

Old Town Winchester Outdoor Dining Guidelines

As submitted by the Old Town Development Board, Design Committee, 1/17/13

Purpose

These guidelines provide standards for the use of seating areas on public land in the primary and secondary Old Town Winchester Districts in keeping with the area's historic character. They are written for the dual purpose of maintaining the aesthetic quality of the walking mall as well as ensuring the safety and flow of pedestrian traffic.

The City of Winchester permits outdoor dining in Old Town through an administrative permitting process authorized by the City of Winchester Zoning Ordinance.

I. Application Procedure

Restaurateurs seeking an outdoor dining permit must apply through the City Department of Planning and Zoning. Applicants will be required to provide the following:

1. **Application Form:** Available online or at Rouss City Hall or by calling the Department of Planning and Zoning (540)667-1815
2. **Site Plan:** A plan showing the proposed outdoor dining area with measurements.
3. **Photos or Drawings of Furniture:** Provide photos or other graphic representations (including color and material) of all furniture, fixtures, planters and umbrellas, etc. contained within dining area for the City to verify the proposed furniture conforms to the Design Guidelines.

II. Barrier Guidelines

All outdoor dining areas must be defined by a visually appealing barrier fence, to provide a clear separation between the business and the pedestrian areas of Old Town Winchester. These barriers must meet design and safety guidelines. They must be maintained in good visual appearance, without deterioration, dents, rust, and corrosion, chipped or peeling paint. State law requires that all outdoor dining areas where alcohol is served or consumed must enclose the area, with only one opening to the sidewalk for access. Barriers are required for all outdoor dining areas that serve alcohol. Businesses that do not serve alcohol can be exempted from having a barrier if café tables are directly juxtaposed to the building not exceeding 6 feet from the building. All restaurant business must be conducted within a 6 foot area from the building. All businesses seeking outdoor dining areas of any kind are required to apply for a permit with the City Department of Planning and Zoning.

Each barrier must meet the following design guidelines:

1. **Sectional Fencing:** Outdoor barriers must consist of rigid fence segments that are placed together to create a unified appearance.
2. **Materials:** All fencing must be made of metal (aluminum, steel, iron, or similar material) and must be painted black.
3. **Freestanding:** Any barriers must be portable and free standing, without attachment to buildings, sidewalks, public property or any other infrastructure. As such, barrier fencing must be stable and able to withstand interaction with the public and weather.
4. **Height:** Barrier must meet a minimum requirement of 36", not to exceed 48".
5. **Accessibility:** Access openings must be a minimum of 44" in width and must be clearly visible to the public.

III. Planters

Planters are encouraged both as a means of stabilizing barrier fencing, but also as a way to provide a visually engaging atmosphere within the dining area. Planters must be contained within the area designated by the permit. Seasonal, thematic planters are encouraged. Planters must be approved during application process.

Planters must meet the following design guidelines:

1. **Materials:** All planters must be constructed of stone or metal and must compliment the design of barrier fencing, and the overall aesthetic of Old Town. All planters must be of a visually similar design, construction and color.
2. **Height:** Planters may not exceed a height of 36". Plants may not exceed a height of 108" above the level of the sidewalk.
3. **Planted Material:** All planters must have natural plants within them at all times. Artificial plants, empty planters, or planters with ground cover only are not permitted. If the planter is empty it must be removed from the public right-of-way.

IV. Furniture and Fixtures

Furniture and fixtures are required to be attractive and of a high quality. This includes tables, chairs, and umbrellas. All types of furniture other than the tables, chairs, and umbrellas are prohibited. All must be aesthetically compatible with barrier fencing, planters, and surrounding environment. All furniture must be maintained in good visual appearance, without deterioration, dents, rust, and corrosion, chipped or peeling paint. They must also be durable and sufficiently sturdy as not to blow over. Furniture and fixtures must be approved during application process.

Furniture and fixtures must meet the following design guidelines:

1. **Design:** Tables and chairs must be metal or stone. They may not be fluorescent or of a strikingly bright or vivid color. All tables and chairs must be of a visually similar design, construction and color.
2. **Materials:** Tables and chairs must be made of metal or stone. Plastic is not permitted.
3. **Size and Shape:** Smaller tables are recommended which provide a more efficient use of space.
4. **Freestanding:** Table and chairs must be freestanding and may not be secured to any other structure, buildings, sidewalks or public property.
5. **Umbrellas Dimensions:** Umbrellas must be contained within the perimeter as designated by permit. They must meet a minimum height of 84" and are not to exceed 120". Umbrellas should be of a size and shape that work efficiently within design space.
6. **Umbrella Design:** Market style umbrellas are required to be designed for patio or outdoor restaurant usage. Umbrellas must not contain signage for the restaurant or any other form of wording, logos, drawings, pictorial, or photography.
7. **Umbrella Materials:** Umbrellas must be of a canvas-type material and may not be made of plastic/vinyl laminated fabrics, or any type of rigid material.