

6. The business must have approval of an Outdoor Display Permit on file with the City of Santa Clarita.
7. Any outdoor display outside of an Outdoor Display Permit shall be considered a violation of this Code.

4.7 OUTDOOR DINING STANDARDS AND GUIDELINES

4.7.01. PURPOSE

The purpose is to promote safe and attractive use of the public areas in Old Town Newhall. This section assists property owners and tenants in the Arts & Entertainment District in establishing outdoor dining areas in the public ROW that will help create a dynamic and lively atmosphere of the commercial core of Old Town Newhall.

4.7.02. CONTEXT

This section implements policies from the OTNSP which encourage pedestrian-oriented shops, restaurants and services located on Main Street, Lyons Avenue, and Railroad Avenue. To promote the Arts & Entertainment District as the recognizable focus of Old Town Newhall, portions of the public ROW are available for lease or license for the purposes of creating or extending outdoor dining areas. These standards apply to the design and construction of dining areas and enclosures that will extend into leased areas of the public ROW.

4.7.03. ELIGIBLE PROPERTIES

With the approval of the Director of Community Development, properties within the areas identified in Figure 4.7-1 (Eligible Parcels for Outdoor Dining in the Public Right-Of-Way), may be allowed to encroach into the public ROW for outdoor dining. While the primary focus of

outdoor/sidewalk dining in the public right-of-way is centered on Main Street, Lyons Avenue, and Railroad Avenue, there may be other instances that occur in the COR or CB zones where similar sidewalk dining activities may be warranted. In these cases, outdoor dining in the public ROW may be approved subject to the issuance of an Administrative Permit and provided that the proposal meets the requirements set forth in this section.

4.7.04. APPLICATION PROCESS

The application process and submittal requirements to establish an outdoor dining area within the ROW in the Eligible Outdoor Dining Areas Map are outlined in the OTNSP Outdoor Dining Application.

4.7.05. OTHER REGULATIONS

Businesses and property owners are required to obtain approvals, licenses, and permits for a new or expanded business from the Community Development Department, Public Works Department, Landscape Maintenance District (LMD), Fire Department, Alcoholic Beverage Control (ABC), and any other regulatory agencies.

4.7.06. STANDARDS AND GUIDELINES

The City's interest in reviewing applications for outdoor dining relates to the safety and well-being of the public and the promotion of the Arts & Entertainment District as a vital and attractive pedestrian district. The City's goal is to maintain the highest standards of accessibility and safety while achieving an attractive and functional design. In general, allowed encroachments should complement public use and improvements. In no case shall encroachments be permitted which serve to exclude the public from any public sidewalk or street. The City may

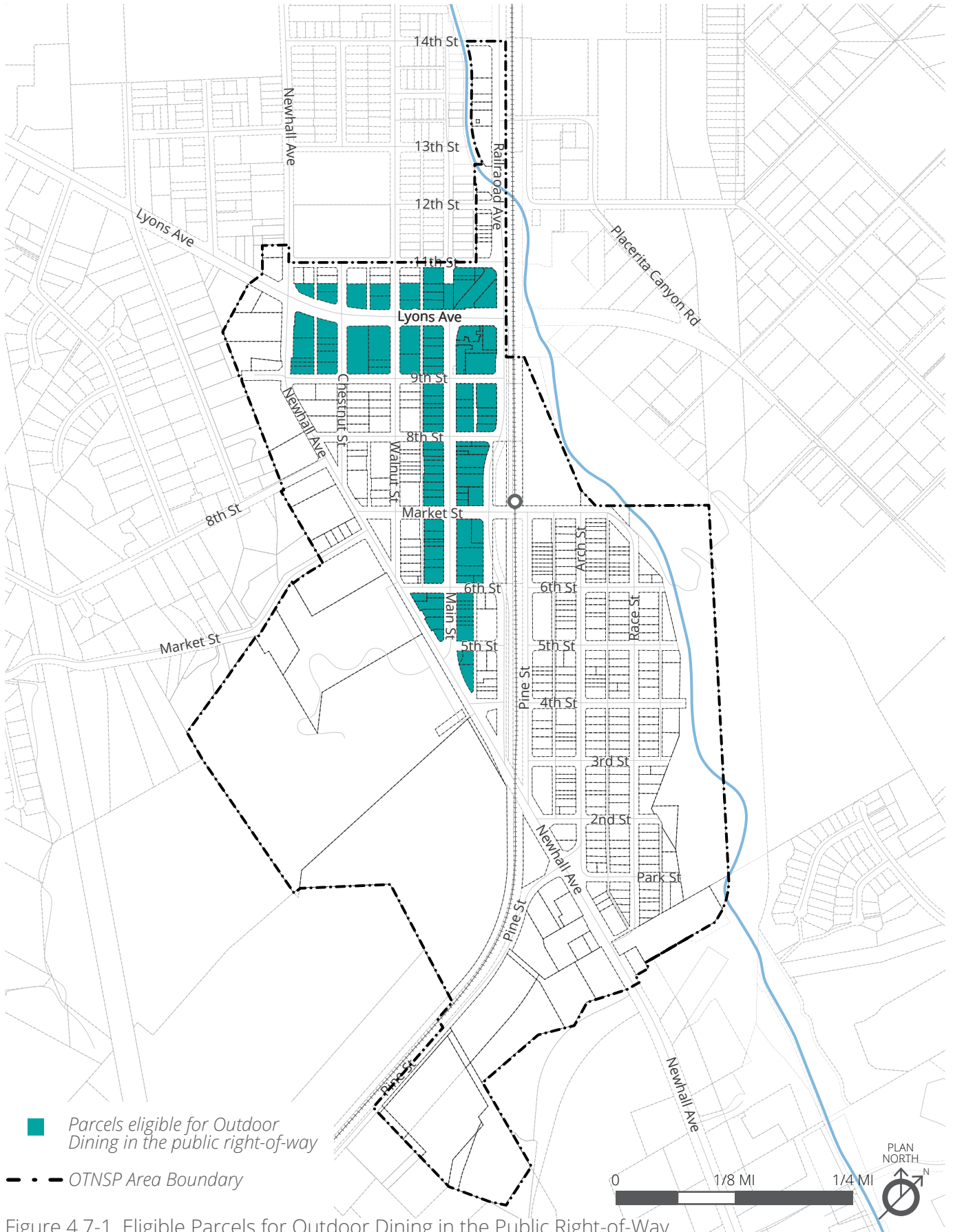


Figure 4.7-1. Eligible Parcels for Outdoor Dining in the Public Right-of-Way

deny any application for outdoor dining in the public ROW that it determines does not comply with these standards and guidelines or any other standard or regulation set forth by the City.

A. LOCATION AND DIMENSIONS

Dining areas in the public ROW may be allowed where it can be determined by the City that the encroachment would not result, individually or cumulatively, in a narrowing of the sidewalk such that important functional attributes of Old Town Newhall, (e.g., ability of pedestrians to stroll side-by-side and to pass comfortably for significant stretches, lingering and window shopping) are not jeopardized. The location and dimensions of any item located in a public place shall meet the minimum requirements set forth in these standards and guidelines and any other local, state, or federal law or regulation.

1. Encroachments for furniture, landscaping, and other outdoor dining elements shall

be contained in the outdoor dining area and conform to the following setbacks, per Figure 4.7-2:

- (A) 5 feet minimum width unobstructed pedestrian path of travel;
- (B) 5 feet minimum setback from trees and landscaping;
- (C) 4 feet minimum setback from driveways;
- (D) 8 feet minimum setback from pedestrian ramps at corners;
- (E) 2 feet minimum setback from any legally required building entrance or exit.

2. Above grade planters or pots used as part of the dining enclosure shall be a minimum height of 2 feet.
3. Pots and plant materials shall not exceed a maximum height of 4 feet.

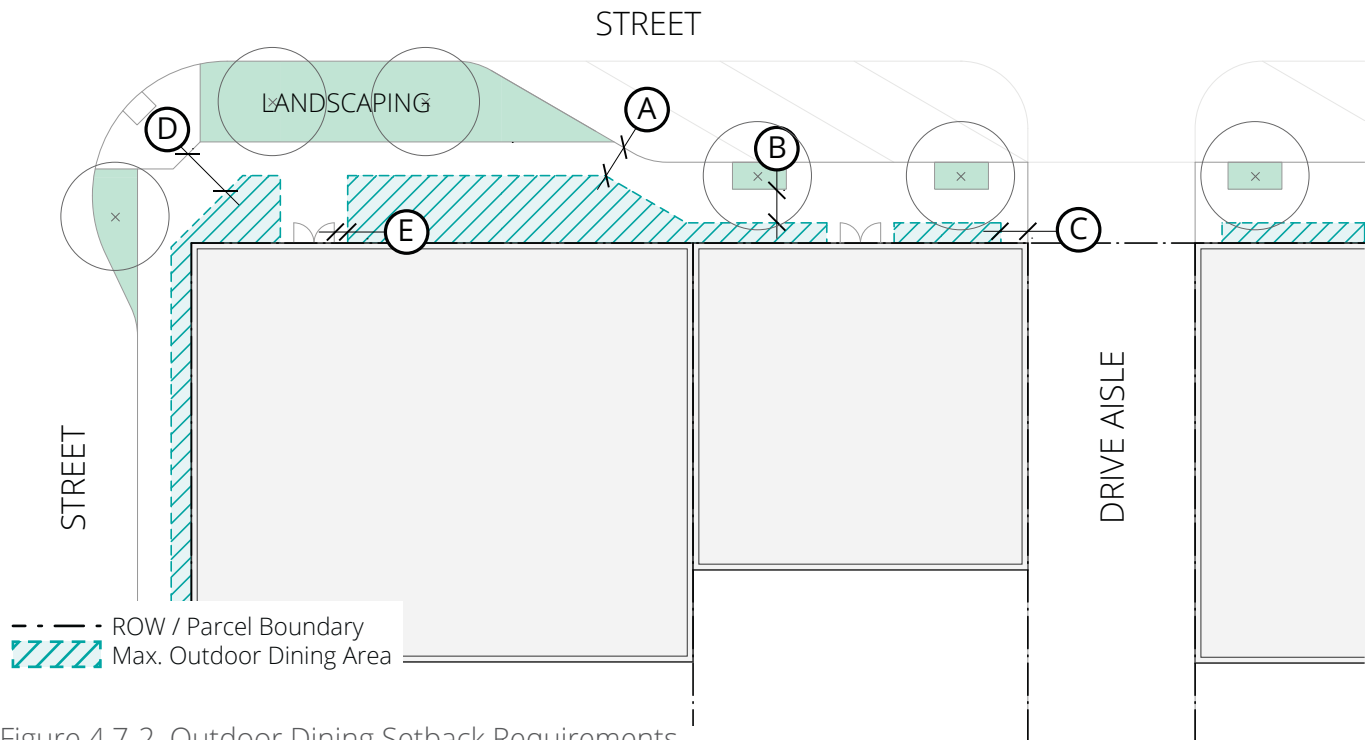


Figure 4.7-2. Outdoor Dining Setback Requirements

4. Encroachments shall not block safe access to businesses, parking spaces, bike stalls, or other spaces required by local, state or federal building or safety codes.
5. Chairs and tables shall not extend into the required accessible walkway at any time. Chairs must be at a scale appropriate to the size of the table or space available for seating.
6. Tables and chairs shall not be affixed to the sidewalk or any portion of the public ROW.
7. Heating devices shall be reviewed by the City of Santa Clarita for safety and aesthetics and may require separate building permit review.
8. The Community Development Department may require an Architectural Design Review to review any items placed in the public ROW that are not clearly consistent with these standards and guidelines.

B. MAINTENANCE AND OPERATIONAL STANDARDS

1. Maintenance of sidewalk encroachments shall be the sole responsibility of the permit holder.
2. Any item permitted to be placed in the public ROW shall be maintained in a safe manner so as not to obstruct pedestrian access to public sidewalks, access ramps or doorways. Movable items, like chairs, shall be positioned to prevent obstruction of access routes at all times. The permitted item shall be, if moved by patrons, relocated to the appropriate location at all times.

3. All materials shall be well maintained without stains, rust, tears, or discoloration. Materials that show signs of significant wear/age shall be replaced.
4. Umbrellas shall be constructed of durable fade resistant materials.

C. COLORS AND MATERIALS

The types of materials placed on City sidewalks shall portray a well-maintained and aesthetically appealing streetscape. The variety of uses that exist in Old Town Newhall require cohesiveness in the allowable materials, colors and variation of items permitted in the public realm.

1. All items located on the public sidewalk shall be constructed of durable materials appropriate for use in the public ROW. Folding chairs, lightweight materials, deteriorated, U.V. damaged, splintered or other similar furniture will not be approved or placed in the public ROW. Sealed or painted metal or wood tables are recommended.
2. Permitted encroachments shall be complementary in material, color and design to the buildings they serve and are adjacent to.
3. Tablecloths, umbrellas, and similar materials used as part of an encroachment, shall be clearly described in the project application (material samples may be required). All materials shall be painted, stained, etc., in a solid color; stripes and patterns are discouraged.
4. Street furniture shall not contain signs, advertising, or logos.

D. UMBRELLAS

1. Umbrella shades shall have approved solid or striped colors.
2. Umbrellas shall be installed and maintained so as to provide pedestrian clearance by maintaining 7 feet of clearance from the sidewalk to the lowest edge of the umbrella. Umbrellas shall not exceed a maximum height of 9 feet from the base to the top portion of the pole.
3. Umbrellas shall be constructed of a canvas-type material suitable for outdoor use. No plastic fabrics, plastic or vinyl-laminated fabrics, or any type of rigid materials are permitted.
4. Umbrellas shall be set back a minimum of 5 feet from the neighboring property.



E. BARRIERS

1. A barrier is required for the full perimeter (with the exception of access openings) when the outdoor seating area extends more than four feet into the public ROW. Landscape planters may be used as barriers.
2. Sectional fencing must be constructed of metal (aluminum, steel, iron, or similar) or wood and must be of a dark color (either painted or stained).
3. Rope or chain barriers are permitted. The rope or chain must have a minimum diameter of one inch. Vertical support posts must be constructed of wood or metal.
4. Barriers shall not be affixed to the sidewalk or cause damage to the existing public ROW.



F. PLANTERS AND LANDSCAPING

1. Planters shall contain plant materials in healthy condition. Stressed, dead, or dying landscape must be promptly replaced.
2. Planters shall have a self-contained watering reservoir system that prevents any leakage onto the sidewalk.
3. Debris or litter caused by landscape planters shall be maintained or cleaned by the responsible business or property owner. Debris, stains or litter shall be cleaned or removed by the responsible business or property owner.
4. Planters and landscaping shall be trimmed to maintain the required accessible walkway of no less than 5 feet in width.



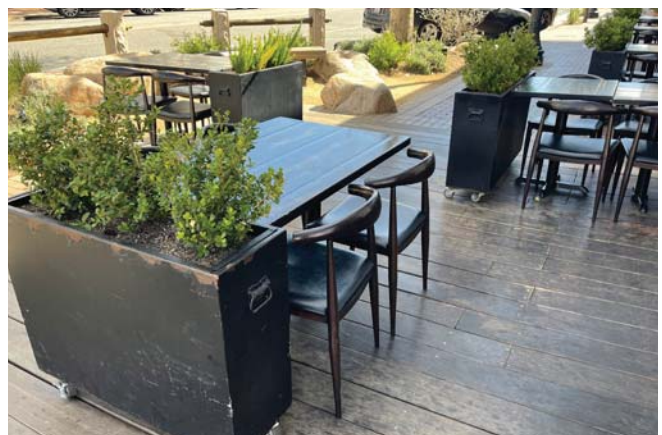
G. MENU BOARDS

1. Menu boards shall be limited to one per eligible business.
2. Menu boards shall be limited to a maximum size of 9 square feet and shall conform to the standards in Section 4.5.
3. Menu boards shall not be affixed to or cause damage to the existing sidewalk or any other portion of the right-of-way.



H. LIGHTING

1. Lighting shall illuminate only the dining area and shall be shielded from the public space.
2. Lighting shall be mounted so that all wiring is concealed. Rope or string lights are allowed provided they are installed to the requirements of the Building Code and manufacturer's specifications.



I. SIGNAGE

1. All signage proposed to be located upon umbrellas, barriers, or similar shall be subject to the approval of the Director of Community Development. In no circumstance shall off-site signage or corporate branding, other than that of the subject business, be permitted.

J. OTHER TYPES OF ENCROACHMENTS

1. Other types of encroachment, not anticipated in these standards and guidelines may be considered and permitted by the City, but must comply with the purpose and intent of these standards and guidelines.

K. INDEMNIFICATION AND INSURANCE

Issuance of an outdoor dining permit shall be contingent upon the applicant enacting an Outdoor Dining License Agreement with the City of Santa Clarita. The applicant shall also provide current Certificate of Liability Insurance for the duration of the outdoor dining permit and license agreement. Annual minimum coverage limits shall be established by the City at the time of application. The applicant shall provide updated insurance documents 30 days prior to expiration.

