

SUPPORT LOCAL OREGON CITY

Economic Recovery Plan



A Guide for Expanded
Restaurant & Retail Space
for Oregon City Businesses

Proposal for City of Oregon City - Restaurant & Retail Recovery Program

In concert with the Governor's Office Phased Re-opening plan, Downtown Oregon City Association and the Oregon City Chamber are proposing the City of Oregon City allow the following guidelines to temporarily allow restaurants and retail businesses to expand their business footprint onto the public right-of-way or in privately owned parking facilities without meeting certain City code and permitting requirements.

Governor's existing requirements:

- Determine maximum occupancy to maintain physical distancing requirements and limit number of customers on premises accordingly.
- Ensure tables are spaced at least six (6) feet apart so that at least six (6) feet between parties is maintained, including when customers approach or leave tables.
- Businesses will need to determine seating configuration to comply with these physical distancing requirements.
- Remove or restrict seating to facilitate the requirement of at least six (6) feet of physical distance between people not in the same party.
- If booth seating is back-to-back, only use every other booth.
- Limit parties to 10 people or fewer. Do not combine parties/guests at shared seating situations who have not chosen to congregate together. People in the same party seated at the same table do not have to be six (6) feet apart.
- If a business is unable to maintain at least six (6) feet of distance, except for brief interactions (for example, to deliver food to a table), it may operate only as pick up/to go service. This applies to both indoor and outdoor seating.

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1. Restaurant & Retail

Recovery Program Overview

The following proposed plan that the City would adopt is to ensure businesses have the greatest ability to operate successfully during the COVID-19 economic recovery. This initial request is to leverage available private and public space to be used as expanded areas for restaurants and retail activity while maintaining public safety requirements.

Temporary Outdoor Dining & Retail Activity on Private Property

Restaurants and retail establishments with access to private sidewalks or private parking may utilize these areas for dining or retail services, in accordance with the governor's safety guidelines, provided the consent of the landlord or property-owner is obtained without City permits.

Temporary Outdoor Dining & Retail Activity in Public Rights-of-Way (Sidewalks & Parklets)

We propose the City temporarily amend City Code for restaurants and retail businesses to expand operating space in designated portions of the public right-of-way. These areas will be limited to all sidewalk areas and adjacent on-street parking spaces (if available) on City roadways. State roadways are excluded from this program.

Permits will still need to be obtained through the appropriate City Department, but fees associated with use and building will be waived for the period of 18 months from implementation of the program.

To participate in this program, minimum safety requirements and Americans with Disabilities Acts (ADA) must still be met. It shall be the responsibility of the business to ensure that these requirements are maintained at all times the business is operating within the public right-of-way.



Types of Public Space used for this purpose:

Sidewalks

Private use of sidewalk space for merchandise has typically not been allowed under City Code 12.04.130. We propose that the City allow businesses use of the sidewalks for additional restaurant seating and merchandise.



Parklets

Parklets are on-street parking spaces that have been converted for other uses, such as outdoor dining areas. This often solves ADA accessibility issues.

Café and Retail Zones

This involves closure of portions of a street (example is 8th between Main and Railroad) near a concentration of businesses to provide additional space in a safe and protected setting that can serve multiple businesses.



2. Restaurant & Retail Recovery Program

The Details:

Temporary Outdoor Dining & Retail Activity on Private Property

We would like the City of Oregon City to adopt a temporary Order where businesses may expand dining and retail areas to certain areas of private property not typically permitted for business activity, such as private outdoor areas and parking lots.

Private Parking Lots

Up to 50% of off-street private parking spaces counted toward the required parking minimum may be converted to outdoor dining or retail space, when the lot is adjacent to the parent property. The converted use must be in compliance with all Fire Department requirements for building accessibility, and social distancing requirements that provide at least six feet of space between tables and pathways. Additionally, no parking for disabled persons may be repurposed for restaurant or retail use.

Erection of Tents and Other Shade Structures on Private Property

Tents may be used for the length of the program. 10 foot by 10 foot tents or smaller may be erected in parking spaces to provide shade for dining areas. Larger tents may be erected by permission of the appropriate City Department. The fees for such tents intended for dining areas will be waived as will the timeline restricting for the duration of this program.

Temporary Outdoor Dining & Retail Activity in Public Rights-of-Way (Sidewalks & Parklets)

We would like the City of Oregon City to adopt a temporary Order authorizing restaurants and retail businesses to expand dining and retail operations onto all sidewalks and on-street parking spaces (parklets) on City roads, provided the applicable requirements described below can be met. The City should also identify certain roadways for full road closures (Café & Retail Zones) to temporarily make these street areas available for expanded dining and retail activity, consistent with the requirements identified.



Sidewalks

Sidewalk activation for restaurants have typically required a permit through the City and retail activation has not been allowed. We would request that the permit fee for sidewalk seating be waived for restaurants and an expansion of temporary sidewalk use to include retail as well, subject to the conditions below.

Expanded Sidewalk Requirements for Restaurant & Retail

For the duration of the recovery time period (approximately 18 months), this temporary code will be in effect.

General Requirements:

Outdoor café seating and retail operations within sidewalks and public rights-of-way shall maintain:

- Adequate pedestrian flow of at least 6 feet; a graphic depicting outdoor seating parameters is attached to this proposal.
- Access to public utilities, building entrances, crosswalks, bus stops, and transient entrances;
- Pedestrian and traffic safety; and
- Aesthetic compatibility with the surrounding area.

Location Requirements:

1. The width of the sidewalk café or retail space is restricted as follows:
 - a. The width shall not exceed the width of the sidewalk frontage of the subject property. However, the area of the permit may be extended up to a maximum of fifty (50) feet on one (1) side of the subject location, subject to the provisions of subsection b. of this section.
 - b. This sidewalk café or retail area may extend by a maximum of fifty (50) contiguous feet in the public right-of-way on one (1) side and/or the other side of the private property so long as the property directly abuts the public right-of-way. Adjacent businesses are strongly encouraged to coordinate.
2. A clearly marked, unobstructed, and durable pedestrian right-of-way, also known as the “pedestrian path”, that meets required accessibility standards, of no less than six (6) feet shall be maintained for each sidewalk café area and shall adhere to the following standards:
 - a. The minimum distance of said path shall be measured from the portion of the sidewalk café/retail space boundary which is nearest either the curb line or the nearest obstruction.
 - b. If no event may recesses in the sidewalk café/retail space boundary be used to satisfy this unobstructed width requirement for said path, except that the

corners of the sidewalk café/retail space may be rounded or mitered.

c. Sidewalk cafés/retail spaces shall maintain a clearance of six (6) feet around the corners of other sidewalk cafés measured in the radius.

3. The pedestrian path shall maintain a minimum of six (6) feet from large obstructions. No tables, or chairs, umbrellas or other fixtures shall be permitted within six (6) feet of a pedestrian crosswalk or corner curb cut. For the purposes of this section, large obstructions shall be newsstands, existing planters, meter kiosks, bike racks, etc.
4. Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers or seating. The twenty (20) foot fire lane shall not be obstructed at any time. There shall be a minimum of forty (40) inches in distance separating the edge of a table or chair to a fire department connection.
5. The operational hours of the space shall be restricted to the adjacent business operating hours.

Construction; Signage; Maintenance and Umbrellas:

1. Appropriate lighting of the sidewalk café/retail space is required if operating outside of daylight hours.
2. Use of landscaping and planters is permissible, however, these materials should not be permanently affixed to any public rights-of-way.
3. All signage must be in compliance with existing code.
4. Use of removable barriers to define the sidewalk café is permissible.
5. No heating, cooking, or open flames are permitted in the sidewalk café. However, space heaters are permitted provided that they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, any foliage, or any other flammable objects.
6. No food preparation, food displays, food storage, or refrigeration apparatus shall be allowed on the public right-of-way.



7. Umbrellas and other decorative material shall be fire-retardant, pressure treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than six (6) feet, eight (8) inches (eighty (80) inches) above the sidewalk.

City of Oregon City Right to Clear Right-of-Way

The City reserves the right to remove a sidewalk café/retail space that creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic due to existing conditions on the surrounding public right-of-way if it finds the installation represents a danger to the health, safety or general welfare of the public.



Parklets



Parklets can be used by one or more businesses and don't require streets to be closed. Parklets will be located in on-street parking spaces with the following requirements:

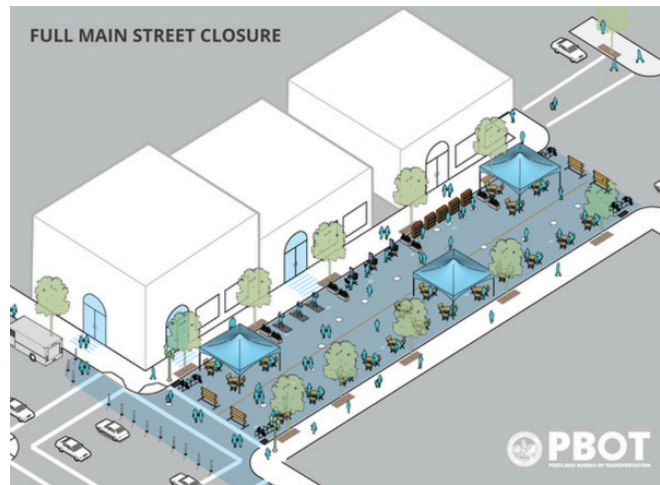
- Metered parking spaces must be requested and approved in advance by contacting the appropriate City department. The City of Oregon City will bag spaces at no cost to the business where necessary, and the business will then be permitted to use the space for restaurant and retail use.
- Non-metered spaces may be activated with a cost-free permit through the appropriate City department.

Temporary Removable Barrier Materials

Temporary barrier materials, such as those depicted below, should be utilized to better define boundaries of extended business operations. Any equipment or furniture placed in the parking space cannot be placed closer than two (2) feet from the edge of the adjacent travel lane. Safe pedestrian pathways between barrier walls must be provided.



Café & Retail Zones



The City will allow for designated Café & Retail Zones that will allow the businesses to close selected portions of an entire street and require detours for vehicles. These zones will provide the maximum additional space, serve many businesses in a concentrated area, and will be installed 24 hours a day, 7 days a week, for the duration of this pilot program.

In the interest of public safety, full street closure locations and hours of operation will be approved by the City in advance. The City will support this by providing the maintenance of traffic plan to close the roadway for vehicles and deploy necessary detours and signs to direct traffic away from the closure.

It is the responsibility of the business to activate these spaces with temporary materials such as tables and chairs, umbrellas, and visual/physical barrier materials.

Business Responsibilities for Street Activations

It shall be the responsibility of the business to activate the spaces described as needed per site specific conditions. Maintenance (daily upkeep, litter cleanup, etc) associated with business operations will also be the responsibility of the business.

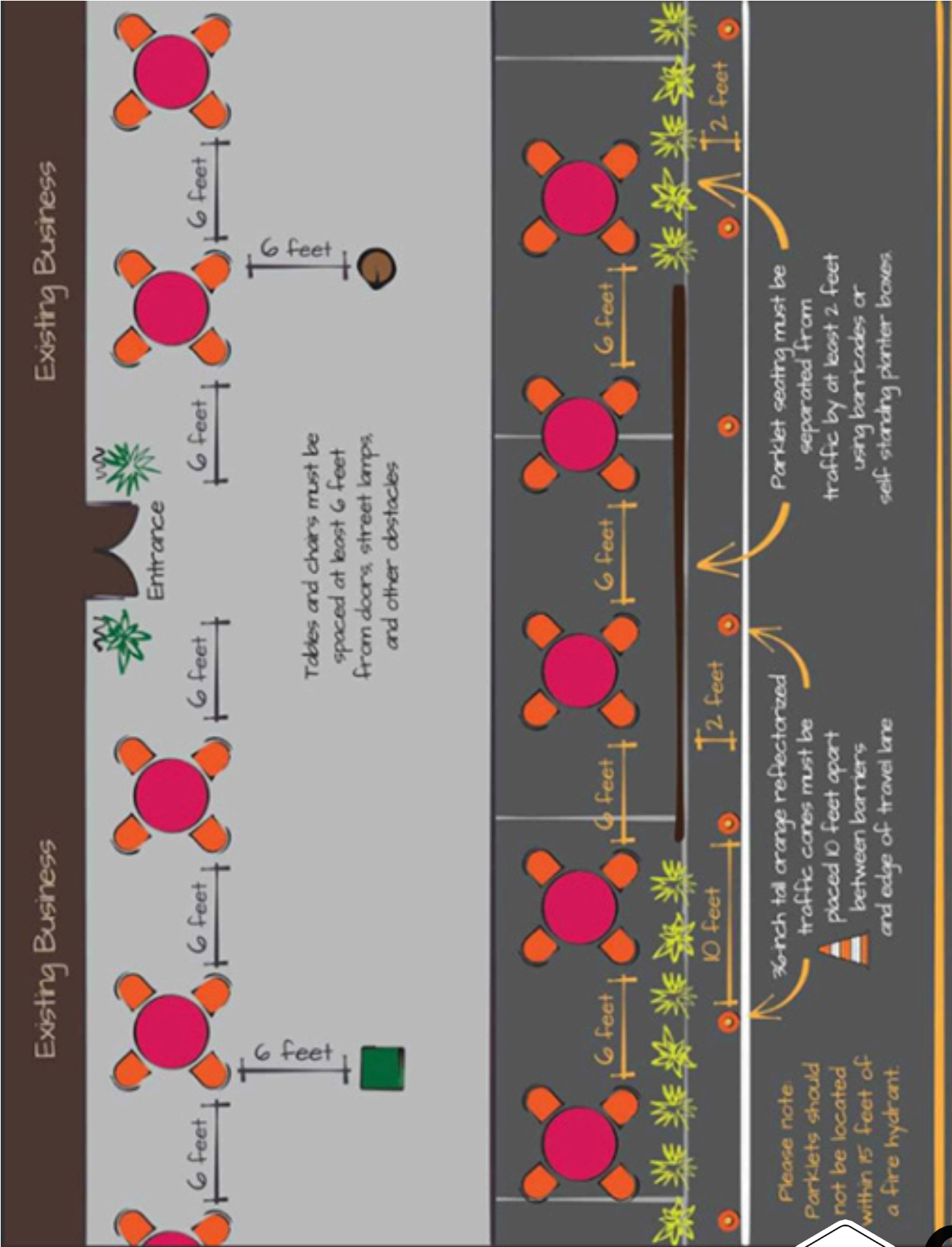
Alcoholic Beverages

Restaurants and food establishments licensed under OLCC for outdoor sales will be permitted to sell and allow on-premise consumption of alcoholic beverages within the expanded dining areas on private property, on immediately adjacent sidewalks, within parklets and within Café & Retail Zones that have been closed to traffic.

Restaurants utilizing public rights-of-way for outdoor dining shall comply with the applicable closing times.

*Restaurants not currently permitted to sell alcohol will not be affected by this program.

Example Diagram (courtesy of Tampa, FL Transportation Department)



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