

# OUTDOOR EATING AREA / OUTDOOR SPECIAL EVENTS

WESTPORT PLANNING AND ZONING

Page 1 of 4

**If YOUR EVENT is to be on TOWN OWNED PROPERTY:**

Go to Room 310 for Board of Selectman approval ONLY - P&Z Approval is NOT required.

**OUTDOOR EATING AREA** - Required for new locations or plan modifications only.

**OUTDOOR SPECIAL EVENT** - Required for all Outdoor Special Events.

All Tents MUST GET a BUILDING DEPT PERMIT - 341-5025

## INSTRUCTIONS:

Applicant MUST complete first section below: # 1 - # 4.

**URGENT:** READ pg 2 for each DEPT BEFORE GOING to THAT DEPT as different requirements apply; fees & hours.

Bring the SAME 3 SURVEYS showing Event Location & signs so to each ALL DEPTS. After # 5 - # 8 are signed then

Go to P&Z Dept LAST during Walk-In hours Wednesdays ONLY 9:00 - 11:30; To apply for PERMIT - Form on pg 3.

1. Address of Property: \_\_\_\_\_
2. Assessor's Property Identification (PID) # (As listed on Assessor's card) \_\_\_\_\_
3. For Outdoor Special Events please list date(s): \_\_\_\_\_
4. **TITLE of PLAN\*** to be reviewed: \_\_\_\_\_ **DATE of PLAN** \_\_\_\_\_

**URGENT: \*YOU MUST Bring the SAME 3 SURVEYS to ALL DEPTS showing Event Location & sign so they all have the same data.**

## HEALTH DEPT APPROVAL - (WWHD) - Required for ALL applications:

5. **Signature** of Health Dept Official: \_\_\_\_\_

Date signed: \_\_\_\_\_ **Health Dept Conditions** if any: \_\_\_\_\_

## FIRE MARSHALL APPROVAL - Required for ALL applications:

6. **Signature** of Fire Marshall or Fire Inspector: \_\_\_\_\_

Date Signed: \_\_\_\_\_ **Fire Dept. Conditions** if any: \_\_\_\_\_

## POLICE CHIEF APPROVAL - If required, see instruction on page 2

7. **Signature** of Police Chief or Designee: \_\_\_\_\_

Date Signed: \_\_\_\_\_ **Police Dept. Conditions** if any: \_\_\_\_\_

## DEPT OF PUBLIC WORKS APPROVAL - For OUTDOOR EATING AREAS ONLY see instructions on page 2

8. **Signature** of DPW Engineering Dept Staff: \_\_\_\_\_

Date Signed: \_\_\_\_\_ **DPW Dept. Conditions** if any: \_\_\_\_\_

9. Applicant's **Signature** - I hereby acknowledge that all WWHD, Fire Dept, DPW & Police Dept. conditions **will be followed.**

\_\_\_\_\_  
*Applicant's Signature*

\_\_\_\_\_  
*Date*

**URGENT: \*YOU MUST Bring the SAME 3 SURVEYS to ALL DEPTS showing Event Location & sign so they all have the same data.**

**PLANNING & ZONING DEPT REQUIREMENTS: - Required for ALL Applications**

Located: 110 Myrtle Ave – Town Hall Rm 203 – 341-1030

1. **P&Z Permit fee \$200.00 Cash or Check made payable to Town of Westport.**
2. A completed & signed form titled *Outdoor Eating Area/Outdoor Special Event Form*. (Get All Signatures on Page 1)
3. A completed *P&Z Zoning Permit Form*. For Outdoor Special Events, include a description. (Form attached)
4. Plans Required:
  - Three (3) copies of survey drawn to A-2 standards showing location of proposed Outdoor Eating Area or tent location for Outdoor Special Event; and
  - Three (3) copies of Building Plans and Elevations for any proposed tents awnings or any other structures putting up.
  - For **OUTDOOR EATING AREAS**: Floor plans showing the amount of patron floor area for Restaurants, Cafes & Taverns or Total Floor Area for Retail Food Establishments
5. Permits for Outdoor Eating Areas must be renewed **EACH year by May 1<sup>st</sup>**. Existing locations with no changes will be referred to HEALTH DEPT for annual comment directly by P&Z. ALL NEW Outdoor Eating Areas or modifications to existing areas must submit these approvals.

**HEALTH DEPT (WWHD) REQUIREMENTS: - Required for ALL Applications:**

Located at 180 Bayberry Ln.-227-9571

1. All Outdoor Eating Areas for Restaurants and Retail Food Establishment require HEALTH DEPT approval.
2. Any Outdoor Special Events that **serve food** to the public require HEALTH DEPT approval.
3. HEALTH DEPT Plan review fee of \$100.
4. Surveys & Plans Required:
  - Three (3) copies of survey drawn to A-2 standards showing location of proposed Outdoor Eating Area or tent location for Outdoor Special Event; and
  - Three (3) copies of Building Plans and Elevations for any proposed tents, awnings or any other structures putting up.

**FIRE MARSHALL REQUIREMENTS: - Required for ALL Applications:**

Located at 515 Post Rd E 2<sup>nd</sup> Floor of Fire House – 341-5025

1. Any tents, other structures with roofs, outdoor cooking or outdoor heaters require Fire Marshall approval.
2. The fire rating of all tents and awning must be provided to the Fire Marshall.
3. Any locations that could potentially **block emergency egress** from a building require Fire Marshall approval.
4. Surveys & Plans Required:
  - Three (3) copies of survey drawn to A-2 standards showing location of proposed Outdoor Eating Area or tent location for Outdoor Special Event; and
  - Three (3) copies of Building Plans and Elevations for any proposed tents awnings or any other structures putting up.

**POLICE CHIEF & DEPT of PUBLIC WORKS REQUIREMENTS: - If Required, see Below:**

Located at 50 Jesup Rd – 341-6000

Located at 110 Myrtle Ave – Town Hall Rm 210 – 341-1120

1. Any Outdoor Eating Areas or Outdoor Special Events effect parking areas or pedestrian safety on a sidewalk.
2. Outdoor Special Events utilizing **OFF-SITE parking MUST** get their **Parking** arrangements approved by Police Dept.
3. Surveys Required:
  - Three (3) copies of Survey drawn to A-2 standards showing location of proposed Outdoor Eating Area or tent location for the Outdoor Special Event.

Page 3 = Zoning Permit Form, which is required after this Outdoor Eating Area or Special Event Form process is completed.

**REMINDER:**

**All TENTS MUST GET a BUILDING DEPT PERMIT after Zoning Permit – CALL Building Dept for appointment - 341-5025.**

# WESTPORT REGULATIONS

## §5-2 DEFINITIONS *Rev 08-17-15*

### TERM

***Outdoor Special Events:***

Outdoor Special Events shall include special cases, unusual circumstances, annual events or seasonal uses including; 1) any outdoor event open to the public located on private property; 2) any outdoor event in a residential zone on private property occupied by a Special Permit use as listed in §11-2.2; 3) any outdoor event that has a tent(s) that total larger than 350 square feet of area that will be placed on a residential property for more than 7 days; 4) any commercial filming, photography or promotion projects that involve either a cast/crew of larger than 7 people or last for more than 3 hours; 5) amusement devices, such as carrouseles, roller coasters, whirligigs, merry-go-rounds and ferris wheels.

### ***32-23 Special Requirements for Outdoor Special Events - 11-17-14***

Outdoor Special Events as defined in §5 shall be permitted in all Zoning Districts subject to the following requirements:

1. **Departmental Approvals:** All Outdoor Special Event applications shall be approved by the Westport-Weston Health District, the Police Department and the Fire Marshall's office as applicable prior to the issuance of a Zoning Permit.
2. **Time Limits:**
  - A. **Commercially Zoned Property**  
Any approved event may not exceed a duration of more than 10 days. Events that are more than 10 consecutive days in length shall require Site Plan approval from the Planning & Zoning Commission.
  - B. **Residentially Zoned Property**  
Any approved event may not exceed a duration of more than 2 days. Events that are more than 2 consecutive days in length shall require Site Plan approval from the Planning & Zoning Commission.
  - C. **Special Permit Uses listed in §11-2.2 on Private Property in Residential Zones**  
Any approved event may not exceed a duration of more than 7 days. Events that are more than 7 consecutive days in length shall require Site Plan approval from the Planning & Zoning Commission.
3. **Parking Requirements:** Outdoor Special Events shall provide adequate off-street parking.
4. **Setback Requirements:** Any tents or temporary structures associated with Outdoor Special Events shall not be located within any front, side or rear yard setbacks. Except for tents up to 5 feet in width that are required by the Westport Weston Health District for the delivery of food to the place where it will be served but shall not be used as an area where food is served.

5. **Hours of Operation:**
  - A. **Commercially Zoned Property**  
Hours of operation shall be limited to between 7:00am and 11:00pm Sundays through Thursdays and between 7:00am and 1:00am on Fridays and Saturdays.
  - B. **Residentially Zoned Property**  
Hours of operation shall be limited to between 8:00am and 10:00pm Sundays through Thursdays. However, events on Fridays and Saturdays may be extended to 1:00am with the approval of the Planning & Zoning Commission.
  - C. **Special Permit Uses listed in §11-2.2 on Private Property in Residential Zones**  
Hours of operation shall be limited to between 8:00am and 10:00pm Sundays through Thursdays. However, events on Fridays and Saturdays and may be extended to 1:00am with the approval of the Planning & Zoning Commission.
6. **Lights, Noise & Odors:** Outdoor Special Events shall minimize the impact of lights, noise and odors on surrounding residential properties.
7. **Exceptions:** Outdoor Special Events located on Town-owned property authorized by the Board of Selectman shall be exempt from the need for a zoning permit.
8. **Westport Athletic Special Events:** Westport Athletic Special Events as defined in §32-19 shall be subject to the requirements of §32-19 only.
9. **Repeat or Annual Events:** Repeat or Annual events, in which there are no material changes, that normally require Planning & Zoning Commission approval may be allowed to obtain a Zoning Permit from the P&Z Staff without a new public hearing provided that in the discretion of the P&Z Director no substantive complaints have been received in prior years about the event.

WESTPORT WESTON HEALTH DISTRICT  
180 Bayberry Lane, Westport, CT 06880-2855  
Telephone: (203) 227-9571 / Fax: (203) 221-7199

Fee:	\$100.00
Paid:	Cash <input type="checkbox"/>
	Check <input type="checkbox"/>
	Other <input type="checkbox"/>

**APPLICATION FOR FOOD ESTABLISHMENT PATIO REVIEW:**

Name of Business: \_\_\_\_\_

Address of Business: \_\_\_\_\_ Town: \_\_\_\_\_ ZIP: \_\_\_\_\_

Contact Person Name: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Town/State/Zip: \_\_\_\_\_

*(Please circle appropriate answer)*

Patio food service: Yes / No                      Patio beverage service bar: Yes / No

Patio waiter service: Yes / No

Number of tables and chairs for patio service \_\_\_\_\_

***ON BACK SIDE OF THIS APPLICATION, SKETCH PATIO, TABLE & SERVICE LAYOUT***

*I attest here that the information supplied here is accurate and correct.*

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Print name and title: \_\_\_\_\_

\_\_\_\_\_ For Office Use Only \_\_\_\_\_

WWHD approval date:	Date letter created:	Date letter mailed:
By:	By:	By:

WWHD comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Outdoor Patio Dining

Outdoor "picnic" dining with **NO** outdoor food service requires WWHD and P&Z approval. An application must be submitted.

The following requirements are necessary for the operation of any outdoor patio dining food service area, with or without a service bar:

- The outdoor dining area must be accessible from the existing restaurant building only. Patrons may only exit from the patio area.
- Patrons will be served only by restaurant employees.
- No condiments are to be stored on tables or in the service bar.
- No patron seating will be permitted at the service bar.
- All glasses and utensils are to be properly covered and stored so that they are protected from insects and the elements.
- Only beverages may be prepared at the service bar. Absolutely no preparation or cooking of food will be permitted at the service bar or in the outdoor dining area.
- Perishable condiments, drink and all ice mixes are to be properly refrigerated and protected from insects and the elements.
- The service bar must be covered completely by an awning type roof that can be removed. The awning must be approved by the Fire Department and the Planning and Zoning Department.
- Outdoor dining tables **MUST** be covered by umbrellas or other awning type roof/overhang.
- For those establishments proposing an outdoor service bar, a plan review will be required to ensure compliance with the Westport Weston Sanitary Code. This plan review must be completed before construction/renovation of the outdoor service bar. A copy of the plan for the service bar, drawn to scale, with an attached equipment schedule must be submitted to the Westport Weston Health District.

*Please contact the Food Service Sanitarian to schedule an appointment for a plan review if you are planning to construct or use an outdoor service bar. There is no assurance that a permit will be issued by another town department.*

The following documents and materials must be submitted in order to obtain Health District approval for patio renovation or construction, and must be approved by the Health District prior to the start of any patio construction or renovation:

1. Application for patio plan review, with the **\$100.00** fee.
2. Two (2) copies of the patio plan, drawn to scale.
3. Layout with location and numbers of tables and chairs.
4. For service bars; a numbered equipment schedule, listed on prints, and equipment cut sheets are required.

**Note: Patio approvals are not transferrable with a change of ownership. This application is required once by an owner unless there is a renovation or change from what was originally approved by the WWHD.**

These regulations are required by the State of Connecticut *Public Health Code*, Section 19-13-B42.