



# SIDEWALK CAFE/PARKLET APPLICATION PACKET

📍 United City of Yorkville  
800 Game Farm Road, Yorkville, Illinois, 60560

☎ 630-553-4350

🌐 [www.yorkville.il.us](http://www.yorkville.il.us)



# INTRODUCTION



## WHAT IS THE **PURPOSE** OF THE INFORMATION IN THIS PACKET?

To further encourage the revitalization of the downtown and other areas within the City, these standards, guidelines and procedures are intended to provide a temporary but unique environment for relaxation, social interaction, and food or beverage consumption within the public right-of-ways and public sidewalks without impeding the free and safe flow of pedestrian or vehicular traffic.

## WHAT IS THE DIFFERENCE BETWEEN A **SIDEWALK CAFE** AND A **PARKLET CAFE**?

### **SIDEWALK CAFE**

A temporary outdoor dining area consisting of a group of tables, chairs or other seating fixtures and all related appurtenances located on a public sidewalk where patrons may consume food and/or beverages provided by an abutting business establishment having the same operator. Such establishments may either provide table service in the outdoor dining areas or sell takeout items to be consumed in the outdoor dining area. These regulations do not apply to outdoor dining on private property

### **PARKLET CAFE**

A temporary expansion of a business creating an outdoor dining facility on part of the public street right-of-way that immediately adjoins the licensed premises for the purpose of consuming food and/or beverages prepared at or provided by the business adjacent thereto.



## WHERE ARE CAFES PERMITTED?

All sidewalk cafes and parklet cafes shall be located in all **business zoned districts**. Outdoor dining on a public sidewalk or public-right-of-way shall be subject to all applicable federal, state, county and local statutes, ordinances and regulations.

A sidewalk cafe or parklet cafe shall not be considered an “encroachment” so long as all outdoor facilities related thereto are **temporary in nature**, are not permanently affixed so as to extend below or above the sidewalk or public right-of-way, involve no penetration of the sidewalk surface or public right-of-way, are not attached to any building and are readily removable without damage to the surface of the sidewalk or public right-of-way.

Outside dining will not be permitted on sidewalks or within the public right-of-way designated by the City Council as shared bicycle and pedestrian trails or paths.

## WHEN ARE CAFES PERMITTED?

Sidewalk Cafes and Parklet Cafes shall be permitted from **April 1st through October 31st**. Parklet Cafes not removed after October 31st may be removed by the City at the owner's expense. Time extensions may be granted for sidewalk cafe and parklet cafe operations per the discretion of the Community Development Director on a case-by-case basis.

## DO I NEED A PERMIT?

Outdoor dining on a public sidewalk or within the right-of-way may occur only pursuant to the issuance of permit issued to the business owner. A sidewalk cafe or parklet cafe permit is non-transferrable.



# SIDEWALK CAFE DESIGN GUIDELINES



## WHAT ARE THE DESIGN ELEMENTS OF A SIDEWALK CAFE?

Elements of a typical sidewalk cafe may include barriers, planters, tables, chairs, umbrellas, menu display, heat lamps and ingress/egress access point. The design, material and colors used for the furniture and fixtures within the sidewalk cafe should complement the architectural style and colors of the building façade and public street furniture, if any, and withstand inclement weather.

## BARRIERS

Durable and removable barriers must be placed if the sidewalk cafe **extends more than three (3) feet** into the public right-of-way or if alcohol will be served.



### MATERIALS

Sectional fencing shall be composed of metal or wood and painted or finished in a complementary color to the building color or accent materials. Sectional fencing may be constructed from other materials such as aircraft cable, fabric, steel or iron elements.

Planters may also be used as a barrier or planter boxes as barrier components. Planters must be no more than three (3) feet in height and plant materials may be up to three (3) feet tall.



### ACCESS

Barrier access point must be controlled by the sidewalk cafe operator/business establishment. Access openings must be kept clear of all materials and should measure no less than 44 inches in width.



### MOBILITY

Moveable barriers and all furniture shall be removed at the end of each business day unless otherwise approved by the Community Development Director or designee. Moveable barriers shall be capable of being removed through the use of recessed sleeves and posts, wheels that can be locked in place and/or weighted bases. Barrier segment bases should be flat with tapered edges that are between ¼ and ½ inch thick.



### HEIGHT

The maximum height of any barrier shall not exceed three feet six inches (3'-6"). The lowest point in the barrier should be no more than six inches (6") in height above the ground to comply with ADA detectable warning regulations.



# SIDEWALK CAFE DESIGN GUIDELINES



## AWNINGS & UMBRELLAS

The use of awnings over the outdoor dining area and removable table umbrellas may be permitted provided they do not interfere with street trees. No portion of the awning shall be less than eight feet (8') above the sidewalk and no portion of the umbrella shall be less than seven feet (7') above the sidewalk. Awnings may extend up to five feet (5') from the front of the building's façade or cover up to fifty percent (50%) of the outdoor dining area, whichever is less. Awnings shall have no support posts located within the public right-of-way. A separate building permit must be obtained prior to the installation of the awning.



## SETBACKS

All sidewalk cafes must

- Allow for a **minimum five (5) foot** unobstructed pedestrian passage way on the sidewalk
- Be a minimum distance of **one-hundred feet (100')** from the nearest residential zoned district; and
- Not extend beyond the frontage of the business establishment unless written notarized consent of the adjacent business and property owner has been provided to the Community Development Director.

Sidewalk Cafes located at a street corner must maintain a ten foot (10') setback from the corner of the building along both frontages. For Sidewalk Cafes located adjacent to a driveway or an alley, setback distances will be at the discretion of the Community Development Director in locations where unusual circumstances exist or where public safety would be jeopardized.



## PROHIBITED ITEMS

Shelves, serving stations, flimsy plastic tables and chairs, unfinished lumber or splintering wooden materials, rusted metal, loud speakers, sofas and televisions as well as permanently affixed furniture are prohibited. Prohibited barrier materials include chain link, rope rails, chain rails, buckets, flag poles, and newspaper stands.



# PARKLET CAFE DESIGN GUIDELINES

## LOCATION OF PARKLET

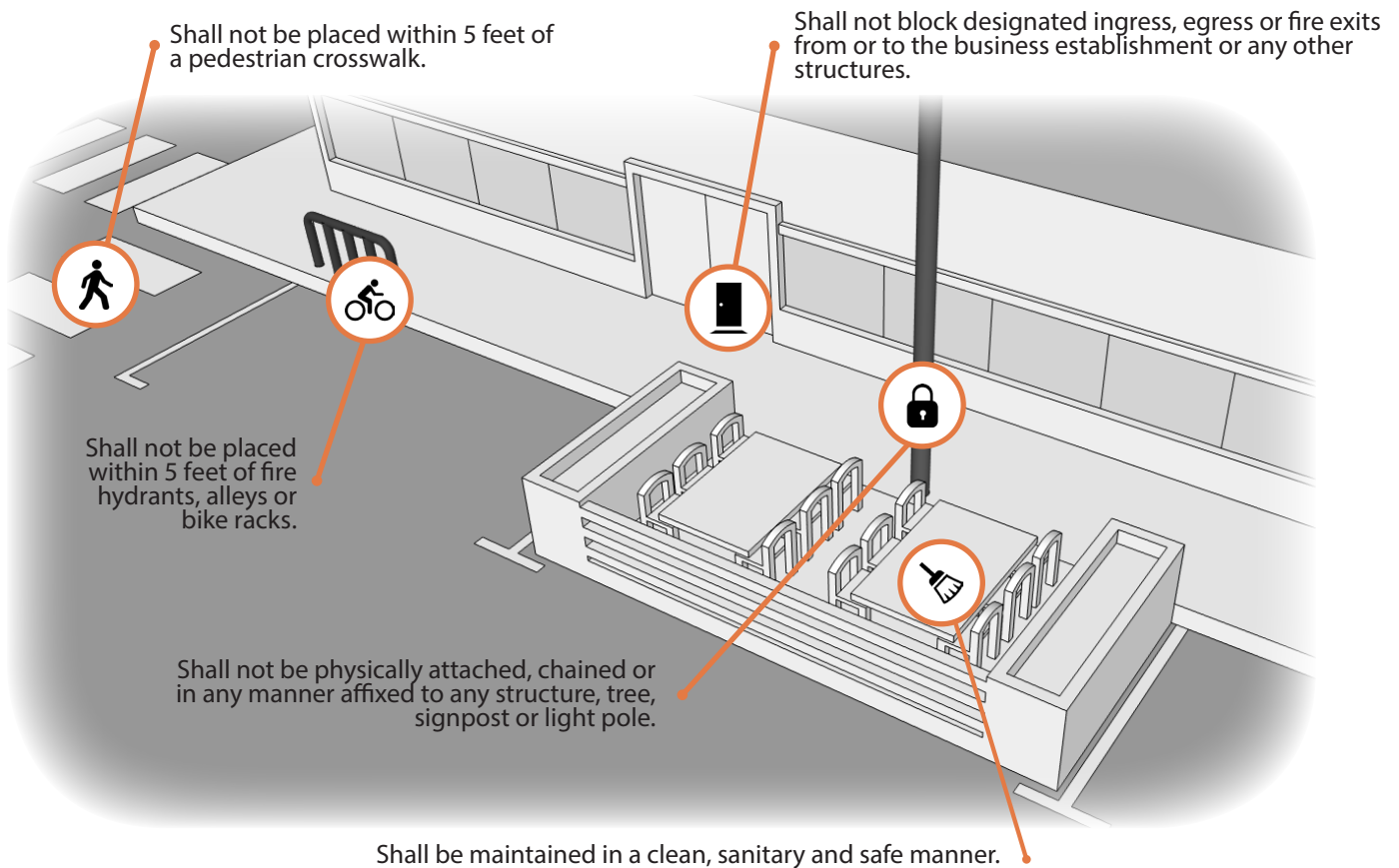
The parklet cafe site shall be located on at least one (1) parking spot within the public way. Parklet cafes are restricted to City of Yorkville public streets and shall not be permitted on any state, county or township roadways.

The parklet cafe shall be located in such a manner that a distance of not less than 4 feet maintained at all times as a clear and unobstructed pedestrian path. Also, parklet cafes must meet the intersection visibility requirements in accordance with other standards in the City's Zoning Ordinance.

Parklet cafe decking must be flush with the curb and may not have more than a one half inch (1/2") gap from the curb.

## TABLES, CHAIRS & UMBRELLAS

Umbrellas and other decorative material shall be made of treated wood, canvas, cloth or similar material that is manufactured to be fire resistant. No portion of an umbrella shall be less than six feet eight inches (6'-8") above the sidewalk. Umbrellas must be secured.





# PARKLET CAFE DESIGN GUIDELINES

## SAFETY ELEMENTS

The parklet cafe shall be required to have reflective tape, soft hit posts, wheel stops and, depending on the proposed location, may be required to have edging such as planters, railing or cables. If cables are used, vertical spacing between cables may not exceed six inches (6").

## MAINTENANCE

The parklet cafe, along with the sidewalk and roadway immediately adjacent to it, shall be maintained in a neat and orderly manner at all times. Debris shall be removed as required during the day and again at the close of each business day. Maintenance details shall include access panels and how drainage will be provided along the existing drainage way.

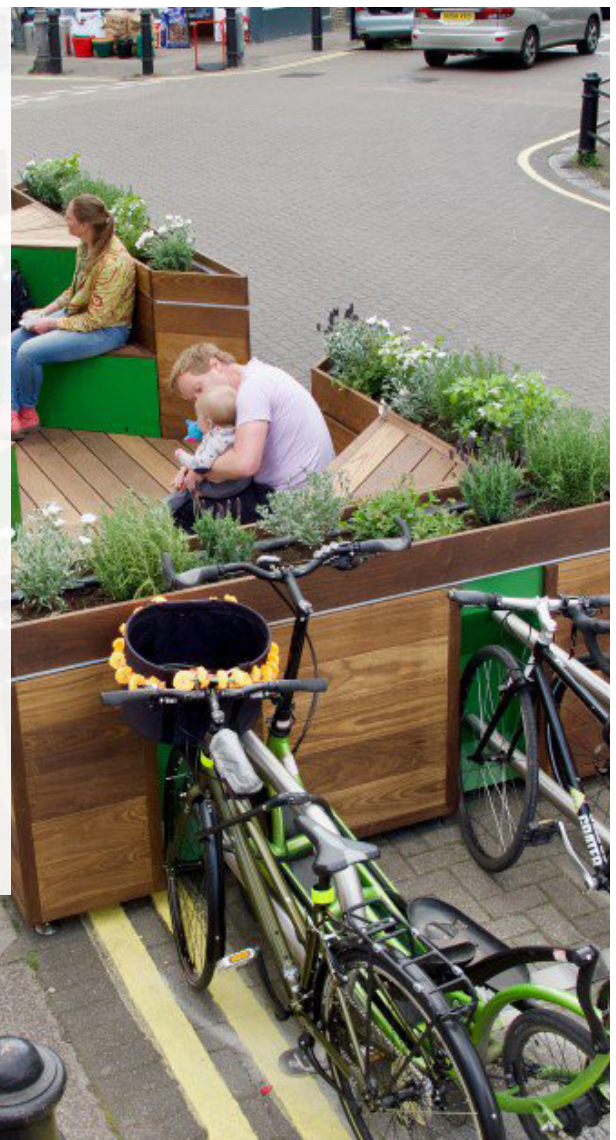
## SIGNAGE

Temporary signage such as menu boards or easels may be permitted in parklet cafes.

## PROHIBITED ITEMS

The following are prohibited in Parklet Cafes:

- Food preparation, food or beverage storage, refrigeration apparatuses unless authorized by the Community Development Director or designee as part of a special event.
- Amplified entertainment unless authorized by the Community Development Director or designee as part of a special event.
- Patio heaters





# APPLICATION



## WHAT IS THE APPLICATION PROCEDURE?

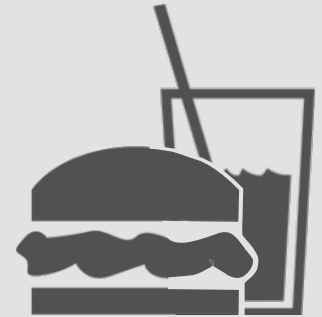
A permit shall be required for all encroaching furniture and improvements. The permit is attached at the end of this packet. The information below will be needed on the application.



Application must be filed **30** days prior to intended date of operation.



If an applicant contemplates the consumption of alcoholic beverages a separate liquor license application for the premises shall also be submitted to the City's Clerks Office.



If the applicant contemplates the consumption of food, a copy of submitted permit application to the Kendall County Health Department for the premises is required.



The Applicant must provide the dates and hours of operation requested during which the permit is to be effective.



## PERMIT FEES

An application fee of \$50.00 shall be required for all sidewalk cafes or parklet cafes with area 100 square feet or less. An application fee of \$100.00 shall be required for all sidewalk cafes or parklet cafes with an area greater than 100 square feet.



# SITE PLAN EXAMPLES

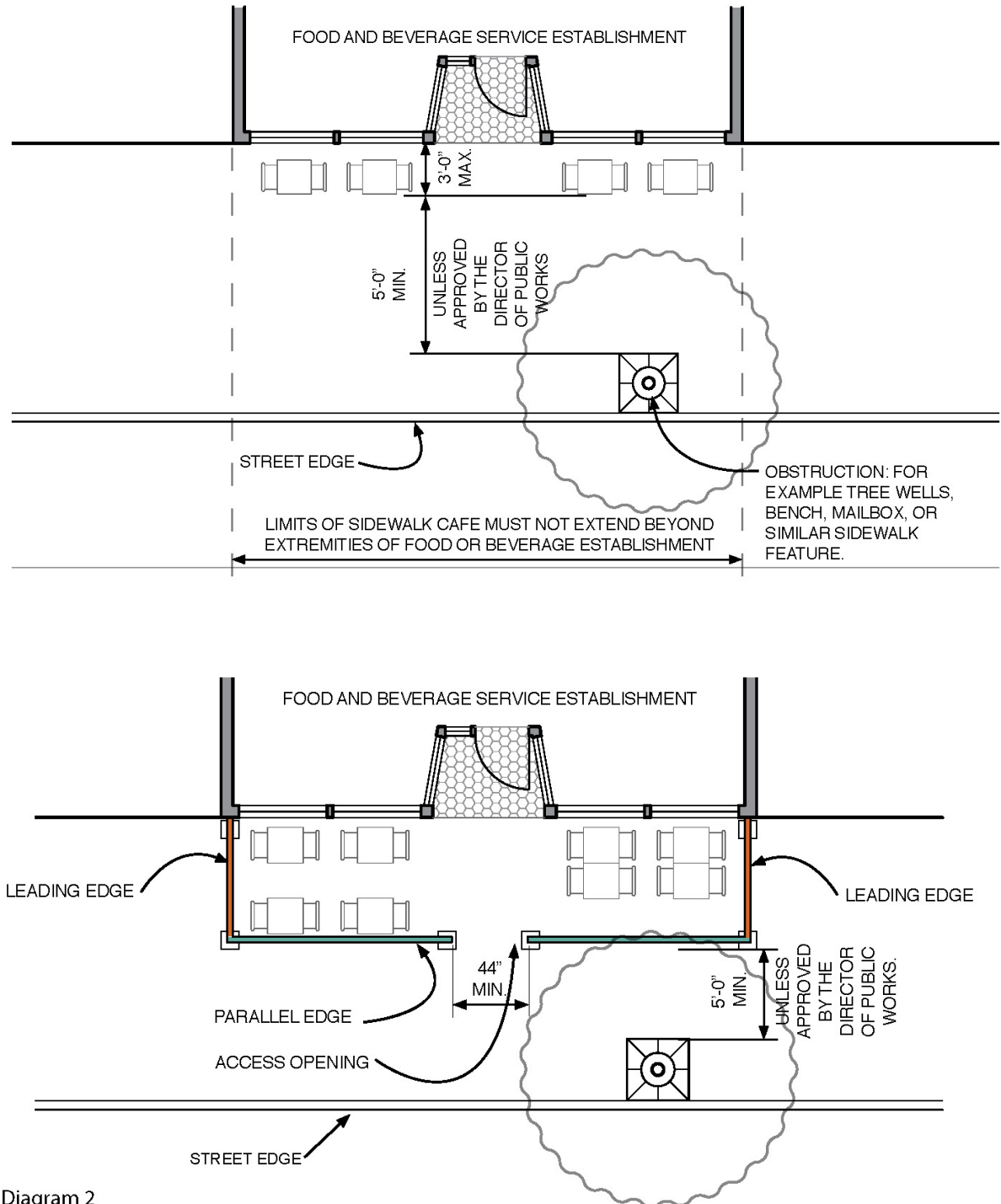


Diagram 2

Plan view of a sidewalk café that extends more than 3 feet or more into the sidewalk.





United City of Yorkville  
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Yorkville, Illinois, 60560  
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[www.yorkville.il.us](http://www.yorkville.il.us)

# APPLICATION FOR SIDEWALK CAFE/PARKLET

<b>APPLICATION MUST BE FILED WITH THE COMMUNITY DEVELOPMENT DEPARTMENT NO LESS THAN THIRTY (30) DAYS PRIOR TO INTENDED DATE OF OPERATION.</b>		SUBMITTAL DATE:
<b>APPLICANT/PROPERTY OWNER INFORMATION</b>		
NAME:		
MAILING ADDRESS:		
CITY, STATE, ZIP:		TELEPHONE:
EMAIL:		
<b>OPERATOR/AUTHORIZED AGENT, IF OTHER DIFFERENT THAN PROPERTY OWNER</b>		
<input type="checkbox"/> CHECK IF INFORMATION PROVIDED ABOVE IS THE SAME		
NAME:		
MAILING ADDRESS:		
CITY, STATE, ZIP:		TELEPHONE:
EMAIL:		
<b>SIDEWALK CAFE/PARKLET INFORMATION</b>		
BUSINESS NAME:		
LOCATION ADDRESS:		
MAXIMUM SEATING CAPACITY:		
DATES OF OPERATION:		
DAYS AND HOURS OF OPERATION		
<b>DAY OF THE WEEK</b>	<b>PROPOSED HOURS OF OPERATION</b>	
MONDAY		
TUESDAY		
WEDNESDAY		
THURSDAY		
FRIDAY		
SATURDAY		
SUNDAY		





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# APPLICATION FOR SIDEWALK CAFE/PARKLET

## APPLICATION REQUIREMENTS

### SITE PLAN

- ☐ A detailed diagram and a written description of the premises for which a permit is sought. A description of the design, including a detailed scale drawing of the sidewalk cafe or the parklet cafe, its portable barriers and the placement of tables, chairs, planters, canopies, umbrellas, etc. with all existing fixed features such as trees, sign posts, fire hydrants, etc. within twenty feet (20') of the encroachment shall be depicted in the site plan.
- ☐ For additional information, please read the Section 10-3-13: Temporary and Seasonal Uses of the Yorkville City Code.
- ☐ Refer to attached Sample Site Plans.

### INDEMNIFICATION AGREEMENT

- ☐ An executed indemnification agreement in favor of the City of Yorkville.
- ☐ Refer to attached Agreement Form.

### PROOF OF LIABILITY INSURANCE COVERAGE

- ☐ The permittee shall obtain and maintain in force comprehensive general liability, broad form property damage and blanket contractual liability insurance in a combined single limit amount, per claim and aggregate of at least one million dollars (\$1,000,000.00) covering the permittee's operations on the sidewalk or right-of-way. Such insurance shall name, on a special endorsement form, the City of Yorkville, its elected and appointed boards, commissions, officers, agents and employees as additional insurers. A certificate of insurance shall contain provisions that prohibit cancellations, modifications, or lapse without thirty (30) days prior written notice to the city's Clerks Office.

### PROPERTY OWNERS AUTHORIZATION

- ☐ If the sidewalk area sought to be permitted is not owned by the applicant, then a certified copy of a document showing that the owner of the sidewalk area consents to the sale of food and/or beverages on such sidewalk(s).

### LIQUOR AND FOOD LICENSE

- ☐ If an applicant contemplates the consumption of alcoholic beverages a separate liquor license application for the premises shall also be submitted to the City's Clerks Office
- ☐ If the applicant contemplates the consumption of food, a copy of submitted permit application to the Kendall County Health Department for the premises.

### PERMIT FEE

- ☐ Fifty dollars (\$50.00) for all sidewalk cafes or parklet cafes with area one hundred (100) square feet or less. One hundred dollars (\$100) for all sidewalk cafes or parklet cafes with an area greater than one hundred (100) square feet."





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# APPLICATION FOR SIDEWALK CAFE/PARKLET

Applications must include all required attachments before acceptance. Failure to provide all required information will delay the processing of the application.

## **ACKNOWLEDGEMENTS:**

I hereby understand and accept the terms and conditions relative to the issuance of the Sidewalk Cafe/Parklet Permit, and by signing below, I acknowledge that I must adhere to the United City of Yorkville's City Code Section 10-3-13: Temporary and Seasonal Uses. Further, I understand that failure to adhere to all conditions imposed in the permit may result in revocation of the permit.

\_\_\_\_\_  
PROPERTY OWNER SIGNATURE (REQUIRED)

\_\_\_\_\_  
SIDEWALK CAFE/PARKLET OPERATOR/AUTHORIZED AGENT



## UNITED CITY OF YORKVILLE

### BUILDING DEPARTMENT

651 Prairie Pointe Drive, Yorkville, IL 60560 | 630-553-8549 | Fax. 630-553-7264

#### RELEASE & HOLD HARMLESS AGREEMENT

This agreement is intended to apply to any improvements including, but not limited to, fences, sheds, decks, patios, trees, shrubs, landscaping and/or sprinkler heads.

When placing or building any of the above within an easement, the undersigned acknowledges that said easement is reserved for and granted to the United City of Yorkville and/or public utility companies of every kind operating under franchise granting them easement rights from the United City of Yorkville.

If any improvements are obstructing or impairing the use of, or access to the easement, it may be necessary that those improvements be removed. Any cost incurred resulting from the removal by the City or any utility company may be assessed to the property owner. It shall be the sole responsibility of the property owner to repair or replace any improvements that were removed.

The property owner further agrees to release, indemnify and hold harmless the United City of Yorkville, including all officers, employees and agents from all liability of any kind arising out of, or in connection with, placement of said improvements within any easement and/or associated with the removal of said improvements.

#### STREET ADDRESS:

United City of Yorkville, Illinois 60560

I (we), \_\_\_\_\_, acknowledge that I (we) have read, understand and accept the terms of this agreement.

#### PROPERTY OWNERS:

\_\_\_\_\_  
Signature

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature

DATE: \_\_\_\_\_

#### NOTARY USE ONLY:

##### STATE OF ILLINOIS

I, the undersigned, a Notary Public in the State of Illinois, DO HEREBY CERTIFY that \_\_\_\_\_, to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, A.D.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

**BUILDING OFFICIAL:** \_\_\_\_\_ **DATE:** \_\_\_\_\_





## **UNITED CITY OF YORKVILLE**

### **COMMUNITY DEVELOPMENT DEPARTMENT**

651 Prairie Pointe Drive, Yorkville, IL 60560 | 630-553-8549 | Fax. 630-553-7264

### **CRITERIA FOR SIDEWALK CAFE/PARKLET WEATHER RELATED PERMIT EXTENSION**

Per the general provisions section 10-3-13: temporary and seasonal uses of the zoning ordinance, sidewalk cafe's and parklets are permitted from April 1st through October 31st. In some instances, the community development director may permit the extension of such uses beyond the October 31st removal date, subject to the following conditions:

1. Request for permit extension must be submitted in writing by the applicant, with approval by the property owner (if not same), at least five (5) business days prior to the permit expiration (October 31st)
2. Extensions are limited to a minimum of five (5) days per request, with an overall maximum of thirty (30) days.
3. Request must meet or provide proof of the following requirements:
  - National weather service forecast predicts local temperature to be at least 35° degrees and rising and less than 20% chance for precipitation for a minimum of three (3) days for every seven (7) days requested for the permit extension.
  - Applicant and/or property owner may not have any complaints, notices of violations or citations issued under current sidewalk cafe/parklet permit, including but not limited to noise, debris or structural soundness/maintenance of sidewalk cafe or parklet construction materials.
  - Proof of liability insurance which covers the extended time requested for permit extension.
4. Other requests for installation dates prior to the April 1st date will be considered on a case-by-case basis.