



**M A R Y L A N D**

Office of Planning and Zoning

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**Criteria for Reopening Restaurants and Social Clubs as a Temporary Use**  
**Anne Arundel County, Maryland**  
**Effective as of May 29, 2020, 5:00 p.m. per County Executive Order No. 22.**

Anne Arundel County understands this pandemic has had a significant impact on the health and well-being of our citizens as well as the business community. During these difficult times, we want to provide guidance to food service establishments for the **sale and consumption of food and beverages** to customers in outdoor seating areas.

We determined that within the confines of County law, there is an opportunity to provide guidelines for outdoor dining that would streamline the process and provide a path forward for an improved economic outlook for your business endeavors.

Anne Arundel County will authorize outdoor seating for food and beverage service uses as a temporary use for up to 180 days, until or unless the emergency is lifted or revised by executive order.

**Of special importance, a permit application is not required for the temporary use. The temporary use may commence at 5:00 p.m. on 5/29/2020 if the use complies with the criteria listed below.**

The following criteria are being established with the understanding that outdoor seating would have to be done with true adherence to social distancing and other public health and safety laws and practices. Anne Arundel County will adhere to the State of Maryland's "Best Practices for Businesses to Reopen for Restaurants and Bars." The link for that guidance is provided here:

<https://commerce.maryland.gov/Documents/BusinessResource/Restaurants-bars-COVID-19-Best-Practices.pdf>

Anne Arundel criteria for outdoor seating relating to food and beverage service as a Temporary Use are as follows:

- Up to 50% of the facilities approved capacity can be used for outside seating, providing a letter of permission is obtained from owners of the outside space (if applicable);
- If/When future executive orders allow for indoor seating within the facility at less than 100% capacity, the facility may combine use of indoor and outdoor seating to achieve up to the facilities approved capacity, providing a letter of permission is obtained from owners of the outside space (if applicable);
- Food and beverage service within Malls ***that do not have access outdoors for outdoor seating*** may utilize the same outdoor seating criteria for indoor space located in close proximity to the facility, providing a letter of permission is obtained from owners of the Mall (if applicable);
- Ensure the number and location of tables are spaced to accommodate 6 feet of social distancing between each seated party;
- Ensure patrons are seated at least six feet away from each other, except for households seated together;
- If the outside dining area includes use of sidewalk, grassed area, or parking pad or lot, the dining area should be clearly delineated as outside seating with use of bollards, landscaping planters, fencing, etc.;
- If outside dining area includes the use of parking lot(s):
  1. ADA accessible parking spaces cannot be used;
  2. Traffic flow into and out of the site shall not be blocked; and,
  3. Fire lanes for emergency vehicles shall remain unobstructed to maintain adequate clearance to meet Fire Code standards.
- If indoor restrooms facilities are to be used, provide points of access to restroom facilities;
- Outdoor seating space cannot be more than 500 feet away from the restrooms;
- Indoor seating space for Malls cannot be more than 300 feet away from the restrooms;
- Any tent over 200 square feet requires a building permit (visit the County website for instructions: [https://www.aacounty.org/departments/inspections-and-permits/permit-center/IP\\_Projects/commercial-tent](https://www.aacounty.org/departments/inspections-and-permits/permit-center/IP_Projects/commercial-tent));
- Proposed use of electric or plumbing outdoors must comply with code requirements;

- Liquor Board approval may be needed, if not covered in the executive order; and,
- The land shall be entirely cleared of the temporary use within five days after the expiration of the period.

Failure to abide by any State or local executive orders regarding public gatherings and other COVID-19 related restrictions will be grounds for the County to revoke authorization of the temporary use for outdoor seating. As previously noted, all County laws that currently apply to your business remain in effect.

All business use must operate in accordance with CDC and MDH COVID guidelines.