

1. ELIGIBILITY TO INSTALL A CURBSIDE PARKLET:

- A. **ELIGIBLE APPLICANTS:** Restaurants, retailers and other businesses may apply for the temporary closure and use of one or more metered or unmetered parking space(s) that are located immediately in front of their property limits for outdoor dining or other business uses (a "Parklet").

Where the applicant does not own the property in which their restaurant or business is located, then the property owner's approval is required.

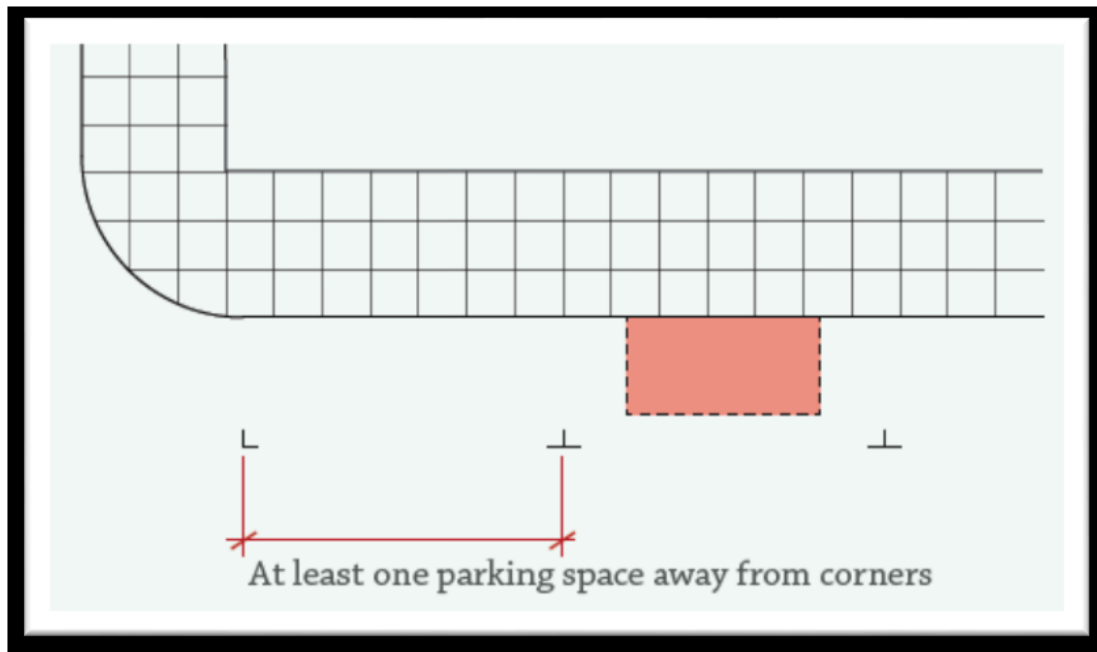
Eligible applicants must submit a Parklet Petition, signed and approved by 100% of the adjacent property owners and business owners that are located on the same side of the street within 100' of both sides of the proposed parking space(s) or to the end of the block (whichever is less).

Eligible applicants shall remit a per square foot license fee equivalent to the City's Outdoor Dining rate established by the City Council. In addition, applicants shall compensate the City for the loss of revenue for their use of metered parking spaces (based on a set annual amount established by the City) for the first five years that the Parklet exists. Applicants shall also reimburse the City for the cost of removing any parking meters. Non-metered parking spaces, however, will only be assessed the Outdoor Dining rate as their license fee. Applicants are required to remit a fee to process their application. Upon issuance of a permit, applicants shall provide a prorated license fee for the remainder of the calendar year in advance and provide a one-time maintenance deposit that is refunded upon termination of the permit provided the applicant removes the Parklet and restores the roadway to its original condition.

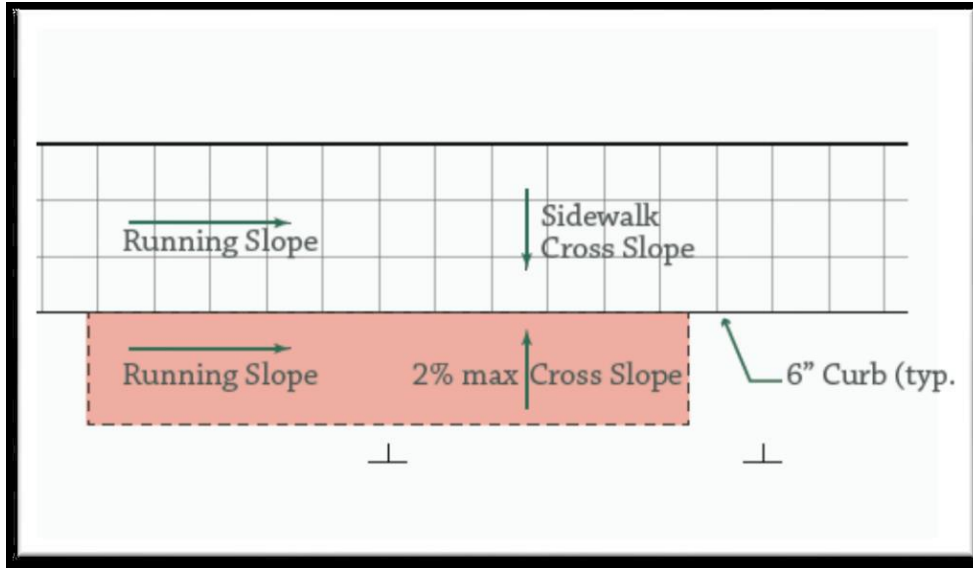
Other than placement of one ancillary sandwich board sign, Parklets are to be used only to place tables, chairs, a platform with railings/enclosure, landscaping, lighting, speakers, planter boxes, a roof or other equipment and devices necessary for the purpose of creating open space for public use, a small garden, to create a customer waiting area, a stage for acoustic musicians to perform, or for serving food to outdoor dining customers. Parklets may not be used to display or conduct retail product sales, or to render personal or other services.

- B. **ELIGIBLE STREETS:** Parklets are permitted on streets with speed limits of 25 mph or lower. Parklets on streets with speed limits over 25 mph will be considered on a case-by-case basis.
- C. **PARKLET SIZE:** A Parklet may occupy a maximum of three adjacent parking spaces. Larger Parklets will be considered on a case-by-case basis for up-to the length of a business frontage.
- D. **PARKLET LOCATION:** Parklets will be reviewed to determine whether their proposed location will interfere with view preservations of historic buildings and landmarks, public art, and to determine if the architectural design of the structure(s), and their materials and colors, are compatible with the scale and character of surrounding development and other improvements on the site.

Parklets may be placed in non-restricted on-street metered and unmetered parking spaces in commercially zoned areas and may not be placed within a blue, green, red, yellow, or white painted curb. To improve driver visibility Parklets may not be located within a minimum of one parking space (which is approximately 20 feet) from an intersection with a crossing road. The allowable distance is subject to review by City staff considering the type of intersection, type of control, crosswalk and other pavement markings, etc. Parklets may not be located within designated turn lanes, tapers or bike lanes.



- E. RUNNING SLOPE: Parklets are generally permitted on streets with a running slope (grade) of five percent or less.



- F. UTILITIES: Parklets are not permitted in front of, or within 15 feet of a fire hydrant or over a fire hydrant shut-off valve. Parklets constructed with irremovable materials may not be constructed over any utility access covers. Applicants are required to photograph and take a thorough inventory of any utility access covers in the proposed Parklet area to ensure none are present, which may require looking under parked cars.

Momentary access must be provided to any City staff or other public utility company from time to time that have underground conduits running beneath the Parklet area. Applicants understand and agree that City crew roadway restriping, resurfacing and utility company access may require the temporary removal of all, or a portion of the constructed Parklet to provide access. Accurate reinstatement of the parklet or its components will be the responsibility of the applicant.