



# COUNTY OF HUMBOLDT

## Master

**File Number: 20-693**

<b>File ID:</b> 20-693	<b>Type:</b> Informational Report	<b>Status:</b> Passed
<b>Version:</b> 1	<b>Agenda Section:</b>	<b>Department:</b> Public Works
<b>Subject:</b>		<b>File Created:</b> 06/02/2020
		<b>Final Action:</b> 06/16/2020
<b>Title:</b> Temporary Use of Parking Lanes or Stalls Within the Public Right of Way for Business Use		

**Internal Notes:** I would like to get this advanced to the 6/9 meeting if possible.

**Agenda Date:** 06/16/2020

**Agenda Number:** 16.

**Sponsors:**

**Enactment Date:**

**Attachments:** Staff Report, Master, Master

**Enactment Number:**

**Recommendation:**

**Public Notice Date:**

**Drafter:** bbronkall@co.humboldt.ca.us

**Effective Date:**

**Related Files:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Supervisors	06/16/2020	approved				Pass
	<b>Action Text:</b> A motion was made by Supervisor Wilson, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote: Aye: 5 Supervisor Bohn, Supervisor Fennell, Supervisor Bass, Supervisor Wilson and Supervisor Madrone						

**Text of Legislative File 20-693**

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Temporary Use of Parking Lanes or Stalls Within the Public Right of Way for Business Use  
..end

RECOMMENDATION(S):

That the Board of Supervisors:

1. Authorize Public Works to issue encroachment permits to allow the temporary use of parking lanes or stalls within the public right of way of roads and streets that are part of the Humboldt County Maintained Road System, for business use subject to the terms discussed in the staff report; and
2. Waive the encroachment permit fee for the temporary business use of the parking lane.

SOURCE OF FUNDING:

Road Fund (1200)

DISCUSSION:

On June 2, 2020, the Board of Supervisors discussed ways in which restaurants and other businesses could reopen while following social distancing guidelines during the public health crisis. One idea presented is to use the parking lane in front of the business to provide additional space for the business to use. This is the area where vehicles are allowed to park; not the travel lanes of the road or other areas on the road where parking is prohibited at all times.

Other agencies such as the City of Eureka have adopted formal policies to allow the use of the public right of way for this purpose. Humboldt County has not. This item will allow businesses to quickly be permitted to temporarily use the public right of way during the public health crisis.

Absent a formal policy, the Humboldt County Public Works Department is recommending that during the public health crisis, businesses be allowed to apply for a no-cost encroachment permit to temporarily use parking lanes or stalls within the public right of way for business use. Applicants will need to provide appropriate traffic barriers to protect the public while occupying space in the road, as well as ensuring that the space is accessible pursuant to the Americans with Disabilities Act (ADA) requirements. Provisions for road drainage will also be required. In addition, applicants will be required to obtain and hold any insurance required by the Humboldt County Risk Manager. Public Works will exercise professional judgment when considering whether to approve or deny an application. The goal is to get businesses permitted as quickly as possible.

The temporary use of the public right of way will be allowed to continue until such time as the Board of Supervisors determines that the business use of the public right of way is no longer needed. Any encroachment permit issued under this directive will expire ten (10) calendar days after the Board of Supervisors declares that the use is no longer necessary. The encroachment permit will require all improvements installed under the encroachment permit be removed and the road be restored prior to the permit expiration.

Areas where this use is likely to occur may also impact parking. During the public health crisis, parking demand is lower than normal and the temporary loss of on-street parking should not exacerbate the parking shortage that some areas experience.

**FINANCIAL IMPACT:**

The Road Fund will absorb the loss of fees paid by the applicant. The current fee for an encroachment permit is \$276.10. There will be no impact to the General Fund.

**STRATEGIC FRAMEWORK:**

This action supports your Board's Strategic Framework by supporting business, workforce development and creation of private-sector jobs.

**OTHER AGENCY INVOLVEMENT:**

Humboldt County Risk Manager  
ADA Compliance Division of the Humboldt County Administrative Office

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

Board discretion.

**ATTACHMENTS:**

None.

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: G-1  
Meeting of: June 2, 2020  
File No.: 20-647

