



## **Village of Plainfield Design and Operational Guidelines for Outdoor Uses Within the Public Right-of-Way**

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## Purpose

The Village of Plainfield wishes to allow outdoor dining and other outdoor uses within the public right-of-way in the downtown district to foster a vibrant and active pedestrian environment. The Village recognizes that carefully implemented outdoor uses can enhance the vitality of the downtown area by increasing pedestrian activity, providing visual interest, creating a unique shopping, and dining environment, and enhancing the earning potential for businesses. Likewise, it is important to regulate outdoor uses to assure that they do not result in negative impacts. The Village intends to regulate outdoor uses within the public right-of-way for the following purposes:

1. To provide the safe movement of pedestrians along the sidewalk between the sidewalk and adjacent on-street parking.
2. To protect the public improvements from damage that may result from outdoor uses.
3. To assure that outdoor uses do not result in a negative impact to adjacent businesses or the public.
4. To regulate the appearance of site furnishings associated with permitted outdoor uses to assure such furnishings protect the character of the downtown district.

## **Applicability**

These guidelines apply to any proposed use of the public sidewalk as an outdoor expansion of the use of the adjacent property. The Village of Plainfield Zoning Code (Section 9-13[4]) allows outdoor uses within the public right-of-way in the B-5 Traditional Business District zoning district, subject to permit requirements and design and operational guidelines (“the Guidelines”) provided as follows.

## **Permit Process**

### **1. Outdoor Uses Permitted**

- The use permitted by this permit shall be for outdoor dining only. Any other uses shall require other approvals or additional permitting.

### **2. Permit Required**

- The owner of a business proposing a public outdoor use must apply for and obtain a Revocable Permit prior to initiating the outdoor use. The purpose of the permit requirement is to verify that the proposed use is allowed and complied with the requirements of the Zoning Code and these Guidelines.

### **3. Permit Process**

- The Revocable Permit process is administered by the Planning Department. The application form may be obtained from the Planning Department at the Village Hall or on the Department’s section on the Village’s website ([www.plainfieldil.gov](http://www.plainfieldil.gov)). The application review is administrative, and it is the goal of the Village staff to act on the application within ten (10) business days or less. Staff determinations may be appealed to the Village President and Board of Trustees.

The application shall include a copy of the application signed by both the business owner and property owner, a sketch showing the proposed configuration of outdoor use, the application fee, and signed indemnification agreement (provided with application).

Prior to the issuance of the permit, the applicant shall also provide the Village a certificate of insurance, naming the Village of Plainfield as an additional insured, and providing a minimum of \$1 million in Comprehensive Generic Liability Insurance. The policy shall insure against all claims of bodily injury and property

damage with respect to the sidewalk uses. The applicant shall maintain continuous, uninterrupted coverage for the duration of the permit, and the policy shall include notice to the Village of Plainfield no less than 30 days prior to its scheduled expiration/cancellation.

#### **4. Permit Restriction**

- The use of the public sidewalk for private purposes is a privilege and not a right. The Village of Plainfield reserves the right to suspend and/or revoke an approved permit. Such suspension or revocation may occur for, but such cause is not limited to, one or more causes identified below or as otherwise determined by the Village Administrator:
  - i. Failure to comply with permit plans.
  - ii. Failure to comply with the Guidelines (for example, with respect to permitted hours of operation or maintenance requirements).
  - iii. Violation of one or more requirements of the Village Code of Ordinances unrelated to permitted use.
  - iv. Failure to maintain the required insurance coverage.

In the event of suspension, the permit-holder will receive a written notice of suspension, with specific steps required to remedy the issue(s) within a designated timeline. If the case is not resolved within the timeline provided, the permit shall be revoked for the remainder of the permit period.

The outdoor use may not be conducted during the remediation period until the permit-holder received a written notice of reinstatement. In addition, the Village reserves the right to temporarily prohibit conducting the outdoor uses as follows:

- i. In order to conduct required maintenance or repairs to the sidewalk, street, utilities, or other public improvements.
- ii. For certain downtown events, such as parades and festivals, during which the increased number of pedestrians may require full use of the sidewalk.

The Village will make every effort to provide advanced notice of temporary closures. In some cases, such as emergency repairs, it may not be possible to provide advanced notification.

## Design Guidelines

### A. Sidewalk Placement

- The arrangement for outdoor uses must provide for a minimum clear path for pedestrian travel of five feet (5') parallel to the street. The designated pedestrian path must be free from all obstructions, such as fire hydrants, streetlight poles, signposts, trees, planters, and pedestrian barriers / perimeter delineation. (Ref. 3c)

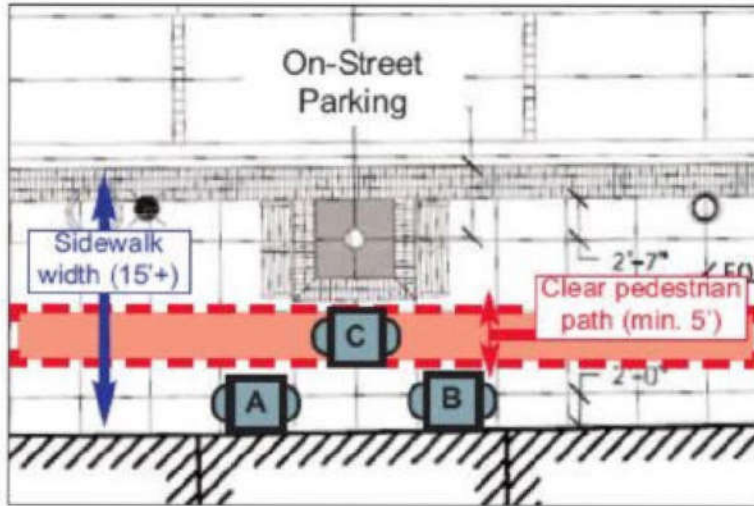


Figure 3.1 – Tables A and B are permitted. Table C would be prohibited at that location as it would fall within the five-foot (5') clear path for pedestrians.

- When outdoor seating is proposed adjacent to on-street parking, a minimum clear path of two feet (2'), measured perpendicular to the street centerline, must be provided at the back of the curb.

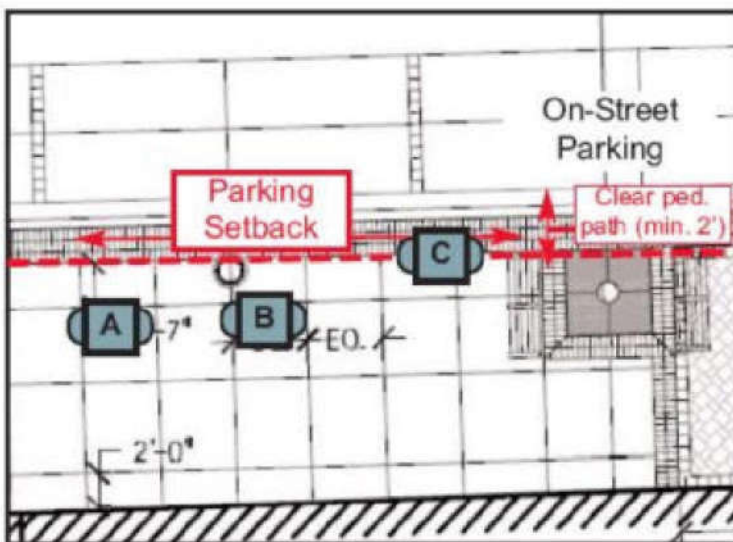


Figure 3.2 – Tables A and B are permitted. Table C would be prohibited at that location because it falls within the two-foot (2') setback.

- In addition, in the event only two outdoor uses are contiguous and both adjacent to on-street parking, a clear path of two feet (2') measured parallel to the street centerline must be provided at either side of the property line(s) extended (or side and rear property lines extended in the case of outdoor uses on corner lots) for **EACH** business. These clear path areas are intended to allow for pedestrians to access the sidewalk from the parking areas and vice versa.

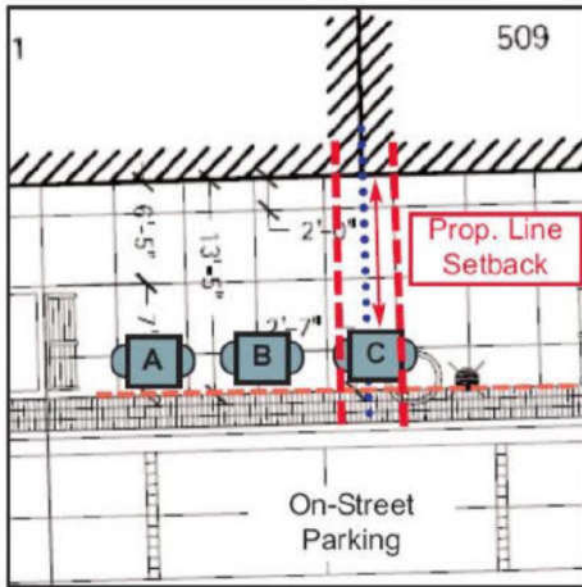


Figure 3.3 – Tables A and B are permitted. Table C would be prohibited at this location as it falls within the two-foot (2') setback.

- Please note that the exact orientation of the tables and chairs will be reviewed as a part of the revocable permit application. The table configuration and spacing requirements have many variables and will be assessed on a case-by-case basis.
- The outdoor use must be conducted directly in front of the principal business (within the side lot lines extended, or side and rear lot lines in case of a corner lot) and may not encroach into the sidewalk of an adjacent business.

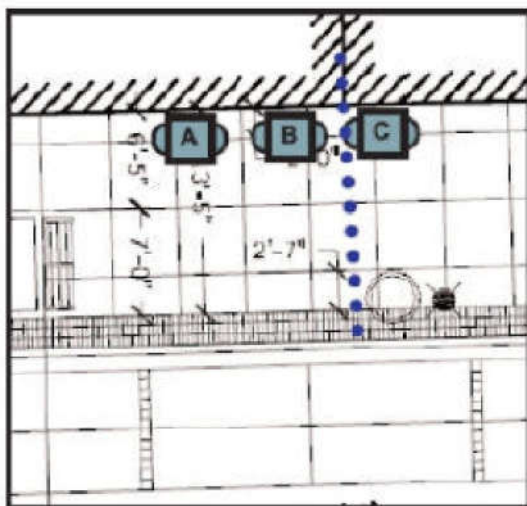
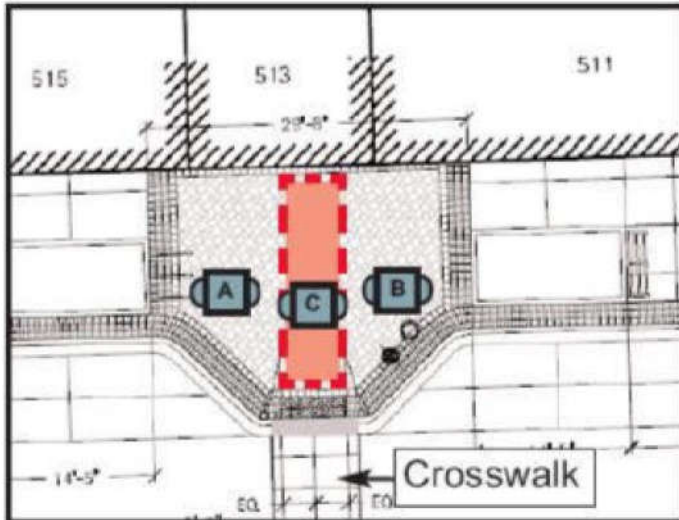


Figure 3.4- Tables A and B are permitted. Table C would be prohibited at that location as it is encroaching beyond the property line extended (represented by the blue dotted line)

- A clear path with a minimum width of 42 inches (42”) must be maintained leading to the main business entrance. In addition, a five-foot (5’) opening must be maintained at all times at crosswalks.



*Figure 3.5 – Tables A and B are permitted. Table C would be prohibited at this location as it occupying space required for a clear path to the front of the business entrance and the clear path from all crosswalks (area marked in red).*

- Where outdoor dining is proposed with wait service, the waitstaff must serve the tables within the delineated outdoor dining area. Service from the clear pedestrian path outside of the dining area is prohibited.

## **B. Site Furnishings**

- The proposed tables, chairs, umbrellas, and other furniture must be approved by the Village of Plainfield. The Village regulates site furnishings to assure that they will contribute to the appearance and character of the streetscape and will not have a negative impact on the visual character of the downtown area. No specific product is prescribed, and the applicant is free to propose furnishings of their choosing. These guidelines will be used by Village staff when considering the proposed furnishings:
  - i. The tables, chairs, and umbrellas used at the given location must be consistent. No mixing and matching of different furnishings will be permitted within a single outdoor use.
  - ii. Only market-style umbrellas will be permitted.
  - iii. Umbrellas must be secured to a base or an anchor to prevent from being damaged or removed by heavy winds.



*Example of a market style umbrella*

## C. Perimeter Delineation

- A pedestrian barrier is required for all outdoor dining where alcohol service is proposed. Examples include sectional fencing and bollards connected with chains. The barrier must be of an open style that allows for visibility within the outdoor dining area. The minimum height of the barrier is three feet (36 inches). The maximum height is four feet (48 inches). The barrier must be free-standing and can't be anchored to the sidewalk. In addition, the bases must be flat to avoid a tripping hazard.



*Examples of open-style sectional fencing that acts as a pedestrian barrier to enclose outdoor dining areas.*

## D. Operation and Maintenance

### 1. Hours of Operation

- i. Permitted hours of operation for the outdoor use shall not exceed the hours of operation of the principal indoor use, excluding outdoor alcohol sales. Outdoor alcohol sales shall be limited to the hours of kitchen service for the principal use.

### 2. Storage of Site Furnishings

- i. Site furnishings may remain outdoors during the period of the outdoor use is active (i.e., during seasonal weather) and need not be brought indoors overnight when the business is closed. Chairs should be stacked or pushed into the tables. Umbrellas should be closed. However, site furnishings must be removed at the conclusion of the outdoor use season, during any period of permit suspension or revocation, or in the event that outdoor use is dis-continued for more than seven (7) days.

### 3. Storage of Site Furnishings

- i. It shall be the responsibility of the business owner to maintain the sidewalk in a clean and neat appearance at all times while conducting the permitted outdoor use. In addition, site furnishings must be maintained and in a well-kept manner and items experiencing excessive wear, fading,



tearing, or other forms of deterioration shall be repaired or replaced in a timely manner.

#### **4. Trash Receptacles**

- i. Outdoor dining areas without wait-staff (i.e., take-out restaurants without outdoor seating) are required to provide at least one trash receptacle within the outdoor dining area. The business owner must empty the trash receptacle as needed, not less than once daily. A private trash receptacle is not required for outdoor dining with waitstaff.

#### **5. Outdoor Amplification**

- i. Outdoor amplification (sound system) is not permitted via the outdoor use revocable permit process. All uses must comply with the Village of Plainfield ordinances pertaining to noise regulations. In particular, the Village of Plainfield wishes to maintain visual and audible harmony between the outdoor uses and the broader streetscape. Conflicts of sound should be avoided between neighboring outdoor uses, and also between outdoor uses and the Village's ambient sound system.

