



## STAFF REPORT

To the Honorable Mayor and City Council  
From the City Manager

**DATE:** March 10, 2025

### **SUBJECT**

Outdoor Business Activity Program update and resolution to repeal and replace attachment V of Volume III (Design Criteria) of the 2019 Engineering Standards to provide updated Outdoor Business Activity Program Guidelines and provide semi-annual update on Outdoor Business Activity Program

### **RECOMMENDATION**

Adopt a resolution amending the 2019 Engineering Standards for the City of Redwood City by repealing and replacing Attachment V - the Outdoor Business Activity Program Guidelines, under Part XI, within Volume III: Design Criteria.

### **STRATEGIC PLAN GUIDING PRINCIPLE**

Economic Vitality

### **BACKGROUND**

From 2003 to 2022, the City administered multiple outdoor dining/business activity programs. On [July 25, 2022](#), in an effort to start fresh with a single program, the City Council adopted the Outdoor Business Activity Program (Program). Both the original 2022 Outdoor Business Activity Program Guidelines (Program Guidelines) and the revised Guidelines included in this package, establish guidelines, standards and solutions for Applicants to meet the design, locational, and permitting requirements of the City and California Building Standards Code.

Businesses are required to apply to participate in the Program in order to maintain any form of outdoor business activity in the City's right-of-way, even if a business had previously received a permit. Some business owners who invested in fixed improvements (which could include parklet structures, as well as tables, chairs, fencing, or other Outdoor Business Activity amenities that are affixed to a structure or the

right-of-way) before the pandemic have requested exceptions to retain those improvements. There are currently eight businesses seeking exceptions from Guideline requirements as applied to their fixed improvements. If the changes to these Guidelines are adopted, those businesses will be able to apply for exceptions and seek City Engineer approval to maintain their fixed improvements.

In [April 2024](#), the City Council adopted the Two-Year Economic and Workforce Development Plan (Plan), a guiding document for the Economic Development Division of the City Manager’s Office. Goal 2A of the Plan was to refine the City’s Outdoor Business Program, aiming to complete existing applications by Q2 2024-2025 (Goal 2A.1), and attempting to align tenets of various outdoor business programs into one cohesive program by Q1 2025-2026 (Goal 2A.2).

On [July 22, 2024](#), in response to feedback from applicants, the City Council adopted the following changes to the Program:

- Replace the owner consent requirement with a requirement to demonstrate the owner was notified of the intent to participate in the program.
- Allow applicants to extend their parklets into the frontage of the adjacent property with the consent of both the adjacent business owner and the property owner.

The City Council also directed staff to return to the Council within six months to provide an update on the Program.

The purpose of this staff report is to:

1. Provide the City Council with an update on the Program, and
2. Seek City Council approval of the updated Outdoor Business Activity Program Guidelines.

## ANALYSIS

### Program Update

Fifty-one businesses have applied to the Program since its adoption in 2022; their status is listed in Table 1. An additional 1 has not applied but has furniture in the right of way. Staff have emailed and visited all businesses multiple times since April 2024 in order to gain compliance. Staff response time to applicant resubmittals is a maximum of two weeks. This has led to significant improvements in numbers of approved parklets.

Status	Number
Total Applications Received Since Program Start (2022)	51
Applications Approved/All Agreements Executed	17
Applications Approved/Agreements Pending	10
Applicants Actively Resubmitting Plans	19
Applications Closed Out Due to Lack of Activity since Jan 20, 2023	5

On December 2, staff sent official courtesy notices to all businesses with improvements in the right-of-way whose parklets or sidewalk cafes are not yet approved with notice of the City’s intent to enforce the Program. In the letter, businesses were told that enforcement would begin in January 2025 and instructed them to resubmit plans or remove their furniture. Five businesses received Notices of Violation in February 2025. One of the five has since removed furniture.

Proposed Updates to the Outdoor Business Activity Program Guidelines

The intent behind creating a new singular program was to have a [collective restart](#) of the outdoor dining initiatives Providing Guidelines and templates was intended to provide a cohesive look and feel for the Outdoor Business Activity Program and to give business owners a permanent way forward.

However, there have been unforeseen challenges in implementing the Program and staff recommend updating Program Guidelines based on the following factors:

1. Business owners and architects had trouble understanding the full scope of standards and requirements because some processes were not well-defined or easy to find within the Guidelines.
2. Feedback from architects and business owners convinced staff that some of the requirements were too onerous or expensive to retrofit.
3. The internal process for approving parklets evolved once the Community Development and Engineering & Transportation Departments assumed responsibility for the approval process.

Table 2 summarizes the main proposed changes to the Program Guidelines:

<b>Table 2: Main Changes to the Program Guidelines</b>			
<b>Before</b>	<b>Impact</b>	<b>Proposed Change</b>	<b>Guideline Status</b>
Required separate application for building permit for parklets; parklet plans were evaluated differently than sidewalk cafe plans. Checklists included in the Guidelines were out of date.	Business owners might get comments that contradicted each other during the sidewalk cafe and building permit approval process, causing expensive changes to plans and frustration	Streamlined internal process: All applications come in under “Building Permit Applications” and all are evaluated by Planning, Engineering, Building and Fire against the Guidelines and the California Building Standards Code. At the end, both a building permit and an encroachment permit are issued for all applications.	Process and checklists are administrative and were removed from the Guidelines so that they may evolve as needed.
No possibility to deviate from the Guidelines when evaluating Fixed Improvements which existed prior to March 13, 2020	Business owners had concerns about the possibility of having to deconstruct and reconstruct previously	Added a way for non-conforming parklets constructed before March 13, 2020 to apply for an exception from Guideline requirements provided that	Included in Guidelines as Section 6

**Table 2: Main Changes to the Program Guidelines**

Before	Impact	Proposed Change	Guideline Status
	permitted parklets, at a huge cost	they meet California Building Standards Code, and accessibility, health, and safety requirements.	
Design considerations were often extremely prescriptive, and alternate solutions which may have met the goal were not approved	Business owners and designers were frustrated by the level of detail and the ability to comply	Revised design considerations to focus more on the goal and less on the way to get there	Included in Guidelines in Section 4
Design considerations did not differentiate between on-roadway parklets and pedestrianized street parklets	Pedestrian street parklets are blocked from the closed street, resulting in a “closed off” feeling on what is meant to be an open street, as well as causing accessibility issues from street to sidewalk	Updated terminology, requirements, and design considerations for parklets within active roadways versus. pedestrian streets	Included in Guidelines in Section 4. If additional streets are closed to vehicular access, staff will return to Council with updated Guidelines.
Ill-defined process and requirements for applying for Overhead Structures	Business owners felt that they were being unfairly treated in the approval process, causing expensive changes to plans and frustration	Created a clearly defined process for evaluating Overhead Structures, and added a section with design requirements for materials and other factors	Submittal requirements are not included in the Guidelines; Design requirements are in the Guidelines in Section 5
The Guidelines did not sufficiently address emergency access clearances and other fire-related concerns	Business owners have been slowly encroaching into emergency access lanes because they don’t understand what’s required for emergency access to their buildings	Added language and diagrams to more clearly address emergency access needs, including access to fire department connections (FDCs), fire lanes, vertical clearance, and heating device requirements	Included in Guidelines in Section 4.
Only candles and open flames were explicitly prohibited.	Some patrons are smoking on the parklets or sidewalk cafes, causing discomfort and public	Added in prohibitions for smoking and vaping tobacco and cannabis in parklets or sidewalk cafes in the right-of-way	Included in Guidelines in Section 4

Table 2: Main Changes to the Program Guidelines			
Before	Impact	Proposed Change	Guideline Status
	health impacts for other patrons		

Simultaneously, the Guidelines were revised to be more user-friendly, with improved organization, and internal cross-referencing, so that both internal and external users could more easily reference and understand the intent and content of the Guidelines. The templates that were previously included were also determined to be more confusing than helpful and were excluded in the new version. As noted, the opportunity to update the Guidelines gave staff space to update administrative aspects of the Program Guidelines, including submittal requirements and checklists.

For all of these reasons, staff determined that it was best to repeal and replace the Guidelines rather than modify the Guidelines. Although most of the content remains the same, its different look and feel make it hard to compare easily.

**EQUITY IMPACT STATEMENT**

Equity and/or inclusion was considered in development or implementation of item through engagement with relevant Redwood City communities through public meetings, surveys, or other means, with a focus on communities traditionally least likely to be heard in civic processes

**FISCAL IMPACT**

Adopting changes to the Program Guidelines would serve to streamline the management and administration of the program and reduce the amount of time staff spend on explaining and coordinating with applicants. Adopting the changes as proposed would also enable businesses that were previously permitted to apply to continue operating their parklets as built, which would maintain their current level of business activity without further investment. The streamlined Guidelines may also make it easier for new businesses to apply and comply and thus extend their business activity and potentially increase their tax revenues.

**ENVIRONMENTAL REVIEW**

This activity is not a project under California Environmental Quality Act (CEQA) as defined in CEQA Guidelines, section 15378, because it has no potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment.

## **PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

## **ALTERNATIVES**

1. The City Council may choose not to adopt the resolution repealing and replacing the Program Guidelines and leave the current Guidelines in place, in which case the businesses will have to comply with the existing guidelines.
2. The City Council may direct staff to incorporate additional changes and bring the Program Guidelines back to the City Council for adoption.

## **ATTACHMENTS**

Attachment A – Outdoor Business Activity Program Guidelines – Updated March 10, 2025

Attachment B – Resolution Repealing and Replacing Section V, of Volume III (Design Criteria) of the 2019 Engineering Standards

## **REPORT PREPARED BY:**

Amanda Anthony, Economic Development Manager  
aanthony@redwoodcity.org  
(650) 780-7204

## **APPROVED BY:**

Patrick Heisinger, Assistant City Manager  
Melissa Stevenson Diaz, City Manager