

4.17 Outdoor Seating / Dining Standards

A. Purpose

The purpose of these standards are to allow *Outdoor Seating / Dining* for restaurants, bars or taverns in the GC General Commercial, TC Town Center, OD Office District and NR Neighborhood Retail or PUD zoning *Districts* to insure the public safety, health and general welfare of the community.

B. Procedures

1. No *Outdoor Seating / Dining* shall be allowed without the issuance of an Improvement Location Permit (ILP). If for new construction, the *Outdoor Seating / Dining* area shall be delineated with the ILP for the new structure. If for an existing structure, an ILP shall be filed as required by Article 11 of this Ordinance.
2. No *Outdoor Seating / Dining* shall be allowed without the issuance of a License Agreement as required by Ordinance if to be located in the TC Town Center *District* and to be located within the Town's *Right-of-Way* for pedestrian access (sidewalk) or an alley.
3. License Agreements required for areas in the TC Town Center *District* shall be renewed on an annual basis.
4. License Agreements are subject to review and approval by the Town Council.
5. All *Outdoor Seating / Dining* areas are subject to review and approval by the *Design Review Committee* and the *Plan Commission*.
6. To allow the sale of alcoholic beverages within an *Outdoor Seating / Dining* area, the establishment must have an approved Liquor License from the State of Indiana and Hendricks County and a *Special Exception* granted by the Plainfield *Board of Zoning Appeals*.

C. Standards

1. An *Outdoor Seating / Dining* area shall be within an enclosed area delineated by a barrier on an impervious surface.
2. *Outdoor Seating / Dining* areas may not be located within pedestrian clear zones at corners of street intersections. Clear zones are areas measured twenty-five (25) feet in each direction at the corner of the intersection from the mid-radius of the curb.
3. *Outdoor Seating / Dining* areas shall not impede pedestrian traffic. A five (5) ft. wide, clear pedestrian path shall be maintained at all times.
4. *Outdoor Seating / Dining* areas shall not be located within any required *Front, Side* or *Rear Yard Setback* or *Bufferyard*.
5. *Outdoor Seating / Dining* shall not interfere with entrances or means of ingress/egress to the primary *Building*.
6. At least one (1) trash receptacle shall be located within the *Outdoor Seating / Dining* area. Trash receptacles shall be emptied as needed and never allowed to overflow.
7. More than one (1) unobstructed means of egress shall be maintained at all times.
8. All tables, chairs and umbrellas used for *Outdoor Seating / Dining* must be located entirely within the demarcated *Outdoor Seating / Dining* area as delineated by barriers.
9. No tables or chairs may be stored or stacked within *Outdoor Seating / Dining* areas.
10. Access width – any access opening must measure no less than forty-four (44) inches in width.

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11. If located adjacent to a *Bufferyard* or a residential *District*, shall be screened by a wall or fence six (6) feet tall. The wall shall be constructed of the primary building material of the primary *Building*.
12. If located adjacent to a *Bufferyard* or a residential *District*, there shall be no excessive noise at any time.

D. Barriers

1. A detectable barrier is required for the leading edge of all *Outdoor Seating / Dining* areas. The leading edge is defined as the section of a *Outdoor Seating / Dining* area that is at or near a perpendicular angle to the building wall and or curb line.
2. Barrier Types.
 - a. Rope or chain barrier – the rope or chain must have a minimum diameter of one (1) inch. Height cannot exceed twenty-seven (27) inches when measured twelve (12) inches or more from the supporting post.
 - b. Vertical support posts – must be made of wood or metal and if a stanchion base is used, it must be flat and be no more than one-half (1/2) inch above grade.
 - c. Fence or wall height – shall be between thirty-six (36) and forty-two (42) inches in height.
 - d. Fence – the fence material shall be metal.
 - e. Wall – walls must brick or other masonry type product matching the primary building in material and color.
 - f. Planters – may not exceed thirty-six (36) inches in height above grade of the surface. Artificial plants are not allowed. Plants may not exceed a height of eight (8) feet.
 - g. Fabric inserts and chain-link fences are not permitted barrier types. Materials not specifically manufactured for fencing or pedestrian control are not allowed (i.e. buckets, tree stumps, food containers, etc.).

E. Furniture

1. Furniture shall be of a high quality and kept clean and in good condition at all times.
2. Furniture must be free standing and not secured to trees, fixtures or infrastructure.
3. Only tables, chairs and umbrellas are allowed within *Outdoor Seating / Dining* areas. No service stations, bars, counters, shelves, racks, sofas, etc. are allowed.
4. The use of heating devices, the number and their locations must be approved by the Town's Fire Marshal. No heating devices are allowed in the Town Center *District* adjacent to Main St.
5. Umbrellas – No umbrellas are allowed adjacent to Main St. in the Town Center *District* on sidewalks.
 - a. Umbrellas must be entirely within defined *Outdoor Seating / Dining* areas and not allowed to overhang such area.
 - b. Umbrellas must maintain a height of seven (7) feet when extended and cannot be higher than ten (10) feet.

F. Town Center Standards Along Main Street on Sidewalks

1. No *Outdoor Seating / Dining* area may be located closer than five (5) feet from the curb.
2. *Outdoor Seating / Dining* areas may not be located within pedestrian clear zones at corners of street intersections. Clear zones are areas measured twenty-five (25) feet in each direction at the corner of the intersection from the mid-radius of the curb.
3. For areas along Main St., the maximum number of tables allowed is two (2) per establishment.

4. The maximum number of chairs allowed per table is four (4).
5. The *Outdoor Seating / Dining* area can be no more than ten (10) percent of the total *Gross Floor Area* of the business.
6. The floor of the *Outdoor Seating / Dining* area shall be uncovered sidewalk.