



# CITY OF CONCORD

*New Hampshire's Main Street™*

## REPORT TO THE MAYOR AND CITY COUNCIL

**FROM:** Carlos P. Baía, Deputy City Manager-Development

**DATE:** June 23, 2020

**SUBJECT:** Proposed Extension of COVID-19 Outdoor Dining Temporary Encumbrance Permit until November 15, 2020

### **Recommendation**

Accept this report proposing to continue the COVID-19 outdoor dining temporary encumbrance permit until November 15<sup>th</sup>; the conclusion of the City's typical outdoor dining season.

### **Background**

In an effort to assist our local restaurants survive the financial consequences of the Governor's COVID-19 restrictions, Council—at its May 11, 2020 meeting—directed staff to work with downtown restauranteurs to allow for expanded outdoor dining in public property on a temporary basis. Council voted to waive the parking encumbrance fee for restaurants' use of the City's parking spaces for outdoor dining.

### **Discussion**

Upon Council's direction, a COVID-19 outdoor dining temporary encumbrance permit was created. The permit allowed for restaurants to expand along the sidewalk in front of their own shops as well as in front of adjoining businesses as long as the neighboring business issued written consent.

As for parking spaces, restaurants were allowed to use spaces along the frontage of their businesses with exceptions considered if one of the spaces was a handicapped space and therefore ineligible to be used for dining. In those cases, the City would allow the use of a space in front of an adjoining business only if the neighboring business owner issued a written consent.

To date, 12 parking spaces have been encumbered by restaurant use. These include:

Barley House - 4 parking spaces (including one in front Crust & Crumb due to handicapped exception noted above)

Siam Orchid – 2 parking spaces

Dos Amigos—3 parking spaces

The Draft – 2 parking spaces

Revival – 1 parking space (restauranteur built a wooden deck to accommodate significant grade change)

Many of the downtown restaurants have been permitted to expand their sidewalk or public square footprints on a temporary basis. These have included, but not been limited to, O's, Margarita's, Tru Brew, Tandy's, and Vibes.

Angelina's has been authorized to use the outlet of Low Avenue during the evenings.

*Next steps*

To date, the Governor has allowed restaurants in Merrimack County to open their interior dining rooms to 50% capacity while still maintaining 6' distance between customers and 6 person maximum per party. City staff expects that our local restaurants will be allowed to go to 100% indoor occupancy with social distancing requirements at some point this summer. It is unclear, at this point, exactly when that will occur and what it will mean for total restaurant capacity as compared to a typical non-COVID-19 period.

Based on this reality, staff is recommending that the City continue to allow expanded outdoor dining under the same temporary COVID-19 permit conditions until the end of what would historically be the City's outdoor dining permit season (November 15<sup>th</sup>).