



CHAMBER
of
COMMERCE

September 9, 2021

Beverly Hills City Council
City of Beverly Hills
455 North Rexford Drive
Beverly Hills, CA 90210

Re: Support and Recommendations for Open Air Dining in Beverly Hills

Dear Honorable Mayor Wunderlich and Members of the Beverly Hills City Council:

During the COVID-19 pandemic, our community has seen the popularity of increased open air and unique dining options on the streets and the sense of vibrancy and community it brings to Beverly Hills. As the City is now considering next steps with regard to open air dining and the OpenBH program, the Chamber would like to offer the following thoughts and recommendations:

1. The OpenBH program has been a great success and contributed to the success of the entire community during this time and added a new exciting element to the streetscape. The Chamber supports continuing the OpenBH program and merging it with the permanent outdoor dining program while continuing to also allow other types of businesses to access outdoor space (retailers seeking extended outdoor spaces, etc.).
2. Overall, it is important that the City provide as much clarity, simplicity and certainty on a permanent outdoor dining/use program as possible. This will help existing businesses prepare for and follow the rules and it will give assurance to new businesses about what the rules will be going forward.
3. The Chamber supports removing noticing requirements for permanent outdoor dining and allowing requests to be approved by-right by City staff. Based on discussions, it takes about 2-3 months to approve outdoor dining requests due to these noticing requirements alone. This slows down the ability of a business to open a restaurant and creates extra work for the City with minimal benefit since there is rarely if ever any response to the notices. Over the long term, this delay will serve as a deterrent to new businesses as they will: (a) be more reluctant to lease spaces and (b) will demand more of landlords in terms of concessions to deal with the delays, discouraging deals from getting done and leaving commercial spaces vacant for longer.

4. The Chamber is supportive of creating aesthetic design standards for outdoor seating in parklets or other operating areas (parking lots, extended sidewalk areas) so that they are pleasing in appearance and quality. However, in order to streamline the process, the City should create and provide pre-approved templates that, if followed, allow outdoor seating set ups to be quickly approved at the staff level. If a company wants to do something different, the Chamber recommends creating a sub-committee of the Architectural Commission that can quickly review and/or approve the designs.
5. The Chamber is supportive of charging fees for outdoor uses in parklets, etc. The City should set fees based on the nature of the use: (1) regular outdoor seating on sidewalks; (2) extended sidewalk space; (3) in parklets in metered parking spaces; (4) private spaces. The fees should vary depending on the impact to the City, neighboring properties and the community.
6. The Chamber recommends continuing the OpenBH program in its current form until three months after permanent design standards for outdoor parklets and similar spaces are in place. The City Council meeting is on September 21 and the OpenBH program is currently set to end December 31. Even if the City Council makes a decision on how to proceed on September 21, it is unlikely to be enough time for the City to put in place permanent design standards and rules and to conduct sufficient outreach to the business community about the changes within such a short period of time. Also, businesses will want to know what the rules will be sufficiently in advance of when they are put into place in order to make decisions about whether to lease a space or invest in developing an existing property for outdoor dining.
7. The Chamber recommends ensuring adequate protections (from cars, etc) are in place for all parklets to ensure the safety of patrons.
8. Although not directly related to OpenBH specifically, the Chamber is concerned about the amount of speeding and noise generated by cars in commercial neighborhoods. To be specific, very loud cars and motorcycles are driving on commercial streets while others are driving at excessive speeds and are a danger to themselves and pedestrians. This conduct is disruptive to people who want to dine outdoors and threatens to undermine the usefulness of an outdoor dining program such as OpenBH. Store owners have also reported to the Chamber concerns over loud cars and motorcycles. The Chamber encourages the City to look into steps to mitigate this issue and would be happy to partner with the City to identify potential solutions.

The Chamber is excited about the resilience the City has shown during the pandemic and thanks the City Council and staff for their vision and hard work during this time. Thank you for taking the time to consider our recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Johnson', with a long horizontal flourish extending to the right.

Todd Johnson
President and CEO
Beverly Hills Chamber of Commerce