



AGENDA REPORT

City Attorney's Office

DATE:	March 4, 2025
TO:	Mayor Martinez and Members of the City Council
FROM:	City Attorney, Dave Aleshire
Subject:	10-Day Report on the Interim Urgency Ordinance Regarding Parklets
FINANCIAL IMPACT:	No fiscal impact.
PREVIOUS COUNCIL ACTION:	On January 7, 2025, the City Council voted to request that the City Attorney draft a temporary moratorium on parklets to address various concerns. On January 28, 2025, the City Council passed an Interim Urgency Ordinance implementing a 45-day moratorium on parklets.
STATEMENT OF THE ISSUE:	The 45-day moratorium period provided inadequate time for the City to fully study and consider appropriate regulation of parklets within City limits. Government Code Section 65858, allows the City to extend the moratorium period, but requires first that the City issue a written report describing measures taken to address the conditions creating the need for the moratorium. Attached is that report.
RECOMMENDED ACTION: <i>(This will appear on the agenda)</i>	RECEIVE the 10-Day Report on the Interim Urgency Ordinance regarding Parklets – City Attorney’s Office (Dave Aleshire 510-620-6509).

DISCUSSION:

The City of Richmond enacted a 45-day moratorium period to allow the City time to study and consider the further regulation of parklets to ensure that public roadways and public property remain free from nuisances, safe and accessible for all users, clear of conditions that pose threats to public health, safety, and welfare, and to ensure that future development is undertaken in a manner consistent with the City's General Plan, and that any parklet installations comply with State and City regulations that inure to the public's health, safety, and welfare. Additionally, the City plans to analyze the possibility of including regulations pertaining to parklet aesthetics and options for mitigating impacts to the aesthetics of commercial areas and local City streets.

During the period the moratorium has so far been in place, the City, particularly the Public Works Department, has begun the process of studying the details of parklet programs developed in other local cities, such as the local cities of Alameda and Albany, and considering the details of those parklet programs and their impact on public health, safety and welfare, as well as the local aesthetics of city streets and commercial areas.

The City needs more time to complete the study, including time to: undertake a more detailed review of these local City's programs, possibly conducting traffic studies within the City of Richmond, carefully consider suggested design standards, assess specific areas within City limits that might be appropriate for parklet programming, among other things. The City must also carefully consider what standards and regulations would serve the City's needs and meet the essential goals of protecting the public peace, health, and safety in Richmond, as well as developing possible design standards that mitigate impacts to or possibly enhance local aesthetics.

The attached 10-Day Report satisfies the requirements of Government Code Section 65858(d).

DOCUMENTS ATTACHED:

Attachment 1 - 10-Day Report on Interim Urgency Ordinance No. 05-25