

Attachment 1.

RESOLUTION APPROVING REVISIONS TO THE ARCHITECTURAL DESIGN CONTROL OVERLAY DISTRICTS DESIGN GUIDELINES CHAPTER 5, SECTION E (*OUTDOOR CAFÉS*)

WHEREAS, City Code Chapter 34, Section 2.9.2. establishes Architectural Design Control (“ADC”) Districts and City Code Chapter 34, Section 5.1.5.C. requires the City’s Board of Architectural Review (“BAR”) develop and recommend to City Council for its approval design guidelines for the City’s ADC Districts (“Design Guidelines”); and

WHEREAS, on September 17, 2024 and October 1, 2024, the BAR held advertised work sessions to review the Design Guidelines for Outdoor Cafés (Chapter 5, Section E., adopted by City Council on September 17, 2012); and

Whereas, on October 15, 2024 the BAR at its advertised monthly meeting voted (8-0) to recommend Council approve the proposed revisions to the Design Guidelines for Outdoor Cafés, and;

WHEREAS, this City Council finds and determines that:

(1) The proposed revisions to the Design Guidelines for Outdoor Cafés recommended by the BAR are consistent with the purposes and standards set forth within City Code Chapter 34, Division 2.9 (Overlay Districts) of the City’s Zoning Ordinance;

and

(2) The Design Guidelines for Outdoor Cafés have been developed in consultation with the City’s Director of Neighborhood Development Services, as required by City Code Chapter 34, Chapter 34, Section 5.1.5.C.;

NOW, THEREFORE, BE IT RESOLVED that the Architectural Design Control Districts Design Guidelines for Café Spaces (Chapter 5, Section E.) are hereby approved, as shown in the following, with new language being underlined and deleted language shown with strikeout.

Current (adopted 2012)

ADC District Design Guidelines Chapter 5 - Signs, Awnings, Vending and Cafés.

Section E. Outdoor Cafés

~~All elements, including chains, bollards, tables, chairs, planters, and trash containers, should be the same color, materials, and design character. Black, being the dominant color of mall elements, or silvertone metal are preferred. The use of treated lumber or unfinished wood anywhere on the mall is not allowed.~~

~~1. Fences, Chains, and Bollards~~

- ~~a) Should be wrought iron or black painted metal.~~
- ~~b) Should be kept well maintained.~~
- ~~c) Chain links shall be two inches in length or larger.~~
- ~~d) Bollards shall be at least 3 inches in diameter.~~

~~2. Tables and Chairs~~

- ~~a) Should be wrought iron, black painted or silvertone metal. Other materials or colors require BAR approval.~~
- ~~b) Cloth tablecloths and removable seat cushions are permitted. Materials other than cloth, and color are subject to BAR approval.~~

~~3. Planters~~

- ~~a) Should be compatible in terms of design, scale, and color with other elements of the café. The planter material shall be terra cotta or concrete. Other materials require BAR approval.~~

~~4. Umbrellas~~

- ~~a) If used, may contain a maximum of one dark or neutral solid color that is compatible with the furniture.~~
- ~~b) The size of the umbrella should be in scale with the table. Oversize umbrellas may be permitted, but all parts must be contained within the café space.~~
- ~~c) No text is permitted on an outdoor café umbrella.~~

~~5. Trash Containers~~

- ~~a) Black metal is preferred.~~
- ~~b) Should be located within the café enclosure.~~

Proposed revisions

ADC District Design Guidelines Chapter 5 - Signs, Awnings, Vending and Cafés.

Section E. Outdoor Cafés

(Note: In the published ADC District Design Guidelines, the formatting may change, and appropriate images added, but the text will not be revised.)

Guiding Principles for Outdoor Cafés

- The Downtown Mall NRHP District is individually listed on the Virginia Landmarks Register (VLR) and the National Register of Historic Places (NRHP).
- The Corner is within the VLR/NRHP-listed Rugby Road-University Corner Historic District.
- The brick-paved Mall and the sidewalks at The Corner are City-owned and important public spaces.
- Leased café spaces are not permanent: All elements—including but not limited to furniture, railings, or planters-- should be portable and easily moved manually.
- Within a café space the furniture, elements and materials should be compatible.
- Materials must be durable, high-quality. (Preference for metal; no plastic.)

- Prioritize pedestrian experience: Size and placement of railings, furniture, planters, plantings, and other elements should not create visual barriers.
- For unleased café spaces or when leased but not used for prolonged periods, all elements—including but not limited to furniture, railings, planters-- should be removed from the public right of way.
- Specific to the Mall:
 - Elements of the café spaces must respect the design intent of the Mall. (The Mall is Charlottesville's *living room*.)
 - Maintain sight lines on the Mall by minimizing visual obstructions within café spaces.
 - The fountains should be accessible, with clear space on all sides.
 - Placement of café elements should avoid, and not cause damage to, the Mall trees.

Guidelines for Design Elements

Café enclosures: Railings, bollards, chains, and planters.

- Materials and color: Wrought iron or metal. (See *Planters*.) Black.
- Dimensions: Maximum 36" height. Meet ADA and ABC requirements. Chains: 2" minimum link length. Bollard/Post (width): No minimum; 6" maximum.
- Design: No solid panels between top and bottom rails, including where dining counters are located at the railing. Enclosures must avoid contact with trees.

Dining Furniture: Tables and chairs; dining counters; bar-height counters and chairs.

- Materials and color: Wrought iron or metal, only. Other material requires BAR approval. Black or silver tone. Other colors require BAR approval.
- Dimensions: Furniture should be standard heights: Tables and dining counters (28" to 30"); chairs (16" to 18"); bar counters (41" to 43"); and bar chairs/stools (30"). Maximum table or counter length: 8-ft.
- Design: Shapes, colors, and designs should be generally compatible. No solid panels below dining furniture. Bar-height counters should not be located at the railings so as to create a visual barrier.

Service Furniture and Equipment: Shelves; cabinets; serving counters; host stands.

- Materials and color: Metal frame and shelves. Other material requires BAR approval. Black or silver tone. Other colors require BAR approval. Serving counters: muted colors.
- Dimensions: Max height: Shelves 6-ft; cabinets and serving counters 3-ft. Max length: 4-ft.
- Design: Shelves are open (framed; no solid sides or back). No permanent, enclosed storage cabinets. Rolling carts permitted, but not higher than 36", color is black, must be removed when café is closed.

Planters: On railing or free standing, including use as café enclosure.

- Materials and color: Avoid bright colors. Quality, durable material. Wood, if painted or with opaque stain. No plastic. No feed troughs/bunks. No wood barrels.
- Dimensions: Maximum 36" height, 30" width or diameter. If elevated, top of planter cannot exceed 36" above Mall floor.

- Design: Compatible with other elements of the café. If mounted on railings, top of planter cannot extend above railing. Empty planters may be permitted for decorative purpose, with approval. No lighting in planters.

Plants: In planters.

- Live only. No artificial plants. Recommend non-invasives.
- Preferably not taller than 5-ft above Mall floor; however, plants cannot be used to create a hedge.

Umbrellas:

- Materials and color: Umbrellas: Cloth. Stands: metal. Poles: wood or metal. Prefer solid colors. Variation requires BAR approval. Stands and weights must be black.
- Dimensions: Contained entirely within the café space.
- Design: No designs, signage, or text allowed on umbrella. Weights must be appropriate for the use. Shade cloths are not permitted.

Trash Containers:

- Materials and color: Metal. Black.

All elements, generally:

- Furniture will be of same material and design character.
- Black is preferred, but additional colors must be compatible. No bare galvanized metal.
- Well-made, quality material. Kept well-maintained; easily removed, will not stain or damage Mall floor. No elements may be anchored--permanently or temporarily--to the Mall floor or City property.
- Entirely within leased café enclosure/space (per City Code). No logos, text, or branding, except as allowed by Sign Ordinance.
- Coverings on the Mall floor— including rugs, mats, faux turf--are not permitted. No electrical wires or cords on the Mall floor.

Wood elements, generally:

- Materials and color: Painted or opaque stain. No unfinished wood. No wood barrels.

Temporary decorations, non-tabletop: Items such as flags, banners and pennants (Where permitted by City Code.)

- Not permanent, temporary only for holidays and special events. (See All Elements.)

Heaters: (Where permitted by City Code.)

- Materials and color: Metal. Black or silver tone.
- Dimensions: Pole mounted only. Maximum height 80". Maximum width 24".
- Other: Removed from café space when not in use, including propane tanks. Comply with Charlottesville Fire Department (CFD) and City requirements re: spacing from trees and umbrellas. No open flames permitted. Firepits and fire tables are not permitted.

Attachments to railings (café enclosures) and poles: Includes but is not limited to straps or wires that can be used to attach items to poles and rails.

- Preferably metal, black. Zip-ties, if black. No tape, string, or rope.
- Neatly installed - no sharp edges, such as that the ends of zip-ties are trimmed.
- No hanging planters.

Art pieces, statuary, and other similarly designed objects: (Where permitted by City Code.)

- May be permitted for decorative purpose, with BAR approval.
- No columns or posts. No inflatable objects.

Small decorative items: (Where permitted by City Code.)

- On table tops only. Removed when café is closed.
- Not permitted: Decorations suspended from poles, umbrellas, or railings.

Trees in Bosques

- No tables or service furnishings permitted within 2-ft of a tree trunk. Nothing may be attached to or wrapped around [contacting] the trees.

Lighting, generally:

- Table-top: Free standing, removable. Solar or battery. Candles, if allowed by CFD. Removed when café is closed.
- Lighting/luminaries not permitted: On railings/café enclosures, under counters, up-lighting.

Catenary lights: Overhead, on poles.

- Poles will be straight, round, painted black, and installed within the café enclosure; preferably attached to the café railing.
- Poles will have either shepherd's hooks or rings to support the lights.
- Pole heights will be at a sufficient height* such that suspended light cables will not be lower than 7'-0" at mid-span. (* Preferably not exceeding 9-ft.)
- Light cables will have black wire and sockets with bare bulbs (clear globes, either round or elongated); no holiday mini-lights, no LED tapes.
- Lights will have lamping that is dimmable, have a Color Temperature not exceeding 3,000K, and a Color Rendering Index not less than 80, preferable not less than 90. Colored [not white] and/or blinking lights are not permitted.
- Light cables will be connected only to the poles indicated on the CoA and generally follow a diagonal pattern (see below).
- Light cables will not contact or be connected to the trees, café umbrellas, or City lamp posts.
- Installed lengths (light sets connected in series) will not exceed manufacturer's specifications.
- Power sources (for ex., batteries) for the lights will be provided by café space licensee and located within the leased space. Power source will be screened, secure from tampering,

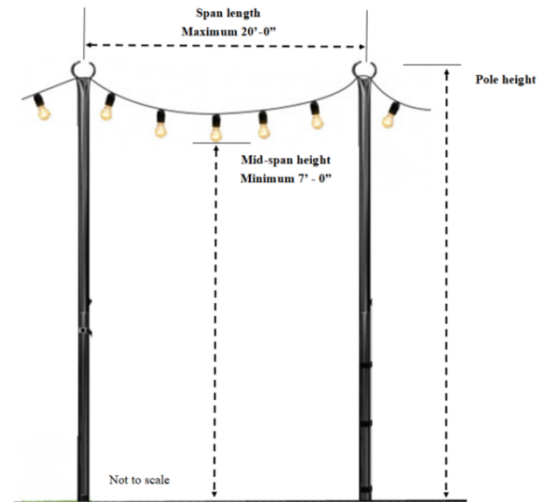
silent, meet applicable code requirements, and will be removed from café space when not in use or when being charged. Connection to City lamp posts/outlets and/or extension cords crossing the Mall from outside the café space are not permitted.

- Anchors, support cables, wires, cords, railing connectors, and other similar attachments not addressed above are not permitted without approval.

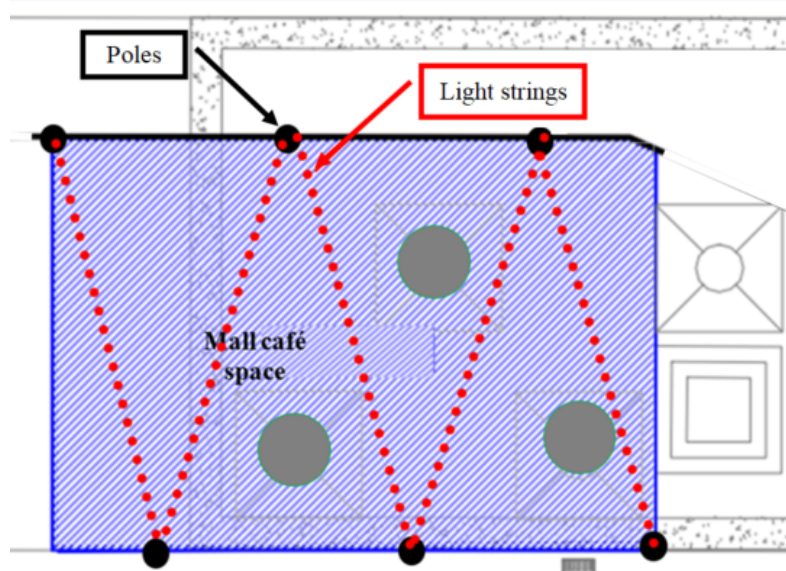
Appropriate pole types:



Dimensions:



Preferred Light String Alignment:



Elements not permitted:

- Screening: Trellis, Lattice.
- Outdoor, upholstered or oversized furniture.