

**ORDINANCE NO. 2538**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ADDING ARTICLE VIII, "PEDESTRIAN MALLS," TO CHAPTER 20, "MOTOR VEHICLES AND TRAFFIC," OF REDWOOD CITY MUNICIPAL CODE**

**WHEREAS**, the City of Redwood City (City) declared its intention to establish a pedestrian mall on segments of the 2000 block of Broadway and Redwood Creek and set a public hearing on such pedestrian mall establishment by approving Resolution No. 16196 on January 8, 2024. The pedestrian mall will be located on three street segments: one segment on Broadway between Redwood Creek and Main Street, another segment on Broadway between Redwood Creek and Jefferson Avenue, and the third on Redwood Creek between the Main Street parking lot and the Marshall Garage, as shown on Exhibit A; and

**WHEREAS**, the Pedestrian Mall Law of 1960 (Streets and Highways Code Section 11000 *et. seq.*) authorizes municipalities to close one or more city streets, or portions thereof, on which vehicular traffic is or is to be restricted in whole or in part and which is or is to be used exclusively or primarily for pedestrian travel; and

**WHEREAS**, the City wishes to prohibit vehicular traffic on the proposed pedestrian mall except for emergency and utility maintenance vehicles which shall be allowed access at all hours, and trash vehicles during limited hours; and

**WHEREAS**, the City Council of the City of Redwood City held a public hearing on the establishment of the pedestrian mall segments on April 15, 2024, in accordance with Streets and Highways Code Section 11304 and did not receive a majority protest to the establishment of the pedestrian mall by owners of abutting lands pursuant to Streets and Highways Code Section 11306, but the City Council did receive one claim for damages prior to the public hearing in accordance with Streets and Highways Code Section 11304; and

**WHEREAS**, at the conclusion of the public hearing, the City Council adopted a resolution to proceed with establishing a pedestrian mall on three street segments: one segment on Broadway between Redwood Creek and Main Street, another segment on Broadway between Redwood Creek and Jefferson Avenue, and the third on Redwood Creek between the Main Street parking lot and the Marshall Garage, in accordance with Streets and Highways Code Section 11311 and to deny the one claim in accordance with Streets and Highways Code Section 11310; and

**WHEREAS**, the resolution will go into effect as of the effective date of this Ordinance; and

**WHEREAS**, the City wishes to enact an ordinance, in accordance with Streets and Highways Code Section 11600, to amend Chapter 20 of the Municipal Code to add a new article establishing rules and regulations prohibiting motorized vehicular traffic and governing the use of pedestrian malls.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF REDWOOD CITY ORDAINS AS FOLLOWS:**

**Section 1.** Chapter 20 Article VIII "Pedestrian Malls" of the Redwood City Municipal Code is added as follows:

**ARTICLE VIII. – Pedestrian Malls**

**Division I. – Generally**

**Sec. 20.245 Adoption and Purpose**

This article shall be known and may be cited as the "Pedestrian Malls Ordinance." The purpose of this article is to establish rules and regulations pertaining to the operation of pedestrian malls.

**Sec. 20.246 Definitions**

As used in this Article:

**(a) Motorized Vehicular Traffic** means vehicular traffic powered by motor, including without limitation, automobiles, trucks, buses, motorcycles, motor or e-scooters. Motorized vehicular traffic shall not include traffic from a self-propelled or motorized wheelchair, tricycle, or quadricycle if used or operated by a person, who by reason of a physical disability, is otherwise unable to move about as a pedestrian.

**(b) Pedestrian Malls** means streets, or portions thereof, on which vehicle traffic is restricted in whole or in part and which is to be used exclusively or primarily for pedestrian travel.

**Sec. 20.247 Boundaries**

Pedestrian malls are established along the following boundaries:

- (a) Broadway between Redwood Creek and Main Street.
- (b) Broadway between Redwood Creek and Jefferson Avenue.
- (c) Redwood Creek between Main Street parking lot and Marshall garage.

## **Sec. 20.248 Prohibition of Motorized Vehicular Traffic**

All motorized vehicular traffic is prohibited on a pedestrian mall, subject to the following exceptions:

- (a) Emergency vehicles and equipment of all types;
- (b) Public utility vehicles and equipment;
- (c) Garbage/recycling trucks operating on their established routes;
- (d) Sweepers, trucks or other vehicles or equipment operated by or at the direction of the City Engineer, or designee, for the purpose of performing City services on a pedestrian mall;
- (e) Commercial vehicles and equipment entering a pedestrian mall during hours to be established by the City Engineer, or designee, or an encroachment permit where such entry is reasonably necessary for the purpose of making deliveries of goods or equipment to the business establishments occupying property abutting on the pedestrian mall and where such deliveries cannot be made to said business establishments through entrances other than those on the pedestrian mall; and
- (f) Commercial vehicles and equipment entering a pedestrian mall where such entry is reasonably necessary for the purpose of performing work or services on the pedestrian mall or on private property or properties abutting thereon and where the owner or operator of any such vehicle or equipment holds an encroachment permit issued by or at the direction of the City Engineer, or designee.

## **Sec. 20.249 Permits for Use of Pedestrian Mall**

(a) Business establishments occupying property abutting on a pedestrian mall may apply for an encroachment permit for Outdoor Business activity from the Community Development Director or designee in accordance with Chapter 29 of City Code to use the portion of the pedestrian mall fronting their property for the purpose of restaurant seating and/or outdoor business activity, provided they meet the requirements set forth in the permit, including indemnity and insurance requirements, and the following conditions:

(1) All furniture and fixtures placed within a pedestrian mall shall be removable in nature to allow for the full extent of the pedestrian mall to be used for the purpose of special events, required maintenance, or other City purposes and must be removed at the request of the City Engineer or designee within 48 hours of receiving notice.

(2) Physical Delineation of Area. The physical extent of the business encroachment may be clearly delineated by physical means, which, if either required or voluntarily placed, shall be approved as part of the outdoor business

permit and designed to be decorative, durable, removable and minimize tripping hazards.

(3) Clearance. No furniture and fixtures may be placed within the center emergency vehicle access lane of the pedestrian mall, the dimensions of which shall be determined by the City Engineer or designee.

(4) Site Maintenance. Restaurant seating areas and outdoor business areas shall be maintained free of litter, refuse, and debris. All business activities shall be performed in accordance with the City's Outdoor Business program. The area shall be scrubbed and mopped to remove any food or drink stains on a daily basis. Such cleaning shall be performed in accordance with the City's Stormwater Management and Discharge Control Program, which prohibits any discharge other than stormwater into the stormwater drainage system. Failure to maintain the site shall be the cause for termination of the encroachment permit.

(5) Encroachment Fee. The applicant shall pay an annual fee in the amount set forth in the City's Comprehensive Fee Schedule.

(6) Accessibility. Restaurant seating and merchandise display areas shall meet accessibility requirements for the disabled.

(b) Special Events on a pedestrian mall may be permitted subject to the requirements of Chapter 29.

**Section 2. Recitals.** The recitals set forth above are true and correct and are hereby incorporated herein by this reference as if fully set forth in their entirety.

**Section 3. Severability.** If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The City Council declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

**Section 4. Environmental Review.** The Redwood City Downtown Precise Plan-Wide Amendments Subsequent Environmental Impact Report (DTPP SEIR) (State Clearinghouse No. 2021090249) evaluated the environmental impacts of the closure of Broadway between Jefferson Avenue and Main Street and on Redwood Creek. On June 26, 2023, the City Council adopted Resolution 16153, certifying the DTPP SEIR and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program. The current proposal for the closure of Broadway between Jefferson Avenue and Main Street and on Redwood Creek falls within the scope of the DTPP SEIR.

As set forth in CEQA Guidelines sections 15162 (Subsequent EIRs and Negative Declarations) and 15163 (Supplement to an EIR), the pedestrian mall will not result in any new environmental effects, or a substantial increase in the severity of any environmental impact or require new mitigation measures beyond those identified in the DTPP SEIR.

In addition, the pedestrian mall is exempt from CEQA pursuant to CEQA Guidelines section 15301. The proposed pedestrian mall would involve improvements on existing highways and streets with negligible or no expansion of use and the addition of protective exclusive pedestrian space, pedestrian crossing, street trees and other similar alterations. Accordingly, these improvements are categorically exempt from CEQA under CEQA Guidelines section 15301, which exempts projects that consist of improvements to existing highways and streets with negligible or no expansion of use.

**Section 5. Publication.** The City Clerk is directed to cause this Ordinance to be published in the manner required by law.

**Section 6. Legislative History and Effective Date.** This Ordinance was introduced on April 15, 2024, and adopted on May 6, 2024, and shall be effective 30 days after its adoption.

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ORDINANCE NO. 2538

At a Joint City Council/Successor Agency Board/Public Financing  
Authority Meeting thereof held on the 10<sup>th</sup> day of June 2024 by the following  
votes:

AYES, and in favor of the passage and adoption of the foregoing ordinance:

- AYES: Eakin, Howard, Martinez Saballos, Sturken, Vice Mayor Espinoza-  
Garnica and Mayor Gee
- NOES: None
- ABSENT: Aguirre
- ABSTAINED: None
- RECUSED: None



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Jeff Gee  
Mayor of the City of Redwood City



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Yessika Castro, CMC, CPMC  
City Clerk of Redwood City

I hereby approve the foregoing Ordinance  
this 12<sup>th</sup> day of June 2024.



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Jeff Gee  
Mayor of the City of Redwood City