



**Council
Communication**
Office of the City Manager

Date

June 19, 2006

Agenda Item No. 68

Roll Call No. 06-

Communication No. 06-377

Submitted by: Richard A. Clark, City Manager

AGENDA HEADING:

Approving a new process for sidewalk café leases and licenses, form of lease and license, first reading of various ordinance changes, amending the schedule of fees, and referring design standards to the Planning and Zoning Commission for review and comment.

SYNOPSIS:

City staff reviewed existing processes and laws that relate to the establishment and operation of sidewalk cafés. As a result of that review, certain changes are recommended to improve the efficiency of the permit process and increase convenience for the applicant. For this review, staff began with the premise that sidewalk cafés enhance the quality of life of the community.

FISCAL IMPACT:

Amount: Unknown. (A minimal amount of revenue is expected.)

Funding Source: Lease and License Revenue will be deposited into the Property Maintenance Special Revenue Fund, PKS161625. SP767, Page 350 of the operating budget. Application fee revenue will be deposited into the general fund.

ADDITIONAL INFORMATION:

The recommendation contained in this agenda item will implement a number of changes:

1. It will shorten the length of time required for a business to obtain the permission to build and operate a sidewalk café by replacing the work of the Planning and Zoning Commission with an administrative review. This review would utilize the design standards that P&Z has historically used and will reduce the processing time by approximately one month.
2. The new process would be communicated in a customer-focused manner via a “Step-by-Step Guide”. This guide contains instructions on exactly how to obtain permission to operate a sidewalk café and is part of the Council packet and available in the City Clerk’s Office for public review.
3. A standard lease has been developed so that all sidewalk café leases will be uniform.

4. A standard lease rate has been recommended so that all sidewalk cafés will have the same cost per square foot.
5. The application fee for a petition to vacate a street or alley will increase from \$20 to \$100.
6. An appeal to the City Council would be available for applicants who are denied.

The attendant ordinance changes, schedule of fee changes, new lease and license application forms, and Step-by-Step Guide are included in this item.

PREVIOUS COUNCIL ACTION(S): NONE

Date:

Roll Call Number:

Action:

BOARD/COMMISSION ACTION(S): NONE

Date:

Roll Call Number:

Action:

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Plan and Zoning Commission review and comment, and second and third reading of the ordinance changes.