



## Legislation Details (With Text)

<b>File #:</b>	22-1421	<b>Version:</b>	1	<b>Name:</b>	CD3 - Reevaluation of Parklets
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	11/28/2022	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	12/6/2022	<b>Final action:</b>		<b>Final action:</b>	12/6/2022
<b>Title:</b>	Recommendation to direct City Manager to work with City Attorney and the Director of Public Works to reevaluate the city's ordinances related to permanent parklet approvals, including the requirement for community group input, and come back to the City Council at the next regular meeting with a proposed draft ordinance language change.				
<b>Sponsors:</b>	COUNCILWOMAN SUZIE A. PRICE, THIRD DISTRICT				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 120622-R-36sr, 2. 120622-R-36 Corresp. Cotton, 3. 120622-R-36 Corresp. Quigley				

Date	Ver.	Action By	Action	Result
12/6/2022	1	City Council	approve recommendation	Pass

Recommendation to direct City Manager to work with City Attorney and the Director of Public Works to reevaluate the city's ordinances related to permanent parklet approvals, including the requirement for community group input, and come back to the City Council at the next regular meeting with a proposed draft ordinance language change.

Throughout the COVID-19 pandemic, the City of Long Beach has implemented creative approaches to protect the health of residents while making it possible for restaurants throughout the city to remain open and successful. One of the most visible city policies that Long Beach developed was a temporary parklet program that allowed restaurants to operate outdoor dining in parklets located in parking spaces on public streets.

As the temporary parklet program has served its purpose of assisting restaurants to retain some of their income while indoor dining was prohibited or limited, they are now back to pre-pandemic capacities. The temporary parklet program is intended to sunset in January of 2023.

The existing language of the permanent parklet ordinance places an undue burden on community groups and needs reevaluation. s. Currently, Long Beach Municipal Code ("LBMC") Chapter 14.15 et seq. requires businesses applying for a permanent parklet to obtain approval from community groups to pursue their application. In effect, this language gives final authority to decide the future of a parklet to community groups rather than adding community input as one of the many factors to be assessed when staff considers the appropriateness of a parklet as outlined in LBMC Chapter 14.15

The language contained in LBMC Chapter 14.15 does not align with the original intentions of the City Council. When Council discussed the role of community groups in the application

process, it was to ensure there was an opportunity for them to provide meaningful feedback. The City Council did not intend to allow for an individual community organization to unilaterally disallow parklets within a geographic location. In addition to this language lending undue influence in a city approval process, there is no prescribed mechanism in LBMC Chapter 14.15 et seq. for the consent process that community groups must provide. The current language contributes to the confusion we have seen from both businesses and communities.

Community group input should be one of the factors to be considered during the application process, not the final decision. With the immediate need for correction to the language contained in LBMC Chapter 14.15 et seq., it is asked that this item be considered as an urgency amendment to the language of LBMC Chapter 14.15 et seq.

No fiscal impact has been conducted due to the time sensitivity of the item.

Approve recommendation.

SUZIE PRICE, COUNCILWOMAN  
THIRD DISTRICT