



CITY OF
PALO ALTO



Local Emergency Ordinance & Re-opening Streets

Palo Alto City Council

June 22, 2021

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OVERVIEW

- City's Local Emergency Proclamation was issued March 12, 2020, and affirmed on March 16th due to the worldwide COVID-19 pandemic.
 - Under this proclamation the City has implemented certain programs and policies.
 - This item outlines next steps should the emergency proclamation be rescinded (e.g. encroachment permits and parklet program).
- Additional information, including traffic data, is provided to aid the Council in discussion and direction to staff on street closures.

RECOMMENDATION

Staff recommends the City Council:

1. Consider whether to continue or rescind the City's Local Emergency Proclamation

The City Council could:

1. Rescind the local emergency effective immediately.
2. Rescind the local emergency later this summer, either on a date certain or if certain metrics are reached.
3. Allow the local emergency to continue.

If the Council rescinds the emergency effective immediately, staff recommend adopting the emergency ordinance in order to continue outdoor encroachment permits, parklets, etc.

2. Discuss and provide direction to staff on street closures.

Local State of Emergency

Effects when Rescinded

June 22, 2021

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STATES OF EMERGENCY

- States of Emergency presently continue at all levels of government, subject to change.
- Emergency proclamation dates (right).
- State continues to provide guidance on protocols and adjustments to limit the spread of the virus.

**State of
California**

March 4, 2020

**Santa Clara
County**

February 3, 2020

**City of Palo
Alto**

March 12, 2020



CALIFORNIA RE-OPENING - JUNE 15, 2021

- The color-coded tier system for California counties ended June 15, 2021.
- Generally, businesses can open indoors without capacity restrictions.
 - State guidance and protocols require some adjustments.
 - Refinements are expected to continue.
- The Governor has not ended the state of emergency.
- Santa Clara County has a very high vaccination rate.
 - Fully vaccinated: **71.2%**
 - Partially vaccinated: **80%**

What Changes and What Happens When the Local Emergency Ends?

Areas	Emergency Rescinded	Next Steps?
Local Moratorium on Residential Evictions	<p>State’s anti-eviction law preempts local and county ordinances.</p> <p>State protections set to end June 30, 2021. Tentative agreement from legislature & governor to extend until Sept. 30, 2021.</p>	<p>No further action needed from the Council to provide eviction protection. Individuals seeking relief must work with the State.</p>
Building and Planning Permit Extensions	<p>When Council rescinds the local emergency, it will trigger the 180-day extension period on permits and encroachments. The extension is 180 days from the emergency’s end.</p> <p>If a permit or entitlement was scheduled to expire after the end of the Local Emergency, it will have a 180-day extension.</p> <p>Entitlements and permits will expire 180 days after the end of the Local Emergency</p>	<p>Once the emergency ends, the Planning & Development Services Department will work to update the expiration dates as applicable.</p>

What Changes and What Happens When the Local Emergency Ends?

Areas	Emergency Rescinded	Next Steps?
<p>Temporary Encroachment Permits</p> <p>(including parklets, sidewalk dining, etc.)</p>	<p>This program includes streamlining encroachment permitting, waiving fees, pilot parklets, and allowing use of parking areas for outdoor sales, dining, and activities.</p> <p>When the emergency is rescinded, the existing ordinance authorizing this program will end.</p>	<p>The attached <u>emergency</u> ordinance will need to be adopted to allow the program to continue uninterrupted until the replacement ordinance can become effective on July 22, 2021.</p> <p>The replacement ordinance expires on Dec. 31, 2021. The emergency ordinance will expire when the replacement becomes effective.</p>
<p>Street Closures</p>	<p>The street closures do not automatically end if the local emergency is rescinded.</p> <p>Council delegated to City Manager the authority to close certain streets to motorized vehicles until October 31, 2021 or open the streets sooner.</p>	<p>Council to provide direction regarding continuing or ending the street closures downtown and on California Avenue.</p>

Street Closures

June 22, 2021

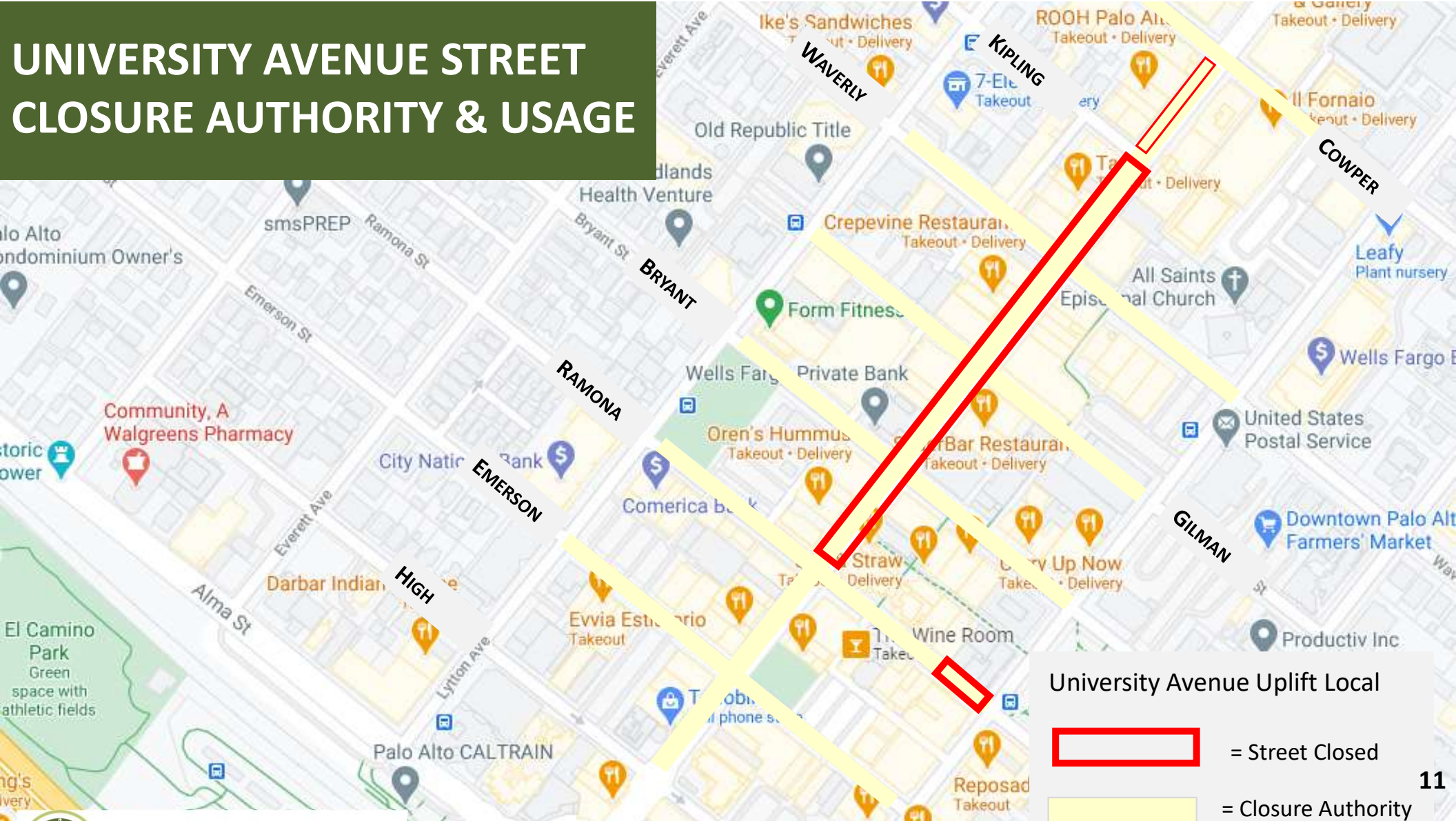
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STREET CLOSURES

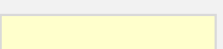
- In April 2021, Council extended the City Manager’s authority to close certain streets until October 31, 2021.
- Since that time, the contours of the pandemic have changed significantly—with positive improvements.
- Given shifting context, staff are seeking further Council direction regarding the street closures.

UNIVERSITY AVENUE STREET CLOSURE AUTHORITY & USAGE



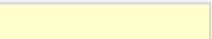
University Avenue Uplift Local

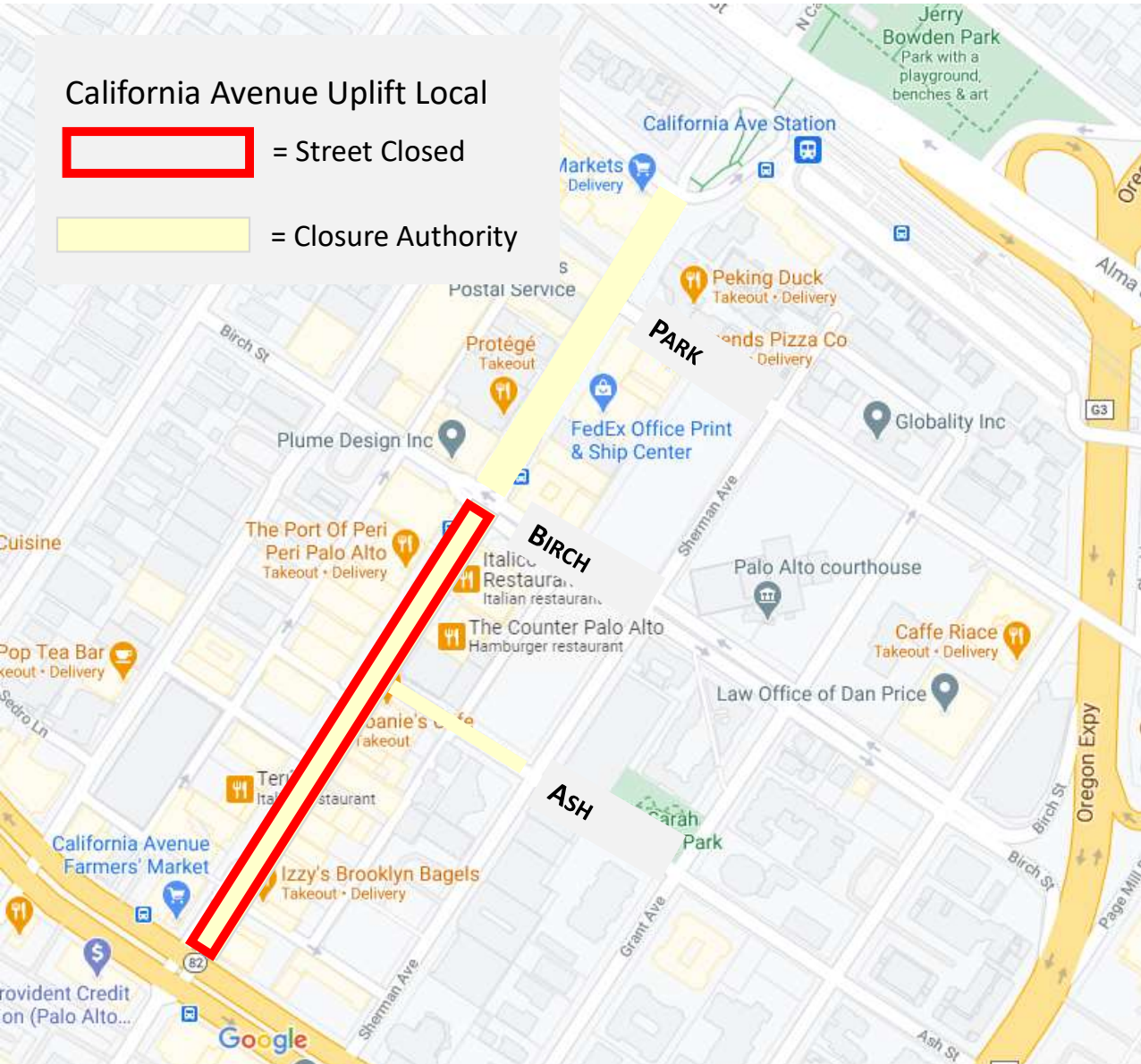
 = Street Closed

 = Closure Authority

California Avenue Uplift Local

 = Street Closed

 = Closure Authority



CALIFORNIA AVENUE STREET CLOSURE AUTHORITY & USAGE



STREET RE-OPENING OPTIONS

1. **Continue closures until October 31, 2021.**
2. **Re-open Streets on Specific Date(s)**
 1. Downtown on **July 6** (including Ramona St.)
 2. California Avenue on **September 7**
3. **Re-open one street; keep one street closed.**



PERSPECTIVES ON STREET CLOSURES

Continue Closures

- Pleasant pedestrian and cyclist environment
- Enjoying the nice climate
- Enjoying the “post-pandemic” summer
- Car-free environment is safer for kids
- Indoor dining hesitancy and/or prefer outside seats
- Employment provided by restaurants more than retail

Open Streets

- Other Bay Area retail locations seeing gains; closures are cause of limited recovery.
- Pedestrians not on sidewalk limits retail sales
- Closures benefit restaurants more than retail
- Restaurants have had sufficient time to benefit
- Retailers suffer from limited vehicle traffic
- Proximate parking important



CORRESPONDENCE ON STREET CLOSURES

Public

- **406 emails preferring continuing street closures.**
 - Closures create safer streets, provides safety for diners, pedestrians, and cyclists.
- **4 emails preferring open streets to traffic** and/or more engagement with community before deciding.
- Over 1000 survey responses (April) supporting closures.

Business & Property Owners

Cal Ave

- **3 emails** support continuing closures.
- **4 emails** supported the opening of the road to traffic.
- To promote drive-by traffic, get pedestrians on the sidewalk.

Downtown

- **12 emails** supported keeping the road closed to vehicles.
- **13 emails** supported opening the road to traffic.



COMPROMISE

- City staff have considered approaches to street closures that might facilitate the “best of both” options.
- Options considered include:
 - **Weekend Only Closures** – Current staffing capacity cannot accommodate this option
 - **Re-Striping University** – This creates minimal additional room for parklets while deteriorating the recently paved street.
 - **One Lane on University** – This requires additional costs to the city (barriers, striping, etc.) and minimal increase in dining space.
 - **Encouraging Pedestrians to Sidewalks** - Getting pedestrians to use sidewalks may be difficult; further there is a preference to continue the center lane for emergency access.

PED, CYCLIST, AND PATRON COUNTS OVER TIME - DOWNTOWN

Weekday Lunch/Dinner Hour

Month	Seated	Standing/ Walking	Biking
July 2020	152	132	13
August 2020	161	110	14
March 2021	77	60	3
April 2021	89	100	7
May 2021	117	101	3

Weekend Dinner Hour

Month	Seated	Standing/ Walking	Biking
July 2020	308	182	14
August 2020	300	229	11
September 2020	244	217	5
October 2020	375	314	3
November 2020	220	200	4
March 2021	167	60	
April 2021	318	45	3
May 2021	301	135	6

PED, CYCLIST, AND PATRON COUNTS OVER TIME – CAL AVE

Weekday Dinner Hour

Month	Seated	Standing/ Walking	Biking
July 2020	136	25	6
August 2020	112	45	
September 2020	155	18	4
October 2020	133	21	1
November 2020	117	27	
March 2021	145	25	4
April 2021	154	18	6
May 2021	147	28	7

Weekend Dinner Hour

Month	Seated	Standing/ Walking	Biking
July 2020	279	96	8
August 2020	256	78	7
September 2020	388	85	4
October 2020	315	70	
November 2020	198	37	3
March 2021	315	78	9
April 2021	365	91	2
May 2021	288	46	

AVERAGE DAILY TRIPS - DOWNTOWN

Location	ADT Pre-Pandemic (2016)*	July 2020 ADT (7/7/20-7/13/20)	October 2020 ADT (10/25/20 - 10/31/20)	April 2021 ADT (4/28/21-5/4/21)
Cowper (Lytton & University)-NB+SB	N/A	2,446	2,388	2,377
Lytton (Cowper & Kipling) (EB+WB)	10,770	10,037	11,301	11,883
High (University & Hamilton) (SB)	2,363	4,169	2,723	3,451
Hamilton (Bryant & Gillman) (EB+WB)	7,986	4,704	6,117	6,656
University Ave (Middlefield and Alma)	11,717			

**Note: Traffic volumes likely increased from 2016 to early 2020. However, 2016 is the most recent data the City has.*

SALES TAX DATA: JULY – DECEMBER (Q3 & Q4)

FOOD SERVICES*		
Geographic Area**	% 2018 to 2019	% 2019 to 2020
California Ave District	7.0%	(47.0%)
University Ave District	(2.7%)	(55.0%)
Remainder of City (Excludes Cal. & University)	0.0%	(49.1%)

RETAIL		
Geographic Area**	% 2018 to 2019	% 2019 to 2020
California Ave District	(2.7%)	(21.3%)
University Ave District	(8.2%)	(44.0%)
Remainder of City (Excludes Cal. & University)	(19.0%)	(25.5%)

Notes:

* “Food Services” reflects the reported sales tax category “Accommodations & Food Services” though accommodations is not a significant contributor specifically in the districts.

** California Avenue and University Avenue data reflects the ‘district’ that expands beyond the named avenue.

PLANNING FOR POST-COVID CONDITIONS

- **Council has approved funding to pursue opportunities to create more flexibility in closures that could occur beyond the pandemic.**
 - Ideas include retractable/removable bollards to facilitate flexibility, like weekend only closures.
- **To facilitate closures of public streets, the City must comply with State Vehicle Code 21101.**
 - This process includes environmental review under the California Environmental Quality Act.
 - The Council would have to find that the street is no longer needed for vehicular traffic.
 - Frequent weekend closures also have a process (VC 21101 (e)) + environmental review.
- Funding plan for capital and operating costs must be identified.
 - Likely involves assessment of construction costs to adjacent properties
 - Likely involves "rental" fees for use of public space
- City will engage stakeholders in an urban design process.
- **The design and implementation processes will extend beyond October 31, 2021.**

INTERMEDIATE STEPS & MILESTONES

- Finalizing scope of work and selecting consultant to develop a vision for street activation and design. Consultant on board this fall.
- Allocating staff project management resources.
- Coordinating between community stakeholders (residents, retailers, restauranteurs, property owners, and visitors) and city departments.
- If improvements are ultimately district funded, business engagement and bridging individual interests will be critical to a successful planning effort.
- Immediate decisions set the "status quo" for this significant work.



Discussion & Recommendation

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