

City of Palo Alto

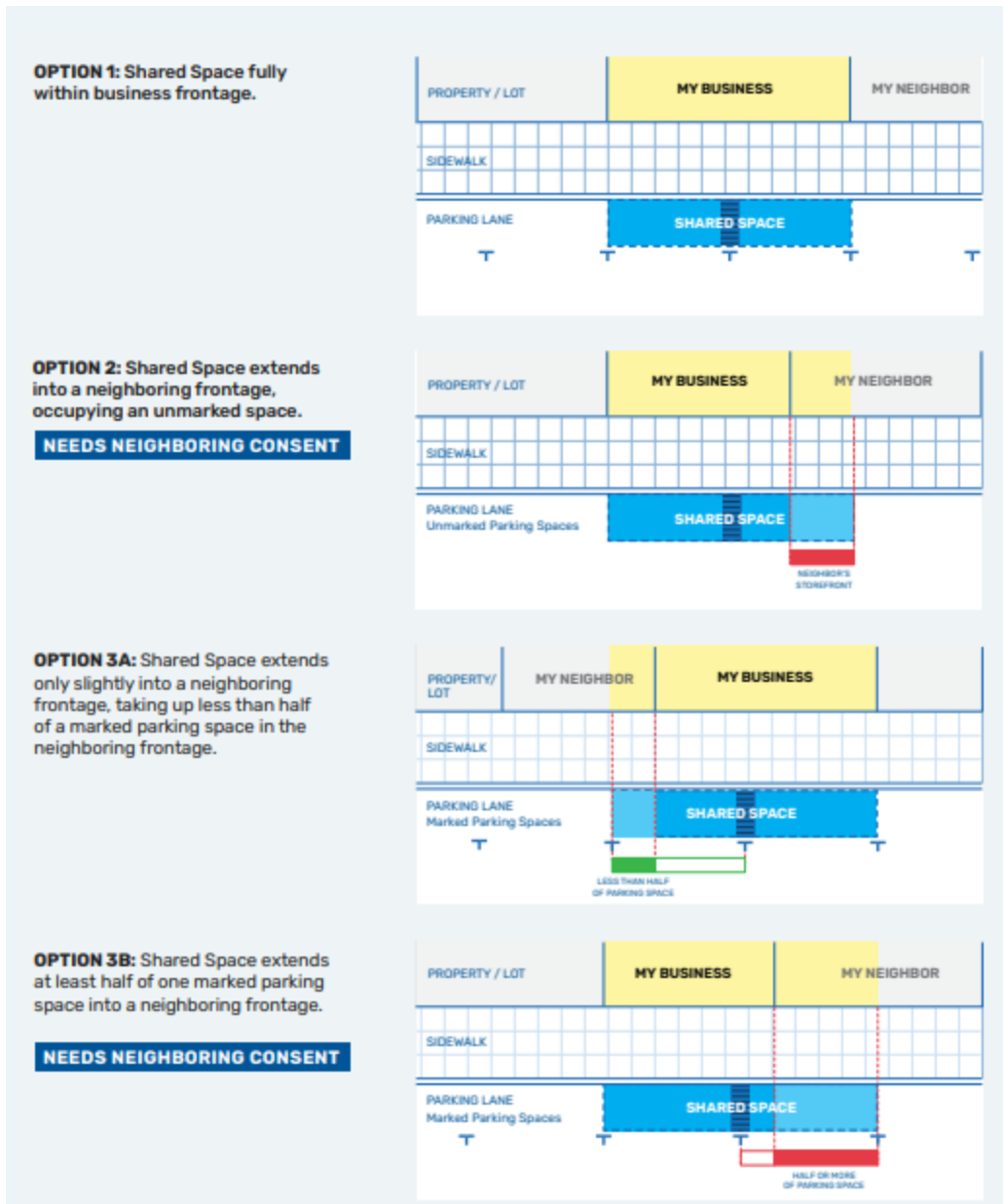
Parklet Encroachment Permit

Parklet Standards & Requirements

On October 24, 2022, the Palo Alto City Council directed a change to the temporary parklet program to require neighbor consent beginning on January 1, 2023. In response, the following temporary parklet guidelines have been revised to reflect the requested changes, which will also be incorporated into the permanent parklet program standards pending final approval. The neighbor requirement applies to new parklets as well as all existing parklets.

Overall Information for Temporary Parklet Program

- **What is a Parklet?** A parklet is a seating area constructed in one or more public, on-street parking spaces.
- **Eligible Parklet Applicant:** A properly entitled and operating eating and drinking establishment, including retail food establishments such as cafes, ice cream parlors, etc., is eligible to apply for an Encroachment Permit (Permit) to construct a parklet in public parking spaces on public streets owned and maintained by the City of Palo Alto.
- **Eligible Parklet Area:** An eligible applicant can propose to construct a parklet in parallel or angle parking space(s) that are within the frontage of the eating establishment.
 - The City has discretion to determine the allowable density of parklets in a given area. Every eligible area may not be approved for a parklet. The City will balance the needs of an applicant, neighboring establishments, parking and traffic considerations, among other public needs.
 - Parklets proposed to be constructed in front of adjacent businesses must provide a consent letter from the adjacent business and from the property owner if more than half of a marked parking space is not in front of the applicant's storefront, or if any part of an unmarked parking space is not in front of the applicant's storefront. See diagram below. The consent letter must accompany the parklet permit application. (*Effective January 1, 2023 for new and existing parklets*).



Source: City of San Francisco, 2022. Shared Spaces Manual.

- **Permitting:** Any applicant seeking to install a parklet in a public parking space in the City of Palo Alto must apply for and receive a valid Encroachment Permit before beginning construction of the parklet. The permit application will be reviewed by the Department of Public Works and other relevant City departments, prior to approval.
 - The Department of Public Works shall be an applicant's primary point of contact.
 - Construction of a parklet cannot begin until a permit application has been approved and the permit issued to the applicant.
 - Prior to serving patrons and otherwise operating the parklet, the parklet must be inspected by the Department of Publics Works and approved for use.
 - An eligible establishment with a valid Encroachment Permit may construct and operate a parklet subject to the standards and requirements contained in this document, applicable sections of the

Palo Alto Municipal Code, other documents associated by reference, and other documents declared relevant by the Director of Public Works and his or her designee.

- **Sidewalk Dining:** An eligible establishment seeking to place tables and chairs for dining on public sidewalks must also obtain a Sidewalk Encroachment Permit. An eligible establishment may have both a Sidewalk Encroachment Permit and a Parklet Encroachment Permit.
- **Temporary Nature of Permit:** The Temporary Parklet Program expires on June 30, 2023. Unless Council approves an additional extension of the program, all parklet materials are required to be removed at the permit holder's expense by June 30, 2023.
 - This deadline notwithstanding, the Encroachment Permit can be revoked by the City at any time.

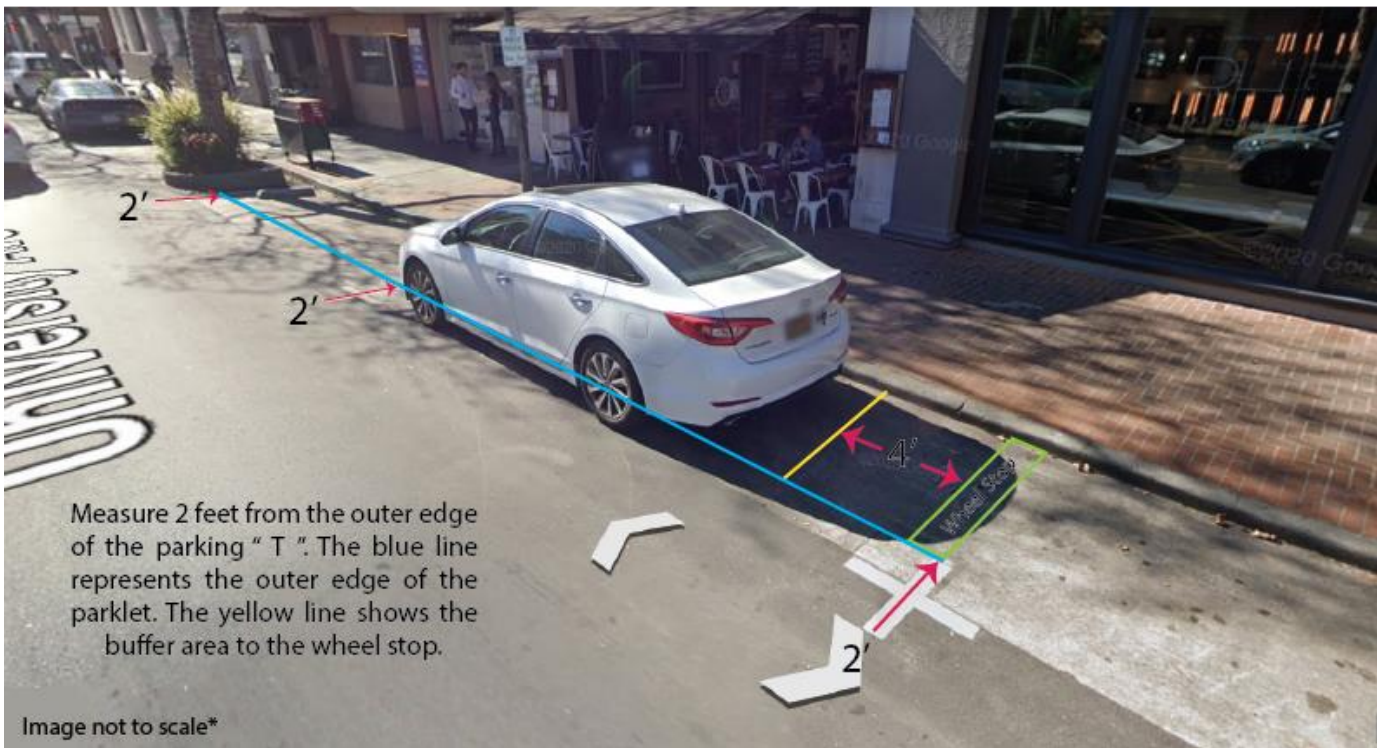


Figure A: Dimensions of a Parklet in a Parallel Parking Space

Parklet Standards

- An applicant seeking to deviate from the following standards and requirements may need to submit additional materials, may be subject to additional inspections, and may be approved for installation only upon additional review.
- If an applicant's site or proposed parklet design deviates from the conditions and/or design expressed in this document, the proposal will be reviewed and considered. Such review and consideration may require additional time, including a site visit to observe the conditions at the site of the proposed parklet.

Design and Siting Standards:

1. Parklet Area

- a. A parklet may be installed in on-street parallel parking spaces or on-street angle parking spaces. Dimensional requirements for parallel and angle parking spaces differ per the standards below.
- b. **Parallel Parking Spaces**
 - i. It is recommended, though not required, that a parklet consist of at least two contiguous parallel parking spaces.
 - ii. A parklet's outer edge shall be 2 feet back from the outer edge of the existing parking space. For all parallel parking spaces located on public streets within the City of Palo Alto, this shall be 2 feet from the exterior edge (closest to traffic) of marked parking T's. This is shown in Figure A.
 - iii. The 2-foot space shall be kept clear at all times. The only objects which shall lawfully occupy this space are reflective delineator posts, or their equal.
 - iv. Parallel parking spaces typically measure 8 feet wide by 20 feet long. Given the above mentioned 2 feet offset from the outer edge of the parking space, and the 4-foot setbacks creating buffer space for wheel stops (if no tree wells are present on the adjacent areas), the dimensions of a parklet in one space would be 6 feet wide x 12 feet long. (Figure A)
 - v. Parallel parking space measurements may vary across the City of Palo Alto. As a result of this variation, some parklets may measure less than 6 feet wide.
 - vi. Variations notwithstanding, in no case shall a parklet be placed within the 2-foot area measured from the outer edge of the parking space.
- c. **Angle Parking Spaces**
 - i. It is recommended, though not required, that a parklet consist of at least two contiguous angle parking spaces.
 - ii. A parklet's outer edge shall be 2 feet back from the outer edge of the existing angle parking space. For angle parking spaces located on public streets within the City of Palo Alto, this shall be 2 feet from the exterior edge (closest to traffic) of the marked parking stall. This is shown in Figure B.
- d. **Non-Standard Angle Parking Spaces**
 - i. A parklet proposed in angle parking spaces that do not meet the City of Palo Alto's standard depth for angle parking spaces shall only be eligible for parklets meeting the dimensional criteria described above in "parallel parking spaces."
 - ii. This applies to all angle parking spaces along University Avenue.

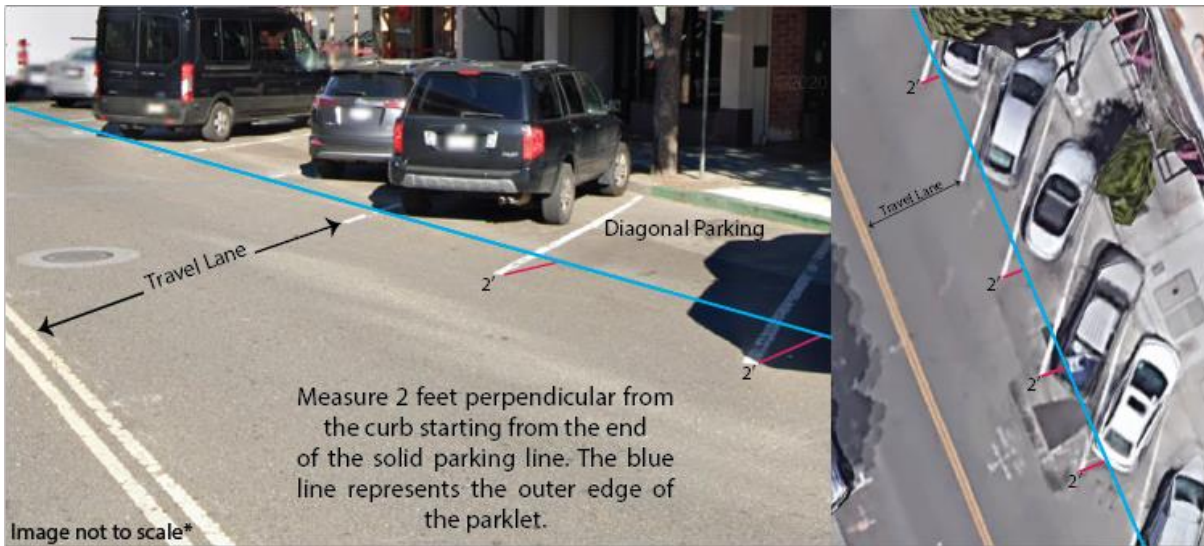


Figure B: Angle Parking Space Parklet Dimensions

2. Setbacks Adjacent to Active Parking Spaces

- a. All parklets are required to include 4-foot setbacks from adjacent on-street parking spaces and driveways.
- b. This setback shall be delineated by a concrete wheel stop.
- c. The 4-foot setback shall contain a planter if the required wheel stop(s) is/are glued to the roadway (see section regarding safety devices). The planter should be at least 700 pounds when filled with soil or decorative material.
- d. The 4-foot setback may contain a planter if the required wheel stop(s) are drilled into the roadway.
- e. The setback may not contain seating or any other objects.

3. Planters & Plants

- a. Planters in setbacks shall measure as low as 30 inches and high as 36 inches in height.
- b. Required planters (required for glued down wheel stops) the planters should be 700 pounds, made of light weight material such as fiberglass/plastic/steel or wood.
- c. The height of any plants contained within planters in setback or planters serving as a parklet platform enclosure shall not exceed 6 inches.
- d. Plant material shall not impede or hinder pedestrian and vehicular visibility.
- e. No plants shall have thorns, spikes, or sharp edges. Poisonous or invasive plants are not permitted.

4. Safety devices

- a. Wheel Stops
 - i. When a parklet is adjacent to active parallel parking spaces, a three-foot wheel stop must be installed. The wheel stop shall measure 3 feet long by 4 inches high. It shall be constructed of concrete or rubber.
 - ii. Affixing Wheel Stops
 1. Drilled-in Wheel stops: A permittee will need USA clearance to anchor a wheel stop into the road.

2. While awaiting USA clearance, a permittee may occupy an otherwise completed parklet without the installed wheel stops provided that the parking spaces adjacent are empty and temporarily unavailable. This, the adjacent parking spot is not available due to the work being performed to construct the parklet.
 3. Epoxied Wheel stops: Wheel stops affixed to the road with epoxy will require planters in the 4-foot buffer space between the parklet and the wheel stop. A planter in this space must weigh at least 700 pounds.
 - iii. The wheel stop shall be placed one foot from the curb at the edge of the front parking space. A wheel stop shall be placed one foot from the curb at the edge of the rear parking space.
 - iv. Wheel stops shall be setback four feet from the parklet structure.
 - v. Parklets extending the length between two in-street tree wells, as on University Avenue, may omit wheel stops.
- b. Reflective Delineators
- i. The parklet shall include installation of Manual of Uniform Traffic Control Devices (MUTCD)¹ approved delineator posts or their approved equal. The delineator posts shall be a minimum height of 42 inches. The delineator posts shall be placed at the beginning and end of the parklet, as well as every 20 feet of the parklet's length. These shall be installed on the street side of the parklet.
 - ii. Delineators shall be white with white reflective bands for use on the right side of a travel lane. Reflective bands shall have yellow reflective bands if used on the left edge of a travel lane.
 - iii. Delineator posts shall be surface-mounted to the roadway via epoxy and/or glue down methods unless approved otherwise.
 - iv. Maintenance of the delineator posts shall be the responsibility of the Permit holder.
 - v. Examples of these devices are illustrated in Figures C and D.
 - vi. Reflective delineators must be installed at the outside corners of the parklet. The channelizers or posts must align with the end of the platform and not encroach on the travel lane.
 - vii. Delineators must be MUTCD approved, 42" high, white with white reflective tape, and anchored to the roadway. They shall be anchored via glue down methods
 - viii. The delineators, posts, or their equal must be placed every 20 feet.

¹ MUTCD: Manual of Uniform Traffic Control Devices



Figure C: Delineator with White Reflectors



Figure D: Delineator Post with Yellow Reflectors.

5. Parklet Enclosure

- a. The edges of the parklet platform shall be enclosed. The method of enclosure can take the form of planters, railing, cabling, or other appropriate enclosure; however, planters are the preferred form of enclosure.
- b. The minimum height of the required enclosure is 36 inches (3 feet).
- c. The enclosure design must ensure visibility to passing traffic and pedestrians and not create a visual barrier.
- d. Continuous opaque walls above 42 inches that block views into the parklet from the surrounding streetscape are not allowed. Effective June 22, 2022, wall height is limited to 36 inches for any new parklet or retrofit to an existing parklet.
- e. The edge treatment shall be substantially secured to the parklet platform.

6. Adjacent Sidewalk: Neither the construction nor operation of the parklet shall interfere with, obstruct, or otherwise diminish the adjacent sidewalk and pedestrian path of travel.

7. Anchoring

- a. The parklet shall be anchored to the City curb.
- b. The anchor shall be installed perpendicular to the curb.
- c. The manner of anchoring shall be through a pre-drilled hole into the curb and a concrete anchor bolt.
- d. Any anchoring proposed into the public street will require USA markings and additional staff review.

8. Accessibility

- a. The parklet shall comply with the Americans with Disabilities Act (ADA).
- b. Compliance with the ADA can include a parklet surface flush with the sidewalk or a parklet that provides an ADA compliant ramp, railing, landing, and associated eating and drinking facilities.
- c. Any seating and dining must comply with the applicable accessibility requirements outlined in the adopted California Building Code.

d. Flush with Sidewalk Parklets:

- i. The surface of the parklet platform must be flush with the adjacent sidewalk with a maximum gap of one quarter inch and one quarter inch vertical tolerance.
- ii. A minimum 4-foot wide accessible path of travel and 5-foot diameter turnaround space must be maintained within the parklet.
- iii. Any abrupt changes in elevation exceeding 4 inches along an accessible path of travel shall be identified by 6-inch tall warning curbs.

e. Depressed or Elevated Parklets:

- i. If a ramp is required for access to the parklet or a portion thereof, it shall comply with all accessibility ramp provisions.

9. Drainage

- a. The parklet shall be designed and constructed to allow the maximum amount of water to flow along the gutter as possible. For all parklets constructed or retrofitted after March 17, 2022, all drainage openings shall be a minimum of 2 inches x 8 inches and covered with ¼ inch screen.

10. Utility Structures Accessibility

- a. No utilities access points shall be covered by the parklet, this includes storm drain catch basins and all telecommunication vaults and manholes.
- b. A minimum of 1-foot clearance must be maintained between the end of a parklet and any storm drainage feature such as catch basins.

11. Platform Structure

- a. Structural
 - i. Parklets shall be constructed with quality materials and shall be of naturally durable wood (redwood, cedar), preservative-treated wood, or other engineered material suitable for exterior conditions.
 - ii. The parklet must support 100 pounds per square foot live load.
 - iii. All fastening hardware and fasteners adjacent to and into preservative-treated wood must be hot-dipped zinc-coated galvanized steel, stainless steel, silicon bronze or copper.
- b. Applicants interested in utilizing roofs, fabric sails or other architectural features which may “catch” wind, must provide proof of wind loads. See the City’s Winterization guidelines: **Preparing Outdoor Areas for Winter Weather**, on the City’s Uplift Local webpage.
- c. Drainage, Ventilation and Rodent Proofing
 - i. The underside of the platform shall be constructed to allow for seasonal drainage.
 - ii. Adequate cross ventilation shall be installed to allow for the surface to dry within 12 –24 hours.
 - iii. Openings under the platform shall be screened with corrosion-resistant material with a maximum one quarter inch mesh.

12. Table and Seating Layout

- a. Parklet tables shall be placed in conformance with the health and safety standards established by Santa Clara County and State of California.

13. Parking Signage

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

- b. The parklet must have, on its roadway facing side, “No Stopping Anytime Signs.” These signs shall meet standards set forth for an R26(S) standard sign and meet size and reflectivity standards as set forth in the MUTCD
- c. Signs shall be affixed to the parklet buffer.
- d. Parklet permit-holders are responsible for the purchase and installation of “No Stopping Anytime Signs.”

14. Bicycle Facilities

- a. Bicycle racks or other bicycle facilities shall not be removed, made unusable, or otherwise disturbed by the construction of a parklet.
- b. Any parklet design that proposes such disruption shall require review by and approval of the Office of Transportation.

Parklet Requirements

- 1. Parklets are prohibited in front of active driveways, on street curves or hills where horizontal or vertical sight-distance is an issue.
- 2. Parklets are permitted on streets with speed limits of 25 mph or less.
- 3. When located near an intersection, parklets must be located at least 25 feet from the rear most boundary of a crosswalk at the nearest intersection or street corner, as shown in Figure E.
 - a. A curb extension (commonly referred to as a “bulb-out”), some other physical barrier that would protect the parklet in a corner location, or other specific site condition may allow the City to consider variations from the 25-foot minimum requirement.
- 4. No portion of a parklet shall block or prohibit full use of accessible curb ramps and infrastructure. (Effective June 22, 2022 for any new parklet or retrofit to existing parklet)



5. Parklets are generally permitted on streets with a running slope (grade) of five percent or less.
6. Parklets can't block public utilities, bus stops, or driveways.
7. Parklets located next to driveways or alleys must be set back two feet from the outside edge of the driveway.
8. Parklets shall be placed no closer than 50 feet from a bus stop loading zone.
9. Parklets shall be placed no closer than 15 feet from fire hydrants.
10. Parklets shall be placed no closer than 1 foot from catch basin. Parklet construction and design must allow access to the catch basin and shall not obstruct catch basin.
11. Parklets cannot be installed in existing travel lane at any time.
12. Umbrella Standards
 - a. Cannot extend past the buffer areas surrounding the parklet.
 - b. Umbrellas or other shade structures cannot extend into the street-facing buffer.
 - c. Must be placed on the parklet platform, not on the sidewalk, roadway, or in the buffer areas.
 - d. Umbrellas must be sufficiently weighted or secured to prevent being blown over or into the street or sidewalk.
13. Heater Standards
 - a. Heaters must be placed at least 5 feet away from any combustible materials.
 - b. All canopies and coverings must be Fire Resistant Rated.
 - c. A fire extinguisher shall be kept on site at all times.
 - d. Propane qualifies as a hazardous material, storage of propane tanks shall be outdoors and in an approved storage cage.


14. Lighting

- a. Outdoor lights are allowed if parklet permit holders can connect lighting to a source of power provided by the permit holder.
- b. Lights and any associated equipment, such as extension cords, must be rated for exterior use.
- c. Lights should be LED.
- d. No cords can extend under the floorboards or under any carpeting or other floor covering.
- e. For more information on lighting, see the City's Winterization guidelines: **Preparing Outdoor Areas for Winter Weather**, on the City's Uplift Local webpage.

Best Practices

- A. The City of Palo Alto hopes that parklets enliven the streets of Palo Alto. The temporary parklet program allows the residents of Palo Alto to more safely enjoy local establishments in an environment that decreases the risk of spreading COVID-19. The parklets also provide an amenity for businesses that may help them continue operations.
- B. The City encourages neighboring businesses to work together, reach agreements, and otherwise cooperate when it comes to the installation of parklets. That said, parklets may not be constructed in front of other businesses that oppose the parklet.
- C. If two establishments eligible to install parklets are neighboring or are located in such close proximity that they may share the same parklet area, the City requires that the establishments share the parklet space. If one or more establishments are not interested in collaborating to develop and operate a shared parklet, the City requires the applicant provide written acknowledgement from the non-participating party pursuant to these regulations.

These guidelines are hereby approved.

DocuSigned by:

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Director of Public Works

Date: December 12, 2022