

VILLAGE OF NORTHBROOK

OUTDOOR SEATING AREA PROCEDURES AND SUBMITTAL REQUIREMENTS

INTRODUCTION

Thank you for considering opening or maintaining an outdoor dining area, or as we refer to them in Northbrook as an outdoor seating area. As you complete the required paperwork, we ask that you review the following outdoor seating area procedures and submittal requirements and to refer to Chapter 13, Article III, which contains all of the requirements for outdoor seating areas.

ELIGIBILITY

Licensed food service establishments are allowed to have accessory outdoor seating areas intended for the consumption of food and beverages purchased at said food service establishment. Licensed food service establishments that also serve alcohol must provide complete “meals” as defined by the Municipal Code. Licensed food service establishments do not include taverns, bars, cocktail lounges, or nightclubs, or industrial feeding establishments serving food. Outdoor seating areas may be located on private property or within the public way, which includes Village-owned property and public right-of-way.

APPLICATION PROCESS

The review process includes the following steps:

1. Pre-Application Meeting. A pre-application meeting with staff from the Village Clerk’s Office and the Department of Community Planning is **strongly encouraged, but not required**, to discuss the proposed outdoor seating area. The purpose of the meeting is to ensure that the applicant fully understands how the review process works and what materials are needed for the submittal.
2. Application Submittal. Applicant submits completed application with all required plans and documentation to the Village Clerk whose office is located in the General Government Department.
3. Staff Review. The outdoor seating area application is distributed to all pertinent Village departments for one week review. Each department shall make comments on the proposal and return the comments to the village clerk.
4. Approval of Licenses. Once the application has been reviewed by the Village departments, the application is forwarded to the Village Manager or the Board of Trustees for review.
 - a. *Initial License*
 - i. All license applications for outdoor seating areas located in the following areas shall be reviewed and must be approved by the Village Manager:
 1. Village Green Overlay District (generally downtown Northbrook)
 2. Northbrook Court mall
 3. Willow Festival shopping center and Willow Festival Annex
 4. Village Square Shopping Center
 5. Sanders Court Shopping Center
 6. White Plains Shopping Center
 - ii. No matter their location, outdoor seating areas previously approved by the Board of Trustees, by resolution or ordinance, prior to February 24, 2009, shall only require review and approval by the Village Manager
 - iii. Outdoor seating areas in which live entertainment and dancing are requested where the perimeter of the area is located at least 500 feet from a lot containing a residential dwelling unit shall only require review and approval by the Village Manager.
 - iv. All other license applications for outdoor seating areas shall be reviewed and must be approved by the Board of Trustees, including all applications requesting live entertainment and dancing within 500 feet of a lot containing a residential dwelling unit or requesting hours of operation beyond those authorized by Code. Hours authorized by the code are 6:00 a.m. to 10:00 p.m. Sunday through Thursday, and 6:00 a.m. to 11:00 p.m. Friday and Saturday. ***Any changes to these hours must be approved by the Board of Trustees***
 - b. *License Renewals*. All applications for the renewal of an outdoor seating area license shall be reviewed by the Village Manager with the following exceptions, which shall be reviewed by the Board of Trustees:

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- i. An outdoor seating area for which the Village has received at least one valid written complaint, as determined by the Village Manager, regarding inadequate parking during the previous license term.
 - ii. An outdoor seating area for which the Village has received three or more valid written complaints, as determined by the Village Manager, for issues other than inadequate parking during the previous license term.
 - iii. An outdoor seating area that was initially approved by the Board of Trustees, including an outdoor seating area approved prior February 24, 2009, for which a license renewal is being applied that consists of a major change to the outdoor seating area. Village Manager shall consider the following factors in determining whether the proposed change is a "major change":
 1. a significant increase in the number of seats included in the outdoor seating area;
 2. a significant increase in the total size in square feet of the outdoor seating area;
 3. a significant change in the dimensions of the exterior perimeter of the outdoor seating area; or
 4. a change in hours of operation of the outdoor seating area in excess of those permitted by Code;
 5. the addition of live entertainment and dancing within 500 feet of a lot containing a residential dwelling unit.
5. License Issuance. Once the Village Manager or the Board of Trustees has reviewed and approved the outdoor seating license application, a license for the outdoor seating area shall be issued by the Village Clerk.
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APPLICATION SUBMITTAL REQUIREMENTS

Initial Application Submittal Requirements. All applicants seeking an initial license for an outdoor seating area shall be required to submit

1. An application form.
2. A site plan. A detailed site plan to scale illustrating the proposed outdoor seating area, the size and location of the principal building(s) and parking area(s) on the lot, location of other natural and manmade features in the area of the outdoor seating area, property lines, and the location of the proposed outdoor seating area;
3. Furniture specification sheet. A detailed specifications sheet illustrating the appearance, materials, colors, and size of selected outdoor seating furniture and equipment including, chairs, benches, tables, umbrellas, fences, and other items. Photographs of furniture and equipment may be substituted for specification sheets as long as a sheet listing the dimensions of the furniture and equipment accompanies the photographs;
4. Management plan. A management plan for the operation of the outdoor seating area stating how the operation of the outdoor seating area shall comply with the regulations for outdoor seating areas and all other applicable requirements. Refer to Municipal Code Sections 13-38 through 13-41 (See a copy of attached Ordinance No. 09-11). At a minimum the plan must list the proposed hours of operation, how table service will be provided to the tables (e.g. wait staff or self serve); how the area will be maintained and cleaned on a daily basis; and if alcohol will be served how the outdoor seating area will be monitored;
5. Application fee. Initial License Fee: \$50.00. Renewal License Fee: \$0.00.
6. Proof of Insurance. Applicants for outdoor seating areas located in whole or in part in the public way shall provide an executed license agreement for use of the public way certifying that the applicant possesses the required levels of general liability, workers' compensation and, if applicable, liquor liability insurance.

Renewal License Application Submittal Requirements. All applicants seeking to renew a license for an outdoor seating area shall be required to submit:

1. a new application form,
 2. a current certificate of insurance, if applicable, and
 3. a description of any changes to the layout and operation of the associated outdoor seating area from the previous year.
- If any of the changes the applicant proposes are determined to be a major change to the outdoor seating area, as described above in the **Application Process** section, the applicant shall submit all of the materials required for an initial license.