

**CITY OF FERNDALE  
REQUEST FOR COUNCIL ACTION**

**FROM:** Lena Stevens

**SUBJECT:** Consideration of the Resolutions for Temporary Outdoor Seating and Sales and Accessory Structures Through November 30, 2021

**INTRODUCTION**

**SUMMARY & BACKGROUND**

In June 2020, the Ferndale City Council authorized temporary changes to policies regarding outdoor seating and sales as a COVID-19 response strategy. Currently, 11 businesses have utilized options to expand outdoor seating on sidewalks or private property and one business has utilized expanded options for mobile vending (food trucks).

City staff and the DDA developed a proposal to temporarily suspend enforcement of zoning regulations related to outdoor seating and sales on private property, and regulatory restrictions on mobile vending in the Central Business (CBD) zoning district; and create a licensing process for temporary outdoor seating and sales on certain City rights-of-way.

The resolutions are effective through December 31, 2020. The DDA Executive Director and City staff are proposing that these changes remain in effect through November 30, 2021. This minimizes permitting requirements for businesses and allows them to choose whether they would like to retain their patios in cooler months.

Additionally we are proposing that the Accessory Structures Pilot (aka 'Igloo Pilot') be reestablished. This will allow for the use of igloos or tents on rear/side yards while temporarily suspending zoning regulations such as Payment in Lieu of Parking or off-street parking requirements.

**BUDGETARY CONTEXT**

Currently, the fees for these options are set as follows. It is recommended that a deadline for payment of these fees for 2020 be deferred to June 1, 2021.

Outdoor Dining/Sales on Private Property - \$275 application fee + tent permit if required

Lease for Parking Spaces -

1 Day Lease fee of \$13 per day per space.

1 Week Lease fee of \$45.50 per week per space.

1 Month Lease fee of \$156 per month per space.

\*Through December 31 Lease fee of \$39 per month per space.

Mobile Vending and Sidewalk Vending - \$275 food truck, \$88 push cart + parking space lease if required

Standard Sidewalk Cafe - \$100 (new applications only) + \$1.50/sq ft for alcohol serving establishments & \$1.00/sq ft for non-alcohol serving establishments

Tent Permit - \$50

**CIP#**

#### **ATTACHMENTS**

[Mobile\\_Sales\\_and\\_Vending\\_Resolution\\_-\\_10122020.pdf](#)

[Sidewalk\\_Cafe\\_Resolution\\_-\\_10122020.pdf](#)

[Temporary Accessory Structures Resolution - 10122020.pdf](#)

[UPDATED Temporary Use of Parking Resolution - 10122020.pdf](#)

[UPDATED - Extended Outdoor Seating and Sales Resolution - 10122020.pdf](#)

#### **STRATEGIC PLANNING CONTEXT**

Economic Prosperity

#### **RECOMMENDED ACTION**

Approve the resolutions for temporary outdoor seating and sales as a COVID-19 recovery program.

There are five resolutions that City Council will need to consider and approve to allow for these temporary measures, which would remain in effect through November 30, 2021:

1. Sidewalk Cafes - Allow standard patios to remain in place until Nov 30, 2021.
2. Extended Outdoor Seating and Sales - Extend existing policy for expanded use of public and private property for outdoor seating or selling of merchandise until November 30, 2021.
3. Temporary Use of Parking Spaces - Extend existing policy for use of parking spaces by adjacent businesses until November 30, 2021.
4. Mobile Sales and Vending - Extend existing policy for a moratorium on the Council's May 7, 2012 resolution limiting the number of locations and days a week for sidewalk and mobile vending within the Downtown

October 8, 2020 Downtown Development Authority Vending District until November 30, 2021.

5. Temporary Accessory Structures - Authorize temporary program to permit temporary accessory buildings within the CBD and other commercially zoned districts to be utilized in an accessory manner to a principal building in the rear or side yard in compliance with fire and building code requirements through November 30, 2021.