



SIDEWALK CAFÉ/SEATING PERMIT PROCESS AND STANDARDS

OVERVIEW

Sidewalk cafés/seating increase open spaces, business activity and ultimately add vitality to the community. The City of Vancouver supports business owners who would like to take advantage of this initiative by providing Americans with Disabilities Act (ADA) compliant design guidelines that promote safety, access and comfort in order to help ensure that there is a clear path for all residents.

WHAT IS IT?

A sidewalk café/seating permit allows a food service establishment to set up tables and chairs on the sidewalk immediately next to the business or in an area adjacent to the curb, and outside of the pedestrian path. A sidewalk café can provide table service and serve alcohol, providing the business meets all Washington State Liquor and Cannabis Board (WSLCB) requirements. The City of Vancouver requires that sidewalk café/seating permits be submitted and reviewed annually.

WHAT IS REQUIRED?

- **Application:** Completed Sidewalk Café/Seating Permit Application by the business or property owner.
- **Site Plan:** Develop a site plan for your proposed outdoor seating in compliance with the City's Sidewalk Café/Seating Standards. All standards must be met for an application to be approved. Your site plan drawing must include dimensions and delineate fencing, boundary markers, or the combination of the two. Plans should also show tables and fixed objects (e.g., fire hydrants, tree wells, bike racks, sign posts, etc.).
- **Certificate of Liability Insurance:** Must include endorsement naming the City as Additional Insured and include the following coverage amounts: \$2,000,000 general aggregate, \$1,000,000 personal injury and \$1,000,000 each occurrence.
- **Hold Harmless Agreement:** Must be signed and notarized. Original signed document should be submitted. Note: The City does not provide notarization services.

While not required for City sidewalk cafés/seating permit approval, all WSLCB requirements shall be met prior to alcohol service. A valid City sidewalk café/seating permit is one of the WSLCB requirements to serve alcohol outdoors.

SIDEWALK CAFÉ/SEATING APPLICATION PROCESS

After you have prepared a draft of your site plan and prior to submitting documents for your sidewalk café/seating permit, you may schedule a review of your materials and site visit with City Sidewalk Management staff by emailing sidewalks@cityofvancouver.us or calling 360-487-8196.

1. Submit Documents.

In-person: Bring your four required documents to the Permits Center at Vancouver City Hall, 415 W. 6th Street. Your original signed Hold Harmless Agreement should be submitted.

Email: Scan and email your documents to sidewalks@cityofvancouver.us.

2. Application Review and Site Visit. Your application will be reviewed and you may be contacted to correct and/or provide additional information. Sidewalk Management staff will schedule a site visit to assure the layout meets current City standards for permits.

3. Permit Decision. You will receive an email notifying you of the status of your application as either approved, approved with modifications, or denied.

4. Payment. You will receive the email notifying you that your permit application has been approved and you may now pay your permit fees.

Online payments can be made at cityofvancouver.myrelayview.com/Permits.

In-person payments can be made at the City's Permit Center Monday, Wednesday and Friday from 9 a.m. - 4 p.m. The Permit Center is closed between 12:30 - 1:30 p.m. those days.

Fees are updated annually and are listed on the current year's Sidewalk Café/Seating Permit application. Boundary markers, if required, are \$15 each and provided by the City after the fees are paid.

5. Final Permit. After the fees are paid, Permit Center staff will email a copy of the permit to the applicant to sign and return to them. Permit Center staff will then sign the permit and email the final permit.

Note: New sidewalk café/seating cannot be installed until all applicable fees have been collected and a final permit has been issued. The sidewalk café/seating permit must be stored on site and available to view upon request. The permit is valid for one year from date of issuance and a renewal is required on an annual basis.

6. Final Inspection. Once your sidewalk café/seating has been installed contact Sidewalk Management staff for a final inspection.

SIDEWALK CAFÉ/SEATING STANDARDS

Compliance with Americans with Disabilities Act (ADA)

All elements associated with a sidewalk café/seating that offer accommodations to the public are required to comply with current ADA regulations for both customers using the sidewalk café/seating, including tables and chairs, and pedestrians traveling through the area along the sidewalk.

Clear Path of Travel

A minimum width of open sidewalk/clear path of travel must be maintained for pedestrian traffic at all times (*Figure 1*). The following requirements shall be met:

- 5 feet minimum clear path of travel when the sidewalk is less than or equal to 12 feet.
- 6 feet minimum clear path of travel when the sidewalk is greater than or equal to 12 feet.
- The clear path of travel is measured from the outside edge of the sidewalk café/seating fencing, fence post base, boundary marker, or other element to the nearest obstruction (i.e., tree pit, parking meter, bike rack, planting strip, etc.). If no obstruction exists, the clear path of travel is measured to the back of the curb.
- The clear path of travel should be straight and not involve sharp or jagged turns that would impair pedestrian circulation. The clear path of travel must always contain a continuous, straight passage with a minimum width of 3 feet, which is referred to as the pedestrian visual corridor (*Figure 2*).
- A-frames, portable signs, or any other objects are not allowed in the clear path of travel.
- 5-foot clearance is required from the center of any entrance/exit door. A clear path of travel free of obstructions, including gates of any type, must connect the building exit to the sidewalk.
- Adjustments may be made at the discretion of the Sidewalk Inspector.

Figure 1

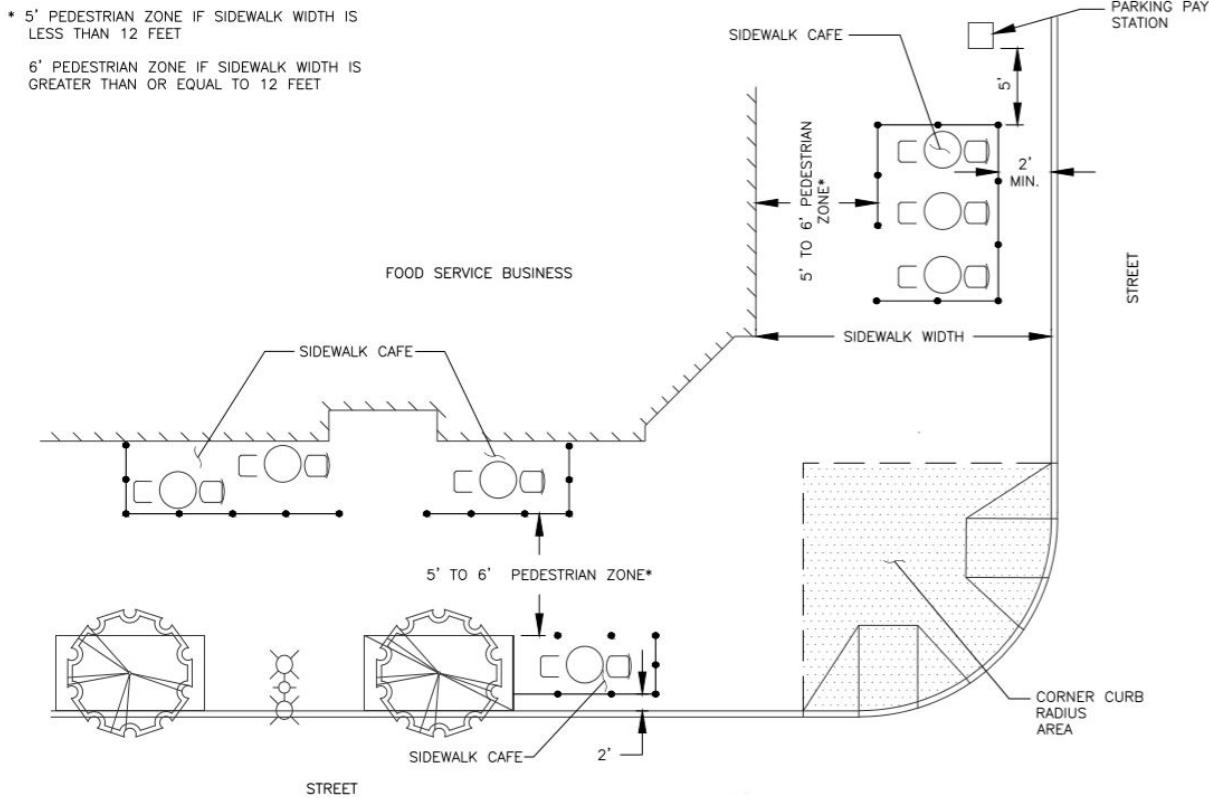
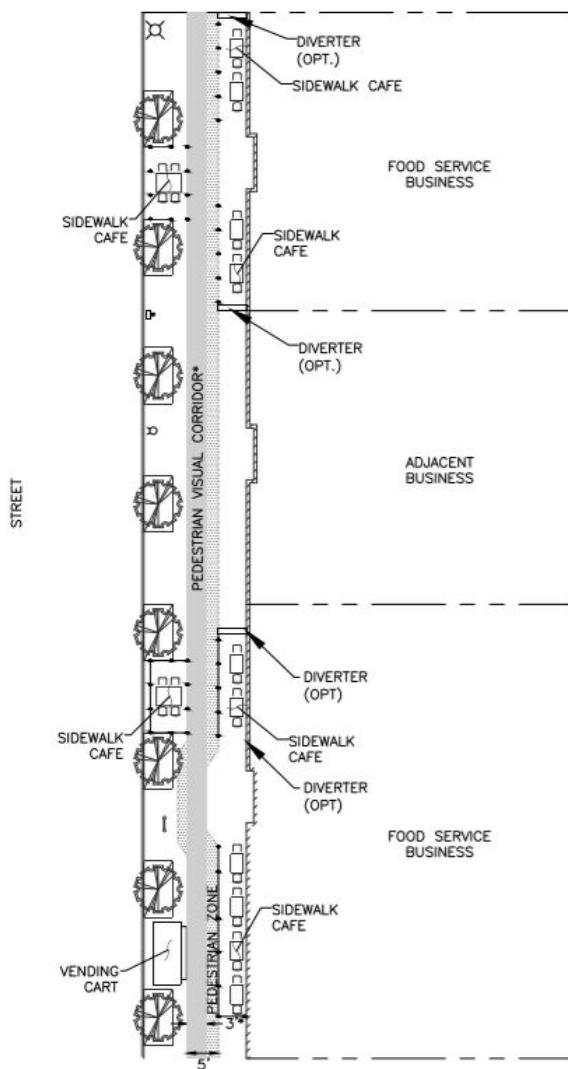


Figure 2



• THE MINIMUM REQUIRED WIDTH OF THE PEDESTRIAN VISUAL CORRIDOR IS 3'. THE WIDTH MAY INCREASE BASED ON LOCATION.

Fencing and Boundary Markers

Fencing, boundary markers, or another physical perimeter to define the café from the clear path of travel is required.

- If fencing is used, the following standards apply:
 - Fencing must be between 42" and 48" high.
 - Fencing must be detectable by cane and should be of contrasting color to warn visually-impaired persons of potential hazards in the path of travel. Fencing must include one or more of the following detectable elements:
 - A toe rail with its top edge at least 6" minimum in height and its bottom edge no higher than $\frac{1}{2}$ " – 1" above the adjacent surface.
 - 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 protrude out into the street, such as mailboxes or signs.

- Elements must be sufficiently detectable by cane to warn visually-impaired persons of potential hazards in the path of travel.
- 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.
- Fencing should be constructed with a railing, rope, or other horizontal element. Posts with pointed tops are not permitted.
- 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.
- Fencing shall not contain electrical or other utility elements.
- 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.

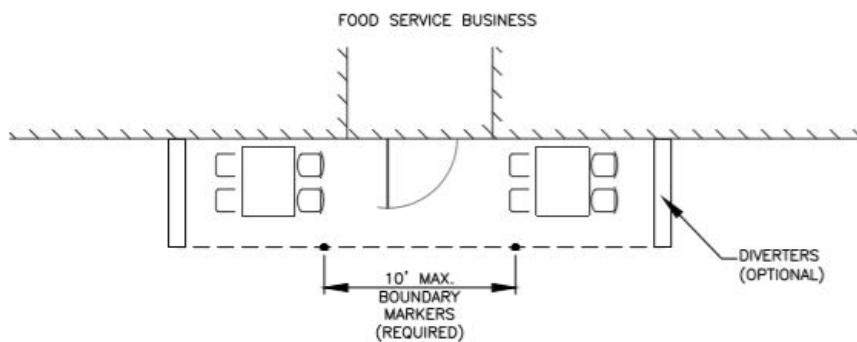
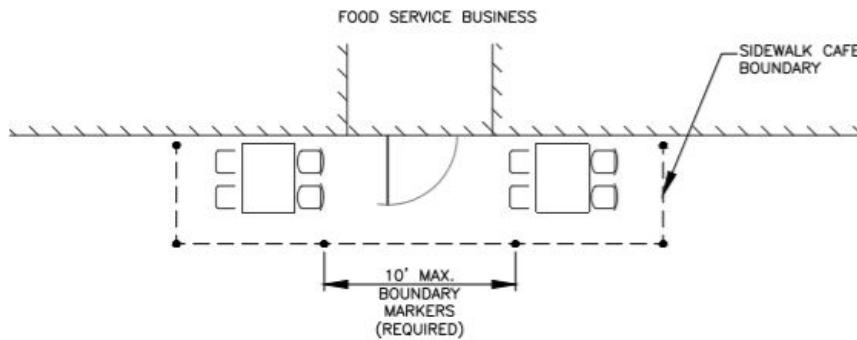
▪ If boundary markers are used, the following standards apply (*Figure 3*):

- Only City-designed pavement markers will be allowed. Owner or applicant will install and maintain the markers.
- The boundary markers must be placed along all boundaries of the sidewalk café/seating.
- The boundary markers must be placed at a maximum of 10 feet apart.
- A boundary marker must be placed adjacent (within 6") to the building at either end of the sidewalk café.
- At no time may the consumption of alcohol or placement of furniture extend beyond the boundary established by the pavement markers.

▪ Diverters or other elements, such as planter boxes, can be used in combination with boundary markers to help indicate a clear path for pedestrian travel and define the sidewalk café/seating area. If used, it is encouraged to use aesthetically appealing elements such as art or plants. If diverters or other elements are used, the following standards apply (*Figure 3*):

- Must be between 30" and 42" high.
- Must abut the adjacent building and extend at a 90-degree angle from the building face.
- Must be detectable by cane, spaced no more than 27" vertically and no more than 24" horizontally if not a single object.
- Must not have supports or any elements that protrude into the pedestrian clear zone and must be able to withstand adverse conditions or incidental contact.
- Must not display any advertising or promotional material.
- Must be placed within 10' of a boundary marker if using in combination.

Figure 3



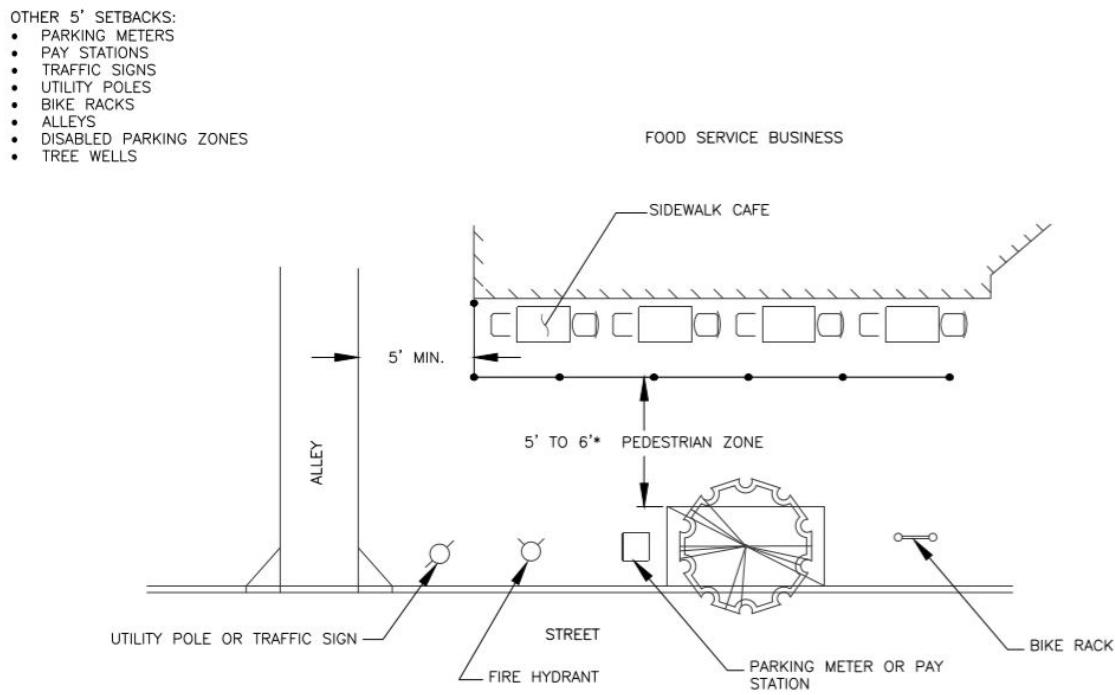
NOTE:
BOUNDARY MARKERS MUST BE PURCHASED
FROM THE CITY AND INSTALLED BY
BUSINESS OR PROPERTY OWNER.

Setbacks

Setbacks are required from the following (Figure 4):

- 5' of clearance is required from alleys and from bus, handicapped parking, and commercial loading zones.
- 5' of clearance is required from curb ramps or the beginning of the corner curb radius where curb ramps do not exist.
- 2' of clearance is required from the front of the curb whenever a sidewalk café/seating is located adjacent to the curb. Note that sidewalk cafés/seating are only allowed adjacent to the curb if on street parking is present.
- 5' of clearance is required from parking meters, pay stations, traffic signs, utility poles, bike racks, fire hydrants, and other street fixtures.

Figure 4



* 5' PEDESTRIAN ZONE IF SIDEWALK WIDTH IS LESS THAN 12 FEET

6' PEDESTRIAN ZONE IF SIDEWALK WIDTH IS GREATER THAN OR EQUAL TO 12 FEET

MAIN STREET 5TH TO 15TH STREET SPECIFIC STANDARDS

In line with the project goals of Main Street Promise to both support businesses along the corridor and to increase safety, standards specific to the area were defined. These additional requirements will help support the Transportation Mobility Commission and Council approved goals for the project. Project goals include:

- Creating space with an emphasis on the pedestrian experience.
- Use of curbless design that allows for unimpeded mobility.
- Connected infrastructure that supports Main Street businesses.
- An attractive, coordinated, and quality downtown environment.



Design Definitions – Three Sidewalk Zones

As part of the design, the sidewalk area from the building to the street were defined by three separate zones.

Building Frontage Zone

Use – allows for sidewalk cafés and railings (must be entirely within the Building Frontage Zone including the bases of the railing)

- Adjacent to the front of buildings.
- Identified by larger, dark gray pavers.

Pedestrian Zone

Use – dedicated exclusively to unencumbered pedestrian access

- 6-foot minimum wide area between the Building Frontage and Furnishing Zone.
- Identified by standard concrete section.

Furnishing Zone

Use – public amenities including small tables, artwork, bike racks, trees and lighting

- Between the concrete Pedestrian Zone and the street.
- Identified by red brick-type pavers.

Private sidewalk cafés will not be allowed in the Furnishing Zone other than in limited exceptions. Applicants must meet the following criteria:

- Business frontage, or effective frontage due to obstructions, is 20 feet or less.
- Proposed seating in the Furnishing Zone shall be fence free and not within 2 feet of a door opening in the parking area.
- Tables and chairs shall be movable and **cannot be chained to anything**.

- Furnishings will be reviewed and approved as part of the sidewalk café approval process and shall generally fit with the character of Main Street furnishings installed with the Main Street Promise project.
- Customers are not allowed to remain in the Pedestrian Zone except to travel to and from the dedicated sidewalk café in the Furnishing Zone.
- Exemptions only apply to food and drink establishments that existed at the time of the Main Street Promise project. If the business use of a space changes from retail to food post construction, the exemption will not apply.
- The exemption will apply if there is a change in business name or ownership from one food and drink establishment to another food and drink establishment.

WHAT MATERIALS ARE ALLOWED

- Removable tables and chairs.
- Removable, self-supporting railings (fixed railings may be permitted as part of the sidewalk café/seating permitting process).
- Portable heaters, umbrellas and other temporary cover. If used, heaters and umbrellas may not encroach on the clear path of travel, including the base or support. Umbrellas, when opened, shall be 8' above the sidewalk grade and shall not be within 20' of a stop sign.
- Trees, shrubs and planters.

All materials should be made of safe and durable materials, such as wood, steel, heavy plastic and wrought iron. The installation of all materials is considered temporary in nature.

RESOURCES

WA State LCB Outdoor Alcohol Service - https://lcb.wa.gov/licensing/outdoor_alcohol_service
 Community and Economic Development - <https://www.cityofvancouver.us/departments/community-development/>
 Sidewalk Café/Outdoor Seating - <https://www.cityofvancouver.us/economic-prosperity-and-housing/sidewalk-cafe-outdoor-seating-and-related-programs/>

For more information, please contact: Sidewalk Management/Public Works at sidewalks@cityofvancouver.us or 360-487-8196