

Downtown Sidewalk Café/Street Furniture Guidelines

Overview

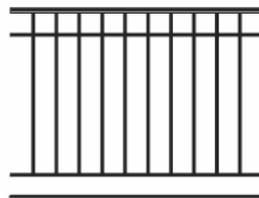
To ensure safety and accessibility as well as commercial prosperity, the City has created guidelines for Downtown restaurants, cafés and businesses that wish to apply for a Sidewalk Café/Street Furniture Permit to provide tables, chairs, benches, or planters on the sidewalk. The guidelines aim to facilitate outdoor seating that is functional and desirable, while at the same time ensure public safety and preserve the distinct atmosphere and charm of the Downtown. Exemptions will be considered per Chapter 1190 of the Certificate of Appropriateness (COA) Admin Review Process.

1. Street furniture and planters shall only be placed on the sidewalk in front of the applicant's place of business and directly adjacent to the building wall.
2. A minimum of 5-feet of pedestrian clearance must be maintained on the sidewalk. The 5-feet of clearance shall not include tree grates, benches, trees, parking meters, streetlights or other sidewalk obstructions.
3. Placement of street furniture and planters must not interfere with crosswalks, curb ramps, access to buildings, driveways or access to any fire escape.
4. Placement of street furniture and planters on the sidewalk must conform to all Federal, State and Local laws and regulations.
5. The sidewalk café/street furniture will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.

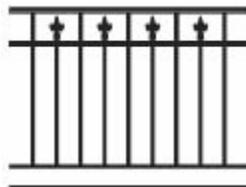
Design Guidelines

The following guidelines have been established for the tables and chairs:

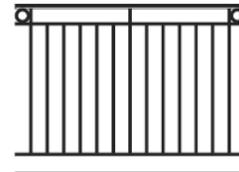
1. The table and chairs shall be comprised of metal or wood and the color shall compliment the storefront (refer to the Downtown Historic District Architectural Standards for color standards). Planter style and material shall compliment the storefront.
2. Restaurants and cafés serving alcohol beverages in the sidewalk dining area will need to delineate the entire area with a physical boundary as required by the Division of Liquor Control. The boundary shall be a removable fence and shall be 36 inches in height. The fence shall be historically-appropriate wrought iron or steel made to resemble historically appropriate wrought-iron. Example fence styles include the following:



Fence Type 1



Fence Type 2



Fence Type 3



Fence Type 4

Application Requirements

Submit an application for a permit to:

Planning & Community Development Department
1 South Sandusky Street
Delaware, Ohio 43015

Applicants must submit the following with their application:

1. Application
2. Site plan illustrating (see Example A):
 - a. Entrance to business and adjacent building entrances.

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- b. Property lines, sidewalk width and all surface obstructions within 15 feet of occupied area (i.e. fire hydrants, streetlights, parking meters, trees, tree grates, etc).
 - c. Width and length of occupied area, approximate location of tables and chairs and their relative proximity with the 5-foot pedestrian clearance.
 - d. Location and dimension of fence (if applicable). Include additional fence specification information including type and style.
3. Personal liability insurance naming the City as co-insured.

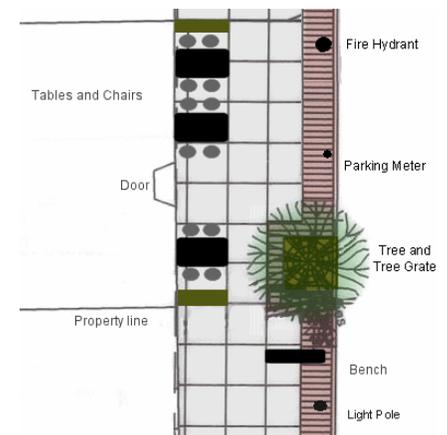
Application Approval Process

1. Once the applicant submits a complete application and meets all the necessary guidelines, the Planning Director will review and take action on the permit within 30 working days of submittal, which could include referral to the Historic Preservation Commission (HPC).
2. During the approval process, the application will be submitted to the Public Works Department, Police Department, Fire Department, Building Department, and Engineering Department, for review and comment.
3. Application decisions may be appealed to the Historic Preservation Commission.
4. The Planning and Community Development will inspect all Sidewalk Café/Street Furniture after permits have been issued.

Responsibilities of Permit Holders

In order to maintain this revocable Sidewalk Café/Street Furniture Permit the permit holder must comply with all applicable stipulations and rules and applicable City Ordinances, which include the following:

1. Permit holder is responsible for ensuring that all activity stays within the delineated area.
2. Food trays or carts, receptacles for dirty dishes, etc. shall not be stored on any portion of the sidewalk/Right-of-Way.
3. Fences, tables, umbrellas, chairs and planters in the sidewalk area must be kept free of advertising, litter and other debris at all times.
4. Permit holder with self service restaurants must provide one durable covered appropriately sized refuse container within the permit area at all times area is in use.
5. All tables, chairs, etc. must be promptly removed from the sidewalk at the end of each business day, unless they are secured overnight (you are not permitted to affix furniture or planters to the sidewalk, except for allowable fences).
6. Permit holder must keep current liability insurance that the City requires.
7. Permit holders must display a copy of the permit within public view during business hours.
8. Area must meet applicable health requirements and all applicable City ordinances.
9. Applicants intending to serve liquor at the sidewalk café must have a valid Liquor License pursuant to the Ohio Revised Code. Consumption of alcohol within the sidewalk dining area is regulated by the permitted uses and restrictions defined in the individual liquor license. The site diagram submitted to the Ohio Department of Commerce Division of Liquor Control must include the sidewalk area and shall be approved by the City.
10. Restaurants possessing an alcoholic liquor license of any classification and located within the Downtown may sell alcoholic liquor on sidewalk café premises. Such sale of alcoholic liquor shall be for consumption on the premises only with the consumption of a meal. This provision must be clearly stated on sidewalk café menus.
11. Alcohol must not be removed from the delineated area.
12. The permit is revocable at the discretion of the City; applicable penalties for non-compliance are outlined in the Codified Ordinances of Delaware.
13. Sidewalk cafés shall not operate earlier than 7:00 am nor later than 11:00 pm on Sunday to Thursday nor later than 12:00 am on Friday to Saturday.



Example A - Table configuration.