

CITY OF PHILADELPHIA PENNSYLVANIA

OFFICE OF THE CONTROLLER

REVIEW OF THE CITY OF PHILADELPHIA'S
OUTDOOR DINING PROGRAM

AUGUST 2024



City Controller
Christy Brady, CPA

*Ensuring transparency, accountability,
and fiscal integrity in city government*





CITY OF PHILADELPHIA

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CHRISTY BRADY
City Controller

August 21, 2024

Honorable Kenyatta Johnson, City Council President
City of Philadelphia
City Hall, Room 497
Philadelphia, PA 19107

Dear Council President Johnson,

In accordance with the Philadelphia Home Rule Charter, the Office of the City Controller conducted a review of the city's Outdoor Dining Program. Our objective was to analyze Philadelphia's outdoor dining licensing process to identify any barriers that prevent businesses from fully utilizing outdoor dining opportunities.

Our office found that the city's repeated reforms of the Outdoor Dining Program have created certain programmatic burdens for potential applicants for streeteries. Specifically, the current version of the program contains a complex application process, high costs for prospective licensees, and regulatory challenges.

We believe that, if implemented properly, the findings and recommendations contained in this report will help the city's restaurant industry flourish, drive tax revenues from the resulting transactions and wages, and better balance residents' need for safety and accessibility.

We would like to express our thanks to the management and staff of the city for their courtesy and cooperation in the conduct of our review.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christy Brady".

CHRISTY BRADY, CPA
City Controller

CC: Honorable Cherelle Parker, Mayor
Honorable Members of City Council
Bridget Collins-Greenwald, Quality of Life Director
Basil Merenda, Inspections, Safety & Compliance Director
Alba Martinez, Commerce Director



CITY OF PHILADELPHIA
OFFICE OF THE CITY CONTROLLER
REVIEW OF THE
OUTDOOR DINING PROGRAM
EXECUTIVE SUMMARY

Why the Controller's Office Conducted the Review

In accordance with the Philadelphia Home Rule Charter, the Office of the City Controller (Controller's Office) conducted a review of Philadelphia's Outdoor Dining Program. Our objective was to analyze Philadelphia's outdoor dining licensing process to identify any barriers that prevent businesses from fully utilizing outdoor dining opportunities.

What the Controller's Office Found

The Controller's Office identified significant obstacles including:

- **Revenue Impact:** The increase in business tax revenue from expanding outdoor dining would boost local business income and city tax revenue, balancing out any loss in parking meter revenue.
- **Complex Processes:** The application process for outdoor dining involves multiple steps and strict regulations on size, location, and compliance of outdoor dining setups, complicating the process for obtaining a license and operating once approved.
- **High Costs:** The city currently extracts a significant financial cost from restaurateurs to obtain licensure, in addition to constructing a streetery and maintaining all the requirements of the program, for negligible reduction in parking revenue.
- **Regulatory Challenges:** Strict regulations regarding size, location, and compliance of outdoor dining setups complicate the establishment and operation of these spaces.

What the Controller's Office Recommends

The Controller's Office has developed a number of recommendations to address the findings noted above and in the body of the report. These include:

- 1) **Streamline the Application Process:** Simplify the steps required to obtain an outdoor dining license and reduce the number of approvals needed from different departments.
- 2) **Lower Costs and Financial Barriers:** Decrease outdoor dining license application and renewal fees; and reduce insurance requirements and other costs of operating them.
- 3) **Ease and Clarify Regulations:** Clarify outdoor dining regulations regarding size and location to make compliance easier and provide clear, accessible information to business owners regarding all requirements and processes for establishing outdoor dining areas.
- 4) **Strengthen Public-Private Partnerships:** Foster collaboration between the city and private businesses to create a supportive environment for outdoor dining while engaging with local community groups to gather input and ensure the outdoor dining program meets the needs of the neighborhood.

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Introduction

The Office of the City Controller (Controller’s Office) conducted this review after the business community and City Council raised concerns over the complex and costly application procedures to obtain a streetery license. Our objective was to analyze Philadelphia’s outdoor dining licensing process to identify any barriers that prevent businesses from fully utilizing outdoor dining opportunities.

Dining and Business Landscape

Philadelphia has been home to numerous successful commercial ventures, particularly in the restaurant industry. In the 1970s, the city experienced a “Restaurant Renaissance” with dozens of new eateries blossoming in Center City and beyond, demonstrating experimental dining with a focus on French and Italian cuisine that elevated Philadelphia to one of the top destinations for dining nationwide.¹ In the decades since, the trend has picked up steam, with U.S. News and World Report ranking Philadelphia the 6th Best Food City in the United States in 2023.² Many credit our immigrant-rich history for allowing a vibrant and incredibly diverse food scene.

While carrying the reputation of one of the nation's best food cities, Philadelphia has been ranked as one of the hardest places to do business in the country.³ The city’s requirements for starting a restaurant involve a complex and extensive list of steps.

Outdoor Dining - 2013-2020

Outdoor dining has long been a cherished aspect of Philadelphia’s restaurant culture. However, before the COVID-19 pandemic, outdoor dining was primarily confined to sidewalk cafes. The concept of sidewalk cafes has been a part of Philadelphia's dining scene since the issuance of the first license in 1997. These cafes were restricted to specific areas of the city that allowed for designated spaces for tables and chairs. Between 2013 and 2019, approximately 249 sidewalk cafe licenses were in operation. The licensing process for these cafes was relatively streamlined, though often taking up to a year for approval, with minimal variation, governed by strict regulations concerning the size, location, and compliance of the outdoor dining setup.⁴ To obtain a sidewalk cafe license, restaurants were required to follow a series of steps outlined below, which included having a licensed design professional create a site plan.

1. Pre-Application Preparation: Applicants needed to ensure familiarity with the Philadelphia Code, specifically Title 11, governing street use and pedestrian facilities, with

¹ Nepa, S. (2022, April 15). *Restaurants*. Encyclopedia of Greater Philadelphia. <https://philadelphiaencyclopedia.org/essays/restaurants/>

² Elizabeth, V. T. (2023, June 13). *Best Food Cities in the U.S. | U.S. News Travel*. U.S News and World Report. <https://travel.usnews.com/rankings/best-foodie-destinations-in-the-usa/>

³ Metz, J. (2024e, July 10). *The most and least risky cities for small businesses*. Forbes. <https://www.forbes.com/advisor/business-insurance/most-risky-cities-for-small-business/>

⁴ *Philadelphia Streetery License Guide – Outdoor Dining Program: Department of Commerce*. City of Philadelphia. (2024, February 15). <https://www.phila.gov/documents/philadelphia-stretery-license-guide-outdoor-dining-program/>

particular attention paid to sections outlining requirements for sidewalk cafes. The proposed location had to be evaluated to confirm it met all zoning and public right-of-way requirements. Adequate pedestrian clearance and adherence to accessibility standards were crucial.

2. Application Submission: Applicants had to fill out the "Sidewalk Cafe License Application" form, which was available on the Department of Licenses and Inspections (L&I) website. Necessary documents, including a site plan illustrating the cafe layout, dimensions, and clearances, were collected. Photographs of the proposed area, proof of liability insurance, and a copy of the current business license were also required. Prerequisites regarding insurance and other requirements as well as a non-refundable application fee, as specified by L&I, had to be prepared and paid. The fee schedule was also accessible on L&I's website.
3. Community and Stakeholder Engagement: Local community groups and adjacent property owners needed to be informed about the sidewalk cafe proposal. Any feedback received was collected and documented by the owner. A public notice had to be displayed at the proposed cafe site for a minimum period as mandated by L&I, ensuring visibility to passersby and stakeholders.
4. Review and Approval Process: The application and supporting documents were submitted to L&I for initial review. This stage assessed compliance with city codes and regulations. Applications were often forwarded to other city departments, such as the Streets Department, the Art Commission, and the Office of Transportation, Infrastructure, and Sustainability, for further evaluation. If the location required a variance, the proposal had to be presented to the Zoning Board of Adjustment for approval. Attendance at a public hearing might have been necessary.
5. Permit Issuance and Compliance: Upon approval, applicants received a sidewalk cafe license from L&I. The license had to be prominently displayed at the business premises. Continuous compliance with all operational standards was required, including maintaining cleanliness, noise control, and adherence to the approved site plan. Inspections may have been conducted by city officials to verify compliance.⁵

Outdoor Dining - 2020-2022

As the pandemic unfolded in 2020, Philadelphia faced unprecedented challenges, prompting the city to develop the COVID-19 Commercial Recovery Plans to provide essential guidelines for various business sectors. Among these measures, outdoor dining regulations were introduced and subsequently updated in 2021, to address the evolving needs of restaurants striving to reopen and serve their communities safely.

⁵ Team, D. (2018, September 23). *How to get a sidewalk cafe license in Philadelphia*. <https://www.designblendz.com/blog/how-to-successfully-get-pla-sidewalk-cafe-license-in-philadelphia>

While the permitting process for outdoor dining took up to a year; under pandemic emergency measures, applications were processed within 3 days. The permit approval process for outdoor dining was expedited, allowing a surge in outdoor seating permits, totaling 793 issued by December 2020.⁶ Many barriers were removed from the initial process to expedite restaurant owners' ability to operate their outdoor dining. This included expanding outdoor dining options to four categories: Sidewalk Cafe, Streeter, Temporary Street Closure, and Temporary Use Permit, outlined in Illustration 1 on the next page. The application also was able to be completed online through the city's electronic commercial licensing, inspection and permit services enterprise (eCLIPSE). This application required no additional application or submission fee and maintained prerequisites of first obtaining a commercial activity license, a food preparation and serving license, and (optionally) a liquor license. Appendix A highlights more thoroughly the guidelines for outdoor dining at that time. Recognizing the importance of continuity, City Council extended the validity of these initial permits from the original expiration date of December 31, 2020, to the end of 2021. This extension allowed restaurants to maintain outdoor alongside indoor operations throughout the winter months, contributing to a revitalized economic environment.

⁶Number totaled from 751 Temporary Licenses issued in 2020 combined with 42 Sidewalk Cafe Licenses issued in 2020

Illustration 1



Outdoor Dining Options

There are four (4) categories of outdoor dining options.

<p>1. Sidewalk Café</p>  <ul style="list-style-type: none"> Daily use of sidewalk area in front of business for restaurant seating. In certain cases, a café may be extended in front of an adjacent property. 	<p>2. Streeterly</p>  <ul style="list-style-type: none"> Street level or platform that converts curbside parking into restaurant seating. In certain cases, a café may be extended in front of an adjacent property. 	<p>3. Temporary Street Closure</p>  <ul style="list-style-type: none"> Temporary closure of streets for restaurant seating. Street closures can be "full closures" or "partial closures." 	<p>4. Temporary Use Permit</p>  <ul style="list-style-type: none"> Temporary use of adjacent private lots for restaurant seating. <p>15</p>
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Outdoor Dining Options - Summary

See [Global Requirements](#) that apply to all outdoor dining.

<p>1. Sidewalk Café</p>  <p>Click here for more information.</p> <p>Applications are reviewed in 3 business days</p> <p>There is no fee associated with this License.</p> <p>Apply through aCLIPSE</p>	<p>2. Streeterly</p>  <p>Click here for more information.</p> <p>Most applications are reviewed in 3 business days*</p> <p>There is no fee associated with this License.</p> <p>Apply through aCLIPSE</p> <p>* Additional review time applies if a platform is proposed</p>	<p>3. Temporary Street Closure</p>  <p>Click here for more information.</p> <p>Multiple restaurants can apply together</p> <p>There is no fee associated with this Permit.</p> <p>Apply through Temporary Street Closure Application</p>	<p>4. Temporary Use Permit</p>  <p>Click here for more information.</p> <p>Applications are reviewed in 3 business days</p> <p>\$30 permit fee, due at application</p> <p>Apply through aCLIPSE</p> <p>16</p>
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During the pandemic, sidewalk cafes and streeteries emerged as crucial lifelines for restaurants seeking to survive and adapt under new public health guidelines. The first streeterly rollout kept consumers and business owners alike happy. Using outdoor space for dining meant keeping more

workers employed and more revenue generated. According to Washington DC’s Department of Transportation, 87% of restaurants with outdoor dining increased their business revenue.⁷ That original rollout did well not just in its popularity, but as a workable compromise in a time of rampant public health concerns. Sidewalk cafes predate the pandemic but the streeteries were favored for their separation from foot traffic and more space generally.

With restaurants beginning to operate again, public opinion and feedback played a significant role in shaping the program’s next steps. Prior to the pandemic, reserving on-street parking for public use was generally met with resistance by some neighbors and community members. During the pandemic, however, the necessity of outdoor dining led to broader acceptance. Patrons noted the enhanced dining experience and the added sense of safety in the midst of the pandemic, while business owners valued the adaptability and convenience of streeteries. For instance, the restaurant owners on the 1500 block of Sansom Street advocated to keep the block closed to vehicular traffic indefinitely.⁸

A report called “What Diners Expect in 2021” released by the James Beard Foundation and Open Table gave insight into what restaurant-goers thought of dining mid-pandemic and what they hoped for the future.⁹ 21,000 diners across the US and Canada were surveyed. The report found, as of February 2021, 31% of respondents had returned to dining out per usual, and 54% planned to dine at a restaurant within the year at least once a week. 82% said they wanted restaurants to continue outdoor dining. An earlier report by the National Restaurant Association showed that 4 in 10 people dining at a streeterie within the year after the initial outbreak of COVID-19 in March 2020 and nearly twice as many believed streeteries should remain in operation beyond the pandemic.¹⁰

Outdoor Dining - 2022-Present

In 2021, City Council unanimously passed a bill known as the Permanent Outdoor Dining Program.¹¹ The implementation of that bill is detailed in the Philadelphia Streeterie License Guide, found in Appendix B, which provides an overview for restaurant owners of the regulations and application processes to obtain an outdoor dining license. There are two types of such licenses: one for sidewalk cafes and another for streeteries.

⁷ Prince Of Petworth. (2021, March 4). “According to DDOT’s survey, 89% of local businesses operating a streeterie overwhelmingly support a permanent DDOT streeterie program.” PoPville. <https://www.popville.com/2021/03/reopen-washington-dc-alcohol-act/>

⁸ Robertson, E. (2022, March 29). A block of Sansom street reopens to traffic, and restaurant owners are not too happy. *The Philadelphia Inquirer*. Retrieved from <https://www.inquirer.com/food/sansom-street-restaurants-20220329.html>.

⁹ James Beard Foundation. (2021). *What diners expect in 2021*. Open Table. <https://restaurant.opentable.com/wp-content/uploads/sites/156/2021/03/q1-2021-diner-survey-v2.pdf>

¹⁰ Grindy, B. (2021). *Consumers want to keep “streeteries” in place beyond the pandemic*. National Restaurant Association. <https://restaurant.org/education-and-resources/resource-library/consumers-want-to-keep-%E2%80%98streeteries%E2%80%99-in-place-beyond-the-pandemic/>

¹¹ Moselle, A. (2021, December 3). *Philly Council passes Bill to legalize “streeteries” permanently in some areas*. WHY. <https://why.org/articles/philly-council-passes-bill-to-legalize-streeteries-permanently-in-some-areas/>

Types of Licenses

Sidewalk Cafe Licenses: The sidewalk cafe license allows restaurants to use sections of the sidewalk directly in front of their establishments for outdoor dining purposes. This license ensures that adequate space is preserved for pedestrian movement and accessibility, including provisions for individuals with disabilities, such as specified seating areas and accessible routes onto the streetery. It also ensures regulations on noise and cleanliness to mitigate any potential disturbances to the neighborhood. The goal is to create a pleasant dining experience while maintaining public space integrity.

Streeteries Licenses: The streetery license allows restaurants to occupy parking spaces in front of their premises for outdoor dining, with these areas protected by crash barriers. It enables restaurants a more expansive increase their seating capacity, which is particularly valuable in a post-pandemic recovery context. The regulations governing the streetery license are designed to ensure the safety and accessibility of the space for street traffic, diners, pedestrians, and individuals with disabilities. Similar to the sidewalk cafes license, the streetery license includes stipulations on noise and cleanliness to ensure minimal impact on the surrounding environment.

Types of Streeteries

The Permanent Outdoor Dining Program in Philadelphia distinguishes between three types of streeteries: Pavement, Platform, and Structure.

Pavement Streeteries are located directly on the street pavement and are enclosed by crash barriers. These do not require a building permit or Art Commission review. The barriers for pavement streeteries must be concrete or water-filled jersey barriers, standing 32 inches above the pavement and at least 18 inches deep. They must also include a safety reflector and a street address. A barrier of equal strength certified by a licensed engineer may be approved as an alternative. It is highly recommended that removable floor access panels be incorporated into the design to facilitate cleaning. Each restaurant must ensure ADA-compliant seating and accessibility features, and the design must allow stormwater to flow through the barrier and along the curb.

Platform Streeteries feature a platform that is flush with the curb and is surrounded by crash barriers placed directly onto the street pavement. Like pavement streeteries, platform streeteries do not require a building permit or Art Commission review. The platform must also ensure ADA-compliant seating and accessibility features, and stormwater management must be considered.

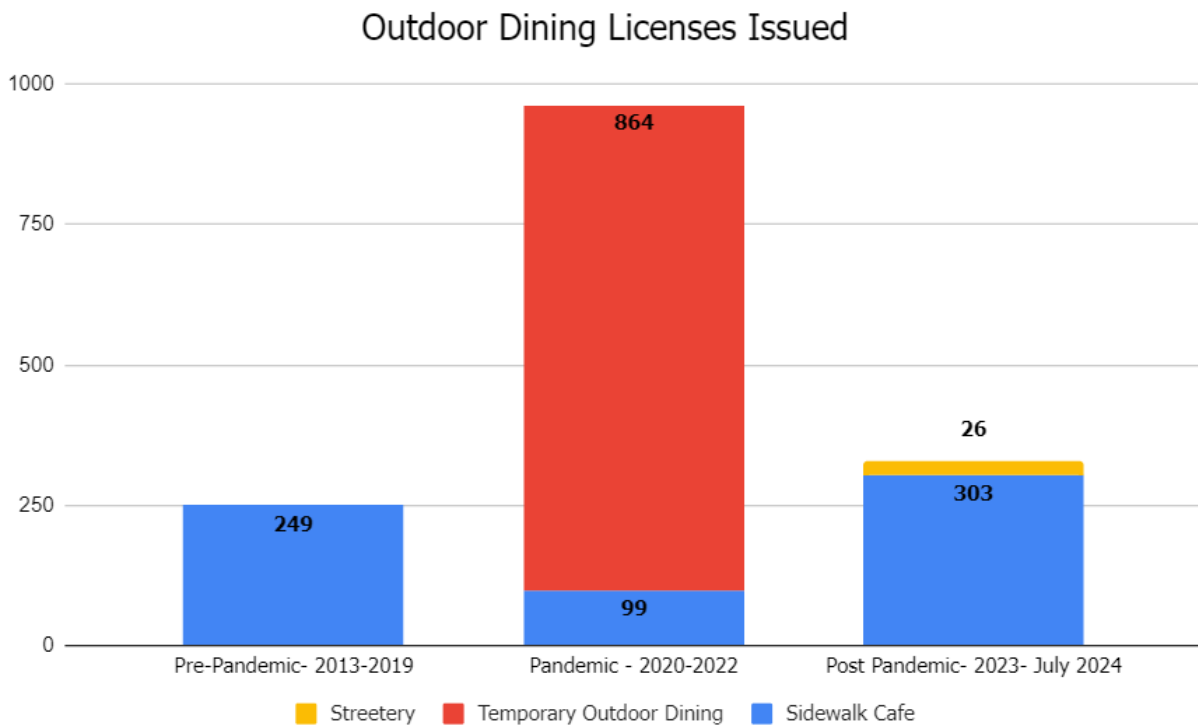
Structured Streeteries are distinct in that they are enclosed by an overhead covering which must be at least 48 inches higher from the pavement. The overhead covering should be between 7 and 8 feet above the ground. As with pavement and platform streeteries, structured streeteries require crash barriers on all three sides of the enclosure, however, no overhangs are permitted over the travel lane. The requirements for spacing, ADA compliance, and barrier specifications for structured streeteries are consistent with those for pavement and platform streeteries.

Structured streeteries require an Art Commission review that the sign and streeteries committee will make comments/edits on the design of the structure.¹²

Challenges with New Regulations

The transition from the more lenient emergency permitting guidelines implemented during the COVID-19 pandemic to the stricter Permanent Outdoor Dining Program has highlighted several challenges for Philadelphia's restaurant industry, including complications with the new application process and discrepancies between the permit handbook and actual regulations. The updated rules imposed strict limitations on space and location, enforced rigorous infrastructure and safety requirements, and have led to a notably low application rate for renewing outdoor dining setups as shown below.

Illustration 2



The regulations - which include detailed specifications for structural integrity, safety barriers, and restrictions on amenities, such as prohibiting gas heaters and limiting electrical lines, as well as imposing a substantial \$1,750 annual licensing fee - have proven burdensome for many restaurant owners. The high costs and stringent requirements have forced some to dismantle their streeteries. Additionally, the regulations have raised concerns that they disproportionately

¹²Apply for construction approval from the Art Commission, <https://www.phila.gov/services/zoning-planning-development/get-a-plan-review/art-commission-plan-reviews/apply-for-construction-approval-from-the-art-commission/>

burden smaller, independent restaurants, placing them at greater risk of closure and undermining their ability to sustain a safe and viable outdoor dining environment.¹³

The Future of Outdoor Dining

Since the swearing-in of the current City Council in January 2024, improvements to the streeteries program have already begun to be implemented. Bill No. 240331,¹⁴ proposed modifying the city's requirements and standards related to streeteries to streamline the process for restaurant owners. Since enacted, this bill also permits streeteries to extend beyond a restaurant's direct right-of-way¹⁵ and into that of an immediately adjacent property, with the written approval of that neighboring property's owner, similar to pandemic and pre-pandemic regulations.

In a Committee on Streets & Services hearing on May 10, 2024, to consider the bill, City Councilmembers heard a wide range of testimony in support of the legislation. The Office of Policy and Strategic Initiatives within the City of Philadelphia Department of Commerce (Commerce), testified in support of the bill. Commerce explained that using a portion of the right-of-way as a streeteries is a privilege that restaurants can expand patron capacity. Permission from an adjacent property owner would be required in writing every year or any time property ownership changed. Anticipating potential additional improvements to the program, Commerce also recognized that the existing outdoor dining program has many challenges, including businesses being "frustrated with the rules and the licensing process."

In a broad display of support for the streeteries initiative, various neighborhood and business organizations supported the revised policy. The Old City Special Services District highlighted critical deficiencies in the existing streeteries regulations. The organization noted that the previous limitations on right-of-way space have constrained outdoor dining options, making the pursuit of a license less appealing due to its significant cost and complex application process. The Old City Special Services District advocated for allowing streeteries to extend into the right-of-way of adjacent properties, arguing that such an expansion would enhance seating capacity without substantially increasing costs to business owners. This change would also benefit the city by generating additional tax revenue from sales and employment, as well as from application and renewal fees.

The Pennsylvania Restaurant & Lodging Association (PRLA), which represents over 400 operators in Philadelphia and more than 5,000 statewide, also testified in favor of allowing adjacent use for streeteries. PRLA emphasized that this adjustment would result in increased seating, customer

¹³ *Philadelphia Streeteries License Guide – Outdoor Dining Program: Department of Commerce*. City of Philadelphia. (2024, February 15). <https://www.phila.gov/documents/philadelphia-streeteries-license-guide-outdoor-dining-program/>

¹⁴ *Bill No. 240331, 2024 City Council of Philadelphia*. <https://phila.legistar.com/LegislationDetail.aspx?ID=6647939&GUID=677CBF5B-780E-4DEB-A269-AB2BEEF9FD57&Options=ID%7CText%7C&Search=240331&FullText=1>

¹⁵ "right of way" refers to the legal right to use a specific piece of land for transportation and access purposes, such as streets, sidewalks, and utility corridors, which must be kept clear of obstructions to ensure public access and infrastructure maintenance.

volume, and employment opportunities, particularly benefiting older and historic establishments that often face spatial constraints.

Restaurateurs also voiced strong support for Council’s bill. A group that operates several restaurants in Philadelphia pointed out the limitations imposed by current regulations, which restrict some restaurants to only a few outdoor seats due to space constraints. Expanding into adjacent properties would enable these establishments to significantly increase their seating capacity. Another restaurant owner who operates in the South Street Head House Business District echoed this sentiment, arguing that such an expansion would invigorate the industry and benefit operators, employees, and patrons alike.

Further suggestions for improving the streetery program emerged during the May hearing. Commerce proposed several potential enhancements that align with the PHL Open for Business Executive Order signed by the Mayor in April. Laying out the Mayor’s commitment to creating a more business-friendly government, this executive order aids the city in removing regulatory burdens, expediting approval timelines, streamlining permit and licensing processes, and otherwise improving government services for the business community.¹⁶ In regard to streeteries, Commerce has adhered to this initiative by finding ways to streamline the application process, engaging design experts to create a standard streetery model to expedite approvals, and exploring modifications such as expanding by-right areas and making all streeteries open-air and seasonal.

Best Practices

While the administration and City Council’s commitment to enhancing the efficiency and accessibility of outdoor dining reflects a proactive approach to supporting Philadelphia’s restaurant industry, the path forward requires a careful examination of potential challenges. In particular, issues surrounding revenue generation, compliance with L&I requirements, and the processes adopted by other cities will significantly influence the effectiveness of these reforms. Analyzing these factors will provide a clearer picture of the potential hurdles the city may face in balancing robust revenue streams with manageable regulatory frameworks, ensuring that the outdoor dining program achieves its intended goals without inadvertently creating new obstacles for businesses and municipal administration alike.

As Philadelphia seeks to innovate its outdoor dining regulations, we looked at how other cities have successfully managed and refined their outdoor dining practices in response to the

¹⁶ Department of Commerce. (2024a). *Mayor Chelle L. Parker signs PHL Open for Business Executive Order & introduces Mayor’s Business Action Team: Department of Commerce*. City of Philadelphia. <https://www.phila.gov/2024-04-15-mayor-cherelle-l-parker-signs-phl-open-for-business-executive-order-introduces-mayors-business-action-team/#:~:text=“PHL%20Open%20for%20Business%20is,at%20the%20speed%20of%20business.>

pandemic. Cities like Pittsburgh, Baltimore, Chicago, San Francisco, New York, and Seattle have implemented innovative approaches that offer valuable lessons.

Pittsburgh has established a versatile framework for outdoor dining that accommodates a broad range of businesses, not limited to restaurants. Unlike Philadelphia's cross-departmental reviews, Pittsburgh's streamlined licensing process requires businesses interested in outdoor commerce to submit a consolidated set of documents, including a Certificate of Insurance and proposed site plans in one step, which simplifies and accelerates the approval process.¹⁷ Pittsburgh's model emphasizes both safety and convenience, creating a more manageable path for businesses to set up outdoor dining areas.

Baltimore's, Curbside Commercial Facilities program,¹⁸ which became permanent as of April 2023, has proven effective in expanding outdoor dining opportunities. The prerequisites of this program are a minor privilege permit, commercial general liability insurance, workers' compensation, and liquor liability (where applicable). The curbside commercial fee, which varies based on the equity score of the area, reflects a nuanced approach to balancing revenue generation with accessibility. The Baltimore City Department of Transportation oversees the review process and requires detailed site plans that include information on roadway grade and parking restrictions. Despite some concerns about costs, this program has successfully enhanced outdoor dining spaces and provided significant benefits to businesses and patrons.

Chicago offers three distinct models for outdoor dining, each catering to different needs. The Sidewalk Cafe program is exclusive to restaurants and bars and requires proof of a valid Retail Food Establishment License and, if applicable, a Liquor License.¹⁹ Full Street Closures involve at least three establishments applying together, with stringent requirements to maintain accessibility for emergency vehicles and ensure that the street can be cleared within 24 hours.²⁰ Curb Lane Closures can operate alongside sidewalk cafes or independently, requiring a valid Retail Food Establishment License.²¹ Chicago's approach, managed by the Department of Transportation, is noted for its simplicity and efficiency, facilitating the revitalization of urban spaces despite occasional complaints about space usage.²²

¹⁷ City of Pittsburgh – Department of Mobility and Infrastructure. (2022). *Outdoor Dining & Retail License - application guidelines*.

¹⁸ Title 14: DEPARTMENT OF TRANSPORTATION. (2023). In *Subtitle 03: Right of Way | Chapter 04: Curbside Commercial Permits*.

¹⁹ City of Chicago: Business Affairs and Consumer Protection. (2024). Sidewalk Cafe. https://www.chicago.gov/city/en/depts/bacp/supp_info/sidewalkcafe.html

²⁰ City of Chicago: Business Affairs and Consumer Protection. (2024). Full Street Closure. https://www.chicago.gov/city/en/depts/bacp/supp_info/fullstreetclosure.html

²¹ City of Chicago: Business Affairs and Consumer Protection. (2024). *Curb Lane Closure*. https://www.chicago.gov/city/en/depts/bacp/supp_info/curblaneclosure.html

²² Zimmermann, S. (2019, August 15). *Chicago's sidewalk space crunch: Cafes gobble up space, and more pedestrian complaints are coming in* - Chicago Sun-Times. Chicago Sun-Times. <https://chicago.suntimes.com/consumer-affairs/2019/8/16/20750745/sidewalk-cafes-space-crunch-disabled-accessibility-pedestrian-chicago>

San Francisco has implemented the Shared Spaces program, which allows for the use of sidewalks, parking spaces, and streets for various outdoor activities. This program simplifies the application process by reducing regulatory barriers and supports businesses in transforming public spaces into vibrant dining areas. By permitting diverse uses of public space, San Francisco's program has revitalized local businesses and enriched that city's street life, demonstrating how temporary pandemic measures can evolve into effective, long-term policies.²³

New York City's Open Restaurants program, initially a pandemic response, has been extended due to its success. This program allows dining on streets and sidewalks, featuring a straightforward application process and temporary permits. The user-friendly online portal and extensive outreach efforts have facilitated widespread participation, enhancing New York City's dynamic street environment and supporting local restaurants.

Seattle's Street Food and Outdoor Dining Program integrate outdoor dining into public spaces while ensuring safety and accessibility. The program simplifies permit requirements and supports various outdoor dining configurations. Seattle's approach highlights the importance of adapting regulations to accommodate business needs and improve the overall dining experience.

These cities collectively showcase a range of successful outdoor dining strategies, from Pittsburgh's streamlined application process to Baltimore's nuanced fee structures, Chicago's flexible models, and the innovative programs of San Francisco, New York City, and Seattle.²⁴ Their diverse approaches provide valuable insights for Philadelphia as it seeks to refine and enhance its outdoor dining policies.

Application, Licensing, and Inspection

Examining successful outdoor dining programs in cities such as Pittsburgh, Baltimore, and Chicago highlights strategies that help benchmark Philadelphia's performance on a national stage. Those cities have refined their application processes and regulations to support dynamic outdoor dining environments. By aligning local practices with these successful models, Philadelphia can benefit from similar efficiencies and improvements. Recent reforms initiated by the Joint Task Force on Regulatory Reform (Task Force) are a step in this direction, aiming to streamline procedures and optimize performance, thereby positioning Philadelphia to achieve the effectiveness seen in other leading cities' outdoor dining programs.²⁵

²³Outdoor dining allowed under new health directive | San Francisco. (2020, June 12). <https://www.sf.gov/news/outdoor-dining-allowed-under-new-health-directive>

²⁴Office of Economic Development | Seattle.gov. (2024). Outdoor permitting for restaurants, food trucks and carts, and retail stores. <https://www.seattle.gov/office-of-economic-development/outdoor-permit>

²⁵ Created by City Council and the Mayor to hear concerns about the effectiveness of L&I and propose reforms to its structure and operations. <https://www.phila.gov/documents/joint-task-force-on-regulatory-reform/>

The Task Force's comprehensive final report, adopted unanimously, addressed several critical areas: (1) Mission, Scope, and Funding, (2) Retention and Recruitment, (3) Training, and (4) Enforcement. Of particular relevance to outdoor dining, the report underscored the need for improved enforcement strategies to ensure compliance with streetery regulations. It also recommended restructuring L&I to better allocate its diverse responsibilities, which could significantly streamline the licensing and application processes for outdoor dining.

A recent reorganization of L&I changed the city's approach to managing outdoor dining. By creating distinct divisions for Quality of Life, and Inspections, Safety and Compliance, the city aims to address the multifaceted needs of Philadelphia's evolving business landscape. This strategic restructuring is designed to integrate outdoor dining into the Quality of Life Division, thereby streamlining processes and enhancing regulatory efficiency. The alignment of L&I's outdoor dining functions with quality-of-life initiatives not only addresses long-standing concerns but also ensures that restaurants that have them will be better supported.

Revenue Considerations

As recent reforms within L&I take effect, evaluating their potential impact on revenue generation remains a consideration. Analyzing how more outdoor dining can boost local business income and, subsequently, increase city tax revenue, will be crucial for guiding future policy and optimizing the benefits of the revamped outdoor dining program.

In assessing the financial implications of expanding streetery and sidewalk cafe permits in Philadelphia, several key revenue considerations emerge. Beyond the direct fees from applications, there is a potential for increased tax revenue from other local businesses benefiting from the additional foot traffic that outdoor dining attracts. This, in turn, could lead to more income, profits, receipts, and sales (with their respective taxes) as other, neighboring businesses thrive.

The PPA generates an estimated \$37.2 million annually in parking revenues across 15,406 spaces.²⁶ If almost 250 metered spaces were converted to streetery dining spaces, total metered parking revenue would be \$36.6 million, a reduction of \$600,000. However, the additional business generated by the outdoor dining amenity would likely increase sales at the restaurants and generate about \$480,000 in new tax revenues for the city.²⁷ The revenue difference is almost neutral by converting metered parking spots to streetery dining spaces. Additionally, it could produce \$14 million in revenues for the local restaurants. While there are currently 26 (25 active) licensed streeteries in the city, the illustration below demonstrates the hypothetical restaurant revenue totals with 249 licenses (the total number of sidewalk cafe licenses before the pandemic), 500 licenses, and 864 licenses (roughly the total number of temporary outdoor dining

²⁶ On Street Annual Report 2018, https://www.philapark.org/wp-content/uploads/On-Street_Annual_Report-2018.pdf

²⁷ The illustration shows only two business taxes, specifically BIRT (gross receipts \$1.415 per \$1,000) calculated by restaurant revenue multiplied by 0.001415 and 2% city sales tax calculated by restaurant revenue multiplied by 0.02

licenses issued at the peak of the pandemic). Illustration 3 assumes that all streeteries exist within metered parking spaces.

Illustration 3

Metered Parking Spots	Tables Per Metered Parking Spot	Checks Per Table Daily	Check Average Per Table	Daily Revenue Per Metered Parking Spot	Operational Days	Annual Restraunt Revenue	Business Taxes on Revenue	Estimated Metered Parking Revenue
0.5	1	2.5	\$45	\$112.5	250	\$28,125	-	\$37,200,000
1	2	5	\$45	\$225.0	250	\$56,250	\$1,920.94	\$37,197,585
25	50	125	\$45	\$5,625.0	250	\$1,406,250	\$24,972.19	\$37,139,625
249	498	1245	\$45	\$56,025.0	250	\$14,006,250	\$480,234.38	\$36,598,665
500	1000	2500	\$45	\$112,500.0	250	\$28,125,000	\$960,468.75	\$35,992,500
864	1728	4320	\$45	\$194,400.0	250	\$48,600,000	\$1,536,750.00	\$35,113,440

Recommendations to Philadelphia Streeteries Dining

Streamlined Application Process

The current streeteries and sidewalk cafe application process, requiring separate approvals both from the Street Department’s Formstack application²⁸ and from L&I’s online eCLIPSE platform, is overly complex and difficult for restaurateurs who may lack experience with city bureaucracy or technology expertise.²⁹ Simplifying this process is crucial to encourage more participation from small businesses. Council’s recent hearing revealed that many more businesses applied for streeteries than were ultimately licensed, indicating disconnect between application completion and final approval. A more cohesive process would involve better coordination between the Streets Department, L&I, and the Art Commission, ensuring applicants receive clear, comprehensive notifications of their status. Creating one online system where applicants can track their application progress would significantly enhance transparency and reduce confusion. Learning from Pittsburgh, where multiple documents can be submitted together on a single platform at the beginning of the process, Philadelphia should allow integrated submissions and coordinated departmental reviews to streamline approvals.

Lower License/Permit Cost

Philadelphia’s current streeteries licensing costs are prohibitive for many small businesses. The \$1,750 annual license fee, combined with the cost of construction and renewal penalties, can be burdensome. The city also recommends consulting licensed architects for ADA compliance, adding to already steep costs. To alleviate these financial pressures, Philadelphia should consider extending the term of each license to reduce the frequency of renewals, similar to New York City’s four-year permits. This approach could lessen the immediate financial burden on these businesses. Alternatively, reducing the annual fee to be more in line with Pittsburgh’s \$150 fee

²⁸Philadelphia Streeteries prerequisite approval form, https://phila.formstack.com/forms/application_for_streeteries_prerequisite_approval

²⁹ Mohsen, A. (2024, April 15). *Philly Outdoor Dining Questions for City Council*. Billy Penn at WHYY. <https://billypenn.com/2024/04/11/philadelphia-outdoor-dining-program-streeteries-hearing-city-council/>

would make the program more accessible.³⁰ By extending the licensing terms and/or reducing fees, more businesses could afford to participate, ultimately increasing overall revenue for the city.

Lower Insurance Cost

The current requirement for restaurant owners to purchase a \$1 million insurance policy is a significant barrier to participation. The city should consider reducing this minimum insurance requirement or adjusting it based on the size and type of streetery being constructed. Lowering insurance costs would make the program more affordable for small businesses, encouraging more owners to participate and invest in outdoor dining spaces. By reducing financial barriers, the city can support small businesses and enhance the overall viability of the streetery program.

Clear and Defined Roadmap

Currently, there is one visual guide for constructing all the different types of streeteries (see: Appendix A), despite each process involving different steps and departments. This has led to confusion among applicants. The city should create two distinct guides: one tailored to the specific requirements of pavement and platform streeteries; and another for structure streeteries. These guides should be comprehensive, clearly outlining the steps and departmental interactions required for each type of streetery. By providing detailed, easy-to-understand resources, the city can reduce confusion and help business owners navigate the application process more effectively.

Clear Identification of Locations

To streamline the application process further, the city should develop a detailed map highlighting zones where streeteries are permissible, including areas restricted due to high-speed traffic, critical arterial roads, or floodplain regulations. This map should be readily accessible to business owners, providing clarity before they begin the application process. By clearly identifying permissible and ineligible locations, the city can save businesses time and resources, reducing the likelihood of applications being rejected late in the process.

Online Streeteries Marketplace

Philadelphia should establish an online marketplace, similar to New York City's, where restaurant owners can access pre-designed, compliant streetery kits. This marketplace would include a directory of companies offering products for the design, fabrication, installation, and maintenance of streeteries.³¹ Pre-designed concepts that adhere to all relevant regulations would be available for purchase, simplifying the process for business owners. This approach would reduce the need for costly architectural consultations and ensure that all streeteries meet

³⁰Mieleszko, A. (2023, September 6). *Philadelphia Embraced Outdoor Dining. Until it Didn't*. Strong Towns. <https://www.strongtowns.org/journal/2023/2/8/philadelphia-embraced-outdoor-dining-until-it-didnt>

³¹ *Dining Out NYC Marketplace*. Marketplace | Dining Out NYC. (n.d.). <https://www.diningoutnyc.info/marketplace>

city standards. By involving the Streets Department, L&I, and the Art Commission in the creation and maintenance of this marketplace, Philadelphia can provide a streamlined, efficient solution for restaurateurs.

Strengthening Connections with Neighborhood Organizations

To foster community support and enhance the streeterly program, the city should encourage stronger connections between participating restaurants and neighborhood organizations. Registered Community Organizations (RCOs) and residents play a vital role in the development of their communities. Allowing them to provide input on streeterly applications can ensure that the program aligns with neighborhood needs and preferences. Engaging with RCOs can help build local support for streeteries, promoting economic activity and enhancing the outdoor dining experience. By involving the community in the decision-making process, the city can create a more inclusive, sustainable streeterly program.

Conclusion

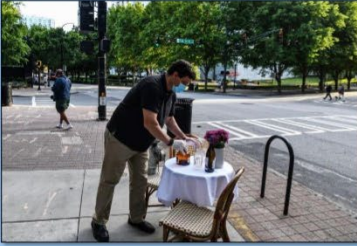
This review by the Controller's office has determined that the current outdoor dining licensing process in Philadelphia is characterized by complexity and high cost, which pose significant barriers for businesses seeking to utilize outdoor dining opportunities. The recommendations provided in this review, if applied, would allow for the city to better support local businesses, foster a vibrant dining scene, and capitalize on the economic benefits of expanded outdoor dining opportunities.

Appendix A – Outdoor Dining Guidelines 2020-2021



1 – Temporary Sidewalk Café License

Daily use of sidewalk for restaurant seating



Space Requirements

- Must comply with all [Global Requirements](#).
- Sidewalk must be a minimum of **10 feet** wide.
- No tables, chairs, umbrellas etc. are permitted to block the building entrance.
- Seating and tables must be up against the wall of the business or as close as possible.

Permit & License Requirements:

- A **Temporary Sidewalk Café and Streeetry License** is required.
- Both a Temporary Sidewalk Café and Streeetry may be applied for on the same application.

Processing Time & Fees

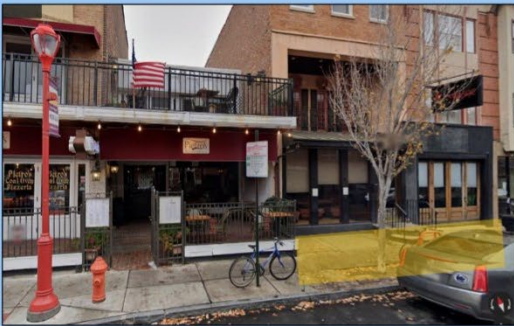
- Applications for Temporary Sidewalk Cafes are reviewed in **3 business days**.
- There is **no fee** associated with this License.



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1 – Temporary Sidewalk Café Extension

Daily use of sidewalk area adjacent to business for restaurant seating



Example extension space to adjacent business

Space Requirements

- Same as [Temporary Sidewalk Café](#).
- Each property must be directly adjacent to the restaurant. Properties that are separated by a street, alley, shared driveway are not abutting.
- May extend to a maximum of 2 properties, limited to 1 on either side. May *not* extend to 2 properties in a row.
- Permission of the adjacent property owner must be obtained.

Approval Process

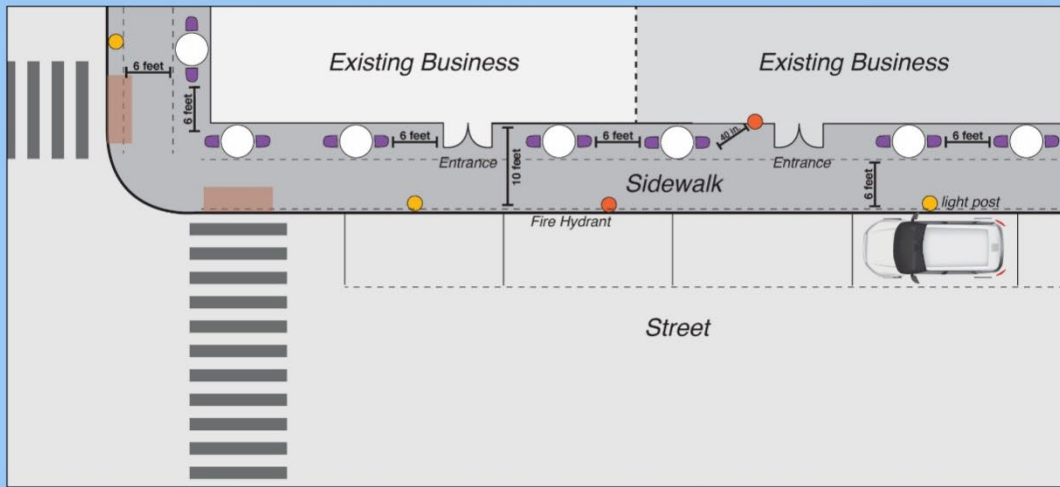
- The [Authorization of Outdoor Seating Extension](#) must be submitted with the Temporary Sidewalk Café / Streeetry License application.
- If Authorization was obtained for 2020, a new authorization form must be submitted for 2021. This can be done by [amending your license](#).



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1 - Temporary Sidewalk Café Layout - Narrow Sidewalk

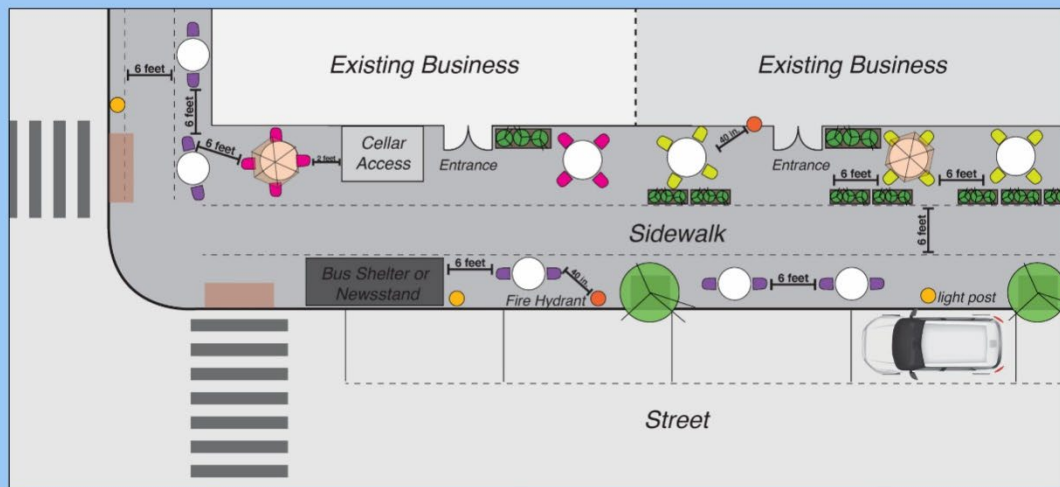
The figure below is for illustrative purposes only.



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1 - Temporary Sidewalk Café Layout - Wide Sidewalk

The figure below is for illustrative purposes only.



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Temporary Streetery License

2 – Temporary Streetery License

Daily use of adjacent parking lane for restaurant seating



Streetery Locations

- Streeteries are allowed on most Philadelphia streets. However, some streets are excluded. Click [here](#) for more information.
- [Go to Online Map](#)

Space Requirements

- Must comply with all [Global Requirements](#).
- **Structure height cannot exceed 10 ft** from pavement to highest point of roof. **NOTE:** If you are considering building a structure, **it is highly recommended that you build no higher than 4 ft** to comply with expected changes after 12/31/21.
- The parking lane must be a minimum of 7 ft wide.
- **Create a protective barrier 36-42 inches in height**, such as planters or objects of similar size and weight, to visibly separate seating from the travel lane.
- Place such barriers directly adjacent to each other **and no more than 8 feet from the curb**
- **Do not place seating or barriers within 8 feet of a crosswalk** to provide for safe vehicle turns and avoid crowding.
- Ensure visibility of patrons and barriers at night by clearly marking all barriers with yellow high intensity retro-reflective tape or reflectors.
- Do not place seating within a *No Stopping Anytime* or *No Standing Anytime* zone.
- The seating area must directly adjoin the sidewalk of the restaurant. If there is a bicycle lane or similar separation between the parking lane and the sidewalk, the two do not adjoin. Bicycle lanes may not be used without a [Temporary Street Closure Permit](#).
- Do not provide any lighting that is blinding to passing traffic.



2 – Temporary Streetery Extension

Daily use of parking lane in front of adjacent business for restaurant seating

Space Requirements

- Same as [Temporary Streetery](#).
- Each property must be directly adjacent to the restaurant. Properties that are separated by a street, alley, shared driveway are not abutting.
- May extend to a maximum of 2 properties, limited to 1 on either side. May *not* extend to 2 properties in a row.
- Permission of the adjacent property owner must be obtained.

Approval Process

- The [Authorization of Outdoor Seating Extension](#) must be submitted with the Temporary Sidewalk Café / Streetery License application.
- If Authorization was obtained for 2020, a new authorization form must be submitted for 2021. This can be done by [amending your license](#).



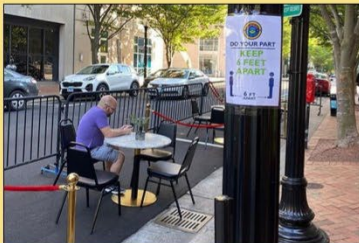
Source: Instagram

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2 – Temporary Streetery License (Street Level)

Converts curbside parking into outdoor dining or take-away food and beverages



Operations

- Restaurants may leave barriers in place within a metered zone or *No Parking Anytime* zone, provided that tables and chairs are removed or secured when not in operation.
- Propane heater and tank placement is prohibited *anywhere* within the street, including approved Streetery areas. Propane heaters may be used on sidewalks.

Space Requirements

- See [Temporary Streetery](#)
- Provide a ramp for ADA compliance, which can be made of non-permanent materials.

Permit & License Requirements:

- A **Temporary Sidewalk Café and Streetery License** is required.
- A Temporary Sidewalk Café and Streetery may be applied for on one application.

Processing Time & Fees

- Most applications for Temporary Sidewalk Cafes are reviewed in **3 business days**. Some streets require additional review time. Click [here](#) for more information.
- There is **no fee** associated with this License.

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2 – Temporary Streetery License (Platform)

Where seating is authorized along a curb, the restaurant may install a platform



Permit & License Requirements:

- A **Temporary Sidewalk Café and Streetery License** is required.
- A Temporary Sidewalk Café and Streetery may be applied for on one application.



Platform Requirements

Platforms must:

- Be flush with curb height to facilitate ADA compliance and prevent the curb from becoming a tripping hazard.
- Allow drainage to underpass seating.

Platforms shall not:

- Exceed 7 ft in width or 10 ft in height from pavement to highest point on roof. *This is a temporary allowance, therefore it is strongly recommended to not build higher than 4 ft.*
- Have more than a 2 inch gap between planks of platform.
- Block rainwater drainage getting to the curb or flowing along the curb.
- Obstruct access to or ventilation of utility covers.

Processing Time & Fees

Most reviews will be completed within **3 business days**. Some streets require additional review time. Click [here](#) for more information.

Expedited approval for the following designs:

- Platform is based on past custom Philadelphia approved parklets.
- Platform is based on parklets approved in peer cities (e.g. [LA DOT](#)).
- Platform is manufactured by pre-approved vendor specifications.

There is **no fee** associated with this License.

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2 – Temporary Streetery License - Acceptable Materials

Must use vertical partition (e.g. cones, barrels, gates, bike corrals) spaced min. 8 feet apart

Barrier Requirements:

- Must be 36-42 inches in height (excluding plantings) to preserve visibility for motorists and provide protection for patrons.
- Barriers must be located without encroaching into the travel-lane or sidewalk.
- Barrier type and location are subject to approval by the Streets Department.
- Additional construction may require other permits or approvals. Refer to the [Tents & Other Structures](#) for more information.



Acceptable Materials:

- | | |
|---|------------------------------|
| • Water-filled trash cans* (minimum 50 gallons) | • Cones |
| • Plastic planter | • Pedestrian fencing / gates |
| • Construction barrels | • Sawhorses |
| | • Jersey barriers |

* When temperatures fall below freezing, water should be brined or replaced with loose fill like sand.

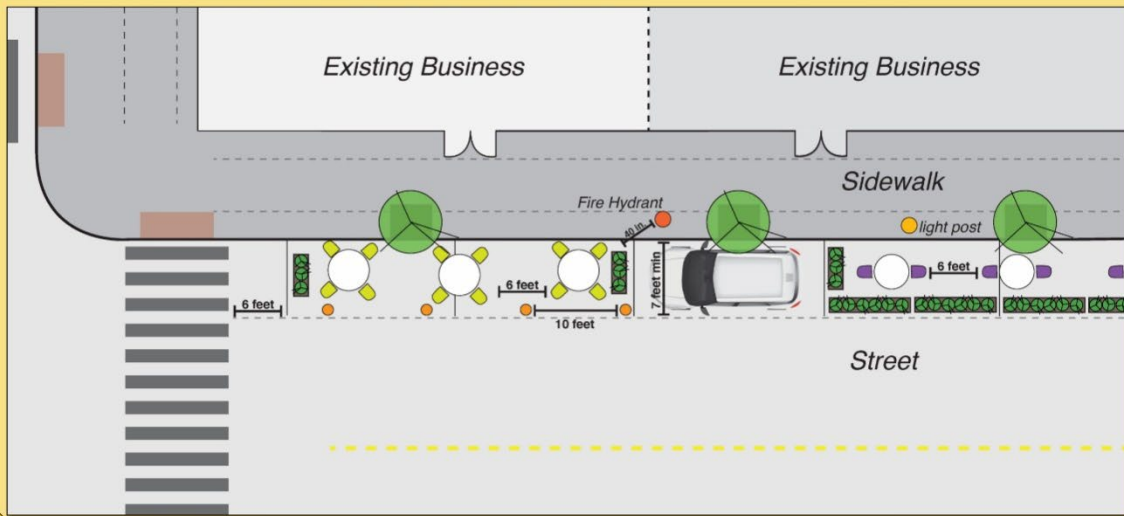


35



2 - Temporary Streeetry License Layout (Street Level)

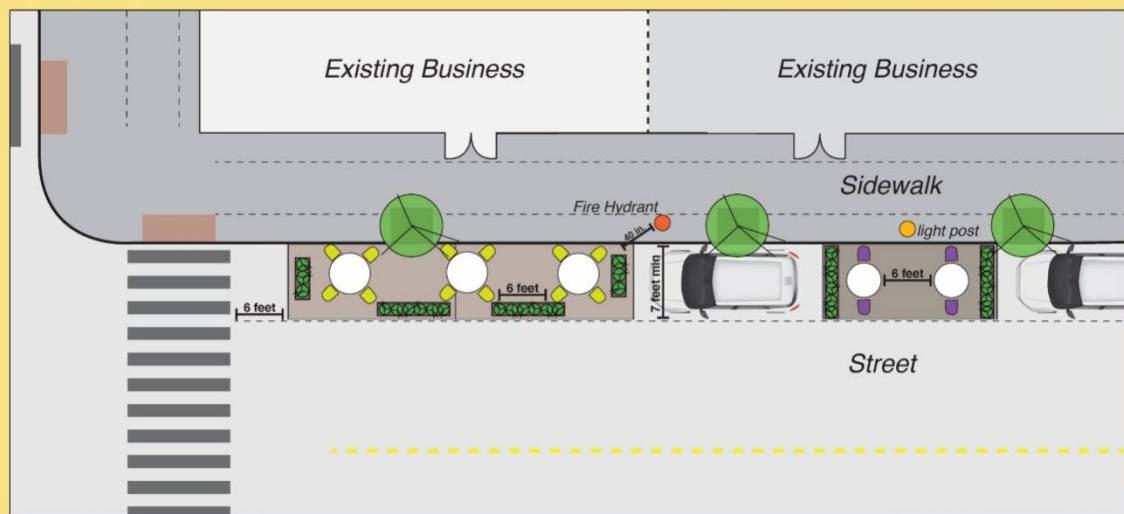
The figure below is for illustrative purposes only.



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2 - Temporary Streeetry License Layout (Platform)

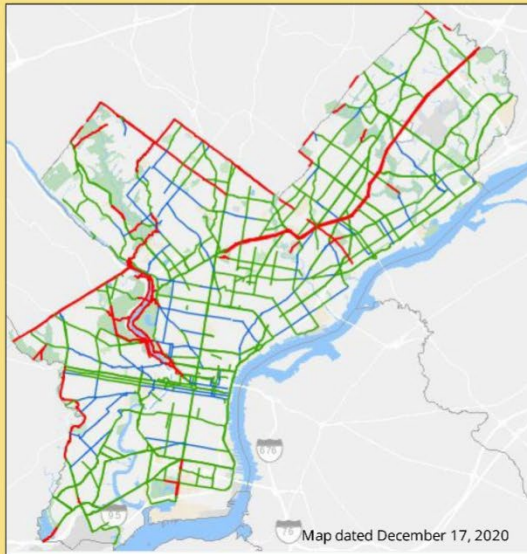
The figure below is for illustrative purposes only.



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2 - Temporary Streeetry - Prohibited Locations

Converts curbside parking into outdoor dining or take-away food and beverages



Legend

Streeetry Review

- Additional review required to ensure compliance with PennDOT guidance
- Detail review (will take more than 3 days)
- Prohibited

Streeetries are allowed on most Philadelphia streets; however, some are excluded (red), some require extended review (green) (more than 3 days), and some require coordination with PennDOT review (blue).

[Go to Online Map](#)

2 - Temporary Streeetry License - Example Parking Sign



Approved establishments will receive a parking sign. Establishments should attach the Streeetry registration to the back of the parking sign.

Temporary Sidewalk Café License

How to Apply:

- Application can be submitted through [eCLIPSE](#).

Webservice:

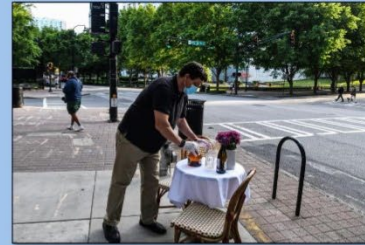
- Click [here](#) to view the service page of the Temporary Sidewalks Café License.

How to Guide:

- Click [here](#) to view the *How to Guide* to walk you through the application process. The Guide can be found under the "Online Licensing" Section.

Additional Info:

- A Temporary Sidewalk Café and Temporary Streetery can be applied for simultaneously on the same application.
- A license can be closed by contacting [311](#).



Temporary Sidewalk Café License Application

Sections 1 and 2:

- Sections 1 and 2 should be completed for ALL applications.

Section 3:

- Section 3 should only be completed if a Temporary Sidewalk Café License is proposed.

Section 4:

- Section 4 should only be completed if a Temporary Streetery License is proposed.

Section 5:

- Section 5 should only be completed if you are proposing to extend your license in front of the adjacent property(ies). If you are proposing to extend your seating area, the [Owner's Authorization Form](#) should also be submitted.

Section 6:

- Section 6 should be completed if any structure, tent or platform is proposed. This section will outline is additional permits or plans must be submitted.



**Department of
Licenses and Inspections**
CITY OF PHILADELPHIA

To apply online, complete application and go to [eclipse.phila.gov](#)

Application for Outdoor Seating in the Right-Of-Way

(Complete and submit this application for a new Temporary Sidewalk Café
 a temporary extension of a Sidewalk Café or a new Streetery)

This application is for (Check all that apply): Temp Sidewalk Café and/or Temp Sidewalk Café Extension Streetery

1	Applicant Information	Name of Licensee _____ Business Name _____ Business Address _____ Commercial Activity License Number _____ Field Project Service License Number _____
2	Operation Details	Section 3 must be completed for all applications. A. Have you used tables with legless bases/Chairs/Tables ? <input type="checkbox"/> Yes <input type="checkbox"/> No B. Have you used tables with legless bases/Chairs/Tables ? <input type="checkbox"/> Yes <input type="checkbox"/> No C. Will the Sidewalk Café and/or Streetery extend in front of adjacent property? <input type="checkbox"/> Yes <input type="checkbox"/> No D. If "Yes," Section 5 of the application must be completed. E. Is furniture proposed as part of the Sidewalk Café and/or Streetery (e.g. tent, platform, custom built structure)? <input type="checkbox"/> Yes <input type="checkbox"/> No F. Business name visible on general liability insurance policy. Minimum \$1,000,000 <input type="checkbox"/> Yes <input type="checkbox"/> No G. Furniture and equipment/structure are properly stored <input type="checkbox"/> Yes <input type="checkbox"/> No H. Arrangement of Tables and Chairs (see Section 3) is conforming <input type="checkbox"/> Yes <input type="checkbox"/> No I. Arrangement of Tables and Chairs (see Section 3) is conforming <input type="checkbox"/> Yes <input type="checkbox"/> No J. Tables and chairs are not used in any way for storage (motor vehicles, etc.) <input type="checkbox"/> Yes <input type="checkbox"/> No K. All tables are located a minimum of 4 feet from the curb <input type="checkbox"/> Yes <input type="checkbox"/> No L. All tables are located a minimum of 10 feet from a street stop <input type="checkbox"/> Yes <input type="checkbox"/> No M. Tables and chairs are not used for pedestrian movement on the way <input type="checkbox"/> Yes <input type="checkbox"/> No
3	Details for Sidewalk Cafés	Section 3 must be completed for sidewalk cafés. A. Sidewalk width (see Section 3 for requirements) _____ feet <input type="checkbox"/> Yes <input type="checkbox"/> No B. Arrangement of Tables and Chairs (see Section 3) is conforming <input type="checkbox"/> Yes <input type="checkbox"/> No C. No tables obstructing building entrance <input type="checkbox"/> Yes <input type="checkbox"/> No
4	Details for Streeteries	Section 4 must be completed for streeteries (i.e. tables & chairs in parking lots). A. Temporary Sidewalk Café or the adjacent building _____ feet <input type="checkbox"/> Yes <input type="checkbox"/> No B. Width of parking lot (see Section 4) is not required <input type="checkbox"/> Yes <input type="checkbox"/> No C. Will adequate lighting be provided? <input type="checkbox"/> Yes <input type="checkbox"/> No D. Type of fence or, if not, of that wall <input type="checkbox"/> None (Flat Top) <input type="checkbox"/> Chain Link <input type="checkbox"/> Glass <input type="checkbox"/> Other _____ E. Arrangement of Tables and Chairs (see Section 3) is conforming <input type="checkbox"/> Yes <input type="checkbox"/> No
5	Extension Information	Complete Section 5 only if you are proposing to extend your license in front of the adjacent property(ies). A. Address of Adjacent Property(ies) _____ B. I have observed the adjacent property from the adjoining property and will be providing my Sidewalk Café and/or Streetery in a manner that does not obstruct the view of the adjacent property. I have obtained the Owner's Authorization Form with this application. <input type="checkbox"/> Yes <input type="checkbox"/> No
6	Additional Approvals	Complete Section 6 only if you are proposing to extend your license in front of the adjacent property(ies). A. If a "NEW" structure, identify which of the following and describe the item: - Tent or canopy structure: Additional Approvals / Submission Requirements: The applicant must be accompanied by permit plan, withdrawal details and details of cash security/bond, if applicable. - Large tent, regardless of use: The applicant must be accompanied by permit plan, withdrawal details and details of cash security/bond, if applicable. - Other, including platform (see below): Additional Approvals / Submission Requirements: The applicant must be accompanied by permit plan, withdrawal details and details of cash security/bond, if applicable. B. If a "RENEW" structure, identify which of the following and describe the structure (check all that apply): - Right-of-way change: Additional Approvals / Submission Requirements: A Right-of-Way Change permit by L&I is required. Any other building permit shall be submitted with this application. - Other, including platform (see below): The applicant must be accompanied by permit plan, withdrawal details and details of cash security/bond, if applicable. C. If you selected "Other" above for the proposed construction.
Declaration & Signature All provisions of the Philadelphia Code and ordinances will be complied with, whether specified herein or not. I hereby certify that the statements set forth herein are true and correct to the best of my knowledge and belief. I further certify that I am authorized by the owner to make the foregoing application, and that, before a permit is issued for which this application is made, the owner shall be aware of all conditions of the license. I understand that if I knowingly make any false statements herein, I am subject to such penalties as may be prescribed by law or ordinance.		
Applicant Signature: _____ Date: _____ L_002_F November 2020		

Temporary Streetery License

How to Apply:

- Application can be submitted through [eCLIPSE](#).

Webservice:

- Click [here](#) to view the service page of the Streetery License.

How to Guide:

- Click [here](#) to view the *How to Guide* to walk you through the application process. The Guide can be found under the "Online Licensing" Section.

Additional Info:

- A Temporary Sidewalk Café and Temporary Streetery can be applied for simultaneously on the same application.
- A license can be closed by contacting [311](#).



Source: Instagram



Temporary Streetery License Application

Sections 1 and 2:

- Sections 1 and 2 should be completed for ALL applications.

Section 3:

- Section 3 should only be completed if a Temporary Sidewalk Café License is proposed.

Section 4:

- Section 4 should only be completed if a Temporary Streetery License is proposed.

Section 5:

- Section 5 should only be completed if you are proposing to extend your license in front of the adjacent property(ies). If you are proposing to extend your seating area, the [Owner's Authorization Form](#) should also be submitted.

Section 6:

- Section 6 should be completed if any structure, tent or platform is proposed. This section will outline is additional permits or plans must be submitted.



Department of
Licenses and Inspections
 CITY OF PHILADELPHIA

To apply online, complete application and go to [eCLIPSE](#) [eCLIPSE](#)

Application for Outdoor Seating in the Right-Of-Way
Complete and submit this application for a new Temporary Sidewalk Café
 a temporary extension of a Sidewalk Café or a new Streetery

This application is for (Check all that apply): Temp Sidewalk Café and/or Temp Sidewalk Café Extension Streetery

1	<p>Applicant Information Identify personal and business information of the business applying for a temporary Sidewalk Café License, a temporary extension of a Sidewalk Café License or a new Streetery.</p>	
2	<p>Operation Details Section 2 must be completed for all applications.</p>	
3	<p>Details for Sidewalk Cafés Section 3 must be completed for sidewalk cafés.</p>	
4	<p>Details for Streeteries Section 4 must be completed for streeteries (i.e. tables & chairs in parking lots).</p>	
5	<p>Extension Information Complete Section 5 only if you are proposing to extend your license in front of the adjacent property(ies). If you are proposing to extend your seating area, the Owner's Authorization Form should also be submitted.</p>	
6	<p>Additional Approvals If a separate permit is required for the proposed structure, tent or platform, you must submit the application to the appropriate agency for approval.</p>	

Declaration & Signature
 All provisions of the Philadelphia code and ordinances will be complied with, whether specified herein or not. Hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I further certify that I am authorized by the owner to make the foregoing application, and that, before a permit is issued for which this application is made, the same shall be aware of all conditions of the license. I understand that if I knowingly make any false statements herein, I am subject to such penalties as may be prescribed by law or ordinance.

Applicant Signature: _____ Date: _____

November 2020

Building Permit

How to Apply:

- Application can be submitted through [eCLIPSE](#).
- Applications should be submitted as Commercial Alterations or Commercial Addition (NOT New Construction or Shelter Platform).
- When applying, the applicant should identify if the structure is built in the [right of way](#) to trigger the Streets Department review.

Webservice:

- Click [here](#) to view the service page for Building Permits.



Plan Review Requirements:

The application must be submitted with plans that provide enough information to confirm compliant with all applicable Building Codes.

- A site plan should indicate the size and location of the structure.
- A framing plan and anchoring detail should be included.
- Details of all building materials and roof/wall coverings should be included.

Note: A zoning permit is not required for structures in the [right of way](#).

One Last Step...

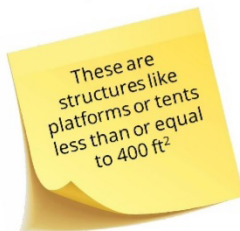
- If you already have a [Temporary Sidewalk Café License](#) or [Temporary Streetery License](#), after obtaining the tent permit, you will need to [amend your license](#) to document the scope of your approval.

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Structures in the Right of Way that do not require a Tent or Building Permit

How to Apply:

- When applying for a Temporary Sidewalk Café or Streetery License or when amending a license, plans should be submitted. Plans should include a site plan, architectural details and details of crash worthy barriers. These plans will be reviewed by the Streets Department.
- The approval or denial will be documented as part of the license in the City's records.



Amending or Closing a Temporary Sidewalk Café or Streetery License

How to Amend an Existing License:

- To make changes to an existing registration, submit the online [amendment to outdoor dining](#) form to document changes. These changes can include the addition of a structure, the extension in front of an adjacent property or other registration changes.
- The approval or denial will be documented as part of the license in the City's records.
- A license can be closed by contacting [311](#).

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Renewing a Temporary Approval

How to Renew:

- Under a new law, Temporary Sidewalk Café / Streeterly Licenses are now valid through **December 31, 2021**.
- Restaurants do not have to submit another application or renew their license. However, **if your license includes the extension in front of an adjacent property**, an additional form must be submitted to L&I to document that the approval is permitted to continue into 2021. The [Authorization of Outdoor Seating Extension](#) form must be completed and submitted through [L&I's website](#).

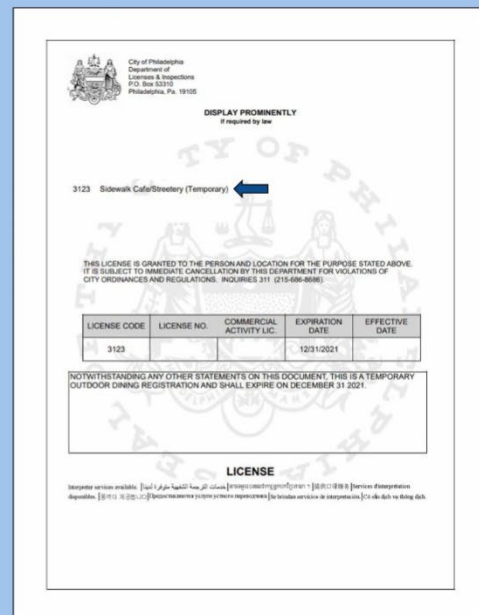


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Temporary Sidewalk Café License

License:

- Any restaurant that is approved for a [Temporary Sidewalk Café License](#) OR [Temporary Streeterly License](#) will receive a license that looks like the one shown here.
- This license will always read "3123 Sidewalk Café/Streeterly (Temporary)" at the top. Obtaining this license does NOT necessarily mean that you have been approved for both a [Temporary Sidewalk Café](#) and [Temporary Streeterly](#).
- This license must be displayed on the site at all times.
- Obtaining a license for a [Temporary Sidewalk Café License](#) or [Temporary Streeterly License](#) grants you permission to place tables, chairs, barriers, etc. on the sidewalk or parking lane, respectively. This approval does not grant permission to place or erect a [tent or structure](#).



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Temporary Sidewalk Café License

Understanding the Approval:

- The same day that the license is approved, you will receive an email from L&I with an Outdoor Dining Decision Form attached. This form will outline:
 - What you applied for,
 - What aspects of the application were approved,
 - What aspects of the application were denied, if any,
 - How to appeal the denial, and
 - Limitations and Conditions of the license
- Please note, the license for a [Temporary Sidewalk Café](#) and the license for a [Temporary Streetery](#) are identical. It is crucial that you read and understand the email that you receive to know exactly what you have been approved for.
- If you are not sure what was approved, reply to the email that you receive with questions or contact business@phila.gov for assistance.
- On the Outdoor Dining Decision Form shown here, the applicant applied for a Sidewalk Café and a Streetery. The Sidewalk Café was approved but the Streetery was denied.



**Department of Licenses and Inspections
 CITY OF PHILADELPHIA**

Outdoor Dining Decision Form

This form is to be completed by the L&I office to identify the decision of the sidewalk café and/or Streetery request.

Business Contact Information & Application Scope
 Provide the name and address of the business, L&I job number, and scope of application.

Decision
 Section 2 address which portion of the application was approved, and which was denied.

Reason(s) for denial

Appeal Rights

YOU HAVE THE RIGHT TO APPEAL THIS DENIAL WITHIN 30 DAYS OF NOTICE.

To file an appeal, you must submit the approved form to the Boards Administration unit located on the 17th floor of the Municipal Services Building, 1407 JFK Blvd., Philadelphia, PA. The form can be downloaded from the appeal tab of www.lispa.com or obtained from the Boards Administration unit.

IF YOU DO NOT TIMELY FILE AN APPEAL THEN YOU WAIVE YOUR RIGHT TO LATER CHALLENGE ANY PART OF THIS NOTICE. This includes imposition of costs, penalties or physical conditions.

IF YOU HAVE ANY LEGAL QUESTIONS, YOU SHOULD CONSULT WITH AN ATTORNEY. If you do not have an attorney, you can contact the Philadelphia Bar Association Referral and Information Line at 215-236-6333 or for a list of legal aid services providers go to www.phila.org/legalservices

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Temporary Streetery License

License:

- Any restaurant that is approved for a [Temporary Sidewalk Café License](#) OR [Temporary Streetery License](#) will receive a license that looks like the one shown here.
- This license will always read “3123 Sidewalk Café/Streetery (Temporary)” at the top. Obtaining this license does NOT necessarily mean that you have been approved for both a [Temporary Sidewalk Café](#) and [Temporary Streetery](#).
- This license must be displayed on the site at all times.
- Obtaining a license for a [Temporary Sidewalk Café License](#) or [Temporary Streetery License](#) grants you permission to place tables, chairs, barriers, etc. on the sidewalk or parking lane, respectively. This approval does not grant permission to place or erect a [tent or structure](#).



**City of Philadelphia
 Department of Licenses & Inspections
 P.O. Box 52310
 Philadelphia, Pa. 19105**

**DISPLAY PROMINENTLY
 if required by law**

3123 Sidewalk Café/Streetery (Temporary)

THIS LICENSE IS GRANTED TO THE PERSON AND LOCATION FOR THE PURPOSE STATED ABOVE. IT IS SUBJECT TO IMMEDIATE CANCELLATION BY THIS DEPARTMENT FOR VIOLATIONS OF CITY ORDINANCES AND REGULATIONS. INQUIRIES 311 (215-686-8686)

LICENSE CODE	LICENSE NO.	COMMERCIAL ACTIVITY LIC.	EXPIRATION DATE	EFFECTIVE DATE
3123			12/31/2021	

NOTWITHSTANDING ANY OTHER STATEMENTS ON THIS DOCUMENT, THIS IS A TEMPORARY OUTDOOR DINING REGISTRATION AND SHALL EXPIRE ON DECEMBER 31, 2021.

LICENSE

المعلومات الواردة في هذا الترخيص هي معلومات عامة ولا ينبغي استخدامها في أي سياق قانوني أو مالي. لا ينبغي استخدامها في أي سياق قانوني أو مالي. لا ينبغي استخدامها في أي سياق قانوني أو مالي.

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Temporary Streetery License

Understanding the Approval:

- The same day that the license is approved, you will receive an email from L&I with an Outdoor Dining Decision Form attached. This form will outline:
 - What you applied for,
 - What aspects of the application were approved,
 - What aspects of the application were denied, if any,
 - How to appeal the denial, and
 - Limitations and Conditions of the license
- Please note, the license for a [Temporary Sidewalk Café](#) and the license for a [Temporary Streetery](#) are identical. It is crucial that you read and understand the email that you receive to know exactly what you have been approved for.
- If you are not sure what was approved, reply to the email that you receive with questions or contact business@phila.gov for assistance.
- On the Outdoor Dining Decision Form shown here, the applicant applied for a Sidewalk Café and a Streetery. The Sidewalk Café was approved but the Streetery was denied.



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Building Permit

Permit:

- Any applicant that is approved to erect a [structure](#) will receive a permit that looks like the one shown here.
- This permit must be displayed on the site at all times.

Understanding the Approval:

- This approval does not grant approval for the use of the [right of way](#) or a private lot for outdoor dining.
- This approval does not grant permission to place [tents](#).



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Structures in the Right of Way that do not require a Tent or Building Permit

Approval:

- If a restaurant is approved for the placement of a platform or small (less than 400 ft²), unheated tent in the right of way, this will be documented as part of their Temporary Sidewalk Café or Streeterly License.

Understanding the Approval:

- The same day that the approval is granted, you will receive an email from L&I with an Outdoor Dining Decision Form attached.
- If you are not sure about what was approved, reply to the email that you receive with questions or contact business@phila.gov for assistance.
- On the Outdoor Dining Decision Form shown here, the applicant applied for a Sidewalk Café, a Streeterly and a tent. All aspects of the application were approved.



Department of Licenses and Inspections
CITY OF PHILADELPHIA

Outdoor Dining Decision Form

This form is to be completed by the L&I office to identify the decision of the sidewalk café and/or Streeterly request.

Business Contact Information & Application Scope

Provide the name and address of the business, L&I permit number, and scope of application.

1 **Business Name:** _____

Business Address: _____

L&I Lic. #: _____

The scope of the application includes (check all that apply):

Sidewalk Café Streeterly Extension Tent Other Structure

Decision

Section 2 outlines which portions of the application were approved, and which were denied.

The following components have been **APPROVED** (check all that apply):

Sidewalk Café Streeterly Extension Tent Other Structure

Address(es) of APPROVED extension: _____

The following components have been **DENIED** (check all that apply):

Sidewalk Café Streeterly Extension Tent Other Structure

Address(es) of DENIED extension: _____

2 **Reason(s) for denial:**

The sidewalk adjacent to the food establishment is less than 10 feet in width.

The proposed streeterly is located on a prohibited street.

The proposed streeterly encroaches on a travel lane for motor vehicles and/or bicycles, loading zone or other space that is not designated for parking.

The proposed streeterly encroaches on an accessible parking space.

The proposed extension does not front a lot immediately abutting the food establishment.

Other: _____

Appeal Rights

YOU HAVE THE RIGHT TO APPEAL THIS DENIAL WITHIN 30 DAYS OF NOTICE.

To file an appeal, you must submit the approved form to the Boards Administration unit located on the 11th floor of the Municipal Services Building, 1401 JFK Blvd, Philadelphia, PA. The form can be downloaded from the appeal tab at www.lis.i3.org or obtained from the Boards Administration unit.

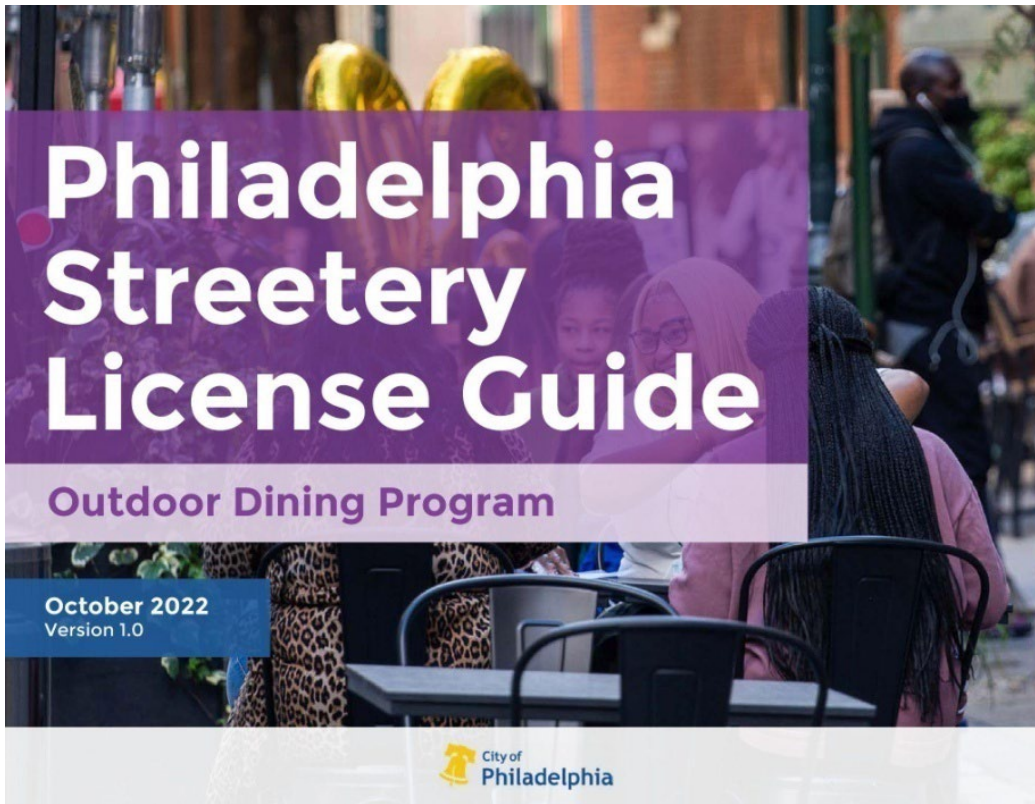
IF YOU DO NOT TIMELY FILE AN APPEAL, THEN YOU WAIVE YOUR RIGHT TO LATER CHALLENGE ANY PART OF THIS NOTICE. This includes interpretation of rules, procedures or physical conditions.

IF YOU HAVE ANY LEGAL QUESTIONS, YOU SHOULD CONSULT WITH AN ATTORNEY. If you do not have an attorney, you can contact the Philadelphia Bar Association Referral and Information Line at 215-238-0333 or for a list of legal and service providers go to thebar.org/philadelphia

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Appendix B – Philadelphia Streeterly License Guide



About This Guide

This guide is meant for restaurant owners and provides an overview of the goals, regulations, and application processes to obtain a Streeterly License. This type of license gives restaurants the privilege of operating outdoor dining in eligible parking spaces in front of their building.

The goal is for applicants to use this guide as an ongoing, user-friendly point of reference. We encourage thorough review of this guide, including the various site and design requirements, to determine if a streeterly is feasible before making any investments.

This guide summarizes the key regulations that most restaurants will find helpful. However, it is not a comprehensive resource for every restaurant or every situation. Web links to the City ordinance and regulations controlling streeteries can be found in the lower right-hand corner of following pages.

The City of Philadelphia values your contributions to the local economy and looks forward to reviewing your Streeterly License applications.

This guide is subject to change if there are any program updates. Please make sure to have the most up to date version of this guide by visiting phila.gov/outdoor-dining.

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Language Access

If you speak another language, assistance services are available to you. Call 3-1-1.

Si usted habla español, hay servicios de ayuda disponibles para usted. Llameal 3-1-1.

注意：如果您使用简体中文，可以获得相应的语言协助。致电3-1-1。

注意：如果您使用繁体中文，可以获得相应的语言协助。致电3-1-1。

Introduction

Philadelphia's thriving restaurant scene has helped our city become an international destination. Many of our restaurants are locally-owned and reflect the people, places, and global flavors of our multicultural population. Restaurants create jobs, enhance the economy, and create a sense of community in neighborhoods all over Philadelphia.

Outdoor dining has been a mainstay of Philadelphia's dining culture for decades, from the sidewalk awnings of cheesesteak shops and water ice stands to the cafe tables and shade umbrellas of upscale restaurants. Before the Spring of 2020, Philadelphia's Outdoor Dining Program was limited to sidewalk cafes for eateries licensed to enhance their seating capacity. Sidewalk Cafe Licenses were only issued to restaurants located in specific parts of the city for sidewalk tables and chairs placed during business hours.

Emergency Outdoor Dining

The COVID-19 pandemic brought many challenges to our city. In 2020, the City of Philadelphia quickly launched emergency outdoor dining allowances to support the restaurant industry when public health restrictions limited indoor seating. The temporary measures helped more than 750 restaurants earn much needed revenue and retain jobs during a time of crisis. The emergency provisions expired on December 31, 2021.

In the Spring of 2021, City Council enacted Bill 210776, to establish where in the City streeteries could operate, their placement in the public right-of-way, and some basic safety measures. The City is transitioning from its emergency measures to a permanent program, with regulations that build off of Bill 210776. The City has considered input from restaurant owners, residents, and the lessons learned by other cities over the past two and a half years in the creation of the permanent Outdoor Dining Program.

Permanent Outdoor Dining Program

Utilizing the public right-of-way for private dining, through sidewalk cafes and streeteries, is a privilege for restaurants as an enhancement to their seating capacity. The permanent Outdoor Dining Program provides a way for the City to allow eligible streeteries to continue to operate. This program can benefit restaurants and their surroundings without compromising fundamental aspects of urban life. The permanent program carries several goals, with public safety and accessibility being chief among them. The regulations establish a base-level of protection against auto collisions and ensure that emergency access and traffic sight-lines aren't blocked. **Most streeteries that were put into place during the pandemic do not comply with the permanent regulations and require substantial re-design or total removal.**



Licensing & Enforcement

The permanent Outdoor Dining Program requires restaurants to obtain a streetery License to set up and operate a streetery. Applicants will need Streets Department approval for use of the public right-of-way, and the Department of Licenses and Inspections (Licenses and Inspections, L&I) will ultimately approve and award the final streetery License, which must be renewed annually. Additionally, streetery designs including large structures will require a Licenses and Inspections Building Permit and Art Commission approval.

Beyond the licensing process, the permanent program also entails a roll out of increased enforcement by the Streets Department and Licenses and Inspections. Dedicated staff will track and monitor streeteries more closely across the City and issue violations against dangerous, abandoned or unlicensed streeteries. The City will also become more vigilant about removing hazardous or unlicensed streeteries as needed.

Looking Forward

The City has come a long way since Spring 2020. The permanent Outdoor Dining Program allows safe, well-maintained, and licensed streeteries to operate while reinstating necessary safety precautions. With the permanence of the Outdoor Dining Program comes a set of regulations that restaurants can use to plan for the future. It marks a new chapter in Philadelphia's rich tradition of outdoor dining.



Outdoor Dining Program Overview

The City of Philadelphia offers two outdoor dining licensing options for eligible restaurants. The City strongly recommends that restaurant owners explore the eligibility requirements and design standards of both outdoor dining options before making any investments. Both options balance the needs of the city's right-of-way and all of its public users.



Sidewalk Cafe License

A Sidewalk Cafe License allows eligible restaurants to occupy sections of the sidewalk in front of their storefront for outdoor dining. This grants licensed restaurants the privilege of additional seating while maintaining adequate sidewalk access for pedestrians and those with disabilities. It also regulates for issues, like noise and cleanliness standards, that could impact neighboring properties and general quality of life.

Restaurants operating sidewalk cafes must comply with the sidewalk cafe regulations. More information about Sidewalk Cafe Licenses and the application process is available on Phila.gov.



Streeterly License

A Streeterly License allows eligible restaurants to occupy the parking lane in front of their storefront for outdoor dining protected by crash barriers. This grants licensed restaurants the privilege of additional seating while maintaining a standard of safety and access for street traffic, diners, pedestrians, and those with disabilities. It also regulates for issues, like noise and cleanliness standards, that could affect neighboring properties and general quality of life.

Restaurants operating streeteries must comply with Section 9-25 of the Philadelphia Code and the streeterly regulations as outlined in this guide.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeterly regulations [here](#).

Streeterly Program Goals



Thriving Restaurants

Streeteries boomed as an emergency response to the COVID-19 pandemic and gained swift popularity among restaurant owners and customers alike. The regulations make streeteries a permanent enhancement to Philadelphia's resilient and internationally renowned restaurant scene.



Traffic Safety

Streeteries should be safe for both diners and drivers. The regulations limit the placement of streeteries so that they don't creep into travel lanes and interrupt driver sight lines. They also include structural standards to protect diners in the case of a vehicle collision.



Quality Design

City streets are for everyone so streeteries should be properly built and easy on the eyes. The regulations bring streeteries up to building code and provides height limitations and transparency requirements so that streeteries are an active part of the street.



Emergency Access

For everyone's safety, emergency responders need easy access to buildings. Fire fighters need access to fire hydrants and must be able to deploy ladders up the sides of buildings. EMTs and police need access to building entry points. The regulations ensure that streeteries don't block emergency responders when every second counts.



Utility Access & Maintenance

There is a lot of vital infrastructure hidden under the pavement. In a city as historic as Philadelphia, a lot of that infrastructure needs scheduled maintenance or emergency repair. The regulations limit the placement of streeteries so that they don't interfere with utilities.



ADA Compliance

All Philadelphians, regardless of their mobility limitations, deserve equal access to facilities. The regulations bring streeteries into compliance with the Americans with Disabilities Act and ensures that everyone can have a seat at the dining table.



Occupancy Standards

Streeteries add extra customer seating but they don't add extra restrooms. The regulations keep a building's occupancy in mind so that facilities aren't overwhelmed and customers can still wash their hands and use restrooms comfortably.



Legal Compliance

The City of Philadelphia doesn't always get the final say over what happens on its streets. The regulations bring streeteries into greater compliance with PennDOT and USDOT regulations.



Neighborliness

In the City of Brotherly Love and Sisterly Affection, it's our duty to look out for our neighbors. The regulations specify hours of operation and cleanliness standards for Streeteries to minimize neighborhood disturbances.

Business Eligibility

Not all food or beverage businesses are eligible to operate streeteries. Before you begin planning for a streeterium or starting the streeterium License application process, please review the eligibility guidelines below.

- ✔ **With Food License**
Only businesses with City issued food licenses are allowed to operate streeteries.
- ✘ **Without Food License**
Businesses without food licenses, such as beer distributors or bottle shops, are not eligible to operate streeteries.
- ✔ **With Indoor Seating**
Only businesses with at least three indoor tables are allowed to operate streeteries.
- ✘ **Without Indoor Seating**
Businesses with fewer than three indoor tables like most take-out restaurants, delis, convenience stores, and grocery stores, are not eligible to operate streeteries.
- ✔ **With Customer Restroom**
Only businesses with a restroom available to customers are eligible to operate streeteries.
- ✘ **Without Customer Restroom**
Businesses without restrooms available to customers, like most take-out restaurants, delis, and convenience stores, are not eligible to operate streeteries.

! Any ineligible business operating a streeterium should immediately cease streeterium operations and remove their streeterium.



Find Section 9-215 of the Philadelphia Code [here](#). Find streeterium regulations [here](#).

Location Requirements

Streeteries are only permitted "by-right" in designated commercial areas throughout the city. This ensures that residential areas are less effected by the noise and other impacts of streeteries.

By-right areas are determined by City Council and enacted into law through the passage of ordinances. These ordinances alter the Philadelphia City Code. The part of the Code overseeing streeteries and listing where they can be located is Section 9-215.

Before starting the Streeterium License application process, make sure that you are located in a by-right area by carefully reviewing Section 9-215 of the City Code. It can be viewed online by visiting codelibrary.amlegal.com/codes/Philadelphia/latest/ and selecting "Title 9: Regulation of Businesses, Trades, and Professions" followed by "Chapter 9-200 Commercial Activities on Streets" followed by "§ 9-215. Streeteries."



! State Roads

The City will issue Streeterium Licenses for sites located on state roads. Please be advised that PennDOT ultimately controls these roads and may require the removal of streeteries at any time. Please keep this in mind when considering your streeterium investment and design. A map of state roads in Philadelphia can be found on Phila.gov

! Critical and High-Speed Roads

Streeteries are not allowed on certain high-speed, high-traffic, high-collision, and critical arterial roads throughout the City. The Streets Department determines which roads are ineligible for streeteries on a case-by-case basis.

! Floodplain

Structure streeteries (see page 11) are not permitted within the FEMA 100 Year Floodplain. Pavement and platform streeteries (see page 11) are permitted. View the Floodplain map by visiting OpenMaps.Phila.gov and selecting "FEMA 100 Year Floodplain" on the left tab.

✔ Not Located in a By-Right Area?

Restaurants falling outside of by-right areas require a City ordinance to operate a streeterium amongst all other requirements. The process for gaining an ordinance begins with contacting your district council member's office. District maps and contact information can be found by visiting PHLCouncil.com.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeterium regulations [here](#).

Site Requirements

It is important that streeteries are located on sites where they would not compromise public safety or block their neighbors. Before beginning the Streeterie License process, make sure that the space in front of your restaurant is suitable for a streeterie.

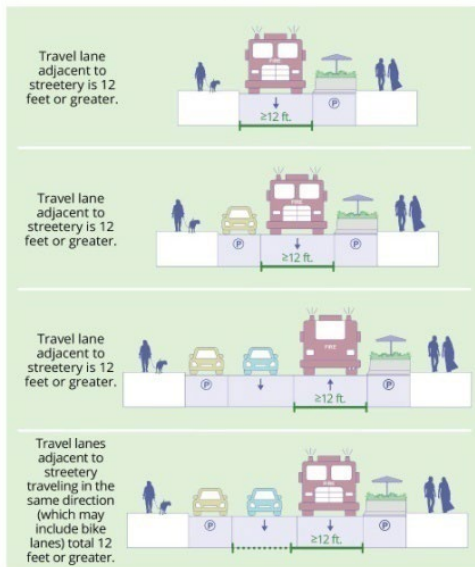
- ✔ **With a Parking Lane**
 Streeteries can only exist in the parking lane directly in front of the business that holds the City issued Food License.
- ✘ **Without a Parking Lane**
 Vehicle travel lanes, bike lanes, medians, crosswalks, and other non-parking spaces are ineligible sites for streeteries. Streeteries located in a parking space across the street from the restaurant or over a bike path are unsafe and strictly prohibited.
- ✔ **Clear of an Emergency Response Facility**
 Streeteries can only be located in spaces that don't compromise the deployment of emergency vehicles from fire stations, police stations, and emergency medical facilities.
- ✘ **Across or Next to an Emergency Response Facility**
 Streeteries are not permitted across the street or directly next to fire stations, police stations or emergency medical facilities.

! Any businesses operating a streeterie in an ineligible site should immediately cease streeterie operations and remove their streeterie.

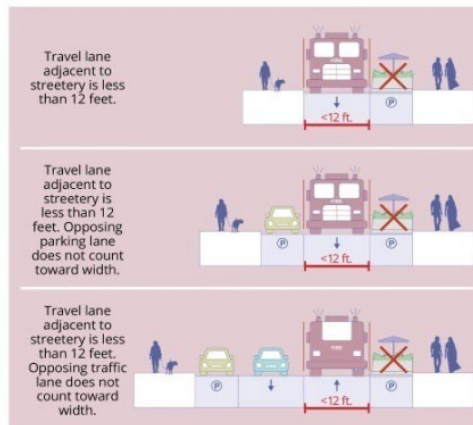


Find Section 9-215 of the Philadelphia Code [here](#). Find streeterie regulations [here](#).

- ✔ **With a 12-Foot Wide Travel Lane**
 Streeteries can only be setup in parking spaces adjacent to travel lanes that are 12 feet or wider so that emergency vehicles travel unobstructed. Bike lanes are considered travel lanes. Below are some common street configurations that would allow a streeterie.



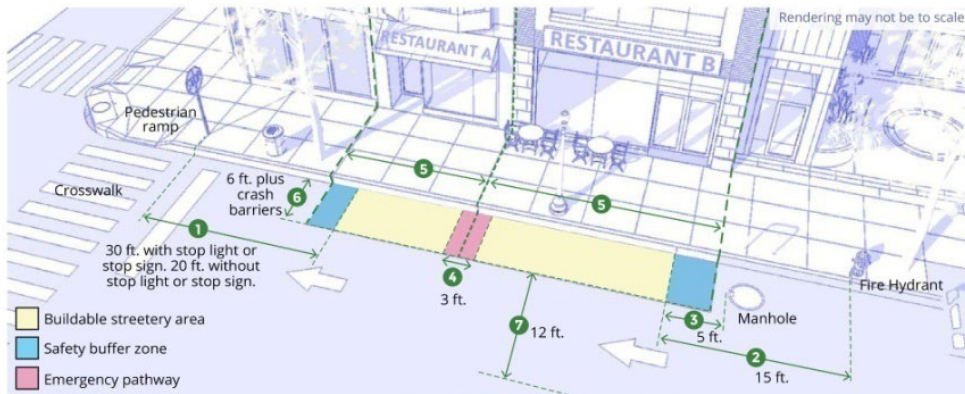
- ✘ **Without a 12-Foot Wide Travel Lane**
 Streeteries are not permitted in parking spaces adjacent to travel lanes that are less than 12 feet wide because they can obstruct emergency vehicles. Below are some common street configurations that would not allow a streeterie.



! Streeteries cannot extend beyond the parking lane or otherwise encroach upon the travel lane in any way. This includes bike lanes. Travel lane clearance must remain 12 feet or wider at all times from streeteries.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeterie regulations [here](#).

Placement Requirements



- 1 At intersections *with* stoplights or stop signs, streeteries must have a safety buffer zone of at least 30 feet from the crosswalk, pedestrian ramp, bus stop, stop sign or traffic signal, whichever is closer. At intersections *without* stoplights or stop signs, streeteries must have a safety buffer zone of at least 20 feet.
- 2 Streeteries must have a safety buffer zone of at least 15 feet from fire hydrants.
- 3 Streeteries must have a safety buffer zone of at least 5 feet from any manholes, water inlets, or other utility and ventilation access points.
- 4 There must be a 3 feet or wider emergency pathway open to the sky between every restaurant streeteries, or every 20 feet of streeteries length, whichever is smaller.
- 5 Streeteries cannot be wider than the width of the storefront, minus any safety buffer zones and emergency pathways.
- 6 Streeteries cannot extend more than 6 feet from the curb, plus the width of the protective barriers. No part of the streeteries or crash barriers can extend into the travel lane.
- 7 Travel lane must remain at least twelve 12 feet wide (See page 9).

Find Section 9-215 of the Philadelphia Code [here](#). Find streeteries regulations [here](#).

Types of Streeteries



Pavement Streeteries

A pavement streeteries is seating surrounded by crash barriers placed directly on the street pavement. Pavement streeteries allow restaurant guests to enjoy the open air and clear views of their city surroundings with a "less is more" approach to outdoor dining.

Pavement streeteries are cheaper to install, easier to maintain, and can be removed quickly if the need should arise. Even the simplest streeteries need to welcome guests of all mobilities so a wheelchair ramp from the sidewalk to the street surface will be required in most instances. Pavement streeteries *do not* require a Building Permit or Art Commission review for a faster and easier licensing process.



Platform Streeteries

A platform streeteries has a platform flush with the curb that is surrounded by barriers placed directly on the street pavement. Platforms make it easier for streeteries to meet ADA requirements and reduces tripping hazards for patrons and staff. Most streeteries platforms are made out of wood and still offer their guests an open and airy feel without any tall enclosed sides.

It is very important that platforms don't block stormwater from flowing freely to sewer inlets and that they don't become homes for rats and other vermin. It is highly recommended that removable floor access panels be a part of the platform design to allow for routine cleaning between the pavement and the platform. Platform streeteries *do not* require a Building Permit or Art Commission review for a faster and easier licensing process.



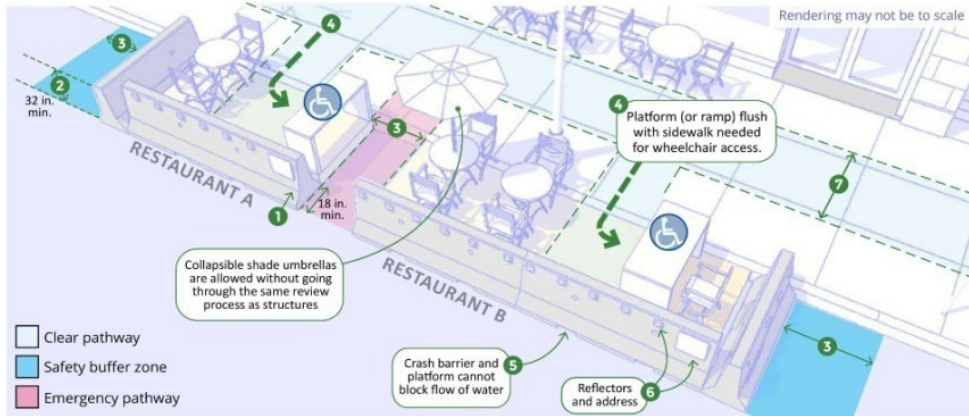
Structure Streeteries

A structure streeteries is a streeteries with a built enclosure that has an overhead covering or at least one side 48 inches or higher from the pavement. This type can include a platform or sit directly on the street pavement. Crash barriers must surround the structure or be integrated into the structure design.

Structure streeteries are a larger investment and ongoing responsibility. Their bulkiness gives off a restaurant's first impression so quality materials, cleanliness, and security from trespass during non-business hours are essential. Large openings and windows allow potential customers to see through the structure to the restaurant's signage and entrance. Structure streeteries *require* a Building Permit and Art Commission review for a longer and more involved licensing process.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeteries regulations [here](#).

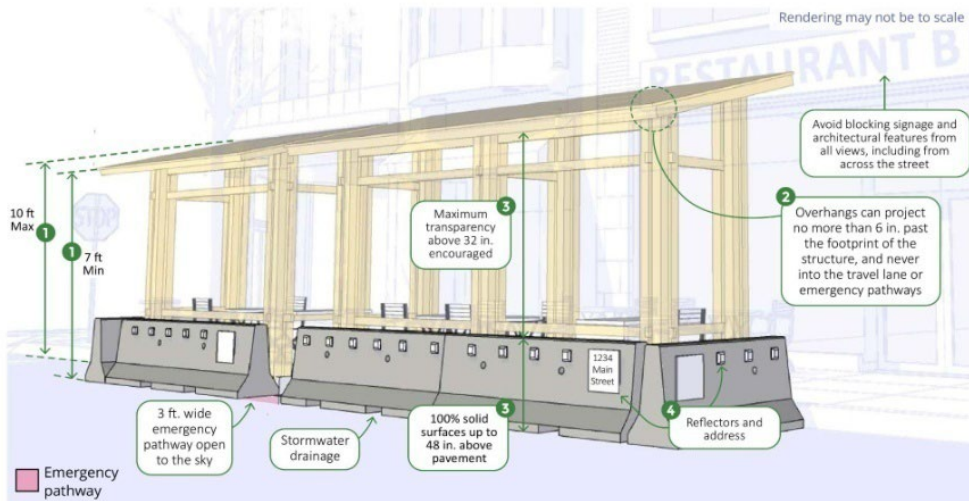
Platform Streeterly Requirements



- 1 Crash barriers placed along all 3 street-facing sides must be concrete or water-filled jersey barriers 18 inches or deeper. Equally strong barriers certified by a licensed engineer may be approved for use.
- 2 Crash barriers need to stand at least 32 inches above the pavement.
- 3 Emergency pathways and safety buffer zones, if required, must remain clear and open to the sky.
- 4 Each restaurant streeterly must offer ADA compliant seating and accessible routes. See page 15 for full requirements.
- 5 Stormwater must flow freely through barriers, under platforms, and along the curb toward inlets.
- 6 Crash barriers must have safety reflectors and a street address.
- 7 Cafe seating, service carts, planters and other objects cannot block the sidewalk's 6 foot clear pathway without a separate permit.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeterly regulations [here](#).

Structure Streeterly Requirements



- 1 Overhead covering must be 7 feet minimum height from the street pavement but no more than 10 feet.
- 2 No overhangs allowed over the travel lane
- 3 100% solid surfaces may be used up to 48 inches from the street pavement. Maximum transparency is encouraged above 32 inches to increase visibility.
- 4 Structure must have safety reflectors and a street address.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeterly regulations [here](#).

Streeteries Don'ts



Propane & Open Flames
 Propane tanks, other combustibles, and open flames just are not safe in a streeteries setting, where people are clustered together and vehicles pass by so close. This means that duct heating from gas furnaces, fire pits, and overhead dome heaters are strictly prohibited.



Pavement Anchors
 No part of the streeteries or furnishings can be permanently mounted or secured to the street or sidewalk. Bolts and other anchors damage the pavement and make streeteries removal very difficult. Obey the rules of the road and don't drill into it.



Enclosed Areas
 No enclosed areas for equipment, storage or utilities are allowed. This includes storage rooms as well as storage boxes below benches or other seating. This reduces the number enclosed spaces that vermin and other unwelcome guests can call home.



Outside Electrical
 Electrical service coming from outside of the streeteries, like an extension cord running from the building, are not allowed. Conduit run under the sidewalk is also not allowed. All electrical devices should be powered by batteries or another portable energy source.



Shipping Containers
 The dimensions of shipping and cargo containers are too large to comply with the streeteries regulations. Their solid metal frame and sidewalls are not removable within 48 hours without the help of substantial equipment.



Tents & Canopies
 Tents, canopies, plastic dome shelters and other light-weight structures just aren't sturdy enough to withstand extreme weather and can create fire hazard. Shade umbrellas are allowed because they are smaller and easily removed in the event of high winds.



Building Attachments
 Shelters running from the building into the parking space, such as an extended awning cover or side walls, are not allowed. All Structure streeteries must be free-standing, with no attachments to buildings. This includes string lights running between a streeteries and its storefront.

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Americans with Disabilities Act Requirements

✓ ADA Seating Area

Federal law requires that all streeteries must provide at least 1 ADA accessible table or 5% of the available streeteries seating space, whichever is greater. ADA interior seating or sidewalk cafe seating does not count toward the ADA streeteries seating requirement.

- A clear floor area of 30" by 48" must be provided at the accessible seating area, which may include the knee clearance area. The slope of a clearance area shall not exceed 1:48 (2%).
- Unobstructed knee clearance between the ground or deck and table must be a minimum of 27" in height, 30" in width, and extend a minimum of 19" under the table.
- Table height must be between 28" and 34".
- If a counter is provided, the accessible portion must be a minimum of 60" in length.

✓ Consult a Professional

Spacial factors like footprint size, curb heights, sidewalk widths, and slopes can all impact the ease or difficulty of achieving ADA compliance. In most instances, streeteries will need to include a platform base to be ADA compliant. Before you begin the application process, the City recommends that you consult with a licensed architect experienced in designing for ADA compliance to understand if ADA compliance is possible and at what impact on total seating capacity.

✓ ADA Accessible Route

Federal law requires that an ADA accessible route from the sidewalk to the ADA accessible seating area must be provided.

- The platform deck or the ramp access to the ADA compliant seating area must be flush with the sidewalk with no height differences greater than 1/2".
- Height differences between 1/4" and 1/2" shall be beveled with a slope no steeper than 1:2 (50%).
- The platform deck or the ramp access to the seating area must be flush with the curb with no gaps greater than 1/2".
- Height differences exceeding 1/2" must be serviced by an ADA compliant ramp, including clear landing areas of at least 5' at the top and bottom of the ramp.
- The running ground slope (parallel to the curb) shall not exceed 1:20 (5%) and the cross slope (perpendicular to the curb) shall not exceed 1:48 (2%).
- The accessible route shall maintain a minimum width of 36" and be free of obstacles.

! Any business operating a streeteries that is not ADA compliant should immediately cease streeteries operations and remove their streeteries.

Operational Requirements

Streeteries need to be as friendly and inviting to their neighbors as they are to their paying customers. These operational requirements ensure that streeteries remain well-loved amenities.

- ✔ **Morning, Afternoon & Evening Hours of Operation**
 Streeteries can only operate from 7am to 10pm Sundays through Thursdays and 7am to 11pm on Fridays and Saturdays.
- ✘ **Late Night Hours of Operation**
 To keep noise down for neighbors, all customers must be clear of streeteries from 10pm to 7am Sundays through Thursdays and 11pm to 7am Fridays and Saturdays. Any loud breakdown duties, like stacking tables and chairs, must also be completed by these times.
- ✔ **Service Only**
 Streeteries are only for serving customers food and beverages coming from the business' licensed preparation area.
- ✘ **Food or Beverage Storage or Preparation**
 Food preparation of any kind, including outdoor grills, or stand alone bars where drinks are prepared are prohibited in streeteries. Refrigeration units, food display cases, or other types of food storage are also prohibited.
- ✔ **Clean & Sanitary**
 Streeteries must remain free of food scraps, spill stains, litter, and odors at all times. Daily cleaning and routine pressure washing in, under, and around streetry structures, and routine pest control ensures that streeteries remain pleasant places to enjoy.
- ✘ **Unclean & Unsanitary**
 Food crumbs, litter, and dirty surfaces attract unwelcome diners like rats and insects. The Health Department can make food businesses cease total operations if their streetry is found unsanitary just like any other part of their establishment.

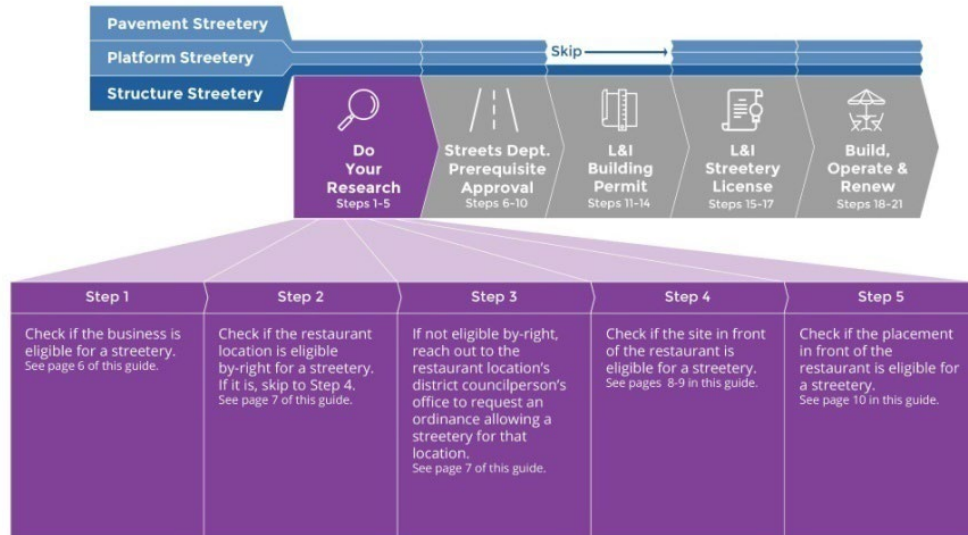
- ✔ A copy of the Streetry License must be publicly displayed within the restaurant.
- ✔ All streeteries must be covered by a \$1,000,000 comprehensive general liability insurance policy.

! Any businesses currently operating a streetry in violation of any of these requirements should take corrective action immediately. Businesses found in violation may be subject to violations, fines, and ceased operations.

Find Section 9-215 of the Philadelphia Code [here](#). Find streetry regulations [here](#).

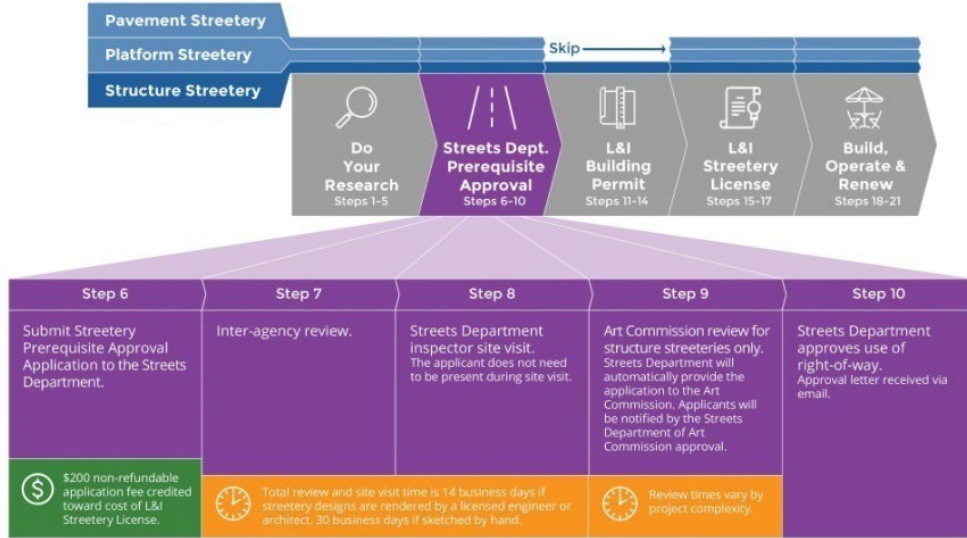
Licensing Process Do Your Research

This section provides a step-by-step overview of how to obtain a Streetry License. Please review these steps thoroughly to ensure a complete understanding of the sequence, time frames, fees, and overall work entailed. Steps 1-5 are to make certain that a streetry is feasible for the business and location before pursuing formal steps.



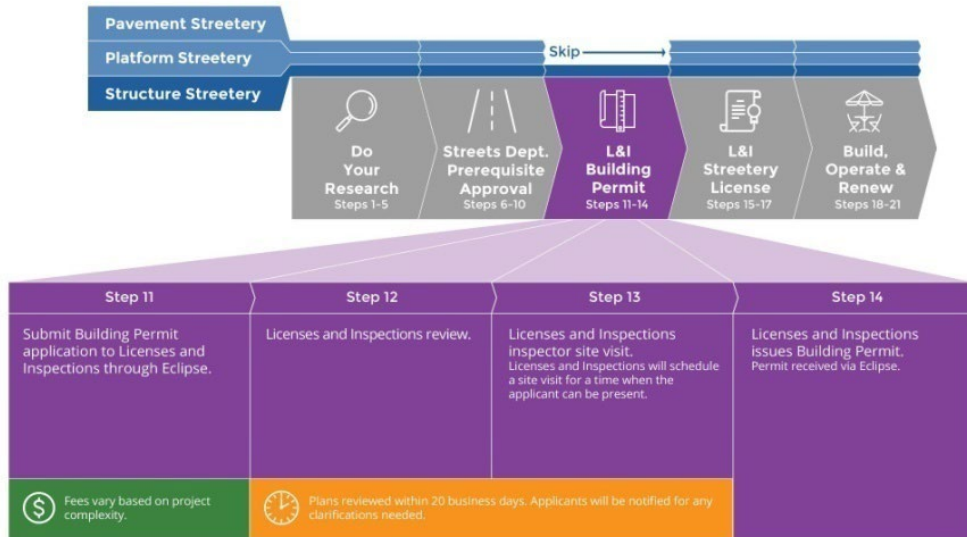
Licensing Process Streets Dept. Prerequisite Approval

The Streets Department needs to approve the location, site, placement and design of the proposed streeetery to make sure that it will meet the safety and spacial requirements of the streeetery regulations. For structure streeeteries, the added step of Art Commission approval makes sure that structures contribute to the aesthetics of their surroundings.



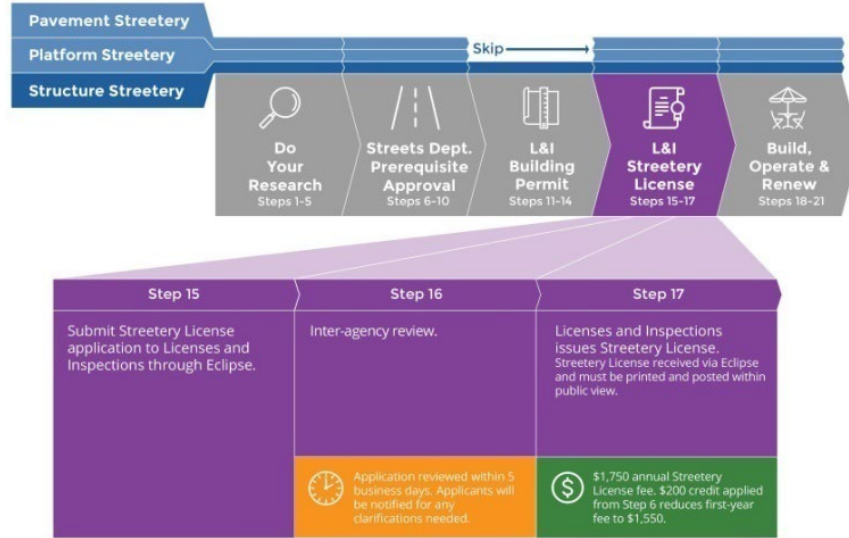
Licensing Process L&I Building Permit

Proposed structure streeeteries must obtain a Licenses and Inspections Building Permit to ensure that they will meet the Philadelphia Building Code for the safety of occupants and the surrounding public. *For pavement streeetery and platform streeetery applicants, skip to step 15 on the following page.*



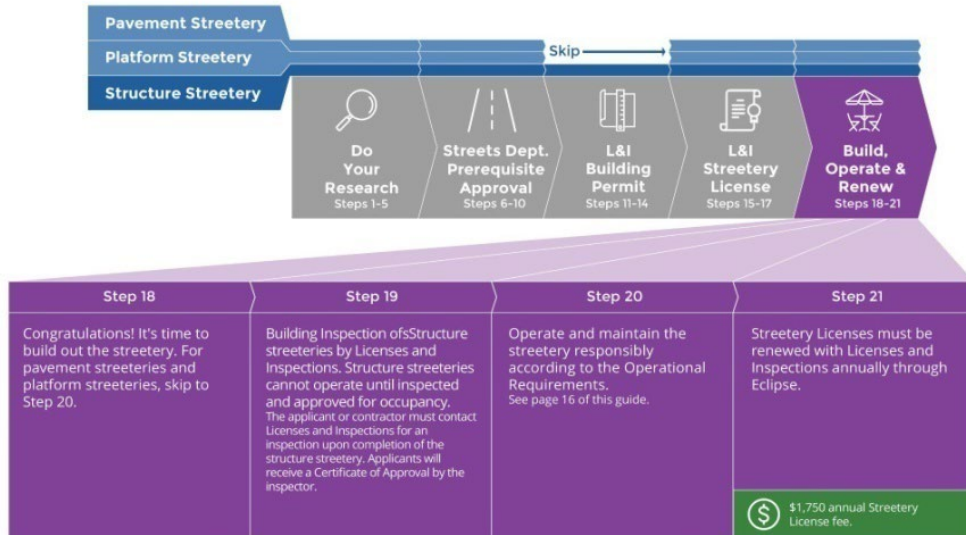
Licensing Process L&I Streeery License

The final steps before building and operating is to obtain the Streeery License through Licenses and Inspections. Licenses and Inspections will make sure that all prerequisite approvals have been met before issuing a Streeery License.



Licensing Process Build, Operate & Renew

Steps 18 and 19 are building out the streeery. For structure streeeries requiring a Building Permit, a final inspection and Certificate of Approval is required. Steps 20 and 21 are the ongoing tasks of operating and maintaining the streeery, and renewing the streeery License annually.



Assistance

For questions and assistance regarding the Streetery License process, please contact:

City of Philadelphia
Department of Commerce
Office of Business Services
(215) 683-2100
Monday – Friday, 9:00am – 5:00pm
Business@Phila.gov
Business.Phila.gov



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