



MILL VALLEY

CHAMBER OF COMMERCE & VISITOR CENTER

To: City of Mill Valley

From: Mill Valley Chamber

Subject: Proposal for Downtown Mill Valley Parklet Program

Date: May 10, 2021

Below you will find a report on the best practices and guidelines of parklet programs that exist throughout the Bay Area and across the globe, right-sized for what makes sense for the City of Mill Valley. This proposal has three primary asks:

- **Revise the current process of extending the emergency outdoor business use ordinance in 120-day increments and approve an extension through Nov. 2022, allowing all businesses to make a temporary investment with enough runway to recoup the significant costs associated with a parklet.**
- **Process temporary parklet applications in a timely manner under the temporary outdoor business use ordinance, providing clear guidelines about the City's priorities in terms of materials, design etc. Treat this 18-month period as a pilot project that identifies community benefits, concerns, unintended consequences and more. For the duration of the pilot project, allow the parklets approved by the City to offer public use of the parklet outside the business' hours of operation in lieu of the fees sometimes associated with parklets as a way to account for the loss of parking revenue.**
- **Concurrently begin the process of creating a long-term, post-pandemic program for long-term and/or permanent parklets that is informed by prevailing best practices and the components established under successful parklet entries in Mill Valley under the temporary outdoor use ordinance.**

Background: Driven by the outpouring of positive sentiment around the Miller and Throckmorton avenue street closures during the COVID-19 crisis, as well as an increasing community desire to identify appropriate alternatives to car-centric usage of public space in downtown, the Mill Valley Chamber seeks City Council and community input on both a temporary and a permanent parklet program with limited scope. Such a program would fall under the umbrella of the longstanding "Car Free Streets" or "Slow Streets" movement, which have sought to strike a balance between car-dominant public space and those featuring more pedestrian-, bike- and other non-automobile-centric uses.

As [sociologist Eric Klineberg has said](#), parklets are among the types of "physical elements of community that act as a conduit to bring people together and build social capital through recurring interactions." These types of social spaces "have been critical to enable us to encounter one another and socialize and maintain the social

fabric of our communities,” Marin-based urban designer [John Bela](#) said at a “[Collaborative City-Making & Restaurant Trends](#)” symposium hosted by the Marin County Council of Mayors and Councilmembers in May.

A proposed temporary Parklet Program in Mill Valley would focus on the Downtown streets of East Blithedale, Throckmorton, Sunnyside, Corte Madera and Miller avenues, along with Madrona Street and Miller Avenue, as the parking landscape is much more defined downtown in those areas. The Chamber proposes that no more than two parklets be approved on a single block, and the City could establish a minimum distance requirement between two parklets on the same block. For the permanent parklet program, we welcome the Council’s guidance on geographic limitations.

This report below leans on the processes and experiences of other municipalities in Marin, as well as [“Reclaiming the Right-of-Way: A Toolkit for Creating and Implementing Parklets,”](#) from UCLA’s Luskin School of Public Affairs, which provides practical guidance for both business owners and municipalities to support the development of small-scale parks called parklets. We also lean on a number of Bay Area municipalities for best practices on the parklet application, design guidelines, technical requirements and a checklist highlighting the key components of a parklet submittal.

In the most basic sense, parklets are typically created by building a platform on the pavement to extend the sidewalk space, and retrofitting it with benches, planters, tables and chairs, umbrellas, and bike racks. In terms of size, parklets range from a couple of parking spaces extending along the length of a block, to larger spaces occupying entire parts of a block. For the purposes of the proposed downtown Mill Valley program, a parklet would take up no more than two adjacent parking spaces.

As described in detail below with multiple examples of best practices, the Chamber recommends that the City create pre-approved design guidelines that businesses could select that would assist in fast-tracking their application. Anything more elaborate or different will likely go through the city’s design review and planning process.

Many cities that have experimented with parklets report that they attract more foot traffic, leading to a boost in commerce.

- In an [October 2020 San Francisco Chronicle report](#) on the breakout success of parklets in San Francisco, both pre- and mid-pandemic, Steve Kelly, vice president of marketing for Pacific Catch, said the incredibly high cost of building a massive parklet in an empty parking lot has absolutely been worth the approximately \$70,000 expense of constructing the giant parklet. “I’m constantly amazed at how people will sit outside at all times. It’s turned a negative into a positive.”
- At an April 2018 Mill Valley Planning Commission Study Session for the 550 Miller Avenue project, [then-Commissioner Bosshard expressed support for parklets](#), citing the parklet at Equator, and saying it would drive traffic to the retail space.
- A leading organization in the parklet movement, [San Francisco Great Streets Project](#), describes parklets in the following way: “Parklets are built out of semi-permanent materials and are installed in a way that does not require reconfiguring the roadway or pouring concrete. They are usually hosted or sponsored by a local business or organization that pays to design and build them and agrees to keep them maintained.”

Mill Valley has dipped its toes into parklets in recent years, starting with a BPAC-supported parklet at Equator Coffees at 2 Miller Ave. dedicated to bicycle parking. “A corral is an on-street bicycle facility that can accommodate many more bicycles than a typical sidewalk rack...and typically replaces an existing single vehicle parking space with up to eight bicycle racks—enough space to accommodate 16 bicycles. In areas with high cycling demand, corrals use space much more efficiently than a single car parking stall would (Luskin).” In 2020, Equator constructed a second parklet adjacent to the first one to provide additional seating, and in December 2020, Piazza D’Angelo built a large parklet for outdoor dining under the umbrella of the outdoor business use ordinance.

Other uses include [fitness facilities/zones](#) such as those found along the Marina Green in San Francisco.

Best practices from a trio of Bay Area municipalities (each of the below programs are established with “yearly permit renewal” to ensure parklet operators are following all guidelines stipulated in the creation of the program):

LOS GATOS

The intent of the Los Gatos parklet program is to create publicly accessible open spaces in the downtown to enhance the attractiveness of the downtown for residents and visitors.

- Applicants should be the property or business owner most adjacent to the parking space(s).
- Community organizations are also eligible and need not have an adjacent location.
- Applicants submit an application outlining the parklet concept as detailed in the [Technical Requirements section of the application](#) and subsequently meet with staff to discuss the project details.
- Project construction is authorized through issuance of an Encroachment Permit and Building Permit.
- The parklet may be used exclusively by the adjacent businesses during hours of operation, and then open to the public during non-business hours.
- The ideal size for a parklet in the pilot program is two parking spaces in length.
- Parklets are intended to be gathering areas for the public and should create a welcoming space with interactive elements to meet the needs of a variety of residents and visitors.
- Parklets must not obscure visibility at intersections or driveways.
- The applicant must provide broad outreach and obtain support of nearby businesses and residences.

Design Requirements

- “Open-air” design. Shading or covers may be allowed if non-permanent and moveable.
- Parklets shall be aligned with the interior edge of exiting parking space delineation. The finished width, including all ancillary elements, shall not protrude past the inside of the parking stall hash mark painted on the roadway (maximum of eight feet from the curb).
Parklets are not permitted within the following areas: a. At red (no parking) or white (passenger loading zones) curbs; b. To obstruct access to utilities (man holes, valve boxes, etc.).
- Parklet applicants shall maintain insurance at levels approved by the City.
- Parklet applicants shall have or maintain a current business license with the City.
- High quality, durable materials capable of withstanding year-round use in an outdoor environment are required. No bolts or anchors shall penetrate the pavement or sidewalk.
- Platform decking to be at height of curb. Platform not to exceed ½” distance from curb.
- Platform shall allow for free flow of curb line storm water – subject to Town approval.

- Platform shall allow for access for cleaning underneath the platform.
- Platform design shall accommodate street cross slope and retain platform cross slope of less than two percent.
- Parklet design shall fully comply with ADA requirements.
- Parklet must have physical barriers along the street sides to prevent users from stepping directly into the roadway.
- Perimeter wall or rail must be 36 inches high and must not obstruct views of traffic.
- Platform ends and corners must be capable of withstanding 500 pounds of horizontal force.
- Parking stops and reflective delineators must be placed at the traffic flow side of the parklet.

Parklet submission must include:

- All property lines with lengths and bearings and plottable easements.
- All structures, existing and proposed, including: a. Dimensioned floor plans; b. Indication of the use of all areas; and c. Grades, slopes, transitions and clearances.
- Existing street markings showing crosswalks and parking space markers.
- Existing trees, including size, location, existing grade at the base, and driplines.
- Existing driveways, off-street parking, loading spaces, and curbs.
- ADA accessibility including seating and travel ways at the parklet and on the sidewalk.
- Public improvements, including sidewalk, street, curbs, gutters, street lighting, surfacing materials, drain inlets, fire hydrants, fire department connections, and fire department risers.
- Dimensioned elevations and/or sections showing location, height, materials, colors and landscaping associated with the proposed parklet.
- Operations Plan, including: a. Description of food and drink service, if any; i. Food may be ordered in a restaurant and served at the parklet (take-out). ii. Table side ordering is permitted. iii. Alcohol service is permitted at the parklet subject to permit by the California Department of Alcoholic Beverage Control and subject to existing and required Town permits. b. Proposed business hours the spaces would be utilized by adjacent business(es); and c. Description on the allocation of public space, use of the spaces during business hours and nonbusiness hours, and a management plan for shared and priority usage.
- Maintenance Plan, including: a. Daily maintenance and cleaning schedule and tasks; b. Weekly enhanced cleaning schedule; and c. As needed component repair and replacement.
- Documentation demonstrating support of adjacent businesses and property owners.
- Project construction will be authorized through issuance of an Encroachment and Building Permits. Parklet must be completely constructed within three months of issuance of Encroachment Permit.

CITY OF SAN RAFAEL

A few years ago, the City Council approved a three-year parklet pilot program, allowing up to four 'street dining' projects within the downtown area which would result in the removal of up to eight parking spaces. After the program was deemed a success, staff proposed regulations for an ongoing permanent program. In certain cases, such as when the City constructs new sidewalks in the downtown, the City has allowed businesses to pay for the construction of additional sidewalk area to 'bulb -out' the sidewalk into the street, which removes several parking spaces and creates a larger area for the business to use as outdoor dining space. Thus, the removal of parking spaces in the downtown area has a precedent in the existing outdoor dining program.

The City of San Rafael's Parklet requires that the business enter into a license agreement with the City, provide liability insurance, provide a site plan for the proposed outdoor seating location, and agree to maintain the area.

San Rafael defined parklets as distinct from sidewalk dining, which can be done relatively cheaply. Parklet programs typically require a platform in order to comply with ADA regulations and thus they are more expensive and frequently involve a higher quality and more innovative design. Thus, parklets are intended to be both a pedestrian amenity as well as an improvement to the downtown streetscape.

One point of discussion around parklets is whether they should be business-focused, i.e. managed by the adjacent restaurant, or used as a public gathering space, or as a hybrid that is the domain of the business during operating hours and open to the public outside of those hours. In the case of the City of San Rafael, staff works with applicants to encourage general public access and use of these spaces where feasible, but it is up to the business owner as to how they manage the space.

San Rafael limited the number of parklets allowed within its commercial districts to two parklets each within its three "sub-districts." Each project would remove a maximum of two parking spaces with a maximum of a total of eight parking spaces removed, given sufficient interest in the program.

CITY OF SAN FRANCISCO

A parklet program should define essential criteria to evaluate the viability of a parklet location and application on a case-by-case basis. For example, the City of San Francisco has the following criteria, among others:

- Surrounding uses that can attract people to the space,
- Identified community or business steward
- Not blocking a fire hydrant or bus stop
- Slope of the street is less than 5% grade

The city recommends the following general design guidelines:

- Parklet should be easily accessible from the sidewalk
- Some landscaping/beautification is expected
- Parklet should be visually permeable to enable people to rest and experience the street off the sidewalk
- Parklet should conform to ADA access guidelines. Parklet must be open to the public and display two standard signs (per city template) stating "public parklet"
- Seating should be included and any removable furniture must be distinct from those of restaurants.

According to the [San Francisco Pavement to Parks initiative](#), parklets are "intended to provide space for people to sit and relax and enjoy the city around them, especially where narrow sidewalks would otherwise preclude such activities. They are intended to be seen as a piece of street furniture, providing aesthetic enhancement to the overall streetscape."

Responding to the challenge to reclaim public space for people, the City of San Francisco opened its first plaza pilot project on Castro Commons in April 2009. The San Francisco Planning Department led this effort. In order to avoid lengthy permit processing, it defined this project as "removable" in character ensuring an expedited design review process and construction.

According to San Francisco planners, the biggest success of the Pavement to Parks program is helping the public to re-imagine creations in the city's rights-of-way. In the case of parklets, by recasting spaces for cars as spaces for people, local merchants have a new way to interact with the community and attract new customers. **San Francisco planning staff also report that many businesses, especially cafés and restaurants, have experienced marked revenue increases since the installation of a nearby parklet, resulting in increased sales tax revenue for the city and in some cases increased jobs, as restaurants hire additional staff to meet increased demand.**

However, the goal of these installations is not only for increased business revenues, but for a creation of public space and a catalyst for community development. Parklets provide merchants of all varieties another way to engage with their community which is not solely based on a marketplace interaction. For example, after installing a parklet, its steward in the Mission District initiated a local farmers market in the neighborhood, the Mission Community Market. Now, the city and the neighborhood are looking to redesign the street to better facilitate this market. This example demonstrates how parklets in San Francisco are acting as a catalyst for incremental interventions in the public realm.

In terms of challenges, some businesses have not been great stewards of their spaces. There have been a few incidents of businesses turning away members of the public who were not their patrons from using the parklet. The City must enforce and follow up on complaints to prevent the misuse of parklets and has the right to revoke the permit at any time. Yearly permit renewal is thus a useful tool for the City to ensure that parklet stewards adhere to the rules of operation.

CITY OF MONTREAL

Although it's a distant example, the **City of Montreal** also has a well-defined program. They call their parklets "terraces," and established criteria with a wide range of design guidelines and requirements, including:

- Maintaining a 3-foot buffer between the parklet and travel lane
- Maintaining a 1.5-foot buffer between terrace furniture and street furniture (benches, trees, bins, parking meters, etc.)
- Must be located directly in front of the establishment it serves and have a maximum width equal to the business frontage
- Not allowed in bus stop areas, in lanes dedicated for buses, or any place deemed unsafe by Public Works
- Planter boxes must be provided along the two end-sides with a minimum weight of 165 lb. and a minimum height of 1.65 ft. These boxes act as bollards to protect against parking maneuvers. Boxes must be planted with flowering plants (perennials or annuals); Hedges (between 3-5 ft.) are required along the entire length along the street and parking sides
- Floor of the terrace to be at the same level over its entire area, taking into account the crown of the road; Floor should be constructed of wooden slats or plywood with a smooth surface of a natural wood color.
- Railings should be constructed of metal (painted black) or wood.
- Furniture should not be constructed of or contain PVC; it should be sturdy, durable, and designed to be outdoors.
- No sound amplification system is permitted.

- Umbrellas must not carry advertising, must not extend past the terrace, must not affect visibility of signage, and must be secured to withstand wind stresses.

Implementation and Maintenance

Each applicant—typically a business owner, non-profit or resident—agrees to certain responsibilities. The applicant must be willing to pay for the construction costs of the parklet, provide day-to-day maintenance of the parklet, including the storage of movable tables and chairs, and the cleaning of trash. The applicant must show the city evidence of at least \$1 million in liability insurance and name the City as additionally insured. The city grants successful applicants a revocable lease and issues a temporary occupancy use permit to install a parklet. The following fee structure is imposed for projects designed and constructed by outside parties:

ADDITIONAL POLICY RECOMMENDATIONS (per Luskin report):

In order for cities to make the most out of their parklet programs, we present the following list of policy recommendations based on lessons learned from our case studies:

- Identify residual spaces in priority areas. Not all sites or all neighborhoods are appropriate for parklets. Parklets work well where there is a certain level of foot traffic, where automobile traffic is low-speed, and where there are surrounding establishments that can provide a level of natural surveillance. Cities can develop an inventory of residual spaces in priority areas with low amounts of open space.
- Provide urban design guidelines. As already demonstrated by some cities, design guidelines should not stifle parklet design and experimentation, but must ensure that appropriate safety standards are met.
- Encourage creative parklet design. Parklets can be functional and aesthetic assets for cities, especially if they demonstrate unique and innovative architectural and landscape designs. Cities should encourage innovation and experimentation in parklet design. At times, design competitions or charrettes may produce a rich inventory of ideas about parklet design.
- Encourage community appropriate design. Depending on the community needs and the character of the surrounding area, parklets should facilitate passive or active recreation, include age-specific activities (i.e. for young children or senior citizens, etc.), and incorporate neighborhood-specific cultural and landscape elements in their design.
- Streamline permitting process. Part of the appeal of parklets is that they are relatively easy to plan and install. Cities should ensure that the permitting process is simple, low-cost, and does not deter potential parklet sponsors. At the same time, permits should be renewed annually, giving cities the opportunity to monitor the operation and maintenance of parklets.
- Designate lead staff person and public agency. While various public departments have jurisdiction over city streets, it is essential that a particular city agency (and ideally a particular staff person) takes the lead in coordinating the parklet planning and installation process.
- Streamline maintenance requirements. Cities should make the expected levels of maintenance very clear to parklet sponsors and keep a watchful eye to guarantee that all maintenance requirements are met. This can be done with an inspection prior to the renewal of permits.

Physical Site Considerations: Required

- Low traffic speeds. Cities with parklet programs stipulate that parklets should only be installed in streets with low speed limits, typically 25 mph or lower. To minimize air pollution exposure to pedestrians, it is also recommended that parklets are not installed in areas with high traffic volumes.

- Existing pedestrian activity. Although parklets have the potential to increase pedestrian activity, there should already be demand for walking in the area.
- Surrounding land uses that can support pedestrian activity. These commonly include commercial, high-density residential and mixed-use areas.

Physical Site Considerations: Recommended

- High visibility from inside adjacent business. This will provide “eyes on the street” to support safety for parklet users.
- Adjacent businesses open during normal business hours or longer. This is particularly important if there are movable tables and chairs in the site that must be taken in and out at night.
- Existing shade trees. Most parklets feature landscaping; however, this is typically for greening rather than for providing shade, particularly because of site visibility issues. Therefore, it is recommended to select sites with off-site shade, such as nearby trees.
- Existing street lights on site. For safety considerations, the ideal parklet site is well lit at night.

Community Partner Considerations: Required

- Dedicated partner for site upkeep. Partners may include: adjacent business owners, business improvement associations/districts, community groups with close ties to a particular area, or resident associations. The ideal group should demonstrate dedication to a specific area rather than a broad focus.
- Ability to take on \$1 million of insurance. Most parklet applicants already hold this amount of business insurance. Businesses seeking to install a parklet can expect to spend at least \$25,000 on a rectangular parklet occupying two parking spaces. A cost estimate for the planned Spring Street parklet in Los Angeles with the total budget of \$26,100 is provided in the table below. This is a proposed project; therefore the amounts shown are estimates.

COMMUNITY OUTREACH:

The Mill Valley Chamber has solicited feedback from interested parklet applicants, and will continue to canvas the community for its feedback on such a program. With Council/City staff support, we plan to engage with the relevant boards and commissions, particularly the BPAC, to develop a comprehensive view of considerations.

FISCAL IMPACT:

City of San Rafael officials identified the direct fiscal impact to the City would be a loss in parking revenue, with each “lost” downtown parking space meter resulting in a loss of between \$2,000 to \$4,000 annually. In its report, the City states: “It is anticipated that some, if not most, of these 'lost revenues' would be spread over nearby parking meters and the actual lost parking meter revenue likely would not be nearly as great.” San Rafael recommended a fee waiver for the pilot program to incentivize businesses to participate at a cost of \$932 per project. In addition, there are some additional indirect costs related to staff time required to review and approve outdoor eating area applications.

As mentioned above, the Chamber recommends that while a per-parking space rental fee structure for parklets is worth studying for a parklet program after emergency outdoor business ordinance, those fees should be waived through November 2022, as other municipalities have done, in exchange for the business

allowing the public to use the parklet space outside of the business' operating hours, leveraging best practices from Bay Area cities that have done so.

Urban designer John Bela differentiates between "commercial outdoor seating and the full span of uses for parklets. "More than anything, they create and fulfill this role as a social gathering place. There is a public obligation for these types of spaces." Regarding commercial uses of parklets and how cities should recoup their loss of parking revenue, Bela suggested that parklets, when coupled with a network of curbside pickup locations for varied businesses around town, could "change the equation of how we value those street parking spaces. "If I have a parking space in front of a business that will accommodate a single patron in a car for 1-2 hours, a parklet or pickup space could turn over 10-20 patrons in that same hour."

This proposal is meant to be the starting point of a conversation around a downtown Mill Valley parklet program. The Mill Valley Chamber welcomes further discussion on this subject and hopes the City will consider holding a Study Session on the proposal to hear from members of the community and business owners to gauge the support for, and identify the concerns about, short-term, temporary and long-term permanent parklet programs.