

## **RESOLUTION NO.**

**WHEREAS**, both the Imagine Austin Comprehensive Plan and the 2010 Downtown Austin Alliance Envisioning the Avenue Strategic Report encourage active streetscapes that enliven our public spaces and support walkability; and

**WHEREAS**, Council approved Ordinance No. 20120322-066 and Resolution No. 20120322-067 creating a pilot program for a street patio in the parking spaces adjacent to 609 Congress Avenue and directing the City Manager to return to Council with recommendations on an application process, fees, notification requirements, and parameters for candidate spaces for the program by December 31, 2012; and

**WHEREAS**, the street patio at 609 Congress Avenue has since been installed and has received recognition from the Austin Chronicle, the Downtown Austin Neighborhood Association, and the Urban Land Institute – Austin, calling out the public benefits it brings to its block; and

**WHEREAS**, a May 16, 2013, report from staff describes the “overwhelmingly positive” responses to the pilot street patio and offers a series of recommendations related to applications, fees, notification, program candidates, and other aspects of the program, with the next step described as a draft ordinance coming to Council for consideration no later than the summer of 2013; and

**WHEREAS**, since that report was released, it has been determined that street patios may be processed and regulated under the same ordinance that is applicable to sidewalk cafés, and some questions have been raised as to whether the current use of license agreements is the best tool to process and

regulate street patios and sidewalk cafés, or whether a permit is a more efficient and effective way of allowing these uses; and

**WHEREAS**, a smoother and less burdensome process will allow businesses to more easily participate in this program, improving our public space and making our streets more pedestrian-friendly; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to conduct a stakeholder process to consider changes to the sidewalk café regulations, as well as associated fees and processes, including the use of permits instead of license agreements.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to bring a report back to Council outlining any process changes and recommended code amendments within 90 days.

**ADOPTED:** \_\_\_\_\_, 2014    **ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk