



Recommendation for Action

File #: 22-1243, **Agenda Item #:** 9.

2/17/2022

Posting Language

Approve an ordinance creating City Code Chapter 4-21 (Private Parking Patio) relating to a private parking patio program, creating an offense, and establishing a penalty; amending City Code Chapter 14-4 (Sidewalk Cafes) relating to sidewalk cafes and sidewalk storefronts; and amending the Fiscal Year 2020-2021 Austin Transportation Department, Development Services Department, and Austin Fire Departments fee schedules (Ordinance No. 20210811-002) to amend the Sidewalk Café fee name, to add sidewalk storefront, and establish Private Parking Patio review and inspection fees.

Lead Department

Development Services Department.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

June 4, 2020 - Ordinance No. 20200604-047 creating a pilot program that would authorize specific businesses to use private parking lots and public right-of-way for expanded business operations was approved on consent on Mayor Pro Tem Garza's motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was off the dais.

December 3, 2021- Ordinance No. 20201203-007 reauthorizing and modifying the pilot program adopted by Ordinance No. 20200604-047 that authorized specific businesses to use private parking lots and parking right-of-way for expanded business operations was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

July 29, 2021 - Resolution No. 20210729-116 related to sidewalk cafes and allowed uses, a private parking lot patio program, participation in the City's street patio program, and an application system for patio and café programs was approved on consent on Council Member Ellis motion, Council Member Kitchen's second on an 11-0 vote.

For More Information:

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Additional Backup Information:

In July 2021, City Council passed Resolution No. 20210726-116 which initiated code amendments to develop an ordinance that would synchronize the uses allowed to participate in the sidewalk café program with the uses allowed in the Shop the Block pilot program and create a permanent program, similar to the sidewalk café program, for private parking lot use. If approved, this ordinance will create a new chapter of City Code, Chapter 4-21 (*Private Parking Patio*), amend City Code Chapter 14-4 (*Sidewalk Cafes*) to expand allowable

uses into alignment with uses authorized in the Shop the Block pilot program and make minor changes to sidewalk café requirements to facilitate more participation in the program, and amend the fee schedule for Austin Transportation Department (ATD), Development Services Department (DSD), and Austin Fire Department (AFD) schedules (Ordinance No. 20210811-002) to create fees for the new programs created by this ordinance.

In response to other directives from Council Resolution 20150806-021, staff are prepared to create a series of templates for common scenarios and general applicability that can be used by participants in the program. Applicants wishing to pursue their unique creative vision would need to engage their own designer. Staff will also create a centralized webpage for "Outdoor Seating Permits" that includes information about each option (Sidewalk Cafes, Street Patios, Private Lot Seating). Currently, the AB+C Portal is able to process all these application types, including the new private lot program. To create a consistent application process, applicants will be directed to use the AB+C Portal and provided instructions for how to apply for each permit type.

Strategic Outcome(s):

Economic Opportunity and Affordability, Government that Works for All.