and location standards for project type	●	●	●
	Materials should weigh no more than 200 pounds per square foot (PSF)	●	●	●
	Projects must be designed to allow periodic and emergency street or sidewalk repair and utility work	●	○	○
Documentation	Stamped site survey		○	●
	Dimensioned drawing showing site and obstructions within 15 feet of project that includes items such as existing infrastructure including all utilities, manholes, poles, storm drains, trees / tree wells	○	○	○
	Site plan showing context, tent/structures, marked exits/entries, occupancy (including other seating areas in and outside), table/ chair layout, heaters, fire extinguisher	○	●	●
	Stamped by a licensed architect or engineer if over 120 SF			●
Decking	All flooring must be slip-resistant		●	●
	Flooring must be within 2% slope in any direction		●	●
	Flooring must be designed to not retain standing water		●	●
	May be secured to street by anchoring it into the ground			○
Barriers and fencing	Any glass elements must be shatter-resistant (tempered, wired, laminated)	●	●	●
	Not attached to buildings	●	●	●
	Visually permeable	●	●	●
	Openings must be a min 44" wide	●	●	●
	Any elongated opening must be perpendicular to the primary direction of travel	○	○	○
Vertical and overhanging structures	Non-permanent ceilings (tents, awnings, shade sails, umbrellas, etc.) must be stable in 50 MPH winds and be taken down and stored safely when winds are expected to exceed such speeds	●	●	●
	Overhead structures must be a minimum of 8 feet above finished floor		●	●
	Non-permanent ceilings must be removed if winds are expected to exceed 80 MPH	●	●	●
	Drainage must be oriented toward the street and must not direct water flow across sidewalks or pathways		○	○
	Permanent ceilings, structurally connected to the project, must be designed to withstand wind speed up to 110 MPH		●	●
	Vertical structural bays should correspond to the extent practical with that of the corresponding storefront		○	○
Tents and enclosures	Fire extinguisher required for any tent over 900 SF or if heaters are present	●	●	*
	Tents and flaps may not cover building entrances or exits	●	●	*
	Tents are anchored according to manufacturer	●	●	*
	12 foot clearance provided alongside tents larger than 20x40 feet	●	●	*
	Tents larger than 20 x 40 feet should have a minimum 8 foot vertical clearance	●	●	*

*Tents are not permissible for semi-permanent dining spaces

KEY **T** = Temporary **Sea.** = Accessory/Seasonal **S.P.** = Accessory/Semi-Permanent
 ● = Required ○ = Required for On-Street Projects Only

DESIGN		T	SEA.	S.P.
Heating, cooling, air exchange	Fire retardant canvas material may be used. Color should match establishment's branding, other colors must blend in with surrounding environment		●	*
	Tents larger than 20 x 40 feet need to be 20 feet from primary building unless floor area per USBC are not exceeded, sufficient exits provided both for tent and building, fire apparatus access provided, tent or membrane does not exceed 10k sf		●	*
	Cooking and open flame not permitted unless approved by Fire Marshal		●	●
	NFPA 701 flame spread certification	●	●	●
	Fuel-fired heaters not allowed within 5 feet of a building, including its entries/exits	●	●	●
	Heaters used in projects with overhead structure require Fire Marshal approval	●	●	●
	Heaters must be 3 feet from combustible materials	●	●	●
	Heaters must be UL listed, labeled & approved for outdoor use	●	●	●
	Propane tank capacity may not exceed 20 pounds	●	●	●
	Overhead and side mounted fans and misters must be enclosed by protective cage or a minimum of 8 feet above finished floor or ground.	●	●	●
Safety and access	Heaters must have a guard to prevent human contact and auto shutoff when tilted more than 15 degrees	●	●	●
	Gas containers must be suitably stored and locked to prevent tampering	●	●	●
	Electric heaters must be plugged directly into approved GFCI protected receptacles	●	●	●
	Compliant with all applicable building, accessibility, wind load and life safety codes (unless otherwise described)		●	●
	1/2 inch lip max. between walking surfaces		●	●
Signage	1:20 max slopes for ramps		●	●
	Fire extinguisher required if a heat source is present		●	●
	Access across non-paved surfaces (verge for instance) needs approval; may require paving		○	○
Lighting and electrical	Maximum cumulative area of all signage shall not exceed 2 square feet. The structure and message of every sign shall be composed of permanent materials. No self-illuminating signage including TVs and digital signs.		○	○
	Accommodate required Program Project Signage (see operations and management agreement)		○	○
Lighting and electrical	Lighting should be used as an accent and be subservient to other outdoor lighting	●	●	●
	Lighting shall not to be plugged into same electrical circuit as a heater	●	●	●
	Lighting height shall not exceed 10 feet above the ground. It shall not be pointed toward moving traffic	●	●	●

REQUIREMENTS FOR ALL PROJECTS (CONT.)

KEY T = Temporary Sea. = Accessory/Seasonal S.P. = Accessory/Semi-Permanent
 ● = Required ○ = Required for On-Street Projects Only

DESIGN		T	SEA.	S.P.
	Lighting must be UL listed, labeled and approved for outdoor use and visually coordinated with its context	●	●	●
	Lighting color temperature should be consistent and be between 2500 & 3000 Kelvin; 2700K preferred. Blinking lights not permitted	●	●	●
	Lighting must not be secured to any trees or other street infrastructure	○	○	○
	Electrical appliances & lighting must be installed & maintained according to manufacturer	●	●	●
	All wiring, cables & cords must be protected, kept in good working order and have trip guards. Electrical service to semi-permanent dining areas shall be provided via underground (under sidewalk) conduit, subject to necessary permits and inspections and installation by licensed electrician.	●	●	●
	Extension cord must be 10-gauge or larger if used for an electrical heater and disconnected when not in use	●	●	●
Approved material palette	Aluminum; recycled pallet wood; naturally rot-resistant wood; treated wood; wood composite; heavy-duty plastic; weather-resistant fabric; artificial grass/turf		●	
	Stainless, painted or coated steel; aluminum; copper; painted, stained or coated wood; recycled pallet wood must be disassembled, painted and then assembled into finished component; naturally rot-resistant wood; treated wood; wood composite; stone, concrete ceramic or porcelain pavers; weather-resistant fabric/canvas, planters. Preferred materials include: weather-resistant fabric/canvas, heavy duty, fire-rated, clear, un-tinted vinyl or PVC roll-down windows, finished metal roofing, painted wood, and slats or perforated surfaces.		●	●
	Architectural grade trim and detailing			●
Prohibited features and materials	Plastic panels/fencing; PVC / vinyl; polyester / nylon; acrylic / polycarbonate panels; fiberglass / FRP; uncoated metals susceptible to corrosion; whole pallets; brick; untreated solid wood in contact with the ground; indoor wood or laminate flooring; indoor carpet; plastic; artificial plants; empty planters or planters with bare dirt, mulch, straw, wood chips or similar; fringes, tassels or straps that are not fire resistant (when used with a heating source); non fire-retardant fabrics; thatching (artificial or natural); anything not rated for continuous exterior use; anything that is prominently branded; self-illuminating signage including TVs and digital signage		●	●

KEY T = Temporary **Sea.** = Accessory/Seasonal **S.P.** = Accessory/Semi-Permanent
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LOCATION		T	SEA.	S.P.
Relationship to primary business	Space is within 50 feet of primary business	○	○	○
Relationship to other neighboring (above and to the side) users	Does not block residential building entryway or entrances to other businesses/lobbies (including queuing lines)	●	●	●
Planning and zoning	Located greater than 150 linear feet along the street from a residential zone	○	○	○
	Consistent with the zoning of the primary business		●	●
	Furtheres the goals of established City Plan(s)			●
Ecology and environment	Accommodates flow of stormwater and existing tree canopy	●	●	●
Clearances and traffic through movement	Setback minimum 1 foot from moving vehicular traffic as determined by the Department of Transit	●	●	●
	Accommodates pedestrian, bicycle, transit and vehicular traffic	●	●	●
	6' minimum pedestrian clearance	●	●	●
	Fire lane, hydrants, building access (pedestrian and vehicular), ADA and life safety areas and sidewalks must all be kept clear	●	●	●
	Prohibited in front or within 15' of fire hydrant	●	●	●
	Prohibited in front or within 20' of crosswalk	○	○	○
ENGAGEMENT		T	SEA.	S.P.
Letter of support from community	Has permission of property owners (first floor only if condominium spaces) and businesses (first floor) adjacent to proposed dining spaces if any portion of the proposed project is directly parallel to their property or establishment (applies to projects within existing parking space only).	○	○	○
	For non-conforming projects or projects with extenuating circumstances		●	●

REQUIREMENTS FOR ALL PROJECTS (CONT.)

FURNITURE

For all project types:

- ≈ Furniture (except for planters or barricades that feature integrated seating and counters) must be outdoor grade, free standing, in good condition and moveable
- ≈ Furniture must be secured or removed when not in use or when winds exceed 50 MPH
- ≈ Roofing material preference: canvas/fabric; finished metal; painted wood; slats or perforated materials.
- ≈ 80% of project capacity must be seated

For accessory/seasonal and accessory/semi-permanent projects:

- ≈ Furniture must be weighted to withstand 60 MPH winds
- ≈ Umbrellas may not contain any signage
- ≈ Uniform colors are not required for umbrellas--a variety of colors is encouraged.

For accessory/semi-permanent projects:

- ≈ Furniture must be complementary to area character
- ≈ 5% of seating capacity must be ADA accessible



LANDSCAPE

For all project types:

- ≈ All planters must have live plants contained within them
- ≈ Plants shall be maintained in a healthy growing condition at all times, and replaced when necessary, or the planter removed from the public right-of-way
- ≈ Planters and material must be portable
- ≈ Seasonal, thematic planter displays are encouraged
- ≈ Native and seasonal plants are preferred





NORFOLK VIRGINIA

<https://www.Norfolk.gov/NorfolkOutdoorSpaces>

