

## RESOLUTION NO. 2023-10

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, REGARDING SPECIAL USE OF RIGHT-OF-WAY FOR SIDEWALK CAFES AND PARKLETS.

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WHEREAS, the City of Issaquah has a vested interest in maintaining and advancing the economic development of the Historic Olde Town District (zoned Cultural Business District); and

WHEREAS, parklets and sidewalk cafes support local businesses and promote economic vitality in commercial districts through increased foot traffic and increased business sales; and

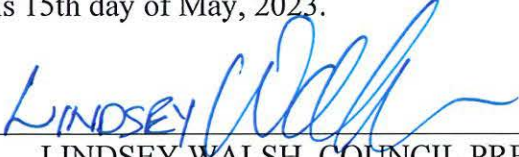
WHEREAS, parklets and sidewalk cafes create new spaces for community interactions, activate streets, and create vibrant neighborhoods; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON  
HEREBY RESOLVES AS FOLLOWS:

1. Sidewalk cafes and parklets are recognized as a special street occupancy and therefore no right of way use fee shall be charged for the approved use of the public rights-of-way in the Historic Olde Town District for sidewalk cafés or parklet space.
2. Use of City right-of-way for sidewalks and parklets shall require a Special Use permit in accordance with Chapter 5.14, IMC. An annual permitting fee shall be charged for the purpose of recouping the costs incurred in the permit review process and inspection(s). This fee shall be consistent with IMC 3.64.
3. Leasehold taxes shall be charged to the permit applicant for the use of the right-of-way space consistent with State law. The right of way value shall be prorated for the use term. This valuation shall be based on the King County Assessor's appraised land value of comparable commercial parcels within the CBD district. The base valuation for leasehold taxes shall be updated by the City's Transportation Engineer, Economic Development, and Finance Departments at minimum once every 5 years. The leasehold taxes shall be charged based on the square footage of right of way used.

4. Parklets shall be open to the public outside of business operating hours.
5. When not in use, businesses shall clear all seating, equipment, and delineators from the sidewalk café space and store such items within the business' property, which may include building eaves.

PASSED by the City Council this 15th day of May, 2023.

  
LINDSEY WALSH, COUNCIL PRESIDENT

APPROVED by the Mayor this 15th day of May, 2023.

  
MARY LOU PAULY, MAYOR

ATTEST:

  
TISHA GIESER, CITY CLERK

APPROVED AS TO FORM:

  
RACHEL BENDER TURPIN, CITY ATTORNEY

RESOLUTION NO: 2023-10  
AGENDA BILL NO: 8623