



## **City of San Bruno San Mateo Avenue Parklet Regulations and Permit Program**

### ***Draft for City Council Review at the January 24, 2023 Meeting***

The City of San Bruno has developed these Parklet Standards to regulate parklet installations. Parklets serve to provide outdoor dining in the public right-of-way. Due to the unique circumstances of each proposed parklet location, these are guidelines and specific elements may not be required in all cases. Similarly, there may be instances where additional design interventions not covered in these standards are required. Parklet approval is ultimately subject to the discretion of the Public Works Director or designee.

All parklets require an approved Parklet Permit reviewed and issued by the Public Works Department.

- As a condition of approval of an approved Parklet Permit, an Encroachment Permit would be issued for the construction of the parklet parklet improvement pursuant to Municipal Code Section 8.04.040.A and Chapter 8.16 and a Revocable Encroachment Permit to allow for the parklet to remain in the public right-of-way. Depending on the construction design proposed, a Building Permit may also need to be issued, subject to the requirements of the California Building Code and Fire Code.
- Permit applications and all required materials and fees, including plans must be submitted to the City's Engineering Section within the Public Works Department and approved by the Public Works Director or designee prior to any permits being issued.
- The Revocable Encroachment Permit will be required to be entered into by the applicant/owner prior to issuance of the Encroachment and Building Permits to construct the parklet. All general and special conditions of the Encroachment Permit to construct within the public right-of-way will be applicable, including 8.16.030 requiring provision of certain security to allow issuance of encroachment permit. Parklet permits would be approved subject to the discretion of the Public Works Director or designee.

Parklets are also subject to a Parklet Permit Annual Use of Space Fee. This an annual rental fee be charged for the temporary private use of the City public parking space, as well as to cover the cost of annual City inspections for condition and safety. This fee must be paid in full for the first year prior to any permits being issued.

## **Parklet Standards**

### I. Location and Setback Criteria

#### A. General Criteria

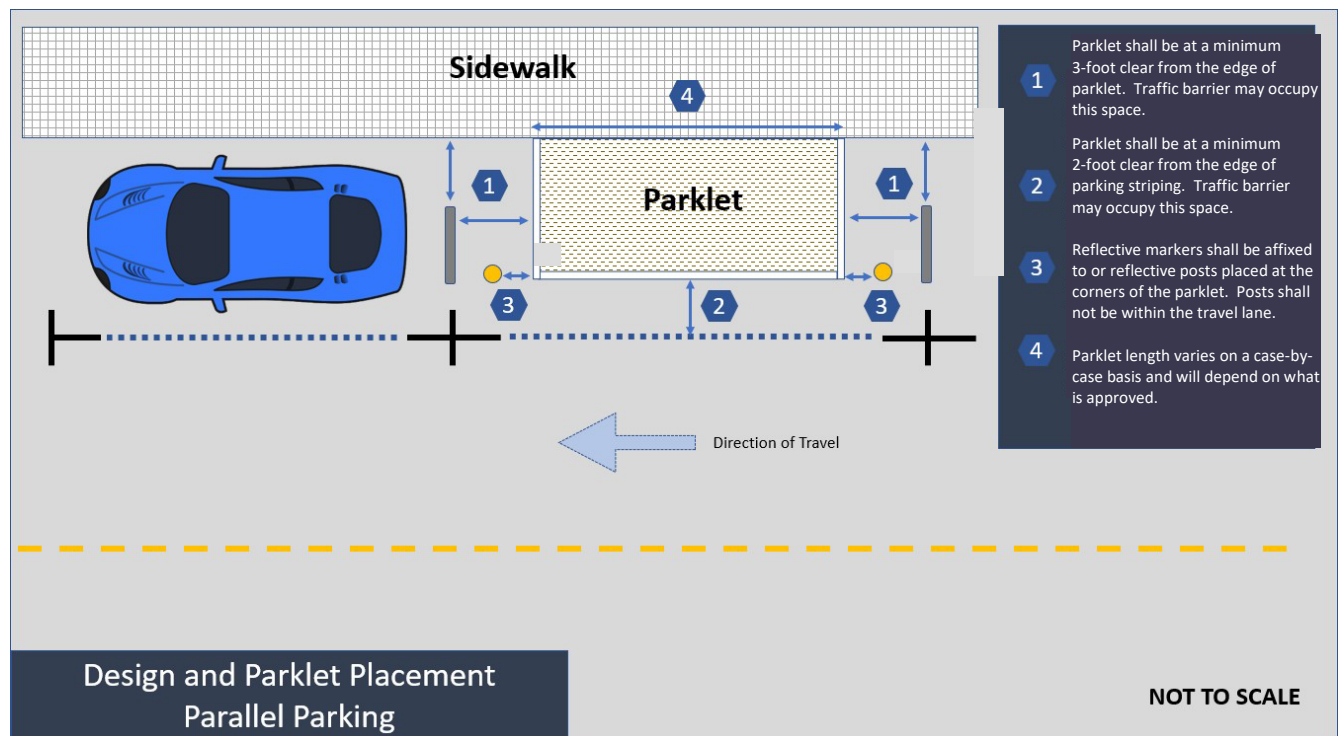
- **General siting** - Parklets are sited along the curbside on San Mateo Avenue directly in front of the associated restaurant where on-street parking spaces exist.
- **Downtown location only** - Parklets are only permitted to be located along the curbside on San Mateo Avenue within the Downtown (Central Business District) where on-street parallel parking spaces exist. These locations are shown in Exhibit A: Permitted Locations.
- **Maximum total number in Downtown and per block** - These shall be no more than five parklets permitted. There shall be no more than two parklets in any one (1) block.

#### B. Location Criteria

- **Parallel parking spaces** – Parklets must be the length of one or two parking spaces located directly in front of the associated restaurant, although the City will consider larger parklets depending on site conditions. A 3-foot inner buffer is required when adjacent to another parallel parking space. A 2-foot buffer is required when adjacent to a driveway.
- **Corner locations** - Parklets should be setback from intersection crosswalks. Setbacks shall be 20- feet for non-signalized intersections and 30-feet from signalized intersections. Parklets that cannot meet these setback requirements may be considered on a case-by-case basis.
- **Fronting driveways** - Parklets may be installed in front of a driveway if the applicant owns the property served by the driveway or obtains written permission from the property owner. If the driveway has been abandoned or no longer provides access to off-street parking, the driveway may be levelled as part of the parklet project.

#### C. Parklet Setbacks

- **Travel Lane Setback** – Parklets shall have a 2-foot minimum setback from the travel lane measured from the parking striping adjacent to the travel lane (see Design and Parklet Placement diagram below for more information).
- **Side Setback** - Parklets shall have a 3-foot minimum side setback to the nearest parking space (see Design and Parklet Placement diagram below for more information).



#### D. Other Location Criteria

- **Utilities** - Parklets may not be constructed over utility access panels, manhole covers, storm drains, or fire hydrant shut-off valves. Be sure to take a thorough inventory of utility access covers in your proposed parklet area by checking under parked cars. Parklet sponsors must provide for access to any City or public utility company that may have underground pipelines and conduits beneath the constructed parklet. Access to utilities may require that a parklet sponsor temporarily remove all or a portion of the constructed parklet.
- **Parklet Width** – Parklets must stay within the designated parking stall area and must allow for a minimum 11-foot vehicular travel lane.
- **Fire Hydrants** - Fire Hydrants shall not be blocked. Clearance of 15-foot around the hydrant (15 foot each side) shall be maintained.
- **Fire Department Connections (FDC's)** – To maintain access for FDC's, 5-foot-wide openings should be provided between every 2 adjacent parklets or alternative means approved by the Fire Marshal.

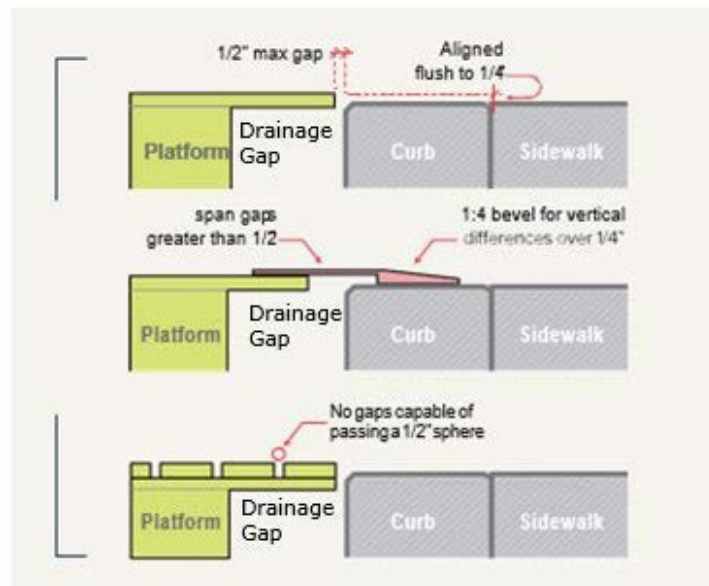
## II. Parklet Design Elements

Parklets elements include:

- A) A **platform** that allows the parklet to serve as an extension of the sidewalks.
- B) **Railings** that demarcate the exterior of the parklet from the street and surrounding parking spaces.
- C) **Traffic safety protections** to reduce the potential for auto-related damage. Installation of concrete K-Rails may be required.
- D) **Furnishings and fixtures.**
- E) **Aesthetic design consideration.**

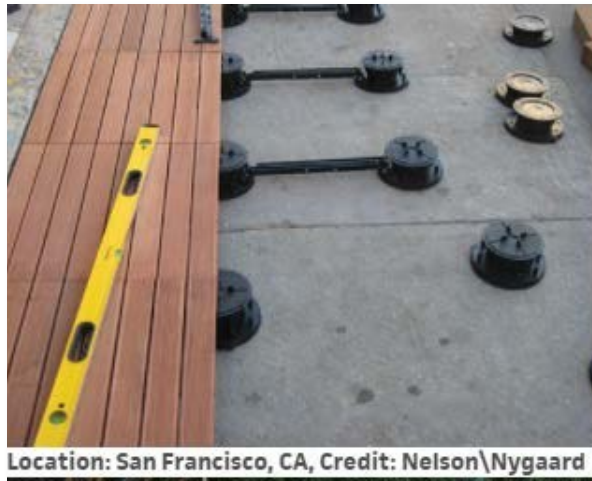
### A. Platform Design Criteria

- Platforms must be constructed from durable materials that can withstand wear and tear of elements.
- All structures must allow for access to public utilities for maintenance and repairs (e.g. provide access panels, removable pavers, etc.).
- The platform must be flush and even with sidewalk and must not leave a gap greater than 1/2 inch, nor a vertical separation greater than 1/4 inch.
- Drainage - Platforms should allow for curbside drainage flow. A 6-inch height by 12-inch width minimum clear gutter space must be provided along the entire length of the proposed platform. Openings at either end of the parklet may be covered with screens to prevent debris buildup beneath the platform and in the gutter. It is the responsibility of the parklet permittee to clean the cover or screen to prevent any backup of storm water. All parklets must provide access through the parklet platform or threshold to the gutter adjacent to the curb.



Source: San Francisco Parklet Manual

- At no time may fixtures be bolted or affixed in any way to the roadway or any structure (including but not limited to buildings, fire hydrants, street trees, streetlight, parking meters, or traffic poles, etc.).
- Pouring concrete for parklet platforms is not allowed. You may use concrete pavers on a platform structure instead.
- Surface materials must be textured or treated with a non-skid coating to ensure a safe walking surface. Loose particles, such as sand or loose stone, are not permitted.
- Maintenance access - Parklets must be designed to provide access under the platform to allow for maintenance (i.e., repairs or clearing debris). If the platform base is not a solid mass, access can be provided through access panels, removable pavers, or other means.
- Sub-structure - Designs for the sub-structure of a parklet vary and depend on the slope of the street and overall design for the structure. The sub-structure must accommodate the crown of the road and provide a level surface for the parklet. "Bison pedestals" spaced under the surface and of different heights are a common application. Another method is to provide steel sub-structure and angled beams.



- ADA Accessibility - All accessibility elements of the proposed platform shall be designed, constructed and/or conform to the applicable provisions, rules, regulations, and guidelines of the: California Building Code and Americans with Disabilities Act 2010 Standards accessibility requirements (ADAAG).
  - Accessible Platform Surface: The portion of the parklet platform connected by the accessible path of travel to the wheelchair turning space and wheelchair resting space must be level. The accessible platform surface maximum cross slope (perpendicular to the sidewalk or curb) and running slope (parallel to the curb) cannot exceed 2%.
  - Accessible entry: Shall be a minimum of 48 inches wide.
  - Accessible path of travel: It must connect the sidewalk to the accessible entry, platform surface, wheelchair turning space and wheelchair resting space.
  - Wheelchair turning space: Shall be 60 inches in diameter and located entirely within the platform; a 12-inch maximum overlap on the curb and sidewalk is acceptable.
  - Wheelchair landing: A 30- by 48-inch clear floor area. It's permitted to overlap with the Wheelchair Turning Space by 24 inches maximum in any orientation.

## **B. Parklet Railings**

The parklet railing marks the boundary between the parklet and the street or sidewalk. It should serve as a safe edge while also being visually appealing, permeable, and inviting. The following standards and guidelines should inform your design.

- Stable and sturdy enough not to fall over or be pushed over.

- Edge Buffers: the parklet should have an edge as a buffer from the street. This can take the form of planters, railing, cabling, or some other appropriate barrier.
- Openings in rails must prevent passage of 4-inch sphere.
- Height: The height should not exceed 36 inches from the parklet platform floor to the top of the railing. If you wish to install wind barriers taller than 36 inches, the use of transparent materials like Acrylite, Plexiglass, plastic films, etc. is required. If transparent materials are used, the height of the railing, including the transparent materials, should not extend more than 6 feet from the floor platform.
- Visibility: The barrier should not block the view of conflicting movements of traffic, including pedestrian traffic, nor block the view of traffic control devices such as traffic signs, traffic signals, and other traffic warning devices.
- All railings/barriers must have reflectors on them such that they are visible at night.
- Roofs, trellises, and shade structures are allowed.

#### C. Traffic Protections

- Traffic barriers – parklets shall utilize concrete Jersey barrier (o K-rail) on sides adjacent to vehicular traffic. Other Caltrans recognized traffic safety barriers may be considered, though, water-filled Jersey barriers will not be allowed.
- Posts or Bollards -- Parklets shall have vertical elements that make them visible to traffic, such as flexible posts or bollards. One possible measure are safe hits posts, as shown in the picture. These vertical elements shall be placed at the corner of the parklet on both sides of the parklet not within to the travel lane. Structural bollards may be required if deemed necessary by the City.
- Travel Lane Clearance -- Parklets shall be at a minimum 2-foot clear from the edge of the travel lane (measured from the parking striping adjacent to the travel lane) to ensure safe separation from traffic. The traffic barrier may occupy this space.



Location: San Francisco, CA, Credit: Nelson\Nygaard



#### **D. Furnishings and Fixtures**

- Portable Heaters – Maintain required clearances in accordance with the instruction manual (Usually 18” but can be up to 3 feet). Heaters are not allowed under a tent or membrane structure including fabric overhangs, umbrellas, or a roof/ trellis structure but can be placed near them if clearances are maintained. All heating equipment shall comply with the California Fire Code.
- Umbrellas - Umbrellas are allowed provided there are not heating devices under them. All umbrellas shall be taken down and stored indoors at the close of each business day. The umbrellas must be kept in good shape, maintained, and replaced if fading occurs or if damaged.
- Heating devices may be placed near the umbrellas provided they are given adequate clearance per the appliance instructions.
- Candles and open flames are not allowed in Parklets.
- Electrical connections – All wiring and electrical cords must be all weather, exterior rated, GFCI protected. Cords must not create tripping hazards on the sidewalk. If the cords cross above the sidewalk, they must provide a minimum clearance of 10 feet above the sidewalk and the platform of the parklet. The use of Adapters is prohibited.
- Lighting – Lighting is encouraged and may be provided through electrical connections to the building (see above). Solar powered lighting is strongly encouraged. Lighting shall not be directed towards the roadway to unintentionally cause glare for vehicles.
- Generators are not allowed in association with parklets.
- Signage – Unilluminated signs are allowed provided the sign area does not exceed 6 square feet. Sign copy is limited to business identification, except that if the parklet is meant to serve the general public, signage should reflect such. If the parklet is meant to serve as restaurant seating, signage should correlate in design with the signage on the primary building.

#### **E. Aesthetic Design Consideration**

- San Mateo Avenue Streetscape Plan – The parklet design should maintain aesthetic design consistency with the San Mateo Avenue Streetscape Plan.
- Traffic barriers shall be screened utilizing aesthetically pleasing treatment and materials such as wood or metal.



### III. Permit Requirements

#### A. Permit Submittal Requirements

Parklets will be authorized by a Revocable Encroachment Permit. Permit applications must be submitted and the Permit approved and entered into prior to the issuance of an Encroachment Permit allowing for the construction of any parklet. All requirements of the Encroachment Permit to construct within the public right-of-way will be applicable. A building permit reviewed and issued by the Building Division may also be required, subject to the requirements of the California Building Code and Fire Code.

The following submittals are required for the Revocable Outdoor Dining Permit at a minimum. Additional requirements will be included in the application.

- A letter of authorization by the restaurant business property owner.
- Plans showing the proposed layout of the parklet including the parklet dimensions, location, adjacent businesses, parking meters if applicable, etc.
- Plans demonstrating ADA accessibility and show dimensions of required clearances.
- Elevations showing the proposed platform, drainage, railings, signage and all related dimensions.
- Materials palette – Use color photo samples to demonstrate:
  - Materials and plants to be used on platform
  - Railing materials
  - Platform materials
- Application and permit fees and deposits (pertinent one-time and annual)

#### B. Failure to Maintain

Parklet sponsors are required to maintain, at their expense, parklets in clean, safe, and accessible manner. Parklet sponsors who fail to properly and sufficiently maintain the cleanliness, safety, and accessibility of their parklet may be subject to notices of violation and fines. If maintenance issues are not resolved, parklet sponsors may be required by the City to remove the parklet at their own expense. Violation of permit terms or parklet requirements shall constitute a violation of the Code.

#### C. Public Safety Emergencies

Because parklets may sit atop buried utilities, there may be instances where your parklet will need to be removed with little or no notice. In the unlikely event of a utility failure such as a water leak that threatens public safety, or any other emergency situation, the City or utility owner may remove parklets with little or no notice. Parklet sponsors are responsible for the cost of re-installing and restoring any damage to the parklet.

#### D. Parklet Removal

If for some reason the parklet sponsor decides they no longer want to maintain a parklet, the parklet sponsor is responsible for notifying the Public Works Department and

removing it at the parklet sponsors' own expense. Immediately upon removal the parklet area shall be cleaned and restored to its previous condition to the satisfaction of the City.

**E. Reservation of Authority**

The director of public works may impose any reasonable terms and conditions upon the issuance of an encroachment permit as deemed necessary. All permits are revocable, subject to 10 days' notice unless emergency circumstances exists in which case no notice is required. The City reserves every right and power it has under any local, state, or federal law, including the City's authority to make any proper public use of the public right-of-way.