

City of Millbrae

PARKLET PROGRAM GUIDELINES



November 2023



Introduction

A parklet is the temporary use of space in the dedicated public right-of-way for public uses such as seating and outdoor dining. In place of car parking, a platform is built to extend the grade of the sidewalk into the street. A parklet encroachment permit will allow business owners the temporary use of public streets, sidewalks, or other public rights-of-ways.

The City has developed a Parklet Program that allows for parklet installations in select commercial areas of the City.

These Parklet Program Guidelines outline the requirements for parklet installations. Due to the unique circumstances of each proposed parklet location, these guidelines and specific elements may not be required in all cases. Similarly, there may be instances where City staff require additional design elements not covered in these guidelines. The City will review the parklet permit applications, approving parklets that meet the design requirements and traffic safety standards as established by the Millbrae Municipal Code.

All parklet installations require a [**Parklet Encroachment Permit**](#) from the City. Plans must be submitted by the business applicant and permits must be issued by the City prior to construction. The parklets will be subject to a permit application fee, as defined in the City Fee Schedule, and will be required to pay for the loss of any parking meter revenue for the occupied parking stalls if the City installs parking meters in the parklet area(s).

Location and Setback Criteria

Parklets are generally allowed in commercial and mixed-use districts along the curbside on public streets where on-street parking spaces exist including the El Camino Real frontage road. However, parklets are not allowed along El Camino Real because it is a state- controlled roadway and is not under the City's jurisdiction.

Parklets may be considered in commercial and mixed-use districts where there are or would be space(s) for on-street parallel, angled, or perpendicular parking. Parklets are not allowed in ADA/accessible parking spaces or red curb zones. Parklets proposed in loading zones and in 20-minute parking spaces will be considered on a case-by-case basis depending on the availability of nearby parking spaces and loading zones.

A. Location Criteria

- **Adjacency to Storefront** – Parklets may only be installed along the frontage of the storefront that is applying for the parklet. Parklets are not allowed to use the frontage of adjacent storefronts to expand their territory. However, minor encroachments on adjacent storefront frontages may be allowed depending on the dimensions of the parking stalls being used for the parklet installation and with the written consent of the adjacent storefront business owner. Parklets shared with adjacent businesses will be considered on a case-by-case basis. The shared parklet area cannot exceed the frontage for the combined businesses.
- **Maximum Parking Stalls** – A maximum of two parallel parking spaces or four perpendicular or angled parking spaces may be used for each parklet.
- **Parallel parking spaces** – Parklets located in parallel parking spaces may be the length of one or two parallel parking spaces.
- **Perpendicular and angled parking spaces** – Parklets located in perpendicular or angled parking spaces may utilize a maximum of two to four combined parking spaces. The edge of the parklet must be set back two feet from the adjacent parking space on either side.
- **Corner locations** – Parklets located adjacent to intersection crosswalks must provide 25-foot setbacks from the nearest crosswalk. Parklets that cannot meet these setback requirements may be considered on a case-by-case basis based on adequate sight distance and safety as determined by the Director of Public Works. In addition, storefronts located at corner locations may only have one parklet.

B. Parklet Setbacks

- **Travel Lane Setback** – Parklets must have a one-foot minimum setback from the travel lane measured from the parking striping adjacent to the travel lane.
- **Side Setback** – Parklets must have a two-foot minimum side setback to the nearest parking space.

C. Other Location Criteria

- **Utilities** – Parklets may not obstruct fire hydrants. If a parklet is constructed

over utility access panels or manholes, it should be noted on the plans. If there is maintenance need or emergency, any parklets covering utilities or other infrastructure within the public right of way, will be required to be removed and restored at the parklet owner's expense. A minimum clearance of four feet from storm inlets/catch basins are required to allow for maintenance access. Parklets proposed under overhead utility lines will be required to meet the minimum distance requirements and any other requirements as established by the California Public Utilities Commission (CPUC). Parklets that block the outlet of a sidewalk underdrain will be required to ensure the outlet is functional and flowing. Parklet applicants must provide for access by any City, public utility company, or other entity that may have underground conduits beneath the constructed parklet.

- **Bike Lanes** – Parklets cannot obstruct a bicycle lane or path.
- **Path of Travel** – a minimum of 48" inches width for a path of travel (122 CM) is required to be maintained on sidewalks as required by the California Building Code.
- **Fire Hydrants** – Fire Hydrants must not be blocked or otherwise impeded by a parklet. A 15-foot clearance from the fire hydrant (7.5- foot on each side) along the curb must be maintained. A 3-foot circumference buffer around the fire hydrant on all sides must also be maintained.
- **Fire Department Connections (FDCs)** – To maintain access to the building's sprinkler system FDCs, 5-foot wide openings must be provided between every two adjacent parklets.

Parklet Design Elements

General design criteria:

- Parklet plans are recommended to be designed by a licensed architect or licensed civil engineer. The plans should be drawn to scale and include material details.
- Parklets are intended to be aesthetic improvements to the streetscape, and materials will be required to be high quality, durable, and attractive.
- City staff will review the design and provide comments during the review of the application.

Parklets generally consist of the following key elements:

- A) **Platform** that allows the parklet to serve as an extension of the sidewalks.
- B) **Railings or enclosures** 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.
- D) **Furnishings and fixtures.**

A. Platform Design Criteria

Platform materials, maintenance, access, drainage, and other installation criteria will be reviewed by the Department of Public Works, Fire Department, and Building Division for consistency with applicable codes and City standards.

- **ADA Accessibility** – All accessibility elements of the proposed platform must be designed, constructed and/or conform to the applicable provisions, rules, regulations and guidelines of the California Building Code and Americans with Disabilities Act.

B. Parklet Railings/Enclosures

The parklet railing/enclosure 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. Railing must be designed as follows: 1) to resist a single concentrated load of 200lb applied at any direction on the top rail. 2) to resist a load of 50lb/ft applied in any direction along the top rail and to transfer this load through the supports to the floor connection.
- Openings in rails must prevent the passage of a four-inch sphere.
- Edge Buffers: the parklet must have an edge as a buffer from the street. This can take the form of planters, railing, cabling, or some other appropriate enclosure.
- Height: The height must not exceed 36 inches from the parklet platform floor to the top of the railing.
 - Wind barriers taller than 36 inches, must use transparent materials

like acrylic, plexiglass, plastic films, etc. is required.

- If transparent wind barrier materials are used, the height of the railing, including the transparent materials and any top rail, may not extend more than six feet from the floor platform.
- Any vertical posts securing the transparent wind barriers must have a minimum spacing of six feet apart on center to allow for adequate sight distance.
- Visibility: The enclosure may 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/enclosures must have retro-reflective reflectors or retro-reflective tape on the corners of the parklet facing the travel lane such that they are visible by vehicle traffic at night.
- No advertising and no political ads or signage will be allowed within or on a parklet.

C. Traffic Protections

Parklets are required to provide the traffic protections outlined in this section of the guidelines.

- **Wheel Stops** – To help protect against moving traffic and parking cars, parklets in parallel parking spaces must be buffered using a wheel stop at a distance of at least four-feet from the parklet and two-feet from a parking stall. Parklets located in angled and perpendicular parking spaces do not require a wheel stop unless otherwise specified during the application review process. Applicants are required to repair any damages to the roadway caused by the installation of the parklet or wheel stops if later removed. Any repairs must be performed under a separate encroachment permit and in accordance with applicable City standards for roadway construction.

Wheel stops may be purchased from any vendor but must meet these specifications:

- At least three feet long
- Black rubber with yellow stripes
- Mounted with bolts
- Installed four feet from outside ends of parklet which occupies parallel parking spaces
- Installed three feet from the curb

- **Travel Lane Clearance** – Parklets must provide a minimum one-foot clearance from the edge of the travel lane (measured from the parking striping adjacent to the travel lane) to ensure safe separation from traffic.

D. Furnishings and Fixtures

All furnishings and fixtures must be designed to be weighted down for wind protection. Items may need to be stored inside the business during periods of high winds. The use of weights must be used in a manner that does not create tripping hazards for pedestrians.

- **Portable Heaters** – Space heaters are permitted if they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material. Propane heaters are not allowed under covered parklets, umbrellas or canopies but may be placed near them if specific clearances are maintained.
- **Umbrellas** – Umbrellas must be manufactured of fire-resistant material. No portion of an umbrella may be less than eighty (80) inches above the parklet platform.
- **Electrical connections** – All wiring and electrical cords must be exterior rated, GFCI protected, and UL listed. 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. Businesses are not allowed to use existing City electrical connections such as twinkle light outlets or streetlight poles. Portable generators are not allowed to provide electricity to parklets.
- **Lighting** – Lighting is encouraged and may be provided through electrical connections to the building. Solar powered lighting is strongly encouraged. Lighting may not be directed towards the roadway or otherwise cause glare for vehicles. Light strings may be hung but must allow for a minimum clearance of 10 feet above the sidewalk and the platform of the parklet.
- **Decorations** – Combustible decorative material (such as curtains, paper

streamers) is prohibited in or on the parklet.

- **Tents** – Tent structures must meet fire-resistance fabric requirements in accordance with the California State Fire Marshal's Regulations. Proof of fire-resistance certification is required for all tent structures.

Operational Standards

- **No Outdoor Food Preparation** – Outdoor food preparation is not permitted. No heating, cooking or open flames are permitted in a parklet. Hotpots, barbecues or other heating of food in the public right of way or parklet is not allowed.
- **No Open Flames** – Candles and open flames are not allowed on the parklets.
- **Alcohol Service** – Restaurants and food establishments licensed by the State of California will be permitted to sell and allow on-premise consumption of alcoholic beverages within the parklet. Alcohol service is only allowed under full-service conditions and alcoholic beverages consumed in parklets are not allowed to be provided in to-go containers. Establishments that serve alcoholic beverages in the parklet area are required to meet all requirements of the California Department of Alcoholic Beverage Control and any other federal, state, or City laws and regulations governing the sale and consumption of alcoholic beverages.
- **Site Maintenance** – Parklets must be maintained free of litter, refuse and debris. The area must be scrubbed and mopped to remove any food or drink stains on a daily basis by the permittee.
- **ADA Compliance** – Parklet seating areas must comply with all requirements of the Americans with Disabilities Act (ADA) and California Building Code accessibility requirements and provide sufficient clearance and walkway space to allow safe access and egress. An accessible route from the parklet to the restroom must be provided.
- **Hours of Operation** – The parklet must adhere to the same approved hours of operation as the associated business. Hours of operation will be identified on the parklet encroachment permit.
- **Occupant Load** – Maximum occupant load within the parklet must be calculated by dividing the total square footage by the square footage factor of 15. The number of seats cannot be greater than the maximum occupant load.

- **Safety Inspections** – The City will be making periodic safety inspections and reserves the right to require adjustments or removal of any parklet elements, if deemed unsafe.

Permit Requirements

A. Permit Submittal requirements

Prior to submitting a parklet application and paying the fee for the permit review, businesses should first schedule a pre-submittal meeting with the City to go over their proposed submittal to ensure that their application is complete and is consistent with these guidelines.

A Parklet Encroachment Permit is required for all parklet installations. Permit applications must be submitted prior to the construction of any new parklet. All parklets are subject to Millbrae Municipal Code section 6.25.

The following submittals are required:

- Encroachment Permit application.
- Plan sets. Plans must be drawn to scale and the minimum page size for submittals are 11 x 17 ledger paper. Plans are recommended to be prepared by a design professional, such as an architect, engineer, or licensed contractor. The submitted plans should show the proposed layout of the parklet including:
 - The parklet location (business frontage, site address, parking space number, etc.)
 - Dimensions of parking stalls, parklet structure including platform, railings, stormwater access, and traffic travel lanes in immediate area and in the proposed parklet.
 - Elevations and floor plan showing the tables, chairs, and aisles of the proposed parklet.
 - Traffic protection measures and dimensions of the setbacks from adjacent parking spaces and adjacent traffic lane.
 - Location of any adjacent public utilities in the street including curb drains, manhole covers, water shut-off valves, sidewalk utility boxes, streetlight poles, parking meters, gutter drains, fire hydrants, parking meters, etc.

- Plans must demonstrate ADA accessibility and show dimensions of required clearances.
- Materials palette – Use color elevations, rendering, or photo samples to demonstrate:
 - Materials and plants to be used on platform
 - Railing materials and colors
 - Platform materials
 - Proposed sail shades or retractable canopies
 - Any other design features of the proposed parklet
- Evidence of current insurance coverage including a Certificate of Liability Insurance and Endorsements. Applicant to submit liability insurance coverage per the City of Millbrae's insurance requirements for encroachment permits.

B. Permit Process

1. Schedule pre-meeting with City staff (Optional).
2. Applicant will apply for a Parklet Encroachment Permit and pay the applicable permit fees.
3. City Departments will review completed application form and plans including general schematic diagram of proposed dining space.
4. Comments will be provided to applicants based on the review of the application and design of the parklet within 21 days of application submittal.
5. Applicant will respond to the comments and return the plans/application with revisions.
6. After City approval, the physical permit is issued and must be prominently displayed on the parklet or business frontage.
7. Permits must be renewed on an annual basis.

C. Failure to Maintain

Parklet permittees who fail to properly and sufficiently maintain the cleanliness, safety, and accessibility of their parklet may lose eligibility for renewal or be subject to citation. If maintenance issues are not resolved, the City may revoke the encroachment permit.

and the parklet permittee may be required by the City to remove the parklet at their own expense.

D. Utility Maintenance and Public Safety Emergencies

Because parklets may sit atop underground utilities, there may be instances where a parklet will need to be removed to access a utility beneath it. In the event of necessary utility maintenance or the event of a utility emergency, such as a gas leak or water main break that threatens public safety, the City, utility owner, or their authorized contractors may remove parklets with little or no notice. Parklet permittee is responsible for the cost of re-installing and restoring any damage to the parklet.

E. Parklet Removal

If for some reason the parklet permittee no longer wants to maintain a parklet, the parklet permittee is responsible for notifying the City and removing it at the parklet permittee's own expense. Immediately upon parklet removal the parklet area must be cleaned and restored to its previous condition to the satisfaction of the City.

For More Information:

For questions or additional information regarding these Parklet Program Guidelines or the Parklet Encroachment Permit application, please contact:

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