

STAFF REPORT

Amendments to Town Ordinance

September 28, 2021 Town Council Meeting



Amendments to Town Code in order to:

1. Create two (2) parking-to-dining parklets;
2. Temporarily suspend town code section 14-14;
3. Temporarily suspend town code section 18-11;
4. Temporarily close a portion of N Salem Street Downtown from September 30, 2021 – November 12, 2021.

Parking-to-Dining Program:

The Town of Apex in July 2020 established the Parking-to-Dining Program. This program allowed for the creation of temporary outdoor seating areas in public parking spaces and allowed food and beverage businesses to operate in those outdoor spaces across from their businesses. The program allowed for greater social distancing and safety for patrons. This allowed for business effected by restrictions due to COVID-19 to expand their seating and follow safety guidelines to help slow the spread of COVID-19. Additionally, with the continuation of North Carolina restrictions placed on businesses and safety concerns, the Parking-to-Dining Program returned in March 2021 and ended in August 2021.

As of June 2021, the NC Executive Order ended that allowed for on-premise ABC permitted business to include additional outdoor seating as part of their licensed premises, if the space was approved by local government. There are currently no additional North Carolina restrictions placed on businesses due to COVID-19. There are still CDC considerations for food and beverage business to help maximize protection from COVID-19 and slow the spread. Considerations from the CDC include ventilation, wearing a mask, social distancing, and clean and disinfect often.

Economic Development Staff Recommendation:

Economic Development Staff, after hearing from both residents and businesses regarding the return of Parking-to-Dining Program, conducted a survey of the businesses located within the area of the parklets (N Salem between Saunders St. and Chatham St.). Based on the responses to the survey along with the return to standard rules for on-premise ABC permit holders, we propose the return of two (2) smaller parklets. The smaller parklets will only remove two (2) parallel parking spaces and use a portion of the crosswalk apron. This recommendation takes into account both the merchant responses that asked for the Town to maximize parking leading into the holiday shopping season while also providing extra seating for outdoor dining at two (2) locations.

For the program we propose the timeframe of September 30, 2021 through November 12, 2021. After consulting with Town Public Works and the Electric Department, it was determined that this timeframe would allow the Town departments enough time to hang all the Downtown holiday decorations. Both of these departments have indicated they have no concerns with the proposed timeframe.