

LATE NIGHT ACTIVITY REVIEW COMMITTEE REPORT



Late Night Activity Review Committee

Appointed by Mayor Riley

Frank McCann-co chair
Steve Palmer-co chair
Susan Bass
Sandra Campbell
Marvetta Daniel
Daniel James
Tim Muller
Claire Xidis Torres
Rev. Charles Watkins

Appointed by City Council

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Dan Henderson
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Larry Shirley
David Aylor
David Marconi
Edward Pritchard III
Harold Oberman
Bill Hall
Patterson Smith
Michael Shuler

City of Charleston

Planning, Preservation & Sustainability

Tim Keane
Yvonne Fortenberry
Carol Corrigan
Dan Riccio
Lee Batchelder
Amy Southerland
Jordan Lanier
Su Griffin

Police Department

Chief Greg Mullen
Deputy Chief Tony Elder
Lt. Heath King
Sharon Robinson

Legal Department

Frances Cantwell

Traffic & Transportation

Robert Somerville

Budget, Finance and Revenue Collection

Joleen Deames
Mark Aakus

College of Charleston

Master of Public Administration Independent Study Program
Desiree Fragoso
Nick Bowman

Seidler & Associates

Margaret Seidler
Bob Seidler
Jake Jacobs

Responsible Hospitality Institute

Jim Peters

A special thanks to Julie Armstrong, Charleston County Clerk of Court, and Darlene Jackson, Charleston County Public Library for meeting room support.

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On September 22, 2014, Mayor Joseph P. Riley Jr. and Chief of Police Gregory G. Mullen provided members of City Council with an overview of the Charleston Nightlife Activity and a method to assess current and future enhancement opportunities through the Charleston Social able City Assessment Process. This process offered an outline of current and potential issues and concerns surrounding the “Nightlife Activity” in the City of Charleston. It also highlighted research and opportunities that could be utilized to support and balance the nighttime economy with a quality of life that was desired by Charleston business and community leaders. Based upon the assessment process and the proposed timelines, City Council approved a 12 month moratorium that offered community and business leaders and city staff the opportunity to research and explore initiatives and alternatives that would allow the City to continue to grow and enhance its already vibrant nightlife while protecting other valuable qualities that make Charleston a great place to live, work, study , and visit. The following pages (2-12) is the full document outlining this overview that was the impetus for the Late Night Activity Review Committee.



CHARLESTON SOCIABLE CITY ASSESSMENT PROCESS

The Mayor's Process Outline for Developing Ordinances, Criteria, and Standards to Create a Vibrant, Sustainable, and Thriving Nightlife and Protect the City's Quality of Life.

HISTORY

Downtown Charleston is at a defining moment in its history. Over the past century the ebb and flow of the Downtown's historic role as a commerce center of the region is similar to many cities. A historic core, once the center of retail, fell into decline with the growth of suburbs and regional shopping malls. Blight filled the empty storefronts and blocks. During the last twenty years the downtown core started to reemerge, experiencing a number of transition periods. The growth in tourism, Port activities, and the technology sector has brought a burst of new office buildings and hotels.

Additionally, the evolution of more dining and entertainment venues in the Market and King Street corridors have been an important part of the City's ability to successfully sustain its economic position during the 2008 recession and recovery. This growth translated into a stronger economy in the downtown business district. The number of entertainment venues in the core increased significantly during this time. With the addition of more entertainment venues, tourist and young people travel from all over the Charleston region and the world to be a part of the Charleston nightlife.

PRESENT STATE

This growth in the nightlife industry has been positive for the City and is necessary for us to maintain our positive forward movement as a place where citizens of all ages want to live, work, study, and play. Our task is to ensure that this growth occurs in an efficient, effective, and manageable manner, so the growth does not impact the quality of life for other members of the community and the overall reputation of the City.

There is a significant discussion occurring around the country about how to best manage the natural tension that occurs between having a growing, energetic, and vibrant nightlife, which helps the City sustain a thriving economy and the need to support and protect an exceptional quality of life. From our perspective, those that are

being most successful are seeking to find solution by using a collaborative process which helps find the best options based on listening to stakeholders, and being creative. It is imperative that as an organization, we examine all opportunities to develop and implement creative solutions that allow businesses to be profitable and those visiting the downtown areas to be part of a vibrant, entertaining experience. Just as important, we need for all city Departments that are part of regulating, permitting, licensing, and enforcing laws and ordinances pertaining to the operation of nightlife establishments to fully engage in the process of building alliances, supporting business success and gaining compliance from nightlife businesses. This may involve changing current requirements and operational practices, as well as ensuring strict accountability from all who are part of this important effort.

PATHWAY FOR THE FUTURE

To accomplish this task, I am asking the City Council to approve a 12 month moratorium on any new nightlife establishments opening that serves alcohol after midnight. By taking this time to pause and reflect on the future of the entire downtown area and create clear, mutually agreeable criteria and standards for the nightlife industry for now and the future, we can ensure that our City sustains a mature and successful nightlife industry while balancing the needs of others who may be negatively impacted if this growth is allowed without the proper leadership and management.

Members of Council have rightfully questioned the purpose of the moratorium and the outcomes which are expected. I will outline below answers to those questions and provide a narrative of what you can expect in terms of process, work product, and outcomes. I am confident after you review this document that your concerns about timing and outcomes will be relieved.

PURPOSE

The purpose of this engagement is to:

- Develop short- and long-term strategies to address identified emerging patterns and trends in the downtown Central Business District, which if left unattended could further impact the vibrancy, safety, economic health, and quality of life in and around nightlife venues and surrounding residential and commercial areas of the City.
- Evaluate current policies and regulations to determine relevance, updates required, or new policies necessary to assure business balance and opportunity, public safety and quality of life.
- Create specific recommendations, actions, and tools for hospitality zone management, planning, policy and resource allocation.

ENDSTATE

The correct place for us to begin this process is with the Endstate. What will success look like when we reach the end of this process? Success will be a set of ordinances, criteria, and standards that will inform us moving forward regarding appropriately scaled streets, optimal mix of diverse uses, density, design, and operational requirements that promote an energized, vibrant, and prosperous nightlife industry with a thriving economy and protects the business balance and quality of life for all citizens and visitors.

DESIRED OUTCOMES

To reach this Endstate, we will examine the five core elements generally associated with an active and successful hospitality zone. They are: *Quality of Life; Security, Service, and Safety; Multi-Use Sidewalks; Late-night Integrated Transportation System; and Community Policing.* (<http://rhiweb.org/>).

By using these core elements as our guide, we will achieve our desired outcomes of:

- Defining ideal concentration, occupancy, and density for nightlife venues
- Enabling a greater diversity of retail shops and commercial services
- Identifying the correct balance between safety, quality of life, and vibrancy to benefit current and future residents and visitors
- Reducing crime through safety coordination
- Enhancing pedestrian/traffic interaction
- Providing transportation systems to match peak demand
- Creating an environment conducive to more residential use above ground level retail

PROCESS OVERVIEW

To achieve this Endstate and create ordinances, criteria, and standards that will lead us into the future, we must use a process that is disciplined and has rigor. While I understand that speed is important, this process is too critical for the future of our City to rush; however, it is my intention to move this process as quickly as possible while ensuring that it is accomplished in a thoughtful and deliberate manner. Therefore, the actual speed at which it is accomplished will depend greatly on the effort, commitment, and priority of the stakeholders who have been chosen by you to lead this effort. The

better engagement that everyone brings to the table, the quicker the work will be accomplished. This process will last between 9 and 12 months and will not be extended beyond September 22, 2015.

Another key factor to our success is that all those involved feel that their voices, points of view and concerns have been heard. Therefore, we do not want to go so fast that stakeholders feel that we are pushing ideas and decisions down their throats. The businesses and neighborhoods are critical to Charleston's future success and we need to ensure that both are included and considered.

To achieve our purpose and reach a successful Endstate, we will embark on a quality effort across the community where mutual agreement results in support of a package of regulations, criteria, and standards that guides the City, businesses, and community members in a fair and equitable path toward growing and nurturing our vibrant and important nightlife industry. While the specific answers will be determined through this process, the key to its acceptance is to gain support throughout the community for mutually agreed upon solutions.

The overriding goal of our process is to ensure that those working on this nightlife activity initiative are not confrontational. Throughout the process we will engage stakeholders in a calm, measured exploration of public sentiment. With each step we will build greater understanding and agreement. Accomplished successfully, the initiative will be certain to pass City Council with a broad base of support from all stakeholders.

FACILITATED RESEARCH PROCESS

Our process will employ five distinct phases which are guided by unbiased professional facilitators and consultants.

Phase 1 – DEVELOPING THE TEAM

Timeline: 60 days

The Steering Team, which is comprised of stakeholders from various interests will be selected by the Mayor and Councilmembers. Each councilmember will select one representative and the remaining members of the team will be selected by the Mayor. The Team will consist of 21 individuals representing a cross-section of interest. After selections are made, the Mayor will select Co-Chairs. One will represent the business community and one the surrounding residential communities. This will ensure that everyone's interests are equally heard. The facilitators who serve the group are "honest brokers" ensuring that diverse interests are explored.

During this phase, the Team will also agree upon their Charter, and receive training on techniques that will be utilized during the process. It is important to understand that during this initial selection, orientation, and training period that no decisions will be made, only discussions about how decisions will be made. The Team will also develop an initial list of key stakeholder groups to be included in the next phase, Listening.

Training

The process selected will be utilizing a Polarity Thinking Model to develop participant capabilities to address this complex problem by identifying key polarities they will need to understand fully and manage for this effort to succeed. This will involve a one-day training session with the Steering Team.

PHASE 2 – LISTENING

Timeline: 45-60 days

During this phase several activities will occur simultaneously. There will be two main pieces of work for the Steering Team to complete in this step.

Community Engagement

- a. Engage key stakeholders in the Community in surfacing issues, opportunities, interests, and positions related to business growth, public safety, and quality of life. This can be accomplished through a variety of methods such as: focus groups, community meetings, questionnaires, and individual interviews. There are several reasons why this work is critical to the success of this effort:
 1. Identifies where there are differences that need to be worked through and where agreement already exists
 2. Begins building a larger team of stakeholders who are invested in this planning process
 3. Reframes perceptions of this work from an "Either/Or" debate with winners and losers to a Polarity-based "Both/And" view where all share a unifying common Greater Purpose.
- b. Plan and conduct the Larger Group Conversation Meeting. This group will comprise a wide cross-section of the community to include 50-100 participants or more if determined by the Steering Team.

c. Develop ideas about how to best support this effort going forward. These information gathering efforts are an important step in the process, and one that needs to be accomplished. The Steering Team will create categories of issues for discussion and the Community Conversation Meeting will be able to add to these initial ideas.

d. Educating and Engaging the Broader Community. The Steering Team will communicate with the broader community to keep them informed about what they have heard at this point. This will be an ongoing part of the process during each phase.

Research and Data Collection

We will engage the Responsible Hospitality Institute (RHI), a California-based non-profit organization, to assist us during this step with examining trends and patterns associated with nightlife activity to determine the appropriate approach, methodology and analytical structure to develop an assessment of the activities associated with nightlife and sociability.

PHASE 3 – EXPLORATION

Timeline: 45-60 days

During this phase of the process, the Steering Team will evaluate the information gained from Community Stakeholders and research. The Team will begin to seek out options for mutual gain. They will evaluate all the options presented and determine how they might take various different options and create the optimal alternative that can better reach the ultimate goal. This is the pre-action planning phase of the process. This is the exploration of the “what if” or brainstorming. It begins with the Team using Convergent thinking – hearing all the thoughts, ideas, and research - and transitioning

to Divergent thinking, what different options we might create to gain mutual agreement. It will ask how we reach the best alternatives to meet as many needs as possible.

PHASE 4 – PLANNING

Timeline: 45-60 days

The purpose of this step is to create the action plan to our future. The best options and alternatives that were identified during Phase 3 will be fleshed out and agreed upon. Once the best options have been selected, the Steering Team, with legal staff support, will begin updating, revising, combining or writing new ordinances relating to various issues, developing criteria and standards, and drafting their report.

Once the draft plan is completed, the Steering Team will brief the Mayor and Council members on their findings. Once this briefing is complete, additional informational briefings will occur with various stakeholder groups to inform them of the findings and answer any questions that may be presented.

PHASE 5 – ACTION/IMPLEMENTATION

Timeline: 60-75 days

During the final phase, the draft plan and any ordinances completed by the Steering Team will go through final legal review and the Committee process. Once the final legal review is completed and it has been vetted by the appropriate City Council Committees, it will be placed on Council agenda for consideration and discussion. Based on the type of ordinances that were updated, revised, or developed, there may be a need for Council to act through a first reading and send the proposals to the Planning Commission for a public hearing. Should the Plan and its related ordinances receive first reading and be forwarded to the Planning Commission, actions would begin to communicate the Plan with the broader community and prepare for changes to

internal processes and guidelines that are impacted. A communication plan would also be part of the Plan and would be executed upon approval of the Mayor and City Council. We would anticipate an immediate implementation so this communication would occur between first and second reading.

REPORTING

Steering Committee co-chairs and the Director of Planning will provide regularly scheduled updates to the Mayor and members of City Council every six weeks of the initiative's progress and any recommended actions, as well as any additional support needs.

Updates can be requested more frequently at the discretion of the Mayor or City Council.

CONCLUSION

I hope that the process as outlined assures you that we have a specific and concrete plan to complete this important undertaking in a prompt and thorough manner while using the appropriate level of rigor. As we face the reality of a changing environment that impacts us in the present and causes us to create a pathway for the future, I am confident that we will arrive at our Endstate of successfully creating a series of ordinances, criteria, and standards that will inform us moving forward regarding how we can sustain a successful nightlife with a thriving economy, throughout our wonderful City, and maintain an exceptional quality of life for all citizens and visitors

To reach this Endstate, we will provide deliberate and specific actions to address the five core elements associated with creating, sustaining, and nurturing an active and successful hospitality zone. Therefore, at the end of this moratorium period, we will have presented recommendations to City Council which addresses the objectives of Quality of Life; Security, Service, and Safety; Multi-Use Sidewalks; Late-night Integrated Transportation Systems; and Community Policing (<http://rhiweb.org/>).

APPENDIX

Process Partners:

1. Margaret Seidler

Margaret Seidler is a nationally-recognized Organization Development consultant, master trainer, and author. She is based in her ancestral home of Charleston, SC.

Margaret's practice focuses on creating higher performance in both organization and community systems. Central to her work is Polarity Thinking, a set of principles and method to guide people in tapping the power of *"Both/And"* thinking for better, more sustainable results. Her interest in helping other professionals become more effective leaders began in the early 1990s, when she recognized the need to improve her own leadership skills. Her areas of expertise include managing complex opportunities and challenges, increasing leaders' self-awareness/ self-management, team building, resolving conflict and interpersonal communications skills.

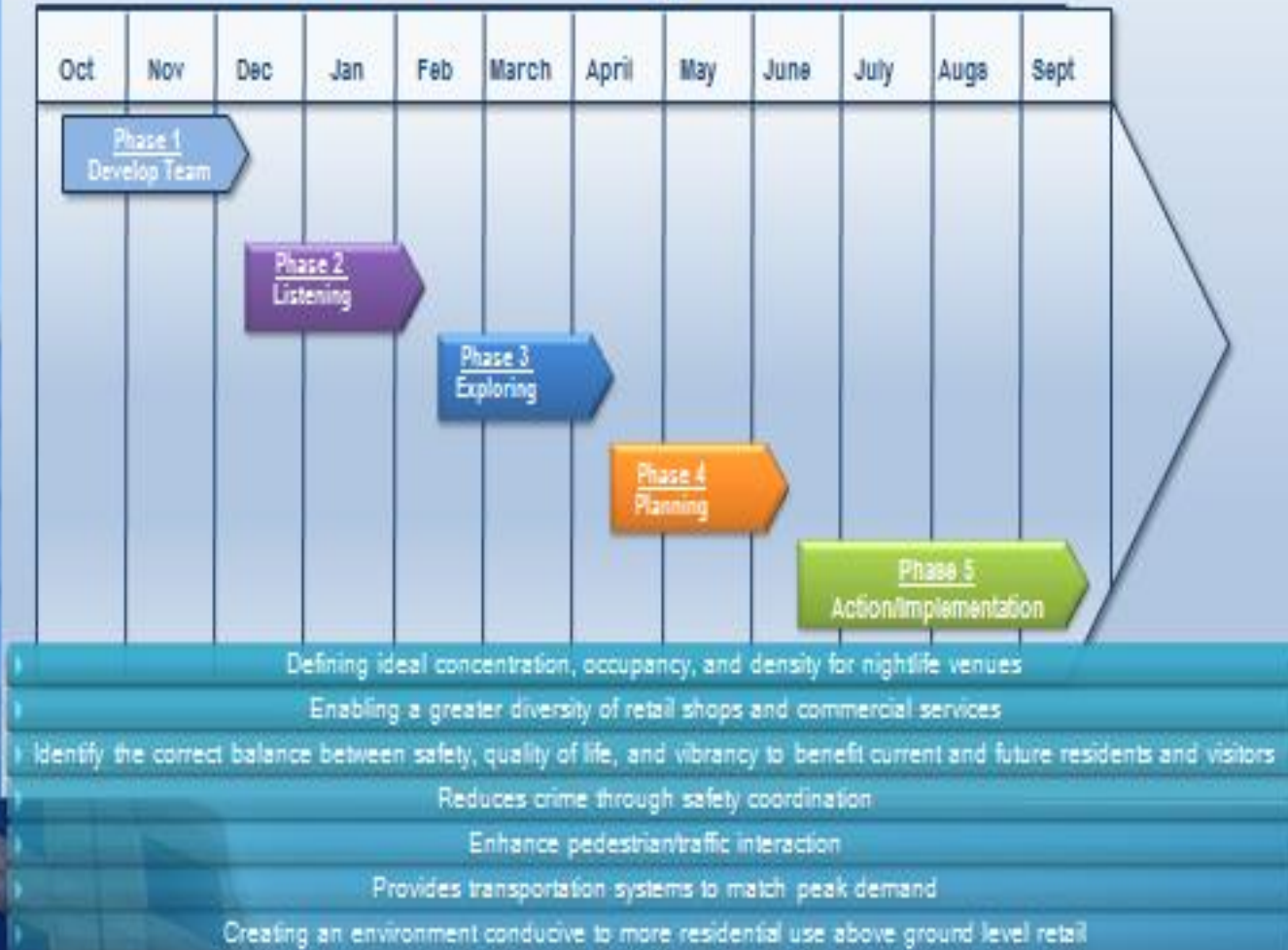
2. Responsible Hospitality Institute

The Responsible Hospitality Institute (RHI) is a private, non-profit organization founded in 1983 and is the leading source for events, resources and consultation services on nightlife. RHI assists communities to plan and manage hospitality zones through examining core elements that are critical to creating safe, vibrant and economically prosperous places to socialize. RHI utilizes an inclusive approach to unite diverse practitioners and city leaders through a common vision and collaborative partnerships. The unique expertise of RHI has guided hundreds of communities throughout the world.

The focus of the organization evolved from pioneering responsible beverage service for hospitality staff to a broader mission of assisting communities. RHI's plethora of research, resources and international connections enables the organization to facilitate positive change in communities worldwide.

CHARLESTON SOCIABLE CITY ASSESSMENT

October 2014 – September 2015



CHARLESTON SOCIABLE CITY ASSESSMENT PROCESS

Formation of the Late Night Activity Review Committee

OVERVIEW

On September 22, 2014, Charleston City Council passed a one-year moratorium on new bar operations serving past midnight in a district comprising part of King, Market and East Bay Streets. This decision also called for the creation of a Late Night Activity Review committee to study the situation and provide recommendations for City Council to study when considering ordinances and policies at the conclusion of the moratorium.

Since early November, this group, comprised of 21 appointees from both City Council and Mayor Riley, has met five times. They have created a structure for their work and a civil process for gathering and debating potential outcomes. Most importantly, the group has embraced a common greater purpose statement:

That Charleston remains a vibrant, relevant and forward-looking City.

The Committee's objective is to develop recommendations for ordinances, criteria, and standards that protect a thriving nightlife, the city's quality of life for neighborhoods and diverse businesses.

BACKGROUND

Downtown Charleston is at a defining moment in its history. Over the past century the ebb and flow of the Downtown's historic role as a commerce center of the region is similar to many cities. A historic core, once the center of retail, fell into decline with the growth of suburbs and regional shopping malls. Blight filled the empty storefronts and blocks. During the last twenty years the downtown core started to reemerge, experiencing a number of transition periods. The growth in tourism, port activities, and the technology sector has brought a burst of new office buildings and hotels.

Additionally, the evolution of more dining and entertainment venues in the Market and King Street corridors have been an important part of the City's ability to successfully sustain its economic position during the 2008 recession and recovery. This growth translated into a stronger economy in the downtown business district. The number of entertainment venues in the core increased significantly during this time. With the addition of more entertainment venues, tourist and young people travel from all over the Charleston region and the world to be a part of the Charleston nightlife.

CURRENT SITUATION

This growth in the nightlife industry has been positive for the City and is necessary for us to maintain our positive forward movement as a place where citizens of all ages want to live, work, study, and play. The committee's task is to ensure that this growth occurs in an efficient,

effective, and manageable manner, so the growth does not impact the quality of life for other members of the community and the overall reputation of the City.

There is significant discussion occurring around the country about how to best manage the natural tension that occurs between having a growing, energetic, and vibrant nightlife, which helps the cities sustain a thriving economy and the need to support and protect an exceptional quality of life. Those most successful are seeking to find solution by using a collaborative process which helps find the best options based on listening to stakeholders, and being creative. It is imperative that we examine all opportunities to develop and implement creative solutions that allow businesses to be profitable and those visiting the downtown areas to be part of a vibrant, entertaining experience. Just as important, we need for all city departments that are part of regulating, permitting, licensing, and enforcing laws and ordinances pertaining to the operation of nightlife establishments to fully engage in the process of building alliances, supporting business success and gaining compliance from nightlife businesses. This may involve changing current requirements and operational practices, as well as ensuring strict accountability from all who are part of this important effort.

GOING FORWARD

The following report provides the process used to involve the members of the Late Night Activity Review Committee. The group engaged national subject matter experts like Jim Peters, president to the Responsible Hospitality Institute, sought the feedback from concerned citizens and used city staff to conduct research. As a result the committee has crafted recommendations for City Council's thoughtful consideration.



City of Charleston

Joseph P. Riley, Jr.

Mayor

MEMORANDUM

TO: Late Night Activity Review Committee (see attached list)

FROM: Joseph P. Riley, Jr., Mayor 

DATE: October 23, 2014

RE: First Committee Meeting

Thank you for agreeing to serve on the Late Night Activity Review Committee. We all know we live in a world class city and that it is our duty and responsibility to make sure its success and livability continues. We face a very important issue in our community and have an opportunity to further strengthen King Street and its adjacent areas.

Frank McCann, an attorney with McCann Law Firm and Chairman of the City of Charleston Planning Commission, and Steve Palmer, managing partner of The Indigo Road, have agreed to serve as co-chairs of the committee. Our first meeting will be Friday, November 7th at 8am in the conference room of the Historic Charleston Foundation, 40 East Bay Street. I think the committee's goal would be that meetings should not last longer than two hours. At least for the first meeting, I will state that as a goal so you can plan your day accordingly.

City Council's action on any recommendations of the committee should be adopted before September 22, 2015 so our recommendations must be developed and discussed quickly. While that seems a long way off, there is a lot of work to do.

Thank you so much for your willingness to serve on this committee whose work will be so important to the future quality of life and success of our city.

JPR,jr/mp



*P.O. Box 632, Charleston, South Carolina, 29402
Tel.: 803.737.0100 Fax: 803.760.8100*

George Washington's Rules of Civility and Decent Behavior in Company and Conversation

- Every action done in company ought to be with some sign of respect to those that are present.
- Strive not with your superior in argument; always submit your argument with modesty.
- Mock not nor jest anything of importance; and if you deliver anything witty and pleasantly, abstain from laughing at yourself.
- Think before you speak, pronounce not imperfectly, nor bring your words too hastily, but orderly and distinctly.
- When another speaks, be attentive yourself and disturb not the audience. If any hesitate in his words, help him not nor prompt him; interrupt him not, nor answer him till his speech has ended.
- Whisper not in the company of others.
- Undertake not what you cannot perform and be careful to keep your promise.
- Labor to keep alive in your breast that little spark of celestial fire called conscience.

Late Night Activity Review Committee
Polarity Thinking Approach to Collaboration

Polarity Thinking is an approach to effectively manage polarizing issues; such was the situation with of Charleston’s Late Night activities. Polarity Thinking provides for an examination and discussion of complex issues in a manner that identifies the Positive Results on both sides of the coin and shows how each side can support the other when brought together through a common greater purpose.

Polarities and the concept of interdependency have existed since ancient times. Throughout history societies, and cities, have needed to find ways to provide for the collective “village” while meeting the needs of individuals.

In modern times, the business and organizational world uses “both-and” thinking as a supplement to traditional problem solving “either-or” in their complex systems. Other names may be *paradox*, *dilemmas* and *tensions*. Many resources for leadership, change management and organizational effectiveness support one or both of these messages:

- Highly effective leaders are effective in part because of their ability to manage the natural tension in polarities.
- High-performing organizations perform well because, in part, they have created systems and processes that help them manage polarities well.

Because two competing or opposing views are, in fact, interdependent, they require each other for sustainable success and neither is sufficient alone. Each view, while accurate, is incomplete without the other. Polarity thinking is about “both-and” and invites a move away from “you are wrong and I am right” thinking to “we are both right, although different.” This broader kind of thinking supplements our traditional

problem solving (either-or) thinking and acting where someone wins and someone loses.

Using the *Polarity Thinking* approach, on November 7, 2014, the Late Night Committee explored the tension between the needs of Nightlife Business, AND the needs of Neighborhoods and other Diverse (daytime) Business. Importantly, the committee agreed the greater purpose of the Committee was to find solutions supporting BOTH Positive Results to insure ***Charleston remains a vibrant, forward-looking city.***

For the city of Charleston, the Late Night Activity Review Committee has applied these same *Polarity Thinking* principles and methods for our community, a complex system to improve. This represents a ground-breaking depth of work in the field to support success in addressing complex issues facing local government.

Through small-group discussions, the following four questions were answered, with the responses forming the content of the four quadrants of the Polarity Map.

- *What are the Positive Results we get from a focus on Nightlife Businesses?*
- *What are the Positive Results we get from a focus on Diverse Businesses and Neighborhoods?*
- *What are the Negative Results we get if we over-focus on Nightlife Businesses to the neglect of Diverse Businesses and Neighborhoods?*
- *What are the Negative Results we get if we over-focus on Diverse Businesses and Neighborhoods to the neglect of Nightlife Businesses?*

The Committee's recommendations seek to get the Positive Results of both sides simultaneously as defined on their Polarity Map.

Remain a Vibrant, Relevant Forward-looking City

Positive Results of Nightlife Businesses:

1. Streets safe from violent crime at night because of late night business activity
2. Economic prosperity from hospitality investment
3. Serves as an amenity for residents/locals to enjoy
4. Freedom to redevelop and infill of historic area
5. Downtown draws a young person demographic
6. Hospitality tax revenues enable robust city services
7. Creates demand for nighttime public transportation svcs.
8. Attracts “hip” retail, food scene, hotels, car rentals and other purchasing
9. Attracts C of C students and money

Nightlife Businesses

Positive Results of Diverse Businesses & Neighborhoods:

1. Streets safe from alcohol-related criminal behavior
2. Economic prosperity from broad range of private investment
3. Urban growth, live where you work
4. Zoning guidelines support preservation and development of underutilized properties
5. Downtown supports a family demographic
6. Increased real estate values
7. Creates demand for daytime public transportation services
8. Wide variety of goods/services
9. Increase in tourism and visitor populations

Diverse Businesses & Neighborhoods

Negative Results - too much focus on Nightlife Businesses to the neglect of Diverse Businesses & Neighborhoods:

1. Streets unsafe from alcohol-related criminal behavior
2. Narrowed investor group interest
3. Poor livability, won't live close to work
4. Beware of single use zones, drives out other uses
5. Litter/noise, congestion discourage family occupancy
6. Decreased real estate values, market decline
7. Strains current public transportation services
8. Lack of entertainment diversity, bars only
9. Risk losing good reputation as a tourist and visitor destination

Negative Results – too much focus on Diverse Businesses & Neighborhoods to neglect of Nightlife Businesses:

1. Streets scary because empty at night
2. Neighborhoods impede economic development and revitalization
3. Need a place to celebrate
4. Impinge on property rights
5. Boring place avoided by young people
6. Services reduced from massive hospitality tax loss
7. Limited public transportation services
8. Nightlife loss has ripple effect on food scene, hotels, car rentals and other purchasing
9. Runs off CofC students; spending declines

Become a Deadened, Sidelined, Stagnant City

RESPONSIBLE HOSPITALITY INSTITUTE PRESENTATION

Jim Peters- January 14, 2015

- Providing sociable opportunity, particularly evening activities, is cited by Livability.com research as one of the top three reasons for a city's livability and economic development.
- The vision of establishing and maintaining a Sociable City is managing the balance of Vibrancy, Safety and Planning.
- Urban and suburban hospitality experiences are different. Urban hospitality seeks spontaneous, random, and emergent experiences.
- Social experiences and relationships drive hospitality zones and support the evolutionary process.
- Social spaces are defined by dining, socializing, entertainment or event experiences. Business models can move among these uses depending on licensing and permitting guidelines.
- Hospitality zones have four cycles-Emerging, Developing, Maturity and Decline. Each stage requires different focus on permitting, support services, community input and policing/compliance
- The vision for nurturing hospitality zones needs to embrace Planning for People, Enhancing Vibrancy and Insuring Safety.
- Nighttime activity zones have economic benefits for both daytime and nighttime economies. Trends are driven by: Different demographics groups, concentration of venues, development cycles, dwindling city resources, economic impact of on spending behavior, crime and gang activity and closing time crowds.
- In planning for people, Charleston may be at a tipping point and should consider changes in licensing, permitting and revised regulations
- Components of Sociable City development:
 - Transportation-mobility, parking, pedestrian safety, does availability match demand
 - Quality of Life-Balancing vibrancy and impact, waste management, sound management, social occupancy
 - Entertainment-private space use and branding, public space use like sidewalk and outdoor seating
 - Public Safety-safety response by police staffing, prevent and respond to crime.
 - Venue safety- address risk assessment, education and risk management plans.
- Charleston's challenges is to determine its nightlife economy needs in terms of
 - Policy
 - Practices
 - Policies
 - Planning

2015

Public Listening Sessions Report



Prepared by Nick Bowman and Desiree
Fragoso for the Late Night Activity Review
Committee
City of Charleston
February 25, 2015

Executive Summary

On February 11, 2015, the City of Charleston and the Late Night Activity Review Committee hosted a series of Public Listening Sessions at the Charleston County Public Library at 68 Calhoun Street. The three sessions, held at 10:00, 12:30, and 5:30, were attended by approximately 120 residents.

Residents offered their thoughts and suggestions regarding bars and nightlife in Charleston. Some saw the bars and nightlife as a problem, while others saw them as an asset.

Attendees were asked six questions: 1) “What concerns do you have that brought you to today’s meeting?” 2) “What opportunities do we see for the city if we focus on the needs of nightlife businesses?” 3) “What opportunities do we see for the city if we focus on the needs of other types of businesses and surrounding neighborhoods?” 4) “What problems do we see if we focus too much on nightlife businesses and ignore the needs of other types of businesses and surrounding neighborhoods?” 5) “What problems do we see if we focus too much on other types of businesses and surrounding neighborhoods and ignore the needs of nightlife businesses?” 6) “What ideas and suggestions do you have for the future?”

Residents’ comments were recorded on flip charts placed throughout the meeting room. This report is an attempt to quantify these comments by grouping them into themes in order to better understand citizens’ attitudes and thoughts.

The top concerns voiced by residents were, “interested in nightlife and hospitality,” “concerned citizen/resident,” “maintaining a diversity or balance of businesses,” and “here to listen/learn.”

According to attendees, the best opportunities offered by bars and nightlife were, “jobs, the economy, and taxes,” “greater variety/diversity of businesses,” “revitalization, growth, and development,” and “college recruitment, talent retention, or young people.”

The most prevalent opportunities offered by other types of businesses and surrounding neighborhoods were, “greater variety/diversity,” “improved quality of life,” “daytime activity,” and “jobs, economy, and taxes.”

According to residents, the biggest problems caused by focusing too much on bars and nightlife were, “crime, safety, and noise,” “quality of life suffers,” and “less diversity.”

The major problems caused by focusing too much on other types of business and surrounding neighborhoods were, “negative economic impact,” “decline in tourism or Charleston’s reputation as a culinary destination,” and “decreased ability to attract a young, talented workforce”.

Next, citizens were asked to offer their ideas for the future. This was their opportunity to offer suggestions related to bars, nightlife, and other related issues such as transportation. The most popular ideas for the future were, “soft bar closings,” “better public transportation,” “incentivize new late night businesses to open in other areas,” and to “restrict liquor licenses.”

Table 1. “Concerns” Response Themes

Interested in Nightlife/food and beverage/hospitality: 17
Concerned Citizens/Residents: 13
Maintaining or Creating Diversity/Balance: 12
Here to listen/learn: 12
Change, Growth, Development: 11
Transportation/Infrastructure/Parking/Zoning: 9
Midnight Moratorium/city policies: 8
Safety/Crime: 7
Work in nightlife/food and beverage: 7
Quality of life: 6
Free Market economy: 6
College of Charleston: 5
Transparency: 5
Share/provide info: 4
Location: 3
Miscellaneous: 18
Total: 143 responses

Table 2. “Opportunities From Focusing on Nightlife” Response Themes

Jobs/Economy/Taxes: 54
Greater Variety/Diversity of Businesses: 21
Revitalization/Growth/Development: 13
College recruitment/talent retention/young people: 13
National Recognition/Awards: 12
Quality of life: 8
History/arts/culture: 8
Police/Safety: 6
Miscellaneous: 19
Total: 154

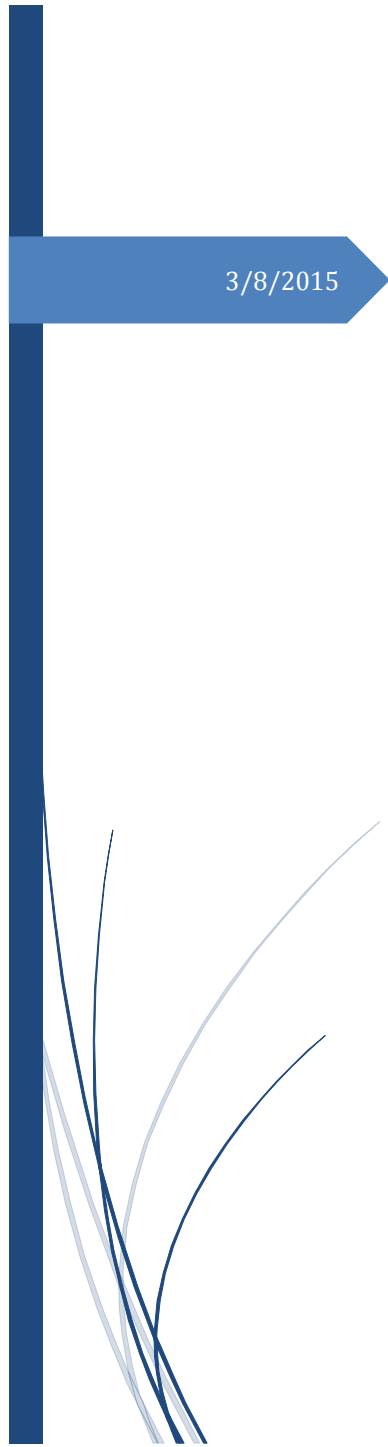
Table 3. “Opportunities From Focusing on Other Businesses and Surrounding Neighborhoods” Response Themes

Greater Variety/Diversity: 26
Improved quality of life: 25
Daytime activity: 11
Jobs/Economy/Taxes: 10
Safety/crime: 5
Miscellaneous: 15
Total: 92

Table 4. “Problems From Focusing Too Much on Nightlife and Neglecting Other Businesses and Surrounding Neighborhoods” Response Themes
Crime/safety/noise: 25
Quality of life suffers: 17
Less diversity: 15
Parking/transportation/sidewalks: 8
Lower property values/property damage: 8
Trash/cleanliness: 7
Hurt reputation: 6
Need more police/staff/resources: 6
Miscellaneous: 14
Total: 106

Table 5: “Problems From Focusing too much on other businesses” Response Themes
Negative Economic Impact: 22
Decline Tourism/Affect CHS reputation: 11
Education/Recruitment Young Workforce: 11
Quality of Life: 8
Safety & Crime: 7
Alienate F&B: 6
Overcrowding other businesses/Bar sprawl: 6
Diversity of Businesses: 4
Miscellaneous: 16
Total: 91

Table 6: “Ideas for the Future” Response Themes
1. Soft closings: 118
2. Better public transportation: 34
3. Incentivize new late night businesses to open in other areas: 30
4. Restrict liquor licenses, cap on C7 licenses per block or district: 27
5. Encourage and incentivize other types of businesses to open in the area: 23
6. More transportation options: 21
7. Review zoning ordinances: 21
8. Close traffic in Upper King, only foot traffic on certain days and times: 20
9. More police presence in Upper King & Neighborhood:- 20
10. Encourage diversity of food establishments after 12am, 24 hour: 19
11. More education to college students, engage colleges: 17
12. Extend / remove bar closing time: 15
13. Do nothing: 14
14. Enforce existing ordinances: 13
15. Require TIPS training for late night businesses: 10
16. Limit variances: 10
17. Miscellaneous: 52
Total: 464



Peer City Review Report

National Trends and Best Practices

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Introduction

On September 22, 2014, Charleston City Council passed a one-year moratorium on new bar operations serving past midnight in a district comprising parts of King Street and Market Street. The decision also called for a Late Night Activity Review Committee to study the situation and provide recommendations for City Council to study when considering ordinances and policies at the conclusion of the moratorium.

Since early November, this group, comprised of 21 appointees from both City Council members and Mayor Riley, has met four times. They have created a structure for their work and a civil process for gathering and debating potential outcomes and action steps. Most importantly, the group has embraced a common greater purpose statement: that Charleston remains a vibrant, relevant, and forward looking city. The Committee's objective is to develop ordinances, criteria, and standards that protect a thriving nightlife, the city's quality of life for neighborhoods, and diverse businesses.

One of the assignments for the Late Night Activity Review Committee is to examine national trends and best practices related to bars and nightlife. The following report explores current policies and regulations that some U.S. cities have adopted to address nightlife and quality of life. The following cities were studied: San Jose, California; Boston, Massachusetts; Columbia, Missouri; Austin, Texas; New Orleans, Louisiana; Springfield, Missouri; and Pittsburgh, Pennsylvania. These cities were selected by City of Charleston staff and members of the Late Night Activity Review Committee. The selection of these cities is not considered an endorsement of their policies, rather the cities were selected to gather examples from across the nations in cities large and small.

Our report looks at the elements that make for effective management of late night activities, including, alcohol licensing and permitting guidelines, city regulations that address vibrancy, planning and safety

and metrics used to make these licensing and permitting decisions. The metrics used by most cities to make decisions were not listed on their websites and were not readily available. For the next round of research, we will attempt to contact these cities to learn more about the processes that guide their licensing and permitting decisions.

San Jose, California

During the last twenty years, San Jose's (population 998,537) downtown core has emerged into a vibrant destination with a high concentration of dining and entertainment establishments. San Jose is the third largest city in California and the tenth largest city in the United States.

According to the San Jose Downtown Association, Downtown San Jose is home to 42 bars and night clubs.¹ Although patrons arrive gradually to the downtown district throughout the course of the evening, a common closing time of 2:00 a.m. results in a mass exodus of up to 12,000 people on the streets at the same time.²

Entertainment zone police officers worked overtime hours to monitor the district, respond to incidents, and ensure the safety of large crowds of late-night patrons as they exited the bars and restaurants. Given the limited supply of taxis, many patrons relied on personal automobiles to access and exit the district. With the last call for alcohol occurring 30 minutes prior to close of business, the risk of drunk driving was high.³

On March 15, 2007, the City of San Jose's Public Safety, Finance and Strategic Support Committee approved the Downtown Working Group's report containing proposals to improve the nightlife experience in downtown San Jose, including a pilot program to extend the hours of Downtown entertainment venues operating until 2:00 a.m. by one hour to 3:00 a.m.⁴

On June 19, 2007, the City Council approved an ordinance establishing a limited pilot program. The program was known as the Soft Closing Pilot Program and it allowed bars, nightclubs and restaurants located generally from San Pedro Street to 4th Street and from E. San Fernando Street to St. John Street to remain open until 3:00 a.m. for a period of 90 days. The City Manager was authorized to extend the Program another 90 days, if appropriate. The Program began on July 27, 2007, with the initial 90-day duration period ending on October 25, 2007. The City Manager extended the Pilot Program another 90 days to January 23, 2008, for a total Pilot Program period of 180 days.⁵

When the Program began, two performance measures were established to help monitor the Program's effectiveness. The first performance measure was the amount of calls for service. The second performance measure was the amount of police resources dedicated to providing public safety to the entertainment venues and their patrons during and immediately after the closing hours of operation. To get a better sense of whether the Program had an impact on calls for service or the amount of police resources dedicated to public safety, statistics needed to be studied for three different periods of time: the

¹ San Jose Downtown Association. "Night Life." <http://sjdowntown.com/go-play/night-life/>

² Responsible Hospitality Institute. "Staggered Closing Time Hours Piloted."

³ Ibid.

⁴ Debra Figone and Harry S. Mavrogenes. "Soft Closing Pilot Program Evaluation." April 11, 2008.

http://www3.sanjoseca.gov/clerk/Agenda/042908/042908_09.01f.pdf

⁵ Ibid.

same period of time for the year prior to implementation of the Program; the several months directly preceding implementation of the Program; and, the actual Program period.⁶

There were a total of 23 eligible establishments: 13 entertainment venues (5 of which served food), five dining establishments, and five dining establishments that were already allowed to stay open until 3:00 a.m. on select days. Eligible dining and entertainment businesses formed a “Hospitality and Nightlife Alliance,” which developed a voluntary code of conduct outlining new operational procedures to incorporate the extra hour of business. The operational procedures in this document were subsequently endorsed by city representatives, dining and entertainment establishments, and the police department.⁷

The owners, managers and security staff of participating businesses were required to attend a 10 hour security training program, which reviewed procedures to reduce over-consumption of alcohol, liabilities, recognition of fraudulent identification and the use of communication over force to resolve conflicts with customers.⁸

Following approximately seven to ten meetings assembling hospitality and safety stakeholders, implementation of the Soft Closing Pilot Program began August 2007. Eligible establishments were granted permission to operate until 3:00 a.m. Thursday to Sunday in addition to special event days that occurred between Monday and Wednesday.⁹

The level of participation of the venues varied during the duration of the Program. Of the 13 entertainment venues that agreed to participate in the Pilot Program, San Jose Police statistics show that only five venues participated on a semi-consistent basis. In contrast, the business owners claimed that eight venues participated during the entire study period.¹⁰

At the final conclusion of the pilot program, a facilitated debriefing was held between business owners, the Police Department, City and elected officials to discuss the outcomes of the Pilot Program.

Many participating venues reported the Program had a positive impact on their business or that they benefited from the Program. The Program allowed a staggered exit strategy for its patrons, which resulted in a change in customer demeanor and external perceptions, cleaner sidewalks and a safer environment for staff.¹¹

While the Program was not a revenue-generator for the participating businesses, the large majority of the participants considered the Program a worthy investment as it eased the exit from their venues, reduced tensions, and increased customer satisfaction.¹²

According to the Responsible Hospitality Institute, patrons were most likely to take advantage of the extended hour of business on Friday and Saturday nights. Mid-sized bars and nightclubs (about 200-400 occupancy), especially those that offered food service, had the most customers stay past 2:00 a.m. On

average, about half of the venues’ total clientele stayed past the previous closing time hour of 2:00 a.m., a number which gradually decreased as the hour progressed.¹³

According to the San Jose Police Department, their analysis reveals that the issues driving calls for service remained relatively constant. The mass exodus still occurred when the alcohol service was stopped and the post-club activity surrounding the nightclubs that required a police presence remained unchanged.¹⁴

The Police Department conducted a statistical analysis of crime rates in the general area of the participating venues following the termination of the Program. In reviewing the statistics, it appeared that police events/calls for service decreased over the last year and a half. This period of study includes the same 180-day period for the year directly preceding the year of actual Program implementation (July 2006 through January 2007), the 180 days directly preceding the actual Program period (January 2007 through July 26, 2007), and the 180 days of the actual Program period (July 27, 2007 through January 23, 2008), for a total analytical period of 540 days.¹⁵

In the two police beats that contain the Pilot Program area, there were 1,952 events in the same 180 day period in 2006-2007; 1,653 events in the 180 days directly preceding the study period; and 1,650 events during the actual Program period (a 15% decline). For a more in-depth report of the statistics gathered please refer to the [appendix](#). However, given the limited participation of the venues, no clear conclusions can be drawn from a statistical analysis.¹⁶

The San Jose City Council originally allocated \$150,000 to fund the police expenses associated with the Program. The Police Department spent approximately \$43,000 in overtime to staff the additional hour during the study period. The police overtime to manage the program included 7,588 hours in the 180 days directly preceding the study period and 8,664 hours during the study period—an increase of 1,076 hours.¹⁷

Further, the Police Department attributed the decrease in police events during the study period to several factors, including: active enforcement of the curfew ordinance for minors, focus on public nuisance laws, closer regulation of nightlife venues, police patrols in the garages, increased parking fees in certain garages and diversion of traffic to address the Downtown vehicle cruise. By eliminating the cruising, traffic gridlock was eliminated and patrons could get to their cars and immediately leave the downtown area – greatly relieving tensions that were exacerbated by having people waiting in their cars in stopped traffic.¹⁸

Because of the mixed results of the Soft Closing Pilot Program, the City of San Jose now only allows some bars and restaurants on a case-by-case basis to apply for a conditional use permit which allows them to stay open until 3:00 a.m., serving food, but not alcohol.^{19,20}

⁶ Ibid.

⁷ Responsible Hospitality Institute. “Staggered Closing Time Hours Piloted.”

⁸ Responsible Hospitality Institute. “Staggered Closing Time Hours Piloted.”

⁹ Ibid.

¹⁰ Debra Figone and Harry S. Mavrogenes. “Soft Closing Pilot Program Evaluation.” April 11, 2008.

http://www3.sanjoseca.gov/clerk/Agenda/042908/042908_09.01f.pdf

¹¹ Ibid.

¹² Ibid.

¹³ Responsible Hospitality Institute. “Staggered Closing Time Hours Piloted.”

¹⁴ Debra Figone and Harry S. Mavrogenes. “Soft Closing Pilot Program Evaluation.”

¹⁵ Debra Figone and Harry S. Mavrogenes. “Soft Closing Pilot Program Evaluation.”

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ City of San Jose. “Staff Report Planning Commission.”

<http://www.sanjoseca.gov/documentcenter/view/29829>

²⁰ City of San Jose. “Planned Development Permit.” <http://www.sanjoseca.gov/documentcenter/view/23853>

Boston, Massachusetts

According to a report by the City of Boston outlining the Mayor's 101 first days, Mayor Marty Walsh is "committed to fostering a safe and vibrant late-night culture in order to ensure that Boston remains a world-class city that can attract and retain businesses, visitors, students and residents".²¹ As part of his commitment, on March 2014, the Mayor put together a "Late Night Task Force" made up of 24 members to explore the impact of extending the hours of bars and restaurants and the feasibility of keeping Boston's nightlife open later. They are also tasked with investigating and implementing other ways of keeping Boston open later than 2:00 a.m. The task force is made up of local business leaders, students, law enforcement, restaurant and bar owners, and community leaders.

The Mayor also approved a late night pilot program for food trucks; allowing them to stay open until midnight in three designated downtown areas. Last March, the Massachusetts Bay Transportation Authority (MBTA) launched a one-year pilot program to extend the late night subway and bus service on 15 routes running until 3:00am on Friday and Saturday nights. The pilot program has been extended for three months, until June 19, 2015; in order to give transit officials more time to decide whether to provide long term funding to continue the late night MBTA service.²² According to MassDOT, a little over one million late night trips have been made since the pilot program was launched.²³

Current Massachusetts's law provides that any establishment that serves alcoholic beverages must stop the sale of alcohol at 2:00 a.m. during the week and 1:00 a.m. on Sundays. Although the Mayor has suggested keeping Boston's nightlife as late as 4:00 a.m., it's still unclear how late.

The City of Boston and the Late Night Task Force has teamed up with The Harvard Kennedy School (HKS) in the research efforts. The HKS has been tracking data from other cities that have supported nightlife. Data and methods include: how other cities have expanded late night activities, surveyed young people, mapped liquor license and crime statistics, street lights and where young adults live. The City is also using ridership numbers from the MBTA late night service. The City of Boston has not yet released any documents or data related to the Mayor's agenda to extend liquor service hours, or to the Late Night Task Force.

Under the Liquor Control Act in Massachusetts General Law, Chapter 138, local licensing authorities may grant three classifications of retail licenses: Licenses under Section 12, referred to as "Pouring Licenses" (e.g. restaurants, hotels, clubs, taverns); licenses under Section 14, referred to as "One-Day Licenses" and licenses under Section 15, referred to as "Package Store Licenses" which can be used in several types of businesses.²⁴ The law also addresses the quota system for cities and towns and the City of Boston.

Massachusetts General Law, Chapter 138, Section 17 places restrictions on the number of on-premises (Section 12) and off-premises (Section 15) licenses a city or town can issue. The quota is based on the

²¹ City of Boston, Massachusetts. "Mayor Walsh's First 101 Days." http://www.cityofboston.gov/images_documents/2014%20101%20days%28press%20release%29_v7_tcm-3-44474.pdf

²² Nate Boroyan. "Late Night T-Service Has Been Extended Until June." BostInno. <http://bostinno.streetwise.co/2015/02/05/mbta-late-night-service-extended-to-june-19-2015/>

²³ Massachusetts Department of Transportation. "Next Steps Announced for MBTA Late Night Pilot Program". <http://www.massdot.state.ma.us/transit/main/tabid/1079/ctl/detail/mid/980/itemid/528/Next-Steps-Announced-for-MBTA-Late-Night-Pilot-Program.aspx>

²⁴ The Commonwealth of Massachusetts General Laws. Chapter 138. <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter138>

municipality's population, and the population used for establishing this quota must be the population listed in the most recent federal census.

The City of Boston Licensing Board can grant up to 692 licenses for the sale of all alcoholic beverages under section 12. The board can also grant 250 licenses for the sale of all alcoholic beverages under section 15. The number of licenses for the sale of wine and beer should not exceed 320. The transfer of existing licenses is subject to a public hearing in the neighborhood where the license is to be relocated.

The City of Boston Licensing Board can also grant 25 additional licenses for the sale of all alcoholic beverages to be consumed on premises and up to 30 additional licenses for the sale of beer and wine to be consumed on premises. Five of the 25 additional licenses shall be granted to inn holders properly licensed. Ten of the additional licenses shall be given to existing licensees of wine and beer under section 12. The remaining ten licenses and the 30 beer and wine licenses shall be granted in areas designated by the Boston Redevelopment Authority as main street districts, urban renewal areas, empowerment zones, or municipal harbor plan areas. These additional licenses are nontransferable. The number of licenses granted will not decrease due to loss of population.

At the end of last year, the state legislature approved a comprehensive economic development bill that created a total of 75 new liquor licenses for bars and restaurants in the next three years and returns local control over the licensing board to the City.²⁵ The new licenses will be restricted to areas currently underserved by bars and restaurants and will not be transferrable outside the designated areas.

Columbia, Missouri

The City of Columbia, Missouri has seen rapid economic growth in the last ten years. According to the 2010 census, population grew 29% from 2000 to 2010 and approximately 30% of the population are college students. The downtown area referred to as "The District" is home to three colleges: the University of Missouri, Stephens College, and Columbia College.

Missouri law states that all restaurant and bars must close and stop the sale of alcohol at 1:30 a.m. Monday-Saturday and 12:30 a.m. on Sundays.²⁶ State law also requires all establishments that sell alcohol to lock and secure alcohol at 1:30 a.m. and 12:30 a.m. on Sundays. In accordance, Columbia City ordinance states that any establishment with a liquor license must stop serving alcohol and close at 1:30 a.m.²⁷

In 2013, the Missouri Student Association submitted to the Mayor of Columbia and City Council a proposal to consider 'soft closings'; where bars and other establishments that serve alcohol would be allowed to stay open an hour later after they stop serving alcohol.²⁸ The idea behind the 'soft closing' proposal was to allow more time for people to sober up, and reduce overcrowding outside bars and in

²⁵ Editorial. "New liquor licenses raise hopes of restaurant driven revival." The Boston Globe. <http://www.bostonglobe.com/opinion/editorials/2014/08/26/new-boston-liquor-licenses-raise-hopes-restaurant-driven-revival/20r50mSTTa8BU7BqWdaP6K/story.html>

²⁶ Missouri Statutes, Index 22, Chapter 311. <http://www.moga.mo.gov/mostatutes/ChaptersIndex/chaptIndex311.html>

²⁷ City of Columbia Municipal Code. Chapter 4, Section 29. https://www.municode.com/library/mo/columbia/codes/code_of_ordinances?nodeId=PTIICOOR_CH4ALBE

²⁸ Jacob Barker. "Columbia bars weigh in on 'soft closing' plan." Columbia Daily Tribune. http://www.columbiatribune.com/news/local/columbia-bars-weigh-in-on-soft-closing-plan/article_6d583802-eb80-11e2-bc1a-10604b9ffe60.html

sidewalks. At the request of the Mayor of Columbia, The Downtown Community Improvement District, an independent non-profit organization whose mission is to promote Columbia's downtown district and increase its economic vitality, conducted a survey to downtown bar owners about the proposal and found mixed responses. Out of the 48 bar owners surveyed, 37 responded that it would help prevent crowding outside the bar, yet, 36 of them also said that the biggest challenge would be keeping the staff working longer.

The City did not move forward with the 'soft closings' proposal because it found that bar and restaurant owners did not fully support the proposal due to the challenges presented by the state law. A later closing time would present additional costs to bars and restaurants due to the statewide law that requires them to lock and keep all alcohol out of sight at 1:30am, whereas closing their establishments at the same time as the sale of alcohol stopped did not present this challenge.

The City of Columbia approved an ordinance (Chapter 14, Section 295) to designate five taxi stands in the downtown area to improve safety and reduce congestion.²⁹ The designated taxi stands zones operate every night of the week from 9:00 p.m. until 2:30 a.m.

Austin, Texas

The City of Austin, Texas is one of the fastest growing cities in the U.S. The University of Texas, located in Austin, is well known for its computer science programs, and the area is attracting many tech companies who are looking for young talent. The "Sixth Street" area in Downtown is Austin's vibrant entertainment district. The 6th district is composed of seven blocks lined with many historical houses and commercial buildings that house many restaurants, bars, galleries, cafes, and live entertainment venues.

According to Texas Alcoholic Beverage Code, late night establishments are required to have a "Mixed Beverage Late Hours Permit" in order to sell beverages from 1:00 a.m. to 2:00 a.m. on Sunday and from midnight until 2:00 a.m. on any other day of the week.³⁰ Liquor licenses are awarded and regulated by the Texas Alcohol and Beverage Commission.

In an effort to address vibrancy, safety and planning in the City of Austin, Austin City Council created two Public Improvement Districts (PID): Downtown Austin PID and East Sixth Street PID.³¹ These two Public Improvement Districts were created at the request of downtown property owners to provide funding for quality of life improvements and planning and marketing of Downtown Austin. Property owners from both districts agreed to pay an additional tax on their property to finance improvements in the PID. Properties in the Downtown Austin PID are assessed an additional \$.10 per \$100 in assessed value and properties in the East Sixth Street PID are assessed at \$.19 per \$100 in assessed value.

The City of Austin contracts with the Downtown Austin Alliance to manage the Downtown Austin PID. The Downtown Austin Alliance is a "partnership of downtown property owners, individuals and businesses devoted to preserving and enhancing the value and vitality of downtown Austin."³² This

²⁹ City of Columbia Municipal Code, Chapter 14, Section 295.

https://www.municode.com/library/mo/columbia/codes/code_of_ordinances?nodeId=PTIICOOR_CH14MOVETR_ARTVSTSTPA_DIV1GE_S14-295TASTDE

³⁰ Texas Alcoholic Beverage Code, Chapter 29, Section 1.

<https://www.tabc.state.tx.us/laws/code/81st/AllTitles.pdf>

³¹ City of Austin. Austin Downtown Public Improvement District (PID).

<http://www.austintexas.gov/department/downtown-public-improvement-districts>

³² Downtown Austin Alliance. <http://www.downtownaustin.com/>

organization works with community organizations, business owners and government officials to advance their collective vision for downtown Austin.

The Sixth Street East Austin is a non-profit organization, composed of property and business owners in the historic 6th Street corridor, which manages the East Sixth Street PID. The mission of the Sixth Street East Austin is to "advocate for the preservation and enhancement of the district's unique historic character, create a vibrant mixed use district so that locals and visitors alike will utilize its diverse offerings, and to make Sixth Street an important economic and cultural asset to the community for today and future generations."³³

The Sixth District is the heart of downtown with a variety of retail, entertainment, restaurant and late night establishments. The seven-block entertainment district is normally a pedestrian only street on the weekends, blocking car traffic to facilitate a high-quality, safe pedestrian environment for residents and visitors. There is no City ordinance that regulates street closures in the Sixth Street entertainment district; it is up to Austin police officers' discretion to determine when to close the streets depending on the number of people in the area.

In order to address the exponential growth of businesses and entertainment venues in the downtown area and to help make downtown more economically vibrant, livable and walkable, in 2011 the City of Austin adopted the "Downtown Austin Plan", a detailed action plan with 100 recommendations to prepare the City for long-term growth.³⁴ The focus of this plan is to create a livable and sustainable economic environment for all and support a vibrant and safe day and nighttime environment.

New Orleans, Louisiana

New Orleans, Louisiana (population 343,829) is known for its rich cultural heritage, Mardi Gras, numerous bars, beautiful scenery, and lenient liquor laws. However, in recent years, the City and neighborhood associations have been trying to reign in some of the City's more permissive policies.

There are no legally mandated closing times for bar, leaving some bars to operate 24 hours a day. You only have to be 18 years of age to enter a bar in New Orleans. Most bars enforce an "18 to enter, 21 to drink" policy.

The city is also known for its numerous drive-through daiquiri stands. At these stands, it is legal to buy a daiquiri and have it in your car, unless you put a straw in the cup, at which point the beverage is considered an open alcoholic beverage and is covered by open container laws.

Also notable are the city's "go cup" laws, which allow bar patrons to take a plastic cup containing an alcoholic beverage "to go" and walk with this container. However, "go cups" are starting to be regulated by New Orleans City Council and Good Neighbor Agreements. In 2007, the city's Freret Street dining district was zoned as an Arts and Cultural Overlay district, which banned "go cups" in all establishments in the district.³⁵

³³ Sixth Street Austin. <http://6thstreetaustin.blogspot.com/>

³⁴ City of Austin. "The Downtown Plan: Vision, Inspiration, Action."

<http://www.austintexas.gov/page/downtown-austin-plan>

³⁵ City of New Orleans Municipal Code, Sec 10.14.

https://www.municode.com/library/la/new_orleans/codes/zoning?searchRequest=%7B%22searchText%22:%22ferret%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemmi

Rene Louapre, an attorney who at one time represented bar and restaurant owners, says that the city is trying to limit “go cups.” He said that, in his experience, most new bars are prohibited from using them and even older bars that neglect to renew their permits on time or commit some other infraction may lose their go-cup privileges.

“If I had to guess, its neighborhood groups that don’t want litter,” Louapre told The Times-Picayune.³⁶

Bars, restaurants, and nightclubs are also entering into Good Neighbor Agreements with neighborhood associations. These are agreements between business owners and residents that are legally recognized by the City. The requirements of a Good Neighbor Agreement differ by project, but some of the common requirements are that the business will keep the sidewalk area in front of their establishment free of litter and that no music will be audible from outside of the establishment.

The Garden District Association has been a major proponent of Good Neighbor Agreements. More information on these agreements is available on their website.³⁷

The City also has a strict noise ordinance which sets the maximum allowed decibel levels for different use types and for daytime vs. nighttime use. The maximum decibels allowed are noted as Lmax dBA in the table below. The entire table is available on the City of New Orleans’s website.³⁸

Table 1. Acceptable Sound Levels by Decibels in the City of New Orleans

SOUND LEVELS BY RECEIVING LAND USE

Receiving Land Use Category	Time	Sound Level Limit	
		L ₁₀ dBA	L _{max} dBA
Resident, public space	7:00 a.m.—10:00 p.m.	60	70
	10:00 p.m.— 7:00 a.m.	55	60
Two-family or multiple-family dwelling (intra dwelling)	7:00 a.m.—10:00 p.m.	50	60
	10:00 p.m.— 7:00 a.m.	45	55
Business and commercial	7:00 a.m.—10:00 p.m.	65	75
	10:00 p.m.— 7:00 a.m.	60	65
Industrial	At all times	75	85
SHD/VCE districts	At all times	10 decibels above the ambient noise level or 60 decibels, whichever is higher.	
SHD/VCR	7:00 a.m.—10:00 p.m.	*75	*80
	10:00 p.m.— 7:00 a.m.	*55	*60

[ng%22:true.%22fuzzy%22:false.%22synonym%22:false.%22contentTypes%22:%5B%22CODES%22%5D.%22productIds%22:%5B%5D%7D&nodeId=ART100VZODIMIZODIPLDEDIDEREDI_S10.14FRSTACARCUOVDI](http://www.nola.com/dining/index.ssf/2013/08/go-cups-are-no-longer-a-given.html)

³⁶ Doug MacCash. “Go-cups are no longer a given at New Orleans bars or restaurants.” The Times Picayune. <http://www.nola.com/dining/index.ssf/2013/08/go-cups-are-no-longer-a-given.html>

³⁷ Garden District Association. <http://gardendistrictassociation.com/resource-center/good-neighbor-agreements>

³⁸ City of New Orleans Municipal Code. Sec 66-202. <https://www.municode.com/library/la/new-orleans/codes/code-of-ordinances?nodeId=PTIICO.CH66EN.ARTIVNO.DIV3RE.S66-201NOME>

Springfield, Missouri

Springfield, Missouri (population 159,498) has worked with the Responsible Hospitality Institute and local groups to promote and manage a vibrant nightlife experience for residents and visitors.

In 2004, Springfield-Greene County adopted their Vision 20/20 Plan. The Plan created a community vision statement: “Springfield-Greene County will be a community in which people can learn, work, and play in safety and comfort. We want to be a vibrant community that presents an opportunity for everyone to achieve their full potential. This plan’s central purpose is a high quality of life for all the people in the community.”³⁹

The Vision 20/20 Plan also outlined a plan to revitalize Springfield’s Center City district, which consists of four separate districts: Downtown, Commercial Street, Walnut Street, and Government Plaza/Central Street Corridor.

The City of Springfield directed the Planning Department to focus revitalization efforts on the Commercial Street District. The Planning Department began revitalization discussion with City Management, the Police Department, the Commercial Club organization, business owners, and community leaders.⁴⁰

³⁹ City of Springfield. “Vision 20/20: The Future is Now.” <http://www.springfieldmo.gov/1938/Vision-2020-The-Future-is-Now>

⁴⁰ “Using Zoning to Manage Hospitality Zone Impacts.” Responsible Hospitality Institute.

The City worked with consultants from Progressive Urban Management to create a vision for the district: a unique and creative multi-use area that offers live music, restaurants, office space, and retail space and provides safety and quality of life for the neighborhood and neighboring residents.⁴¹

The City was unsure whether or not there was sufficient demand for more entertainment businesses. In April 2005, City staff and volunteers performed an informal survey to gauge weekly attendance at existing entertainment businesses. They found that 5,000 customers patronized the City's 31 venues every week.

The City also worked with the Springfield Business and Development Corporation to gather data on customers' spending habits. They discovered that in an 80-mile radius, including Springfield and the surrounding areas, customers aged 20 to 59 spent over \$260 million on bars, nightlife, and entertainment annually. Because of this data, the City thought that revitalization efforts would be worthwhile.⁴²

The City also asked the Responsible Hospitality Institute to conduct a Hospitality Leadership Summit, which would provide recommendations to the City on the best way to revitalize the Commercial Street District. The Responsible Hospitality Institute said that greater entertainment options would provide an economic stimulus.⁴³

The Responsible Hospitality Institute also recommended forming a local group to develop best practices for the district. The Hospitality Resource Panel was formed to develop these best practices and to facilitate ongoing discussion between the City, businesses, and residents. Participation in the Hospitality Resource Panel and adherence to best practices is voluntary for some businesses and required for others depending on the location and zoning code. These best practices were compiled in the Good Neighbor Handbook. Some of the recommendations include: "Maintain a no tolerance policy for the consumption of alcohol by underage patrons," "not allow entrance to visibly intoxicated persons," and "Ensure that all outside lighting related to business be in proper working order and replace bulbs every time there is a burn out."⁴⁴ A full list of these best practices can be found in the [appendix](#).

The Hospitality Resource Panel helped the City and businesses address another challenge. A barrier to densifying the district was discovered in liquor licensing laws. Liquor establishments were required to maintain 200 feet from each other and schools and churches. The City, using the Hospitality Resource Panel for input, explored reducing the distance requirement. The outcome was an ordinance that reduced or eliminated distance requirements in exchange for stringent control on potential impacts. The ordinance mandates that licensees must adhere to the best practices and Good Neighbor Handbook developed by the Hospitality Resource Panel.⁴⁵

In February 2006, the Commercial Street Historic District Strategy for Success was adopted by City Council. The document outlines the vision, and recommendations for management, transportation and funding for the Commercial Street Historic District renovation. The strategy determined that the district would need \$125k annually for management and that property, sales tax, and special events could adequately cover those needs.⁴⁶ A key management element was a staff person to facilitate the

⁴¹ Ibid,

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Hospitality Resource Panel. "Good Neighbor Handbook." <http://www.itsalldowntown.com/resource/good-neighbor-handbook/>

⁴⁵ "Using Zoning to Manage Hospitality Zone Impacts." Responsible Hospitality Institute.

⁴⁶City of Springfield. "Commercial Street Historic District Strategy for Success."

<http://www.itsalldowntown.com/wp-content/uploads/2012/05/Strategy-08-07.pdf>

implementation of the program. That person was hired in August 2006 and operates through the Urban Districts Alliance⁴⁷-- an umbrella Center City organization that provides district management to Downtown and Walnut Street Districts, as well as Commercial Street's.

Pittsburgh, Pennsylvania

Pittsburgh, Pennsylvania (population 305,841) has also used some innovative strategies to manage their bars and nightlife establishments. Over 1,600 technology firms have offices in Pittsburgh, including Google, Uber, Intel, IBM, and Bosch. Pittsburgh is known as the "Steel City" for its more than 300 steel-related businesses.

Pittsburgh's Nuisance Bar Task Force was formed in 1986 to address problem bars in the city. The Nuisance Bar Task Force (NBTF) is comprised of representatives from: The Pittsburgh Bureau of Police and Fire, The City of Pittsburgh Bureau of Building Inspection, Allegheny County District Attorney's Office, Allegheny County Health Department, Pennsylvania State Liquor Control Board, Pennsylvania State Police Liquor Control Enforcement, and Concerned Citizens of The City of Pittsburgh. The NBTF meets every other month to review incoming complaints and to make changes to the current Nuisance Bar list.⁴⁸

The primary goal of the NBTF is to address a chronic problem experienced in many Pittsburgh neighborhoods: bars that are havens for illicit activities such as drug sales, homicides, shootings, assaults, prostitution, gambling, underage drinking, loud noise, vandalism, open lewdness, etc.⁴⁹

The Task Force seeks to bring troubled bars into compliance with the Liquor board, building, health, and fire codes of the City of Pittsburgh and the State of Pennsylvania. If all corrective efforts fail and the bar remains a Nuisance, the NBTF will seek to have the bar closed and declared a public nuisance under Act 611 of the Pennsylvania State liquor Code, Title 47.⁵⁰

The Nuisance Bar Task Force, through the Pittsburgh Bureau of Police Narcotics / Vice Office, compiles incident reports, arrests and complaints from all sources. When enough evidence is gathered to prove the bar is a public nuisance, the Allegheny County District Attorney's Office is contacted to prepare litigation to have the bar closed. If successful, the bar is closed and padlocked for a period of one year.⁵¹

The city has also attempted to minimize the number of businesses that serve alcohol by placing a cap on the number of liquor licenses. In 2007, the Pittsburgh City Council passed an ordinance that limited the number of liquor licenses that could be used in a business district of more than two million square feet to one license per 50,000 total square feet in the district. However, this ordinance was overturned by an Allegheny County judge who said that the ordinance infringes on the authority of the Pennsylvania Liquor Control Board.⁵²

⁴⁷ "Using Zoning to Manage Hospitality Zone Impacts." Responsible Hospitality Institute.

⁴⁸ City of Pittsburgh. "Nuisance Bar Task Force." <http://www.pittsburghpa.gov/police/nuisance-bar-task-force-home>

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Tim Schooley. "City of Pittsburgh appeals alcohol license ruling." Pittsburgh Business Times.

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Conclusion

This report explores current policies and regulations that some U.S. cities have adopted to address nightlife and quality of life. The following cities were studied: San Jose, California; Boston, Massachusetts; Columbia, Missouri; Austin, Texas; New Orleans, Louisiana; Springfield, Missouri; and Pittsburgh, Pennsylvania. These cities were selected by City of Charleston staff and members of the Late Night Activity Review Committee.

This report looks at the elements that make for effective management of late night activities, including, alcohol licensing and permitting guidelines, city regulations that address vibrancy, planning and safety and metrics used to make these licensing and permitting decisions. The metrics used by most cities were not listed on their websites. For the next round of research, we will attempt to contact these cities to learn more about the processes that guide their licensing and permitting decisions.

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Appendix

Springfield, Missouri Hospitality Resource Panel: Hospitality Best Practices

Source: Hospitality Resource Panel. "Good Neighbor Handbook."
<http://www.itsalldowntown.com/resource/good-neighbor-handbook/>

Hospitality Best Practices

Hospitality Resource Panel (HRP) partner establishments have voluntarily agreed to the following Best Practices –

Underage Patrons

- Maintain a no tolerance policy for the consumption of alcohol by underage patrons.
- Clearly mark all persons over the age of 21 with armbands (in establishments with an entertainment permit allowing 18-20 year olds).
- Only sell to or permit the consumption of alcohol by persons properly marked (or identified as over 21 years of age).

Training

- Complete training approved by the Community Partnership of the Ozarks, State of Missouri Division of Alcohol and Tobacco Control, City of Springfield, or a similar organization approved by the Hospitality Resource Panel (HRP) for topics including, but not limited to, identifying intoxication levels, monitoring identification cards of all patrons, and maintaining proper safety and security practices within 30 days of employment. If the initial training consists of the "Pathways to Selling Alcohol" training kit, the employee must also attend a retailer training facilitated by the Community Partnership, Alcohol and Tobacco Control or an agency approved by the HRP within three months.

Safety and Security

- Maintain a minimum of one dedicated security staff per 75 patrons in the establishment when minors are permitted entry.
- Not allow entrance to visibly intoxicated patrons.
- Confiscate all false identification cards or licenses and them to the Greene County Prosecutor's Office (or an agency designated by the HRP).
- Post a sign outlining the consequences of the consumption of alcohol by minors (the design of the sign – language, size, color, and placement to be specified by the Community Partnership, State of Missouri Division of Alcohol and Tobacco Control, the City of Springfield or an agency designated by the HRP).
- Communicate regularly with local law enforcement and allow admittance to all law enforcement personnel during normal business hours.
- Inform local law enforcement of any suspicious activity.
- Maintain a no tolerance policy for fighting and abusive language.
- Require all doormen be given a policy manual and an acknowledgement form with agreement to follow the Best Practices of the establishment and the HRP.

Overservice

- Identify at-risk patrons.¹⁷
- Talk to patrons at the door and at the bar to see if they are intoxicated.
- Have the patron pull out their identification to check their dexterity.
- Make sure all staff members are communicating with each other.

- Communicate problem patrons with the surrounding bars.
- Monitor the amount of time between rounds of drinks.
- Be consistent with pouring liquor.
- Have a drink limit.
- Cut people off.
- Have water, non-alcohol drink menu, and food easily accessible.
- Recruit the friends of the intoxicated patrons to aid in caring for patron.
- Constantly remove empty bottles and glasses from the table.

Transportation

- Promote the use of designated drivers and alternative forms of transportation (taxi cabs, shuttles, Bear TRACS, Night Riders, etc.).

Facilities

- Ensure that all outside lighting related to business be in proper working order and replace bulbs every time there is a burn out.
- Maintain trash outside of business at end of business day and remove outdated, ripped, or faded posters.

Participation in Hospitality Meetings

- Attend four hospitality meetings per year.
- Establish a hospitality card for four members of each liquor establishment to receive free cover and/or soft drinks to any location (including Pub Crawls).
- Work with other bar owners to develop a hospitality economic impact summary (including, but not limited to, the number of employees, number of patrons, sales tax revenues, etc.) demonstrating the importance of hospitality to the economy.

San Jose Police Department Soft Closing Pilot Program Analysis

Source: Debra Figone and Harry S. Mavrogenes. "Soft Closing Pilot Program Evaluation." April 11, 2008. http://www3.sanjoseca.gov/clerk/Agenda/042908/042908_09.01f.pdf

March 7, 2008

San Jose Police Department Statistical Data

The Police Department used several variables to analyze the police events and police overtime during the study period. The study looked at data from Friday, Saturday and Sunday mornings from midnight to 4:00 a.m. (thus giving data resulting from Thursday, Friday and Saturday evenings turning into early morning hours of the next day). The study reviewed all police events, including calls for service and self-initiated Activity. The study location was all of the Edward District (the police district that encompasses the entertainment zone).

Thirteen Clubs and five restaurants were identified by the Downtown Association as willing to participate at the beginning of the study, they were:

Entertainment Venues

1. Fahrenheit Ultra Lounge and Restaurant (food service) *
2. JohnnyV's
3. Lido

4. Mac's Club
5. Mission Ale House (food service)
6. San Jose Bar & Grill (food service)
7. Splash Bar and Grill (food service) *
8. Temple
9. The Vault *
10. Toons
11. Tres Gringos Baja Cantina (food service) *
12. Voodoo Lounge
13. Vivid *

Eating Establishments

1. Angelou's Cafe & Bistro
2. Azucar! Latin Bistro & Mojito Bar
3. Ben's Chinese Fast Food
4. Mexico Bakery
5. MyBurger

*Participating venues

Four time periods were analyzed:

1. Time Period One - was a baseline data set. This was from August 2, 2006, to August 2, 2007.

- a. The baseline for police events was 2,548 events
 - i. There were 5097 police events during the 52 week period.
 - ii. $5,097/52 = 98$ calls per week and 26 weeks = 180 days
 111. 98 (calls per week) X 26 (weeks) = 2,548 police calls
- b. The baseline number of police overtime hours was 8,216 hours
 - i. There were 16,455 overtime hours during the 52 week period
 - ii. $16,455/52 = 316$ overtime hours and 26 weeks = 180 days
 111. 316 (overtime hours per week) X 26 (weeks) = 8,216 overtime hours
- c. The highest hour for police events was 1:00 to 1:59 a.m.
- d. When controlling by using just Beats E2 & E3, there were 1,811 police events
- e. Findings regarding call types
 - i. Drunk in public events = 333
 - ii. Disturbances = 341
 - iii. Assault Events = 48
- IV. Assault with a deadly weapon events = 14
- v. Resist, Delay, Obstruct officers = 14
- vi. Drunk Driving = 49
- VII. Weapons Calls = 11
- VIII. Shots Fired = 2
- ix. Robberies = 3
- x. Stabbings = 1

2. Time Period Two - was the same 180 day time frame as the Study Period, but from the prior year, July 27, 2006, to January 23, 2007.

- a. The total police events for this time period were 2,719 events
- b. The number of police overtime hours during that time period were 8,868 hours
- c. The highest hour for police events was 1:00 a.m. to 1:59 a.m.
- d. When controlling by just using Beat E2 & E3 there were 1,952 police events
- e. Specific event types yielded the following

- i. Drunk in public events = 323
- ii. Disturbances = 353
- iii. Assault events = 52
- IV. Assault with a deadly weapon events = 17
- v. Resist, Delay, Obstruct officers = 15
- VI. Drunk Driving = 43
- VII. Weapons calls = 7
- VIII. Shots Fired = 3
- ix. Robberies = 5
- x. Stabbings = 1

3. Time Period Three - was the 180 days directly preceding the study time period, January 28, 2007, to July 26, 2007.

- a. The total police events for this time period were 2,347 events
- b. The number of police overtime hours during that time period were 7,588 hours
- c. The highest hour for police events was 1:00 a.m. to 1:59 a.m.
- d. When controlling by just using Beat E2 & E3 there were 1,653 police events
- e. Specific event types yielded the following
 - i. Drunk in public events = 337
 - ii. Disturbances = 303
 - iii. Assault events = 44
 - iv. Assault with a deadly weapon events = 11
 - v. Resist, Delay, Obstruct officers = 12
 - VI. Drunk Driving = 54
 - VII. Weapons Calls = 5
 - viii. Shots Fired = 3
 - IX. Robberies = 2
 - x. Stabbings = 1

4. Time Period Four - was the 180 day study time period, July 27, 2007, to January 23, 2008.

- a. The total police events for this time period were 2,232 events
- b. The number of police overtime hours during that time period were 8,664 hours
- c. The highest hour for police events was 1:00 a.m. to 1:59 a.m.
- d. When controlling by just using Beat E2 & E3 there were 1,650 police events
- e. Specific event types yielded the following
 - i. Drunk in public events = 333
 - ii. Disturbances = 288
 - III. Assault events = 37
 - IV. Assault with a deadly weapon events = 19
 - v. Resist, Delay, Obstruct officers = 22
 - vi. Drunk Driving = 66
 - VII. Weapons Calls = 4
 - VIII. Shots Fired = 3
 - ix. Robberies = 4
 - x. Stabbings = 2

Jim Peters, President of Responsible Hospitality Institute

Follow up to June 16 meeting with City Council and Public Forum

Economic Impact Assessment: The purpose is to document the economic and employment impact of hospitality and nightlife as a means to establish a more balanced approach to allocation of resources and services. Often as a means to attract a business or industry to a city, governments provide incentives, whether tax reductions, matching investment, development, specialized training for workforce development, etc. When the nighttime economy grows, more people in nightlife districts, requiring additional services – police, trash pick-up, sidewalk maintenance – a common reaction is to ask the nightlife business to pay for the extra services. Conducting an economic impact assessment can document value added in relation to the costs for services. The data based approach can correlate a more balanced and equitable allocation of resources. (www.rhiweb.org/resource/economic).

Density and Concentration: Nightlife districts evolve slowly, often a catalyst for development. A typical measure is “number of licenses” rather than “planning for people per square foot”. For example, a bookstore might have 10 customers and 2 employees at any one time, get 50 deliveries in cardboard boxes. The same space as a restaurant might have 100 customers and 10 employees at any one time, and operating for breakfast, lunch, dinner and late-night hours 7 days of week greatly expands this number, and the amount of deliveries and waste is exponentially greater than the bookstore. More people in a district creates vibrancy, but too many can create chaos and impacts on safety and quality of life. Using a data analysis for “density per square foot” of a district is a logical extension of maintaining balance. New Orleans French Quarter established a ratio of 1/3 storefronts for dining/entertainment to facilitate a balance between daytime retail with nighttime entertainment, seeking to avoid the Bourbon Street experience and maintain integrity of the New Orleans experience. (www.rhiweb.org/resource/zc) Sometimes we look at the “glass half full or half empty” metaphor to evaluate a situation. In Charleston, it is more like a glass that is full, and attempts to keep people from drinking more are leading to increasing risk and impacts on quality of life.

Now is a great time to maintain the current mix and balance, and plan for further growth in other areas of Charleston more suitable for growth. According to Chief Mullen, there are currently 40% of the Lower King Street storefronts as social venues, with about a 50% occupancy per block. This may be a good starting point to set limits for other areas developed, and a means to maintain the current mix of uses.

Sociability is an Economic Engine: And alcohol is a fuel. As with any engine, too much fuel stalls it, and too little and there is limited performance. All high performance engines need regulators to maintain the best mix. So too with alcohol. Societies for generations have recognized the need for proper regulation, and as a regulated product, the pure market

approach is not applicable. If it was, and all regulations on alcohol availability (i.e. age restrictions, production and distribution, driving, etc.) would be devastated.

Emerging consumption patterns of alcoholic beverages create opportunity to build a locally driven market based economy. Craft brewers, craft distillers, craft winemakers, and the emerging craft cider trend are all shifting consumption to quality over quantity, reducing high risk drinking among young adults, and increased impacts on women are a concern. A market based economy built on high risk drinking is not suitable for Charleston. Blending the great success of culinary tourism with craft beverages is a path to pursue.

The proposed public/private partnership is a good starting point to create a balance – areas of active nightlife, incentives for responsible service, and involvement of the College of Charleston in promoting responsibility and setting standards for maintaining vibrancy and avoiding chaos.

I hope this addresses your questions. Let me know if you require additional information.

Jim Peters
Responsible Hospitality Institute
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RECOMMENDATIONS

Summary of Recommendations

Using the principles of a *Polarity Thinking*, the full Late Night Activity Review Committee has met at least monthly since November 2014. The Committee formed subgroups to expand and study ideas about three overall themes that emerged through their deliberation and public input:

Private Public Partnership

Special Exception Zoning

People Movement

Subgroups met several times to develop their recommendations with the support and assistance of appropriate city staff. On June 16, 2015, conceptual recommendations were presented in a public forum, allowing further refinement with citizen input. On June 29, 2015, the full Committee met to hear presentations on each subgroup's recommendations; with respectful and vigorous discussion, they were accepted by unanimous consent in their entirety.

It should be noted that in the spirit of *Polarity Thinking*, the overall themes, and ensuing recommendations, are to be viewed as an **integrated system**. The recommendations are interdependent and rely on each other to create a synergy of success, **so we ask consideration as a whole rather than as separate and distinct**.

For example, incentives for greater use of the existing parking garages are directly linked to implementing 24 hour parking enforcement in the adjacent residential neighborhoods.

The Late Night Committee is proud of its work represented by these recommendations. A potentially contentious and polarizing issue was approached in a civil and thoughtful manner with the best interests of all stakeholders united in one common **Greater Purpose: Charleston remain a vibrant, relevant, forward-looking city.**

September 2015 Implementation

A **full-time city staff liaison** is created and housed in the appropriate city department.

A charter **Commission** is appointed by Mayor and City Council, composed of those existing Late Night Activity Review Committee members who choose to volunteer, plus a representative from the College of Charleston. All serve one-year terms for purposes of organizing the entity.

The charter Commission **meets monthly** at 5pm on a day certain.

A **non-profit entity is created**, funded by both the city and business owners and operators. The entity supports a peer-to-peer management approach to deal with opportunities and challenges in Late Night areas through effective education and marketing to patrons and neighbors in service of Charleston remaining a “Vibrant, Relevant and Forward-looking City”.

Non-profit entity is named the **City of Charleston’s Commission for Prosperity & Livability (CPL)**.

Commission’s purpose is to collaborate in providing information and direction for growth, business operations and livability impact through, and not limited to, these methods:

- Provide public input, as a governing body, during the Board of Zoning Appeals process.
- Establish a Safe & Clean Street program to provide more aggressive street cleaning; funded in the city’s Sanitation Department, such as:
 - i. Coordinate garbage pick-up with Late Night businesses on Upper King Street at 3:30 am daily.
 - ii. Pressure wash sidewalks on Saturday and Sunday mornings.
 - iii. Clean sidewalk areas while serving as watch force for street activity between 3-6 am.
- Communicate using multiple methods such as neighborhood liaisons and social media.

- Seek committed engagement by College of Charleston in management of nighttime activities.
- Encourage building owners to be accountable for businesses they lease.
- Encourage property owners to incorporate expected business practices (may exceed city requirements) into lease agreements that might go beyond government regulations, with clearly defined sanctions for violations.
- Encourage operators to follow best practices such as *TIPS* and *SafeServe* training for all service staff including security staff as used in existing Restaurant Association programs.
- Implement a multi-tiered recognition program where Late Night businesses can apply and receive recognition for outstanding operations.
- Pursue an audit of needs and resources for nighttime traffic and pedestrian safety such as: Taxi, Uber, Rickshaw and Valet.
- Explore re-establishment of Code Enforcement Board.
- Remain vigilant to determine if a need emerges to include, in the Special Exception Zoning, any structure that provides accommodation uses of twenty or more rooms.

September 2016 Implementation

Establish the prescribed nine-member governing Commission, appointed by Mayor and City Council, to include representatives of the following:

- Two (2) residential neighborhoods
- One (1) Late Night business
- One (1) Restaurant
- One (1) Young professional

- One (1) College of Charleston
- One (1) Daytime commercial business (non-restaurant)
- One (1) Arts/Music/Culture organization
- One (1) At-large

Membership eligibility considers members from concentrated Late Night areas of the city as well as diversity of Commission make-up, in areas such as age, race and gender.

September 2015 Implementation

Adopt the proposed zoning ordinance to create a requirement for special BZA-Z (Board of Zoning Appeals- Zoning) approval for all late-night operations, across the entire city, within 500 feet of residential zoning or zoning district.

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TO SEC. 54-206 THE REQUIREMENT THAT ESTABLISHMENTS LOCATED WITHIN 500 FEET OF A RESIDENTIAL ZONING DISTRICT AND WHICH ALLOW FOR THE ON-PREMISE CONSUMPTION OF ALCOHOL, BEER OR WINE AFTER MIDNIGHT BE APPROVED BY SPECIAL EXCEPTION, BY AMENDING SEC. 54-207, THE TABLE OF USES, TO REFLECT THE REQUIREMENT FOR SPECIAL EXCEPTIONS FOR ESTABLISHMENTS LOCATED WITHIN 500 FEET OF A RESIDENTIAL ZONING DISTRICT AND WHICH ALLOW FOR THE ON-PREMISE CONSUMPTION OF ALCOHOL, BEER OR WINE AFTER MIDNIGHT, AND BY AMENDING SEC. 54-110 (b), NONCONFORMING USES, AS IT PERTAINS TO ESTABLISHMENTS LOCATED WITHIN 500 FEET OF A RESIDENTIAL ZONING DISTRICT AND WHICH ALLOW FOR THE ON-PREMISE CONSUMPTION OF ALCOHOL, BEER OR WINE AFTER MIDNIGHT.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Sec. 54-206, Special Exception uses, a new subpart (y) to read as follows:

“y. Establishments located in a structure, except a structure that provides accommodations uses, as that term is defined in Sec. 54-120 of this Chapter, approved as a special exception pursuant to Sec. 54-220 of this Chapter and containing twenty or more rooms, that is within five hundred feet of a residential zoning district and which allows for the on-premise consumption of alcohol, beer or wine after midnight, shall be permitted in the Mixed Use 2, Mixed Use 2 Workforce Housing, Business Park and Heavy Industrial zoning districts, and the General Business and Light Industrial zoning districts that are not subject to the General Business Late Night Overlay or Light Industrial Overlay zones where the Board, after review, finds:

1. Garbage, recycling, maintenance equipment and supplies are stored in a manner so as not to be visible from adjoining properties, public right-of-way or other public property; and
2. Storage areas for all garbage, recycling, maintenance equipment and supplies are designed to contain odors and prevent the wafting of odors onto adjoining properties, public rights-of-way and other public property; and

3. The location for garbage and recycling pick-up is safe; and
4. Measures have been incorporated into the structure to address adverse impacts of noise to properties in a residential zoning district; and
5. The operation of the establishment will not be of substantial detriment to parking in adjoining residential zoning districts; and
6. The establishment will not result in a heavy concentration of establishments of the same kind within a block, or if so, the applicant demonstrates to the satisfaction of the Board that, due to factors such as the geographic or physical attributes of the block or to other measures incorporated into the structure, the addition of the establishment will not harm the character of the block, the intent of this provision being to encourage vibrant night time activity while maintaining an appropriate balance and mix of uses within the blocks of the districts. In its consideration of a special exception that involves a heavy concentration of establishments, the Board may impose conditions on its approval it deems appropriate and in furtherance of the intent of this Section.

For purposes hereof, residential zoning districts are C, RR-1, SR-1, SR-2, SR-3, SR-4, SR-5, SR-6, SR-7, SR-8, STR, DR-1, DR-1F, DR-2, DR-2F, DR-6, DR-9, DR-12, DR-3 and DR-4.

For purposes hereof, the distance between the proposed establishment and the residential zoning district shall be measured from the point of the property line of the establishment nearest to the residential zoning district to the property line of the nearest property within a residential zoning district.

For purposes hereof, a block is the area on both sides of the street on which a structure fronts that is within 175 feet of the side lot lines of the property where the establishment is to be located.

For purposes hereof, heavy concentration means: (a) a block where more than 40% of the structures contain establishments that allow the on-premise consumption of alcohol, beer or wine after midnight; or (b) a block where establishments that allow the on-premise consumption of alcohol, beer or wine after midnight have, in the aggregate, an occupant load greater than 1000 people; or (c) a block where there exists an establishment that allows the on-premise consumption of alcohol, beer or wine after midnight and which has an occupant load greater than 300 people.

Notwithstanding anything in Sec. 54-110 to the contrary, the provisions of this Section shall apply to any establishment that allows on-premise consumption of alcohol, beer or wine after midnight that is within five hundred feet of a residential zoning district that for which, after September 22, 2015, an application is sought for a certificate of occupancy or a business license, or for which approval is sought to physically expand the establishment or expand hours of operation after midnight; provided however, that nothing herein shall be construed to prohibit the issuance of a certificate of occupancy or business license for those establishments that, as of the effective date of Ordinance No. 2014- 136, ratified by City Council on September 23, 2014, had on file with the Department of Planning, Preservation and Sustainability development plans or applications for permits for establishments intending to provide for the on-premise consumption of alcohol, beer or wine after midnight that were vested under statutory or common law.”

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2015, and in the ____th Year of the Independence of the United States of America

Joseph P. Riley, Jr., Mayor

ATTEST:

Clerk of Council

Section 2. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting in Sec. 54-207, Table of Uses, the symbols “●/†” under the columns “GB UC MU-2 MU-2/WH”, “BP”, “LI” and “HI” for the use code numbers 5812.1, 5812.2 and 5813.

Section 3. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Sec. 54-110 (b), nonconforming uses, a provision pertaining to establishments that allow the on-premise consumption of alcohol, beer or wine after midnight that are located within 500 feet of a residentially zoned district, so that hereafter, Sec. 54-110 (b) shall read as follows (amendatory language in bold):

“The lawful use of a building or structure, existing at the time of the adoption of this chapter, or an amendment thereto, although such use does not conform to the provisions hereof, may be continued except for signs, which shall be governed by Article 4, and rental of amusement and recreational vehicles which shall be governed by Sec. 54-223, and **establishments located within 500 feet of a residential zoning district and which allow for the on-premise consumption of alcohol, beer or wine after midnight, which shall be governed by Sec. 54-206**, and such use may be extended throughout the building or structure provided such extension does not displace a conforming use and provided no structural alterations are made, other than those necessary to assure the safety of the building or structure.”

Section 4. This Ordinance shall become effective upon ratification.

September 2015 Implementation

Soft Closings are tested in a 90-day pilot program, for peninsula ONLY Late Night businesses, allowing operators an extra 60 minutes to vacate their premises. Operators are allowed to provide food and non-alcoholic beverages.

Participation is voluntary.

Participants notify CPD if they are participating prior to the start of the pilot program.

Alcohol, beer and wine still need to be off the tables at 2 am.

Good Night provision prohibits entry/re-entry after 2 am.

Increase private security presence to promote workforce parking in the VRTC and Camden Station parking garages.

Create ingress/egress strategies including flat rate pricing (identified in Tourism Management Plan).

Pre-paid/discounted monthly parking vouchers for employees of hospitality operators managed by each business.

Designated parking within the VRTC garage for workforce parking.

Request businesses to escort employees to parking garages after closing.

Pursue process to **determine 24-hour parking enforcement** in adjacent neighborhoods:

Radcliffeborough: Area #12

Cannonborough/Elliottborough: Area #14

Cannon/Elliott: Area #19

Eastside: #18

2016 Implementation

Coordinate with the new Tourism Management Plan in these areas where overlap exists in quality of life, parking impact and congestion reduction.

Improve signage using the Convention and Visitors Bureau's Wayfinder program to direct residents and visitors to parking garages.

Develop a high technology parking app expanding on the current ParkMe app, using www.godcgo.com as a best practice for promotion of parking garages for visitors/patrons.

Advertise parking app on directional signage, CVB and hospitality business web sites.

Promote Safety and Security in **parking garages**.

Increase signage indicating that video cameras are being used to promote safety and security within parking garages.

Install police call buttons/stations in parking garages such as VRTC and Camden Station.

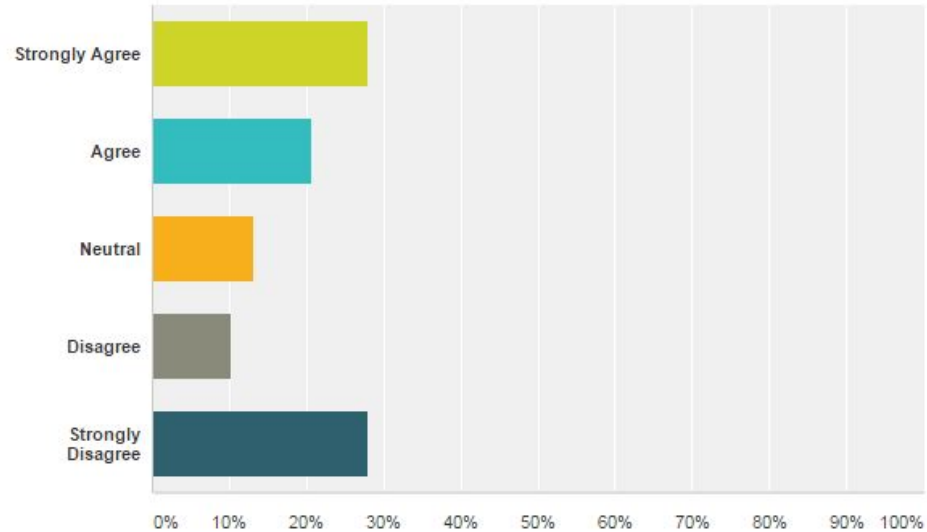
Require annual business license renewal to confirm active **Parking Variance** agreements.

Q1

Customize Export

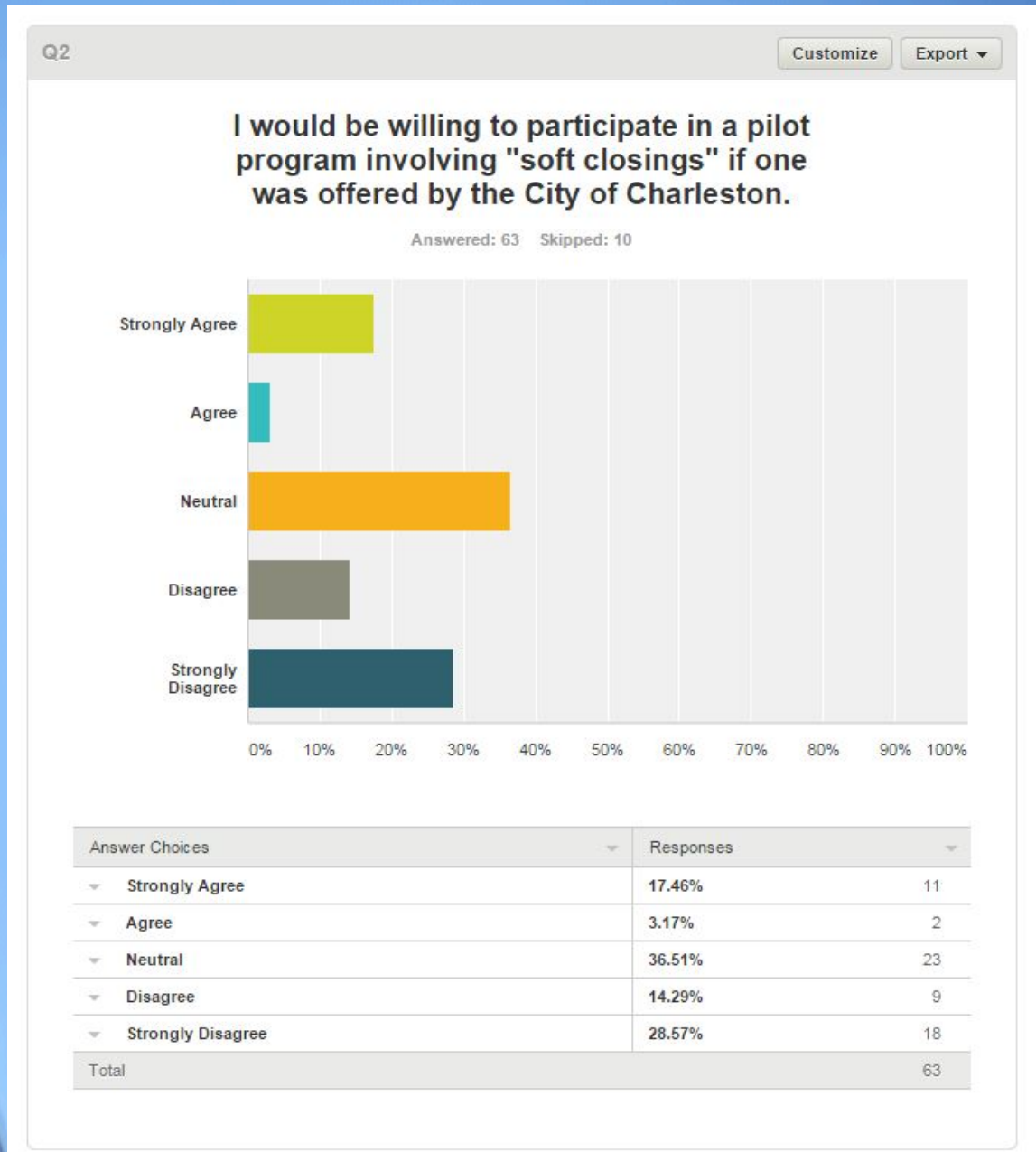
I support the "soft closing" proposal that was discussed at the Public Listening Sessions. The laws regarding closing time for alcohol sales would not change, however businesses could continue to serve food and soft drinks.

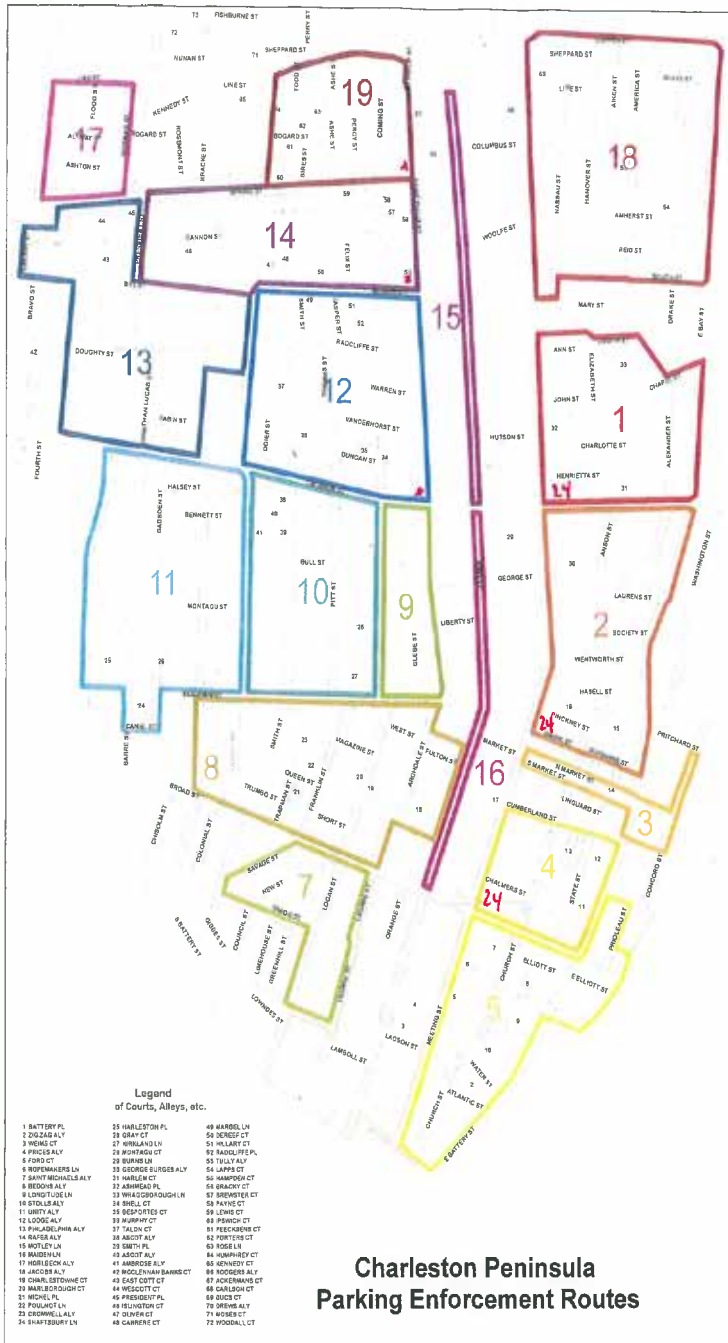
Answered: 68 Skipped: 5



Answer Choices	Responses
Strongly Agree	27.94% 19
Agree	20.59% 14
Neutral	13.24% 9
Disagree	10.29% 7
Strongly Disagree	27.94% 19
Total	68

Survey of Restaurant Association and BACE Members/Operators





Neighborhood Association and sticker letters

- Beat 1 residential sticker F – 24 hrs. Wraggsborough
- Beat 2 residential sticker E – 24 hrs. Ansonborough
- Beat 3 residential sticker Market Area
- Beat 4 residential sticker A – 24 hrs. French Quarter
- Beat 5 residential sticker B – 9am – 6 pm (2 hrs.)M-F Charlestowne
- Beat 6 residential sticker B – 9am – 6pm (2 hrs.)M-F Charlestowne
- Beat 7 residential sticker B – 9am-6pm (2hrs.) M-F Charlestowne.
- Beat 8 residential sticker C – 8am-5pm (2hrs.) M-F Harleston Village

- Beat 9 - meters
- Beat 10- residential sticker C-1 8am-8pm (1hr) M-F Harleston Village
- Beat 11 – residential sticker C – 8am-5pm (2hrs.) M-F Harleston Village
- Beat 12 – residential sticker D – 8am-8pm (1hr) M-F Radcliffeborough
- Beat 13 – meters
- Beat 14 – residential sticker H – 8am-5pm (1hr) M-F Cannonborough
- Beat 15 – meters
- Beat 16 - meters
- Beat 17 residential stickers G – 8am-5pm (2hrs) M-F Westside
- Beat 18 residential sticker I 8am-5pm (2hrs) M-F Eastside
- Beat 19 residential sticker H 8am-5pm (1 hr) M-F Cannon/Elliott
- Beat 20 residential sticker J 8am-5pm (4hrs) M-F Hampton Park

APPENDIX AND RESEARCH

Progress Reports to City Council 1-4

City of Charleston LNAR website overview

Press Release-Listening Sessions

Press Release-Public Forum

TO: Mayor Riley and Members of City Council
FROM: Margaret Seidler, Seidler & Associates, LLC
SUBJECT: Progress Report, Late Night Activity Review Committee
DATE: January 2, 2015

Thank you for appointing an energetic, diverse and engaged group of citizen-leaders to serve in this important city initiative. Committee members are dedicated to giving their time and knowledge on your behalf. The committee has met three times and their contributions have been robust, well-reasoned and civil. The project is on schedule. *Phase 1: Team Development*, will be completed before January 14th.

We are utilizing a **Polarity Thinking** approach, which brings together divergent views in the pursuit of a common Greater Purpose. A polarity is defined as an interdependent pair of values, often competing, which actually need each other over time to achieve sustainable success. In addition to our consulting team, we have secured the support of two College of Charleston students in the Master of Public Administration independent study program.

Phase 1: Team Development, Key Milestones

- Committee member participation in a police-escorted Friday/Saturday walking tour, midnight to 2:30am, of the Entertainment Districts for first-hand experience.
- Defined project objective: Develop recommendations for ordinances, criteria and standards that protect the delicate balance between this Polarity, successful **Nightlife Businesses AND Diverse Businesses & Neighborhoods**.
- Committee identification/support for a common Greater Purpose: **Charleston Remain a Vibrant, Relevant, Forward-Thinking City**
- Preliminary set of positive results the committee hopes to achieve along with corresponding negative results to avoid when making recommendations.
- Committee participation in an online assessment crafted from the preliminary set of results it seeks to achieve in this delicate balance. Assessment revealed the committee's perception of the current effectiveness of maintaining that balance.
- Online seminar, January 14th, with Jim Peters, founder of the *Responsible Hospitality Institute*. He will share his experience in working with dozens of US cities managing the impact of their late night and entertainment districts.

Phase 2: Community Listening, Key Milestones

- Planning subgroup to guide efforts for three public listening sessions. Subgroup members are Frank McCann, Steve Palmer, Sandra Campbell, Harold Oberman and Elliott Smith.
- *Community Listening* sessions on February 11th at 75 Calhoun Street in the Charleston County School District Boardroom. This series of sessions will be facilitated by Robert Jacobs, a nationally-recognized expert in leading large-scale activities and quickly distilling the wisdom of large groups. Sessions provide an opportunity to gain citizen input on the issue and guide the committee's recommendations.

TO: Mayor Riley and Members of City Council
FROM: Margaret Seidler, Seidler & Associates, LLC
SUBJECT: Progress Report #2, Late Night Activity Review Committee
DATE: February 17, 2015

Phase 1: Team Development – completed. The project is on schedule.

Phase 2: Listening – completed. The project is on schedule.

- On January 14th the committee had an interactive meeting with national subject matter expert, Jim Peters, of the *Responsible Hospitality Institute*, a California-based organization. RHI has decades of experience in creating/managing the sociable aspects of cities across the U.S. The committee's 90-minute meeting was hosted online by *Trident Technical College, Palmer Campus*, which graciously allowed us to use their new, state-of-the-art, webcast facilities. Many exciting ideas were shared that the committee may consider for Charleston. Jim Peters has visited Charleston and has a working relationship with Chief Greg Mullen.
- *Community Listening* sessions were held on February 11th at 68 Calhoun Street in the Charleston County Library Auditorium. Three sessions were facilitated by Robert Jacobs, a nationally-recognized expert in leading large-scale activities. We had a total of **120 citizens**, almost all of the 21-committee members plus nine volunteer small group facilitators, who gave freely of their entire day. Volunteer facilitators represented the *College of Charleston, Santee Cooper, South Carolina Research Authority, Charleston County Aviation Authority, Millbrooke HR Consulting, and Midlands Chapter of the Association for Talent Development.*

The committee process, utilizing a ***Polarity Thinking*** approach, worked effectively. We were pleased to read a *Post and Courier* report using these words to describe the public sessions on the issue: "***From contention to consensus...***"

*Phase 3: Exploring Options, Key Milestones
March 2015*

- The committee's two College of Charleston students in the Master of Public Administration independent study program will distill the citizen input from the Listening Sessions and provide this to the committee for its study and recommendations.
 - Committee reviews input, seek options for mutual gains, conduct "What If," brainstorming, and evaluate options to meet as many needs as possible
- Options sought are those which, in combination, can be put in place to ensure ***Charleston Remains a Vibrant, Relevant, Forward Looking City by maintaining an active nightlife, diverse businesses and a quality of life for surrounding neighborhoods.***

April 2015

- Refinement of selected options and recommendations reviewed by legal staff.
- Briefing to Mayor and City Council on findings
- Additional informational briefings with various stakeholder groups to answer any questions

TO: Mayor Riley and Members of City Council
FROM: Margaret Seidler, Seidler & Associates, LLC
SUBJECT: Progress Report #3, Late Night Activity Review Committee
DATE: April 9, 2015

Phase 1: Team Development – complete

Phase 2: Listening – complete

Phases 3, 4: Exploring Options and Planning - Key Milestones

March-April 2015

- The committee's two College of Charleston students in the Master of Public Administration independent study program distilled the citizen input from the public Listening Sessions and provided this to the committee for its study and use.
- Additional research was conducted by city staff in the following areas for committee use:
 - CPD funding and deployment in Moratorium area
 - Hospitality Tax revenues reported by city revenue collections department
 - Business license numbers and revenues reported by city revenue collections department
 - Current Late Night establishments on Upper King and the previous tenant.
 - March 30 report with statistics and data about property uses on King Street
 - Late Night storefronts on Upper King Street
- Solutions sought are those which, in combination, can be put in place to ensure ***Charleston Remains a Vibrant, Relevant, Forward Looking City by maintaining an active nightlife, diverse businesses and a quality of life for surrounding neighborhoods.***
- Committee members and key city staff have recommended 29 potential solutions. Evaluation of ideas are under consideration in four subgroups:
 - Planning/Zoning
 - Business Practices and Procedures
 - Parking and Transportation
 - Quality Assurance/Enforcement/Public Safety
- Subgroups reviewed the proposed solutions and are evaluating them. Frances Cantwell, legal counsel, joined the committee to provide legal support, as needed.

May-June 2015

- Solutions refined/selected as recommendations
- Selected solutions and recommendations reviewed by legal counsel
- Initial presentation to Mayor and Council by *Jim Peters, CEO, Responsible Hospitality Institute* along with recommendations
- Public briefing on solutions for various stakeholder groups to answer questions

TO: Mayor Riley and Members of Charleston City Council
FROM: Margaret Seidler, Seidler & Associates, LLC
SUBJECT: Progress Report #4, Late Night Activity Review Committee
DATE: June 1, 2015

Phase 1: Team Development – complete

Phase 2: Listening – complete

Phase 3: Exploring Options - complete

Phase 4: Planning

Solutions sought were those which, in combination, could be put in place to ensure ***Charleston Remains a Vibrant, Relevant, Forward Looking City by maintaining an active nightlife, diverse businesses and a quality of life for surrounding neighborhoods.***

June 2015 – key milestones

- City staff and members of Late Night committee begin drafting the details for the conceptual recommendations which have been selected
- Council briefings on nighttime economy by *Jim Peters, CEO, Responsible Hospitality Institute* along with committee’s conceptual recommendations
- Public briefing on conceptual recommendations for various stakeholder groups in order to answer questions

Phase 5: Action/Implementation

During the final phase, the draft recommendations and any ordinances proposed by the Late Night Committee will go through final legal review and the Committee process. Once the final legal review is completed and it has been vetted by the appropriate City Council Committees, it will be placed on Council agenda for consideration and discussion. Based on the type of ordinances that were updated, revised, or developed, there may be a need for Council to act through a first reading and send the proposals to the Planning Commission for a public hearing. Should the recommendations and their related ordinances receive first reading and be forwarded to the Planning Commission, city staff would begin to communicate the recommendations with the broader community and prepare for changes to internal processes and guidelines that are impacted. A communication plan would also be part of the recommendations and would be executed upon approval of the Mayor and City Council.

July/August 2015 – key milestones

- Committee approves details of conceptual recommendations
- Recommendations to Mayor and City Council
- Recommendations to Planning Commission, as necessary

CITY OF CHARLESTON WEBSITE OVERVIEW

Late Night Activity Review Committee Project Page

<http://www.charleston-sc.gov/index.aspx?nid=1196>

On September 22, 2014, Charleston City Council passed a one-year moratorium on new bar operations serving past midnight in a district comprising part of King, Market and East Bay Streets. This decision also called for the creation of a Late Night Activity Review committee to study the situation and provide recommendations for City Council to study when considering ordinances and policies at the conclusion of the moratorium.

Since early November, this group, comprised of 21 appointees from both City Council and Mayor Riley, has met five times. They have created a structure for their work and a civil process for gathering and debating potential outcomes. Most importantly, the group has embraced a common greater purpose statement:

That Charleston remains a vibrant, relevant and forward-looking City.

The Committee's objective is to develop ordinances, criteria, and standards that protect a thriving nightlife, the city's quality of life for neighborhoods and diverse businesses.

DOCUMENTS

Late Night Committee Roster of Members: This document contains the names and contact information of the 12 Committee appointees from each City Council member, as well as the 9 appointees of Mayor Riley, including the two co-chairs Frank McCann and Steve Palmer.

Late Night Process Overview: This document provides the time line for the five phases of the project:

Develop Team-In November and December the committee met and learned of their respective roles in the community that brought them to this committee. Presentations from Mayor Riley, Chief Mullen and Tim Keane provided context for the committee's efforts.

Listening-In January the committee heard a presentation from Jim Peters, director of the Responsibility Hospitality Institute. He is a nationally-recognized expert in guiding communities in response to the impact of late night entertainment. In February, the committee conducted a series of three public listening sessions to gain valuable public input on both impact and solutions.

Exploring-In March and April, the committee will begin to review and prioritize actions, policies, criteria and ordinances that can insure the appropriate balance between nightlife activity, neighborhoods and other business activity. Statistical data, benchmarking and legal issues will be explored as well.

Planning-In May and June the Committee will be formulating specific recommendations for City Council.

Action/Implementation-This phase will be for City staff to evaluate recommendations and begin to formulate actionable plans for City Council's approval.

Late Night Activity Plan This document provided the initial request for City Council to consider a moratorium on any new operations serving alcohol after midnight. It cites the history and evolution of Charleston's nightlife entertainment and the need to manage this growth. Also envisioned was the Steering Team of concerned citizens, which evolved into the current Late Night Activity Review Committee.

Progress Report #1 This report to City Council outlined the initial progress of the Committee, listing the key milestones achieved in Phases 1 and 2.

Responsible Hospitality Institute seminar notes This document outlines the key points of Jim Peter's *Sociable City Presentation*, a live webinar held at the Culinary Institute, Trident Tech Palmer Campus. The presentation reviewed changing demographics and the current status of late Night Entertainment Districts throughout the country. He also provided ideas for Charleston based on his considerable experience in helping out communities with similar situations.

Progress Report #2 In a second report to City Council, additional milestones are cited for Phase 2, as well as anticipated milestone for Phase 3.

Report of Listening Sessions This comprehensive report, assembled by College of Charleston Master in Public Administration student who are partnering with the Steering Committee, compiles the comments, observations and recommendations of the approximate 120 citizens who attended the February 11 Public Listening Sessions. Participants were asked to consider six questions:

1. What concerns do you have that brought you to this meeting?
2. What opportunities do you see for the city if we focus on the needs of nightlife businesses?
3. What opportunities do we see for the city if we focus on the needs of other types of businesses and surrounding neighborhoods?
4. What problems do you see if we focus too much on nightlife business and we ignore the needs of other types of businesses and surrounding neighborhoods?
5. What problems do you see if we focus too much on other types of businesses and surrounding neighborhoods and ignore the needs of nightlife businesses?
6. What suggestions and ideas do you have for the future?

The compilation of the hundreds of responses will help guide the Committee on this project

FACEBOOK PAGE

<https://www.facebook.com/CharlestonLateNightReviewCommittee>



City of Charleston
South Carolina

JOSEPH P. RILEY, JR.
MAYOR

BARBARA W. VAUGHN
DIRECTOR
PUBLIC INFORMATION

TO: AREA MEDIA

FROM: Barbara W. Vaughn, Director, Public Information
(843) 724-3746; Email: vaughnb@charleston-sc.gov

RE: **Late Night Activity Review Committee**

WHERE: 68 Calhoun Street, Charleston County Library, 2nd floor Auditorium

WHEN: Wednesday, February 11 at 10am, 12:30pm and 5:30 pm

On Wednesday, February 11, the City of Charleston and the Late Night Activity Review Committee are sponsoring three public meetings to gain citizen input. These 90 minute Sessions will be held at 10am, 12:30pm and 5:30 pm in the Charleston County School Library, 2nd floor auditorium, located at 68 Calhoun Street. Parking is in the garage under the Library, or at the city garage at 32 Alexander Street.

On September 22, 2014, Charleston City Council passed a one-year moratorium on new bar operations serving past 12 midnight. The decision also called for a Late Night Activity Review Committee to study the situation and provide recommendations for City Council to study when considering ordinances and policies at the conclusion of the moratorium.

Since early November, this group, comprised of 21 business and community members appointed by City Council members and Mayor Riley, has met four times, creating a structure for their work and a process for gathering and debating potential outcomes and action steps. Most importantly, the group has embraced a common greater purpose statement: that Charleston remains a vibrant, relevant and forward looking city. The Committee's objective is to develop ordinances, criteria and standards that protect a thriving nightlife, the city's quality of life for neighborhoods and diverse businesses.

The purpose of these sessions is to ensure the Late Night Activity Review Committee's decisions and actions are enhanced by guidance from interested and affected parties. These sessions will be facilitated and provide an opportunity for the public to learn about the progress of the Committee. Importantly, attendees will be able to give input and ideas for the Committee to consider.



City of Charleston
South Carolina

JOSEPH P. RILEY, JR.
MAYOR

BARBARA W. VAUGHN
DIRECTOR
PUBLIC INFORMATION

TO: AREA MEDIA
FROM: Barbara W. Vaughn, Director, and Public Information
(843) 724-3746; Email: vaughnb@charleston-sc.gov
RE: Late Night Activity Review Committee Public Meeting
WHERE: Charleston Maritime Center, second floor meeting room, 10 Wharf side Street
WHEN: Tuesday, June 16: Presentation times by Jim Peters (5:30, 5:50 and 6:15)

On Tuesday, June 16, the City of Charleston and the Late Night Activity Review Committee are sponsoring a public session to present the conceptual recommendations from the Committee's work to date. Jim Peters, President of the Responsible Hospitality Institute, and national expert on managing the Nighttime Economy will speak. Presentation times by Mr. Peters: 5:30, 5:50 and 6:15.

Following the presentation times by Mr. Peters, citizens will be provided the details of the Committee's conceptual recommendations:

1. Public-private partnership including business practices, recognition, enforcement support from owners, quality assurance
2. Special Exception Zoning for late night operations across the city
3. Moving People (Soft Closings, Parking in Garages and Neighborhoods)

Free parking is available in the gravel lot adjacent to the Maritime Center off Concord Street.

BACKGROUND: *On September 22, 2014, Charleston City Council passed a one-year moratorium on new bar operations serving past 12 midnight. The decision also called for a Late Night Activity Review Committee to study the situation and provide recommendations for City Council to study when considering ordinances and policies at the conclusion of the moratorium.*

Since early November, this group, comprised of 21 business and community members appointed by City Council members and Mayor Riley, has met monthly times, creating a structure for their work and a process for gathering and debating potential outcomes and action steps. Most

importantly, the group has embraced a common greater purpose statement: that Charleston remains a vibrant, relevant and forward looking city. The Committee's objective is to develop ordinances, criteria and standards that protect a thriving nightlife, the city's quality of life for neighborhoods and diverse businesses.

The purpose of this public forum is to ensure the Late Night Activity Review Committee's conceptual recommendations are enhanced by guidance from interested and affected parties. These sessions will be facilitated and provide an opportunity for the public to learn about the progress of the Committee. Importantly, attendees will be able to give input and ideas for the Committee to consider.

FOR MORE INFO: Barbara Vaughn, Director
Media Relations/Public Information
Phone: (843) 724-3746 Fax: (843) 724-3734
Email: vaughnb@charleston-sc.gov