



**REGULAR MEETING MINUTES**

**Date:** 8/29/2023  
**Time:** 6:00 p.m.  
**Locations:** Teleconference and  
City Council Chambers  
751 Laurel St., Menlo Park, CA 94025

**Regular Session**

**A. Call To Order**

Mayor Wolosin called the meeting to order at 6:01 p.m.

**B. Roll Call**

**Present:** Combs, Doerr, Nash, Taylor, Wolosin  
**Absent:** None  
**Staff:** City Manager Justin I. C. Murphy, Assistant City Manager Stephen Stolte, City Attorney Nira F. Doherty, Assistant to the City Manager/City Clerk Judi A. Herren

**C. Agenda Review**

Staff to provide an update on item G5.

**D. Public Comment**

- Linda Jolley spoke on concerns with interactions with the Menlo Park Police Department (MPPD) and requested compensation as a result of those interactions.
- Rachel Bickerstaff spoke in support of naming the new community campus Menlo Meta Community Campus.
- Rose Bickerstaff with donated time from David Bickerstaff spoke on misinformation behind the naming of the community campus and in support of the name Menlo Meta Community Campus.
- Harry Bims with donated time from Sheryl Bims provided criteria for naming the new community campus.
- Yasmeen spoke on the history of Onetta Harris and retaining the Onetta Harris Community Center name of the new community campus.
- Aram James spoke on concerns to the incident with Linda Jolley and MPPD and in support of reparations.

**L. Closed Session – public comment**

- L1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME)

Agency designated representatives: City Manager Justin I.C. Murphy, Administrative Services Director Brittany Mello, Assistant City Manager Stephen Stolte, City Attorney Nira Doherty, Special

Counsel Charles Sakai

None.

- L2. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with unrepresented management

Agency designated representatives: City Manager Justin I.C. Murphy, City Attorney Nira Doherty, Special Counsel Charles Sakai

None.

- L3. Conference with legal counsel – anticipated litigation (Paragraph (2) of subdivision (d) of Gov. Code § 54956.9)  
Significant exposure to litigation: One case

None.

## **E. Presentations and Proclamations**

- E1. Presentation: Midpeninsula Regional Open Space District (Midpen) update

MidPen Board members Karen Holman representing Ward 5 and Margaret MacNiven representing Ward 6 made the presentation (Attachment).

- Eduardo Pelegri-Llopart spoke on parks value and making the Belle Haven neighborhood more climate resilient.
- Jacqui Cebrian spoke in support of utilizing the Dumbarton corridor for bicycle and pedestrian trails.

## **F. Advisory Body Vacancies and Appointments**

- F1. Consider applicants and make an appointment to fill a vacancy on the Parks and Recreation Commission (Staff Report #23-187-CC)

Assistant to the City Manager/ City Clerk Judi Herren introduced the item.

The City Council made appointments to fill a vacancy on the Parks and Recreation Commission:

- Kate Wessel – term expiring April 30, 2024

## **G. Consent Calendar**

- G1. Approve the update to the preferred concept for the Middle Avenue Caltrain crossing design (Staff Report #23-188-CC)

- G2. Authorize the city manager to execute a memorandum of understanding with the San Mateo County Transportation Authority to complete the landscaping phase of the Willow Road and U.S. Highway 101 project (Staff Report #23-189-CC)

- Pam D. Jones spoke on concerns related to the current design of the interchange, landscaping

timeline, and resident health impacts.

The City Council received clarification on planting timeline and establishment.

The City Council discussed prioritizing this item.

- G3. Authorize the city manager to execute an amendment to the professional services agreement with West Coast Code Consultants (WC3) for improvement plan review services for the Willow Village project (Staff Report #23-190-CC)

**ACTION:** Motion and second (Taylor/ Nash), to authorize the city manager to execute an amendment to the professional services agreement with WC3 for improvement plan review services for the Willow Village project in the amount of \$220,000, passed 4-0 (Combs recused).

- G4. Authorize the Mayor to sign the City's response to the San Mateo County Civil Grand Jury Report: "Accessory Dwelling Units: Affordable Housing's Panacea of Prevarication?" (Staff Report #23-191-CC)

- G5. Waive the second reading and adopt an ordinance for streetaries outdoor dining areas (Staff Report #23-192-CC)

Assistant City Manager Stephen Stolte provided an update to Attachment A, Section 13.30.030, the word "application" will be updated to "permit" in sentence two.

**ACTION:** Motion and second (Wolosin/ Taylor), to approve the consent calendar with the update to item G5. and excluding item G3., passed unanimously.

## H. Regular Business

- H1. Adopt resolutions to approve streetary design standards and streetary fees (Staff Report #23-193-CC)

Assistant City Manager Stephen Stolte and HdL Companies representative Kirstin Hinds made the presentation (Attachment).

The City Council received clarification on the fee update, waiver, and subsidies, permit period differences, parklet and sidewalk café fees, master fee schedule updates based on CPI (consumer price index), and public engagement.

- Randy Avalos requested clarification on ADA (Americans with Disabilities Act) accessibility.

The City Council received clarification on accessibility and wind barriers.

The City Council directed that wind barriers are required to be transparent or translucent and encourage natural light, update the annual encroachment lease fee to \$7 per square foot, update the date fees will be imposed to Jan. 1, 2025, and return with the master fee schedule updates for the fees based on CPI.

**ACTION:** Motion and second (Wolosin/ Combs), to adopt a resolution to approve streetary outdoor dining

fees including updates presented by staff, updating date fees will be imposed to Jan. 1, 2025, and amending the annual encroachment lease fee to \$7 per square foot, passed unanimously.

**ACTION:** Motion and second (Taylor/ Combs), to adopt a resolution to approve streetary outdoor dining design standards and update the wind barriers to require transparent or translucent and encourage natural light, passed unanimously.

The City Council took a recess at 8:40 p.m.

The City Council reconvenes at 8:48 p.m.

H2. Consider and adopt a resolution to close the eastbound travel lane of Santa Cruz Avenue from Curtis Street to Doyle Street to vehicles to allow for expanded outdoor dining opportunities, enhanced public space, and related bicycle infrastructure improvements (Staff Report #23-194-CC)

Planning Manager Kyle Perata made the presentation (Attachment).

- Sandra Ferer spoke in support of retaining the Ryans Lane closure.
- Adina Levin spoke in support of outdoor dining and bicycle route improvements.
- Randy Avalos spoke in support of increased ADA accessibility for those who need to drive.
- Ross Silverstein spoke in support of revitalizing downtown.

The City Council received clarification on Ryans Lane reopening timeline and accessibility requirements.

The City Council discussed retaining the street closure, short and long term safety for the bike lane, and ADA accessibility.

**ACTION:** Motion and second (Doerr/ Nash), to adopt a resolution approving the long-term street closure of the eastbound direction of Santa Cruz Avenue from Curtis Street to Doyle Street to vehicles and install a new bicycle lane in the eastbound direction that would allow for the expansion of the outdoor seating associated with the existing parklets/outdoor dining along Santa Cruz Avenue and the continued communal seating area within Santa Cruz Avenue, passed 4-1 (Combs dissenting).

## **I. Informational Items**

- I1. City Council agenda topics: September 2023 (Staff Report #23-195-CC)
- I2. Update on City Council procedures (Staff Report #23-196-CC)

## **J. City Manager Report's**

City Manager Justin Murphy reported out on transportation master plan public input opportunities.

## **K. City Councilmember Reports**

- K1. Confirm voting delegate for the League of California Cities annual conference (Attachment)

Assistant to the City Manager/ City Clerk Judi Herren introduced the item.

**ACTION:** Motion and second (Wolosin/ Doerr), to select Mayor Wolosin as the League of California Cities voting delegate, passed unanimously.

Mayor Wolosin reported out on the Caltrain Modernization Local Policy Group meeting.

City Councilmember Nash reported out on the Peninsula Clean Energy (PCE) meeting.

City Councilmember Doerr reported out on a meetings with the Sharon Heights golf course and Nuestra Casa.

Vice Mayor Taylor reported out on the Home for All meeting.

**L. Closed Session**

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Significant exposure to litigation: One case

**M. Adjournment**

Mayor Wolosin adjourned to the closed session at 9:49 p.m.

Mayor Wolosin adjourned the meeting at 11:46 p.m.

Assistant to the City Manager/ City Clerk Judi A. Herren

These minutes were approved at the City Council meeting of September 12, 2023.

# District Introduction and Update

Karen Holman, Board Member, Ward 5

Margaret MacNiven, Board Member, Ward 6

August 29, 2023

North Ridge Trail, Purisima Creek Redwoods (Eric Gouldsberry)



**PRESERVE**  
**PROTECT**  
**RESTORE**  
**EDUCATE**  
**ENJOY**

# Midpen's Mission(s)



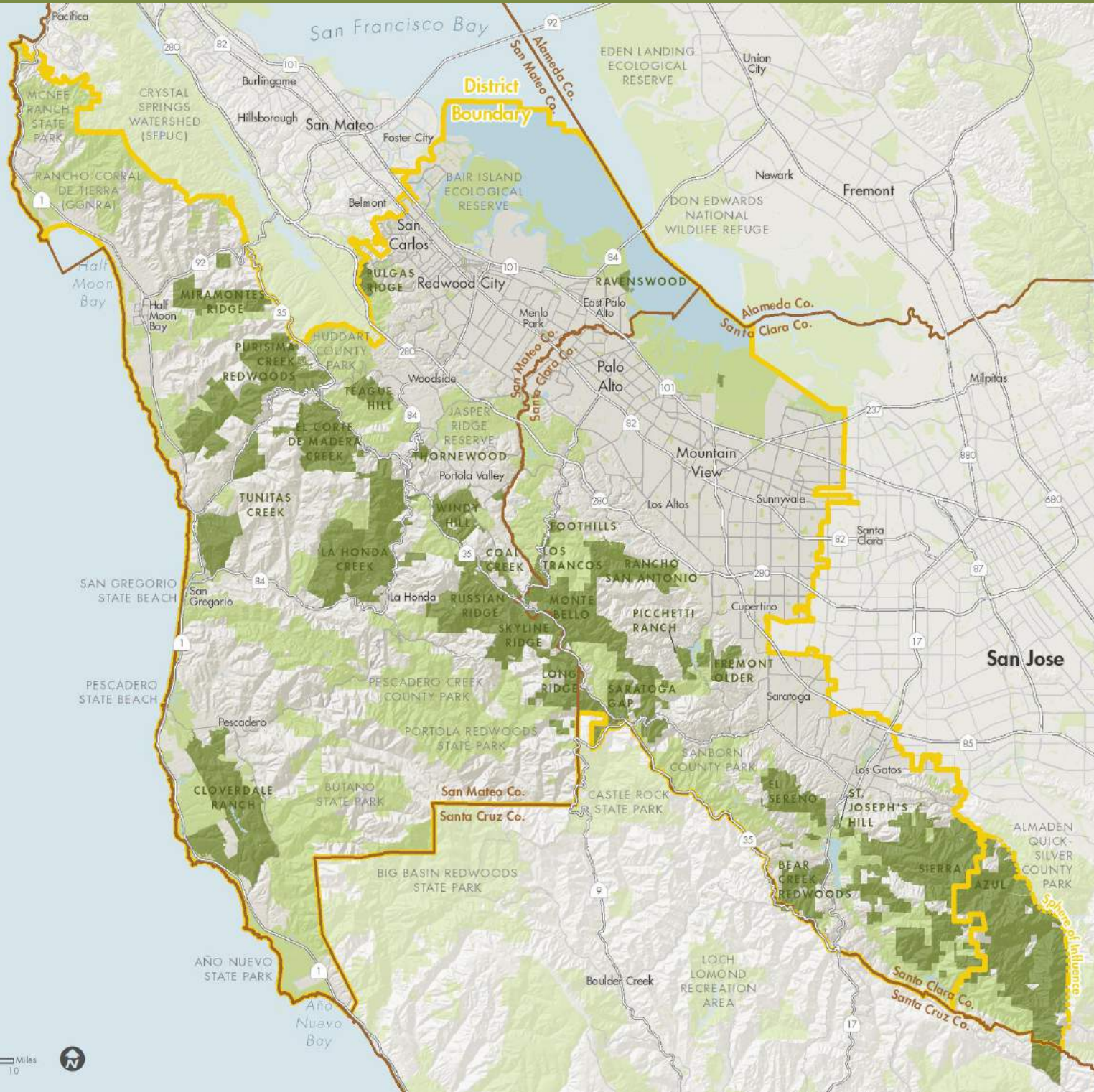
*Midpen's mission: to acquire and preserve a regional greenbelt of open space land in perpetuity, protect and restore the natural environment, and provide opportunities for ecologically sensitive public enjoyment and education.*

*On the Coast, Midpen has an expanded mission to acquire and preserve agricultural land of regional significance, preserve rural character and encourage viable agricultural uses of land resources.*



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# Midpen's Lands



- Midpen preserve
- District boundary
- Sphere of influence
- Other protected land
- County boundary



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- ENJOY**



# Some Midpen Facts

- Public agency, created in 1972 by a grassroots voter initiative
- 763,000 constituents (2020)
- Elected board: seven directors
- Funded primarily through property tax
- 27 Preserves in Santa Clara, San Mateo and Santa Cruz counties
- Preserved over 70,000 acres, 250+ miles of trails
- Preserves are free and open to the public
- Main office in Los Altos + field offices
- 200 employees, ~1000 volunteers
- \$300 million voter-approved general obligation bond passed in 2014 to support public priorities



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# Windy Hill Open Space Preserve



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**



Photo: Eric Morhenn

# Ravenswood Open Space Preserve



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**

# Ravenswood Open Space Preserve



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**

# Ravenswood Open Space Preserve



Photo: Galli Basson



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**

# Ravenswood Open Space Preserve



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**



# Ravenswood Open Space Preserve



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**

Photo: Jose Maldonado

# La Honda Creek Open Space Preserve



Photo: Randy Weber



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- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**



# Monte Bello Open Space Preserve



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**EDUCATE**  
**ENJOY**

# Russian Ridge Open Space Preserve



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**



Photo: Chris Toomey

# Daniels Nature Center



- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**

Photo: Karl Gohl

# Onion Grinding Stones



MIDPENINSULA  
REGIONAL  
**OPEN  
SPACE**

- PRESERVE**
- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**

# Thornewood Open Space Preserve



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- PROTECT**
- RESTORE**
- EDUCATE**
- ENJOY**

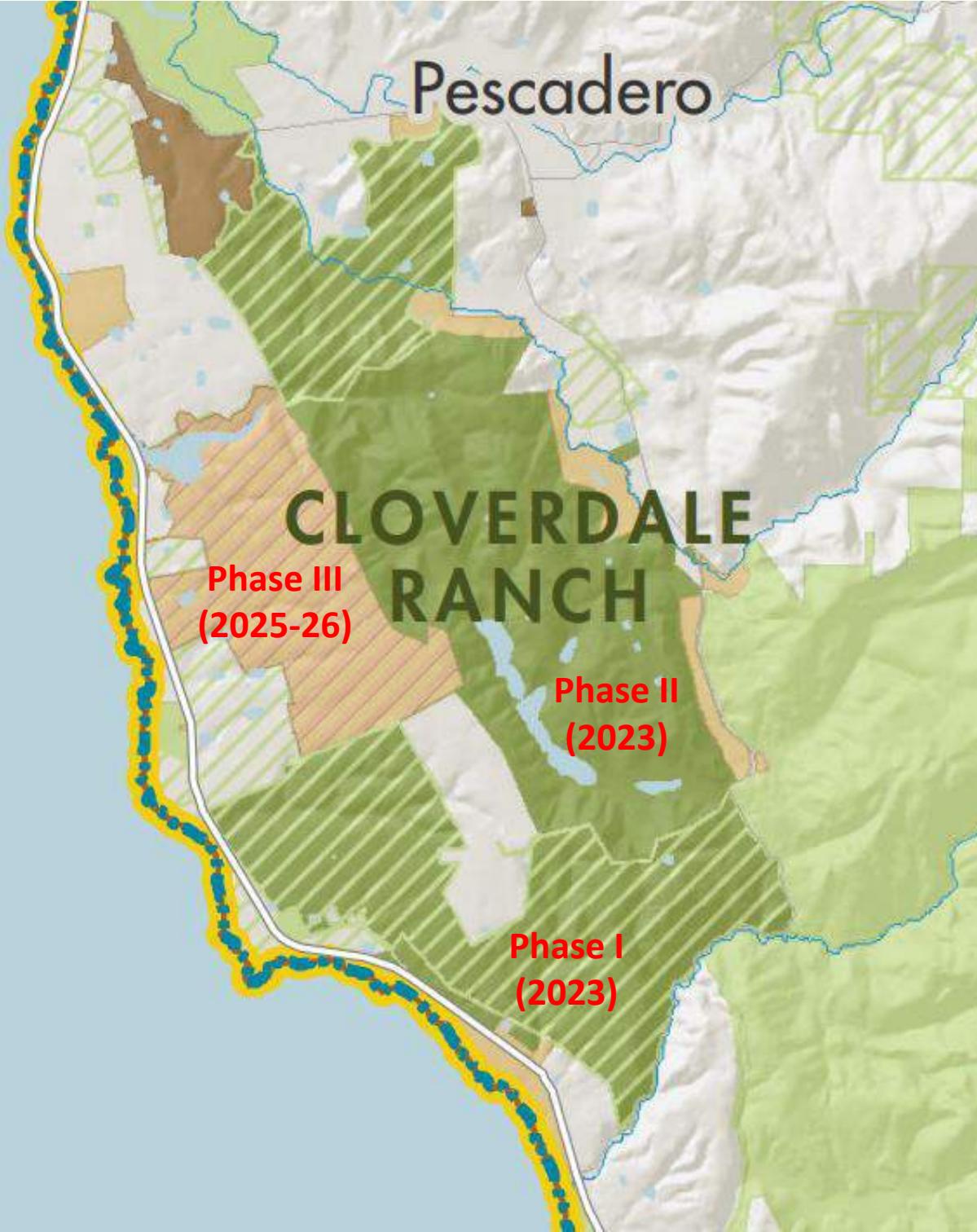
Photo: Marcia Hakanson

# Project Updates



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# Cloverdale Ranch Acquisitions



- Phase I (2023)
  - 1,800 acres
  - Includes the Wilbur's Watch trail
- Phase II (2023)
  - 3,300 acres
  - POST retaining farms
- Phase III (2025/26)
  - 1,200 acres
  - Contains Lake Lucerne Mutual Water Company



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**ENJOY**

# Cloverdale Ranch Open Space Preserve



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**EDUCATE**  
**ENJOY**

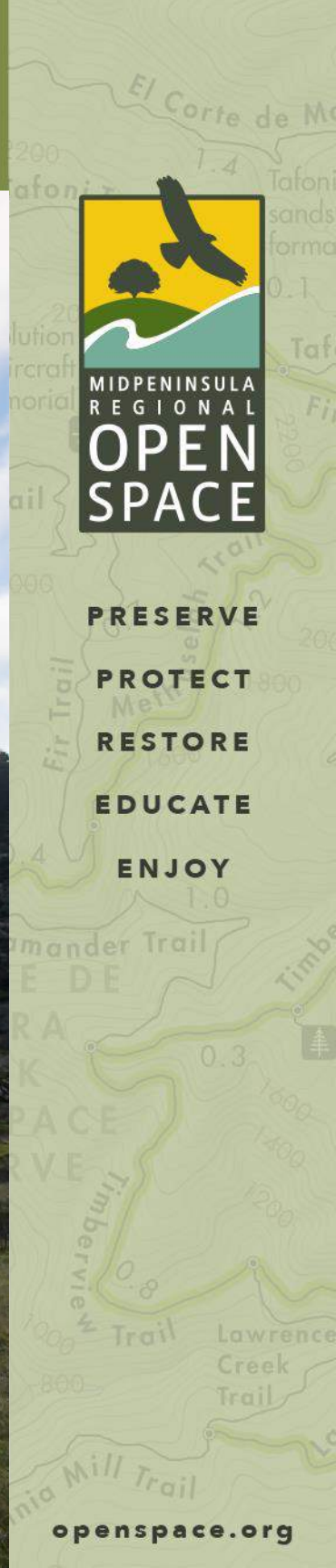


Photo: Teddy Miller



# Wildland Fire Resiliency Program Implementation

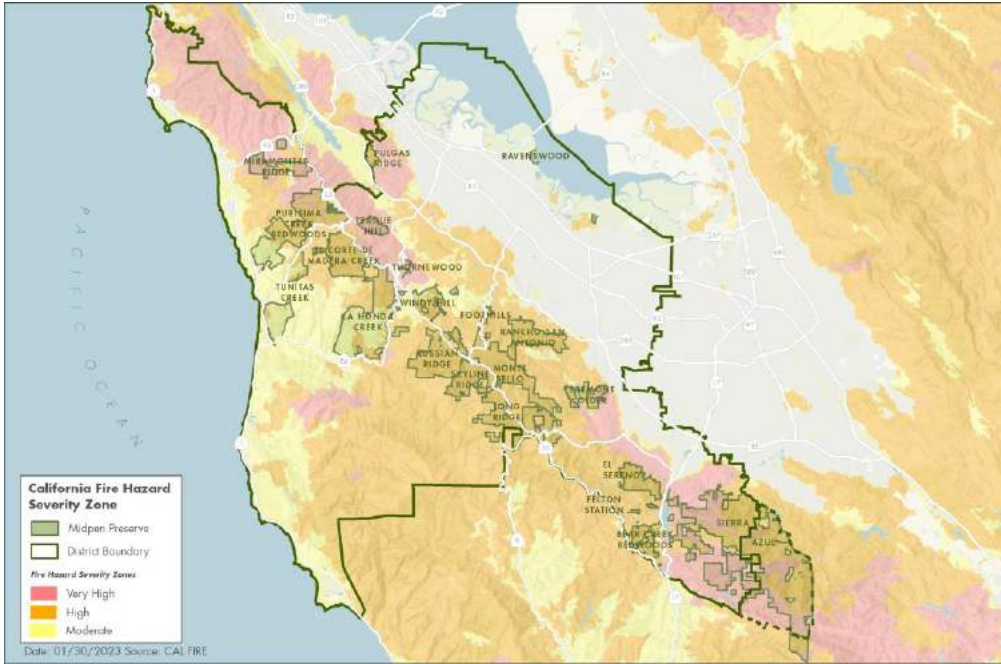


CZU Lightning Complex Fire, 2020  
Photo: Brad Pennington



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# Wildland Fire Resiliency Program



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For more information visit  
[openspace.org/what-we-do/projects/wildland-fire-resiliency](https://openspace.org/what-we-do/projects/wildland-fire-resiliency)

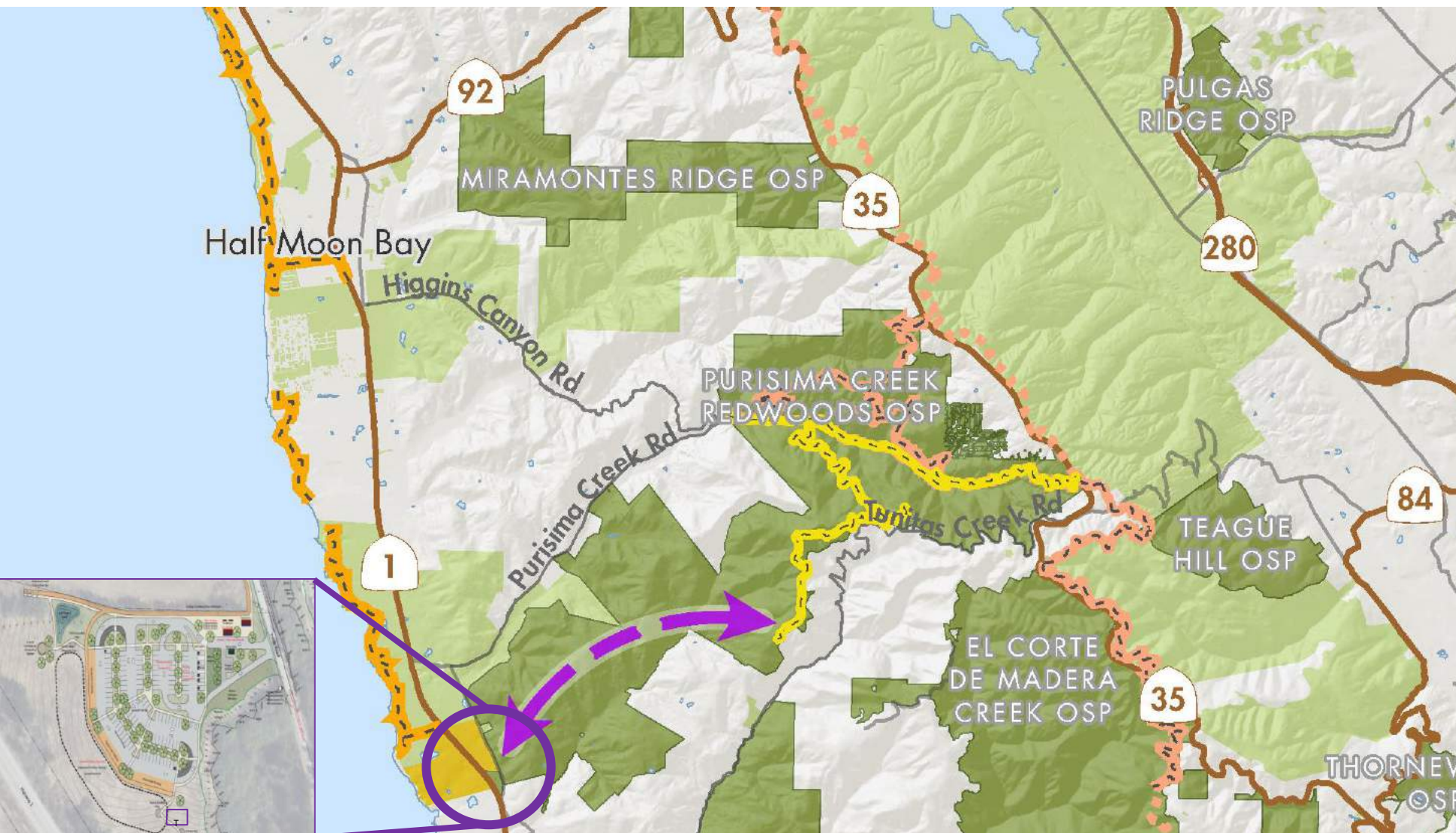
# Purisima-to-the-Sea Trail

- Project Description

New parking area and trails connecting the Coastal Trail on Highway 1 to the Bay Area Ridge Trail on Highway 35.



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# Bay-to-the-Sea Trail



**MIDPENINSULA  
 REGIONAL  
 OPEN  
 SPACE**

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# Mountain Lion – Human Interaction Study

- **Project Description**

Track mountain lion use of Santa Cruz Mountain Preserves to inform wildlife management and public use decisions that are protective of wildlife and reduce potential conflicts.

- **Status**

- Collared 23 mountain lions over the past 3 years
- The Puma Project is utilizing spatial data from the collars to analyze factors influencing human/mountain lion interactions
- Behavioral modification used techniques on 5 lions to determine if they can be encouraged to avoid high use trails when humans are present.



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*For more information visit*  
**[openspace.org/what-we-do/projects/mountain-lion-conservation-research](https://openspace.org/what-we-do/projects/mountain-lion-conservation-research)**

# Questions?

[www.openspace.org](http://www.openspace.org)

[info@openspace.org](mailto:info@openspace.org)

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A photograph of a train crossing a street at night. The train is white with red accents and has the number "119" on its front. Its headlights are on, illuminating the scene. In the foreground, a person is standing on the sidewalk, looking towards the train. There are traffic lights and street signs visible. The background shows trees and a building.

# STREETARIES OUTDOOR DINING AREAS

August 29, 2023 – Resolutions to Approve Design Standards & Fees



# AGENDA

- Background
- Streetary outdoor dining design standards
- Streetary fee structure
- Business assistance







## RECOMMENDATIONS

1. Adopt resolution for Streetary design standards
2. Adopt resolution for Streetary fee structure



## BACKGROUND

- On August 15, the City Council voted unanimously to introduce the Streetary Outdoor Dining Areas ordinance and requested the following information regarding the Streetary design standards and fee structure:
  1. Review visibility and height requirements that do not impact safety.
  2. Provide additional data on unsubsidized fees and information on expanding a fee waiver program to new Streetary applicants.



## STREETARY DESIGN STANDARDS

- The design standards regulate the form, design, safety, and maintenance of streetaries, including:
  - Permit application submittal processes
  - Design elements like location, parklet platforms, enclosures, and overhead structures
  - Furnishings and fixtures standards
  - Safety, accessibility, operations and maintenance standards

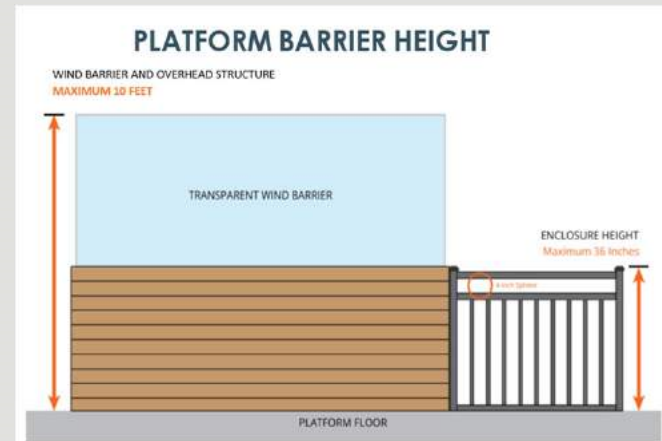




# STREETARY DESIGN STANDARD UPDATES



- **Wind barriers:** Maximum height increased from 6' to 10' above the platform floor to align with the maximum height of overhead structures. Allowed to be non-transparent above 36" for privacy, as long as it does not conflict with overall visibility standards.
- **Overhead structures:** Minimum height updated to 7'6" to align with California Building Code standards.





## STREETARY DESIGN STANDARD UPDATES



- **Tables, seating and chairs:** Focused on accessibility.
- **Lighting:** Minimum height reduced from 10' to 7'6" to align with the minimum height of overhead structures.
- **Plants and Planters:**
  - Maximum combined height is 48"
    - 30-36" for planters + 12-18" for plants
  - At intersections or mid-block crosswalks, maximum combined height is 36"
    - 30-36" height planter + max 6" plants



*639 Santa Cruz Ave parklet, lighting is about 8-feet in height, and plants + planters about 48" in height*

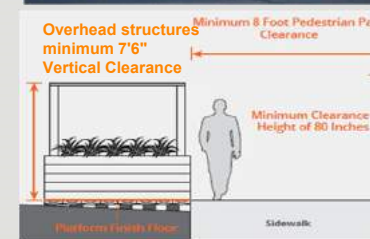
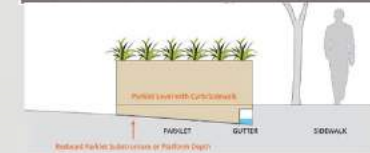
*Height limits ensure visibility of surrounding retail establishments both into and out of the parklet, and do not block vehicular, bicycle, and pedestrian visibility.*



## OTHER KEY STANDARDS & GUIDELINES



- Templates and site plans provided.
- Barriers: 250-lb force impact rating, 30-36" in height, specified materials.
- Platforms: made of durable, fire and weather resistant materials; flush to sidewalks; and provide for drainage, ventilation, and rodent proofing.
- Overhead structures: may require longer review and approval to ensure safety and visibility.
- Design and construction must meet applicable California Building Code and Americans with Disabilities Act regulations.

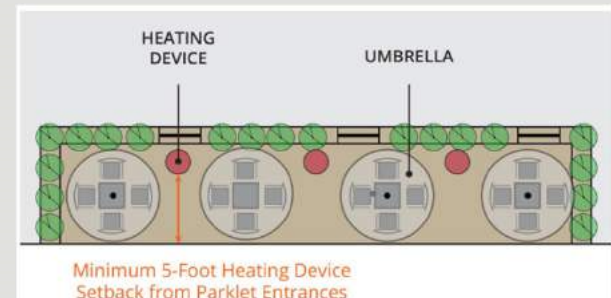
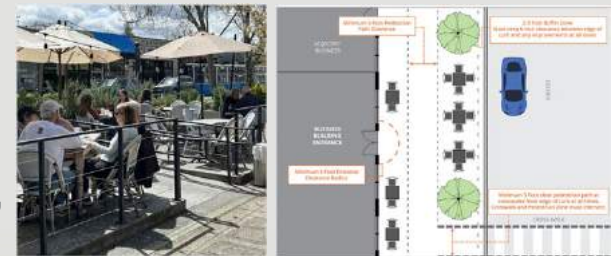




## OTHER KEY STANDARDS & GUIDELINES



- Furnishings and fixtures: made of fire resistant, commercial grade material, weighted down for wind protection, and meets ADA accessibility.
- Portable heaters are allowed, except inside of tents, canopies and membrane structures.
- Gas heaters are not permitted on or under combustible materials.
- Shading and umbrellas 80" above the platform or sidewalk are allowed where they do not block sight lines.
- Signage must meet the City's Sign Design Guidelines (non-illuminated, max area of 6 SF, or 9 SF at corners).





## PROPOSED STREETARY FEES



- **Streetary permit application fee:** Regulatory fee offsets the City's costs of permit administration.
  - Initial 3 year permit term, followed by annual renewals, per ordinance.
  - Fees begin for new applicants starting January 1, 2025.
  
- **Streetary annual encroachment lease fee:** Based on a cost per square foot for use of public right-of-way or public parking space. Total would vary based on the actual square footage of the Streetary.
  - Charged annually for all applicants starting January 1, 2025.





## PROPOSED STREETARY FEES



| Streetary Fees   | Parklets               | Sidewalk Cafe |
|--|------------------------|---------------|
| Initial permit fee (3-year term)                         | \$1,725                | \$810         |
| Annual encroachment lease fee                            | \$4.24 per square foot |               |
| Permit renewal (charged annually after initial 3yr term) |                        | \$250         |



## STREETARY FEES COMPARISONS

| City              | Initial Permit & Use Fees      | Annual Use Fees | Fee purpose  |
|-------------------|--------------------------------|-----------------|--|
| Redwood City      | \$8,109.60                     | \$4,823         | Permit and use fees (annual waived through 2023).                                      |
| Burlingame        | \$5,531                        | \$4,500         | Permit, use and cleaning fees.   |
| <b>Menlo Park</b> | <b>\$3,251</b>                 | <b>\$1,750</b>  | <b>Permit + Lease fees. Annual (after 3-year term) Renewal + Lease fees.</b>           |
| Mountain View     | \$3,169                        | \$385           | Permit, use and cleaning fees.   |
| San Rafael        | \$2,000<br>(+\$2,000 deposit)  | \$3,600         | Permit fee (part refundable) and annual use fee (with discounts through May 31, 2025). |
| San Carlos        | \$1,828                        | \$994           | Permit, use and cleaning fees.   |
| San Mateo         | \$1,500                        | \$500           | Permit and use fees.   |
| Morgan Hill       | \$716.10<br>(+\$1,000 deposit) | \$1,000         | Permit fee (part refundable) and annual use fee.                                       |
| Los Altos         | \$500                          | \$100           | Permit and use fees.   |
| Average           | \$2,954                        | \$1,988         | (does not include proposed Menlo Park fees)  |
| Median            | \$1,914                        | \$997           |  |



## STREETARY FEE COMPARISONS

| Fees                                    | Full avg. retail rent/SF<br>\$4.24/SF per month | Proposed rate<br>\$4.24/SF per year | Additional increased rate option<br>\$8.50/SF per year | Redwood City   | Burlingame     |
|---|---|-------------------------------------|--|----------------|----------------|
| Streetary application permit fee        | \$1,725   | \$1,725                             | \$1,725  | \$2,226        | \$591          |
| Lease fee (360 SF)                      | \$18,317  | \$1,526                             | \$3,060  | \$3,658        | \$5,100        |
| <b>Total initial permit + lease fee</b> | <b>\$20,042</b>                                 | <b>\$3,251</b>                      | <b>\$4,785</b>   | <b>\$5,884</b> | <b>\$5,691</b> |
| Annual permit renewal fee               | \$250   | \$250                               | \$250  | \$583          | \$3,000*       |
| Annual lease fee (360 SF)               | \$18,317  | \$1,526                             | \$3,060  | \$3,658        | \$1,500        |
| <b>Total annual fee</b>                 | <b>\$18,567</b>                                 | <b>\$1,776</b>                      | <b>\$3,310</b>   | <b>\$4,241</b> | <b>\$4,500</b> |



## BUSINESS ASSISTANCE FOR STREETARY PROGRAM



- **Compliance review:** SZFM Design Studio reviewed existing parklets for compliance and issued recommendations.
- **Discounted fees:** Proposed encroachment lease fees set at significantly lower rates than average retail rent.
- **Fee waivers:** Initial permit fees waived for businesses that meet transitional period deadlines, and for new applicants. Annual lease fees would apply beginning Jan. 1, 2025. City subsidy estimate = \$59,853.





## FEE WAIVER

- Estimates assume that (1) all 12 existing outdoor dining uses apply for Streetary permits by Dec. 31, 2023 (5,400SF of public space) and (2) five additional businesses apply for new Streetary permits before Jan. 1, 2025 (1,800SF of public space).
- Fee waiver: initial permit application fee + first year encroachment lease fee

| Fee   | Price              | Estimated fees for 12 existing parklets | Estimated fees for 5 potential new parklets |
|---|--------------------|---|---|
| Initial permit application fee                        | \$1,725 (one-time) | \$20,700                                | \$8,625                                     |
| Initial encroachment lease fee                        | \$4.24/SF          | \$22,896                                | \$7,632                                     |
| <b>Total estimated fee waivers (existing and new)</b> |                    | <b>\$43,596</b>                         | <b>\$16,257</b>                             |
| <b>Combined total estimated fee waiver *</b>          |                    | <b>\$59,853</b>                         |   |

*\*Correction from staff report: Estimated cost of annual renewal fees for the 2nd and 3rd years were removed from the total estimate. The proposed fee waiver would apply to initial 3-year permit term.*

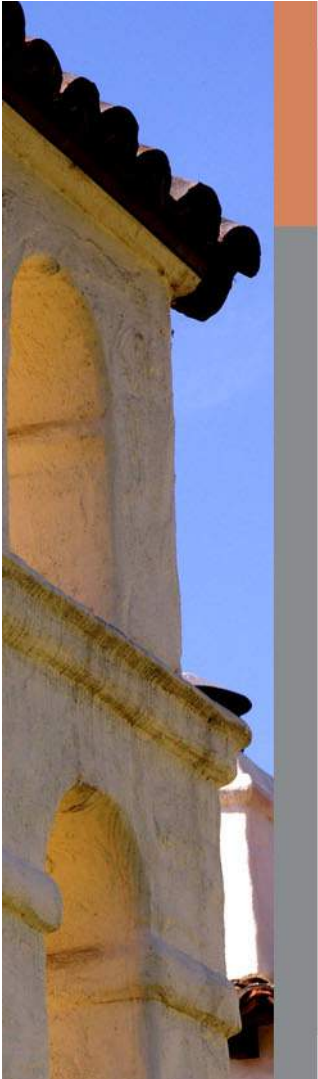


## TRANSITIONAL PERIOD FOR EXISTING OUTDOOR DINING FACILITIES



The transitional period starts from the adoption date of the Streetary program

| Date                               | Transition   |
|------------------------------------|--|
| <b><i>Sept 2023</i></b>            | <b>One-month from adoption</b> for Streetary program to become effective, staff to create application, and notify existing outdoor dining owners   |
| <b><i>Oct 1 - Dec 31, 2023</i></b> | <b>Open application period through Dec. 31, 2023</b> for existing outdoor dining facilities to fee waiver  |
| <b><i>Jan-June 2024</i></b>        | Final inspection approval by June 30, 2024 for existing Streetaries.   |
| <b><i>Jan 1, 2025</i></b>          | Initial permit + use of space fee waiver ends. Fees begin to apply for new applicants and annual use of space fees begin to apply for existing Streetaries. Annual permit renewal fees begin after initial 3-year permit term. |



## CITY COUNCIL NEXT STEPS

- Recommend the City Council adopt:
  1. Resolution approving Streetary design standards
  2. Resolution approving Streetary fee structure



**THANK YOU**





# PROPOSED PARTIAL SANTA CRUZ AVENUE STREET CLOSURE

August 29, 2023 City Council Meeting

Staff Presentation



## OVERVIEW

- Outdoor dining “streetary” program
- Recently amended Circulation Element and El Camino Real Downtown Specific Plan allow City Council to consider street closures
  - Amendments adopted on August 15
  - Allow consideration of street closures in Main Street and Local Access “Alley” classifications
- Additional correspondence

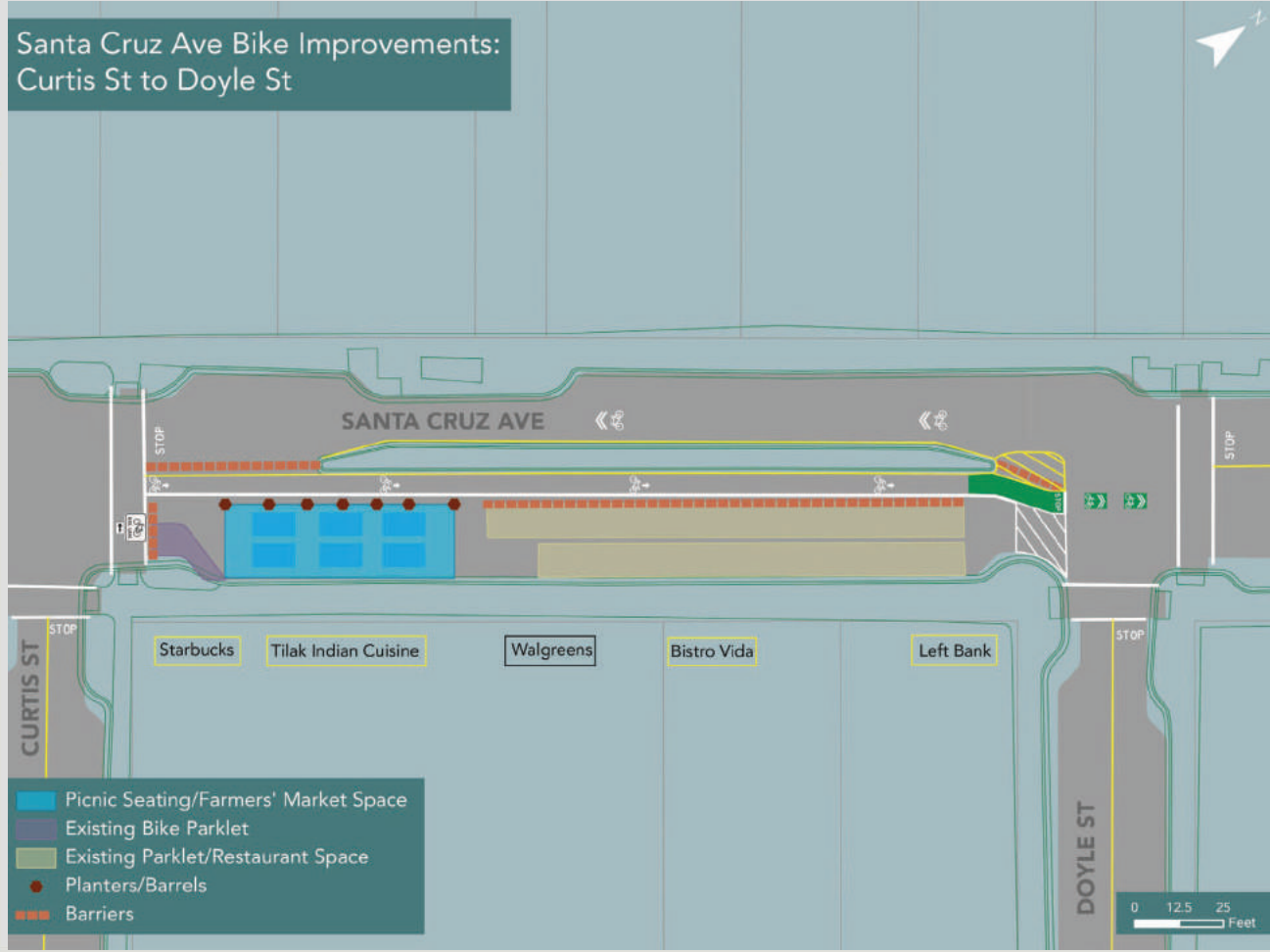


## STREET CLOSURES

- Santa Cruz Avenue (continued closure)
  - Continue current street closure
  - Modify space to incorporate bike lane
  - Modifications and continued street closure consistent with Main Street classification
- Ryans Lane (temporarily re-open)
  - Allow staff to coordinate with adjacent restaurants on Ryans Lane
  - Staff could bring a possible street closure to a future Council meeting



## Santa Cruz Ave Bike Improvements: Curtis St to Doyle St





# ADDITIONAL BICYCLE IMPROVEMENTS

Santa Cruz Ave Bike Improvements:  
Doyle St to El Camino Real





## RECOMMENDED ACTIONS

- Adopt a resolution approving:
  - Long-term street closure of eastbound direction of Santa Cruz Avenue (between Curtis and Doyle Streets) to vehicles
  - Install a new bicycle lane in the eastbound direction of Santa Cruz Avenue
- Draft resolution included in Attachment A



THANK YOU

