

17.48.070 Parking lot safety standards.

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A. Definitions. Notwithstanding the provisions of Section 17.02.060 of this title, for the purposes of this chapter, the following words and phrases are defined as follows:

“Adjacent” means lying within seventy-five (75) feet of a specified object or location.

“Barrier” means an object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic. Natural objects may include large trees or boulders.

“Bollard” means a vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

“Existing parking lot” means a parking lot that was legally established prior to March 28, 2016.

“Outdoor pedestrian seating area” means any area where outdoor seating for dining, resting, or other purposes of congregation, is provided for shopping center or other employees or patrons. Outdoor pedestrian seating areas shall include, but not be limited to, areas such as fountains, concrete benches, or sculptures which may not be intended for outdoor seating purposes but which are or foreseeably may be utilized for purposes of seating or congregation.

“Vehicle impact protection device” means a device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers.

B. Vehicle Impact Protection Devices Required. Vehicle impact protection devices 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; the requirement to install vehicle impact protection devices shall apply to all commercial uses.

C. Exemptions. The installation of vehicle impact protection devices shall not be required in the locations specified in subsection B above 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.

4. In an existing parking lot, only a portion (no more than half) of a parking space abuts the outdoor seating and the angle of the parking does not allow a vehicle approach that points the front of the vehicle at the unprotected portion of the seating.

D. Exceptions. This section shall not apply to bollards or barriers which are voluntarily installed and maintained and which are not otherwise required by subsection B above.

E. Performance Standard. All vehicle impact protection devices shall be engineered and determined to be in compliance with the low-speed vehicle impact testing standards F3016 (S20 or S30) prescribed by ASTM International. Compliance with the ASTM F3016 S20 or S30 standard shall be confirmed and certified by a bollard manufacturer or licensed professional engineer and reviewed for conformance by the city's building official. If the vehicle protection device is not S-rated, an analysis of the site conditions, approach routes, topography and type of proposed vehicle impact protection device(s), including size and depth of footings, shall be submitted showing the vehicle impact device(s) to be equivalent to an S20 or S30 standard.

F. 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:

1. 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 feet from the head of the parking space. Minor exceptions to this requirement are allowed if a professional engineer attests that based on the approach of the vehicle, there is no possibility that the vehicle can miss the vehicle impact protection device. 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.

2. Spacing.

a. Bollards shall:

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

- ii. 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.

- b. 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.

3. Design.

- a. Bollards shall be set with the top of the device not less than three feet and not greater than four feet in height as measured from finished grade immediately adjacent to the perimeter of the bollard.

- b. Barriers shall be set with the top of the device not less than three feet in height as measured from finished grade immediately adjacent to the perimeter of the barrier.

- c. All vehicle impact protection devices shall be:

- i. Vertical relative to grade; and

- ii. 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.

- 4. Installation and Maintenance. All vehicle impact protection devices shall be:

- a. Installed in a manner consistent with the building code.

- b. Maintained, repaired, and replaced as needed to prevent rust, corrosion or damage and to maintain structural integrity. Use and replacement of protective or decorative sleeves as bollard covers shall be allowed consistent with all provisions in this section.

G. Sign Poles Located within Five Feet of the Head of a Parking Space Shall be Mounted on a Vehicle Impact Protection Device. Any sign pole which is taller than thirty-six (36) inches in height, and which is located within five feet of the head of the parking space

that is required by this section 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. The exception to this requirement is when the sign pole is located between required vehicle impact protection device(s) and pedestrian outdoor seating in such a manner that the device(s) would prevent a vehicle from hitting the sign pole.

H. Conflicts with Other Laws. In the event the terms of this section or its application to a particular parking lot would cause a parking lot not to comply with a provision of federal or state law or another provision of the municipal code, the provisions of this section shall be applied in a manner intended to carry out the provisions of both federal and state law, other provisions of this code and the requirements of this section to the maximum extent feasible. When there is an irreconcilable conflict between the provisions of this section and the provisions of federal or state law or the provisions of this code, the provisions of federal or state law or the other provisions of this code shall prevail over the provisions contained in this section only to the extent necessary to avoid a violation of those other laws or code provisions.

I. Minor Adjustments. The planning commission may approve minor modifications to any of the vehicle impact protection standards contained in this section to accommodate for the location of above-ground or underground utilities, other existing or planned features of the development, or any other constraints or limitations towards compliance with the provisions established by this section; provided, that the modifications achieve protections which are functionally equivalent to those intended by this section; the planning director shall have the same discretion and authority to modify the vehicle impact protection standards herein for administrative permit applications. In addition, in existing parking lots, the planning commission and planning director shall have the discretion to allow minor adjustments to the length of a parking space to accommodate a bollard or barrier.

J. Application of Ordinance to Legal Nonconforming Parking Lots. Notwithstanding the provisions in Chapter 17.60 (Nonconforming Structures and Uses) of this title and subsection H of this section, a property owner shall comply with the requirements of Section 17.48.070 by 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. For purposes of this section, 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 established herein. In no instance shall the planning director issue an extension of the

compliance period in excess of one year's time. The planning director's decision shall be appeal-able pursuant to the provisions of Malibu Municipal Code Section 17.04.220. (Ord. 438 § 4, 2018; Ord. 403 § 2, 2016)