

# Attachment C: Proposed Changes to Ongoing Parklet Design Standards

## PALO ALTO ~~ONGOING~~PERMANENT PARKLETS PROGRAM

(Proposed modifications to the adopted standards)

### I. INTRODUCTION

The City of Palo Alto has developed an ~~n Permanent-ongoing~~ Parklet Program that will allow for parklet installations in eligible areas of Palo Alto. The program is designed with the intended purpose of supporting the vibrancy of the public realm and enhancing the civic experience of diners, pedestrians, motorists, and cyclists.

The following standards outline the requirements for parklet installation including location, materials, and design. The City of Palo Alto will review all parklet permit applications and will only approve parklets that are able to meet the standards. Due to the unique circumstances of each proposed parklet location, some parklets may require additional review by key departments (as outlined).

All parklets—including installations previously installed under the pilot parklet program—will require a new ~~Permanent~~ ongoing Parklet Permit from the City of Palo Alto. Application requirements are outlined in Section IV (A) Submittal Requirements.

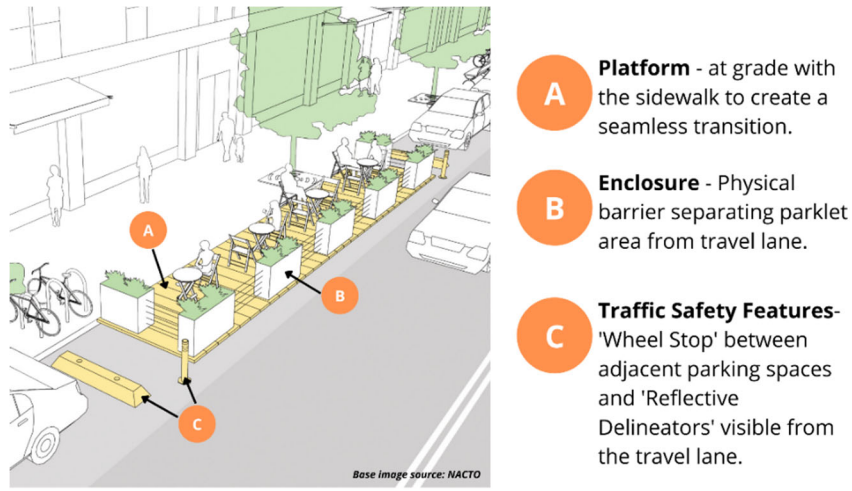
Parklets are permitted in conjunction with legally existing and permitted eating and drinking establishment uses as well as commercial uses including retail establishments. Any and all business activity must be contained within the parklet space and not encroach into the sidewalk, public right-of-way, or roadway.

### II. GLOSSARY

Due to the unique design and placement of parklets, there are several terms with distinct meanings that should be understood in order to implement the standards.

1. **Enclosure**—Barrier/railing that follows the parklet edge.
2. **Platform Edge**—The outermost edge of the parklet platform.
3. **Parklet Footprint**—The total area within the platform edge that can be utilized by a project applicant.
4. **Platform**—Base of the parklet that is at grade with the sidewalk.
5. **Travel Lane**—Portion of the street with active automobile traffic.

**FIGURE 1: Key Terms**



### **III. LOCATION AND SETBACK REQUIREMENTS**

#### **A. Location**

The location of a parklet is dependent on the eligibility criteria, which varies based on the type of parking space a parklet will occupy (parallel parking spaces, angled spaces, and non-standard spaces).

##### **1. Eligibility**

- a. Parklets are only permitted in the University Ave and California Ave downtown areas
- b. Parklets are only permitted on streets with speed limits of 25 mph or less.
- c. Parklets are only permitted on streets with a running slope (grade) of 5 percent or less.
- d. Parklets cannot be installed in any portion of a travel lane at any time.
- e. When located near an intersection, parklets must be located at least 20 feet from the rear most boundary of a crosswalk at the nearest intersection of the street corner. If there is an existing planter in the curb lane within 20 feet of the crosswalks, this distance may be reduced.
- f. Parklets are not permitted in any existing restricted area (i.e., loading zone, no parking zone, bus zone, etc.).
- g. Parklets must be located directly in front of the parklet operator's storefront.
  - i. Parklets may extend beyond the applicant's store front but may not extend any structures above the parklet barrier (e.g., sidewalks, roofs, trellises) beyond the parklet operator's storefront without a letter of consent (see section VI. 12).
- h. If a parklet extends in front of neighboring storefront(s) or proposes to extend in front of neighboring storefront(s), written notice will be sent to the affected neighbor(s) at the time of permit application and annual renewal. The business adjacent to the affected neighbor(s) will also receive notices.

- i. If the affected neighbor(s) or adjacent business wish to claim the same parking space(s) for their own parklet, they must notify the City in writing within 30 days of the notice.
  1. If a competing claim for the space from the adjacent business is confirmed, the affected neighbor has first priority over the space. However, a parklet permit application must be submitted by the affected neighbor within 60 days of the first notice to claim the space.
    1. If a competing claim for the space from the adjacent business is confirmed, and the affected business does not claim the space, the adjacent business and original parklet permittee shall split the space.
      - a. The Space shall be split from the centerline.
      - b. For parallel parking spaces, ~~and~~ each parklet shall maintain a minimum 4-foot setback from the centerline, creating a minimum 8-foot gap between parklets.
      - a-c. For angled parking spaces, each parklet shall maintain a minimum 3-foot setback from the centerline, creating a minimum 6-foot gap between parklets.
  2. If applicable, a parklet owner must remove and/or alter their parklet (applying for applicable permits) within 90 days of receiving notice of a competing claim for the space(s).

## 2. Parklet Size and Quantity

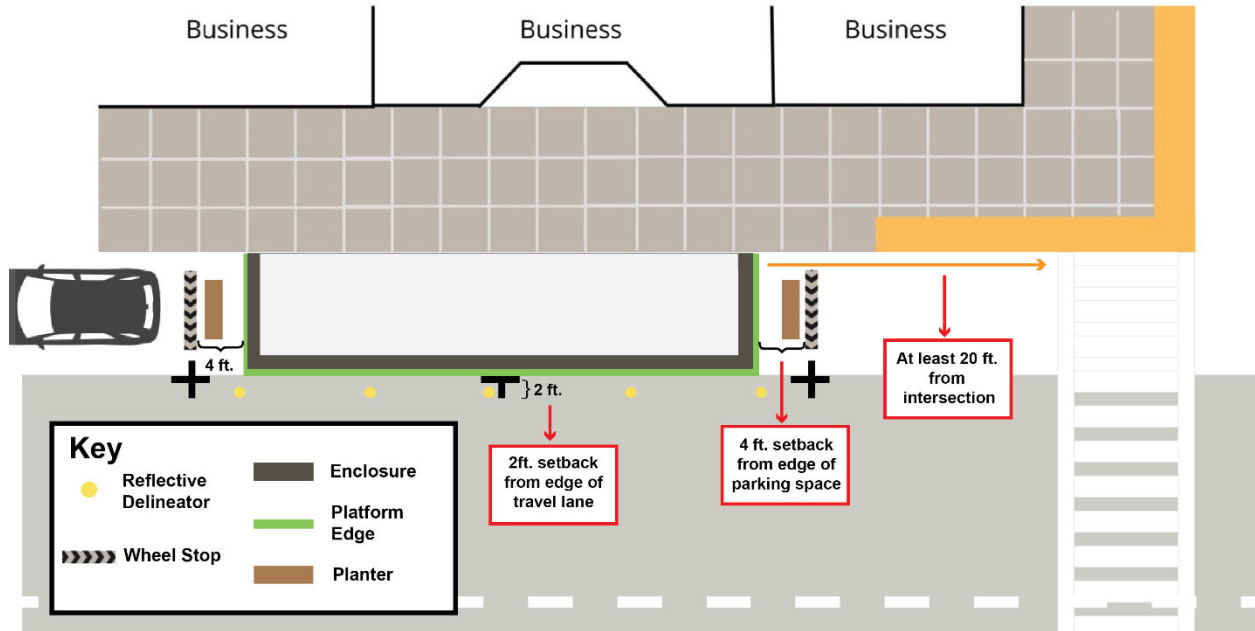
- a. Parklets with roofs or trellises shall be a maximum of 350 square feet in size.
- b. Businesses are allowed up to two (2) parklets.

## 3. Parallel Parking

- a. Standard parallel parking space dimensions are as follows:
  - i. Parallel parking space adjacent to a curb: 8-feet wide and 20-feet long
  - ii. Parallel parking space adjacent to a wall: 10-feet wide and 20-feet long
- b. For parallel parking spaces, the parklet structure must be set back 48 inches (4 feet) from adjacent marked parking spaces. This 4-foot setback must be kept clear at all times for emergency access.
- c. The platform edge shall be 2 feet back from the outer edge of the parking space it occupies. For all parallel parking spaces located on public streets within the City of Palo Alto, this shall be 2 feet from the exterior edge (closest to traffic) of marked parking T's (where they exist). This is shown in Figure 2.
- d. In no case shall a parklet be placed within the 2-foot area measured from the outer edge of the parking space. These 2 feet shall be kept clear at all times. The only objects which shall lawfully occupy this space are reflective delineator posts, or their equal.
- e. Parallel parking spaces adjacent to a curb typically measure 8 feet wide by 20 feet long. The dimensions of a parklet in one parking space could be 6 feet wide and 12 feet long. This is because of the 2-foot setback from the outer edge of the parking space and the 4-foot setbacks from the adjacent parking spaces.

- f. Parallel parking space measurements may vary across the City of Palo Alto. As a result of this variation, some parklets may measure less than 6 feet wide. If the existing parking stall width is less than 8 (eight) feet, the parklet shall be 2 feet less than the parking stall width.
- g. Parklets located in the downtown area that are between a bulb-out tree planter do not require a 4-foot setback from the adjacent parking spaces.

**FIGURE 2: Dimensions of a Parallel Parking Space Parklet**



*Image not to scale*

#### 4. Angle Parking Spaces

a. Standard angled parking space dimensions are as follows:

- i. 45-degree angle parking space: 8.5-feet wide and 21.2-feet long
- ii. 60-degree angle parking space: 8.5-feet wide and 19.7-feet long
- iii. 75-degree angle parking space: 8.5-feet wide and 20.2-feet long
- iv. 90-degree angle parking space: 8.5-feet wide and 17.5-feet long

~~b. A parklet in an angle parking space area shall consist of comprise up to 4 contiguous angles parking spaces.~~

~~c.b.~~ A parklet platform shall be 3 feet back from the rear edge of the existing angled parking space. For angled parking spaces located on public streets within the City of Palo Alto, this shall be 3 feet from the exterior edge (closest to traffic) of the marked parking stall. This is shown in Figure 3.

~~d.c.~~ In no case shall a parklet be placed within the 3-foot area measured from the rear edge of the parking space. These 3 feet shall be kept clear at all times for emergency access.

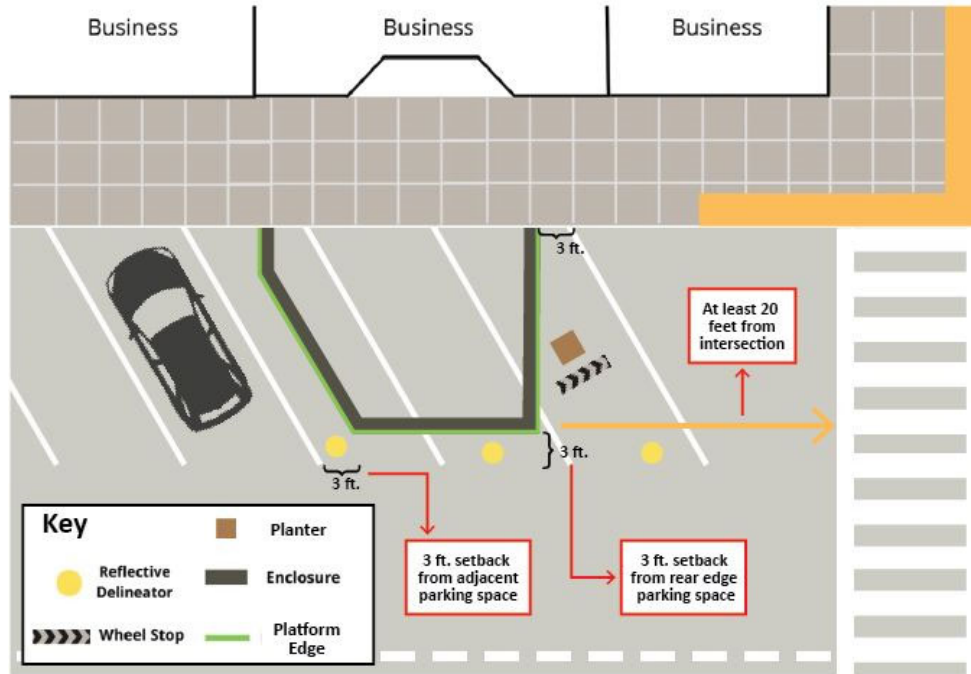
~~e.d.~~ The only objects which shall lawfully occupy this space are reflective delineator posts, or their equal.

~~f.e.~~ For angled parking spaces, the edge of the parklet must be set back 3 feet from the adjacent parking space on either space.

- i. Angled parking space measurements may vary across the City of Palo Alto. As a result of this variation, some parklets may measure less than the standard 8.5-feet wide. If the existing parking stall width is less than 8.5-feet, the parklet shall be setback 3 feet from the parking stall striping.
- ii. For non-standard angled parking spaces, the edge of the parklet structure must be set back 3 feet from the adjacent parking space on either side. (This

applies to all angle parking spaces along University Avenue as nearly all are substandard).

**FIGURE 3: Dimensions of an Angled Parking Space Parklet**



*Image not to scale*

## B. Parklet Setbacks

### 1. Setbacks

- a. As stated above, all parklets in parallel parking spaces must be setback 4 feet from the adjacent parking spaces. This setback shall be delineated by a concrete wheel stop affixed to the street (see figure 2 above and 'Traffic Safety' below).
  - i. The setback between two adjacent parallel space parklets shall be 8 feet (two 4-foot setbacks).
- b. As stated above, all parklets in angled parking spaces must be setback 3 feet from adjacent parking spaces and 3 feet from the rear edge of the parking space (see figure 3).
  - i. The setback between two adjacent angled space parklets shall be ~~8-6~~ feet (two ~~4-3~~-foot setbacks).
- c. All parklets are required to include 15-foot setback from adjacent driveways, as measured from the highest point of the curb cut (i.e., the top of the adjacent driveway wing).
- d. Parklets are prohibited in front of active driveways or on curved street segments.
- e. The setback may not contain seating and must be clear at all times for emergency access.

### 2. Sidewalk Area

- a. Neither the construction nor operation of the parklet shall interfere with, obstruct, or otherwise diminish the adjacent sidewalk and pedestrian path of travel.
- b. All walkways and sidewalks shall maintain at least 8 feet clear path of travel.

**C. Other Location Criteria**

**1. Proximity to Utilities and Public Facilities**

- a. Parklets must not block public utilities, bus stops, driveways, telecommunication vaults, or other in-ground infrastructure.
  - i. Parklets shall not be placed over gas main or gas services due to potential hazards.
- b. Parklets located next to alleys (as defined under PAMC 18.04.030(a)8) must be set back at least 15 (fifteen) feet from the driveway, as measured from the highest point of the curb cut (i.e., the top of the adjacent driveway wing).
- c. Parklets shall be placed no closer than 50 feet from a bus stop loading zone.
- d. Parklets shall be placed no closer than 15 feet from fire hydrants.
- e. Parklets shall not be placed within a 5-foot radius of a manhole cover to allow for maintenance access.
- f. Parklets shall be placed no closer than 5 linear feet from a storm drain catch basin. Parklet construction and design must allow access to the catch basin and shall not obstruct the catch basin.
- g. In the event a proposed parklet location is in conflict with public infrastructure (i.e., public signage, benches, etc.), the applicant shall reach out to Public Works to evaluate the possibility of relocating the infrastructure. If relocation is not possible, the applicant shall redesign the parklet to fit with the existing infrastructure.

**2. Fire Safety**

- a. No portion of the parklet or associated seating shall block FDC or associated equipment.
- b. The business address shall be visible from the street and shall not be fully obstructed by the parklet and associated materials.
  - i. Subject to direction from the Fire Marshal, address signage may be required on parklets subject to the following standards:
    - 1. Address numbers shall be a minimum of one-half inch (0.5") stroke by four inches (4") high.
    - 2. The street number shall be displayed, not the street name.
    - 3. The street number shall be a contrasting color to the background material.

**3. Street Trees**

- a. Structures built as part of a parklet (e.g., platform, barriers, sidewalls, roofs) must be at least 3 feet away from tree trunks or major branches.
  - i. Encroachment of structures to tree trunks or major branches closer than 3 feet must be approved by urban forestry.
- b. To discourage patrons from stepping on tree wells and possibly damaging tree roots, where needed, a railing shall be installed on the parklet platform

adjacent to the tree well. This will alter the path patrons travel, limiting persons stepping on the tree roots.

#### **4. *Bike Facilities***

- a. Bicycle racks or other bicycle facilities shall not be removed, made unusable, or otherwise disturbed or obstructed by the construction or operation of a parklet.
  - i. Any parklet design that proposes such disruption shall require review by and approval of the Office of Transportation.
- b. Applicants are encouraged to incorporate bike parking into their parklet design.

#### **5. *Accessibility***

- a. The sidewalk and parklet path of travel must comply with the appropriate Americans with Disabilities Act (ADA) and California Building Code (CBC) chapter 11B accessibility provisions. (See Section IV.5)
- b. The parklet path of travel must comply with CBC chapter 10 exiting requirements.

### **IV. PARKLET DESIGN**

The following guidelines describe both the safety and design requirements for parklet applications including standards for:

- A.** Platform
- B.** Enclosure
- C.** Traffic Safety
- D.** Furnishings & Fixtures

#### **A. Platform**

##### **1. *Structural***

- a. Parklets shall be constructed with quality materials and shall be of natural durable wood (such as redwood, cedar, etc.), preservative treated wood, light-gauge steel, or other engineered material suitable for exterior conditions.
- b. The parklet platform must support 100 pounds per square foot of live load.
- c. All fastening hardware and fasteners adjacent to and into preservative treated wood must be made of one of the following: hot-dipped zinc coated galvanized steel, stainless steel, silicon bronze, or copper.

##### **2. *Drainage & Ventilation***

- a. The underside of the platform shall be constructed to allow for seasonal drainage.
- b. Adequate cross ventilation shall be installed to allow for the surface to dry within 12–24 hours.
- c. Openings under the platform shall be screened with corrosion-resistant material with a maximum 0.25-inch mesh.

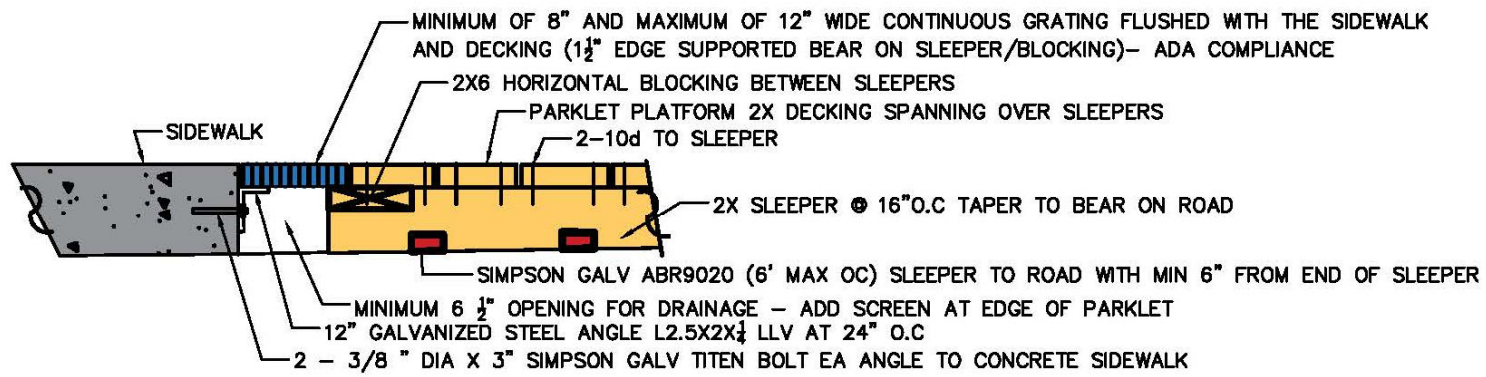


- d. Parklets shall not impede the flow of curbside drainage. The parklet design shall include a minimum 6.5-inch wide clearance from sidewalk curb along the entire length of the parklet. Openings at either end of the parklet shall be covered with screens to prevent debris buildup beneath the parklet and in the gutter. The closure decking must be removable for easy access for under platform inspection as needed. See Figure 4 for suggested platform attachment design details.

### 3. *Platform Attachment*

- a. The parklet shall be anchored to the City street and/or curb. Any anchoring proposed into the public street will require Underground Service Alert (USA) markings and additional staff review. Platform system shall be anchored at maximum of 6 feet apart in each direction to the roadway to avoid movement during an earthquake. See Figure 4.
  - i. Limit anchoring to 6-12 inches embedment in the street.
- b. The grate support along the curb face shall be anchored to the curb. The anchor shall be installed perpendicular to the curb (per the detail provided in figure 4).
  - i. The manner of anchoring shall be through a pre-drilled hole into the curb and a concrete anchor bolt. Limit anchoring to 3-4 inches embedment in the curb.

FIGURE 4: Platform Attachment Detail



## PARKLET–SIDEWALK DRAINAGE DETAIL (NTS)

#### 4. Roofs

##### a. Structural

- i. Complete roof framing plan, which includes horizontal and vertical bracing, is required to be submitted with structural calculations that meet the standards in the 2022 California Building Code. A licensed civil and/or structural engineer who is registered in the State of California, shall stamp and sign the plan and associated calculations, as well as conduct an onsite structural observation to ensure the roof structural system and its supporting elements were built according to the plans prior to occupancy.
- ii. All connector hardware and fasteners shall be resistant to corrosion and listed as compatible to the framing material.
- iii. Roofs may be a solid uniform material or open construction (i.e., trellis, pergola, etc.).
- iv. Roofs shall not be attached or connected to a building.
- v. Roofs shall slope toward the street to ensure rainwater drains into the street.

~~vi. Gutters and rain leaders are required.~~

~~vii. Roofs shall not extend over the public sidewalk.~~

vi. The roof's outer edges along the travel lane and sidewalk may extend 6 inches beyond parklet footprint at 8 feet or above ~~to allow for attachment of the rain leaders and gutters only.~~

~~viii.~~vii. The roof shall not extend over the sides of the parklet into the setback from adjacent parking spaces or parklets.

##### b. Height/location

- i. The roof shall have a minimum head clearance of 7 feet, 6 inches ~~be a minimum height of 8 feet provided the adjacent sidewalk is at least 8 feet wide.~~ If the adjacent sidewalk is less than 8 feet wide, the applicant will need to consult with the Palo Alto Fire Department.
- ii. A parklet roof shall measure no taller than ~~12 feet,~~11 feet, as measured from the platform grade.
- iii. Roofs are not permitted in front of any neighboring storefronts without a letter of consent (see section IV. 12).

##### c. Materials

i. Rooftops may be open or solid.

ii. Open roofs shall be of flame retardant fabric, pressure-treated wood, or exterior grade wood

~~i.~~iii. Solid roofs shall be of ~~material may be of~~ plywood sheathing, polycarbonate sheets, or sheet metal.

1. If plywood sheathing is used, it must be painted, ~~or~~ stained, or shingled.

~~ii.~~iv. Rooftops shall **not** be made of corrugated acrylic or heavy materials, such as clay or stone tiles.

~~iii.~~v. If fabric shade sails or similar fabric coverings are proposed, the fabric cover shall be limited to the top portion of the parklet and not extend to additional sides perpendicular to the street or sidewalk. All fabrics and all

interior decorative fabrics or materials shall be flame resistant in accordance with the provisions set forth in CCR, Title 19, Division 1, chapter 8.

1. The applicant shall provide certification that the fabric covering is flame resistant with any of the following:

1. NFPA 701 certification
2. ASTM E84 or UL 723

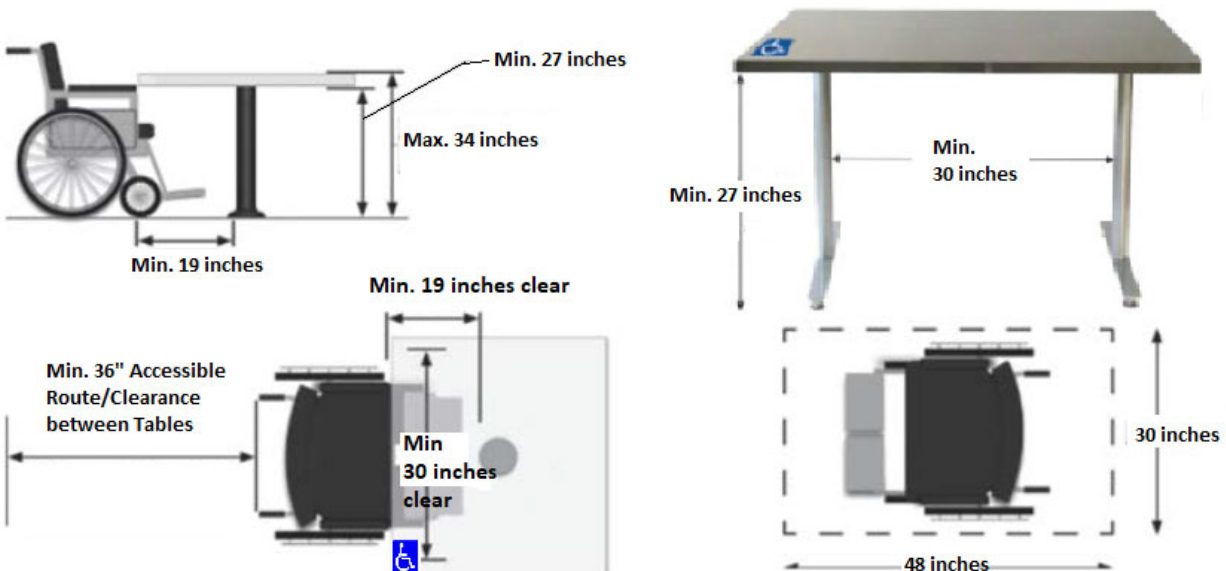
~~iv-vi.~~ vi. Roof material may be a solid uniform material or open construction (i.e., trellis, pergola, etc.).

~~v-vii.~~ vii. All exposed wood is required to be treated for exposure to weather.

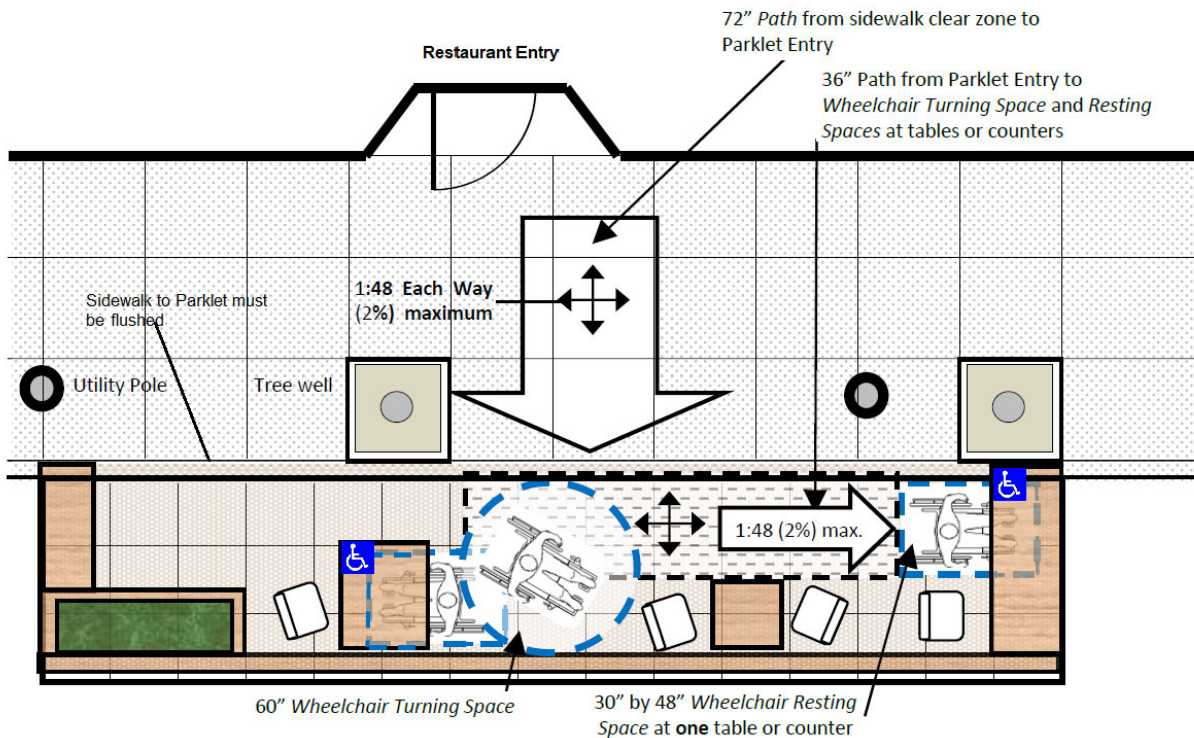
#### 5. Accessibility

- a. The parklet shall comply with the Americans with Disabilities Act (ADA).
- b. The surface of the parklet platform must be flush with the adjacent sidewalk with a maximum gap of 0.25 inches and 0.25 inches vertical tolerance.
- c. A minimum 4-foot-wide accessible path of travel and 5-foot-diameter (60 inches) turnaround space must be maintained within the parklet.
- d. Any abrupt changes in elevation exceeding 4 inches along an accessible path of travel shall be identified by 6-inch-tall warning curbs.
- e. Parklets shall utilize outdoor grade reflective tape to mark changes in grade.
- f. At least 5 percent of the seating spaces and 5 percent of the standing spaces shall be accessible. Accessible spaces must meet the following requirements:
  - i. International Symbol of Accessibility displayed at the table.
  - ii. Table surface between 28 to 34 inches.
  - iii. Minimum 27 inches of space from the floor to the bottom of the table.
  - iv. Knee clearance extends at least 19 inches under the table.
  - v. Total clear floor area of 30 inches by 48 inches per seat
  - vi. Maintain an accessible path of travel to the accessible table.

**FIGURE 5: Accessible Table and Chair ADA Requirements**



**FIGURE 6: Example Floorplan**



## B. Enclosures

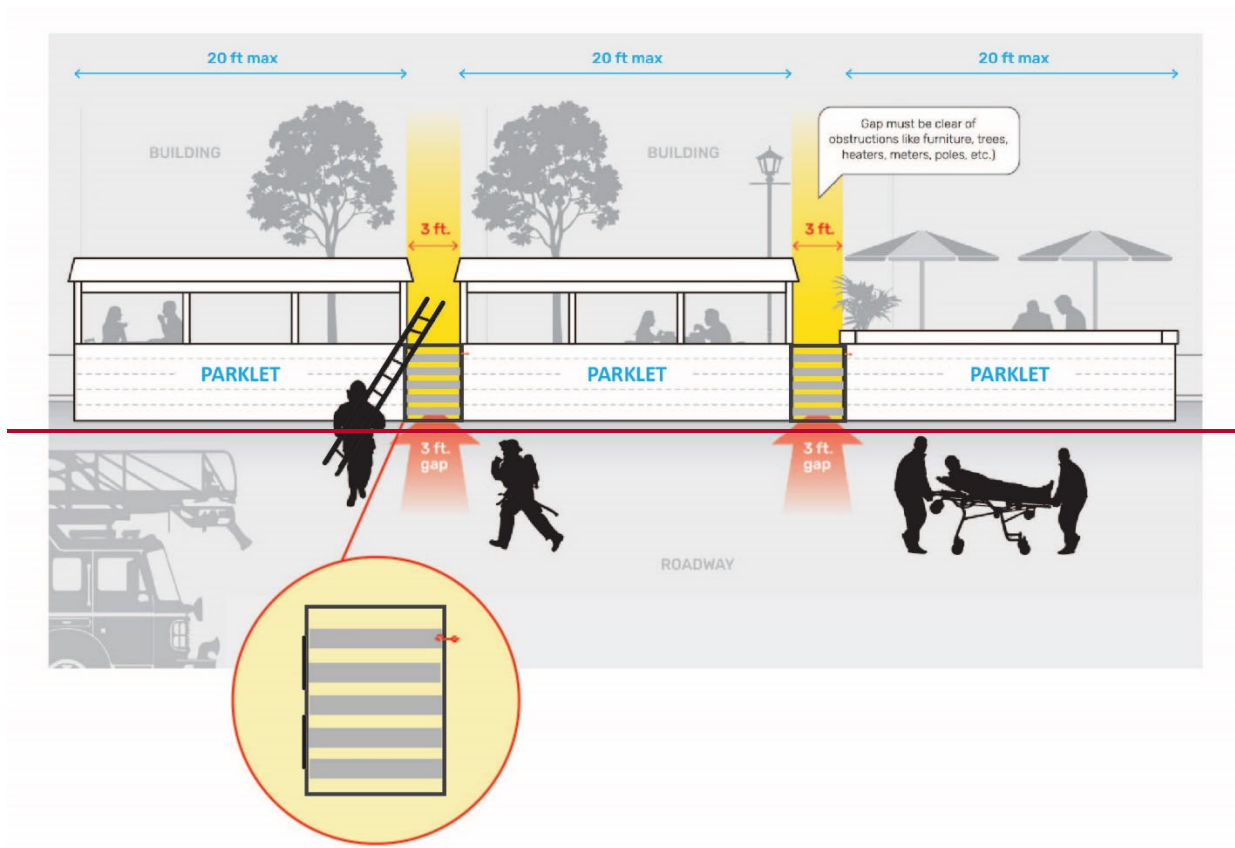
### 1. Dimensions & Load

- a. For user safety, parklets are required to include a continuous enclosure along the parklet's platform edge adjacent to the travel lane and parking spaces. The sidewalk edge of the parklet may be enclosed or open.
  - i. All parklets in which alcoholic beverages are served shall be enclosed on all sides of the parklet edge, as required by the Department of Alcoholic Beverage Control.
- b. The enclosure shall be 42 inches in height, measured from the surface of the platform.
- c. Any gaps in the enclosure shall be smaller than a 4-inch sphere.
- d. The enclosure must be capable of withstanding at least 200 pounds of horizontal force applied at the top of the rail.

### 2. ~~Palo Alto Fire Department (PAFD) Emergency Access (Figure 7)~~

- a. ~~The PAFD may require a minimum 3-foot-wide emergency gap, with vertical and horizontal clearance, for every 20 feet of enclosure length.~~
- b. ~~The gap must be kept clear of any tables, chairs, bike racks, poles, walls, roofs, or other elements.~~
- c. ~~The barrier in the emergency access gap shall be easily removable by emergency personnel and provide a latch or hinge that allows easy access.~~
  - i. ~~The latch shall be placed on the outside of the barrier, facing the travel lane.~~
  - ii. ~~The hinge shall open a minimum of 90 degrees.~~
  - iii. ~~Any gaps in the barrier shall be smaller than a 4-inch sphere.~~

**FIGURE 7: Emergency Access Example**



### 3.2. Design

- a. Enclosure materials ~~must~~ shall be high-quality, durable, and non-reflective including but not limited to pressure-treated wood, hardwood, steel, ~~concrete planters~~, etc.
  - i. Materials that are not permitted: particle board, vinyl, soft plastic or tarps.
- b. Street facing colors used on the exterior of enclosure must be matte-finish paint or opaque stain.
- c. Parklets shall integrate and/or incorporate vegetation into the enclosure (edge treatment) at least every 6 feet.
- d. The height of any plants contained within planters in setback shall not impede or obstruct the view from the travel lane to the sidewalk and vice-versa.

- i. Plant material shall not impede or hinder pedestrian and vehicular visibility.
- e. Decorative planters shall be made of plastic, wood, steel, cold form steel, or fiberglass.

### 3. Floor

- a. Parklet floor shall be made of exterior-rated material. They shall not be made of metal, glass, or interior materials.
  - i. The floor shall have finishing and slip resistance (BH is a minimum of 0.6 coefficient of friction).

### 4. Sidewalls

- a. Parklets may include ~~sidewalls between a hard, transparent screen between~~ the enclosure and the roof to provide a windscreen for parklet users.
- b. The sidewalls can be solid and transparent or open and semi-transparent:
  - a-c. Solid sidewalls:
    - i. The sidewall screen must be completely transparent, non-tinted, and not obstruct sightlines from the travel lane to the sidewalk and vice-versa.
    - ii. Materials that are not permitted: vinyl, soft plastic, glass or tarps.
    - iii. Sidewalls are not permitted in front of any neighboring storefronts without a letter of consent (see section IV. 12).
  - d. Semi-transparent sidewalls:
    - iii.i. The sidewall shall be made of pressure-treated wood or exterior grade wood.

## C. **Traffic Safety**

### 1. Wheel Stops

- a. Parallel parking stalls:
  - i. When a parklet is adjacent to active parallel parking spaces, a wheel stop must-shall be installed to delineate the 4-foot setback from adjacent parking spaces (see figure 2 above). The wheel stop shall measure 3 feet long by 4 inches high (see figure 9). It shall be constructed of concrete or rubber.
- b. Angled parking stalls:
  - i. When a parklet is adjacent to an active angled parking space, a wheel stop must-shall be installed in the center of the parking space next to the parklet structure (see figure 3 above).
  - ii. Angled parking stalls with wheel stops shall also have “No Parking” painted between the buffer zone and wheel stop.
  - iii. Angled parking stalls with wheel stops shall also have a planter behind the wheel stop to promote visibility.
- c. Affixing Wheel Stops
  - i. Drilled-in Wheel stops: A permittee will need (USA) clearance to anchor a wheel stop into the road.

**FIGURE 8: Wheel Stop**



- d. Location (parallel parking space)
  - i. The wheel stop shall be placed 1 foot from the curb at the edge of the front parking space.
  - ii. A wheel stop shall be placed 1 foot from the curb at the edge of the rear parking space.
  - iii. Wheel stops shall be placed 4 feet from the parklet structure.
- e. Location (angled parking space)
  - i. The wheel stop shall be centered in the parking space next to the parklet structure (see Figure 3 above).
- f. Exceptions
  - i. Parklets extending the length between two in-street tree wells, as on University Avenue, may omit wheel stops.
  - ii. Wheel stops are not required between two adjacent parklets with no active parking stalls between them.

## 2. Reflective Delineators

- a. The parklet shall include installation of the California Manual of Uniform Traffic Control Devices (MUTCD) approved delineator posts or flexible bollards. Examples of these devices are illustrated in Figures 10 and 11.

**FIGURE 9: Reflective Delineator (Left Travel Lane)**



**FIGURE 10: Reflective Delineator (Right Travel Lane)**



- b. Location
  - i. Delineator posts shall be surface mounted to the roadway via epoxy and/or glue down methods.



- ii. Reflective delineators must be installed at the outside corners of the parklet. The channelizers or posts must align with the end of the platform and not encroach on the travel lane.
  - iii. Additional delineators must be placed every 10 feet (maximum spacing) in the 2-foot buffer (parallel spaces) or 3-foot buffer (angled spaces) zone along the lane of travel—but not in the lane of travel.
- c. Dimensions
  - i. Right side of travel lane – Delineators shall be 42 inches high and white with white reflective bands for use on the right side of a travel lane.
  - ii. Left side of travel lane – Delineators shall be 42 inches high and be white with yellow reflective bands if used on the left edge of a travel lane.
- d. Maintenance
  - i. Maintenance of the delineator posts shall be the responsibility of the permit holder.
  - ii. Permittee shall replace any missing or damaged delineators within 24 hours of a delineator's failure or within 24 hours' notice from the City.

## **D. ~~Furnishings & Fixtures~~**

### *1. Materials*

- a. Parklet ~~furnishings and~~ fixtures must be high-quality, durable, outdoor-rated, and non-reflective including but not limited to: hardwood, steel, concrete, etc.
  - i. Materials that are not permitted: particle board and vinyl.

### *2. Electrical Power Supply*

- a. A weatherproof GFCI electrical outlet may be installed (with applicable permits) on the exterior of the building at a minimum of 10 feet above the walking surface.
  - i. Electrical power supply to the parklet, including the outlet, shall comply with permanent wiring methods as outlined in the adopted California Electrical code.
- b. Power cords between the building and the parklet shall be secured to one (1) single overhead guide wire between the building and the parklet structure.
  - i. No extension cords shall be permitted for fixed lighting or heaters.
- c. No power cords or conduits are allowed on or under the sidewalk.
- d. Parklet power source shall not be pulled from city sidewalk lighting or supported by trees.
- e. Generators are not allowed in association with parklets.

### *3. Lighting*

- a. The following types of lighting and fixtures are permitted:
  - i. String lights;
  - ii. Solar powered and/or rechargeable battery powered table lights; ~~and~~
- b. The use of electrical adaptors and power strips are prohibited.
- c. All lighting must be rated for exterior use, listed, and carry a product certificate for its intended use by a recognized electrical testing laboratory.

- d. Lighting must be LED only
- e. Lighting shall be limited to the parklet area and not encroach into any portion of the public sidewalk.
- f. Lighting shall be of the lowest intensity and energy use adequate for its purpose and be designed to focus illumination downward to avoid excessive illumination above the light fixture with a maximum of 100 watts or 1600 lumens, whichever is greater, per fixture.
- g. Applicants interested in lighting should consider solar-powered lighting that use a rechargeable battery.
- h. If installing permanent lighting on the parklet or adding the exterior GFCI receptacle at the building per IV(D)2a, an electrical permit shall be obtained and shall comply with permanent wiring methods as outlined in the adopted California Electrical code.

#### 4. Heaters

- a. Electrical heaters are allowed on parklets.
  - i. Electric heaters must be an outdoor approved type
  - ii. Electric heaters must be located on the parklet in accordance with the manufacturer's instructions and specifications.
  - iii. Electric heaters must be placed at least 3 feet away from any combustible materials or as required by Manufacturer's installation instruction, whichever is more restrictive.
  - iv. A fire extinguisher is required to be mounted within sight and have appropriate signage per the Fire Code.
  - v. Use of electric heaters must comply with the power supply requirements in section IV.D.2.
  - vi. Any electrical equipment must be listed and carry a product certificate for its intended use by a recognized electrical testing laboratory.
- b. Propane heaters are permitted with a HAZMAT permit and CERS submittal.
  - i. hazmat permit is required for storage and use of liquid propane gas. A site plan with the desired location of each heater is required at time of the hazmat permit application. A final onsite hazmat inspection will be conducted to ensure the proper spacing of heaters from combustibles and emergency access/egress and storage of LPG.
    - 1. Proposed outdoor storage of 20-pound containers requires plan review and inspection.
    - 2. On-site storage of 20-pound propane containers (5 gal) is prohibited indoors.
    - 3. Propane storage is not allowed in the public right-of-way.
    - 4. If businesses do not have an approved private outdoor storage area, all propane containers must be removed from the premises at the close of business every day.
    - 5. LPG Heaters are not permitted on the sidewalk in the pedestrian path of travel

6. LPG heaters cannot be placed underneath overhead canopies, awnings, inside buildings or tents and they must have 5-foot clearance from any flammable materials
7. Any use of a portable heater, portable generator, candles, open flame or any activity regulated by the Fire code must be approved and permitted by the Palo Alto Fire Department separately from the parklet permit.

#### 5. *Umbrellas*

- a. Permitted Umbrella Types:
  - i. Table Umbrella
  - ii. Tilting Umbrella
  - iii. Off-set/ Cantilever Umbrella
- b. No portion of an umbrella shall extend beyond the edge and/or enclosure of the parklet on any side.
- c. No umbrella shall obstruct the view from the street between 3 and 8 feet, measured from the street, from any side.

#### 6. *Signage*

- a. Parklet signage is limited to 6 square feet and shall be limited to the name of the business and shall be non-illuminated and non-reflective. Letters can be no taller than 15 inches.
- b. Businesses are permitted one sign on their parklet, total.
- c. Signs must be affixed to the outer most portion of the parklet enclosure no higher than 36 inches from the street grade.
- d. No form of advertising is permitted to be painted or mounted on any surface or area of the parklet.
- e. If a signage post is in conflict with the proposed parklet, the applicant shall reach out to Public Works to evaluate the possibility of relocating the post. If relocation is not possible, the applicant shall redesign the parklet to fit with the existing post.
- f. Any existing parking signs installed adjacent to the parklet shall be removed from the sign post by the applicant and returned to the Public Works Department.

#### 7. *Seating & Furniture*

- a. Accessibility
  - i. The establishment ~~shall~~**must** provide 5 percent accessible seating for each type of seating provided (table, booth, etc.) or a minimum of one seat per type, whichever is greater, in an outdoor seating area where the slope is no greater than 2 percent in any direction.
  - ii. Such ADA accessible seating shall be of the same size and appearance as the establishment's other outdoor seating.
  - iii. Refer to Section IV(A)(5) for additional accessibility requirements

~~iv. Street Furniture~~

~~v. Street furniture including tables, chairs, benches, etc. shall be all-weather, and of a high-quality material.~~

#### **FIGURE 11: Street Furniture Examples**



#### 8. *Landscape*

- a. Vegetation shall be comprised of native, low-water use, and drought-tolerant plants.
- b. No plants shall have thorns, spikes, or sharp edges.
- c. Poisonous or invasive plants are not permitted.

#### 9. *Televisions*

- a. Televisions are not permitted in parklets.

### V. Operational Standards

#### A. *Private Control*

1. Parklets will be considered under the control of the permit holder. The permit holder is responsible for securing the parklet and any fixtures and furnishings contained within it at all times, including during hours when the associated business is not in operation.

#### B. *Alcohol Service*

1. Businesses with parklets that serve alcoholic beverages on the parklet shall include appropriate fencing or other barriers to delineate the space and adhere to Department of Alcohol Beverage Control (ABC) regulations.
  - a. As described in the *Enclosure* section above, all parklets in which alcoholic beverages are served shall be enclosed on all sides of the parklet edge, as required by the department of alcoholic beverage control.
2. All physical requirements of ABC should be reflected in the design submitted for review.
3. A Conditional Use Permit (CUP) is required to allow alcohol service at a parklet.

#### C. *Site Maintenance*

1. Parklets and the sidewalk adjacent to the parklet shall be kept clean and litter free. Any food or drink stain shall be cleaned up immediately. Power washing is required monthly.
2. The drainage grates at the side of the parklet shall be maintained and kept clean and clear at all times to allow free flow of water. Any debris and leaves shall be removed immediately by the permittee.

#### D. *Hours of Operation*

1. The parklet shall adhere to the same approved hours of operation as the associated business.
2. In the Neighborhood Commercial (CN) or Service Commercial (CS) zone districts, a CUP is needed to operate between the hours of 10:00 p.m. and 6:00 a.m. and approval conditions for

operations during these hours are to ensure the operation is compatible with the abutting (or within 50 feet of) residential property.

**E. Amplified Sound**

1. Amplified is not permitted on parklets. Any ambient sound may only originate from the interior of the business's occupied building.

## **VI. PERMIT APPLICATION REQUIREMENTS**

### **A. Submittal Requirements**

1. **Site Plan**—Site plan shall be drawn to scale on 11 x17 tabloid paper, include all pertinent dimensions and the following information:
  - a. Location of the business frontage
  - b. Dimensions of the parklet platform
  - c. ADA accessibility measurements
  - d. Setbacks from adjacent parking spaces and the adjacent traffic lane
  - e. Locations of traffic protection improvements including wheel stops, reflective delineators, etc.
  - f. Location of public utilities including any manhole covers, gutter drains, fire hydrants, and FDCs, light poles, etc. and their distances to the parklet
  - g. Any adjacent installations on the sidewalk including utility boxes, street signs, bike racks, street furniture, street trees, tree wells, etc. and their distances to the parklet
  - h. Existing parking space striping
  - i. Crosswalks, bus stops, driveways and their distances to the parklet
  - j. Width of sidewalk
  - k. Planters (if applicable)
  - k.l. Locations and extent of affected neighbors and their adjacent businesses
2. **Floor Plan**
  - a. Floor Plan of the proposed parklet showing the following information:
    - i. Total number and location of tables and seats and/or benches on parklet
    - ii. Dimensions of tables, seats, and benches on parklet
3. **Elevations**
  - a. Elevation drawing showing the following information:
  - b. Height and design of platform railings/enclosure
  - c. Height and design of roof (if applicable)
  - d. Heating, lighting, other electrical equipment
  - e. Power connection (show distance from ground to overhead wire)
  - f. Storm water drainage
  - g. Cross-section drawing of parklet
4. **Construction Drawing showing the following information:**
  - a. Structural drawings
  - b. Structural calculations for the enclosure
  - c. Complete roof framing plan (for parklets with roofs), including the following:
    - i. horizontal and vertical bracing,

- ii. structural calculations that meet the standards in the 2022 California Building Code.
  - iii. Stamp and signature from a licensed civil and/or structural engineer who is registered in the State of California
  - d. Heating, lighting, other electrical equipment
  - e. Electrical power connection/source
- 5. **Pictures of Existing Conditions**—The application should include at least three photos showing existing built parklet, if applicable, the proposed parking space(s) converted into a parklet, adjacent sidewalk and store frontage
- 6. **List of materials and equipment**
  - a. Materials palette showing the following information:
    - i. Proposed materials for platform
    - ii. Proposed materials for railings/enclosure
    - iii. ~~Proposed furnishings~~
    - iv.iii. Roof material (if applicable)
  - b. Equipment sheet including:
    - i. Image of equipment
    - ii. Any manufacturer instructions
  - c. Planters
  - d. Type of plants
- 7. **Parklet Information:**
  - a. Number of parking spaces requested
  - b. Perpendicular or angled spaces
  - c. Color of curb
  - d. Proposed use of parklet
  - e. Business hours of operation
  - f. Parklet Designer/ Architect/ Engineer/ Construction Firm contact (if applicable)
  - g. Signage (if applicable)
- 8. **Business Information**
  - a. Business Address
  - b. City of Palo Alto Business License Number
- 9. **Business Owner Information**
- 10. **Property Owner Information** (if different than applicant)
- 11. **Insurance Documents**
- 12. **Letter(s) of Consent** – A parklet applicant must get a letter of consent from the neighboring ground-floor tenant(s) if the applicant’s parklet has any structure above the enclosure (e.g., sidewalk, roof, trellis) that is not in front of the applicant’s storefront (see Appendix A).
  - a. Parklet sponsor must obtain an up-to-date letter of consent for any future license renewals as requested by Public Works during future permit renewal processes.
    - i. If a parklet sponsor cannot obtain an up-to-date letter of consent, or if parklet occupancy is not in accordance with the terms of any applicable law, these regulations, and/or any permit requirement, the parklet sponsor is responsible for the removal of any structure of the parklet permit extending into a neighboring frontage within 90-days.

### **13. Indemnity Acknowledgement**

#### **B. Failure to Maintain**

A parklet sponsor who fails to properly and sufficiently maintain the cleanliness, safety, and accessibility of their parklet may be subject to violations and fines. If maintenance issues are not resolved, the City may revoke the encroachment permit and the parklet sponsor may be required by the City to remove the parklet at their own expense.

#### **C. Utility Maintenance & Public Safety**

Because a parklet may sit atop buried utilities, there may be instances where a parklet will need to be removed to access a utility beneath it. In the event of necessary utility maintenance or the unlikely event of a utility failure such as a gas leak or water main break that threatens public safety, the City or utility owner may remove parklets with little or no notice. Parklet sponsors are responsible for the cost of re-installing and restoring any damage to the parklet.

In instances of advanced notice (such as street repaving, planned maintenance, etc., the parklet sponsor may need to remove and reinstall the parklet at their sole expense. If the sponsor cannot remove the parklet, the City will remove the parklet.

#### **D. Parklet Removal**

If for some reason the parklet sponsor decides they no longer wants to maintain a parklet, the parklet sponsor is responsible for notifying the City and removing it at the parklet sponsors' own expense. Immediately upon removal the parklet area shall be cleaned and restored to its previous condition to the satisfaction of the City.

#### **E. Parklet Fees**

Parklets are subject to the following fees outlined in the City's Fee Schedule:

1. Permit Application Fee
2. Deposit Fee (refundable)
3. Permit Renewal Fee
4. Annual License Fee
  - a. This fee will be charged per square foot based on the total parklet platform area.

## Appendix A: Sample Letter of Consent



### Neighbor Acknowledgement Form for Parklets and At-Grade Uses

PUBLIC WORKS

[pwecips@cityofpaloalto.org](mailto:pwecips@cityofpaloalto.org) – 650.329.2295 or 650.329.2496 x. 8

#### FOR PERMIT APPLICANT TO FILL OUT:

Business Name	
Business Physical Address	
Contact Name	
Contact Phone and Email	
Adjacent property Business Name or Address	Number of parking spaces in front of the adjacent business or property you are seeking to use

#### FOR NEIGHBORING TENANT TO FILL OUT:

The business listed above is seeking your consent to use the on-street parking spaces in front of your business for a parklet or other on-street use. By signing below, I understand and agree to the following:

1. I am the **Ground Floor Tenant** at the business listed below. This property is adjacent to the Applicant's business listed above.
2. I **consent** to allow the Applicant, located at the address listed above, to occupy the number of parking space(s) listed above in the parking lane fronting my business. I understand that the Applicant's occupancy will be consistent with an encroachment or parklet permit in accordance with the Palo Alto Municipal Code and corresponding regulations.
3. I **acknowledge** that I am not prohibited by any lease or rental agreement from granting this consent to this neighboring business.
4. **This consent** is for the permittee's upcoming permit cycle, which will last until the end of March 31, 2024. I acknowledge that any enforcement action against a permittee for revoked neighbor consent may be suspended until the time of the permit expiration.

Signature	Print Name	Date
Title		
Business Name		
Business Address		
Contact Phone and Email		

PLEASE EMAIL THIS COMPLETED FORM TO: [pwecips@cityofpaloalto.org](mailto:pwecips@cityofpaloalto.org)

12/1/22