

Capitola City Council

Agenda Report

Meeting: May 23, 2024

From: Recreation Department

Subject: Parks Use Policy and Resolution



Recommended Action: Adopt a resolution adopting a City Park Reservation Permit Use Policy (“Park Reservation Policy”) and direct staff to return to the City Council with amendments to the fee schedule to reflect proposed park space reservation fees.

Background: The City’s parks currently operate on a first-come, first-served basis, with the exception of athletic fields and court rentals. The Recreation Division often receives requests from the public with inquiries on the process of hosting a small group gathering in a City park. The City’s current process causes conflict for the public, who are in competition for the available space, and can put the City at risk of liability as a result of the public’s equipment or activities in City parks. During the March 14, 2024, City Council meeting, staff proposed an ordinance for City Council consideration to address these issues. The City Council directed staff return with an administrative park use policy, specifying the areas of the City’s parks that are available for exclusive use pursuant to the new Chapter 12.40.

On March 28, 2024, the City Council adopted an ordinance repealing and replacing Capitola Municipal Code Chapter 12.40, Park Regulations, creating a process for the public to reserve areas of City parks for “non-expressive activity” exclusive use for small, personal events (such as birthday or graduation parties) as well as establishing a transparent structure for regulating activities in City parks. If the event requesting exclusive use of one of the City’s parks were considered “expressive activity,” it would instead be subject to the City’s special events permitting requirements.

At the March 28, 2024, meeting, staff presented a Parks Policy to the City Council. The City Council directed staff to remove Esplanade Park from the policy, update the policy to outline reservable areas where bounce houses and/or barbecues are permissible, provided feedback to staff regarding fees and insurance requirements, and requested that staff return to the City Council with an updated policy at a later date.

Discussion: The proposed Park Reservation Permit Use Policy (“Park Reservation Policy”) provides the public with additional clarity on the spaces available for permits, capacity for each reservable park space, and expectations about information that will be communicated to the public during the reservation process. The benefit of this Park Reservation Policy is that it allows staff to make administrative changes to the park reservation use permit process in response to the changing landscape of parks or unforeseeable issues without formal amendment of the Municipal Code.

Fiscal Impact: Members of the public who inquire about reserving a park space will receive the “Capitola Reservable Park Area Packet,” Attachment 2, which includes the fees, maps of locations, and terms and conditions of use. The City’s current fee schedule does not set park space rental fees. Staff will return to the City Council with an amendment to the adopted fee schedule to reflect proposed park use fees.

Attachments:

- 1) Parks Reservation Permit Use Policy
- 2) Sample Capitola Reservable Park Area Packet
- 3) Resolution Adopting Park Reservation Permit Use Policy

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Reviewed By: Tamar Burke, Assistant City Attorney

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