



Takoma Park City Council Meeting – December 2, 2020 Agenda Item 3

Voting Session

Resolution Extending Use of Public and Private Space for Outdoor Seating, Sales, and Customer Pickup

Recommended Council Action

Vote on a resolution to Support Small Businesses and Advancing Public Health by Allowing the Continued Use of Public and Private Space for Outdoor Seating, Sales, And Customer Pickup

Context with Key Issues

In June, Council approved the use of public space including sidewalks, roads, on-street parking and parking lots for outdoor dining, curbside pickup, and public use for those who are not patronizing businesses, to assist Takoma Park's businesses, employees, and residents to continue to function under the public health emergency restrictions. In support of this effort, the Council adopted Resolution 2020-13. Among a number of provisions was the closure of the northbound side of Laurel Avenue for outdoor seating, sales, customer pick-up, and public use. The Resolution has a sunset date of December 31, 2020.

Council had a work session to review the policy of allowing the use of public space by businesses in order to meet the County public health emergency requirements. Any use of the public space would require adherence to County and State requirements for masks and social distancing. The City already had in place the Outdoor Café Seating permit, which allows an individual business to apply to use the public space in front of their establishment.

Staff, in cooperation with OTBA and the businesses on Laurel Avenue, recommend an extension of the use of public space as the public health restrictions continue to impact businesses and COVID-19 cases are again on the rise. The provisions of Resolution 2020-13 would otherwise continue to apply.

Council Priority

- A Livable Community for All – Further efforts related to racial equity
- Environmentally Sustainable Community
- Engaged, Responsive & Service-oriented Government
- Community Development for an Improved and Equitable Quality of Life

Environmental Considerations

The closure of the north-bound lane on Laurel Avenue has led to an observable increase in pedestrian and biking in the public space and the feedback survey indicates that many people walk

to the area, which may impact vehicle emissions.

Fiscal Considerations

The survival of the businesses in Takoma Park ensures continued employment, maintains the value of the commercial properties, allows for the payment of rents and taxes, and enhances the circulation of money in the local economy. There will be no additional costs to the City to extend the closure of Laurel Avenue.

Racial Equity Considerations

The authorization to continue to allow the use of public space for businesses is not expected to have a disproportionate impact on any racial group. Residents, visitors, customers and business owners of all races and backgrounds currently participate in the use of public space on Laurel Avenue.

Attachments and Links

- City website page: Use Of Public Space: Covid-19 Response- Re-Opening Phase I
<https://takomaparkmd.gov/initiatives/project-directory/use-of-public-space-covid-19-response-re-opening-phase-i/>
- [Resolution 2020-13](#)
- Draft Resolution 2020-XX: Supporting Small Businesses and Advancing Public Health by Allowing the Continued Use of Public and Private Space for Outdoor Seating, Sales, and Customer Pickup

Introduced by:

CITY OF TAKOMA PARK, MARYLAND

RESOLUTION 2020-XX

SUPPORTING SMALL BUSINESSES AND ADVANCING PUBLIC HEALTH BY ALLOWING THE CONTINUED USE OF PUBLIC AND PRIVATE SPACE FOR OUTDOOR SEATING, SALES, AND CUSTOMER PICKUP

WHEREAS, on March 13, 2020, Governor Larry Hogan issued the Emergency Order that required nonessential businesses to close and limited restaurant operations to carryout only; and these necessary health restrictions have had severe negative economic impacts to businesses, residents and local jurisdictions; and

WHEREAS, COVID-19 cases are on the rise again in Montgomery County and Maryland and, on November 10, Governor Hogan announced a series of public health measures to slow the spread of the virus, including reducing the allowed capacity for indoor dining; and

WHEREAS, effective November 10, Montgomery County Executive, Marc Elrich, issued Executive Order 122-20 that reduces limits for restaurants to 25% of capacity; and

WHEREAS, the Council, in Resolution 2020-13, Supporting Small Business and Advancing Public Health by Allowing the Use of Public and Private Space for Outdoor Seating, Sales and Customer Pickup, authorized the use of public space for businesses and the closure of the northbound side of Laurel Avenue for outdoor seating, sales, customer pick-up and other public uses, beginning June 12, 2020 until December 31, 2020; and

WHEREAS, City staff has worked with businesses, the business association and other stakeholders to address handicap parking, outdoor dining and curbside pickup, pedestrian safety and accessibility, bike access, traffic patterns, and where possible public seating for those who are not patronizing businesses; and

WHEREAS, given the changing situation during the COVID-19 pandemic and the need to react quickly to impacts, the extension of the authorization of temporary modification of the existing uses of public space including sidewalks, roads, on-street parking and parking lots for outdoor dining and curbside pickup would assist Takoma Park's businesses, employees and residents during this time.

NOW, THEREFORE, BE IT RESOLVED that the Council of Takoma Park continues to support modifying existing uses of public space, as detailed in Resolution 2020-13, including sidewalks, roads, on-street parking and parking lots for outdoors dining, curbside pickup, and public seating for those who are not patronizing businesses to assist Takoma Park's businesses, employees, and residents during the COVID-19 pandemic; and

BE IT FURTHER RESOLVED that the Council directs the City Manager to work with key stakeholders including residents, businesses, and business associations to identify, implement and modify changes such as the use of sidewalks, on-street parking and parking lots to assist Takoma Park's businesses, employees, and residents; and

BE IT FURTHER RESOLVED that the Council authorizes the continued closure of the northbound lane of Laurel Avenue, as well as consideration of other locations, for outdoor dining and curbside pickup if determined to be beneficial in creating safe spaces while protecting public health; and

BE IT FURTHER RESOLVED that this Resolution will be reviewed by June 30, 2021 by the City Council to determine if it should be continued or modified.

Adopted this ____ day of December, 2020.

ATTEST:

Jessie Carpenter, CMC
City Clerk