

RESOLUTION NO. 20-22

A RESOLUTION TO ALLOW TEMPORARY PARKLETS IN THE RIGHT-OF-WAY AND TEMPORARY OUTDOOR DINING AND RETAIL IN PRIVATE PARKING LOTS

WHEREAS, the State of Oregon has placed restrictions on the use of commercial spaces due to the pandemic known as COVID-19; and

WHEREAS, providing an opportunity for businesses to expand their operations outdoors, either in the public right-of-way or private parking lots, will generate greater pedestrian activity, help increase business patronage and overall interest in the area, and off-set some of the losses resulting from the spacing minimums required to reduce the spread of COVID-19; and

WHEREAS, temporary parklets are public spaces located in the public right-of-way that provide increased restaurant or bar seating capacity; and

WHEREAS, temporary outdoor dining and retail activities located in private parking lots will also provide additional seating or retail display space for local restaurants, bars, and retail businesses; and

WHEREAS, to be successful, parklets and outdoor dining and retail on private parking lots must adequately address infrastructure and parking impacts, be tied to a specific location, be safe for the public to use, be easily maintained by the permittee, be for a limited and certain term, and be capable of easy and fast installation and removal; and

WHEREAS, Oregon City Municipal Code ("OCMC") Section 12.04.120 identifies requirements for temporary obstructions in the right-of-way, OCMC Section 12.04.130 sets forth the requirements for sidewalk sales and OCMC Titles 15.28, 16 and 17 includes planning standards such as minimum and maximum off-street parking requirements; and

WHEREAS, the Engineering Fee schedule establishes a fee for temporary obstructions and the Planning Fee schedule would ordinarily apply where changes to off-street parking areas are proposed.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City hereby adopts Exhibit A, The Oregon City COVID-19 Recovery Assistance Program (the "Program"), which authorizes parklets and the use of private parking lots to accommodate outdoor dining and retail on a limited basis within the MUD zone extending along 7th Street between Singer Hill Road and Jackson Street.

Section 2. All engineering and planning fees that otherwise would apply to a request to expand a business into the right-of-way or onto an established private parking lot consistent with the Program terms shall be waived and instead, shall be subject to a fee of \$25 per business for each application type.

Section 3. All applicable engineering standards set forth in OCMC 12.04.120 and 12.04.130 for all temporary obstructions relating to restaurant, bar seating and retail sales within the public right-of-way that otherwise complies with the Program shall be waived for the period of July 2, 2020 to November 30, 2021.

Section 4. All applicable land use planning standards set forth in in OCMC Titles 15.28, 16 and 17 for development on private property necessary to accommodate temporary outdoor dining and retail in private parking lots that otherwise complies with the Program shall be waived for the period of July 2, 2020 to November 30, 2021.

Section 5. Authorizations granted pursuant to this resolution are temporary and may occur only from July 2, 2020 to November 30, 2020 and again from March 15, 2021 to November 30, 2021, although the City Commission may make changes to the Program during the Winter of 2020 - 2021 that may affect participating businesses.

Section 6. This resolution shall take effect immediately upon its adoption by the City Commission.

Approved and adopted at a regular meeting of the City Commission held on the 1st day of July 2020.

DAN HOLLADAY, Mayor

Attested to this 1st day of July 2020:

Approved as to legal sufficiency:

Kattie Riggs, City Recorder

City Attorney

Exhibit A: Oregon City COVID-19 Recovery Assistance Program