Outdoor Dining Program Updates

City Council
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Dana Frankel
Downtown Projects Manager
Planning and Urban Design

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Key Takeaways

- Updates are being made to the City's existing outdoor dining program as applied to public right of way (streets and sidewalks)
- Goals include: supporting activation and economic resilience; ensuring accessibility; maximizing public benefits; and improving management
- The updates were guided by community input and lessons learned before, during and after COVID-19
- The use of on-street parking spaces is being incorporated into the program
- Fees and annual permits are being established for streeteries, and updated for sidewalk dining
- The fees and updated fee structure is designed to support program goals
- Administration of the program is being clarified and improved

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Outdoor Dining Updates - **Goals**

- Support a welcoming, safe and active environment
- Prioritize mobility and access for all including those with disabilities
- Transition elements of the AVL Shares Space temporary COVID program to long-term
- Support the success and resilience of Asheville's local economy
- Improve the application, review & compliance process
- More appropriately account for the value of commercializing public space through an updated fee structure
- Promote multiple public benefits whenever possible

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Outdoor Dining Updates - **What is New?**

Outdoor dining ordinance

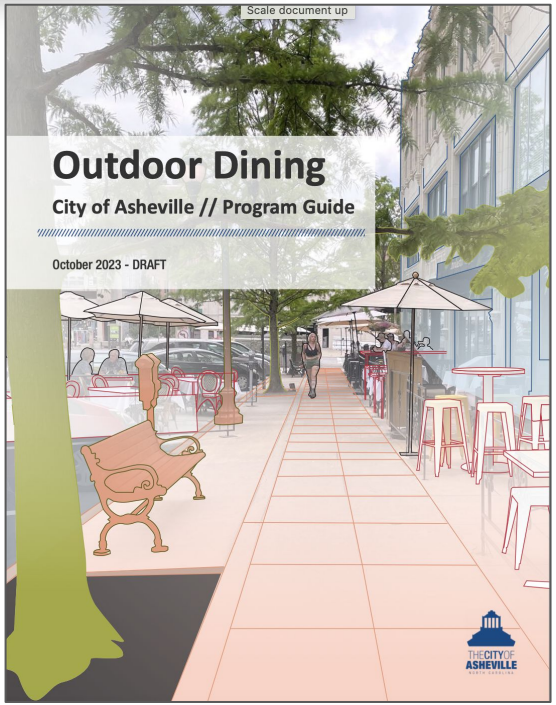
- Expanded framework for outdoor dining (including streeteries)
- Codifies and clarifies management practices

Updated fees and standards

- Supports goals and management of the program

Outdoor dining guide

- Provides detailed standards (requirements) and best practices (recommendations) for reference by businesses and public



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Outdoor Dining Updates - **Key Elements**

Standards

- Prioritizes safety and accessibility
- Clearer guidance for businesses and staff

Public vs. Private Use

- Encourages multiple public benefits
- Potential “public space improvement” fund

Fees

- Incentivizes efficient use of space
- Supports program goals

Process and Management

- Improves management and clarifies protocol



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Proposed Fees

Item	Annual Fee	Applicable
Sidewalk Dining	**$7 per sq. ft.**	Outdoor dining furniture on public sidewalks
Streetery-One Parking Space	**$3,000**	For the conversion of one public parking space to outdoor dining
Streetery-Two Parking Spaces	**$4,500**	For the conversion of two public parking spaces to outdoor dining
Public Space Use Fee	**$500**	When an area is closed to the public outside of business hours

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Streetery Cost Recovery

Streetery Cost	
AVG Actual Meter Revenue (corridors with temp. streeteries)	$2,452 per year
Staff Time: Processing, Review & Compliance per application	$620 per year
Total cost per application	$3,072 per year

**Maximum possible meter revenue $4,500 per year*
**Maximum possible revenue for construction or event related closures (25/7/365) $9,125*

Streetery Fees/Revenue	
Temporary program	$0
Proposed 1 space	**$3,000 per year fee**
Proposed 2 spaces	**$4,500 per year fee**

Current utilization (13 businesses utilizing 25 spaces)	**$0 per year revenue**
Estimate based on current utilization **not including public space use fee*	**$39,000 - $52,000 per year revenue**

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Sidewalk Dining Cost Recovery

Sidewalk Dining Cost and Revenue (based on current permitted businesses/existing square footage)	
Current total revenue	$7,800 per year
Projected total revenue ($7 per square foot) **not including annual public space use fee*	$38,725 per year
Direct Staff Time: Processing, Review & Compliance	$6,500 per year

**market rate for leasable space ~$20 - $25 per square foot*

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Process and Management

Review

Zoning Coordinated Review of Application

Review of applications for compliance with the outdoor dining ordinance and the outdoor dining guide.

- DRS Led Review of Sidewalk Dining
- TRC Review of New Streetery Applications coordinated by a Planner

Inspection

Zoning Conducted Inspection of Area

Inspection to verify all work and placement of the area meets ordinance requirements, guide requirements and plan content.

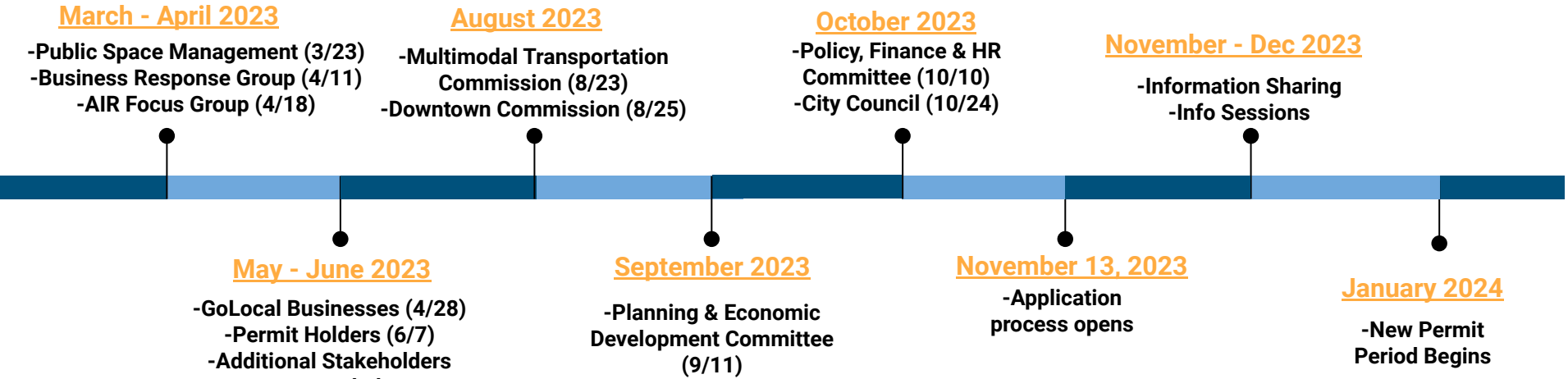
- Requested by permittee
- Inspect the work or placement
- Inspect for required streetery elements

Compliance

Compliance Division Monitoring and Enforcement

- Proactive and Complaint Based
- Notices of Violation issued for non-permitted areas
- Work with the business to achieve compliance

Timeline



More information: www.ashevillenc.gov/AVLSharesSpace

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Questions?

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Outdoor Dining Updates - **How We Got Here**

Previous Engagement Highlights

- **2019**: Downtown Public Space Management Survey
  - **Positive Experience:** 1) Greenery & Plantings; 2) **Outdoor Dining;** 3) Public Seating
  - **Most Important:** 1) Trees & Shade; 2) **Unobstructed sidewalk space for mobility**; 3) Lighting
- **2020:** COVID **Temporary Programs Launched** (shared streets/parklets)
- **2021**: 87% of public survey respondents **supportive** of continuing temporary programs; business respondents **"definitely" interested** in continuing even with fees + upgrades required
- **2021**: Downtown Public Space Management Guidelines → **informed key goals**
- **2021**: DTC + MMTC Work Session → **informed key goals**
- **2022**: Updates to **PED in June 2022** on temp initiatives and **need for updates**
- **2022**: DT Public Space Mgmt Task Force **prioritized outdoor dining updates**

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Fees - Benchmarking

Asheville (Current)	
Sidewalk Dining Permit	**1 - 100 sq ft** **Initial Fee:** $200 **Renewal:** $150 **>100 sq ft** **Initial Fee:** $600 **Renewal:** $450 (*suspended 2020 - 2021*)
Encroachment Agreement	**>30 sq ft** **One time Fee:** $400
Temporary "Parklet" Program	**No fees since launch**

	Sidewalks	Streeteries
Raleigh, NC	**Initial Fee:** $325 **Renewal:** $325	**FY 2025:** $1,500 **FY 2026:** $3,000
Charlotte, NC	**Initial Fee:** $1,350 **Renewal:** $1,350	**Application Fee:** $150 *(temp program)*
Savannah, GA	**Per Bench**: $50 **Per Chair:** $25 **Max:** $1,000	**Application Fee:** $300 **+** **One Space:** $3,000 **Two Spaces:** $4,500
New Orleans, LA	**Application Fee:** $50 **+** **Based on location:** $350/table or $100/seat $200/ table & $75/seat	**Application Fee:** $250 **+** **Initial Fee:** $400 initial **+** **ROW Usage Fee:** **Metered:** $31.50/sq. ft. **Unmetered:** $21/sq. ft.
San Francisco, CA	**Initial:** $156 + $8.75/sq. ft. **Renewal:** $77 + $7.50/sq. ft.	**One Space:** $3,000; **Two Spaces**: $4,500 **Renewal:** $2,000

Streetery Fee Development

Lost Meter Revenue

- COA charges **$25/day** for on-street parking space closures (i.e. for construction)
  - **$9,125 (24/7/365)**
- Actual meter revenue average **~$7.15/day**
  - Corridors w/ temp. parklets
    - Battery Park Ave ~$9.04
    - Page Ave ~$8.68
    - N. Lexington ~$7.26
    - East Walnut ~$7.83
    - **Avg. of above = $8.20/day**
      - = **$2,452/yr**
- Max meter revenue = **$15/day**
  - $5,475 per year
  - Minus holidays + Sundays
  - = **$4,500/yr**

Market Rate for Retail Space

- Rent for downtown restaurant space ~**$20-$25/sf**

Size of Parking Space

- 22 ft x 8 ft. = 176 sf
- 176 x $20 = **$3,520/yr**
- 176 x $25 = **$4,400/yr**
- 176 x $22.5 = **$3,960/yr**

Staff Time for Processing

- 3 hours for coordinating staff person (~$135)
- 1 hour for members of review team (~$350)
- 2 hours per streetry for enforcement (~$135)
  - = $620 x 12 streeteries
  - = **$7,440/yr**

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