



## Staff Report

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**File #:** 21-216

**Version:** 1

**Date:** 5/24/2021

**Item #:**

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Kristin Retherford, Director, Urban Development Department

**SUBJECT:**

Sidewalk Café/On-Street Platform Program

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

Result Area(s): Strong and Diverse Economy

**ISSUE:**

Shall the City Council approve a Sidewalk Café/On-Street Platform Program?

**RECOMMENDATION:**

Approve the attached Sidewalk Cafe/On-Street Platform Program.

**SUMMARY:**

The Sidewalk Café/On-Street Platform Program provides a process for businesses to apply and obtain approval from the City for outdoor seating on a sidewalk or to utilize on-street parking spaces for a platform to expand outdoor seating options. Outdoor dining is very popular with diners and restaurants, and the City has received numerous requests for a program and a process to allow restaurants to continue to use dining platforms in parking spaces after the end of COVID restrictions. There are currently fifteen businesses using on-street parking spaces for expanded dining.

**FACTS AND FINDINGS:**

The Downtown Salem Streetscape Design Plan reviewed by the Urban Renewal Agency Board includes the concept of a parklets or platforms to increase vibrancy and offer options for outdoor dining experiences. The program is for businesses that do not have other options for expanded

outdoor dining. The program includes a Revocable License for longer-term use of on-street parking spaces for outdoor dining platforms. The license requires a business to have an approved Sidewalk Café Permit along with the Revocable License, and the platform must meet the City's Platform Design options.

The platform designs take into consideration the cost of materials and public safety and provide options for coverings and planters (Attachment 1). Having pre-approved platform design options for both a diagonal and parallel parking space will provide a consistent visual look for platforms in downtown.

The requirements for the Sidewalk Café Permit process and the Revocable License to Use On-Street Parking for Outdoor Dining are included as Attachment 2 and Attachment 3. Restaurants seeking to only utilize sidewalk space need to obtain the Sidewalk Café Permit, while restaurants also seeking to use on-street parking spaces for a platform need the additional Revocable License. Following City Council consideration and approval, the City will develop a single document for businesses to easily determine process and the appropriate applications for a permit or license.

#### Program guidelines:

- No more than six percent (6%) of the downtown on-street parking inventory of 1,106 parking spaces can be utilized by platforms at any one time. These 66 spaces would accommodate all dining currently occurring in parking spaces and accommodate a small amount of expansion.
- Applications will be processed in the order received by the City.
- No more than four spaces per business to be used for platform.
- Business needs to be located on the ground floor of a building and adjacent to the dining platform.
- Business must be open for at least two (2) meals per day, five (5) days per week.
- Any platform constructed prior to the approval of this Program and City platform design options will be expected to make reasonable modifications to conform with adopted design requirements and safety standards.
- An annual fee will be required effective July 1, 2022. The fee structure is anticipated to align with the costs of an existing monthly construction permit, which is \$150/mo.
- Public Works is responsible for approving both the Sidewalk Café Permits and Revocable License to Use On-Street Parking for Outdoor Dining.

The Sidewalk Café/On-Street Platform Program will replace the current temporary use of on-street parking spaces for expanded seating. Beginning September 30, 2021, removal of on-street parking

spaces will only be approved for platforms. Downtown Food/Beverage businesses will be provided information on the Sidewalk Café/On-Street Platform Program. Businesses currently occupying on-street parking spaces for expanded seating will be notified a minimum of sixty days in advance that the City intends to discontinue allowing on-street parking spaces for tents or expanded seating in on-street parking spaces in the Fall of 2021. Only businesses with approved Revocable Licenses will be allowed to utilize on-street parking spaces for outdoor seating on a platform after September 30, 2021.

## **BACKGROUND:**

In response to Governor Brown's COVID-19 emergency orders in 2020 limiting indoor seating capacity for food and beverage businesses, City Council directed staff to implement street closures in downtown to allow businesses to expand seating in the streets. The City implemented a Sidewalk Café Permit for any business to place seating on the sidewalk and to temporarily utilize on-street parking for expanded outdoor dining. City staff partnered with Salem Chamber of Commerce and Travel Salem staff to hand deliver flyers notifying downtown businesses about changes in parking and street closures in support of food/beverage businesses. The City worked with businesses on parking space removal by quickly processing applications, meeting on site, and installing safety barricades.

In October 2020 the City implemented a streamlined process for obtaining temporary outdoor coverings or tents to expand customer seating through the winter. The City also created a grant program to help businesses purchase temporary outdoor dining tents and heaters. Fire assisted to ensure tents and heaters were placed appropriately for safety.

Sheri Wahrgren  
Downtown Revitalization Manager

### **Attachments:**

1. City of Salem Platform Design Guidelines
2. Sidewalk Café Permit Application
3. Revocable License Application