



## SIDEWALK CAFÉ PERMITS

*Revised 11/14/17*

### OVERVIEW

The City of Seattle encourages sidewalk cafes to increase public use, enjoyment, and safety. With proper design and management, sidewalk cafes can be a great way to encourage walking, add vitality to the street, and promote local economic development.

### DEFINITION

A Sidewalk Café Permit allows a food service establishment to set up tables and chairs on the sidewalk immediately next to the business. A sidewalk cafe can provide table service and serve alcohol, if the establishment has an active liquor license. Both umbrellas and fencing may be used in the café design. Unlike a Tables and Chairs Permit, a Sidewalk Café Permit allows the establishment to secure seating for their patrons exclusively.

*Note: Applicants wanting a permit that allows tables and chairs located in a roadway area or converted parking spot require a pilot streaterly or parklet program application. More information on these two programs can be found at [www.seattle.gov/transportation/permits-and-services/permits/parklets-and-streateries-permits](http://www.seattle.gov/transportation/permits-and-services/permits/parklets-and-streateries-permits).*

### REQUIRED INFORMATION/ DOCUMENTATION

- Public Space Management Permit Application, available at [www.seattle.gov/transportation/permits-and-services/permits/public-space-management-permits](http://www.seattle.gov/transportation/permits-and-services/permits/public-space-management-permits).
- Letter of Authorization.
- Site Plan, including a fencing delineation plan.

- Certificate of Liability Insurance, plus an endorsement. More information on liability insurance is available in CAM 2102, found at [www.seattle.gov/Documents/Departments/SDOT/CAMs/cam2102.pdf](http://www.seattle.gov/Documents/Departments/SDOT/CAMs/cam2102.pdf).
- One-time application review fee. Please see current Street Use fee schedule for current rate
- Base permit fee of \$588 due at intake, plus an issuance fee of \$146 + \$1.56 per square foot.
- Platforms and structures in the right of way are discouraged, and are only permitted where topography (8 percent grade or more) is a concern. Platforms require additional application review and fees.
- If the café will be located in a Historic District, a Certificate of Approval from the appropriate community board or commission is required before applying. See Historic District designations at [www.seattle.gov/neighborhoods/programs-and-services/historic-preservation/historic-districts](http://www.seattle.gov/neighborhoods/programs-and-services/historic-preservation/historic-districts).

### I. SIDEWALK CAFÉ APPLICATION PROCESS

Applications for a Sidewalk Café Permit may be submitted either by the property owner or the operator of the food service establishment.

#### Access to Information

Client Assistance Memos are available online at: [www.seattle.gov/transportation/document-library/client-assistance-memos](http://www.seattle.gov/transportation/document-library/client-assistance-memos). Paper copies of these documents are available at our Permit Services Counter located on the 23rd floor of the Seattle Municipal Tower at 700 5th Avenue in downtown Seattle; phone number (206) 684-5253.

**LEGAL DISCLAIMER:** This Client Assistance Memo (CAM) should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this CAM.

## Application Steps:

1. **Review the Sidewalk Café Standards.** Develop a site plan for your proposed sidewalk café (see Section VI for design standards). All standards must be met for an application to be approved.
2. **Collect the Required Documentation.** See the list above.
3. **Visit SDOT.** Applications should schedule an informational pre-application meeting with the SDOT Public Space Management (PSM) Group. A permit reviewer will help you determine if sidewalk width, zoning, and existing obstructions in front of your food service establishment will allow for a sidewalk café. The PSM group is located at:

Seattle Municipal Tower  
700 Fifth Ave, Floor 23  
Seattle, WA

We can be reached by phone at (206) 684-5267 during normal business hours. Call ahead to schedule a time with a permit specialist.

4. **Submit Complete Application.** Applications can be submitted in one of two ways:

In person: Street Use Permit Counter  
Seattle Municipal Tower  
700 Fifth Ave, Floor 23

Mail: SDOT  
Attn: Public Space Management  
P.O. Box 34996  
Seattle, WA 98124-4996

Email: [publicspace@seattle.gov](mailto:publicspace@seattle.gov)

5. **Post Notice at the Proposed Location.** Once your complete application has been submitted, SDOT will send you a notice form. This public notice must be posted in a location where it is highly visible from the sidewalk next to the food service establishment. This form must be posted for a 10-business-day public comment period. SDOT will also post the notice online at [www.seattle.gov/transportation/projects-and-programs/programs/public-space-management-programs/sidewalk-cafes](http://www.seattle.gov/transportation/projects-and-programs/programs/public-space-management-programs/sidewalk-cafes).

During the notice period, any interested person may submit written comments on the project to SDOT. These comments will be considered during the application review.

6. **Application Review and Site Visit.** SDOT will review the application and may contact you to request or correct any information. SDOT will visit the site to ensure the layout meets standards and verify that the public notice has been posted. SDOT may require the applicant to repair portions of any damaged sidewalk, if applicable.
7. **Permit Decision.** After the public notice period and staff review are complete, SDOT will either:
  - Approve the application.
  - Approve the application with modifications.
  - Deny the application.

The SDOT decision will be posted for 10 business days both at your food service establishment and on the SDOT website. If approved, the applicant must pay the permit fees and sign the permit at the Street Use Permit Counter (address above) prior to the permit being issued.

The sidewalk café cannot be installed until all applicable fees have been collected and an approved Street Use Permit has been issued. The sidewalk café permit must be stored on site and available to view upon request.

**Request for Review or Reconsideration.** Anyone can request a review or reconsideration of a permit decision. A request for review or reconsideration of the Sidewalk Café Permit decision may be made to the SDOT Director. This request should be submitted, in writing, within 10 calendar days of the permit decision posting (as per SMC 15.04.112). The request must identify:

- The permit application that is up for review or reconsideration. You can identify the permit by:
  - The permit ID number.
  - Permit application address.
- The specific objections to the original SDOT decision.
- The specific actions being proposed by the business that could change the permit decision.

The Director's decision on review or reconsideration will be final. Please see the Seattle Municipal Code (SMC) for the final authority on sidewalk café rules and regulations.

## II. PROOF OF INSURANCE

The applicant must provide proof of at least \$2 million dollars in liability insurance while the permit is in effect, including potential claims for bodily injury, death, or disability and property damage which could occur at or be related to sidewalk café purposes. The insurance must name the City of Seattle as an additional insured. Insurance documents must include specific endorsements such as CG 20 12 or CG 20 26. (Review [SDOT CAM 2102, Certificate of Liability Insurance](#), for specific requirements).

## III. FEES

The one-time application review fee is due with the application submission (see current fee schedule for cost). Payment may be made by cash or check. Credit card (VISA or MC) is only accepted for payments made in-person.

Annual permit fees are due once an application has been approved and must be paid before a permit is issued. The Annual Use Fee covers a one-year period and is not pro-rated. SDOT will automatically mail the food service establishment an invoice to renew the Sidewalk Café Permit annually if the permit is in good standing.

## IV. PERMIT REVOCATION / EXPIRATION

All Street Use permits are wholly of a temporary nature and can be revoked by SDOT given a 30-day notice, per SMC 15.04.070. Sidewalk café operators must comply with the terms and conditions of the permit, and must keep the sidewalk clean and safe for pedestrians. In the event that a sidewalk café does not meet the terms and conditions of the permit, SDOT may issue a Notice of Violation or citation to the applicant.

In the case of a major public event, such as a parade, SDOT or the City may ask your business to remove your sidewalk café. SDOT or the City must make this request at least 24 hours prior to the time they request removal by. In an emergency, the City may immediately clear the sidewalk café to preserve public health and safety. If this should occur, the City will not be responsible for damages.

A new permit is required if a business is sold. A permit modification is needed if site conditions have changed. If proper modifications are not made, or the modifications are not in compliance with sidewalk café regulations, the permit will be revoked.

## V. FREQUENTLY ASKED QUESTIONS

- **What if I already have a sidewalk café permit?**  
If conditions haven't changed, existing permitted sidewalk cafés will continue to renew annually. If site conditions have changed, modifications to the café and permit are necessary to stay in compliance.
- **How do I report an issue with noise or a café that is encroaching into the sidewalk?**  
Noise-related issues can be sent to the Seattle Police Department's non-emergency number at (206) 625-5011. The City also has a noise abatement team. More information can be found at [www.seattle.gov/dpd/codesrules/codes/noise/](http://www.seattle.gov/dpd/codesrules/codes/noise/).

SDOT handles issues of sidewalk encroachment. We can be reached at (206) 684-5283 from 8 AM to 5 PM during the work week. SDOT has the right to require immediate changes if a sidewalk café has expanded beyond its permitted area, and may revoke an approved Sidewalk Café Permit due to any ongoing problems.

- **Will sidewalk cafes be required to provide ADA access?**  
It is the food service establishment's responsibility to comply with all regulations of Title III of the Americans with Disabilities Act (ADA). SDOT will evaluate the design plan and make recommendations. Our approval of a café does not guarantee that it meets federal accessibility requirements.

[SDOT Sidewalk Café Director's Rule](#) requires new sidewalk cafes retain:

1. An ADA-compliant path-of-travel for pedestrians on the sidewalk.
  2. A detectable barrier between the sidewalk café and the path of travel.
  3. To provide wheelchair access to seating platforms.
- **What about sidewalk cafés on private property?**  
Outdoor seating areas on private property beyond the public right of way will require a separate Seattle Department of Planning and Development (DPD) review and approval. Applications that require DPD review will be routed internally by SDOT while your application is being processed.

## VI. SIDEWALK CAFE STANDARDS

For more detailed information and standards, please see [www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/DirectorsRules/SDOT%20Director's%20Rule%204-2011.pdf](http://www.seattle.gov/Documents/Departments/SDOT/About/DocumentLibrary/DirectorsRules/SDOT%20Director's%20Rule%204-2011.pdf) or Seattle Municipal Code, Chapter 15.16 at [www.municode.com/library/wa/seattle/codes/municipal\\_code?nodeId=TIT15STSIUS\\_SUBTITLE\\_ISTUSOR\\_CH15.16SICA](http://www.municode.com/library/wa/seattle/codes/municipal_code?nodeId=TIT15STSIUS_SUBTITLE_ISTUSOR_CH15.16SICA).

### A. Compliance with ADA

Places (like sidewalk cafes) that offer accommodations to the public are required to comply with Title III of the ADA. These accommodations must provide an equal opportunity for individuals with disabilities to enjoy the goods and services offered. Programs, activities, and services provided by state or local government entities are covered by Title II.

### B. Clear Path of Pedestrian Travel

Cafes may, at maximum, occupy ½ of the width between the property line and the nearest obstruction.

At least 6' of clear path of travel is required on all sidewalks located within the Downtown Urban Center (see Figure 2 for included streets). At least 5' of clear path of travel is required on all other sidewalks. The clear path of travel is measured from the outside edge of the sidewalk café fencing or fence post base to the nearest obstruction (i.e., tree pit, parking meter, bike rack, planting strip, etc. – see Figure 1). If no obstruction exists, the clear path of travel is measured to the back of the curb.

Sidewalk cafes may not encroach into tree pits. A-frames, portable signs, or any other object is not allowed in the clear path of travel.

The clear path of travel should be straight and not involve sharp or jagged turns that would impair pedestrian circulation. Please see Figure 3, which outlines the Pedestrian Visual Corridor requirements per SMC 15.02.046D.

See Figure 1 for more café spacing requirements.

### C. Setbacks

Setbacks are required from the following elements. These elements must be clearly identified on the required site plan in the permit application:

1. 5' from alleys and from bus, handicapped parking, and commercial loading zones.

2. 5' from parking meters or pay stations, traffic signs, SDOT and utility poles, fire hydrants, bike racks, and other street fixtures.
3. 3' from the front of the curb whenever a sidewalk café is located adjacent to curb. See Section VI(J) for requirements for approving a sidewalk cafe to be located adjacent to the curb.
4. 5' from curb ramps, or the beginning of the corner curb radius (see Figure 1) where curb ramps do not exist.

### D. Building Exits

A clear path of travel must be maintained for any building exit, and must be at least 4' wide or of equal width to the exit door – whichever is wider. This path of travel must be free of obstructions, including gates of any type, and connect the building exit to the sidewalk.

### E. Exiting and Occupancy Requirements

Sidewalk cafés will not require a change to the occupancy permit for the food service establishment, provided the following standards are met:

1. Any sidewalk café less than 75 square feet must have an exit directly to the public sidewalk. The exit must be free of obstructions, including all gates.
- 2a. If the total area of the sidewalk café is 75 square feet or more, a direct (and legal) exit path can be provided directly to the public sidewalk.
- 2b. If the total area of a sidewalk café is 75 square feet or more and the only legal exit path is through the establishment, a DPD review is required. This review will be routed internally by SDOT while your application is being processed.

### F. Fencing

Fencing or another physical perimeter to define the café from the clear path of travel is required. The following design standards apply to fencing:

1. Fencing must be between 30" and 42" high.
2. Fencing must be detectable by cane and should be of a contrasting color to warn visually-impaired persons of potential hazards in the path of travel. It is the food service establishment's responsibility to comply with all regulations of Title III of the Americans with Disabilities Act (ADA). Fencing must include one or more of the following detectable elements:
  - a. A toe rail with its top edge at least 6" minimum in height and its bottom edge no higher than 1/2" - 1" above the adjacent surface.

- b. Fencing, landscaping, or other post-mounted objects that are detectable by cane cannot be more than 27" above the ground and cannot be more than 12" from post to post. This includes objects that project out into the street, such as mailboxes or signs.
  - c. Elements must be sufficiently detectable by cane to warn visually-impaired persons of potential hazards in the path of travel.
3. Fence posts may either be attached to the sidewalk with bolts or utilize free-standing bases. When bolted fencing is removed, the bolts must be removed from the sidewalk, the holes must be filled, and the sidewalk must be restored to original or better condition.
  4. Fencing should be constructed with a railing, rope, or other horizontal element. Posts with pointed tops are not permitted.
  5. Fencing must be constructed of high-quality finished materials, such as steel, glass, or finished woods. Plastic and/or raw or pressure-treated lumber is not allowed. Avoid solid panels – fencing must have some level of transparency.
  6. Fencing shall not contain electrical or other utility elements.
  7. Elevated flower pots/planters may be used in lieu of fencing. Ropes or chains with free-standing bases may also be used. Alternative fencing must meet all applicable listed standards.
  8. All seating and tables must be movable to accommodate wheelchair access. It is the food service establishment's responsibility to comply with all regulations of Title III of the ADA.

### **G. Seating Platforms**

Seating platforms and other structures are discouraged. Only proposed sidewalk café sites that require leveling due to site topography will be considered for an additional Street Use seating platform permit. You must apply for a separate platform Street Use permit on their application. Additional fees and review by SDOT are required for all proposed seating platforms. If the platform surface is 18" or more above existing grade, DPD will also review the application and may request additional permit applications.

Platforms must be compliant with **2010 ADA Standards for Accessible Design, section 28 CFR 35.151 (g)3**.

### **I. Heating Elements and Overhead Weather Protection (Umbrellas)**

Heating elements and free-standing umbrellas are allowed within the footprint of the permitted café, but may not encroach on the clear path of travel (see Section VI (B)). Heating elements must be of a type permitted by the Seattle Fire Marshall and must be temporary in nature and easy to remove.

An umbrella is not considered to encroach on the clear path of travel if:

1. The opened portion is more than 8' above sidewalk grade and
2. No part of the umbrella is within 25' of a stop sign.

### **J. Sidewalk Café Adjacent to a Curb**

For cafes in curb space, see the pilot streatory program.

Sidewalk café seating is allowed adjacent to the curb only if:

1. On-street parking is present.
2. The clear path of travel requirements (Section VI (B)) are met.
3. The setback requirements described in Section VI (C) are met.

### **K. Amplified Sound**

Installation and use of speakers and other amplified sound equipment is not allowed.

### **L. Liquor Control**

Sidewalk cafés must be in compliance with all Washington State Liquor Control Board (WSLCB) laws, subject to WSLCB enforcement.

### **M. Hours of Operation**

Sidewalk cafés may operate during the food-service establishment's general business hours. Tables and chairs can remain in the sidewalk café outside of business hours.

### **N. Prohibited Uses**

The sidewalk café may not be used for any purpose other than food and beverage service associated with the adjoining business. Outdoor storage or other uses are strictly prohibited.

## VII. ADDITIONAL REFERENCE MATERIAL

The following pages have examples of:

- Sidewalk Café Letter of Authorization
- Figure 1: Required Clear Path of Travel and Setback from Obstructions for Sidewalk Cafes
- Figure 2: Downtown Urban Center
- Figure 3: Pedestrian Zone/Pedestrian Visual Corridor





**Seattle**  
Department of  
Transportation

Seattle Department of Transportation  
Street Use & Urban Forestry Division  
700 Fifth Avenue, Suite 2300 | P.O. Box 34996  
Seattle, Washington 98124-4996  
(206) 684-3679 | [publicspace@seattle.gov](mailto:publicspace@seattle.gov)

SDOT Permit Number

(Official Use Only)

DATE STAMP  
HERE

PUBLIC SPACE MANAGEMENT

## SIDEWALK CAFÉ/STREATERY LETTER OF AUTHORIZATION

### OWNER/AGENT INFORMATION

#### Owner (Business or Property)

Address

City, State, Zip Code

Phone Number

Fax Number

Email Address

Contact Name (if different than above)

#### Authorized Agent

Address

City, State, Zip Code

Phone Number

Fax Number

Email Address

Contact Name (if different than above)

### TO WHOM IT MAY CONCERN

As owner(s), I/we authorize: \_\_\_\_\_  
Authorized Agent Name

to act as Permittee for the SDOT Sidewalk Café/Streatery Permit for the property located at:

\_\_\_\_\_  
Project Address

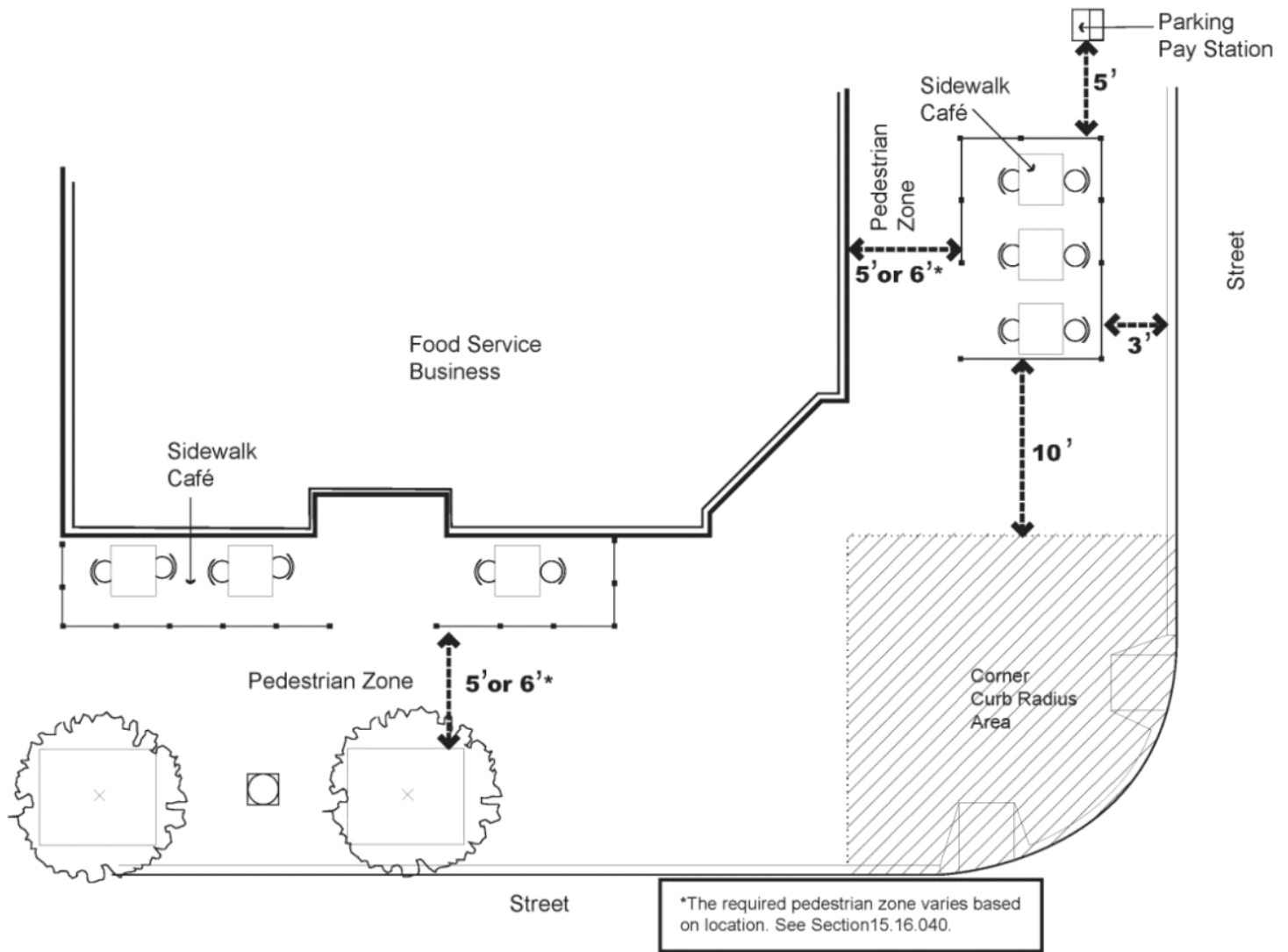
- ☐ As owner, I verify the sidewalk café/streatery will only be operated by a food-service establishment as defined by King County Board of Health Code 5.04.290

**Owner's Signature:** \_\_\_\_\_

**Owner's Printed Name:** \_\_\_\_\_

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

**Figure 1: Required Clear Path of Travel and Setback from Obstructions for Sidewalk Cafes**



Other 5' setbacks:

- Parking meters
- Pay stations
- Traffic signs
- Utility poles
- Bike racks
- Alleys
- Disabled parking zones

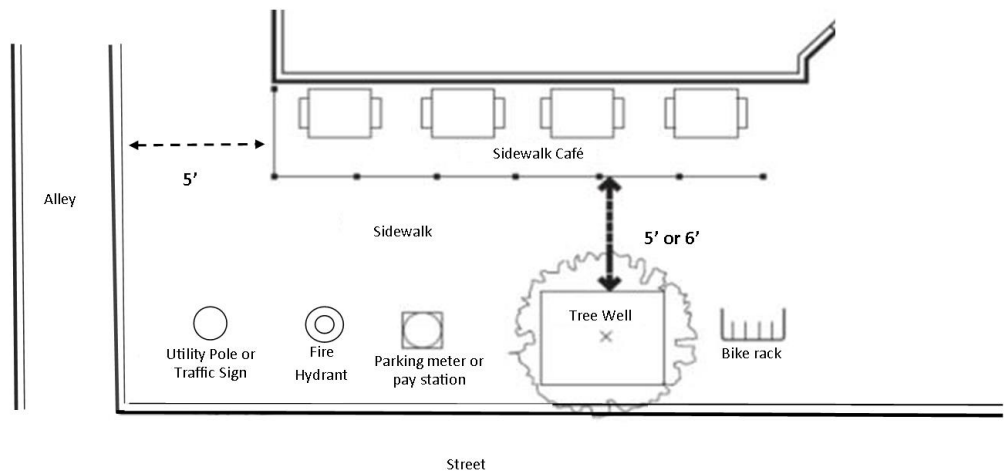
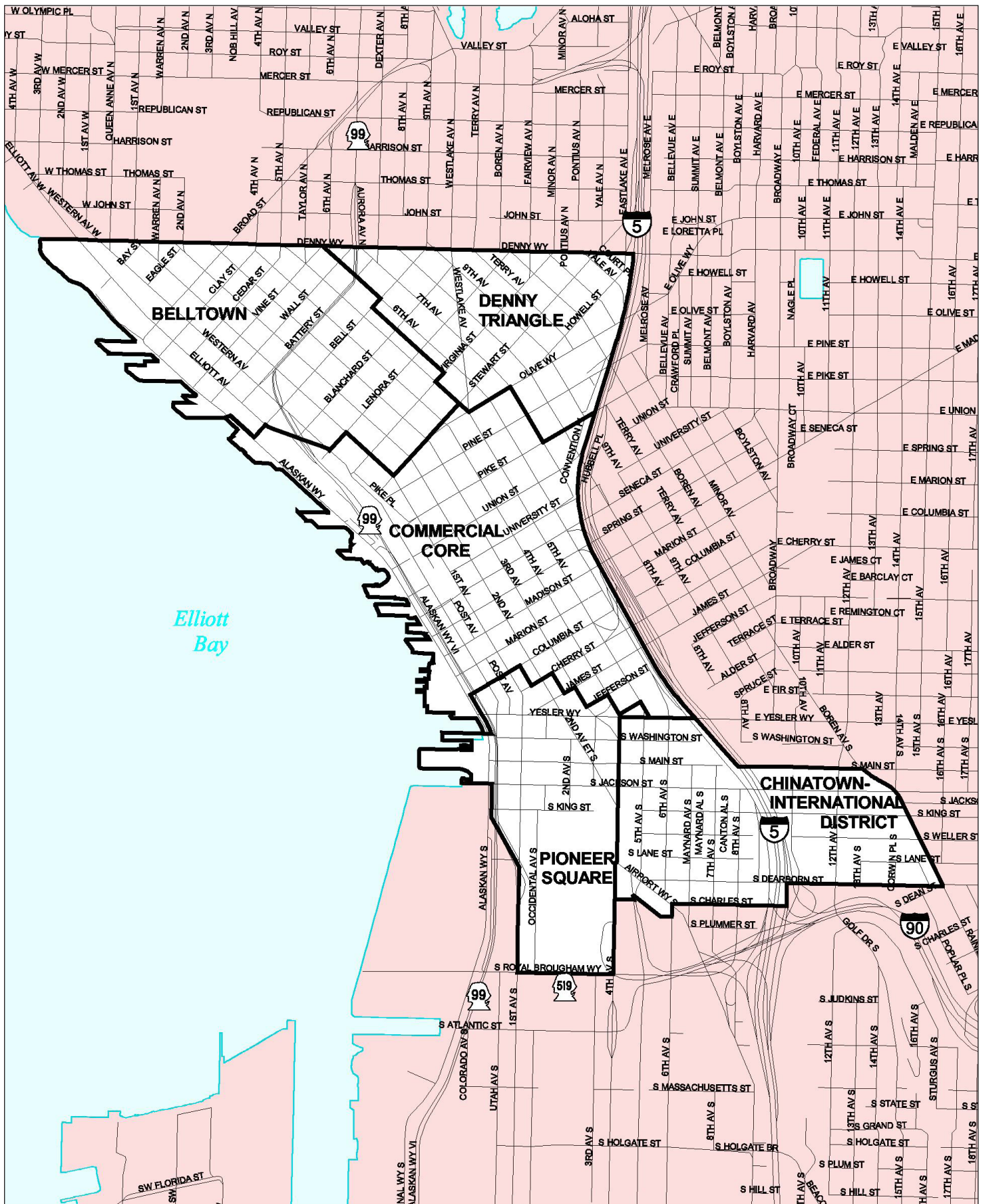
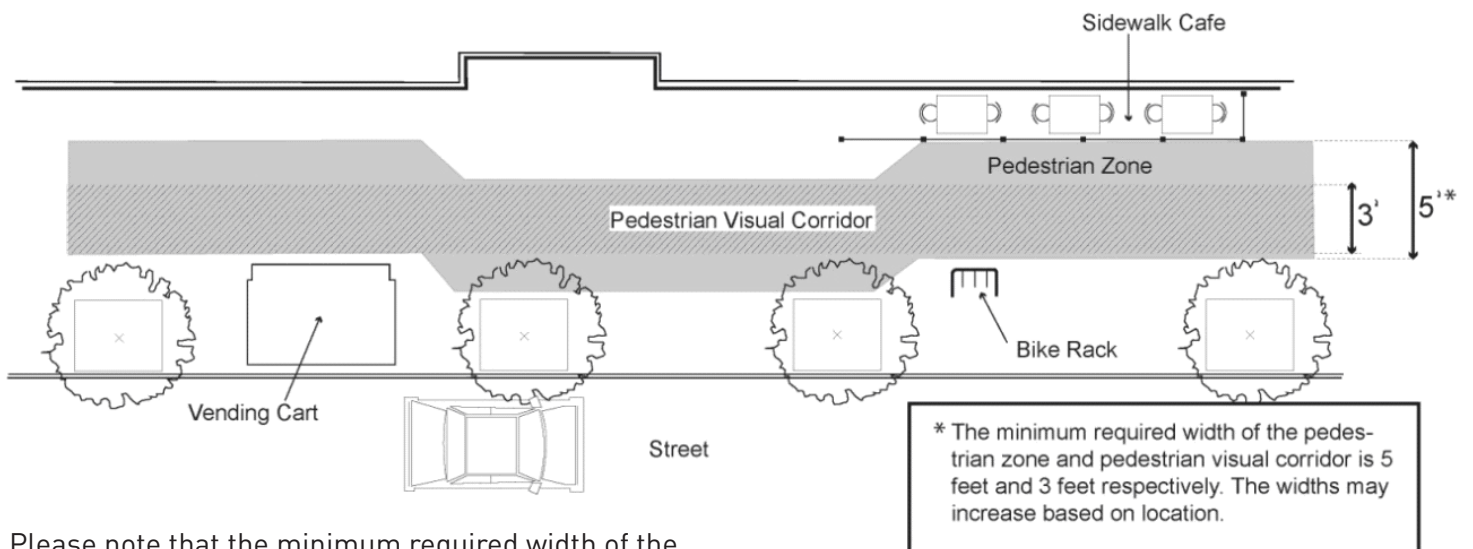




Figure 2: Downtown Urban Center



**Figure 3: Pedestrian Zone/Pedestrian Visual Corridor**



Please note that the minimum required width of the pedestrian zone and pedestrian visual corridor is 6' and 4', respectively, when in the Downtown Urban Area (see Figure 2)