

City of Anniston

# Sidewalk Cafe Manual



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## Authority

This Sidewalk Cafe Manual is promulgated in accordance with Chapter 29, Article VII of The Code of The City of Anniston, Alabama, 1981, upon review and approval by the Anniston Historic Preservation Commission and adoption by Resolution of the Anniston City Council.

## Definition

Sidewalk Cafe means the location and use of tables, chairs, furnishings, articles, and associated equipment within an area of the sidewalk.

## More Information

For more information, visit [www.anniston.al.gov](http://www.anniston.al.gov) At this website, applicants can access the Franchise area Guidelines Ordinance, Franchise area Design Guidelines and application materials. Applicants may also contact the City of Anniston Building & Safety Division by calling (256) 231-7720, or via email at [permitting@anniston.al.gov](mailto:permitting@anniston.al.gov)

## Purpose

Sidewalk cafés contribute to a vibrant urban culture and make Anniston streets more dynamic places to walk, socialize, and dine. Sidewalk cafés are dining areas that occupy part of the public right-of-way during eating establishment hours. This document sets forth standards, specifications, design criteria and other requirements for sidewalk cafés in order to ensure that they are safe for patrons and pedestrians and attractive to the downtown venue. The City of Anniston Sidewalk Café Manual provides acceptable dimensions for café access and for public right-of-ways, sidewalk café barriers, and the layout of outdoor service areas. The City of Anniston requires the use of durable and high-quality outdoor furnishings and materials to increase the safety and comfort of patrons of sidewalk cafés. The diagrams in this document illustrate examples of sidewalk café design and photographs show acceptable and unacceptable sidewalk café furnishings. Sidewalk cafés enhance the public realm and motivate people to patronize Anniston establishments. Licensed businesses offering sidewalk cafés shall comply with the governing ordinances and this Sidewalk Cafe Manual.



## Steps to Obtain a Sidewalk Cafe Permit

- ⇒ Review Chapter 29, Article VII of The Code of the City of Anniston, Alabama, 1981, governing Sidewalk Cafes, and this Sidewalk Cafe Manual. Ensure that the proposed Sidewalk Cafe complies with all design guidelines and requirements, as well as the requirements of the Americans with Disabilities Act (ADA).
- ⇒ Submit the application, with the non-refundable \$250 application review fee, and required supporting documentation.
- ⇒ Communicate with the Building & Safety Division. Allow 10 days for review of the application, the documentation packet, and any site issues with the proposed location.
- ⇒ City staff and a sub-committee of the Anniston Historic Preservation Commission will review the application simultaneously. Once approved after this initial plan review, the application will be presented to the City Council.
- ⇒ The application will be added to the next available City Council meeting agenda, with at least six days advance notice by publication of the public hearing before the Council on the application. The applicant shall be responsible for the costs of publication. The applicant shall also deliver a copy of the notice to all residents, properties and businesses located within five hundred feet of the area where the Sidewalk Cafe is proposed to be located.
- ⇒ Construction can begin, after obtaining a building permit.
- ⇒ Once construction is complete, a final inspection will be performed by City staff.
- ⇒ When the Sidewalk Cafe passes the final inspection, pay the annual \$200 license fee and operations can begin.

## Submission Requirements

- ⇒ Pre-Application meeting with staff is required – email [permitting@anniston.al.gov](mailto:permitting@anniston.al.gov) or call 256-231-7720 to schedule. The completed application may be turned in at the meeting.
- ⇒ Completed property owner authorization, if required.
- ⇒ **Site Plan Sidewalk Café:** (minimum 8 1/2” x 11”) A map, survey, drawing, aerial photograph, site plan or similar information showing the footprint/outline of the proposed Sidewalk Cafe, including dimensions of area where it is to be located, property lines, existing sidewalk width, existing parking stalls/alignment and obstructions; e.g. fire hydrants, utility poles, street trees, etc.
- ⇒ **Additional Design:** A description of type(s) of elements proposed to be placed in the franchise area; e.g. tables, chairs, benches, planters/landscaping, bicycle parking, fence, etc.
- ⇒ Establishments serving alcohol must include a fence to separate the franchise area from normal pedestrian traffic.
- ⇒ Minimum sidewalk width remaining for public pedestrian access; minimum of 5 feet.
- ⇒ **Adjacent Businesses:** Provide written comments from adjacent businesses.
- ⇒ ADA Requirements listed on submission
- ⇒ Photos of proposed furniture to include tables, chairs, umbrella, and any other items used in the area
- ⇒ Proof of general liability insurance
- ⇒ Signed host agreement form
- ⇒ \$250.00 Plan Review Fee

## Desired Outcome

- ⇒ Sidewalk cafes contribute to a vibrant urban culture and make Anniston streets more dynamic places to walk, socialize and dine. Sidewalk cafes are dining areas that occupy part of the public right-of-way during eating establishment hours. This document is a guide to creating temporary sidewalk cafes that are safe and attractive to restaurant patrons and pedestrians.
- ⇒ The Sidewalk Cafe Design Guidelines provide acceptable dimensions for cafe access and for public right-of-ways, sidewalk cafe barriers, and the layout of outdoor service areas. The City of Anniston encourages the use of durable and high-quality outdoor furnishings and materials to increase the safety and comfort of residents and visitors of sidewalk cafes. The diagrams in this document illustrate examples of sidewalk cafe design and photographs show acceptable and unacceptable sidewalk cafe furnishings.
- ⇒ Sidewalk cafes enhance the public realm and motivate city and regional residents to patronize Anniston's eating establishments. Restaurant and cafe owners who offer sidewalk cafes shall comply by these guidelines, which are applicable in all city zoning districts where outdoor dining is a permitted use.



## Sidewalk Cafe Elements

Elements of a typical sidewalk cafe include: barriers, planters, tables, chairs, umbrellas, menu display, heat lamps, and access point. If wait service is not provided in the sidewalk cafe area, the eating establishment is required to supply a waste receptacle. If wait service is provided, the restaurant operator is not permitted to place a waste receptacle in the sidewalk cafe.



Sturdy fence

Quality furniture

# Barriers

## Barriers Required

The perimeter of sidewalk cafes that extend into the public right-of-way shall be enclosed by barriers that are durable, removable and maintained in good condition.

## Sidewalk Cafes Serving Alcohol

Sidewalk cafes that serve alcohol must be surrounded by a fence barrier in all cases. Barrier access point must be controlled by the restaurant establishment. Restaurant and eating establishment owners should maintain compliance with the Alabama Alcohol and Beverage Control standards for serving alcohol outside of enclosed businesses.



Typical fence sidewalk café



Planters can be used if alcohol is not served

## Barrier Design

Various styles of barriers are acceptable for sidewalk cafes. Barriers should be 36 inches in height, and must be free-standing, stable, and removable. Barrier segment bases should be flat with tapered edges that are between 1/4 to 1/2 inch thick.



## Barrier Design, continued



Examples of acceptable sectional barrier materials (from left to right, cable, wooden lattice and fabric barriers).



Examples of planters used as barrier elements. From left to right: movable pots, planter boxes and flower boxes are acceptable barrier elements.

## Barrier Design, continued

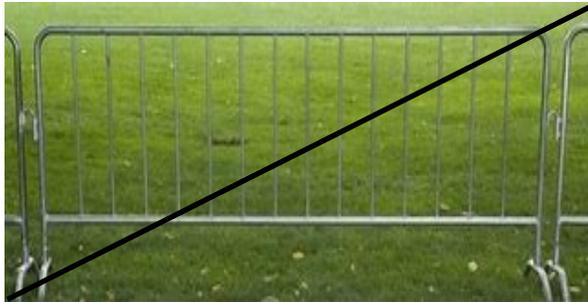
### Barrier qualities

Free-standing: Barriers must not be permanently attached to any structure or sidewalk.

Stable: A barrier must be well-balanced and difficult for pedestrians to topple, trip over or remove.

### Prohibited barrier materials

- ⇒ Chain link
- ⇒ Rope rails
- ⇒ Chain rails
- ⇒ Other materials. The use of materials for barriers that is not specifically designed as fencing, such as buckets, flag poles, newspaper stands and waste receptacles is prohibited.



Examples of barriers and barrier elements that are not acceptable for sidewalk cafes. From left to right: unstable sectional fencing, rounded barrier bases, and waste receptacles are unacceptable barrier elements.

## Barrier Measurements

The following barrier measurements should be utilized in order to guide pedestrian traffic and establish the separation of sidewalk cafes from the street:

### Height

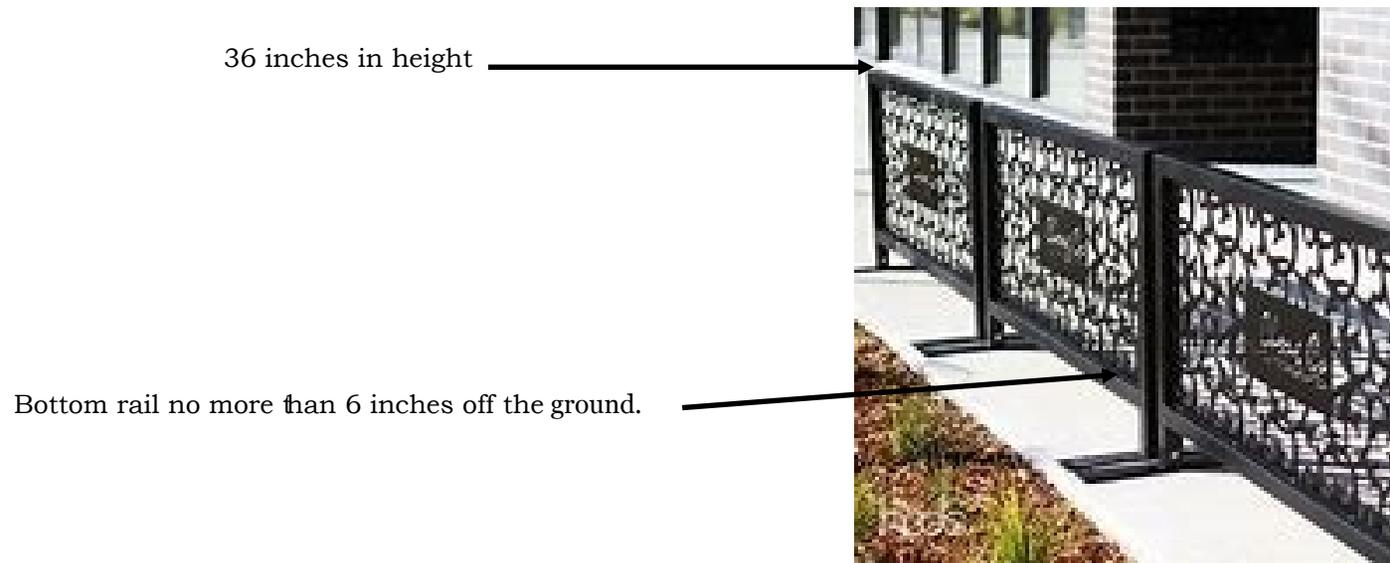
⇒ Sidewalk cafe stanchions, posts and sectional fences shall be 36 inches in height.

### Open Appearance

⇒ Sidewalk cafe fences shall allow patrons and pedestrians to see from the Cafe to the street and vice versa.

### Maximum Distance from Ground

⇒ The lowest point in the barrier should be no more than 6 inches in height. This is to ensure that visually-impaired pedestrians who use canes will note the barrier.



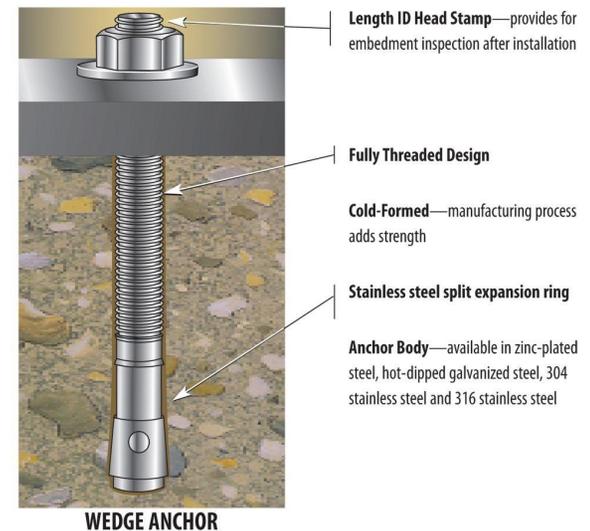
## Barrier attachments to the sidewalk

⇒ Core drilling is not allowed on the sidewalk for fence installation



## Barrier Attachments to the Sidewalk

- ⇒ The fence must be securely attached to the sidewalk
- ⇒ Wedge anchors, sleeve anchors, epoxy anchors, all are acceptable ways of securing the fence to the sidewalk
- ⇒ Other attachment methods may be used, with City staff approval
- ⇒ Anchor bolts cannot be larger than 3/8" in diameter



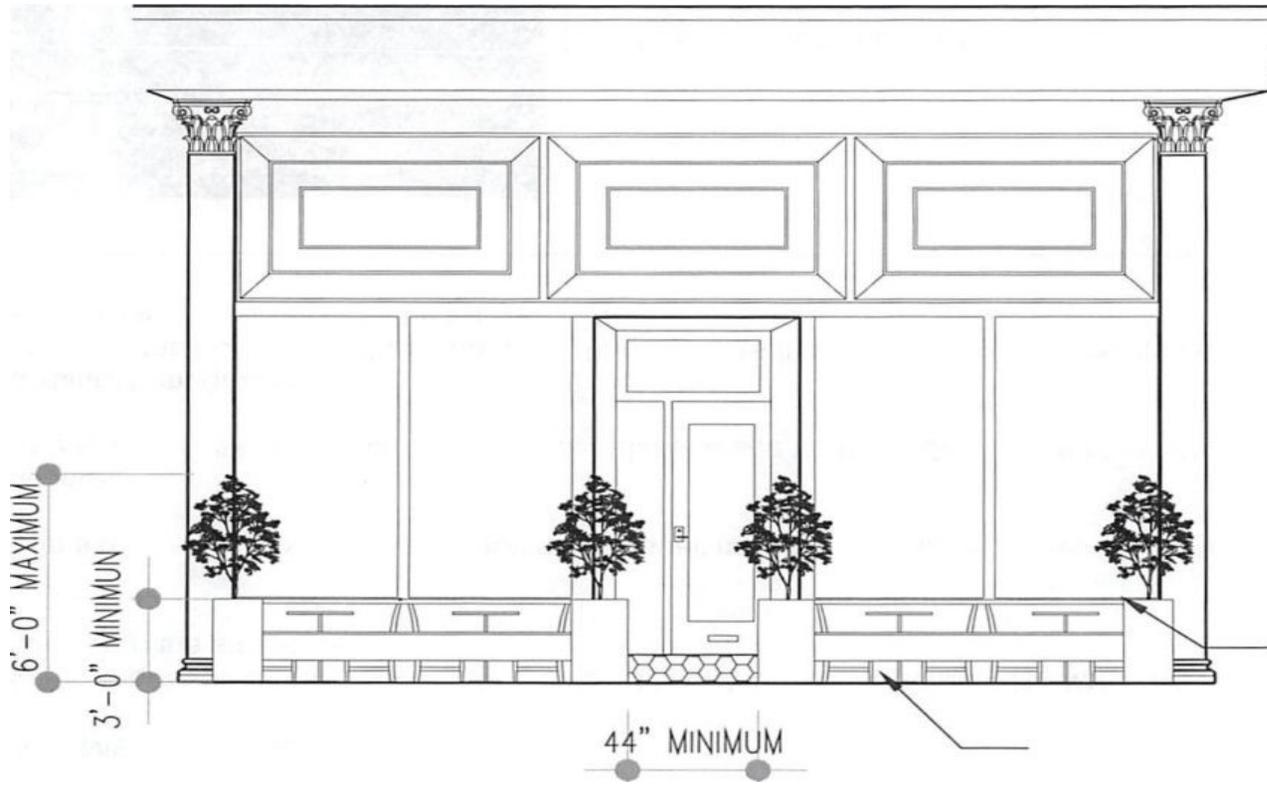
# Access Openings

## Location

⇒ The access opening should be located along the front or parallel edge of the sidewalk cafe barrier. The access opening must be kept clear of other materials.

## Minimum Access Width

⇒ All access openings should measure no less than 44 inches in width.



## Planters & Planter Boxes

Planters or planter boxes are appealing barrier elements in sidewalk cafes. Planters must be removable and stored after the close of business. Planters may be used in sidewalk cafes that do not have barriers to separate them from the public right-of-way, in cases where outdoor eating areas do not extend 3 feet or more into the sidewalk, and where no alcohol is served.

### Maximum Height

⇒ Planters may be no more than 3 feet in height; planted materials may be up to 6 feet tall on each end of the sidewalk cafe. Planter boxes may be installed on 36-inch-high barriers.

### Planted Materials

⇒ Planters and the plants they contain should be well-maintained and kept free of litter and debris. Planters shall contain living plants.



Planters cannot hang over into the 5 feet

## Furniture & Fixtures

### Quality, Context & Variety

Sidewalk cafes bring pedestrians, economic investment, and liveliness to the street and visually enhance the urban environment. It is important for sidewalk cafes to utilize quality furniture and fixtures that contribute to the safety and attractiveness of the public realm. Furniture and fixtures must be durable and of sturdy construction; able to withstand severe weather without blowing over.

Sidewalk cafes influence the character of urban areas, and restaurant owners should be mindful of their surroundings when planning cafes. While a variety of tables, chairs and umbrellas are acceptable, operators are advised to consider the context of the neighborhood and nearby buildings when making decisions concerning furniture and fixtures. A range of furniture styles, colors and materials are permitted, however furniture and fixtures must be clean and free of fading, corrosion, splinters, dents, tears, and chipped paint. The following chapter is a guide to appropriate sidewalk cafe furniture and fixtures.



Features such as decorative plants, attractive barriers, and quality furniture contribute to a dynamic urban aesthetic

## Discouraged Types of Furniture

### Prohibited Furniture

- ⇒ Sidewalk cafes are impermanent eating areas, and furniture that is permanently affixed to the sidewalk or exterior of a restaurant or cafe is prohibited. Tables, chairs, umbrellas, heat lamps, menu displays and barrier elements are the only acceptable outdoor furniture items. Waste receptacles are required only in sidewalk cafes that do not provide wait service; otherwise, waste receptacles are not permitted.

### Prohibited Cafe Elements

- ⇒ *Certain features and appurtenances not permitted.* The following shall not be permitted within a sidewalk café: televisions, other electronic audio or visual devices or means of producing amplified sound; cash registers or card readers; wait stations; vending machines or similar items. Trash containers shall not be located within a sidewalk café in any case where service to patrons by wait staff is provided.

### Freestanding

- ⇒ Neither furniture nor other sidewalk cafe elements may be tied or otherwise secured to trees, lamp posts, street signs, hydrants at any time.



Images of prohibited materials in sidewalk cafes: from left to right, flimsy plastic tables and chairs, unfinished wooden materials, and sofas are prohibited furniture types.

## Tables

- ⇒ Tables must be functional and well-maintained. Tables may be any shape, but may not be over 36 inches in height. Table and chair colors are subject to City staff approval.
- ⇒ Smaller tables are encouraged, as they provide more layout flexibility. Square or rectangular tables can be combined to create a larger table if necessary. Table edges and corners should be rounded and safe for passing pedestrians.
- ⇒ Encouraged table materials: metals, finish grade woods, sturdy recycled materials
- ⇒ Discouraged table materials: breakable plastics, unfinished lumber



# Chairs

## Durability

⇒ Chairs should be able to withstand weather factors such as sun and wind and remain in good condition. Chairs should be of sturdy construction. Chairs should not show evidence of deterioration or damage to structure or finishes.

## Fabrication

⇒ Chairs may be fabricated of metal, finish grade wood, or composite material. Chairs may incorporate fabric elements or may be upholstered, but must be maintained in clean condition. For upholstered chairs, water resistant textiles are strongly encouraged.

## Color

⇒ The color of chairs is the owner's choice, and subject to the approval of City staff. Chairs may be painted, stained or unpainted in color, but must have surfaces that are properly finished such that there is no rust, splintering or other deterioration.



Images of acceptable sidewalk cafe chairs.

## Umbrellas

Functional and aesthetically pleasing, umbrellas provide shade and enclosure for patrons of sidewalk cafes. Umbrellas must be contained within the defined sidewalk cafe area. Square or rectangular market-style umbrellas are recommended for sidewalk cafes for space-efficient design.

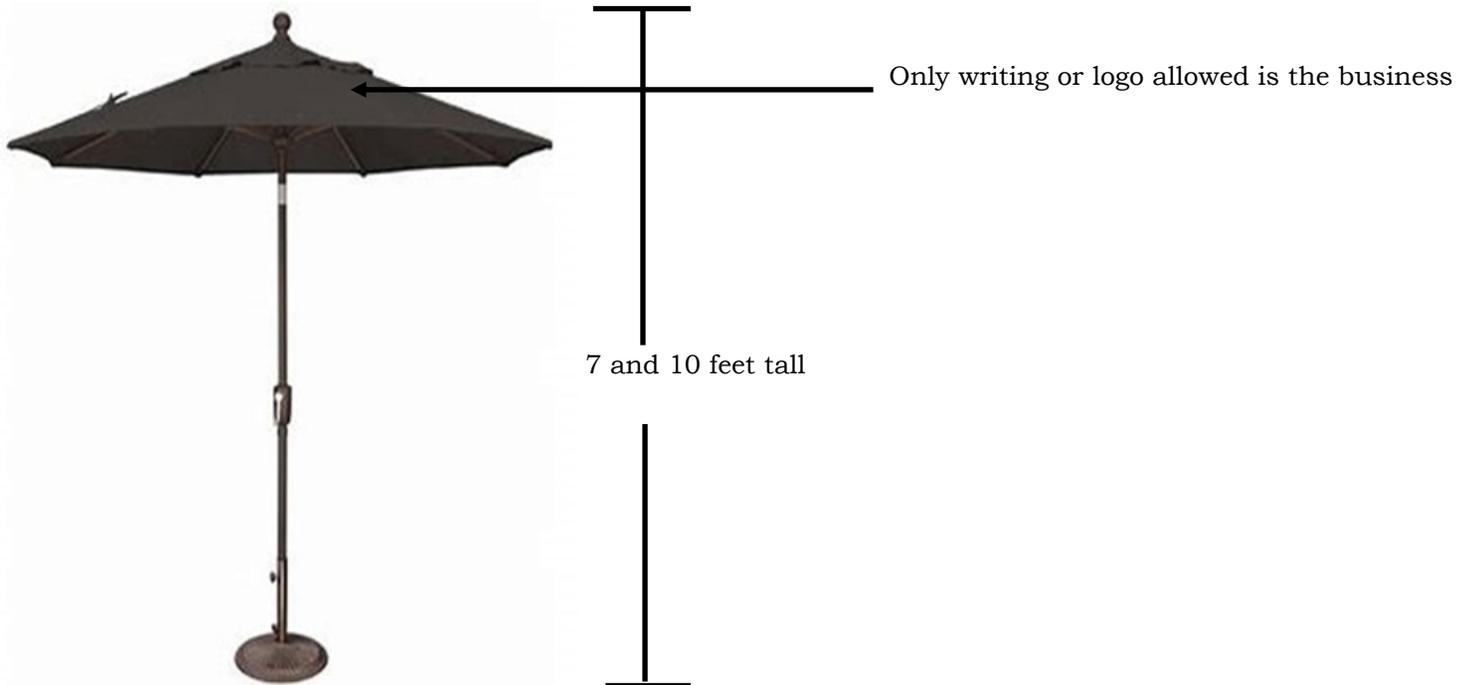
### Height

⇒ When open, umbrella canopies should be between 7 and 10 feet tall.

### Materials & Design

⇒ Umbrellas should be suitable for outdoor patio use. Canvas is preferred. Umbrella colors are the owner's choice and should be compatible with the sidewalk cafe furniture. No lettering is permitted on sidewalk cafe umbrellas.

⇒ Umbrellas cannot have any writing or logos except the business name or logo



## Awnings

Awnings, either permanent or temporary, may be utilized if approved by City staff and the historic commission review, if applicable, as a part of the sidewalk cafe permitting process. Awnings shall have no support posts located within the public right-of-way, and no portion of an awning shall be less than eight (8) feet above the sidewalk. A building permit must be obtained prior to the installation of an awning and is subject to all applicable sections of the Code of Ordinances of the City of Anniston..



## Lighting

- ⇒ Lighting for sidewalk cafes may be utilized, if approved by City staff, as part of the café permitting process.
- ⇒ Any such lighting shall complement the existing building and sidewalk café design and shall not cause a glare to passing pedestrians or vehicles.
- ⇒ Electrical wires shall not be permitted to access the sidewalk café area.
- ⇒ Possible lighting sources include table top battery-operated candles or low wattage battery-operated fixtures, and solar powered.
- ⇒ Additional lighting may be attached to the permittee's adjacent establishment provided permittee obtains all necessary approvals for such lighting from the City and the historic commission, if applicable.



## Outdoor heaters

- ⇒ Outdoor heaters must follow International Fire Code requirements
- ⇒ Portable outdoor gas-fired heating appliances shall be located not less than 5 feet (1524 mm) from buildings.
- ⇒ Portable outdoor gas-fired heating appliances shall not be located beneath, or closer than 5 feet (1524 mm) to combustible decorations and combustible overhangs, awnings, sunshades or similar combustible attachments to buildings.
- ⇒ Portable outdoor gas-fired heating appliances shall not be located within 5 feet (1524 mm) of *exits* or *exit discharges*.
- ⇒ Only *listed* and *approved* portable outdoor gas-fired heating appliances utilizing a fuel gas container that is integral to the appliance shall be used.
- ⇒ Portable outdoor gas fired heating appliances shall be equipped with a tilt or tip-over switch that automatically shuts off the
- ⇒ flow of gas if the appliance is tilted more than 15 degrees (0.26 rad) from the vertical. The heating element or combustion chamber of portable outdoor gas-fired heating appliances shall be permanently guarded so as to prevent accidental contact by persons or material.
- ⇒ The maximum individual capacity of gas containers used in connection with portable outdoor gas-fired heating appliances shall not exceed 20 pounds (9 kg).



## Smoking

No smoking is allowed within a sidewalk cafe



## Signage

Signs advertising sale of goods or services at a sidewalk cafe is limited to one item. Such as, but is not limited to, sandwich boards, or writing boards. Menus shall be restricted to a maximum size not to exceed nine (9) inches wide and twelve (12) inches long and shall be secured to tabletops or designed in order to prevent debris. A sign posted in a visible location is required at every sidewalk cafe, which states, "It is unlawful to consume alcoholic beverages not purchased at permittee's establishment or its sidewalk cafe or to remove alcoholic beverages from the sidewalk cafe."



# Circulation Room

## Outside Sidewalk Café

- ⇒ Sidewalk cafes must allow for a 5 feet of unobstructed pedestrian passage way on the sidewalk.
- ⇒ 4 feet unobstructed to an obstruction
- ⇒ No element of the sidewalk cafe, including umbrellas, plants, barriers or signage elements, may obstruct the pedestrian passage way.
- ⇒ Light poles, tree wells, fire hydrants, and other items that fall within the pedestrian path must be a minimum of 4 feet between the curb and the leading edge of the sidewalk cafe.



## Egress path

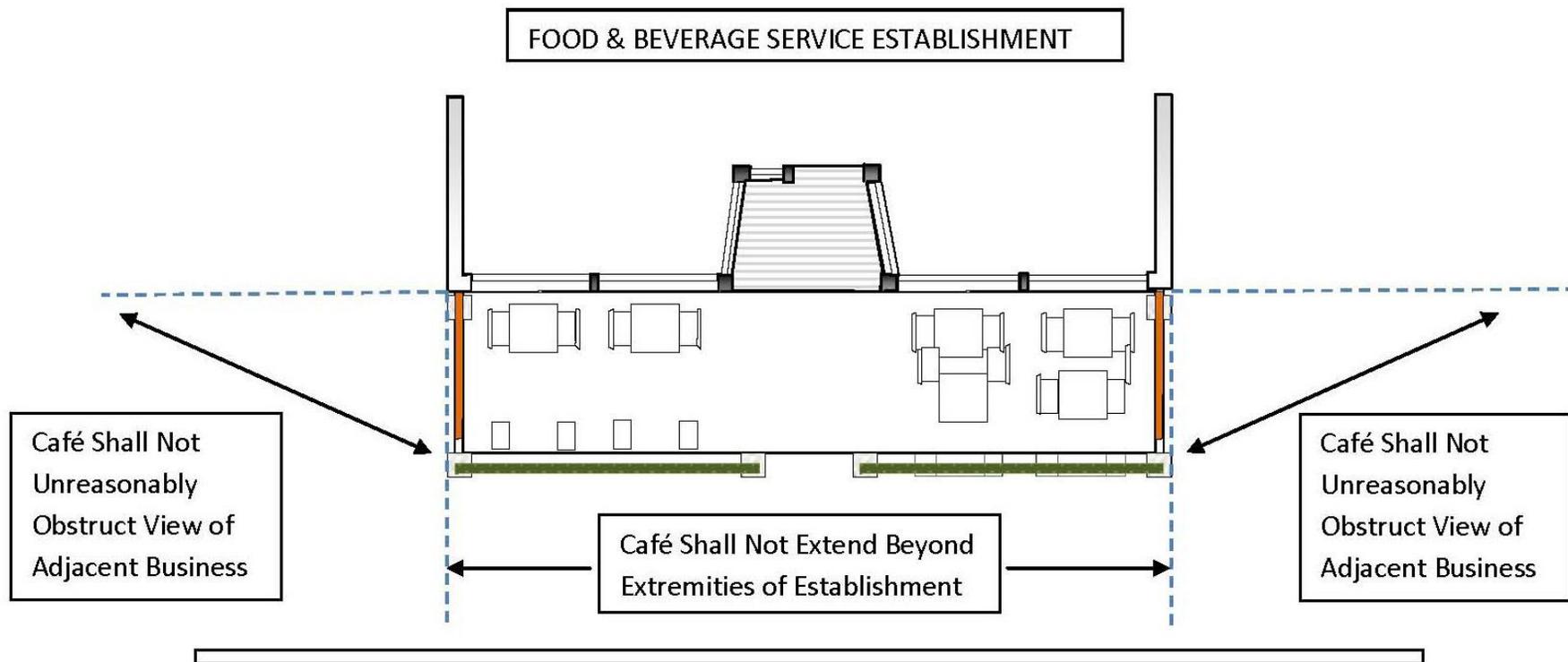
- ⇒ A 44" minimum egress width must be left directly in front of the entrance to the business and run unobstructed to the curb



44"

## Set back from other Businesses

Restaurant and café owners and managers should ensure that sidewalk cafés do not unreasonably obstruct the visibility of neighboring businesses. In such cases, a sidewalk café operator will be required to adjust the layout of the outdoor dining area. The sidewalk café shall be limited to the length of the adjacent building frontage controlled by the operator.



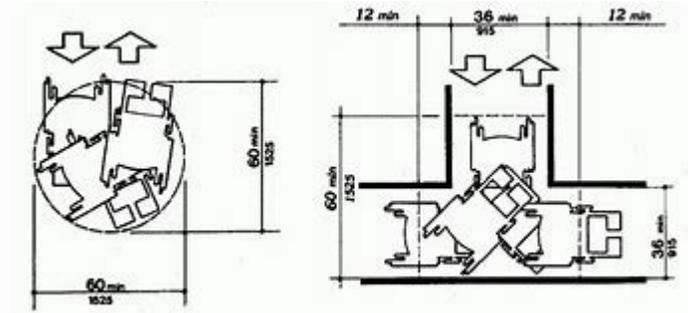
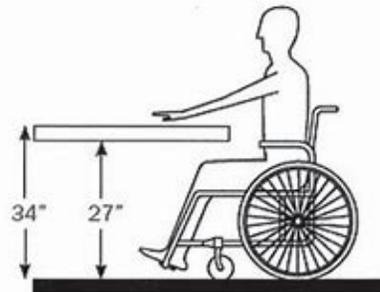
## Alcoholic Beverages

- ⇒ Alcoholic beverages can only be served within the sidewalk café if permitted by State law.
- ⇒ Alcoholic beverages cannot be consumed in a public space



## ADA Requirements

- ⇒ All ADA requirements for the existing building must remain intact.
- ⇒ All elements of the sidewalk café shall be constructed and/or installed to conform to the applicable provisions, rules, regulations, and guidelines of the Americans with Disabilities Act (ADA).



## Insurance

- ⇒ No license shall be granted for a franchise area unless the licensee files with the city manager or city manager's designee a certificate of liability insurance or other proof of insurance in a form acceptable to the city's risk manager confirming that the applicant has procured the insurance required by Section 29.101 of The Code of the City of Anniston. If the policy is not kept in full force and effect throughout the term of the license, the special use license shall automatically become void and the improvements must be removed at that time.



## REMOVAL

- ⇒ If for some reason you decide you no longer want to keep your sidewalk café, you are responsible for removing it. Removal requires an additional permit from The Building & Safety Division. Contact at: (256) 231-7720.
- ⇒ If the business closes for any reason, it is the businesses responsibility to remove the sidewalk café
- ⇒ The public area of the sidewalk café will be inspected, after removal, and any damage caused by the café must be repaired at the licensee's expense.
- ⇒ All holes caused by fencing must be repaired at the business owners expense.

The Sidewalk Café Manual is a comprehensive overview of the goals, policies, processes, procedures, and guidelines for creating a sidewalk café in Anniston. The guidelines also serves as a resource for those outside of Anniston working to establish a sidewalk café program in their own cities.

Applicants and designers in Anniston are strongly encouraged to read Chapter 29, Article VII and this Manual in their entirety when they are first thinking about proposing a sidewalk café, and to refer to it often throughout the process. Understanding what the program is trying to achieve and the process and regulations for a successful sidewalk café may reduce the time it takes to receive a license, and will likely result in a superior sidewalk café design.

The City of Anniston values and appreciates your willingness to devote your time, creativity, and resources to creating a sidewalk café at your business. We look forward to collaborating with you on your sidewalk café, if you have any questions, start by contacting the Building & Safety Division at the number below.

## Contact Information

**Building & Safety Division**—256-231-7720  
permitting@anniston.al.gov

**Building Inspector**— 256-231-7724  
Lee Willis  
lwillis@anniston.al.gov

**Fire Marshal**—256-231-7650  
Jeff Waldrep  
jwaldrep@anniston.al.gov

**Engineering**—256-231-7750  
Lance Armbrester  
lambrester@anniston.al.gov

**Business License**—256-231-7718  
licensing@anniston.al.gov

**Planning & Development**—256-231-7720  
Toby Bennington  
tbennington@anniston.al.gov

**Main Street Director**—256-231-7704  
Reilly Johnson  
rjohnson@anniston.al.gov