



Frontage Improvement Requirements

This document explains when and why the City requires frontage improvements to be installed as part of a construction project. Frontage improvements include curbs, gutters, valley gutters, sidewalks, planting strips, asphalt or concrete parking strips, driveway approaches, access ramps at intersections and street pavement.

(A) Residential projects –

a) New Homes that require Planning approval/Use Permit:

1. If no frontage improvements exist then new frontage improvements are required and they must meet City Standards.
2. If frontage improvements already exist then only damaged portions shall be removed & replaced.

b) Additions > 500 sq. ft. that require Planning approval/Use Permit:

1. If no frontage improvements exist then new frontage improvements are required and they must meet City Standards.
2. If frontage improvements already exist then only damaged portions shall be removed & replaced.

c) New Homes and Additions > 500 sq. ft. that do not require Planning approval/Use Permit:

1. No new frontage improvements are required. City encourages Owner or Developer to make voluntary improvements.
2. If frontage improvements already exist then only damaged portions shall be removed & replaced.

d) Additions < 500 sq. ft. and interior remodels:

No new frontage improvements are required. City encourages Owner or Developer to make voluntary improvements.

(B) Residential Subdivisions and non-residential projects –

a) New Buildings & Additions:

1. If no frontage improvements exist then new frontage improvements are required and they must meet City Standards.

2. If there are existing frontage improvements then owner shall remove & replace damaged frontage improvements.
3. If street pavement is already damaged or if it is damaged as a result of construction, then owner shall remove & replace damaged portions.

b) Interior remodels:

1. No new frontage improvements are required.
2. If frontage improvements already exist then only damaged portions shall be removed & replaced.

Rationale

Whenever a discretionary approval is required for a project, California land use and case law authorize the City to require frontage improvements where none already exist. A discretionary approval or entitlement is any permit or approval issued through the planning process. It is an approval granted from the Planning Commission or City Council that allows, for example: a new use to be established (use permit), a variance from the Zoning Ordinance, a rezone, construction of a building that would normally not be allowed under the zone designation of the property, a change to a property designation in the General Plan, a certificate of compliance, or a tentative change to the boundaries of real property such as subdivision.

With respect to new development, the City's General Plan requires that developers incorporate safe and attractive pedestrian friendly facilities and maintain them to allow safe pedestrian access at all times. The General Plan also requires the City to maintain safe sidewalks within the public right of way. The City's Municipal Code section 13.08 specifies that the property owner adjacent to the public improvements is responsible to maintain them.

If a project does not require discretionary approval then only a building permit is required. The building permit is granted through an administrative process as a ministerial act and does not involve discretionary approval. In these cases, the City cannot require new frontage improvements where none already exist. However, it can require repair or replacement of frontage that was damaged prior to or because of construction. And the City does encourage Owners and Developers to make voluntary improvements.

Curbs and gutters, including valley gutters, are an integral part of the public storm drain system. Much of the City has no underground pipes to drain rainfall away from built-out areas. Therefore installation of these improvements may also be required to correct drainage slopes, improve the public drainage system in other respects or make it easier to clean and maintain it.

Well built and well maintained frontage improvements maintain their robustness and longevity and contribute to a positive neighborhood aesthetic.

Frontage Improvement Plan Checklist

- Existing and proposed frontage improvements shall be shown on the civil plans.
- All work shall comply with City Standard Details such as:

- Trenches in the City's right-of-way, for utility connections, shall comply with City standard details ST-9A, ST-9B and ST-16.
 - Concrete work shall comply with City Standard Detail G-3.
 - Curb, gutters, valley gutters, sidewalks, parking strips and driveway aprons shall comply with City Standard Details CG-3, CG-13, CG-14.
 - Brick paver driveway aprons shall comply with City Standard Detail CG-17.
 - Slurry shall comply with City Standard Detail ST-9B and ST-16. Granite seal or approved equal may be used for small jobs; Type II aggregate slurry is required for larger jobs.
- New improvements must match those of adjoining or nearby properties wherever practicable.
 - Sidewalks shall be designed to drain to landscaped planting strips in the public right-of-way. No concentrated flow shall travel over the public sidewalk or parking strip.
 - Frontage improvements are required along both frontages of corner properties.

The following notes should appear on frontage improvement plans.

- 1) All existing frontage improvements that are damaged, cracked, uplifted or depressed during the course of construction, or that were damaged prior to construction, shall be removed, replaced and/or repaired. Replaced and repaired sections shall meet City standards along the entire property frontage. City will not bear the costs of reconstruction.
- 2) All frontage improvement work shall be in accordance with the latest version of the City Standard Details.
- 3) A separate encroachment permit is required for any work within the public right of way. The applicant/contractor shall obtain the permit from the City's Engineering Division prior to start of any work within the City's right-of-way or public easement areas. The applicant shall obtain permits from utility companies prior to applying for City encroachment permit. To view encroachment permit requirements please visit the City's website at: <http://www.menlopark.org/202/Encroachment-Permits>
- 4) Contact Public Works at 650-330-6740 to schedule an inspection at least 24 hours prior to commencement of work in the public right-of-way. The City's Construction Inspector will discuss how frontage improvements or repair work shall be accomplished and whether any work is required that is not shown on the plans.
- 5) All improvements in the public right of way are to be completed and approved by the Public Works Inspector prior to final inspection by the Building Inspector.

If frontage improvements are not fully installed prior to building occupancy, a bond shall be paid for the cost of remaining work.