



# MEMO

## PLANNING AND COMMUNITY DEVELOPMENT

To: Common Council – Legislative Committee  
From: Joe Stephenson  
Date: 08-15-2022  
Re: Outdoor Alcohol Beverage Area – Discussion - Update

Presented to the Council are edits to our existing Outdoor Alcohol Beverage Area, recommended for approval by the Plan Commission June 23<sup>rd</sup>, 2022.

The Community Development Department has been approached by businesses that would like to see changes to our Outdoor Alcohol Beverage Area, to allow a more welcoming experience for patrons. In addition, alcohol can be served on public sidewalks and no large issues have arisen from this ordinance change. Community Development sought to craft an ordinance that would help foster a welcoming atmosphere, while still maintaining certain safeguards to the outdoor alcohol beverage area. The following is a summary of those changes reflected in the draft ordinance:

1. Reduction of the fence height from 6' to 4' to allow seated guests to see out of the beverage area. (With the exception of sides boarding institutional and residential uses)
2. Reduction of the 100% screened to 50% screen to allow for a variety of types of fencing. (With the exception of sides boarding institutional and residential uses)
3. Allow for vegetation as a barrier and not just a constructed fence. This change matches our existing fencing code, where we classify hedges as fences.
4. Removing language that limits the size of the Outdoor Alcohol Beverage Area and let the business and plan commission decide an appropriately sized outdoor area based on the market demand, shape of the lot, and surrounding uses.

A number of individuals have contacted me regarding a few other items in this ordinance and I would like council to discuss the merits of included or excluding this from an updated version of this ordinance. This includes:

1. How to handle live music: currently live music is not allowed at any time in the Beverage Area.
2. Ordering drinks in the Beverage Area: currently individuals must place all orders inside the restaurant/pub.

3. Supervision of the Beverage Area: currently our ordinance reads that a staff member must always be watching the area at all times.
4. How to handle the allocation of liquor licenses. (this one might be a bit outside the Beverage Area discussion but might be a pertinent topic as we discuss how we hand areas that serve alcohol as a whole)

Next steps for this ordinance would be either approval of the current ordinance and forwarding it to a regular Common Council session or give staff direction to edit portions of the ordinance based upon discussion and forwarded on to a regular Common Council meeting.

