

### **Section 7.15 Outdoor Dining Permits – DRAFT 9-25-20; modified 2-9-21**

---

- A. Applicants may apply to the Commission for an outdoor dining permit for a restaurant as follows:
1. Permit for ~~6 tables/24 seats~~ **24 tables/96 seats** or less: The applicant shall provide an adequate plan indicating locations of tables, chairs, etc., associated with the outdoor dining in relation to the location of buildings, sidewalks, parking spaces, and driveways. Said permit application shall be submitted to the ~~Town Planner~~ **Director of Planning**, and may be reviewed and approved by the ~~Town Planner~~ **Director of Planning** provided said application is consistent with the requirements of the criteria enumerated in Section 7.15.B.1. through 12. and is consistent with the intent of these regulations.
  2. Permit for more than ~~6 tables/24 seats~~ **24 tables/96 seats**: The applicant must provide the following information on a site plan of development prepared in accordance with Article 8 of the zoning regulations:
    - a. Location of building(s);
    - b. Number of parking spaces required for entire restaurant, plus location of required parking;
    - c. Location of proposed outdoor dining, including surface upon which tables will be placed (for example, existing sidewalk, new flagstone patio, **heaters**, etc.);
    - d. Number of tables/seats identified; and
    - e. Written description of outdoor dining area amenities; for example, “15 wrought iron tables, 30 wrought iron chairs, an umbrella over each table, new awnings”, etc.
- B. The Commission may grant an approval for seasonal outdoor dining areas for restaurants, subject to the following conditions:
1. Outdoor dining area cannot be located on public property (Town sidewalk, right-of-way, etc.). Outdoor dining may be allowed on porches or decks, provided all of the other conditions are met.
  2. Outdoor dining does not result in interference with, or hazards to, or visibility problems for, pedestrians on sidewalks or vehicular traffic.
  3. Any non-vegetative shading devices shall be of a non-permanent type (umbrellas, retractable awnings, etc.) and shall be safely anchored.
  4. Areas on which required parking exists cannot be used for outdoor dining.
  5. If required, additional parking must be provided to accommodate additional patrons.
  6. Adequate trash receptacles must be provided, and the restaurant is responsible for cleanup of all trash generated from the outdoor dining (including the restaurant site and surrounding areas).
  7. Tables must be located in such a manner as to maintain access to the building for emergency services.
  8. Low level exterior audio systems for mood music are permitted in outdoor dining areas only if volumes are kept low and are not offensive to persons on abutting properties. In areas with abutting residential uses, the applicant shall periodically monitor noise volumes along all common property lines with said residential uses, and report said volumes to the ~~Town Planner~~ **Director of Planning** at least once every summer, or as the ~~Town Planner~~ **Director of Planning** otherwise directs. Volumes shall not exceed those allowed in the Town of South Windsor’s noise ordinance.

**ARTICLE 7 –SPECIAL REGULATIONS**

9. In addition to required parking for indoor seating, outdoor dining requires 1 parking space ~~for every 4 seats~~ for each 250 sf of additional outdoor seating area. If the applicant can demonstrate there is adequate shared parking and/or existing parking available onsite, the applicant can request to defer any additional parking until such time as it may be needed. Reserve parking area should be shown.
10. All tables, chairs, trash receptacles, etc., shall be removed at the end of each outdoor dining season.
11. Outdoor dining area cannot exceed 16 tables/48 seats unless there are waitpersons to serve patrons. Where all food service is conducted by waitpersons, outdoor dining area cannot exceed 50% of the floor area of the indoor dining area; and cannot exceed 50% of the number of tables/seats within the indoor dining area.
12. Any signage placed on outdoor umbrellas, awnings or chairs shall be limited to the name of the establishment.