



CITY OF FULLERTON

Public Works Department – Engineering Division

WALK ON WILSHIRE (WOW) PARKLET GUIDELINES

(for use during WOW parklet pilot only)

ADOPTED August 16, 2022

Purpose

The City of Fullerton (City) has established a pilot program for the development and operation of Parklets for the Walk on Wilshire (Wilshire Avenue, approximately 200-feet west of Harbor Boulevard to the Wilshire Avenue/Harbor Boulevard intersection). The pilot program is intended to encourage activation of the public right-of-way, provide increased business opportunities for businesses and restaurants and increase opportunities for outdoor dining.

The following Guidelines are supplemental standards to the June 21, 2022 Standard Outdoor Dining Guidelines. All rules, regulations and provisions of the Standard Outdoor Dining Guidelines shall continue to apply unless superseded by these Guidelines.

Eligibility

Eligible Applicants

Restaurants, retailers, and other businesses located within WOW may apply for parklet installation within the public street located immediately in front of their property limits for outdoor dining or other business uses.

Where the applicant does not own the property in which their restaurant or business is located, then the property owner's approval is required.

Eligible applicants shall remit a per square foot license fee equivalent to the City's Standard Outdoor Dining rate established by the City Council. Applicants are required to remit a fee to process their application.

Other than placement of one ancillary sandwich board sign, Parklets are to be used only to place tables, chairs, a platform with railings/enclosure, landscaping, lighting, speakers, planter boxes, a roof or other equipment and devices necessary for the purpose of creating open space for public use, a small garden, to create a customer waiting area, a stage for acoustic musicians to perform, or for serving food to outdoor dining customers. Parklets may not be used to display or conduct retail product sales, or to render personal or other services.

Eligible Streets

For the purposes of the pilot program, parklets are permitted on Wilshire Avenue, approximately 200-feet west of Harbor Boulevard to the Wilshire Avenue/Harbor Boulevard intersection.

Parklet Size

A parklet may occupy the frontage length of the applicant business. Larger parklets will be considered on a case-by-case basis for businesses submitting a joint application for parklets proposed for multiple businesses.

Wilshire Avenue is a Class III bike route and designated Bike Boulevard, including within the WOW segment. Therefore, bicycle access will be maintained throughout the center of the

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street. To provide adequate access for bikes and required access for fire trucks, a 20-foot to 26-foot clearance is required down the middle of the street. Therefore, the parklets width shall be limited based on the location and available space (see exhibit below for available parklet area).



Utilities

Parklets are not permitted in front of, or within 3 feet of a fire hydrant or over a fire hydrant shut-off valve. Parklets constructed with irremovable materials may not be constructed over any utility access covers. Applicants are required to photograph and take a thorough inventory of any utility access covers in the proposed parklet area to ensure none are present, which may require looking under parked cars.

Momentary access must be provided to any City staff or other public utility company from time to time that have underground conduits running beneath the Parklet area. Applicants understand and agree that City crew roadway restriping, resurfacing and utility company access may require the temporary removal of all, or a portion of the constructed parklet to provide access. Accurate reinstatement of the parklet or its components will be the responsibility of the applicant.

Application Process and Requirements

See the Standard Outdoor Dining Guidelines dated June 21, 2022 for application requirements

Businesses may submit joint applications for shared spaces.

Approvals are Temporary

The City of Fullerton reserves the right to remove parklets and clear the right-of-way at its sole discretion. At the conclusion of this pilot, parklets must be removed, and the parking and sidewalk areas must be restored to their original condition.



Parklet Design Guidelines

Design Goal

The City desires to find a balance between a cohesive street scene while also allowing room for individual business character in parklets. The street-facing portions will require a consistent design that provides a clear delineation from bike route access area. The decks on WOW and will be built to a standard configuration, but may incorporate different colors, plants, or other features to distinguish the different operators of those spaces.

Design, Materials, and Accessories

These guidelines are intended to improve the design and aesthetics of parklets and are intended to:

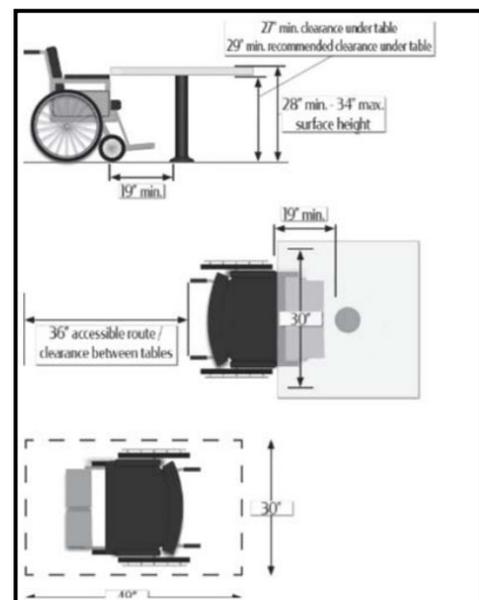
- Reduce visual clutter
- Create a standardized street interface
- Improve safety and visibility
- Provide for some flexibility and individualization amongst the different businesses
- Encourage low maintenance furniture, plants, and accessories
- Encourage dark sky friendly illumination

Accessibility

It is the responsibility of each restaurant operator to provide outdoor dining in full compliance with the Americans with Disabilities Act (ADA) and the California Building Code Standards (CBC). The requirements listed below were developed as part of the overall parklet guidelines in order to assist restaurant operators with meeting these compliance requirements. Nothing contained herein shall replace or diminish any of the requirements under the ADA or CBC.

For beverage and dining establishments, at least 5% of the seating spaces and 5% of the standing spaces shall be accessible. All accessibility requirements are subject to inspection. Accessible spaces must meet the following requirements:

- Table surface between 28 to 34 inches high.
- At least 27 inches of space from the floor to the bottom of the table.
- Knee clearance extends at least 19 inches under the table.
- Total clear floor area of 30 inches by 48 inches per seat.
- Minimum distance of 4 feet to the nearest obstruction.
- International Symbol of Accessibility displayed at the table.
- Maintain an accessible path of travel to the table.





Configuration

Each parklet must be surrounded on the three street-adjacent sides with a barrier to establish the boundaries of the parklet. The interface with the public sidewalk should be flush so that the dining area is accessible.

The Platform Deck

Each Parklet requires a platform that is flush with the curb. Construction drawings must be submitted for the seating deck so that the City can review the structural base for the parklet. In designing the deck, the following provisions apply:

- The Parklet base should be a freestanding structural foundation that rests on the street surface. This frame should not be permanently attached to the street, curb or adjacent planting strip. The applicant may, however, use pin bolts to attach the Parklet to the curb and street below.
- Bolting: Parklets may include buried bollards and bolted platforms to the existing curb, provided the curb and roadway are restored to their original condition upon their removal.
- Non-slip platform surface: The surface of the parklet platform shall be fabricated from durable, non-reflective, slip resistant, aesthetically pleasing materials designed to withstand outdoor conditions. Surface materials shall not be prone to corrosion and shall be able to withstand power-washing when needed.
- Access: Parklets may not be built over existing utility access points unless the utility agrees, in writing, that creation of a hinged door on the platform to access them is acceptable.
- Surface materials: With the exception of soil contained inside planter boxes, loose particles, such as sand, gravel or loose stone are not permitted in the parklet.
- Drainage: The Parklet cannot impede the flow of curbside drainage on all sides and underneath the platform directly over the gutter. Designers are required to cover openings at either end of the Parklet with screens to prevent blockage from debris while allowing water to flow along the gutter and into the storm drain. The platform shall contain a minimum 5" high X 18" long unobstructed cutout along the entire length of the gutter to provide unimpeded storm water flow to the storm drain.
- Platform cross slope: The Parklet platform cannot exceed two (2) percent cross slopes.
- The Platform Edge: The platform requires a positive edge or railing along the open sides of the deck surface that is parallel to the bike boulevard area.



A positive edge may be achieved by providing a railing of no less than 36 inches in height with openings of no more than 4 inches, or by other means as described in the next paragraph.

Railing structural capacities:

Handrails, guardrails, and their supports must be designed for 50 lbs. per linear foot, applied in any direction at the top of the top rail, and a concentrated load of 250 lbs. applied in any direction at any location along the top of the top rail. Guardrail infill and bottom rails are to be designed for 100 lbs. acting on a projected area of 1 sq. ft, including the open space between components.

Where required, guardrail height must be a minimum of 36 inches above the leading edge of the tread or walking surface. Opening limitations: open guards shall have balusters or ornamental patterns such that a 4-inch diameter sphere cannot pass through any opening up to a height of 36 inches.

Other means for achieving this positive edge may include raised planters no less than 24 inches high and 12 inches deep, built-in seating or other built-in furnishings no less than 24 inches high and no less than 12 inches deep, dense plantings that visually enclose the space and discourage pass through, or some other such similar means. In some instances, such as residential streets, alleys, shared public ways or other non-arterial streets, other barriers may be considered on a case-by-case basis.

Enclosure

The tops of parklet rails shall not be higher than 36" above the ground however, narrow support pillars or posts may be built above 36" to support a roof or to mount lighting fixtures, lighting strings, or speakers, provided the roof is no lower than 7½' high and provided the roof sustains a minimum wind speed of 110 mph. The height of the parklet may be increased with clear plexiglass or other material that does not obstruct visibility.

Shade and heat

Round market umbrellas may be used for shade. Each parklet may use a maximum of three umbrellas. 8-9' umbrella sizes are recommended. Low height (under 5') infrared heaters are preferred. A maximum of two portable propane heaters over 6-feet tall are permitted on any parklet. No open flame shall be used at any time.

Lighting

Applicants interested in lighting should consider solar-powered lighting that use a rechargeable battery. All lighting should be white with a temperature rating of 3500k (warm white). Lighting should be set on a timer or unplugged after business hours. Parklets may have lighting fixtures or lighting strings installed on poles with or without a roof provided they are rated for outdoor use and their power cord is plugged into an enclosed Ground Fault Circuit Interrupter outlet located on the face or roof of the building. Running conduits or extension cords along the ground to the parklet from the building to provide electrical power is prohibited and can be a tripping hazard. Attaching any lighting, wires, cords, anchors, etc. to City street trees is also prohibited.



Speakers

Parklets may have speakers mounted within them provided they are rated for outdoor use and their cords are connected in an aerial fashion to equipment located inside or outside of the building that is owned or occupied by the Applicant. Alternatively, speakers may be mounted directly upon the face of the building that is owned or occupied by the Applicant. Running conduits or speaker wire along the ground to the Parklet from any building is prohibited.

Music Operation

Unamplified acoustic musical instruments and electric sound reproduction systems shall be operated at sufficiently low volumes so as not to create a public nuisance or unduly intrude on neighboring businesses, residents, or users of the public right-of-way beyond the parklet area.

Width

Parklets should be a minimum width of 6 feet. A maximum width varies depending on the location and available street space.

Reflectivity

Reflective elements/devices are required at the outside corners of all parklets. Soft-hit posts equipped with reflective surfaces are a typical solution deployed along the perimeter; however, the City will consider other reflective elements incorporated into the parklet design to enhance visibility of the structure including at night.

Easy Removal

Since parklets are temporary and will be placed atop critical infrastructure and utilities such as gas lines, sewer and water mains, they must be designed for easy removal in case emergency access is required. No parklet component may weigh more than 200 pounds per square foot.

Maintenance

The Parklet is required to be well maintained and be in good condition as outlined in the terms and conditions of the Encroachment Agreement. Parklet owners are required to develop a maintenance plan for keeping the Parklet free from debris, grime, and graffiti, rodents, and to ensure any plants remain in good health and not grown in a manner that would obstruct visibility of the adjacent travel lane and/or intersections.

Restaurants are required to sweep the sidewalk and roadway area immediately surrounding the Parklet and to keep it litter-free as City street sweepers are unable to do so.

The area beneath the Parklet platform shall be cleaned and rinsed out at least once a month.

Pollution Prevention Requirements

Outdoor eating and drinking venues must adhere to water pollution prevention practices to prevent trash, debris, food residue and other wastes from entering the storm drain system. The



applicant is responsible for cleaning the permitted area. Clean-up activities must be in compliance with all pertinent City codes, including the Water Quality Ordinance, FMC 12.18.

When cleaning outdoor eating/drinking spaces follow these best management practices (BMPs):

- Do not hose down any outdoor eating/drinking area.
- Use dry cleanup methods, such as sweeping and hand removal, to clean up debris.
- Have materials (absorbent pads, material, rags, mops, brooms, and/or dust pans) on-site to immediately clean-up spilled/edible materials such as beverages, ice cream or food.
- Periodically clean all outdoor eating/drinking areas of waste material during the operation.
- Trash, debris, food residue and other wastes must be removed at the conclusion of each day.
- Place and regularly service temporary waste and recycling receptacles near outdoor eating/drinking areas for patrons to conveniently dispose of/recycle waste material. This will help prevent the overflow of nearby City trash and recycling receptacles.
- Any water used for cleaning purposes must be collected and disposed of appropriately.
- At no time shall waste or wastewater enter the City's storm drain system, which includes gutters and storm drain catch basins.
- Train employees about pollution prevention best management practices (BMPs).

Removal

Self-initiated removal: If the applicant decides to no longer use the parklet, or the permit has expired, the applicant is responsible for removing the parklet and all related elements and restoring the public right-of-way to its original condition. Removal and restoration of the parklet area requires an additional permit, which may be obtained from the Department of Public Works/Engineering Division.

Streetscape maintenance and improvements: In some instances, such as a street repaving or utility work, the City may require the applicant to remove their parklet temporarily. The City or utility will provide adequate notification to permit holders that a parklet will need to be temporarily removed for repaving, utility, or other street work. In these situations, you may need to store your parklet off-site during these construction activities. Parklet removal and reinstallation shall be performed at the sole cost of the permit holder.

Emergencies. Because parklets may be placed atop utilities there may be instances where the parklet will require immediate removal with little notice (such as a gas leak, water main break, sewage pipe break, etc.). During these emergencies, the City or other public utility may remove the Parklet with little or no notice.

Fullerton Fire Department Requirements

- Exits and aisles leading to exits shall not be obstructed at any time.



- Exits shall terminate to an approved Public Way.
- Fire department access, roadways and gates shall remain unobstructed at all times in order to allow emergency vehicles access for firefighting purposes.
- Temporary railings shall be adequately braced and anchored to withstand the elements of weather and/or collapse.
- A currently tagged fire extinguisher (min. 2A 10BC) shall be present within 75 feet of travel distance
- All fire protection equipment shall be maintained in an operative condition.
- Clearance around fire protection equipment shall be maintained. (Fire hydrants, Fire department connections, and Outside Stem & Yolk's)
- Flaming food, drinks, and candles are prohibited.

Insurance

The Applicant (Permitee) shall obtain and maintain in force during the life of the Encroachment Agreement comprehensive general liability, automotive, and workers compensation insurance in amounts and coverage as determined by the City Attorney and specified in the Encroachment Agreement. Failure to maintain active insurance policies is grounds for revocation of the permit.