



## MEMORANDUM

**TO:** City Council

**FROM:** Brian Pedrotti, Community Development Director

**BY:** Patrick Holub, Associate Planner

**SUBJECT:** Consideration of Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code (AGMC) Regarding a Permanent Parklet Program; Development Code Amendment 22-003 Location - Citywide

**DATE:** October 11, 2022

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### **SUMMARY OF ACTION:**

Adopt an Ordinance to establish a permanent parklet program.

### **IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

Costs to support a permanent parklet program include in-house and/or contractual services for manual street sweeping, barrier adjustments, inspection and maintenance, and general program administration. Currently, there are a total of fourteen existing parking spaces displaced by existing temporary parklets. It is recommended that permanent parklet applicants fully cover the costs of the permanent parklets. These costs are listed under "Analysis of Issues," and may be offset through permitting fees, rental costs associated with the loss of City property, and rental fees for physical barriers.

### **RECOMMENDATION:**

Adopt an Ordinance establishing a permanent parklet program.

### **BACKGROUND:**

On November 23, 2021, the City Council held a study session on the status of the temporary parklet program and discussed the potential for a permanent parklet program. At that meeting Council directed staff to return with the framework of a program that evaluated costs, safety, design standards and a cap on the maximum number of parklets. On April 12, 2022, the City Council conducted an additional study session to consider the permanent parklet program and directed staff to further develop the program with input regarding design from the Architectural Review Committee (ARC). On August 1, 2022, the ARC reviewed proposed objective design standards and made a number of recommendations that were included in the draft Ordinance. On September 6, 2022, the

**Item 8.i.**

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Planning Commission reviewed the draft Ordinance and made recommendations regarding elimination of the buffer between parklets and elimination of the maximum cap on the number of parklets allowed within the City. The minutes and staff reports from the November 23, 2021 City Council Study Session, April 12, 2022 City Council meeting, August 1, 2022 Architectural Review Committee meeting, and September 6, 2022 Planning Commission meeting are provided in Attachments 2 through 5.

On September 27, 2022, the proposed Ordinance was considered for introduction by the City Council. At that meeting, the City Council was supportive of the Ordinance, made minor changes regarding the definition of a parklet, amended design standards to improve visibility through the parklets and to ensure cleanliness of the parklet by the business owner, and introduced the modified Ordinance. The modifications to the Ordinance made during the September 27, 2022 City Council meeting are depicted in Attachment 6 and the final introduced Ordinance is provided in Attachment 1.

#### **ANALYSIS OF ISSUES:**

The Ordinance is now ready for adoption. The regulations for a permanent parklet program will become effective thirty (30) days after adoption.

#### **ALTERNATIVES:**

1. Adopt the Ordinance as proposed;
2. Direct staff to make modifications to the Ordinance and return to reintroduce the Ordinance at a future City Council meeting; or
3. Provide other direction to staff.

#### **ADVANTAGES:**

Adoption of the Ordinance will allow for the creation of a permanent parklet program to allow for a variety of outdoor dining options and increased vibrancy and foot traffic in the Village.

#### **DISADVANTAGES:**

None identified.

#### **ENVIRONMENTAL REVIEW:**

In compliance with the California Environmental Quality Act (CEQA), the Community Development Department has determined that the adoption of an ordinance to implement amendments to the short-term rental regulations is categorically exempt from CEQA pursuant to Section 15305 – Minor Alterations in Land Use Limitations.

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**PUBLIC NOTIFICATION AND COMMENTS:**

A summary of the Ordinance was published in The Tribune on October 6, 2022, pursuant to State law. The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

**Attachments:**

1. Proposed Ordinance
2. Minutes and staff report from the November 23, 2021 City Council Study Session
3. Minutes and staff report from the April 12, 2022 City Council meeting
4. Minutes and staff report from the August 1, 2022 Architectural Review Committee meeting
5. Minutes and staff report from the September 6, 2022 Planning Commission meeting
6. Draft Minutes and staff report from the September 27, 2022 City Council meeting