

City of Fort Collins

# Outdoor Dining Design Manual

2022

# DRAFT



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# INTRODUCTION

Sidewalk patios, on-street patios, and other creative use of public space creates a dynamic environment and enhances the “sense of place” experience Fort Collins strives to encourage. The City of Fort Collins is looking for flexible ways to enable this more active streetscape for all businesses.

Innovative and creative use of public outdoor space benefits businesses and residents alike and is consistent with the vision of the Downtown Plan to emphasize pedestrian friendliness, high quality urban design, active streetscapes, and visual distinctiveness. The City is looking to allow this use in an ongoing manner while ensuring health and safety of the community and balancing various needs and desires through a permitting process and these design guidelines.

In an effort to maintain flexibility and adaptable practices in the near-term, these guidelines will be utilized to ensure that outdoor uses will fit within neighboring context, encourage a diversity of uses, meet the needs and desires of businesses and residents while contributing to the vision for the City described in City Plan and the Downtown Plan.

Permit applications will be reviewed and expected to meet the overall intent of the guidelines. Each permit site will have unique features and may or not be able to meet all guidelines. There may also be situations where permits will not be approved based on a lack of ability to substantially meet the guidelines.

The City anticipates updates and changes to the guidelines and codes over time as we learn from community experiences in public spaces. We encourage questions and ideas as these efforts continue to mature.


































# Process

In this document you'll find information, examples, and guidelines for various types of outdoor dining that may be permitted by the City.

- **Step 1** – Determine the type of outdoor dining area that you would like to create for your business.
- **Step 2** – Read and understand the permit requirements and application process you will need.
- **Step 3** – Read and understand the Outdoor Dining Area Design Guidelines included in this document that provide information about dining area barriers, furniture, lighting, signage, and other elements that may be placed in your outdoor dining area.
- **Step 4** – Read and understand the requirements for dining area usage, safety, accessibility, maintenance, and other criteria that your outdoor dining area may be subject to.
- **Step 5** – Prepare your required permit application(s) and accompanying submittal items.
- **Step 6** – Submit your permit application, application fees, and accompanying submittal items to the City for review.
- **Step 7** – If your application is approved, pay required permit fees to the City and/or other licensing authority.
- **Step 8** – After receiving the permit, construct your outdoor dining area in compliance with the approved plans.
- **Step 9** – Prior to occupying the outdoor dining area, request required City inspection(s) and obtain Certificate of Occupancy.



# QUICK GUIDE TO PATIO TYPES

Location, Service, & Amenities	PATIO TYPES		
	Attached Patios	Extended Patios	Parklets
Patio is Located on Public Sidewalk			N/A
Patio is Located in Designated Public On-Street Parking Spaces	N/A	N/A	
Patio Abutts Building		N/A	N/A
Patio is Detached/Offset from Building with Sidewalk Located between Patio and Building	N/A		
7' min Pedestrian Clear Zone around Patio on Public Sidewalk			
Liquor Service			
Food Service			
Dining Barriers	required for liquor service	required for liquor service	required
Umbrellas			
Tents/Shelters			
Building Mounted Awnings		N/A	N/A
Patio Lighting			
Heating Devices			
Structures Requiring Footings			

# TYPES OF OUTDOOR DINING AREAS

## Attached Patios

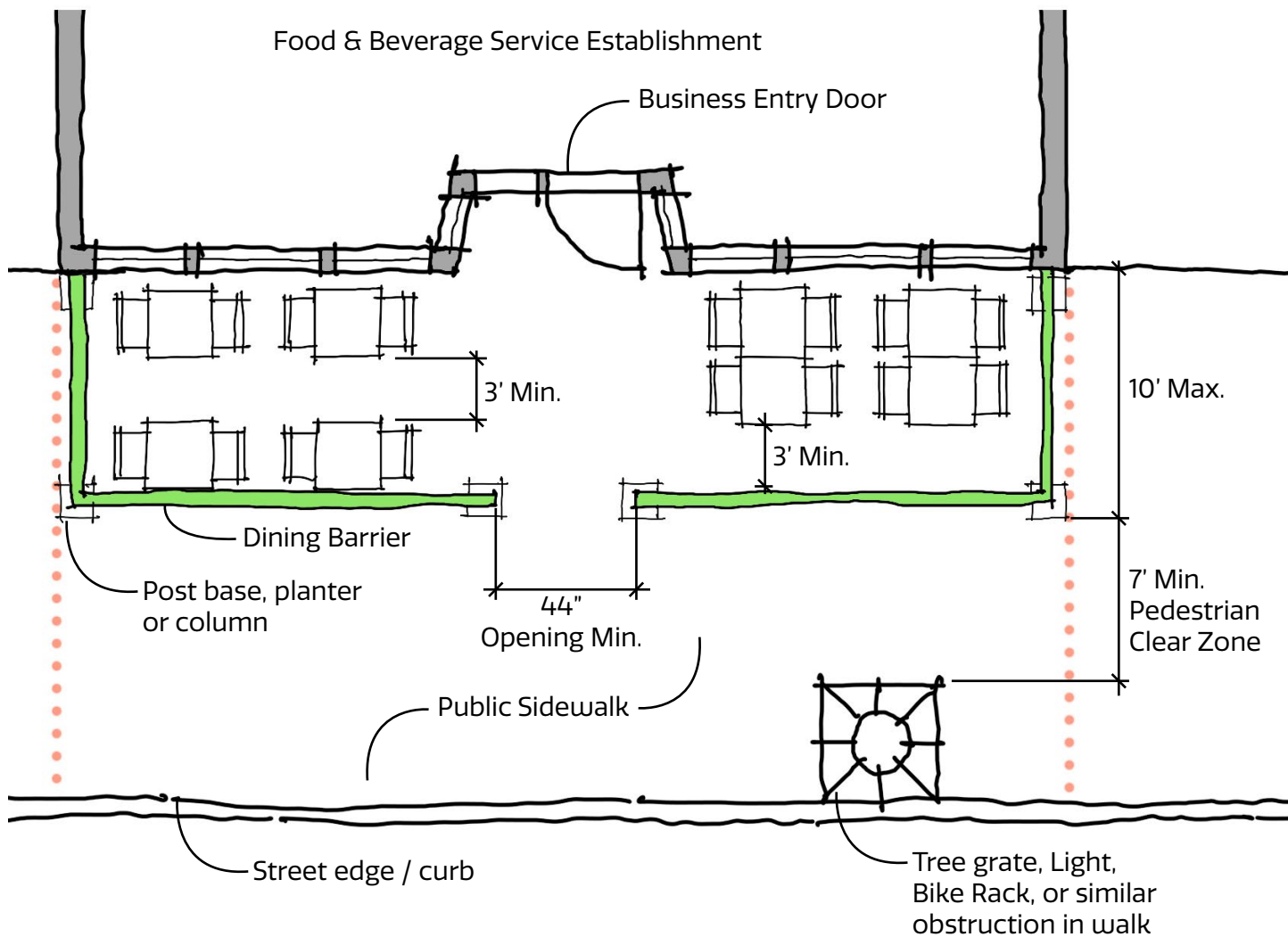
### DEFINITION

"Attached Patios" – means an outdoor dining area that is located on a public sidewalk within the public right-of-way, immediately abutting a business's building frontage.

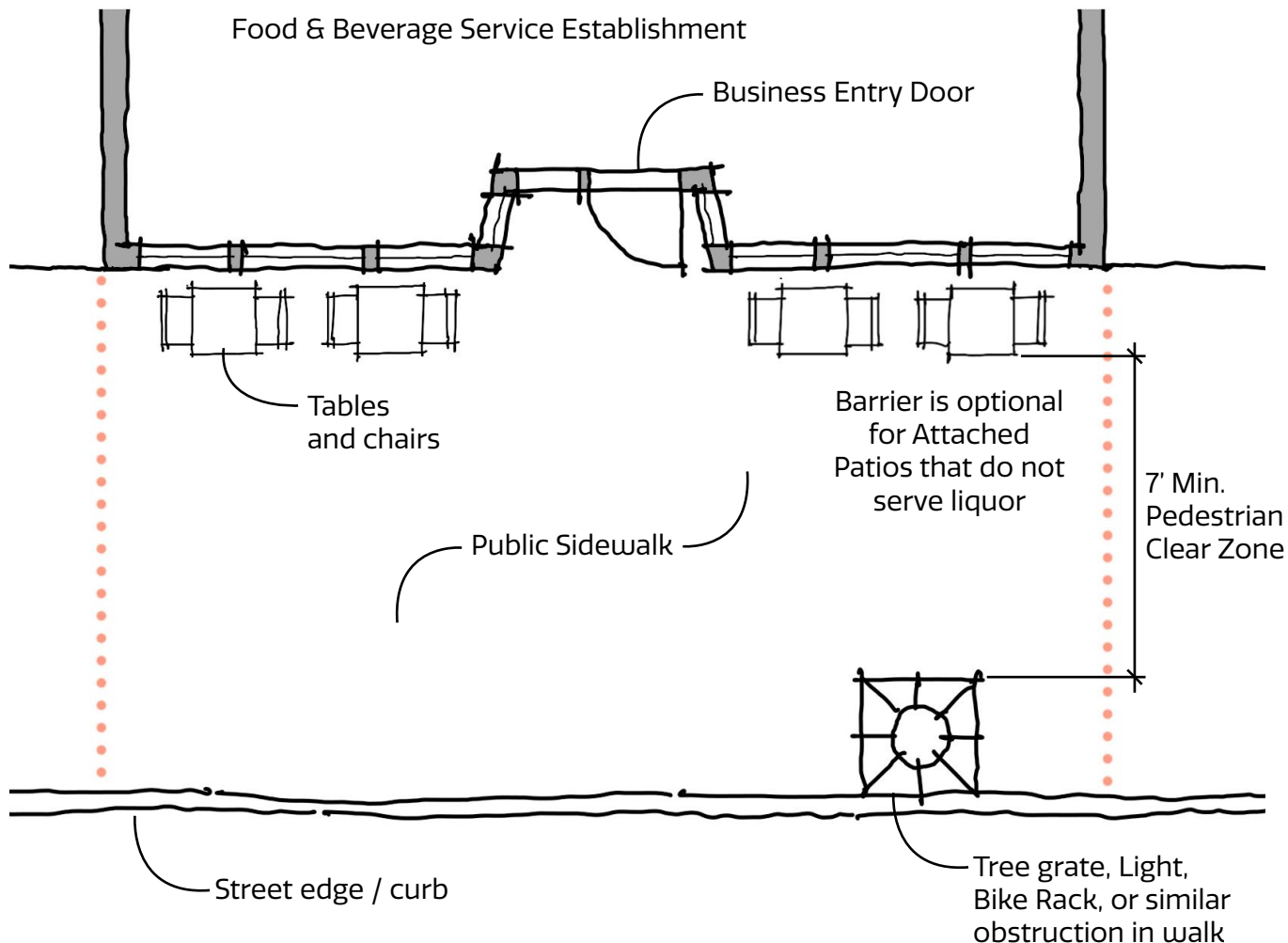
### DESIGN CRITERIA

- Patios can extend a maximum of 10 feet away from building face (including barrier bases).
- A 7 foot pedestrian walkway is desired (therefore patio may not be able to extend to 10 feet).
- Table umbrellas and building mounted awnings and are allowable in Attached Patios.
- Dining areas may extend the full length of the permittee's business frontage but they cannot extend in front of neighboring businesses or shared lobby spaces without permission





# ATTACHED PATIOS NOT SERVING LIQUOR





# Extended Patios

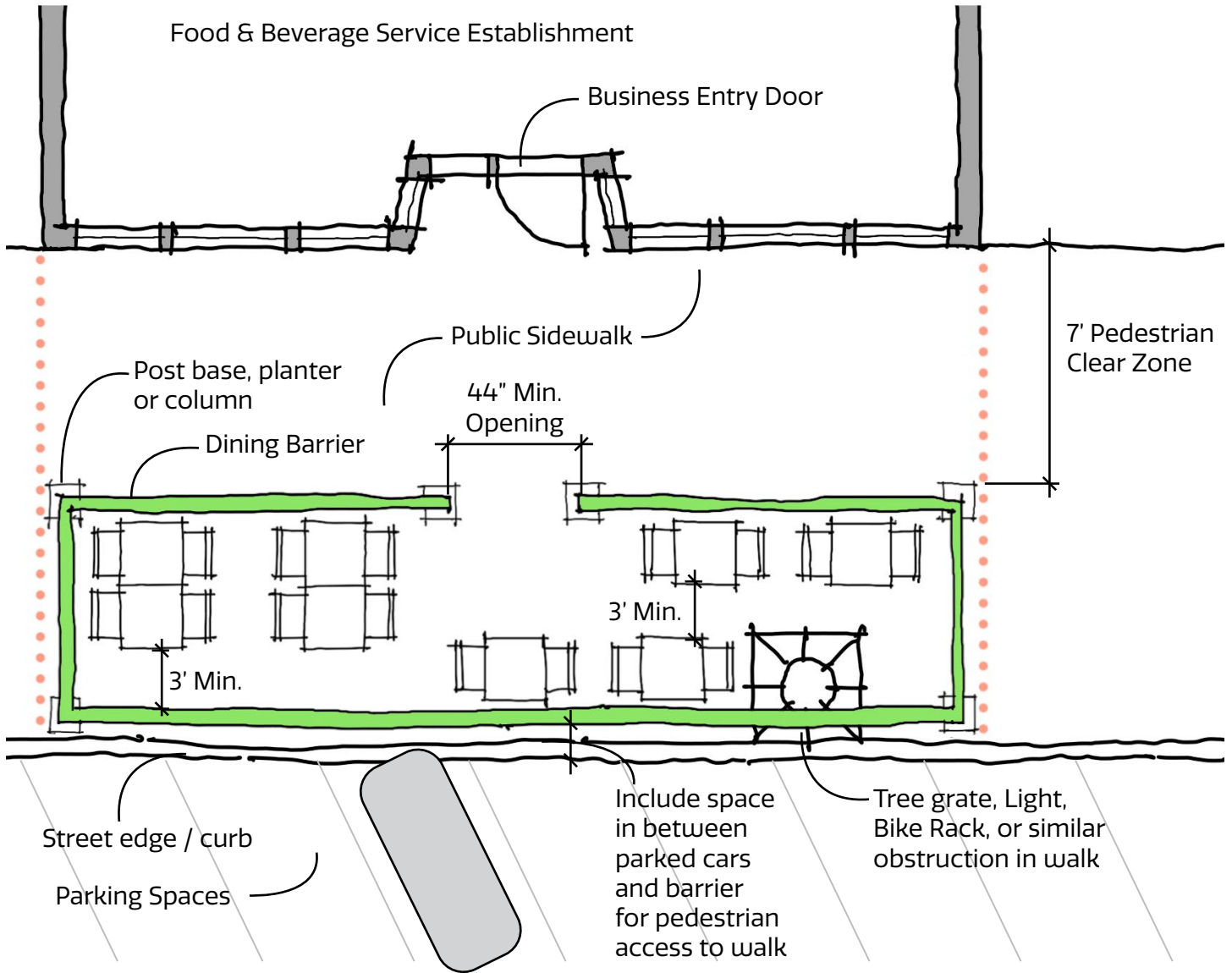
## DEFINITION

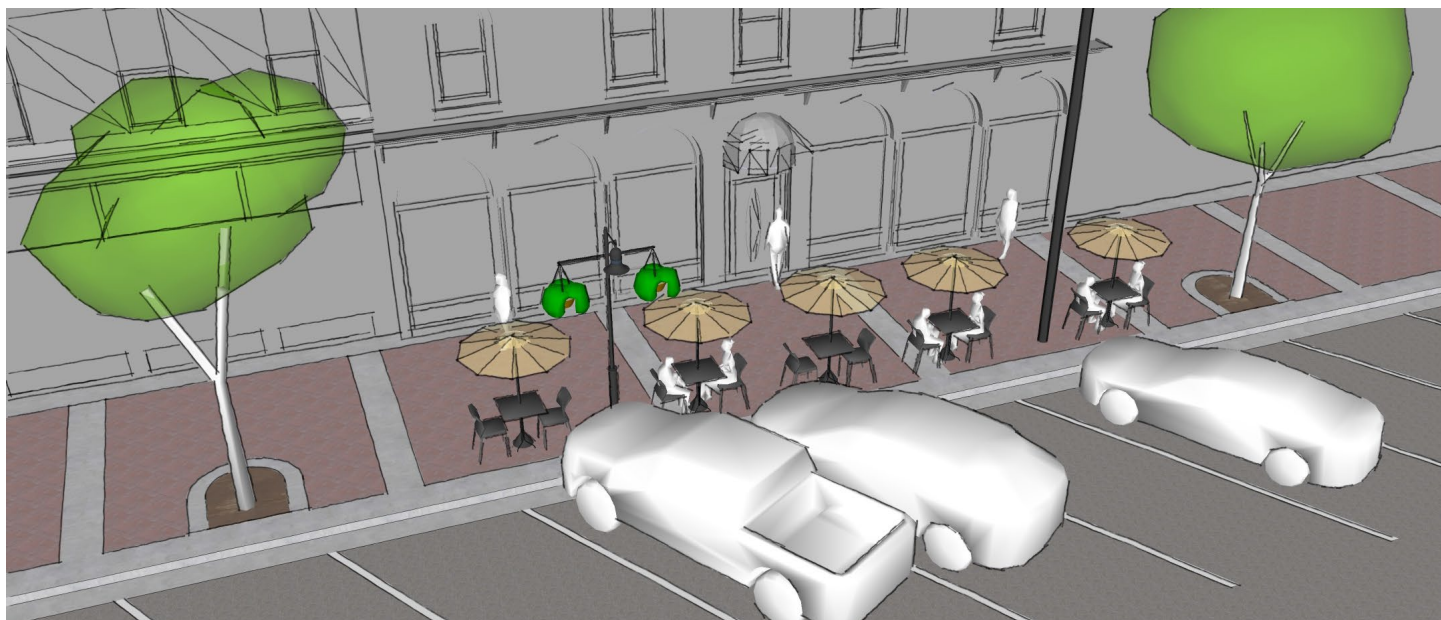
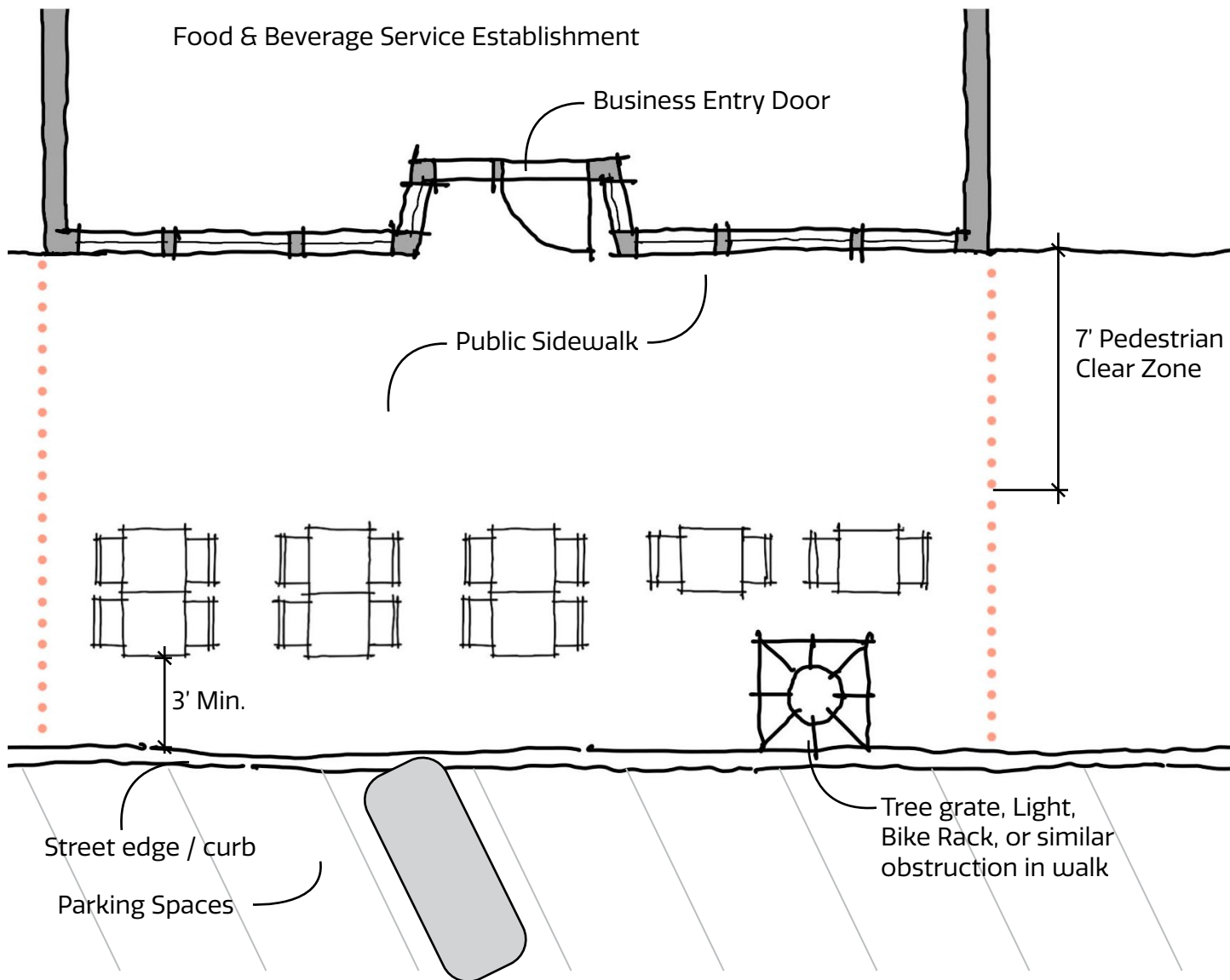
"Extended Patios" means an outdoor dining area that is located on a public sidewalk within the public right-of-way that is detached/offset from the building; the pedestrian clear zone is located between the dining area and building.

## DESIGN CRITERIA

- Dining areas may extend the full length of the permittee's business frontage, but they cannot extend in front of neighboring businesses or shared lobby spaces without permission.
- Pedestrian access to and from on-street parking areas shall be provided between dining areas.
- Outdoor dining areas barrier shall be offset from edge of face of curb/parking spaces to provide clear access from parking to pedestrian walkways.
- Table umbrellas are allowed and encouraged in unattached outdoor dining areas.
- Freestanding and/or ground mounted shelters, tents, and arbors shall not be installed in Extended Patios.







# Parklets

## DEFINITION

"Parklets" are outdoor dining areas located in designated public on-street parking spaces where the public sidewalk is located between the dining area and the building.

## TIME-BASED PERMITS

Parklet permits may be issued, subject to City review of compliance and availability. Parklets may be permitted on a short- or long-term basis. At a minimum, Parklet permits must be renewed annually.

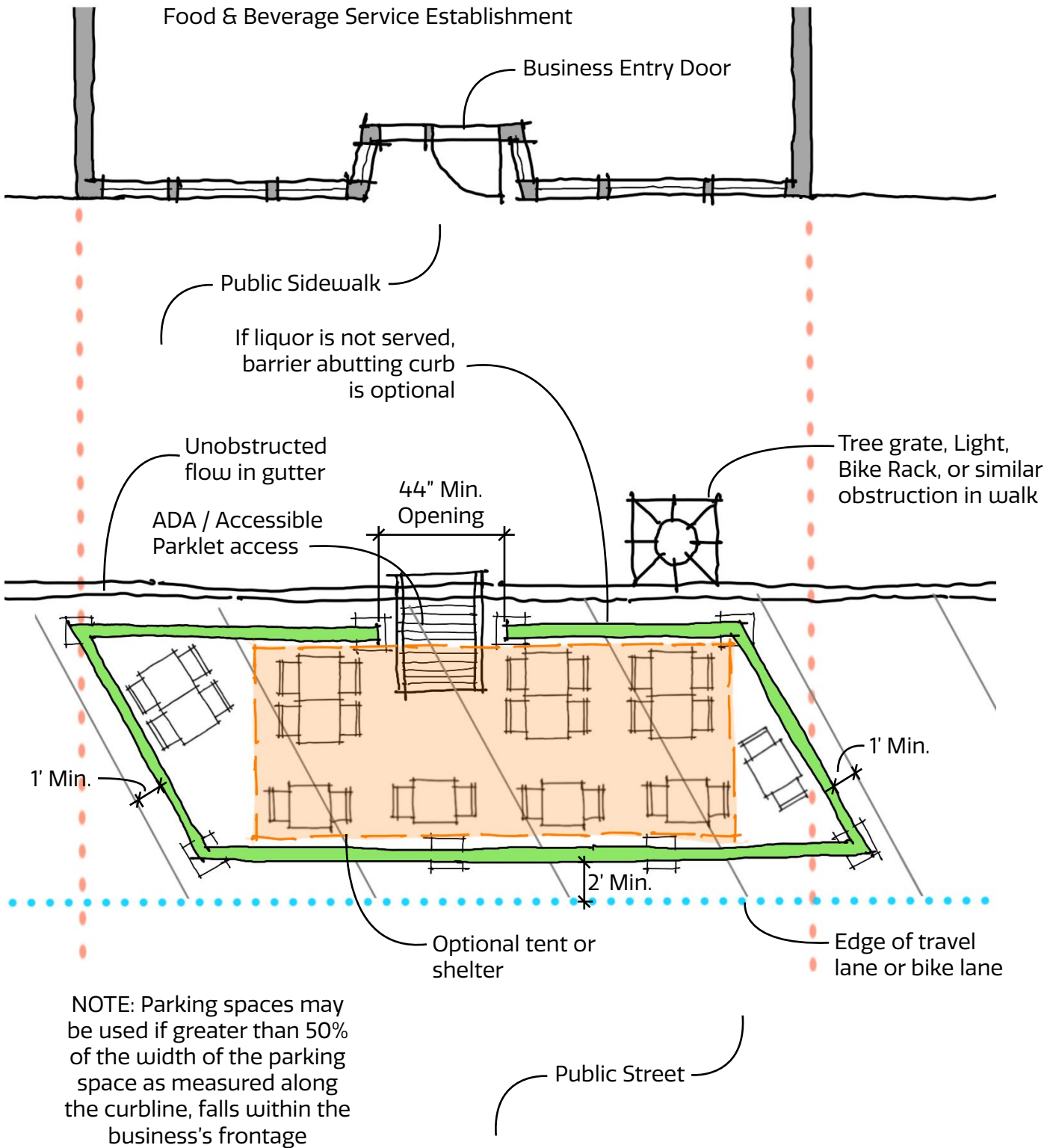
## NOTIFICATION OF NEIGHBORING BUSINESSES

During the review and permitting process, neighboring businesses will be notified to seek input on the application.

## DESIGN CRITERIA

- Applications for Parklets areas will be reviewed on a "first-come, first-served" basis.
- Parklets cannot be placed in ADA/Accessible parking spaces.
- Dining areas may extend the full length of the permittee's business frontage, but they cannot extend in front of neighboring businesses or shared lobby spaces without authorization by the City.
- Parklet infrastructure must not block flowlines, curb & gutter, drainage inlets and other drainage features.
- Edges of dining area shall be set back 1 foot minimum from center of adjacent parking stripe.
- Safety barriers must be set back from travel and/or bicycle lanes a minimum of 2 feet.
- If liquor is served in your Parklet, barriers are required on all 4 sides.
- If liquor is not served in your Parklet, the barrier abutting the curb is optional, but barriers are required along the other 3 edges.





# Dining Areas on Private Property Definition

"Dining Areas on Private Property" means an outdoor dining area that is located on private property, in its entirety.

## DESIGN CRITERIA

- Refer to the Fort Collins Land Use Code and the Minor Amendment Process.



# PERMITS THAT MAY BE REQUIRED

**THE ENGINEERING DEPARTMENT CAN HELP YOU DETERMINE THE PERMIT REQUIREMENTS FOR YOUR PATIO AND GUIDE YOU THROUGH THE PERMITTING PROCESS. 970-221-6605**

- **Outdoor Dining Areas on a Public Sidewalk:** If your dining area will be located on a public sidewalk within the public right-of way you will need to apply for an [Encroachment Permit](#) and pay the associated permit and inspection fees.
- **Outdoor Dining Areas in Designated Public On-Street Parking Space(s):** If your dining area will be located in designated public on-street parking space(s), you will need to apply and qualify for an [Obstruction Permit](#) and pay the associated permit and inspection fees.
- **Establishments Serving Liquor:** If you would like to serve liquor in an outdoor dining area, you will need to apply for a [Liquor License](#).
- **Building Permit:** If your dining area includes any of the following improvements, a [Building Permit](#) may be required:
  1. Change in occupancy
  2. Tents
  3. Shelters
  4. Building Mounted and/or Permanent Heat Source Devices
  5. Permanent Electrical Improvements (not just plugged into existing outlet)
  6. Permanent Plumbing improvements
  7. Parklet Platform
  8. Awnings that project more than 54 inches from the exterior wall

- **Dining Areas located in a Floodplain:** If your outdoor dining area will be located in a regulated floodplain you will need to apply for a [Floodplain Use Permit](#) and pay associated application and review fees.
- **Fuel Fired Heating Devices:** If you would like to use fuel fired heating devices in your outdoor dining area, you will need to apply for an [Operational Permit](#) from the Poudre Fire Authority (PFA)
- **Temporary / Seasonal Tents:** If you would like to place temporary/seasonal tents in your outdoor dining area you may need to obtain a [Poudre Fire Authority Tent Permit](#) and pay associated permit and inspection fees.



# ALLOWED USES IN OUTDOOR DINING AREAS

- Outdoor dining areas must be used by the permittee's business for food and beverage service. Permits are non-transferrable.
- Outdoor dining areas are not intended to be used as an open bar, a waiting area, or for queuing lines.
- Smoking is prohibited in outdoor dining areas.
- Public right-of-way is a valuable resource for the entire community and outdoor dining areas that are not being used regularly may be subject to a 30-day notice from the City and the encroachment permit may be revoked.



# OCCUPANT LOAD AND RESTROOM FIXTURE COUNTS

Seating for indoor and outdoor dining is counted towards a business's occupant load, and restroom fixture quantities must be sufficient to serve both indoor and outdoor occupants.

Building Services can review your occupant load and determine if the existing restroom fixtures can accommodate increased occupancy.

If additional restroom fixtures are needed to accommodate increased occupancy, a building permit is required to show how restroom fixtures will be added for compliance.

**Exception: If added outdoor seating capacity is 20% or less of indoor seating capacity, additional restroom fixtures will not be required. Example: establishment has an indoor seating capacity of 100, and applicant wishes to add an outdoor patio with an occupancy of 20. In this scenario additional restroom fixtures would not be required.**





# DESIGN GUIDELINES

## Barriers

Barriers are meant to demarcate the outdoor dining area provided for tables, chairs, and umbrellas, for both temporary and permanent use, and are required for liquor licensing. Barriers may include surface mounted removable fences, freestanding fences, planters, removable columns, and other similar features that are not permanently attached to street or sidewalk.

Establishments with patios on public sidewalks that do not serve liquor are not required to install barriers demarcating the outdoor dining space.

### MATERIALS & CONSTRUCTION

- Consider materials that feel more permanent. Barriers shall be sturdy and stable. They must have sufficient weight so that they cannot be tipped over easily or be blown over.
- Post bases must be flat and have tapered edges.
- Fence framing shall be composed of metal or wood and must be painted or finished. Raw wood and metal finishes are discouraged, unless wood that has natural weather resistance.
- Fence panels may be composed of aircraft cable, fabric, and metal elements.
- Rigid fence segments may be placed end-to-end to create the appearance of a single fence.
- Chain link fencing, plastic, vinyl, chicken wire and snow fencing shall not be used.
- Concrete 'Jersey Barriers' shall only be installed where required or deemed appropriate by the City Engineering Department.

### BARRIER HEIGHT

- Height of barriers shall be a minimum of 36 inches and a maximum of 42 inches (including posts).
- The lower rail/edge of the barrier shall be no more than 27 inches above the sidewalk surface or walking surface.



### **BARRIERS FOR ESTABLISHMENTS SERVING LIQUOR**

- Owner must follow all laws, rules, and regulations related to State of Colorado and City of Fort Collins Liquor enforcement.

### **BARRIERS LOCATED ON A PUBLIC SIDEWALK**

- Where barriers are required, the barrier may be freestanding, or surface mounted to the sidewalk.
- Barriers shall not be permanently attached to existing structures, sidewalk, or other City-owned right of way elements.

### **BARRIERS LOCATED IN A PUBLIC STREET**

- Barriers shall not block access to fire hydrants, ADA/Accessible parking spaces, and ADA/Accessible curb, ramps, or loading zones.

### **BARRIER ACCESS OPENINGS**

- Access and egress requirements to outdoor dining areas will be based on occupancy, the occupant load, and proposed use(s). The Building Department can assist you in determining the occupancy of your patio.
- The access opening shall be located along the front or parallel edge of the dining area barrier. The access opening shall be kept clear of other materials.
- Minimum Access Width. Access openings shall measure no less than 44 inches in width.

### **PLANTERS AS PART OF THE BARRIER**

- Outdoor planters are encouraged as a barrier component.
- Planters shall be kept in clean condition.
- In the case of planters, the planter itself shall not exceed 36 inches in height (measured from the sidewalk/walking surface);
- Plant (live or artificial) height shall not exceed 6 feet in height.
- Live plants must be maintained in a healthy manner and arranged for the best visual impact.



## Sidewalk Coverings

Unless approved otherwise, alterations shall not be made to sidewalks, and coverings shall not be placed over a sidewalk dining area.

## Pedestrian Circulation

### OUTSIDE OF THE DINING AREA

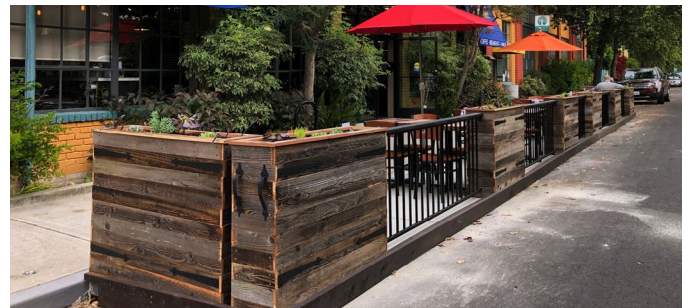
- Outdoor dining areas shall allow a minimum 7-foot wide unobstructed, accessible pedestrian passageway on the sidewalk. The pedestrian passageway allowance may vary to a greater or lesser degree based on site location and a determination of the City. Patio features shall not obstruct the pedestrian passageway.
- Entry/egress requirements will be based on occupancy load and alcohol service
- Business owners are responsible for providing queuing areas outside of pedestrian clear zones for people waiting in line.

### INSIDE THE DINING AREA

- If barriers are utilized at dining area perimeters, a minimum of 3 feet shall be allowed for patron and waitstaff circulation inside the dining area. Waitstaff shall not serve patrons from outside of the barrier.

## Accessibility

- Outdoor dining areas (including seasonal dining areas) shall comply with Americans with Disabilities Act Guidelines (access, seating, etc.).
- Dining areas shall not obstruct existing ADA/ Accessible curb ramps, routes to businesses, parking spaces, or loading zones.



## Shelters and Tents

If you would like to install one or more tents or shelters in your Parklets, please contact the Engineering Department to discuss related code requirements.

- Tents and shelters are allowed and encouraged in Parklets
- Tents and shelters shall not be installed on public sidewalks
- Tents and shelters shall be weighted, anchored or secured to the ground, and shall be anchored in a way that is removable without damaging public improvements. Repairs/patching are the permittee's responsibility.
- Consider products and materials that feel more permanent. Pop up tents and similar features are discouraged.



## Awnings

- Awnings can be used over Attached Patios. Awning shall be connected to the permittee's building façade or cantilevered from private property.
- Building permits are required for awnings that project more than 54 inches from the exterior wall.



# Furniture

## FURNITURE MATERIALS AND FINISHES

- Consider materials that feel more permanent. Furniture shall be constructed from durable materials such as steel, aluminum, wood.
- Raw wood and metal finishes are discouraged. Exceptions may be considered for teak and other woods having natural resistance to weathering.
- Avoid low quality materials, such as plastic.

## SECURING/FASTENING

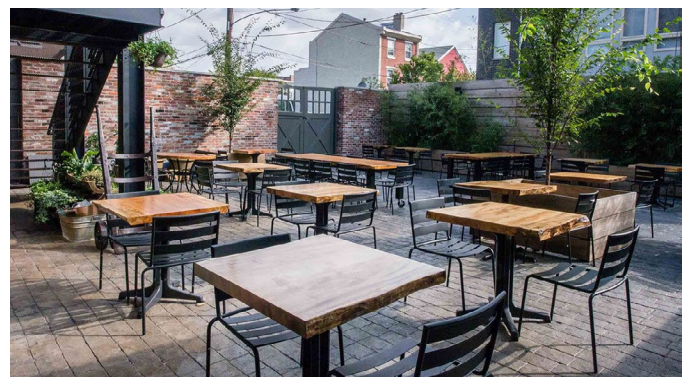
- Furniture shall not be permanently fastened to a public sidewalk or street.
- During off business hours, furniture may be secured to the outdoor dining barrier.
- If your site is located in a regulated floodplain additional requirements may apply.

## TABLES

- Table tops shapes and heights may vary.

## UMBRELLAS

- Commercial-grade market style umbrellas, designed specifically for patio or outdoor restaurant use, are preferred.
- Umbrellas must be collapsible
- Umbrellas are to maintain a minimum height clearance of 7 feet and a maximum of 10 feet.
- Umbrellas must not extend over the pedestrian clear zones adjacent to the dining area.
- Umbrellas must be free of advertisements. Advertisements are allowed only if it is to advertise the name of the permittee's business.
- Umbrellas must not include fluorescent or strikingly bright or vivid colors.
- Umbrellas must be anchored and secured against wind.



### TRASH AND RECYCLING RECEPTACLES

- Waste receptacles are required only in outdoor dining areas that do not provide wait service; otherwise, waste receptacles are not permitted.

### PLANTER POTS AND HANGING BASKETS

- Planter pots and hanging baskets are permitted and shall be maintained by the permittee.

### ITEMS THAT SHALL NOT BE PLACED IN THE PUBLIC RIGHT-OF-WAY

- Shelves and storage bins
- Serving stations
- Appliances
- Loud speakers
- Televisions
- Barbeques
- Sofas
- Yard games and activities with flying objects (i.e., corn hole)



## Heating Devices

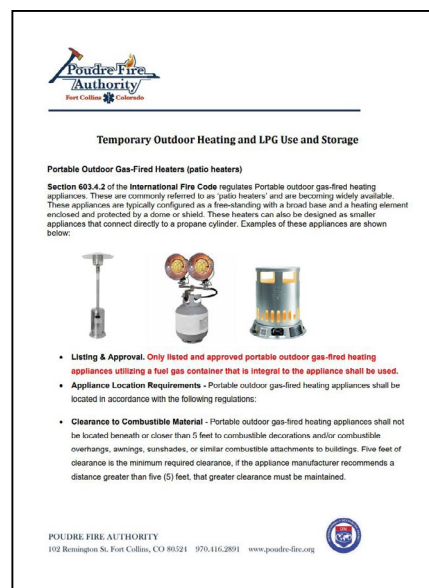
Heating Devices are allowed in outdoor dining areas, but they shall meet the following operational regulations:

### PERMANENT HEATING DEVICES

- If you are planning to install permanent outdoor heating devices, a building permit is required.

### TEMPORARY/SEASONAL HEATING DEVICES

- The Poudre Fire Authority [Temporary Outdoor Heating and Liquid Propane Gas Use and Storage document](#) provides in-depth explanations of the items required for temporary heating devices. Please review this document as needed to ensure compliance with codes and standards
- Trees are to be protected and heating equipment shall be located a minimum of 3' away from tree trunks and branches.
- Businesses must have sufficient fire extinguishers to cover indoor and outdoor spaces.



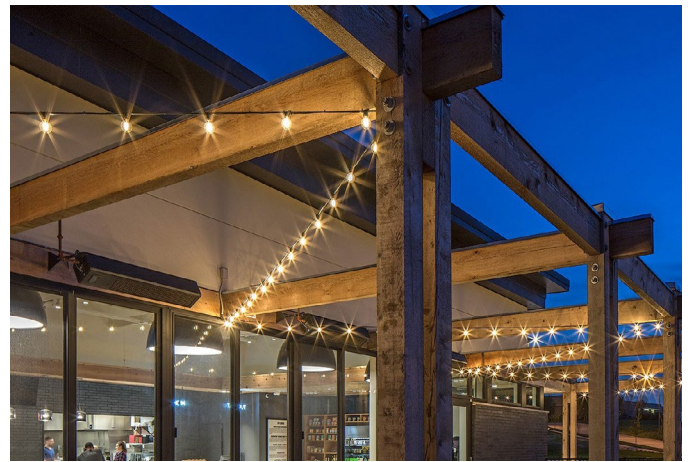
# Signage

- A [sign permit](#) is required for proposed signage.
- Signage must comply within business' allotted sign allowance.
- Signage and menu displays must be located within the enclosed dining area or on the business's dining area barrier.
- A maximum of four square feet (4 SF) of signage is allowed on a business's outdoor dining area barrier.
- A maximum of four square feet (4SF) of signage is allowed on a single face of a shelter/tent, and a maximum of two sides of a shelter can include signage.
- Menu boards shall be 2 square feet maximum.
- Sandwich Board Signs must comply with City sign code.
- Advertisements unrelated to the business are prohibited.
- Refer to Fort Collins Land Use Code Section 24-1 for additional requirements for Signage.



## Lighting

- If new lighting requires electrical work (not just plugged into existing outlet), a [building permit](#) is required.
- Lighting, if proposed, will be reviewed by the City on a case-by-case basis.
- Light levels shall comply with City lighting standards. Refer to Larimer County Urban Area Street Standards for additional lighting criteria within the public right of way.
- Light fixtures shall be Dark Skies compliant.
- Light poles shall not include footings.
- For Extended Patios and Parklets, battery or solar power for lighting is preferred; accessible sidewalk cord covers may be used as an alternative and will be reviewed on a case by case basis.
- Electrical conduit shall not be buried below ground surface or suspended above the sidewalk.
- Wiring for light poles and fixtures must be concealed.
- Electrical conduit for lighting may be run through or on fencing/barriers but the conduit shall be concealed to the greatest extent possible.
- Seasonal Holiday lights are allowed in outdoor dining areas from November 1st to February 14th.
- Disruptive or flashing light that is distracting to drivers shall not be used in outdoor dining areas.
- For state-owned street facilities, lighting must comply with CDOT requirements.



## Footings

- Structures requiring footings are not allowed in public right of way.



# Publicly Owned Features

## ALTERATIONS AND DAMAGE

- Unless approved otherwise, no alterations or damage shall be made to existing sidewalks, roadway concrete or asphalt, curb & gutter, walls, trees, furniture, utilities, and other City-owned right of way elements.
- Damage caused to publicly owned features caused by use of outdoor dining areas shall be repaired by the permittee.

## PUBLIC FURNITURE

- Proposals for the relocation of existing public street furniture will be reviewed by City on a case-by-case basis.
- Unless approved otherwise, publicly owned light poles, non-accessible tree wells/grates, fire hydrants, and other items shall not fall within the pedestrian path allowed between the curb and the leading edge of the outdoor dining area.

## PUBLIC BIKE PARKING

- Existing public bike parking cannot be displaced without identifying an appropriate location (as deemed by the City) for relocation.

## STREET TREES

- Trees located within the public right-of-way are commonly owned by the City.
- Nothing is to be attached or hung from City-owned trees.
- If pruning is desired, please contact the City Forestry Department.
- If approved by the City, pruning shall be performed by the City.



## Safety

If your dining area will be located in the public right-of-way, you will be required to meet minimum safety requirements administered by the City, Poudre Fire Authority, Stormwater, and in some cases the Colorado Department of Transportation. These requirements are intended to ensure the right-of-way is safely shared by your customers, drivers, pedestrians, cyclists, and others.

Depending on the characteristics of the public street and the location of your space within the right-of-way, you may need to incorporate minimum safety features to protect users from nearby traffic.

- For two lane, local, or collector streets with average daily traffic volumes under 4000 trips and posted speeds of 25 mph or less, no crash protection or design will be required.
- For streets that do not meet the above criteria, Parklets may be allowed based on approval from the City Engineer and crash protection may be required.

There are inherent risks associated with placing outdoor dining areas within a public street and a public right-of-way. By applying for and obtaining the required permits, the business owner acknowledges and accepts responsibility the associated risks.

## Sight Distance Considerations

- If your dining area is located near an intersection or a driveway it will need to comply with the sight distance requirements as described in [Figure 7-16 of Larimer County Urban Area Street Standards](#).
- For Parklets, consider sight distance for drivers exiting adjacent parking spaces.

## Sites in Regulated Floodplain

If your outdoor dining area is located in a regulated floodplain the proposed improvements will need to meet the flood protection standards in Chapter 10 of City Code. An approved Floodplain Use Permit is required Prior to construction. Depending on the location additional requirements may also apply.

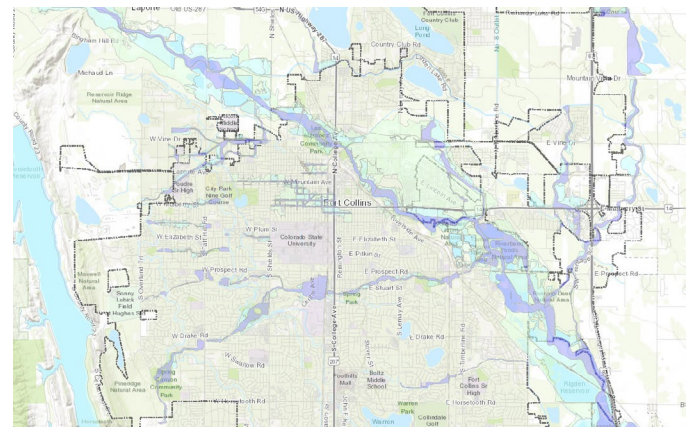
### HOW CAN I FIND OUT IF MY SITE IS IN THE FLOODPLAIN?

Check the online map at: [fcgov.com/floodplain-maps](https://fcgov.com/floodplain-maps)

- Click on the dark blue "View Map" button

### FLOODPLAIN STAFF CONTACT INFORMATION:

- Contact us at 970-416-2632 or [FloodplainAdministration@fcgov.com](mailto:FloodplainAdministration@fcgov.com).



# VARIANCES

The City may grant variances to these design guidelines where it finds that the proposed improvements would not be detrimental to the public good. Variance requests may be justified for the following reasons:

- Exceptional site specific constraints;
- The proposal will promote the general purpose of the standard for which the variance is requested;
- The proposal will not diverge from the guidelines except in a nominal, inconsequential way when considered in the context of the surroundings.

# MAINTENANCE

## Repairs, Upkeep, Replacement, Storage, Removals

- Maintain a tidy appearance. Your outdoor dining area and adjacent sidewalks shall be clean and free of obstructions and refuse at all times.
- Barriers and other furniture are the responsibility of the permittee including ownership, fabrication, storage, maintenance, upkeep, replacement, removal, etc.

## Snow Removal

- Snow and ice removal inside barriers is the permittee's responsibility.
- Snow may not be stored on the sidewalks

## Leaf Removal

- Leaf removal inside the barrier is the permittee's responsibility.

## Landscaping

- If you integrate plants, create a plan to ensure landscaping is maintained. High quality artificial plants can be used to reduce maintenance.

## Graffiti Removal

- If your space has large blank surfaces, it may be vulnerable to tagging. Be prepared to remove graffiti promptly.

## City / CDOT Maintenance Access

- Be aware that you may need to disassemble your patio space if the City or CDOT needs to access the area for construction, maintenance, and other necessary operations.



# Acknowledgments

Fort Collins Engineering Department  
Fort Collins Zoning Department  
Fort Collins Building Department  
Fort Collins Stormwater Department  
Fort Collins Traffic Operations  
Fort Collins City Manager's Office  
Poudre Fire Authority  
BHA Design, Inc.

