



CITY OF  
**PALO  
ALTO**

## Planning & Transportation Commission Staff Report

**From: Jonathan Lait, Planning and Development Services Director**  
**Lead Department: Planning and Development Services**

**Meeting Date: June 28, 2023**

### **TITLE**

Amendment to Title 18 Chapters 18.04, 18.16, 18.18, 18.42, 18.52, 18.76 and Title 16 Chapter 16.20 to Waive Parklets from Certain Planning and Zoning Requirements.

### **RECOMMENDATION**

Staff recommends that the Planning and Transportation Commission (PTC) review and recommend City Council adoption of the attached draft ordinance (Attachment A) amending Title 16 Chapter 16.20 and Title 18 Chapters 18.04, 18.16, 18.18, 18.42, 18.52, and 18.76 to waive parklets from certain Planning and Zoning requirements.

### **BACKGROUND**

The City Council extended the interim program via an interim ordinance and resolution on May 8, 2023, with second reading on May 22, 2023, to enable the pilot program of temporary parklets within City rights-of-way to continue beyond June 30, 2023, until March 31, 2024. The proposed parklet standards City Council reviewed in October 2022 are in Attachment B. The May 8, 2023 staff report is attached to this report as Attachment C. Council also adopted a resolution to continue the related programs for commercial use of private and public parking lots through the end of 2023. The interim program has been in effect since the summer of 2020, during the COVID pandemic. The interim ordinance and resolution have been extended several times since 2020. City staff are now working on a 'permanent' parklet program, including an implementing ordinance and technical regulations.

### **PROJECT DESCRIPTION**

The attached amendments (Attachment A) would amend Titles 16 and 18 of the Palo Alto Municipal Code. The draft ordinance would amend Title 18, Zoning, to provide a definition of parklet, adjust the outdoor activity limitations in commercial districts, clarify that a CUP is not required for parklets in public rights of way and that parklet square footage is exempt from parking calculations, and that Architectural Review is not required for parklets; permitting is via encroachment permit process set forth in PAMC Chapter 12.12 Section 12.12.010. The draft ordinance would amend Title 16, Building Regulations, Chapter 16.20, Signs to enable signs to be placed on parklets in public rights of way, per the parklet standards, without the requirement for

architectural review. Parklet applications would be an 'over-the-counter' process, if the proposed parklets are compliant with the parklet standards.

## **ANALYSIS**

As noted, the Council recently adopted an interim ordinance temporarily continuing expansion of outdoor dining, retail and other activities until March 31, 2024. The ordinance presented to the Planning and Transportation Commission is focused on the Title 18 modifications within the PTC's purview, as well as the limited modification to Title 16 regarding parklet signs, which would otherwise be subject to Title 18 regulations.

The draft parklet standards includes Item 6 regarding signage, as follows:

### *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. Any existing parking signs installed adjacent to the parklet must be covered with opaque plastic; such coverage or illegibility shall occur only in manners approved by the City of Palo Alto through its Department of Public Works and/or its Office of Transportation.

This ordinance would be bundled with the ordinance that is in development for parklets and the parklet standards, to be presented together to the City Council.

## **ENVIRONMENTAL REVIEW**

The adoption of this ordinance would be exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guideline sections 15061(b) and 15301, 15302 and 15305 because it simply provides a comprehensive permitting scheme.

## **ATTACHMENTS**

Attachment A: Amendment to Title 18 Chapters 18.04, 18.16, 18.18, 18.42, 18.52, 18.76 and Title 16 Chapter 16.20

Attachment B: Council Reviewed Parklet Standards

Attachment C: Council Report-May 8, 2023

## **AUTHOR/TITLE:**

Amy French, Chief Planning Official

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