Architectural Review Board
Staff Report

From: Special Projects Advisor
Lead Department: City Manager's Office

Meeting Date: May 2, 2024
Report #: 2404-2891

TITLE
Study Session to provide feedback on the Pre-Approved Parklet Designs and the Associated Draft User Guide.

RECOMMENDATION
Staff recommends that the Architectural Review Board (ARB):

1. Review and provide feedback on the Pre-Approved Parklet Designs and the Associated Draft User Guide.

EXECUTIVE SUMMARY
Staff introduced the pre-approved parklet design project scope, outreach strategy, and timeline to the ARB in a study session on February 15, 2024[1]. Board members provided feedback on the approach and design standards and established an ad-hoc committee, consisting of Chair Baltay and Vice-chair Rosenberg.

This staff report summarizes the comments received, modifications made to the approach and designs based on those comments, and presents refined proposed pre-approved parklets designs as well as the associated draft User Guide.

Proposed changes to the adopted ongoing parklet standards (Attachment A) reflect feedback from the ARB and are attached for reference. They will be brought forward for Council consideration. Staff requests that the ARB provide feedback on the pre-approved parklet designs and associated draft user guide (Attachment B). Council is scheduled to consider this project on June 3, 2024.

[1] Staff report: https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/agendas-minutes/architectural-review-board/2024/arb-2.15-parklets.pdf

BACKGROUND

In 2020, Palo Alto joined cities throughout the Bay Area in expanding opportunities for outdoor dining in response to the COVID-19 pandemic, including a pilot parklet program. Ordinance 5500 was an emergency ordinance that temporarily permitted businesses, such as restaurants, retail, and personal services to operate outdoors on both public and private property.

In 2021,[2] Council directed staff to develop an ongoing parklet program with the input of the Architectural Review Board (ARB). Staff worked with the ARB, and City Council received updates and provided feedback on the Parklet Program in May 2022[3], October 2022[4], and March 2023[5]. In these hearings and study sessions staff worked with the ARB to develop an ongoing parklet program and resolve numerous complexities including fire safety fire safety/use of propane heaters, parklet size, traffic protection, parklet encroachment over neighboring storefronts, parklet fees, and cleaning responsibilities.

With ARB's feedback incorporated, Council approved the Ongoing (formerly Permanent) Parklet Program on September 11, 2023[6] and directed staff to work with the Architectural Review Board to develop parklet designs, based on the newly adopted parklet design standards., citing the Beverley Hills Parklet Guide as an example for parklet prototypes.

On March 11, 2024[7], Council extended the Interim Parklet Program to July 31, 2024, and phased in enforcement for the Ongoing Parklet Program through November 1, 2024. Existing interim parking lot eating/drinking uses were extended through December 31, 2024. The extended timeline aligns with the Emerson Street re-paving project and allows many parklets to remain open for outdoor dining during the summer months. A full history of the temporary and ongoing parklet program is available in Attachment C.

Ongoing Parklet Program Standards and Pre-approved Parklet Designs

On February 15, 2024, staff introduced the pre-approved design parklet project to the ARB and received feedback on:

1) Ongoing parklet program design standards: Board members recommended several changes and clarifications to the ongoing parklet design standards including:

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[2] Staff report: https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=3457&compileOutputType=1

[3] Staff report: https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=3643&compileOutputType=1

[4] Staff report: https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=9096&compileOutputType=1

[5] Staff report: https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=1093&compileOutputType=1

[6] Staff report: https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=13022&compileOutputType=1

[7] Staff report: https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=13515&compileOutputType=1

- Reduce the gap between parklets for parklets in angled parking spaces to align with their existing setback requirement from the edge of the parking space.
- Clarify the 3-foot emergency access every 20 feet requirement.
- Reduce the 3-foot setback from the travel lane for angled-parking spaces to 2-feet (which is the setback standard for parallel parking space parklets).
- Reduce the 42" enclosure height requirement to allow for sightlines across the public right-of-way.
- Remove the minimum roof height requirement and change the maximum roof height to 11' from 12'.
- Require minimum 7'- 6" head clearance under any roof, in accordance with code requirements.
- Remove the requirement for gutters and leaders.
- Allow planters in parklet designs.
- Remove regulations on furnishings.

2) Pre-approved parklet design standards: The ARB recommended that the pre-approved parklet designs allow for a high level of design flexibility and customization, and that design requirements focus on safety as opposed to aesthetics. The ARB also recommended that the pre-approved parklet platform frame be designed for pressure-treated wood construction as well as light-gauge steel.

Staff have incorporated the feedback from Board members for the ongoing parklet standards into the proposed pre-approved parklet designs.

Ad Hoc Committee

On March 19, 2024, an ad-hoc committee consisting of Chair Baltay and Vice-chair Rosenberg provided additional feedback on the pre-approved parklet designs including the following:

- Provide 2-3 options for post-beam connections including angled brackets, and bolted brackets.
- Provide 2 roof design options: flat roof and shed roof.
- Allow 12-inch roof overhang on the sidewalk side and 6-inch roof overhang on all other sides.
- Prohibit the following roof materials: corrugated acrylic, and heavy materials such as clay or stone tile.

Following the ARB discussion, staff will make final modifications to the pre-approved parklet designs and User-Guide based on any recommendations from the ARB. Staff is scheduled to return to Council in June to request approval of the proposed changes to the ongoing standards, the pre-approved designs and user-guide. The standards would become effective on July 1, 2024.

PROJECT DESCRIPTION

The purpose of this project is to provide Palo Alto businesses with a pre-approved parklet option that meets the adopted permanent parklet standards, allows for design customization, and has a streamlined approval process through the City's Public Works Department. Pre-approved parklets would not be mandatory; businesses can continue to develop custom parklets with a discretionary review process. The project includes the pre-approved parklet plan sets and shop drawings as well as a user-guide on designing a parklet.

The draft pre-approved parklets include two key elements:

1) A basic structural parklet frame. The pre-approved design will provide prescriptive details and specification for connections and structural standards to meet parklet standards. The structural frame design can be scaled up to any sized parklet.
2) Pre-approved design standards and materials for parklet finishes including:
    - Roof coverings
    - Flooring
    - Rails
    - Sidewalls
    - Planters

This approach allows businesses to customize the finishes of their parklet as long as they meet the pre-approved specifications. The User-Guide will guide businesses through the design and application process for a pre-approved parklet. The key success factors for the program are:

- The majority of restaurants choose to use the pre-approved designs because of ease of use and cost.
- The permit process is streamlined.
- Parklets are inviting spaces and activate the public realm.

ANALYSIS

Based on board member feedback at the February 15, 2024, study session, staff made several modifications to the pre-approved parklet designs and approach. Modifications to the parklet design standards will also be presented to Council for their consideration along with the proposed pre-approved parklet designs and user guide. Where staff is recommending modifications to the parklet standards based on Board member feedback, the proposed revisions are reflected in the draft pre-approved parklet designs.

<u>Proposed Revisions to the Ongoing Parklet Program Standards</u>

Attachment A includes the redlined ongoing parklet program standards with proposed revisions for reference; these will be brought forward for Council's consideration in June. Table 1 summarizes the key changes.

Table 1: Summary of Ongoing Parklet Program Standard Changes

Topic	Current Adopted Standard	ARB/ad-hoc Recommendation	Staff recommendation	Proposed revisions to Adopted Standards
Gap between Parklets (pg. 3 Attachment A)	8ft gap required between all parklets (4ft for each parklet)	Consider reducing the gap requirement. Recommend reevaluating the required gap for angled spaces given their different setback standards	Implement ARB recommendation. Angled parklets require 3ft setback from adjacent parking space. Parklets will not require adjustment when added/ removed next to each other.	- 8ft gap between *parallel* pkg space parklets (4ft each) - 6ft gap between *angled* pkg space parklets (3ft each)
3ft Emergency Access every 20 ft (pg. 14)	Fire **may** require parklets to implement a 3ft gap in their parklet every 20 ft for fire access.	Clarify the 3-foot emergency access every 20 feet requirement. Consider removing as it is duplicative of gap between parklet requirement above.	Implement ARB recommendation. Fire confirmed the gap between parklets will be sufficient. To reduce confusion, Fire confirmed this can be removed.	Standard removed.
Roof height (pg. 11)	Min. 8' max 12'	Remove the minimum roof height requirement and require minimum 7'6" head clearance under any roof, in accordance with code requirements. Reduce the maximum roof height from 12' to 11'.	Implement ARB recommendation.	Min. head clearance: 7'6", max height 11'
Gutters/ leaders (pg. 11)	Gutters/leaders required	Remove requirement for gutters and leaders.	Implement ARB recommendation.	Standard removed.
Furnishing standards (pg. 17)	Furnishings must be high-quality, durable, outdoor-rated, and non-reflective. Street furniture incl. tables, chairs, benches, etc. shall be all-weather and of a high-quality material.	Remove furniture aesthetic standards.	Implement ARB recommendation.	Standards removed.
Planters (pg. 14-15)	Not permitted	Planters shall be permitted and incorporated into the design of parklets.	Implement ARB recommendation. Following additional analysis (see Attachment D) staff recommend that decorative planters	Planters may be incorporated into parklet designs. Planters shall be made of either wood, steel, cold

			made of only wood, steel, plastic, or fiberglass may be permitted on parklets. Planters made of brittle materials that are at risk of shattering on impact, such as clay, porcelain, and concrete would remain prohibited.	form steel, plastic, or fiberglass.
Roof overhang (pg. 11)	No overhang permitted	Allow 12" overhang along the sidewalk side and 6" overhang on all other sides.	Implement modified ARB recommendation. Staff recommend allowing overhangs on the sidewalk and travel lane side of the parklets. However, do not recommend an overhang on the sides of parklets due to fire access. See discussion below.	Allow 6" overhang along sidewalk side and travel lane side. No overhang permitted on parklet sides.
Setback from rear-edge of angled parking space (pg. 6)	3-feet	Consider reducing to 2-feet, consistent with parallel parking space setback.	Staff do not recommend changes to this standard due to traffic safety and sightlines for turning vehicles from driveways and alleyways. See discussion below.	No change; maintain 3-feet.
Enclosure Height (pg. 13)	42-inches enclosure	Lower height to align with handrail requirement of 34-38" to allow for sightlines across the public right-of-way	Staff do not recommend changes to this standard due to safety concerns; enclosure could be constructed to allow a visual connection.	No change; maintain 42-inches enclosure height

Roof Overhang

Based on feedback from board members and the ad hoc committee staff recommends modifications to the design standards to allow the roof to overhang 12" over the sidewalk and 6" on all other sides. Staff recommend allowing a parklet roof to extend 6" over the sidewalk and 6" over the travel lane within the 2-foot buffer. Any roof extension beyond 6" over the sidewalk may interfere with business signage and would require case-by-case review.

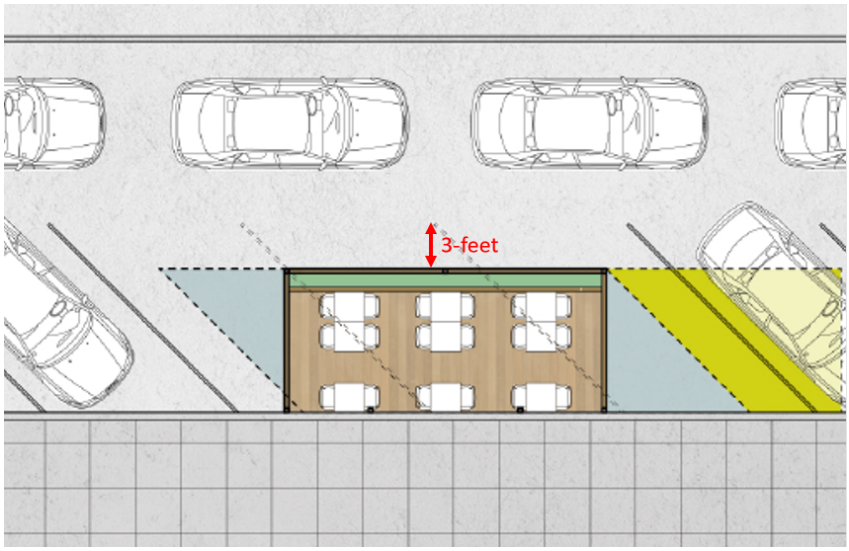
Staff also recommend that the roof not extend over the sides of the parklet into the setback from the adjacent parking space (or the setback between parklets). Any overhang at the sides

of a parklet interferes with emergency fire access. For example, a 6” overhang would reduce the 6-foot gap between angled parklets to 5-feet.

Setback from Rear-Edge of an Angled Parking Space
Board members and the ARB ad hoc committee suggested reducing the required 3-foot setback from the rear-edge of an angled parking space (see Figure 1 below) to 2-feet, which is consistent with the setback requirement for parklets in parallel parking spaces.

Staff recommends maintaining the 3-foot setback to preserve the vehicle sight distance from adjacent driveways and alleys. Parklets in angled spaces are much deeper than parklets in parallel spaces and they extend further into the travel lane.

Figure 1: Setback from Rear-edge of angled parking space



Enclosure Height
The ARB and ad-hoc committee suggested reducing the 42-inch enclosure height to allow for sightlines across the public realm. The ad-hoc committee suggested aligning the enclosure height with the California Building Code (CBC) handrail height requirement of 34-38-inch and require the enclosure withstand 200 pounds of lateral force of either 50 lbs per linear foot or a concentrated load of 200 lbs applied at the top of the rail, whichever is more restrictive.

Staff is not recommending reducing the 42-inch enclosure height requirement, but the enclosure could be constructed to allow visual access as long as it is able the withstand the load requirements as noted above.

<u>Draft Pre-Approved Parklet and Design standards</u>
In addition to changes to the overall ongoing parklet program design standards, staff have continued to develop and refine the pre-approved parklet designs to be consistent with the proposed revisions to the design standards based on Board member and the ad-hoc committee’s feedback.

Staff request the ARB review the pre-approved parklet components including:

1. The structural frame
2. The pre-approved design standards and materials for the parklet roof coverings, rails, sidewalls, flooring, and planters.

1. Structural Frame

The structure will include three components: the platform frame, vertical frame, and roof frame. The structural frame can be scaled up to the desired size and will allow for the following parklet configurations:

- Parklet with no roof
- Parklet with a roof (flat roof or shed roof):
    - Solid roof
    - Lattice roof
    - Fabric roof

Platform frame

Staff recommend the platform frame is constructed using light-gauge steel only.

The ARB and ad-hoc committee recommended that the platform frame includes both light gauge steel and pressure treated wood material options. The ARB referenced typical wood decks and porches as an example of outdoor wooden structures. The ARB also expressed concern about light-gauge steel rusting overtime from weather exposure.

Staff revisited the material options for the platform but continued to encounter engineering challenges with a wooden platform. The source of the issue is the height of the curb. If the curb is less than 6" tall, a wood frame base needs to be constructed of materials such as 4x4s or 4x6s and they must be spaced close together to be ripped down to the street slope. A typical wood deck is usually built with 2x8 or 2x10 framing sitting on concrete dados or footings, however, the public right-of-way does not provide the height for this kind of assembly, and installing footings in the public right-of-way is not feasible.

The City's standard curb is 6" high and the minimum street slope is 2%. However, actual curb heights range from 4" to 7", and actual street slopes range considerably and accurate measurements require special tools like electronic levels.

Given the variable site conditions, wood platforms would not be a reliable and consistent platform option for all businesses. Requiring businesses to determine their curb height and street slope for the entire parklet area as a pre-requisite to their parklet application adds an additional hurdle that may over-complicate or deter businesses from utilizing the pre-approved designs.

Additionally, the City's Chief Building official noted that pressure treated wood will rot if the cut ends are not property treated and maintained and noted that proper connectors and fasteners

would need to be selected that are compatible with the specified pressure treated material. Otherwise, the fasteners a hardware will corrode and create a failure point.

As a result, staff recommend utilizing hot-dipped galvanized light-gauge steel framing for the platform construction. This material is also readily available, can be assembled on-site, it should not rust, and will be able to meet the parklet's structural requirements within the public right-of-way site conditions and spacing. The city's Chief building officially noted that cut ends would rust if not primed. Priming of cut ends could be specified in the shop drawings to address this.

Vertical frame
In accordance with the ad-hoc committee's suggestions, staff recommend the vertical frame (railing and roof posts) is constructed using light-gauge steel or pressure-treated wood.

Roof frame
In accordance with the ad-hoc committee's suggestions, staff recommend the following roof frame design:

- Material: light-gauge steel or pressure treated wood
- Shape: Shed or flat roof
- Design:
    - 6-inch overhang at the sidewalk; 6-inch overhang along the travel lane; no overhang on the parklet sides.
    - Solid roof, lattice roof, or open framing with fabric shades.

2. Pre-approved design standards and materials

Table 2 outlines the recommended standards for each parklet component and reflects feedback from board members

Table 2: Recommended Pre-Approved Parklet Design Standards

Parklet Component	Pre-approved standard	Materials	Notes from ad-hoc committee
Roof Coverings	n/a	Allowed materials: • Pressure-treated wood • Exterior grade wood • Steel • Fabric (flame retardant) • Corrugated metal • Plywood (with treatment) • Asphalt tiles • Wood shingles Prohibited materials: • Clay • Porcelain tile • Acrylic corrugated plastic • Vinyl • Soft plastic • Tarps	The ad-hoc committee recommended against using heavy materials such as clay or stone tile due to their weight.

Enclosure rails/ Railing	• Height TBD • Shall resist lateral force of either 50 lbs per lineal foot or a concentrated load of 200 lbs applied at the top of the rail whichever is more restrictive. • Any gaps shall be smaller than 4" sphere.	Allowed materials but not limited to: • Pressure-treated wood • Exterior grade wood • Steel Prohibited materials: • Particle board • Vinyl • Soft plastic • Tarps	
Flooring	• Finishing and slip resistance: BH min. 0.6 coefficient of friction. • Must be exterior rated.	Prohibited materials: • Metal • Glass • Interior materials	
Sidewalls	n/a	Allowed materials for solid sidewall: • Plexiglass Allowed materials for open sidewalls: • Pressure-treated wood • Exterior grade wood	
Planters	n/a	Allowed materials: • Pressure-treated wood • Exterior grade wood • Steel, Cold form steel • Plastic • Fiberglass	

FISCAL/RESOURCE IMPACT

Fees for the parklet program have been adopted by the City Council. There are no additional fiscal impacts related to this action.

STAKEHOLDER ENGAGEMENT

On April 24, 2024, staff will host a meeting with business owners to provide an update on the timeline, phased-in enforcement, and receive feedback on the draft pre-approved parklet designs. Given this report is published prior to the April 24th meeting, staff will present feedback from this meeting to the ARB in person on May 2nd.

Project Timeline

Late-March/early-April 2024	Stakeholder outreach / ARB review for Pre-approved parklet designs
May 2, 2024	Architectural Review Board review of draft pre-approved parklet designs
June 3, 2024	Council consideration of pre-approved parklet designs

July 1, 2024	1. Adopted Standards for ongoing parklets go into effect 2. **Parklet Pre-applications due to City** • Indicate intent to build/continue parklet • Indicate interest in pre-approved parklet design 3. **Parklet License Fees due** 4. **Emerson Street parklets must be removed**
July/August 2024	Emerson Street repaving project
August 1, 2024	**Any parklet without a pre-application must be removed**
August 2024	Pre-approved parklet design and associated drawings available for use
August 2024	Parklet Applications accepted; pre-approved parklet applications will have shorter review time
September 2024	Parklet construction (with applicable permits)
November 1, 2024	**Parklets must be in compliance with new standards**

ENVIRONMENTAL REVIEW

The installation of parklets over existing paved surfaces is exempt from environmental review pursuant to CEQA guidelines section 15303 (New Construction or Conversion of Small Structures).

ATTACHMENTS

Attachment A: Proposed Revisions to the Ongoing Parklet Design Standards
Attachment B: Draft User-Guide
Attachment C: Overview of the History of the Parklet Program
Attachment D: Supplemental Planter Analysis

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