

**RESOLUTION NO. 16063**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ADOPTING OUTDOOR BUSINESS ACTIVITY PERMIT FEES FOR PARKLETS AND SIDEWALK CAFES**

**WHEREAS**, the City Council of the City of Redwood City (“City”) is empowered to impose reasonable fees, rates, and charges to offset the costs for municipal services; and

**WHEREAS**, the City Council has, through prior actions, adopted various fees and charges requested by individual City departments; and

**WHEREAS**, in accordance with Section 29.26 of Article 29 of the Redwood City Municipal Code, the City desires to establish the fee amount for the Outdoor Business Activity Program, including for parklets and sidewalk cafes; and

**WHEREAS**, it is the general policy of the City to charge for the full costs of services provided by City Staff when such services benefit individual users rather than members of the community as a whole; and

**WHEREAS**, the City has not collected parking meter revenue occupied by parklets for approximately two years, which in ordinary times are paid for by visitors, and the City desires to recoup the revenue from businesses who use the City’s right-of-way for parklets; and

**WHEREAS**, in order to better achieve the City’s policy and cost recovery goals, the City Council deems it advisable and in the best interests of the City to adopt Outdoor Business Activity Permit Fees, including a Processing Fee, an Annual Use of Space Fee, and an Annual Renewal Fee, based on full cost of service and square footage of the proposed parklet and/or sidewalk cafe, as set forth on Exhibit A, which is attached hereto and incorporated herein by reference (“Proposed Fees”); and

**WHEREAS**, in 2021 to 2022, Matrix Consulting Group conducted a Parklet Program Fee Analysis with respect to certain fees in order to determine the cost to the City of providing such services and the appropriate amount to charge for use of the City’s right-of-way, and provided a final report to the City dated March 30, 2022 (“Matrix Fee Study”); and

**WHEREAS**, the City utilized the full cost of service model developed by Matrix

Consulting Group to revise or create fees for services the City provides; and

**WHEREAS**, a duly-noticed public hearing was held by the City Council on June 27, 2022 for the adoption of Outdoor Business Activity Permit Fees; and

**WHEREAS**, at least ten (10) days prior to the public hearing, the City made available to the public data indicating the amount of cost, or estimated cost, required to provide the services for which the Proposed Fees will be charged and the revenue sources anticipated to provide the services, including general fund revenues.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AS FOLLOWS:**

**Section 1.** The above recitals are accurate, constitute findings in this matter, and are hereby incorporated into this reference.

**Section 2.** The findings of the Matrix Fee Study have been considered and are hereby incorporated into this Resolution by reference.

**Section 3.** The amount of the Proposed Fees does not exceed the estimated amount or the reasonable costs required to provide the service for which the fee or service charge is levied.

**Section 4.** The Proposed Fees set forth on Exhibit A, which is attached hereto and incorporated herein by reference, are hereby approved and adopted.

**Section 5.** The Annual Use of Space Fee identified in the Proposed Fees is hereby waived for the first year for businesses that receive approval for an Outdoor Business Activity Permit on or before October 31, 2022.

**Section 6.** If there are any conflicts between the Proposed Fees adopted in this Resolution and fees adopted by any prior resolution or fee schedule, the Proposed Fees adopted pursuant to this Resolution shall control.

**Section 7.** This project is categorically exempt under California Environmental Quality Act (CEQA) as defined in CEQA Guidelines, Section 15304(e) (Minor Alterations to Land) because the project entails only minor public alterations in the condition of land and having no negligible or no permanent effect on the environment. Similarly, CEQA Guidelines, Section 15301 (Existing Facilities) would apply, as it would involve the operation, permitting, or minor alteration of existing public facilities or topographical

features, involving negligible or no expansion of existing or former use.

In addition, the proposed activity falls within the scope of CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in question, namely installation (in some instances) of platform structures over existing paved areas to facilitate outdoor business activity, will have a significant effect on the environment.

**Section 8.** This Resolution shall be effective conditioned upon the effectiveness of the Ordinance implementing the Outdoor Business Activity Program, and shall have the same effective date as same Ordinance.

\* \* \*

Passed and adopted by the Council of the City of Redwood City at a  
Joint City Council/Successor Agency Board/Public Financing Authority Meeting  
thereof held on the 27<sup>th</sup> day of June 2022 by the following votes:

AYES: Aguirre, Espinoza-Garnica, Gee, Howard, Reddy, Smith  
and Mayor Hale  
NOES: None  
ABSENT: None  
ABSTAINED: None  
RECUSED: None



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Giselle Hale  
Mayor of the City of Redwood City

Attest:



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Pamela Aguilar, CMC  
City Clerk of Redwood City

I hereby approve the foregoing resolution this  
29<sup>th</sup> day of June 2022.



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Giselle Hale  
Mayor of the City of Redwood City

# Exhibit A

## COMMUNITY DEVELOPMENT DEPARTMENT PLANNING

Services		Existing Fee	Proposed FY22-23 Fees
Sidewalk Café Permit Fee		\$1,380*	Remove
Sidewalk Seating Extension (within parking Right-of-Way) Fee		\$2,488*	Remove
Outdoor Business Activity Permit (Parklets and Sidewalk Cafes) - Processing Fee <sup>1</sup>	Fee	New	\$2,226
Outdoor Business Activity Permit (Parklets and Sidewalk Cafes) – Annual Use of Space Fee <sup>2,3</sup>	Fee	New	\$10.16 per square foot
Outdoor Business Activity Permit - Annual Renewal <sup>4</sup>	Fee	New	\$583

**Notes:**

1. Based on Full Cost of Service (fully burdened hourly rates) to process the application as outlined in Matrix Consulting Group's parklet program fee analysis, dated March 30, 2022.
  2. Based on Use Fee as identified in Option 2: Use of Space Offset (new), calculation identified by Matrix Consulting Group's parklet program fee analysis, dated March 30, 2022.
  3. For FY 22-23, the Annual Use Fee will be waived for the first year the Outdoor Business Activity Permit is issued for businesses who have received their Outdoor Business Activity Permit by October 31, 2022.
  4. For FY 23-24 and onward, an Outdoor Business Activity Permit Renewal Fee will be collected annually. For subsequent years beginning in FY 24-25, the Consumer Price Index (CPI) will be used to define the rate of increase on an annual basis for all fees.
- \* Existing fees for the Sidewalk Café Permit and Sidewalk Seating Extension (within parking Right-of-Way) are struck out.