



## **Outdoor Dining Program**

# **Administrative Design Guidelines Fiscal Year 2021-2022**

City of Seaside  
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# Outdoor Dining Area Program Guidelines

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## I. Introduction

**Definition:** Outdoor dining areas consist of a small seating area created on or alongside a sidewalk. Space can exist on public sidewalks or in a public parking space.



The City of Seaside has developed an Outdoor Dining Area Program that allows for installations of outdoor dining spaces in most commercial areas of the City after the end of the Temporary Outdoor Dining Program.

These Outdoor Dining Area Program Guidelines outline the requirements for outdoor dining installations. Due to the unique circumstances of each proposed outdoor dining location, these are guidelines and specific elements may not be required in all cases. Similarly, there may be instances where City staff requires additional design elements not covered in these guidelines. The City of Seaside will review the outdoor dining permit applications and will only approve outdoor dining areas that are able to meet the design requirements and are determined by staff to meet traffic safety standards as established by the Municipal Code and the MUTCD guidelines.

All outdoor dining installations, including those previously installed under the Temporary Outdoor Dining Area Program, will require an Encroachment Permit and review by Engineering and Planning Staff. Plans must be submitted by the business sponsor and permits must be issued by the City prior to any construction or modifications occurring. The outdoor dining areas will be subject to both a one-time "Design/Architectural Review-Outdoor Dining Area" permit application fee of \$500 as well as an annual rental fee, which is \$2,000 per parking space or parking space equivalent if located on sidewalks).

## II. Location and Setback Criteria

Outdoor dining areas are generally allowed in commercial districts along the curbside on public streets where on- street parking spaces exist and/or there are sidewalks wide enough to ensure compliance with ADA regulations. Outdoor areas must provide clearance for pedestrians using sidewalk. The clearance shall consist of 48" minimum in width, and 80" minimum in height. Existing sidewalk barriers (i.e.. power poles, fire hydrants, street signs, and similar obstructions), may restrict the 48" width to not less than 36", provided the barrier does not exceed 24" in the direction of travel.

Outdoor dining areas can be considered in commercial districts where there are or

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would be space(s) for on-street parallel, angled, or perpendicular parking. Outdoor dining areas are not allowed in ADA/Accessible parking spaces or red curb zones. Outdoor dining areas proposed in loading zones and in 24-minute parking spaces will be considered on a case by case basis.

## A. Location Criteria

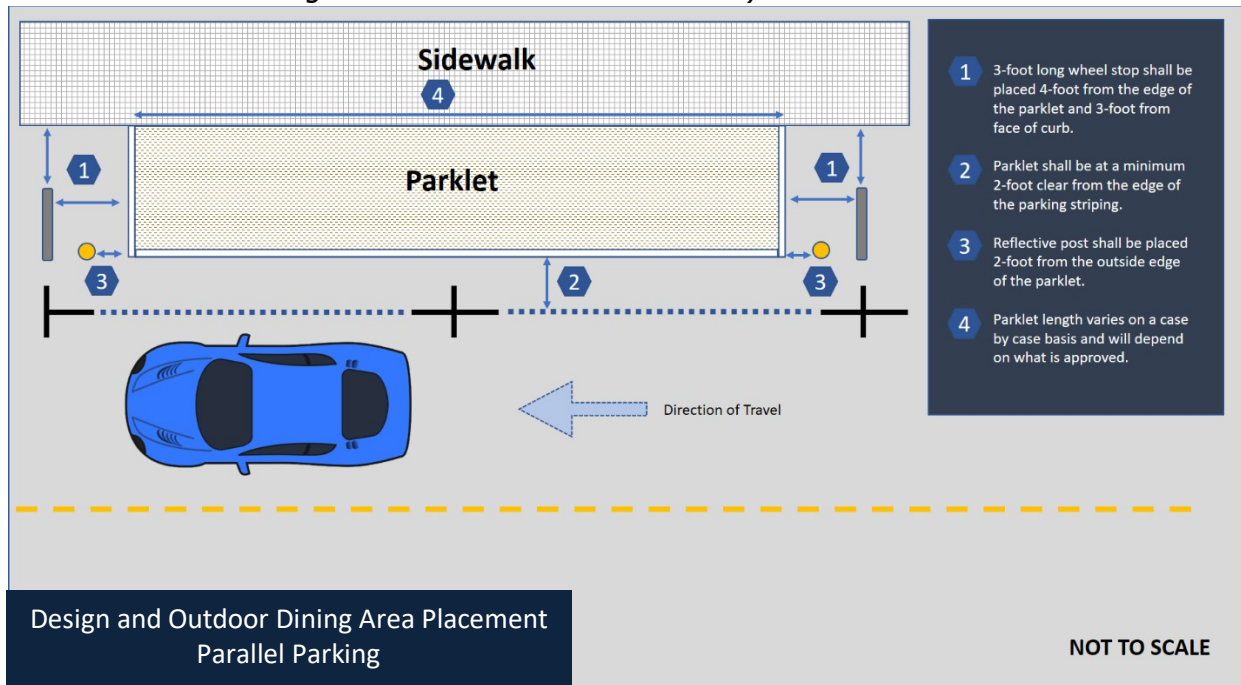
- **Adjacency to Storefront** - Outdoor dining areas may only be installed along the frontage of the storefront that is applying for the outdoor dining. Outdoor dining areas are not allowed to use the frontage of adjacent storefronts to expand their territory. However, minor encroachments on adjacent storefront frontages may be allowed depending on the dimensions of the parking stalls being used for the outdoor dining installation. Outdoor dining areas shared with adjacent businesses will be considered on a case-by-case basis. The shared outdoor dining area cannot exceed the frontage for the combined businesses.
- **Maximum Length and number of Parking Stalls** - A maximum of three parking spaces shall be used for each on-street outdoor dining areas. Sidewalk outdoor dining areas shall not exceed 36 feet in length.
- **Parallel parking spaces** - Outdoor dining areas located in parallel parking spaces can be the length of one or three parallel parking spaces. A 4-foot inner buffer is required when adjacent to another parallel parking space. A 2-foot buffer is required when adjacent to a driveway, motorcycle parking, or a bicycle corral.
- **Corner locations** – Outdoor dining areas located adjacent to intersection crosswalks shall provide 20-foot setbacks for non-signalized intersections and 30-foot setbacks from signalized intersections. Outdoor dining areas that cannot meet these setback requirements may be considered on a case by case basis based on whether sight distance and safety can be maintained. In addition, storefronts located at corner locations may only have one outdoor dining area.
- **Fronting driveways** - Outdoor dining areas may be installed in front of a driveway that does not provide access to required off street parking and if the applicant owns the property served by the driveway or obtains written permission from the property owner. If the driveway has been abandoned or no longer provides access to off-street parking, the driveway may be levelled as part of the conditions for the outdoor dining area project. Outdoor dining areas may not obstruct driveways or entrances to City-owned parking facilities.

## B. Outdoor Dining Area Setbacks

- **Travel Lane Setback** – Outdoor dining areas shall have a 2-foot minimum setback from the travel lane measured from the parking striping adjacent to the travel lane (see Design and Outdoor Dining Area Placement diagrams below for more information).

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- **Side Setback** - Outdoor dining areas shall have a 4-foot minimum side setback to the nearest parking space (see Design and Outdoor Dining Area Placement diagrams below for more information).



Source: City of San Mateo Parklet Guidelines

## C. Other Location Criteria

- **Utilities** - Outdoor dining areas may not be constructed over or obstruct utility access panels, manhole covers, storm drains, or fire hydrants. A minimum clearance of 8 feet from storm drains and manhole covers will be required to allow for maintenance access. Outdoor dining areas proposed under overhead utility lines will be required to meet the minimum distance requirements as established by the CPUC. Outdoor dining areas that block the outlet of a sidewalk underdrain will be required to ensure the outlet is functional and flowing. Be sure to take a thorough inventory of utility access covers in the proposed outdoor dining area by checking under parked cars. Outdoor dining areas sponsors must provide for access to any City or public utility company that may have underground conduits beneath the constructed outdoor dining areas. Access to utilities may require that an outdoor dining area sponsor temporarily remove all or a portion of the constructed outdoor dining areas. Outdoor dining area sponsors are responsible for the cost of re-installing and restoring any damage to the outdoor dining area.
- **Bike Lanes** – Outdoor dining areas cannot obstruct a bicycle lane or path.
- **Trees:** street trees, tree pits, and planting areas shall not be removed, pruned, or altered in any way to accommodate Outdoor dining areas and/or to accommodate overhead features.

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- **Sidewalk Benches:** benches or any other public infrastructure may not be removed from sidewalks. Businesses within the West Broadway Urban Village may utilize the benches that fall within their outdoor dining area footprint.
- **Outdoor Dining Area Width**
  - On-street outdoor dining areas must stay within the designated parking stall area.
  - Sidewalk outdoor dining areas must provide clearance for pedestrians using sidewalk. The clearance shall consist of 48" minimum in width, and 80" minimum in height. Existing sidewalk barriers (i.e.. power poles, fire hydrants, street signs, and similar obstructions), may restrict the 48" width to not less than 36", provided the barrier does not exceed 24" in the direction of travel.
- **Fire Hydrants** - Fire Hydrants shall not be blocked. Clearance of 15-foot around the hydrant (7 ½ foot each side) shall be maintained.
- **Fire Department Connections (FDCs)** – To maintain access to FDCs, 5-foot wide openings should be provided between every 2 adjacent outdoor dining areas located within parking space.

## III. Outdoor Dining Areas Design Elements

Outdoor dining areas generally consist of the following key elements:

- A) **Platform** that allows the outdoor dining areas to serve as an extension of the sidewalks (On-street dining areas only)
- B) **Railings or enclosures** that demarcate the exterior of the outdoor dining areas from the street and surrounding parking spaces and/or sidewalk.
- C) **Traffic safety protections** to reduce the potential for auto-related damage.
- D) **Furnishings and fixtures.**

### A. Platform Design Criteria

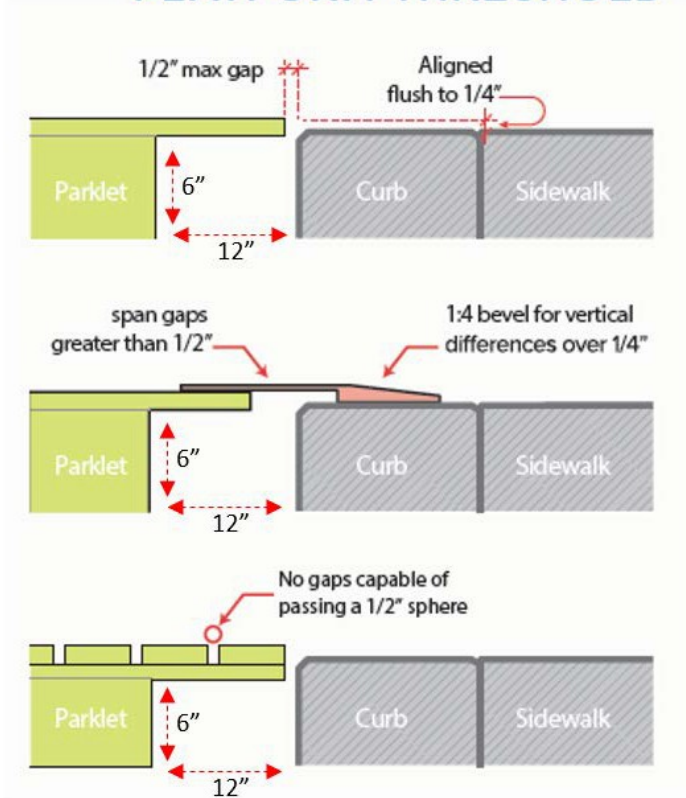
- **Design** – Outdoor dining areas should match the brand, design, and architectural style of the sponsoring business and business’s adjacent storefront. Colors, materials, and design should be complementary to that of the business.
- **Materials** - Platforms must be constructed from durable materials that can withstand wear and tear of elements. Pouring concrete for outdoor dining area platform is not allowed. You may use concrete pavers on a platform structure instead. Surface materials must be textured or treated with a non-skid coating to ensure a safe walking surface. Loose particles, such as sand or loose stone, are not permitted.
- **Maintenance access** - Outdoor dining areas must be designed to provide access under the platform to allow for maintenance (i.e. repairs or clearing debris). If the platform base is not a solid mass, access can be provided

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through access panels, removable pavers, or other means.

- **Platform Threshold** - The platform threshold must be flush and even with sidewalk and must not leave a gap greater than 1/2 inch, nor a vertical separation greater than 1/4 inch.
- **Drainage** - Platforms should allow for 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. Openings at either end of the outdoor dining area may be covered with screens to prevent debris buildup beneath the platform and in the gutter. It is the responsibility of the Outdoor dining area permittee to clean the cover or screen to prevent any backup of storm water. All Outdoor dining areas must provide access through the platform or threshold to the gutter adjacent to the curb.
- **Bolting Not Allowed** - At no time may platform structures be bolted or affixed in any way to the roadway or any structure (including but not limited to: buildings, fire hydrants, street trees, streetlight, parking meters, or traffic poles, etc.). An exception to this is that wheel stops for traffic protection must be bolted to the roadway as described in the Traffic Protection section of these Guidelines.

## PLATFORM THRESHOLD

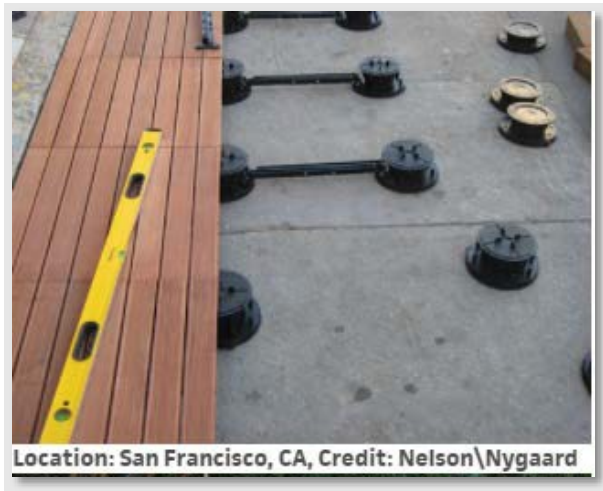


Source: San Francisco Parklet Manual

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- **Sub-structure** - Designs for the sub-structure of an outdoor dining area vary and depend on the slope of the street and overall design for the structure. The sub-structure must accommodate the crown of the road and provide a level surface for the outdoor dining area. "Bison pedestals" (pictured below) spaced under the surface and of different heights are a common application. Another method is to provide steel sub-structure and angled beams.



- **ADA Accessibility** - All accessibility elements of the proposed platform shall be designed, constructed and/or conform to the applicable provisions, rules, regulations and guidelines of the California Building Code and Americans with Disabilities Act.
  - Accessible Platform Surface: The portion of the outdoor dining area platform connected by the accessible path of travel to the wheelchair turning space and wheelchair resting space must be level. The accessible platform surface maximum cross slope (perpendicular to the sidewalk or curb) and running slope (parallel to the curb) cannot exceed 2%.
  - Accessible entry: Shall be a minimum of 48 inches wide.
  - Accessible path of travel: It must connect the sidewalk to the accessible entry, platform surface, wheelchair turning space and wheelchair resting space.
  - Wheelchair turning space: Shall be 60 inches in diameter and located entirely within the platform; a 12-inch maximum overlap on the curb and sidewalk is acceptable.
  - Wheelchair landing: A 30- by 48-inch clear floor area. It's permitted to overlap with the Wheelchair Turning Space by 24 inches maximum in any orientation.
  - Outdoor dining areas must provide clearance for pedestrians using sidewalk. The



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clearance shall consist of 48" minimum in width, and 80" minimum in height. Existing sidewalk barriers (i.e., power poles, fire hydrants, street signs, and similar obstructions), may restrict the 48" width to not less than 36", provided the barrier does not exceed 24" in the direction of travel.

## B. Railings/Enclosures

The railing/enclosure of on street outdoor dining areas marks the boundary between the dining area and the street. Railing/enclosure of sidewalk outdoor dining mark the boundary between the dining and sidewalk. It should serve as a safe edge while also being visually appealing, permeable, and inviting. The following standards and guidelines should inform your design.

- Stable and sturdy enough not to fall over or be pushed over (must withstand 250-lbs of force).
- Edge Buffers: the outdoor dining area should have an edge as a buffer from the street (or sidewalk). This can take the form of planters, railing, cabling, or some other appropriate enclosure.
- Openings in rails must prevent passage of 4-inch sphere.
- Height: The height should not exceed 36 inches from the outdoor dining area platform floor to the top of the railing. If you wish to install wind barriers taller than 36 inches, the use of transparent materials like acrylic, plexiglass, plastic films, etc. is required. If transparent materials are used, the height of the railing, including the transparent materials, should not extend more than 6 feet from the floor platform.
- Visibility: The enclosure should not block the view of conflicting movements of traffic, including pedestrian traffic, nor block the view of traffic control devices such as traffic signs, traffic signals, and other traffic warning devices.
- All railings/enclosures of on-street outdoor dining area must have retro-reflective reflectors or retro-reflective tape on the corners of the platform/enclosure and facing the travel lane such that they are visible by vehicle traffic at night.
- Roofs, trellises, tent, EZ Up tents, tarps, canvas covers, or shade structures will not be allowed. Any outdoor dining area that currently has these in place will need to remove them after this date.

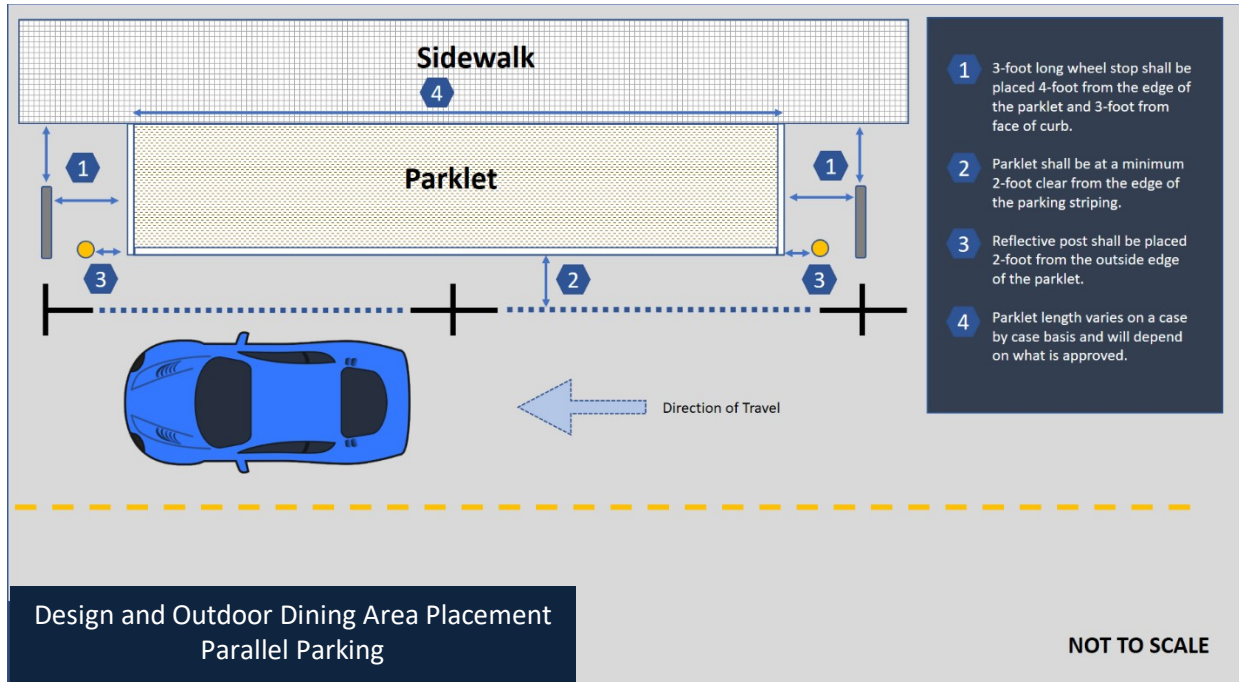
## C. Traffic Protections

On-street outdoor dining areas (only) will be required to provide the traffic protections outlined in this section of the guidelines.

- **Wheel Stops** -- To help protect against moving traffic and parking cars, outdoor dining areas must be buffered using a wheel stop at a distance of 4-foot from the platform and 3-foot from the face of curb (see Design and Parklet Placement diagrams below). Wheel stops shall be located within the maximum allowable space of the outdoor dining area so as to not impact

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adjacent parking stalls. Parklet sponsors are required to repair any damages to the roadway caused by the installation of the outdoor dining area or wheel stops if later removed. Any repairs shall be performed under a separate encroachment permit and in accordance with applicable City standards for roadway construction.



Source: City of San Mateo Parklet Guidelines

Wheel stops may be purchased from any vendor but must meet these specifications:

- 3 feet long
  - Black rubber with yellow stripes
  - Mounted with bolts
  - Installed 4 feet from outside ends of Parklet which occupies parallel parking spaces
  - Installed 3 feet from the curb
- **Posts or Bollards** -- Outdoor dining areas shall have vertical elements that make them visible to traffic, such as flexible posts or bollards both with retroreflective tape. One possible measure are safe hits posts (as shown in the picture below). These vertical elements shall be placed 2 feet from the edge of the platform on both sides of the outdoor dining areas not adjacent to the travel lane. Structural bollards may be required if deemed necessary by the City.
  - **Travel Lane Clearance** -- Outdoor dining areas shall provide a minimum 2-foot clearance from the edge of the travel lane (measured from the parking striping adjacent to the travel lane) to ensure safe separation from traffic.

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## D. Furnishings and Fixtures

All furnishings and fixtures must be designed to be weighted down for wind protection. Items may need to be stored inside the business during periods of high winds. Please ensure that the weights used do not create tripping hazards for pedestrians.

- **Portable Heaters** –Space heaters are permitted if they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least 2 feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material. Heaters are not allowed under umbrellas but can be placed near them if clearances are maintained.
- **Umbrellas** - Umbrellas shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than eighty (80) inches above the platform and may not extend into the street or sidewalk. Umbrellas may not be branded with product logos.
- **Electrical connections** – All wiring and electrical cords must be exterior rated, GFCI protected, and UL listed. Cords must not create tripping hazards on the sidewalk. If the cords cross above the sidewalk, they must provide a minimum clearance of 10 feet above the sidewalk and the platform. The use of adapters is prohibited. Businesses are not allowed to tap into existing City electrical connections such as twinkle light outlets or streetlight poles. Generators are not allowed in association with outdoor dining areas.
- **Lighting** – Lighting is encouraged and may be provided through electrical connections to the building. Solar powered lighting is strongly encouraged. Lighting shall not be directed towards the roadway to unintentionally cause glare for vehicles. Light strings must be hung to allow for a minimum clearance of 10 feet above the sidewalk and the platform of the outdoor dining area.
- **Signage** – Signs are allowed provided the sign area does not exceed 6 square feet (24 inches by 36 inches). Illuminated signage is not allowed. Sign copy is limited to business identification, signage should correlate in design with the signage on the primary building.

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## IV. Operational Standards

- **Private Control** – Outdoor dining areas will be considered private space under the control of the permit holder. The permit holder is responsible for securing the dining area and any fixtures and furnishings contained within it during hours when the associated business is not in operation.
- **No Outdoor Food Preparation** – Outdoor food preparation is not permitted. No heating, cooking or open flames are permitted in an outdoor dining area. Hotpots, barbecues or other heating of food in the public right of way is not allowed.
- **No Open Flames** - Candles and open flames are not allowed in outdoor dining areas.
- **Alcohol Service** – Restaurants and food establishments licensed by the State of California will be permitted to sell and allow on-premise consumption of alcoholic beverages. Alcohol service is only allowed under full-service conditions and alcoholic beverages consumed in the outdoor dining area are not allowed to be provided in to-go containers. Establishments that serve alcoholic beverages in the outdoor dining area shall be required to meet all requirements of the Alcoholic Beverage Control Board and any other federal, state, or local laws and regulations governing the sale and consumption of alcoholic beverages.
- **Site Maintenance** – Outdoor dining areas shall be maintained free of litter, refuse and debris. The area shall be scrubbed and mopped to remove any food or drink stains on a daily basis by the permittee. Such cleaning shall be in accordance with the City's [Storm Water Management and Discharge Requirements](#), which prohibits any discharge other than rain water into the storm water drainage system.
- **ADA Compliance** – Parklet seating areas must comply with all requirements of the Americans with Disabilities Act (ADA) and provide sufficient clearance and walkway space to allow safe access and egress.
- **Hours of Operation** – The outdoor dining area shall adhere to the same approved hours of operation as the associated business.
- **Safety Inspections** – The City will be making periodic safety inspections and reserves the right to require adjustments or removal of any elements, if deemed unsafe.

## V. Permit Requirements

### A. Permit Submittal Requirements

An Encroachment Permit is required for all outdoor dining area installations, including those that were in place prior to the adoption of these guidelines. Permit applications must be submitted prior to the construction of any new outdoor dining area or the modification of any outdoor dining area permitted under the Temporary Outdoor

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Dining program.

The following submittals are required:

- Plan sets are required. It is recommended that plans are prepared by a design professional, such as an architect or engineer. The submitted plans should show the proposed layout of the outdoor dining area including:
  - The outdoor dining areas location (site address, indication of sidewalk or parking space location, etc.)
  - Dimensions of the outdoor dining area structure including platform, railings, storm water access, etc.
  - Traffic protection measures and setbacks from adjacent parking spaces
  - Location of any adjacent utilities including curb drains, manhole covers, water shut-off valves, sidewalk utility boxes, streetlight poles, bike parking, sidewalk furniture, etc.
  - Plans must demonstrate ADA accessibility and show dimensions of required clearances
- Materials palette – Use color photo samples to demonstrate:
  - Materials and plants to be used on platform
  - Railing materials
  - Platform materials
- A valid City of Seaside Business License
- Evidence of current insurance coverage including a Certificate of Liability Insurance and Endorsements

## B. Permit Approval Process

- Businesses looking to create an outdoor dining area are encouraged to reach out to Planning staff in advance of submitted a process. A pre-application meeting is strongly encouraged
- Applicant will submit their application for an encroachment permit along with the required documents (noted above in section A)
- Applicant will remit to payment of fees \$500 application fee + \$250/parking space or parking space equivalent.
- Engineering and Planning staff will review application and either approve or provide comments.

## C. Failure to Maintain

Parklet sponsors who fail to properly and sufficiently maintain the cleanliness, safety,

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and accessibility of their outdoor dining area may be subject to violations and fines. If maintenance issues are not resolved, the City may revoke the encroachment permit and outdoor dining area sponsors may be required by the City to remove the outdoor dining area at their own expense.

## D. Utility Maintenance and Public Safety Emergencies

Because outdoor dining areas may sit atop buried utilities, there may be instances where your outdoor dining area will need to be removed to access a utility beneath it. In the event of necessary utility maintenance or the unlikely event of a utility failure such as a gas leak or water main break that threatens public safety, the City or utility owner may remove outdoor dining area with little or no notice. Parklet sponsors are responsible for the cost of re-installing and restoring any damage to the outdoor dining area.

## E. Outdoor Dining Areas Removal

If for some reason the outdoor dining area sponsor decides they no longer want to maintain the outdoor dining area, the outdoor dining area sponsor is responsible for notifying the City and removing it at the outdoor dining area sponsors' own expense. Immediately upon removal, the outdoor dining area shall be cleaned and restored to its previous condition to the satisfaction of the City.

## For More Information:

For questions or additional information regarding these Outdoor Dining Area Program Guidelines or the permit application, please contact:

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