Outdoor Dining Guidelines Regulations
- 2021 Summer/Spring -
Outdoor Dining Typologies during Spring/Summer - Eligibility:

1) Parklets

Modular, protected patios in on-street parking spaces.
Appropriate for areas without significant clusters or without interest in larger Interventions.

• Parking spaces, typically 10’ x 18’
• Parklets will require barriers as needed to safely protect from vehicles
• There can be no breaks in the wall, all wall sections must be connected
• Maintain a minimum path of travel along the sidewalk area of at least 48” in width at all points adjacent to the outdoor dining area
• An applicant’s site plan shall only include parking spaces directly fronting their business establishment. If a site plan includes parking spaces fronting an adjacent business, written consent of the owner of the adjacent business is required.

2) Secondary streets

Full street closure, all hours; meant for pedestrianized alleys or minor streets

• Street closure requires an Ohio Manual on Uniform Traffic Control Devices Type 3 barricade along with an advanced warning road closed sign.
• Other factors that will be evaluated include but are not limited to traffic patterns, impact on other property owners, food delivery service, and emergency response access.
• In addition to this application form, additional process may be required for a full street closure. If initially approved, the City will notify the applicant of the additional steps necessary for a full street closure.

3) Parking lots/Plazas

Eating plazas which replace off-street parking areas.

• Public parking lots must maintain parking spaces for occupancy depending on the size, surplus capacity, and demand of a given lot.
• Private parking lots can be utilized for outdoor dining at the discretion of the owner and approval by the city and the appropriate use permits from the Department of Building and Housing
• Type 3 barricades required when areas exposed to vehicle traffic
Permit Application:

To access the application, click on this link.

All permit application requirements under the Outdoor Dining Guidelines and Regulations are applicable to winter TEA permit applications and renewals.

Permit Duration:

A TEA permit for the spring/summer 2021 season is valid from April 5th, 2020 through November 1, 2021, unless earlier terminated or revoked.

Permit Fees:

No fee is required for a spring/summer 2021 TEA permit.

Temporary Enclosures:

As part of the Restart Dining Team, the City’s Departments of Health, Public Safety, Building and Housing, and City Planning will evaluate each request for temporary enclosures such as tents, igloos, hoop houses, or similar structures used for weather protection.

>> General enclosure requirements

- Shall not be within 10ft. of a fire hydrant;
- Shall have doors or openings without, latches, ties, zippers or other means that prevents one from pushing it open;
- Shall leave a clear path of 36" around 3 sides of every structure;
- Shall have aisle ways that are 36" wide;
- Structure size shall not exceed a maximum square footage of 120 sq. ft per structure or aggregate of structures within 10 ft of each other;
- Shall be substantially anchored, roped, braced or ballasted to prevent movement;
- Shall not attach to utility, traffic/street lighting poles, signs or street furniture;
- All lighting must be exterior rated and GFCI protected;
- Permittees shall be responsible for keeping the unobstructed areas surrounding an enclosure free of snow and ice;
- Permittees shall comply with state and local health requirements to prevent the transmission of COVID-19;
Heating-related requirements

In addition to the TEA permit, a separate permit from the Division of Fire may be required for outdoor gas heating systems. For more information contact the City-Fire Marshal at 216-664-6867.

- A TEA site plan shall include proposed locations and types of heaters;
- Electric heating systems must be UL-listed and directly connected to power;
- Electric heating elements must be at least 3 ft away from any combustible materials;
- No propane, fuel burning, exposed electrical element or flame heat is permitted inside of the enclosure;

Other Requirements and Conditions of Permit:

- Outdoor cooking in the TEA is prohibited;
- Open flames are prohibited. The term "open flames" include candles or any device emitting a flame, fire, or heat. It also includes any flammable or combustible liquids, gas, charcoal, or other cooking devices;
- Permittee shall be responsible for keeping the TEA free of snow and ice;
- The City is not responsible for any damage to structures, furniture, or other components of the TEA due to snow removal, or other winter weather related events;
- Permittee shall hold harmless the City of Cleveland, its officers and employees and shall indemnify the City of Cleveland, its officers and employees for any claims or damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit. Permittee shall furnish and maintain such public liability, food products liability, and property damage insurance as will protect permittee and the City from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage in an amount of not less than One Million Dollars ($1,000,000.00) on account of an accident involving injuries, including death, to one (1) or more persons and property damage insurance in an amount of not less than One Million Dollars ($1,000,000.00), or a combined single limit of One Million Dollars ($1,000,000.00) provided however, that this insurance requirement shall not be construed to limit permittee’s indemnification obligations to the above-required limits of insurance. Such insurance shall also include the City of Cleveland, its officers and employees, as additional insured;
- All other provisions of the TEA Outdoor Dining Guidelines and Regulations, not in conflict with these requirements, shall apply
Off-Street Parking Lots / Open Space

Eating Plazas

The eating plaza intervention converts off-street parking or open space into physically distant seating for the public. While this is intended for city-owned lots, such as the West Side Market parking lot, private owners may be interested in similar solutions for their visitors, or as partners with the community stakeholders.

The ideal areas for this interventions are near significant clusters of dining and cafe activity with existing nearby surplus of parking options, and near other public spaces.

Oversight will be needed to ensure seating is arranged responsibly and signage requesting masks be worn.
PANDEMIC RESPONSE: Outdoor Dining and Public Space Typologies

On-Street Parking Space

Modular "Parklets"

Parklets are on-street parking spaces that have been converted to seating, decoration, or any other use other than storing cars.

The term "modular" refers to the cell-like nature of the space. Each parking space (typically 10' x 18') can be converted as a separate individual patio, but multiple spaces can be joined together as well. This allows for flexible spaces that can adapt to community needs.

Businesses can prioritize their on-street parking space as they see most helpful to their operations and safety. One business on a block can occupy a parking space for curbside pick, while another prefers outdoor seating.
Secondary Streets

Street Closure - All Hours

This street closure is intended for a right-of-way that can be closed all hours and has a substantial cluster of commercial activity. Secondary streets are those without bus routes, critical destinations (like hospitals) and closure would have little to no disruption transportation patterns. In other words, side streets and minor connections.

Both access points would be blocked by barriers, which can be decorated or posted with public safety signage. Businesses may organize to share furniture or cordon off private areas for physically distanced table service.

Markings can highlight six-foot distances. Care must be taken to ensure these areas do not become regional draws and are held to public safety standards.