



## Legislation Text

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**File #:** 18-010, **Version:** 1

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**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning, and Building Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** January 16, 2018

ACCEPTANCE OF A 5 FEET WIDE BY 18.8 FEET LONG PEDESTRIAN CLEAR ZONE  
EASEMENT AT 181 NE 2<sup>ND</sup> AVENUE

**Recommended Action:**

Motion to approve the pedestrian clear zone easement located at 181 NE 2<sup>nd</sup> Avenue.

**Background:**

At its meeting of November 29, 2017, the Site Plan Review and Appearance Board approved (6-0) a Class III Site Plan Modification for Ramen @ Hilo to allow a change of use from retail to restaurant (726 square feet). Pursuant to LDR 4.4.13(E)(2)(a)(2) [Streetscape Standards Pedestrian Clear Zone], a pedestrian clear zone of at least six feet wide shall be provided on all streetscapes. Any portion of the pedestrian clear zone within the front setback area shall be improved as an extension of the public sidewalk and shall match the public sidewalk in design and material, providing a seamless physical transition. Five feet of the six feet wide pedestrian clear zone is in the front setback of the property, therefore requiring a pedestrian clear zone easement for this area.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The pedestrian easement is required prior to site plan certification and issuance of building permits.