



Beverly Hills City Council Liaison/Small Business Assistance Task Force Committee will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:

CITY OF BEVERLY HILLS  
455 N. Rexford Drive  
Beverly Hills, CA 90210

TELEPHONIC VIDEO CONFERENCE MEETING

Beverly Hills Liaison Committee Meeting  
<https://beverlyhills-org.zoom.us/my/committee>

Meeting ID: 516 191 2424

Passcode: 90210

You can also dial in by phone:

+1 669 900 9128 US

+1 833 548 0282 (Toll-Free)

One tap mobile

+16699009128,,5161912424# US

+18335480282,,5161912424# US (Toll-Free)

Thursday, April 22, 2021

9:00 AM

*Pursuant to Executive Order N-25-20 members of the Beverly Hills City Council and staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public can view this meeting through live webcast at [www.beverlyhills.org/live](http://www.beverlyhills.org/live) and on BH Channel 10 or 35 on Spectrum Cable, and can participate in the teleconference/video conference by using the link above. Written comments may be emailed to [mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org).*

AGENDA

- 1) Public Comment
  - a. Members of the public will be given the opportunity to directly address the Committee on any item listed on the agenda.
- 2) Welcome, Introductions and Purpose of the Task Force
- 3) Discussion Areas
  - a. Review and Discussion of the Future of the OpenBH Program
  - b. Update on Future Items Going to City Council
  - c. Open Discussion
- 4) Small Business Programming
  - a. Upcoming Webinars, Programs, and Services for Small Businesses
- 5) Adjournment

*for*  
  
Huma Ahmed  
City Clerk

Posted: April 19, 2021

**A DETAILED LIAISON AGENDA PACKET IS AVAILABLE FOR REVIEW AT  
[WWW.BEVERLYHILLS.ORG](http://WWW.BEVERLYHILLS.ORG)**



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# **Item 3**



**CITY OF BEVERLY HILLS**  
**POLICY AND MANAGEMENT**

**MEMORANDUM**

**TO:** City Council Liaison/Small Business Assistance Task Force

**FROM:** Laura Biery, Marketing and Economic Sustainability Manager  
Magdalena Davis, Special Event and Filming Coordinator

**DATE:** April 22, 2021

**SUBJECT:** Review and Discussion of the Future of the OpenBH Program

**ATTACHMENTS:**

1. Memo Summary of Task Force Recommendations
2. Support Letter from Next Beverly Hills Committee

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**INTRODUCTION**

In response to the COVID-19 pandemic, the City of Beverly Hills created the OpenBH program to allow businesses to temporarily expand (open up) their services to adjacent areas such as parking lots, the public right of way (sidewalks), and metered parking spaces (parklets) through a Special Event Permit. This item provides the opportunity to discuss the future of the OpenBH program.

Based on Liaison discussion, staff will take this item to a Council Meeting in May/June 2021, for a discussion by the entire City Council regarding the duration of the OpenBH Program, the continuation of applicable fee waivers, and any additional recommendations for the future of the program as a whole.

**DISCUSSION**

The OpenBH program was created in June 2020 in direct response to the COVID-19 regulations set by the LA County Department of Public Health that have reduced capacity and revenue for businesses throughout Beverly Hills. The program has received positive feedback from the business community and residents alike. At the time of this report, 113 businesses have received a permit since that time to participate in OpenBH by expanding their business model to the sidewalk, parking lot, or by creating a parklet in metered parking spaces.

As the COVID-19 regulations are business sector specific, the pandemic has impacted retail, salons, and restaurants each differently with some experiencing long-term full closures and others experiencing limiting capacity restrictions both indoor and outside. Based on varying restrictions throughout the year, businesses have participated in the program for different durations. In the current Orange reopening tier, in-person dining is permitted to resume at limited capacity, however outdoor dining continues to be the preferred option for many patrons.

At recent Small Business Task Force (Task Force) meetings, several members expressed an interest that the OpenBH program be extended for a long-term duration to give businesses more certainty that investments they have made, or might make, in outdoor seating or services will be worth the time and cost. Additionally, the general feedback of the Task Force members and

other stakeholders, such as restaurants and community members that the Chamber and City staff have spoken to, is that the OpenBH program brings vibrancy to the commercial streets and a greater sense of community.

The Chamber conducted an online poll of restaurants earlier this year about their interest in the OpenBH program and received responses from 24 restaurants. Of the 22 respondents who answered the question, 18 businesses rated the OpenBH program as an 8, 9 or 10 (on a scale of 1 to 10 with 10 being excellent) in terms of value to the restaurant, and 22 out of 23 respondents rated the program as a 9 or 10 out of 10 in terms of value to the community.

Nearly all of the respondents wanted to see the OpenBH program extended indefinitely, with the other 4 recommending extensions of 6 months to 1 year in duration. The Chamber has also informally received very favorable input on the program, both in terms of the process as well as the business opportunities and street life the program has created.

With the above in mind, the City Council Liaisons may review the request from the Chamber and the Task Force members to:

1. Extend the OpenBH program until at least December 31, 2021.
2. Conduct a review before December 31, 2021 regarding possible further extension of the program or permanent long-term conversions. (Note that the Spago/Nusr-Et temporary outdoor dining tents are scheduled for review in September 2021.)
3. Allow businesses continued use of sidewalk space, parklets and other available outdoor spaces as long as it is permitted by County and State law (Note that the State of California Alcohol Beverage Control Department has currently relaxed restrictions during the COVID-19 pandemic to allow for expanded outdoor dining. Should this relaxation in alcohol regulations change, temporary outdoor dining spaces may need to be modified to come into compliance with pre-pandemic regulations).

The current OpenBH program includes a combination of waived permit fees, traffic control equipment costs, and loss of revenue from meters/valet operations. The City Council approved the temporary waiver of these costs with the creation of the OpenBH program. Extension of the program would incur additional temporary waivers and meter revenue loss, as well as additional traffic control equipment for any approved new parklet builds. Determining a timeframe and standards for converting the temporary outdoor dining options into permanent outdoor dining opportunities may also be reviewed by the Liaisons for discussion.

A comparison of the temporary OpenBH program to the City's permanent outdoor dining program is listed below:

	<b>OpenBH – Temporary Outdoor Dining</b>	<b>City Permanent Outdoor Dining</b>
<b>Fastest Timeline to Permit Issuance for Complete Proposal Submittal</b>	5-7 days	Approximately 2 months*
<b>Monthly Lease Fee</b>	N/A	Approximately \$1.50/sq. ft.
<b>Sewer Cost Pass through to LA County</b>	N/A	\$150-\$300 per seat (one-time fee with credits available)
<b>Deposit for Sidewalk Repair</b>	N/A	Approximately \$25/sq. ft.

\*Due to noticing requirements. If the permanent outdoor dining process was converted to by-right in the Business Triangle and approved at the Staff level with internal review similar to the OpenBH program this could significantly reduce timeline to approvals.

While each OpenBH outdoor dining solution is unique, with some temporary expansions including only 3-4 additional sidewalk tables, for those that have opted to build a parklet concept the average parklet square footage is 350 square feet.

## **FISCAL IMPACT**

The fiscal impact of the current OpenBH program is a combination of waived permit fees, traffic control measure costs, and loss of revenue from meters/valet operations. Extension of the program would incur additional temporary waivers and meter revenue loss, and accepting new applicants for parklet builds would add more traffic control equipment. A timeframe and standards for converting the temporary outdoor dining options into permanent outdoor dining may also be reviewed by the Liaisons for discussion.

### **Waived Permit Fees**

The current OpenBH program includes the waiver of the fees associated with the permits that are issued every 30 days to participating businesses: a \$800 special event permit fee, and a \$152 public right of way fee in most cases, for a total of \$952 waived monthly for most OpenBH permit holders. The OpenBH permit is issued for an initial duration of 30 days and may be renewed for subsequent 30-day cycles thereafter, with the waivers determined by the current fee schedule.

The total fiscal impact of the waiver of special event permit fees for OpenBH depends on the number of businesses participating and the duration of their participation in the program. At the writing of this report, there have been 113 permits issued for the initial thirty (30) days, with the majority of the businesses renewing their permits for many thirty (30) day iterations.

<b>OpenBH Category</b>	<b># of Businesses YTD in Program</b>	<b>Current # Active in Program April 2021</b>	<b>Approx. Ongoing Monthly Fee Waiver Amount as of April 2021</b>
<b>Restaurants</b>	86	86	\$81,872
<b>Salons</b>	20	2	\$1,904
<b>Retail</b>	4	4	\$3,808
<b>Faith Based</b>	3	3	\$2,856
<b>Total</b>	<b>113</b>	<b>95</b>	<b>\$90,440</b>

### **Meter Revenue Loss**

The installation of parklets in metered parking spaces resulted in the loss of revenue from meters/valet operations. Utilizing the averages from the 2019 calendar year, the calculated average per meter/per month revenue loss from converting a meter into a parklet in the Business Triangle is \$289.75 per meter/per month and on South Beverly Drive is \$300.10 per meter/per month. Currently there are 30 existing parklets and 4 additional proposed parklets. While each parklet design is unique and some parklets are longer than others, on average a parklet utilizes 3 parking meter spaces in length.

<b>Meter Location</b>	<b>Current # of Meters Used for Parklets</b>	<b>Average Monthly Revenue Rate Per Meter</b>	<b>Approx. Ongoing Average Monthly Meter Revenue Loss</b>
<b>Meters on S. Beverly Drive</b>	15	\$ 300.10	\$ 4,501.50
<b>Meters in Business Triangle</b>	71	\$ 289.75	\$ 20,572.25
<b>Total</b>	<b>86</b>		<b>\$25,073.75</b>

In addition to the parklet meter revenue impacts, the City has worked collaboratively since March of 2020 with the business community to install temporary curbside pickup meters, converting paid parking meters into no-charge customer loading meters. The temporary curbside pickup meter program was created in direct response to the COVID-19 regulations forcing many businesses to switch to a curbside pickup model. At the height of the pandemic, close to 200 meters were converted to temporary curbside pickup meters. Curbside pickup demand continues to be significant for restaurants and other businesses as customer trends shift. Many of these meters are specific to the days and hours of the businesses' operations, and are not included in the total revenue loss above.

While parking and pedestrian traffic patterns in 2020 significantly shifted during the pandemic, vehicle and foot traffic is picking back up in 2021 as restrictions loosen with parking demands continuing to increase.

**Traffic Control Measure Costs**

The City currently covers the cost for traffic control equipment (wheel stop, delineators, signage, and barriers when necessary) for individual parklets to be installed at meter spaces. The average cost per parklet for these traffic control measures is approximately \$2,000. At the writing of this report, there are 30 existing parklets and 4 additional proposed parklets. There are some notable outliers to the \$2,000 average including the street closure of the 100 block of North Canon Drive for Spago/Nusr-Et at approximately \$12,000, and the parklets built in angled parking spaces on South Beverly Drive that cost approximately \$3,000 each.

	<b>Current # of Parklets</b>	<b>Average One-Time Traffic Control Cost Per Parklet</b>	<b>Approx. Total One-Time Traffic Control Costs as of April 2021</b>
<b>Installed Parklets</b>	24	\$2,000	\$48,000
<b>Spago/Nusr-Et Closure</b>	2	\$12,000	\$24,000
<b>Angled Parklets</b>	4	\$3,000	\$12,000
<b>Proposed/In Progress</b>	4	\$2,000	\$8,000
<b>Total</b>	<b>34</b>		<b>\$92,000</b>

**RECOMMENDATION**

It is recommended that the City Council Small Business Assistance Task Force Liaison Committee provide direction regarding the future of the OpenBH program including but not limited to the duration of the program and the waiver of applicable fees. Based on Liaison discussion, staff will take this item to a Council Meeting in May/June 2021, for a discussion by the entire City Council regarding the duration of the OpenBH Program, applicable fees and waivers, and any additional recommendations for the program as a whole.

# **Attachment 1**



CHAMBER  
of  
COMMERCE

### **Small Business Assistance Task Force**

From: Blair Schlecter, Vice President of Economic Development and Government Affairs, Beverly Hills Chamber of Commerce

To: Laura Biery, Marketing and Economic Sustainability Manager, City of Beverly Hills

CC: Todd Johnson, CEO, Beverly Hills Chamber of Commerce

Date: April 2, 2021

Re: Recommendations of the Beverly Hills Small Business Assistance Task Force to Beverly Hills City Council

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#### **Introduction**

In 2018, the Beverly Hills Chamber of Commerce, in partnership with the City of Beverly Hills re-constituted and since that time has managed the Beverly Hills Small Business Assistance Task Force. The Task Force consists of a number of small business owner or managers and includes businesses from a cross-section of neighborhoods and industries in the City. The current roster is attached. The purpose of the Task Force is to help attract and retain small businesses by identifying and solving potential challenges and opportunities for them. The Task Force meets approximately monthly and the meetings are open to the Beverly Hills community.

In the fall of 2019, the Task Force made 4 recommendations to the Beverly Hills City Council. These recommendations were: (1) Lower parking requirements for restaurants and health and wellness retail services (gyms); (2) Streamline and provide more cost effective ways for business owners to update their storefront signage; (3) Incentivize vacant storefront beautification by simplifying and streamlining the process for approvals of beautification efforts; and (4) Extend the law allowing "Leased" signs to remain on storefronts for additional time and create a template for businesses to display that they are "Coming Soon." These recommendations were



presented, reviewed and approved at the City's Council's Study Session meeting of November 19, 2019.

Since that time, the Task Force has continued to meet regularly, to work on the implementation of these items and to discuss important issues to the business community. After a series of discussions, the Task Force would like to present several additional recommendations to the City Council for review.

### **Small Business Assistance Task Force Recommendations**

#### **Recommendation No. 1 – Extend the OpenBH Program Through At Least December 31, 2021 and Evaluate Making the Program Permanent**

The City of Beverly Hills' OpenBH program allows businesses (when also permitted by State and LA County Public Health Orders) to temporarily open up their services to adjacent areas such as parking lots and the public right of way (sidewalks) through a Special Event Permit. The OpenBH permits are issued as 30 day Special Event Permits that can be renewed on a monthly basis. There are currently over 100 businesses participating in the OpenBH program. A full list of details and participants can be found at [www.beverlyhills.org/openbh](http://www.beverlyhills.org/openbh).

At recent Task Force meetings, several members expressed an interest in the OpenBH program being extended on a longer-term basis to give businesses more certainty that investments they have made or might make in outdoor seating or services will be worth the time and cost. Additionally, the general feedback of the Task Force members and other stakeholders such as restaurants and community members that the Chamber has spoken to is that the OpenBH program brings vibrancy to the commercial streets and a greater sense of community.

The Chamber conducted an online poll of restaurants earlier this year about their interest in the OpenBH program and received responses from 24 restaurants. Of the 22 respondents who answered the question, 18 of them rated the OpenBH program as an 8, 9 or 10 (on a scale of 1 to 10 with 10 being excellent) in terms of value to the restaurant and 22 out of 23 respondents rated the program as a 9 or 10 out of 10 in terms of value to the community. 20 out of 24 respondents wanted to see the OpenBH program extended indefinitely, with the other 4 recommending extensions of 6 months to 1 year. The Chamber has also informally received very favorable input on the program, both in terms of the process as well as in the business opportunities and street life the program has created.

With the above in mind, the Task Force recommends that the City extend the OpenBH program until at least December 31, 2021 and to conduct a review before this date regarding possible further extension of the program.<sup>1</sup> This extension would include allowing businesses continued use of additional sidewalk space, parklets and other available outdoor spaces as long as permitted by local, county and state law. Additionally, the Task Force recommends that the City evaluate making the program permanent. As described above, the OpenBH program has given the City added vitality, creating a sense of openness and connectedness in the community as well as economic opportunity for businesses and is especially suitable to a climate such as Southern California. As part of any extension, the City could consider how to integrate other creative ideas and projects into the OpenBH program (such as the current pedestrian and bicycle demonstration project at Brighton and N. Camden Drive).

Recommendation No. 2 – Create An Updated Overview of the Architectural Review Process and Communicate Recent Updates to the Signage Approval Process.

At the most recent meeting of the Task Force, City staff discussed several updates to the Architectural Review Process, including a lowering of Architectural Commission review fees and creation and use of an ad hoc committee of the Architectural Commission to help resolve signage or aesthetic concerns about a project in an expeditious manner. At the same time, some Task Force members have expressed their uncertainty about the nature of the process and cost and that this uncertainty has discouraged them from seeking to update their signage.

Therefore, the Task Force recommends the creation of a 1-2 page overview of the architectural review process which will include recent updates and improvements initiated by the City. The City currently has a brochure regarding commercial signage (see attached). This brochure could be updated or a new document created to include additional context about the review process, including the Architectural Commission's authority to approve or deny designs even though the designs conform to the City's Municipal Code. The Chamber would create this document in consultation with the City.

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<sup>1</sup> The Chamber of Commerce has separately recommended that the City continue the OpenBH program until at least December 31, 2021.

The goal of creating this document would be to educate businesses about the process, reduce misunderstandings, manage expectations and communicate important improvements the City has already made to the process that the general public may not be aware of.

Recommendation No. 3 –Amend the City’s Municipal Code to Allow “Leased” Signs To Remain on Storefronts for Longer than 30 Days and Create an Approved Template for Businesses to Indicate They are “Coming Soon.”

In November 2019, the Task Force recommended allowing “Leased” signs to remain on storefronts for additional time (beyond the currently permitted 30 days) and creating a template for businesses to display that they are “Coming Soon.” This recommendation was approved by the City Council. Since that time, the City has agreed to not enforce the 30 day limit on leased signs. This decision has been communicated verbally to real estate brokers at venues such as the periodic Broker’s Roundtables that the Chamber of Commerce hosts in partnership with the City of Beverly Hills. However, the City’s Municipal Code still officially requires “Leased” signs to come down after 30 days. Bev. Mun. C. § 10-4-104.

Therefore, this Task Force recommends that an official change to the City’s Code be made to officially permit “Leased” signs to remain on storefronts for longer than 30 days.<sup>2</sup> The Task Force also recommends allowing property owners and managers to state that a new business is “Coming Soon” through a templated design. This change would provide clarity and certainty to brokers and provide flexibility to brokers and new tenants in promoting their arrival. This change would also help highlight business activity in the City of Beverly Hills and communicate to outside businesses the value of being in Beverly Hills.

**Attachments**

1. Small Business Assistance Task Force Roster
2. 111919 City Staff and Chamber Memo on Recommendations of Small Business Assistance Task Force

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<sup>2</sup> Amongst several options, the City could allow such signs to remain up indefinitely, for a reasonable period of time, or for a set period of time (90 days, 120 days or 180 days for instance).

# **Attachment 2**



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

We, as the Next Beverly Hills Committee, are writing in support of extending the City's OpenBH program. As a City-chartered Committee, we foster leadership in our community and lend our voice to the issues that can make Beverly Hills a more competitive and attractive place to live, work in, and enjoy.

The OpenBH program aligns well with the interests of our community and the demographic we represent and we wholeheartedly wish to support its continuation. We would like to formally request the extension of the OpenBH program until at least December 31, 2021 and evaluate making the program permanent.

Extending the OpenBH program will not only allow businesses that have invested so much in enhancing their outdoor infrastructure to recoup their sizable investments, but will also promote places for safe outdoor gatherings and help rebuild a sense of community as we continue to recover from the impacts of COVID-19.

Thank you for your consideration and we look forward to continuing to work with you for the betterment of our City.

Sincerely,

Noelle Freeman  
Chair, Next Beverly Hills