

# ATTACHMENT 2

## RESOLUTION NO. 5007

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO WAIVE APPLICATION FEES FOR ENCROACHMENT PERMITS AND MINOR USE PERMITS-TEMPORARY USE PERMITS SUBMITTED BY RESTAURANTS SEEKING ADDITIONAL OUTDOOR DINING SPACE DURING THE COVID-19 REOPENING PROCESS**

**WHEREAS**, local restaurants have suffered during the shelter-at-home orders issued by the State and County of San Luis Obispo in response to the COVID-19 pandemic, and, although the State has allowed restaurants to reopen, they are required to ensure adequate physical distancing or protective measures installed between tables, resulting in many restaurants being forced to significantly reduce the number of tables and seats available in their existing spaces; and

**WHEREAS**, restaurants seeking additional outdoor dining area not already included in the restaurant's existing land use entitlement are required to obtain a Minor Use Permit-Temporary Use Permit in order to comply with the City of Arroyo Grande's Development Code, and any proposed outdoor dining use of City right of way or other City-owned property will also require an encroachment permit; and

**WHEREAS**, the current application fee for an encroachment permit is \$57 and the application fee for a Minor Use Permit-Temporary Use Permit is \$294; and

**WHEREAS**, the City does not have an adopted procedure for requests for waivers of application fees in this situation; and

**WHEREAS**, the City wishes to support local restaurants in their efforts to recover and reopen following the COVID-19 shelter-in-place orders and to comply with the State and local physical distancing and other operational limitations by facilitating additional outdoor dining space where otherwise appropriate under existing laws and regulations.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Arroyo Grande as follows:

1. The Community Development Director is authorized to waive application fees for encroachment permits and Minor Use Permits-Temporary Use Permits for restaurants seeking additional outdoor dining space during the COVID-10 reopening process.
2. The City Clerk shall certify to the adoption of this Resolution and shall cause a certified copy to be filed in the Office of the City Clerk.

On motion of Council Member Paulding, seconded by Council Member Storton, and by the following roll call vote, to wit:

**AYES:** Council Members Paulding, Storton, George, Barneich, and Mayor Ray Russom

**NOES:** None

**ABSENT:** None

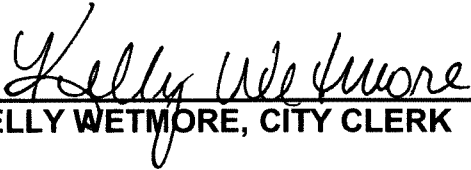
The foregoing Resolution was approved this 23<sup>rd</sup> day of June, 2020.



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KEITH STORTON, MAYOR PRO TEM

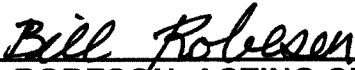
ATTEST:



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KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:



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BILL ROBESON, ACTING CITY MANAGER

APPROVED AS TO FORM:



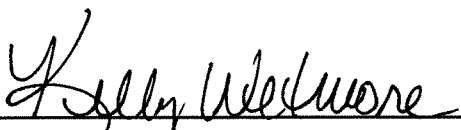
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TIMOTHY J. CARMEL, CITY ATTORNEY

**OFFICIAL CERTIFICATION**

**I, KELLY WETMORE**, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury, that the attached Resolution No. 5007 was passed and adopted at a regular meeting of the City Council of the City of Arroyo Grande on the 23<sup>rd</sup> day of June, 2020.

**WITNESS** my hand and the Seal of the City of Arroyo Grande affixed this 25<sup>th</sup> day of June, 2020.

  
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**KELLY WETMORE, CITY CLERK**