



The District · Downtown Community Improvement District
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July 11, 2018

Mayor and City Council
 City of Columbia
 701 East Broadway
 Columbia, MO 65205

Re: Requested Sidewalk Dining Ordinance Changes and Complaint-Driven Enforcement

Dear Mayor and City Council Members:

The Downtown CID would like to request updates to the sidewalk dining ordinance language and enforcement procedure in order to improve the overall experience and atmosphere in the downtown area. The existing ordinance provides a framework however offers several opportunities for improvement, based upon our thriving restaurant economy. We have partnered with the City's Building and Site Development department in order to refine recommended updates to the sidewalk dining ordinances.

We request the following ordinance updates:

- Add a city enforcing party
- Provide a complaint-driven process in which potential violations may lose the privilege of offering sidewalk dining
- Create a biannual application and renewal process to build in an opportunity to review complaints and correct violations
- Allow more flexibility in sidewalk dining design
- Ensure that 60" sidewalk clearance is provided. Establish a review process to potentially relocate sidewalk amenities, at the expense of the tenant. The Downtown CID would partner with this process
- Require sidewalk barrier only when alcohol is served
- Prohibit umbrellas with alcohol product advertising, allowing only the establishment name to be used
- Prohibit tarps and tents used to enclose sidewalk-dining areas, which should maintain an open and vibrant sidewalk experience

Attached is a more detailed review of the existing ordinance and recommendations from our stakeholders, based upon best practices from other communities. We appreciate your support of this request to provide equal guidelines and enforcement for our downtown business community.

Sincerely,

Katie Essing
 Executive Director, Downtown Community Improvement District

Cc: Mike Matthes, Tim Teddy, Shane Creech

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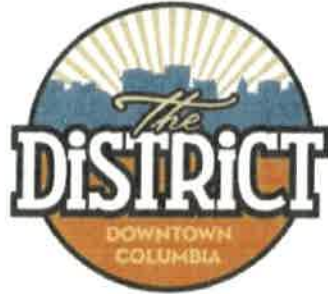
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**Downtown Community Improvement District
Board of Directors Recommendation**

Date: July 11, 2018

Re: Sidewalk Dining Ordinance Revisions

Columbia's community has been growing and will continue to thrive in the years to come. The downtown community has developed, drawing in more businesses as well as compelling established eateries to enhance their experience. Restaurants and cafes bring an attractive and lively atmosphere to the downtown offering sidewalk dining and seating. The current Columbia Sidewalk Ordinances provide a foundation in which restaurants and cafes have been guided by, but more specific and deliberate guidelines are needed to establish uniformity and appealing elements. After researching similar cities' sidewalk and dining ordinances and gathering feedback from our stakeholders, there are many examples our ordinances could adopt to fit Columbia's needs.

The purpose of this document is to recommend updates for city sidewalk dining ordinances and enforcement procedures to encourage a lively and inviting outdoor environment. The current ordinances are either vague or non-existent related to violations/fines, responsible enforcing party, annual applications/renewal process, and appearance and maintenance standards. The Downtown CID advocates for sidewalk dining ordinances to provide **flexibility** and **variety in design** while **maintaining fair standards** for all businesses.

The following ordinance changes are recommended, with examples from other cities:

- A. **Consolidate sidewalk dining city ordinances in one location** in order to reduce confusion, as the language is currently found in Sections 4, 16 and 24.
- B. **Update alcohol ordinance Sec. 4-48 (b) to be consistent with the statutes of regulations of state, adding language to comply with noise ordinance requirements.**
- C. Add City Enforcing and Responsible Party
 - a. **Improve ordinance by naming an office or department charged with the authority to enforce ordinances and verify operations**
 - i. Athens, Georgia - 'The approval of a sidewalk cafe permit is conditional at all times. A sidewalk cafe permit may be revoked or suspended by the

- d. **Ensure that ADA standards are met** for all public sidewalk areas. Update language for "straight, unobstructed walkway" to allow for flexibility in situations such as trees, meters, etc.
- e. **Provide process for review of existing benches, trees, signs and sidewalk amenities** that may be requested to be relocated to accommodate sidewalk dining, at the tenant's expense. The Downtown CID would be willing to participate in a process to review requests
- f. Provide updates to ordinance to **require barrier only when alcohol is served by the restaurant.**
- g. **Prohibit umbrellas with alcohol product labels and advertising, unless only the business name is used on the umbrella.**
- h. **Require clean, attractive and orderly maintenance of outdoor dining areas.**
- i. **Tarpping and tents designed to provide year-round dining not allowed**, as this goes against the sidewalk dining concept of an open, vibrant sidewalk experience.
 - i. Savannah, Georgia - 'No commercial logos or product logos are allowed on umbrellas, tables, chairs or menu boards. All umbrellas must be a solid color and all umbrellas used by a particular café must be the same color.'
 - ii. 'Outside tables need to be kept in a good state of repair and maintained in clean, safe and sanitary condition in accordance'
 - iii. Houston, Texas - 'never be enclosed by a permanent wall or other temporary or permanent structure or improvement, except that the boundaries of a sidewalk cafe may be delineated through the use of a temporary barrier such as a balustrade, cordon, or railing. Any such temporary barrier must be easily removed and three feet or less in height above the sidewalk.'
 - iv. Houston, Texas - 'maintain adequate lighting in and around the public clearance way to ensure that all obstructions may be easily seen.'
 - v. Houston, Texas - 'The licensee shall not allow the outdoor storage or preparation of food or drink and shall not erect or permit the erection of outdoor waiters' stations'.
 - vi. Houston, Texas - 'The sidewalk shall be kept free of standing water, maintained in good repair and kept free from material defects that may present a hazard to life or property.'