



Standard Operating Procedure

(SOP)

SUBJECT:	Parklet Guidelines
INTENT:	To establish the City of Oakland Parklet Guidelines
RESPONSIBLE PERSON (S):	Oakland Department of Transportation (OakDOT) Director and City Traffic Engineer
CRITICAL TIMING:	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
INVOLVED INDIVIDUALS:	OakDOT Director, Assistant to the Director on Policy & Intergovernmental Affairs, Assistant Director overseeing Right-of-Way Management (ROW) Division, ROW Management Division, City Traffic Engineer, ADA Programs, Planning and Building Department, Fire Department, Economic and Workforce Development Department
OBJECTIVES:	To ensure that all parklets are installed in a safe and accessible manner
POLICY REVIEW:	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
REFERENCES:	SFMTA Shared Spaces Program, City of Oakland 2014 Pilot Parklet Program, Healdsburg Temporary Parklet Permit Agreement & Guidelines, SDOT Parklet Handbook, Berkeley Parklet Guide

Purpose

The City of Oakland adopted a permanent Parklet Program in March 2022 following the Covid-19 Pandemic Parklet Program launch in April 2020 and building on the 2014 parklet program administered by the Department of Planning & Building. With the permanent Parklet 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 by permit application, annual renewal, and inspection processes.

Oakland Municipal Code Policies

The 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:

- Terms and Conditions
- Inspection



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- Decision
- Posting
- Design and Layout
- Health and Safety Standards

The ordinance further authorizes the City Administrator to adopt Parklet 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. Permittees

- a. Storefront business owners, property owners, non-profit/community-based organizations (CBO), and other applicants may be considered.

2. Location

- a. Proposed parklets should typically occupy the legal parking spot(s) in front of the permittee's frontage.
 - i. Where a single legal parking space fronts more than one ground-floor business or property, the permittee shall be required to seek the written consent of the adjacent ground-floor business owner/CBO (or adjacent property owner in the absence of a ground-floor tenant) if the parklet extends more than 3' in front of the adjacent business or CBO. This must be documented at each permit renewal.
- b. Each proposed parklet structure may only occupy up to two parallel parking spaces—or three diagonal parking spaces.
- c. The proposed parklet shall not be in a blue, green, yellow, or white zone.
- d. The proposed parklet shall not block visibility of traffic signals or stop signs.
- e. 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>).
- f. The parklet may not encroach upon the travel lane, bike lane, or sidewalk. An additional encroachment permit is required for use of sidewalk space.
- g. The proposed parklet shall be set back at least 12" from vehicle or bicycle travel lanes.
- h. The proposed parklet shall be set back at least two feet (2') from active driveways.
- i. Parklets occupying more than one parking space shall be set back a minimum of three feet (3') from adjacent on-street parking spaces or adjacent parklets. Parklets occupying a single on-street parking space must be set back a minimum of two feet (2').



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- j. Parklets are prohibited in red zones, in pedestrian safety zones¹, within 20' in advance of an intersection or marked crosswalk, and within 40' in advance of an intersection or marked crosswalk on streets with curbside protected bike lanes, except upon review and approval of the City Engineer or designee. Prior to approving an exception, the City Engineer may ask applicants to submit a traffic analysis from a licensed traffic engineer to ensure safety and visibility are not adversely impacted by the proposed parklet.

3. Operations

- a. Parklet's must be in use during at least 50% of the hours of adjacent business, community-based organization, or non-profit organization operation (the parklet hours of operation).
- b. Parklets shall not prohibit or 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.
- c. Parklet permittee shall post signs at parklet access points reminding parklet patrons to yield to pedestrians and maintain a clear pedestrian path of travel.
- d. Parklets are subject to the [City of Oakland Noise Ordinance](#).
- e. Parklet permittee is responsible for maintaining the parklet, which may include the following standards:
 - i. Maintain all plants in good health.
 - ii. Keep the parklet and setbacks free of debris and grime.
 - iii. Keep the parklet free of pests and vectors.
 - iv. Adequately maintain all surfaces of the parklet so they are not hazardous to parklet users.
 - v. Sweep out debris from under the parklet and the three feet (3') adjacent setback on an as-needed basis.
 - vi. Keep any furniture such as tables, chairs, and benches clean.
 - vii. Include access panels in order to maintain the gutter and area underneath the parklet.
 - viii. Unsecured furniture is not permitted after business hours.

4. Traffic Safety Design Standards

- a. The proposed parklet shall be located on a street with a posted speed limit of 30 mph or less.
- b. The following traffic safety measures are required at all parklets:
 - i. Rubber wheel stops are required to be placed perpendicular to the curb and two feet (2') from both ends of a parklet occupying a single

¹ Pedestrian safety zones are painted curb extensions—painted areas that visually extend the sidewalk—to make people crossing the street more visible to people driving, to shorten the crossing distance for pedestrians, and to improve safety.



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- on-street parking space or three feet (3') from both ends of the parklet occupying more than one on-street parking space.
- ii. Reflective posts are required at the edge of first wheel stop in the direction of approaching vehicle traffic and thereafter every 5' along the edge of the parklet, parallel to vehicle traffic.
- iii. 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.
- c. Proposed parklets on streets with a posted speed limit of 30 mph require concrete or water-filled vehicle barriers (e.g. k-rails) installed to meet manufacturers specifications along the sides of the parklet parallel to moving traffic and along the sides of the parklet not adjacent to on-street parking.
 - i. Where a business fronts two streets with on-street parking, OakDOT prefers the parklet on the side street, or the street with the lower posted speed limit.
- d. The following traffic safety measures are required at parklets adjacent to protected bike lanes²:
 - i. Parklets should provide a railing height wall along the protected bicycle lane edge, with entry and exit points for patrons at least 10 feet from the point where the protected bike lane passes behind the parklet.
 - ii. Crosswalks should be painted to alert bicyclists of pedestrians crossing the bike lane; alternatively, a raised crosswalk ramp connecting to the sidewalk and meeting all accessibility standards in section 6 below may be provided.

5. Design Standards

- a. *Advertising*: Proposed parklets shall not be used for purposes of advertising.
- b. *Guardrails*: Proposed parklets are required to comply with the applicable provisions, rules, regulations, and guidelines of California Building Code Title 24, Part 2, Section 2 for guardrails (<https://www.dir.ca.gov/title8/3209.html>). 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 on center between vertical members. Parklets are required to have a continuous rigid separation between the parklet and vehicular traffic on all three sides adjacent to the roadway.
- c. *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 a parklet is proposed on a street with a slope steeper than 5%, 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.

² www.oaklandbikes.info/maps

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- d. **Visibility:** Continuous opaque walls above 42” do not allow visibility into the parklet from the surrounding streetscape and are prohibited. Temporary vertical obstructions, such as mesh screens, higher than 42” above grade 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. Plexiglass or other brands of transparent materials are allowable higher than 42” above grade.
- e. **Platforms:** Parklets with built platforms must provide structural integrity to ensure public safety by supporting anticipated live loads up to 100 pounds 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.
 - 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 ¾” 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 ½ inch, nor a vertical separation greater than ¼ inch.
 - viii. Openings in floor or ground surfaces shall not allow passage of a sphere more than ½ 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](#)
- f. **Drainage:** 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.

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- g. *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 5.h.
- h. *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.
 - iv. Multi-layered polycarbonate sheets shall be minimum 5/16" thickness.
 - v. Roof joists shall be minimum 2" x 4" spaced maximum of 24" apart and spanning to beams spaced at maximum 8' apart. Beams that support rafters shall be minimum two (2) 2" x 6" or 2" x 8" and shall be supported by minimum 4" x 4" posts spaced at maximum 10' apart. Elevation of top of roof assembly shall be 8' minimum and 10' maximum above sidewalk grade.
 - vi. Parklet roofs/canopies may not overhang more than 4".
 - vii. Note: any canopies/roofs over 400 sf require an additional permit from the Oakland Fire Department. See section 7.f.

6. Accessibility

- a. 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).
- b. An unobstructed accessible route connecting the public right of way into the parklet must be provided.
- c. Parklets entrances/exits are required to be a minimum of 48" wide.
- d. Interior circulation route within Parklet, if provided, shall be min 36" wide unobstructed.
- e. Vertical elevation changes in level of ¼ inch max are allowed; changes in level between ¼ inch to ½ inch shall be beveled with a slope not steeper than 1:2; changes in level greater than ½ inch shall be ramped.



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- f. Horizontal gaps in floor or ground surfaces shall not be more than ½ inch in diameter.
- g. Floor and walking surfaces shall be stable, firm, and slip resistant and shall comply with CBC Section 11B-302. (CBC-11B-302).
- h. 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" 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.
- i. 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](#)):
 - 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.
- j. **Accessible Seating:** The business must provide at least one (or at least 5%) of each type of seating spaces and standing spaces to be accessible (e.g., at least 5% accessible spaces at each distinct area such as tables, bar, booth, bench, picnic table, etc.), meeting the following requirements:
 - i. A table or bar surface is between 28" minimum and 34" maximum above the finish floor or ground
 - ii. At least 27" of space from the floor to the bottom of the table
 - iii. Knee clearance that extends at least 19" under the table
 - iv. Total clear floor space of 30" by 48" per seat
 - v. A minimum distance of four feet (4') to the nearest obstruction
 - vi. Maintain an unobstructed accessible route (36" minimum wide) to the table/seating spaces
 - vii. Built-in seating and benches ([CBC 11B-903](#)) must comply with the following requirements:
 - 1. Parklets with built-in seating and/or benches shall have a minimum of 30" x 48" clear ground space (such as a gap in the



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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.

7. Fire Safety

- a. Proposed parklets shall not block a fire hydrant. A 3' radius clearance at the fire hydrant along the curb shall be maintained. A 3' 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 may be permissible under the following conditions:
 - i. Location and type of all heating equipment must be shown on the permit application
 - ii. Heater may not encroach into ADA accessible areas or routes
 - iii. Heating appliances must be listed and used in accordance with manufacturer's guidelines, the City of Oakland Parklet Guidelines, and the CA Building Standards Code.
 - iv. Parklets with portable heaters must have an accessible fire extinguisher within the parklet
 - v. 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. Power to electric heaters must not impede ADA access.
 - vi. Portable outdoor gas-fired heaters may only be used in parklets with no canopy and where the combined sidewall area (all 4 sides) is 50% clear unobstructed openings minimum.
 1. Propane or Liquefied Petroleum Gas (LPG) heaters require a permit from the Oakland Fire Department. Permits will be



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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 10' horizontal distance from exits from tents, canopies or buildings.
3. Portable heater tanks must be secure and protected from tamper or accidental movement
- vii. 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.
- viii. Heaters may not sit under trees hanging over the parklet or adjacent to the parklet.
- ix. 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 (e.g. dumpsters).
- f. Parklets with tents, canopies or roofs that are greater than 400 sf must have a permit from the Oakland Fire Department prior to use.
- g. Any parklet structure types and heaters may undergo fire inspection at any point.
- h. Parklets must provide a minimum 3'-wide 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.

8. Relocation/Removal

- a. The Permittee shall be responsible for the removal of the parklet and all costs associated with the removal of the parklet, upon request by the City of Oakland. This includes circumstances related to streetscape improvements, public safety, and/or violation of the Parklet Maintenance Agreement.
- b. The City will strive to provide 15 days' notice, or a minimum of 72 hours' notice, as feasible.
- c. During rare but immediate life-safety or utility 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.

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Final Audit Report

2023-03-10

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