



SPUR

San Francisco | San Jose | Oakland

June 17, 2020

San José City Council
City of San José
200 E. Santa Clara Street
San José CA 95113
via email

RE: Recommendations for Immediate Ground Floor Business Recovery

Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers:

Thank you for your dedication to public service in these stressful and unprecedented times.

Over the last few months SPUR has been working in collaboration with stakeholders from around the Bay Area to identify ways to help stimulate economic activity for local businesses as they come back online. Through interviews, research and analysis we have since produced a policy brief, [Keeping the Doors Open](http://www.spur.org/groundfloor) (www.spur.org/groundfloor), which provides immediate recommendations for assisting ground floor businesses in reopening.

Before the pandemic, the retail sector was already in a state of flux. Now COVID-19 has accelerated the urgency of determining how to best support human and economic activity, particularly on main streets and commercial corridors. We have a responsibility to move forward innovative and risk-tolerant policies and procedures to help stabilize our local businesses.

In this time of crisis, SPUR believes that several principles should guide cities' actions in helping businesses, particularly small, neighborhood-serving businesses that occupy our neighborhood storefronts, to survive:

Move quickly and remain flexible. Waive or suspend regulations not needed for health and safety purposes. Provide or connect businesses with technical assistance and support, and dial back enforcement actions. Adjust the approach to the needs of specific neighborhoods.

Focus on neighborhoods. Neighborhood-serving storefronts are particularly in need of assistance. Ensuring the continued operation of businesses owned and operated by people of color, in particular, is not just an economic benefit but also a safeguard on sense of place and belonging. In places where the infrastructure exists, leverage the capacity of

merchant associations, business improvement districts and community benefit districts. In places where these types of organizations are less well-resourced or non-existent, the city must step up to provide supplementary support and resources.

Prioritize the provision of financial, technical and language assistance to businesses serving low and moderate-income households and people of color. These businesses were likely already more fragile to begin with, and the pandemic has served to only exacerbate existing inequities.

This report does not look at what cities might do to support ground floor activity in the transitional phase after the immediate crisis-period, nor does it consider a broader re-envisioning of what the future of the ground floor might look like. SPUR will continue to focus on these issues in the coming months.

As of this writing, Bay Area cities are in the midst of writing new policies and revising existing ones in order to safely and quickly reopen retail stores and restaurants. The attached recommendations are actions for cities to undertake immediately to assist businesses in opening promptly following the gradual lifting of shelter-in-place restrictions. These recommendations will allow businesses to open more quickly and increase the likelihood of their survival, will enliven and increase safety on our streets and in our neighborhoods, and will help bolster the health of the local economy and city budgets in the long-term.

San José has been at the forefront of addressing many issues faced by businesses in this pandemic. Once it became possible to contemplate outdoor dining, the City quickly launched the San José Al Fresco initiative and moved quickly to implement commercial eviction moratoria for small businesses.

We suggest San José build on its current efforts and look at these recommendations in particular:

Recommendation 8: Create a permit-less registration process for COVID-19 alterations. Implement a no-cost same-day process for project sponsors to register a scope of limited set of improvements to existing facilities for the purposes of safety and business survival. Defer full permit approval of permanent improvements to a future date.

Recommendation 9: Relax planning and zoning requirements to give existing businesses greater operating flexibility on a temporary basis. Initiate an executive order or draft legislation that allows existing businesses in downtown and neighborhood commercial districts to change/shift among commercial uses without requiring a change-of-use permit for the next year. Allow flexible retail in neighborhood commercial

districts citywide. Move to a performance-based standard for requiring businesses to engage with the public and the street.

Thank you again for your work to protect San José's residents, workers, economy and neighborhoods, which play a critical role in this city's identity. Our neighborhood-serving businesses are not just economic drivers but also key members of the community and contributors to the places where we live, work and meet. Please reach out with any questions.

Sincerely,



Michael Lane
San José Director



Kristy Wang
Community Planning Policy Director

cc: SPUR Board of Directors