



MILL VALLEY

CHAMBER OF COMMERCE
& VISITOR CENTER

April 13, 2022

Mayor McCauley, Members of the City Council and City Manager Piombo:

On behalf of the Mill Valley Chamber Board and the hundreds of businesses we represent, we want to thank you for your continued support and openness to collaborate around creative ways to support our community's vitality amidst an improving yet fragile landscape for local businesses. We understand that on April 18th you will be revisiting the Outdoor Business Use program and **we support the staff recommendation to extend the City's emergency ordinance, and the outdoor business program it spawned, through October 31, 2022 to allow for the creation of a long-term outdoor business use program.**

We appreciate that the staff report clarifies the City's existing Outdoor Dining Areas and Outdoor Merchandise Displays program and the ability of members (like Joe's Taco Lounge and The 2am Club) to apply for the use of the public right-of-way immediately adjacent to the business frontage, but not the use or obstruction of parking areas and driveways. We understand this program is distinct from the Outdoor Business Program.

We welcome and would support a study that identifies longer term plans for outdoor use and suggest that that effort consider the full range of outdoor uses that are right-sized for our community, including:

- **The elimination of the seasonality element of your proposed Outdoor Business Program.**
- **Potential flexible use of parking requirements attached to businesses under the Conditional Use Permit process to help better serve public needs and desires in line with the City staff's recommendation to add flexibility on parking requirements to accomplish the housing goals.**
- **The possibility of sidewalk bulb-outs that provide additional outdoor use possibilities.**

We are particularly puzzled by the seasonality element. We have increasingly seen that our area, unlike much of the country, has very limited variations between seasons. Over the last two years patrons have demonstrated a clear desire to enjoy outdoor dining throughout the year. Plus, the stated goals of the program are to have application, permit, and renewal fees "offset staff time for reviewing applications, issuing agreements and permits, program management, and code enforcement" and "to offset lost revenue, impacts on public parking, and potentially support acquisition of additional parking or other downtown improvements." So why not do so year-round and let business owners and their customers decide if weather conditions are appropriate for outdoor dining or other outdoor uses?

Similarly, we continue to struggle with the idea that businesses have no recourse, under current regulations, to appeal or amend existing CUP parking requirements. Transportation and vehicle parking patterns have shifted. We support the City's proposal to reconsider parking requirements when it comes to housing policy and believe that should be extended to all uses through a full planning process that incorporates the needs of all residents and the spectrum of business needs.

In brief, the Chamber and its members support: the staff recommended **extension of the current temporary ordinance through October 31, 2022; the postponement of the adoption of a “seasonal” program** until the Planning Commission has considered “best practices” for outdoor programs; **a study of potential CUP modifications** and **adoption of a permanent program**, through the City's usual processes, after the City's planners and the Commission have had sufficient time to consider all potential uses.



J. Hunter Moore, Board Chair
The Mill Valley Chamber of Commerce