



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: November 1, 2016

Subject: APPROVE the Contra Costa County Parklet Program Guide to govern the permitting of parklets as encroachments in County rights of way.

RECOMMENDATION(S):

1. APPROVE the “Contra Costa County Parklet Program Guide” (Parklet Guide), attached hereto, to govern the permitting of parklets as encroachments in County rights of way;
2. AUTHORIZE the Public Works Director, or designee, to make non-substantive amendments to the Parklet Guide, as deemed necessary in the future; and
3. AUTHORIZE the Public Works Director, or designee, to issue parklet permits in accordance with the Parklet Guide and other applicable County ordinances governing encroachments, and
4. DETERMINE that the activity is not subject to the California Environmental Quality Act (CEQA), pursuant to Article 5, Section 15061(b)(3) of the CEQA Guidelines.

FISCAL IMPACT:

The establishment of the Parklet Program will not have a fiscal impact

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/01/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 1, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Mary Halle, (925)
313-2327

cc: Jerry Fahy, Mary Halle

FISCAL IMPACT: (CONT'D)

on the General Fund. Applicants will pay an application fee to cover staff time associated with technical review of the plans and inspection of parklet installation. Applicants will make a deposit to cover parklet removal in the event that the parklet is not removed when the permit is terminated or expires.

BACKGROUND:

A parklet is a small extension of a sidewalk, intended as a recreational area to provide a sense of community and maximize the use of public space for amenities, green space or informal gatherings. Parklets have become quite popular in urban settings such as San Francisco, New York City, and downtown Martinez. Parklets typically occupy an on-street parking space(s) and are open to all members of the public. Parklets may support local businesses with locations adjacent to restaurants or shopping. A parklet may simply provide a feature of interest by providing public art or landscaping.

The Parklet Guide is intended as a resource to guide applicants on the requirements of a parklet installed as an encroachment within the public right of way. The Parklet Guide provides information on the optimal site location, design layout, operation, and maintenance of a parklet in order to assure public safety and that the parklet will be an amenity for the community. The Parklet Guide identifies the process for removal of a parklet in the event that it is not in the best interest of the community. The guide also includes the Parklet Permit Application, list of required conditions, and the process to obtain a Parklet Permit.

Like any applicant for an encroachment permit, an applicant for a parklet permit will submit an application and pay the County's encroachment permit fee. If a parklet will have a roof or overhead cover, the applicant also will need to obtain a building permit from the Department of Conservation and Development.

If the parklet encroachment meets the County's encroachment standards, including those in the Parklet Guide, the Public Works Department will issue a parklet permit. A permittee must maintain a liability insurance policy of not less than \$1 million that names the County as an additional insured, and the permittee will be required to indemnify the County from liabilities arising from the design, construction, use, operation, and maintenance of the parklet. The permittee must deposit funds sufficient to pay the estimated costs of removing the parklet should the applicant fail to remove the parklet at the end of the permit term. If the applicant does not remove the parklet, the County may remove the parklet using funds deposited by the permittee. After the parklet is removed, the deposit, or what remains of the deposit after the County removes the parklet, will be returned to the permittee.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to adopt the Parklet Program Guide will mean that there will not be an established process to install or implement parklets within the public right of way. And, applicants in the unincorporated areas of Contra Costa will not have the opportunity to install parklets.

ATTACHMENTS

Parklet Program Guide