

City of Carpinteria

Downtown “T” Encroachment Guidelines

The City of Carpinteria (City) regulates encroachments in the City’s public right-of-way under Chapter 12.08 (Street and Sidewalk Encroachments) of the Carpinteria Municipal Code. The regulations establish the authority and process for allowing certain types of encroachments that are determined to be necessary or beneficial to the public interest and can be conducted in a manner that will not jeopardize public health and safety. The Downtown “T” Encroachment Guidelines were adopted by the City Council and are updated from time to time.

Encroachment Defined:

The City defines an encroachment as any item, good, material or merchandise placed on a City street or right-of-way. For the purposes of these guidelines, the encroachments addressed are those of a commercial nature that occur near or adjacent to the storefronts and sidewalk areas of businesses in the Downtown “T” commercial district.

Downtown “T” Area Map:



Purpose:

The purpose of the Downtown “T” Encroachment Guidelines is to promote safe and attractive use of the public areas in the Downtown District. The City also aims to maintain and preserve existing public facilities and properties. These guidelines are intended to assist applicants and business owners in establishing attractive and safe encroachments that benefit both the Downtown business community and the citizens that enjoy those public spaces.

Organization:

These guidelines are organized as follows:

- **General Guidelines**
- **Location and Dimensions**
- **Maintenance and Operational Standards**
- **Colors and Materials**
- **Outdoor Displays**
- **Umbrellas and Outdoor Furniture**
- **Planters and Landscaping**
- **Alcohol Service**
- **Parklets**
- **Other Types of Encroachments**
- **Downtown “T” Encroachment Requirements**

The following sections include references to the Carpinteria Municipal Code and the City’s General Plan and Local Coastal Plan. All applicable policies, standards and guidelines are shown in italics.

General Guidelines

The City’s interest in reviewing applications for encroachment permits relates to the safety and well-being of the public and the promotion of the Downtown as a vital and attractive pedestrian district. The City’s goal is to maintain the highest standards of accessibility and safety while achieving an attractive and functional design. In general, allowed encroachments should complement public use and improvements. In no case shall encroachments be permitted which serve to exclude the public from any public sidewalk or street.

Items permitted to encroach in the City right-of-way shall comply with all requirements of the Carpinteria Municipal Code and the City’s General Plan and Local Coastal Plan. The City will deny an encroachment permit application that it determines does not comply with these guidelines or any other standard or regulation set forth by the City.

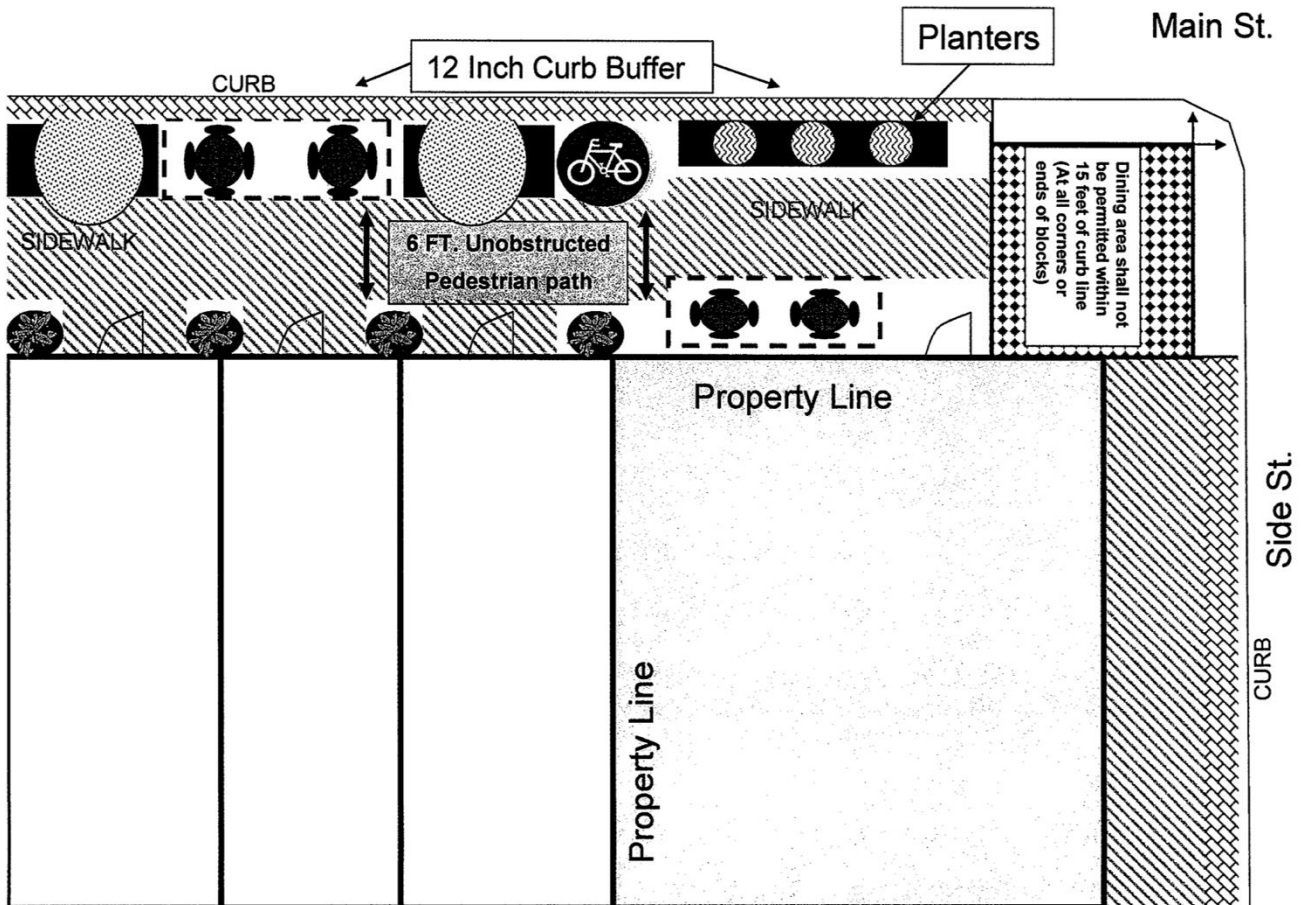
Location and Dimensions

Encroachments may be allowed where it can be determined by the City that the encroachment would not result, individually or cumulatively, in a narrowing of the sidewalk such that important functional attributes of the Downtown, (e.g., ability of pedestrians to stroll side-by-side and to pass comfortably for significant stretches, lingering and window-shopping) are not jeopardized. The location and dimensions of any item located in a public place shall meet these minimum guidelines and applicable local, state, and/or federal laws or regulations.

DEG1 - Encroachments shall be allowed so as to maintain a clear path of no less than six feet. The City Manager may permit paths of travel of no less than four feet in instances where safe access can be determined.

DEG2 - Encroachments shall not block safe access to businesses, parking spaces, bike stalls, or other spaces required by local, state or federal building or safety codes.

DEG3 - Encroachments shall not encroach into the areas near corners of sidewalks or where crosswalks are present. This area shall be defined with a 15-foot area, beginning near the crosswalk or curb cuts. (See figure below)



DEG4 - Tables shall not exceed 42 inches in width at the greatest dimension.

DEG5 - Chairs shall not extend into the required accessible walkway at any time. Chairs

must be at a scale appropriate to the size of the table or space available for seating.

DEG6 - Portable outdoor heating devices are prohibited. Permanently mounted heating devices shall be reviewed by the Public Works Director for safety and aesthetics, and require separate building permit review.

DEG7 - The Public Works Department may require the Architectural Review Board to review any items placed in the City right-of-way that are not clearly consistent with these guidelines.

Maintenance and Operational Standards

DEG8 - Maintenance of sidewalk or parklet encroachments shall be the sole responsibility of the permit holder.

DEG9 - Any item permitted to be placed in the City right-of-way shall be maintained in a safe manner so as not to obstruct pedestrian access to public sidewalks, access ramps or doorways. Movable items, like chairs, shall be positioned to prevent obstruction of access routes at all times. The permitted item shall be, if moved by patrons, relocated to the appropriate location at all times.

DEG10 - All materials shall be well maintained without stains, rust, tears or discoloration. Materials that show signs of significant wear/age shall be replaced.

DEG11 - Umbrellas shall be constructed of durable fade resistant materials.

Colors and Materials

The types of materials placed on City sidewalks shall portray a well maintained and aesthetically appealing streetscape. The variety of uses that exist in the Downtown require a cohesive Guideline of allowed materials, colors and variation of items permitted in the common commercial area.

DEG12 - All items located on the public sidewalk shall be constructed of durable materials appropriate for use in the public rights-of-way. Folding chairs, lightweight materials, deteriorated, U.V. damaged, splintered or other similar furniture will not be approved or placed in the rights-of-way. Sealed or painted metal or wood tables are recommended.

DEG13 - Permitted encroachments shall be complimentary in material, color and design to the buildings they serve and are adjacent to.

DEG14 - Table cloths, umbrellas and similar materials used as part of an encroachment, shall be clearly described in the project application (material samples may be required). All materials shall be painted, stained, etc., in a solid color; stripes and patterns are discouraged.

DEG15– Street furniture shall not contain signs, advertising, or logos.

Outdoor Displays

DEG16 - Sales racks shall not be permitted within the City right-of-way.

DEG17 - Outdoor displays shall be limited to single items or object displays or a few examples of items or goods sold in the store and must comply with all other standards of these guidelines.

Umbrellas and Outdoor Furniture

DEG18 - Umbrella shades shall have approved solid colors. Patterns and stripes are discouraged.

DEG19 - Umbrellas shall be installed and maintained so as to provide pedestrian clearance by maintaining seven (7) feet of clearance from the sidewalk to the lowest edge of the umbrella. Umbrellas shall not exceed a maximum height of nine (9) feet from the base to the top portion of the pole.

Planters and Landscaping

DEG20 - The use of pots and other planters should be kept to a minimum and used against buildings to accent openings. Planters shall not be used to define seating areas or otherwise cordon off the public sidewalk for private use.

DEG21 - Planters shall be of a variety and maintained so as to not drain onto the sidewalk or street.

DEG 22 - Plant materials shall be high quality and shall be maintained in viable condition at all times.

DEG23 - Debris or litter caused by planters or nearby landscaping shall be maintained or cleaned by the responsible business or property owner. Debris, stains or litter shall be cleaned or removed by the responsible business or property owner.

DEG24 - Planters and landscaping shall be trimmed to maintain the required six-foot clearance required by DEG1.

Alcohol Service

No alcohol shall be served in outdoor areas in the public right-of-way unless approved by the City and California Department of Alcoholic Beverage Control.

Parklets

Parklets are a small public gathering space, occupying parking stalls, on a public street, used either as an extension of sidewalk dining, or as a stand-alone dining area, connected visually to, and for use by patrons of, a nearby restaurant, or food service establishment. They may also be used for public or private seating, bicycle parking, or other sidewalk type uses. Parklets can be separate or extensions of the sidewalk area and are designed to meet accessibility and safety needs. When requirements of this section conflict with other Downtown "T" Encroachment Guidelines for the purpose of installing a parklet, the requirements of this section shall prevail. See attached Parklet Plan View and Section View

Layouts.

Parklet Eligibility:

1. Must be a restaurant as defined in Section 8.08.820 of the Carpinteria Municipal Code.
2. Must be on a street where the posted speed limit is 25 miles per hour or less.
3. Must be on the bottom floor of the building and fronting onto a public sidewalk with adjacent on-street parking (may be all-day, time limited parking, or loading zone).

Initial Term of Permit:

The initial term of the Permit will be for five (5) years. If the Permittee desires to extend the parklet use beyond this initial term, Permittee shall submit a complete renewal application and updated insurance information. Following the initial term of the Permit, further Permit terms will be no greater than year-to-year thereafter. The initial term of a Permit or extensions thereof, however, remains subject to Carpinteria Municipal Code Sections 12.08.110 and 12.08.130.

Parklet Requirements:

DEG25 - Parklets will be allowed in a single parking space directly in front of the Permittee's business, and, if allowed, a maximum of two (2) parking spaces per business may be used for a parklet. Two adjacent businesses may combine to use up to four (4) parking spaces. Parklets for a single business may be permitted a second parking space if the second parking space is in front of the business, or if the adjacent business is a joint Permittee.

DEG26 - Parklet including the street, roadway, or pavement underneath parklet shall be clean and free of all debris. Parklet shall be maintained in a safe, clean, and attractive condition at all times.

DEG27 - Parklet will be required to be inspected at time of installation and on an annual basis thereafter or before renewal of the Permit.

DEG28 - Parklet may be required to be removed or made removable a minimum of 24 hours before the start of a City project or special event. Written notification will be issued by the City at least 10 calendar days in advance of the City project or special event.

DEG29 - Advertisement of the business will be allowed to be placed on the outside sides of the parklet facing parked cars up to a maximum total signage area of 16" x 20" each. The preferred signage type would be the business logo. The allowed signage shall not be on the side facing the street. No additional advertisement signage shall be posted within the inside of the parklet other than incidental to the service to customers. Where more than one business shares a parklet, each business will be allowed to have an advertisement sign up to the maximum allotted size described herein.

DEG30 - Parklet shall be for Permittee's business use during business hours and shall be available for public use during non-business hours.

DEG31 - A sign of business hours shall be conspicuously posted at the entrance of the parklet. The sign design shall conform to the following detail and be 10-inches high by 20-inches wide (see figure below):



DEG32 - Wheel stops shall be installed 18-inches from the curb at the edge of the parking spaces in front of and behind the parklet. Wheel stops shall extend out to 6-feet from the curb and shall be made of recycled rubber with reflective bands on the outside end and facing the parking space. Wheel stops shall be mounted to the roadway in conformance with the manufacturer's designs and details.

DEG33 - Reflective delineators (e.g. Safe-Hit Durapost or approved equal by the City Engineer) shall be installed at the outside end of the wheel stops. Delineators shall not be placed within 1-foot of a bike lane or 2-feet of a vehicle lane. Raised reflective markers shall be placed along the parklet side of the bike lane or vehicle lane at 2-foot intervals along the entire parklet space including side buffers.

DEG34 - Reflective elements shall be installed along the corners of the parklet facing oncoming vehicular traffic. The reflective element shall be a minimum of a single element that is at least 6-inches in length and 2-inches wide or multiple elements that together add up to 6-inches of reflective length and each 2-inches wide.

DEG35 - Parklet shall not obstruct access to utility facilities including, but not limited to, drainage inlets, manholes, vaults, boxes, cabinets, and valves. Parklet shall be placed no closer than 15-feet from a fire hydrant, within 6-feet of a transit stop, nor within 6-feet of a driveway. Parklet shall not obstruct any traffic control device within the City right-of-way.

DEG36 - Parklet shall be oriented parallel to the curb and ramped to provide access to the entire parklet in conformance with the Americans with Disabilities Act (ADA) standards.

DEG37 - Parklet shall be located at least 4-feet from the wheel stops and no more than 6-feet, 6-inches from the curb face where there is an 8-foot-wide parking space. Where the parking area is wider, the parklet may be wider by the same amount the width is over 8-feet. Parklet area may extend onto the sidewalk a minimum of 2-feet and maximum of 6-feet provided there is a minimum of 6-feet clear from the edge of the parklet extension to the building or public right-of-way, whichever is closer. At the approval of the City, this clear space requirement may be reduced to 5-feet where there is fixed public infrastructure that restricts sidewalk clear space.

DEG38 - Parklet outside railing adjacent to the bike lane shall not be less than 30-inches nor greater than 42-inches in height. Side railing that faces parked vehicles shall not be less than 24-inches nor greater than 42-inches in height. Parklet railing panels shall be visually open,

such as mesh, rails, slats, or a similar design as approved by the City Engineer. Visually transparent material may be installed on the inside of railing panels.

DEG39 - A minimum setback of 2-feet shall be provided from the edge of an adjacent bike lane or 4-feet from the edge of a vehicle travel lane.

DEG40 - Parklet shall contain a minimum of two fixed (2) public use seats for use during non-business hours.

DEG41 - Parklet including, but not limited to, any part, component, and element, except the roadway attached wheel stop, shall not be permanently affixed, installed, placed, or connected to the City right-of-way including, but not limited to, street, roadway, pavement, curb, gutter, sidewalk, parkway, street tree, streetlight, and traffic control device.

DEG42 - Parklet shall be placed in at least one (1) parking space or 20-feet from the curb return of a street intersection corner. The presence of a curb extension, bicycle corral, or other physical barrier will allow the applicant to place the parklet adjacent to that facility if the City determines that safe sight distance is provided.

DEG43 - Parklet shall not have any solid roof and/or walls or other opaque materials above the railing. Parklet shall not have any covered structure with the exception of shade canopies and umbrellas made of flexible materials. Vertical pole or post type elements to place lighting, solar panels, or to hold shade canopy fabric or similar flexible materials for temporary shade may be permitted on a case-by-case basis. These lighting, solar panels, shade canopies, or vertical pole elements may remain in place during non-business hours. Canopy materials and design are subject to City review and approval.

DEG44 - Parklet may be of any color subject to City approval and may be referred to the Architectural Review Board.

DEG45 - No television, projector, radio, speaker, and other visual and/or audio playing electronic entertainment devices shall be used within the parklet area. Outdoor live entertainment is prohibited unless otherwise permitted under Chapter 5.40 of the City's Municipal Code.

DEG46 - No cords, cables, wires, or other external electric service or supply connection shall be used. Generators shall not be used. Any proposed lighting shall be approved by the City prior to installation or as a part of the permit.

Additional Parklet Amenities

The following additional amenities may be allowed to be a part of a parklet as approved by the City and subject to any applicable discretionary review:

- Furnishings - In addition to the public use seating requirements, private furnishings including tables and chairs may be set or placed inside parklet. Private furnishings shall be removed out of parklet at the end of business hours. Furnishings may be distinct from any furnishings otherwise used by the permittee's business.
- Landscaping - Landscaping is not required. However, landscaping is encouraged to be integrated into the parklet railing and sides, or placed within the parklet. Permittees are encouraged to use drought-tolerant and native plants.
- Heating - Outdoor heating elements may be used inside the parklet. Outdoor heating

elements will require separate permitting and approval by the Fire District and/or City Building and Safety as stated in DEG6 above. Heating elements may remain stored within the parklet during non-business hours and shall not block use of public seating areas.

- Lighting - Self-contained solar- or battery-powered LED lighting systems may be used inside parklet if they do not interfere with or impact street traffic and pedestrians using the sidewalk. Permissible lighting shall be low intensity, hooded, downward-oriented and night sky-friendly in design.
- Bicycle Parking - Bicycle parking may be installed by the applicant or the City in areas adjacent to the parklet including the street area between the parklet and a parking wheel stop. If bicycle parking is installed by the City, it will be maintained by the City. Bicycle parking installed by the Permittee shall be reviewed and approved by the City as a part of the Permit, and shall be maintained by the Permittee.

Pre-Approved Parklet Vendors

The City has pre-approved the following parklet vendors that the applicant may consider. All product models and designs proposed from any of these vendors shall conform to the requirements herein:

1. Modstreet
2. Archatrak

If used, the pre-approved vendor designs may be subject to an expedited permit review and approval.

Custom Parklet

For the purpose of these guidelines, the term, “custom parklet,” refer to any parklet that is not from one of the City pre-approved vendors stated above. A custom parklet will be considered by the City for approval, and may be referred to the Architectural Review Board. Custom parklets shall conform to the standards described in Parklet Requirements (DEG 25 through DEG 46) and may include the types of amenities as described in Additional Parklet Amenities. Custom parklets shall conform to City building code requirements as determined by the City Engineer. Custom parklet designs shall be prepared by a qualified professional such as a licensed contractor, engineer, or architect.

Other Types of Encroachments

DEG47 - Other types of encroachments, not anticipated in these guidelines, may be considered and permitted by the City, but must comply with the purpose and intent of these guidelines.

Downtown “T” Encroachment Requirements

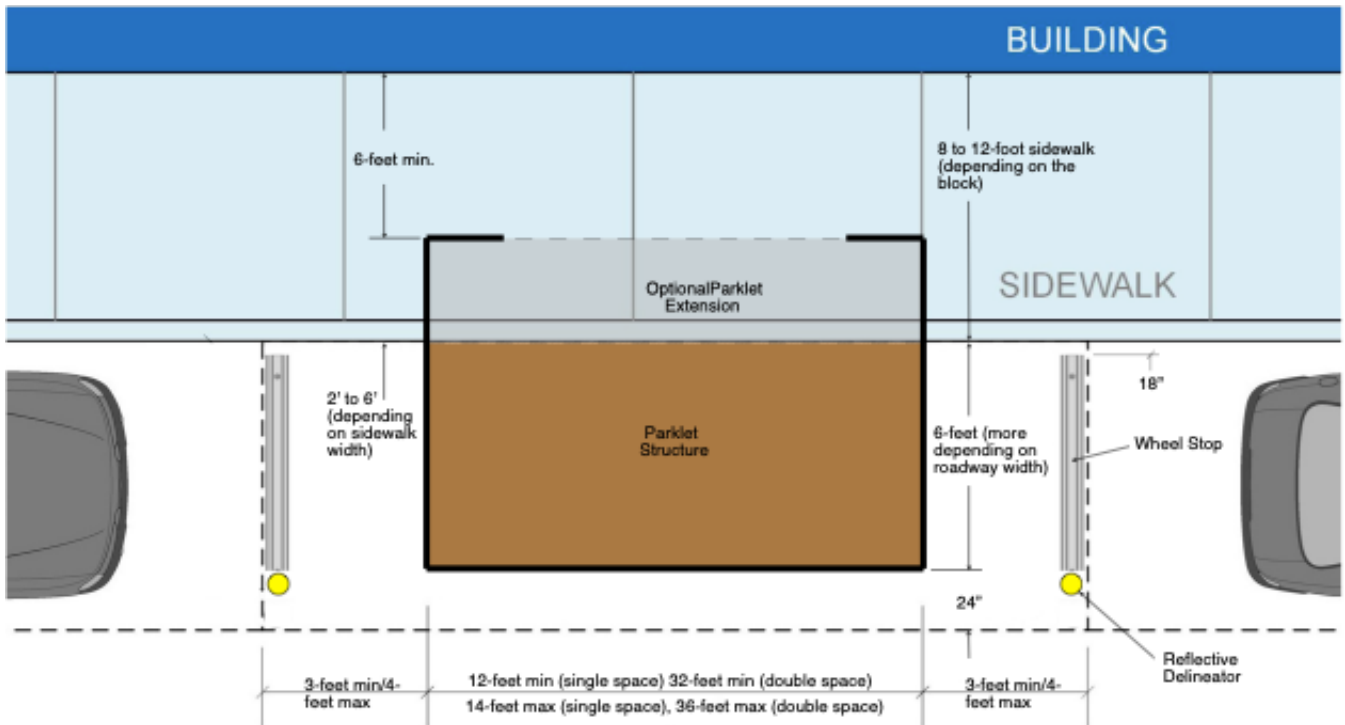
Applicants seeking an encroachment permit to allow for encroachments into the City’s public right-of-way in the Downtown “T” shall submit the following materials to the Public Works Department for review and approval:

- **Application and Fee** - Complete the appropriate encroachment permit application and

submit the corresponding application or renewal fee.

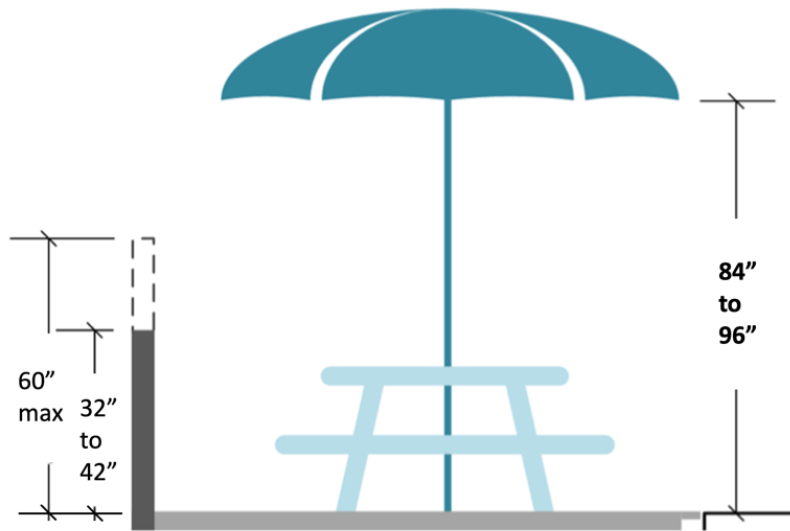
- **Description** - Detailed written description that includes the number, style and type of material.
- **Diagram** - Scaled drawing showing proposed Encroachments in relation to existing sidewalk, business frontage, parking, or landscape areas.
- **Images** - Applicant shall provide photographs of the proposed material(s)/furniture.
- **Maintenance Responsibility** - Applicant shall maintain the permitted location free from all debris. For permitted parklet, applicant shall maintain free from all debris in, within, on, and under thereof. The term, debris, shall include, but not limited to, garbage, litter, loose material, refuse, rubbish, scrap, trash, and/or waste pieces or remains.
- **Pedestrian Access** - Applicant shall maintain the required pedestrian access set forth by the permit, these guidelines or any other safe access requirements.
- **Indemnification and Insurance** - Issuance or renewal of an encroachment permit shall be contingent upon the applicant signing the City's indemnification and hold harmless agreement. The applicant shall also provide proof of insurance in accordance with Chapter 12.08 of the Carpinteria Municipal Code. Minimum coverage limits will be established by the City at the time of application.

Attachment: Parklet Plan View and Section View Layouts



Plan View

Solid side panel 30" to 42" in height. Clear side panel above solid side panel may extend up to 60" in height.



Section View