

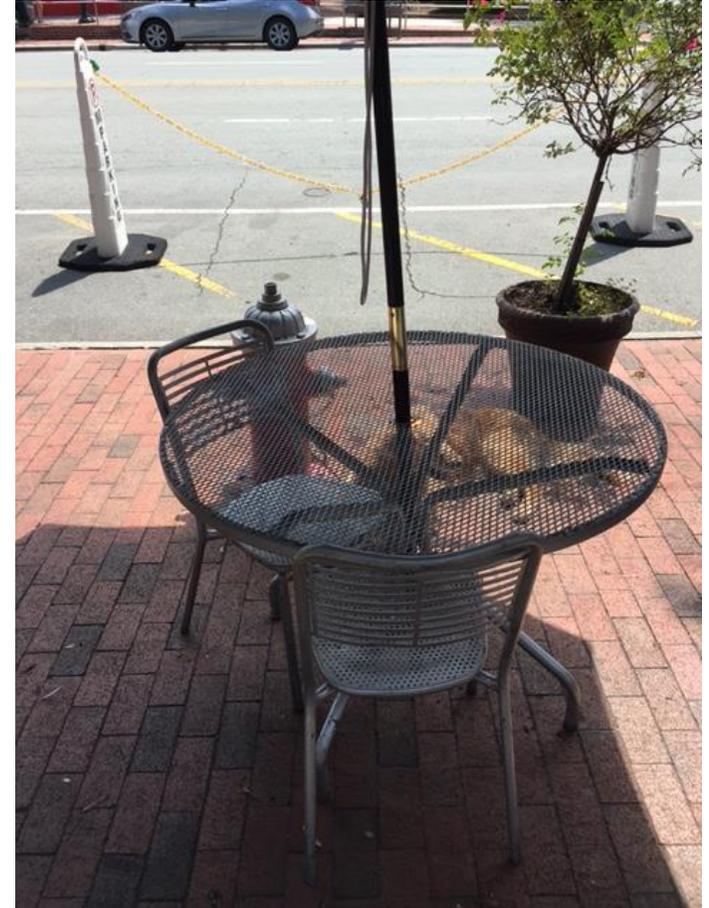
Sidewalk Dining Text Amendment

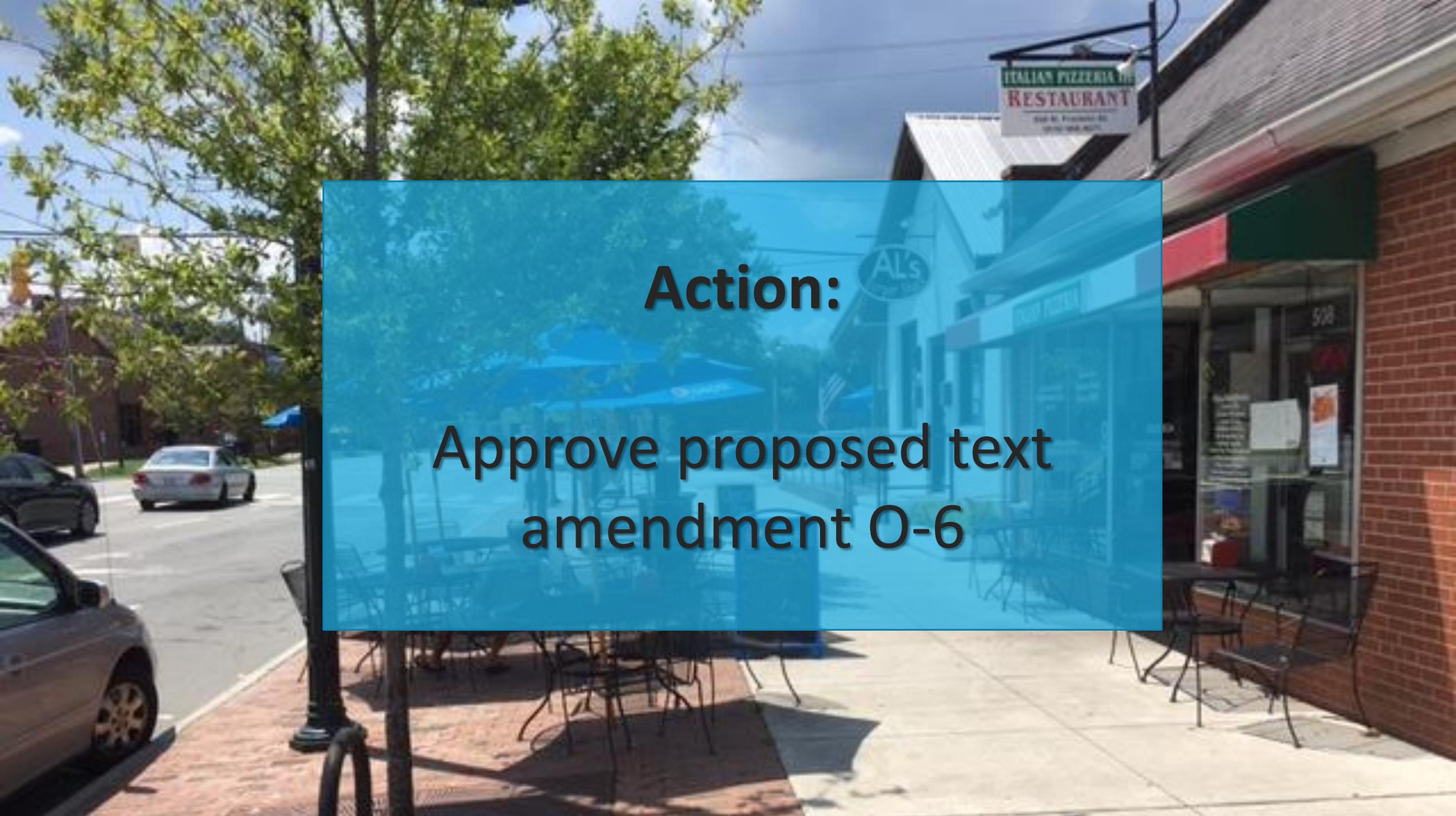
TOWN COUNCIL – APRIL 10, 2019



Agenda

- Background of the current ordinance
- Concerns, revision drafting and testing
- Specific changes
- Next steps



A photograph of a street scene featuring a restaurant. A semi-transparent blue rectangular box is overlaid on the center of the image, containing text. The background shows a brick building with a sign for 'ITALIAN PIZZERIA THE RESTAURANT' and a circular sign for 'AL'S'. There are outdoor tables and chairs on the sidewalk, and cars are visible on the street to the left.

Action:

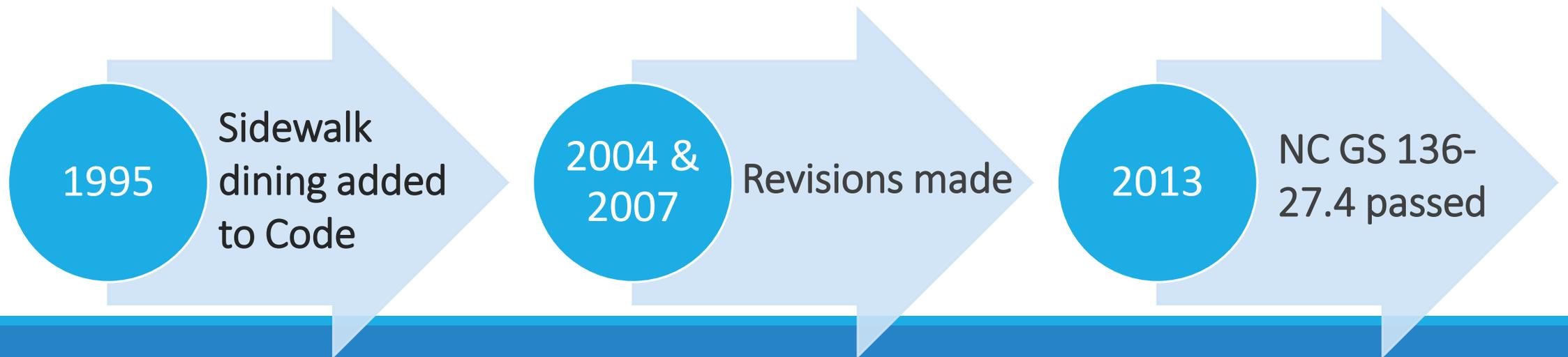
**Approve proposed text
amendment O-6**

Article VI, Sec. 17 Background

- Acknowledges the benefits of limited sales of food and beverages in certain districts

BUT...

- Includes restrictions that limit restaurants' ability to sidewalk dine



NC General Statute 136-27.4

- Passed in 2013
- Requirements are focused on ADA compliance and safety
- Provides guidance and sample ordinance language for local governments



Sources of Changes

- Concerns from restaurants (restrictive, application process)
- Concerns from staff (State statute compliance, penalties and appeals)
- Streetscape now has more capacity for sidewalk dining
- Outreach and testing with stakeholders



CURRENT ORDINANCE

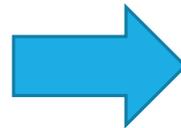
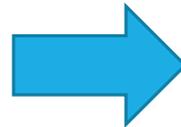
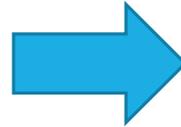
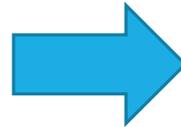
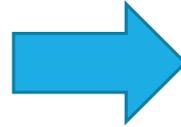
Sidewalk dining only allowed in **Town Center, Neighborhood Center, and Commercial Center** zoning districts

No sidewalk dining within **50'** of an intersection

6' clear passage for pedestrians required

Size of **furnishings restricted** to allow only dinette-style tables and chairs

Furnishings must be **removed by midnight** every day



PROPOSED REVISIONS

Sidewalk dining allowed **anywhere a restaurant is an approved use** and abuts the public right of way

No sidewalk dining with **6'** of any travel lane

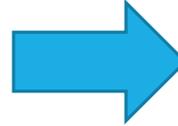
5' clear passage for pedestrians required

Removed; furnishing requirements are detailed in Chapter 8 of Building Code

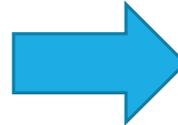
Furnishings **may be left out** other than during Town-declared special events or adverse weather

CURRENT ORDINANCE

Town Manager can only grant variances of **furnishing size**



No **penalty or appeals** process detailed



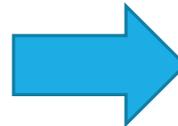
PROPOSED REVISIONS

Town Manager can grant variances to **any aspect not specifically prohibited** by State

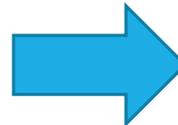
Outlines the **penalty for improper or unpermitted** sidewalk dining and an **appeals process**

OLD APPLICATION

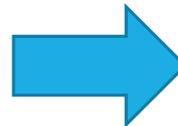
Required vague **narrative** response



Required **detailed site plan**



Requirements **hard to find** in ordinance



NEW APPLICATION

Simple checklists of requirements, reminders, and list of attachments

Only **simple pictures and drawings** required

Ordinance requirements now **included on permit application**

Recommendation and Next Steps

- Staff Recommendation: Approve text amendment O-6
- Next steps:
 - Application will be further revised to reflect new ordinance