

**TOWN OF FAIRFAX  
STAFF REPORT**

**Department of Planning & Building Services**

**TO:** Planning Commission

**DATE:** February 16, 2012

**FROM:** Jim Moore, Director of Planning & Building Services 

**SUBJECT:** Discussion/Consideration of permitting "parklets" (temporary sidewalk extensions turning parking spaces into pedestrian nooks) in Fairfax.

**BACKGROUND**

At the February 1, 2012 Town Council meeting councilmember Bragman brought forward the idea of allowing "parklets" in Fairfax (please see the attached letter from Councilperson Bragman with San Francisco Guidelines attached as **Exhibit A**).

After a brief discussion of the parklet concept, the Town Council directed staff to ask the Planning Commission to discuss and consider the notion of allowing parklets in Town; and if appropriate, recommend to the Town Council parameters for doing so.

**DISCUSSION**

Parklets have moved from concept to implementation in several jurisdictions rapidly, with a lot of press attention along the way. For example, if you go to the webpage for "Planetizen" (an active web portal for planning topics) and use their search engine to review recent articles on this subject – you will find a wealth of writings on the subject.

Planetizen's webpage address is: <http://www.planetizen.com/>

**RECOMMENDATION**

Staff recommends that Commissioners visit the Planetizen webpage (article archives) for background materials on the subject, and consider what parameters might be appropriate for allowing parklets in Fairfax.

**ATTACHMENTS**

Exhibit A – Councilmember Bragman Letter and S.F. Guidelines

## **Discussion and consideration of Permitting Parklets In Fairfax**

Fairfax has a lively cafe and entertainment sector in its local business blend. While these businesses have solidified their place in our business community, the small size of many of their premises does limit some of their operations. Particularly lacking is accessible outdoor cafe seating which could expand business volume during our warmer seasons.

San Francisco has begun a model program which provides an opportunity for its local businesses to use public street parking for cafe seating and other purposes. A recent San Francisco Chronicle article featured a sampling of the creativity and beauty with which some of them have been executed:  
<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/12/29/MNNS1MDAHO.DTL>

Called "parklets", the San Francisco program permits local businesses to use adjacent parking places for cafe seating and other public purposes. The program is administered by the San Francisco Department of Public works which has devised a template for design and safety specifications which is attached hereto.

Other jurisdictions in Marin are busy building new entertainment venues which will provide stiff competition for Fairfax. While Fairfax's small scale may limit deployment of parklets, I think it behooves us to study this idea to determine if we can grow opportunities for local business and create a more attractive downtown for residents and visitors alike.

Respectfully submitted,

Larry Bragman

<http://sfpavementtoparks.sfplanning.org/> Link to "Pavement to Parks" program in San Francisco

Attachment: San Francisco Guidelines



Gavin Newsom, Mayor  
Edward D. Reiskin, Director

Department of Public Works  
**BUREAU OF STREET-USE & MAPPING**  
875 Stevenson Street, Room 460, S.F., CA 94103  
Jerry Sanguinetti, Bureau Manager

**DPW Order No: 178.939**

**ESTABLISHING GUIDELINES FOR THE APPROVAL AND INSTALLATION OF TEMPORARY SIDEWALK EXTENSIONS (PARKLETS) FOR USE BY THE GENERAL PUBLIC AT APPROPRIATE LOCATIONS WITHIN PUBLIC RIGHTS-OF-WAY.**

- I. **PURPOSE:** Public Works Code Article 16, Section 810 governs the installation of sidewalk landscaping. This Department of Public Works (DPW) Order provides detailed implementation guidelines for the approval and installation of temporary sidewalk extensions (Parklets) consistent with the sidewalk landscaping program.
- II. **BACKGROUND:** Parklets provide an economical solution to the desire and need for wider sidewalks and are intended to provide space for the general public to sit and enjoy the space where existing narrow sidewalks would preclude such occupancy. Parklets are intended as sidewalk/street furniture, providing aesthetic elements to the overall streetscape.
- III. **APPLICATION AND REVIEW:**
  - A. The following applicants are eligible to apply for the installation of Parklets within the public right-of-way:
    1. Community Benefit Districts (CBDs)
    2. Ground floor business owners
    3. Non-profit and community organizations
    4. Fronting property owners
    5. Other applicants may be considered on a case by case basis.
  - B. The following shall be included in the application:
    1. A letter requesting the Parklet and an initial site plan showing the footprint/outline of the proposed Parklet, including approximate dimension of Parklet, property lines, existing sidewalk width, existing parking stalls/alignment and all existing sidewalk furniture and obstructions; e.g. fire hydrants, utility poles, parking meters, street trees, etc.
    2. Type(s) of elements being proposed to be placed on the Parklet; e.g. Tables & Chairs, benches, planters/landscaping, bicycle parking, etc.
    3. A description of how the proposed Parklet meets each of the criteria set forth in Section V of this DPW Order.
    4. Provide documentation of support from adjacent property/business owners. Documentation of support from any existing merchant or neighborhood associations is strongly encouraged.
    5. An application fee of \$215, payable to Department of Public Works (DPW).
  - C. Each application shall be reviewed by a inter-agency review team, with representation from DPW, MTA, City Planning, et al, as necessary, specifically convened to review Parklet applications with each proposal reviewed based on the following criteria:
    1. Meets established design criteria.
    2. Enhancement of streetscape quality and preliminary design.
    3. Location (Parklet is likely to be well used and active).
    4. Community support.
    5. Maintenance plan.
  - D. If a recommendation is made to approve the proposed Parklet:

1. DPW will issue a Notice of Intent to Approve Parklet. The applicant shall be required to post this Notice in a readily visible location in front of the property where the Parklet will be located for ten (10) calendar days from the date listed on the Notice.
  2. If there are no objections from the public, the applicant shall be required to submit the following information for further review:
    - a. Final dimensioned site plan, including all details, finishes, plant species, furniture types, etc.
    - b. Maintenance details, including access panels and how drainage will be provided along the existing gutter.
  3. If there are objections from the public, DPW shall schedule a public hearing to consider the proposed Parklet.
  4. The DPW Hearing Officer shall consider and hear all testimony in support and in opposition to the proposed Parklet and make a recommendation to the DPW Director.
  5. The DPW Director, in his or her discretion, may recommend approval or conditional approval of the permit subject to further review and final action.
  6. If the DPW Director recommends approval or conditional approval the permit, see #2a and #2b above for additional submittal requirements.
- E. If the application is disapproved, DPW shall notify the applicant, upon which the applicant may appeal the disapproval of the permit by the DPW Director to the Board of Appeals within fifteen (15) days of the Director's decision.

#### IV. APPROVAL PROCESS:

1. The inter-agency review team (See Section III. Paragraph C.) shall review the final detailed site plan and maintenance details.
2. Once the review team makes a recommendation for DPW to approve the final plan and the permit, the applicant shall submit the following information and fees to DPW for permit issuance:
  - a. A Certificate of Insurance naming the City and County of San Francisco as additional insured, with general liability coverage of not less than \$1 million.
  - b. An additional permit fee pursuant to Section 2.1.3 of the Public Works Code. While each proposal will result in different additional permit costs based on the time and materials costs incurred by the City in review of the proposal, DPW anticipates an average cost of \$400.
3. Any interested person may appeal the approval of the permit decision by the DPW Director to the Board of Appeals within fifteen (15) days of the Director's decision.
4. The permit shall be renewed annually. Prior to expiration of the annual permit term, the Permittee shall submit to DPW a current Certificate of Insurance and a permit renewal fee of \$215.

#### V. APPROPRIATE LOCATION AND DESIGN PARAMETERS:

- A. The proposed Parklet site shall be located at least one parking spot in from a corner or protected by a bollard, sidewalk bulb-out, or other similar feature, if located at the corner.
- B. The proposed location shall have a posted speed limit of 25 mph or less. In the event the posted speed limit is changed, the Parklet permit is subject to revocation. Streets with higher speed limits may be considered on a case by case basis.
- C. The proposed street has parking lanes that will not become a tow away lane during morning or afternoon peak hours, and the Parklet may not extend beyond six (6) feet from the curb line where there is parallel parking or fifteen (15) feet from the curb line where there is diagonal parking.
- D. The proposed street has a street grade of no greater than 5%.
- E. Parklets shall be required to have reflective tape, soft hit posts, wheel stops, and depending on the proposed location, may also require edging such as planters, railing or cables.
  - a. Any edge shall be visually permeable.
  - b. If cables are used, vertical spacing between cables may not exceed 6".

- F. Parklets shall not be allowed in red and blue zones.
  - a. Parklets may replace yellow zones or motorcycle parking if there are appropriate adjacent locations for these zones to be relocated, and the applicant is willing to pay additional fees for relocating these zones.
  - b. Parklets may be allowed in white and green zones if the business that originally requested the white and/or green zones agrees to re-purpose that curb area for use as a Parklet.
- G. Parklets shall not be allowed in front of a fire hydrant, or over a manhole or public utility valve or cover.
- H. All elements of the above mentioned Parklets shall be constructed and/or installed to conform to the applicable provisions, rules, regulations and guidelines of San Francisco Building Code (SFBC), The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

 [Click here to sign this section](#)

10/18/2010

 Fuad Sweiss, City Engineer

Signed by **Fuad Sweiss** [View details](#)  
on Monday, October 18, 2010 8:21 AM (Pacific Daylight Time)

10/19/2010

 Edward D. Reiskin

Signed by **Reiskin, Ed** [View details](#)  
on Tuesday, October 19, 2010 8:59 AM (Pacific Daylight Time)