

SIDEWALK CAFÉ

I want to: Set up an outdoor seating area for my restaurant that is accessible only to my patrons.

Do I need a permit? Yes, any use of the public right-of-way, which is defined as the space outside the private property line, requires permission from the District Department of Transportation and usually requires a rental payment for use of the space.

Where do I go to get this permit? The public space permit office at 1100 4th Street, SW, second floor, between the hours of 8:30 am and 4:15 pm, weekdays except Thursday when hours are 9:30 am to 4:30 pm. DDOT electronic permit kiosks are available to simplify the permit application process. These kiosks are located at the Permit Office as well at all seven Metropolitan Police Department District Stations or you may enter your application information, upload supporting documents and submit your application online from your home or office computer at <https://tops.ddot.dc.gov>.

What do I need when I apply for this permit?

1. Supporting documentation (described below) in a PDF or TIFF electronic format may be uploaded from your home or office computer during the online application process or paper copies may be submitted in person at the permit office.
2. A notarized copy of the rental (lease) agreement if someone other than the owner of the property is the permittee.
3. A copy of a valid certificate of occupancy for the establishment.
4. A public liability [insurance policy](#) covering all use of public space by the permittee
5. Three (3) 8 x 10 photographs showing front view and views from the right and left of the entire space proposed for the café, including area immediately surrounding the café space.
6. Fifteen (15) copies of the site plan drawing, to scale, indicating:
 - a. The amount of public surface space to be used by the café (square footage).
 - b. Configuration of all café elements, including tables, chairs, umbrellas, railings, or other fixtures.
 - c. All existing conditions on the adjacent sidewalk, including tree spaces.
 - d. Dimension from adjacent roadway curb(s) to the property line.
 - e. Dimension from adjacent roadway curb to outer edge of sidewalk café.
 - f. Dimension from edge of sidewalk café to the nearest street intersection.
 - g. Elevation view(s) of any footing details required to construct the sidewalk café.
 - h. Clearly identified restaurant entrance.
 - i. Sidewalk café entrances (2 required by fire code), if a barrier will be used.
 - j. Distance between tables (3 feet for ADA compliance, but 4 feet preferred).
 - k. Elevation views of tables, chairs and any other objects to be placed on the public space.
 - l. Total seating (number of tables and chairs) and total square footage.
7. Sidewalk Cafés are subject to compliance with **DCMR Title 24, Chapter 3**.
8. Please present one (1) copy of the site plan to the Public Space Committee Coordinator for comment before submitting the full package of fifteen (15) site plans.
9. If approval by the U. S. Commission of Fine Arts (CFA) or the D. C. Historic Preservation Review Board is required, as determined by each of those boards respectively, the applicant must submit those approvals with the public space permit application.

What else will I need? After submitting your application you will need to give appropriate notice of the application by clearly posting on the proposed sidewalk café location **Notice** that an application has been filed. A notarized **Certification of Notice** demonstrating compliance with the notice requirement must be submitted to the Public Space Committee Coordinator at least one week prior to the Public Space Committee hearing on the application.

How much will this permit cost? The permit will cost \$260. In addition, the sidewalk café rental will be taxed yearly through a calculation of square footage at \$5.00 per square foot for Unenclosed Cafés and \$10.00 per square foot for Enclosed Cafés by the Office of Tax and Revenue. Please call (202) 727-4829 for more tax information. Checks or money orders should be made payable to “**DC Treasurer**” Discover, MasterCard and Visa accepted.

How long will the permit application process take? All permit applications for sidewalk cafés must be heard before the Public Space Committee. The average timeframe is 45 to 90 days. You may check your application status at <https://tops.ddot.dc.gov>.

What if I need more information? Please call the Public Space Permit office at (202) 442-4670.