



## Legislation Text

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**File #:** 9487-21, **Version:** 1

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### **SUBJECT/RECOMMENDATION:**

Approve amendments to the Community Development Code revising Section 3-909, Outdoor cafés located within public right(s)-of-way and Appendix A Schedule of Fees, Rate and Charges and pass Ordinance 9487-21 on first reading. (TA2021-07002)

### **SUMMARY:**

The Community Development Code currently allows outdoor cafés located within public right(s)-of-way in the Downtown and Clearwater Beach. The closure of Cleveland Street to support outdoor cafes beyond the timeframe of the COVID emergency has generated the need for some minor amendments to the outdoor café provisions. Upon review of the existing code, it was determined some additional clarity was needed in the permit process, location, design, and operational requirements, as well as the fee schedule.

Proposed Ordinance No. 9487-21 includes the following amendments:

- Specifies outdoor café permits shall be issued to a person who has a business tax permit and who wishes to place tables and chairs in the right-of-way.
- Allows outdoor cafes to extend beyond the sidewalk into the Cleveland Street right-of-way if closed to traffic, authorized by the city and in compliance with ADA requirements.
- Requires the outdoor café operator to be responsible for keeping the café area clean, orderly, and free of debris.
- Prohibits the use of city owned waste receptacles for café food and waste disposal.
- Provides that outdoor café permits expire on September 30th of each year.
- Provides for a reduced outdoor café permit renewal fee of \$25.

The Planning and Development Department has determined that the proposed text amendments to the Community Development Code is consistent with and furthers the goals, objectives and policies of the Comprehensive Plan and the Community Development Code as outlined in the staff report. The CDB reviewed the proposed text amendment at its meeting of August 17, 2021, and unanimously recommended approval of the amendment.

**APPROPRIATION CODE AND AMOUNT: N/A**

**USE OF RESERVE FUNDS: N/A**