



File No.: _____ Date of Completed Submittal: _____

APPLICATION FOR A RIGHT-OF-WAY DINING PERMIT

City of Atlanta, Department of Transportation
(404/330-6501)

APPLICANT NAME (Primary Contact) _____

BUSINESS NAME _____

PHONE NO. _____ EMAIL _____

PROPERTY OWNER _____

PHONE NO. _____ EMAIL _____

If there are additional property owners, please submit a list of all adjacent property owners affected.

ADDRESS OF SUBJECT PROPERTY: _____

IS THIS A ☐ **NEW APPLICATION OR** ☐ **RENEWAL OF AN EXISTING APPLICATION?**

IS THIS APPLICATION FOR ☐ **SIDEWALK DINING OR** ☐ **ON-STREET (PARKING SPACE) DINING**

I HEREBY DEPOSE AND SAY THAT ALL STATEMENTS HEREIN AND ATTACHED STATEMENTS SUBMITTED ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I ALSO HEREBY AUTHORIZE CITY OF ATLANTA STAFF TO INSPECT THE PREMISES OF THE ABOVE DESCRIBED PROPERTY.

Date _____ Signature of Applicant _____

The Atlanta City Code provides that the Department of Transportation shall review each request for a Sidewalk Dining Permit within 30 days of a filing of a completed application for such request. (Atlanta Code Chapter 138, Article VII)

Submission Requirements: see detailed checklist. Original application may be delivered to: ATLDOT, 55 Trinity Ave., Suite 4900, Atlanta, GA 30303.

General Requirements (refer to Article VII of Chapter 138 of the Code of Ordinances for the full requirements):

- 1) Permits shall be issued only to validly licensed eating and drinking establishments.
- 2) Each right-of-way dining permit shall be effective for one (1) year date of permit issuance and subject to annual renewal. For change of ownership or transfers, notification must be sent to the Department of Transportation in advance of change.
- 3) The Right-of-Way Dining Permit shall cover only those portions of the dining area that are located within the sidewalk or existing on-street parking space right-of-way. Items located on private property will be governed by other applicable regulations pursuant to part 16 of the Zoning Code.
- 4) The issuance of a right-of-way dining permit does not convey any interest in any city right-of-way or other real property to any person or business.
- 5) No live music or entertainment shall be placed within the outdoor dining area.
- 6) Right-of-way dining is restricted to sidewalk or parking space frontage(s) of the subject building of the validly licensed eating and drinking establishment.
- 7) The area permitted for a sidewalk café shall be visually delineated from the remaining sidewalk area by silver-colored, metal pins with a minimum two-inch diameter installed in the ground at the corners and flush at sidewalk grade.
- 8) The area permitted for on-street parking space dining shall be delineated from the remaining street using pre-approved barricades as shown in the design criteria.
- 8) All tables, chairs, planters and other furniture shall be located totally within the limits of the designated area.
- 9) Sidewalk dining shall be located in such a manner that the following minimum pedestrian clearance shall be provided:
 - i. Along all streets a minimum width of six (6) feet; or
 - ii. A greater width as required in the applicable zoning district regulations; and
 - iii. In areas of congested pedestrian activity or special pedestrian safety concerns, the Commissioner is authorized to require a wider pedestrian path, as circumstances dictate.
- 10) No right-of-way dining area furniture shall be permitted within six (6) feet of a pedestrian crosswalk, handicap ramp, taxi stand, fire hydrants, FDC (Fire Department Connection) equipment on building facades, or storefront service counter windows, or driveways, and within fifteen (15) feet of transit stops or transit shelters.
- 11) No right-of-way dining area furniture shall be attached, chained, or in any manner affixed to any tree, post, sign, or other fixtures, curb, pavement or sidewalk within or near the permitted area.
- 12) Umbrellas may be located within the right-of-way dining area provided that there is a minimum vertical clearance of eight (8) feet. Said umbrellas shall be anchored with a weighted base. Umbrellas and other decorative material shall meet the requirements of the International Fire Code.
- 13) **Parking.** The applicable zoning district regulations shall regulate the minimum parking spaces required for outdoor dining.
- 14) **Signage.** No signs, including without limitation, business identification signs, shall be permitted in the right-of-way dining area, provided however that commercial messages on items incidental and integral to the furnishing of the dining area such as an outdoor table umbrella or a table top menu display.
- 15) **Insurance and Liability:** Right-of-Way Dining Applicants must provide a valid copy of liability insurance covering damages to property or life. All on-street right-of-way dining area permit holders shall indemnify and hold harmless the City of Atlanta, its officers and employees from any claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit.

Fees (payable to "City of Atlanta Department of Finance" in the form of cash, credit card, personal check, cashier's check, or money order):

- Permit Application Fee (non-refundable): \$250
- Permit Renewal Fee: _____
- Annual ROW Dining Permit Fee:
 - Up to 250 Sq. Ft.: \$500
 - 250-500 Sq. Ft.: \$750
 - 500 and above Sq. Ft.: \$1,000

(FOR DEPARTMENT OF TRANSPORTATION OFFICE USE
ONLY)

The above request for a Right-of-Way Dining Permit (SCP) was

approved ☐

or **denied** ☐

on _____

Signed for Commissioner, Department of Transportation

Staff Reviewer - Print Name

REVISED 12/09/2020



COA Department of Transportation
RIGHT-OF-WAY DINING PERMIT APPLICATION
SUBMITTAL CHECKLIST

The following checklist is designed to assist petitioners in preparing required materials for a Right-of-Way Dining Permit. **Items omitted will delay applicant's review process.** The following items are required as part of a complete application for a Right-of-Way Dining Permit.

- ___1. **ROW-DOT Application Form:** completed with notarized signatures.
- ___2. **Project Summary:** Clearly describe the type of business establishment, size (measured in square feet) and location of outdoor right-of-way dining, and all furniture (including any planters and fencing) to be placed in the dining area.
- ___3. **Business License:** A copy of a valid business license of the eating and drinking establishment associated with the right-of-way dining.
- ___4. **Certification letters** from Bureau of Buildings, Bureau of Planning, and Urban Design Commission staff, as applicable.
- ___5. **Liability Insurance:** An original copy of certificate of liability insurance.
- ___6. **Property Survey:** Two (2) copies of the survey showing the property lines, sidewalks, right-of-way, and any underground vaults where the sidewalk café is proposed.
- ___7. **Qualified Contractor Permit:** If the proposed Dining area requires construction or cutting/digging of sidewalk, curb or street pavement, then a Qualified Contractor Permit will be required. This can be applied for concurrently with this application. Applicant will need to provide the QC permit application number.
- ___8. **Underground Vaults (as applicable):** An original copy of an affidavit by a license engineer attesting to the structural adequacy and condition of any vaults located below the sidewalk.
- ___9. **Site Plan** showing:
 - a) Property lines, street names, width of right-of-way (i.e. sidewalk, curb, street, parking area) (distance from building face to building face),
 - b) Dining area layout and dimensions showing the area requested for use as outdoor dining space.
 - c) Pedestrian clearance: dimension the width of the pedestrian path.
 - d) Furniture: including the number, arrangement, and size of the tables, chairs and umbrellas to be located in the outdoor dining area,
 - e) Dining Area delineation: Location of the two-inch diameter metal pins (silver-colored) installed in the ground at the corners and flush at sidewalk grade, and the location and size of any above-grade features such as movable planters or fencing, or other traffic barricades.
 - f) Interior floor layout and square footage of the business establishment applying for the right-of-way dining permit.

The right-of-way dining area shall contain no more than 50% of the premises total seating capacity.
 - g) Automobile and bicycle parking space layout and the amount of spaces provided.
 - h) Location of doorways, street trees and tree wells (dimensioned), street lights, telephone poles, fire hydrants, traffic lights, newspaper vending boxes, parking meters, bus shelter, sidewalk benches, trash receptacles, or any other semi-permanent sidewalk obstruction within 20 feet of the proposed dining area.
 - i) Location of utility cut-off points, manholes, vaults, etc. within dining area to be used. j)

Hours and days of operation of the right-of-way dining area.
- ___10. **Site plan size:** Plans submitted should be on sheets no smaller than of 11" x 17" and no larger than 24" x 36".
- ___11. **Site photographs** showing frontal and right and left side angle views of the entire sidewalk, parking spaces and proposed dining spaces.
- ___12. **Photographs, drawings, manufacturers' brochures or other similar renderings** fully describing the appearance of all proposed tables, chairs, umbrellas, or other objects to be located within the dining area space.
- ___13. **Other information** as requested by staff.
- ___14. **Permit fee** payable to the "City of Atlanta" in the form of cash, credit card, personal check, cashier's check, or money order.
- ___15. Water Meter Account Information is required.



COA Department of Transportation
RIGHT-OF-WAY DINING PERMIT (ROW-DP)
APPLICATION NOTARIZED AUTHORIZATION BY
PROPERTY OWNER

-08-

TYPE OF APPLICATION: **Right-of-Way Dining Permit.**

I, _____, SWEAR THAT I AM THE OWNER OR
owner(s) name

AUTHORIZED AGENT OF THE PROPERTY LOCATED AT: _____

AS SHOWN IN THE RECORDS OF _____ COUNTY, GEORGIA
WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE
PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS
APPLICATION and GRANT PERMISSION FOR INSTALLATION OF A RIGHT-OF-
WAY DINING AREA ADJACENT TO MY PROPERTY, AS SHOWN ON THE SITE PLAN
ATTACHED TO THIS APPLICATION, UPON RECEIVING CITY APPROVAL.

NAME OF APPLICANT: _____

BUSINESS ESTABLISHMENT: _____

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

Signature of Owner

Print Name of Owner

Personally Appeared
Before Me

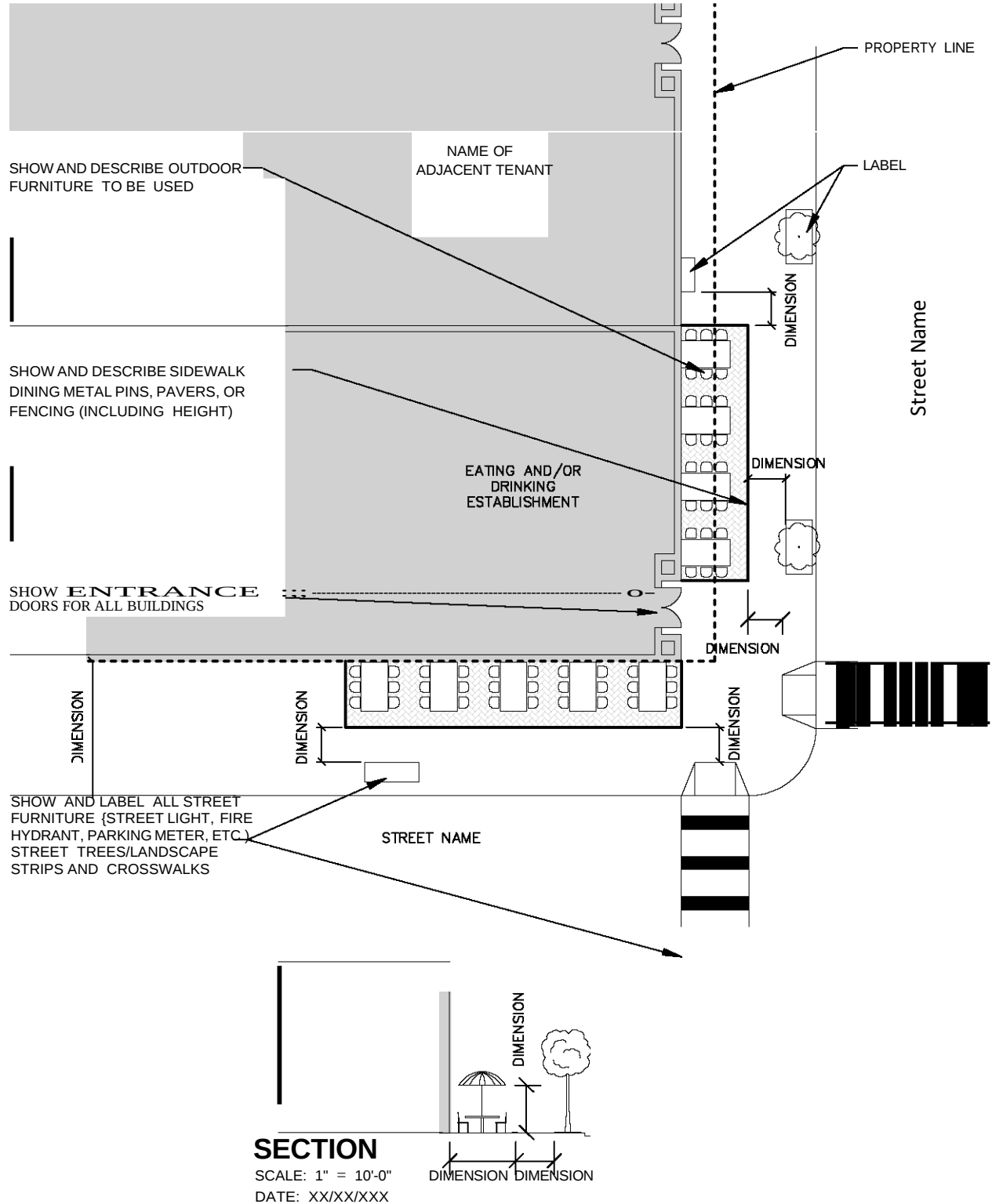
Who Swears That the Information Contained In this Authorization
Is True and Correct To The Best of His or Her Knowledge and Belief.

Signature of Notary Public

Date

SIDEWALK CAFE

SAMPLE SITE PLAN AND SECTION DRAWING SUBMITTAL



PROPERTY OWNER:

EATING/DRINKING ESTABLISHMENT:

PROPERTY LOCATION: