



ITEM 11G

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COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: March 6, 2014
Re: Outdoor Dining on Public Right-of-Way Pilot Program

INTRODUCTION: A pilot program to promote outdoor dining on public right-of-way is being proposed. This is being done to assist with Muscatine's certification as a Blue Zones Project Community and to further the implementation of a number of goals from the Comprehensive Plan.

BACKGROUND:

Adopting policies that promote outdoor dining is one of the number policies changes that City of Muscatine can make in order to help community achieve certification. Action C.21.F of the Comprehensive Plan directs that the City of Muscatine "*Adopt policies to promote outdoor dining.*" Policy LU.15.A of the Comprehensive Plan Policy LU.15.A states, "*City regulations, policies, projects will structured to encourage land use and redevelopment in the Downtown that creates reasons for people to frequent the Downtown through activities such as entertainment, recreation and special events...*" The implementation of this pilot program is the first step in achieving these goals.

Currently outdoor dining on sidewalks located within public right-of-way is permitted with approval. The aim of this pilot program is twofold. First is to promote the use of public right-of-way for outdoor dining in places where it is currently permitted. Currently very few restaurants are taking advantage of the option to make use of adjacent public right-of-way for outdoor dining. The second aim of this pilot program is to conduct a trial of allowing outdoor dining on platforms placed on on-street parking spaces. Following is picture of such an arrangement in another community. The pilot program will allow a determination if dining on platforms placed on on-street parking spaces works in Muscatine and what regulations should governing it, to be made. Based on the experiences of the pilot program a decision to allow dining on platforms placed on on-street parking spaces and how they should be regulated to it will be made in the late fall of 2014.



The intention of the pilot program is to provide maximum regulatory flexibility, and then develop permanent regulations based on the experiences of the pilot program. However, the following regulations are being proposed to ensure the outdoor dining activities on public right-of-way during the pilot program does not endanger public safety.

- No items may be placed beyond the curb between October 31st and April 1st.
- No smoking permitted on City right-of-way.
- At all times a walkway of at least 5' shall be maintained on the existing sidewalk and this walkway shall be clear of all items.
- No fencing may exceed 3' in height.
- The flow of stormwater shall not be impeded.
- Any seating placed beyond the curb shall be separated from the travel lane by either fencing or planters.

The pilot program has been limited to the downtown area, because this is area where because of the size of existing sidewalks is most likely to allow for successful outdoor dining on public right-of-way, and because it most closely aligns with the goals of the Comprehensive Plan. Through the Blue Zones Project Community Policy Committee all downtown restaurants were sent a written invitation to participate in the outdoor dining on public right-of-way pilot program. Four restaurants have decided to participate in the pilot program. Following is what they are proposing.

- **Avenue Subs** – 113 Iowa Avenue
 - 4 tables on sidewalk
- **Guadalajara** – 203 E. 2nd Avenue
 - 4 tables on sidewalk

- **Boonie's On the Avenue** – 214 Iowa Avenue
 - Raised platform on two on street parking spaces directly in front of restaurant
- **Salavatore's Ristoranate** – 313 E. 2nd Avenue
 - 2 tables on sidewalk

RECOMMENDATION: Authorize outdoor dining on public right-of-way pilot program as presented in this memo.

BACKUP INFORMATION:

1. **Site plans provided by participating restaurants.**