



City of Coral Gables
CITY COMMISSION MEETING
June 13, 2017

ITEM TITLE:

Resolution. Sidewalk Café Plan A Resolution of the City Commission of Coral Gables, Florida, adopting a Downtown Sidewalk Café Plan that includes amongst other things city pre-approved sidewalk café locations and furniture, a sidewalk café fee based on square footage; authorizing the City Manager to make administrative changes to the plan as deemed necessary to implement the Business Improvement Overlay District; updating the sidewalk café application fee citywide; providing severability, and an effective date. [Both the sidewalk café fee of \$15/\$10 per square foot, applicable only to areas within the right-of-way, and application fee of \$250 will be suspended for those restaurants that have been operational during the Streetscape Project for a period of 12 months from the date that the City declares “substantially complete” that portion of the Streetscape Project. This fee suspension is contingent upon a voluntary enforcement of a “No Outdoor Smoking” policy in the city right-of-way.]

DEPARTMENT HEAD RECOMMENDATION:

Approval.

BOARD RECOMMENDATION:

NA

BRIEF HISTORY:

This item was continued from the May 30, 2017 City Commission meeting. As a result of discussion that occurred at that meeting the fees for outdoor dining located on private property have been eliminated.

On March 28, 2017, the City Commission approved the Business Improvement Overlay District (BIOD) that provided regulations on items such as signage, digital kiosks, hours of operation and outdoor dining. This Resolution furthers that by proposing a Sidewalk Café Plan that includes pre-approved sidewalk café locations and furniture, a sidewalk café application form, an updated city-wide sidewalk café application fee, a sidewalk café fee based on square footage as follows:

1. The city-wide sidewalk café application fee is increased from \$150 to \$250 to accommodate an additional review by the Public Works Department. Upon approval, the application is valid for two years.
2. A new annual sidewalk café fee of \$15 per square foot is proposed for outdoor dining located on public property. This fee may be reduced to \$10 per square foot if the sidewalk café applicant agrees to enforce a “No Outdoor Smoking” policy. (The sidewalk café user fees and adjustment of a downtown parking fee are expected to defray the City’s enhanced streetscape maintenance.) There will be fees associated with outdoor dining located on private property other than the application fee.
3. An approved application may be revoked at any time with repeat violations of the terms and conditions of the Zoning Code and the application.
4. The sidewalk café applicant may choose from the list of preapproved furniture as part of the

expedited review, otherwise the Board of Architects will have to review and approve alternate furniture.

5. The sidewalk café application will be reviewed within 30 days of receipt of a complete application if consistent with the pre-approved sidewalk café location and furniture.

Consistent with past Commission actions to assist affected businesses during streetscape construction, the Resolution proposes the suspension of sidewalk café fees as follows:

1. Both the sidewalk café user fee and application fee will be suspended for 12 months from the date that the City declares “substantially complete” that portion of the Miracle Mile & Giralda Avenue Streetscape Project.
2. The suspension of sidewalk café fees shall only apply to those restaurants that have been operational during the streetscape project as evidenced by a valid Business Tax Registration and Certificate of Use. Newly proposed restaurants that open after the “substantially complete” portion of Miracle Mile and Giralda streetscape shall not be eligible for the fee waiver.
3. The sidewalk café fee waivers shall be contingent upon a voluntary enforcement of a “No Outdoor Smoking” policy in the city right-of-way.

PUBLIC NOTIFICATION(S):

Date	Form of Notification
05.26.17	City Commission meeting agenda posted on City web page.
06.09.17	City Commission meeting agenda posted on City web page.

EXHIBIT(S):

- A. Sidewalk Café Resolution.
- B. Miracle Mile & Giralda Plaza Outdoor Dining Application with attachments (including pre-approved outdoor dining locations and furniture).
- C. PowerPoint Presentation.