



# Ordinance 1332

An Ordinance of the City of Folsom Adding Chapter 12.25, “Temporary Outdoor Dining Permit” to the Folsom Municipal Code Regarding Temporary Use of Parking Space on City Streets and City-owned Public Properties for Outdoor Dining (Introduction and First Reading)

City Council

September 13, 2022



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

# Background

- COVID-19 State, County, and Local Emergency Orders
- May 1, 2020 Emergency Order DES-04-20 included permission for temporary use of certain City-owned public properties for outdoor dining until termination of the local emergency
- Since then, the City has issued several temporary permits to use on-street parking areas as well as other City-owned public property for outdoor dining (10 total, all located within the Historic District)
- With City Council consideration to end the local order, Ordinance 1332 creates a path to allow temporary outdoor dining permits on public property in compliance with specific conditions

# Temporary Outdoor Dining Permits

## City Streets and City-owned Public Properties



# Summary of Process Moving Forward



## New Temporary Outdoor Dining Permit Process

- ❑ Temporary Outdoor Dining Permit Application Requirements (annual, non-transferable)
  - ✓ Application form (with plans, materials) and payment of fee (Site Design Review fee \$280)
  - ✓ Encroachment Permit/fee payment also required (\$132 + \$1.91/square foot)
- ❑ City Review (Police, Fire, Public Works, Parks, Community Development)
- ❑ Minimum Conditions of Approval:
  - ✓ No conveyance of property rights, no interference with vehicular or pedestrian traffic, subject to modification or cancelation by the City at any time with notice to permittee
  - ✓ Must be ADA compliant and meet relevant State, County and local laws/regulations for outdoor dining and alcohol
  - ✓ Temporary structures only, must be removed when expired, terminated, or canceled
  - ✓ Requires liability insurance and indemnity to the City

# Input to Date on Draft Ordinance 1332



- Several emails and phone calls in support of allowing temporary outdoor dining on city streets and other city property
- A few concerns about whether the new permit process will be too cumbersome or costly
- One comment/concern about ensuring that temporary outdoor dining is ADA accessible
- One comment about needing design controls and notifications
- One comment with concern about impact to vehicle travel lanes

# Staff Recommendation



Staff recommends that City Council introduce and conduct first reading of Ordinance No. 1332 – An Ordinance of the City of Folsom Adding Chapter 12.25, “Temporary Outdoor Dining Permit”, to the Folsom Municipal Code Regarding Temporary Use of Parking Space on City Streets and City-owned Public Properties for Outdoor Dining.

# Next Steps

- Second reading and adoption of Ordinance 1332 tentatively scheduled for September 27<sup>th</sup>
- Ordinance effective 30 days thereafter (October 27<sup>th</sup>)
- If City Council terminates the local emergency on October 1<sup>st</sup>, existing permits will expire on that date
- Existing permittees can either remove encroachments on or prior to October 1<sup>st</sup> or submit a new permit request/application no later than October 27<sup>th</sup> for review and decision under provisions of Ordinance 1332

# Questions

Questions?