



FOR IMMEDIATE RELEASE
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San Diego City Council Approves Extension of Temporary Outdoor Business Operations

ORDINANCE FIRST APPROVED IN JULY 2020, ALLOWS OUTDOOR DINING AND RETAIL IN PUBLIC RIGHT OF WAY DURING PANDEMIC

SAN DIEGO – In an effort to continue supporting businesses as they recover from the economic impacts of the COVID-19 pandemic, the San Diego City Council has unanimously approved an extension of interim urgency ordinances to allow the City's [Temporary Outdoor Business Operation](#) (TOBO) permit program to continue.

Without the extension, permits for all restaurants were set to expire on July 13, 2021, and permits for other business services on Aug. 3, 2021. Now, the approval extends the expiration date for all permitted outdoor operations through July 13, 2022. In addition, the extension allows businesses and restaurants to continue outdoor operations even if COVID-19 health orders are rescinded.

“While this program was launched as a temporary solution to a devastating situation, we have seen the benefits of allowing expanded outdoor dining and shopping in our communities,” said Mayor Todd Gloria. “As a city, we are committed to exploring ways to make this a more permanent feature beyond the pandemic, creating an environment where businesses can thrive and our residents and visitors can enjoy what San Diego has to offer.”

The City Council first approved an [ordinance on July 14, 2020](#), allowing outdoor retail sales and eating and drinking establishments to expand their footprint within the public right of way and on private property. Businesses could apply for a TOBO permit from the City, allowing for temporary use of a street, sidewalk or parking lane for business.

“As the recovery from the COVID-19 pandemic for San Diego continues, we recognize there are still many businesses struggling to make up ground lost during the past year as a result of necessary public health restrictions to keep residents safe. As Co-chair of the COVID-19 Response and Recovery Committee, I support the extension of the interim

emergency ordinances allowing businesses such as restaurants, arts and culture venues, and fitness enterprises, to operate outdoors,” said Councilmember Marni von Wilpert. “This extension will help San Diego recover at a faster pace economically with the health and safety in mind of our workforce, San Diego residents, and visitors while continuing to provide access to public spaces.”

The City has issued 427 TOBO permits since the program started. Each permit outlines the location where canopies, umbrellas or furniture can be placed in the street or sidewalk. In addition, business and restaurant owners must submit for a separate permit to install platforms, specifying the design and materials for construction.

City staff will be reaching out to businesses and restaurants with TOBO permits to ensure they are operating within the permit guidelines, ensuring compliance with the Fire, Building and San Diego Municipal codes. Over the past few months, the City has received numerous complaints about unpermitted structures, businesses blocking the red curb and not conforming with their original issued permit, among other violations.

All businesses will have until July 13 this year to ensure all violations are corrected or removed. After this date, non-compliant business may have existing permits revoked, may be assessed fines and face additional enforcement actions.

While today’s City Council decision provides for a one-year extension of the ordinance through July 13, 2022, the City is considering options to extend outdoor dining on a more permanent basis.

Building on the success of temporary outdoor dining as a tool to support small businesses, the City’s Planning Department is currently developing [Spaces as Places](#). This comprehensive program aims to expand outdoor dining beyond the COVID-19 pandemic and make changes to the San Diego Municipal Code to provide for greater activation of the public right of way.

Spaces as Places strives to provide a path for the long-term recovery of local businesses and neighborhoods across San Diego. Over the next few months, staff will work closely with public stakeholders to further develop the proposal and present to the City Council for adoption later this year.

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