

AGENDA

CITY OF STURGEON BAY COMMUNITY PROTECTION & SERVICES COMMITTEE

Thursday, June 4, 2020

4:00 p.m.

Council Chambers, City Hall – 421 Michigan Street

1. Roll Call
2. Adoption of Agenda
3. Approval of Meeting Minutes from May 13, 2020.
4. Public Comment on Agenda Items
5. Public Hearing: Request from Judith Lewis to operate a taxicab in the City of Sturgeon Bay DBA Judy's Taxi.
6. Consideration of: Request from Judith Lewis to operate a taxicab in the City of Sturgeon Bay DBA Judy's Taxi.
7. Public Hearing: Request from Judy Lewis to operate a shuttle service in the City of Sturgeon Bay DBA Judy's Shuttle.
8. Consideration of: Request from Judy Lewis to operate a shuttle service in the City of Sturgeon Bay DBA Judy's Shuttle.
9. Consideration of: Bee Keepers Permit
10. Consideration of: Sidewalk Café Permits
11. Consideration of: Parklet Project
12. Consideration of: Vaping Ordinance
13. Adjourn

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Posted:
Date: 5/29/20
Time: 2:30 p.m.
By: SSO

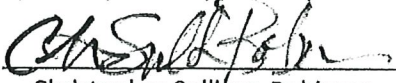
Committee: Community Protection & Services
Dan Williams, Chr.
Kirsten Reeths
Seth Wiederanders

Executive Summary
Bee Keepers Permit – 1101 Texas Street

Background: The property owner of 1101 Texas Street has provided an application to allow the keeping of bees. The application meets the requirements of the beekeeping ordinance. However, the beekeeping ordinance requires a notification is sent to property owners within 100 feet of the hive location. If a neighbor expresses opposition to the application, then a hearing is to be held with Community Protection & Services. Attached is a letter of opposition from an abutting neighbor.

The beekeeping ordinance has been active since 2017, and has gone through an extensive review process. There have been very few applications submitted and this is the first application to be reviewed by committee. The beekeeping ordinance is attached for your information.

Options: After a hearing, the committee may approve or deny the permit and may place any conditions deemed appropriate upon an approved permit.

Prepared By: 
Christopher Sullivan-Robinson
Planner / Zoning Administrator

5.28.20
Date

Reviewed By: 
Marty Olejniczak
Community Development Director

5-28-2020
Date

CITY OF STURGEON BAY

BEEKEEPERS

PERMIT APPLICATION

STAFF USE:

Permit Number: _____

Date Issued: _____

Valid Thru: _____

Invoice Number: _____

Permit Fee: _____

APPLICANT INFORMATION

Name	Samantha & Jesse Koyen
Company	
Street Address	1101 Texas St
City, State, Zip	Sturgeon Bay, Wi, 54235
Telephone Number	920-495-1499
Email Address	rocksm10@gmail.com

PROPERTY INFORMATION

Legal Property Owner	Samantha Rock & Jesse Koyen
Street Address of Subject Property	1101 Texas St Sturgeon Bay, WI, 54235
Tax Parcel Number	2816231000131

Applicant Signature: *Samantha Koyen* Date: 4/21/2020
 Owner Signature: *Samantha Koyen* Date: 4/21/2020

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THE APPLICATION

1. The applicant must submit a site plan showing setbacks, number of hives, location of hives and equipment on the property.
2. Information on the bees (type and mentality), and information on the hive container construction.
3. Application fees (New Permit Cost \$50.00/ Permit Renewals Cost \$20.00).
4. If applicant is not the legal property owner, a letter state that the applicant has permission to use the property for this purpose

ADDITIONAL ITEMS

Section 34.14 Keeping of bees

(c) If the application complies with the requirements of subsection (2), the department shall send by regular mail information regarding beekeeping and the proposal to adjacent properties. This information shall include behavior of bees and location of hives on the subject property. It shall be provided to the owners and tenants of all adjacent property within 100 feet of the location of hives on the property and shall advise of the ability to object in writing to the proposed beekeeping.

(d) If no written objection is received within 30 days of the date of the notice, the permit shall be issued. If a written objection is received, the matter shall be referred to the community protection and services committee for a hearing. After the hearing the committee may approve or deny the permit and may place any conditions deemed appropriate upon an approved permit.

OFFICE USE

DATE COMPLETED

4.21

1. Staff received application from owner/application for review.

4.28

1. List of adjoining property owners and site plan reviewed by staff.

4.29

2. Send notice of intent to keep bees at adjoining property owners.

5.27

3. If there are written objections, schedule review meeting with Community Protection & Services Committee. Meeting Date 6.4.20.

Community Protection Services Review:

☐ Approved

Staff Signature: _____

☐ Denied

Date: _____

☐ N/A

NOTES:

☐ APPROVED

Staff Signature: _____

☐ DENIED

Date: _____

City of Sturgeon Bay
Community Development Department
421 Michigan Street
Sturgeon Bay, WI 54235



Email: csullivan-robinson@sturgeonbaywi.org
Website: www.sturgeonbaywi.org
PH: 920-746-2910
FAX: 920-746-2905

Description

The hives will consist of Italian or Carniolan bees we won't know till we pick them up which type of bees we will be picking up (it's based on availability/first come first serve). Both of these bee varieties are the most common types of honey bees kept in the US.

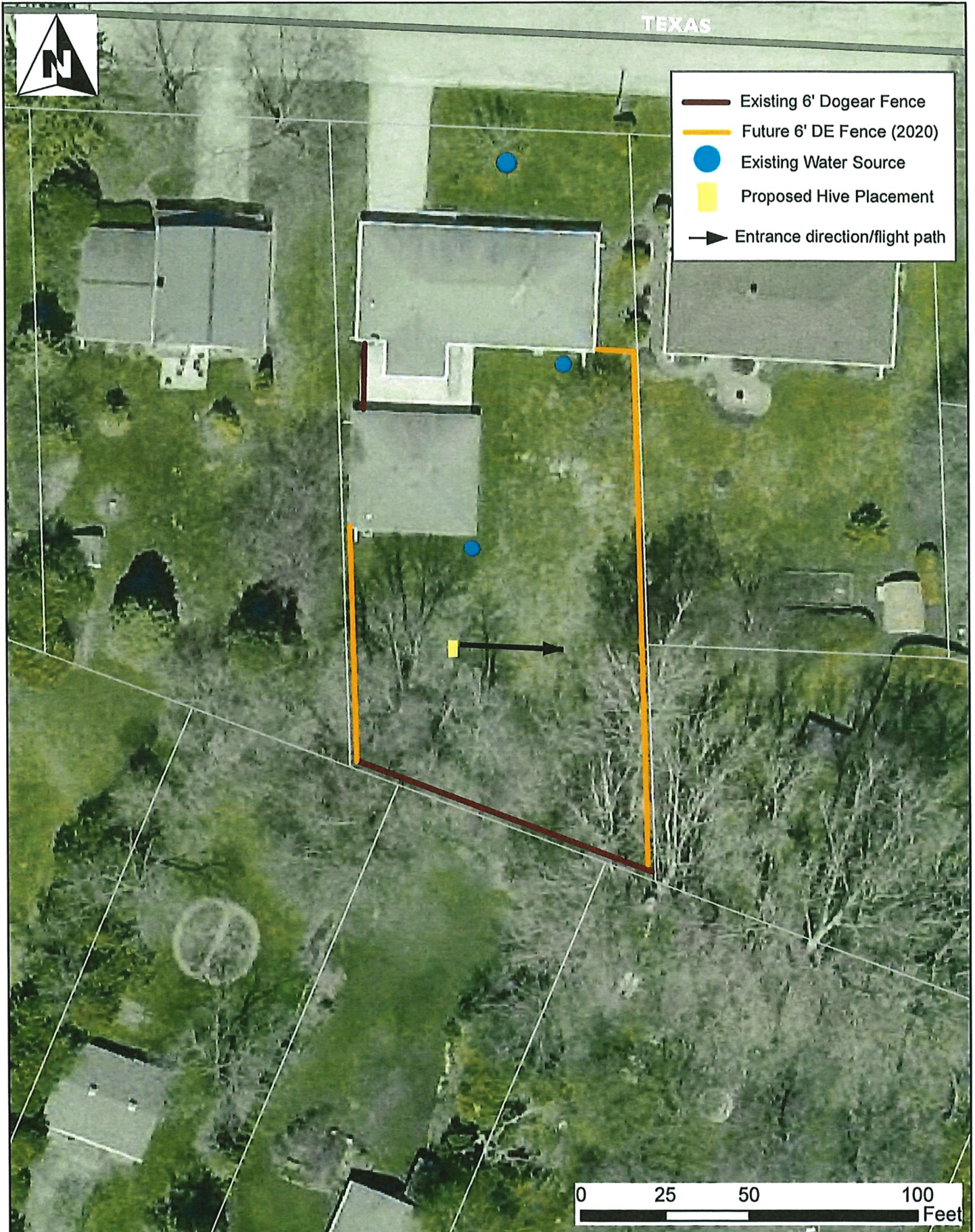
according to mountainsweethoney.com Italian bees are: "Italian bees are a more laid back type of bee. They are very popular because they are the easiest of the honey bees to work with. We have found the Italian bee to be passive"

According to <https://www.bearcountrybees.com/blog/honey-bee-specie-comparison/> Carniolan bees are: "Carniolans (often nicknamed "Carnies") are known for being a very gentle honey bee species which make them a good choice for beekeepers who want to minimize their chances of getting stung."

Carniolans are more cold hearty and tend to be slightly more aggressive than Italian bees but overall are considered a mellow bee.

My dad is a bee keeper in MA and he prefers Carniolan because of their temperament and doesn't wear protective gear when handling the hive. Jesse previously had kept bees on Washington Island for 8 years and says both are extremely laid back and prefers Italian bees. Our first choice is the Italian bees since they tend to be better honey producers but would not be disappointed with the Carniolan since they are more cold hearty.

1101 Site Plan



Sullivan-Robinson, Christopher

From: Jesse Koyen <jkoin24@gmail.com>
Sent: Wednesday, May 27, 2020 4:58 PM
To: Sullivan-Robinson, Christopher
Cc: Samantha Rock
Subject: Re: Beekeepers Application - 1101 Texas Street
Attachments: 1101 Updated Texas Site Plan.pdf; Pictures of 1101 Texas - Koyen Beekeeping Permit.pdf; 1101 Texas flowering plantlist .pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Chris,

Here are some additional materials for the committee, including an updated site plan, some backyard photos, and a list of the plants available for bees on our property. Below are a couple of links to short videos from NBC 26 and Fox 11 about urban beekeeping in NE Wisconsin if anyone is interested.

June 23, 2019 **Bees a-buzzin' in Appleton**

<https://fox11online.com/news/local/bees-a-buzzin-in-appleton>

April 29, 2020 **Green Bay to welcome first urban beehives to downtown**

<https://www.nbc26.com/news/local-news/green-bay-to-welcome-first-urban-beehives-to-downtown>

If people are crunched for time, here is a quick narrative of the updated site plan and pictures:

"The proposed hive location is just over 40' from the shared boundary with the concerned neighbor and 30' from the line of our neighbor's to the west. The entrance will face east, towards Mike & Sue Marolt's and Jane Holden's properties (which are both excited at the possibility of honey), so the primary flight path is not in line with our neighbor to the south.

As shown on the map and in the pictures, we have installed a 6' dog-ear fence along our south boundary shared with the concerned neighbor. We plan on enclosing our entire backyard by the end of 2020 with the pressure-treated fence, as soon as we can get the remaining dead ash threatening our building professionally removed.

We have three existing bird baths on site, the closest being less than 25' away, and we will look to add another in our back garden if we are permitted to keep bees."

Thanks for your time and consideration.

Warm regards,
Jesse

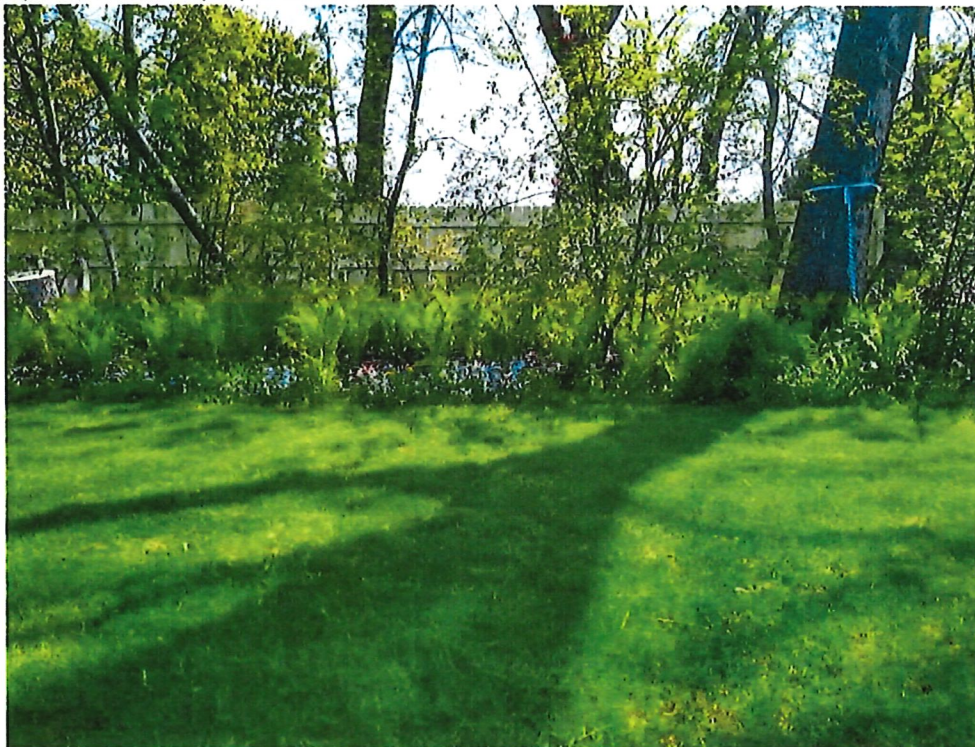
On Wed, May 27, 2020 at 9:48 AM Samantha Koyen <rocksm10@gmail.com> wrote:

----- Forwarded message -----

From: **Sullivan-Robinson, Christopher** <csullivan-robinson@sturgeonbaywi.org>
Date: Wed, May 27, 2020, 9:44 AM



Backyard garden of 1101 Texas, from near our east line facing southwest, note sprinkler to the left of squash mounds – proposed hive location.



From proposed hive location 40' from new fence along concerned neighbor boundary (facing south).



From proposed hive location 30' from rabbit fence along west boundary (facing west).



From proposed hive location facing East towards Jane's house.



From proposed hive location facing NNE towards our house (note green bird bath 25' away).



Nearest bird bath (piece of wood is to prevent insect drowning)



Bird bath/water feature at the back of our house that catches sump pump water.



Front yard with bird bath

Compiled list of flowering species at 1101 Texas St.

Native denoted by an asterisk (*), Planted by Jesse & Sam Koyen denoted by (^)

Fruit Trees

Bartlett Pear^

Mount Royal Plum^

Reliant Peach^

Flowering Trees

Pagoda Dogwood*

Shadbush*^

Fruit Shrubs

Highbush Blueberry^

Black Current*

Highbush Cranberry*

American Hazelnut*^

Raspberries*^

Flowering Shrubs

Butterfly bush^

Red Osier Dogwood*

Lilac^

Arrowood Viburnum^

Korean Spiced Viburnum

Flowering Garden plants & Herbs^

Strawberries

Butternut squash

Acorn squash

Zucchini

Watermelon

Athena Melon

Pumpkin

Cucumber

Green Beans

Snow Peas

Tomatoes

Peppers

Dill

Peppermint

Thyme

Rosemary

Potted fruit trees

Lime
Meyer Lemon
Tangerine
Fig

Planted Perennial Herbaceous Flowering Species

Borage
Cup plant*
Speedwell
Stella de Oro Dwarf
Bee Balm*
Day lily
Obedient plant*
Columbine*
Jacob's ladder*
Solomon's seal*
Goat's Rue
Twin heart*
Bleeding heart
Jeffersonia
Ligularia (2 Spp.)
Coral Root
Great Blue Lobelia*
Rubeckia (2 Spp.)*
Swamp Milkweed*
Butterfly weed*
Pale Purple Coneflower*
Purple Coneflower*
Coneflower – 2 cultivars, White & Cherokee Orange
Lupine*
Yellow false Indigo*
Galardia*
Anise Hyssop*
Lavender
Delphinium
Rattlesnake master*
Royal Catchfly*
Helianthus (Sunflower- 3 Spp.)*
Blue Indigo*
Culver's Root*
Sea Holly
Bachelor's Button
Nodding Allium*

Showy tickseed*

Sativa

Purple Prairieclover*

Showy Beardstongue*

Fox glove*

Prairie smoke*

Marsh Liatrus*

Helibore

Wild Geranium*

Wild Ginger*

Annual Flowering Plants

Hayflower

Borage

Bees a-buzzin' in Appleton

Monique Lopez, FOX 11 News



Appleton officially became a "Bee City" on Wednesday, June 19, 2019. (WLUK image)

APPLETON, Wis. (WLUK) -- The bees are buzzing right now in the Fox Valley.

Appleton officially became a "Bee City" on Wednesday.

"We knew we wanted to use our business to do something good," said Bobby Fleshman.

Bee-lieve it or not, what's good for McFleshman's Brewery owner Bobby Fleshman is good for Lawrence University too.

"My involvement in this is really, pretty much based on research and just trying to better understand what are the environmental queues that bees respond to to make them do well in cities," said Israel del Toro, Lawrence University assistant professor of biology.

A small white box is the apiary that will be up on McFleshman's roof, and it'll contain upwards of 30,000 bees.

On Wednesday, Appleton's Common Council gave McFleshman's the green light to put a beehive collection on its roof.

But the plan nearly wasn't meant to be.

"There was a complaint when we filed for this permit from a neighbor, and it was with regard to their patrons being stung, or the fear that they might be," Fleshman said.

Wells Fargo's branch in downtown Appleton is neighbors with McFleshman's.

In a statement, Wells Fargo Corporate Communications told FOX 11 that with the beehives so close to its site, it worried about customer safety.

With the amount of customer traffic at our Appleton branch, and the flowering shrubs on site, Wells Fargo voiced concerns with having an apiary so close to our building.

"Number one, honeybees aren't repetitive stingers, so they're less apt to sting, and they only really react if you get up and close and personal to them and really agitate them," said Alex Schultz of Pollenablers Fox Cities.

"Bees are investigating us, but they're not stinging or anything like that, and so we are perfectly safe in this distance," del Toro said.

The Appleton Board of Health initially denied the brewpub's application.

Although the rejection stung a bit, McFleshman's appealed, pleaded its case and won.

"Yeah, I hope more businesses do the same. I hope we can make more spaces on roofs for more colonies," Fleshman said.

And this wouldn't be the first time bees would swarm the rooftop of a downtown Appleton restaurant. Rye Restaurant had two hives featured on top of the Copper Leaf building last year.

The restaurant says customers, and neighboring businesses were on board.

"Everyone was just really excited just to hear how the bees were doing and to have product from our roof in front of them at dinner," said Sami Hansen, Rye chief assistant beekeeper.

Incorporating honey into its menu will also be a byproduct of this project for McFleshman's.

"It wasn't the intent, but it's inevitable," said Fleshman. "To make a honey beer, we need a substantial amount of honey, so it won't be a lot of beer that we make but, yeah, we'll definitely do some."

Before the Appleton Common Council approved the beehives, Wells Fargo also said in that statement it would support whatever decision the council made.

McFleshman's is hoping the bees will make their way from their current home at Lawrence University to its rooftop sometime this week.

Green Bay to welcome first urban beehives to downtown

By: Emily Beier

GREEN BAY (NBC 26) -- On Broadway was able to secure a \$1,300 micro-grant from the Current Young Professionals' Greater Green Bay Support of Urban Projects also known as S.O.U.P.

Thanks to that funding the Urban Beehive Project was put in motion and Green Bay will have its first urban beehives in the summer of 2020.

On Broadway has purchased two hives that will house two colonies on the top of the roof of the newly renovated Rail Yard building in the 500 block of North Broadway.

Marketing Manager and organizer of the Urban Beehive Project, Tawny Casey with On Broadway says the bees will be crucial for the sustainability and the health of new native perennials that will be planted in the Broadway District.

Each year Green Bay spends roughly \$5,000 on annual flowers. This year Casey says it will cost about \$10,000 to put the new perennials in, but the city will see a savings every year from then on thanks to the bees caring for the flowers and the flowers taking care of the bees.

"Our goal is to create an environment that can take care of itself for years to come," said Casey.

As for the honey these honeybees could one day produce, Casey says the bees will have to work hard the first year to make honey for them to survive the winter, but if in the future they start to produce a substantial amount they have had a handful of ideas. Nothing has been finalized, but donating the honey or partnering with a local brewery have been some of the ideas in the mix.

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Sullivan-Robinson, Christopher

From: David Baumann <dbaumann@wildblue.net>
Sent: Monday, May 4, 2020 6:43 PM
To: Sullivan-Robinson, Christopher
Cc: 'David Baumann'
Subject: RE: Beekeepers Permit Application Submittal for Samantha and Jesse Koyen

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Christopher Sullivan-Robinson
Planner / Zoning Administrator
421 Michigan Street
Sturgeon Bay, Wisconsin 54235
csullivan-robinson@sturgeonbaywi.org
920-746-2907

Dear Mr. Sullivan-Robinson:

My family is in strong *opposition* to the proposed Beekeepers Permit Application Submittal for Samantha and Jesse Koyen. We are opposed to the permit in its' entirety: hives, bees and location herein referenced as the Koyen Honey Bee Hive Sites; 1101 Texas Street, Sturgeon Bay, Wisconsin, 54235.

The location of the proposed hives are directly in-line to my kitchen window, the flight path is across my entire yard, the main water source is in my front yard and my yard itself is frequently used – front to back – by my family and friends. More to the point, both myself – David A. Baumann – and my daughter – Magdalen A Baumann are highly allergic to stings and have both been treated in the past, as emergencies, stemming from stings. I do not see how this permit can be presumed to be safe for our family or friends. Additionally, I have a elderly miniature dachshund who is 'inquisitive' and would not survive multiple stings should they occur. Lastly, we are elderly – in our 70's' – and frankly, do not need to "fear" being out in our yard during the few warm months that we are able to in Door County.

Both my neighbor to the east, Melissa Nelson, and I have numerous plantings and flowering shrubs (the prior owner was a "Door County Master Gardner") – in fact, bee attractants. I also maintain, on a regular basis, my yard and trees which require powered tools on and around the lot line. This 'noise' aggravation I suspect the bees can do without.

Finally, from an aesthetic perspective, until last fall, there was a natural lot barrier between our adjoining properties composed of mature trees, woodland scrub growth and understory plantings; by this spring that area has been transformed into multiple brush piles, dirt piles, multiple stumps, fencing (chicken wire) and rotting compost, surrounded by pallets standing on end. This is the area in which the proposed hives are to be located . . . we truly cannot imagine what is coming next. We moved to Memorial Drive to be in a urban setting not a rural setting. We just do not find merit or value in this permit application.

We would appreciate a definitive "**Denial**" of the request for a Beekeepers Permit Application Submittal for Samantha and Jesse Koyen.

I have included supplemental information, from various subject matter sources, that were used in determining our response to the Koyen request; they are informational and serve to support my families concerns regards this matter. I include them as addendums, recognizing that they are published opinions that basically support our request for 'denial of permit.'

Thank you for your consideration,

Mr. David A Baumann
Mrs. Jean M Baumann
MS. Magdalen A Baumann
(Dave & Jean Baumann Trust)
1106 memorial Drive
Sturgeon Bay, Wisconsin 54235

NOTE: *a signed, hard copy of this correspondence is in the mail to your attention as well; thank you.*

ADDENDUMS:

(Sourced from Mayo Clinic, Wikipedia, Urban Beekeeping (quora.com), The conversation.com/blog, Honey&Beekeeping.com, theatlantic.com, telegraph.co.uk, npr.org, beeculture.com, honeybeesonline.com, dummies.com(beekeeping), beesource.com/forum, beemaster.com/forum, kykopestprevention.com).

Flight Path:

The bees' flight path will extend in a straight line out of the hive entrance, *so don't point the hives toward the neighbor's yard*, street traffic, your back door, or your doghouse unless you have a hedge or fence to force the bees high into the air.

Water Requirements:

It's also important to provide bees with water on your property so they don't make a neighbor's pool, dog bowl, air conditioner, birdbath, koi pond, or other water source their own. Keep a water source within fifteen feet of your hive(s) year-round, so that they orient on the source you have provided for them before any scout bees find water sources in a neighbor's yard. Honey bees need to collect water, particularly in early spring and during the heat of summer. Bees can be fussy about where they collect water. They seem to love small ponds and creeks. The bees may also drink from a dog's drinking bowl, or a neighbor's bird bath or swimming pool. To deter bees from going to a neighbor's yard for a drink, the suburban beekeeper should provide water for their bees.

Bee Stings:

Bee stings produce pain and swelling in the localized area of the sting. The biggest threat that a beehive in the backyard poses is stings by not just one but multiple bees. In addition to pain and swelling, bee stings result in other symptoms like nausea and vomiting, fainting and closing of the throat in people who are allergic. In the case of a **backyard** beehive, multiple stings have the potential to kill someone who is extremely allergic to bees. A severe allergic reaction (anaphylaxis) to bee stings is potentially life-threatening and requires emergency treatment. A small percentage of people who are stung by a bee or other insect quickly develop anaphylaxis. Signs and symptoms of anaphylaxis include:

- Skin reactions, including hives and itching and flushed or pale skin
- Difficulty breathing
- Swelling of the throat and tongue
- A weak, rapid pulse
- Nausea, vomiting or diarrhea
- Dizziness or fainting
- Loss of consciousness

Risk Factors:

You're at increased risk of bee stings if:

- You live in an area where bees are especially active or with beehives nearby
- Your work or hobbies require spending time outside

You're more likely to have an allergic reaction to bee stings if you've had an allergic reaction to a bee sting in the past, even if it was minor.

Adults tend to have more-severe reactions than children do and are more likely to die of anaphylaxis than children are.

Most of the time dogs get stung on their faces from investigating a stinging insect too closely. A sting on your dog's sensitive nose is particularly painful. Some dogs may even get stung on the tongue or inside their mouth or throat if they try to bite or catch an insect. These stings can be dangerous., The subsequent swelling can close your dog's throat and block his airway. The dog must be taken to a vet (**Note:** there are no vets open in Sturgeon bay on weekends).

Bee Aggression:

Bees sting as a form of aggression when they feel threatened or if they feel there is a threat to their hive or colony. They also tend to be more aggressive in hot climates, if the hive is located in a shady area or if there is a lack of flowering plants. Make sure that children and visitors are also aware of the hive's location, and make they stay away to prevent encounters with aggressive bees.

Beekeeping in an urban or suburban area is possible but also dangerous if you do not understand how to keep your bees from becoming a nuisance, and potentially stinging your neighbors. Proper tools and elements of beekeeping include tall fences, to divert bee flight paths over people's heads (*); a source of clean, fresh water so bees don't go elsewhere to hydrate; and a bait hive, which prevents bees from swarming by giving them a place to reside outside their normal hive.

There are conditions which can make even a normally mild tempered hive a bit testy. The sudden stoppage of a honey flow will sometimes have that effect. Or if the hive is under pressure from robber bees. Or if you've just collected the rent (harvested honey).

And there's always the off chance that someone in the yard will get in the bees' flight path and end up with a bee trapped in their clothing or in their hair, which can lead to an accidental sting.

It's also possible for bees to be attracted to the scent of a perfume, or to brightly colored clothing. Again, though, that will cause some people to panic and start swatting at the bee, which can also lead to an accidental sting.

You might consider erecting a solid fence (*) around your bees. If it's at least 6 feet tall, that will force the flight path of the bees above the heads of anyone close by. That will also put the bees out-of-sight, and hopefully, out-of-mind of anyone who might be nervous about them. A fence around your hives or yard will keep any inquisitive neighbors from accidentally getting too close to your hives or walking into the bees' flight path. Another way to keep bees and people out of one another's way is to use a flight barrier: tall bushes, the side of your garage or shed, or anything else that forces the bees to immediately fly up into the air and away from people.

Loud lawnmowers and weed eaters in close proximity to the hive are also known to aggravate bees, causing them to swarm and sting. If you should encounter a hive of aggressive bees, seek shelter indoors immediately.

Bee Defensiveness:

Prevent swarming : Keeping bees in a residential area means that some aspects of beekeeping are of greater concern than if you kept bees in the rural, undeveloped, countryside. For example, while all beekeepers try to prevent swarming, this practice is critical in populated communities. In a typical neighborhood, if your bees swarm, they will likely bivouac in a neighbor's yard. Unlike most beekeepers' reaction to seeing a swarm, most non-beekeepers are horrified to see tens of thousands of bees bounce through the sky until they congregate to form a big buzzing ball in someone's backyard! Therefore, it is the suburban beekeeper's responsibly to do everything in his/her power to prevent swarms.

The defensiveness of bees is greatly influenced by environmental conditions. The same bees that are gentle on one day can become very defensive on another day. The best conditions to work with the bees are when:

- Most of the field bees are out in the field collecting nectar
- When there is a nectar flow from flowering plants
- When the colony is not under stress from predators, such as wasps.
- When colonies are in direct sunlight
- When the temperature is not very hot (95 degrees F or higher)
- When neighbors are not having a lawn party or mowing their yard

Bee Disease and Cleanliness:

Langstroth's first Bee-keeper's Axiom is a good one to remember: *"Bees gorged with honey are not inclined to sting."* This means that the bees will tend to be gentle when there is a nectar flow, when they swarm and following a light smoking. Angry bees are sometimes attracted to lights at night.

Beekeeping is often promoted as a way to conserve pollinators but managing hives does nothing to protect our wild pollinators. It's the equivalent of farming chickens to save wild birds. High numbers of honeybees can actively harm wild bee populations, because they compete directly for nectar and pollen. That's not a problem when flowers are plentiful, but in environments where resources are limited, wild bees can be outcompeted. A lack of flowers is one of the main factors behind the decline in bee populations. Initiatives such as urban beekeeping put more pressure on wild bees and worsen the decline. When honeybees occur in high numbers, they can push wild bees out of an area, making it harder for wild plants to reproduce. Honeybees are not a substitute for wild pollinators, so we must protect the entire bee community to achieve good quality pollination.

Honeybee hives are regularly traded locally and internationally, allowing the rapid spread of diseases and parasites, such as deformed wing virus and Varroa mite. These pathogens can spill over from managed hives into wild bumblebee populations and spread between wild bee species when they visit the same flower.

It is important for suburban beekeepers to keep their yards clean and properly dispose of all beekeeping waste and hive by-products. Burr comb, broken equipment, and old wax should be sealed in garbage bags (to prevent robbing) and placed in garbage bins. Hive feeders and syrup containers should be rinsed out so any sugar residue is washed away. It is important that your apiary is not attracting any pests like wasps, rodents, or skunks. By keeping your bee area clean, you will ensure that no unwanted critters move in.

END

34.14 - Keeping of bees.

(1) *Permit and fees required.*

- (a) Persons that keep bees within the limits of the city must first obtain a permit from the community development department. No person shall keep, maintain, or allow to be kept any hive or other facility for the housing of honey bees on or in any property within the city limits without first obtaining a permit.
- (b) Applications for a permit to keep or maintain bees will be made on such forms as provided by the city community development department. Applicants shall provide a detailed lot diagram of the beekeeping equipment location including the distances to property lines and from nearby structures on neighboring properties. A permit fee as established by the common council shall be paid.
- (c) If the application complies with the requirements of subsection (2), the department shall send by regular mail information regarding beekeeping and the proposal to adjacent properties. This information shall include behavior of bees and location of hives on the subject property. It shall be provided to the owners and tenants of all adjacent property within 100 feet of the location of hives on the property and shall advise of the ability to object in writing to the proposed beekeeping.
- (d) If no written objection is received within 30 days of the date of the notice, the permit shall be issued. If a written objection is received, the matter shall be referred to the community protection and services committee for a hearing. After the hearing the committee may approve or deny the permit and may place any conditions deemed appropriate upon an approved permit.
- (e) Permits shall not be transferable or refundable. Only the owner of the lot upon which the hive(s) is proposed to be kept, or an occupant of the lot with the owner's written permission, is eligible to obtain a beekeeping permit. Only one beekeeping permit shall be issued per lot.
- (f) All new permits issued shall expire one year after issuance unless sooner revoked. All renewal permits shall expire three years after issuance unless sooner revoked.

(2) *Conditions for keeping and maintaining hives.*

- (a) Only honey bees (hereinafter referred to collectively and individually as "bees") may be kept under this section.
- (b) Keeping of bees shall not be permitted on lots containing three or more dwelling units (multiple-family dwellings).
- (c) Approval of a permit application is subject to reasonable restrictions, limitations, conditions, or prohibitions prescribed by the city. Any approved permit shall specify any restrictions, limitations, conditions or prohibitions deemed necessary by the city to

safeguard public health and the general welfare, and deemed necessary to reduce the likelihood of public or private nuisance.

- (d) Beekeeping equipment shall be restricted to rear yards and side yards. Beekeeping equipment may also be permitted on a roof provided such equipment is screened from view and is determined by the community development department to otherwise meet the setback and other requirements of this chapter.
- (e) Beekeeping equipment shall not be located closer than 25 feet from any property line, 25 feet from a street or public sidewalk, nor 25 feet from a dwelling unit on an abutting lot.
- (f) No more than two hives are allowed per lot. This maximum may be waived with approval by the community protection and services committee.
- (g) Bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
- (h) Each beekeeper shall ensure that a sufficient and convenient source of fresh water is available to the colony.
- (i) Each beekeeper shall ensure that no wax comb or other materials that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.
- (j) Each beekeeper shall maintain beekeeping equipment in good condition and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honey bees.
- (k) For each apiary the beekeeper shall conspicuously post a sign including the words "HONEY BEE HIVE" and his/her name clearly readable at 25 feet away. A copy of the permit shall be placed in a conspicuous place on the hive.
- (l) The city staff shall have the right to inspect any permitted beekeeping equipment at all reasonable times for any proper purpose. Where practicable, prior notice shall be given to the beekeeper.
- (m) Hives shall be actively maintained. Hives not under active human management and maintenance shall be deemed abandoned and dismantled or removed from the property by the property owner.
- (n) In any instance in which a hive exhibits unusually aggressive characteristics, it shall be the duty of the beekeeper to destroy or re-queen the hive. Queens shall be selected from stock bred for gentleness and non-swarmling characteristics.
- (o) In addition to compliance with the requirements of this section, no beekeeper shall keep a hive or hives that cause any unhealthy conditions or interfere with the normal

use and enjoyment of human or animal life of others, any public property or property of others.

- (3) *Permit suspension/revocation.* The city may suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.
- (4) *Appeals.* Permit decisions made by the community development departments, including permit denial, suspension or revocation, may be appealed to the community protection and services committee. Permit decisions made by the community protection and services committee may be appealed to the common council.
- (5) *Violation and penalty.* Any person who violates this chapter or fails to obtain a permit for beekeeping shall result in the property and apiary to be deemed a public nuisance, and is subject to violations and enforcement within Chapter 11.

(Ord. No. 1256-0710, § 5, 7-6-10; Ord. No. 1337-0717, § 2, 7-18-17)

RESOLUTION

RESOLUTION TO TEMPORARILY SUSPEND THE REQUIREMENT UNDER SECTION 8.06(2)(f) OF THE MUNICIPAL CODE AND UNDER THE SIDEWALK CAFÉ POLICY THAT OUTDOOR SEATING ASSOCIATED WITH A SIDEWALK CAFÉ BE IMMEDIATELY ADJACENT TO THE RESTAURANT

WHEREAS, On January 31, 2020 the United States Department of Health and Human Services declared a Public Health Emergency, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic, and on March 12, 2020 the Governor of the State of Wisconsin declared a Health Emergency in the State pursuant to Wisconsin statute section 323.02(16); and

WHEREAS, on March 19, 2020 the City of Sturgeon Bay Common Council approved a resolution declaring an emergency as a demonstration to the public of the seriousness of the COVID-19 outbreak; and

WHEREAS, the period of emergency shall continue for sixty (60) days from March 19, 2020; and

WHEREAS, ON May 19, 2020 the period of emergency was extended for an additional thirty (30) days; and

WHEREAS, that during the period of emergency, the Mayor with the advice and concurrency of the Council President may order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the City; and

WHEREAS, section 8.06(2)(f) and the adopted sidewalk café policy restrict outdoor tables and seating to public right-of-way that is immediately adjacent to the restaurant; and

WHEREAS, allowing tables and seating within a sidewalk café to extend into the right-of-way adjacent to neighboring business will allow more space for restaurants to increase seating capacity while practicing social distancing guidelines; and

WHEREAS, the Common Council rules including, but not limited to XI, XII, XIII, XV, XVI concerning budgeted and unbudgeted appropriations, expenditures, and rule making are suspended insofar as they may impede the effective execution of the provision and response to this public health emergency.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council President of the City of Sturgeon Bay; that the City of Sturgeon Bay temporarily suspends the requirement under and section 8.06(2)(f) and under the adopted sidewalk café policy

that outdoor seating for a sidewalk café is restricted to the public right-of-way immediately adjacent to the restaurant. Outdoor seating and tables under a sidewalk café permit may be placed within the public right-of-way adjacent to properties neighboring the subject restaurant, provided written permission from the neighboring tenant or property owner is received, entrances/exits and fire department connections are not blocked, and all other requirements of the code and sidewalk café policy are met.

BE IT FURTHER RESOLVED, that this temporary suspension shall expire on October 15, 2020.

Approved this _____ day of _____, 20.

David J. Ward, Mayor _____

Dan Williams, Council President _____

SIDEWALK CAFÉ POLICY/PROCEDURES

Sidewalk café shall mean the expansion of an establishment creating an outdoor seating area in the public right of way that immediately adjoins the licensed premises for the purpose of consuming food or beverages.

APPLICATION SUBMISSION:

The following shall be submitted to the City Clerk=s Office.

1. A permit application, which shall consist of a written request along with a scaled diagram, to operate a sidewalk café. (This permit application shall be reviewed by the Community Development Office and Street Department prior to submission to the Common Council for final approval.)
 - A. A diagram (scale 1":1') detailing the frontage of the applicant=s café or restaurant facing the sidewalk area requested for use as a sidewalk café. The plan shall indicate the location of doorways, width of sidewalk (distance from curb to building face), location of trees, tree wells, sidewalk benches, trash receptacles, utilities (including fire hydrants, light fixtures, etc), newspaper racks, mailboxes, and any other semi-permanent sidewalk obstruction which may affect or be affected by the proposal. The drawing shall delineate the area requested for use as a sidewalk café, and indicate the total square footage of the affected road right of way and exact dimensions of the proposed outdoor area.
2. Copy of current Certificate of Insurance with the City named as an additional insured.
3. Completed Hold Harmless Certificate.
4. A non-refundable application fee in the amount of \$50.00 per location if alcohol is not served.
A non-refundable application fee in the amount of \$200.00 per location if alcohol is served.

SIDEWALK CAFÉ STANDARDS:

The following standards, criteria, conditions, and restrictions shall apply to all sidewalk cafés, however, additional restrictions to protect and promote public safety, health, or welfare may be imposed.

1. Sidewalk cafés are restricted to the public right of way immediately adjacent to the applicants premise.
2. Tables, chairs, or other fixtures in the sidewalk café:
 - a. Shall not block designated ingress, egress, or fire exits from or to the establishment or any other structure.
 - b. Shall be readily removable and shall not be physically attached, chained, or in any manner affixed to any structure, tree, post, sign or other fixture.
 - c. Shall be removed when the sidewalk café is not in operation.
 - d. Shall be maintained in a clean, sanitary and safe manner.

- e. Must remain within designated boundaries when seating is filled to capacity.
 - f. All staff responsible for set up of the sidewalk café must know how to arrange it according to original application and do so consistently.
 - g. Must be removed from the sidewalk between the hours of 10:00 p.m. and 6:00 a.m.
- 3. Sidewalk cafes shall be located in such a manner that a distance of not less than six feet is maintained at all times as a clear and unobstructed pedestrian path. For the purpose of minimum clear path, trees, plantings, sculptures, benches, newspaper dispensers or any of the like shall be considered obstructions.
 - 4. The sidewalk café, and area immediately adjacent, shall be maintained in an orderly and neat manner at all times. Debris shall be removed as required during the day.
 - 5. No food preparation, food storage, refrigeration apparatus, or equipment shall be allowed in the sidewalk café.
 - 6. A copy of the approved site plan shall be maintained on the applicant's premises and shall be available for inspection at all times.
 - 7. The use of the public right of way as a sidewalk café shall not be an exclusive use. All public improvements, including but not limited to trees, light poles, traffic signs, maintenance procedures, shall take precedence over said use of public right of way at all times. The Chief of Police or designee may temporarily order the removal of the sidewalk café for special events.
 - 8. The City, its officers and employees, shall not be responsible for sidewalk café fixtures that are relocated or damaged.
 - 9. The approval of a sidewalk café permit is conditional at all times. A sidewalk café permit may be revoked or suspended by the Chief of Police or his designee where necessary to protect the public health, safety, or welfare, to prevent a nuisance from developing or continuing, in emergency situations, or due to noncompliance with the conditions of the permit.

SIDEWALK CAFÉ STANDARDS WITH ALCOHOL BEVERAGES BEING SERVED:

All procedures set forth for a standard Sidewalk Café Permit apply in addition to the following:

- 1. Service of alcohol beverages shall only be permitted to those full service restaurants whose food sales are greater than 50 percent of its gross receipts. Applicant must provide written certification that food sales are greater than 50 percent of its gross receipts.
- 2. The service and consumption of alcohol shall be limited to the hours set forth in the sidewalk café permit.
- 3. Alcohol beverages shall only be served to patrons of the establishment by a server in the sidewalk café. There shall be no carry-out or carry-in of alcohol beverages by the patron to and from the sidewalk café.

4. Patrons of the establishment in the sidewalk café shall remain seated at the table when consuming alcohol.
5. Alcohol beverage shall only be served to patrons of the establishment that are receiving food service in the sidewalk café.

RESPONSIBILITY OF LICENSEE:

The license holder must amend the APremise@ portion of the alcohol license issued by the City of Sturgeon Bay. The license holder shall, in addition to all other requirements of the law and the City liquor license, take reasonable steps to ensure that alcohol beverages are consumed only by patrons of the establishment who are of legal drinking age, and not by passersby or persons who are not of age or who are obviously intoxicated. Failure to take reasonable steps and use them at all times in the sidewalk café is grounds for suspension or revocation of the sidewalk café permit.

RESPONSIBILITY OF PATRONS:

No person shall leave the sidewalk café area listed in the permit with an alcohol beverage. Any person doing so shall be in violation of City ordinance section prohibiting the consumption of alcohol or possession of open containers on streets.

Adopted 7/05/05

8.06 - Obstructions and encroachments.

(1) *Prohibited.*

- (a) No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he/she is the owner or occupant, except as provided in subsection (2).
- (b) The placing of merchandise or moveable signs upon the public sidewalks or streets without specific authorization from the city council is an encroachment contemplated by this section.
- (c) If the owner or occupant of adjoining property suffers or permits a nonexempt encroachment or encumbrance upon any street, alley, sidewalk, public grounds or land dedicated to public use or any part thereof, the police department shall order the immediate removal of such encroachment or encumbrance. Such order shall be delivered by personal service upon the owner or occupant of the adjoining premises and shall state in the order the penalty as provided in section 25.04 of this Municipal Code for failure to remove the encroachment or encumbrances.
- (d) If the order is not immediately complied with, a citation may be issued for the appropriate penalty as indicated in section 25.04 of this Municipal Code.

(2) *Exceptions.* The prohibition of subsection (1) shall not apply to the following:

- (a) Clocks attached to buildings which project not more than six feet from the face of such building and which do not extend below any point ten feet above the sidewalk, street or alley. Signs are subject to the provisions of section 27.11 of this Municipal Code.
- (b) Awnings which do not extend below any point seven feet above the sidewalk, street or alley.
- (c) Public utility encroachments duly authorized by state law or the city council.
- (d) Outdoor seating, outdoor display of merchandise, outdoor plant displays, or fixtures, only when permission is expressly given by the city council by application therefor.
- (e) When permission is expressly given by the city council upon application therefor.
- (f) Sidewalk cafes. Restaurants creating an outdoor seating area in the public right-of-way immediately adjacent to the restaurant may, upon approval by the city council following application to the city clerk, occupy and use a portion of the city right-of-way as approved by the city council and subject to the sidewalk cafe policy and procedures adopted by the City of Sturgeon Bay. The application fee for a sidewalk cafe shall be identified in the sidewalk cafe policy and procedures as adopted by the City of Sturgeon Bay. Any restaurant which obtains approval from the city council to serve alcohol upon the public right-of-way shall, in addition to receiving authorization under this section, obtain an amendment to its alcohol beverage license permitting service and consumption of alcohol upon the public right-of-way.
- (g) Encroachments. Encroachments into public rights-of-way for such proposed use including but not limited to outdoor seating, outdoor display of merchandise, and outdoor plant displays located in the Waterfront Redevelopment Area subject to the following:
 - 1. The minimum cleared sidewalk width shall at all times be six feet.
 - 2. The owner of the building housing the business encroaching into the right-of-way shall sign and file a "Hold Harmless and Indemnification Agreement" relieving the city of any legal liability related to the encroachment.
 - 3. Restaurants adding outdoor seating shall be reviewed by the department of health and human services.
 - 4. If portions of this section conflict with provisions in other sections of this Municipal Code, such as regulations that would prohibit proposed encroachments or be more restrictive

regarding regulation of proposed encroachments, the more restrictive provision(s) shall govern.

5. Encroachments under this subsection located in the Waterfront Redevelopment Area must be approved by the common council.
6. Encroachments under this subsection, excepting those for sidewalk cafes, shall require an annual permit to be issued by the office of the city clerk upon payment of a fee in an amount set by the common council.

(Code 1992, § 8.06; Ord. No. 1024-999, § 1, 9-9-99; Ord. No. 1147-0705, §§ 1, 2, 7-5-05; Ord. No. 1270-0112, § 1, 1-3-12)

Executive Summary
3rd Avenue Street Closure

Background: This is a concept presented by Destination Sturgeon Bay to close a portion of North 3rd Avenue, from Michigan Street to Jefferson Street, to vehicular traffic every Saturday and Sunday during the tourist season. This is all a part of the effort of creating more public spaces within the downtown area where there are less parks and leisure spaces.

Pro's	Con's
<ul style="list-style-type: none">- Creates a plaza / leisure space downtown.	<ul style="list-style-type: none">- Makes parking along 3rd Ave not accessible during Saturdays and Sundays.
<ul style="list-style-type: none">- Encourages more pedestrian traffic downtown.	<ul style="list-style-type: none">- Additional labor and materials required from the Municipal Services Department.
<ul style="list-style-type: none">- Reduces vehicle related nuisance issues to downtown businesses.	<ul style="list-style-type: none">- Accessibility issues for the Fire Department and Emergency Service.
<ul style="list-style-type: none">- Enhances the downtown atmosphere and aesthetics.	<ul style="list-style-type: none">- Additional police monitoring.
<ul style="list-style-type: none">- More utilization of off-street parking.	

Closing 3rd Avenue would require additional labor activity from the Municipal Services Department to place and remove barricades every weekend. Additionally, this requires more maintenance within the downtown area.

There are potential concerns about increased pedestrian/vehicular conflicts at the intersections of the side streets with 3rd Avenue. There is also expected to be additional vehicle traffic on Michigan Street and 4th Avenue. Accessibility during emergency situations could be an issue due to delays from having to remove barriers. This may require some modifications to how the Police Department monitors this area.

Options: The options range from no change to complete closure of Third Avenue throughout the season. There are several intermediate options such as just certain days or a more limited part of the season. The specific blocks to be closed could also be increased or reduced.

Prepared By: 
Christopher Sullivan-Robinson
Planner / Zoning Administrator


5-21-20
Date

Reviewed By: 
Marty Olejniczak
Community Development Director

5/21/2020
Date

Reviewed By: _____
Chad Shefchik
City Engineer

Date

Reviewed By: 
Josh Van Lieshout
City Administrator

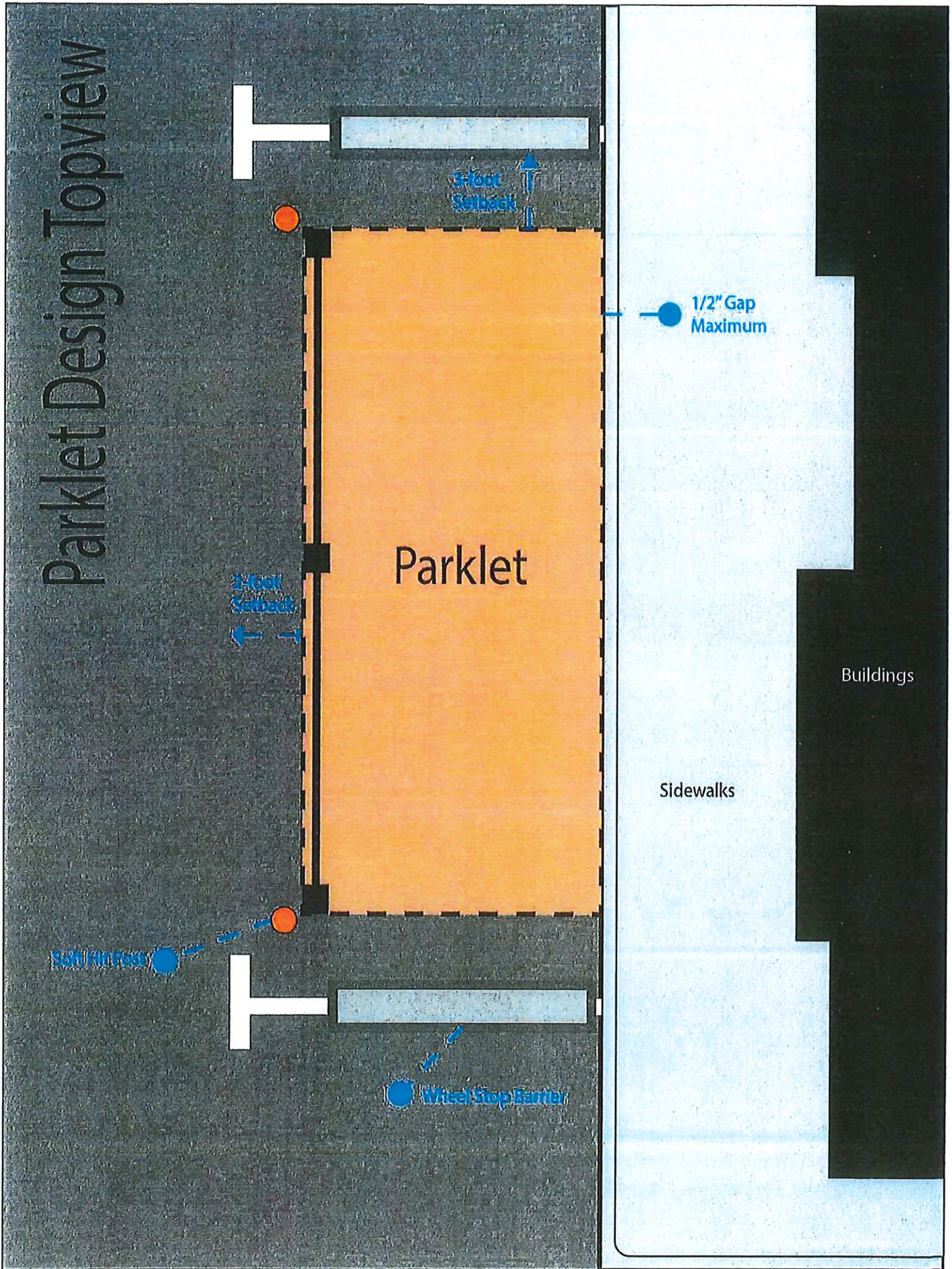
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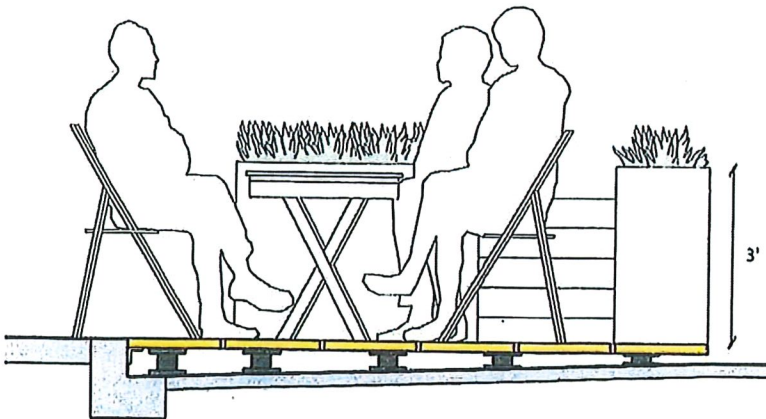
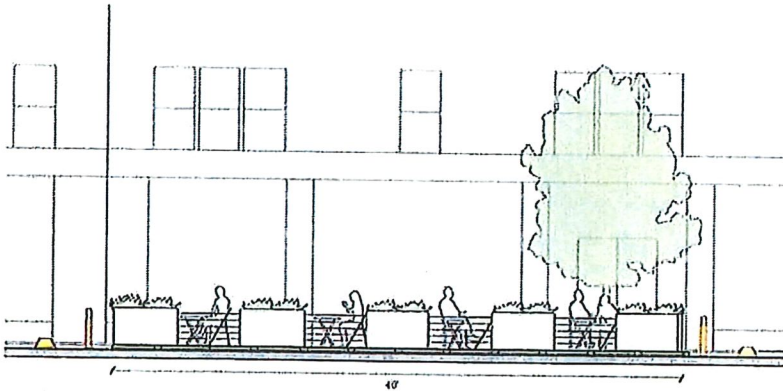
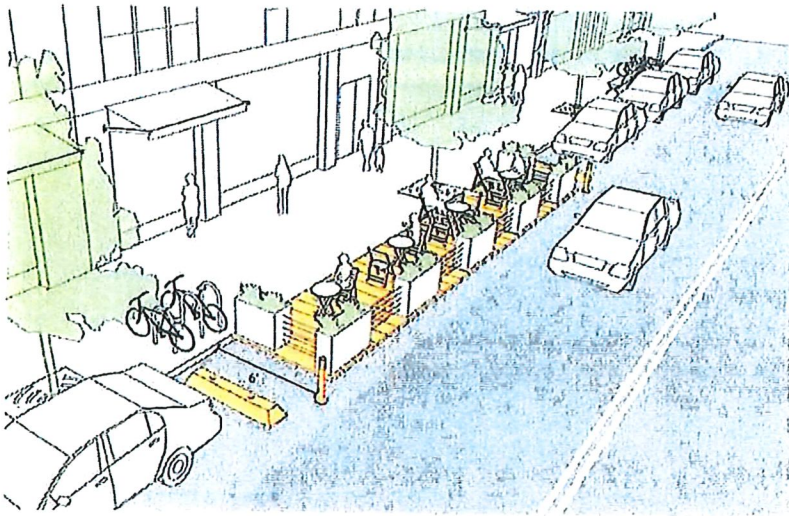
3rd Ave Street Closure



 Street_Closure_Boundary_Area

Parklet Design Topview





Parklet Example



PARALLEL EXAMPLE



PROJECT EXAMPLE





*Tim Dietman, Fire Chief
Sturgeon Bay Fire Department
421 Michigan St.*



American Planning Association
Making Great Communities Happen

September/October 2016

PAS MEMO

Parklets: Best Practices for Design and Implementation

By Anastasia Loukaitou-Sideris, PhD, and Madeline Brozen

During the 19th century, streets and sidewalks in America's central-city areas were vibrant social spaces hosting activities like street peddling, display of wares, and public speaking (Loukaitou-Sideris and Ehrenfeucht 2009). With the proliferation of the automobile in the 20th century, roads became the exclusive domain of vehicles, and even sidewalks progressively emptied of people and social activity (Blomley 2011). Now, however, a number of U.S. cities—San Francisco, Philadelphia, New York, and Los Angeles, among others—are seeking to reclaim some streets and sidewalks as public spaces.

Many urban areas suffer from a lack of public open space but have an overabundance of street pavement. Considering roads as public spaces presents an opportunity for decreasing a city's open space deficit. However, roads require modifications in order to operate as public spaces. Such modifications can take place at a small scale by converting sites formerly occupied by automobiles into places for people to enjoy.

Such ideas are behind the recent emergence and proliferation of *parklets*—settings that emerge from the low-cost conversion of small and underused residual spaces originally devoted to cars into places where people can enjoy passive or active recreation. Parklets present an opportunity for creating public open space through repurposing, redesigning, and modifying roadway spaces.

Given that parklets are a relatively recent phenomenon, there is limited guidance for cities wishing to initiate parklet projects. By examining case studies of cities with established parklet programs, this *Memo* identifies lessons learned and offers recommendations to cities and designers interested in reclaiming and converting residual roadway spaces into parklets.

The *Memo* first gives a brief overview of parklet evolution and precedents. It then examines parklet programs in selected North American cities and identifies their goals, challenges, design guidelines, and implementation. The last part of the *Memo*

presents policy recommendations and guidance for planners on how to implement parklets.

Parklet Evolution and Precedents

The idea of the parklet in its current expression emerged in San Francisco in the form of temporary installations intended to extend the social life and pedestrian space of the sidewalk into parking spaces. Temporary parklets first appeared in 2005, when Rebar, a San Francisco art and design studio, converted a single metered parking space into a temporary two-hour public park in downtown San Francisco. The parklet featured a "lawn" made of artificial turf, a shade tree, and a park bench.

This initial action developed into an ongoing national event known as "[Park\(ing\) Day](#)" (Rebar Group 2012). Every year on the third Friday of September, community groups and individuals in cities across North America and Europe transform parking spaces into a diverse array of urban parks for a day.

More permanent city-initiated efforts to increase the amount of public space mirrored the efforts of Park(ing) Day. In 2007, then-New York City Mayor Michael Bloomberg released [PlaNYC](#). This 30-year plan, [updated in 2011](#), included visionary goals such as "ensuring all New Yorkers live within a 10-minute walk of a park" and ways to "re-conceptualize and green our streets and sidewalks as public spaces" (City of New York 2011). Over the following year, the New York City department of transportation, under the leadership of Commissioner Janette Sadik-Khan, started to implement this strategy and in 2008 launched the [NYC Plaza Program](#), which included the conversion of Times Square into a pedestrian plaza. This program, which now includes both a "Plaza Program" and a "[Street Seats](#)" program for parklets, allows community nonprofit groups to propose the conversion of spaces for cars into spaces for pedestrians (NYC Department of Transportation 2012a).

During a visit to San Francisco, Mayor Bloomberg discussed his city's enthusiasm for creative public spaces and challenged

San Franciscans to initiate a similar program. In response, the City of San Francisco Mayor's Office, in partnership with other city agencies, implemented the first San Francisco pilot plaza project, Castro Commons, at the site of a triangular intersection on 17th, Market, and Castro streets. This effort was followed by five parklet installations that converted curbside parking spaces in 2010. In the years that followed, privately financed and installed parklets quickly multiplied in San Francisco.

The conversion of underused, residual automobile-oriented spaces into places to relax, recreate, or engage in the public life of the city is part of at least three broader trends in reshaping urban public space.

Use of Residual Space

There is a long tradition in public space design and implementation to leverage residual spaces into active public spaces or new community parks (Trancik 1986). These include roadway medians, spaces under bridges, traffic islands, roadway edges, freeway caps, and parking lots. These spaces are often valued for their availability because their "leftover" status does not require expensive acquisition or intense competition for their use. Approaches for the reclamation of residual spaces vary widely but typically require creative site-specific design solutions and engagement with the local community. Solutions tend to be long-term in intent and design, and may vary widely in scale. A successful example of reclaiming a residual space is the celebrated reuse of the High Line in New York City.

Tactical Urbanism

There is a growing interest across North America in creating or transforming public space with a "quicker, lighter, cheaper" ethos (Nordic Urban Design Association & Project for Public Spaces 2010). This trend has also been called "D-I-Y (do-it-yourself) urbanism," "guerrilla urbanism," or "pop-up urbanism." These terms reflect the small-scale, affordable, flexible, and often temporary nature of tactical urbanist interventions, as well as their accessibility and appropriateness for community or advocacy group-led projects. This use of temporary tactics allows for more affordable public space creation in an era of limited public resources, but also encourages experimentation and adaptation (Hou 2010).

Many tactical urbanism projects use pilot programs or interim uses to avoid lengthy bureaucratic approval processes. This enables cities or community groups to try public space interventions, see what works, and build a supportive constituency for a project. For more on this topic, see the September/October 2015 PAS Memo, "Harnessing the Power of Tactical Urbanism for Planning Success."

Car-Free Streets

The development of parklets also aligns with the trend to transform street space to pedestrian or other nonautomobile-centered uses. There is a broad spectrum of public space interventions within this category, including temporary or permanent street closures and conversion to spaces for walking and cycling, car-free days, and open streets initiatives, where

streets are closed to car traffic during specific hours and days (often during weekends) to enable biking and walking (Street Plans Collaborative and Alliance for Biking & Walking 2012). Although car-free spaces tend to be larger in than parklets, there is a common lineage in the concern for expanding pedestrian space in urban areas. Car-free streets range from permanent pedestrianization strategies to temporary closures that enable pedestrian or event use, such as car-free days during CicLAvia in Los Angeles, a one-day closure of downtown streets for cycling or other non-motorized uses.

Parklet Design and Implementation

Parklets are typically created by building a platform on the pavement to extend the sidewalk space (Figure 1) and retrofitting it with benches, planters, tables and chairs, umbrellas, and bike racks. Parklets vary based on the following characteristics:

- **Location:** Former parking spaces, street medians, traffic triangles, repurposed travel lanes and parking lots, or excess asphalt pavement at angled or irregular intersections.
- **Surrounding land uses:** Commercial (most frequently) or residential.
- **Size:** One or multiple parking spaces extending along the length of a block.
- **Shape:** Linear, square, rectangular, triangular, or irregular.
- **Duration:** Seasonal (usually during spring and summer) or year-round.
- **Type of activity:** Passive or active recreation.

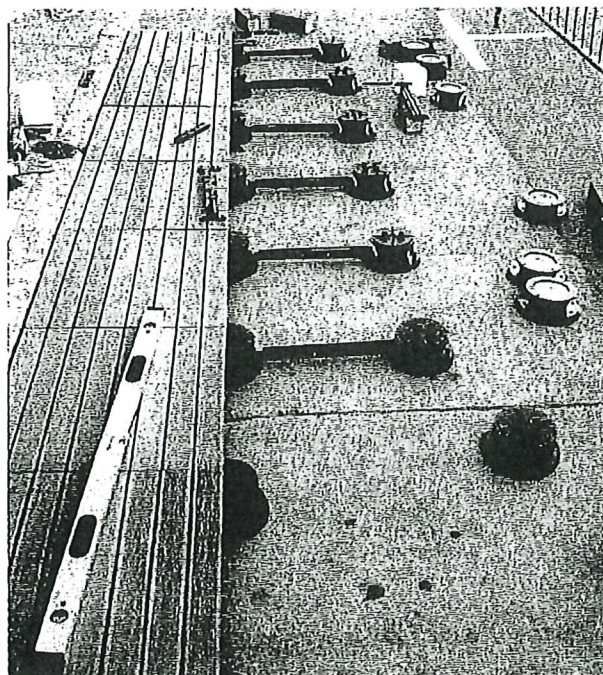


Figure 1. Platform Installation in San Francisco. Courtesy San Francisco Bicycle Coalition (sfbike.org).

To understand how parklets are designed and implemented, we examined programs in nine North American cities: Long Beach, Los Angeles, Oakland, and San Francisco in California; Minneapolis; Montreal; New York City; Philadelphia; and Vancouver, British Columbia. We conducted interviews with (1) public officials with experience in the development, implementation, and administration of parklet programs in North America; (2) community partners and business owners of establishments adjacent to specific parklets in the case study cities; and (3) designers of specific parklets in the case study cities.

The nine parklet programs display a number of commonalities as well as differences. In the following sections, we discuss the variety of their origins and goals, planning process and design guidance, design considerations, and evaluation methods.

Origins and Goals

Before installing their first parklets, most cities implemented pilot projects for converting street rights-of-way to public spaces. By beginning with a small number of pilot installations, cities were able to shape formal parklet programs and also determine which city departments and mechanisms were best equipped to implement such projects.

Additionally, selected pilot projects helped to generate positive interest from the public and decision makers for additional projects. Seeking projects that could be implemented quickly and with less municipal investments of time and funding, cities found that parking space conversions provided a number of advantages over larger plaza projects, including easier availability of sites, smaller scale, lower cost, shorter construction time, and opportunities for private participation and responsibility in the development and maintenance of parklets.

All nine cities sought to achieve similar goals with their parklet projects. A primary goal is to provide inviting public spaces for people. Parklets foster social interaction by providing spaces for people to linger, sit down, and converse, particularly in areas where existing sidewalks are narrow. An additional goal is to enhance streetscapes by converting dull pavement into landscaped, well-designed public spaces, which can help surrounding businesses. Overall, cities implementing parklets are working to increase livability by providing benefits to residents, businesses, community groups, and visitors.

One notable difference among cities is the level of public access to the parklets. The majority of cities examined make every effort to demonstrate that parklets are public space, requiring a sign on each installation denoting that the space is open to the public. In Montreal and Long Beach, however, it is up to the private business that maintains the parklet to allow the general public (in addition to the patrons of the business) to use the space.

Design Guidance

In all but a few cases, parklets are designed by outside architects and landscape architects rather than by in-house municipal staff. Nevertheless, most cities issue urban design guidelines that provide general guidance to designers and ensure

that parklet design is consistent to city standards. Some cities go as far as providing a specific kit of parts for designers to select from, as in the Los Angeles program. All programs require that the parklet installation must maintain curbside drainage.

Parklets are not appropriate for every street, and for this reason, cities also set safety requirements regarding allowable locations for installation. Design guidelines and placement requirements help to ensure that parklets are placed in appropriate contexts rather than along high-traffic major arterials. Most frequently, cities use speed limits to determine where parklets can be installed. Some cities use more specific requirements such as land-use type and proximity to other open spaces. Table 1 (p. 4) summarizes urban design guidelines for parklets in six cities.

Design Considerations

Three major considerations influenced parklet design in the cities interviewed: the surrounding land uses, the shape and size of the parklet, and the duration of the installation.

Surrounding land uses are an important consideration for site design. Most cities want parklets installed in areas where there is a demand for pedestrian amenities. Parklets in commercial areas are the most common and have the greatest design diversity.

Ensuring the public nature of these installations is an important consideration. This includes designing an open edge from the sidewalk into the parklet and using distinctly different seating from those of the adjacent businesses. Conversely, parklets designed in residential areas must provide space for people to sit in ways that do not constitute nuisances to adjacent residences (e.g., noise, public sleeping).

The shape of the site also drives the design process. The most commonly used sites are curbside parking spaces. These sites are usually designed with a fairly standard format of landscaped edges, a railing, and installed benches or movable seating. Parklets can expand upon this standard format, as demonstrated by San Francisco designs; one such installation focuses on landscaping and creating immersive seating areas (Figure 2, p. 5), while another uses the railing to double as a stand-up bar (Figure 3, p. 5).

Diagonal parking spaces can be more advantageous than parallel spots because they provide a larger area for the parklet. The larger the site, the more opportunity for creative design, including using travel lanes or connecting traffic triangles or pedestrian refuges to the adjacent sidewalk.

A third major consideration in the design process is the duration of the installation, which can range from a single day to permanent. Park(ing) Day installations feature one-day parklets, with community groups bringing portable materials such as fabric, tables, and plastic chairs into a site. Such installations often serve as an inspiration for a more permanent construction.

New York City, Minneapolis, and Philadelphia host seasonal parklets that have simplified designs, are not bolted into the roadbed, and are disassembled and stored during the harsh winter months (Figure 4, p. 5). In contrast, San Francisco's parklets are installed year-round, are lightly bolt-

Table 1. Parklet Design Guidelines in Select Cities

City	Size	Street selection guidelines	Wind/Visibility	Barriers	Engineer's stamp requirement
Los Angeles	6' wide and 32' long, generally. Applicants can request parklet sites from 1 to 4 parking spaces in length.	25 mph or less. Streets with 30 or 35 mph speed limit may be considered on a case-by-case basis and additional 5' buffer between parklet and nearest vehicular travel lane may be required	Applicants can select from multiple 42" tall perimeter treatment options from "kit of parts" including low planter with steel and wood railing or diagonal slat perimeter in wood or steel	4' distance from parklet to wheel stop in front and back, 2 fiberglass planters with retroreflective tape between parklet and back wheel stop and 2 flexible posts	Yes
Minneapolis	May not exceed 32' in length, 1/2" max gap between parklet and curb, and no wider than 6'	Commercial corridor, 30 mph or lower speed limit, 20' from intersection	Must have vertical elements to be visible to passing vehicles; must include a continuous physical barrier along the three street edges; must maintain clear, unobstructed sightlines to and from the street	Wheel stop 4' from parklet, flexible bollards 7' from curb, both provided by the city	No
New York City	6' width, as flush to the curb as possible; at a minimum 12' must be flush with sidewalk. Standard design is 20' long	Active corridors, close to transit with narrow sidewalks and/or lack of open space	Should have vertical elements so that it is visible from vehicles; 3' tall perimeter treatment or deck planters	DOT assesses site to determine safety improvements: traffic markings, flexible bollards, and wheel stops may be installed	Yes
Oakland	6' width for parallel parking, 15' from the curb line where there is diagonal parking, at least one parking space away from a corner with certain exceptions allowed, decking is flush with the curb and has gaps no greater than 1/2"	Speed limit of 25 mph or less (consideration may be given to other streets on a case by case basis) with parking lanes. Site must not have cross slope exceeding a 2% grade	A portion of the parklet edges should be visually permeable. Planters, railing, cabling or a combination at least 42" above the parklet deck required along roadway with openings that do not allow larger than a 4" sphere to pass through.	4' distance from parklet to wheel stop; 3' wheel stop installed 1' from curb; reflective soft hit posts	Yes
Philadelphia	6' width, as flush to the curb as possible with no more than 1/2" gap from curb, 1–2 parking spaces but longer and shorter sites considered	25 mph maximum speed limit, generally in commercial corridors; should not be located in front of establishments that serve alcohol; not recommended for streets with historic paving materials; 20' from marked crosswalk, 32' from corner without crosswalk	Should have some vertical elements but not obstruct driver views; must be constructed with light-colored or reflective materials. Should be stable under wind loads of 80 mph with open guard rails. No wall or rail may be higher than 3'.	Must have reflective soft hit posts and may have wheel stops installed 4' from curb	No
San Francisco	6' width, flush with curb (1/2" gap maximum). 17" side buffer. 80" min overhead.	25 mph or less and away from corner. Parklets on streets with speed limits over 25 mph may be considered on a case-by-case basis.	Visually permeable outside edge; railing may be required	Wheel stop 4' from end of parklet front and back	No

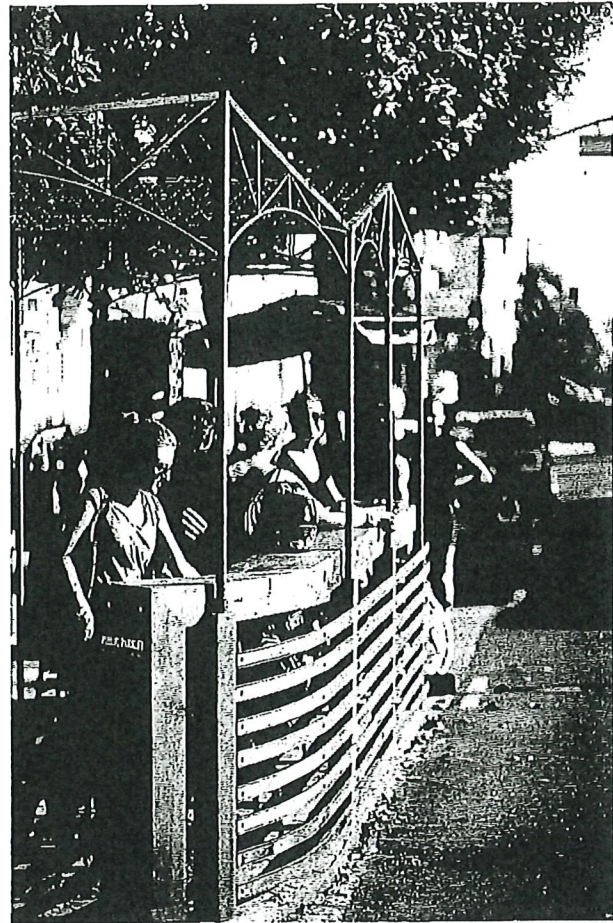
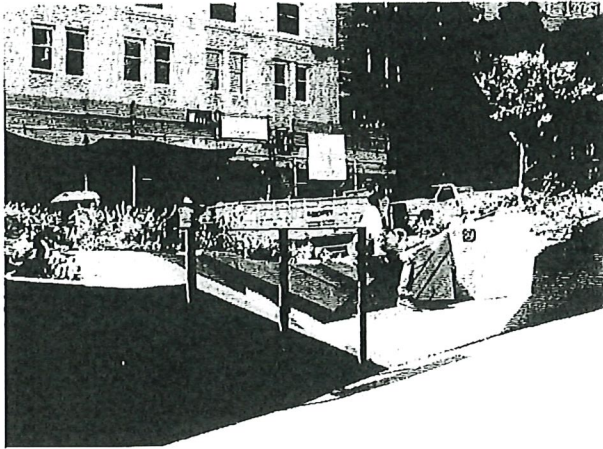


Figure 2 (Left top). Landscape-focused parklet. Courtesy San Francisco Planning Department; Figure 3 (right). Safety railing doubling as stand-up bar, San Francisco. Courtesy Bruce Damonte Photography; Figure 4 (Left bottom). Simplified parklet design in Minneapolis for storage during winter months. Courtesy Madeline Brozen.

ed into the roadway, and require a yearly permit renewal. The lifespan of these year-round installations has yet to be determined, as most projects have existed for less than three years as of this writing.

Projects with the longest duration are permanent parklets that often require pouring concrete to create a lasting structure. These more permanent projects require coordination among city departments, and the processing of their permits often takes much longer. Overall, the duration of the installation influences the selection of materials, type of construction, and design.

Permitting

For parklet projects, cities create general design guidelines and review plans in order to grant permits, but once the project is approved, the installation, maintenance, and liability insurance are the responsibility of the permit holder. This differs from traditional municipally driven projects in the public right-of-way. The liability (in the range of \$1–3 million) for the parklet lies with the property or business owner, who must also handle

all maintenance concerns with a maintenance agreement in place (Table 2).

Only half of the case study cities require submitted parklet designs to have a licensed engineer's stamp. Staff in cities not requiring a stamp on designs believe that such a stipulation is costly and a barrier for community organizations wanting to create a parklet. Cities that require the stamp do so because of safety concerns. Regardless of whether a stamp is required, the purpose of design guidelines is to ensure that parklet design meets certain safety considerations.

When submitting a parklet design, applicants typically pay a permit fee ranging from \$75 to \$1,300. This fee pays for the city to review the design plans, inspect the site before and after installation, and ensure basic safety precautions. Cities typically require wheel stops and other safety features to protect the sites from being damaged by adjacent cars and flexible bollards delineating the parklet edge in the street. Some cities provide wheel stops and flexible bollards to community partners, while others do not. Table 2 summarizes selected characteristics of the nine parklet programs.

Table 2. Selected Characteristics of Municipal Programs

<i>City</i>	<i>Current number of sites (2016)</i>	<i>Departments Involved</i>	<i>Permit Required and Cost</i>	<i>Insurance/Liability</i>	<i>Duration</i>
<i>Long Beach</i>	4 with 1 in construction	Department of Public Works with approvals from Department of Water and Power, Department of Traffic and Fire Department	\$819 with yearly renewal	Between \$1–2 million liability coverage	Year-round
<i>Los Angeles</i>	5	Department of Transportation with permit Issued by Department of Public Works Bureau of Engineering, Bureau of Contract Administration Inspect site after installation to verify site was installed to approved specifications	"A" permit \$273 base fee (exact fee may vary depending on size and shape of parklet) plus inspection fee of \$85/hr with 8 hr. minimum	\$1 million general liability insurance	Year-round
<i>Minneapolis</i>	8	Department of Public Works and Department of Community Planning and Economic Development	Encroachment Permit (\$75 non-residential fee), Land Use/Obstruction Permit during construction	\$1 million general liability insurance	Spring–October 31
<i>Montreal</i>	90 (approximate as of 2012)	Department of Public Works	\$600 for application; \$7,625 fee with parking meters; \$2,207 fee without parking meters	\$2 million	April to October
<i>New York City</i>	9	Department of Transportation	Application required but no fee charged	\$1–3 million depending on size	March 1 until December 15
<i>Oakland</i>	7 sites installed, 10 additional sites permitted	Planning Department with reviews and approvals from Department of Public Works	\$1,300 permit fee; \$127 yearly renewal/inspection fee	\$1 million in general liability insurance	Year-round; applicants must renew yearly
<i>Philadelphia</i>	6	Deputy Managing Director's Office of Transportation & Infrastructure with design review by Streets Department and permit issued by Department of Licenses and Inspection	Pedestrian Enhancement Permit renewable for up to three years, \$125 each year	Permittees must have workers compensation and employers liability, general liability insurance automobile liability insurance, all at \$1M per occurrence	April–November
<i>San Francisco</i>	47	Department of City Planning and coordination with Department of Public Works, and SF Municipal Transportation Agency	\$258 for new application; does not include SFMTA processing or meter removal fee; must renew permits yearly	\$1 million	Year-round
<i>Vancouver</i>	21	Engineering Department's Street Activities Branch	\$200 review fee; \$1,000 program cost recovery fee; \$200 for site inspection before and after installation; \$125 to remove each parking meter; \$500 annual renewal fee	Commercial general liability insurance with at least a \$2 million limit	Year-round

Post-Implementation Evaluation of Parklets

All cities studied found their programs to be successful. The parklet programs created new spaces for people using innovative treatments of the street right-of-way. While not every city has conducted a formal post-occupancy evaluation, the data that exist (San Francisco Great Streets Project 2010; New York City Department of Transportation 2012b; Loukaitou-Sideris et al. 2013) along with anecdotal evidence suggest that both users and sponsors are responding positively to parklets and demanding more of them. In San Francisco, the city received over 100 applications during a request for proposals. In fact, demand for parklets is so significant that the city is harboring concerns about their saturation in particular neighborhoods and the demand on city resources to review proposals and issue permits.

According to a San Francisco report (Street Plans Collaborative and Alliance for Biking & Walking 2012), parklets help generate foot traffic in commercial areas, thus increasing the number of customers for local businesses. These results mirror experiences in other cities. Pedestrians on a street hosting two parklets in downtown Los Angeles increased after their installations, and people were more likely to walk on the side of the street that had the two parklets (Loukaitou-Sideris et al. 2013).

Philadelphia boasts that its parklets boosted the revenue of adjacent business by nearly 20 percent (Philadelphia Mayor's Office of Transportation and Utilities 2012). Parklets in Long Beach have contributed to two full-time and four part-time jobs in adjacent restaurants (Loukaitou-Sideris, Brozen, and Callahan 2012). A survey administered by the City of Vancouver found that 60 percent of residents viewed parklets as a community asset, regardless of whether or not they had spent time there. These results indicate positive public sentiments for the projects (Vancouver 2015).

Challenges and Responses

One challenge for parklets is their typical location on city streets, with different municipal agencies having jurisdiction within the right-of-way. Coordination among the different departments, including city planning, transportation, and public works, during the permitting and installation process can be problematic at times, so having one lead agency is preferable for parklet planning and implementation processes. In the cases of San Francisco and Philadelphia, the lead agency is the mayor's office. In Oakland and Vancouver, it is the city planning department, while the department of transportation is the lead agency in New York City. San Francisco's program began in the mayor's office, but the program is now housed in the city planning department, demonstrating that lead agency roles can change over time.

Permits are the mechanism through which cities exercise control by creating a standard framework for ensuring the safety of parklet installations in the public right-of-way. But at the outset of parklet pilot projects most cities lack an institutionalized permitting process due to their innovative nature, and this can pose a challenge. Some cities have used street closure or minor street encroachment permits to pilot

their initial parklet installations, while simultaneously working to revise their municipal code for the creation of a standard parklet permit. In some cases, such as in New York City, a permit is not required, but rather an interested party can apply for permission to install a parklet through the city's parklet program. A city's permit strategy largely depends upon the local context, but viable options include piloting through an existing permit, as done in Los Angeles; modifying municipal code to create a parklet-specific permit, as seen in Oakland; or moving forward without a permit, as is the case in New York City.

Lastly, financial challenges face individuals and community groups hoping to sponsor parklets. Though the cost, which typically ranges from \$15,000 to \$70,000, is relatively modest for a road project, it may be beyond the means of local groups. Additionally, the local sponsor has to have the ability to take on \$1–3 million of insurance and should be able to maintain the parklet.

Implementing Parklets: Guidance for Planners

The concept of parklets has caught on quickly because it provides a low-cost and innovative way to reclaim residual and underutilized road spaces. Planners must understand a variety of considerations when working with community partners to create a welcoming, well-used, and unique place in the right-of-way.

The following is a list of policy recommendations based on the lessons learned from our case studies:

- *Identify residual spaces in priority areas.* Not all sites or all neighborhoods are appropriate for parklets. Parklets work well where there is a certain level of foot traffic, where automobile traffic is low-speed, and where there are surrounding establishments that can provide a level of natural surveillance. City planners can develop an inventory of residual spaces in priority areas (with low amounts of open space) that fit these criteria and encourage their conversion into parklets.
- *Encourage variety in parklet design.* Parklets can be functional and aesthetic assets for cities, especially if they demonstrate unique and innovative architectural and landscape designs. Planners should encourage innovation and experimentation in design. While no two parklets should look alike, providing a "kit" of parklet parts to interested community groups and allowing them to creatively mix them up may provide necessary guidance to groups not familiar with design. Design competitions or charrettes may produce a rich inventory of parklet design ideas.
- *Tailor design to community needs.* Depending on community needs and the character of the surrounding area, parklets may facilitate passive or active recreation, offer age-specific activities (young children, senior citizens, etc.), and incorporate neighborhood-specific cultural and landscape elements in their design.
- *Provide urban design guidelines.* Design guidelines

Further Resources for Parklet Design and Implementation

These helpful resources offer further guidance on parklet programs and more information on the programs in the cities featured in this article.

General Guidance

Reclaiming the Right-of-Way: A Toolkit for Creating and Implementing Parklets. This toolkit provides detailed guidance for creating parklets from the conversion of parking spots and other underutilized spaces for cars into places for people.

Reclaiming the Right-of-Way: Evaluation Report. This report provides a comprehensive evaluation of two parklets in downtown Los Angeles and a methodology of how to conduct such evaluations.

Boston

City of Boston Parklet Evaluation Report. Evaluation of four city parklets provides findings from the city's pilot parklet program and recommendations for parklet implementation and future evaluation.

Long Beach, California

Long Beach Guidelines and Conditions for Temporary Sidewalk Extension, or "Parklet." This one-page sheet lists the City of Long Beach guidelines and conditions for applicants wishing to install parklets.

Los Angeles

"People St. Parklets." This City of Los Angeles website includes useful information, links to applications for parklets, and a technical appendix with detailed parklet drawings.

People St. Kit of Parts for Parklets. A kit with parklet parts and configurations that are preapproved by the city.

Minneapolis

Minneapolis Parklet Application Manual. This document includes guidelines and conditions for applicants in Minneapolis wishing to install parklets.

New York

New York City "Street Seats." Program information for the city's parklet program. Includes links to *application to install a Street Seat* and *maintenance agreement*.

2011 Pilot Program Evaluation Report: Curbside Public Seating Platforms Sponsored by Local Businesses. This report by the NYC Department of Transportation evaluates New York's pilot parklet program.

Oakland

City of Oakland Notice of Parklet Opportunity, Applications for Proposal. This document includes the City of Oakland's guidelines and conditions for applicants wishing to install parklets.

Philadelphia

City of Philadelphia Parklets: Guidelines and Application. This report includes guidelines for placement, design, and operation for parklets in Philadelphia.

San Francisco

San Francisco Parklet Manual, Version 2.2. This manual compiled by the San Francisco Planning Department details the goals, policies, processes, and guidelines for creating parklets in San Francisco.

San Francisco Citywide Assessment of Parklets and Plazas. A summary of data collected for a summer 2014 public life study.

- should not stifle parklet design and experimentation, but must ensure that appropriate safety standards are met.
- *Streamline the permitting process.* Part of the appeal of parklets is that they are relatively easy to plan and install. Planning agencies should ensure that the permitting process is simple and low-cost. At the same time, permits should be renewed annually, giving cities the opportunity to monitor operation and maintenance.
- *Designate a lead staff person and public agency.* While various public departments have jurisdiction over city streets, it is essential that a particular city agency (and ideally a particular staff person) takes the lead in coordinating and streamlining the parklet planning and installation process.

- *Streamline maintenance requirements.* Cities should make the expected levels of maintenance very clear to parklet sponsors and keep a watchful eye to guarantee that all maintenance requirements are met.

Conclusion

Currently, excitement about parklets is spreading across North American cities. Parklets are re-imagining small portions of the urban landscape from ordinary car-storage spaces into beautiful public space assets for urbanites to enjoy. If successful, the parklet "movement" will reclaim underutilized roadway spaces, converting them to meaningful social places.

About the Authors

Anastasia Loukaitou-Sideris is a professor of urban planning and urban design at the UCLA Department of Urban Planning. Her books include *Urban Design Downtown: Poetics and Politics of Form* (1998), *Jobs and Economic Development in Minority Communities* (2006), *Sidewalks: Conflict and Negotiation over Public Space* (2009), *Companion to Urban Design* (2011), and *The Informal City: Beyond Taco Trucks and Day Labor* (2014).

Madeline Brozen is an associate director of the Lewis Center for Regional Policy Studies and the Institute of Transportation Studies at the UCLA Luskin School of Public Affairs. In addition to overseeing external affairs at these centers, Brozen conducts research about cycling, walking, and open space. Recent research includes "Placemaking for an Aging Population: Guidelines for Senior Friendly Parks," "Heightening Walking above its Pedestrian Status: Walking and Travel Behavior in California," and evaluating open streets efforts in Los Angeles. Brozen is a board member for the Association of Pedestrian and Bicycle Professionals and is active in the Transportation Research Board.

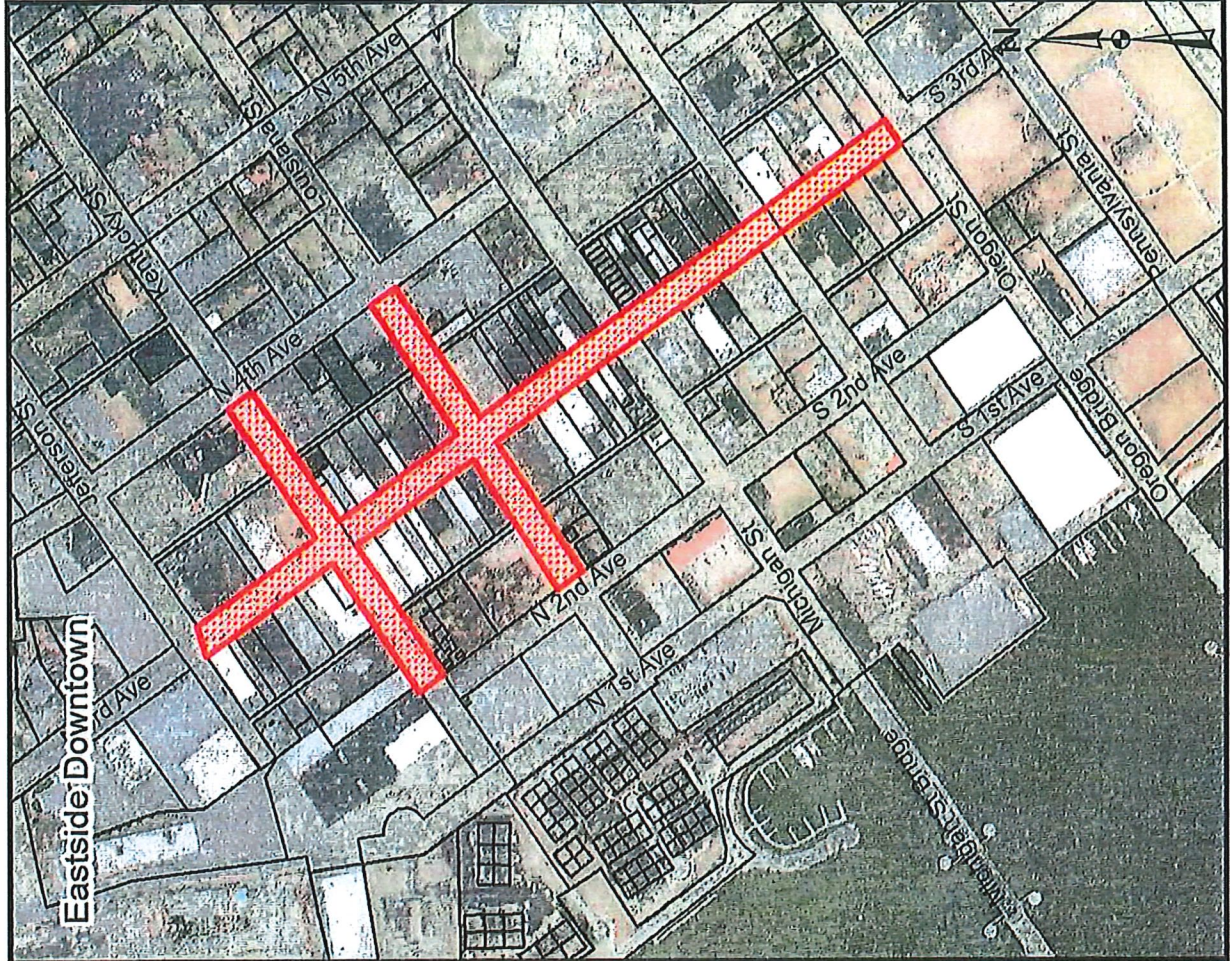
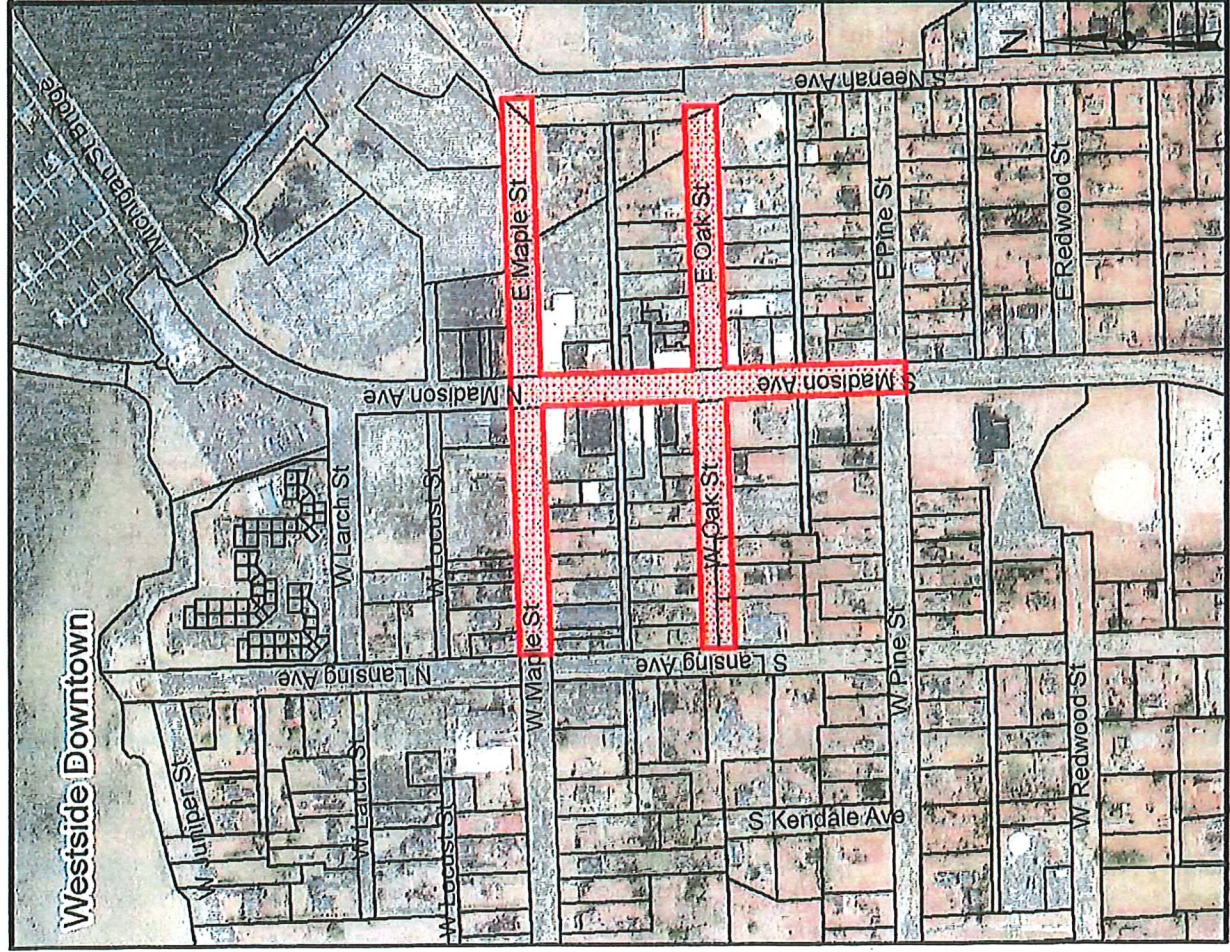
References and Resources

- Blomley, N. 2011. *Rights of Passage: Sidewalks and the Regulation of Public Space*. London: Routledge.
- CicLAvia. www.ciclaviala.org/
- Friends of the High Line. n.d. "Visit the High Line." www.the-highline.org/visit
- Hou, J. 2010. *Insurgent Public Space: Guerrilla Urbanism and the Remaking of Contemporary Cities*. New York: Routledge.
- Loukaitou-Sideris, A., and R. Ehrenfeucht. 2009. *Sidewalks: Conflict and Negotiation over Public Space*. Cambridge: MIT Press.
- Loukaitou-Sideris, A., M. Brozen, and C. Callahan. 2012. *Reclaiming the Right-of-Way: A Toolkit for Creating and Implementing Parklets*. Los Angeles: UCLA Luskin School of Public Affairs. innovation.luskin.ucla.edu/sites/default/files/parklettoolkit.pdf
- Loukaitou-Sideris, A., Brozen, M., Ocubillo, R.A. Ocubillo, K. 2013. *Reclaiming the Right-of-Way: Evaluation Report*. Los Angeles: UCLA Luskin School of Public Affairs. www.its.ucla.edu/wp-content/uploads/sites/6/2014/06/parkletassessment.pdf
- New York (New York), City of. 2007. *PlaNYC: A Greener, Greater New York*. www.nyc.gov/html/planyc/downloads/pdf/publications/full_report_2007.pdf
- New York (New York), City of. 2011. *PlaNYC Update April 2011*. www.nyc.gov/html/planyc/downloads/pdf/publications/planyc_2011_planyc_full_report.pdf
- New York City Department of Transportation. 2012a. *NYC Plaza Program Application Guidelines*. NYC Plaza Program. www.nyc.gov/html/dot/downloads/pdf/plazas_guidelines_2012.pdf
- New York City Department of Transportation. 2012b. *Curbside Public Seating Platforms Sponsored by Local Businesses 2011 Pilot Program Evaluation Report*. www.nyc.gov/html/dot/downloads/pdf/curbside-seating_pilot-evaluation.pdf
- New York City Department of Transportation. 2016. "Street Seats." www.nyc.gov/html/dot/html/pedestrians/streetseats.shtml
- Nordic Urban Design Association and Project for Public Spaces. 2010. *Waterfront Synopsis 2010 Summary Report*. http://pps.org/pdf/WFS_SUMMARY_REPORT_2010.pdf
- Philadelphia (Pennsylvania), City of, Mayor's Office of Transportation and Utilities. 2012. *Parklet Development Program RFP*. <http://phillymotu.files.wordpress.com/2012/05/parklet-grant-rfp.pdf>
- Rebar Group. 2012. "About Park(ing) Day." parkingday.org/about-parking-day/
- San Francisco Great Streets Project. 2010. *Divisadero Trial Parklet Impact Report*. http://nacto.org/docs/usdq/divisadero_trial_parklet_impact_report_pratt.pdf
- Showalter, Sarah, and Steven Chester. 2015. "Harnessing the Power of Tactical Urbanism for Planning Success." *PAS Memo*, September/October. www.planning.org/pas/memo/2015/sep/
- Street Plans Collaborative and Alliance for Biking & Walking. 2012. *The Open Streets Guide*. <http://peoplepoweredmovement.org/site/images/uploads/Smaller%20Open%20Streets%20Guide%20Final%20Print-4-27-12.pdf>
- Trancik, R. 1986. *Finding Lost Space*. New Jersey: John Wiley & Sons, Inc.
- Vancouver (British Columbia), City of. 2015. *Parklet Pilot Program: Monitoring Summary Report*. Viva Vancouver. <http://vancouver.ca/files/cov/monitoring-summary-report.pdf>

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Boundary_Area



Subject: RE: Parklet Pilot Program

I would recommend that the parklets be used only for diverting sidewalk traffic around a business that is allowed to utilize the existing concrete sidewalk for dining and seating. This takes the sitting customer out of the street and at the business where servers do not have to cross through the general walking traffic. Also the walking traffic are going to be more alert to traffic conditions then someone sitting with their backs to the vehicle traffic.

I would recommend that the Parklet construction be of treated lumber with joist support framed parallel to the street to accommodate water run-off. Floors should be rated at 100 lbs/sq. ft. to support either seating or walking traffic (1/2" ply at 16" O.C. maximum, 3/4" ply at 24" O.C. maximum, all panel edges blocked. Deck boards – 1" at 16 O.C. maximum, 1 1/2" at 24" spacing maximum). The floor surface should be screwed to the support joists and not nailed to prevent any nail heads working back up to trip or cut someone. Screws should be rated for use with treated lumber. Any barriers or guard rails should meet a 200 lb lateral force and be at least 36-42 inches high above the walking surface. If using cables at guardrails, the spacing between cables should be no more than 4 inches.

Brett Temme
Municipal Inspector
Door County Inspections LLC
Brett@doorcountyinspections.com
(920) 495-1863

Subject: Parklets

Brett,

My recommendation for these would provide the Parklets to the business as a pass by and allow the business to use the entire sidewalk for their business. The primary reason would be maintaining and providing safety to the patrons. While there could be rails and parking curbs around the Parklets, reasonable safety cannot be achieved by doing so without some sort of large protection. While this idea does also have the potential for someone to drive into or go into the Parklets it would not be utilized as a dining or drinking area thus be used far less. The Parklets I envision is pictured below, it would allow for the walking public to go around the patrons and allow for temporary seating. The bench could be positioned to keep the people in a safer location and allow for some sort of greens to block both vision and odor from passing vehicles. The style below could be the single allowed unit to be used ensuring they are all built identically to code and provide the largest amount of protection.

If this idea is not acceptable I believe building standards shall be incorporated and inspections shall be completed for code compliance before any use. Meaning, handrails, load ratings, crash protection on each end of a concrete barrier/jersey barrier, no patio heaters unless on a non-combustible surface with proper clearance including 5 ft. radius around the heater portion. These are my thoughts and I would like to hear yours so we can submit this back to Marty and Chris in the next day if possible. I did hear they are planning a Parking & Traffic Mtg for next Tuesday which this will be talked about.

<image003.png>

Tim Dietman, Fire Chief
Sturgeon Bay Fire Department
421 Michigan St.
Sturgeon Bay, WI 54235
920-746-2405 Office
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tdietman@sturgeonbaywi.org



Addendum

To: Parking and Traffic Committee
From: Christopher Sullivan-Robinson
Date: May 22, 2020
Subject: Parklet Pilot Program

There have been a number of items brought up by City staff to either include or revise the parklet pilot program. Please see the comments below:

Building Inspector: Recommends the parklets be used only for diverting sidewalk traffic around a business that is allowed to utilize the existing concrete sidewalk for dining and seating. This takes the sitting customer out of the street and at the business where servers do not have to cross through the general walking traffic. Also, the walking traffic are going to be more alert to traffic conditions then someone sitting with their backs to the vehicle traffic.

He recommends that the parklet construction be of treated lumber with joist support framed parallel to the street to accommodate water run-off. Floors should be rated at 100 lbs / sq. ft. to support either seating or walking traffic (1/2" ply at 16" O.C. maximum, 3/4" ply at 24" O.C. maximum, all panel edges blocked. Deck boards – 1" at 16 O.C. maximum, 1 1/2" at 24" spacing maximum). The floor surface should be screwed to the support joists and not nailed to prevent any nail heads working back up to trip or cut someone. Screws should be rated for use with treated lumber. Any barriers or guard rails should meet a 200 lb. lateral force and be at least 36-42 inches high above the walking surface. If using cables at guardrails, the spacing between cables should be no more than 4 inches.

My Comments: The current intended use is for dining, retail, and passive leisure. However, if the committee believes that parklets would be better used as walkways, the language can be changed. In addition, these construction specifications can be included under parklet design section.

Fire Chief: From a safety standpoint, parklets should be used primarily to divert pedestrian traffic around outdoor dining / sitting areas. The Police Department, Fire Department, Building Inspector, City Engineer, Community Development, and Municipal Services Department should be identified in the application review process as having to review and sign off on the application before the permit is granted. Wheel stops should be replaced with jersey barriers. In the event of a collision a wheel stop will not protect a parklet. Construction specifications should be included as described by the building inspector. Parklets should not have outdoor heaters.

My Comments: Wheel stops are commonly used with parklets to create a clear separation between the parklet and actively used parking spaces. This is not intended to be used a

protection from through traffic. Jersey barriers are commonly used in construction zones and are not very attractive to the downtown area.

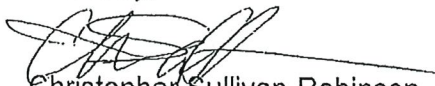
With regard to the review process. The pilot program identifies that various City departments must review the application. Specific departments can be identified in the review process and / or signature lines can be added to the application by department.

Police Chief: Agrees with the Fire Chief and Building Inspector that these should be used for walkways. After a parklet is installed, what happens if there is a falling-out between the applicant and neighbor? Will there be an appeal process?

My Comments: Neighbors and / or surrounding property owners would have an opportunity to oppose the parklet during the application process. If the applicant does required support from either the neighbor or property owners on the block, then the application will be denied. Once an application is granted, there is no appeal process. If the committee believes there should be an appeal process, one can be added.

I have also included the APA Parklet Best Practices Informational. If you have any questions, feel free to reach out.

Sincerely,



Christopher Sullivan-Robinson
Planner / Zoning Administrator

Resolution No. _____

A Resolution Establishing a Parklet Pilot Program for the City of Sturgeon Bay

WHEREAS, the City of Sturgeon Bay seeks to provide support for local retail and dining establishments affected by limitations and / or guidelines set forth by regional and state health agencies with regard to the 2020 Covid-19 Pandemic, and

WHEREAS, the City of Sturgeon Bay's goals and objectives in the 2010 Comprehensive Plan identify the need for continued enhancement and improvement to the quality of life for citizens through the provisions of quality community facilities and services; achieve economic prosperity by maintaining and enhancing the diversity of commercial and tourism related uses; and

WHEREAS, parklets are the temporary conversion of on-street parking spaces to provide retail, dining, pedestrian and passive park uses; and

WHEREAS, parklets have been identified as a good opportunity to enhance the downtown business districts within the City of Sturgeon Bay; and

WHEREAS, parklets are a means of differentiating Sturgeon Bay from other peninsula communities by providing a unique and new experience; and

WHEREAS, section 8.06(2) of the Sturgeon Bay Municipal Code authorizes the city council to permit encroachments into streets and sidewalks; and

WHEREAS, standards for a parklet pilot program has been created that specify, among other things, standards for the location, design, maintenance, and application procedures for parklets.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Sturgeon Bay, that the City of Sturgeon Bay Parklet Pilot Program is approved; and

BE IT FURTHER RESOLVED that the establishment of parklets that comply with the standards and procedures of the City of Sturgeon Bay Parklet Pilot Program is an exception to the prohibition of obstructions and encroachments of streets and sidewalks under s. 8.06(2)(d) and (e); and

BE IT FURTHER RESOLVED that this resolution shall expire on October 15, 2020.

Sturgeon Bay – Parklet Pilot Program

The Sturgeon Bay parklet pilot program provides an opportunity for businesses in the downtown area to expand their operations into the public right-of-way by temporarily converting on-street parking spaces into seating areas, merchandise display areas, and similar uses. Alternatively, the program allows the parking spaces to be converted to walkway so that the original sidewalk in that specific area can be used for business use. This concept has been successfully used in other communities in Wisconsin and across the country. The facilities within the on-street spaces are commonly called parklets. The parklets are to be designed and constructed to ensure the safety of users, prevent disruption of vehicular traffic, and maintain the proper flow of storm water. Specific standards are provided in this manual.

Applicable Area:	<p>Parklets under this program are permitted along the following streets:</p> <ul style="list-style-type: none">• 3rd Ave between Oregon Street and Jefferson Street• Louisiana Street between 2nd Ave and 4th Ave• Kentucky Street between 2nd Ave and 4th Ave• Madison Ave between Maple Street and Pine Street• Maple Street between Lansing Ave and Neenah Ave• Oak Street between Lansing Ave and Neenah Ave.
Eligibility:	<p>Property owners and tenants having frontage on the streets identified in the applicability section are eligible to install parklets.</p>
Duration:	<p>June 15 through Oct 15. All parklets shall be removed by October 15th.</p>
Location of Parklets:	<p>Along streets with on-street parking spaces designated by painted lines, a business or property owner may only create a parklet within an on-street parking space that is wholly or partially within the business's or property owner's street frontage. Along streets without defined on-street parking spaces, the parklet shall be located entirely within the legal on-street parking area along the street frontage directly adjacent to the business or property owner.</p>
Number Permitted:	<p>A business may establish one parklet on each street abutting that business.</p>
Size of parklets:	<p>Along streets with on-street parking spaces designated by painted lines, each parklet shall be confined to either one on-street parking space or two consecutive parking spaces. Along streets without defined on-street parking spaces, the length of the parklet shall not exceed 32 feet.</p>
Support of Neighbors:	<p>If the parklet extends beyond the business's frontage, then written support from the other property owner(s) that directly abut the parking space is required. If the parklet consists of two consecutive on-street parking spaces, then written support from 51% of the fronting properties on the block is required.</p>

Allowed Uses: The parklet may be used for accessory retail or dining uses as well as public leisure uses such as benches. Use of the parklet and/or adjoining sidewalk area shall comply with the Sturgeon Bay sidewalk cafe policy. Smoking? Parklet must remain available to the public with not in use by the business and outside normal business hours.

Maintenance: The applicant is responsible for keeping the parklets and surround area clean whether the business is opened or closed. Removal of garbage and recyclables is also the responsibility of the applicant. The parklet must be maintained in good repair.

Parklet Design: The following specific standards shall be met:

1. Along streets with parking spaces designated by painted lines, parklets shall be set back at least 2 feet from side of the parking space adjoining the travel lane. Along streets without defined on-street parking spaces, the parklet shall not extend more than 6 feet beyond the curb.
2. On streets with parking spaces designated by paint lines, parklets shall be set back at least 3 feet from the edge of another adjoining parking space.
3. The parklet must be set back at least 15 feet from intersecting streets, driveways, and alleys unless protected by a sidewalk bump-out.
4. The parklet shall be located at least 15 feet from a fire hydrant.
5. The parklet platform shall be flush with the top of curb and have a gap no greater than 1/2" between the curb and parklet.
6. Parklets shall be required to have reflective tape, soft hit posts, and ~~depending on the proposed location, may also require~~ edging such as planters, railing or cables. Any edging shall be visually permeable above a height of 3 feet from the street surface. If cables are used, vertical spacing between cables may not exceed 6".
7. Wheel stops or other barriers shall be placed along both ends of the parklet on the parking space lines perpendicular to the curb with the parklet setback at least 3 feet from the wheel stops.
8. A gap of 6" shall be maintained between the body of the parklet and the road [curb face?] to facilitate the movement of water. Curbside drainage may not be impeded. Additional requirements may be required by the City Engineer.
9. Parklets shall not be allowed where on-street parking is not allowed or in parking spaces for people with disabilities unless approved by the City Parking and Traffic Committee.
10. Parklets shall not block access to manholes, water valves, [fire connections on buildings – term for that?], or other emergency equipment and utilities as determined by the City Engineer and Fire Chief.

11. The parklet must be ADA (Americans with Disability Act) compliant and building code compliant as determined by the City Building Inspector.
12. The parklet shall be designed to be easily removed with little or no disassembly required in order to facilitate fast removal in an emergency.
13. Applicants are encouraged to design the parklet to shift the pedestrian walkway onto the parklet such that the existing sidewalk can be used for seating and display.

Signage: There shall be no signs within a parklet except for an identification sign not exceeding one square foot in size.

Removal: The City reserves the right to remove a parklet for public safety emergencies with little or no notice. Once a parklet is removed a new permit may be required prior to reinstallation.

Permit Revocability: The applicant is responsible meeting all conditions of a parklet permit. Parklet permits can be revoked by the Chief of Police or his designee where necessary to protect the public health, safety, or welfare; to prevent a nuisance from developing or continuing; in an emergency situation; or due to noncompliance with the conditions of the permit.

Application Procedures:

1. Application Requirement: The applicant shall submit a completed application form to the City Clerk's Office accompanied by the following:
 - a. Fee as set by the Common Council
 - b. Support letters from adjoining property owners (if applicable)
 - c. Site Plan including street side property lines sidewalks, on-street parking stalls, and all obstructions
 - d. Building Plans including all items required by the City
 - e. ~~Certificate of Insurance including the City of Sturgeon Bay as additionally insured and a general liability for not less than \$1 million.~~
 - f. Hold Harmless Agreement
2. Application Review and Approval
 - a. The City Clerk shall oversee the review process and issuance of parklet permits.
 - b. The application shall be reviewed within 10 business days and provide necessary feedback / approval conditions from various City departments.
 - c. ~~The application shall be reviewed and approved by the Common Council before a parklet permit is issued.~~
 - d. After notification of approval, the applicant shall provide the City with a Certificate of Insurance with the City of Sturgeon Bay listed as an additional insured with general liability coverage of not less than \$1 million.
 - e. ~~Pay the permit fee pursuant to the Parklet Permit Application.~~
3. Construction
 - a. The applicant shall contact the Municipal Services Department prior to the proposed installation date for an onsite review.

- b. Municipal Services Department installs no parking identifiers on the site.
- c. ~~The applicant complete installation within 30 day of the date of approval.~~
- d. The applicant shall contact the Municipal Services Department when installation has been completed. After inspection by pertinent City officials, a certificate of occupancy may be granted if all requirements are satisfied.

4. Maintenance and Removal

- a. The applicant is responsible for addressing any issues or written directives from the City to the satisfaction of the City within 72 hours of receipt.
- b. The parklet must be removed by October 15th or as directed by the City.
- c. The applicant shall contact the Municipal Services Department for final inspection of the cleared site.