



City of Austin

Austin Transportation Department, Right of Way Management Division
3701 Lake Austin Blvd., Austin, Texas 78703

REQUIREMENTS FOR A TEMPORARY SIDEWALK CAFÉ/STREET PATIO PERMIT

Please read the *Sidewalk Café Handbook* or the *Street Patio Handbook* for important guidance information. The Handbooks includes Design Requirements. Be certain to follow those requirements. The handbooks and all other documents referenced in this application are available at austintexas.gov/sidewalkcafe.

About Sidewalk Café Permits: Sidewalk Cafés and Street Patios are not permanent structures; they are a temporary use of the public Right of Way permitted as a type of sidewalk café under the City of Austin Land Development Code Chapter 14-4, Sidewalk Cafes. Please see section on Sidewalk Café Permit Authorization, Ord. No. 20140828-074, Pt. 3, 9-8-14.

Applicants for Sidewalk Café Permits must be businesses licensed to serve food and beverages. The applicant does not have to be the property owner; but if they are not the owner, they must hold a valid lease for the building.

To obtain the necessary permit, please submit this application to the Right Of Way Management Division, Austin Transportation Department, at the address below. Only businesses with approved permits are allowed to operate Sidewalk Cafes and/or Street Patios in the City's Right of Way. Please read the handbook, this application form, and all attachments. For a consultation and to set up an appointment with the Right of Way Division, please call 512-974-7180 or 311.

City of Austin, Transportation Department

Right Of Way Management Division

512-974-7180

3701 Lake Austin Blvd., Austin, TX 78703

For General Questions: Walk-in Hours – Monday through Friday, 8 a.m. to 1 p.m.

STEPS TO OBTAIN A SIDEWALK CAFÉ PERMIT

1. Review the **Sidewalk Café Handbook** and/or the **Street Patio Handbook**. Ensure that the proposed Sidewalk Café and/or the Street Patio complies with all design guidelines and requirements listed, as well as the requirements of the Americans with Disabilities Act (ADA).
2. Submit the notarized application, the non-refundable \$100 application fee, and required supporting **documentation**.
3. Communicate with ROW staff as requested during the review period. Allow 30 days for review of the application, the documentation packet, and any site issues with the proposed location.
4. If the Sidewalk Cafe is approved, pay the annual \$200 permit fee (up to five years may be paid in advance); If the Street Patio is approved, pay the annual \$2,000 permit fee (up to five years may be paid in advance). The applicant will need to sign a notarized Sidewalk Café Maintenance Agreement and thereafter, a Sidewalk Café Permit can be activated by Right of Way Management.

PLEASE NOTE: A full application must be submitted annually, unless multiple years fees (up to five) are paid in advance.



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STEP 1 –PREPARATION

1. Please download or obtain a copy of the Sidewalk Café Handbook and/or the Street Patio Handbook. Go to: austintexas.gov/sidewalkcafe or pick up a copy at the Right of Way Management Division.
2. If the proposed sidewalk café/street patio would cover manholes or encroach upon water or energy utilities, the application will be subject to additional city review.
3. If you have any questions before submitting your application, please call (512) 974-1150 to be directed to a Right of Way staff member.

STEP 2 – DOCUMENTATION

- Complete the **Application Form**. See form that follows.
- Provide **proof of property ownership** (Warranty Deed or Deed of Trust).
- Adjacent Property Owner/Tenant Contact Information**. Sheet included in application form; applies to the ground-floor retail businesses on either side of your business.
- Certificate of Insurance**. The copy provided must include the following information:
 - General Liability Insurance set at \$500,000 per occurrence minimum. For Sidewalk Cafes where alcohol will be served, the business also must provide a certificate of \$1 million in liquor liability insurance.
 - Evidence of a 30 Day Notice of Cancellation
 - City of Austin as Additional Insured
 - “City of Austin, Attn: Right of Way Mgmt, P.O. Box 1088, Austin, TX 78767” named as Certificate Holder
- Original bond**. For sidewalk cafes with no bolted attachment to the sidewalk, a \$5,000 bond is required. For sidewalk cafes or street patios with bolts attached to the sidewalk, a \$10,000 bond is required. It is advisable to wait until the City is ready to issue your sidewalk cafe permit before obtaining your bond. For more information, please see REQUIREMENTS FOR INSURANCE, BOND, AND LICENSE.
- Copy of TABC permit**. For businesses where alcohol will be served.
- Construction documents**. These must include:
 - Location and context plan
 - Detailed site plan drawn to scale, or showing dimensions of furnishings to back of curb, door opening, property lines, and existing utility openings such as valves, manhole lids, hydrants, etc. Please provide utility name or type if known.
 - Elevations
 - Construction details
 - Detailed fencing plan (if applicable)
 - List of all materials
- Photographs**. At least three photographs of existing site prior to the café installation, along with photos of the adjacent street and sidewalk:
 - One photo from across the street.
 - One photo from each end of the proposed Sidewalk Café/Street Patio.
- Historic and Landmark Districts Approval**. Sidewalk Café/Street Patios located in the following corridors which have a historical designation, require approval from the City of Austin’s Historic Preservation Officer:
 - 6th Street from IH 35 to Lavaca Street
 - Trinity Street from 6th to 7th Street
 - 5th Street from Neches to Red River



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Send the drawing of the proposed site plan and photo of existing site to Steve Sadowsky, City of Austin Historic Preservation Officer, Steve.Sadowsky@atxad.org, 512-974-6454

- Walk of Stars Association Approval.** Sidewalk Cafés or Street Patios located in the following corridors, require approval from the Walk of Stars Association:
 - 6th Street from IH 35 to Congress Avenue
 - Trinity Street from Cesar Chavez Street to 6th Street

Send the drawing of the proposed site plan and photo of existing site to Bob Woody, President of the Walk of Stars Association, bobewoody@gmail.com, 512-658-2491.

****FOR A DETAILED BREAKDOWN OF INSURANCE REQUIREMENTS PLEASE REQUEST A COPY OF THE “REQUIREMENTS FOR INSURANCE, BOND, AND LICENSE” PACKET.****



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Temporary Sidewalk Café Permit Application

Is this business being used for a restaurant use or food sales use as defined in Section 25-2-4 (Commercial Uses Described)?

- Yes
No

Days and Hours of Establishment Operation

Sunday
Monday
Tuesday
Wednesday
Thursday
Friday
Saturday

Area Requested

- Address
Sidewalk
Parking Space(s): List meter #(s)

Permitted Items

- Chairs # of
Tables # of
Railing # of
Planters # of
Umbrella(s) # of
Decking # of
Benches # of
Bolts # of
Other - Shown on Exhibit

Curbside Conflicts

Carefully review your proposed site for evidence of any of the following curb conflicts. Indicate any potential conflicts that are observed.

- fire hydrant
bus stop or transit station
loading zone



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- taxi zones Yes No
- handicap-access parking spaces Yes No
- driveways Yes No
- colored curb(s) Yes No
- other specially designated zones Yes No

Please note: If the proposed Sidewalk Cafe would cover manholes or encroach upon water or energy utility infrastructure, the permit may be denied. A special request can be made to design the project so that it provides easy access to the utilities. In that case, the application will be subject to additional review by the Austin Energy and/or Austin Water, which may take additional time.



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Applicant Information (This individual will serve as the Permit Holder)

Applicant Name- First:	Middle Initial:	Last:
Address:		City:
State:	ZIP Code:	Phone:
E-mail:	Fax:	Alternate Phone:

Business Information

Business Name/DBA:		
Address:		City:
State:	ZIP Code:	Phone:
E-mail:	Alternate Phone:	

Property Description of Area to Be Permitted

Parcel Number:		Survey & Abstract Number:	
Lot(s)	Block:	Outlot:	
Subdivision Name:			
Plat Book:		Page Number:	Document Number:
County/Records:		County:	
<input type="checkbox"/> Deed <input type="checkbox"/> Real Property <input type="checkbox"/> Official Public			



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Property Information

Name: <i>First:</i>	<i>Middle Initial:</i>	<i>Last:</i>
City:	State:	Zip Code:
Phone:	Cell:	Email:

(If multiple owners are filing jointly, complete names, addresses and phone numbers must be attached for each)

Liquor Information

Liquor Sales: <input type="checkbox"/> YES <input type="checkbox"/> NO	
If no, \$500,000 in Commercial General Liability Insurance is required. If yes, an additional \$1,000,000 in Liquor Liability Insurance is required. When an establishment serves alcohol, the applicant shall comply with all requirements of the Texas Alcoholic Beverage Commission.	
Name of the TABC license holder	License number of the T.A.B.C. Food & Beverage permit

Historic Designation

Is the property located in any of the following historic areas?

- 6th Street from IH 35 to Lavaca Street,
 - Trinity Street from 6th to 7th Street, or
 - 5th Street from Neches to Red River
- YES
 NO

OR

For Walk of Stars Association Approval

Is the property located in any of the following areas?

- 6th Street from IH 35 to Congress Avenue,
 - Trinity Street from Cesar Chavez Street to 6th Street.
- YES
 NO

The undersigned Applicant understands that processing of this application will be handled in accordance with the applicable City ordinance and the procedure for requesting a permit; and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to permit the subject area.

Applicant signature _____

Print Name _____

Date _____



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Fee Title Owner of the Real Property Authorization Form

The City of Austin has included this form as part of an application for an

- Initial
- Renewal

permit to use the public right-of-way adjacent to your business. The request is for the sidewalk space within the area shown on the attached exhibit.

Please note that the improvements will remain in place until the permit has been terminated.

If there are specific concerns, hazards and/ or activities that would violate City ordinance or cause undue hardship, please provide written comment on this form.

Please note this authorization form will not be recorded or be subject to a Fee Title Search. By signing this form, no liability is assumed.

Fee Title Owner of the Real Property

Please fill this section out completely, as this information will be considered by the City of Austin to determine whether or not the use indicated above will be approved or denied. If you check, "No, I do not authorize", please take the time to provide additional information in the comments section below.

- Yes, I authorize
- No, I do not authorize

(Signature)

(Print Name and Title)

(Print Address)

(Phone Number)

Comments



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Adjacent Property Owner/Tenant Contact Information

Please provide information on the business where the sidewalk café will be located and the adjacent properties. This form must be filled out and turned in before application can be accepted.

Adjacent Property #1

Name of Business _____

Name of contact person _____

Contact address _____

Phone number _____

Email address _____

Adjacent Property #2

Name of Business _____

Name of contact person _____

Contact address _____

Phone number _____

Email address _____

Comments from Adjacent Property Owners/Tenants
