City of Palo Alto
Temporary Outdoor Gyms and Personal Services Guidelines

Under Council’s June 23, 2020 Urgency Interim Ordinance, the City of Palo Alto allows local businesses to temporarily (until December 31, 2020) create outdoor gym and personal services areas. The expansion and services provided therein must comply and be consistent with the Santa Clara County Shelter-in-Place Order that took effect June 5, 2020 and State Order effective July 13, 2020. Permit holders must also comply with any updates to this Order or other directives issued by the County Health Officer.

General Guidelines
1. Gym or personal service business owners and operators shall read and comply with the current Emergency Orders issued by the State of California and County of Santa Clara Health Officer in effect. For guidance specific to gyms and personal services businesses as of July 13, 2020, see:
   - Mandatory Directive for Gyms and Fitness Facilities
   - Mandatory Directive for Personal care services

Generally Applicable Guidelines
2. Outdoor gym and personal services areas shall comply with accessibility (ADA) requirements while providing services. A minimum four-foot (4’-0”) wide path of travel shall be maintained along all pedestrian walkways from the parking lot and/or public right-of-way to all public building entrances.
3. Equipment, mats, chairs, umbrellas, or other temporary objects shall be located to not obstruct the entrance to any building or fire safety equipment, impede the flow of pedestrian or vehicle traffic, or create a hazardous condition (such as a tripping hazard).
4. Outdoor storage or preparation of food or beverages is not permitted.
5. Access to indoor restroom must be provided; portable toilets are not permitted.
6. Operating hours for outdoor gyms and personal services areas shall be consistent with but no greater than the indoor operating hours. A gym or salon within 50 feet of a residential use must possess or obtain a Conditional Use Permit to enable late night hours; otherwise outdoor gyms/personal services shall not begin prior to 6 am or end after 10 pm (per PAMC 18.23.040).
7. Entertainment events and all forms of amplified sound are not allowed in conjunction with temporary outdoor businesses.
8. Business operators shall maintain the cleanliness and appearance of all outdoor service or gym areas. Except for any tents, furniture or display racks, all loose items and products shall be brought inside the business tenant space at close of business to diminish vandalism or clutter. Appropriate waste collection containers shall be provided, and all areas shall be regularly cleaned pursuant to the current County Public Health Officer Order, as amended. It is the responsibility of the tenant to implement this requirement on a regular basis.
9. Each business may post one sign with a maximum area of four (4) square feet in the temporary outdoor gym/personal services area. No advertising shall be allowed except the business name and logo. No architectural review is required, but a plan for signage with City rights of way must be submitted with an encroachment permit.
10. Any fabric awnings or coverings should be fire retardant and comply with applicable Fire Codes. The use of tents, temporary shelters, or coverings for outdoor gym or personal services shall require review and approval by the Palo Alto Fire Department in accordance with current regulations and fees.
11. Heating devices, such as propane heaters, may be utilized for day or night time operations. Storage of propane canisters shall be in conformance with required Fire Codes.

**Public Sidewalks, Streets, and Rights of Way**

1. Gym/service areas on public property (City sidewalk area, public streets) require approval of an Encroachment Permit issues by Public Works.
2. Lighting is allowed. For services in City rights of way, no extension cords may be placed across public sidewalks or streets (however, lights and extension cords rated for exterior use may be allowed if business owner can connect lighting to a source of power they provide).
3. No furniture, fixture, or equipment shall be permanently affixed to a City sidewalk or street (see Parklet Standards for ways to affix parklets to City sidewalks and streets).

**Public Property (Sidewalks, Streets) Encroachment Permits** – An Encroachment Permit is required prior to placing equipment, mats, chairs or salon stations on public property. The application can be found here. These applications will be reviewed and, if approved, issued by the Department of Public Works. For parklet proposals, please email pwecips@cityofpalalto.org to apply for an Encroachment Permit.

*General Guidelines for Public Parking Lot Use*

1. Applicants shall provide a layout of the proposed parking spaces to be repurposed that shows the location of all barriers, reflective delineator posts, pedestrian and emergency access gaps, and existing wheel stops, parking striping, and other relevant features.
2. In some situations, applicant may be required to notify adjacent businesses of proposed exclusive use of public parking spaces. Communication coordination with neighboring businesses is expected – please include emails among these businesses with the form sent to outdoor.business@cityofpalalto.org.
3. Applicants must install substantial safety barriers such as temporary walls, concrete or water-filled K-rails or “Jersey Barriers”, landscape planters, or other approved continuous barrier shall be to protect outdoor activity areas from vehicles and distinguish these areas from active parking spaces. Applicants are required to provide 4-foot emergency access gap every 20 feet in addition to any pedestrian access entry points. Barriers should be placed 1.5 to 2 feet inside the parking space striping to allow for door opening by adjacent parking spots. Barriers may not encroach upon the drive aisle.
4. Reflective Delineators:
   (a) Applicants must install reflective delineator posts or their equal that are compliant with the Manual of Uniform Traffic Control Devices (MUTCD). The delineator posts shall be a minimum height of 42 inches.
   (b) The delineator posts shall be placed at the beginning and end of the repurposed parking spaces, as well as every 20 feet of the barrier’s length. The posts must not encroach on the drive aisle.
   (c) Delineator posts shall be surface-mounted to the parking lot via epoxy and/or glue down methods unless approved otherwise.
   (d) Delineators shall be white with white reflective bands for use on the right side of a drive aisle. Reflective bands shall be yellow if used on the left edge of a drive aisle.
   (e) Maintenance of the delineator posts shall be the responsibility of the Permit holder.
   (f) Examples of these devices are illustrated in Figures A and B (on the following page).

   ![Figure A: White delineator post with white reflector. Figure B: White delineator post with yellow reflector.](image)

5. 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 lightweight 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”.
   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.

* **Note**: Some of the above guidelines are applicable to private property /private lots

**Private Property & Private Parking Lots**
1. Planters & Plants (see #5 above for public property and lots – also applicable to private property)
2. A business may expand into common areas and standard parking spaces of the private property on which the business is located - with some restrictions - to establish temporary outdoor gym/services.
3. The business owner or operator shall obtain written authorization from the property owner for the use of private sidewalks or other areas for outdoor gyms/personal services. In general, outdoor gyms/salons may be located on sidewalks or patio areas immediately adjacent to the front of the business. Gym or salon area on public rights-of-way/City sidewalk area requires approval of an Encroachment Permit.
4. Tenants in shopping centers with multiple restaurants shall work with management and other tenants to equitably allocate the available sidewalks and patios for temporary outdoor gyms/salons.
5. Removable barriers, such as stanchions, retractable belts, plants, or screens no more than three feet (3’-0”) in height, may be used to separate outdoor gyms/services areas from the pedestrian path of travel.
For gym/salon stations on public sidewalks and streets, additional safety measures may be required to receive approval of an Encroachment Permit (see Parklet Standards).

6. Up to 50% of non-ADA parking spaces may be considered for temporary outdoor businesses. Use of more than 50% of non-ADA spaces may be allowed for parking lots with less than 10 parking spaces but will require additional review time. Proposals that do not block, alter, or encroach upon parking lot drive aisles will receive streamlined review.

7. Lighting is allowed for night time operations. Such lighting shall not disrupt surrounding properties or create vehicle or pedestrian circulation issues. For private property dining, any extension cords used to provide power to the expanded area shall be securely fastened to the ground to avoid tripping hazards or impeding accessibility. Any extension cord used for lighting should also be “rated for outdoor use”.

8. Applicants shall install substantial safety barriers (same guidance as for public parking lot use #3; i.e. temporary walls, concrete or water-filled K-rails or “Jersey Barriers”, landscape planters, or other approved continuous barrier with emergency access gaps as noted in #3, to protect outdoor gym/services areas from vehicles and distinguish these areas from active parking spaces.

Application and Registration

Private Property - Prior to setting up equipment for temporary outdoor businesses on private property, business owners shall submit a completed registration form (application) for review and approval by the City of Palo Alto Planning and Development Services Department. No fee will be charged for this review, and same-day approval is anticipated for most applications. The application form is available HERE. Please email the completed form to outdoor.business@cityofpaloalto.org. Staff will contact applicants if additional information is needed. A complete application will include the following:

a. A detailed description of the proposed outdoor gym/services area and operations. Please read the application form carefully for details and provide all requested information. Incomplete forms will be returned to the applicant. As directed on the form, please describe the size, layout, and general location of the proposed outdoor gym/services area. Please see form for details.

b. The business owner or manager shall obtain and verify authorization from the property owner for the creation of expansion of any outdoor gym/services area. Tenants within the same shopping center may agree to share available sidewalks or plazas in front of multiple businesses.

c. Planning staff will review applications for registration of Temporary Outdoor Gyms/Personal Services areas in the order that they are received. Staff will send an email to confirm approval or request additional information. The business owner and property owner will receive copies of the confirmation email.

Questions? Email outdoor.business@cityofpaloalto.org

Notes:

I. Outdoor gyms/personal services as described in these Guidelines is a temporary program subject to immediate termination if (1) required by orders of the State, County or City, or (2) the Shelter-in-Place orders are lifted. If the County Public Health Officer Order allowing outdoor gyms/services is rescinded or the City of Palo Alto determines that these Guidelines no longer apply, the City will notify the property owner and tenant that the expansion area shall be returned to its pre-existing purpose. The area shall be returned to its pre-existing condition within 30 days of such notice.

II. The City has the right to make changes and require additional measures in field, if the proposed measures are found to be inadequate and additional measures are needed to address safety and traffic circulation concerns.