

Bardstown Historic District Outdoor Dining Design Guidelines



**Bardstown Historical Review Board
June 12, 2007**

**Bardstown City Council
June 26, 2007**

Table of Contents

	<u>Page #s</u>
Section 1: Purpose & Background	1
Section 2: Application Procedure & Submittal Requirements	2
Section 3: Elements of a Quality Outdoor Seating Area	3-6
3.1 Barriers	3
3.2 Planters	3
3.3 Furnitures & Fixtures	3-6
3.3.1 Types of Furniture	3
3.3.2 Tables	4
3.3.3 Chairs	4
3.3.4 Umbrellas	4-5
3.4 Sidewalk Coverings	5
3.5 Circulation Room	5
3.6 Signage	6
3.7 Setback from Other Businesses	6

Section 1: Purpose & Background

1.1 Purpose.

These Guidelines provide standards for the use of outdoor dining areas within the Bardstown Historic District in order to maintain a quality appearance in keeping with the Historic District's character.

The City of Bardstown permits outdoor dining within the Bardstown Historic District through an administrative permitting process authorized by Chapter 122, Outdoor Cafes of the Bardstown Code of Ordinances. Per Section 122.03(A)(e), "the Applicant must obtain a Certificate of Appropriateness (COA) from the Bardstown Historical Review Board and Bardstown City Council to ensure compliance with the adopted Outdoor Café Design Guidelines and other applicable sign and zoning regulations." This document contains the guidelines of furniture and fixtures considered acceptable within the character of the Bardstown Historic District.

Central to the process of permitting outdoor dining within the Bardstown Historic District is the necessity of ensuring that furniture and other items placed along the street will complement the overall character of the district and not detract from the district's historic character and integrity. These Design Guidelines provide standards for the use of outdoor dining areas in order to enhance the historic character, visual quality, and pedestrian safety of the area.

These guidelines apply to all outdoor dining areas that receive City approval through powers granted by Chapter 122 of the Bardstown Code of Ordinances. Failure to comply with these guidelines constitutes a violation of this ordinance.

1.2 Background.

The City of Bardstown and Bardstown Historical Review Board are pleased to offer restaurants within the Bardstown Historic District the option of utilizing the public sidewalk as outdoor dining areas. Outdoor dining gives restaurant patrons an amenity that has become an increasingly popular feature.

While the City has encouraged the use of outdoor dining arrangements, restaurant operators must be mindful of two important considerations: (1) the safety and flow of pedestrian traffic and (2) the visual appropriateness within the Bardstown Historic District. These Design Guidelines are intended to ensure that restaurants use the public sidewalk for outdoor dining in a way that is safe for pedestrians and appropriate for the historic district.

Section 2: Application Procedure and Submittal Requirements

2.1 Application Procedure.

Outdoor dining is permitted within the Bardstown Historic District through a design review and Certificate of Appropriateness (COA) approval process authorized by Article 15 of the Zoning Regulations. This process saves time and expense by pre-establishing standards that must be followed for all outdoor dining set-ups. For forms, information or questions, contact the Joint City-County Planning Commission of Nelson County by phone at (502) 348-1805, by email at info@ncpz.com, or visit in person at 2nd Floor, Old Courthouse Building, One Court Square, Bardstown.

2.2 Submittal Requirements. To apply, a restaurant owner needs to submit the following:

2.2.1 Certificate of Appropriateness Application: An application form providing owner and property information and detailed project description;

2.2.2 Site Plan: A plan, drawn to scale, showing the proposed outdoor dining area with measurements, including a representation showing that at least four (4) feet of unobstructed sidewalk space will remain for pedestrians; and,

2.2.3 Photos or Drawings of Furniture: Photos or other graphic representation, including color and material, of furniture and umbrellas.

Section 3: Elements of a Quality Outdoor Seating Area

- 3.1 Barriers. Dining area barriers (fences, gates, ropes, etc.) shall not be permitted, unless otherwise required by the City of Bardstown.
- 3.2 Planters. Planters may be used to provide added visual interest and create a more attractive and welcoming atmosphere. Planters and the plants contained within them must meet the following requirements:
 - 3.2.1 Maximum height of Planters: Planters may not exceed a height of thirty-six (36) inches above the level of the sidewalk. Maximum height applies only to planters, not the plants contained therein.
 - 3.2.2 Maximum Height of Plants: Plants, whether live or artificial, may not exceed a height of eight (8) feet above the level of the sidewalk.
 - 3.2.3 Planted Material: All planters must have plants contained within them. If the plants within a planter die, the plants must be replaced or the planter removed from the public right-of-way. Empty planters, or planters with only bare dirt, mulch, straw, woodchips or similar material are not permitted.
- 3.3 Furniture and Fixtures. The viability of the Bardstown Historic District depends on maintaining an attractive and high-quality atmosphere. Outdoor dining furniture becomes a prominent part of the streetscape when used in the front of buildings, and such furniture needs to uphold the high standards applied to buildings and other improvements within the Bardstown Historic District. All furniture and fixtures must be maintained in good visual appearance, without visible fading, dents, tears, rust, corrosion, or chipped or peeling paint. All furniture and fixtures must be maintained in a clean condition at all times. All furniture and fixtures must be durable and of sufficiently sturdy construction as not to blow over with normal winds. To ensure a quality visual appearance in keeping with the historic context of the Bardstown Historic District, the conditions on the following pages apply to furniture:
 - 3.3.1 Types of Furniture.
 - 3.3.1.1 Prohibited Furniture: All furniture, other than tables, chairs, and umbrellas, is prohibited. This includes, but is not limited to, serving stations, bar counters, shelves, racks, sofas, televisions, trash receptacles, heaters and torches.
 - 3.3.1.2 Freestanding Furniture: Furniture and fixtures must not be secured to trees, lampposts, street signs, hydrants, or any other street infrastructure by means of ropes, chains or any other such devices, whether during restaurant operating hours or at times when the restaurant is closed.

- 3.3.2 Tables. Tables need to be functional not only for patrons, but also for pedestrians, given the limited space available for outdoor dining on sidewalks in the Bardstown Historic District. Outdoor dining furniture must also contribute to the overall atmosphere of Bardstown's Historic District and be complementary in both appearance and quality.
- 3.3.2.1 Color: Tables may be colored or of a natural unpainted material (i.e., wood, metal etc.). Tables are not permitted to be white plastic or any fluorescent or other strikingly bright or vivid color.
- 3.3.2.2 Size and Shape: The size and shape of tables strongly affects the functionality of an outdoor dining area. Due to the Bardstown Historic District's narrow sidewalks, restaurants should strive for space-efficient seating layouts and furniture configuration. Square or rectangular tables are strongly recommended, and smaller tables work better and are more efficient and flexible. Square or rectangular tables may fit flush against a building's wall and can permit more useable surface area for patrons while at the same time leaving more space available for pedestrians. Square or rectangular tables are more flexible for use in outdoor dining areas. Such tables may be combined to seat larger parties much more effectively than can round tables.
- 3.3.3 Chairs. Chairs, like other outdoor dining elements, must contribute to the overall atmosphere of the Bardstown Historic District and must be complementary in both appearance and quality.
- 3.3.3.1 Color: Chairs may be colored or of a natural unpainted material (i.e., wood, metal etc.). Chairs are not permitted to be white plastic or of any fluorescent or other strikingly bright or vivid color.
- 3.3.3.2 Upholstery: Upholstered chairs are permitted. Upholstery is not permitted to be of any fluorescent or other strikingly bright or vivid color.
- 3.3.3.3 Matching: All chairs used within a particular establishment's outdoor seating area much match each other by being of visually similar design, construction and color.
- 3.3.4 Umbrellas. Umbrellas can add a welcoming feel to outdoor dining areas and provide shelter from the elements, making their use desirable for outdoor dining applications. Appropriately designed and sized umbrellas are permitted for use under this outdoor dining program. Umbrellas must be free of advertisements and contained within the outdoor dining area, and the lowest dimension of an extended umbrella must be at least seven (7) feet above the sidewalk surface. All umbrellas must comply with the following conditions.
- 3.3.4.1 Contained Within the Outdoor Seating Area: To ensure effective pedestrian flow, all parts of any umbrella (including the fabric and supporting ribs) must be contained entirely within the outdoor seating area.

- 3.3.4.2 Minimum Height for Sidewalk Clearance: When extended, the umbrella must measure at least seven (7) feet above the surface of the outdoor dining area in order to provide adequate circulation space below. This measurement must include not only the umbrella frame and panels, but also any decorative borders such as fringes, tassels, or other such ornamentation.
 - 3.3.4.3 Colors: Umbrellas must blend appropriately with the surrounding built environment. Therefore, umbrella fabric is not permitted to be of any fluorescent or other strikingly bright or vivid color. Umbrella covers must be of one solid color.
 - 3.3.4.4 Size and Shape: The size and shape of an umbrella strongly affects its functionality within a constrained space such as an outdoor dining area. Due to the narrow measurements of most restaurants' outdoor dining areas, restaurants using umbrellas should strive for space-efficient umbrella designs. Square or rectangular umbrellas, as opposed to round or octagonal umbrellas, are strongly recommended. Market-style umbrellas, or those designed specifically for patio or outdoor restaurant use, also are preferred for outdoor dining purposes.
 - 3.3.4.5 Material: Umbrella fabric must be of a material suitable for outdoor use, and must be canvas-type. No plastic fabrics, plastic/vinyl-laminated fabrics, or any type of rigid materials are permitted for use as umbrellas within an outdoor seating area.
 - 3.3.4.6 Signage or Wording Prohibited: Umbrellas must not contain signage for the restaurant or for any other entity in the form of working, logos, drawings, pictorial or photographic representations, or any other likewise identifying characteristic.
- 3.4 Sidewalk Coverings. The floor of outdoor seating areas should be uncovered sidewalk material as to provide continuity with the adjacent public right-of-way. Floor coverings or raised platforms may not be used within outdoor dining areas.
- 3.4.1 Prohibited Sidewalk Coverings. Prohibited sidewalk coverings include carpet or other flooring material constructed of fabric, canvas, wool, tile, linoleum, nylon, vinyl, or any covering that is intended to resemble turf. Raised decks, platforms, or other such surfaces are not permitted within outdoor dining areas.
- 3.5 Circulation Room. As established in the Outdoor Dining Ordinance, all outdoor dining areas must leave at least four (4) feet of unobstructed pedestrian space. This four (4)-foot pedestrian space must be clear of obstructions caused by trees, tree wells, posts, hydrants, or any other infrastructure. In addition, no part of an outdoor dining area (including plants) may extend into the four (4) foot unobstructed area. Adequate must be provided within the outdoor dining area to permit movement of patrons and waitstaff. Waitstaff may not serve patrons from beyond the outdoor dining area.

- 3.6 Signage. Signage is permitted within outside dining areas only with a valid sign permit. No extra or additional signage is permitted solely as a result of an establishment's participation in this outdoor dining program.
- 3.7 Setback from Other Businesses. Restaurants need to be mindful of adjoining businesses when using outdoor dining areas, making sure that neighboring businesses remain visible to pedestrians and motorists. A restaurant may be required to adjust the outdoor seating area's layout, dimensions or distance from the property line (two (2) feet or more) to ensure that this visibility is maintained.