

**RESOLUTION NO. \_\_\_\_\_ (2022 SERIES)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, APPROVING THE CITY OF SAN LUIS OBISPO OUTDOOR DINING GUIDE AND ADOPTING NEW FEES FOR PARKLETS, SIDEWALK CAFES, AND TABLES AND CHAIRS PERMITS**

**WHEREAS**, it is the policy of the City of San Luis Obispo to establish fees by resolution; and

**WHEREAS**, Ordinance No.1539 (2010 Series) created Municipal Code Chapter 5.50 on Sidewalk Cafes and Ordinance No. XXXX creates Municipal Code Chapter 5.51 on Parklets; and

**WHEREAS**, the Outdoor Dining Guide includes information on the permanent parklet program including the approval process, eligibility, design guidelines, and operational requirements, and public input on the Guide was gathered including at a public workshop, Open City Hall webpage, meetings with the Chamber of Commerce and Downtown SLO; and

**WHEREAS**, the Active Transportation Committee reviewed and provided comments on the proposed parklet design guidelines in the City of San Luis Obispo Outdoor Dining Guide within their purview of bicycle and pedestrian transportation at a public hearing on May 19, 2022; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of San Luis Obispo as follows:

**SECTION 1.** The Community Development Department will charge fees for permits for parklets, sidewalk cafes, and tables and chairs as set forth in Exhibit A to this Resolution. These fees will be adjusted periodically by the City Manager as a part of the City's Comprehensive Fee Schedule adjusting for changes in the Consumer Price Index, as described in Council Resolution No. 10640 (2020 Series) and Resolution No. 11026 (2021 Series)

**SECTION 2.** The City of San Luis Obispo Outdoor Dining Guide (Exhibit B) dated and effective July 2022, copies of which are on file at the Office of the City Clerk, is hereby approved.

**SECTION 3.** Future administrative revisions to the City of San Luis Obispo Outdoor Dining Guide are authorized by approval of both the Community Development and Public Works Directors as long as the policy framework contained in the guide remains consistent with the July 2022 edition approved by the City Council and any such revisions are documented in writing and provided to the City Clerk to be maintained with this Resolution in a manner that reflects the scope of changes made.

**SECTION 4. Environmental Determination.** The proposed fees and adoption of the City of San Luis Obispo Outdoor Dining Guide been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the state CEQA Guidelines, and the environmental regulations of the City. Specifically, the proposed amendment has been determined exempt per CEQA Guidelines Section 15061(b)(2), specifically CEQA Guidelines Section 15301 (Existing Facilities) because the actions are limited to permitting, leasing, and minor alteration of existing public facilities within the right of way of the program area. The new use of the right of way under the program by additional parklets and sidewalk dining is negligible when compared to the total linear square footage of the program area. In addition, any new use is permissible under Section 15301 (c) as it does not result in the addition of any automobile lanes. The new use is also permissible under Section 15301(e) as a temporary addition to existing structures.

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and on the following roll call vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Mayor Erica A. Stewart

ATTEST:

\_\_\_\_\_  
Teresa Purrington  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Christine Dietrick  
City Attorney

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on \_\_\_\_\_.

\_\_\_\_\_  
Teresa Purrington  
City Clerk

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**Exhibit A****FEES FOR PARKLET, SIDEWALK CAFÉ, AND  
TABLES AND CHAIRS PROGRAMS**

Program	One-time Application Fee	Use Fee in FY 2022-23	Use Fee Annually Beginning in FY 2023-24
Parklet	\$908.17	(\$27.22/sq ft per month)	(54.44/sq ft per month)
Sidewalk Cafe	\$908.17	\$1/sq ft per month	\$1/sq ft per month
Tables & Chairs	None	\$1/sq ft per month	\$1/sq ft per month

- Current costs shown are per square foot per month but are billed annually
- Non-profit and community groups using parklets for non-commercial purposes are fee exempt