

AGENDA REQUEST FORM

FOR: Council Meeting of June 16, 2020

FROM: Council Member Matthew Petty

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO ALLOW RESTAURANTS AND CAFES TO EXPAND OPERATIONS INTO PRIVATE PARKING LOTS, AND TO DECLARE AN EMERGENCY

APPROVED FOR AGENDA:

Approved by email

Council Member Matthew Petty

June 5, 2020

Date



Asst. City Attorney Blake Pennington
Approved as to form

June 5, 2020

Date

Pennington, Blake

From: Matthew Petty - Fayetteville Ward 2 <citycouncil@matthewpetty.org>
Sent: Friday, June 05, 2020 10:44 AM
To: Pennington, Blake
Subject: Re: Restaurant parking lot dining

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It looks good. Simple and concise. Let's run it

Thank you for your help

On Fri, Jun 5, 2020 at 8:40 AM Pennington, Blake <bpennington@fayetteville-ar.gov> wrote:

Matthew, just wanted to follow up with you on the proposed language we sent for your review so we can get it added to the agenda next Tuesday. We still have time to make any changes you would like to see.

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Blake E. Pennington
Assistant City Attorney
Tele: (479) 575-8313
bpennington@fayetteville-ar.gov<mailto:bpennington@fayetteville-ar.gov>

From: Pennington, Blake
Sent: Friday, May 29, 2020 3:49 PM
To: Petty, Matthew <citycouncil@matthewpetty.org<mailto:citycouncil@matthewpetty.org>>
Cc: Curth, Jonathan <jcurth@fayetteville-ar.gov<mailto:jcurth@fayetteville-ar.gov>>; Williams, Kit <kwilliams@fayetteville-ar.gov<mailto:kwilliams@fayetteville-ar.gov>>
Subject: Restaurant parking lot dining

Matthew,

Attached is a proposed amendment to the UDC that would allow restaurants to use portions of their parking lot for service. We have Jonathan to thank for drafting it and identifying where in the UDC it needed to be. The proposed language would allow Planning to step in if a complaint is received regarding an unsafe condition but it does not require prior review or any type of permit. Please let me know if you have any comments or changes.

Have a good weekend. Thanks,

Blake

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Blake E. Pennington
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ORDINANCE NO. _____

AN ORDINANCE TO AMEND § 172.04 PARKING LOT DESIGN STANDARDS TO ALLOW RESTAURANTS AND CAFES TO EXPAND OPERATIONS INTO PRIVATE PARKING LOTS, AND TO DECLARE AN EMERGENCY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends § **172.04 – Parking Lot Design Standards** of the Fayetteville City Code by repealing subsection 172.04(B) and enacting a new subsection (B) as follows:

(B) *Pedestrian Access.*

- (1) Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.
- (2) Parking lots may be utilized by restaurants, cafes, and similar uses where pedestrian seating, access, or service does not interfere with safe and functional circulation. If a parking lot utilized for outdoor service is determined to represent a hazard to pedestrian or vehicular use, sites may be required to include an implied or physical barrier with landscaping elements, gated fencing, changes in ground surface texture, material or color, or similar treatments.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby determines that this ordinance should become effective without delay because it will provide opportunities for Fayetteville dining establishments, residents, and visitors to comply with the directives issued by the Arkansas Department of Health regarding limited occupancy and social distancing, which are necessary for the public peace as well as the health and safety of Fayetteville residents. Therefore, the City Council hereby declares an emergency exists such that this ordinance shall become effective immediately upon its passage and approval.

PASSED and **APPROVED** this 16th day of June, 2020.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
KARA PAXTON, City Clerk/Treasurer