

RESOLUTION NO. 7430

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS
ESTABLISHING THE REDLANDS PARKLET PILOT PROGRAM

WHEREAS, the City Council of the City of Redlands finds that Parklets will provide a place for the public to sit and enjoy an area where existing conditions would preclude such occupancy; and

WHEREAS, parklets will also enhance the streetscape as well as provide other amenities, including, but not limited to, landscaping, bicycle parking, and art; and

WHEREAS, the Parklet Committee, consisting of representatives from Municipal Utilities and Engineering Department, Development Services Department and Quality of Life Department will review the parklet applications and may either approve the request, approve an application with modifications, deny the request, or solicit additional information;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Redlands as follows:

Section 1. The Redlands Pilot Park Program attached hereto as Exhibit “A” is hereby established by the City Council.

Section 2. The Parklet sponsor shall enter into an agreement, in a form approved by the City Manager and City Attorney and executed by the Mayor or City Council members, which will satisfy the requirements of Exhibits “A” and “B” (Encroachment Permit) attached hereto.

Section 3. A Parklet Review Committee with members of the Municipal Utilities and Engineering Department, Development Services Department and Quality of Life Departments shall represent the Parklet Committee and is hereby established.

Section 3. The Parklet Committee shall meet in accordance with the “Meeting Procedures” of the Parklet Committee, a copy of which is attached hereto and incorporated herein as Exhibit “C.”

ADOPTED, SIGNED AND APPROVED this 1st day of July, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Pete Aguilar, Mayor

ATTEST:

Sam Irwin, City Clerk

I, Sam Irwin, City Clerk of the City of Redlands, hereby certify that the foregoing resolution was duly adopted by the City Council at a regular meeting thereof held on the 1st day of July, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sam Irwin, City Clerk

City of Redlands Parklet Guidelines & Policies

I. BACKGROUND

Parklets provide an economical solution to increase public open space and allow the general public to sit and enjoy the area where existing sidewalks would preclude such occupancy. Parklets are intended as an aesthetic enhancement to the overall streetscape and to provide amenities such as sidewalk extensions, seating, planting and bicycle parking. While Parklets are privately funded and maintained, they are open to the public. These guidelines and policies are intended for the approval and installation of temporary sidewalk extensions (parklets) for use by the general public at appropriate locations within public rights-of-way.

II. APPLICATION AND REVIEW – *See Flowchart, Attachment A*

- A. Any business or organization may apply to sponsor a parklet. The following items shall be included in the Preliminary Application:
1. A letter requesting the Parklet and a preliminary site plan illustrating the footprint/outline of the proposed Parklet, including approximate dimension of Parklet, property lines, existing sidewalk width, existing parking stalls/alignment and all existing sidewalk furniture and obstructions within 15 feet of the proposed site (e.g. fire hydrants, utility poles, street trees, see sample site plan (Exhibit “B”)).
 2. The elements being proposed to be placed on the Parklet (e.g. tables, chairs, benches, planters, landscaping, bicycle parking).
 3. A maintenance plan for maintenance and upkeep by the sponsor (applicant), including how plants will be watered.
 4. Provide the proposed hours of operation. The hours of operation should be consistent with the hours of operation of the sponsoring business.
 5. The Parklet must meet each of the location and design parameters set forth in Section IV of the Guideline.
 6. The fee in the amount of \$270 will be assessed if the Preliminary Application is accepted and a Design Application is submitted.
 7. A signed Indemnify and Hold Harmless Agreement to defend, indemnify, save, and hold harmless the City, its officers, agents, or employees from any liability for damages resulting from any and all operations under the permit, in a form approved by the City Attorney.
 8. While not required, documentation of support from any existing merchants nearby or neighborhood associations is strongly encouraged.

- B. Submit the application to the Parklet Committee (an inter-agency review team) at One Stop Permit Center. Preliminary Applications will be reviewed by the Parklet Committee at its standing meeting. Applicants will notified of the meeting date, time and location.
- C. The Parklet Committee will review each application based on the following criteria:
 - 1. Meets established location and design parameters as indicated in Section IV of these Guidelines.
 - 2. Enhances streetscape quality through its preliminary design.
 - 3. Is in a desirable location (i.e., parklet is likely to be well used and active); consideration shall also be given to the number of existing area parklets.
 - 4. Has community support (or, at a minimum, is not being objected to by neighbors).
 - 5. Includes an adequate maintenance plan by business owner.
 - 6. Complies with all applicable regulations.
- D. The Parklet Committee will take one of three actions: approve the Preliminary Application for the parklet; or approve the parklet with modifications in order to satisfy one of the review criteria; or request additional information from the applicant; or deny the parklet.
 - 1. If the Preliminary Application is denied, the Parklet Committee will inform the applicant of the reason(s) for the denial. The applicant can re-apply and address the deficiency(ies), if it is possible.
 - 2. If the Parklet Committee requests additional information or changes to the proposed parklet or plan, the application will be reviewed again once the requested material is supplied.
 - 3. If the Committee recommends that the proposed parklet be approved, the City of Redlands will issue a Notice of Intent to Approve Parklet, which the applicant will post in a readily visible location in front of the property for ten (10) calendar days to allow for public input. The city will mail a copy of the Notice to adjacent business owners.
- E. Following the ten day notice period, the applicant will continue in the process listed below. If objections have been raised, the application will be reconsidered by the Parklet Committee.
- F. The applicant will finalize and submit a Design Application with the following material for review and acceptance by the Parklet Committee.
 - 1. Final dimensioned site plan, including all details and finishes.

2. Plan for maintenance details, including access panels and how drainage will be provided under the parklet (if necessary). The existing gutter must remain unobstructed under code 12.12.080.

3. Signed agreement to meet requirements for daily operations, which include:

a) Nightly removal or lock-up of items such as tables and chairs which are not affixed to the parklet

b) Daily litter removal

c) Upkeep on materials as necessary

d) Posted hours of availability

4. Signed agreement to provide a Certificate of Insurance naming the City of Redlands as additional insured, with general liability coverage of not less than \$1 million, in a form approved by the Risk Manager.

G. The Parklet Committee shall review the Design Application and consider and hear all testimony in support of and in opposition to the proposed parklet. The Committee may recommend approval or conditional approval of the permit subject to further review and final action, or deny the application.

1. If the application is denied, the Parklet Committee shall notify the applicant. The applicant may appeal the denial of the permit to the Committee within ten (10) calendar days of the decision.

2. If the application is approved, the applicant will comply with the requirements in section III, below.

H. Any impacted person may appeal the approval of the permit to the Parklet Committee within ten (10) days of the Committee's decision. If an appeal is lodged, the Committee will meet with the applicant and the person making the appeal to review the case and make a final decision regarding the application.

III. APPROVAL AND PERMITTING

A. Once the Parklet Committee makes a final recommendation to approve the Design Application and the permit, the applicant shall submit the following information and fees to the city of Redlands.

1. A Certificate of Insurance naming the City of Redlands as additional insured, with general liability coverage of not less than \$1 million, in a form approved by the Risk Manager.

2. A signed maintenance agreement stating that applicant will keep the Parklet free of debris and grime, keep all plants in good health, daily maintain

the surface of the Parklet, rinse out the area beneath the Parklet at least once a week (if applicable), and provide pest abatement beneath the Parklet platform on an as- needed basis.

3. The Parklet permit fee in the amount of \$270.

B. The permit shall be renewable annually. Prior to expiration of the annual permit term, the Permittee shall submit to City of Redlands a current Certificate of Insurance and a permit renewal fee.

IV. APPROPRIATE LOCATION AND DESIGN PARAMETERS

A. The Parklet Committee will have final authority to approve all Parklet applications. The Parklet Committee may request review from other city departments to ensure safety and conformance with city codes. The items listed below must be considered in design of the parklet.

B. The proposed Parklet site shall be located at least one parking spot in from a corner or protected by a bollard, sidewalk bulb-out, or other similar feature, if located at the corner.

C. The proposed location shall have a posted speed limit of 30 mph or less. In the event the posted speed limit is changed, the Parklet permit is subject to revocation. Streets with higher speed limits may be considered on a case by case basis.

D. Parklets must provide safety to occupants, which requires that they be visible and provide a buffer between occupants and traffic. This may take the form of reflective tape, wheel stops, and/or edging such as planters, railing or cables. The Parklet Committee will review parklet plans to ensure sufficient measures are in place, and may recommend changes to proposals to meet safety requirements if necessary.

E. Parklets should have adequate protection on the street side and on the end of the parklet that is facing oncoming traffic direction. This protection can be provided by an additional planter box, bollards, bike racks, or other approved measures.

F. As Council action is required to change controlled parking areas, it is highly unlikely that an application to place a Parklet in red or blue zone will be approved. Yellow or green zones could be relocated if there is an appropriate adjacent location for them, the business that requested them is in agreement, and the applicant is willing to pay to have them relocated.

G. Parklets may not be placed within five feet of a fire hydrant.

H. The sidewalk abutting the Parklet shall be in a state of good repair and maintenance. If the access to the parklet is directly from the sidewalk, the plan must provide for accessible entry (i.e., with a maximum slope of 2%). If there

is a landscaped parkway between the sidewalk and curb, then a concrete sidewalk or other structurally approved connection must be constructed in accordance with the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

- I. The Parklet's surface shall be firm, stable, and slip resistant with a cross slope no greater than 2% measured perpendicular to the sidewalk or curb.
- J. All elements of the above mentioned Parklets shall be constructed and/or installed to conform to the applicable provisions, rules, regulations and guidelines of City of Redlands, including, but not limited to the Municipal Code, ADA and ADAAG.
- K. Parklets shall include a minimum two foot wide buffer area on the outside edges (i.e., the sides that do not meet the sidewalk) if there is no other safety barrier. The buffer area may be designated for bicycle parking.
- L. In the absence of other buffers on the outside edges of the parklet, the wall must be a minimum of 36 inches high, measured from the floor of the parklet.
- M. Shade is a desirable component for the Parklets. However, sight lines for motorists approaching intersections must remain clear; canopies or shading must be constructed in such a way as to not obscure visibility. Also, sight lines must remain clear for the City of Redlands Surveillance Camera. Umbrellas and other shade devices must be a minimum of 7' above the parklet or adjacent sidewalk and may not encroach into the adjacent bike lane or driving lane.
- N. Parklet designers are encouraged to celebrate the unique culture of Redlands with identifying features that are individual to the city of Redlands. Orange trees or orange themed art, architecture and design elements should be attractive and enhance the street scape. Applicants are encouraged to work with local artist on their parklet design.
- O. Parklet must be designed so that it can be disassembled in the event of a controlled event.
- P. Each Parklet must have a sign indicating that the space is public and/or encouraging the use of the Parklet. The sign must include the hours of operation and may include the name of the sponsoring business.

V. PARKLET REMOVAL

- A. The applicant, at applicant's sole expense, shall be responsible for removal of the Parklet and restoring the public right-of-way to its original condition upon the occurrence of one of the following:
 - 1. The cessation of use;
 - 2. Failure to comply with permit conditions or other legal requirements;

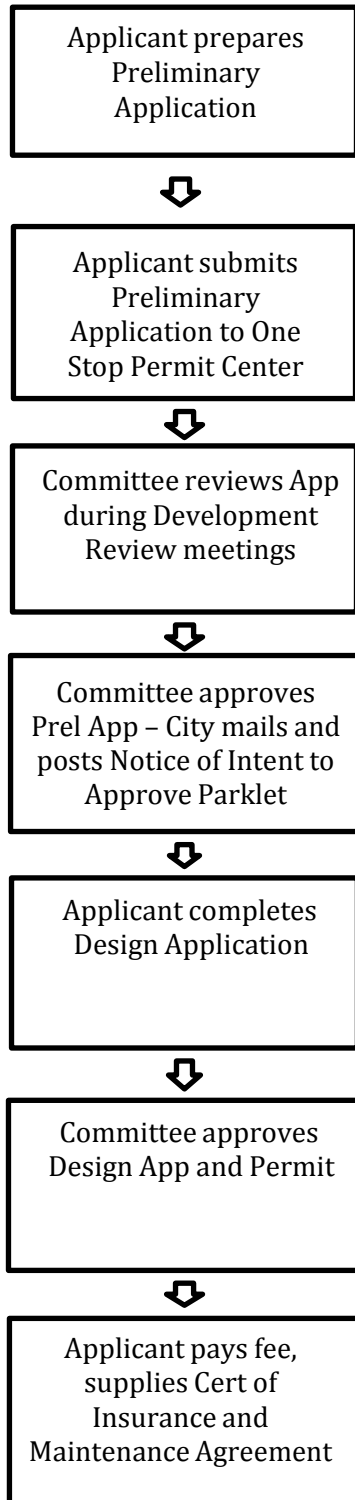
3. Development of a dangerous condition or threat of danger to life or property; and
4. City controlled event. The City will give at minimum one month notice to Permittee before the event.

B. The City may remove the Parklet for any of the following reasons:

1. Failure to maintain;
2. Violation of these Guidelines;
3. Violation of the Permit;
4. Modifications unapproved by the City;
5. When the Parklet causes a dangerous condition or threat of danger to life or property, as determined by the City; this includes, but is not limited to:
 - a) *The Parklet is more than 6 feet from the curb, affecting the travel lane or bike lane*
 - b) *The Parklet has lost structural integrity*
 - c) *A gap develops between the Parklet and the sidewalk/curb*
 - d) *The Parklet creates a visibility issue that affects vehicular or pedestrian safety*

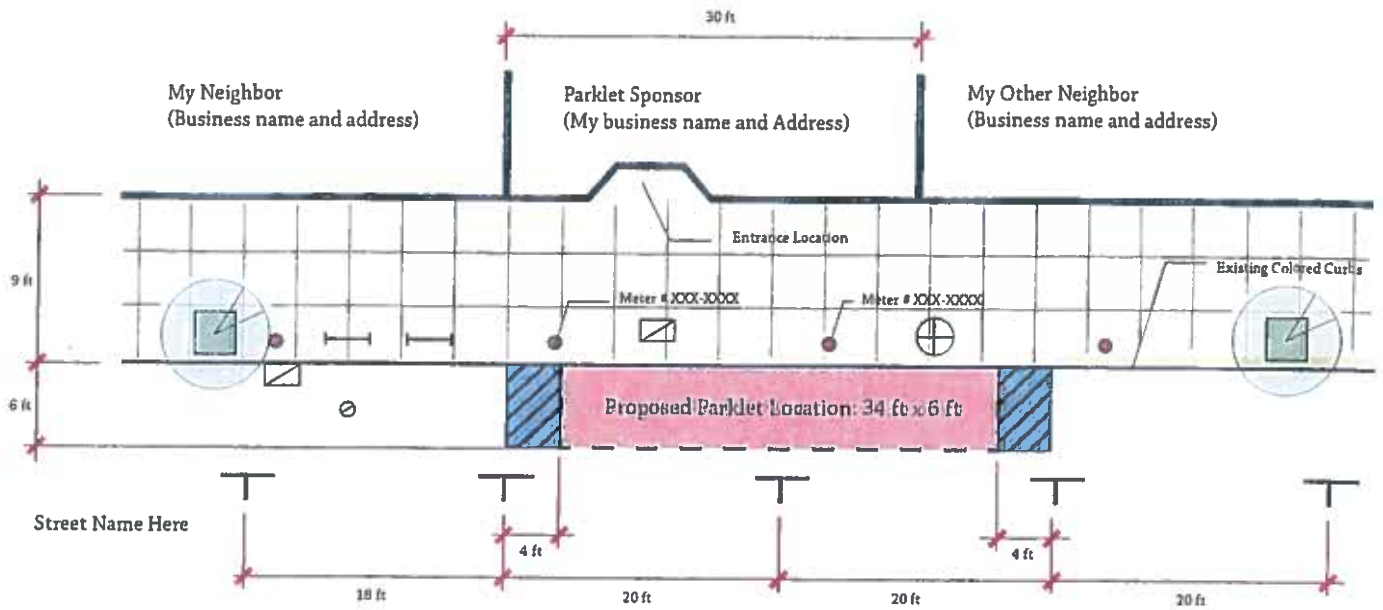
ATTACHMENT "A" Process Flow Chart

The flow chart assumes a successful application. At any stage, the Committee could ask the Applicant for more information or deny the application, in which case the Applicant can attempt to remedy the defect and try again.



ATTACHMENT "B"

SAMPLE SITE PLAN



Legend

- Existing Parking Meter
- Existing Bike Rack
- Existing Utility (in sidewalk and in street)
- Existing Parking Space Marking
- 4 ft Required Parklet setback (not to be included in parklet size)
- Existing Street Light
- Existing Street Tree
- North Arrow

**MEETING PROCEDURES FOR THE PARKLET COMMITTEE
OF THE CITY OF REDLANDS**

I. PURPOSE

These Meeting Procedures are adopted for the purpose of providing for the orderly and effective conduct of meetings of the Parklet Committee (Committee), with full and reasonable opportunity for public participation consistent with the Ralph M. Brown Act (Government Code §54950, *et seq.*; hereafter the "Brown Act").

II. MEETINGS

A. Open Meetings

All meetings of the Committee shall be conducted consistent with the Brown Act and shall be open to the public, except for such closed sessions as are authorized by law. To the extent of any conflict between the Brown Act and these Meeting Procedures, the Brown Act shall apply.

B. Regular Meetings

Regular meetings of the Committee shall be the fourth Wednesday of each month at the hour of 3:00 p.m. If a regular meeting date falls on a legal holiday, the meeting may be cancelled or re-scheduled.

C. Meeting Place

All regular meetings shall be held in a suitable location as determined from time to time by the Committee and shall be specified on the agenda for each meeting. Currently, the meetings are held in the Council Chambers, Redlands City Hall, 35 Cajon Street, Suite 2, Redlands, CA 92373.

D. Special Meetings

Special meetings may be called by the Committee, or any Committee member and shall be noticed by the Committee Secretary or designee. City of Redlands Staff assigned to the Parklet Committee will consult with the Committee Members to determine if a special meeting is needed and schedule one accordingly.

E. Adjourned Meetings

The Committee may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. A copy of the order or notice of adjournment shall be posted in accordance with law.

F. Quorum; Lack of Quorum

1. Quorum: Two (2) Committee members present and qualified to act shall constitute a majority of members and be a quorum for the transaction of business at meetings.

Exhibit "C" Application for Road / Encroachment Permit
 City of Redlands - Municipal Utilities & Engineering Department

PERMIT NO. _____

Name: _____ Phone: _____
 Address: _____ City: _____ Zip: _____
 Contractor: _____ USA ID No.: _____
 Contractor License No.: _____ Type: _____ Cal OSHA No.: _____

I hereby request permission to construct/install improvements/facilities within the City of Redlands road right-of-way at the following location:
 Construction Start Date: _____ Anticipated Completion Date: _____
 Development No.: _____ Plan No.: _____
 Street Name: _____
 Cross Streets: _____
 Address: _____
 and for the purpose of performing the following work:

Applicant/Agent Signature: _____ Date: _____
 In accordance with Plans approved by the Municipal Utilities & Engineering Director and/or the Standard Specifications and Detail Drawings of the City of Redlands for the **quantity and type** of improvements listed below:

		BASE		EACH		SHADED AREA FOR OFFICIAL USE ONLY	
_____	EA Driveway Appr, Res/Comm.....	\$ 78.00 +	\$	26.00	EA =\$	Truck Route Permit Required: <input type="checkbox"/> YES <input type="checkbox"/> NO	
_____	SF Sidewalk.....	\$ 52.00 +	\$	0.29	SF =\$	Closure Permit With Traffic Plan Required: <input type="checkbox"/> YES <input type="checkbox"/> NO	
_____	SF Cross Gutter/Spandrel.....	\$ 52.00 +	\$	0.78	SF =\$	Water Shutdown Required: <input type="checkbox"/> YES <input type="checkbox"/> NO	
_____	LF Curb & Gutter.....	\$ 52.00 +	\$	3.12	LF =\$	Bond Required: <input type="checkbox"/> YES <input type="checkbox"/> NO	
_____	LF Curb/Berm.....	\$ 52.00 +	\$	2.34	LF =\$	Conduit Material:	
_____	SF Asphalt Pavement.....	\$ 52.00 +	\$	0.08	SF =\$	Conduit Size:	
_____	SF Crushed Aggregate Base.....	\$ 52.00 +	\$	0.08	SF =\$	Calculated By	
_____	EA Street Light.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Traffic Signal - New.....	\$ 52.00 +	\$	2,312.00	EA =\$	Municipal Utilities & Engineering	
_____	EA Traffic Signal - Modification.....	\$ 52.00 +	\$	1,812.00	EA =\$		
_____	CY Reinforced Concrete.....	\$ 52.00 +	\$	117	CY =\$		
_____	LF Storm Drain Pipe.....	\$ 52.00 +	\$	4.68	LF =\$		
_____	EA Curb Inlet/Outlet Structures.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Storm Drain Manhole/Junction Box.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Curb Core.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	LF Sewer Main.....	\$ 52.00 +	\$	1.56	LF =\$		
_____	EA Sewer Manhole.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Sewer Cleanout.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Sewer Lateral.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	LF Water Main - Potable.....	\$ 52.00 +	\$	1.56	LF =\$		
_____	LF Water Main - Non-Potable.....	\$ 52.00 +	\$	1.56	LF =\$		
_____	EA Fire Hydrant Assembly.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Water Service Lateral.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Water Shutdown.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	EA Fire Service.....	\$ 78.00 +	\$	26.00	EA =\$		
_____	LF Excavation/Utility Trench.....	\$ 52.00 +	\$	1.56	LF =\$		
_____	SF Street Patch.....	\$ 52.00 +	\$	0.16	SF =\$		
_____	SF Warranty Fee (Street Cut).....	\$		/	SF =\$		
_____	Parklet	\$		270	=\$		
_____		\$		/	=\$		
		SUBTOTAL PERMIT FEE		\$			
PERMIT FEE	work complete within specified date from issuance =	\$ _____ fee.					
PENALTY FEE 25% of total permit fee if issued after commencement of work		\$ _____					
(Effective 01/01/14)	TOTAL ENCROACHMENT PERMIT FEE	\$ _____					