

 CITY of CHARLOTTE

TEMPORARY OUTDOOR DINING GUIDELINES

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City of Charlotte Temporary Outdoor Dining Guidelines

NC Department of Health and Human Services – Interim Guidance for Restaurants

(May 22, 2020) Governor Cooper has implemented a three-phased approach to slowly lift restrictions while combatting COVID-19, protecting North Carolinians and working together to recover the economy.

When NC enters Phase 2, businesses and organizations should follow the guidelines below to prevent the spread of COVID-19. Full guidelines for restaurants can be found [here](#).

Social Distancing and Minimizing Exposure

[Social distancing](#) is a key tool to decrease the spread of COVID-19. Social distancing (“physical distancing”) means keeping space between you and other people outside of your home. Stay at least 6 feet (about 2 arms’ length) from other people; do not gather in groups; stay out of crowded places and avoid mass gatherings. Phase 2 includes several requirements and recommendations to support social distancing in spaces where the public may gather.

Restaurants are required to:

- Ensure social distancing by arranging tables and seating to achieve at least a 6-foot separation between parties for indoor and outdoor dining.
 - Each group of people sitting at a counter should be separated by 6 feet.
- Permit no more than 50% of maximum occupancy as stated in fire capacity. Restaurants may permit up to 12 people per 1,000 feet if there is not a fire code number available.
- Post the reduced “Emergency Maximum Capacity” in conspicuous place. [Sign templates](#) are available in English and Spanish on the NC DHHS COVID-19 response site.
- Post signage reminding people about social distancing (staying at least 6 feet away from others). [Know Your W's](#) sign templates are available in English and Spanish on the NC DHHS COVID-19 response website.
- Mark 6 feet of spacing in lines at high-traffic areas for customers, such as any cash register or any place where customers wait to be seated.

Permitted Occupancy

Per Governor Cooper's three-phased approach, Phase 2 requires restaurants permit no more than 50% of maximum occupancy as stated in fire capacity code.

Example: 20-person occupancy x 50% = 10-person occupancy

Parking Lot Outdoor Dining

To comply with the City of Charlotte Zoning Ordinance, restaurants may convert up to 25% of the business's dedicated parking spaces into temporary outdoor dining. Total capacity for indoor and outdoor dining may not exceed 100% of fire capacity code. Total outdoor dining may not exceed 49 people.

Example: 16 parking spaces x 25% = 4 spaces that may be utilized for temporary outdoor dining

On Street Parking and City-maintained ROW Outdoor Dining

On street parking spaces, excess pavement, and City-maintained right of way (ROW) on streets with 35 mph or less may be utilized for temporary dining for restaurants located in corridors approved by Charlotte Department of Transportation (CDOT). Temporary outdoor dining allowed through the Pilot Streateries Program will be permitted separately from the Sidewalk Dining Program. If restaurants are interested in sidewalk dining that meets all the program criteria, see the Sidewalk Dining Program.

Sidewalk Dining Program

The City of Charlotte permits and encourages sidewalk dining to bring life and vitality to the public realm. Sidewalk dining applicants must meet eligibility requirements, follow the application process, and adhere to the [Sidewalk Dining Program](#) guidelines. Temporary permits will be issued for 90 days or on the date all COVID restrictions are lifted, whichever is sooner, at no cost to the applicant.

Pilot Streateries Program

A Streatery is an extension of the sidewalk over an on-street parking space or excess pavement. Streateries offer a way to temporarily reclaim parking for dining to contribute to an active, accessible, and vibrant urban environment while supporting restaurants. Streateries must meet eligibility requirements, follow the application process, and adhere to [installation guidelines](#). For more information about the Streateries Program, please contact OutdoorDining@charlottenc.gov.

Outdoor Dining Location Selection

The location of temporary outdoor dining must not restrict access to the restaurant, be in or near high-traffic areas, or in an area that may restrict the practice of social distancing. Outdoor dining located on sidewalks must maintain a minimum of 6 feet of sidewalk clearance between dining service and sidewalk pedestrian traffic.

Requirements

- Ensure that the dining location does not interfere or limit vehicular driveway access to business(es). or movement within the parking lot drive aisles.
- May not be in or restrict access to required handicap parking spaces.
- May not be in or restrict the function of fire lanes.
- May not cover or restrict access to fire hydrants.

Additional Considerations

- Restaurants fronting 2-3 travel lane roads, place dining in between restaurant and road if parking lot configuration allows.
- Consider a location that allows safe vehicle access and ease of access for staff and patrons. Staff and patrons should not have to cross drive aisles to access temporary outdoor dining.
- Select a location that has less than 5% slope.
- Screen from and consider distance from dumpster.
- Parking lot should have space reserved for curbside pickup and deliveries.
- Consider location that can be enhanced by amenities such as shade, trees/landscaping, views, etc.

Elements

Outdoor dining located in on street parking or excess pavement and City-maintained ROW must follow the mandatory requirements for dimensions and construction as detailed in the [Sidewalk Dining Program](#) guidelines and [Pilot Streateries Program](#) guidelines.

Outdoor dining located in parking lots are required to have the following:

Buffers

Outdoor dining areas must be buffered from adjacent parking spaces and vehicular travel lanes as follows:

- Depending on the location, buffers between the outdoor dining area and adjacent parking and travel lanes may take the form of planters, railing, cabling, or other mechanisms deemed appropriate by the City.
- Wheel stops must be provided between the outdoor dining area and adjacent parallel parking (when applicable).
- Reflective elements must be installed at the outdoor dining area corners.
- Streateries, including all associated barriers or buffer materials, must be no wider than the parking stall width.

Signs

Outdoor dining areas may have two types of signage: required and additional. These signs must not be placed or located in a manner that obstructs pedestrian and/or vehicular traffic or violate standards of accessibility as required by the ADA (Americans with Disabilities Act) or other accessibility codes.

Required Signage

Restaurants are required to post signage reminding people about social distancing (staying at least 6 feet away from others). [Know Your W's](#) sign templates are available in English and Spanish on the NC DHHS COVID-19 response website.

Additional Signage

Restaurants may post additional temporary signage to promote business. Signage must comply with the City of Charlotte Zoning Ordinance requirements and do not require a permit.

Temporary Outdoor Sign

- The following standards apply to all temporary outdoor sales signs:
 - Temporary outdoor sales signs are limited to one per establishment or tenant in a multi-tenant development.
 - Temporary outdoor sales signs may either be of A-frame type or attached to the sales display.

A-frame Type:

- A-frame signs shall not interfere with or obstruct motor vehicle traffic.
- A-frame signs shall not interfere with pedestrian traffic or violate standards of accessibility as required by the ADA or other accessibility codes. The requirements of Section 10-141 of the City Code apply to all signs on public property or in the public right-of-way.
- A-frame signs are limited to 6 square feet in area per side and four feet in height.
- The placement of A-frame signs outdoors is limited to sales hours only. A-frame signs shall be stored indoors at all other times.
- Illumination of A-frame signs is prohibited.
- A-frame signs shall not have any type of electronic component.

Sales Signs Attached to Sales Displays:

- Attached signs are limited to 16 square feet.
- Illumination of attached signs is prohibited.
- Attached signs shall not have any type of electronic component.

Banners

- One banner is permitted per establishment or tenant in a multi-tenant development.
- Banners are limited to a maximum area of 32 square feet. Such banners shall not extend above the second-floor level of a building or 45 feet above grade, whichever is less.
- Banners shall be securely attached to a building wall.
- Banners shall be made of canvas, canvas-like material, nylon, vinyl-coated fabric, or similar weatherproof type materials.
- All banners are limited to a maximum display period of 90 days or the duration of the phase 2 order, whichever is less.

Accessibility

Outdoor dining areas must be designed and constructed to be ADA accessible.

- Outdoor dining on sidewalks within City-maintained ROW must comply with the [Sidewalk Dining Program](#) guidelines.
- For outdoor dining in parking lots, accessibility should be considered when selecting a location. Ideally, the outdoor dining location main access point would be barrier-free.

When a barrier-free location is not an option, accessibility can be achieved by the following:

Ramp

Ramps from the curb, with appropriate landings, may be used to achieve accessibility. A ramp connector must be used to overcome vertical gaps greater than a quarter ($\frac{1}{4}$) inch. Ramps cannot encroach into the adjacent sidewalk or interfere with parking lot circulation.

Overhead Shade Structures

Overhead shade structures may be utilized to provide shade in outdoor dining areas.

- For [Streeteries](#), any overhead elements projecting over the sidewalk must provide a minimum of 108 inches of vertical clearance and may not interfere with the visibility of any traffic or wayfinding signage.
- The use of tents is permissible but may not exceed 800 square feet and the sides must remain unobstructed for visibility and ventilation.

Hours of Operation

Temporary outdoor dining must comply with the City of Charlotte [Noise Ordinance](#) and not be in use during the hours of 11 PM and 8 AM.

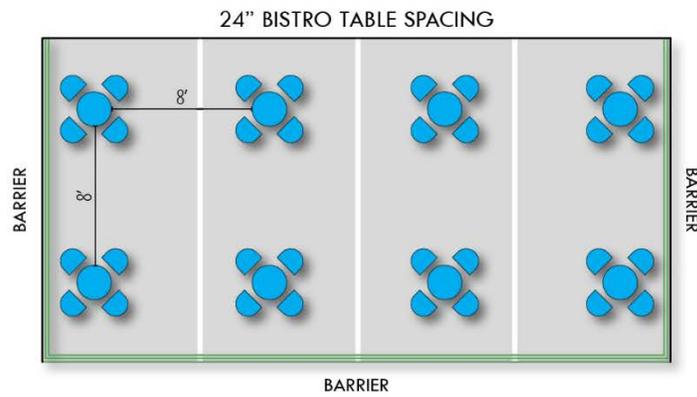
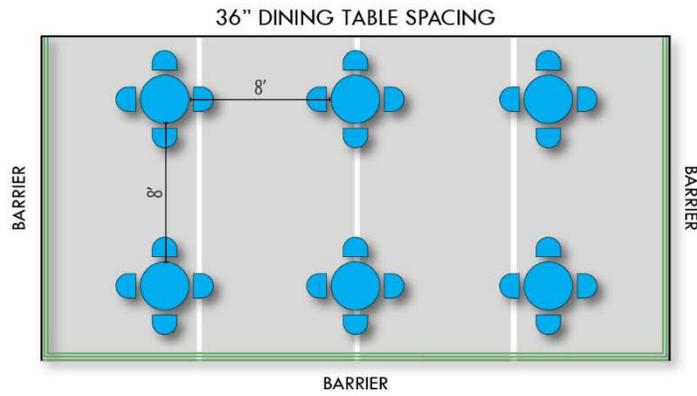
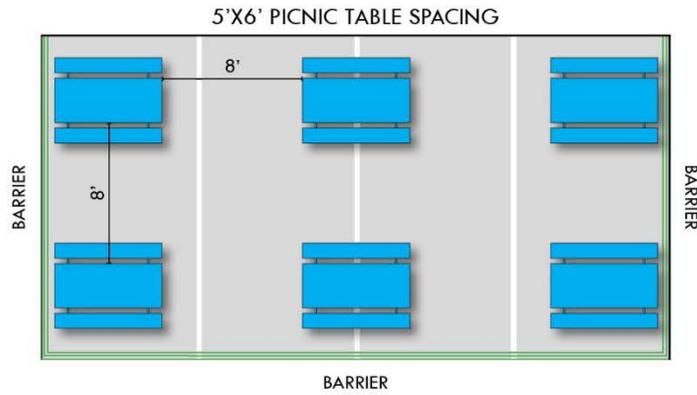
Furniture Spacing Guidelines

As required by NC Department of Health and Human Services, restaurants are required to ensure social distancing by arranging tables and seating to achieve at least a 6-foot separation between parties for outdoor dining. Each group of people sitting at a counter should be separated by 6 feet.

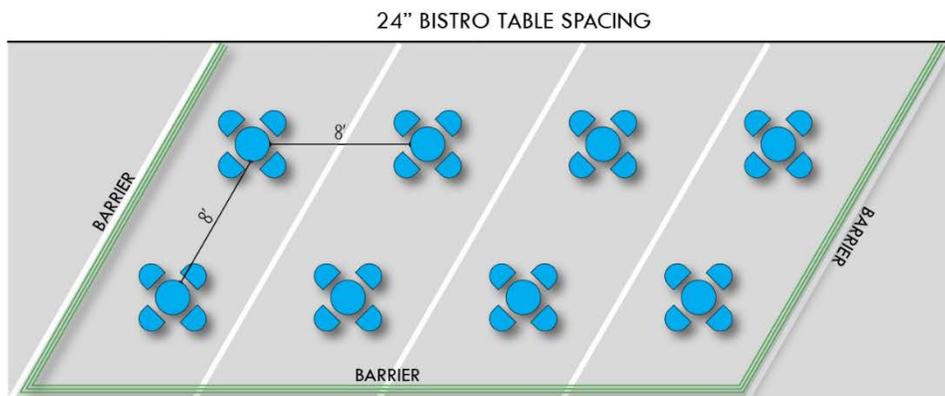
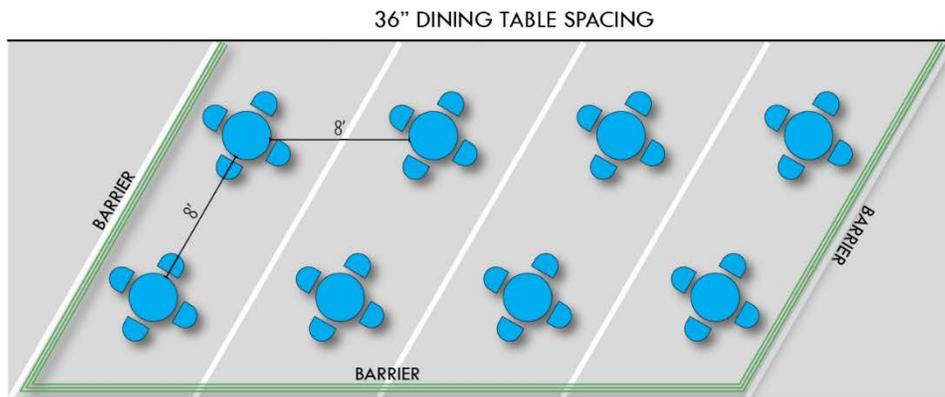
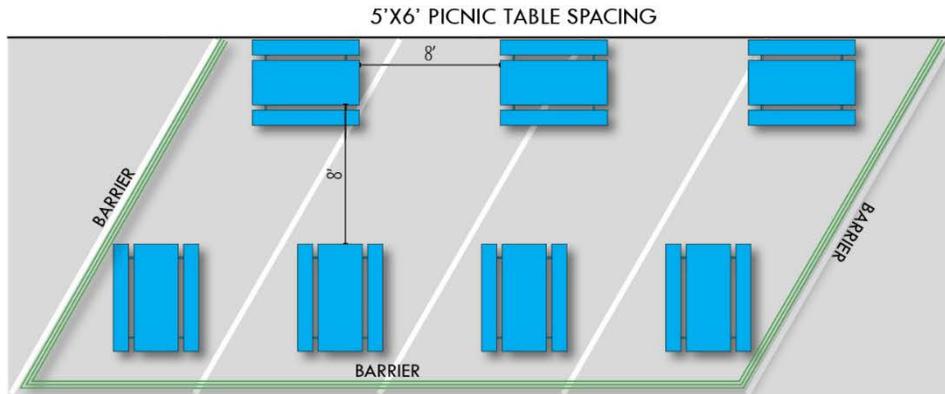
Total capacity for indoor and outdoor dining may not exceed 100% of fire capacity code. Total outdoor dining may not exceed 49 people.

It is recommended that restaurants allow no more than 6 people at a table and to not use shared tables among multiple parties unless the seats can be arranged to maintain social distancing between parties.

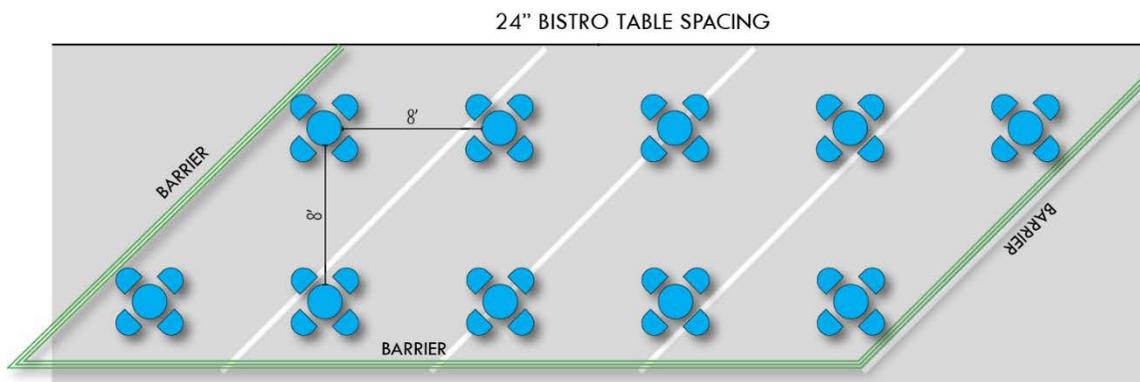
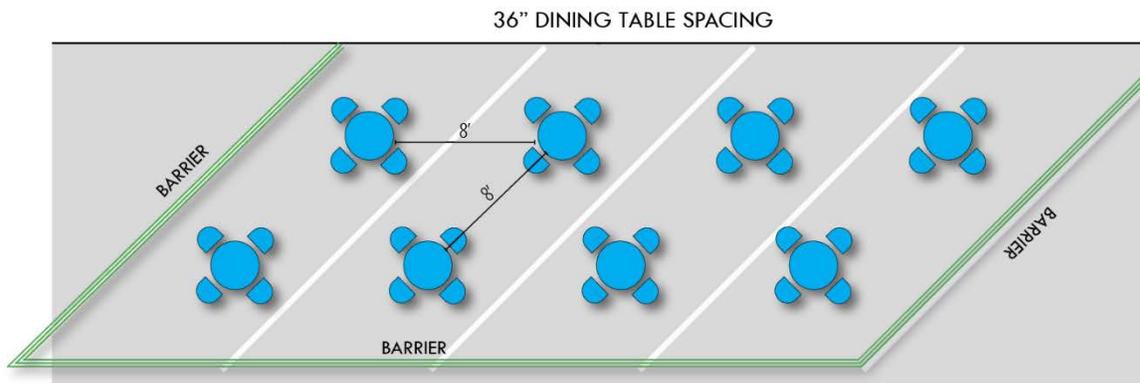
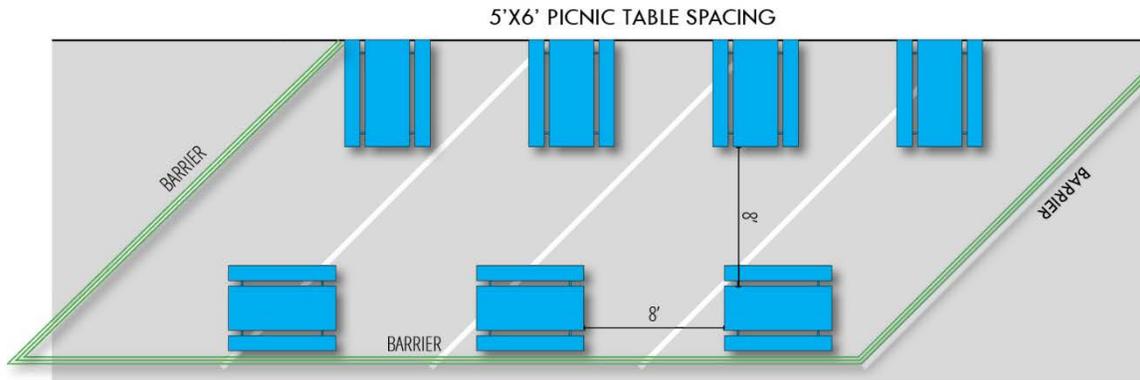
Dining Spacing Using 4 Standard 90° Parking Spaces (9'x18'-6")



Dining Spacing Using 4 Standard 60° Parking Spaces (10'-5" x 20'-6")

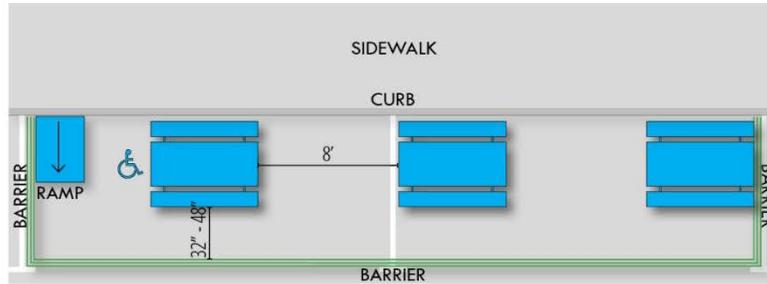


Dining Spacing Using 4 Standard 45° Parking Spaces (12'-9" x 19'-6")

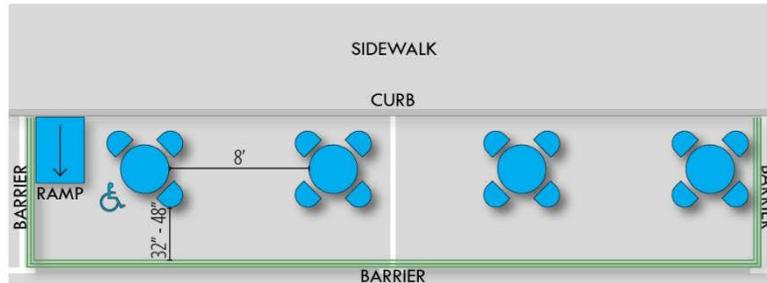


Dining Spacing Using 2 On Street Parking Spaces (7'x22')

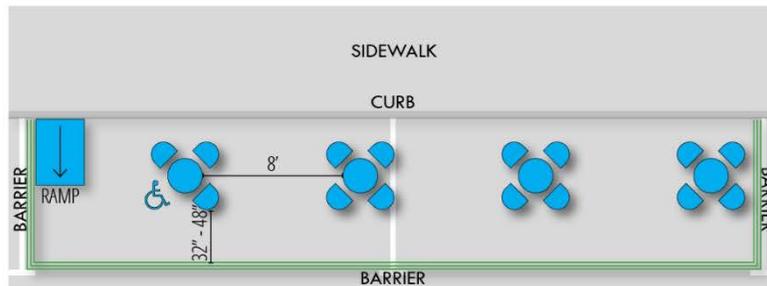
5'X6' PICNIC TABLE SPACING WITH RAMP



36" DINING TABLE SPACING WITH RAMP



24" DINING TABLE SPACING WITH RAMP



Registration & Application Process

Any restaurant that wishes to establish new temporary outdoor dining areas in order to operate consistent with State of [North Carolina Phase 2 – Easing of Restrictions](#) must comply with the following applicable State and local laws and ordinances, including but not limited to the North Carolina Building Code, North Carolina Fire Prevention Code, and North Carolina ABC.

All new temporary dining is required to be inspected by the Fire Marshal. Restaurants may contact the Fire Marshal to schedule an inspection at (704)-336-8374.

Restaurants are required to register temporary outdoor dining with the City of Charlotte and comply with the requirements outlined in the Temporary Outdoor Dining Guidelines.

[Temporary Outdoor Dining Registration](#)

Any restaurants wishing to establish outdoor dining in City-maintained ROW and/or on street parking spaces are required to complete an application.

[Sidewalk Outdoor Dining Application](#)

[Streateries Program Application](#)

For more information about the Streateries Program, please contact OutdoorDining@charlottenc.gov and complete an application.