

Legislation Text

File #: ROGC 20-191, **Version:** 1

San José Al Fresco - Allowing Local Businesses to Operate Outdoors. (Mayor)

Direct the City Manager and City Attorney to return to Council with recommendations for an ordinance that anticipates future revisions of County health guidelines to provide local businesses-particularly restaurants-to access to public space and private adjacent property for open air operations, with the following considerations:

1. Allow businesses and business districts to apply for temporary use of streets, surface lots, public parking spaces, public recreation space, and adjacent parcels for outdoor dining, exercise classes, and other outdoor business operations that will enable compliance with public health dictates for physical separation.
 - a. To eliminate financial burden and fees on strapped small businesses, consider:
 - i. use of federal reimbursement or funding to cover application costs, or
 - ii. “by right” permit in designated geographic locations that will not require additional processing.
 - b. Waive sidewalk café permits/fees to allow restaurants and other appropriate businesses to operate outside seating and service for customers who comply with the county health guidelines.
 - c. Work with San Jose SPUR to identify ideal geographic locations for use of private parking lots, public parks, alleys, plazas, and streets for outdoor business activities, including outdoor cafes, gyms, yoga studios, and retail. Ensure collaboration with our ethnic Chambers of Commerce, SJDA, the Silicon Valley Recovery Roundtable, the SVO, and neighborhood business districts.
2. Explore ways to permit low-cost infrastructure to designate service areas (e.g. 3D-printed barriers, paint, potted plants, tape, etc.), particularly for legal alcoholic beverage consumption outside of restaurants in accordance with state law.