

RESOLUTION NO. 2023 – 142

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS
ESTABLISHING A PEDESTRIAN MALL ON THE 700 BLOCK OF LAUREL STREET
BETWEEN CHERRY AND OLIVE STREETS TO VEHICULAR TRAFFIC UNDER THE
PEDESTRIAN MALL LAW OF 1960.**

WHEREAS, on August 28, 2023, the City Council of the City of San Carlos adopted Resolution 2023-108 declaring its intention to establish a pedestrian mall on the 700 block of Laurel Street, between Cherry and Olive Streets, while still maintaining through east-west traffic on these streets, pursuant to the Pedestrian Mall Act of 1960 (California Streets and Highways Code Section 11000 et seq.); and

WHEREAS, the City Council set the date of November 27, 2023 as the public hearing for hearing claims of damages, protests, and objections to the establishment of the pedestrian mall; and

WHEREAS, the City completed the required public noticing of Resolution 2023-108, which included posting copies of the Resolution on the street proposed to be established as pedestrian mall, mailing copies of the Resolution to all property owners and tenants located along the proposed pedestrian mall; and

WHEREAS, the City Council held the public hearing on November 27, 2023, on the establishment of the pedestrian mall; and

WHEREAS, the City did not receive sufficient written objections from landowners representing the majority of the frontage on the proposed pedestrian mall; and

WHEREAS, no valid claims of damages by reason of the establishment of the pedestrian mall were made or filed prior to the hour set for the public hearing; and

WHEREAS, at said public hearing, evidence, both written and oral, was given pertaining to the establishment of the pedestrian mall and all persons desiring to be heard were fully heard; and

WHEREAS, the City Council has weighed the benefits to be derived from the establishment of the pedestrian mall, overrules the objections, and has determined that the pedestrian mall on the 700 Block of Laurel Street, between Cherry and Olive Streets shall be established by adoption of an ordinance.

NOW, THEREFORE, the San Carlos City Council hereby resolves,

1. Pursuant to the Pedestrian Mall Act of 1960 (California Streets and Highways Code Section 11000 et seq.), the City Council of the City of San Carlos hereby establishes a pedestrian mall located on the 700 Block of Laurel Street between Cherry and Olive Streets. The pedestrian mall is shown on Exhibit A, attached hereto and incorporated by reference. Vehicular through-traffic shall remain available on the intersecting streets of Cherry and Olive Streets.

2. The City completed an Initial Study/Negative Declaration, adopted by the City Council on March 2022, that adequately assessed the environmental impacts of the proposed pedestrian mall. No potentially significant impacts on the environment have been identified.
3. The City Council hereby finds that objections to the establishment of the pedestrian mall were not submitted by a majority of the abutting property owners.
4. The City Council hereby finds that no valid claims of damages were filed prior to the hour set for the public hearing in accordance with California Streets and Highways Code Section 11304.
5. The City Council hereby finds and determines that the public interest and convenience require the establishment of the pedestrian mall described in Resolution 2023-108 and that vehicular traffic will not be unduly inconvenienced thereby.
6. This Resolution takes effect upon the effective date of an ordinance prohibiting vehicular traffic on the proposed pedestrian mall except for emergency and utility maintenance vehicles which shall be allowed access at all hours and garbage and delivery vehicles which shall be allowed access between the hours of 1 a.m. to 10 a.m. The ordinance will add Municipal Code Chapter 12.40 (Pedestrian Malls) to establish related rules and regulations.
7. The City will fund any improvements to the pedestrian mall at a future date, which could include bollards, planters, or other traffic blocking devices.


I, City Clerk Crystal Mui, hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Carlos at a scheduled meeting thereof held on the 27th day of November, 2023, by the following vote:

AYES, COUNCILMEMBERS: VENKATESH, DUGAN, COLLINS, MCDOWELL, RAK

NOES, COUNCILMEMBERS: NONE

ABSENT, COUNCILMEMBERS: NONE


CITY CLERK of the City of San Carlos

APPROVED:

MAYOR of the City of San Carlos