



# ANNUAL REPORT ON OLD TOWN RIGHT-OF-WAY USE AGREEMENTS AND CITY-WIDE PUBLIC PARKING AND PUBLIC SIDEWALK AGREEMENTS

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City Council: January 21, 2025

# PREVIOUS COUNCIL ACTION

- ❖ On April 15, 2024, the City Council approved an ordinance that amended Burleson Code of Ordinances, Chapter 70, “Streets, Sidewalks, and Other Public Places”.
- ❖ The changes to Chapter 70 also provided for new processes involving the review and approval of right-of-way use agreements requested within Old Town, as well as any requests for the use of public parking and public sidewalk areas within the city.
- ❖ As part of the changes to Chapter 70, Council made the decision to review and consider agreements annually through an information report agenda item, which is the purpose of this item.

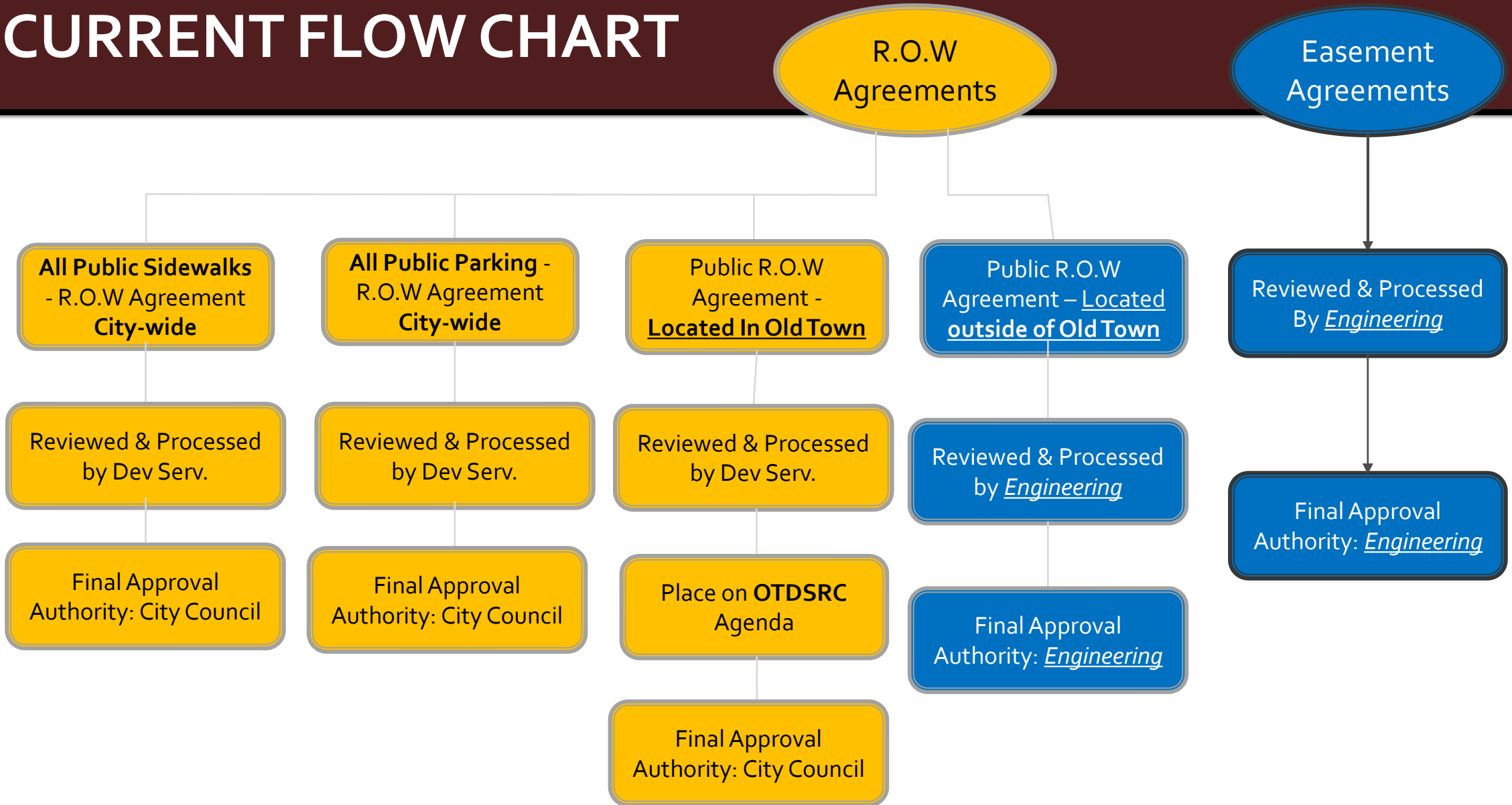
# REVISED REVIEW AND APPROVAL PROCESS

- ❖ The Council approved a new form agreement along with the following changes:
  - Public Works- Engineering will review and administratively approve easement use agreements (city-wide) and right-of-way use agreements that are located outside of Old Town.
  - All right-of-way use agreements located in Old Town will proceed to the Old Town Design Standards Review Committee for review and then to City Council for consideration. All public parking and public sidewalks use agreements will proceed directly to City Council for consideration.
  - Approved right-of-way use agreements will be filed with the City Secretary's office instead of the County Clerk.

# REQUIREMENTS AND RESTRICTIONS

- ❖ Chapter 70-194 details requirements and restrictions relating to right-of-use agreements and restrictions on uses of the sidewalk or public parking. Some of the requirements include, but are not limited to:
  - Applicant must maintain general liability insurance
  - Applicant must maintain liquor liability insurance coverage (if applicable)
  - Applicant must remain current on all taxes
  - Applicant must provide cash or surety bond sufficient to cover removal costs of amenities if incurred by city of public utility provider
  
- ❖ All agreements approved prior to the ordinance changes to Chapter 70 are grandfathered from these requirements.

# CURRENT FLOW CHART



# ACTIVE OLD TOWN R-O-W USE AGREEMENTS

- ❖ There are several, active Old Town establishments that have approved right-of-way use agreements:
  - Grumps
  - Babe's
  - Eagle's Point
  - Old Town Station
  - Spice Rack
  - Old Texas Brewing Company
- ❖ None of the six properties have delinquent with city taxes, nor are there any documented city code citations.

# RECOMMENDATION

- ❖ Staff recommends the Council approve the resolution for the annual report of Old Town right-of-way use agreements. There are no city-wide public parking and public sidewalk agreements at this time.



**Approve the annual report**