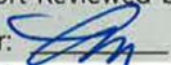


Agenda Report Reviewed by:
City Manager: 

CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM

Meeting Date: April 4, 2023
To: Honorable Mayor and City Councilmembers
From: Larry McLaughlin, City Manager
Mario Landeros, Interim City Engineer
Subject: Parklets Guidelines
Recommendation: Approve Parklets Program Guidelines
Funding: Currently Budgeted: Yes No N/A

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)
See Fiscal Impact section for CIP #0424-22.01

INTRODUCTION/PURPOSE:

This item is to receive a presentation and approve the Parklets Program Guidelines for permanent parklet(s) on Caltrans right-of-way (ROW) and local streets.

BACKGROUND:

Parklets have been allowed as temporary installations during the City’s pandemic response effort in support of local businesses. The City of Sebastopol deployed a variety of strategies to allow more flexible use of City right-of-way to support public health and economic recovery during the throes of the COVID-19 pandemic, including 10-minute temporary parking, use of the Downtown Plaza for public outdoor dining, more flexible approvals for sidewalk dining, and temporary installation of parklets.

At the October 6, 2020 meeting, Council directed staff to submit a Caltrans encroachment permit application for parklets at three locations. At that time, Caltrans was issuing encroachment permits for temporary parklets in response to the coronavirus pandemic which presented a need for outdoor dining.

The locations of the three temporary parklets (“Parklets”) are described below and shown on Attachment 1:

1. In front of “Screamin’ Mimi’s/Create It/The Face Place/Thrive Yogo” on Sebastopol Avenue north side at Depot Street;
2. In front of “People’s Music/Sumbody” on N. Main Street, west side, the block between McKinley St. and Bodega Ave, south of the McKinley Crosswalk; and
3. In front of “Sunshine Café/Retrograde Coffee Roasters” on South Main Street, west side, mid-block between Bodega Avenue and Burnett Street.

Caltrans approved the encroachment permit for the temporary parklets and extended the permit until December 31, 2022. According to Caltrans, no further extensions would be given.

At the February 15, 2022 meeting, Council directed staff to move forward with applying for an encroachment permit with Caltrans for installation of a permanent parklet at the South Main Street location. Feedback from the public included possible installation of parklets on local streets and developing parklet design guidelines. The City Engineer applied for the encroachment permit and in the meanwhile, Caltrans indicated that the City would be allowed to continue with the South Main Street parklet while Caltrans reviews the permit.

At the July 5, 2022 meeting, Council approved the Fiscal Year 2022-23 Capital Improvement Plan which included funding for the South Main Street Parklet with a caveat that staff receive further direction at a future meeting due to incomplete information from Caltrans on the requirements for encroachment permits for permanent parklets. The South Main Parklet project approved funding includes developing a parklet design guidelines and construction of a permanent parklet at this location.

On September 20, 2022, Council reaffirmed the direction to staff to move forward with the Caltrans encroachment permit for a permanent parklet at the South Main Street location and the preparation of a parklets guidelines. Council also directed staff to reach out to the downtown business community and the Planning Commission for input to the guidelines. On behalf of the City, the City Engineer prepared an encroachment permit application to Caltrans for the installation of a permanent parklet at the South Main Street location.

On December 31, 2022, the Caltrans encroachment permit for the temporary parklets expired. The City Engineer confirmed with a Caltrans representative that the South Main Street parklet could remain while the encroachment permit for the permanent parklet is in the process.

DISCUSSION:

GHD prepared a preliminary draft guidelines and conducted virtual meetings for receiving input and comments to the parklets guidelines to the stakeholder groups listed on Table 1.

Table 1 Parklet Guidelines Outreach Meetings

Date	Group
1/26/2023	Design Review subcommittee
2/1/2023	Business groups and members: <ul style="list-style-type: none">• Chamber of Commerce• Downtown Business Association• Relaunch Sebastopol
2/23/2023	Design Review subcommittee
3/14/2023	Planning Commission

The Draft Parklets Program Guidelines is included in Attachment 1. The draft was prepared incorporating input and comments received.

A presentation will be made at the meeting to walk through the draft guidelines and receive input. Pending Council approval of the draft guidelines, the document will be finalized and posted to the City’s website. Staff will then prepare design drawings for submittal to Caltrans for their review and approval.

ENVIRONMENTAL REVIEW

The Project is for a small addition that occurs within existing right of way and is therefore exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15301(e).

GOALS:

This action supports the following City Council Goals and General Plan Actions:
Goal 8 - Enhance and Maintain the Economic Vitality of the City

PUBLIC COMMENT:

Staff anticipates receiving additional public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of the agenda item.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

FISCAL IMPACT:

The cost for the preparation of the parklets guidelines was included in the adopted Fiscal Year 2022-23 Capital Improvement Program budget (CIP #0424-22.01) for \$85,000.

RECOMMENDATION:

Staff recommends the Sebastopol City Council receive the presentation, provide comments, and approve the Permanent Parklets Program Guidelines.

ATTACHMENTS:

1 – Draft Permanent Parklet Program Guidelines dated 3/9/2023

GUIDELINES

PERMANENT PARKLET PROGRAM

City of Sebastopol

March 09, 2023

DRAFT

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INTRODUCTION

The City of Sebastopol previously passed Resolution 6033 in April 2015, allowing for the establishment of parklets in the city. Resolution 6033 required the development of an application packet and design standards to implement a permanent parklet program. During the COVID-19 pandemic, the City Council was supportive of the use of parklets to allow businesses to have outdoor dining in the downtown area as indoor dining was extremely limited during the pandemic. On October 6, 2020, City Council directed staff to submit a Caltrans encroachment permit for installation of parklets along SR 116 in the downtown area. Three locations were approved for submittal at: Petaluma Avenue near Depot Street, South Main Street near Burnett Street, and North Main Street near McKinley Street. Caltrans approved the permit for installation of the three temporary parklets to remain during the pandemic Caltrans allowed the installation of the parklets but required that the operation be for “public use” and not for the benefit of a specific business. The permit expired on December 31, 2022, and was not renewed by Caltrans.

On September 20, 2022, the City Council directed staff to submit a Caltrans encroachment permit for the installation of a permanent parklet at the South Main Street location. The two other temporary parklet locations were not approved to move forward and both temporary parklets were removed by City Public Works staff in early January 2023. In addition, Council directed staff to proceed with the preparation of a Parklets guidelines to provide businesses interested in constructing parklets guidance and information for such installation and construction on city streets. The guidelines would also provide City staff guidance on parklets constructed on Caltrans right of way.

To allow for the continuation of parklets within Sebastopol, these guidelines were developed to lay out the standards for permanent parklets and comply with Resolution 6033. Any business planning to apply for a parklet must read and understand these guidelines. All applicants must initial each page, sign where prompted, and attach this packet to their encroachment permit application to be considered for a Permanent Parklet Permit. These guidelines may be modified from time to time as conditions change and as directed by the City Council to be more responsive to businesses and the public, and as may be required for safety concerns.

ELIGIBLE BUSINESSES

Nothing in this permit shall authorize a particular business to operate outside unless that business is authorized to operate pursuant to State, County, and City regulations.

This document provides general guidelines and requirements for outdoor commercial use in public spaces and are subject to change. Each request for a parklet is unique and will require individual review and approval. Permits may be terminated, revoked, or amended at any time at the sole discretion of the City Manager.

DEFINITIONS

Adjacent Business	A business that shares one or more common walls with another business or is located next door on either side of another business (if separated by a walkway, alley, driveway, etc.)
Canopy	A structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity, or decoration. It may be structurally independent or supported by attachment to a building on one end and by not less than one stanchion on the outer end
Closed Sidewall	Any side covering, drape, wall, screen, partition, tarp, fence, or other vertical obstruction (other than posts, poles, or other narrow support elements) that are between 42 to 90 inches in height of a covering or canopy
Opening	An unobstructed area that allows for the free passage of outside air and is no less than 48 inches in height
Parklet	A parklet is a small portion of public space (i.e., parking stalls, sidewalk, public right-of-way, etc.) that has been reappropriated to serve as an extension of one or more commercial businesses

Partial Obstruction Any vertical obstruction including, but not limited to, vertical materials, fabrics, tarps, partitions, screens, fences, planters, railings, water walls, and similar vertical obstructions or elements that are under or within 5 feet of the perimeter of a covering or canopy, are less than 42 inches in height from the ground or floor on which it rests, and is provided with not less than 48 inches of clear opening height above the obstruction

ENCROACHMENT INTO PUBLIC RIGHT OF WAY

All parklets, by their nature, will encroach into the public right of way. Depending on the location of the parklet, an encroachment permit application will need to be completed with the City of Sebastopol and/or Caltrans. Permanent parklets on Caltrans right of way along Gravenstein Highway South, Petaluma Avenue, McKinley Street, Healdsburg Avenue, Gravenstein Highway North, North Main Street, South Main Street, and Sebastopol Avenue must have both a City and Caltrans encroachment permit to be eligible to install a parklet.

CITY OF SEBASTOPOL ENCROACHMENT PERMITS

The City of Sebastopol requires a completed and approved encroachment permit before any work can begin on your parklet. This application can be found on the City's website and in **Appendix C** at the end of this document. In the case that the proposed parklet is within City right-of-way, the business applying for the parklet will be considered the parklet owner.

CALTRANS ENCROACHMENT PERMITS

Caltrans updated their restrictions and requirements for parklets within their right of way as COVID-19 restrictions were lifted throughout the state. The key aspects of these restrictions and requirements are listed below.

- There is an expected annual lease cost of \$6,000/year plus an annual increase.
- Parklets can be designated as Parks and Recreational use only.
 - Parklets are now for full public use and cannot contain business signage, menus, or advertisements.
- Stormwater and non-stormwater BMPs are required.
- All parklets must adhere to ADA standards.
- Each parklet needs engineered plans and specs, bonding and insurance, and environmental review before any installation can occur.
- Parklet owners/sponsors are responsible for all maintenance and upkeep.

To be eligible for an encroachment permit through Caltrans, all guidelines must be met. The full detail standards and requirements for parklets in Caltrans right of way can be found in Section 500.3I – Parklets in the *Encroachment Permits Manual*. This manual can be found on Caltrans website and in **Appendix C** at the end of this document.

Caltrans requires that the City of Sebastopol be the permit applicant and holder. Business owners are not allowed by Caltrans to be a permit applicant or holder. However, the City encourages businesses to work collaboratively and jointly with the City on the maintenance of the parklet to ensure its continued viability. In the case that the proposed parklet is within Caltrans right-of-way, the business applying for the parklet will be considered the parklet sponsor while the City is considered the owner.

DESIGN GUIDELINES

These guidelines are intended to conform to the American with Disabilities Act (ADA) and Design Information Bulletin 82, the California Manual on Uniform Traffic Control Devices (CA MUTCD), Chapter 800 of the Caltrans Highway Design Manual, City of Sebastopol codes and regulations, and California Fire codes.

ALLOWABLE CONFIGURATIONS

Depending on the existing parking stalls in front of your business, various parklet configurations are available. These configurations are not exclusive as every location is unique and will require individual review. The City will determine the public space allowed for each business and the appropriate configuration.

	<p>Parallel Parklet:</p> <p>These parklets utilize parallel parking spaces. Parklets typically are limited to the business' frontage but can extend further if supported by neighboring businesses. The approximate depth of usable space from the curb is 7 feet (or to within 1 foot of the outside edge of the parking stall striping).</p>
	<p>Diagonal Parklet:</p> <p>These parklets utilize diagonal parking spaces. The approximate depth of usable space from the curb will vary but is typically 17 feet (or within 1 foot of the outside edge of the parking stall striping).</p>
	<p>Sidewalk Parklet*:</p> <p>These parklets use sidewalk areas adjacent to the business that allow space for outdoor dining, beverage service, or retail. You must always keep a 48-inch straight walkway open for pedestrians and not allow customers to move chairs or tables to infringe on the public walkway.</p> <p><i>*Not a permitted configuration on Caltrans right-of-way</i></p>
	<p>Realignment Parklet*:</p> <p>This approach utilizes parking spaces to create a safe reroute for pedestrians to travel out and around the service area of the sidewalk allowing full seating and use of the sidewalk area for business. Sidewalk extensions must accommodate accessibility requirements. Sidewalk extensions need to be a minimum of 48 inches in depth from the curb and need to be ADA compliant.</p> <p><i>*Not a permitted configuration on Caltrans right-of-way</i></p>

Sample layouts and designs can be found in **Appendix B**.

CANOPIES AND COVERINGS

General Guidelines:

- Coverings can include:
 - Tents
 - Umbrellas
 - Built structures
- Outdoor spaces created on public property must have an Encroachment Permit. Outdoor spaces on private property need to obtain permission from the property owner, follow these guidelines and obtain associated building or fire permits when required from the appropriate building or fire code official.
- The fire code official must issue a permit and inspect coverings and canopies covering an aggregate area of 400 square feet or more or designed to be used by 10 or more people. Any textile coverings and canopies shall have a fire-resistant certification or flame certification showing material is in compliance with either California State Fire Marshal with approved seal or meets NFPA 701 flame retardant standards.
- Coverings and canopies shall not be installed within 5 feet of buildings unless approved by the fire code official.
- If heating devices will be used under coverings and canopies, the fire code official must provide an inspection. The use of propane heaters requires a permit from the fire code official.
- A building permit from the Building Department may be required for coverings and canopies constructed of other than metal frames and fabric membrane covering.
- The layout or a diagram of outdoor coverings and canopies must be shown on the permit application. Covering and canopy installations shall not obstruct fire apparatus access to existing buildings or fire protection appurtenances (e.g., fire hydrants, FDC's, etc.).
- Areas open to the public under coverings and canopies must be made accessible to individuals with disabilities. The head clearance under coverings and canopies is 90 inches (ideally 96 inches).
- There shall be a clearance of no less than 3 feet every 20 feet to allow for fire access and access to the sidewalk from the street.
- Textile coverings and canopies shall be installed a minimum of 20 feet from parked vehicles or internal combustion engines to allow proper airflow.
 - **Exception:** *Coverings and canopies may be installed not less than 5 feet from parked vehicles or internal combustion engines if approved by the fire code official and both the vehicle protection requirements of California Fire Code (CFC) 312 (Vehicle Impact Protection) and the covering or canopy are open to outside air ventilation criteria provided in these guidelines and as prescribed by State or County Health officials are met.*
- Cooking is prohibited in coverings and canopies.
- Extension cords serving coverings or canopies must be protected by a Ground Fault Circuit Interrupter (GFCI) and must be protected from damage. Heating devices must be kept a minimum of 3 feet away from combustible materials at all times.
- Businesses must have sufficient fire extinguishers to cover indoor and outdoor spaces.
- Businesses utilizing outdoor coverings and canopies will need written inclement weather plans and trained staff to prevent any injuries in storms or other unsafe situations. After-hours emergency contact information shall be required in case the jurisdiction must notify the business management of special storm or disaster preparation requirements.
- Covering and canopy installations shall not obstruct fire apparatus access to existing buildings or fire protection appurtenances (e.g., fire hydrants, FDC's, etc.). There shall be fire apparatus access within 150

feet of all sides of a covering and canopy. (i.e., there must be space between individual parklets as to not create a “wall of parklets” along the roadway)

- Outdoor coverings or canopies open to the public must have openings to allow airflow as provided in these guidelines. The combined sidewall area (all 4 sides) shall not have less than 50% of clear unobstructed opening.
- If the building address is obstructed by a covering or canopy, temporary addressing visible from the public street shall be provided as approved by the fire code official.
- Covering or canopy shall be properly anchored or ballasted in accordance with manufactures guidelines, structural calculations or as otherwise approved by the fire code official. The formula $[(L \times W) \times 5\text{lbs} = \text{total ballast required}]$ may be used to determine total ballast for coverings and canopies.
- The following weights for filled water barrels may be used for providing ballasts:
 - Water barrels top tied only = 192 lbs. each
 - Water barrels top tied and bottom strapped to leg = 336 lbs. each
 - Covering and canopy permits are revocable by the fire code official for non-compliance with these guidelines.

HEATING DEVICES

Heating Devices under coverings and canopies:

Outdoor heaters and elements that use electricity or propane fuel can help to make your parklet more comfortable throughout the year. Heating features are allowed in parklets but will require an additional permit from the Fire Department. Please note the following for all heating types:

- The location and type of all heating equipment must be shown on your permit application diagram.
- The fire code official or their designee will inspect all heating devices regardless of size.
- Heating appliances must be listed and used in accordance with manufactures guidelines, these guidelines, and the California Building Standards Code.



Portable Electric Space Heaters:

Portable, electric space heaters are allowed when operated only in locations for which they are listed. Portable, electric space heaters shall be located at least 3 feet from any combustible materials, including covering sides, ceiling, umbrellas, and all other combustible materials. Portable heaters must be located in areas where they do not pose a hazard to pedestrians and customers and cannot easily be tipped over if mounted on a stand.



Portable Outdoor Gas-Fired Heaters (e.g. propane or natural gas):

Portable outdoor gas-fired heating appliances for businesses may only be used when Fire Department requirements are met, and the covering or canopy is provided with one side that is completely open and the combined sidewall area (all 4 sides) is not less than 50% of clear unobstructed opening as determined by the fire code official. A propane permit must be obtained by the fire code official prior to the installation and use of portable outdoor gas-fired heating appliances within a covering or canopy.

Portable outdoor gas-fired heating appliances are not permitted within 3 feet in horizontal and vertical distance from walls or ceilings of coverings, canopies or buildings and shall be kept a minimum of 5 feet in horizontal distance from exits from coverings, canopies or buildings.

Liquid Petroleum (LP) Gas (Propane):

NOTE: More restrictive fire safety regulations may apply to the location of propane tanks where indoor dining occurs.

- Propane shall be stored and used in accordance with the California Fire Code
- A propane permit must be issued by the Fire Department
- Electronically report and apply for a Hazardous Materials CUPA permit online.
- Tanks installed in listed appliances or alone may be stored in a secured location outside the business.
- Tanks not installed on or in listed appliances shall be in milk crates or similar stabilization containers, nested, or secured top and bottom
- The portable outdoor listed appliances can be secured by nesting them in the center of the covering with the propane turned off, the access doors facing in and chained together to prohibit tampering.
- Storage shall not be within 10 feet of ventilation intakes, doors, windows, or ignition sources
- Storage areas shall have posted "No Smoking or Open Flame" signage
- Propane shall not be used inside buildings at any time.
- For the purposes of these guidelines, propane tanks used shall not exceed 5-gallon water capacity.
- The permitted number of propane tanks shall not exceed five (5) tanks total (in use and in storage at any one time - empty tanks are considered full and count towards total).

Propane tanks shall be adequately protected to prevent tampering, damage by vehicles or other hazards and shall be in an approved location not less than 5 feet from covering or canopy walls and ceilings. Propane tanks shall be located not less than 5 feet from a means of egress (exit).

LIGHTING

Lighting is allowed but may require a permit, depending on what you propose. Self-contained low-voltage systems, such as solar or battery-powered lights, are a good choice. Lights can be a wonderful way to create ambiance within the parklet. Lights can be installed within or over the parklet by incorporating a post element into your parklet design railing treatment. The following guidelines must be met:

- Lighting shall be placed in a manner and brightness level to avoid distraction to drivers.
 - No disco balls, neon signs, or lights that flash and/or rotate are permitted.

- Any lighting installed higher than 48 inches must be shielded from the roadway and shine only into the parklet.
- Bulbs should be a warm or soft white rather than a bright white (no more than 3500K in brightness) and no more than 450 lumens each.
- City of Sebastopol General Plan, Policy COS 11-8:
 - *“All outdoor lighting shall be constructed with full shielding and/or recessed to reduce light trespass to adjoining properties and to reduce illumination of the night sky. Each fixture shall be directed downward and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the site.”*
- All lighting must meet electrical code and energy code requirements. All lighting types, lighting controls and the routing of the electrical should be clearly indicated on an electrical plan.
- All lighting and cords must be UL listed for outdoor use. All outdoor electrical must be cord and plug connected using a Ground Fault Circuit Interrupter (GFI) electrical receptacle.
- Cords or wiring at ground level must be covered or installed to prevent trip hazards. Overhead wiring may be permitted under certain situations with approval.

Please include a lighting plan with your parklet paperwork. It must include specific locations of anchor points, type of wall anchors proposed for installation, size of lateral cabling, and where the electricity is being drawn from (interior of building or exterior of building). Additional detailing will be required for the proposed construction of the overhead lighting support system to show how lateral bracing is provided. Approved lighting in each parklet may vary at the discretion of the reviewer. If in the opinion of the City the lights are deemed a distraction, the applicant shall modify as necessary at their own expense.



PARKLET BEAUTIFICATION

Permit holders are required to regularly clean their parklets and the surrounding areas that accumulate trash and leaves. Due to the placement of parklets, street-sweepers may not be able to access the area. Any garbage may attract vermin, and the leaves can cause slipping hazards, particularly when wet. Parklet owners/sponsors are responsible for cleaning and maintaining all interior and exterior areas surrounding your parklet where street sweepers cannot reach, including your neighbor's frontage. To assure contaminants do not enter our waterways, no sweeping into any drainage or planter; debris must be properly disposed in a trash receptacle.

Additionally, please ensure that you are doing your part in beautifying your space and upkeeping any added foliage in planter boxes as this adds to the charm of the parklets in Sebastopol. Parklets are highly encouraged to have some type of landscaping. Landscape plantings help soften the space and can serve as a pleasant buffer along the street-facing edge. Landscape elements may be incorporated as planter boxes, hanging planters, raised beds, or similar features. Drought-tolerant and native plants are good choices for ease of maintenance. Edible plants and plants with

fragrance, and seasonal interest are also recommended. Another beautification option may be interesting architecture or artistic elements incorporated into the parklet design.



SEATING

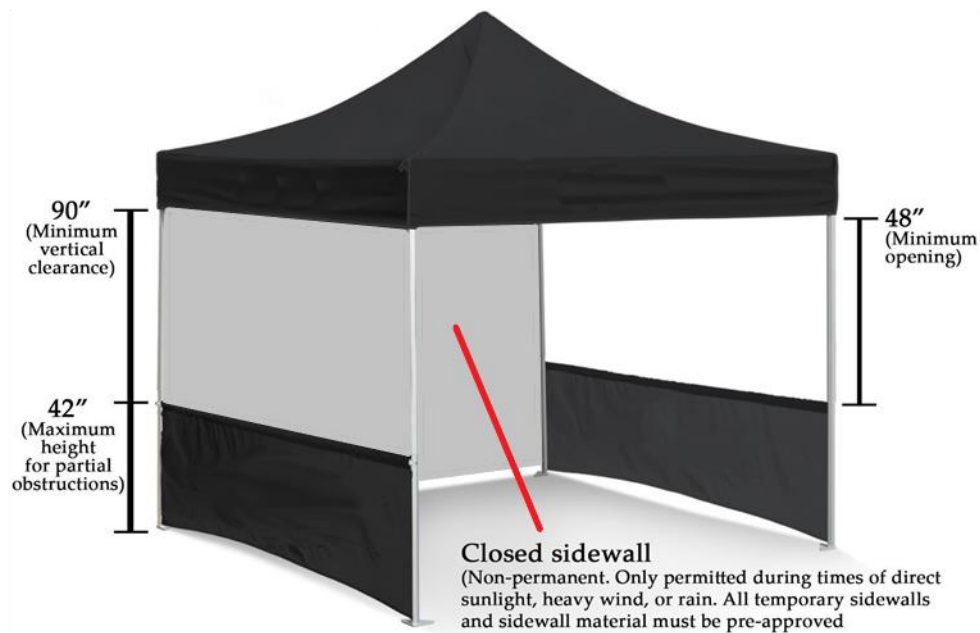
Parklets that incorporate seating can be integrated in a variety of creative ways. These seats can be a part of the structure, planters, or creative features within the parklet. Seating and tables can also be movable as well. This seating can be removed and stored at the end of the day or locked with cables to the parklet structure. Seating must comply with ADA requirements. Tables and chairs in outdoor dining areas must be placed/positioned to ensure adequate spacing for movement between patrons at other tables and dining areas.

SIDEWALLS

By adhering to “The 50% Rule” parklet owners/sponsors will meet several sightline, air flow, and parklet design requirements. The bulleted items below define “The 50% Rule”:

- At least 50% of the combined sidewall area (all 4 sides) must be unobstructed openings around your parklet.
- Sidewalls may only be in place during times of direct sunlight, rain, or heavy wind.
- Columns and other vertical elements can be included in the parklet design.
- The parklet should have a notable, defined edge along the side of the parklet facing the roadway and adjacent parking stalls. Depending on the context, the edge should be between 30 and 42 inches in height on the street side.
- Permanent or continuous opaque walls between 42 inches (preferably 36 inches) and 90 inches (preferably 96 inches) from the pavement are not permitted as part of your parklet design. These block views into the parklet from the surrounding streetscape.
- Temporary vertical obstructions, such as mesh screens, between 42 and 90 inches from the pavement shall be considered a **“closed sidewall”** and shall only be allowed when blocking direct sunlight, wind, or rain.
- Vertical obstructions 42 inches or less in height shall be considered **“partial obstructions”** and shall be allowed for the purposes of determining **“sufficient outside air movement”**.
- A minimum clear **“opening”** height of no less than 48 inches, shall be provided above any partial obstructions to provide **“sufficient outside air movement”**.
- **Additional sidewall opening requirement:** Additional sidewall tent openings are required if **portable outdoor gas-fired heating appliances** are used within tents or canopies as follows:
 - One side of the covering or canopy must be completely open with no closed sidewalls or partial obstructions.

- The combined sidewall area (all 4 sides) shall not have less than 50% of clear unobstructed opening as determined by the fire code official.
- Variations from these guidelines may be approved on a case-by-case basis when the intent of the guidelines are met, and the variations are approved by the Department of Public Health and the fire code official. (An example of a variation might include fans or other devices that increase sufficient outside air movement to a space that might not otherwise meet all the criteria mentioned above.)
- All temporary sidewall material/fabric, placement, and attachment method must be pre-approved as part of your temporary permit.



SIGNAGE

All City of Sebastopol signage requirements shall remain applicable. Parklets may not be used to hang banners, promotional material, or any other type of signage; the exception to this rule being any parklet within Caltrans right-of-way must have signage that denotes public use, no smoking, and no alcohol. At no time should any business attach, affix, or secure, any signage to any power pole, tree, streetlamp, or other City-owned piece of infrastructure.

Parklets using parking stalls or otherwise blocking their address, must provide their numerical address on the street facing side of their parklet so that it is easily viewable from the roadway. A self-reflective address sign on the parklet with individual numbers that are at minimum 4 inches in height.

ROAD BARRIERS

Vehicle deterrents such as heavy planters, filled wine barrels, or other heavy objects shall be installed within the parking space adjacent to the traffic lane no more than 6 feet apart along the street side perimeter of the parklets. Additional vehicle deterrents shall be installed on the edges of the parklet. Vehicle deterrents such as barricades, planters, wine barrels, or other objects **MUST** be filled with water, soil, sand, or other heavy material and be installed within the parking space adjacent to the traffic lane or adjacent parking sides. All vehicle deterrents shall be located entirely within the approved parking space(s), and design and placement must be approved by City staff. Do not push out road barriers to gain additional space.



CONSTRUCTION

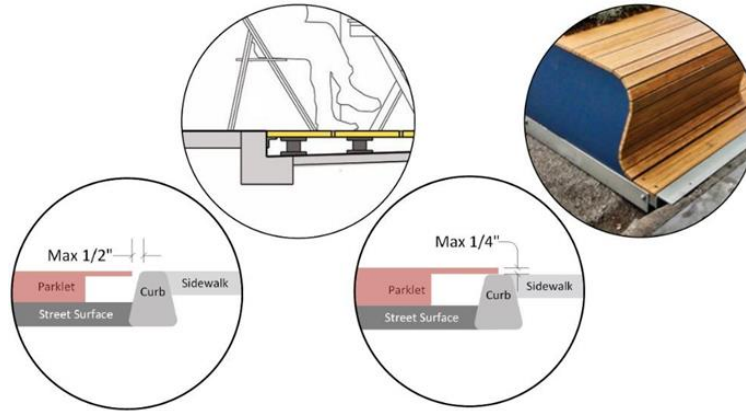
The parklet frame should be a freestanding structural foundation that rests on the street surface or curb. No features or structural components may be permanently attached to the street, curb, or adjacent planting strip. Businesses cannot leave materials within the public right of way outside your parklet, including during construction. At no time should any business attach, affix, or secure, any sign, covering, parklet, or private equipment to any power pole, tree, streetlamp, or other City-owned piece of infrastructure. Parklets must be freestanding and no attachment to any existing building structure or piece of infrastructure (private or public) is permitted without approval.

Upon receiving your Parklet Permit, construction must be completed in a timely manner and not continue more than 3-weeks from your start date. After work has started, continual progress on your parklet must be made to comply with the conditions of your permit. Any construction lasting more than 3-weeks will require the installment of construction fencing at the permit holder's coordination and risk possible revocation of permit. Additionally, drilling into the sidewalk or pavement is not allowed. When your permit expires, businesses will need to repair any damage to public property. The City may require an additional encroachment permit to correct any damage.

CURB INTERFACE

- Parklet design shall allow for stormwater flow and drainage along the curb.
- If a deck is proposed, the top of the decking shall be flush with the curb (no more than ½ inch horizontal gap), level with the adjacent sidewalk (no more than ¼ inch vertical deviation) and must be accessible at several locations by pedestrians.
- The parklet must have a seamless connection to the existing curb to meet ADA requirements. In certain situations, a ramp may be required to meet ADA requirements.

Detailed plans for any proposed decking or ramps must be included in the parklet application. Drainage plans must be included with the decking and ramp plans. More detailed standard plans for parklet decking and drainage can be found in **Appendix B**.



PUBLIC UTILITIES

A parklet shall not block storm water drainage, fire hydrants, transit stops, driveways, manholes, or public utility valves/covers. At no time should any business tap into City-owned power, water, or any other public utility.

SIGHT LINES

- The parklet design must ensure visibility to passing traffic and pedestrians and not create a visual barrier.
- The parklet shall maintain a visual connection to the street. Continuous opaque walls higher than 42 inches that block views into the parklet from the surrounding streetscape are prohibited.
- A minimum overhead clearance of 90 inches (preferably 96 inches) must be provided for any parklet that includes a covering, canopy, umbrella, or similar element, to avoid creating a visual barrier and to provide adequate clearance for people.
- The parklet should have a notable, defined edge along the side of the parklet facing the roadway and adjacent parking stalls. Depending on the context, the edge should be between 30 and 42 inches in height on the street side.
- The parklet shall not encroach on the travel way.
- Traffic deterrents must be connected to create a perimeter that deters individuals from entering the traffic lane from the parklet. This can be accomplished via a railing, planter, pony fence, roping, or other similar apparatus.
- Generally, parklets must be located at least one parking stall away from a street corner or crosswalk. In the case of unmarked parking spaces, parklets must be a minimum of 20 feet from a street corner or crosswalk.
 - Applicants requesting a parklet located on a corner will undergo a thorough review and sight line evaluation, based on specific location and intended use, to determine if the presence of the parklet at a specified location would likely cause a safety hazard.
- Parklet shall not create an unsafe condition by limiting necessary line of sight from driver to signage, traffic, or pedestrians.



EMERGENCIES AND REPAIR

As determined by the City, a business shall remove a parklet installation or portion of a parklet at its own cost for:

- Public utility maintenance, upgrades, repair, or inspection purposes
- Street maintenance, upgrades, repair, or inspection purposes
- Access below ground, street level, or above ground utilities, trees, and other City infrastructure
- Storms, floods, high wind advisories, and other weather-related events
- Upgrade, maintenance, or regular inspection of public utilities
- Access to fire hydrants, manholes, valves/covers, drainage, and other utility or utilities
- Securing, altering, relocating, and/or items contained within for safety reasons
- Other purposes as determined by the City or as directed by the City Manager

The City will make a reasonable attempt to contact the parklet owner/sponsor with a timeline for any parklet disruption or outage, however, in an immediate emergency this may not be possible.

In an emergency, the City reserves the right to dismantle or remove a section or sections of a parklet in whatever manner it chooses to address the emergency and assumes no responsibility for returning the parklet to its original condition.

Due to the nature of the emergency, repair, maintenance, inspection, or other essential purpose that requires removal, displacement, destruction or disruption of a permitted parklet, an exact timeline may not be immediately known and could exceed days, weeks, or months.

PERMIT PROCESS AND REQUIREMENTS

STEP 1: Applicant submits permit application via email to:

City of Sebastopol Engineering Department

engineering@cityofsebastopol.org

(707) 823-2151

STEP 2: Permit coordinator collects all application materials and provides initial review of application.

- Completed application with required signatures
- Detailed map/layout
- Initialed and signed Parklet Permit Agreement and Guidelines
- Proof of Liability Insurance with Endorsement
- Any supplemental materials, photos, maps, layouts, or permits
- Written and signed statements of support from neighboring businesses and property owner

STEP 3: Permit coordinator routes completed application to Design Review Board.

STEP 4A: Design review Board may request a virtual or on-site meeting with the applicant to review request.

STEP 4B: Design Review Board submits comments/requirements to permit coordinator to be included in final permit.

STEP 5: Permit coordinator assembles all added conditions and requirements, if any, and has applicant sign and receive final permit.

IMPORTANT:

Parklet permits are valid for one year from the start of construction and shall be subject to annual renewal. Renewal is at the City's discretion.

ASSOCIATED COSTS AND FEES

Fees:

- No application fee is required in applying for a Parklet Permit
- The Planning and Building Department charges a fee to applicants for the time spent reviewing professional parklet drawings along with the inspection of your construction for all approved building permits. Applicants that choose to build a more elaborate construction that includes any sort of construction overhead will require a building permit.
- Additional fees may apply depending on parklet location and use. Fees are assigned based on the current Master Fee Schedule.

Other potential fees: (Not collected by the City of Sebastopol)

- CUPA certification (training required to handle propane under outdoor coverings, annual fee is roughly \$400)
- Any professional designs (required for a building permit)
- Additional fees may apply depending on parklet use.

Other costs:

- The business constructing the parklet is fully responsible for all construction and setup costs, operations and maintenance that complies with health orders, full liability release and indemnification, and provision of insurance.
- The business shall remove a parklet, or portion of a parklet, at its own cost, if necessary for public utility or street maintenance/repair purposes, as determined by the City. This may include full removal of the parklet installation in order to access below ground, street level, or above ground utilities, trees, and other City infrastructure.
- The business shall be responsible for repairing any damage caused to the street/curb/gutter/sidewalk as a result of the parklet, once the parklet is removed.
 - In the case that the business owner does not follow through with these responsibilities, the property owner will assume responsibility.

NEIGHBOR NOTIFICATION, APPROVAL, AND COMPLAINTS

All permit applicants MUST notify all adjacent businesses and provide details of their parklet plan. Support and approval of your immediate neighbors and the building/property owner by way of signature on the Parklet Permit is **required**. A neighboring business that has any concerns or issues is encouraged to resolve the matter independently and diplomatically with the permit holder. If a resolution cannot be found, the adjacent business may contact the permit coordinator in writing to file an official grievance for determination and/or direction on the matter. Non-adjacent businesses may also contact the permit coordinator with any complaints, next steps for the complainant will be provided.

MAP AND LAYOUT REQUIREMENTS

In your Parklet Permit application, you will be asked to include a **detailed** drawing / visual representation of the area in which your proposed outdoor activities will take place. To assist us providing a thorough review of your map / layout you will be asked make note of the following:

Boundaries & Equipment:

- Clearly define the boundaries of your proposed footprint and identify the names of any neighboring businesses
- Your **ENTIRE** parklet, including wine barrels, planters, tenting and barricades, must fit within the designated parking area.
- Label street names of any adjacent streets
- Include all improvements, structures, equipment, and/or materials (i.e., tables, coverings, dividers, barriers, etc.)
- Identify all permanent public fixtures within your proposed footprint (i.e., sidewalks, trees, fire hydrants, benches, etc.)
- Indicate 48-inch path of ADA compliant travel

Parklet:

- Details of construction of platform if used to create flat surface
- Details of hand railing if a drop off is created by platform
- Details at connection point to curb or note to be created “flush with curb”
- Details of any ramp or other device to allow wheelchair access
- Dimensions between seats

- Dimension from seating to edge of travel way
- Vertical clearance of 7 feet minimum required from walking surface (i.e., if patio umbrellas are used)
- Details on use of any gaps between parklet and adjacent parking (i.e., bike parking, planters, etc.)
- Details on drainage under proposed decking or ramps

See **Appendix B** for helpful information on site plans. Professional drawings are required for all Building Permits

INSURANCE REQUIREMENTS

If Permittee's proposed activities encroach into public right-of-way and/or a public easement, Permittee shall procure and maintain for the duration of this Agreement, and furnish proof of along with this Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with this Agreement, as set forth in this section. The cost of such insurance shall be borne by Permittee. Permittee's whose activities do not encroach into public right-of-way and/or a public easement, shall not be required to obtain said insurance.

Minimum Scope of Insurance:

Permittee shall obtain and all times during duration of this Agreement maintain coverage at least as broad as:

- Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
- Workers' Compensation insurance as required by the State of California and Employer's Liability insurance (for Permittees with employees).
- Property insurance against all risks of loss to any tenant improvements or betterments.

Permittee shall maintain limits no less than:

General Liability: \$2,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Employer's Liability: \$1,000,000 per accident for bodily injury or disease. Property Insurance: Full replacement cost with no coinsurance penalty provision.

Deductibles and Self-Insured Retentions:

Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees, and volunteers; or the Permittee shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Other Insurance Provisions:

- The general liability policy is to contain, or be endorsed to contain, the following provisions:
- The City, its officers, officials, employees, and volunteers are to be covered as insureds with respect to liability arising out of ownership, maintenance or use of the premises/property owned by or leased to the Permittee.
- The Permittee's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Permittee's insurance and shall not contribute with it.
- Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

Acceptability of Insurers:

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII unless prior approval is received from the City Attorney.

INSURANCE CHECKLIST

Below you will find a helpful Liability Insurance & Endorsement Checklist for providing us a Certificate of Insurance AND Endorsement that meet our requirements:

Certificate of Insurance (COI):

- Correct name and address of permit applicant is listed on the COI (must match the applicant/business name on the Parklet Permit Application).
- Limits need to be \$2,000,000.00 or greater.
- "The City of Sebastopol, it's officers, officials, employees, and volunteers" need to be listed.
- Proof of Worker's Compensation. The application says that you need to provide proof of Workers' Comp Insurance as required by the State of California and Employer's Liability Insurance. When we refer to proof, we are stating that your need to show us that you have Workers Comp but that you don't have to provide the Workers' Comp Waiver of Subrogation, which we normally require.

Additionally Insured General Liability Endorsement:

- "The City of Sebastopol, it's officers, officials, employees, and volunteers" need to be listed.
- Additionally insured or 'Per Written Contract' needs to be listed.
- Contains Primary and Non-contributory language.
- The GL Policy number added to the endorsements or the form numbers added to the certificate page in the description. Something that connects all these documents together.

Please provide the above requirements and checklist to your insurer and confirm that they have provided all information contained in the checklist before submitting your insurance documents. Providing insurance documents that do not meet the City's minimum requirements may delay your permit approval. It is the responsibility of the permit holder to ensure that the City has your most current insurance information on file.

ADDITIONAL PERMITS AND REQUIREMENTS

Nothing relieves a business from the requirement to:

- Obtain a Building Permit for outdoor activities if a building permit would otherwise be required, nor does this relieve a business from complying with all provisions of the Building Code, including but not limited to, maximum occupancy requirements. City staff will determine if your parklet construction requires a building permit as part of their review of your permit application.
- Undergo design review for exterior alterations if such design review is required pursuant to any historic property standards, except for temporary installments, including but not limited to, tents, fencing, barriers and enclosures, may be authorized to facilitate proposed outdoor activities.
- Obtain any and all [California Department of Public Health](#) (CDPH) permits, including but not limited to, food, outdoor dining, alcohol, etc.
- Adhere to the laws and regulations set forth in the [Americans with Disabilities Act of 1990](#) (ADA). As the business and parklet owner/sponsor, you are responsible for understanding and meeting the requirements of the Americans with Disabilities Act (ADA). You must always keep a 48-inch walkway open for pedestrians, do

not allow customers to move chairs or tables that infringe on the public walkway. See **Appendix A** for additional guidance.

- Obtain all permits and follow all requirements found in the California Building Standards Code and the California Fire Code including electronically reporting and applying for a Hazardous Materials [Certified Unified Program Agencies](#) (CUPA) permit if using Liquid Petroleum (LP) Gas (Propane).

Information provided above is not an exhaustive listing of permits and parklet requirements. Permit requirements are subject to change, additional permits may be required, and holders of a Parklet Permit must conform to all updated permit requirements, guidelines, laws, and ordinances.

PARKLET INSPECTION

Once your approved permit is issued, your parklet is subject to regular inspection by City staff without notice. Inspection results will be provided to you in writing along with any notations, corrective measures, and timeline for completing any issues. Timeline for each corrective measure will be contingent on the safety risk posed. Permit holders will need to confirm all corrective measures in writing and provide pictorial evidence if required. If on subsequent inspections, previously identified issues persist, the permit review team will review the violation and determine if a revocation of permit is required. **Permits may be terminated, revoked, or amended at any time at the sole discretion of the City Manager.** Please see section on “Violations” for additional information.

TERMS AND CONDITIONS

Please read and understand the following permit terms & conditions:

- 1) Permittee agrees to accept all responsibility for loss or damage to any person, property, or entity and to indemnify, hold harmless, and defend and release the City of Sebastopol, its agents, and employees from and against any and all liability actions, claims, damages, costs, or expenses which may be asserted by any person, property, or entity, including Permittee, arising out of or in connection with the willful act or negligence of Permittee engaging in the activities associated with this Agreement, whether or not there is concurrent negligence on the part of the City, but excluding liability due to the sole active negligence or sole willful misconduct of the City.
- 2) The City reserves the right to order the removal or relocation of the improvements listed in the Parklet Permit, at Permittee’s cost in the event same is required by the City and/or a Utility. Whether or not said removal or relocation is required shall be left to the unfettered discretion of the City and/or a Utility. Permittee hereby grants to the City the right to remove or relocate said improvements and to come upon Permittee’s land to effect said removal or relocation if deemed necessary by the City and/or a Utility. Permittee waives any claim or right he/she/it may have for inverse condemnation, damages, or loss of income or business resulting from said removal.
- 3) Permittee shall comply with all applicable local, State, and Federal laws and regulations at all times during the effective period of this agreement, including but not limited to laws regarding the obstruction of vehicular traffic, the Americans with Disabilities Act and County health laws regarding provision of food services.
- 4) If Permittee’s proposed activities encroach into public right-of-way and/or a public easement, Permittee shall procure and maintain for the duration of this Agreement, and furnish proof along, with this Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with this Agreement, as set forth in this section.
- 5) This Agreement is non-transferable between businesses. Only the permittee with whom this Agreement was entered shall be permitted to engage in the activities authorized herein. In the case of a change in ownership for the business, the permit may be transferred after review and approval by the City.

- 6) In the case that the business is dissolved or the permittee fails to comply with the requirements for upkeep and removal, the building/property owner will assume all responsibility
- 7) This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed.
- 8) Please read and attest to the following:
 - a. I acknowledge that my parklet permit is valid for one year from the start of construction, is subject to annual renewal at the discretion of the City and can be revoked at any time.
 - b. I will adhere to all State of California and Sonoma County Health Services orders and requirements.
 - c. I will adjust my outdoor plan if City staff identify safety, ADA compliance, or logistical issues after this permit is issued.
 - d. I accept all risk related to loss or damage of any outdoor furnishings.
 - e. I will always leave room for ADA access (minimum of 48 inches of unobstructed clearance) and for appropriate pedestrian flow and will be responsible for allowing all other ADA requirements.
 - f. I will leave Fire Department connections, fire hydrants, and designated red zones unobstructed.
 - g. I will train staff on the location of the nearest fire extinguisher to the outdoor space.
 - h. I will assure that exits for my business and adjoining businesses remain unobstructed.
 - i. I will not cook outdoors unless prior approval is granted by Sonoma County Health Services and Fire Department.
 - j. I am not prohibited by any lease or rental agreement from expanding my business outdoors in front of my business.
 - k. I understand that the City reserves the right to update, amend, or otherwise change these guidelines at any time.
 - l. I understand that amplified sound is not permitted in any parklet area.

VIOLATIONS

Any violation of this permit or any local, State, or Federal law shall constitute an imminent threat to the public health and is hereby declared to be a public nuisance and shall be subject to enforcement as such; violations may result in the immediate termination of your Parklet Permit and the cessation of any authorized activities. **Permits may be terminated, revoked, or amended at any time at the sole discretion of the City Manager.**

APPEAL

Any applicant who is denied a Parklet Permit or whose permit has been revoked for any purpose, may appeal. All appeals must be made to the City Manager within 30-days of notice of denial or revocation. The appellant shall attach a written statement describing the circumstances of the appeal and include any evidence that he/she would like to be reviewed for consideration. A response will be delivered within 30-days to the applicant.

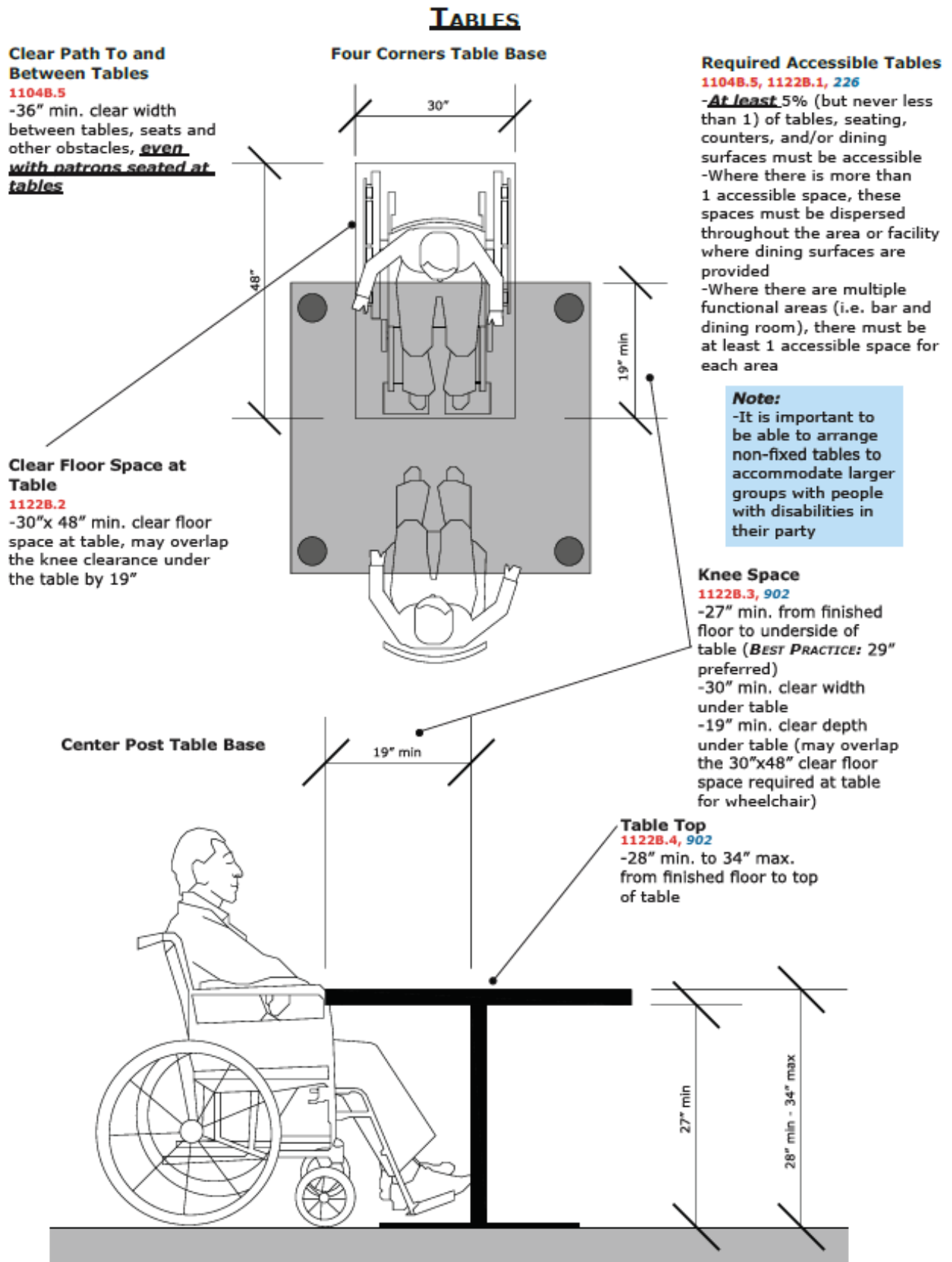
SIGNATURE

THE UNDERSIGNED AGREES THAT THE PROPOSED ACTIVITIES DESCRIBED ABOVE SHALL BE IN ACCORDANCE WITH AND SUBJECT TO THIS AGREEMENT'S TERMS AND CONDITIONS, CITY OF SEBASTOPOL RESOLUTION NO. 6033 AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL LAWS.

Applicant Signature:	Date:
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APPENDIX A: ADA SEATING REQUIREMENTS

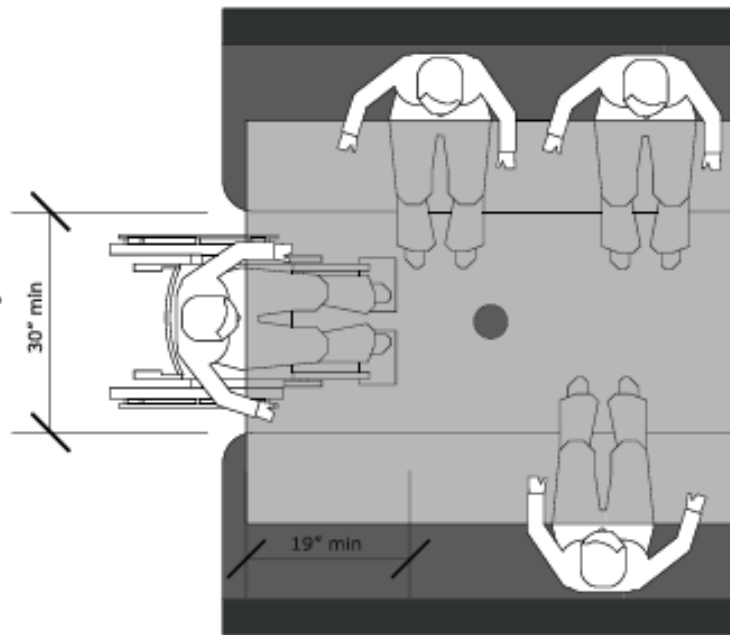
Below are a few sections from the [Americans with Disabilities Act](#) (ADA) regulations as a helpful recourse for providing accessible tables and seating in your parklet.



BANQUETTE SEATING

Note:
-It is important to be able to arrange non-fixed tables to accommodate larger groups with people with disabilities in their party

Booth Seating with Center Post Table Base



Clear Floor Space at Table

11228.2

-30"x 48" min. clear floor space at table, may overlap the knee clearance under the table by 19"

Sled (or T) Table Base

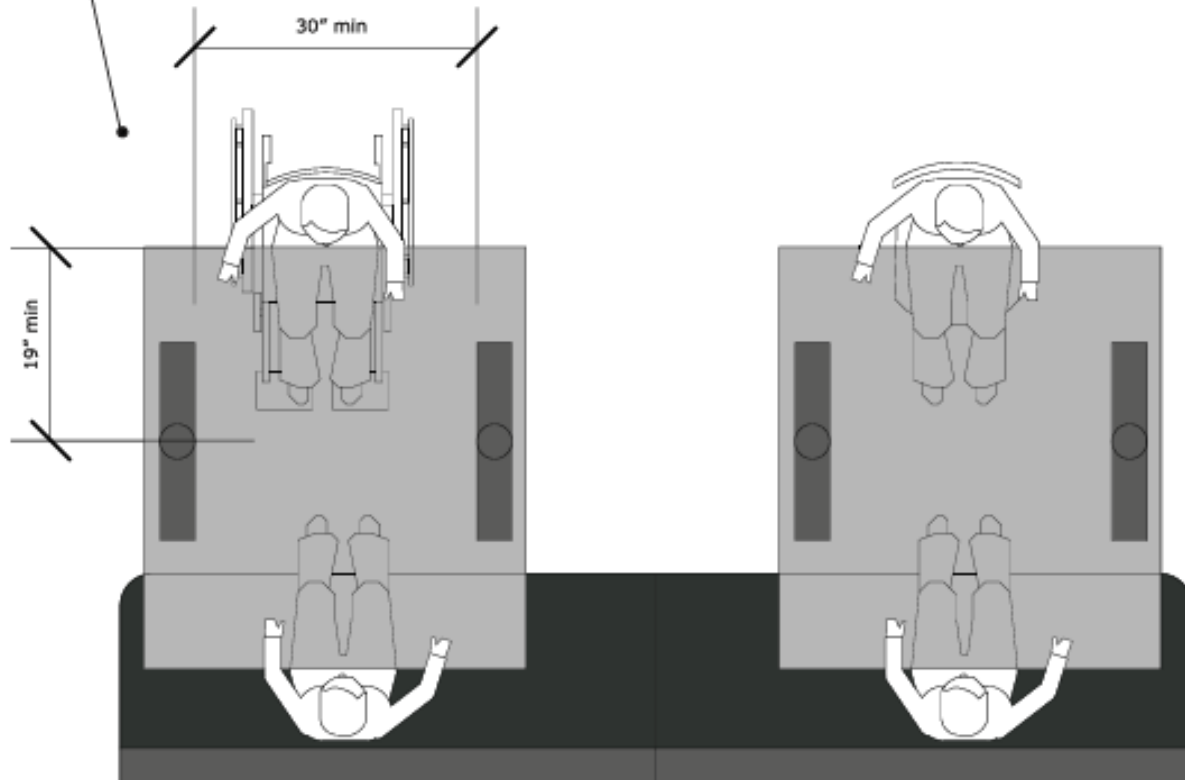
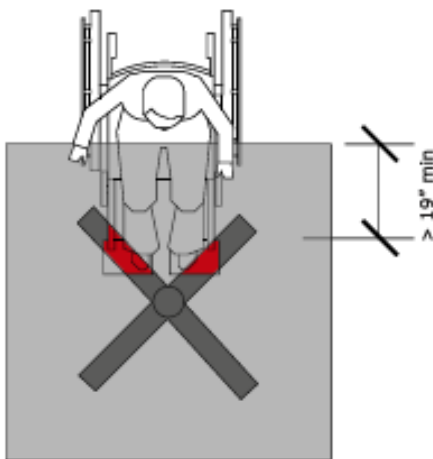
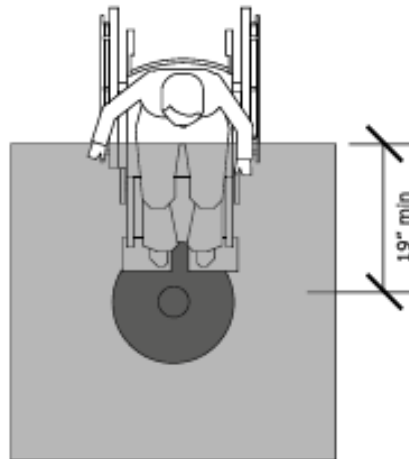


TABLE BASES

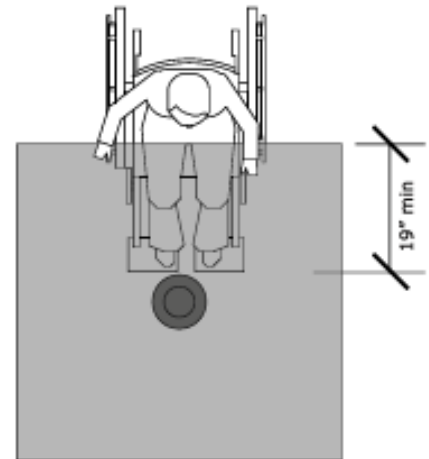
Non-Accessible X Base



Center Post Table Base



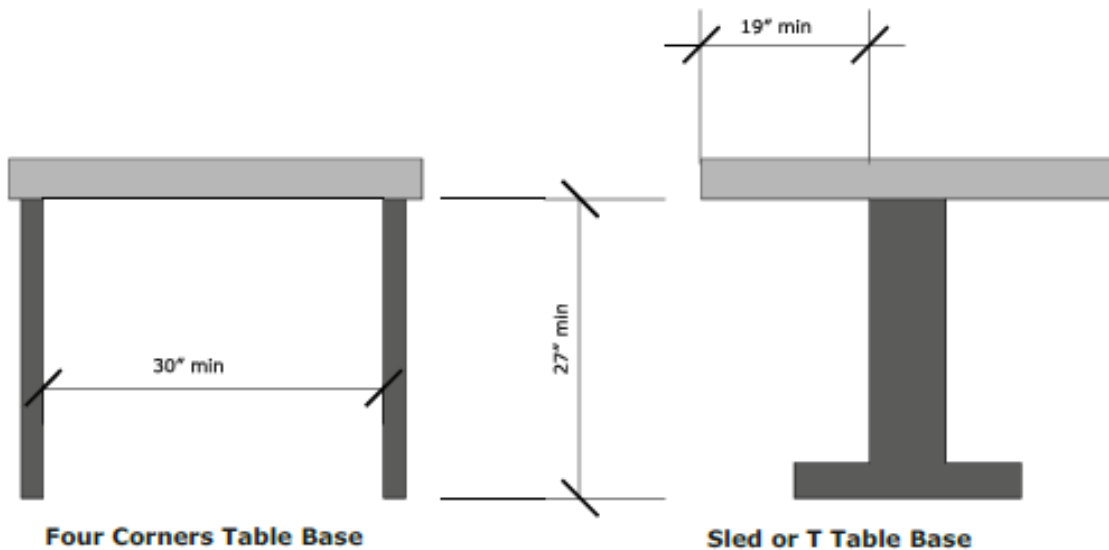
Bolt-Down Center Post Table Base



Knee Space

1122B.3, 902

- 27" min. from finished floor to underside of table (**BEST PRACTICE: 29" preferred**)
- 30" min. clear width under table
- 19" min. clear depth under table (may overlap the 30"x48" clear floor space required at table for wheelchair)

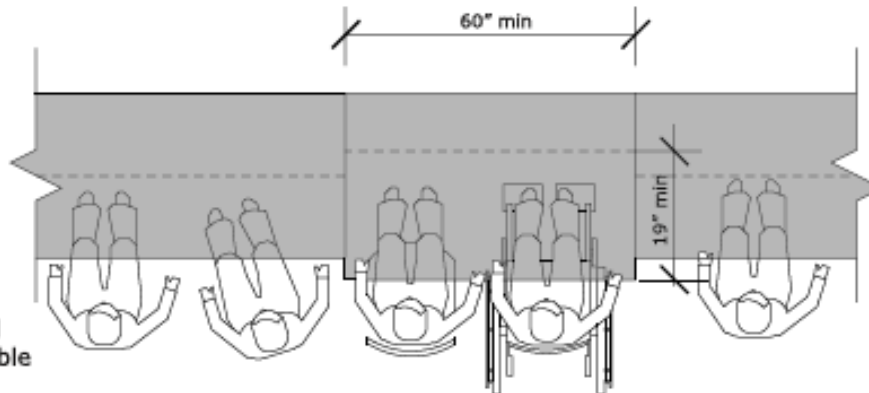
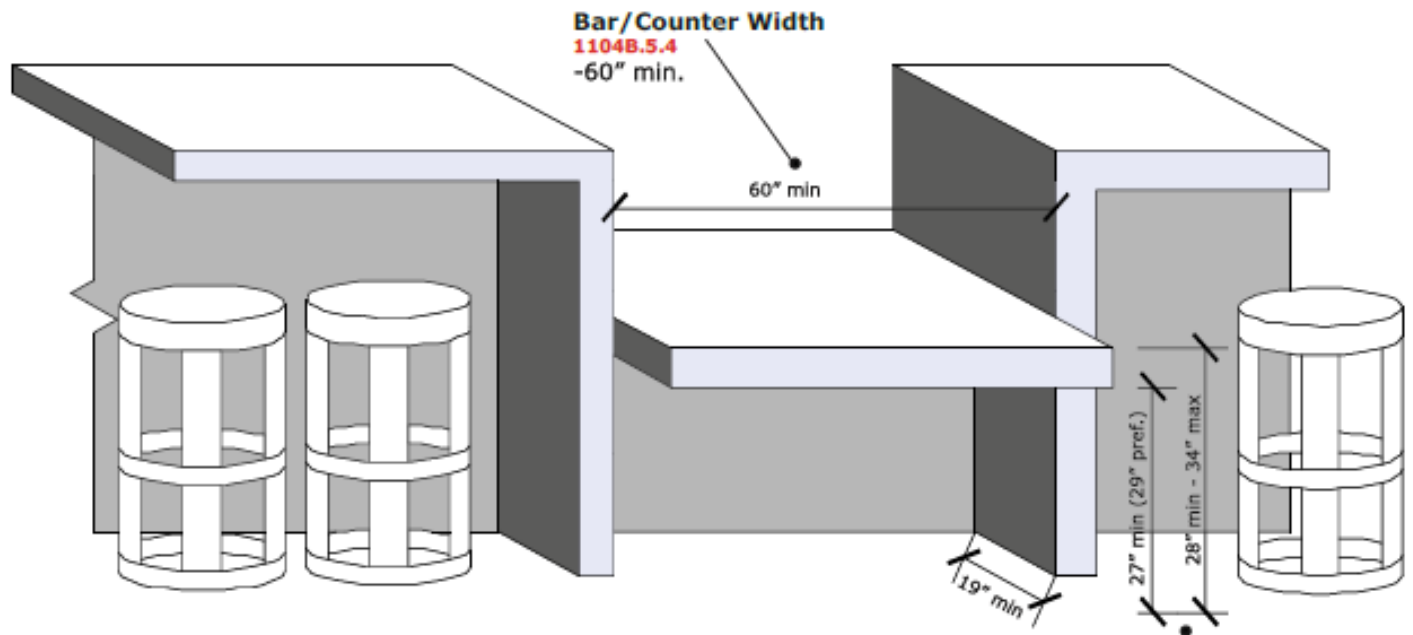


General/BEST PRACTICE

1122B.3, 902

- The following are considered **ACCESSIBLE** bases:
 - Legs in the 4 corners with at least 30" min. between them
 - Sled or T base on two sides of the table with 30" min. between them
 - Center post with bolt-down base, at least 19" from edge of table
 - Center post with flat base of 1/2" thick max. with 1/4" bevel, if flat base extends into the required 19" clear space from edge of table
- Do NOT use X-shaped table base, as it interferes with the 19" min. clear space from edge of table and may cause wheelchair footrests to become stuck (shown in red above)
- Do NOT use center post with thick or sloped bases that extend into the required 19" min. clear space from the edge of the table, as this will prevent a person using a wheelchair from being able to sit comfortably at the table, or may cause their wheelchair to tip back

BAR/COUNTER SEATING



Knee Space 1122B.2, 306.3

- 27" min. from finished floor to underside of table (29" preferred)
- 30" min. clear width under table
- 19" min. clear depth under table (may overlap the 30"x48" clear floor space required at table for wheelchair)

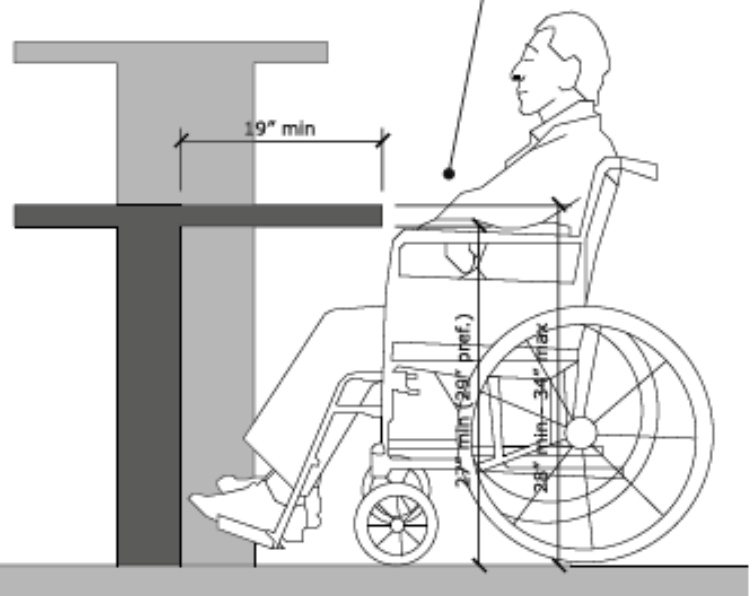
Bar/Counter Top 1122B.4, 902.4.2

- 28" min. to 34" max. from finished floor to top of bar/counter
- Must extend full depth of bar/counter
- Do NOT use as service area

Required Accessible Tables

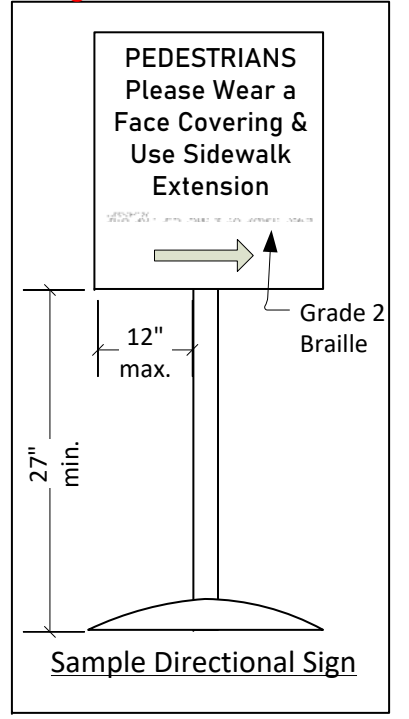
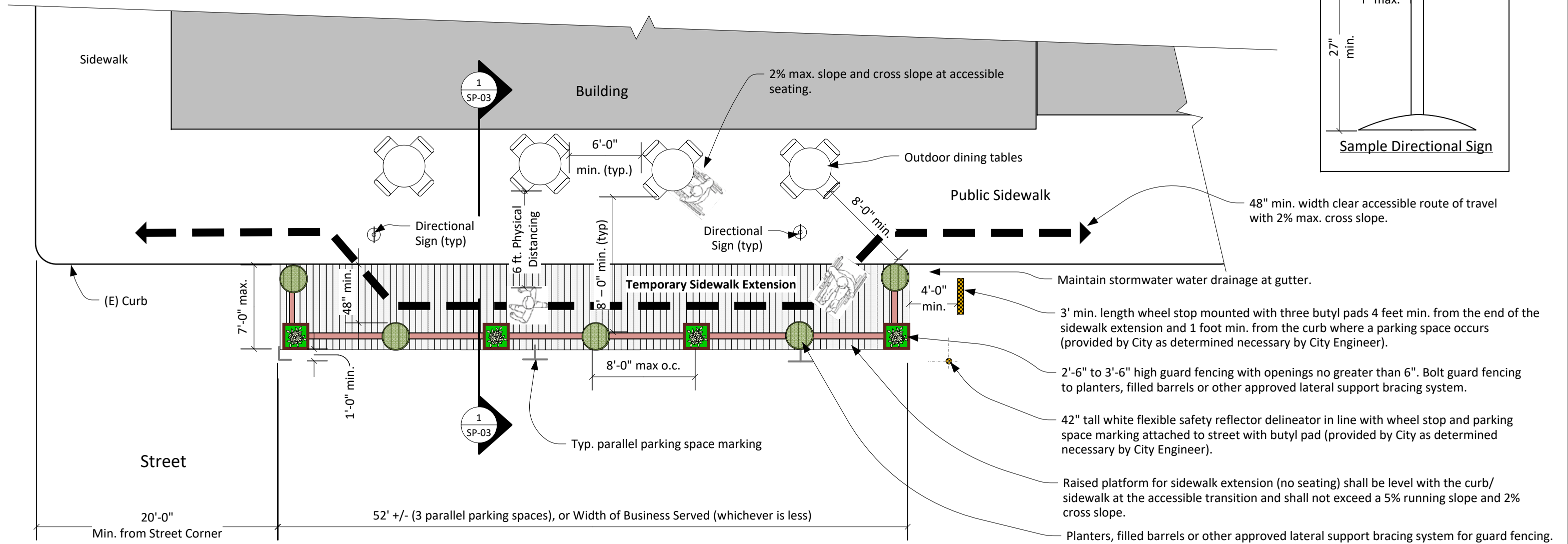
1104B.5, 1122B.1, 226

- At least** 5% (but never less than 1) of tables, seating, counters, and/or dining surfaces must be accessible
- Where there is more than 1 accessible space, these spaces must be dispersed throughout the area or facility where dining surfaces are provided
- Where there are multiple functional areas (i.e. bar and dining room), there must be at least 1 accessible space for each area
- A drop-down hinged counter surface does not count as an accessible space, counter must be same height from customer side to employee side



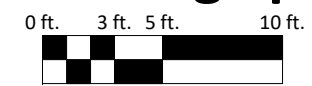
APPENDIX B: STANDARD PARKLET PLANS

(USED WITH PERMISSION FROM THE CITY OF SONOMA)



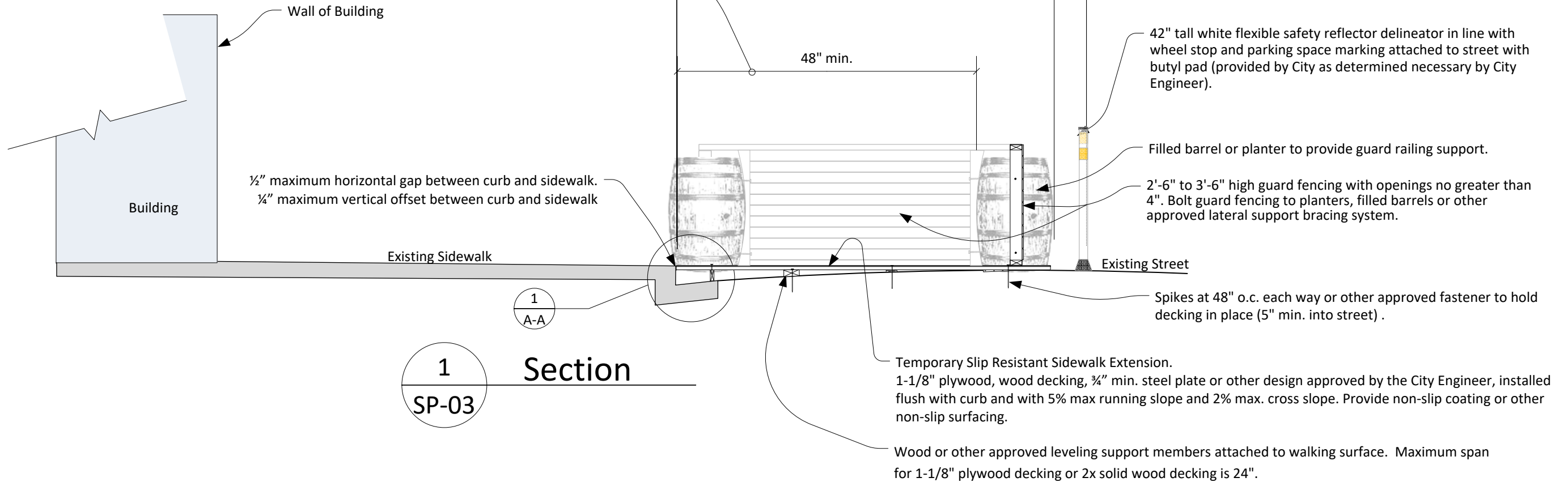
- Notes:**
- Sidewalk extension shall not be located in front of red painted curbs, fire hydrants, fire department connections or within 20 feet of a street corner.
 - At least 5% and not less than one dining seating space shall be made accessible to disabled individuals (e.g. 30" x 48" min. clear and level ground space, 28" – 34" table height with knee and toe clearance, etc.)
 - Any modifications from the standards herein must be approved by the City Engineer and the City Planning and the Community Development Director.
 - Along the street side of the parklet or sidewalk extension, brittle materials such as lattice, pallets, or thin wood boards without cross-bracing support are not acceptable for guard fencing.

City of Sonoma Standard Plan for Temporary Sidewalk Extensions at Parallel Parking Spaces



SP-01

48" minimum width walking surface with 5% max running slope and 2% max. cross slope. Maximum support span for 1-1/8" plywood or 2x solid wood decking walking surface is 24" in any direction.



NOTE:
Along the street side of the parklet or sidewalk extension, brittle materials such as lattice, pallets, or thin wood boards without cross-bracing support are not acceptable for guard fencing.

42" tall white flexible safety reflector delineator in line with wheel stop and parking space marking attached to street with butyl pad (provided by City as determined necessary by City Engineer).

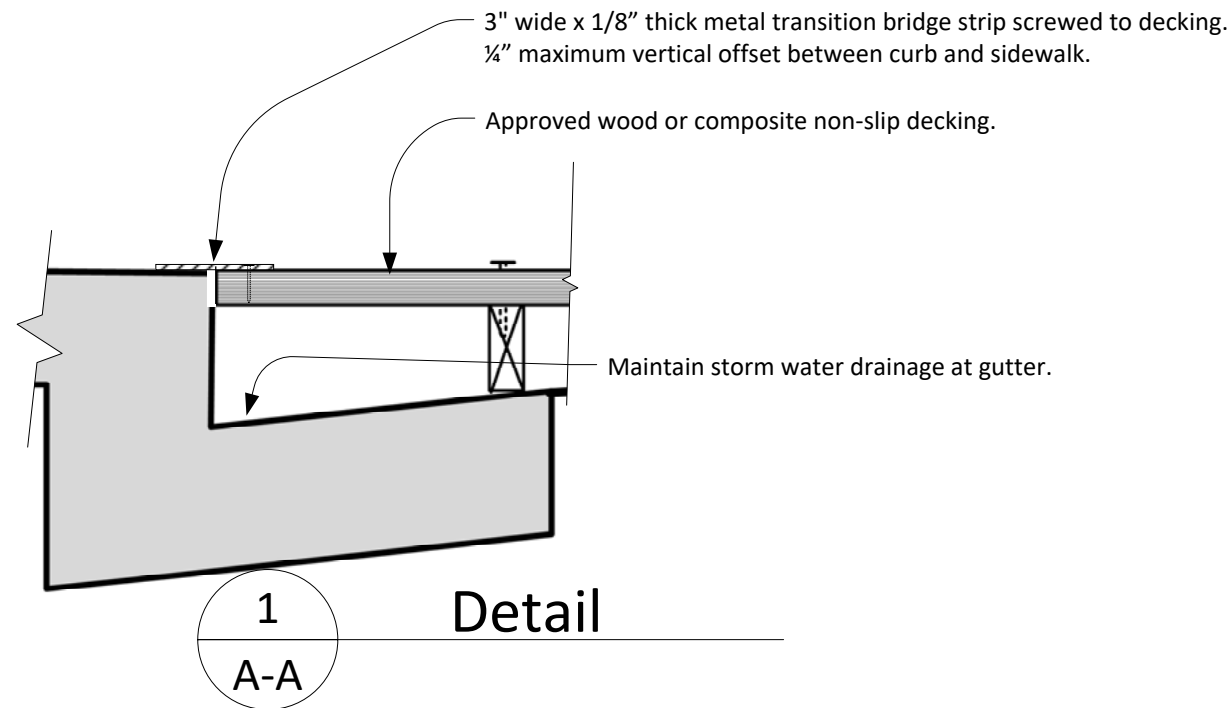
Filled barrel or planter to provide guard railing support.

2'-6" to 3'-6" high guard fencing with openings no greater than 4". Bolt guard fencing to planters, filled barrels or other approved lateral support bracing system.

Spikes at 48" o.c. each way or other approved fastener to hold decking in place (5" min. into street).

Temporary Slip Resistant Sidewalk Extension.
1-1/8" plywood, wood decking, 3/4" min. steel plate or other design approved by the City Engineer, installed flush with curb and with 5% max running slope and 2% max. cross slope. Provide non-slip coating or other non-slip surfacing.

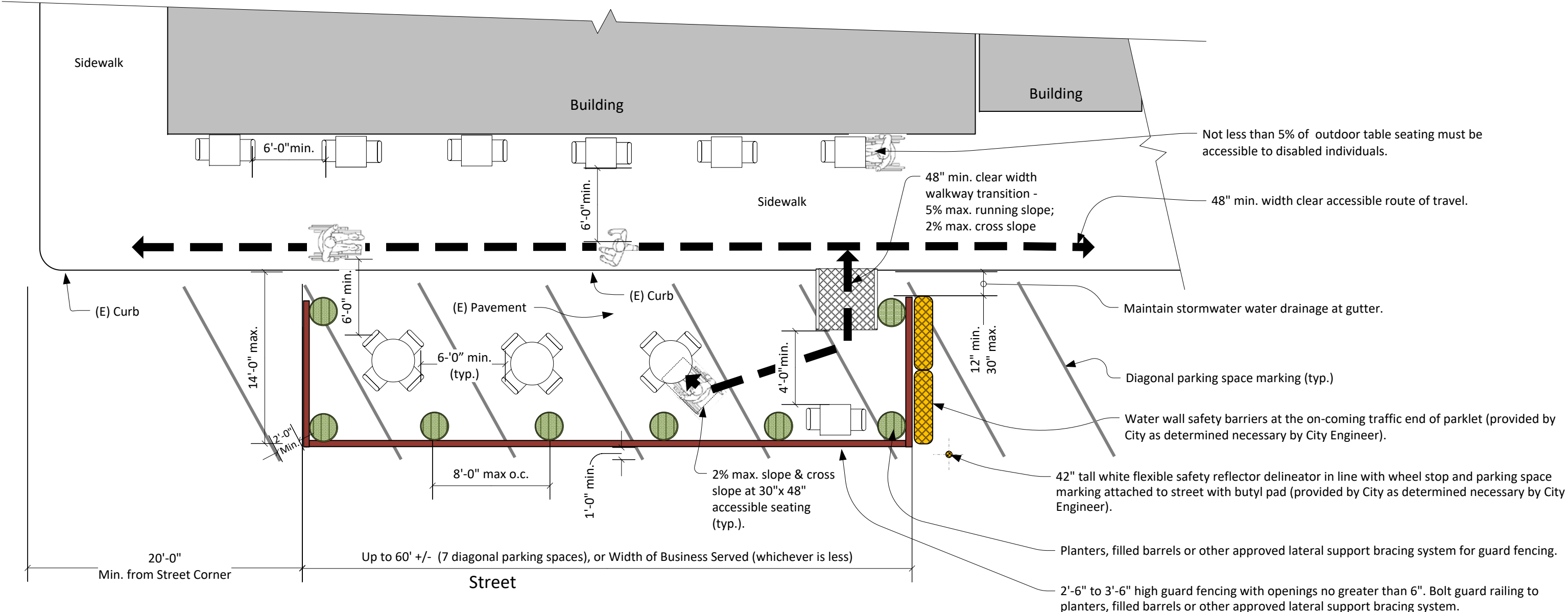
Wood or other approved leveling support members attached to walking surface. Maximum span for 1-1/8" plywood decking or 2x solid wood decking is 24".



City of Sonoma Standard Plan for Temporary Sidewalk Extensions

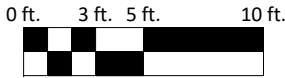


SP-03

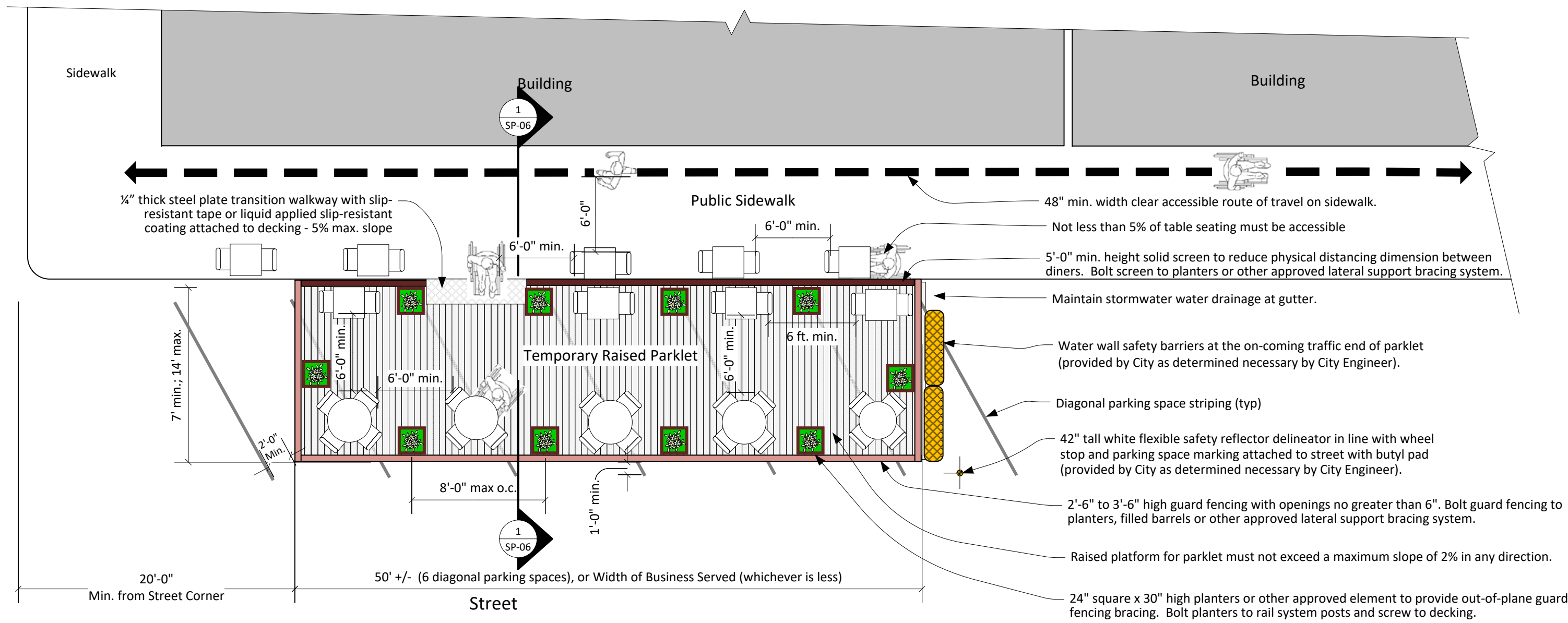


- Notes:**
- Parklets shall not be located in front of red painted curbs, fire hydrants, fire department connections or within 20 feet of a street corner.
 - At least 5% and not less than one dining seating space shall be made accessible to disabled individuals (e.g. 30" x 48" min. clear and level ground space, 28" – 34" table height with knee and toe clearance, etc.)
 - Any modifications from the standards herein must be approved by the City Engineer and the City Planning & Community Development Director.
 - Along the street side of the parklet or sidewalk extension, brittle materials such as lattice, pallets, or thin wood boards without cross-bracing support are not acceptable for guard fencing.

City of Sonoma Standard Plan for Street Parklet (no platform) at Diagonal Parking



SP-04

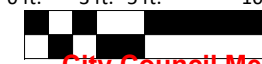


Notes:

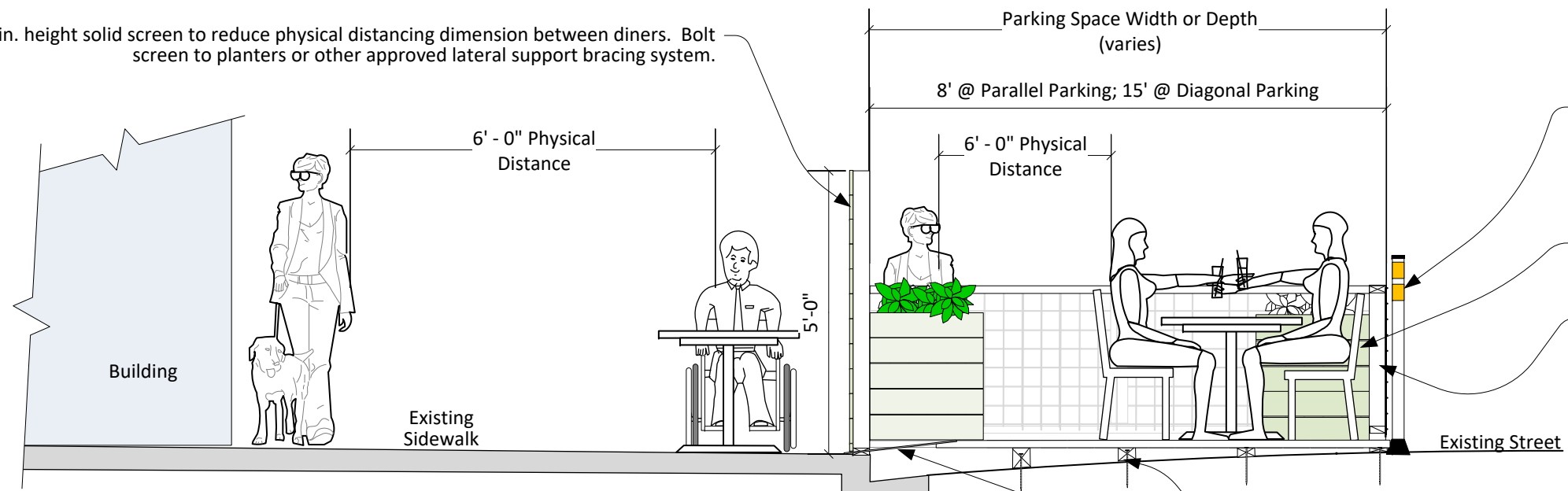
- Parklets shall not be located in front of red painted curbs, fire hydrants, fire department connections or within 20 feet of a street corner.
- At least 5% and not less than one dining seating space shall be made accessible to disabled individuals (e.g. 30" x 48" min. clear and level ground space, 28" – 34" table height with knee and toe clearance, etc.)
- Any modifications from the standards herein must be approved by the City Engineer and the City Planning & Community Development Director.
- Along the street side of the parklet or sidewalk extension, brittle materials such as lattice, pallets, or thin wood boards without cross-bracing support are not acceptable for guard fencing.

City of Sonoma Standard Plan for Temporary Raised Parklet at Diagonal Parking Spaces

0 ft. 3 ft. 5 ft. 10 ft.



5'-0" min. height solid screen to reduce physical distancing dimension between diners. Bolt screen to planters or other approved lateral support bracing system.



42" tall white flexible safety reflector delineator in line with wheel stop and parking space marking attached to street with butyl pad (provided by City as determined necessary by City Engineer).

Filled barrel or planter to provide guard railing support.

2'-6" to 3'-6" high guard fencing with openings no greater than 6". Bolt guard fencing to planters, filled barrels or other approved lateral support bracing system. Along the street side of the parklet or sidewalk extension, brittle materials such as lattice, pallets, or thin wood boards without cross-bracing support are not acceptable for guard fencing.

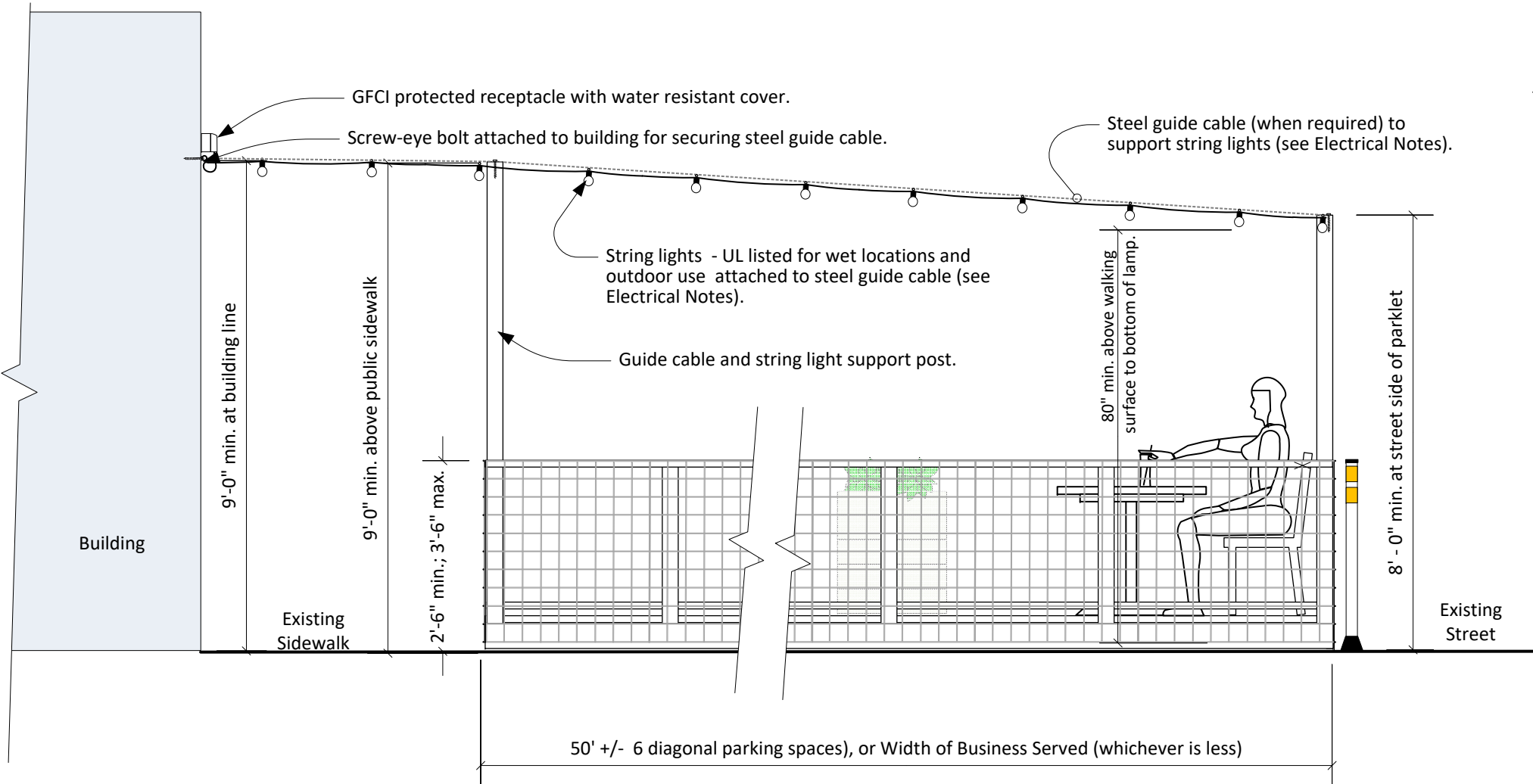
Wood leveling support for deck attached to street with spikes (5" min into street) at 24" o.c. or other approved fastener. Raised platform for parklet must not exceed a maximum slope of 2% in any direction.

1/4" steel plate transition ramp with slip-resistant tape or liquid applied slip-resistant coating, attached to decking - 5% max. slope and 48" min. clear width

1 Section
SP-06

Electrical Notes

- String lights may be installed for a period not to exceed of 90 days. Remove and inspect wire and lamp sockets for degradation due to weather, UV light or other damage prior every 90 days and prior to any re-installation.
- Ground Fault Circuit Interrupter protection (GFCI) is required on the circuits or outlets serving the string lights. A receptacle cover must be in place to prevent the entry of water.
- String lights must comply with UL Standard 588 and be listed for use in outdoor and wet locations.
- String lights must be LED luminaires and controlled by an astronomical time clock or by a photo cell and a time clock.
- String lights must be capable of being turned off by a readily accessible switch or remote control.
- String lights must be installed in accordance with the owner installation manual, and the current California Electric Code.
- String lights must be supported by steel guide cables, with zip ties and eyebolts, or other suitable supporting hardware whenever span distances exceed 10 feet unless longer spans are specified in the manufacturer's installation instructions.
- If an extension cord is used, it must be rated for outdoor use. Use only three wire outdoor extension cords that have three-prong grounding plugs and grounding receptacles that accept the three prong plug.
- Keep combustible material clear of bulbs. Do NOT allow lamps or sockets to come into contact with walls, fabrics, canopies, umbrellas or other combustible materials.
- String lights and extension cords shall not be secured with staples and shall not run through windows, door openings or other openings through walls.

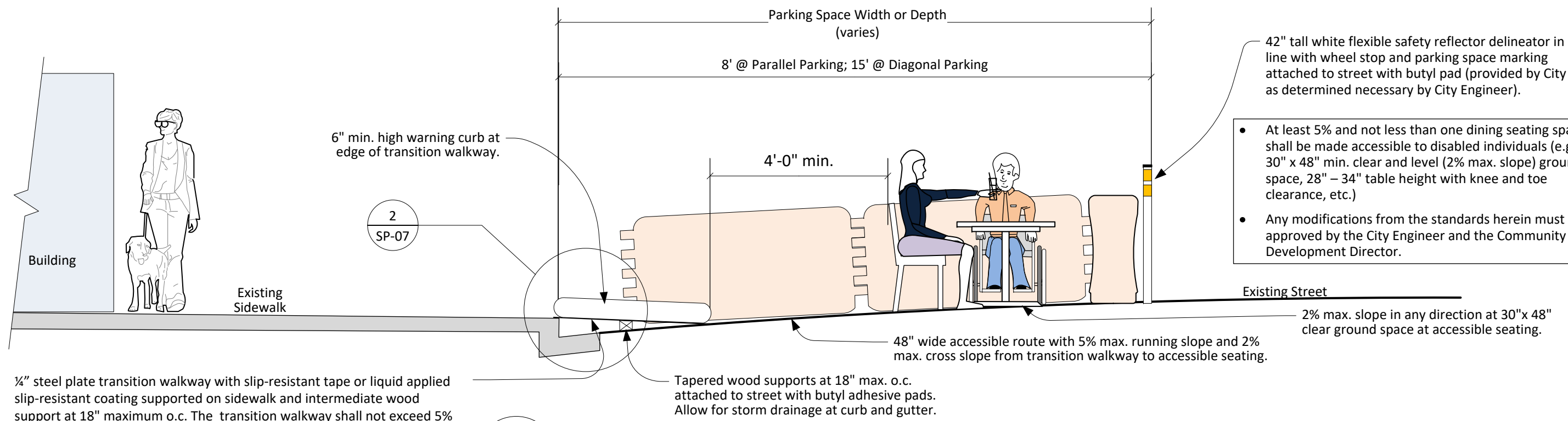


2 Street Elevation – Raised Parklet with String Lights
SP-06

City of Sonoma
Standard Plan for Temporary
Raised Parklets with String Lights



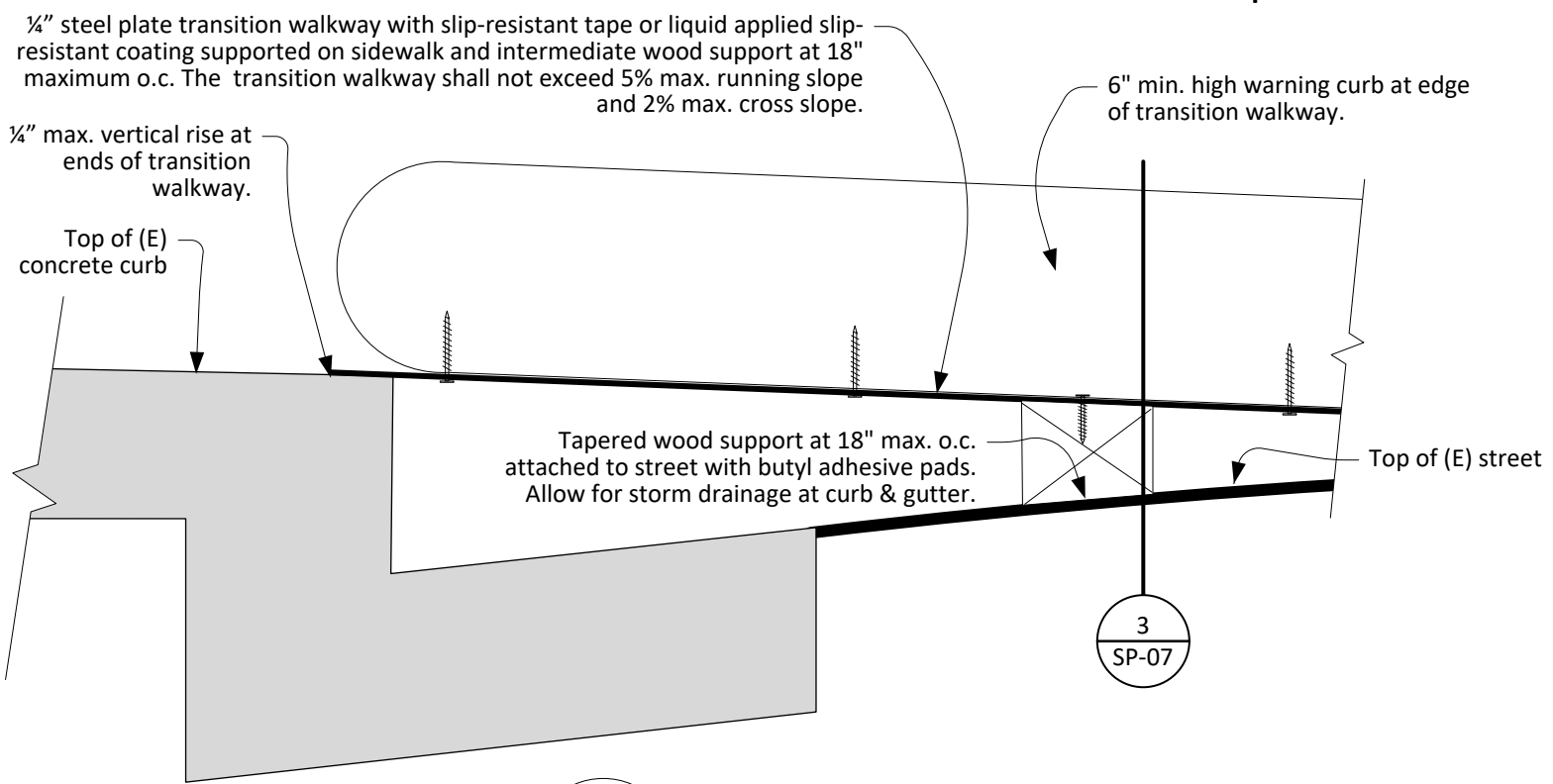
SP-06



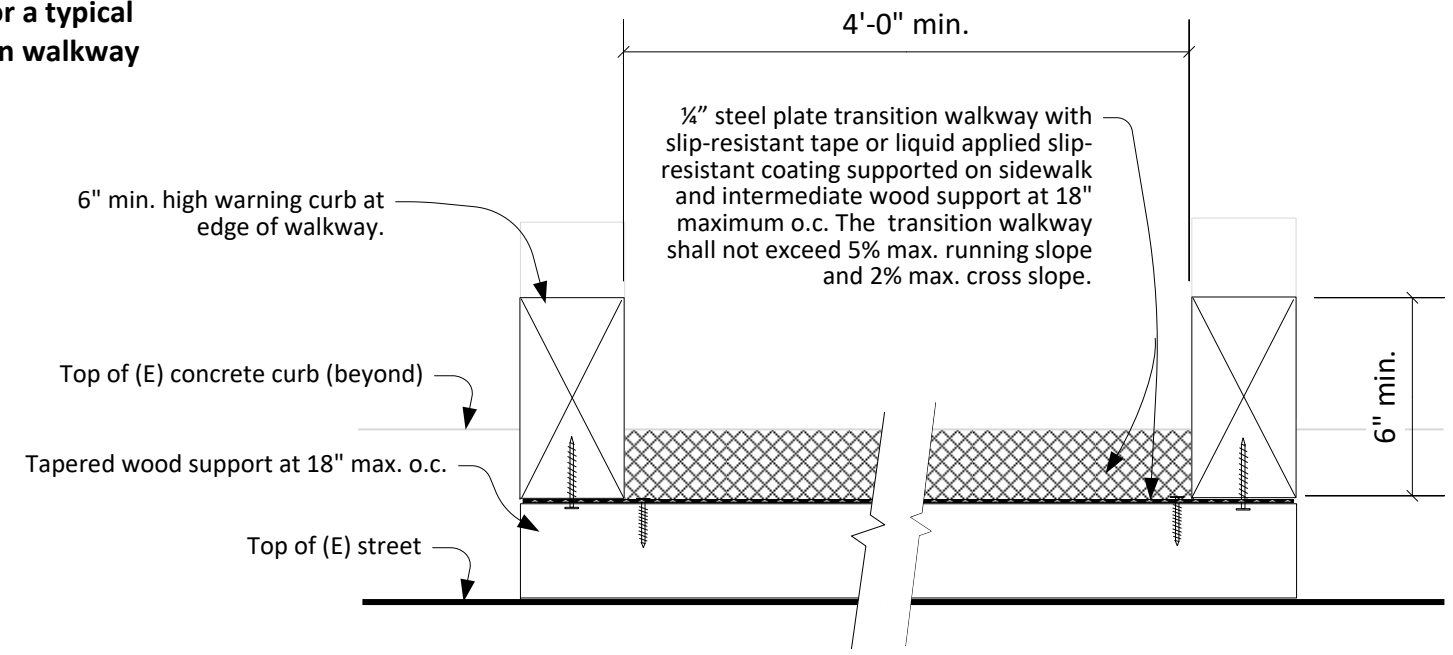
- At least 5% and not less than one dining seating space shall be made accessible to disabled individuals (e.g. 30" x 48" min. clear and level (2% max. slope) ground space, 28" – 34" table height with knee and toe clearance, etc.)
- Any modifications from the standards herein must be approved by the City Engineer and the Community Development Director.

1
SP-07
Transition Walkway Section

NOTE: See sheet SP-04 for a typical plan view of the transition walkway



2
SP-07
Transition Walkway Detail

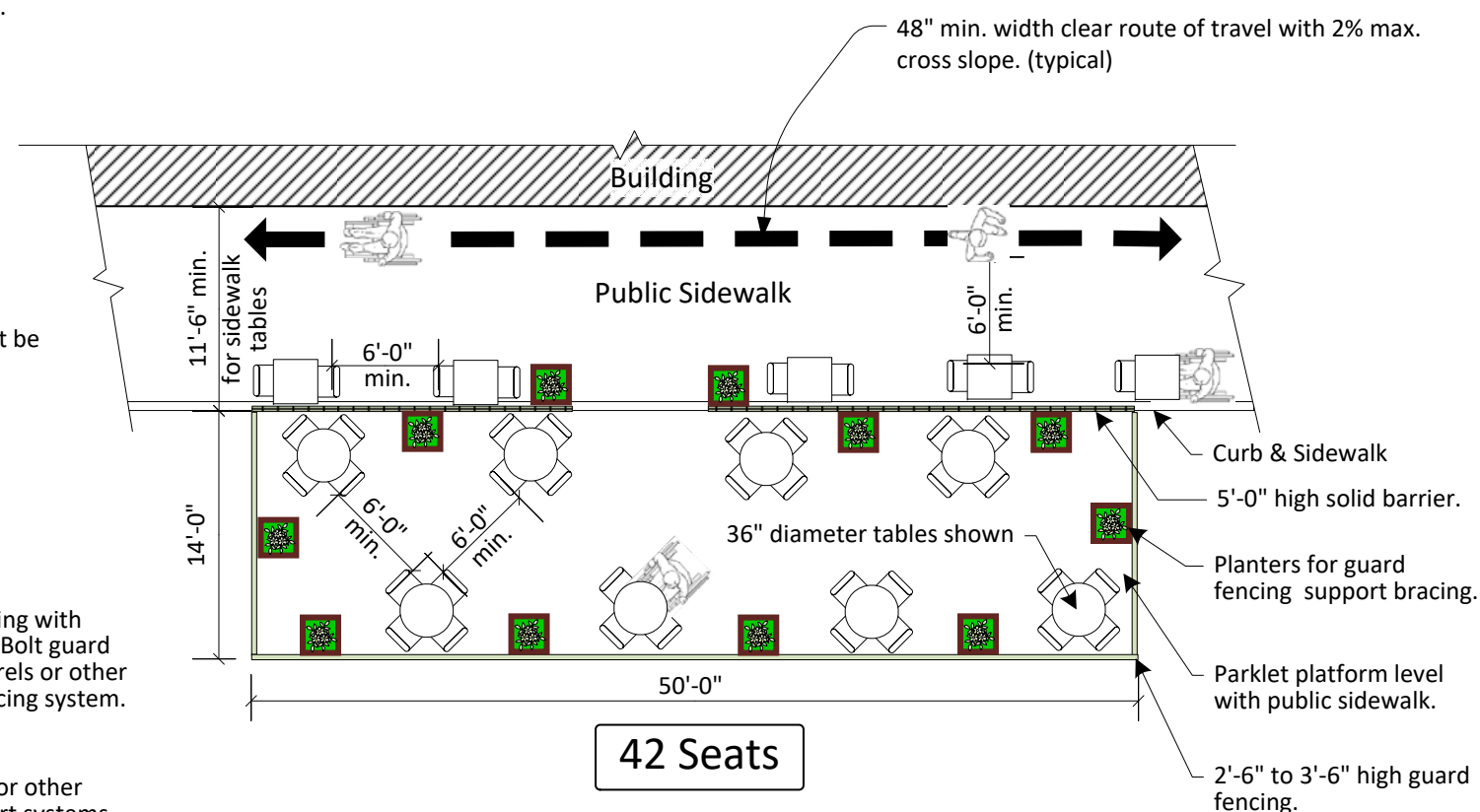
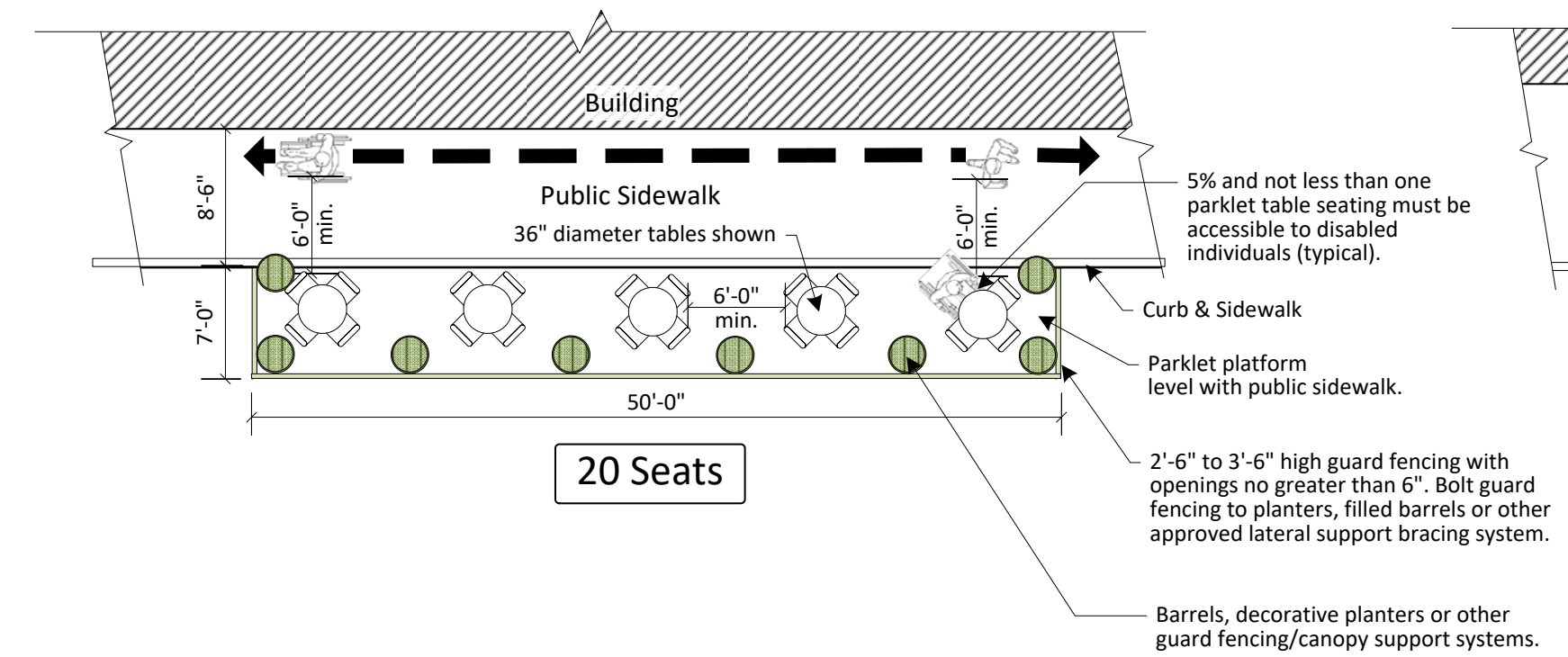
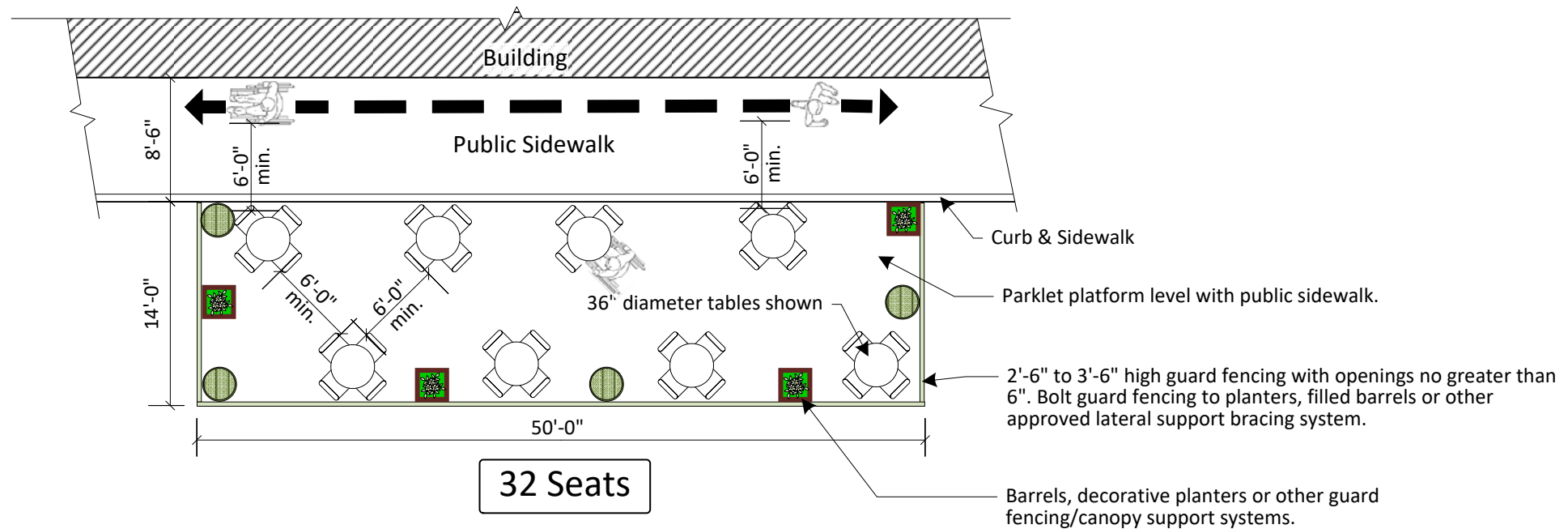


3
SP-07
Transition Walkway Detail

**City of Sonoma
Standard Plan for Walkway
Transition from Public Sidewalk to
Street at Parklets**



SP-07



Sample Seating Layouts for Temporary Raised Parklets



APPENDIX C: ADDITIONAL RESOURCES



ENCROACHMENT PERMIT APPLICATION AND SUBMITTAL REQUIREMENTS

PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED

Please allow two weeks for processing.

- Completed, signed Encroachment Permit Application Form
 - Application form must contain a complete and accurate description of all work to be performed, location, portion of right of way, etc. Attach drawings and plans as needed.
 - If you will be performing Traffic Control, please provide a Traffic Control Plan.
 - All contractors or subcontractors performing work under the permit must be listed.

Application Fee

Plan Check or Inspection Deposit (*if applicable*)

City Business License

Indemnity Agreement and Insurance Documents

Copy of Approved Caltrans Encroachment Permit (*for projects on State Highway ONLY*)

For most projects located on State Highways 12 and 116 within Sebastopol, a separate permit from Caltrans is required prior to approval of the City permit. This applies to the following streets: *Gravenstein Highway South, Petaluma Avenue, McKinley Street, Healdsburg Avenue, Gravenstein Highway North, North Main Street, South Main Street, and Sebastopol Avenue.*

The City is authorized to issue certain minor permits on behalf of Caltrans. Check with the Engineering Division to determine whether your project qualifies for a City-issued Minor Permit on State Highway.

Otherwise, for information about Caltrans Encroachment Permits, please contact:

Caltrans District 4, Office of Local Permits in Santa Rosa, (707) 576-2857.

- **No work may be performed prior to signature approval of your City permit. The City also requires 24-hour minimum advance notice prior to work.**
- Additional information regarding inspection procedures and standard conditions of encroachment permits are included as a part of the permit conditions.
- No insurance submittals will be reviewed until a completed application form has been submitted along with the required fees.
- Questions may be directed to Reyna Ramirez in the Engineering Division, by telephone, fax or e-mail.

Telephone: (707) 823-2151

Fax: (707) 823-4721

E-mail: rramirez@cityofsebastopol.org



ENCROACHMENT PERMIT APPLICATION

The undersigned hereby applies for permission to excavate, construct and/or otherwise encroach on City of Sebastopol right-of-way by performing the following work. Applicant agrees to perform all work in accordance with City of Sebastopol standards, rules and regulations as outlined in the general conditions attached hereto or any other special conditions required by the city in granting this permit. All contractors and sub-contractors who will perform work on project must possess all applicable licenses, must comply with all City insurance requirements and must pay the applicable encroachment permit fees prior to approval of this permit. **No work may occur in advance of approval of the encroachment permit.**

PROJECT DESCRIPTION

STREET ADDRESS: _____

PORTION OF RIGHT OF WAY: _____

DESCRIPTION OF WORK TO BE PERFORMED:

Provide a complete description and attach additional sheets, plans or sketches as necessary.

ESTIMATED START OF WORK DATE: _____

CONTRACTOR (APPLICANT)

BUSINESS NAME: _____ **CONTACT NAME:** _____

STREET ADDRESS: _____ **CONTRACTOR'S LIC. #:** _____

CITY, STATE, ZIP: _____ **PHONE NUMBER:** _____

FAX NUMBER: _____ **E-MAIL ADDRESS:** _____

SIGNATURE: _____ **DATE:** _____

NOTE: LIST ANY ADDITIONAL CONTRACTORS OR SUBCONTRACTORS WHO WILL BE WORKING UNDER THIS PERMIT ON PAGE 2.

WORK BEING PERFORMED FOR (PROPERTY OWNER OR AGENT, IF OTHER THAN APPLICANT)

BUSINESS NAME: _____ **CONTACT NAME:** _____

STREET ADDRESS: _____

CITY, STATE, ZIP: _____ **PHONE NUMBER:** _____

FAX NUMBER: _____ **E-MAIL ADDRESS:** _____

SIGNATURE: _____ **DATE:** _____

NOTE: A BUILDING PERMIT MAY BE REQUIRED. CONTACT THE BUILDING DEPARTMENT AT (707) 823-8597.

FOR OFFICE USE ONLY

City Business License (Expires): _____

Insurance Submittals Approved: _____ Insurance Expirations: _____ CGL _____ AUTO _____ W/C _____

Permit Fee: _____

Inspection Deposit: _____ Paid Date: _____ Receipt #: _____

State Encroachment Permit #: _____ Approved: _____ Expires: _____

Engineering Job File #: _____

APPROVED: _____ **DATE:** _____

Permit expires 6 months from date of approval, or on expiration of insurance, whichever occurs first.

ENCROACHMENT PERMIT NUMBER -

ENCROACHMENT PERMIT APPLICATION
ADDITIONAL CONTRACTORS OR SUBCONTRACTORS INFORMATION

PLEASE LIST ALL CONTRACTORS WHO WILL BE WORKING UNDER THIS PERMIT. EACH MUST BE PROPERLY LICENSED AND MUST COMPLY WITH ALL CITY INSURANCE REQUIREMENTS. AN ADDITIONAL PROCESSING FEE IS CHARGED FOR EACH LISTED CONTRACTOR OR SUBCONTRACTOR.

Name: _____ Address: _____
City, State, Zip: _____ Phone: _____
E-mail: _____ Fax: _____

Contractor's License No.: _____ Class: _____ Expires: _____

Insurance Approved: _____ By: _____ Expires: _____ CGL AUTO W/C

Nature of Work: _____

Name: _____ Address: _____
City, State, Zip: _____ Phone: _____
E-mail: _____ Fax: _____

Contractor's License No.: _____ Class: _____ Expires: _____

Insurance Approved: _____ By: _____ Expires: _____ CGL AUTO W/C

Nature of Work: _____

Name: _____ Address: _____
City, State, Zip: _____ Phone: _____
E-mail: _____ Fax: _____

Contractor's License No.: _____ Class: _____ Expires: _____

Insurance Approved: _____ By: _____ Expires: _____ CGL AUTO W/C

Nature of Work: _____

**CITY OF SEBASTOPOL
ENCROACHMENT PERMIT**

PERMIT NO:	
ISSUED TO:	
PERFORMING WORK FOR:	
LOCATION:	
DATE APPROVED:	

**THESE CONDITIONS ARE ATTACHED TO AND FORM A PART OF THIS PERMIT;
ANY WORK PERFORMED IN VIOLATION OF THESE CONDITIONS OR OTHER APPLICABLE CITY
REGULATIONS MAY RESULT IN A STOP WORK ORDER OR REVOCATION OF THIS PERMIT.**

STANDARD CONDITIONS OF APPROVAL

1. All work shall conform to City of Sebastopol standards.
2. **CHANGES IN APPROVED WORK:** Any deviation from or addition to the scope of work covered by this permit shall be approved in writing, in advance of work, by the Engineering Manager or City Engineer.
3. **BEFORE ANY EXCAVATION:** Call Underground Service Alert (USA) 811 or 1-800-227-2600.
4. **INSPECTION REQUESTS:** It is your responsibility as the Contractor working under a permit issued by the City, to notify the City in advance of all required inspections of improvements constructed under permits from the Engineering/Public Works Department.
 - a. All requests for inspection are to be directed to the City of Sebastopol Engineering Division, at phone number (707) 823-2151.
 - b. Please do not call the inspector directly to arrange inspections.
 - c. We require 24-hour advance notice for most inspections and work to be started.

NOTE: BUSINESS HOURS ARE MONDAY THROUGH THURSDAY, 7:00 AM - 5:30 PM. WE ARE CLOSED FRIDAY-SUNDAY AND ON HOLIDAYS. Please be aware of our days of operation and schedule your work accordingly.

5. **INSPECTION REQUESTS OUTSIDE OF BUSINESS HOURS:** Under certain circumstances, the City may arrange for inspection outside our regular business hours. In such a case, there may be additional charges for overtime call-outs by our staff. All such extra charges must be approved in advance by the applicant before the inspection may be scheduled.
6. **TRAFFIC CONTROL NOTIFICATION:** If your work requires traffic control or blocking of streets, parking or sidewalk areas, please provide 48-hour advance notice to the City of Sebastopol Engineering Division.
7. **SHUT-DOWN OF WATER MAINS NOTIFICATION:** When your work will require shut-down of water mains, the City requires you to provide a minimum of 48 hours' advance notice, in writing, to all affected customers. This means you should make arrangements with City staff at least four working days in advance of planned shutdowns.
8. **FAILURE TO ARRANGE FOR INSPECTION:** Any work which is done without benefit of a required inspection by the City is done at your own risk, and you may be asked to remove and re-construct the improvements if they are not found to be in accord with approved plans or City standards during an "after the fact" inspection.

9. CALTRANS INSPECTION ON STATE HIGHWAYS: Inspection by Caltrans personnel is required for some work within State Highway rights of way in Sebastopol. However, a Caltrans inspection does not supersede or substitute for a City inspection.
10. Please assist us to serve you by observing these reminders.
 - a. Notification shall include location and dates of work to be performed.
 - b. This permit is for work within City right-of-way only and does not constitute permission for work to be performed within State Highway right-of-way (State Routes 116 and 12). Contractor shall obtain an Encroachment Permit from Caltrans prior to performing any work in State Highway right-of-way.
11. Contractor is responsible for controlling all mud, dust, dirt and debris at all times during construction.
12. Contractor shall not obstruct traffic or pedestrian walkways with vehicles or equipment during construction.
13. Contractor shall provide adequate traffic control at all times, to the satisfaction of the Superintendent of Public Works.
14. Public Works staff time for processing of permits, utility location, and construction supervision and inspection (as required) will be posted against your inspection deposit account. City will bill any staff time charges exceeding this amount to the permit holder as they occur.
15. *This permit shall expire 6 (six) months from the date of issuance, or on expiration of any required insurance policy endorsement, whichever occurs first.* It is the applicant's responsibility to provide insurance renewals in a timely manner to keep the permit in effect. A new application fee will apply any time the City must renew a permit which has been allowed to lapse.

SPECIAL CONDITIONS:

**FINAL INSPECTION AND ACCEPTANCE OF WORK BY THE CITY
IS REQUIRED TO VALIDATE THIS PERMIT.**

If final inspection and approvals are not obtained, the encroachment permit will expire by limitation, and the applicant may be subject to enforcement action, including additional permit fees, citation, and/or a nuisance abatement hearing before the City Council.

Permittee shall contact the Engineering Division to arrange for a Final Inspection and acceptance of work by the City **prior to the date of expiration**. A minimum of 24-hour advance notice is required for all Public Works/Engineering inspections. Projects requiring final inspection and approval by the City Engineer may take several business days to schedule.

INSPECTION RECORD

DATE	INSPECTOR	COMMENTS

FINAL INSPECTION/ACCEPTANCE

I have inspected the site of work performed under this Encroachment Permit and found all work to be completed in conformance with the applicable City Standards and Specifications, Caltrans Standard Plans and Specifications, and/or project plans approved by the City Engineer and on file with the Sebastopol Engineering Division.

By: _____ Date: _____

Reviewed: _____ Date: _____

Distribution: Encroachment Permit File # _____
 Engineering File # _____
 Sebastopol Building Department
 City Engineer



Engineering Division
714 Johnson Street
Sebastopol, CA 95472
Phone: 707-823-2151
Fax: 707-823-4721

Email: engineering@cityofsebastopol.org

INSURANCE REQUIREMENTS FOR ENCROACHMENT PERMITS

The attached insurance requirements apply to all contractors performing work under an Encroachment Permit within or upon any public right of way, street, sidewalk, easement or City-owned property in the City of Sebastopol.

Please allow plenty of time for processing your permit and insurance prior to beginning work. Processing insurance submittals for approval may take several days, or even weeks, depending on the completeness of submittals and the cooperation of insurance providers.

The attached Indemnity Agreement is required with your permit application and insurance submittal. It states that for purposes of insurance endorsements, the City considers the Encroachment Permit to be an Insured Contract and Written Agreement to provide the coverages and amendatory endorsements described in this package. By signing this application, you agree to the terms and conditions of the permit, including these insurance requirements.

You should provide your insurance provider with a copy of the signed Indemnity Agreement and these written requirements to assure a complete submittal and prompt processing for approval of your permit application.

A complete insurance submittal consists of the following:

- Signed Indemnity Agreement (attached)
- Certificate of Insurance
- General Liability - Named Additional Insured Endorsement in favor of City
- General Liability - Primary/Non-Contributory Endorsement in favor of City
- Auto Liability - Named Additional Insured Endorsement in favor of City
- Auto Liability - Primary/Non-Contributory Endorsement in favor of City
- Workers' Compensation - Waiver of Subrogation Endorsement in favor of City

No insurance submittals will be reviewed until a completed, signed application form has been submitted along with the required fees.



**CITY OF SEBASTOPOL
ENCROACHMENT PERMIT APPLICATION**

Indemnity Agreement and Acknowledgment of Insurance Requirements

The undersigned Applicant and/or Contractor hereby affirm(s) that for the purpose of the Insurance Requirements for Contractors (Encroachment Permits) attached hereto and incorporated herein by reference, and in consideration of approval by the City of the Encroachment Permit, the Encroachment Permit is considered to be a written contract and a binding agreement between the City and the Contractor to provide the required coverage, and that a copy of this agreement and requirements have been provided to the Insurer.

The undersigned further agree(s) to defend, hold harmless, indemnify and defend the City, its officers, officials, employees and volunteers from and against any and all claims, damages, losses and expenses, including attorney fees, real or alleged liability arising out of or in connection with the work performed by the Applicant and/or Contractor.

Applicant and/or Contractor agree(s) to assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property, that this requirement shall apply continuously and not be limited to normal working hours.

CONTRACTOR'S SIGNATURE

Signed: _____ Date: _____
Contractor

Print Name: _____

Company Name: _____

APPLICANT'S SIGNATURE (IF APPLICANT IS NOT CONTRACTOR PERFORMING WORK)

Signed: _____ Date: _____
Applicant

Print Name: _____

Company Name: _____

FOR CITY USE

Fees Paid: \$ _____ Date: _____ Receipt Number: _____

Permit Number: _____ Date Approved: _____



CITY OF SEBASTOPOL
INSURANCE REQUIREMENTS FOR CONTRACTORS
(Encroachment Permits)

Permittee shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the encroachment permit issued by the City of Sebastopol.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an “occurrence” basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Permittee has no owned autos, Code 8 (hired) and 9 (non-owned), with limit, no less than \$2,000,000 per accident for bodily injury and property damage.
3. Workers’ Compensation insurance as required by the State of California, with Statutory Limits, and Employer’s Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

(Not required if Permittee provides written verification that it has no employees)

If the Permittee maintains broader coverage and/or higher limits than the minimums shown above, the City of Sebastopol requires and shall be entitled to the broader coverage and/or higher limits maintained by the Permittee. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City of Sebastopol.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

The City of Sebastopol, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Permittee including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Permittee’s insurance at least as broad as one of the following ISO ongoing operations Forms: CG 20 12 or CG 20 26; **and** ISO completed operations Forms: CG 20 37.

Primary Coverage

For any claims related to this contract, the Permittee’s insurance coverage shall be primary insurance coverage at least as broad as ISO CG 20 01 04 13 as respects the City of Sebastopol, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City of Sebastopol, its officers, officials, employees, or volunteers shall be excess of the Permittee’s insurance and shall not contribute with it.

Notice of Cancellation

Permittee shall provide immediate written notice if (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; (3) or the deductible or self-insured retention is increased. In the event of any cancellation or reduction in coverage or limits of any insurance, Permittee shall forthwith obtain and submit proof of substitute insurance.

Waiver of Subrogation

Permittee hereby grants to City of Sebastopol a waiver of any right to subrogation which any insurer of said Permittee may acquire against the City of Sebastopol by virtue of the payment of any loss under such insurance. Permittee agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City of Sebastopol has received a waiver of subrogation endorsement from the insurer. However, the Workers’ Compensation policy shall be endorsed with a waiver of subrogation in favor of the City of Sebastopol for all work performed by the Permittee, its employees, agents, and subcontractors.

Self-Insured Retentions

Self-insured retentions must be declared to and approved by the City of Sebastopol. The City of Sebastopol may require the Permittee to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or the City of Sebastopol.

Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City of Sebastopol.

Verification of Coverage

Permittee shall furnish the City of Sebastopol with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to the City of Sebastopol before access is allowed. However, failure to obtain the required documents prior to the access being allowed shall not waive the Permittee's obligation to provide them. The City of Sebastopol reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

Permittee shall require and verify that all subcontractors maintain insurance, meeting all the requirements stated herein, and Permittee shall ensure that the City of Sebastopol is an additional insured on insurance required from subcontractors.

Special Risks or Circumstances

The City of Sebastopol reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

500.3G This section was left blank intentionally

500.3H Permanent Record

The encroachment permit is a permanent record of the privilege given to the lessee to encroach upon highway right-of-way to construct, occupy, and use the constructed improvements.

500.3I Parklets

The term “parklet” refers to a small temporary constructed seating or community gathering area over an on-street parking space or an extension of the sidewalk into the operating State highway right-of-way. The purpose of a parklet is to create a safe, comfortable and inviting pedestrian experience for the general public where narrow sidewalks cannot accommodate the expansion of an area for seating or gathering without compromising pedestrian safety or walkway area. Wide sidewalks or future widening of the sidewalk may negate the need for a parklet. Parklets may be permitted to remain in place for a period of up to one year. Renewals requests will be considered and reviewed for any additional one-year periods.

The local public entity representing the area in which the parklet is proposed is responsible for its proposal, application, installation, maintenance and removal. No other type of applicants will be accepted (i.e., businesses, individuals, organizations, etc.).

Parklet proposals are administered as “Parks” under the Division of Right of Way and Land Surveys Office of Real Property Services - Property Management, Airspace, Clearance & Demolition. A Right of Way Use Agreement is required per California Government Code Section 14013 (Marler-Johnson Park Lease). The following requirements must be written into the ‘Use’ clause of the agreement.

- Parklets must be open for use by the general public.
- Parklets must support the needs of local communities.
- Parklets may include seating areas, benches, tables, bike racks, and planting areas.
- Parklets must be constructed and/or installed to conform with the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- Parklets are not intended to replace walkways.
- Parklets must be properly maintained and kept free of trash or nuisance.
- Parklets must include signage designating the parklet as a public space not reserved for patrons of adjacent businesses.
- Parklets may include a sign identifying the local public entity. No commercial advertising is permitted.
- Vending and/or table service on parklets is strictly prohibited.
- Tables and seating must be distinct from those of nearby businesses.

Parklet Proposal Package & Process

The parklet proposal package must include a project narrative, site plan, photos and comply with the parklet design requirements. It is initially submitted to the Region / District Division of Right

of Way and Land Surveys Office of Real Property Services - Property Management, Airspace, Clearance & Demolition to ensure that the parklet location and use will not risk public safety or interfere with the State highway's primary transportation use. If deemed acceptable, the proposal is then forwarded to the District Airspace Review Committee (DARC) for review.

Once a parklet proposal package has been approved by the Region / District Division Right of Way and Land Surveys Office of Real Property Services - Property Management, Airspace, Clearance & Demolition unit, a complete application package along with an "Encroachment Permit Administrative Route Slip" (form TR-0154) is forwarded to the District Encroachment Permits Office to request the issuance of an administrative encroachment permit. This certifies that the project has been reviewed and approved and does not require any further coordination.

A complete application package must contain:

- A completed "Standard Encroachment Permit Application" (form TR-0100).
- "Encroachment Permit Administrative Route Slip" (form TR-0154).
- "Certification of Compliance with Americans with Disabilities Act" (form TR-0405).
- Copy of the fully executed Right of Way Use Agreement.
- Local interest and support for the parklet in the form of an adopted ordinance, resolution, or written consent from all the local public entities impacted directly.
- Approved Design Standard Decision Document for all Highway Design Manual design exceptions.

Project Narrative

The project narrative must include a short project description (800 words or less) which must include the following elements:

1. Identify the proposed parklet as an element of the Caltrans Complete Streets and Multi-Modal Transportation Plan.
2. Identify benefits from the parklet to the neighborhood in the immediate vicinity.
3. Identify how the community can participate in the creation and/or stewardship of the parklet.
4. Identify the proposed schedule for opening of the parklet.
5. Provide information of the parklet designer, including experience in the design of similar facilities.

Parklet Design Requirements

Structural plans, calculations and specifications are required when an elevated platform is proposed and must be prepared by a licensed California Civil or Structural Engineer. Drainage plans, calculations, and specifications are required when changes to the drainage system capacity are proposed and must be prepared by a licensed California Civil Engineer and in compliance with Chapter 800 of the Highway Design Manual. A Flood plain encroachment study must be completed in accordance with the Federal Highway Administration standards, if drainage is changed within a federal highway facility.

1. Parklet location is evaluated using the current Highway Design Manual policy for shoulder width, clear recovery zone, horizontal clearance and corner sight distance. A Design Standard Decision Document will be required for any deviations.
2. Parklets may be allowed on highways where the speed limit is thirty(30) mph or less.
3. Parklets are located along the curb line on highways where on-street parking spaces exists (parallel, diagonal or perpendicular parking). Parklets may be considered in locations where marked parking spaces are not available if marking is provided by the local public entity.
4. For parallel parking, the parklet structure must be set back forty-eight (48) inches from adjacent marked parking spaces. For diagonal and perpendicular parking spaces, the edge of the parklet structure must be set back thirty-six (36) inches from the adjacent parking space on either side.
5. No portion of the parklet may extend more than thirty-six (36) inches above the surface of the roadway, except for landscape planting.
6. Landscape planting must be free from thorns. Trees must be small trees as defined in chapter 900 of the Highway Design Manual. Trees must be single trunk. Select tree species that can be maintained with an eight (8) foot clearance from the surface of the roadway to the lowest branches and foliage. Select plant species, excluding trees, which can be maintained to not extend into the travelled way or adjacent parking space and with a maximum height of forty-two (42) inches above the road surface.
7. The local public entity must establish the location of a parking stall line/edge of travel way.
8. Parking spaces adjacent to parklets must have parking bumpers a minimum of four (4) feet from both sides of the parklet.
9. Space for curbside trash collection of adjacent property owners on both sides of the parklet must be considered.
10. Parklet railing opening must not exceed four (4) inches for visual identification and to keep children from leaving the parklet area and encroaching into the traveled way.
11. Parklet substructure must accommodate the crown of the road and provide a slip resistant level surface.
12. No bolting to the state highway or curb is allowed.
13. Parklets must
 - comply with the American with Disabilities Act (ADA) and Design Information Bulletin 82. ADA certification is required (See Section 500A).
 - not be placed over ADA parking spaces or adjacent to red, yellow, white, or green curb zones, hydrants, newspaper vending machines, or postal collection boxes.
 - not restrict access to emergency vehicles, transit routes or public utilities.
 - not inhibit drainage capacity.
 - be located in well-lit areas.
 - be at least one (1) parking space distance from any intersection curb returns.

- be a minimum of two (2) feet from the established parking stall line, edge of travel way, or bicycle lane, whichever allows for the greatest distance between the parklet and public traffic.
- have a minimum height of twenty-four (24) inches for visual identification for approaching vehicles.
- have a flush transition at the sidewalk to avoid tripping hazards. Object markers and delineators must be used to enhance the visibility of the parklets.
- be closed off to pedestrians on three (3) sides, and open to the sidewalk side only. No pedestrian access will be allowed from the vehicular traffic side.

To avoid creating a distraction to the traveling public, parklets must not include the following elements:

1. Colors or combination of colors usually reserved for official traffic control devices described in the California Manual of Uniform Traffic Control Devices (CA MUTCD).
2. Illumination including blinking or intermittent lights.
3. Text that makes special interest, private, religious, or political statements.
4. Text that includes business names, trade names, jingles, or slogans.
5. Reflective glaring surface finishes.
6. Out of scale with its surroundings.
7. Seating that is not integrated into the design elements.
8. Interference with traffic control devices.
9. Moving elements (kinetic art) or simulated movement.
10. Symbols or icons, including flags and logos.

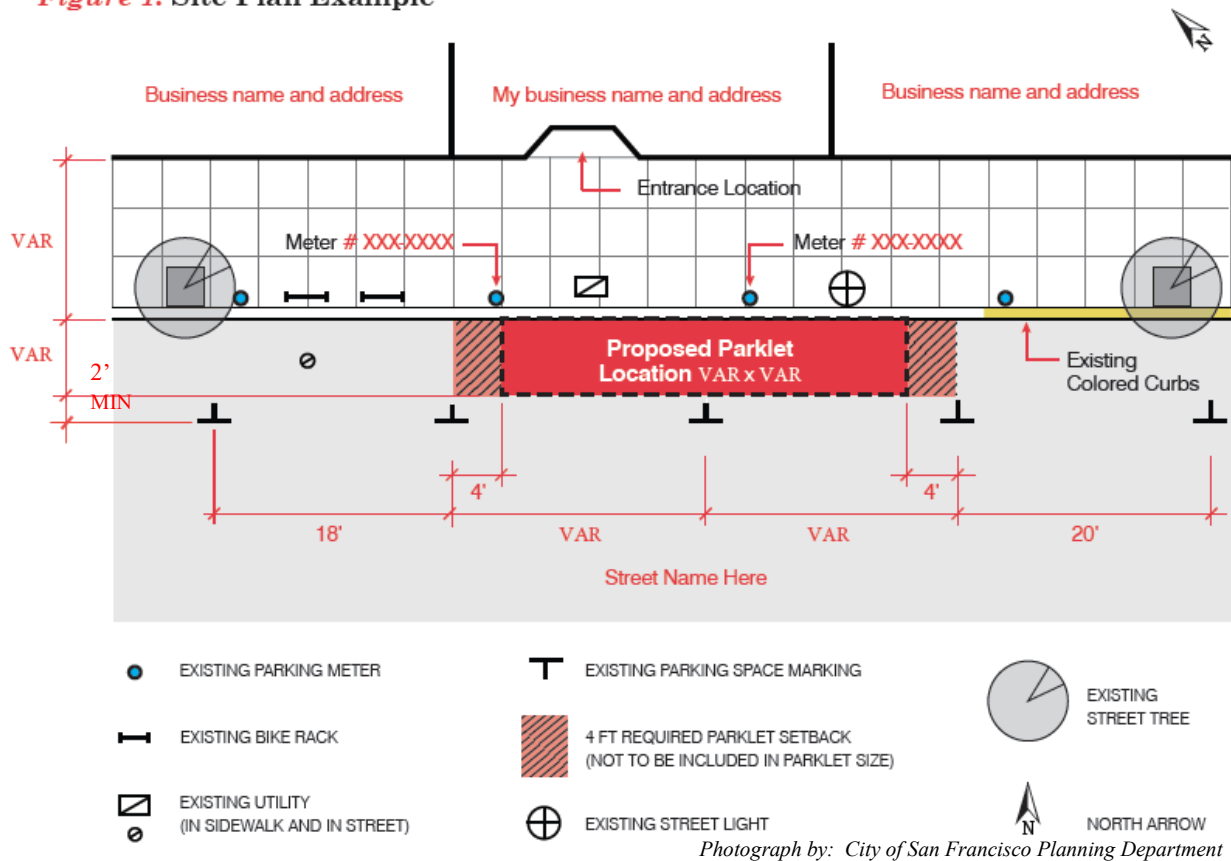
Site Plan and Photos

The site plan must be drawn to scale, with dimensions and show the parklet footprint and the following elements at least twenty (20) feet on both sides as shown in Figure 1.

1. Parklet location and adjacent properties (existing bridge number, building or property address).
2. Horizontal dimensions from bridge supports to proposed parklet (if located under an existing bridge).
3. Parklet setback dimensions from adjacent parking spaces [forty-eight (48) inches minimum] and from adjacent bicycle lane or edge of travel way [twenty-four (24) inches minimum].
4. Adjacent bicycle lane (if existing) or auto traffic lane(s).
5. Existing parking meters with numbers of all parking meters to be covered or removed.

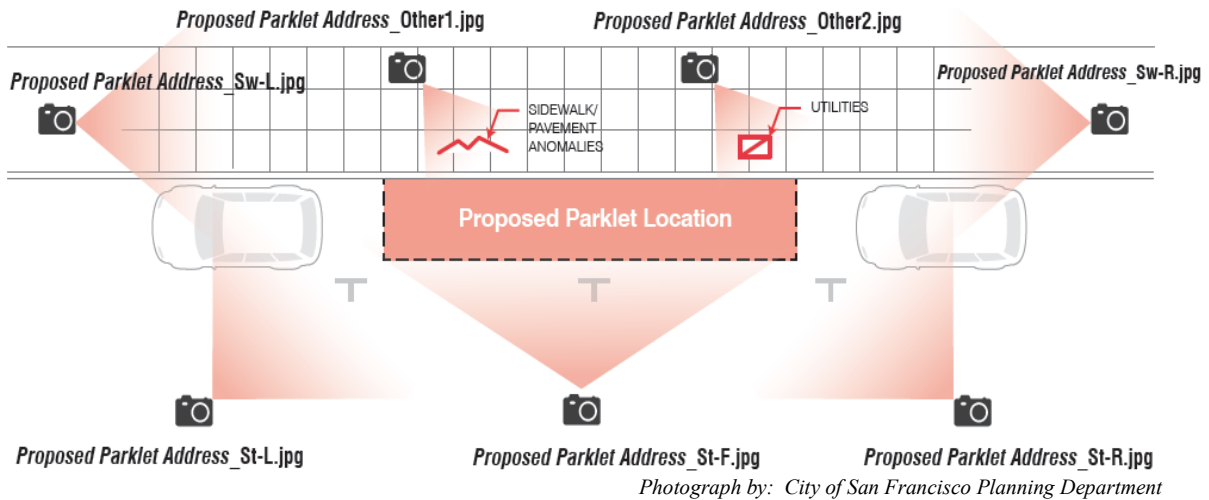
6. Location of existing trees and tree pits.
7. Existing sidewalk width(s).
8. Location of existing utilities in the street and sidewalk.
9. Location of other existing sidewalk features near proposed parklet area (fire hydrants, streetlights, utility poles and access panels, bicycle racks, etc.).
10. Existing curb ramps and driveways.
11. Location of existing drainage system.
12. All colored curb zones (red, yellow, green, white, blue).

Figure 1. Site Plan Example



Photos must also be provided with the parklet submittal package and taken from specific angles around the proposed parklet site. Photos must depict existing conditions, drainage, utilities, sidewalk, curb and gutter, and pavement conditions. Image files are to be named using the conventions shown in Figure 2:

Figure 2. Existing Conditions Photos: *Locations and File Names*



500.4 Permits Issued by Cities and Counties

Permit Code CC

Cities and counties may issue specific encroachment permits on **conventional** State highways when authorized by a written agreement with Caltrans (See Appendix B). The specific permit types must be documented in the agreement. This agreement must be on file in the District Office and a copy forwarded to Headquarters Office of Encroachment Permits.

With an agreement, cities and counties may issue encroachment permits for **specific** activities under the following permit codes:

- **BR** Temporary Banners, Signs, Decorations – New or Repeat
- **CS** Curb, gutter, sidewalk (Removal or Repair of existing only)
- **FN** Fence Repair (Removal or Repair of existing only)
- **MB** Mail or Newspaper Delivery Boxes
- **RS** Driveway – Resurface, Reissue (for record purposes only)
- **SV** Land Survey – Conventional Highways only

Current Caltrans’ forms must be utilized. All work must be in conformance with State policy and State design standards, unless local standards are more restrictive. The city or county must provide quality assurance personnel for review, inspection, and final acceptance.

The city or county must collect sufficient fees from the permittee to cover their cost of permit issuance, review, and inspection. Immediately after issuance, the city or county must provide Caltrans copy of the issued permits. Caltrans will retain these in their permanent permit files. After project completion, the city or county must send the completion notice, as-built plans, and other data requested by Caltrans to the District Permit Engineer for microfilming. The required data is specified in the agreement.

The city or county must maintain files on all permits issued on State highways. Federal regulations require Caltrans to monitor permits on the National Highway System. The city or county must make the permit files available for inspection at the request of the District Permit Engineer.

Table 5.3 lists the procedures that must be utilized by cities and counties in reviewing and processing permits issued on behalf of Caltrans.

**Table 5.3
Caltrans' Procedures for Reviewing and Processing Permits
Issued by Cities and Counties**

Use these procedures in reviewing and processing encroachment permits issued by cities and counties:

1. The city or county reviews the permit application for completeness and sends it to the respective Caltrans' District Permit Engineer.
2. The permit application is then Simplex stamped in the District Office and a copy is sent back to the city or county to issue the permit.
3. The city or county then issues the permit and sends a copy to Caltrans. Caltrans retains a copy in the District Encroachment Permits Office and sends a copy to the appropriate Caltrans permit inspector and the area maintenance superintendent for information purposes only.
4. Any Caltrans' administrative or permit processing charges are not billed on permits issued by cities or counties.
5. Any Caltrans' normal cursory inspection monitoring is not billed for permits issued by cities and counties.

500.5 Chain Installer Operations

Permit Code CN

Permit code CN is used to allow snow tire chain installers within the right-of-way for the benefit of motorists traveling in snow areas. Section 670 of the Streets and Highways Code authorizes these permits.

Districts issuing chain installer permits must institute a yearly training and testing program. Permit applicants must participate in an orientation session, pass both a written and a performance test during which snow chains must be installed properly within five minutes. Testing is conducted by either the District Encroachment Permits Office or the Maintenance Regional Managers Office and must be completed before a permit is issued. All administrative work, permittee training, testing and inspection time must be charged to the Maintenance Project Code for snow removal.