



Legislation Text

File #: 2020-0208, **Version:** 2

A MOTION relating to economic recovery, requesting the executive to allow restaurants, personal services and retail services in the unincorporated areas of King County flexibility to provide additional or new outdoor dining, personal service or retail opportunities during the phased reopening allowed as part of the governor's Safe Start plan.

WHEREAS, on February 29, 2020, Governor Inslee issued Proclamation 20-05, proclaiming a state of emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 ("COVID-19") outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington state, and

WHEREAS, on March 23, 2020, Governor Inslee issued Proclamation 20-25, known as the Stay Home - Stay Healthy order, which responded to the continued worldwide spread of COVID-19, its significant progression in Washington state and the high risk it poses to vulnerable populations, by requiring that all non-essential businesses in Washington state cease operations effective midnight on March 25, 2020, allowing restaurants and food services to operate only delivery or take-away services and limiting retail to those providing essential goods after that date, and

WHEREAS, Governor Inslee adjusted and extended the Stay Home - Stay Healthy order through Proclamation 20-25.1, which was issued on April 24, 2020, and Proclamation 20-25.2, which was issued on April 27, 2020, and

WHEREAS, the closures and limitations imposed on businesses, including restaurants and retail services, that have resulted from the state of Washington's response to the COVID-19 pandemic have caused

significant disruptions and economic losses to local business owners and employees, and

WHEREAS, on May 4, 2020, Governor Inslee issued Proclamation 20-25.3, which adjusted and extended the Stay Home - Stay Healthy order and initiated a four-phased approach to reopen businesses and activities in Washington state, and

WHEREAS, on June 1, 2020, Governor Inslee issued Proclamation 20-25.4, known as the Safe Start - Stay Healthy ("Safe Start") plan, which provided for county-by-county movement through the four phases of reopening based on public health guidelines, and

WHEREAS, on June 3, 2020, the King County executive submitted a plan to allow for limited opening of businesses in a modified phase one of the Safe Start plan, and

WHEREAS, on June 5, 2020, the Washington state Department of Health accepted King County's modified phase one plan, and

WHEREAS, on June 15, 2020, the King County executive and King County council submitted a plan to allow for King County to move to phase two of the Safe Start plan, and

WHEREAS, on June 19, 2020, the Washington state Department of Health accepted King County's phase two plan, and

WHEREAS, the phase two plan allows restaurants and food services to operate indoor seating at fifty percent of normal capacity and outdoor seating at fifty percent of outdoor capacity, with all tables and chairs maintaining six feet of distance, and with additional or new outdoor seating allowed subject to maintaining six feet of distance between tables and chairs and receiving needed permits, and

WHEREAS, the Safe Start plan anticipates that restaurants and food services could operate up to seventy-five percent of indoor seating when King County enters phase three and full operations when King County enters phase four, and

WHEREAS, the phase two plan allows non-essential retail services to operate at thirty percent of capacity, and

WHEREAS, the Safe Start plan anticipates that nonessential retail services could begin moving toward full operations with some limitations when King County enters phase three and full operations when King County enters phase four, and

WHEREAS, the phase two plan allows personal services to operate at fifty percent of capacity, with the exception of one to one services in an enclosed room, and

WHEREAS, the Safe Start plan anticipates that personal services could begin moving toward full operations with some limitations when King County enters phase three and full operations when King County enters phase four, and

WHEREAS, the ability to operate existing or new outdoor seating, personal services or retail activities could have a significant positive impact on the viability of restaurants and retail services as King County moves through the phased reopening process;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. The council requests that the executive allow restaurants, personal services and retail services in unincorporated areas of King County to use private parking areas, other private property and adjacent sidewalks, alleys or other right-of-way for additional or new outdoor seating or retail use during the county's movement through phases two and three of the Safe Start plan, with no additional permits or fees required, with steps taken as needed to ensure adequate pedestrian pathways in the right-of-way. The executive is requested to consider proposals prepared by community or business organizations for neighborhood or business district-wide, or portion thereof, outdoor commercial activities. The executive is requested to prepare any legislation or executive order necessary to implement these provisions, including, but not limited to the issuance of temporary use permits or temporary changes, if needed, to K.C.C. chapter 21A.18 and BOH Titles 5 and R5 of the King County Board of Health Code.

B. The council requests that the county's application for phase three of the Safe Start plan allow restaurants, personal services and retail services to operate outdoor dining, personal service or retail activities to

the extent possible and in addition to the indoor dining or retail activities allowed in phase three.

C. The council requests that the executive provide that the provisions described in sections one and two of this motion should cease when King County enters phase four of the Safe Start plan or otherwise allows restaurants and retail services to return to normal operations, whichever comes first.