



DATE: June 22, 2021

CATEGORY: Consent

DEPT.: Community Development and Public Works

TITLE: **Extension of Castro Street Closure and Outdoor Mountain View! Program**

RECOMMENDATION

1. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18470, as Amended by Resolution Nos. 18489, 18496, and 18547, Temporarily Suspending and Designating Parking Restrictions and Prohibitions Pursuant to Mountain View City Code Chapter 19 and Temporarily Closing the 100, 200, 300, and 400 Blocks of Castro Street Pursuant to California Vehicle Code Section 21101 to Facilitate Outdoor Dining and Outdoor Business Operations, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18546, Temporarily Suspending Certain Requirements for Sidewalk Café License Renewal Pursuant to Mountain View City Code Section 36.42 and Waiving Sidewalk Café License Renewal Fee Payments, Payable May 1, 2020 through April 30, 2022 to Facilitate a Consistent Outdoor Dining Program in the Downtown Area, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18492, Temporarily Allowing Activities on Public and Private Property to Facilitate Outdoor Business Operations in Response to the COVID-19 State of Emergency, to be read in title only, further reading waived (Attachment 3 to the Council report).

BACKGROUND

On March 17, 2020, the County of Santa Clara issued a Shelter-in-Place Order in response to the COVID-19 pandemic, and the Mountain View City Council adopted a resolution declaring the [Existence of a Local Emergency](#). On June 1, 2020, the County Public Health Order was amended with a new directive that allowed for outdoor dining but continued

the prohibition on indoor dining. Following this County Order, the City Council adopted [Resolution No. 18470](#) on June 9, 2020 to temporarily close the 100, 200, 300, and 400 blocks of Castro Street, between West Evelyn Avenue and Mercy Street, to vehicular traffic. This program, known as Castro StrEATs, was implemented to facilitate outdoor dining within the public right-of-way to support downtown businesses.

After the Castro StrEATs program began, the City Council amended the program several times to address the changing County Public Health orders.

- On August 25, 2020, [Resolution No. 18489](#) extended the City's prohibition on the operation of bicycles and transportation devices along Castro Street between West Evelyn Avenue and Mercy Street.
- On September 8, 2020, [Resolution No. 18496](#) expanded the program beyond outdoor dining to other business uses, extended the program to two weeks after the end of the City's local emergency declaration, and authorized the Public Works and Community Development Directors to make additional program modifications as needed.
- On April 13, 2021, [Resolution No. 18546](#) and [Resolution No. 18547](#) temporarily suspended requirements and waived the fees of the downtown Sidewalk Café Program to create a consistent outdoor dining program on Castro Street and extended the Castro StrEATs program an additional six weeks, for a total of eight weeks, after the end of the local state of emergency with a series of wind-down activities to safely reopen Castro Street to vehicular traffic.

In addition, the City Council also adopted [Resolution No. 18492](#) on September 8, 2020 to support Citywide businesses which allowed businesses to temporarily operate outside on public and private property in response to COVID 19. The program, known as Outdoor Mountain View!, provided mandatory requirements for businesses allowed to operate outdoors with minimal City permitting or approval while still protecting public health and safety. This program is set to expire 14 calendar days following the end of the City's local emergency declaration.

ANALYSIS

On May 19, 2021, the County of Santa Clara moved into the Yellow Tier status under the State of California Blueprint for a Safer Economy (Blueprint), which allows most indoor business operations to open with modifications. On June 15, 2021, the State retired the Blueprint, removing restrictions such as physical distancing and capacity limits for all business sectors with limited requirements related to mega-events.

Although this action allows all businesses on Castro Street to return to usual operations, it will take time for the businesses along Castro Street to recover. In recognition of the vital role the restaurant industry will play in economic recovery, Governor Gavin Newsom has encouraged local jurisdictions to continue with outdoor dining programs through the end of the year and, on June 4, 2021, authorized an extension for the sale of alcoholic beverages within the expanded outdoor dining areas through December 31, 2021. Staff also continues to receive community feedback in support of the Castro StrEATs program as businesses continue to transition to indoor operations.

To understand business needs, staff coordinated a survey to receive updated feedback on the program and to determine if the participating businesses would like to see a continuation of the program past the local state of emergency through either October 31 or December 31, 2021. A summary of the key survey findings include:

- A majority of businesses in the 100, 200, and 300 blocks of Castro Street would like to see the street closure continue through December 31, 2021. A minority of businesses continue to request reopening the street and/or Castro Street at Central Expressway.
- Most of the businesses in the 400 block of Castro Street would like to reopen Castro Street to vehicular traffic.
- Businesses are receiving input from their customers in support of the outdoor dining program, and customers are preferring the outdoor dining option over indoor dining.
- Businesses with tent structures would like to keep them up through summer to save staff time and money.

As indicated in the April 13, 2021 Council resolution, the current window for the wind-down activity is an eight-week period (six-week program extension plus two-week wind-down period) following the end of the local state of emergency. The Public Works and Community Development Directors do not have the authority to extend the street closure or extend the Sidewalk Café renewal requirement suspension and, therefore, require City Council adoption of the resolution to extend the programs and street closure to continue to assist businesses with economic recovery after the termination of the local emergency.

Although it is not yet known when the local state of emergency will end, staff recommends continuing the Castro StrEATs and the Outdoor Mountain View! programs along the 100, 200, and 300 blocks of Castro Street through Monday, January 3, 2022, with

Castro Street reopening to vehicular traffic as early as January 4, 2022, but no later than Tuesday, January 18, 2022. This will provide certainty to the businesses and the public that the Castro StrEATs program will not end earlier even if the local state of emergency is lifted in the near term. If the state of emergency continues beyond 2021, the City Council could extend the program with an amended resolution.

Staff recommends reopening the 400 block of Castro Street no later than July 9, 2021. This is consistent with the results of the recent survey of businesses on this block and reflects that this block is underutilized for outdoor dining. One of the constraints has been the necessity of keeping the southbound lane clear of outdoor dining to preserve fire access to 444 Castro Street.

In addition to extending the Castro StrEATs program, staff is requesting that the Sidewalk Café renewal requirement suspension be similarly extended through Monday, January 3, 2022, to allow a consistent outdoor dining program on Castro Street.

Staff also recommends continuing Outdoor Mountain View! to support businesses Citywide as they recover from the pandemic with the same end date of Monday, January 3, 2022. However, some types of businesses will not continue outdoor operations and will not need the reduced regulatory requirements provided by Outdoor Mountain View! (e.g., hair salons). Staff recommends authorizing the Community Development and Public Works Directors to remove land use categories from participation in the Outdoor Mountain View! program as needed to address operational impacts associated with outdoor use of private and public property (e.g., parking lots) as regular business operations return to normal post-COVID-19.

Future Plans for Castro Street

Over the summer and early fall, staff will conduct business and community outreach to discuss the future of the 100, 200, and 300 blocks of Castro Street. In-person and online events will be held to share and receive feedback on various concepts under development for the 100 block as part of the Castro Street Pedestrian Mall Feasibility Study. At these events, staff will also engage participants about whether the 200 and 300 blocks should be closed to vehicles permanently. Staff will return to Council before the end of 2021 to share the results of the outreach and provide recommendations for the future planning of Castro Street.

FISCAL IMPACT

Any costs associated with the recommended action will not require additional funding. An ongoing commitment of staff time will be required to monitor operations, continue coordination with participating businesses, and reopen the 400 block of Castro Street.

ALTERNATIVES

1. Do not approve the resolutions.
2. Direct modifications to the resolutions.
3. Provide other direction.

PUBLIC NOTICING

Agenda posting and email distribution to Downtown Committee and Bicycle/Pedestrian Advisory Committee along with the Mountain View Chamber of Commerce and the Old Mountain View Neighborhood Association.

Prepared by:

Krishna Penollar
Associate Planner

Tiffany Chew
Business Development Specialist

Aruna Bodduna
Transportation Planner

Ria Hutabarat Lo
Transportation Manager

Approved by:

Dawn S. Cameron
Public Works Director

Aarti Shrivastava
Assistant City Manager/
Community Development Director

Audrey Seymour Ramberg
Assistant City Manager/
Chief Operating Officer

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- Attachments:
1. Resolution Extending the Castro Street Closure
 2. Resolution Extending Temporary Suspension of Certain Sidewalk Café Renewal Requirements
 3. Resolution Extending Outdoor Business Operations