



Legislation Text

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Proposed Outdoor Seating associated with Stadium Club Project (NB)

Recently, an inquiry was made to staff by an agent for the Stadium Club project regarding the ability for outdoor seating to be provided associated with the retail use of the building. Due to the configuration of the building on the subject site, the seating would need to occur within the Public Right of Way.

The Land Development Code addresses outdoor seating in two ways. Within the City's downtown core, sidewalk cafes are permissible as an accessory use within the CCD zoning designation (Sec. 30-66(e)(3)) and subject to specific permit conditions/requirements. "Outdoor cafes" are by definition, located outdoors on private property and not within the public right of way.

Although Public Works does have an ability to permit the temporary use of right of way for construction related activities and during special events and by vendors, these temporary uses do not appear to be applicable to the outdoor seating requested by Stadium Club.

A possible solution is to amend the LDC to allow "sidewalk cafes" in the UMU-1 zoning district or in the College Park Special Area Plan. Staff would need to analyze whether such use is compatible with the purpose, intent and regulations of the District or SAP. In addition, while such use can be conditioned, it would have to be made available uniformly to all property owners who meet the conditions. Given that, staff would need to analyze the effect of allowing such use of the public right-of-way in the District or SAP, taking into account the physical conditions of the right-of-way in that area and the functions and level of service that the right-of-way is expected to provide in that area.

In order to address what seems to be a reasonable request from Stadium Club, staff is requesting that the Commission direct a Petition be drafted in order to accomplish the objective of allowing outdoor seating as an accessory use within applicable zoning districts.

No impact at this time.

City Commission: 1) direct staff to initiate a petition allowing outdoor seating accessory to a principal use within applicable zoning districts and subject to specific criteria.