

RESOLUTION NO. R-2020-_____

A RESOLUTION waiving permit fees for sidewalk cafes and modifications converting private parking spaces into outdoor dining areas, pursuant to the declaration of emergency, as extended.

WHEREAS, the Mayor of the City of Yakima declared a state of emergency due to the COVID-19 pandemic, which was ratified by the City Council on March 13, 2020; and

WHEREAS, this emergency declaration was extended by the City Council to June 4, 2020; and

WHEREAS, the emergency declaration states that the Mayor may take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents; and

WHEREAS, the State of Washington has declared a state of emergency and Governor Inslee has instituted a phased plan for reopening businesses, government buildings, and large gatherings called the "Safe Start Washington" plan; and

WHEREAS, the Safe Start Washington plan includes capacity restrictions for restaurants and taverns, including initially opening those establishments at less than 50% occupancy, increasing incrementally to 75% capacity, and then in the final phase of reopening, allowing full occupancy; and

WHEREAS, the Mayor has deemed that it is necessary and reasonable to waive the permit fee of \$50.00 for a sidewalk café permit under Yakima Municipal Code 5.80, which will provide restaurants and bars an opportunity to increase their capacity in outdoor seating areas making it more likely that they can open sooner and be successful under Governor Inslee's phased reopening plan; and

WHEREAS, the Mayor has deemed that it is necessary and reasonable to waive the application fee of \$100.00 for development permit modifications for restaurants and bars seeking to convert private parking spaces, as required under their development permits and Yakima Municipal Code 15.06, to outdoor dining space to promote increased capacity making it more likely that they can open sooner and be successful under Governor Inslee's phased reopening plan; and

WHEREAS, upon a vote of the City Council, the City Council has agreed that both of these fee waivers is necessary and reasonable during the duration of the City's emergency declaration; and

WHEREAS, the City Council finds that it is in the best interest of the City, its residents and businesses, and consistent with the emergency declaration, Resolution 2020-050, to waive permit fees to increase outdoor seating capacity for restaurants and bars during the City of Yakima emergency declaration and Governor Inslee's Safe Start Washington plan; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

Section 1:

The permit fee of \$50.00 provided for in Yakima Municipal Code 5.80.020(I)(B) is hereby waived during the term of the City of Yakima Proclamation of Civil Emergency and Order regarding a state of emergency in the City of Yakima due to the coronavirus disease 2019 ("COVID-19") and throughout Governor Inslee's Safe Start Washington phased reopening of the state's economy, including any extensions thereof. No other sections of YMC 5.80 are affected by this Resolution.

Section 2:

The application fee of \$100.00 required to be submitted with an application to modify development permits is hereby waived in cases where the applicant is a restaurant or bar and wishes to convert private parking spaces approved in its development permit to outdoor dining space. A site plan will be required for the modification and planning staff may ask for additional information as deemed necessary to evaluate the request. The modification shall be temporary and shall expire upon expiration of the City of Yakima emergency declaration, Resolution 2020-50, and any extensions approved by the City Council, or the entry of Phase 4 of Governor Inslee's Safe Start Washington plan wherein restaurants and bars are allowed to operate at 100% capacity, whichever is later in time. No other sections of YMC 15.17 are affected by this Resolution.

Section 3:

Sections 1 and 2 of this Resolution shall only be effective during the pendency of the City of Yakima emergency declaration, Resolution 2020-050, and any extensions approved by the City Council, the State of Washington declaration of emergency and any extensions, and Governor Inslee's Safe Start Washington plan to phase reopening of businesses in Washington.

ADOPTED BY THE CITY COUNCIL this 2nd day of June, 2020.

Patricia Byers, Mayor

ATTEST:

Sonya Claar Tee, City Clerk