

**Agenda Sheet for City Council Meeting of:**

09/18/2017

Date Rec'd	8/30/2017
Clerk's File #	ORD C35549
Renews #	

Submitting Dept	DEVELOPER SERVICES CENTER	Cross Ref #	
Contact Name/Phone	TAMI PALMQUIST 625-6157	Project #	
Contact E-Mail	TPALMQUIST@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Final Reading Ordinance	Requisition #	
Agenda Item Name	4700 - PARKLET & STREATERY PERMIT ORDINANCE		

Agenda Wording
 An ordinance creating a licensing program for parklets and streateries in Spokane and establishing the fee structure for such licenses; enacting a new chapter 10.55 and a new section 08.02.0235 of the Spokane Municipal Code.

Summary (Background)
 During the last six months, a working group made up of staff from many departments, as well as Councilmember Lori Kinnear and Council Attorney Brian McClatchey has worked to develop the proposed ordinance and the design guidelines. Significant public outreach has been undertaken, including presentations to the Community Assembly, Downtown Spokane Partnership, the Parking Advisory Committee, the Business Improvement District, and via the web and social media.

Fiscal Impact	Grant related? NO	Budget Account
	Public Works? NO	
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Approvals		Council Notifications	
Dept Head	BECKER, KRIS	Study Session	
Division Director	TRAUTMAN, HEATHER	Other	PED 7/10/17 & 8/28/17
Finance	ORLOB, KIMBERLY	Distribution List	
Legal	PICCOLO, MIKE	tpalmquist@spokanecity.org	
For the Mayor	DUNIVANT, TIMOTHY	kbecker@spokanecity.org	
Additional Approvals		bmclatchey@spokanecity.org	
Purchasing		sbishop@spokanecity.org	

FIRST READING OF THE ABOVE
ORDINANCE HELD ON

PASSED BY
SPOKANE CITY COUNCIL:

9/18/2017
AND FURTHER ACTION WAS DEFERRED

[Signature]
CITY CLERK

[Signature]
CITY CLERK (Actg)

BRIEFING PAPER
City of Spokane
Planning & Development
September 18, 2017

Subject

A proposed ordinance to allow parklets and streateries to be installed in the City, by permit, between April 1 and November 1 of each year. This would be a permanent program to replace the current pilot program.

Background

Parklets and streateries have emerged as a way for cities to provide additional public gathering spaces in urban areas and, in the case of streateries, provide for additional service space and restaurant revenue during the warmer months of the year – in exchange for the use of street parking, loading areas, and/or shoulders. Parklets have been utilized successfully by many cities throughout the United States, including the Cities of Seattle, San Francisco, and Boise. The City of Spokane has successfully run two pilot projects (for a total of two years) authorizing parklets and streateries in the downtown core.

During the last six months, a working group made up of staff from many departments as well as Councilmember Lori Kinnear and Council Attorney Brian McClatchey has worked to develop the proposed ordinance and the design guidelines. Significant public outreach has been undertaken, including presentations to the Community Assembly, Downtown Spokane Partnership, the Parking Advisory Committee, the Business Improvement District, and via the web and social media.

Impact

Each installed parklet or streateries would have the most immediate effect on the street and city block in which they are placed. They allow for greater pedestrian amenities – accommodating small events and other public interest features while serving as a creative focus for nearby businesses and residences. Streateries have a private component during the day that provides for greater service area for the restaurant or café that installs it and similar benefits to a parklet during those times that they are not for private use.

Negative impacts could include loss of parking revenue, obstructions to street traffic, and visibility issues. The proposed ordinance and associated materials such as the proposed Design Standards seek to minimize those negative impacts to the greatest extent practical. Parking revenue would be recompensed through the permitting process as well.

Action

City staff presented a draft Ordinance, design standards, and associated information to the Plan Commission on August 9, 2017. PC offered a few amendments upon recommendation by staff, which is noted in the edited draft presented to P&ED. STA has also asked for additional language to be added, which is now noted in the draft submitted for consideration. The Plan Commission has made a recommendation of approval for the eventual adoption of this ordinance by the City Council, to be heard by Council.

ORDINANCE NO. C35549

An ordinance creating a licensing program for parklets and streateries in Spokane and establishing the fee structure for such licenses; enacting a new chapter 10.55 and a new section 08.02.0235 of the Spokane Municipal Code.

WHEREAS, for the past two summers, downtown Spokane has been the location of a successful pilot program for parklets; and

WHEREAS, parklets and streateries help to activate and improve the public realm, by allowing greater opportunities for people to socialize and interact with others and to activate the streetscape, leading to decreases in crime and an enhanced sense of public safety; and

WHEREAS, restaurateurs and bar owners have successfully implemented sidewalk cafes in downtown Spokane in recent years, and the desire exists to extend, in the appropriate situations and locations, sidewalk cafés into an adjacent parking space(s) (known as “streateries”) in Spokane; and

WHEREAS, parklets and streateries have been used in many cities of all sizes throughout North America and are proven methods to increase the vibrancy and activity of a streetscape; and

WHEREAS, the City Council intends to establish a licensing program for parklets and streateries in order to build on the successful pilot programs of the past two summers in downtown Spokane and improve the quality of life in Spokane.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is enacted a new chapter 10.55 of the Spokane Municipal Code to read as follows:

Chapter 10.55 Parklets and Streateries
Section 10.55.005 Definitions

- A. “Parklet” means a small public gathering space, occupying up to two parking stalls or a loading zone, as applicable, on a public street, and treated in all respects as a public sidewalk, but the facilities of which are privately owned and maintained.
- B. “Stretery” means up to two parking stalls or a loading zone, as applicable, used either as an extension of, or a stand-alone sidewalk café, connected visually to, and for use by patrons of, a nearby restaurant or bar and service at which is subject to all the terms and conditions of the nearby restaurant or bar’s food service permits and alcohol licenses.

Section 10.55.010 License Required

It is unlawful to install or operate a parklet or streatory without a written license to do so from the city engineer as provided in this chapter and SMC 08.02.0220. All licenses issued under this chapter and SMC 08.02.0220 are temporary and personal licenses, revocable by the City at any time.

Section 10.55.020 License Class

Parklet and streatory licenses are Class III E licenses and are subject to SMC Chapter 04.04.

Section 10.55.030 Construction

By enactment of this chapter, the City Council deems the licensing of parklets and streateries in Spokane to be in the best interest of the people of the City and the provisions of this chapter shall be reasonably construed by the City to balance the needs of the license applicant with the protection of public safety.

Section 10.5.5.040 Application

- A. In addition to the information required by SMC 10.55.060, an application for a parklet or streatory license shall state:
 - 1. The anticipated periods of use during the year, and the proposed hours of daily use, including Saturdays, Sundays and holidays; and
 - 2. Whether any liquor as defined in RCW 66.04.010 will be sold or consumed in the area to be covered by the license.
- B. At the time of application the city engineer shall set a time for an administrative hearing before which the public may offer objections to the issuance of the license.

Section 10.55.050 Notice to Adjacent Property Owners and Users

- A. The applicant shall mail or serve a notice stating the:
 - 1. Nature of the application;
 - 2. The parklet or streatory area sought to be used; and
 - 3. Date, time and place at which the city engineer will consider such application

at least ten days prior thereto, upon the owners, building managers and street-level tenants of the properties on the block face on which would be located the proposed parklet or streatory and the block face across the street from the proposed parklet or streatory, as well as any parking meters or loading zones to be impacted and shall file

with the city engineer a copy of the notice mailed and a list of the persons to whom it was sent.

- B. The city engineer shall prepare notices containing the license application details and shall deliver to the applicant a public notice, which shall be posted in a window or on the building exterior of the adjacent property.

Section 10.55.060 Parklet Terms and Conditions

- A. The City Engineer shall issue a license for the use of a parking stall(s) as a parklet upon such terms and conditions as the City Engineer, in the exercise of his/her professional discretion, may deem appropriate, if the City Engineer determines that:
 - 1. The applicant is the owner or occupant of the property adjacent to the proposed parklet area;
 - 2. The applicant has the permission of the owner and occupant, if different, of the property adjacent to the proposed parklet area to place a parklet in the proposed location;
 - 3. The proposed parklet use would not unduly and unreasonably impair passage of the public on the sidewalk adjacent to the area for which the license is sought; and
 - 4. The design and construction of the proposed parklet meets all applicable guidelines.
 - 5. No more than one parklet or streatory would be placed per block face.
- B. Terms and conditions imposed by the City Engineer upon the approval of a parklet application may include, without limitation:
 - 1. restrictions as to the number and placement of furnishings (such as tables and chairs) and as to the hours and dates of use;
 - 2. a requirement that the parklet and all associated furnishing, fixtures, and equipment in the parklet area be cleared when not in use as a parklet, upon the request of the city engineer or other appropriate City officer, such as the chief of police or fire official or their authorized representatives, and that if the licensee does not clear the area, the City may clear the area with the licensee liable to the City for the cost of such work;
 - 3. a requirement that the parking space(s) be vacated and restored to their original condition and free from all obstructions from November 1 through April 1 of each year;
 - 4. that the licensee shall maintain the sidewalk adjacent to the parklet as well as the parklet itself in a clean and safe condition for pedestrian travel and use, and if the applicant fails to maintain the area that the City may, in its sole discretion, perform such maintenance, cleaning, and/or repairs as the City deems necessary with the applicant liable to the City for the cost of such maintenance, cleaning, and/or repairs;

5. a requirement that the licensee maintain the parking stalls adjacent to the parklet area clean and free of debris;
 6. a requirement that the applicant maintain the sidewalk adjacent to the parklet as necessary to accommodate deliveries to adjacent or other nearby properties;
 7. regulations upon lighting and illumination of the parklet;
 8. an indemnity agreement approved by the City Attorney's Office in accordance with the provisions of this chapter;
 9. a requirement that the parklet area display a sign, approved or provided by the City, stating the permitted hours of use for the parklet.
- C. Unless expressly authorized by the City, no license applicant authorized to construct, maintain, and operate a parklet under this chapter shall:
1. Break or damage any pavement or street surface;
 2. Disturb, remove, damage, or obstruct any parking meters, signs, or parking area striping;
 3. Place adjacent to or obstruct safe, accessible access to a bus stop;
 4. Permanently install any fixture of any kind; or
 5. Cover or obstruct any utility manholes or handholes
- in or on the parking space(s) occupied by a parklet or in or on the sidewalk area adjacent to the parklet area.
- D. The terms and conditions of this section are in addition and supplemental to all other City permit requirements including, without limitation, the fire and building codes and the City's noise regulations stated in chapter 10.08D of the Spokane Municipal Code, as applicable.

Section 10.55.065 Streatery Terms and Conditions

- A. The City Engineer shall issue a license for the use of a parking space(s) as a streatery upon such terms and conditions as the City Engineer, in the exercise of his/her professional discretion, may deem appropriate, if the City Engineer determines that
1. The applicant is the owner or occupant of the adjacent property and operates a cafe or restaurant thereon;
 2. The applicant has the permission of the owner and occupant, if different, of the property adjacent to the proposed streatery area to place a streatery in the proposed location;
 3. The proposed streatery is included adjacent to, near, or within a food service establishment permit issued by the Spokane City-County health

district, or its representative, which has otherwise authorized such use of the area; and

4. The proposed streatery use would not unduly and unreasonably impair passage of the public on the sidewalk adjacent to the area for which the license is sought.
 5. No more than one parklet or streatery would be placed per block face.
- B. Terms and conditions imposed by the City Engineer upon the approval of a streatery application may include, without limitation:
1. restrictions as to the number and placement of furnishings (such as tables and chairs) and as to the hours and dates of use;
 2. a requirement that the streatery and all associated furnishing, fixtures, and equipment in the streatery area be cleared when not in use as a streatery, upon the request of the city engineer or other appropriate City officer, such as the chief of police or fire official or their authorized representatives, and from November 1 through April 1 of each year, and that if the area is not cleared, the City may clear the area and charge the costs for such clearance to the licensee;
 3. that the streatery be removed immediately if the applicant's food establishment or liquor permit is revoked;
 4. that the licensee shall maintain the sidewalk adjacent to the streatery as well as the streatery itself in a clean and safe condition for pedestrian travel and use, and if the applicant fails to maintain the area, the City may, in its sole discretion, perform such maintenance, cleaning, and/or repairs as the City deems necessary with the applicant liable to the City for the cost of such maintenance, cleaning, and/or repairs;
 5. a requirement that the licensee maintain the parking stalls adjacent to the streatery area clean and free of debris;
 6. a requirement that the applicant maintain the sidewalk adjacent to the streatery as necessary to accommodate deliveries to adjacent or other nearby properties;
 7. regulations upon lighting and illumination of the streatery;
 8. an indemnity agreement approved by the City Attorney's Office in accordance with the provisions of this chapter;
 9. a requirement that the streatery area display a sign, approved or provided by the City, stating the permitted hours of use for the streatery.
- C. Unless expressly authorized by the City, no license applicant authorized to construct, maintain, and operate a streatery under this chapter shall:
1. Break or damage any pavement or street surface;
 2. Disturb, remove, damage, or obstruct any parking meters, signs, or parking area striping;
 3. Place adjacent to or obstruct safe, accessible access to a bus stop;

4. Permanently install any fixture of any kind; or
5. Cover or obstruct any utility manholes or handholes

in or on the parking space(s) occupied by a parklet or in or on the sidewalk area adjacent to the parklet area.

- D. The terms and conditions of this section are in addition and supplemental to all other City permit requirements, including, without limitation, the fire and building codes and the City's noise regulations, stated in chapter 10.08D of the Spokane Municipal Code, as applicable.

Section 10.55.070 Liquor Use and Sale

Liquor, as defined in RCW 66.04.010, as now existing or hereafter amended, may be used and sold at a streatery when authorized in both the license provided for herein and by permit of the Washington State Liquor and Cannabis Board ("LCB"), and not otherwise. Nothing in the chapter shall be construed or deemed to modify, conflict with, or allow separate conditions for alcohol use, sale, or consumption than those provided in Title 66, RCW, specifically chapter 66.20, RCW, WAC 314-03-200, and LCB Board Interim Policy BIP 06-2011 (Aug. 10, 2011). Nothing herein shall be deemed or construed to allow liquor use or consumption on a parklet as the same is defined in this chapter.

Section 10.55.080 Insurance Required

An applicant for a parklet or streatery license shall, prior to issuance of such license, provide and maintain in full force and effect while the license is in effect, public liability insurance in the amount specified by SMC 12.02.0718 to cover potential claims for bodily injury, death or disability and for property damage, which may arise from or be related to the use of the parking space(s) and sidewalk area adjacent thereto for parklet or streatery purposes, naming the City as an additional insured.

Section 10.55.090 Indemnity – License Revocation

- A. The applicant for a parklet or streatery license shall execute and deliver to the City upon a form approved by the City Attorney's Office an agreement in writing and acknowledged by the applicant, forever to hold and save the City free and harmless from any and all claims, actions or damages of every kind and description which may accrue to, or be suffered by, any persons by reason of or related to the operation of such parklet or streatery.
- B. In addition, such agreement shall contain a provision that the license is wholly of a temporary nature, that it vests no permanent right whatsoever, that upon thirty days' notice, posted on the premises, or by publication in the official newspaper of the City, or without such notice, in case the licensed use shall become dangerous or unsafe, or shall not be operated in accordance with the provisions

of this title, the same may be revoked and the parklet or streatory ordered removed, and if the licensee fails to remove the parklet or streatory that the City may, in its sole discretion, remove the parklet or streatory with the costs of such removal and any related storage to be charged to the licensee.

- C. Every such agreement, after it has been received in his office and numbered, and after the same has been recorded, shall be retained by the city clerk.

Section 10.55.100 Compliance – Street and Sidewalk Condition

The applicant shall comply with the terms and conditions of the parklet or streatory license issued, and shall maintain the parking space(s) and the sidewalk area adjacent thereto in a clean and safe condition for pedestrian travel, and shall immediately clear the parklet or streatory area when ordered to do so by the city engineer or other appropriate City officer such as the chief of police or fire official or their authorized representatives.

Section 10.55.110 Requirements not Cumulative

The requirements of SMC 7.02.070, obstruction of streets, and obstruction of sidewalks, shall not apply to a parklet or streatory validly licensed under this chapter, except as herein provided.

Section 10.55.120 Regulations and Design Guidelines

No later than 120 days after the effective date of this section, the city engineer shall publish regulations (including a reasonable license application fee) and design guidelines for parklets and streateries licensed under this chapter.

Section 2. That there is enacted a new section 08.02.0235 of the Spokane Municipal Code to read as follows:

Section 08.02.0235 Parklets and Streateries

- A. An annual license fee of one hundred dollars (\$100) shall be paid for operation of a parklet or streatory, as the same are defined in SMC 10.55, as long as the original approved site plan is implemented. Modifications of an approved parklet or streatory license application which extend beyond the original approved plan shall require a new review and a review fee of two hundred fifty dollars (\$250).
- B. The application fee for a license for a new parklet or streatory is fifty dollars (\$50).
- C. The review fee for an application for a new parklet or streatory license is three hundred dollars (\$300).
- D. License applicants shall post a refundable cash bond to secure removal of the parklet or streatory, at the time of application, in the amount of one thousand dollars (\$1,000).

E. Parking meter revenue loss mitigation.

1. Streatery license applications in locations requiring removal of parking meters shall be subject to the following fees:
 - a. 2-hour meter zone: \$2.09 per square foot per month
 - b. 4-hour and all-day meter zones: \$2.09 per square foot per month
 - c. Time-restricted free parking: \$1.05 per square foot per month
 - d. Meter removal and replacement fee: \$80.
2. Parklet license applications in locations requiring removal of parking meters shall be subject to the following fees:
 - a. 2-hour meter zone: \$1.05 per square foot per month
 - b. 4-hour and all-day meter zones: \$1.05 per square foot per month
 - c. Meter removal and replacement fee: \$80.

F. In addition to the annual fee, the city shall collect from the license applicant and remit to the state department of revenue the required state leasehold excise tax, as prescribed in chapter 82.29A, RCW.

PASSED by the City Council on October 2, 2017.

Amba Wadsworth
Council President *po tem*

Attest:

Leonty Hryshko
City Clerk

Approved as to form:
Fred Wolf
Assistant City Attorney

David A. Cunniff
Mayor

October 10, 2017
Date
November 9, 2017
Effective Date





Parklet and Streatery Design Standards

DRAFT Edition

General Requirements

1. Wheel stops shall be installed one foot from the curbline at the edge of the parking spaces in front of and behind the parklet/streatery.
2. Safety elements (Safet-Hit® Durapost) are required at the outside corners of the parklet/streatery.
3. Maintain curbline drainage. Parklet/streateries shall not block storm water drainage, fire hydrants, transit stops, driveways, manholes, or public utility valves/covers.
4. The parklet/streatery shall be flush with the curb (no more than 1/2" gap), level with the adjacent sidewalk, and must be accessible at several locations by pedestrians.
5. Buffer zone - the parklet/streatery shall be located at least four feet from the wheel stops.
6. The outside edge and railings must not create a visual buffer.
7. There must be one foot setback from the edge of an adjacent bike lane or vehicle travel lane and shall have an edge to buffer the street. This edge can take the form of planters, railing, cabling, or some other appropriate buffer. The height and scale of the buffer required will vary depending on the context of the site.
8. The parklet/streatery frame should be a freestanding structural foundation that rests on the street surface or curb. No features or structural components may be permanently attached to the street, curb, or adjacent planting strip.
9. Parklets/streateries must be designed for ADA compliance and shall be easily removable if/when necessary.
10. Parklets/streateries shall only be installed on streets with a grade no greater than 5 percent.
11. In general, parklets/streateries should be placed at least one parking space from corners. The presence of a bulb-out, an on-street bicycle corral, or some other physical barrier may allow the City to allow placement closer than that.
12. Parklets/streateries shall be placed no closer than 15 feet from catch basins or fire hydrants.
13. In no case shall any portion of the parklet/streatery, or any furniture placed upon it, obstruct the view of a traffic control device.

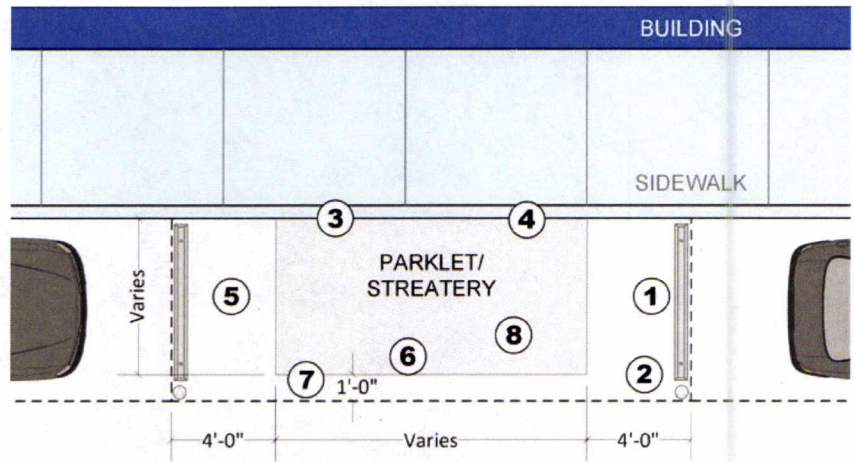
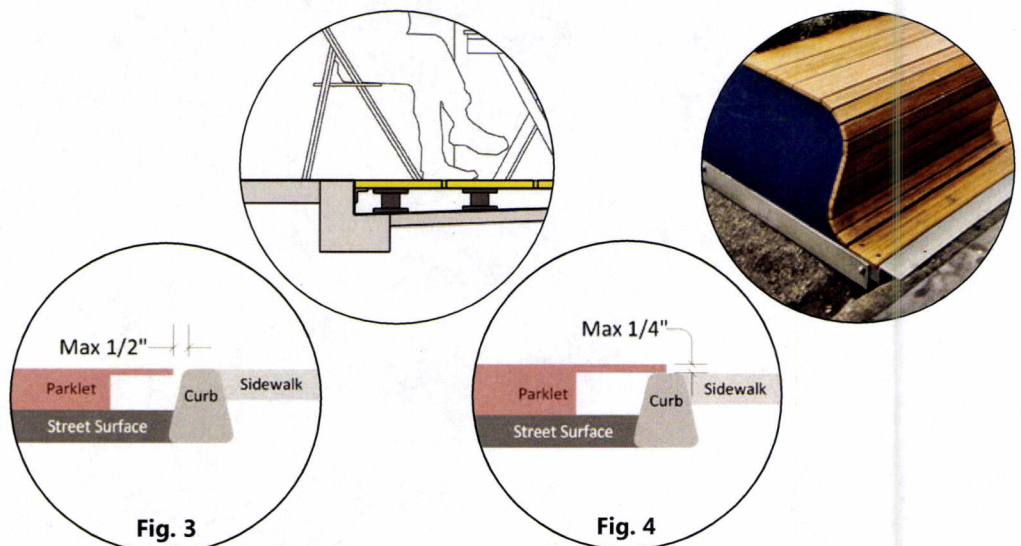


Fig. 1 - SINGLE SPACE PARKLET/STREATERY FEATURES AND DIMENSIONS

Curb Interface

- Parklet/streatery design shall allow for stormwater flow and drainage along the curb.
- The maximum horizontal gap between the curb and the parklet surface shall be 1/2 inch.
- The maximum vertical gap shall be 1/4 inch.
- The parklet/streatery must have a seamless connection to the existing curb to meet ADA requirements.



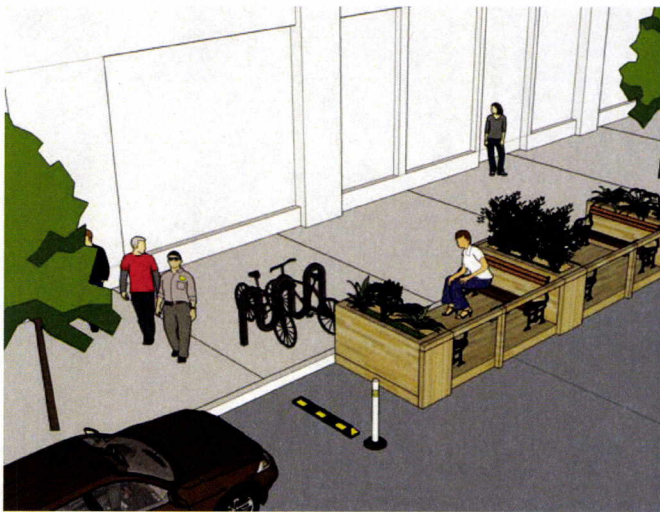
Parklet and Streatery Design Standards

DRAFT Edition



Required Safety Elements

- Safety is foremost in the City's consideration. As such, all parklets and streateries must be designed so as to maintain clear sight lines both on the street and on sidewalks.
- Wheel stops must be installed at both ends of the parklet/streatery four feet from the parklet/streatery structure and one foot from the curb.
- Wheel stops shall be no less than four feet long and no greater than six feet long, mounted with three butyl pads, preferably made of recycled rubber.
- Reflective delineator posts must be placed at the outer corners of the parking space/loading zone six inches from the wheel stops.
- Delineator posts must be 36 inches tall, cylindrical, white Safe-Hit® Duraposts and must include reflective striping. Posts should follow the City of Spokane standard and be attached to the street with a butyl adhesive pad.



Sight Line Elements and Requirements

- The parklet/streatery design must ensure visibility to passing traffic and pedestrians and not create a visual barrier.
- The parklet/streatery shall maintain a visual connection to the street. Continuous opaque walls above 42" that block views into the parklet from the surrounding streetscape are prohibited. You are allowed to include columns and other vertical elements.
- A minimum overhead clearance of 96" must be provided for any parklet/streatery that includes a canopy (or similar element) in order to avoid creating a visual barrier and to provide adequate clearance for people.
- The parklet should have a notable, defined edge along the side of the parklet facing the roadway and adjacent parking stalls to protect parklet users from moving traffic. This can be accomplished via a continuous railing, planter, fence, or similar structure.
- The height of the outside wall is dependent on the context, but should be between 30 inches minimum on the street side to a maximum of 42 inches.
- A minimum 1-foot buffer should be maintained between the parklet features and the travel lane to increase safety adjacent to moving traffic.

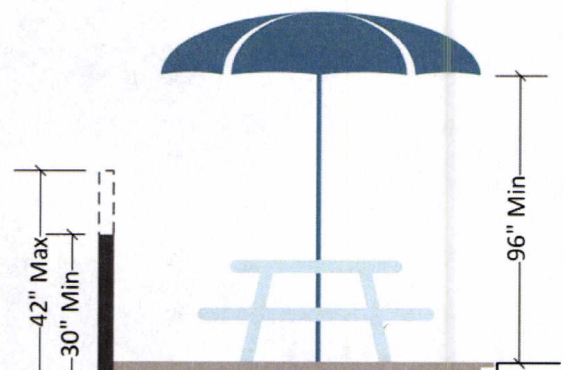


Fig. 5 - SIGHT LINE HEIGHT STANDARDS

Parklet and Streatery Design Standards

DRAFT Edition

Parklets and Streateries in Loading Zones

If you are considering putting a parklet or streatery in a loading zone or other specialty designated space, the City recommends you first look for a nearby location to move that zone and then notify other businesses on the block of your desire to do so. Consideration will be given to removing the special zone with written acknowledgment from your block's other property managers, owners, street-level businesses, and/or residential property associations.



PARKLET/STREATERY AMENITIES

Seating

All parklets/streateries must incorporate built-in seating, which can be integrated in a variety of creative ways. These seats can be a part of the structure, planters, or creative features within the parklet/streatery. Comfortable places to sit are important to creating welcoming and inviting public spaces.

Additional movable seating is recommended as well. This seating can be removed and stored at the end of the day or locked with cables to the parklet structure.

Furnishings should be distinct from any furnishings used by the hosting business or organization. If the parklet host is a business with a sidewalk café, the tables and chairs must be a different style from the ones used in the café. It is important to remember that the parklet is a public amenity, and as such, should be easily distinguishable from nearby private property. Streateries are exempt from this requirement.

Landscaping

Your parklet/streatery must have some type of landscaping. Landscape plantings help soften the space and can serve as a pleasant buffer along the street-facing edge. Landscape elements may be incorporated as planter boxes, hanging planters, green walls, raised beds, or similar features. Drought-tolerant and native plants are good choices for ease of maintenance. Edible plants and plants with fragrance, texture, and seasonal interest are also recommended.

Signs

All parklets/streateries must feature City of Spokane provided signs indicating the space is public. In the case of Streateries, the sign must explain the hours when the Streatery is for the use of the adjacent business and when its available to the general public. These signs should be mounted to both ends of the parklet and should be visible from the adjacent sidewalk. Signs acknowledging sponsorship, logos, or designs that "brand" the parklet must comply with the City of Spokane sign code (SMC 17C.240).

Heating and Gas Power

Outdoor heaters and elements that use gas or propane fuel can help to make your parklet more comfortable throughout the year. Heating and gas-powered features are allowed in parklets/streateries but will require an additional permit.

Lighting

Lighting is allowed but may require a permit, depending on what you propose. Self-contained low-voltage systems, such as solar or battery-powered lights, are a good choice. Decorative or seasonal lighting may be allowed in street trees near the parklet, but requires an Urban Forestry Permit.



Plan Submittal - Required Elements

Plans should include sufficient detail as to allow for adequate review. The following items must be shown on the plans you submit with your permit application:

- Location on the street;
- Street and sidewalk utilities (i.e. manholes, water valves, etc.);
- Street poles and signs;
- Parking meters (including any required to be removed);
- Fire hydrants and Fire Department connections on adjacent buildings;
- Street furniture (litter cans, benches, etc.);
- Street trees, including tree surrounds;
- Sidewalk and street grade elevations;
- Bike lanes (if any);
- Parklet/streatery dimensions;
- Parklet/streatery materials and details as necessary;
- Parklet/streatery planting plan;
- Flexible delineator posts and wheel stops; and,
- Materials, design elements, or other proposed features.

Signage

All parklets must feature signs indicating the space is public. All streateries must feature signs that indicate hours of service and that the streatery is open to the public at all other times. These signs should be mounted to both ends of the parklet or streatery and should be visible from the adjacent sidewalk. Signs acknowledging sponsorship, logos, or designs that "brand" the parklet or streatery must comply with the City of Spokane sign code (SMC 17C.240).



For more information, contact City of Spokane Planning and Development Services at:

3rd Floor City Hall
808 W Spokane Falls Blvd
Spokane, WA 99201

bdinfo@spokanecity.org

Planning & Development

509.625.6300

From: [Hynes, Mike](#)
To: [Palmquist, Tami](#)
Cc: [Weinand, Kathleen](#)
Subject: Parklet/Streateries Ordinance
Date: Thursday, August 10, 2017 4:55:58 PM

Tami,

Good afternoon. It is exciting to read the City may be moving forward with the proposed ordinance to allow for parklets and streateries. In conjunction with proposed terms, conditions and requirements, Spokane Transit would like to propose that additional language be added to address transit and bus stops.

I believe this would best fit under Section 10.55.060, C; with proposed language that states *a parklet cannot be placed adjacent to or obstruct safe, accessible access to a bus stop*. By access, we are referring to not only access by the transit bus but by those customers wishing to access the transit bus at the bus stop.

Thank you for your consideration.

Mike Hynes
Associate Transit Planner
Spokane Transit
Office: 509.325.6059
mhynes@spokanetransit.com



**Spokane City Plan Commission
Findings of Fact, Conclusions, and Recommendation
Proposed New Chapter to Spokane Municipal Code,
Chapter 10.55 Parklets and Streateries**

A recommendation from the City Plan Commission to the City Council to APPROVE proposed new chapter to the Spokane Municipal Code, *Chapter 10.55, Parklets and Streateries*.

Findings of Fact:

- A.** For the past two summers, downtown Spokane has been the location of a successful pilot program for parklets. Parklets and streateries help to activate and improve the public realm, by allowing greater opportunities for people to socialize and interact with others and to activate the streetscape, leading to decreases in crime and an enhanced sense of public safety.
- B.** Restauranteurs and bar owners have successfully implemented sidewalk cafes in downtown Spokane in recent years, and the desire exists to extend, in the appropriate situations and locations, sidewalk cafés into an adjacent parking space(s) (known as “streateries”) in Spokane.
- C.** The City Council intends to establish a licensing program for parklets and streateries in order to build on the successful pilot programs of the past two summers in downtown Spokane and improve the quality of life in Spokane.
- D.** City of Spokane Comprehensive Plan, Urban Design and Historic Preservation Chapter, Goal DP4.2, Street Life states: *Promote actions designed to increase pedestrian use of streets, especially downtown, thereby creating a healthy street life in commercial areas.*
- E.** City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED2.4, Mixed-Use states: *Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.* Policy ED 3.6, Small Businesses states: *Recognize the significant contributions of small businesses to the city's economy and seek to enhance small business opportunities.*
- F.** A web site was created in early June to provide easy access to information and allow the public to comment directly through the web site.
- G.** Written public comments were received in support of the proposal via the City's blog posts and website.
- H.** On March 8, May 10, and July 12, 2017, the Spokane City Plan Commission held workshops to study the proposed Ordinance.
- I.** On May 12, 2017, pursuant to RCW 36.70A.106, the City notified the Washington State Department of Commerce of its intent to adopt proposed changes to chapter

17C.370 SMC. On May 22, 2017, the City received an acknowledgement letter from the Department of Commerce.

- J. On July 26 and August 2, 2017, the City caused Notice of the proposed ordinance and announcement of the Plan Commission's August 9, 2017 hearing to be published in the Spokesman Review.
- K. On June 12, 2017, the responsible official issued a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance for the proposed amendments to SMC chapter 17C.370. The public comment period for the SEPA determination ended on June 26, 2017.
- L. A public hearing was held before the Plan Commission on August 9, 2017.
- M. The following modifications to the proposed text amendment were considered by the Plan Commission at its hearing on 9, 2017:
 - In SMC Section 10.55.060, Parklet Terms and Conditions, item A.2, it was proposed to be amended to read "the applicant has the permission of the owner AND occupant, if different;
 - In SMC Section 10.55.065, Streatery Terms and Conditions, it was proposed to add a new item A.2 prior to the existing A.2 stating the same as the amended item A.2 in 10.55.060 above, and change the existing items 2 and 3 to now become items 3 and 4.
 - In SMC Section 10.55.060, Parklet Terms and Conditions, Item A, it was proposed to add a new item 5 to state that "no more than one parklet or streatery would be placed per block face."
 - In SMC Section 10.55.060, 10.55.065, Item A, it was proposed to add a new item 5, also stating that "no more than one parklet or streatery would be placed per block face."

The Plan Commission unanimously voted to incorporate the proposed text amendments, as detailed above.

Public Testimony:

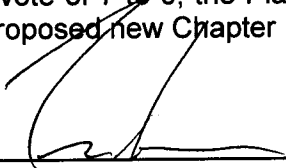
No public testimony was heard.

Conclusions:

- A. With regard as to whether the proposed ordinance, as amended, meets the approval criteria of SMC 17G.025.010(F) for text amendments to the Development Code, although this Chapter is not located in the UDC, the Plan Commission made the following findings:
 1. The proposed amendments are consistent with the applicable goals and policies of the City's Comprehensive Plan.
 2. The proposed amendments do bear a substantial relation to public health, safety, welfare, and protection of the environment.

Recommendation:

By a vote of 7 to 0, the Plan Commission recommended to the City Council the APPROVAL of the proposed new Chapter 10.55 to the Spokane Municipal Code.



**Todd Beyreuther, Vice-President
Spokane Plan Commission
August 9, 2017**

NOTICE OF CITY COUNCIL PUBLIC HEARING CHANGE IN DATE

Notice is hereby given that the City Council for the City of Spokane will hold a public hearing Monday October 2, 2017 (*moved from Monday, September 18*), in the Council Briefing Center, Lower Level of City Hall, 808 West Spokane Falls Boulevard, during the City Council Legislative Session, starting at 6:00 p.m. This hearing may be continued to a later date. The purpose of the hearing is to receive public testimony related to an Ordinance on Parklets and Streateries.

The City ran a pilot program for parklets last year and continued that program into this year, when up to three parklets could be approved for the warmer months of 2017. As a follow up to the pilot program, the City is considering a more permanent program that would allow parklets and streateries to be installed each summer.

Documents related to this Ordinance are available for viewing on the City of Spokane Planning and Development Department's website at: <https://my.spokanecity.org/projects/parklets/>

Written and oral testimony at the hearing will be made part of the record. Any person may submit written comments and appear at the public hearing, or call to obtain additional information:

Planning & Development Department
Attn: Tami Palmquist
808 West Spokane Falls Boulevard
Spokane, WA 99201-3333
Phone (509) 625-6300; tpalmquist@spokanecity.org

More information on the process: The City Council will be briefed on the Ordinance on Monday, September 11 at 3:30 p.m. There is no public testimony at the briefing. The 1st Reading of the Ordinance before City Council is scheduled for Monday, September 18, 2017. Generally no presentations are made at the 1st reading, and no public testimony is taken at the 1st reading. The 2nd reading and Public Hearing for the proposed amendments is scheduled for Monday, October 2, 2017. At this meeting there will be opportunity for public testimony. The public may also submit written comment to the City Council at citycouncil@spokanecity.org. The City Council reserves the right to continue this public hearing.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or jjackson@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.