



Summary of Feedback Received During the SEPA Public Comment Period

Cafés in the Public Place Legislative Proposal

We are proposing updates to the café program to increase enjoyment of public spaces by improving our siting standards and encouraging more businesses to provide outdoor seating for patrons. A quick summary of the proposal can be found in this [fact sheet](#). To learn more, please review the draft [Ordinance and Director’s Rule](#) in their entirety. As part of the environmental checklist process required under the State Environmental Policy Act (SEPA),

we released the Determination of Non-Significance (DNS) for public comment from April 8 through April 22, 2019.

WHAT WE HEARD

In total, we received comments from 51 individuals. Below is a summary of these comments, as well as clarifications of the outcome of the proposal.

Comment	Number Received	Common Themes
Positive <i>Indicating support of the proposal or cafés in general</i>	32 (63%)	<p>Balance - Commenters stated that the proposal strikes a good balance between improving mobility while also providing design alternatives to businesses that are located in constrained conditions. People cited fence-free and streateries as popular design alternatives that are supported and should be continued.</p> <p>Economic benefits – A couple of businesses in particular are interested in seeing this proposal move forward because they are currently ineligible for permits because of their proximity to low density residential zoning; they state that having the opportunity to provide seating outside would make their business more appealing and expand usable space. Staff and patrons provided letters of support to move this proposal forward.</p> <p>Public benefits - A variety of audiences—including business groups, pedestrian advocates, and the general public—have been supportive of the café program in general and the proposed changes, specifically citing how cafés make Seattle more lively, friendly, enjoyable, community-oriented, pleasant, and safe.</p>
Negative <i>Indicating opposition to the proposal or cafés in general</i>	7 (14%)	<p>Adding to a complex pedestrian environment – Commenters mentioned concerns about the pedestrian experience, particularly the presence of floating elements on the sidewalk (e.g., bike share, portable signs) and sidewalk condition. They expressed concerns about using the sidewalk for cafés in an environment that is— from their perspective—already challenging to navigate, particularly for people with disabilities or mobility impairments.</p> <p>Impacts from alcohol use and café noise – Commenters expressed concern about noise impacts from cafés and alcohol use in café spaces, particularly when in close proximity to residential areas.</p> <p>Loss of parking – Commenters expressed opposition to the formalization of the streatory pilot because it will result in a loss of parking in busy commercial areas.</p> <p>Impacts on businesses - One commenter found the proposed standards overly restrictive and could prevent businesses from applying; they suggested being less prescriptive with siting standards.</p>
Neutral <i>Indicating neither support nor opposition to the proposal</i>	12 (24%)	<p>Enforcement practices – Some of the commenters were supportive of cafés but tempered their enthusiasm for the proposal because of current enforcement practices. Specifically, people mentioned that it is common to see obstructions or spillover activity on sidewalks next to cafés.</p>

CLARIFICATIONS

We could tell some elements of the legislative proposal and café program could use more context, since there was indication of misinterpretation or lack of clarity.

- **Pedestrian clearance standards** – When siting cafés, SDOT uses a number of standards to ensure adequate space for the traveling public. Two of these standards—pedestrian clear zone and pedestrian straight path—are used together to determine not only the appropriate amount of space next to the café, but also where the pedestrian path should be located to maintain continuity the travel path. In no case will the space available to pedestrians adjacent to the café be allowed to be less than 6-foot-wide (and 8-foot-wide on Downtown Streets). The pedestrian straight path is a siting mechanism we use to determine the appropriate location of a café considering the path of travel along the block face. In short, the pedestrian straight path is intended to reduce the amount of zig-zagging a pedestrian may do on the sidewalk to pass by a café. In no way will this reduce the walkable space to 3 feet or create 3-foot-wide pinch points on the sidewalk.
- **Deviations** - This proposal intends to align café siting standards with those established in [Streets Illustrated](#), the City's Right-of-Way Improvements Manual. By better aligning our siting standards, we are also able to align our review processes, one of them being the [Deviation Request Process](#). This process provides an opportunity for applicants to make a case for why their proposal may warrant unique consideration, recognizing that our city's existing built environment can have unique conditions that do not always lend itself to one-size-fits-all standards. This process exists to provide a decision-making framework for context-specific considerations. Any deviation that is requested is carefully considered by a multidisciplinary team which pays particular attention to impacts to the traveling public and alignment with the City's existing plans and policies.

- **Enforcement** - SDOT's Public Space Management inspectors complete annual inspections of permitted cafés to ensure that they are operating as originally permitted. Annual inspections should address changed site conditions, unpermitted uses, and confirm the permitted dimensions of the café, following up as appropriate. Apart from these annual inspections of permitted cafés, our enforcement approach is complaint-based. Concerns and complaints about cafés—related to café furnishings, activities, and noise—should be sent to publicspace@seattle.gov or submitted via 206-684-ROAD so we can conduct relevant education or enforcement with permit holders.

WHAT'S NEXT?

We will be considering all of the comments received and responding through business process improvements and improving the proposed language in the Director's Rule, where appropriate.

SDOT received one appeal to the DNS, which will be addressed before we proceed further with advancing the proposal.

CONTACT

If you have questions about this proposal, reach out to Ellie Smith (ellie.smith@seattle.gov or 206-684-9229).



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