



CITY OF
**PALO
ALTO**

City Council Staff Report

From: City Manager
Report Type: CONSENT CALENDAR
Lead Department: City Manager

Meeting Date: June 3, 2024

Report #:2405-3031

TITLE

Approve New Pre-Approved Parklet Designs; Approve Amendments to the Ongoing Parklet Regulations; and Adopt an Ordinance and Resolution Extending the Interim Parklet Program to the Car-Free Portion of Ramona Avenue through March 2025; CEQA Status – Categorically Exempt.

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt the attached interim ordinance and resolution to:
 - a) Extend the interim parklet program for parklets and at-grade dining on the car-free portion of Ramona Street until March 31, 2025, or until outdoor dining standards are adopted for Ramona Street, whichever is sooner;
 - b) Implement license fees under the interim ordinance for this same section of Ramona Street for use of the right-of-way as previously established under the Ongoing Parklet Program;
2. Approve and direct staff to adopt the Revised Ongoing Parklet Program Regulations, including allowing the use of planters on parklets.
3. Approve Pre-Approved Parklet Designs and the Associated Draft User Guide as recommended by Architectural Review Board (ARB).

EXECUTIVE SUMMARY

This staff report outlines proposed revisions to the Ongoing Parklet Program Design Standards and Regulations (Attachment C), Pre-Approved Parklets Designs and the associated draft User Guide (Attachment D). Revisions to the Interim Parklet Program Design Standards and Regulations are also proposed to accommodate existing parklets on the car-free portion of Ramona Street through Resolution (Attachment B). These revisions for Ramona Street are

designed to better align with the timing of work on the future of Ramona Street projected to begin in Q4 of 2024 and avoid a start-stop-start process with those establishments.

City Council approved the Ongoing (formerly Permanent) Parklet Program and Fees on September 11, 2023¹, and directed staff to work with the Architectural Review Board (ARB) to develop pre-approved parklet designs, based on the newly adopted parklet design standards.

Staff introduced the pre-approved parklet design project scope, outreach strategy, and timeline to the ARB in a study session on February 15, 2024². Board members provided feedback on the approach and design standards and established an *ad hoc* committee, consisting of Chair Baltay and Vice-Chair Rosenberg. With the ARB and *ad hoc* committee's feedback incorporation, the ARB moved to support the pre-approved designs on May 2, 2024³.

The proposed refinements to the adopted ongoing parklet standards (Attachment C) reflect feedback from the ARB and are attached for reference. The Pre-Approved Parklet Designs and draft User Guide are available in Attachment D.

BACKGROUND

In 2021⁴, 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 2022⁵, October 2022⁶, and March 2023⁷.

¹ City Council, September 11, 2023; Agenda Items #10, SR #2308-1917
<https://www.cityofpaloalto.org/files/assets/public/v1/public-works/engineering-services/parklet-program/sr2308-1917-parklet-program-9.11.2023.pdf>

² ARB Staff Report. February 15, 2024; Agenda Item #2
<https://www.cityofpaloalto.org/files/assets/public/v1/public-works/engineering-services/parklet-program/arb-staff-report-2.15.2024-study-session-parklet-prototypes.pdf>

³ ARB Staff Report, May 2, 2024; Agenda Item #3
<https://www.cityofpaloalto.org/files/assets/public/v1/public-works/engineering-services/parklet-program/5.2.2024-arb-study-session-on-the-pre-approved-parklet-designs.pdf>

⁴ City Council, April 19, 2021; Agenda Item #8, Staff Report #12041
<https://www.cityofpaloalto.org/files/assets/public/v1/public-works/engineering-services/parklet-program/sr-12041-parklet-program-4.19.2021.pdf>

⁵ City Council, May 9, 2022; Agenda Item #10, Staff Report #14311
<https://www.cityofpaloalto.org/files/assets/public/v1/public-works/engineering-services/parklet-program/sr-14311-parklet-program-5.9.2022.pdf>

⁶ City Council, October 24, 2022; Agenda Item #10, Staff Report #14692
<https://www.cityofpaloalto.org/files/assets/public/v1/public-works/engineering-services/parklet-program/sr-14692-permanent-parklet-program-10.24.2022.pdf>

⁷ City Council March 27, 2023, Agenda Item #11, Staff Report #2303-1166
<https://www.cityofpaloalto.org/files/assets/public/v1/public-works/engineering-services/parklet-program/sr-2303-1166-parklet-program-3.27.2023-contd-from-3.13.2023.pdf>

On September 11, 2023⁸, Council approved the Ongoing (formerly Permanent) Parklet Program and fees and directed staff to work with the Architectural Review Board to develop parklet designs, based on the newly adopted parklet design standards, citing the Beverly Hills Parklet Guide as an example for parklet prototypes. The adopted standards included parklet enclosure and traffic safety regulations that prohibit planters and require an enclosure height of 42-inches to be consistent with guardrail standards. The full background and traffic memorandum can also be found in the associated staff report.

On February 15, 2024⁹, the ARB provided feedback on the pre-approved parklet designs and ongoing parklet design standards and established an *ad hoc* committee, consisting of Chair Baltay and Vice-chair Rosenberg.

On March 11, 2024¹⁰, 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.

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. With the ARB and *ad hoc* committee's feedback incorporation, the ARB moved to support the pre-approved designs on May 2, 2024¹¹. A full history of the temporary and ongoing parklet program is available in Attachment E.

⁸ City Council, September 11, 2023; Agenda Items #10, SR #2308-1917

<https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/parklet-program/sr2308-1917-parklet-program-9.11.2023.pdf>

⁹ ARB Staff Report. February 15, 2024; Agenda Item #2

<https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/parklet-program/arb-staff-report-2.15.2024-study-session-parklet-prototypes.pdf>

¹⁰ City Council, March 11, 2024, Agenda Item #10, SR #2401-2483

<https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/parklet-program/sr2401-2483-3.11.2024-extend-interim-ordinance-for-parklets-to-7.31.2024.pdf>

¹¹ ARB Staff Report, May 2, 2024; Agenda Item #3

<https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/parklet-program/5.2.2024-arb-study-session-on-the-pre-approved-parklet-designs.pdf>

ANALYSIS

1. Revisions to Interim Ordinance and Resolution regarding the area of Ramona Street closed to vehicles

In 2023, the City Council adopted the ongoing parklet program, which is set to take effect this year. The portion of Ramona Street closed to vehicles is part of this program.¹² However, as the ongoing parklet standards are designed primarily for roads with vehicular traffic, staff recommend that the interim program standards remain in place for this portion of Ramona Street while the future of the street's closure is discussed. To make sure the entire University Avenue area is treated fairly, the ordinance will apply license fees for use of the right of way to the closed portion of Ramona Street as would be applied to every other street in the University Area downtown parklet program.

In Fall 2024, staff will be initiating stakeholder engagement and evaluating options for the future of Ramona Street, including permanently closing this portion of Ramona Street to vehicular traffic. Based on the stakeholder discussions and Council direction, separate outdoor dining guidelines may be developed for this portion of Ramona Street in early 2025 or, alternatively, the street may be opened to vehicular traffic.

2. Refinements to the Ongoing Parklet Program Design Standards, including changes regarding the use of planters on parklets.

Following ARB feedback, staff recommend refinements to the adopted Ongoing Parklet Design Standards. Attachment C includes the redlined ongoing parklet program standards with proposed revisions for reference.

The ARB and *ad hoc* committee recommended several refinements and clarifications to the Ongoing Parklet Design Standards including:

- 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.

¹² Resolution 10121

<https://portal.laserfiche.com/Portal/DocView.aspx?id=68129&repo=r-704298fc>

- Remove the requirement for gutters and leaders.
- Allow planters in parklet designs.
- Remove regulations on furnishings.
- 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.

The ARB strongly recommended permitting planters on parklets to enhance aesthetics and ambiance. The engineering firm REI Buildup (REI), consulting on the pre-approved parklet designs, provided additional information to supplement the Parklet Force Protection Memorandum provided by Siegfried dated August 1, 2023 (Attachment F). Siegfried's analysis describes that the planters, usually 18" to 24" wide and 8-feet to 10-feet long and filled with soil, are heavy but still cannot meet the 6,000 pounds force requirement to qualify as traffic barriers. Therefore, planters should not be used as traffic barriers. The analysis also highlights that the construction of a planter is crucial, as some materials could shatter and create hazardous debris if impacted.

To supplement this analysis, REI recommends using flexible materials for planters, as they would be the safest option. Flexible materials do not shatter, minimizing hazards for parklet occupants and reducing damage. REI emphasizes the following points:

- **Durability:** Flexible materials are generally more durable than brittle ones. They can withstand minor impacts and deformation without fracturing or shattering.
- **Adaptability:** Flexible materials offer more creative and custom designs to suit specific aesthetic or functional requirements due to their greater adaptability in design.

Specifically, REI recommends the following materials for planters in conjunction with parklets: wood, steel, cold form steel, plastic, and fiberglass.

Staff recommend incorporating several of the ARB's recommendations. Attachment C includes the redlined ongoing parklet program standards with proposed revisions and Table 1 (below) summarizes the key changes.

Table 1 (below) shows a matrix organized by topic that cross-walks from the current adopted standards, the ARB and ARB *ad hoc's* recommendations, staff's recommendations, and the proposed revisions to the current adopted standards.

Table 1: Summary of Ongoing Parklet Program Standard Refinements

Topic	Current Adopted Standard	ARB/ <i>ad hoc</i> 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	Planters may be incorporated into parklet designs. Planters shall be made of either wood, steel,

Topic	Current Adopted Standard	ARB/ <i>ad hoc</i> Recommendation	Staff Recommendation	Proposed Revisions to Adopted Standards
			<p>recommend that decorative planters 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.</p>	<p>cold form steel, plastic, or fiberglass.</p>
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

3. Pre-approved Parklet Designs and Associated User Guide

Staff recommends that Council approve the pre-approved parklet designs and associated draft user guide (Attachment D). The purpose of the pre-approved designs is to provide Palo Alto businesses with pre-approved parklet options that meet the ongoing parklet standards, allow for design customization, and have 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 pre-approved parklets will include plan sets and shop drawings as well as a user-guide for designing a parklet.

The proposed 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 and can be made using either light-gauge steel or pressure-treated wood.
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.

Following Council action, staff will prepare shop drawings and specifications for the pre-approved designs and finalize the User Guide. The final User Guide and shop drawings will become available in early August (see Project Timeline below).

4. Project Timeline

Late-March/early-April 2024	Stakeholder outreach / ARB review for Pre-approved parklet designs
May 2, 2024	ARB review of draft pre-approved parklet designs
June 3, 2024	Council consideration of pre-approved parklet designs and proposed revisions to Ongoing Parklet Design Standards.
July 1, 2024	1. Adopted Standards for ongoing parklets go into effect 2. Parklet Pre-applications due to City

	<ul style="list-style-type: none"> • Indicate intent to build/continue parklet • Indicate interest in pre-approved parklet design <ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 1. Pre-approved parklet design and associated drawings available for use 2. Parklet Applications accepted; pre-approved parklet applications will have shorter review time
September 2024	Parklet construction (with applicable permits)
November 1, 2024	Parklets (except for the car-free portion of Ramona Street) must be in compliance with adopted standards for ongoing parklets; parklets on Ramona Street must continue to comply with the modified temporary/interim standards
March 31, 2025*	Parklets on car-free portion of Ramona Street must comply with new outdoor dining guidelines, if adopted by Council

*This date may change based on Council direction for outdoor dining on the car-free portion of Ramona Street

FISCAL/RESOURCE IMPACT

Fees for the parklet program have been adopted by the City Council and incorporated into the FY 2025 Proposed Operating Budget. There are no additional fiscal impacts related to this action.

STAKEHOLDER ENGAGEMENT

On February 21 and April 24, 2024, staff hosted meetings with business and property owners as well as restaurateurs to provide an update on the timeline, phased-in enforcement, and receive feedback on the draft pre-approved parklet designs. Both meetings were very well attended, with over 30 attendees participating, the majority being existing parklet owners, and served as forums for staff to not only present updates but to also listen to stakeholder concerns and suggestions. Additionally, staff followed up on individual stakeholder inquiries and conducted site visits to discuss specific requests and site conditions. Feedback received from the stakeholder meetings and ongoing engagement informed the staff recommendations and proposed revisions to parklet standards discussed in Table 1.

ENVIRONMENTAL REVIEW

The recommended actions are categorically exempt from environmental review pursuant to CEQA guidelines sections 15301 (existing facilities), 15303 (new construction or conversion of small structures), and 15304(e) (minor alterations to land).

ATTACHMENTS

Attachment A: Interim Ordinance Extending At-grade and Parklet Dining on Ramona Street
Closed to Vehicles through March 2025

Attachment B: Interim Parklet Resolution Extending the Interim Parklet Program through March
2025

Attachment C: Proposed changes to Ongoing Parklet Design Standards (redlined)

Attachment D: Draft Pre-approved Parklet Designs and Draft User-Guide

Attachment E: Overview of the History of the Parklet Program

Attachment F: Supplemental Planter Analysis

APPROVED BY:

Ed Shikada, City Manager