

STAFF REPORT

DATE: April 8, 2021
TO: Bicycling, Transportation, and Street Safety Commission
FROM: Sarah Worley, Business Engagement Manager
SUBJECT: Update on Downtown Outdoor Business Operations During COVID-19

Recommendation

Informational

Background and Analysis

The expanded outdoor dining and street closures occurring in multiple locations downtown are part of a collaborative City/business “Open Air Davis” initiative created to assist businesses impacted by COVID-19 business restrictions. The intent is to encourage people to return downtown to shop, eat and experience a positive community “vibe” in a safe, socially distanced, outdoor setting. The program has been successful and the outdoor dining areas are receiving extensive use throughout the week. These temporary outdoor uses enabled under emergency conditions have also helped highlight some of the benefits, challenges and creative solutions expansion of outdoor dining presents.

The City has received a lot of interest and support from restaurant owners and community members to make the temporary outdoor dining permanent. Many are also eager to move a process forward more quickly, and not waiting until after the pandemic. At the same time the City has received complaints about loss of parking, and temporary use permits and City street closures benefitting some downtown businesses more than others. Parking demand and complaints are expected to increase as vaccination rates increase, parking enforcement is reinitiated and more people return downtown to work and shop. UC Davis reopening in-class instruction and return of university students in the fall will also impact downtown parking demand.

Converting public parking downtown for long-term outdoor dining use will need to be evaluated in a comprehensive collaborative public process before decisions to approve new long term use licenses or permits are made. Input and active involvement from downtown business owners, community members and pertinent City Commissions such as the Bicycle, Transportation and Street Safety Commission will be essential in developing consensus around a plan to expand permanent outdoor dining downtown. The appropriate timing for a new public process will need to be taken into consideration as well, given most food/bar service businesses are still focused on survival and economic recovery and the Downtown Specific Plan update that addresses use of downtown public space is under underway.

During the COVID-19 pandemic the State, County and City are under a state of emergency, with operations guided by their Emergency Operation Centers. This status has enabled the City to take quick actions in response to the pandemic’s dynamic health protocols and regulatory environments. These have included prohibitions and/or limitations on indoor operations, presenting severe challenges for local businesses, particularly restaurants, bars, breweries and other food service operations. Statewide Shelter in Place mandates, and the UC Davis shift to remote learning and subsequent drop in the local student population, have also significantly impacted the local customer base.

In response to these activity restrictions the City created new “no fee”, expedited temporary use permits for outdoor business use and outdoor dining to enable businesses to continue operation outside using public sidewalks, parking spaces, and park areas. The City created these permits to allow businesses a way to gain timely approval for use of outdoor public space and expanded business capacity to meet Covid-19 social distancing requirements, and serve a greater number of customers. The City has allowed temporary outdoor activities on private commercial properties as well.

Last summer, to further facilitate business use of outdoor public space, the City closed two downtown blocks, G St. from 2nd to 3rd St. and 2nd St. from E to F St., from Fri. am to Mon. am for 10 summer weekends. Businesses interested in operating outside on these closed streets required no additional City permit and the Davis Downtown business association assisted with business outreach and coordinating participation. With the continuation of the pandemic into cold weather months, the City received a \$125,519 Yolo County CARES (Coronavirus Aid, Relief, and Economic Security) grant to assist local businesses with impacts of COVID-19 including winterization of outdoor activities. The City used this funding and closed two downtown City blocks and portion of a parking lot to install a number of winterized tents, with heating and lighting, in downtown locations where they could serve a larger number of businesses as well as the general public. Tents for outdoor operation have been installed downtown at the following locations:

- G Street closure between Second and Third Streets
- E Street Plaza northern drive aisle
- G Street southern travel lane between Second and First Streets

To address issues with unauthorized after hour use and loitering, the management oversight of these tents has been shifted to be under temporary use permits of specific adjacent businesses. This transfer now allows the businesses and City to enforce prohibitions on trespassing.

The temporary use permits and street/parking closures have facilitated the reopening of restaurants, retail and other businesses throughout the downtown. Implementing “Open Air Davis” is a collaborative effort, supported by the City Emergency Operations Center, City Manager’s Office, Police, Community Development and Sustainability, Public Works, and Parks and Community Service Departments. This demonstrated “can do” City support has been greatly appreciated by the local business community.

The City will continue to act in accordance with any current or future State or County orders related to outdoor business, and currently anticipates temporary outdoor uses continuing at minimum until COVID-19 business activity restrictions have been lifted. Allowable business activities are now based on State established color coded tiers that are dependent on a region’s achievement of specific COVID-19 statistics, such as COVID-19 infection rates, hospital capacity statistics etc. Under Yolo County’s current Orange tier status restaurants are allowed to operate indoors at 50% capacity. This will not change when Yolo County reaches the Yellow tier. The activities allowed by the State under the next Green tier are still being defined. The recent news that the State plans to lift all the COVID-19 business restrictions by June 15th depends on meeting two criteria: equitable availability of sufficient vaccine supply to vaccinate all Californians 16 years or older; and maintaining stable and low hospitalization rates, including vaccinated individuals.

Attachments

None