STAFF REPORT

MEETING DATE: April 24, 2018
TO: City Council
FROM: Russ Thompson, Public Works Director
PRESENTER: Russ Thompson, Public Works Director

SUBJECT: DISCUSSION AND REVIEW OF POLICY ISSUES ASSOCIATED WITH THE USE OF PARKING SPACES ON GRANT AVENUE FOR “PARKLETS”, AND DECIDE WHETHER TO ESTABLISH POLICIES AND PROCEDURES FOR THEIR FUTURE USE IN NOVATO

REQUEST

Discuss policy issues associated with the use of parking spaces along Grant Avenue for “parklets,” decide whether to establish standards, procedures and design guidelines, and explore incentives.

DISCUSSION

At the City Council meeting of March 13, 2018, Councilperson Eklund requested Council to consider directing Staff to return with a review of current Staff procedures related to parklets, and possible development of policies associated with considering parklets along Grant Avenue that impact existing parking (see Attachment 1). A formal policy could include developing standards, procedures, design guidelines and incentives for their use.

The City Council directed Staff to return with the current internal procedure developed, and a general discussion of parklets, research information, and a recommendation for next steps. Tonight’s discussion is presented as the first step of a likely two-step procedure to develop a formal policy should Council decide to direct Staff to move forward with the policy creation.

ANALYSIS

Ordinance No. 1303, approved January 11, 1994, and Municipal Code Section 19.34.130, govern the use of the sidewalk area for outdoor dining, display and sales within the public right-of-way. Within the Downtown Core Retail and Business District outdoor dining and seating areas are permitted within the public right-of-way if a license agreement is issued pursuant to the Novato Municipal Code.

While the existing parklet on Grant Avenue was the first ever considered in Novato, parklets have become more and more common in other communities. Staff relied on the well-established process
for creating outdoor dining, display, and sales areas within the public right-of-way and sidewalk area, as well as guidelines established in the City of San Francisco. The current City code section has been used successfully in such outdoor use areas as Mantra Wines, Grazie’s Restaurant, Bicycle Brewstop, Marvin’s Restaurant, and Rustic Bakery to name just a few.

Staff initially used the City of San Francisco’s DPW Order No. 183392 (see Attachment 2) to guide the process of reviewing and approving the current parklet on Grant Avenue. Based on feedback received Staff has created a draft internal working document (see Attachment 3) to help guide the review and processing of potential future projects. This document was primarily patterned after the City of San Francisco’s policy.

One of the outcomes of the current parklet project on Grant Avenue is the clear need for:

1) A better definition of where a parklet can be installed, and
2) The need for a more comprehensive outreach program, as opposed to an applicant led business-to-business approach.
3) Establishing limits related to the temporary loss of parking spaces in the Downtown, (which currently has high occupancy/low vacancy rates during the mid-week lunch hour)

The attached procedure document contains the following key provisions:

1. Definition of who can apply for a parklet.
2. Preliminary concept submittal requirements and initial review by an inter-departmental City review team.
3. Public outreach to surrounding businesses and property owners of the fronting street within 300-feet of the site.
4. Design, maintenance, insurance, indemnification and operational criteria.
5. Application fees, and annual inspection and renewal fees.
6. Final plan requirements (by licensed California design professional).
7. Final approval and appeal criteria.
8. Initial two-year permit, with no guarantee of extension (solely at the City’s discretion).

Also attached for City Council’s consideration (see Attachments 4 and 5 respectively) are two other communities’ policies on parklet use for City Council consideration:

1. City of Mountain View – “Downtown Sidewalk Café Guidelines”, 2013; and
2. City of San Leandro – “Parklet Policy”, 2017

**FISCAL IMPACT**

There will be no immediate fiscal impact from the Council’s direction to prepare a formal policy on the design, review and approval of parklets within Novato.

**PUBLIC OUTREACH**

Should the City Council direct Staff to proceed with the development of a formal parklet policy a robust workshop and public hearing process would be followed, including notifications to business and property owners, Chamber of Commerce, Downtown Novato Business Association, and the
public.

RECOMMENDATION

Staff recommends that Council provide direction to Staff to return with a formal parklet design and review policy for City Council adoption.

ALTERNATIVES

The City Council has the following options with respect to this matter:

a. Council provide direction to Staff to return with a formal parklet design and review policy for City Council adoption (Staff recommendation);
b. Direct Staff to utilize the current internal procedure presented tonight with minor modifications;
c. Take no action. Staff does not recommend this option as it may result in confusion by Staff and potential applicants on expectations for future parklets.

ATTACHMENTS

1. Memo to City Council from Councilperson Eklund, dated March 13, 2018
2. City of San Francisco DPW Order No. 183392
3. Draft Internal Procedure document (adapted from City of San Francisco policy)
5. City of San Leandro Parklet Program Guidelines & Application, 2017
March 13, 2018

TO: City Council

FROM: Pat Eklund, Council Member

SUBJECT: Discuss at a City Council meeting (along with the downtown parking study or in April/May 2018) policy issues associated with the use of parking spaces along Grant Avenue for ‘parklets’, decide whether to establish standards, procedures and design guidelines and explore incentives.

Background: In 2002, the City Council approved the design and re-construction of Grant Avenue that included allowing parking spaces to be used by adjacent businesses for parklets which basically extends the sidewalk into the parking area creating an outdoor space. It was agreed that after the $10M reconstruction of Grant Avenue, standards, procedures and design guidelines would be adopted by the Council on a multitude of issues associated with the creation of parklets. Unfortunately, these were not completed due to other priorities and staffing changes. With the successful completion of Finnegans parklet, it has ignited interest from other businesses. It is appropriate and timely for the Council to discuss policy issues associated with creating parklets along Grant Avenue and incentives for outdoor use:

1. Can all businesses create parklets for their business use? Should there be limitations by blocks/sections, types of businesses?
2. Should the City establish design review standards? Should the design go through Design Review?
3. What type of separators should be used (e.g. iron fencing, picket fences, and/or planter boxes)? Should separators be used only along the street leaving the sidewalk side open? Who installs the separators?
4. How should the City handle the liability issues?
5. Should the City charge for use of the public space and/or for the encroachment permits?
6. Should both the diagonal and parallel parking areas be converted to parklets?
7. How should the City handle the loss of parking? How should the City handle the liability issues?
8. Others ..

The design of Grant Avenue was patterned after Mountain View who did follow through on establishing standards, procedures and design guidelines. Since then, Livermore also followed suit in incorporating use of parking spaces for parklets along with the standards, procedures and design guidelines. Our effort could be streamlined by examining what both Mountain View and Livermore have established which has resulted in a more vibrant and lively downtown.

I support the use of the parking spaces to create parklets and believe that past and current Council members support these improvements; along with businesses and the public. As Rod Wood, City Manager in 2002 stated: “Not every business will be able to use the parking spaces” for parklets – the Council needs to establish standards, design guidelines and procedures to ensure fairness and consistency. This is timely since the FTB (design consultant) stated, the best time to implement parklets is when the Council discusses parking in the downtown. And, the Council could explore incentives to help facilitate implementation of the design features we were unable to afford in 2002 (e.g. bike racks, benches, chess tables, etc.).
GUIDELINES FOR THE APPROVAL AND INSTALLATION OF TEMPORARY SIDEWALK EXTENSIONS (PARKLETS) FOR USE BY THE GENERAL PUBLIC AT APPROPRIATE LOCATIONS WITHIN PUBLIC RIGHTS-OF-WAY.

I. PURPOSE: Public Works Code Article 16, Section 810 governs the installation of sidewalk landscaping. This Department of Public Works (DPW) Order provides detailed implementation guidelines for the approval and installation of temporary sidewalk extensions (Parklets) consistent with the sidewalk landscaping program.

II. BACKGROUND: Parklets provide an economical solution to the desire and need for wider sidewalks and are intended to provide space for the general public to sit and enjoy the space where existing narrow sidewalks would preclude such occupancy. Parklets are intended as sidewalk/street furniture, providing aesthetic elements to the overall streetscape.

III. REQUEST FOR PROPOSAL AND INITIAL REVIEW:

A. The following applicants are eligible to submit an Initial Application or Proposal in response to a Request for Proposal (RFP) for the installation of Parklets within the public right-of-way:
   1) Community Benefit Districts (CBDs)
   2) Ground floor business owners
   3) Non-profit and community organizations
   4) Fronting property owners
   5) Other applicants may be considered on a case by case basis.

B. The following shall be included in the Initial Application:
   1) A letter with a project narrative requesting the Parklet
   2) An Initial Application Form
   3) An Initial Site Plan: a measured drawing that shows the footprint of the proposed Parklet installation and twenty (20) feet on either side of the proposed Parklet. The plan shall include any above-ground fixtures such as tree wells, poles, fire hydrants, and bike racks. The Initial Site Plan shall also include at-grade roadway markings such as color curbs, lane striping, parking stall markings; and at-grade utility access panels, stormdrains, manhole covers, and other utility access points.
   4) Photos of existing site
5) An Initial Concept Description: A description of how the proposed Parklet meets each of the criteria set forth in this DPW Order.

6) Proof of Notification: Documentation that the fronting property owner has been notified of by the Project Sponsor of the intent to submit a Proposal.

7) Neighborhood Outreach: Notification letters, letters of support, and petitions signed by local CBD, BID, institutions, organizations and/or residents may submit.

C. Each application shall be reviewed by an inter-agency review team, with representation from DPW, MTA, City Planning, et al, as necessary, specifically convened to review Parklet applications with each proposal reviewed based on the following criteria:

1) Meets established design criteria
2) Enhancement of streetscape quality and preliminary design
3) Location (Parklet is likely to be well used and active)
4) Community support
5) Capacity of Sponsor to maintain and steward the Parklet effectively
6) Potential conflict with future city streetscape initiatives (upcoming streetscape redesigns, paving projects, etc.)
7) Compliance with technical and accessibility provisions as specified in this DPW Order

D. If a recommendation is made to approve the Parklet proposal:

1) DPW will issue a Notice of Application for a Parklet. The applicant shall be required to post this Notice in a readily visible location in front of the property where the Parklet will be located for ten (10) calendar days from the date listed on the Notice.

2) If there are no objections from the public, the applicant shall be required to submit an application fee as noted in DPW Fee Schedule, as set forth in Public Works Code Section 2.1.3.

3) After the application fee has been submitted, the applicant shall be required to submit the following information for further review:
   a) Construction Document Package, including:
      1. Parklet Location and Context Plan
      2. Site Plan
      3. Elevations from all sides of the proposed Parklet
      4. All relevant details, finishes, plant species, furniture types, etc.
   b) Maintenance details, including access panels and how drainage will be provided along the existing gutter.
   c) A 24/7 contact if there is an emergency and the Parklet needs to be removed. The Permittee shall be responsible for removal of the Parklet within twenty-four (24) hours, and restoration of the public right-of-way upon notification by the City of any streetscape or paving projects.

3) If there are objections from the public, DPW shall schedule a public hearing to consider the proposed Parklet.

4) The DPW Hearing Officer shall consider and hear all testimony in support and in opposition to the proposed Parklet and make a recommendation to the DPW Director.
5) The DPW Director, in his or her discretion, may recommend approval or conditional approval of the permit subject to further review and final action.

6) If the DPW Director recommends approval or conditional approval the permit, see #III.D.2 above for submittal requirements.

E. If the application is disapproved, DPW shall notify the applicant, upon which the applicant may appeal the disapproval of the permit by the DPW Director to the Board of Appeals within fifteen (15) days of the Director's decision.

IV. APPROVAL PROCESS:

1) The inter-agency review team (See Section II. Paragraph C) shall review the submitted documentation (See Section III. Paragraph D, Item 3).

2) Once the review team makes a recommendation for DPW to approve the final plan and the permit, the applicant shall submit the following information and fees to DPW for permit issuance:
   a. A Certificate of Insurance naming the City and County of San Francisco as additional insured, with general liability coverage of not less than $1 million.
   b. An additional permit fee pursuant to Section 2.1.3 of the Public Works Code. While each proposal will result in different additional permit costs based on the time and materials costs incurred by the City in review of the proposal.
   c. If the Parklet is to be installed where future city streetscape initiatives (plans for streetscape redesigns, paving projects, subgrade infrastructure upgrades, etc.) have been identified, proof of a Performance Bond may be required to ensure the removal (and if appropriate, re-installation) of the Parklet to facilitate the planned streetscape work.

3) Any interested person may appeal the approval of the permit decision by the DPW Director to the Board of Appeals within fifteen (15) days of the Director's decision.

4) The permit shall be renewed annually. Prior to expiration of the annual permit term, the Permittee shall submit to DPW a current Certificate of Insurance and a permit renewal fee as noted in DPW Fee Schedule, as set forth in Public Works Code Section 2.1.3

V. APPROPRIATE LOCATION AND DESIGN PARAMETERS:

A. The proposed Parklet site should be located at least one parking spot, approximately twenty (20) feet, in from a corner or protected by a bollard, sidewalk bulb-out, or other similar feature, if located at the corner. Exceptions may be considered on a case-by-case basis.

B. The proposed location should have a posted speed limit of 25 mph or less. Streets with higher speed limits may be considered on a case by case basis.

C. The proposed street has parking lanes that will not become a tow away lane during morning or afternoon peak hours.

D. The Parklet should provide a minimum clearance of 12” from the edge of any existing parking apron, where there is parallel, diagonal or perpendicular parking.

E. The Parklet shall be constructed and/or installed to conform to the applicable provisions, rules, regulations and guidelines of San Francisco Building Code (SFBC), the Americans with Disabilities Act (ADA), and the 2010 ADA Standards. For all ADA technical requirements, please refer to “Accessibility Elements for Parklets” Standards.
F. A minimum of 84-inches in height must remain clear of any obstructions along the Parklet’s path of travel, entry and accessibility areas on the Parklet. Obstructions may include but are not limited to tree branches and foliage, overhanging sign panels on posts, and/or the applicant’s addition of architectural elements to the Parklet.

G. The cross slope on the parklet surface may not exceed 2.0% in any direction. Please refer to the Accessibility Elements for Parklets in Appendix A.

H. The proposed street should not have a grade greater than 5.0%. On a case-by-case basis, a Parklet may be proposed on a street grade greater than 5.0%; however additional design requirements and review will be required to make the Parklet accessible for the public. See the Accessibility Elements for Parklets.

I. Abandoned driveway curb cuts, sidewalk defects, empty tree wells, or other sidewalk conditions at the Parklet location will need to be repaired and addressed as required with a DPW permit to ensure safe ingress and egress conditions.

J. Parklets shall be required to have soft hit posts and wheel stops.

K. If the Parklet deck is constructed with concrete, the concrete specific weight shall be a maximum of 200 lbs/ square foot.

L. Parklets shall not be allowed in red or blue zones.

M. Parklets may replace yellow zones or motorcycle parking if there are appropriate adjacent locations for these zones to be relocated, and if the applicant is willing to pay additional fees for relocating these zones.

N. Parklets may be allowed in white and green zones if the business that originally requested the white and/or green zones agrees to re-purpose that curb area for use as a Parklet.

O. Parklet structures shall not be allowed over a manhole, public utility valve or other at-grade access point in the street or sidewalk.

This DPW Order rescinds and supersedes DPW Order No. 180,921 approved January 8, 2013.

Sanguinetti, Jerry
Bureau Manager
Signed by: Sanguinetti, Jerry

3/5/2015

Swiss, Fuad
Deputy Director and City Engineer

3/5/2015

Nuru, Mohammed
Director, DPW
Signed by: Nuru, Mohammed

3/5/2015
INTERNAL ADMINISTRATIVE POLICY – PUBLIC WORKS DEPT

GUIDELINES FOR THE APPROVAL OF QUASI-PUBLIC IMPROVEMENTS (*PARKLETS) WITHIN DOWNTOWN PUBLIC RIGHT-OF-WAY
PURSUANT TO ORDINANCE No. 1303

PURPOSE:
The City’s Strategic Plan includes provisions to create an attractive and vibrant Downtown. The City has consistently encouraged Downtown Businesses to install displays of merchandise, signs, and construct quasi-public improvements in the sidewalk area fronting their businesses to promote sales and attract people to the Downtown. Outdoor dining and seating has been enjoyed by residents and business owners all along Grant Avenue.

Ordinance No. 1303, approved January 11, 1994, and Municipal Code Section 19.34.130, govern the use of the sidewalk area for outdoor dining, display and sales within the public right-of-way. Within the Downtown Core Retail and Business District outdoor dining and seating areas (parklets) may be permitted within the public right-of-way if a license agreement is issued pursuant to the Novato Municipal Code.

This Department of Public Works (DPW) policy provides guidelines for the initial review and approval, on a trial basis, of temporary parklets in the Downtown - until such time as the City better understands their impact and acceptance by the community. These guidelines were largely reproduced from the City of San Francisco established process for parklets.

BACKGROUND:
Parklets provide an economical solution to the desire and need for wider public space and are intended to provide new areas for the general public to sit and enjoy the Downtown where existing narrow sidewalks would preclude such occupancy. Parklets are intended as sidewalk/street furniture, providing aesthetic elements to the overall streetscape created by the City of Novato along Grant Avenue.

INITIAL OUTREACH AND PARKLET REVIEW:
The process for a project sponsor to propose a parklet consists of a two-step process, an initial outreach and outreach effort, and a more formal submittal and permit review, governed by the following process requirements:

A. The following applicants are eligible to submit an application or proposal for the installation of a parklets within the public right-of-way:

1) Ground floor business owners
2) Non-profit and community organizations
3) Fronting property owners
4) Other applicants may be consider on a case by case basis.
B. The following shall be included in the Initial Application:

1) A letter with a project narrative requesting the Parklet
2) An initial Encroachment Permit Application Form
3) **Initial Site Plan**: a measured drawing that shows the footprint of the proposed Parklet installation and a minimum of twenty (20) feet on either side of the proposed Parklet. The plan shall include any above-ground fixtures such as tree wells, valve/utility boxes, poles, fire hydrants, and bike racks. The Initial Site Plan shall also include at-grade roadway markings such as color curbs, lane striping, parking stall markings; and at-grade utility access panels, storm drains, manhole covers, and other utility access points.
4) Photos of existing site
5) **Initial Concept Description**: A description of how the proposed Parklet meets each of the criteria set forth in this policy.
6) **Proof of Notification**: Documentation that the fronting property owner(s) have been notified of the proposed project by the Project Sponsor of the intent to submit a Proposal.
7) **Neighborhood Outreach**: Notification letters, letters of support, and petitions signed by DNBA, Chamber of Commerce, business owners on the subject block, or interested residents.

C. Each application shall be reviewed by an inter-departmental City review team, with representation from DPW, CDD, Novato Fire and utility companies as necessary, specifically convened to review the Parklet application(s). Each proposal will be reviewed based on the following criteria:

1) Meets established design criteria
2) Enhancements of streetscape quality provided in the preliminary design
3) Location (Parklet is likely to be well used and active)
4) Community support
5) Capacity of sponsor to maintain and steward the Parklet effectively
6) Potential conflict with future city streetscape initiatives (upcoming streetscape redesigns, paving projects, etc.)
7) Compliance with technical and accessibility provisions

D. If a recommendation is made to process the Parklet proposal:

1) DPW will issue a Notice of Application for a Parklet. The applicant shall be required to post this Notice in a readily visible location in front of the property where the Parklet will be located for ten (10) calendar days from the date listed on the Notice.
2) If there are no objections from the public, the applicant shall be required to submit an application fee as noted in DPW Encroachment Permit Application Fee Schedule based on construction costs.
3) After the application fee has been submitted, the applicant shall be required to submit the following information for further review:
   a) Construction Document Package (by licensed design professional), including:
1. Site Plan
2. Elevation from all sides of the proposed Parklet
3. Structural Plan – connection, flooring, supports, etc.
4. All relevant details, finishes, plant species, furniture types, etc.

b) Maintenance details, including utility access panels and how drainage will be provided along the existing gutter.

c) A 24/7 contact if there is an emergency and the Parklet needs to be removed. The permittee shall be responsible for removal of the Parklet within twenty-four (24) hours, and the restoration of the public right-of-way upon notification by the City of any streetscape or paving projects.

4) The City Engineer shall review and approve the parklet plans.
5) If there are objections from the public, DPW shall schedule a noticed public Administrative Hearing to consider the proposed Parklet.
6) The presiding Hearing Officer (DPW Director or his/her appointee) shall consider and hear all testimony in support and in opposition to the proposed Parklet and make a recommendation to the City Manager.
7) If the DPW Director recommends approval or conditional approval of the permit, a standard Encroachment Agreement for the parklet will be prepared for review and acceptance by the Project Sponsor.
8) The DPW Director, in his/her discretion, would then recommend approval or conditional approval of the permit, and encroachment agreement for final action by the City Manager.

E. If the application is disapproved, DPW shall notify the applicant, upon which the applicant may appeal the disapproval of the permit by the DPW Director to the City Manager, within fifteen (15) days of the Director’s decision.

ENCROACHMENT AGREEMENT PROCESS:

1) The inter-departmental review team has now reviewed and recommended to the Public Works Director, and the Director in preparation for final approval by the City Manager requires the Encroachment Agreement and final plan documentation (per Section D.3.a.) to be compiled.
2) The applicant shall submit the following information and fees to DPW:

   a. A signed and notarized original version of the Encroachment Agreement document prepared by Public Works.
   b. A certificate of Insurance naming the City of Novato as additional insured, in a form acceptable to the City with general liability coverage of not less than $2 million, automobile insurance not less than $1 million, and acceptable Workman’s Compensation coverage.
   c. An additional fee deposit to cover the annual inspection cost and any other direct cost directly associated with the parklet. Each proposal may result in different additional negotiated fees based on the time and materials costs incurred by the City in review of the proposal.
   d. If the Parklet is to be installed where future city paving projects, subgrade infrastructure upgrades, etc. have been identified, submittal of a Performance Bond may be required to ensure the removal (and if
appropriate, re-installation) of the Parklet to facilitate the planned work.
e. The contractor hired to construct the parklet will be required to submit all information required for issuance of a standard encroachment permit.

3) After the initial two-year trial period, the parklet permit shall be renewed annually. Prior to expiration of the annual permit term, the Permittee shall submit to DPW a current Certificate of Insurance and a permit renewal fee as identified by the DPW.

**APPROPRIATE LOCATION AND DESIGN PARAMETERS:**

A. The proposed Parklet site should be located approximately twenty (20) feet in from a corner or protected by a bollard, sidewalk bulb-out, or other similar feature, if located at the corner. Exceptions may be considered on a case-by-case basis.

B. The proposed location should have a posted speed limit of 25 mph or less. Streets with higher speed limits shall not be allowed.

C. The proposed street has parking stalls, and the Parklet shall not be located in an existing tow away lane, or commercial loading zone.

D. The Parklet should provide a minimum clearance of 36” from the edge of any existing parking apron, where there is parallel, diagonal or perpendicular parking.

E. The Parklet shall be constructed and/or installed to conform to the applicable provision, rules, regulation and guidelines of Uniform Building Code, the Americans with Disabilities Act (ADA) and the 2010 ADA Standards. For all DAS technical requirements, please refer to “Accessibility Element for Parklets” Standards.

F. A minimum of 84-inches in height must remain clear of any obstruction along the Parklet path of travel, entry and accessibility areas on the Parklet. Obstructions may include but are not limited to tree branches and foliage, overhanging sign panels on posts, and/or the applicant’s addition of architectural elements to the Parklet.

G. The cross slope on the parklet surface may not exceed 2.0% in any direction.

H. The proposed street should not have a grade greater than 5.0%. Parklets will not be considered on a street with a longitudinal grade greater than 5.0%.

I. Abandoned driveway curb cuts, sidewalk defects, empty tree wells, or other sidewalk conditions at the Parklet location will need to be repaired and addressed as required with a DPW permit to ensure safe ingress and egress conditions.

J. Parklet may be required to have soft hit posts and wheel stops, as determined on a case-by-case basis.

K. If the parklet is constructed over underground utilities, or under overhead wire utility service lines, the project sponsor acknowledges that the city can immediately remove the structure or portion thereof in an emergency, with no obligation to restore the parklet. Further, routine maintenance of existing utilities or drainage lines have the potential to cause removal of the parklet, or portion thereof, as reasonably required to provide access to said public, or quasi-public facility.

L. Parklet decks must be constructed with wood, or composite material.

M. Project sponsor shall demonstrate the ability to keep the facility in a clean and safe operational condition, including acceptance of the protection of street trees and other public facilities within the footprint of the project. The city accepts no maintenance responsibility for the parklet or footprint area.

N. Parklets shall not be allowed in red or blue zones.
O. Parklets may replace motorcycle parking if there are appropriate adjacent locations for these zones to be relocated, and if the applicant is willing to pay additional fees for relocating these zones.

P. Parklet structures shall not be allowed over a manhole, public utility valve or other at-grade access point in the street or sidewalk.

Q. As outlined in the Encroachment Agreement the city retains the right to require the parklet to be removed immediately if in the City’s sole opinion that an unacceptable safety or dangerous operational concern has been created by the parklet. Every effort will be made to ensure that the use of the parklet would not be less than 2-years prior to city requesting removal.
DATE: March 12, 2013

TO: Downtown Committee

FROM: Stephanie Williams, Senior Planner

SUBJECT: Downtown Sidewalk Café Process

A sidewalk café is an outdoor area located and maintained in the flexible zone of Castro Street, or on the sidewalk of any commercial street in the Downtown Precise Plan area, used by an adjoining restaurant for outdoor dining. The flexible zone is defined by the edge of the building to the outer edge of the paved parking lane next to the street. It is broken up into two areas: Area 1 which is the sidewalk area between the face of the building and the edge of the curb; and Area 2 which includes the parking lane.

Each restaurant that wishes to have a sidewalk café must first obtain a Sidewalk Café Permit from the Community Development Department and renew the permit annually. Currently, Sidewalk Café Permits are renewed for a 12-month term based on when they were originally approved. The City is in the process of revamping the Sidewalk Café Permit renewal process in order to streamline and simplify the process for the Downtown businesses. The new process will have each restaurant's permit term be for the same 12-month period—from May to the end of April of the next year. This will allow City staff to easily and quickly process renewal requests and provide the opportunity to take an assessment of the condition of each of the outdoor cafés at one time. City staff have also simplified and reduced the contract paperwork that is needed for each permit for the renewal process.

A notice was sent to each sidewalk café operator in the downtown last year regarding this change, and the renewal notices with the simplified paperwork were sent out last week.

SW/EMB/5/CDD
818-03-12-13M-E

Attachment: 1. Downtown Sidewalk Café Guidelines
DOWNTOWN SIDEWALK
CAFÉ GUIDELINES

CITY OF MOUNTAIN VIEW
COMMUNITY DEVELOPMENT DEPARTMENT

Ref: SH-19, FC-46
Revised: 5/26/2011
# Table of Contents

**DEFINITION OF A SIDEWALK CAFÉ**.................................................................1

Flexible Zone ........................................................................................................1

Sidewalk Café Location .......................................................................................2

Café Layout ...........................................................................................................4

Café Operations .....................................................................................................5

Design of Café Furnishings ...................................................................................5

- Tables and Chairs ...........................................................................................5
- Umbrellas .........................................................................................................5
- Planter Boxes and Wrought Iron Fences .........................................................6
- Landscaping .....................................................................................................7
- Portable Heaters ..............................................................................................7
- Signage .............................................................................................................7

Café Maintenance and Operations ......................................................................7

**SIDEWALK CAFÉ ADMINISTRATION** ..........................................................8

Application Requirements ..................................................................................8

Procedures ..........................................................................................................10

Hearing and Decision on Sidewalk Café Permit Applications ..........................10

**CODE ENFORCEMENT** ...............................................................................10
DEFINITION OF A SIDEWALK CAFÉ

A Sidewalk Café is an outdoor area located and maintained in the “Flexible Zone” of Castro Street, or on the sidewalk of any commercial street in the Downtown Precise Plan area, used by an adjoining restaurant for the sale of food and beverages.

FLEXIBLE ZONE

The Flexible Zone is the area generally defined by the edge of the building face to the lip of the paved parking lane next to the street. It is comprised of two basic areas; Area 1, which extends from the edge of the building face to the edge of the step curb (i.e. the “sidewalk”) and Area 2, which extends from the edge of the step curb to the lip of the paved area, adjacent to the street (i.e. the parking lane).
SIDEWALK CAFÉ LOCATION

Sidewalk Cafés are permitted in the commercial districts of the Downtown Precise Plan Area. These areas generally include Area D, E, I, and J fronting on Castro Street and all of Area H.

1. As many as 32 parking spaces in Area 2 of the Flexible Zone, along the entire length of Castro Street between Evelyn Avenue and El Camino Real, may be occupied by Sidewalk Cafés.

2. A Sidewalk Café located along Castro Street is permitted to locate in Area 1 and/or in a parking stall in Area 2 of the Flexible Zone. A parking stall is generally defined as the open area between two City street trees. A Sidewalk Café located on any other street is permitted to locate only in Area 1 of the Flexible Zone. In an effort to minimize the conflict between pedestrians and auto traffic on these streets, the sidewalk café furniture should be located against the building face and not directly adjacent to the street.

3. A café operator may propose to extend the Sidewalk Café in front of an adjacent business if it can be found that the proposed use will not block the visibility of display windows or signage of that business. However, the adjacent business owner must provide written approval of the extended layout.

4. The café operator shall maintain the following minimum dimensions for pedestrian access along the Flexible Zone; and

   a. Four (4') feet wide along Area 1 of the Flexible Zone; and

   b. Four (4') feet clearance from the building entrance / exit; and

   c. Fifteen (15') radial feet from the corner intersections, as measured from the back of the curb; and

   d. Five (5') feet clear around City planters, bus shelters, trash containers, and public kiosks
CAFÉ LAYOUT

1. The operator of the Sidewalk Café shall locate planter boxes or wrought iron fencing around the Flexible Zone adjacent to the street to visually define and secure the Sidewalk Café area.

2. The Sidewalk Café must be accessible per American with Disabilities Act (ADA) guidelines and State of California accessibility requirements delineated in Chapter 11 of the adopted California Building Code.

3. The operator of the Sidewalk Café shall furnish the café area with tables and chairs, and if desired, umbrellas and portable heaters. Tables and chairs cannot be stacked outside at any time. Sidewalk Café furniture cannot be left outside, unused, for more than three days.

4. Sidewalk Café furniture shall not be secured to street lights, trees, or other street furniture. The Sidewalk Café operator shall not make any permanent changes to the Flexible Zone, such as bolting tables and chairs to the ground.
CAFÉ OPERATIONS

1. A business with a Sidewalk Café located in Area 2 of the Flexible Zone shall be open for lunch and dinner, and the café shall be set up during these periods for business, weather permitting.

2. Café operators are allowed to utilize their approved café area during the winter months, weather permitting, if the furnishings are being used on a daily basis and the area is properly maintained.

DESIGN OF CAFÉ FURNISHINGS

All café furniture shall meet the following standards:

Tables and Chairs

Tables and chairs shall be made of a safe, sturdy, and durable material such as wrought iron, wood, steel, or cast aluminum. All tables and chairs shall be commercial grade and manufactured for outdoor commercial use. Using small round or square tables that seat two to four people will maximize the number of tables that can be placed in the Flexible Zone and provide flexibility in the café layout. All furniture shall be of the highest quality and shall be properly maintained and cleaned regularly.

All tablecloths shall be brought indoors nightly and shall be cleaned on a regular basis. No vinyl tablecloths are permitted.

Umbrellas

Individual canvas or other non-vinyl umbrellas are permitted. Umbrellas shall be a solid color and shall not be fluorescent or have a floral pattern. Umbrellas shall be designed for outdoor commercial use and maintained in a clean manner.

Each umbrella may display the name of the Sidewalk Café business so long as the name does not exceed six (6) inches in height. One business logo not to exceed one (1) square foot is also permitted. The total umbrella signage shall not cover more than ten (10) percent of the area of each umbrella and shall contain no generic advertising (i.e. Cinzano, Perrier).
EXAMPLE OF CAFÉ UMBRELLA SIGNAGE

![Diagram of a typical 9-foot diameter umbrella]

**Planter Boxes and Wrought Iron Fences**

The café operator may choose to install either planter boxes or wrought iron fences to enclose the café area. (Wrought iron fences are only allowed in Area 1 where sidewalk depth permits it.)

The planter boxes used to establish the boundary of the café shall be made of a safe, sturdy, durable, and attractive material such as precast concrete, glasscrete, or "GFRC" designed to match the style and color of the existing downtown street furniture. They should be at least 22 to 24 inches in height and no wider than 2 feet at the base. Alternative planter designs may be used if they meet the above criteria or are located in Area 1 of the Flexible Zone.

The wrought iron fences used to establish the boundary of the café shall be designed to match the existing wrought iron pattern of the downtown street furniture.
Landscaping

The planters shall be potted with live plants and flowers at all times. A variety of plant materials are acceptable as long as the plants do not exceed 48 inches in height, measured from the pavement. Taller plants may be permitted depending on the location of the Sidewalk Café.

Portable Heaters

Portable propane heaters are permitted within Area 2 of the Flexible Zone, subject to review by the Fire Department and the Building Department.

Signage

A menu holder, such as a window box or wall panel mounted on the exterior storefront of a restaurant, is a permitted café sign. The menu holder shall only contain a typically sized menu and shall not be used for additional signage or business identification. The menu holder shall be professionally constructed of high quality and durable material; including, but not limited to, brushed or polished metal, glass, and sandblasted wood. No “A” frame signs, white boards, black boards, or chalk boards are permitted.

CAFÉ MAINTENANCE AND OPERATIONS

1. The café operator shall maintain the Flexible Zone in a clean and safe condition at all times, including properly disposing of all trash and water generated by the operation; and

2. The café operator shall comply with all applicable laws and local ordinances regarding the sale and service of food and beverages to the public, including the Alcohol and Beverage Control requirements for serving alcohol; and

3. The café operator shall operate the café in accordance with the City approved Findings Report and the terms of the Sidewalk Café License.
SIDEWALK CAFÉ ADMINISTRATION

Any restaurant that would like to establish a Sidewalk Café shall obtain a Sidewalk Café Permit that is:

1. Limited to a specific location within the Flexible Zone; and
2. Issued for one year; and
3. Non transferable; and
4. Reviewed and approved by the Zoning Administrator.

Application Requirements

The applicant will need to obtain a Development Review Permit approval for the location, layout, and design of the Sidewalk Café in accordance with the Sidewalk Café Guidelines. This Development Review Permit is known as a Sidewalk Café Permit, or license.

The following items shall be submitted to the Community Development Department in order to process an application for a Sidewalk Café Permit:

1. A completed planning application; and
2. The application fee; and
3. A site plan showing the location of:
   
   A. The proposed Sidewalk Café area and the relationship between the café area and the adjacent businesses;
   B. Planters or wrought iron fencing, chairs, tables, umbrellas, heaters, and any other furnishings to be included in the proposed café operations;
   C. The location of any adjacent City planters, bus shelters, trash containers, and kiosks;
   D. The proposed circulation to and from the Sidewalk Café and the restaurant and the pedestrian circulation through the Flexible Zone.

Page 8
4. Specifications for the design of all café furniture including the planters, wrought iron fencing, tables, chairs, umbrellas, signage, and heaters are required. The café operator shall include a manufacturer specification sheet and color pictures for all café furniture showing that it is commercial grade and designed for outdoor use; and

5. Maintenance and operation plans, including hours of operation; and

6. Proof of comprehensive liability insurance covering the property and licensed area, in an amount of not less than One Million Dollars ($1,000,000) as a combined single limit for personal injury (including death) and property damage, an endorsement naming the City of Mountain View, its Council, boards, commissions, officers, employees, volunteers, agents, and employees each as additional insured, and a copy of the declarations or information page(s) for the policy. The general liability insurance must cover the property and the licensed area on which the Sidewalk Café will be located; and

7. Proof of workers compensation insurance in an amount not less than one hundred thousand dollars ($100,000), if applicable; and

8. A City Hold Harmless and Waiver executed by the applicant; and

9. The applicant's City business license number; and

10. The number of the applicant's permit to operate a food establishment obtained from the County Health Officer; and

11. A statement signed by the applicant which provides that he/she will comply with all laws while conducting business in the City and will collect and remit sales tax on all sales made in the City; and

12. A copy of a written landscape contract with a professional landscape maintenance company, contractor, or gardener to maintain the landscaping in the Sidewalk Café area throughout the year. A proposed list of plant material to be used in the planters and a maintenance, replanting, and watering schedule; and
13. Payment or rent to the City for use of the public right-of-way as determined from time to time by resolution of the City Council.

14. Where a café encroaches into the frontage of an adjacent business, the café operator shall get written approval of the affected adjacent business. If approval of the adjacent business owner is not obtained and submitted with the application, the Community Development Department will conduct a public hearing to review the Sidewalk Café permit application. All comments on the application must be received at, or prior to, the public hearing to be considered.

Procedures

Upon receipt of these documents, the Community Development Department shall notice the project for a public hearing to be conducted by the Zoning Administrator. Notice of the public hearing shall be posted and given to the business owners directly adjacent to the subject site and the property owners within 300 feet of the proposed location of the café.

When submitting for a Sidewalk Café renewal permit, if no changes are proposed and the findings required for approval can be made, then the Zoning Administrator may administratively approve the permit with no public hearing.

CODE ENFORCEMENT

A variety of tools may be used to address issues relating to Sidewalk Cafés. The Mountain View City Code includes both civil and criminal penalties for violations relating to Sidewalk Cafés. This provides some flexibility depending on the nature and circumstances of the particular violation. In addition, the Sidewalk Café permits are subject to revocation.
parklet /pærklet/ *Noun* 1. A parking space sized area used for recreational or beautification purposes. 2. A means to repurpose part of the street for community use to promote a safer, more comfortable public realm.

City of San Leandro

**Parklet Program**

Guidelines & Application

Rev. March 2017
A parklet is the temporary use of space in the dedicated public right-of-way (parking spaces, unused bus stops, and other types of vehicular and non-vehicular zones) for public uses such as seating or bicycle racks. Parklets are publicly accessible space for the enjoyment and use of all San Leandro citizens, and are privately constructed and maintained.

It is envisioned that the parklets will be located in areas with pedestrian activity, as additional seating areas for retail patrons, and in areas where there is a desire to create a more pedestrian-friendly environment. Parklets are intended to be seen as pieces of street furniture, providing aesthetic enhancements to the overall streetscape.

In place of car parking, a platform is built to extend the grade of the sidewalk into the street. Once the platform is installed, benches, tables, chairs, landscaping, and bike parking can all be placed on top in order to create a parklet. Parklets must remain publicly accessible and will require signage to this effect. Table service is not permitted and alcohol is not allowed in a parklet. Commercial signage and advertising are not permitted.

Building on momentum in neighboring cities, the City of San Leandro will launch a pilot program for parklets. During this pilot, two applications for parklet permits will be considered per the initial two year cycle.

Applicants should review the PARKLET GUIDELINES & RESPONSIBILITIES, APPLICATION CHECKLIST, APPLICATION and LETTER of INTENT prior to beginning the application.
PARKLET GUIDELINES & RESPONSIBILITIES

Location:
1. Parklet locations must be on a City street. This excludes any California State Routes such as East 14th Street, Doolittle Drive and Davis Street.

2. Parklets must be located on a street with a speed limit of 25 mph or less.

3. They may be allowed in white and green zones if the entity that originally requested the white or green zone agrees to repurpose that curb area.

4. Proposed parklet sites must be located on a street that has parking lanes, minimal cross slope and utilizes at least one parking space but not more than two.

Design Parameters:
1. Parklet plans must be designed and stamped by a licensed architect or civil engineer.

2. Adjacent to the roadway, a railing height of 42” minimum with openings that do not allow larger than a 4” sphere to pass is required. A visible edge to the parklet is required on all sides except for the sidewalk, which may consist of planters, railing, or cabling. The edges should be visually permeable or “see-through.”

3. Parklets are intended to be aesthetic improvements to the streetscape, and materials will be required to be of high quality, durable, and attractive.

4. The width of the parklet must not extend beyond six (6) feet from the curb line.

5. Safe hit posts and wheel stops, or approved equals, are required.

6. Access panels must be included in the walking surface in order to maintain the gutter and area underneath the parklet and the design must allow for drainage along the gutter to pass underneath the parklet. See page 3 for additional design information.
**City of San Leandro Parklet Program**

**EXISTING CONDITIONS PHOTO**

**INITIAL SITE PLAN**

- **My Neighbor** (Business name and address)
- **Parklet Sponsor** (My business name and address)
- **My Other Neighbor** (Business name and address)

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**Legend**

- Existing Parking Meter
- Existing Parking Space Marking
- 4 ft Required Sidewalk Width (part to be converted to parklet area)
- Existing Street Light
- Existing Street Tree

**Things to include in your site plan:**

- Your Building and neighboring Properties (include addresses)
- Proposed Parklet and dimensions (don’t forget to leave a 4’ buffer)
- Existing parking meters to be removed
- Any colored parking zone (green, white, yellow)
- Other utilities and sidewalk features adjacent to your parklet. (e.g. trees, utility access panels, bike racks, street lights. You can make up your own graphic symbols)
- Dimensions (you will probably have to measure with a tape measure)

Hand Drawn images are fine. You may consider using graph paper to help scale streetscape features.
PARKLET GUIDELINES & RESPONSIBILITIES (continued)

7. If bike parking is provided, the bike racks can be at street grade.

8. Parklets must be accessible to individuals with disabilities per the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and must follow guidelines included in Attachment A - Accessibility Elements for Parklets. Wheelchair users must be able to enter the parklet and access all the primary features of the parklet. Parklets shall not reduce the adjacent pedestrian travel way (sidewalk) width to less than 5 ½ feet clear. Parklets shall not interfere with the use of designated disabled parking zones; curb ramps; AC transit stops or other access features of the public right of way.

9. Where the parklet utilizes parking spaces, the parklet shall not exceed the length and width (6 ft width) of two (2) (20 ft. length) curb parallel parking spaces with a setback of a minimum of one (1) foot from either end of the parking space regardless of the length of the space. Parklets proposed for parking spaces that are either angled or perpendicular to the curb will be reviewed on a case-by-case basis.

Fees
1. There will be a non-refundable Application Fee of $150 per Applicant made payable to City of San Leandro.

2. If a permit is issued the following fees are required:

<table>
<thead>
<tr>
<th>Fee</th>
<th>When Due</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design Review Deposit</td>
<td>AFTER selection of initial application</td>
<td>$2,500*</td>
</tr>
<tr>
<td></td>
<td>BEFORE any review begins</td>
<td></td>
</tr>
<tr>
<td>Restoration Deposit</td>
<td>AFTER parklet plan is approved</td>
<td>$2,500</td>
</tr>
<tr>
<td></td>
<td>BEFORE any construction begins</td>
<td></td>
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Once design review is complete, any remaining funds from deposit will be refunded to applicant.
Responsibilities:
The permit holder for each parklet will be required to:

1. Carry Insurance. Provide evidence of at least $2 million per person/ $4 million per incident in general liability insurance naming the City of San Leandro as additional insured. The insurance shall be endorsed to include the City of San Leandro as an additional insured.

2. Sign a Maintenance Agreement.
The Maintenance Agreement with the City of San Leandro will require the permit holder to do the following:
   
   a. Maintain all plants in good health.
   b. Keep the parklet free of debris and grime.
   c. Keep the parklet free of pests and vectors.
   d. Adequately maintain all surfaces of the parklet so they are not hazardous to parklet users.
   e. Sweep out debris from under the parklet on an as-needed basis.
   f. Keep any furniture such as tables, chairs and benches clean.
   g. Access panels must be included in order to maintain the gutter and area underneath the parklet.
   h. Once a year before the rainy season power wash under the parklet. Do not allow powerwash water to flow into the storm drain. Use appropriate storm drain inlet protection and storm water best management practices*.
   i. Unsecured furniture is not permitted after business hours if the permit holder is a business. If the permit holder is not a business, the hours for unsecured furniture will need to be included in the Maintenance Agreement.

*You can find Mobile Cleaners guidelines at: cleanwaterprogram.org/resources/commercial
APPLICATION CHECKLIST

Below you will find a list of what must be included in your submission for your initial parklet application. Any submission missing any items listed below will not be considered for selection.

☐ 1. **Application form.** This form is included at the end of this document. Please fill it out completely.

☐ 2. **Application fee.** Make your check for $150 payable to “City of San Leandro”. Please write “Parklet Application” on the check. This fee is non-refundable.

☐ 3. **Initial site plan.** Refer to “PARKLET GUIDELINES & RESPONSIBILITIES” on pages 2-5 for further information about location. Provide a plan that shows the footprint of the proposed parklet, including enough detailed information to understand what is happening on either end of the proposed parklet.

Show property lines, sidewalk width, parklet length and width, existing parking stalls, and all surface obstructions within 15 feet of the occupied area (e.g. fire hydrants, streetlights, parking meters, bicycle racks, street trees, etc.) on the plan. We encourage as much detail as possible to help us review your application. Applicants may submit a pdf file.

☐ 4. **Parklet programming.** Write narrative including:
   - How the neighborhood will benefit from the parklet
   - How the community can participate in the create and/or stewardship of the parklet
   - Describe what type of elements you are proposing on the parklet (e.g. tables and chairs, benches, landscaping, bike parking, etc.)
   - Explain your project goals and vision for your parklet

☐ 5. **Photos of existing site.** Photos shall be submitted of the location where you would like to install the parklet, including the parking
APPLICATION CHECKLIST (continued)

spaces, the sidewalk, and building facade in front of the proposed location. Applicants can submit .jpg files.

☐ 6. Construction schedule. Who will build your parklet if you are selected, and how long after you receive the permit do you anticipate installation?

☐ 7. Demonstrate community support. Letters of support from businesses on either side of your business. We also recommend you submit letters of support or petitions from your City Councilmember, other area businesses, organizations and/or residents.

☐ 8. Sign application. By signing this application, you:
  - Acknowledge financial responsibility for design, construction, maintenance and removal of the parklet.
  - Acknowledge provision of liability insurance coverage of $2,000,000/$4,000,000 minimum, naming the City of San Leandro as additional insured.

Completed steps 1 - 8? You’re ready to submit your application!

Once complete, submit application to the City of San Leandro Engineering and Transportation Department via email to Kirsten “Kurry” Foley at kfoley@sanleandro.org or mail (on flash drive or printed copy) to:

City of San Leandro
Engineering and Transportation Department
835 E. 14th Street
San Leandro, CA 94577

City staff will review submissions and make selection decisions after closure of parklet application submission period.
PARKLET APPLICATION

Address of Proposed Parklet: _______________________________________________________________

Cross Street: ___________________________ City Council District #: __________________________

Sponsoring Business or Organization Name: _________________________________________________

Contact Name: ___________________________________________________________________________

Mailing Address (if different than above): ___________________________________________________

Cell phone: _______________ Alternate phone: _______________ Email: _____________________________

San Leandro Business License No. __________________ OR Driver's License # ___________________

Name(s) of Property Owner: __________________________________________________________________

Property Owner Address: ______________________________________________________________________

Phone: ___________________________ Email: ____________________________________________________

Designer Firm: _____ I don’t know yet Name of Firm: _________________________________________

Phone: ___________________________ Email: ____________________________________________________

Anticipated Construction Schedule: ___________________________________________________________

Parking Information

No. of parking spaces to be occupied: _____ _____Parallel _____Angled/Perpendicular

No. of parking meters to be removed: ____ Colored curbs in proposed location? ___Yes ___No

Color: ___Yellow ___White ___Green Length: ___

By signing below, I acknowledge the provided information is true and correct. Further, I acknowledge that I will be responsible for provision of liability insurance per the City's requirements and financing design, construction, maintenance, removal and restoration of this parklet.

Applicant Signature: ___________________________________________ Date: ____________________

Property Owner Signature*: ________________________________ Date: ______________________

*Property owner signature required if applicant does not own property where business is located.
NEXT STEPS - So your initial application was selected
...what’s next?

If your proposal is selected, the steps below outline the parklet design and review process.

1. **YOU**: After working with an architect or other professional designer, submit:
   a. Parklet design plan for review
   b. Design Review fee
   c. Evidence of liability insurance coverage, with an endorsement that names the City of San Leandro as an additional insured.

2. **CITY**: Reviews design; returns with comments.

3. **YOU**: Return plan with revisions.

4. **CITY**: Issues final design approval, grants parklet permit.

5. **YOU**: Pay Annual Encroachment Permit fee and Restoration Deposit fee. Sign Parklet Maintenance Agreement. Begin construction.
ACCESSIBILITY ELEMENTS
FOR PARKLETS

The City and County of San Francisco seeks to make its public realm accessible to and usable by individuals with disabilities. This goal extends to Parklets, which become an extension of public sidewalks and pedestrian open space. All accessibility elements of the proposed Parklet shall be designed, constructed and/or conform to the applicable provisions, rules, regulations and guidelines of the: San Francisco Building Code (SFBC), Americans with Disabilities Act 2010 Standard’s accessibility requirements (ADAAG), and other design criteria included in Public Works Order No. 183,392 for Temporary Sidewalk Extensions (Parklets). Additional information and references are located in paragraph.
A. REQUIRED ACCESSIBILITY FEATURES.

A1. Sidewalk Condition and Maintenance. The sidewalk abutting the Parklet shall be in a state of good repair and maintenance, with a grade of no more than 5% running slope at the Parklet Entry. Sidewalk flags or cracks shall not exceed 3/8 inches in vertical change of elevation or in horizontal separation. Vertical changes between 3/4” and 3/8” high shall be beveled. Tree well areas shall be filled level to the sidewalk surface.

A2. Parklet Path. A Parklet Path is an accessible route that connects the sidewalk to the Parklet Entry, Deck Surface, Wheelchair Turning Space and Wheelchair Resting Space.

The Parklet Path shall be 48 inches wide minimum on the sidewalk and not pass over tree wells. Once on the parklet’s Deck Surface, the Parklet Path shall be 36 inches wide minimum.

The cross slope along any portion of the Path shall not exceed 1:48 (2%). Where this is technically infeasible due to existing conditions, the applicant shall follow the instructions in the attached document title Public Works REQUEST FOR DETERMINATION OF TECHNICAL INFEASIBILITY.

A3. Parklet Entry and Deck Surface. The Parklet Entry is where the Parklet Path joins the parklet’s Deck Surface. An ideal Parklet Entry should be located in an unobstructed area where there is the least amount of running slope along the sidewalk and curb.

Any openings between the sidewalk and the Deck Surface shall be flush, without a horizontal or vertical separation that would allow the passage of a 1/2 inch sphere.

Where the curb or a portion of the curb is damaged, has settled lower than the deck surface, or has a separation greater than 1/2 inches, a continuous threshold unit shall span from the deck to the sidewalk surface over the curb. Changes in level from the top surface of the threshold material and the deck or the sidewalk shall not exceed 1/2 inches maximum. Vertical changes in level of 1/2 inches high maximum are permitted, and changes in level between 1/4 inches and 1/2 inches shall be beveled with a slope not steeper than 1:4 (25%).

Where the Deck Surface edge abuts existing driveways or curb ramps, the driveway area or curb ramp shall be temporarily filled-in for the duration of the Parklet’s installation.

Changes in level of 1/2 inches high maximum may be vertical. Changes in level 1/4 inches to 1/2 inches high maximum shall be beveled with a slope not steeper than 1:4 (25%).

A4. Deck Surface. The Parklet’s Deck Surface shall be firm, stable and slip resistant.

The Deck Surface’s maximum cross slope shall be no greater than 1:48 (2%) measured perpendicular to the sidewalk or curb.

The Deck Surface’s maximum running slope (parallel to the curb) is 1:48 (2%) for the Wheelchair Turning Space, the Wheelchair Resting Space and the routes that connect them. For other Deck Surfaces, the running slope may not exceed 1:20 (5%) unless otherwise permitted through one of the Exceptions discussed in a Public Works Request for Determination of Technical Infeasibility. The Deck Surface materials shall be installed with no gaps larger than would permit the passage of a 1/2 inch sphere. Elongated openings shall be placed so that the long dimensions are perpendicular to the dominant direction of travel.

The Deck Surface shall be one single level unless the change in level is served by a ramp, additional Parklet Entries, or otherwise permitted on a case by case basis. When stairs or ramps are permitted, they
must meet all building code requirements for rise, run, width, handrails, and contrasting stair striping for the visually impaired.

A5. Wheelchair Turning Space. A Wheelchair Turning Space is a circular area 60” minimum in diameter for use by a person with mobility aid to make a 360 degree turn. This space shall be located entirely within the Parklet, unless otherwise approved. The maximum encroachment shall be 12 inches over the curb and sidewalk unless otherwise permitted on a case by case basis. Within this space there shall be no cross slope in any direction that is greater than 1:48 (2%). Alternatively a “T” shaped Turning Space is permitted.

A6. Wheelchair Resting Space. A Wheelchair Resting Space has a 30 inch wide by 48 inch deep clear floor area. The space shall be located entirely on the Parklet deck. Within this space, there shall be no cross slope in any direction that is greater than 1:48 (2%). The Wheelchair Resting Space is permitted to overlap the Wheelchair Turning Space by 24 inch maximum in any orientation to one another. With the exception of knee clearance at tables and counters (see A.9), horizontal protrusions are not permitted at Wheelchair Resting Spaces.


A8. Parklet’s Positive Edge at Perimeter of Deck Surface. Parklets need a Positive Edge along the open sides of the Deck Surface that is parallel to the vehicular traffic lane, to inhibit people who, while lingering, may inadvertently wander into vehicular traffic. Positive Edges serve to reduce potential tripping hazards at drop-offs along open sides of the Deck Surface.

a. A Positive Edge along vehicular traffic lanes may be achieved by providing a railing 36 to 42 inches in height with openings of no more than 4 inches, or by other means as described in the next paragraph. All railings must be able to withstand a 250 lb. force anywhere and in any direction along the top of the rail from within the parklet. When using a horizontal cable rail or similar flexible design, the barrier shall have a solid cap rail at the top of the barrier, and a solid curb or barrier that is a minimum of 5 inch high at the bottom of the barrier to provide warning to the visually impaired. Top rail assemblies shall be designed to resist a load of 50 plf (0.73kN/m) applied in any direction at the top and to transfer this load through the supports to the structure.

b. Other means for achieving this Positive Edge can include raised planters no less than 17 inches high and 12 inches deep, built-in seating or other built-in furnishings no less than 17 inches high and no less than 12 inches deep, dense plantings that visually enclose the space and discourage pass through, bicycle parking arrangements that act to provide a Positive Edge, or some other such similar means. In some instances, such as residential streets, alleys, shared public ways or other non-arterial streets, other barriers may be considered on a case-by-case basis.

c. Other means for achieving the Positive Edge may considered on a case-by-case basis. This may include a tactile warning strip at the deck edge, level with the deck. The warning strip must provide sufficient color contrast with the adjacent decking material and roadbed material. Materials and profiles for the tactile warning strip will be considered on a case-by-case basis.

d. At other areas, for example where the edge is perpendicular to the vehicle traffic lane, where any portion of the Deck Surface’s perimeter is 1/2 inch or more above the street, curb, or sidewalk level, the edge shall be positively marked by a vertical element or barrier that is 17 inches
minimum in height. These vertical elements shall have visual contrast with the Deck Surface material: either light on dark or dark on light.

e. On streets of 30 mph or greater, streets with four or more auto lanes, or when parklets are installed along a city truck route, or the MUNI Rapid Network, the parklet edge of deck may necessitate a design intervention that exceeds the minimal thresholds cited above.

f. In instances where a parklet houses bicycle-racks, gardens, or other such spaces where people are unlikely to linger, the elements described may not be needed. This and other unique conditions will be determined on a case by case basis.

A9. Tables, Counters and Drink Rails and Benches. Where tables, counters, drink rails, or benches are provided, at least one of each feature shall be accessible.

a. The top surface height of wheelchair accessible tables, counters and or drink rails shall be 28 inches to 34 inches above the Deck Surface or ground. A Wheelchair Resting Area shall be provided adjacent to the accessible tables, counters and drink rails, and the Wheelchair Resting Area shall be accessible by a Parklet Path and a Wheelchair Turning Space.

b. Wheelchair accessible tables, counters, or drink rails shall be approachable from the front and provide an unobstructed knee clearance that is at least 27 inches high, 19 inches deep, and 30 inches wide. When movable tables, chairs, counters or drink rails are provided in lieu of fixed, at least one of the movable fixtures must also be accessible.

c. A minimum of 36 inches clearance shall be provided between the edge of a table and another vertical obstruction, so that a wheelchair user can maneuver into the knee space.

d. Where fixed counters are provided, a 60 inches long portion of a fixed counter shall provide the unobstructed knee clearance as listed in Paragraph 9b.

e. Where drink rails are provided, a 60 inches long portion of a drink rail shall have 36 inches wide and level space adjacent to it for a side-approach by a wheelchair user.

f. At fixed benches, a Wheelchair Resting Space shall be provided for a shoulder alignment adjacent to one side of the bench.
B. TERRACED OR MULTI-LEVEL PARKLETS

For parklets proposed on streets with grades that exceed 5%, a terraced parklet with two or more habitable decks may acceptable.

B1. Equivalent Facilities. At least one of these terraces must be wheelchair accessible and provide equivalent facilities to those found in other habitable terraces. Equivalent facilities can include integral seating (companion seating opportunities), tabletop and countertop features.

B2. Wheelchair Accessible Entry. The accessible terrace will require and wheelchair accessible entry from the sidewalk. The wheelchair accessible entry may be achieved with a structure on the sidewalk within the sidewalk furnishing zone that provides transition between the sidewalk and parklet deck.

B.3 Ramps, Steps, and Stairs. Communication between terrace levels or between habitable terrace levels and the sidewalk may be achieved with steps or stairs. Per California Building Code, Steps are defined as a change in grade between 4” and 7”. Any transition greater than 7” is considered an Edge and will require a Positive Edge (as with the Parklet Perimeter, see section A8).

B.4 Warning Strip. Any step or stair will require a warning strip at the nose of the step, pursuant to California Building Code.

B.5 Handrails. Any step or stair will require handrails, pursuant to California Building Code.

C. DESIGN AND CONSTRUCTION STANDARDS.

The Parklet shall meet current construction standards of both the SFBC and ADAAG. The pedestrian route to the Parklet shall meet the Alterations standard of the SFBC (Section 1127B.1 Exterior Route of Travel and 1133B.7.1.3 Walks and Sidewalks, Surface Cross Slopes) and ADAAG (Section 202 Existing buildings and Facilities).

Per Public Works Order No: 183,392 all elements of the above mentioned Parklet shall be constructed and/or installed to conform to the applicable provisions, rules, regulations and guidelines of the:

a. San Francisco Building Code (SFBC), specifically Chapter 11B SFBC is available for inspection and the San Francisco Main Library or the Department of Building Inspection. http://publiccodes.citation.com/st/ca/st/b200v10/index.htm?bu=CA-P-2010-000008

b. The Americans with Disabilities Act (ADA) http://www.ada.gov/regs2010/titleII_2010/titleII_2010_withbold.htm and,