

## CITY OF WARRENVILLE

## MEMO

To: Community Development Committee of the Whole  
From: Natalia Domovessova, Senior Planner *ND*  
Subject: TEMPORARY AUXILIARY OUTDOOR SEATING PROGRAM  
REPORT and RECOMMENDATIONS  
Date: November 4, 2020

**Temporary Auxiliary Outdoor Seating Program Background and Experience:**

On June 1, 2020, the City Council passed Ordinance O2020-24, which established a no-charge, temporary auxiliary outdoor seating permit process under which Warrenville food and beverage establishments were allowed to install and operate new or expanded outdoor seating areas. The intent of this initiative was to help restaurants stay in business while indoor dining was either prohibited or substantially limited due to COVID19 mitigation restrictions. At its October 5, 2020, meeting, due to the continued COVID-19 emergency, the City Council extended this auxiliary outdoor seating program through June 1, 2021, via Ordinance O2020-35. Additional program rules were adopted to ensure heating systems utilized for the outdoor dining during cold weather are implemented in a safe manner.

Seven food and beverage establishments took advantage of the program and set up new or expanded existing outdoor seating during summer months. Two restaurants discontinued their outdoor dining due to the cold weather at the beginning of October. The list of restaurants currently operating outdoor dining is posted on the City website at <https://www.warrenville.il.us/786/Restaurants-Open-for-Business>

Based on the feedback received from the operators of local food and beverage establishments, staff concludes that the program had a positive impact on food and beverage establishment businesses. In addition to providing new food and beverage dining opportunities for the community, it helped support the businesses most directly impacted by COVID 19 mitigation restrictions and enhanced the vitality of commercial areas where they were implemented. Numerous business owners indicated their interest in continuing outdoor dining options, especially during warm weather months. Many of them have already invested in the outdoor furniture, tents, barriers and temporary fencing, which they would utilize going forward.

**Current Zoning Ordinance Outdoor Seating Regulations:**

The current (non-emergency) provisions of Section 7.F.3 of the Zoning Ordinance outline the parameters under which food and beverage establishments are able obtain a permit and operate seasonal outdoor dining areas under normal circumstances. A copy of this section of the Zoning Ordinance is attached as Exhibit A. One of the notable differences between these Zoning Ordinance

provisions and the Temporary Auxiliary Outdoor Seating Program is that the current Zoning Ordinance provisions do not effectively accommodate outdoor seating in parking areas.

**Staff Recommendation:**

Based on feedback received from local food and beverage establishments, and staff's experience administering the Temporary Auxiliary Outdoor Seating Program for the last six months, staff believes it would be both appropriate to re-evaluate and potentially update Section 7.F.3 of the Zoning Ordinance. As such, *staff recommends the City Council authorize staff to work with the Plan Commission and conduct a formal public hearing regarding potential Zoning Ordinance text amendments that would support the establishment and operation of additional outdoor food and beverage seating improvements in the City.* The goal would be to conduct the recommended public hearing process and implement appropriate Zoning Ordinance Text Amendments in time for next year's outdoor dining season.

## EXHIBIT A

Warrenville Zoning Ordinance No 1018

Section 7.F

### 3. TEMPORARY OUTDOOR DINING

The City of Warrenville may allow a business to set up and operate a temporary or seasonal outdoor dining area for the convenience of the customer under the following parameters and conditions:

1. A temporary or seasonal outdoor dining area may be provided by a dining establishment in conjunction with its permanent indoor operation.
2. An outdoor dining area shall be located on private property only, and shall be adjacent to the permanent dining establishment.
3. An outdoor dining area shall be located on paved surface only, and shall not utilize any required parking spaces or disrupt vehicular or pedestrian traffic.
4. A permit from the City shall be required for each season. A detailed plan illustrating the outdoor patio and all associated temporary improvements (i.e., furniture, fencing, etc.) shall be provided.
5. The hours of operation of an outdoor facility shall be consistent with the permanent dining facility operation hours.
6. Pedestrian ways and accessible means of egress route shall be maintained free from new obstructions or encroachments that would reduce the width of paved clear space for the passageway of pedestrians to less than four feet.
7. Flower beds/container planting are encouraged.
8. If alcohol is to be served in the outdoor dining area, the following requirements shall apply:
  - i. A valid Liquor License from the City; and
  - ii. A fence shall be installed that would allow a point of entry/exit to card customers and discourage underage drinking. Fencing shall be of durable materials with a maximum of four-inch spacing between the bars