



## Standard Operating Procedure (SOP)

<b>SUBJECT:</b>	<b>Flex Streets Parklet Guidelines</b>
<b>INTENT:</b>	To establish Parklet Design Guidelines in the City of Oakland
<b>RESPONSIBLE PERSON (S):</b>	Director, Department of Transportation, and City Traffic Engineer
<b>CRITICAL TIMING:</b>	Parklet guidelines will be enforced beginning July 1, 2023. Parklet applicants and existing permittees are encouraged to make changes to align with these guidelines before that deadline.
<b>INVOLVED INDIVIDUALS:</b>	OakDOT Director, Assistant to the Director on Policy & Intergovernmental Affairs, Assistant Director overseeing ROW, ROW Division, City Traffic Engineer, ADA Programs Division, Planning and Building Department, Fire Department, Economic and Workforce Development Department
<b>OBJECTIVES:</b>	To ensure that all parklets are installed in a safe and accessible manner.
<b>POLICY REVIEW:</b>	These administrative guidelines will be reviewed and updated as needed to ensure safety and accessibility. Parklet owners/permittees will be notified of changes and deadline to implement changes if applicable.
<b>REFERENCES:</b>	SFMTA Shared Spaces Program, Healdsburg Temporary Parklet Permit Agreement & Guidelines, SDOT Parklet Handbook, Berkeley Parklet Guide

### Purpose

The City of Oakland adopted a permanent Flex Streets program in March 2022 following the Covid-19 Pandemic Flex Streets Program launch in April 2020. With the permanent program, a new set of guidelines have been established for Parklet applicants and permittees to meet by July 1, 2023. These guidelines will be enforced through an application permit and annual renewal including an inspection thereafter.

### Oakland Municipal Code Policies

The Flex Streets parklet program is discussed in Chapter 8.62 of the Oakland Municipal Code. The associated reports and legislation can be found here:

<https://oakland.legistar.com/LegislationDetail.aspx?ID=5400050&GUID=314AC51B-E415-4453-B5E5-09EF3AC8AE41&Options=&Search=>

The policy provides high level guidance to parklet applicants and permittees. It covers issues including, but not limited to:



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- Terms and Conditions
- Inspection
- Decision
- Posting
- Design and Layout (at a high level)
- Health and Safety Standards

The ordinance further authorizes the City Administrator to adopt Parklet Design Guidelines in Section 8.62.160.

### **Parklet Guidelines**

The following guidelines were developed to ensure safety and accessibility. They may be updated at any time. Parklet permittees will be notified of updates and date by when permittees must comply.

#### **1. Location & Operations**

- a. Parklets should typically occupy the legal parking spot in front of the Permittee's business. Parklets may only occupy parking in front of adjacent businesses with written consent from the adjacent ground-floor business owner, or building owner in absence of a ground-floor business. This must be provided at each permit renewal (annually).
- b. Each business may only use up to two parking spaces—or three diagonal spaces--per parklet.
- c. The proposed parklet shall not be in a blue, green, yellow, or white zone.
- d. The proposed parklet shall not be in a bus stop, unless coordinated with AC Transit and designed to meet AC Transit's Bus Parklet Design Manual (<https://www.actransit.org/website/uploads/Bus-Parklet-Study-Manual-FINAL-12.26.18.pdf>).
- e. The proposed parklet shall not be in a red zone, a pedestrian safety zone, within 20' of a crosswalk or intersection, or within 40' before an intersection if there is a protected bike lane unless it meets the following requirements:
  - i. The walls must be 36"-42" tall with enclosures that only have 25% visual obstruction (75% transparent) from roadway and pedestrian path
  - ii. The parklet may not have any canopies or fixed structures above 42"
  - iii. The parklet may not encroach into the travel lane. Please see Street Closure application.
- f. Parklets must be in use for at least 50% of business hours.
- g. Parklet shall not prohibit/restrict access to utilities or other facilities such as storm water drainage, fire hydrants, transit stops, driveways, manhole covers, benches, utility poles, signs, parking meters, or public utility valves/covers.



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### 2. Design

- a. Proposed Parklets are required to comply with the applicable provisions, rules, regulations, and guidelines of California Building Code for guardrails (Title 24, Part 2, Section 2). <https://www.dir.ca.gov/title8/3209.html>
  - i. Proposed parklets shall have protective barriers of a minimum height of 36", maximum height of 42" facing the roadway and adjacent parking spots, with a maximum of 4" spacing off center between vertical members.
  - ii. Parklets are required to have a continuous rigid separation between the parklet and vehicular traffic on all three sides adjacent to the roadway.
- b. **Cross slope:** The overall Parklet cross slope shall not exceed 2% (1:48) in any direction. The walking surface shall have a running slope not steeper than 5% (1:20) per CBC 11B-403.3. If proposed on a street grade greater than 5% slope additional design requirements and review may be required to make the space accessible to the maximum extent technically feasible as defined in the California Building Code.
- c. Continuous opaque walls between the site line of 42" to 90" (preferably 96") that do not allow visibility into the parklet from the surrounding streetscape are prohibited.
  - i. Temporary vertical obstructions, such as mesh screens, between 42" and 90" from the pavement shall be considered a "closed wall" and shall only be permitted when blocking direct sunlight, wind, or rain during hours of operation. Temporary vertical obstructions cannot be fully opaque.
  - ii. Plexiglass or other brands of transparent materials are allowable between 42-90"
- d. **Parklet platforms:** parklets with built platforms must provide structural integrity to ensure public safety by supporting anticipated live loads up to 100 pound per square foot (psf). The below are recommended building standards to meet that structural integrity. Alternative designs must be submitted for review and approval. Required drawings and calculations shall be stamped and signed by a design professional registered in the State of California.
  - i. Parklets should provide a level platform if the cross slope of the occupied parking spot exceeds 2.0% in any direction.
  - ii. Platforms must be constructed from durable materials that can withstand wear and tear of elements. Surface materials must be textured or treated with a non-skid coating to ensure a safe walking surface.
  - iii. Pouring concrete for the parklet platform is prohibited. No features or structural components may be attached to the street roadway, gutter, curb, planting area, or sidewalk.



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- iv. Platform framing shall be supported on pressure treated lumber or pedestals. Framing shall be a minimum 2x4 floor joists spaced at maximum 24" apart and supported at maximum 3 feet intervals. Provide solid blocking between joists at support locations.
- v. Floor joists shall be secured with appropriate framing angles.
- vi. Platform surface shall be minimum 1x wood decking boards or 3/4" plywood sheathing secured to the framing below. Pavers or other materials may be applied over plywood sheathing.
- vii. The platform threshold must be flush and even with sidewalk and must not leave a horizontal gap greater than 1/2 inch, nor a vertical separation greater than 1/4 inch.
- viii. Openings in floor or ground surfaces shall not allow passage of a sphere more than 1/2 inch diameter. Elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel per [CBC 11B-302.3](#)
- e. **Platforms must allow for a curbside drainage flow.** A 6-inch height by 12-inch width minimum clear gutter space must be provided along the entire length of the proposed platform at the threshold between the parklet and sidewalk. Openings at either end of the parklet may be covered with screens to prevent debris buildup beneath the platform. The parklet permittee is responsible to clean the cover or screen to prevent any backup of storm water.
- f. **Temporary Coverings:** Umbrellas are allowable temporary coverings and must not extend beyond the footprint of the parklet. Other materials or style canopies must meet *Section g. Permanent Parklet Canopies/Roofs* below.
- g. **Permanent Parklet Canopies/Roofs:** Parklets with permanent canopies/roofs must structurally accommodate wind loads. The below are recommended building standards to meet that structural integrity. Alternative designs must be submitted for review and approval. Required drawings and calculations shall be stamped and signed by a design professional registered in the State of California (see [CBC Section 3105](#)).
  - i. Roof canopies may be constructed with plywood sheathing, polycarbonate sheets, or sheet metal. It must be sloped to drain towards the street and away from the sidewalk.
  - ii. Plywood roof sheathing shall be minimum 3/8" thick sheathing and required roof framing minimum 8d nails at 6" spacing at all framing.
  - iii. Corrugate polycarbonate sheets shall be minimum 0.032" thickness and secured to roof framing with minimum #10 x 2" self-drilling/tapping wood screws at crown of every other corrugation. Sheets shall be supported on purlins at maximum 24" spacing. Overlap adjacent corrugated sheets and provide infill closure strips between sheet and framing ends.



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- iv. Multi-layered polycarbonate sheets shall be minimum 5/16" thickness.
- v. Roof joists shall be minimum 2x4 spaced maximum of 24 inches apart and spanning to beams spaced at maximum 8 feet apart. Beams that support rafters shall be minimum (2)-2x6 or 2x8 and shall be supported by minimum 4x4 posts spaced at maximum 10 feet apart. Elevation of top of roof assembly shall be 8 feet minimum and 10 feet maximum above sidewalk grade.
- vi. Parklet roofs/canopies may not overhang more than 4 inches.
- vii. Note: any canopies/roofs over 400 sf require an additional permit from the Fire Department. See section 5.f.

### **3. Traffic Safety**

- a. The proposed Parklet Site shall be located on a street with a posted speed limit of 30 mph or less.
- b. The following traffic safety measures are required:
  - i. All parklets: rubber wheel stops are required three feet from both ends of the parklet perpendicular to the curb
  - ii. All parklets: reflective posts are required three feet before and after the parklet along the edge of the parklet parallel to vehicular traffic
  - iii. All parklets: object markers, reflective tape, or reflective striping is required along the length of the parklet adjacent to moving traffic, or at minimum, every 5 feet
  - iv. Parklets on 30 mph streets require the following: parklets should include concrete or water-filled k-rails that are installed to meet manufacturers specifications on the portion of the parklet adjacent to moving traffic
    - 1. If businesses are located on a 30 mph street, please consider installation on a side street if possible.
  - v. The proposed parklet shall not encroach on any existing traffic lane, or bike lane. It should remain at least 12" from moving lanes, three (3) feet from adjacent parking spaces, and two (2) feet from active driveways
- c. Parklets shall not encroach upon or overhang the sidewalk. An additional "sidewalk café permit" is required for use of sidewalk space.

### **4. Accessibility**

- a. The proposed Parklet is required to comply with the applicable provisions, rules, regulations and guidelines of California Building Code, the Americans with Disabilities Act (ADA), the 2010 ADA Standards for Accessible Design, and Public Rights-of-Way Accessibility Guidelines (PROWAG). For all other non-Parklets ADA technical requirements, please refer to "ADA Accessibility Guidelines for Businesses Participating in the OakDOT Flex Streets Program" <https://cao-94612.s3.amazonaws.com/documents/ADA-Accessibility->



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[Guidelines-for-Businesses-Participating-in-the-OakDOT-FlexStreets-Program-9.1.2020.pdf](#)

- b. **Accessible Route:** An unobstructed accessible route connecting the public right of way into the parklet must be provided.
  - i. Parklets entrances/exits are required to be a minimum of 48" wide.
  - ii. Interior circulation route within Parklet, if provided, shall be min 36 inches wide unobstructed.
  - iii. Vertical elevation changes in level of  $\frac{1}{4}$  inch max are allowed; changes in level between  $\frac{1}{4}$  inch to  $\frac{1}{2}$  inch shall be beveled with a slope not steeper than 1:2; changes in level greater than  $\frac{1}{2}$  inch shall be ramped.
  - iv. Horizontal gap in floor or ground surfaces shall not be more than  $\frac{1}{2}$  inch in diameter.
  - v. Floor and walking surfaces shall be stable, firm and slip resistant and shall comply with CBC Section 11B-302. (CBC-11B-302)
  - vi. A wheelchair turning space must be provided entirely within the parklet between the parklet's accessible seating and parklet entrance. The space shall be 60 inches in diameter; a 12" maximum overlap on the curb and sidewalk is acceptable. A T-Turn space per CBC 11B-304.3.2 is also acceptable.
- c. **Ramps:** The preferred parklet design is on the same level with the sidewalk; this allows for greater accessibility and better use of parklet space. If ramps are necessary, they must meet the following guidelines ([CBC 11B-405](#)) which are summarized as follows:
  - i. 48" minimum clear ramp width
  - ii. 8.3% (1:12, or one inch incline per foot) maximum ramp running slope (slope parallel to direction of travel)
  - iii. Cross slope of ramp runs shall not be steeper than 2% or 1:48.
  - iv. Clear level landing at top and bottom of the ramp (4'x4' minimum)
  - v. Unobstructed accessible route from the clear pedestrian path to the ramp
  - vi. Edge protection is required on each side of the ramp. A curb or barrier shall be provided that prevents the passage of a 4-inch diameter sphere. To prevent wheel entrapment, the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp.
  - vii. Ramp material shall be firm, stable and slip resistant. The ramp must be securely attached so it does not move or shift during use.
  - viii. Handrails are required on both sides of the ramp if the slope is more than 5%. ([CBC 11B-403.6](#) and CBC 11B-505.2)
  - ix. Ramp landings subject to wet conditions shall be designed to prevent the accumulation of water.



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- d. **Accessible Seating:** The business must provide 5% of each type of seating spaces and standing spaces at the parklet to be accessible (e.g. tables, bar, booth, bench, picnic table, etc.), but at least one (1) type of accessible table/space available for wheelchair users, meeting the following requirements:
- i. A table or bar surface is between 28 inches minimum and 34 inches maximum above the finish floor or ground
  - ii. At least 27 inches of space from the floor to the bottom of the table
  - iii. Knee clearance that extends at least 19 inches under the table
  - iv. Total clear floor space of 30 inches by 48 inches per seat
  - v. A minimum distance of 4 feet to the nearest obstruction
  - vi. Maintain an unobstructed accessible route [36-inch minimum wide] to the table/seating spaces
  - vii. Built-in seating and Benches ([CBC 11B-903](#)):
    1. Parklets with built-in seating and/or benches shall have a minimum of 30"x48" clear ground space (such as a gap in the bench) to accommodate a single stationary wheelchair with occupant.
    2. The top of the bench seat surface shall be 17" – 19" high above the finish floor or ground.
    3. Bench seats shall be a minimum of 48" long.
    4. Bench seats shall be between 20" - 24" deep.
    5. Bench seats shall provide for back support or shall be affixed to a wall along its long dimension. Back support shall be 2.5" maximum from the rear edge of the seat measured horizontally.
    6. Benches shall be affixed to the wall or floor. Allowable stresses shall not be exceeded for materials used when a vertical or horizontal force of 250 pounds is applied at any point on the seat, fastener, mounting devices, or supporting structure.
    7. The surface of the seat shall be slip resistant and shall not accumulate water.
5. **Fire Safety**
- a. Proposed parklet shall not block a fire-hydrant. A 3-foot radius clearance at the fire hydrant along the curb shall be maintained. A 3-foot buffer around the hydrant on all sides should also be maintained.
  - b. All existing Fire Department Connections (FDC), such as a fire sprinkler system or standpipe system, or the signage indicating their location must be visible within the parklet's site line from the roadway.
  - c. The parklet must ensure no tripping hazards across the sidewalk from cords or other equipment in the Public Right of Way.
  - d. **Heaters**



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- i. Location and type of all heating equipment must be shown on the permit application.
- ii. Heating appliances must be listed and used in accordance with manufacturer's guidelines, these guidelines, and the CA Building Standards Code.
- iii. Parklets with portable heaters must have an accessible fire extinguisher within the parklet
- iv. **Portable electric space heaters** are permitted when operated only in locations specified in the permit. Portable, electric space heaters shall be located at least 3' from any combustible materials, including tent sides, ceiling, umbrellas, and all other combustible materials.
- v. **Portable outdoor gas-fired heaters** may only be used in parklets with no canopy and the combined sidewall area (all 4 sides) at 50% of clear unobstructed openings minimum.
  1. **Propane or Liquefied Petroleum Gas (LPG) heaters require a permit from the Oakland Fire Department.** Permits will be granted after field verification. Note that businesses within the high fire severity zone shall not operate LPG heaters during the heightened fire season.
  2. Portable outdoor gas-fired heating appliances are not permitted within 3' horizontal and vertical distance from walls or ceilings of tents, canopies or buildings and shall be kept a minimum of 5' horizontal distance from exits from tents, canopies or buildings.
  3. Portable heater tanks must be secure and protected from tamper or accidental movement
- vi. Any heaters shall be UL (Underwriters Laboratories) tested and used per manufacture specifications. Manufacture specifications must be kept on site for business reference and viewing if requested by fire inspector.
- vii. Heaters may not sit under trees hanging over the parklet or adjacent to the parklet.
- viii. Materials used on parklets with heaters shall be non-combustible or coated with spray fire retardant. Fire retardant materials must be labeled with the State Fire Marshall's tab on site. It is recommended that parklets without heaters use noncombustible material to allow heaters to potentially be added in the future.
- e. Parklets cannot be located next to combustible waste (ie. Dumpsters).
- f. Parklets with tents that are greater than 400 sf must have a permit prior to use.
- g. Any parklet structure types and heaters may undergo fire inspection at any point.





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- h. Parklets must provide a minimum 3' ADA compliant opening for every 20' of curb length facing the sidewalk for emergency egress and ingress. Parklets that are flush with the sidewalk and that are entirely open to the sidewalk side meet this requirement.
- 6. Relocation/Removal
  - a. The Permittee shall be responsible for removal of the Parklet within twenty-four (24) hours for access to the public right-of-way for any projects requiring access. Permittee shall bear all associated costs and are responsible for any damage to the parklet associated with removal/relocation. The City will strive to provide a minimum of 72 hours' notice, as feasible.
  - b. During rare but immediate life-safety emergencies, immediate relocation may be required. Examples include (but are not limited to): fire life emergency, sewer ruptures, etc. Costs shall be incurred by Permittee.

Date Revised   n/a  

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Ryan Russo, Director  
Department of Transportation

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Date