# CITY OF MALIBU
# PARKING LOT SAFETY STANDARDS ORDINANCE
# OUTDOOR PEDESTRIAN SEATING AREAS
# FACT SHEET

**Parking Lot Safety Standards Ordinance Overview**

In an effort to improve parking lot safety and specifically protect outdoor pedestrian seating areas against vehicle crashes, the City adopted a parking lot safety ordinance which requires the installation of vehicle impact protective devices (VIPDs) where designated parking stalls terminate adjacent to outdoor pedestrian seating areas at angles between 30 and 90 degrees. The ordinance can be found on the City's webpage at http://qcode.us/codes/malibu/ (see MMC Section 17.48.070). Components of the ordinance are listed below:

**Vehicle Impact Protection Devices Requirement**

VIPDs shall be required for parking spaces that are angled between thirty (30) to ninety (90) degrees relative to any outdoor pedestrian seating area that is adjacent to the head of the parking space.

**Vehicle Impact Protection Devices Performance Standard**

All vehicle impact protection devices shall be engineered and determined to be in compliance with the low-speed vehicle impact testing standards prescribed by the American Society for Testing and Materials ASTM F3016. Compliance with ASTM F3016 shall be confirmed and certified by a bollard manufacturer or structural engineer and reviewed for conformance by the City's Building Official.

**Specifications for Vehicle Impact Protection Devices**

Vehicle impact protection devices may take the form of bollards, barriers, or a combination of both as provided below:

Location

Vehicle impact protection devices shall be located between the parking space and the beginning of the adjacent outdoor pedestrian seating area to be protected. In no instance shall a bollard be located further than five (5) feet from the head of the parking space. Barriers may be offset and staggered in terms of relative distance from the head of the parking space and each other in order to create a more unique aesthetic and to avoid a monolithic appearance; however, in no instance shall a barrier be located further than twelve (12) feet from the head of the parking space. Except for curbs, no structures or other obstructions shall be located between the head of the parking space and the vehicle impact protection devices.

Spacing

Bollards shall:

- Be spaced so that two (2) bollards are provided for each parking space required to have the device; and

- Be centered within the width of a standard parking space and spaced between fifty-four (54) inches and sixty (60) inches apart from one another as measured from the outer perimeter of each bollard. In the case of parking spaces that are either compact or legal-non-conforming in width, a distance of less than fifty-four (54) inches may be permitted between bollards; however, in no instance shall the distance from the bollard to the outside parking space limit line exceed thirty (30) inches.

Barriers shall:

- Be designed and located so as to provide protection that is equivalent or superior to that provided by bollards. Gaps between barriers shall not exceed fifty-four (54) inches.
- Barriers may be placed in staggered or offset rows along and between parking spaces requiring the vehicle impact protection device and the adjacent outdoor pedestrian seating area, so long as any gap between barriers does not exceed fifty-four (54) inches.

<u>Design</u>

- Bollards shall be set with the top of the device not less than three (3) feet and not greater than four (4) feet in height as measured from finished grade immediately adjacent to the perimeter of the bollard.
- Barriers shall be set with the top of the device not less than three (3) feet in height as measured from finished grade immediately adjacent to the perimeter of the barrier.
- All vehicle impact protection devices shall be:
  - Vertical relative to grade; and
  - Stainless steel, earth tone colored, black, grey, bronze, a concrete finish or another color determined to be appropriate by the Planning Commission or Planning Director, as applicable. Yellow, orange, or red vehicle impact protection devices shall not be allowed unless strictly required for safety purposes by the Fire Code or other state or federal law.

**Sign Pole Requirements**

Any sign pole which is taller than thirty-six (36) inches in height, and which is located within five (5) feet of the head of the parking space that is required to have a vehicle impact protection device, shall be securely mounted or affixed to a vehicle impact protection device in a manner that prevents it from detaching in the event it is impacted by a vehicle. The vehicle impact protection device, pole and sign shall be centered at the head of the parking space.

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# OUTDOOR PEDESTRIAN SEATING AREAS
# FREQUENTLY ASKED QUESTIONS

**Does the ordinance apply to businesses with existing parking lots with outdoor pedestrian seating areas?**

Yes. The ordinance is designed to apply to new and existing commercial parking lots in order to address important and immediate health and safety issues.

**Are there any exceptions for existing parking lots with outdoor pedestrian seating areas meeting the standards in the ordinance?**

The installation of vehicle impact protection devices shall not be required if:

1. The parking spaces that require vehicle impact protection devices are reconfigured or restriped to eliminate front-end parking angled between thirty (30) to ninety (90) degrees relative to an adjacent outdoor pedestrian seating area.
2. The outdoor pedestrian seating area is permanently removed or relocated so that it is no longer adjacent to parking spaces that are angled between thirty (30) to ninety (90) degrees.
3. In the opinion of the City's Building Official, adequate grade separation exists between the parking lot and the outdoor pedestrian seating area requiring protection; however, in no event shall the grade separation be less than thirty-six (36) inches, nor shall the area of grade separation be comprised of a non-vertical wall, a ramp or stairs.

**When do I need to comply?**

The deadline for compliance is June 1, 2018. A property owner may apply for an extension of this deadline by submitting a request to the Planning Director thirty (30) days before the deadline detailing why an extension is needed. Upon demonstration of good cause for providing a property owner additional time to comply with the requirements of this section, the Planning Director may extend the property owner's time to comply with this section and/or may require a plan for compliance that requires partial compliance in advance of full compliance. The term "good cause" shall mean a significant financial or other hardship which warrants an extension or conditional extension of the time limit for compliance.

Application submittal forms may be found on the City's website at malibucity.org/planningforms.

**Are permits required to install VIPDs?**

Yes. A VIPD permit is required which is similar to an Over-the-Counter Level II planning permit. A building permit may be required depending upon the type of VIPD installed.

**What are the planning permit fees?**

The fee to submit a VIPD application in Fiscal Year 2026/27 is $652.