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RESOLUTION NO. 2021-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, (1) ADOPTING *PARKLET DESIGN GUIDELINES* FOR THE DESIGN AND OPERATION OF CURBSIDE PARKING SPACES TO BE USED FOR OUTDOOR DINING AND OTHER USES PURSUANT TO CULVER CITY MUNICIPAL CODE SECTION 9.08.035; AND (2) AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO INTERPRET, IMPLEMENT AND ADMINISTER THE PARKLET PROGRAM, INCLUDING THE *PARKLET DESIGN GUIDELINES*.

WHEREAS, pursuant to Culver City Municipal Code Section 09.08.035, the City Council shall, by resolution, establish standards and procedures for the design and operation of curbside parking spaces to be used for outdoor dining and other uses, as part of the Parklet Program; and

WHEREAS, such standards and procedures are set forth in the *Parklet Design Guidelines*.

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES HEREBY RESOLVE as follows:

1. The *Parklet Design Guidelines* attached hereto as Exhibit A and incorporated herein by reference, are hereby adopted and shall be effective on July 28, 2021.

2. The City Council hereby authorizes the Public Works Director/City Engineer ("Director") to interpret, implement and administer the Parklet Program and *Parklet Design Guidelines*, including the authority to:

a. Interpret the provisions of the *Parklet Design Guidelines*;

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- b. Develop and implement immaterial revisions to the *Parklet Design Guidelines*;
- c. Develop forms and procedures for submission of applications;
- d. Approve or deny an application; and
- e. Refer applications to the City Council for review and decision at the Director's sole discretion.

APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
ALEX FISCH, Mayor  
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
JEREMY GREEN, City Clerk

A21-00070

  
\_\_\_\_\_  
CAROL A. SCHWAB, City Attorney

*for*



# **PARKLET DESIGN GUIDELINES**

## **FOR OUTDOOR DINING**

June 14, 2021

**CULVER CITY  
PARKLET DESIGN GUIDELINES  
FOR OUTDOOR DINING AND OTHER USES**

The City of Culver City (City) has established a program for the development and operation of Parklets throughout Culver City, where certain conditions for eligibility are met. The program is intended to encourage activation of the public right-of-way, provide increased business opportunities for businesses and restaurants and increase opportunities for outdoor dining and other uses. Pursuant to Chapter 9.08.035 of the Culver City Municipal Code (CCMC) adopted by Ordinance on June 28, 2021 and the following Parklet Design Guidelines and related fees adopted by Resolution on June 14, 2021 (these “Guidelines”) shall govern the design, permitting, and operation of Parklets. These Guidelines may be modified by the City from time to time to ensure compliance with applicable codes and safety regulations.

The following Guidelines are supplemental standards to the August 12, 2009 Outdoor Dining Standards. All rules, regulations and provisions of the Outdoor Dining Standards shall continue to apply unless superseded by these Guidelines.

**1. ELIGIBILITY:**

- 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).

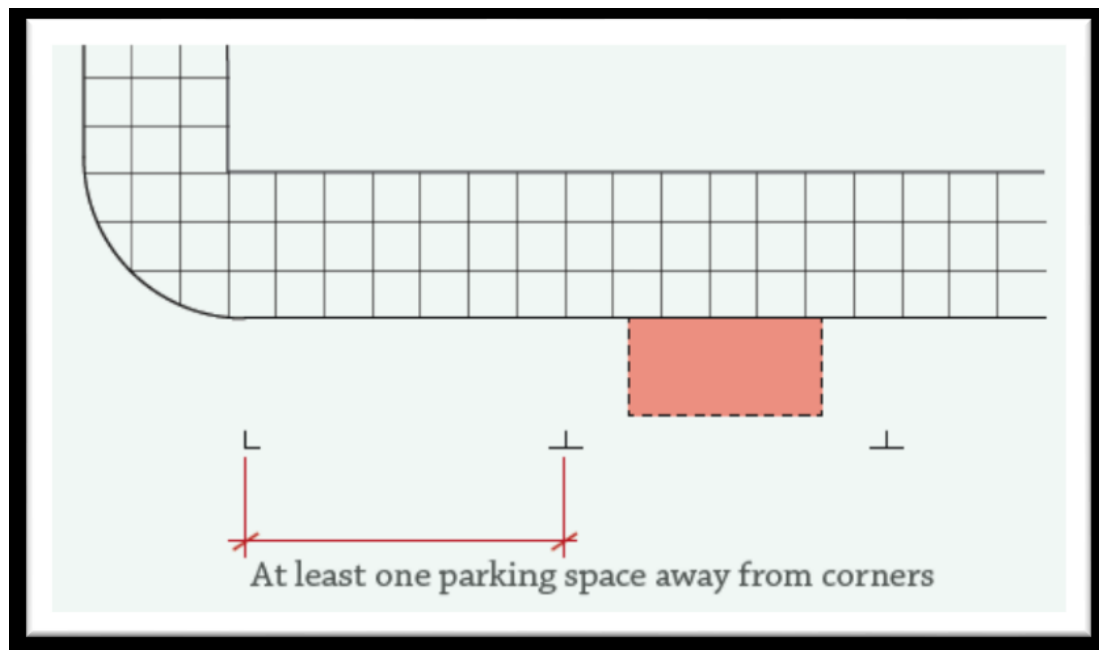
Eligible applicants shall remit a per square foot license fee equivalent to the City’s Outdoor Dining rate established by the City Council. In addition, applicants shall compensate the City for the loss of revenue for their use of metered parking spaces (based on a set annual amount established by the 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

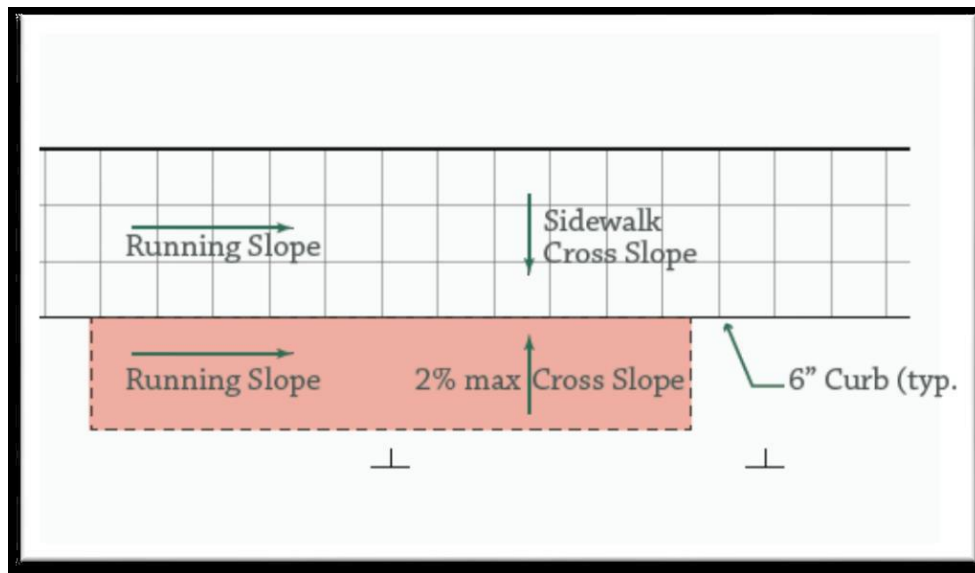
roof or other equipment and devices necessary for the purpose of creating open space for public use, a small garden, to create a customer waiting area, a stage for acoustic musicians to perform, or for serving food to outdoor dining customers. Parklets may not be used to display or conduct retail product 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.

## 2. APPLICATION PROCESS AND REQUIREMENTS:

Parklets are permitted through a Parklet Street Use Permit and License Agreement process involving the following two-steps:

A. **STEP ONE: PARKLET PRE-APPLICATION REQUIREMENTS (NO FEE)**

A pre-application meeting is required with a Mobility and Traffic Engineering staff member. Applicant shall provide preliminary details and conceptual plans to help illustrate their proposal

to determine the feasibility of the proposed Parklet location. The pre-application submittal shall include the following information:

- Location map - Mapping/Aerial photo of property and adjacent improvements.
- Photographs of Existing Site Conditions - Document the existing conditions of the sidewalks, curb conditions, nearby utilities, nearest crosswalk, streetscape, traffic signs, parking meters, street trees, bike racks, etc.
- Design Concept - Provide a rough sketch or photographs of similar Parklets that portray the intended design of the proposed Parklet.

**B. STEP TWO: PARKLET APPLICATION SUBMITTAL REQUIREMENTS (APPLICATION FEE APPLIES)**

Provided the pre-application meeting establishes that the proposed Parklet location is feasible, then the Applicant shall submit the following items for review and approval:

- Submit a completed application, construction drawings, a site plan and a traffic control plan to the City Hall, 2<sup>nd</sup> floor Engineering Counter as described below:
  - i. **CONSTRUCTION DRAWINGS AND SITE PLANS:** The construction plans for the Parklet should be prepared by a licensed architect or engineer, with experience preparing site plans, elevations, perspective views, and section drawings. The construction drawings shall include details which depict the seating deck and material, floor supports, stormwater drainage, accessibility provisions, etc. The construction drawings and site plan shall include the following components:
    - 1. All features located within 100 feet of the proposed Parklet and at a minimum contain the following:
      - a. Parklet dimensions, including the requested parking space(s) setback dimensions from adjacent parking spaces (A minimum of 48" inches from adjacent parking spaces - front and back setbacks - and 12" inches from an adjacent bike lane or auto traffic lane are required – side setback).
      - b. Width of the adjacent sidewalk
      - c. Name and address of the immediately adjacent businesses
      - d. Distance to the nearest crosswalk and intersection
      - e. Depiction of above-ground street fixtures located within 20 feet of the Parklet area (this is along and from the limits of the Parklet and shall include items such as trees, fire hydrants, traffic sign poles, parking meter, bike racks, streetlights, meter cabinets, utility cabinets, etc.)
      - f. At-grade roadway markings (colored curbs, lane striping, parking stall markings, etc.)
      - g. At-grade utilities (panels, storm-drains, sewer maintenance hole, electric covers, etc.)
      - h. Include the street addresses for each parking space contained in the Parklet.
      - i. Tables, chairs, planter boxes, and other furnishings.

- j. Total number of metered parking spaces (if applicable) and total number of seats (if any) and a tabulation of the total square footage within the Parklet.
- k. Photographs of the proposed Parklet area taken 20 feet away from each direction (north, south, east, and west.)
- l. Parklet design elements to meet applicable accessibility requirements
- m. Elevations of parklet, sidewalk, pavement, etc. and provisions that eliminate impacts on drainage.
- n. Create and submit the following exhibits with your completed application form:
  - i. Exhibit A – Site plan depicting the items listed above, with dimensions of the parklet area
  - ii. Exhibit B- Photographs of manufacturers’ cut sheets depicting any physical barriers, design, planters, bollards, lighting, speakers, wheel stops, etc., which will be used in the Parklet area;
  - iii. Exhibit C- Photographs of the furniture that will be used in the Parklet area;
  - iv. Exhibit D-Front, left and right-side detailed elevation drawings depicting placement of the items listed above including the Parklet platform, wheel stops, bollards, planters, seating, lighting, speakers and furniture placement. The elevations shall include dimensions.

- Submit a summary description of the business operation and the intended use of the Parklet
- Pay the application fees approved by the City Council.
- Submit a traffic control plan consistent with provisions of the CA Manual on Uniform Traffic Control Devices for review and approval prior to pursuing project construction.
- Submit a petition agreeing to the Parklet installation that is signed by 100% of the adjacent property owners and business owners located on the same side of the street within 100’ of both sides of the proposed Parklet or to the end of the block (whichever is less) .

#### **C. REVIEW AND APPROVAL PROCESS:**

The site plan, elevations, and construction drawings will be routed through the City Departments for review and approval.

If insufficient to approve, the applicant will be notified within a two-week period along with comments identifying necessary changes to obtain approval. If approved, the process to obtain a permit is as follows:

- I. The applicant submits evidence of required insurance.
- II. Applicant submits a copy of their active Culver City business license.



- III. The applicant pays the prorated annual license fee for the remainder of the calendar year along with a maintenance deposit, assessed loss of metered parking revenue (if applicable) and other fees as applicable.
- IV. The City will issue a Parklet Street Use Permit and License Agreement for the applicant to sign and return
- V. The City will issue requirements for annual renewal of the Parklet Street Use Permit and License Agreement, including a schedule of annual fees.
- VI. The applicant will notify the Mobility and Traffic Engineering Division at 310-253-5600 at least 72 Business hours prior to installation of the Parklet. This will allow time for staff to place no-parking signs in the affected space(s).
- VII. The applicant shall set in the field traffic control devices per the approved traffic control plan and notify the Mobility and Traffic Engineering Division in advance of commencing construction.
- VIII. Upon completion of construction, the applicant will request a final inspection by calling 310-253-5600. The Public Works Inspector will ensure compliance with the approved construction plans and if not, will provide a list of changes to be made to bring the Parklet into compliance.

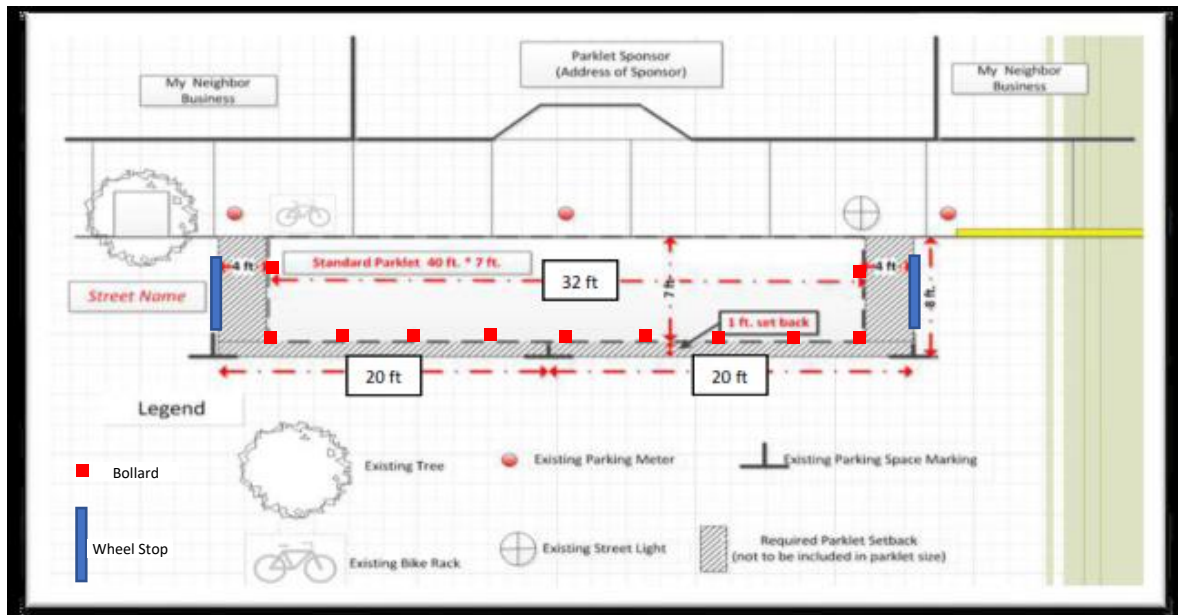
#### **D. DESIGN GUIDELINES:**

- a. Parklet footprint: Most Parklets are the size and length of one, two, or three adjacent parking spaces including the required buffer areas. The City will consider larger Parklets depending on the existing site conditions, which requests will be evaluated on a case-by-case basis.

All Parklets are required to include a minimum 4' setback on either end to buffer the Parklet from adjacent on-street parking spaces and a minimum 1' buffer adjacent to the auto or bike travel lane. Parallel parking spaces typically range between 18 to 20 feet in length. With a standard 4-foot setback on both ends and a 20-foot typical parking space length, Parklet lengths would be as follows:

<i>Equivalent Parking Spaces (20')</i>	<i>Setbacks (2x 4' = 8')</i>	<i>Parklet length</i>
<b>1 Parking Space</b>	<b>8 feet</b>	<b>12 feet</b>
<b>2 Parking Spaces</b>	<b>8 feet</b>	<b>32 feet</b>
<b>3 Parking Spaces</b>	<b>8 feet</b>	<b>52 feet</b>

- b. Adjacent parking: Parklets may not use any part of an adjacent parking space. In areas where parking is not striped, the Parklet shall not leave an "orphaned" space that is too small to park a full-sized passenger vehicle.



- c. **Wheel Stops:** For Parklets located within parallel parking spaces, a four-foot-long concrete, rubber or metal wheel stop shall be installed at least one foot from the curb at the 4' edge of each perimeter parking space. When Parklets are installed adjacent to parallel parking spaces, wheel stops should be setback four feet from the Parklet structure. For angled parking spaces and Parklets located adjacent to driveways, the City will work with the applicant to determine the appropriate location for placement of wheel stops.
- d. **Bollards:** Six feet long concrete bollards containing a 1/2-inch steel sheath that are placed four feet above grade and buried two feet below grade are to be placed 4' apart from one another along the perimeter of the Parklet and a maximum of 2' away from any corner.

**Performance Standard:** All vehicle impact protection devices shall be engineered and determined to be in compliance with the low-speed vehicle impact testing standards F3016 (S20 or S30) prescribed by ASTM International. Compliance with the ASTM F3016 S20 or S30 standard shall be confirmed and certified by a bollard manufacturer or licensed professional engineer. If the vehicle protection device is not S-rated, an analysis of the site conditions, approach routes, topography and type of proposed vehicle impact protection device(s), including size and depth of footings, shall be submitted showing the vehicle impact device(s) to be equivalent to an S20 or S30 standard.

**Loads on Vehicle Barrier Systems:** Loads on Vehicle Barrier Systems. Vehicle barrier systems for passenger vehicles shall be designed to resist a single load of 6,000 lb. (26.70kN) applied horizontally in any direction to the barrier system, and shall have anchorages or attachments capable of transferring this load to the structure. For design of the system, the load shall be assumed to act at heights between 1 ft 6 in. (460 mm) and 2 ft 3 in. (686 mm) above the floor or ramp surface, selected to produce the maximum

load effect. The load shall be applied on an area not to exceed 12 inches by 12 inches (305 mm by 305 mm), and located as to produce the maximum load effects.

- e. Enclosure: The tops of Parklet walls shall not be higher than 36" above the ground however, narrow support pillars or posts may be built above 36" to support a roof or to mount lighting fixtures, lighting strings, or speakers, provided the roof is no lower than 7½' high and provided the roof sustains a minimum wind speed of 110 mph. The height of the Parklet may be increased with clear plexiglass or other material that does not obstruct visibility.
- f. Lighting: Applicants interested in lighting should consider solar-powered lighting that use a rechargeable battery. Parklets however, may have lighting fixtures or lighting strings installed on poles with or without a roof provided they are rated for outdoor use and their power cord is plugged into an enclosed Ground Fault Circuit Interrupter outlet located on the face or roof of the building. Running conduits or extension cords along the ground to the Parklet from the building to provide electrical power is prohibited and can be a tripping hazard.
- g. Speakers: Parklets may have speakers mounted within them provided they are rated for outdoor use and their cords are connected in an aerial fashion to equipment located inside or outside of the building that is owned or occupied by the Applicant. Alternatively, speakers may be mounted directly upon the face of the building that is owned or occupied by the Applicant. Running conduits or speaker wire along the ground to the Parklet from any building is prohibited.
- h. Music Operation: Unamplified acoustic musical instruments and electric sound reproduction systems shall be operated at sufficiently low volumes so as not to create a public nuisance or unduly intrude on neighboring businesses, residents, or users of the public right-of-way beyond the Parklet area.
- i. Width: Parklets should be a minimum width of 6 feet (or the width of the existing parking lane including the minimum 1' buffer). Parklets generally entail the conversion of one or more parallel parking spaces, but may vary according to the site, context, and desired character of the installation.
- j. Reflectivity: Reflective elements/devices are required at the outside corners of all Parklets. Soft-hit posts equipped with reflective surfaces are a typical solution deployed along the perimeter; however, the City will consider other reflective elements incorporated into the Parklet design to enhance visibility of the structure including at night.
- k. Driveways: Parklets located adjacent to driveways must be set back twenty feet from the outside edge of the driveway apron. The City may consider shorter separation requirements for smaller driveways.

- l. Easy Removal: Since Parklets are temporary and will be placed atop critical infrastructure and utilities such as gas lines, sewer and water mains, they must be designed for easy removal in case emergency access is required. No Parklet component may weigh more than 200 pounds per square foot.
- m. Advertising/Signs: With the exception of one menu sandwich board, advertising, marketing, promotional activities or any other signage is prohibited in the Parklet.
- n. ADA Compliance: If other areas of the business do not achieve minimum ADA accessibility requirements, then the Parklet design shall be accessible to the disabled in accordance with ADA standards. Parklet access shall adhere to the Uniform Building Code and Title 24 (California Building Standards Code) of the California Code of Regulations and include:
  - i. This includes the use of slip resistant surface materials, maximum allowable slopes and other provisions.
  - ii. The ability for wheelchair users to access the Parklet.
- o. The Platform Deck: Each Parklet requires a platform that is flush with the curb. Construction drawings must be submitted for the seating deck so that the City can review the structural base for the Parklet. In designing the deck, the following provisions apply:
  - i. The Parklet base should be a freestanding structural foundation that rests on the street surface. This frame should not be permanently attached to the street, curb or adjacent planting strip. The applicant may, however, use pin bolts to attach the Parklet to the curb and street below.
  - ii. Bolting: Parklets may include buried bollards and bolted platforms to the existing curb, provided the curb and roadway are restored to their original condition upon their removal.
  - iii. Non-slip platform surface: The surface of the Parklet platform shall be fabricated from durable, non-reflective, slip resistant, aesthetically pleasing materials designed to withstand outdoor conditions. Surface materials shall not be prone to corrosion and shall be able to withstand power-washing when needed.
  - iv. Access: Parklets may not be built over existing utility access points unless the utility agrees, in writing, that creation of a hinged door on the platform to access them is acceptable.
  - v. Surface materials: With the exception of soil contained inside planter boxes, loose particles, such as sand, gravel or loose stone are not permitted in the Parklet.
  - vi. Drainage: The Parklet cannot impede the flow of curbside drainage on all sides and underneath the platform directly over the gutter. Designers are required to cover openings at either end of the Parklet with screens to prevent blockage from debris while allowing water to flow along the gutter and into the storm drain. The platform shall contain a minimum 4" high X 1' long unobstructed

cutout along the entire length of the gutter to provide unimpeded storm water flow to the storm drain.

- vii. Platform cross slope: The Parklet platform cannot exceed two percent cross slopes.
- viii. The Platform Edge: The platform requires a positive edge or railing along the open sides of the deck surface that is parallel to the vehicular traffic lane, to inhibit people who, while lingering, may inadvertently wander into vehicular traffic.

A positive edge along vehicular traffic lane and parking space may be achieved by providing a railing of no less than 36 inches in height with openings of no more than 4 inches, or by other means as described in the next paragraph.

Railing structural capacities:

Handrails, guardrails, and their supports must be designed for 50 lbs. per linear foot, applied in any direction at the top of the top rail, and a concentrated load of 250 lbs. applied in any direction at any location along the top of the top rail. Guardrail infill and bottom rails are to be designed for 100 lbs. acting on a projected area of 1 sq. ft, including the open space between components. Where required, guardrail height must be a minimum of 36 inches above the leading edge of the tread or walking surface. Opening limitations: open guards shall have balusters or ornamental patterns such that a 4-inch diameter sphere cannot pass through any opening up to a height of 36 inches.

Other means for achieving this positive edge may include raised planters no less than 24 inches high and 12 inches deep, built-in seating or other built-in furnishings no less than 24 inches high and no less than 12 inches deep, dense plantings that visually enclose the space and discourage pass through, or some other such similar means. In some instances, such as residential streets, alleys, shared public ways or other non-arterial streets, other barriers may be considered on a case-by-case basis.

At other areas, for example where the edge is perpendicular to the vehicle traffic lane, where any portion of the deck surface's perimeter is  $\frac{1}{2}$ " or more above the street, curb, or sidewalk level, the edge shall be positively marked by a vertical element or barrier that is 24 inches minimum in height. These vertical elements shall have visual contrast with the Deck Surface material: either light on dark or dark on light.

### 3. FEE SCHEDULE:

#### Paid at the Time of Application Submittal (one-time)

Application Fee	\$750.00
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#### Paid Prior to Permit Issuance (one-time)

Issuance Fee	\$50.00
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Tech Surcharge (4% of Issuance + Application fees)	\$32.00
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Street Maintenance Deposit (refundable)	\$2,000*
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Los Angeles and Culver City Sewer Facility Charges	~\$641 per seat**
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#### Annual Recurring License Fees:

Rental Fee	\$13 per square foot**
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Parking Meter Fees (first 5 years)	\$1,000 per metered space**
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\*The street maintenance deposit of \$2,000 shall be applied by City to repair or replace any broken or damaged property and to perform required maintenance of the Public Right-of-Way not otherwise performed by Permittee after Permittee's removal of the Parklet and restoration of the Public Right-of-Way to its original condition (pursuant to CCMC Section 9.08.035.C.2 and 9.08.035.E). If the Permittee restores the Public Right-of-Way to its original condition upon Permittee's removal of the Parklet, the street maintenance deposit shall be fully refunded.

\*\*The recurring annual fees are calculated as follows: A rental fee of \$13 per square foot per year of the interior Parklet area. For those Parklets using metered parking spaces, an additional \$1,000 annually for each metered parking space applies for the first five years. Upon issuance of the Parklet Street Use Permit and License Agreement, a one-time sewer facility charge of approximately \$641 per seat (which fee is established and amended from time to time in part by the City of Los Angeles).

### 4. MAINTENANCE

- A. The Parklet is required to be well maintained and be in good condition as outlined in the terms and conditions of the Parklet Street Use Permit and License Agreement. Parklet owners are required to develop a maintenance plan for keeping the Parklet free from debris, grime, and graffiti, and to ensure any plants remain in good health and not grown in a manner that would obstruct visibility of the adjacent travel lane and/or intersections.

- B. Restaurants are required to sweep the sidewalk and roadway area immediately surrounding the Parklet and to keep it litter-free as City street sweepers are unable to do so.
- C. The area beneath the Parklet platform shall be cleaned and rinsed out at least once a month.

## **5. PERMIT RENEWAL:**

The Parklet Street Use Permit and License Agreement will automatically be renewed upon payment of the annual license fee, including the metered parking fee (when applicable) and submittal of a renewed certificate of insurance.

## **6. CHANGE of OWNERSHIP:**

The Parklet Street Use Permit and License Agreement is non-transferable. If the applicant's business changes ownership or ceases to operate, the permit will be automatically terminated and the platform, bollards, wheel stops, etc. shall be removed by the applicant (unless the applicant is a tenant on the premises and the property owner of these premises agrees, in writing, to assume the responsibility of removing the Parklet if the new tenant of these premises or new owner of applicant's business does not wish to use the Parklet), and the parking space(s), parking meter(s), bike rack(s), and any other impacted road elements will be restored. Any new tenant or new operator of applicant's business will be required to apply and obtain a new Street Use Permit and License Agreement from the City.

## **7. REMOVAL**

- A. Self-initiated removal: If the applicant decides to no longer use the Parklet, or the permit has expired, the applicant is responsible for removing the Parklet and all related elements and restoring the public right-of-way to its original condition. Removal and restoration of the Parklet area requires an additional permit, which may be obtained from the Department of Public Works/Engineering Division at: 310-253-5600. Failure to remove the Parklet and/or restore the road will result in forfeiting the maintenance deposit. Applicants shall reimburse the City for any costs to remove the Parklet and/or restore the road that exceed the amount of their maintenance deposit.
- B. Streetscape maintenance and improvements: In some instances, such as a street repaving or utility work, the City may require the applicant to remove their Parklet temporarily. The City or utility will provide adequate notification to permit holders that a Parklet will need to be temporarily removed for repaving, utility, or other street work. In these situations, you may need to store your Parklet off-site during these construction activities. Parklet removal and reinstallation shall be performed at the sole cost of the permit holder.
- C. Emergencies. Because Parklets may be placed atop utilities there may be instances where the Parklet will require immediate removal with little notice (such as a gas leak, water main break, sewage pipe break, etc.). During these emergencies, the City or other public utility may remove the Parklet with little or no notice.

#### **D. INSURANCE**

The Applicant (Permitee) shall obtain and maintain in force during the life of the Parklet Street Use Permit and License Agreement comprehensive general liability, automotive, and workers compensation insurance in amounts and coverage as determined by the City Attorney and specified in the Parklet Street Use Permit and License Agreement. Failure to maintain active insurance policies is grounds for revocation of the permit.