

TYPE A SIDEWALK LICENCE AGREEMENT REQUIREMENT CHECKLIST

- Approval Process Flowchart
- Application Checklist
- Sidewalk License Agreement Regulations
- License Agreement



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SIDEWALK LICENSE APPROVAL PROCESS

Sidewalk license agreements are approved by the Town Center Development Coordinator

- **Type A Sidewalk License Agreement** - for businesses that hold a valid Texas Alcoholic Beverage Code (TABC) Permit.
- **Type B Sidewalk License Agreement** - for businesses that hold a valid food service establishment permit.

For an outline of the typical steps involved in each of these approval processes see the chart below.

STEP 1 ↓	Pre-Application Meeting with Staff - Meeting provides an opportunity for one-on-one feedback and technical guidance in completing the application.
STEP 2 ↓	Sidewalk License Agreement Submittal – A complete application must be submitted to the Planning Department (Paula Nasta, AIA, Historic Preservation Planner – 972-547-7416 or pnasta@mckinneytexas.org). See checklist for sidewalk license agreement submittal requirements.
STEP 3 ↓	Staff Review - Staff reviews the application for completeness and for compliance with ordinance requirements. Any issues with the application submitted will be communicated to the applicant via phone / email.
STEP 4 ↓	Applicant Submits Revisions - The applicant will then be responsible for revising and resubmitting the plans. Step 3 and Step 4 will repeat until all issues are resolved.
STEP 5 ↓	Sidewalk License Agreement Approved by Staff
FINAL STEP	Completed Sidewalk License Agreement is filed with the City Secretary, and a copy is sent to the applicant. The agreement is good for one year.
NOTE	Renewal of Sidewalk License Agreement - Same process as above. Agreement must be renewed at the end of one year (from date of initial approval).

Contact Paula Nasta, AIA for more information at (972) 547-7416 or pnasta@McKinneyTexas.org

APPLICATION CHECKLIST

Application / Renewal Fee: \$10.00

Fence Installation Permit Fee: \$20.00 (Not required for renewals)

Payment: CASH, CHECK, OR CREDIT CARD

- Signed Type A Sidewalk Revocable License Agreement with the following required attachments:
 - Site plan of proposed seating drawn to scale with measurements listed. The plan is to indicate any planters, wait stations, distance to curb, etc.
 - Copy of liability insurance (See Section 9 of the Revocable License Agreement)
 - Copy of TABC Permit

- Approved Letter of Suitability for the wrought iron fence and gate.

SIDEWALK LICENSE AGREEMENT REGULATIONS

Sec. 122-181. Sidewalk Use and Fence Permits. (Type A)

(a) Type A Sidewalk Use and Fence Permits. Type A Sidewalk Use and Fence Permits shall be issued in accordance with all of the following requirements:

1. The holder of a valid Texas Alcoholic Beverage Code permit must apply for and receive a Type A Sidewalk Use and Fence Permit pursuant to the process established by the city secretary;
2. The permit applicant must be the owner or lessor of a business located within the Type A Sidewalk Use and Fence Permit Zone;
3. For purposes of this section, the zone in which a Type A Sidewalk Use and Fence Permit may be applied for and granted is hereby set forth in Figure 5 below;



Figure 5

4. A 36-inch-tall fence is required around the sidewalk use permit area and must receive a written determination of suitability from the City of McKinney Town Center Development Coordinator prior to installation;
5. Signage must be posted indicating that alcoholic beverages may not be removed from the fenced area;
6. The sidewalk use and fence permit area shall be monitored by an employee at all times to ensure that no alcoholic beverages are removed from the sidewalk use permit area;
7. The sidewalk use and fence permit area must maintain a minimum five-foot (5') wide free and clear pedestrian path between the face of the enclosure and the back of the curb unless otherwise approved, on a case-by-case basis, by the Town Center Development Coordinator or as specifically described in Figure 7 below.
8. The city secretary may revoke a sidewalk use permit at any time. A person/business aggrieved by the revocation of a sidewalk use and fence permit may appeal the revocation to the city manager, whose decision shall be final; and
9. A sidewalk use and fence permit shall expire on the date specified in the executed sidewalk license agreement but may be renewed without the necessity of complying with the application process set forth in subsection (a)1 of this section, if the permit holder has not plead guilty or no contest to and/or has not been convicted of any alleged violation of this ordinance.


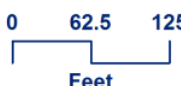


Minimum Free and Clear Pedestrian Space¹

-  5 feet
-  10 feet
-  13 feet
-  Corner Clip²

- 1: As measured from the face of the fence to the back of the adjacent curb
- 2: To be determined on a case-by-case basis by the Town Center Development Coordinator

Source: City of McKinney Planning
February 2014

Scale in Feet
1" = 125'

Figure 7