



City of Cambridge

Executive Department

YI-AN HUANG
City Manager

November 21, 2022

To the Honorable, the City Council:

In response to Policy Orders 2022 #290 & #291 from November 14 regarding reports on Outdoor Dining and permitting fees, please be advised of the following:

During the winters of 2020-21 and 2021-22 the City temporarily extended the outdoor season on the public way through the winter season for COVID relief and recovery. Cambridge was one of three municipalities in the region that we know of to have offered outdoor dining on the public way during the winter, with other cities ending operations in either November or December. Prior to COVID the City's Outdoor Dining season on the public way has consistently been from April 1 - November 30.

There were a number of major challenges having patios out on the public way during these temporary winter extension periods.

The City absorbed the risk associated with big snowstorms and we were lucky that there were very few major snow events:

- a. Having additional structures in the public right of way poses major challenges for our plow drivers, especially on longer duration storms. The cost of not being able to plow all the way back to the curb line and having to haul away snow is significant.
- b. Difficulties clearing snow around the patios caused additional blockage of parking spaces adjacent to the patios, further exacerbating the parking loss.
- c. Outdoor setups in the parking lane and sidewalks during the winter months cause additional ice hazards during freeze/thaw cycles.
- d. During the 2020-21 and 2021-22 winters, we found the risk worth it, as the risk to small restaurants failing was a greater one.

Another major challenge was parking and other occupied but inactive public space:

- e. In addition to general complaints about loss of parking throughout the year, we very specifically heard complaints about the use of the public way, including parking spaces, for empty patios that are not in use.
- f. Surrounding small businesses and the public see the value in parking loss for the sake of outdoor dining- which benefits restaurants owners, the public, the general level of street activity, and the sense of place; however, the parking loss was harder to accept when



these spaces are left occupied but not in use over the winter months, not providing any public benefit.

- g. During the winter of 2021-22 we had over 80 restaurants who were granted a temporary extension and kept their patios on the public way throughout the winter. During that time period very few restaurants actively used their space, leaving most of these sidewalk and parking spaces occupied but unused.

For these reasons, and as stated in the reminder memo from DPW that went out to all restaurants on November 4, the City will not be extending its Outdoor Dining Season in the Public Way this winter. This timing is also in line with surrounding cities such as Somerville and Boston.

The removal of the unused patio materials will allow the beneficial use of the patio space for the public over the winter and removes obstacles to snow clearance. However, the City has issued eight exceptions at locations where the patio areas cannot be returned to general use. In these cases, pursuant to the City's Indemnification Agreement, the City offered an exception to to allow their secured structural materials (such as a raised platform and corral) to remain on the street from December 1, 2022, through March 31, 2023. The Permitted Outdoor Dining Area cannot be used for any food and alcohol service during this exception period. Five of these restaurants who were offered the exception are a part of the traffic lane shift in Central Square. The City intends to keep this traffic pattern for the foreseeable future. The additional three are located between a separated bike lane and the curb, precluding access to the area for parking or other purposes.

For establishments who are experiencing issues removing their patios by November 30, an extension of up to two weeks can be requested. The Permitted Outdoor Dining Area cannot be used for any food and alcohol service during this time period (beyond November 30). To request an extension, restaurants should contact Rob Linke at Public Works rlinke@cambridgema.gov / 617-349-9498.

With regard to reduction in licensing fees, the Board of License Commissioners voted to implement a one-time relief reduction for 2021 renewals, and a one-time recovery reduction for 2022. For 2023, renewals are proceeding as they did pre-pandemic:

- The license 2023 renewal campaign is well underway with a deadline of November 30 for all renewal applications.
- A significant number of restaurants have already submitted their applications and paid their fees.
- For reference, the License Commission alone saw an approximate revenue loss of \$544,000 per year during the fee reduction time periods.
- Similarly, the permitting fees associated with restaurant permits issued by the Departments of Inspectional Services and Public Works will not be reduced for 2023.

The City is committed to supporting our businesses and continues to offer both operational and financial support including but not limited to:

- Establishing predictability by releasing the 2022-23 Outdoor Dining Policy which laid out the commitment of outdoor dining for 2022 and 2023 and committed to offering expanded space use (eg. parking spaces).
- Keeping fees low including the \$250 per space fee allowing restaurants to utilize parking spaces in the public way.
- Offering jersey barriers free of charge. Which the City will begin removing on December 1, 2022,

and then reinstalling beginning the last week of March 2023.

- Earlier this year, the City provided \$10,000 ARPA-funded grants to 150 restaurants and cafes. This is in addition to the \$4.8 million provided in previous rounds of CDBG-CARES ACT and Mayor Disaster Relief Funding in 2020-2021.

Finally, in addition to the business relief grants the City has provided throughout the course of the pandemic, the City will be releasing its fourth ARPA-funded small business grant which will offer the opportunity for reimbursements of patio infrastructure that was used on the public way. This will be a one-time grant in the amount of up to \$2,500 which can be used for reimbursement of costs for outdoor dining materials, and architectural or engineering services related to the outdoor dining program. This grant will also be able to reimburse costs related to storage of outdoor dining material during the winter months. The grant criteria and eligibility will be similar to previous ARPA grants the City has offered and will be accepted on a rolling basis until June 9, 2023.

Very truly yours,

A handwritten signature in black ink, appearing to read "Yi-An Huang". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Yi-An Huang
City Manager