



# Parklet Program: Proposed Guidelines

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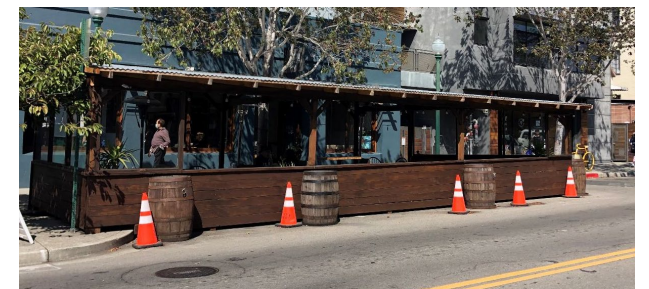
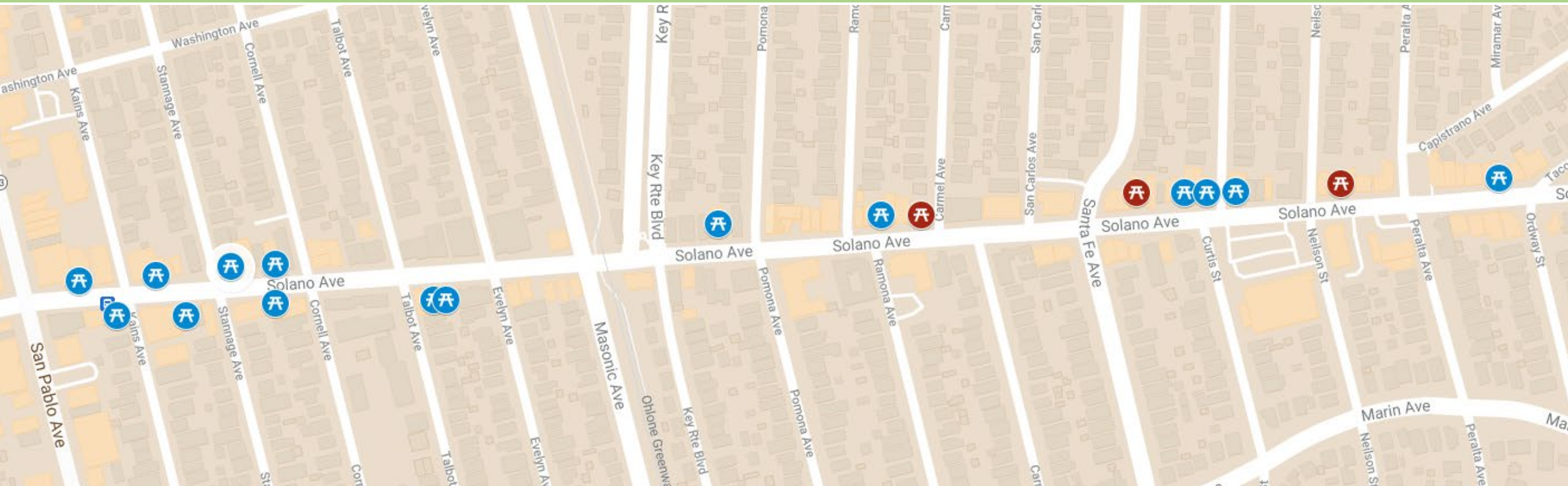
City Council  
September 19, 2022

# Background

- **June 18, 2020:** outdoor dining became permitted under County Public Health Order and the City began permitting in-street outdoor dining
  - **Flexibility:** Program was developed as low-barrier and flexible to enable as many businesses as possible to utilize permitted outdoor dining



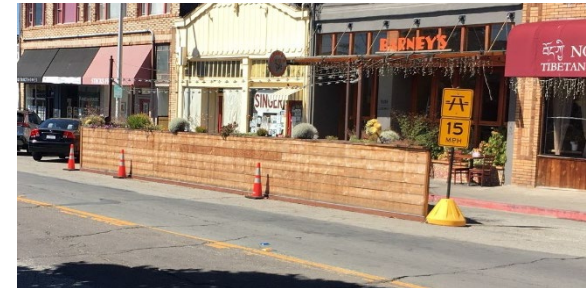
# Current Installations





# Council Direction

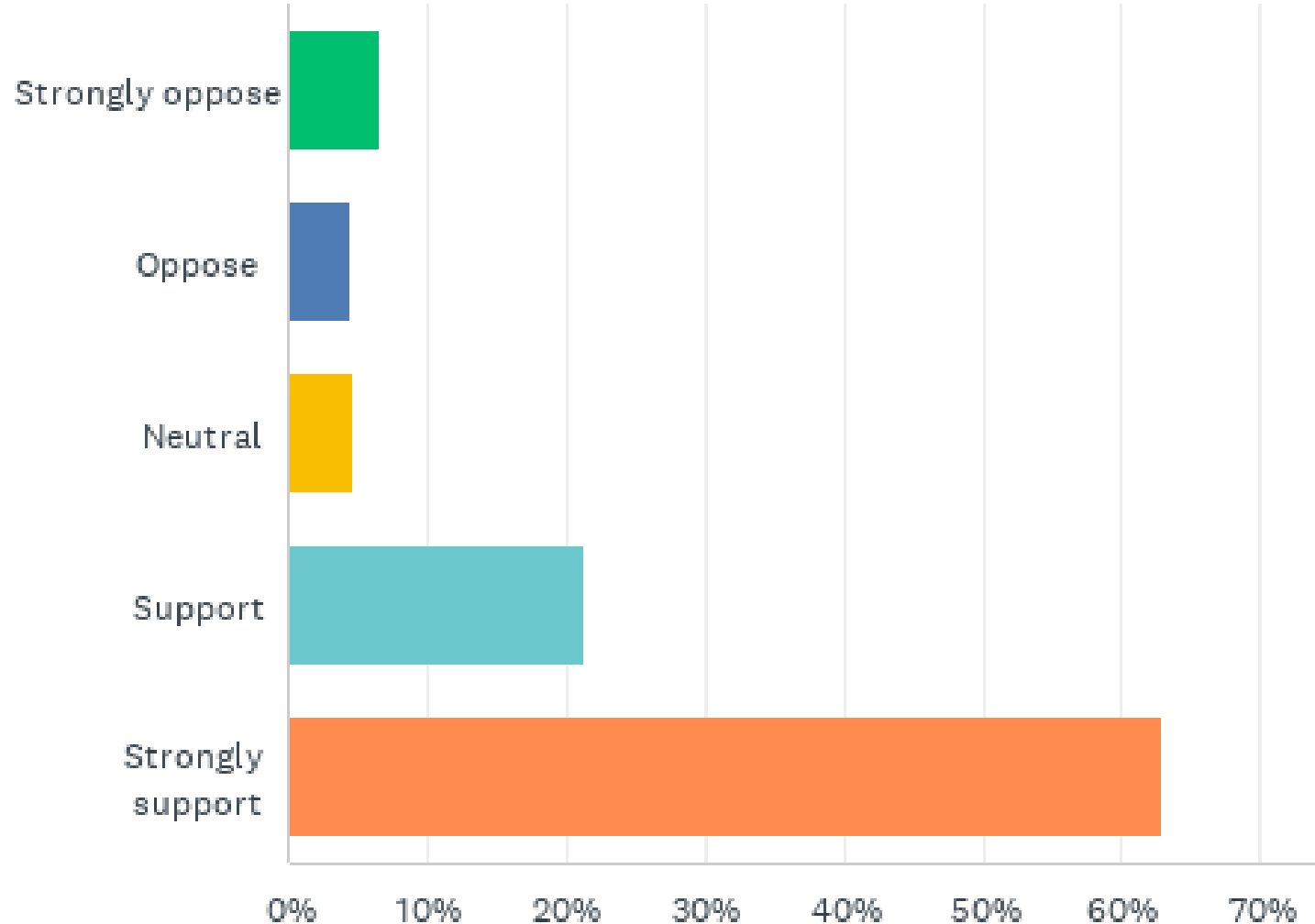
- November 2021: Council reviewed and provided preliminary comments for long-term parklet program
  - Support for developing a long-term program
  - Improve safety of parklets
  - Develop clearer standards but maintain some flexibility
  - Manage reduction of parking
  - Require a fee



# Surveys

- Staff conducted surveys between December 17, 2021 and January 16, 2022
- Two separate surveys were distributed:
  - Survey 1: To all community members (1,375 responses)
  - Survey 2: To businesses in Albany as well as Berkeley businesses in Albany's section of Solano Avenue (125 responses)

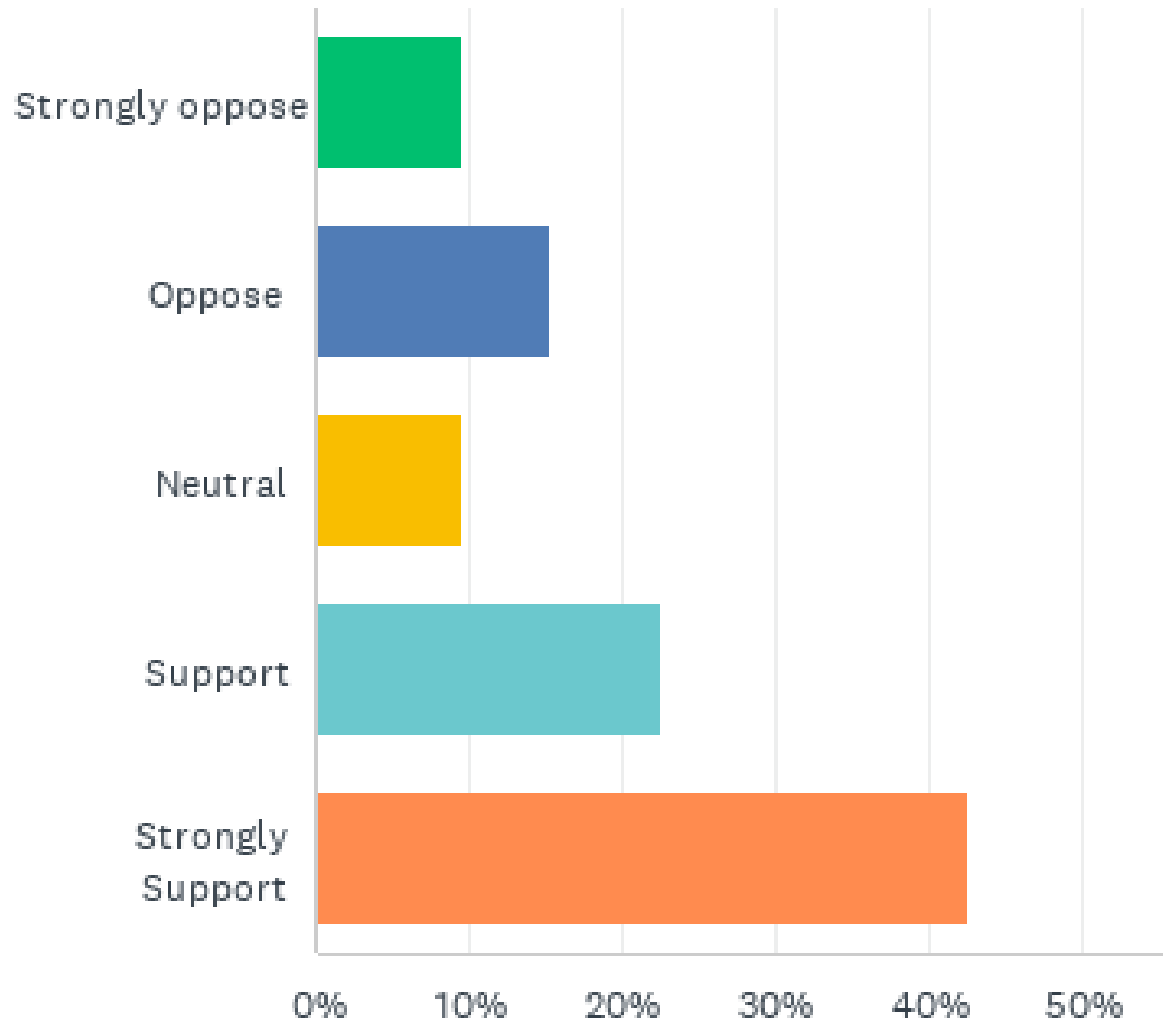
# Public Survey: What is your current opinion on a potential permanent parklet program?



## General Comments

- The parklets add a nice ambience to the community.
- The parklets reduce available parking.
- The loss of parking is a small price to pay towards having a lively and enjoyable Solano Ave.
- Allocation of the space must be conducted through an open and fair process.
- Charge a fee for use of spaces
- Parklets need to be safer and more solid

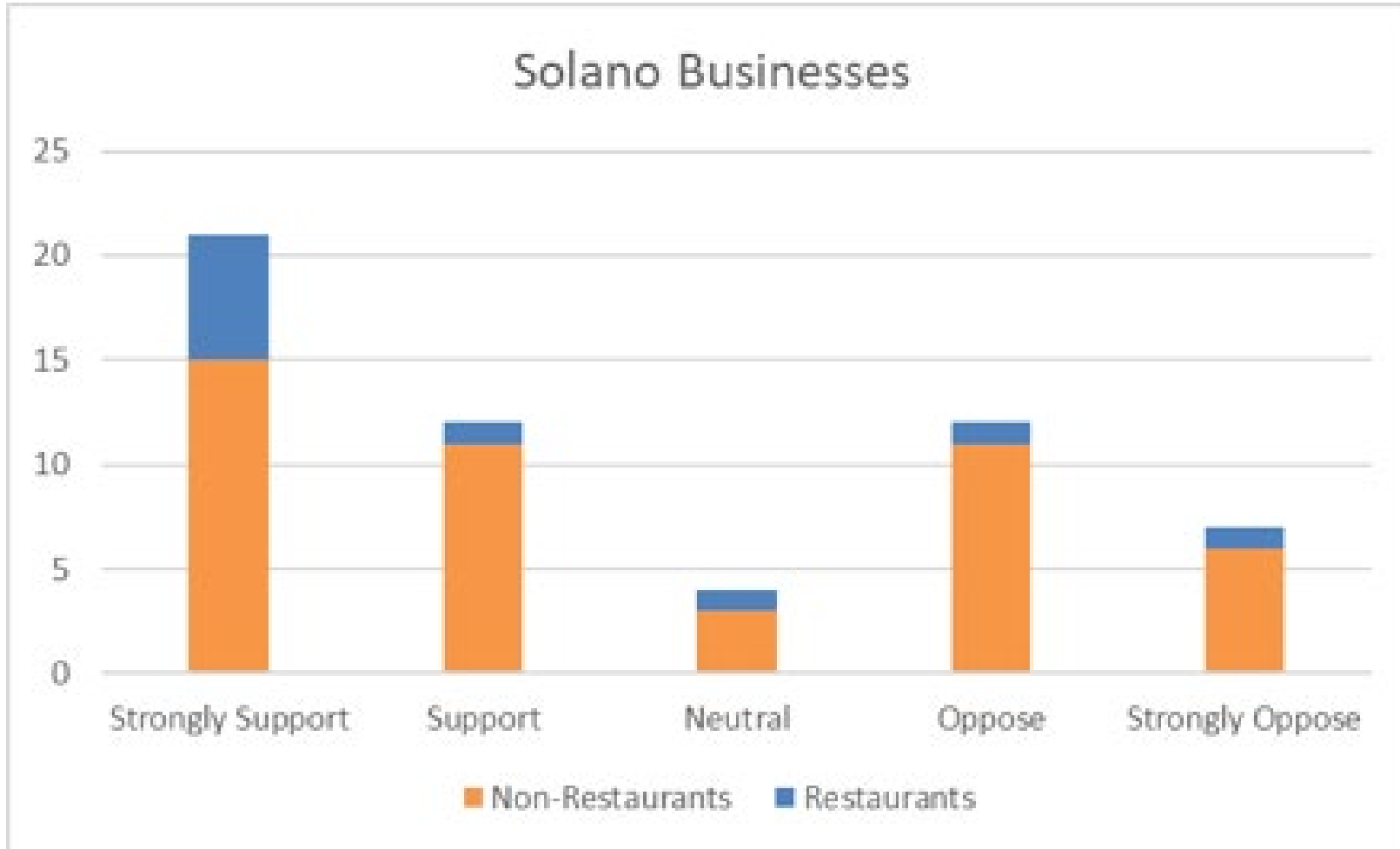
# Business Survey: What is your current opinion on a potential permanent parklet program?



## General Comments

- Only benefits those that have one.
- Reduces customer parking
- Unfair when businesses only pay for square footage of interior space.
- Support for program with thorough review process.
- Has been helpful for many businesses, and increases activity nearby parklets
- Need to improve safety and construction

# Solano Businesses: Opinions on a permanent parklet program



## Note:

- 57% of non-restaurants on Solano support a permanent outdoor dining program
- Overall, 59% of Solano businesses support a permanent program



# Guideline Development

- January-February: Staff presented an analysis of survey results and existing installations, received initial input on Guidelines
- Feb-April: Staff developed first draft of guidelines
- April-July: Staff presented guidelines and received feedback, multiple rounds of revisions
- Commissions recommend proposed guidelines to Council

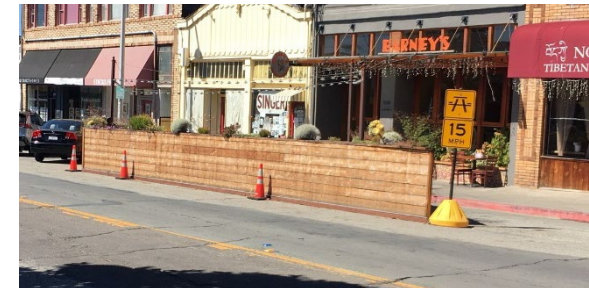
Transportation  
Commission



Economic Development  
Committee



Planning &  
Zoning Commission



# Guideline Development

## **Feedback generally emphasized:**

- Improved safety
- Improved access
- Durability of installations and materials
- Balance of different interests in the use of public space

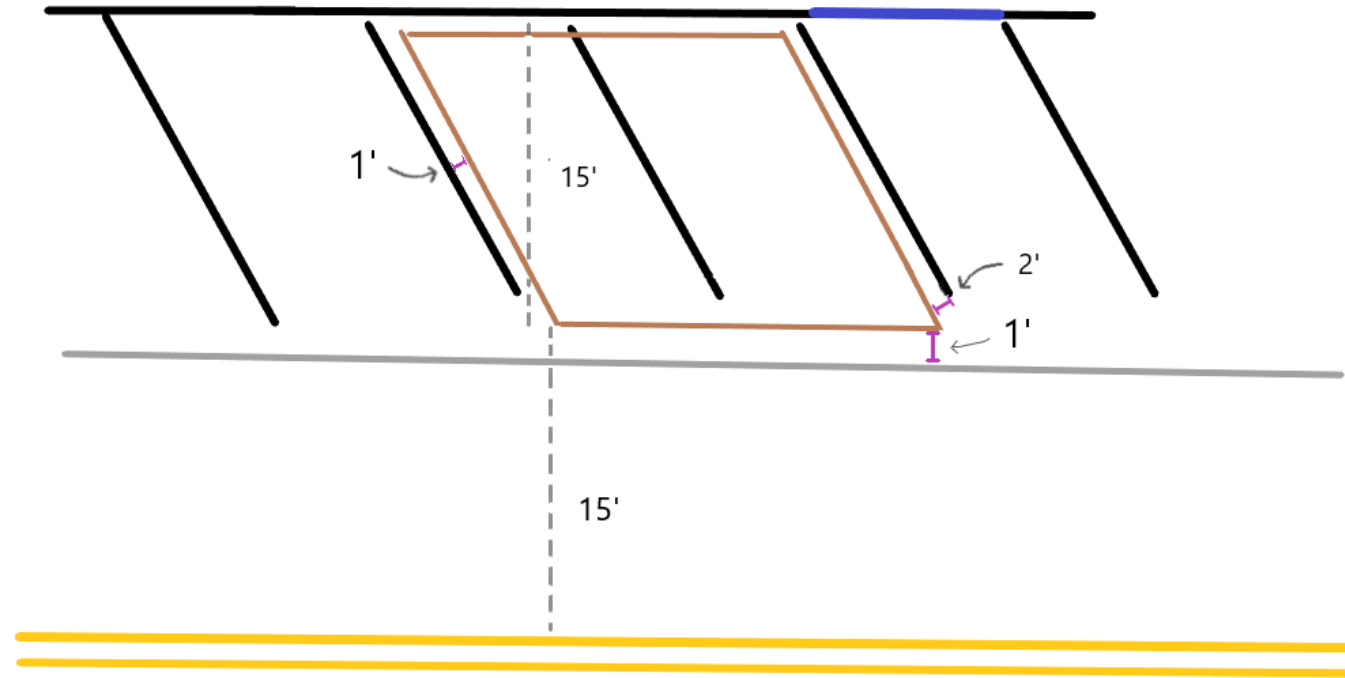
# Guideline Elements

- Parklet Location and Setbacks
- Perimeter Barriers
- Platform
- Materials
- Americans with Disabilities Act (ADA)
- Fire
- Maintenance
- Fees and Public Access
- Insurance
- Signage
- Acceptable Use
- Removal and Revocation of Permit



# Parklet Location and Setbacks

- Up to 2 parallel or 3 angled spaces
- 3 spaces default to Planning & Zoning Commission review
- Only 2 spaces if more than 40% of block utilized by parklets (Economic Development Committee)



# Perimeter Barriers

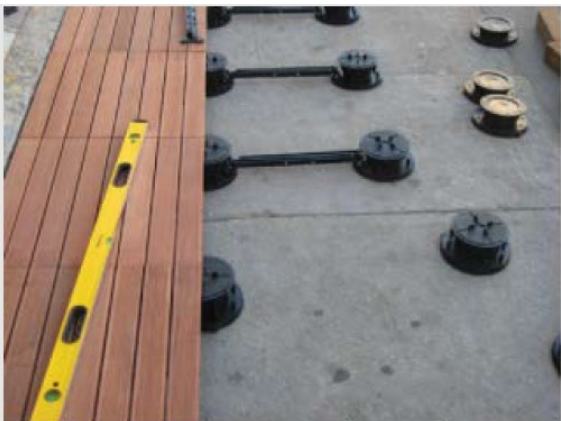
- 36-42" wall or railing able to withstand 200 pounds of force required
- Visually permeable above 42" permitted with review
- Reflective tape along edges
- Flexible bollard or delineator post at corners



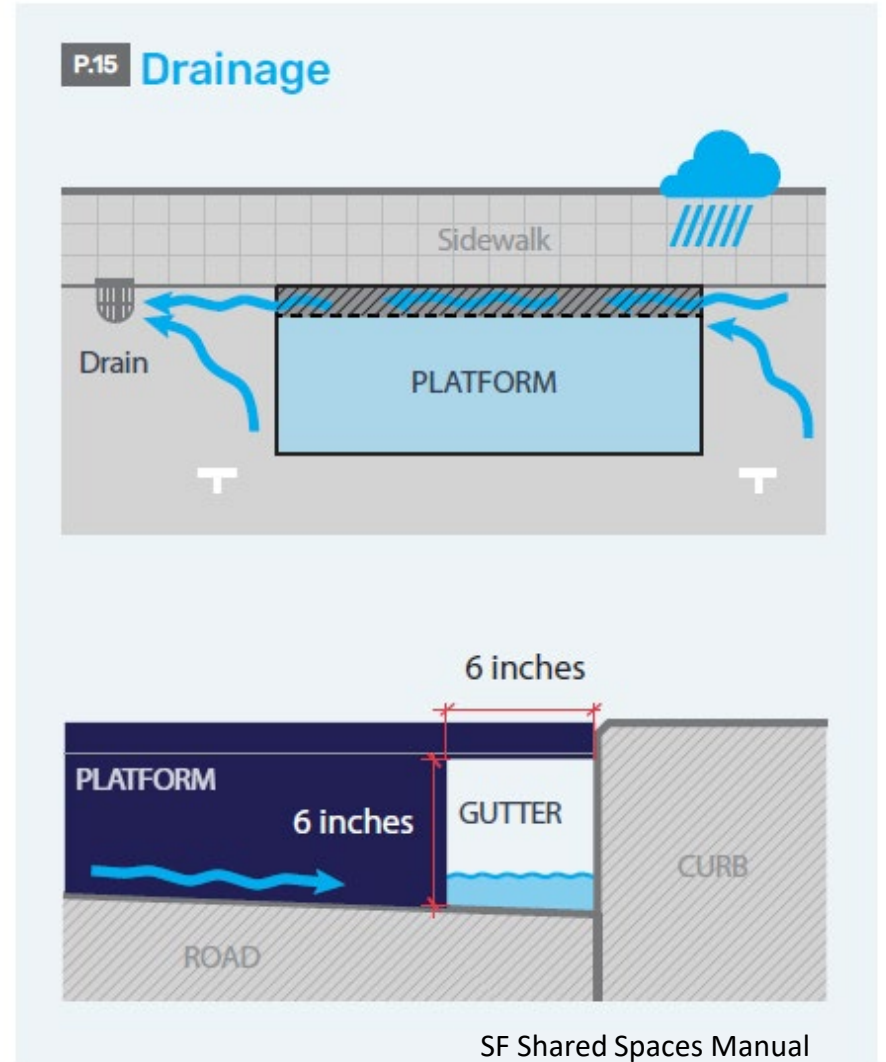


# Platform

- Free-standing platform recommended
- Street surface acceptable if can meet ADA
- Modular design preferred
- 6"x6" clear gutter space or equivalent next to curb



Location: San Francisco, CA. Credit: Nelson\Nvgaard



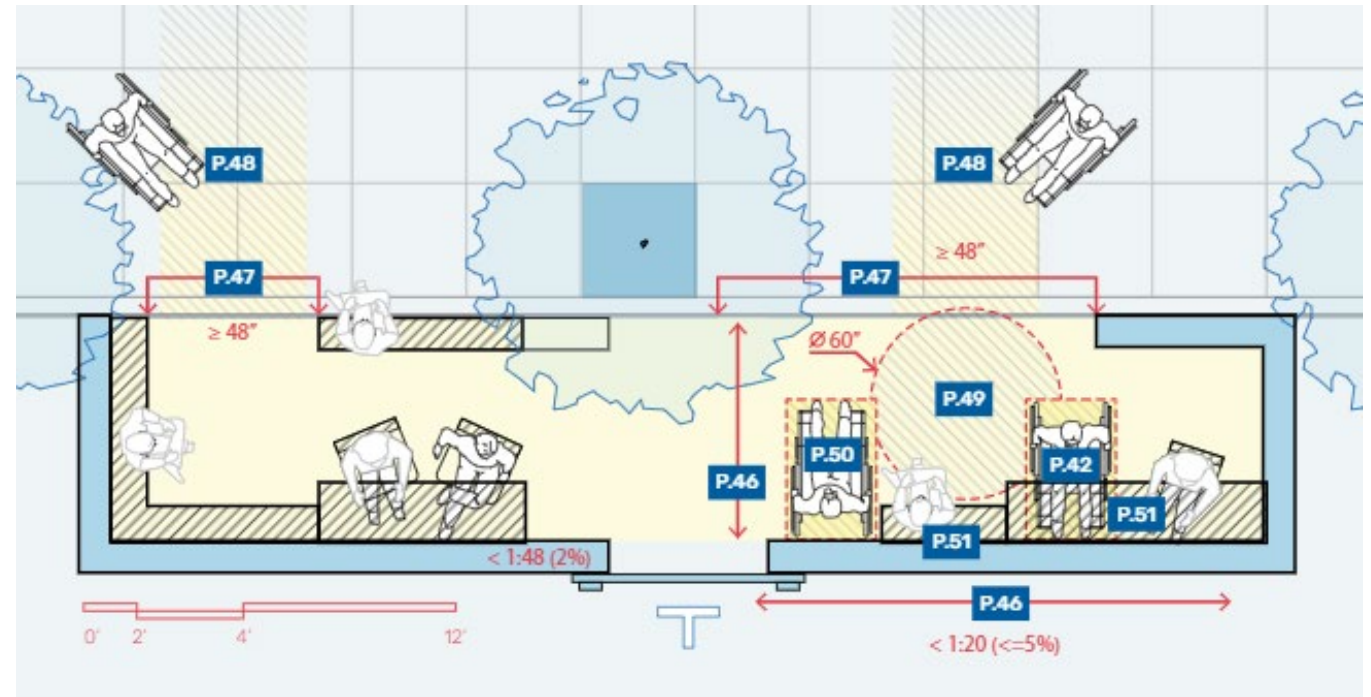
# Materials

- Perimeter barrier materials of metal, wood, or other natural material
- Planning & Zoning Commission review of alternative materials
- Plant materials and lighting encouraged



# Americans with Disabilities Act Access

- Seamless connection to curb for platform or ramp
- Firm, stable surface
  - No gaps or changes greater than ½ inch
- Needs to meet standard restaurant accessibility requirements

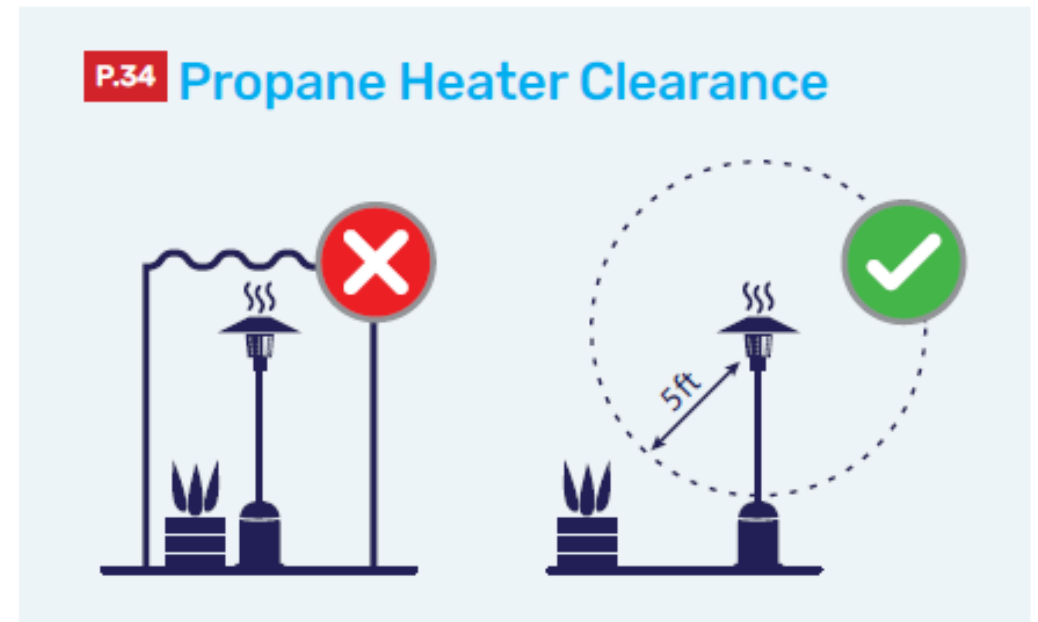


SF Shared Spaces Manual



# Fire

- 5' space around fire hydrant
- Canopies, roofs, and heaters subject to Fire Department approval



# Maintenance

- 3 stream waste bins (trash, recycling, and compost)
- Must keep parklet, curb, and gutter clear and clean
- Must provide access to utilities (modular design recommended)
- Installation subject to removal for maintenance work
- Movable furniture shall be secured when not in use





# Fees and Public Access

Application Fee	Annual Fee
\$222 encroachment	\$750/vehicle space

- Fees waived for FY 22/23
- Reduction in annual fee proportional to area provided for general public – either for public seating or bus stop amenities



# Insurance, Signage, Acceptable Use

- Applicant must add City of Albany as an additional insured, with a minimum coverage of \$1 million per occurrence and \$2 million general aggregate.
- Signage is prohibited on parklet structures.
- Reference regulations and corresponding agencies related to outdoor noise, alcohol sales, health, smoking and public nuisance.

# Removal

- Applicant must remove
  - if not in use for more than two weeks (unless prior arrangement with City)
  - For city or utility maintenance work
  - Within 15 days from termination of permit or business closing (exceptions can be made by prior arrangement with City)
  - If not properly maintained, is not meeting permit requirements, interferes with public use of the right-of-way, or interferes with maintenance or improvement project
- Permits proposed to be for a 3-year period, applicants must reapply after 3 years, subject to continuation of the parklet program.

# Funding Support

- Staff is proposing costs associated with the platform be eligible for reimbursement up to \$15,000 per installation to help businesses in meeting the accessibility and safety requirements in the proposed guidelines while funding is available



# Timeline

- Propose setting March 31, 2023 as the date at which existing temporary parklet permits will expire





# Enforcement

- Enforcement mechanism is termination of permit
- Council may wish to provide guidance on the appropriate timing and intensity of enforcement, including when termination of a permit would be appropriate
- Adjustments to existing parklet and sidewalk installations that are affecting pedestrian visibility at crosswalks or restricting sidewalk widths or height clearance.





# Recommendation

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That the Council:

- Adopt a resolution establishing parklet program guidelines
- Incorporate the annual fee for parklets into a future fee schedule amendment
- Set March 31, 2023 as the date at which existing temporary parklet permits will expire
- Direct staff on enforcement mechanisms

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