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CITY COUNCIL REPORT CITY CLERK DEPT.

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SUBJECT: PHOENIX PARKLET POLICY

This report provides information to the Neighborhoods, Housing and Development Subcommittee regarding recent efforts of the Infill Advisory Group to establish a program to allow parklets within City of Phoenix public right-of-ways, and requests direction on including both private and public use opportunities as well as other options and requirements in the development of a parklet policy.

THE ISSUE

The Planning & Development Department conducted six public meetings in June 2013 to solicit input on infill development. In those meetings, the subject of parklets was raised as a way to provide green spaces on city streets to help mitigate the urban heat island effect and to create new seasonal pedestrian spaces that improve the quality of life in downtown Phoenix and along some commercial corridors. Parklets are public or private seating platforms that convert curbside parking spaces into vibrant community spaces. A parklet is made by converting two or more curbside parallel parking spaces (or three to four angled parking spaces) into a platform with an attractive seating area.

The Infill Advisory Group began looking into parklets in March of this year. Research was conducted on other cities with successful parklet programs such as San Francisco and Philadelphia. Input was also gathered from city staff and local design professionals involved with the 2013 parklet pilot at Matt's Big Breakfast located at 825 North 1st Street. The Infill Advisory Group plans to continue to meet through the summer to prepare a parklet policy for City Council consideration in the fall and to develop an application packet, maintenance agreement, insurance/bond requirements, annual rental fees and standard structural plans.

OTHER INFORMATION

Parklet designs are accessible and inclusive; inviting pedestrians, bicyclists, and shoppers to linger, relax, and socialize. Although there will be a standard structural requirement for the platform, each parklet can have a distinct, site specific design that

reflects the unique character proposed by the applicant. Applications could be made by a property owner, neighborhood or business association, or an individual business that proposes to construct and maintain a parklet. Parklet construction is paid for by the applicant and can cost anywhere from \$7,000 to \$15,000 or more depending on materials and including parking meter removal, bonding, plan review, and permits.

Applicants for a parklet will be required to obtain support from adjacent property owners. Applicants would circulate a petition and obtain signatures of support from any owner(s) of property which the parklet will front, any immediate adjacent property owners on the same side of the street, and a percentage of the remaining property owners on the block.

The applicant will also be required to keep the parklet well maintained, clean, and in good repair as outlined in a signed maintenance agreement. Access to the parklet will be maintained during the business hours of the sponsoring adjacent business or, in residential areas, during the hours of operation designated on the revocable permit. In addition, applicants will be required to have a certificate of insurance that indemnifies the city should any accidents happen on the parklet. A bond will have to be posted in the event the city has to remove the parklet if the applicant does not fulfill the removal requirements. All activities conducted in the parklet must comply with all other applicable city, county and state laws. Misuse of the parklet, safety issues, and/or lack of maintenance will be grounds for the city to revoke the permit and require removal of the parklet.

Parklets could be used in one of two ways: open seating/space for the public, or private seating/space controlled by the business and used for serving food and non-alcoholic beverages only. Parklets can also be used as part of a temporary use or special event permit. All other parklet programs that staff researched allow only public open seating in parklets, however, some members of the Infill Advisory Group recommended staff explore the option of a privately controlled parklet to encourage more participation. If the parklet seating is controlled by the business and used for serving food and non-alcoholic beverages, the parklet must provide a benefit to the public and an annual rental fee would be required. Some benefits of private parklets include: increased interest from businesses, more street activation, more incentive to create a distinctive, architecturally enhanced parklet, and increased revenue to the city. Drawbacks of private parklets can include: more limited hours of use, difficult enforcement of appropriate use (no alcoholic beverages, no retail sales, etc), and lack of benefit to the general public.

Other options under discussion include any minimum requirements for landscaping such as potted plants and trees. Furniture and seating has also been a subject of much discussion, specifically if seating should be permanent, such as built-in benches, or removable like the tables and chairs at Matt's Big Breakfast. Permanent seating would allow a public parklet to be used 24 hours per day while removable seating will be stored overnight by the property owner sponsoring the parklet. However, there are many concerns about the improper use and additional maintenance of built-in furniture. Lastly, mandatory shade elements such as umbrellas and shade sails have been considered as vital to the success of parklets.

RECOMMENDATION

This report requests the Neighborhoods, Housing and Development Subcommittee direct staff to develop a City of Phoenix Parklet Policy for City Council consideration and provide input and guidance on parklet options described in this report.