

Design Conditions Required for Outdoor Dining via Right of Way Permit or Temporary C-19 Right of Way Obstruction Permit within City of Saint Paul during COVID-19

Sidewalk cafes are located in public right of way – either sidewalk, parking lane or traveled lane – and operate as additional space for specific permitted restaurants to serve customers. Sidewalk cafes should be designed, maintained and operated to benefit the restaurant and patrons but also to respect the users of the rest of the street environment.

Sidewalk café applicants are responsible for design, construction, installation, operation, management, maintenance, and removal of any sidewalk café installation. To place a sidewalk café in a specific location in the right of way, a restaurant must have already been issued a Right of Way Obstruction permit, or apply for and receive a Temporary C-19 Right of Way Obstruction permit. Typically located adjacent to the curb, sidewalk café applicants may also request use of street right of way if appropriate traffic control devices are used.

DEFINITIONS:

- a. **Outdoor Dining Installation:** Items placed in the public right of way by a Permitted Business to create an outdoor dining area, specifically including tables, chairs, benches, trays/counters, refuse containers, germ barriers, human or traffic barriers, signage, planters/plantings, and any materials or equipment necessary to comply with the Americans with Disability Act (ADA).
- b. **Right of Way Obstruction Permit or Temporary C-19 Right of Way Obstruction Permit:** Permit issued by Department of Public Works to a business for use of public right of way for the placement of outdoor dining installations, associated food service thereto and maintenance and operation thereof.
- c. **Outdoor Dining Area:** Portion of public right of way permitted for use by the Right of Way Obstruction Permit or Temporary C-19 Right of Way Obstruction Permit.
- d. **Permitted Business:** Food and beverage establishments issued a Right of Way Obstruction Permit or Temporary C-19 Right of Way Obstruction Permit. Responsible for design, construction, installation, operation, management, maintenance, and removal of any Outdoor Dining Installation.

PERMITTED BUSINESSES MUST FOLLOW THESE SPECIFICATIONS, REQUIREMENTS, GUIDELINES, AND STANDARDS:

- a. Complete a permit application with the following information including, but not limited to:
 - i. Provide a sketch of Outdoor Dining Area identifying boundaries of Outdoor Dining Area, showing the entire Outdoor Dining Installation including traffic control measures and planned traffic control signage when needed. This would include all lane closures, parking lane closures, street closures, etc. All elements of the Outdoor Dining Area and Outdoor Dining Installation must comply with federal, state, and local laws and regulations and all public health and safety guidelines provided by the Minnesota Department of Health and Center for Disease Control.
 - ii. Identify if any bike lane is affected and what actions are planned to address a detour or alternate route, etc. including signage/devices.

Design Conditions Required for Outdoor Dining via Right of Way Permit or Temporary C-19 Right of Way Obstruction Permit within City of Saint Paul during COVID-19

- iii. Identify any necessary pedestrian or vehicle detours or alternate route, etc., including signage/devices.
- b. Maintain sightlines for motor vehicle and pedestrian movements, traffic control devices, and pedestrian crossings. All elements of outdoor dining will remain at least 20 feet from all intersections. This measurement will begin at the end of the curve of the corner.
- c. No obstructions of driveways, alleyways, pedestrian ramps, building entrances or exits, emergency entrances or exits, fire hydrant or standpipe, or utility access areas.
- d. Cannot obstruct the operation of a turn lane.
- e. Cannot conflict with an active construction permit or project.
- f. No obstruction of drainage structures or impeding drainage.
- g. No obstruction of bus stop or light rail loading/unloading areas.
- h. On arterial roadways, no obstruction of commercial vehicle traffic.
- i. When using parking lanes for outdoor dining purposes, stay at least 2 feet from the edge of the nearest travel lane and provide an approved physical barrier between the travel lane and the outdoor dining area. Install a Type 3 Object Marker (reflective) on the edge of the Outdoor Dining Area nearest to the oncoming street traffic. Approved continuous physical barrier along the three street edges is required, such as: curb stops plus PVC delineators, curb stops plus planters, jersey barriers. *[See visual examples below]*
- j. When using through lane right of way on a roadway with a speed limit 35 mph or less for outdoor dining purposes, stay at least 2 feet from the edge of the nearest travel lane and provide an approved physical barrier between the travel lane and the outdoor dining area. Install a Type 3 Object Marker (reflective) on the edge of the Outdoor Dining Area nearest to the oncoming street traffic. Approved continuous physical barrier along the three street edges is required, such as: Jersey barriers, sand or water filled barriers similar in size and shape to Jersey barriers, large/heavy planters. *[See visual examples below]*
- k. Install and maintain all traffic control per the MN Manual of Uniform Traffic Control Devices (MUTCD).
- l. Maintain at least 4' of pedestrian movement on 2% cross slope or flattest area.
- m. Before digging or drilling into any hard surfaces (pavements, curbs, sidewalks) written consent of the Department of Public Works must be obtained.
- n. Remove the Outdoor Dining Installation pursuant to Executive Order 2020-10.
- o. Restore the public right of way to its previous condition to the satisfaction of the Department of Public Works.
- p. Maintain Outdoor Dining Area in a clean and sanitary condition including secure storage of the installation components during business closure and removal of litter/graffiti.
- q. Comply with all ADA requirements, including but not limited to clear zones and reach, width and height requirements for accessibility, and providing ADA compliant ramps for access between sidewalk and parking lane or through lane used for sidewalk cafe. This includes, but not limited to, horizontal surface vertical discontinuity which shall be a maximum of ¼ inch (or ½ inch if beveled at 1:2).
- r. Carry comprehensive general liability insurance and workers' compensation insurance per City of Saint Paul policies.
- s. Provide MN MUTCD compliant work zone traffic control during any set up or take down operations.

Design Conditions Required for Outdoor Dining via Right of Way Permit or Temporary C-19 Right of Way Obstruction Permit within City of Saint Paul during COVID-19



Visual Examples of Acceptable Water Filled Jersey Type Barriers



Visual Example of Acceptable Concrete Curb Stop



Visual Example of Acceptable Rubber Curb Stop

The City of Saint Paul does not recommend or endorse any particular brand, vendor or manufacturer of barrier or curb stop. The City will review and either approve or reject a barrier or curb stop based on its technical specifications.