

RESOLUTION NO. 04- 15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ESTABLISHING A DOWNTOWN PUBLIC SIDEWALK DISPLAY PERMIT PROGRAM

WHEREAS, the Community Development Department has developed a set of sidewalk clearance guidelines and design criteria allowing for the placement of A-frame or similar signs, flowerpots, flower carts, statues, sculptures, or other similar decorative display items, and outdoor dining furniture on or over the public sidewalks in the downtown triangle area. The term “outdoor dining furniture” as used herein shall mean to include outdoor dining area railing or other similar enclosures; and

WHEREAS, these same set of sidewalk clearance guidelines and design criteria would also apply to private property outdoor displays in the downtown triangle area within property frontage and recessed alcoves abutting the public sidewalks, with the exception that neither proof of insurance or an application fee would be necessary. These guidelines do not apply to interior courtyard areas; and

WHEREAS, these guidelines are intended to provide design criteria and public safety criteria in furtherance of the General Plan, Downtown Urban Design Plan, and Downtown Commercial Retail zoning district regulations for the downtown triangle area.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Los Altos reviewed these guidelines and design criteria at their June 22, 2004 regular public meeting, heard public comment, and moved to adopt the following sidewalk display guidelines and design criteria:

1. A sidewalk display permit shall be obtained from the Community Development Department. Such permit shall be issued only when in the opinion of the Community Development Director that the sign or other display object or outdoor dining furniture would not have an adverse affect on nearby public and private properties.
2. The applicant shall hold the City, its officers, agents, employees, and volunteers harmless from all damages, costs or expenses in law or equity that may at any time arise or be asserted because of damage to property or personal injury received by reason of or in the course of displaying a sign or other display object or outdoor dining furniture in the public right-of-way.
3. The applicant shall obtain and maintain insurance against injuries to persons or damages to property, which may arise. The City of Los Altos and its officers, agents, employees, and volunteers shall be named as “insured” in the insurance policy. Expiration or cancellation of insurance will automatically revoke the sidewalk permit.
4. Except as otherwise provided by these guidelines, the sign or other display object or outdoor dining furniture, including railing or other similar enclosures, shall be located only on a public sidewalk – not in planter areas – and only directly in front of the applicant’s business.

5. A sidewalk display permit shall be valid for thirty days and shall be automatically extended unless an expiration date is included in the permit or an expiration notice is subsequently issued by the Community Development Director.
6. The sign or other display object or outdoor dining furniture, including railing or other similar enclosures, display object must be appropriately designed, executed, and maintained so as to be complementary to the appearance and operation of the business district. Signs and tables and chairs, including outdoor dining area railing or other similar enclosures, shall be wood or metal. Plastic signs or furniture are not permitted. Signs or furniture that are not maintained appropriately will result in the revocation of the sidewalk display permit.
7. The sign or other display object or outdoor dining furniture shall conform with the attached public sidewalk clearance guidelines, marked Exhibit A.
8. If the sidewalk display permit is for outdoor dining furniture a maintenance agreement shall be entered into to ensure that the business owner keeps the public sidewalk clean and free of debris and food and drink stains. Noncompliance with the maintenance agreement will result in the revocation of the sidewalk display permit.

I HEREBY CERTIFY that this resolution was duly introduced and adopted at the Regular Meeting of the Los Altos City Council on the 22nd day of June, 2004 by the following roll call vote:

AYES: COLE, CASAS, LEAR, MOSS

NOES: PACKARD. (CASAS VOTED NO TO CRITERIA #4 ONLY)

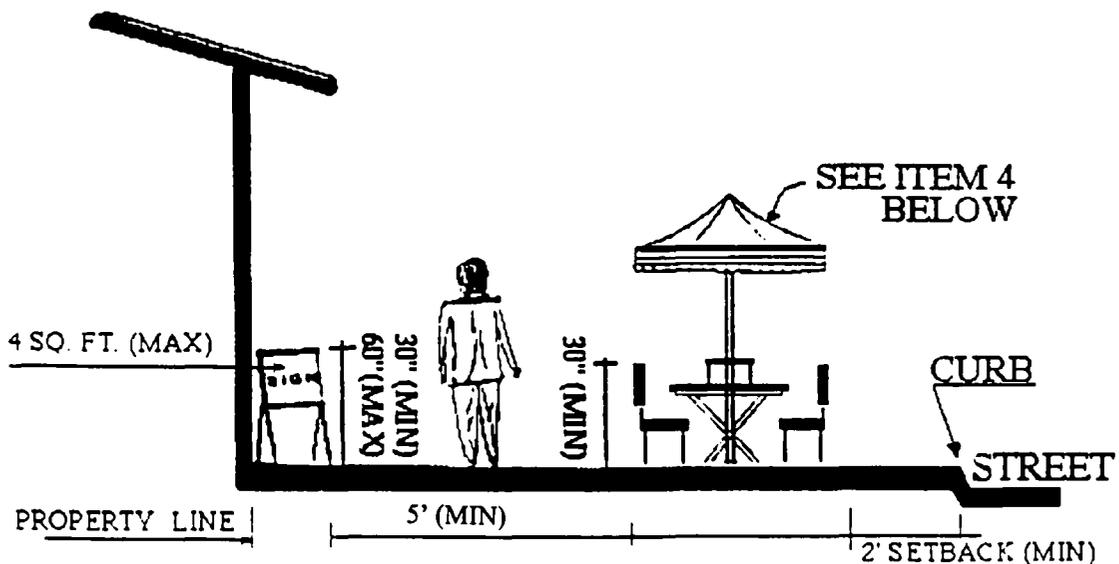
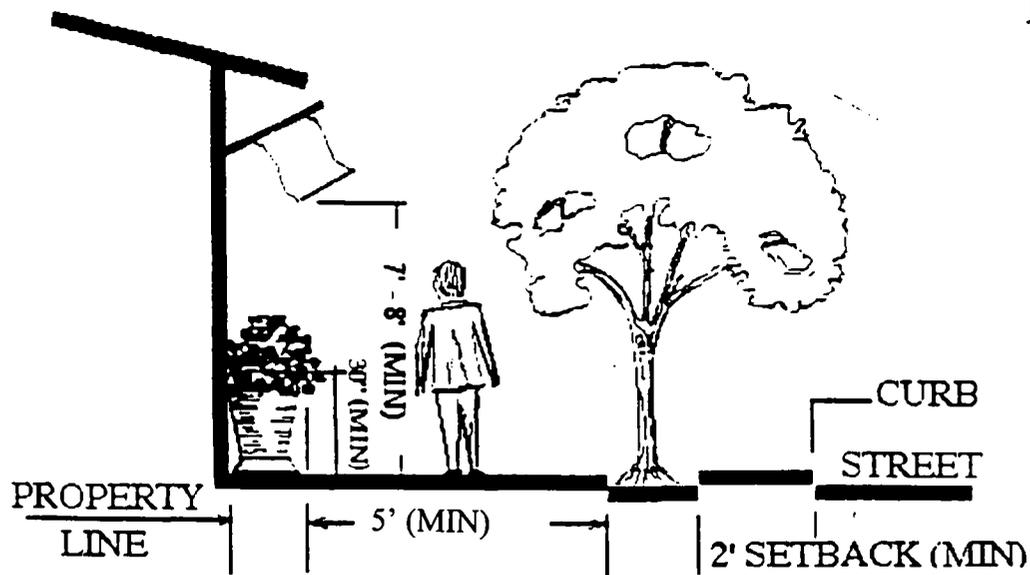
ABSENT: NONE



John Moss, Mayor



Susan Kitchens, City Clerk



GUIDELINES FOR ENCROACHMENTS ON PUBLIC SIDEWALKS

1. Minimum horizontal clearance from curb: 2 feet (for car doors or bumper overhangs).
2. Minimum pedestrian passway: 5 feet.
3. Minimum height of object: 30 inches.
4. Minimum vertical clearance: 6 feet 6 inches. The minimum clearance requirements shall apply to, among other things, umbrellas, unless the umbrella does not project beyond the outside edge of the table.
5. Maximum sign height: 60 inches. Signs may be displayed only when business is open and may only identify only the name of the business, the menu offered by a restaurant, and/or special event.
6. Minor modifications to these guidelines may be approved, if appropriate to do so and only when special circumstances exist, by the Community Development Director.