


COUNCIL COMMUNICATION

	Number:	20-240	Meeting:	June 8, 2020
	Agenda Item:	58	Roll Call:	20-0941
	Submitted by:	Chris Johansen, Community Development Director		

AGENDA HEADING:

Approving “Dine Out Des Moines” COVID-19 expansion of outside seating for food service establishments.

SYNOPSIS:

As a result of the restrictions on seating being experienced by food service establishments under COVID-19 the City of Des Moines is authorizing a program that will allow outside seating in adjacent parking lots, sidewalks and streets.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- Due to the COVID-19 pandemic, food service establishment revenues have been hard hit. The Dine Out Des Moines program will allow food service establishments who are now limited to 50% of customer seating within the building to add additional seating. The Dine Out Des Moines program will allow an expedited application process to allow expanded outside seating areas with service of alcohol.
- The City will waive application fees and lease fees on public property now in place for sidewalk cafes as set out in Chapter 102 of the Municipal Code of the City of Des Moines. The Community Development Department, City Clerk and other departments, as deemed necessary, will review applications and site plans. The program will extend 30 days after the state and local officials lift COVID-19 restrictions for food service establishments.
- Additionally, certain requirements for liquor licenses contained in Chapter 10 of the Municipal Code of the City of Des Moines will be waived to easily allow for the expansion of the service area. The service area will need to be detailed on a site plan, the dates of the use be established, insurance be provided, approved by City staff, and the information provided to the State of Iowa.
- For a food service establishment that has a private parking lot they will be able to extend seating into the parking area. There will be a limit on the number of spaces that can be taken up. The outside area will be limited to no more than 50% of the interior seating area.

- A food service establishment adjacent to a sidewalk will be allowed to be on the sidewalk either in front of or adjacent to the door. A 6-foot clear sidewalk will be required to be maintained.
- If the seating area is allowed on the City street or private parking lot it must be adjacent to the front door of the food service establishment. Jersey type barriers will be required in the street or parking lot to protect the seating area.
- All food service establishments serving alcohol:
 - Will be surrounded by a fence that delineates the service area.
 - The tables and chairs will need to be separated by six (6) feet.
 - No more than six (6) customers shall be seated at a table.
 - A food order will be required with service of alcohol.
 - The seating at each table will be required to turn over every 1.5-hours.
 - Hours of operation for the outside seating area will end at 9:00 p.m. within or adjacent to a residential zoned NX district and 11:30 p.m. in a commercial and mixed-use district.
- For an area not serving alcohol a simple site sketch is all that will be required. Staff will be looking at the location of tables and chairs. The plan must show six (6) feet of open sidewalk and distance of six (6) feet between chairs, as well as a signed application and proof of insurance.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.