



DEVELOPMENT SERVICES PROPERTY ACTION APPLICATION

Submit application to:
City of Klamath Falls
Development Services
226 S. 5th St. / P.O. Box 237
Klamath Falls, OR 97601
Phone (541) 883-4950

Applicant is responsible to pay for all County Recording Fees at the time of City processing.

Application for: **Encroachment;** ☒ **Easement;** ☐ **Deed Restriction;** ☐
Local Improvement Contract; ☐ **Annexation** ☐ (required for Water ☐ Sewer ☐ or Pedlet.

DATE: _____

City Use: Property Action ID# _____

APPLICANT'S NAME: _____ PHONE: _____

LEGAL PROPERTY OWNER: _____ PHONE: _____

MAILING ADDRESS: _____

APPLICANT'S E-MAIL: _____ CELL: _____

SITE ADDRESS OR LEGAL LOCATION OF PROPOSED PROPERTY ACTION:

PURPOSE OF PROPERTY ACTION *(space below for summary description only/please add additional sheets/pages as needed for detail)*

Seasonal Main Street Pedlet - May - Oct '21

➤ **APPLICANT MUST SUBMIT A COPY OF THE LAST RECORDED DEED** *(showing legal ownership)* **FOR THE RELATED PROPERTY ACTION; PROOF OF LEGAL SIGNING AUTHORITY, IF ENTITY IS ACTING ON BEHALF OF LEGAL PROPERTY OWNER(S).**

By submitting this Application, Applicant acknowledges they have legal authority to do so, and that the City of Klamath Falls and other public utility companies are not liable for any damage caused the *required property action* during maintenance or construction activities within the right(s)-of-way.

APPLICANT'S SIGNATURE: _____ DATE: _____

THIS SECTION FOR CITY USE ONLY

FEES PAID: _____ DATE: _____

ENGINEERING & PLANNING RECOMMENDATIONS: Approved: ☐ Denied: ☐

BY: _____ DATE: _____

RESTRICTIONS / COMMENTS *(language to be added to legal documentation)*:

☐ N/A ☐ The Applicant is responsible for physically locating the items related to the requested property action and shall register with the Oregon Utility Notification Center by phoning 811.

DEVELOPMENT SERVICES/PUBLIC WORKS DIRECTOR: Approved: ☐ Denied: ☐

DIRECTOR'S SIGNATURE: _____ Date: _____

COMMENTS:



City of Klamath Falls
Development Services Department
PO Box 237, Klamath Falls, OR 97601
226 S. 5th St., Klamath Falls, OR 97601
TEL (541) 883-4950

SEASONAL ENCROACHMENT PERMIT CONDITIONS
DOWNTOWN PEDLET PROGRAM

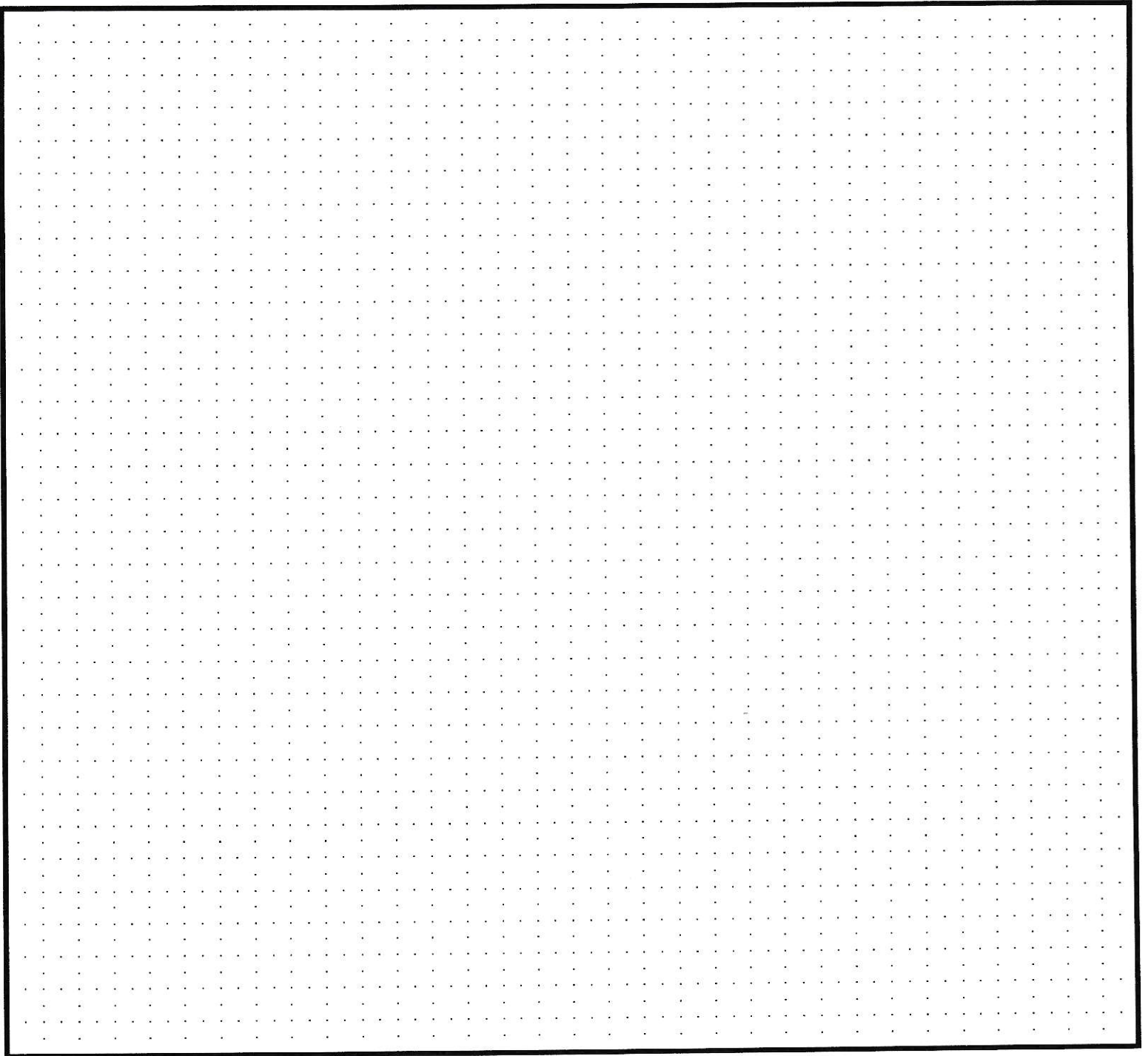
- 1) Applicants shall comply with all relevant local, state and federal regulations pertaining to Applicants' use of the Area, including, but not limited to, OLCC regulations.
- 2) Applicants shall be responsible for the maintenance of the Area and shall restore it to its original condition upon the termination of the permitted encroachment.
- 3) Applicants shall provide all furniture and fixtures (hereinafter "Equipment") used within the Area or to delineate the Area.
- 4) Applicants shall be responsible for the securing and maintenance of their Equipment. Broken, damaged, or otherwise non-functional Equipment shall be removed and replaced promptly at Applicants' expense. Penetrating anchorage to the concrete and /or brick paver surface is not permitted.
- 5) During Applicants' regular business hours, their customers shall have the exclusive right to use the Equipment and delineated sidewalk area.
- 6) Applicants, at their option, may remove the Equipment at the end of business each day. In the event Applicants choose to leave the Equipment in place outside of their regular business hours, then the public may use the Equipment.
- 7) The City shall not be responsible for any loss or damage to any Equipment, regardless of such loss or damage occurring during normal business hours or outside of such hours.
- 8) Applicant shall be responsible for maintenance and condition of Pedlet structures and railings furnished by the City. The City will be responsible for initial setup and final breakdown of Pedlet each season. Applicant shall be responsible for Pedlet while in service.

SEASONAL PARKLET/PEDLET PROGRAM

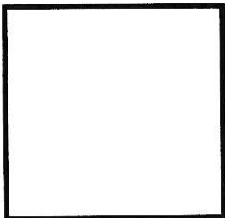
SITE PLAN FORM

CITY OF KLAMATH FALLS PLANNING DIVISION

A site plan is required to accompany all seasonal parklet/pedlet applications. This form is provided for this purpose, although site plans are not restricted to this form. Please review the reverse side of this form for site plan requirements. The City strongly recommends hiring a licensed surveyor, prior to building, to locate property lines. *Created June 2021.*



Please draw
an arrow in
box at right
to indicate
NORTH.



Applicant/Business Name(s): _____

Site Address: _____

Scale: 1" (4 squares) = 20' (1 square = 5') or: _____

Date: _____ ☐ Check box if this plan is a revision of an earlier version

Seasonal Parklet/Pedlet Program Site Plan Checklist

Note: the following are basic things that need to be shown on a site plan. Depending on the circumstances of your proposal, additional attributes may be required. You are advised to check with the City Planning Division to see what is expected of your site plan. This form may not be large enough to provide ample detail for complex proposals. Applicant is encouraged to provide supplemental illustrations as necessary.

- ☐ Fill out all information below the drawing field (grid).
 - ☐ Name(s) of applicant(s) & business name.
 - ☐ Site address.
 - ☐ Scale. The default scale is 1 inch (or four "squares") is equal to 20 feet. The scale is flexible depending on the circumstances of your proposal. A different scale may be used as long as it is identified in the space provided. **The site plan needs to be drawn to the scale indicated.**
 - ☐ Date of the site plan. Each revised site plan needs to also have a revised date. If the map is a revision of an earlier version, please check the appropriate box.
 - ☐ Draw an arrow in the box provided that indicates **true north**.
- ☐ Exterior property boundaries/dimensions shall be shown.
- ☐ Clearly illustrate "Area" to be used. This shall include any sidewalk and/or adjacent parking spaces being used to accommodate the requested parklet/pedlet.
- ☐ Note days/hours of operation.
- ☐ Illustrate all 'Equipment' to be used (i.e. tables, chairs, umbrellas, general decorations, delineation, pedestrian ramps, etc.)



City of Klamath Falls

SEASONAL PARKLET/PEDLET MANUAL

Summer 2021



PARKLET & PEDLET INTRODUCTION

INTRODUCTION

In cities across the country, there is a movement afoot to reclaim and repurpose underutilized spaces for people through the use of Parklets and Pedlets. Parklets are the reuse of on-street parking spaces to provide amenities and green space for the general public, while Pedlets extend sidewalks into public right of way areas (including on-street areas, such as parking spaces) to allow businesses to provide delineated outdoor seating. Both are intended as aesthetic enhancements to the streetscape and can incorporate seating, plantings, bike parking, retail displays, and art, providing an economical solution to the need for increased public open space. The City of Klamath Falls has enacted a Seasonal Parklet/Pedlet Program to enhance the downtown streetscape and provide businesses with additional visible service area as a means to further enhance the character and vibrancy of its historic downtown.

WHAT ARE PARKLETS & PEDLETS?

Parklets and Pedlets are generally one or two parking spaces long and are built out of semi-permanent materials installed in a way that does not require reconfiguring the roadway or pouring concrete. By not requiring a concrete base, they are a fast and less expensive way for the City to bring vibrancy to downtown. Parklets/Pedlets are used to encourage pedestrian oriented development and have been shown to increase the economic activity. While Parklets/Pedlets are typically funded and maintained by businesses, residents, and community organizations, they are intended to provide benefits to all uses of the public rights-of-way. For more information about the benefits and applications of Parklets and Pedlets, visit https://bit.ly/Parklets_Pedlets. Parklets and Pedlets expand on the “sidewalk café” concept, where businesses simply use a portion of the sidewalk in front of their business to expand seating or provide other al fresco retail or dining experiences.

ORIGINS

The Parklet initiative was first introduced in San Francisco in 2009 through a city-wide Park(ing) Day. The program encouraged citizens to design and install temporary park space within a vehicle parking space resulting in 975 “parks” in 162 cities across 35 countries and 6 continents. The San Francisco Planning Department led the initial effort to install a Parklet Pilot Program known as Pavement to Parks. In order to avoid a lengthy permit process, it defined this project as “removable” in character and implemented a unique design and construction guidelines manual.



BENEFITS & PURPOSE

Parklets and Pedlets have significant implications for cities. By increasing pedestrian activity and encouraging pedestrians to linger in an area longer, Parklets/Pedlets encourage economic growth. San Francisco's first Parklet, sponsored by Mojo Bicycle Café, featured a simple design with bright red tables, silver chairs, and three bike racks. The results were impressive:

- ❖ 37% rise in weekday evening pedestrian traffic;
- ❖ 14% increase in the number of people walking their bikes within the study area;
- ❖ 10% rise in positive public perception of the area's community character.

Parklets have the potential to increase commercial and residential occupancy, encourage pedestrian traffic, and highlight the character of the neighborhood.

As more cities and downtowns become aware of these advantages, it can be expected that Parklets/Pedlets will continue to grow in popularity.

Activating public space, such as on-street parking spaces, does require a tradeoff. The City of Klamath Falls has consulted with Klamath Falls Downtown Association and its Downtown Parking Committee to consider the impact that Parklets/Pedlets may have on Downtown shared parking. To ensure that public space in our Downtown is used efficiently for pursuits that increase vibrancy and at the same time don't create a negative impact to infrastructure that makes our Downtown accessible to all, the Downtown Parking Committee has set a maximum number of on-street parking spaces that can be taken out of inventory to accommodate Parklets/Pedlets. The committee will review annually and adjust as parking supply and demand change over time.

APPLICATION

****SEE BELOW FOR CITY SPONSORED PEDLET UNIT OPPORTUNITY****

PRE-APPLICATION (FOR THOSE WISHING TO CONSTRUCT THEIR OWN PARKLET/PEDLET)

Prior to submitting an application, applicants are **required** to schedule an appointment with the Development Services Department to verify the viability of the location and proposed elements. Parklets/Pedlets should be proposed in areas where they are likely to be used and active. To schedule a meeting, contact City of Klamath Falls Development Services at 541-883-4950 or devservices@klamathfalls.city.

APPLICATION AND PROCESS (FOR THOSE WISHING TO CONSTRUCT THEIR OWN PARKLET/PEDLET)

After the pre-application meeting, the applicant may begin the process of completing the application and supporting materials. Applications can be submitted via email to devservices@klamathfalls.city or by visiting the office at 226 South 5th Street. A completed application will include the following:

1. City of Klamath Falls Parklet & Pedlet Application
2. A map, survey, drawing, aerial photograph, site plan or similar information showing the footprint/outline of the proposed Parklet/Pedlet, including dimensions of the improvements, existing sidewalk width, existing parking stalls/alignment and all existing and proposed sidewalk furniture and obstructions; e.g. fire hydrants, utility poles, street trees, meter boxes, etc.
3. A description of the type(s) of elements proposed to be placed within the space provided by the Parklet/Pedlet; e.g. tables, chairs, benches, planters/landscaping, trash receptacles, bicycle parking, etc.
4. A detailed description of safety elements that will be installed adjacent to travel lanes and open parking spaces.
5. Proof of Insurance as required.

NOTIFICATION TO NEIGHBORING BUSINESSES/OWNERS

After an application has been submitted, staff will notify the business owners and property owners adjacent to the Parklet/Pedlet that a temporary seasonal Parklet/Pedlet application has been submitted for review.

APPROVAL

Once City staff determines an application is complete and meets the standards set forth below, the Development Services Department will issue an administrative Seasonal Encroachment Permit for the temporary Parklet/Pedlet.

Additional approvals may be required by other regulatory agencies (e.g. OLCC, Klamath County, Fire District-1) depending on the construction of the Parklet/Pedlet and intended use.

DURATION

Approved Parklet/Pedlets will be permitted seasonally from May 1 – October 31. Parklet/Pedlet owners may be required to dismantle units prior to the permit expiration date if necessary due to adverse weather conditions. The owner of any Parklet/Pedlet not removed on or before the expiration date of the permit will be subject to immediate enforcement action. All approved Parklet/Pedlets are temporary installations and are subject to removal at the City's discretion for violation of the terms of the permit or any other regulatory requirements (e.g. OLCC license) or for conditions outside of the control of the business such as an impact to public safety, chronic vandalism, etc. Parklet/Pedlet permit issuance for one season does not guarantee that the business will be approved to host a Parklet/Pedlet in future seasons.

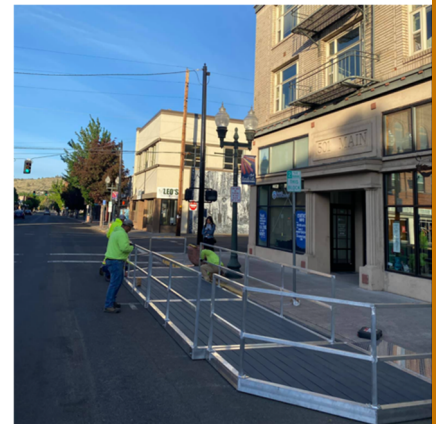
CITY SPONSORED PEDLET UNITS

The City of Klamath Falls expects to have multiple “sponsored” Pedlet units available for lease each season. Businesses who do not wish to invest in creating their own Pedlet structure can apply each season for a lease to use a sponsored Pedlet (limited to supplies on hand). Due to anticipated demand and the need to balance public space activation with impact to parking infrastructure, sponsored Pedlet permit issuance for one season does not guarantee that the business will be approved to host a Pedlet in future seasons.

The sponsored Pedlet unit is designed to comply with most of the design requirements in the following section (some items are required to be provided by business). In anticipation of demand, the City of Klamath Falls will issue permits based on a competitive application process. Applications will be available in January and will be due by April 1 of each season. Sponsored Pedlet permits will be awarded on or before May 1. Criteria that will be considered in awarding sponsored Pedlet permits include:

- Intended use
- Hours and days of operation
- Location feasibility – provide a map illustrating the items noted in application item #2 above
- Amenities provided by the permittee (permittees will be expected to make an investment in the appearance of the usable sidewalk space provided by the Pedlet unit) – refer to application item #3 above
- Acknowledgement that proof of insurance can be provided if awarded

Applications will be available from the Development Services Department. Submittals shall include detailed responses to each of the above noted criteria. A selection committee of downtown stakeholders will be assembled each season to select the successful award of City sponsored Pedlet units.



DESIGN STANDARDS

Parklet/Pedlet designs and locations shall conform to the following design guidelines, as well as any additional standards made part of the approval of the individual Parklet/Pedlet.

1. LOCATIONS

Parklet/Pedlets are allowed within the Downtown Parking District in on-street parallel or angled parking spaces. There shall be no more than two per block face. The total number of Pedlets within the Downtown Parking District will be determined each year by recommendation of the Downtown Parking Advisory Committee. Each Parklet/Pedlet shall be limited to utilizing no more than two parallel parking spaces (or three angled parking spaces). In no event will a Parklet/Pedlet be approved which will consume an ADA-accessible space.

2. CORNER LOCATIONS

Parklet/Pedlets will be allowed at corner parking spots only where traffic flow and other safety concerns can be adequately mitigated.

3. BUFFERS & SAFETY ELEMENTS

Parklet/Pedlets shall be required to have a buffer to protect users from street traffic. Buffers can be either planters, durable seating, temporary railing/edging, or other visible, protective edging as approved by staff in the application process. Traffic cones or similar devices alone are not adequate. Parklet/Pedlets must be situated safely away from the nearest edge of traveled way. Planters used as edging features are required to be large and durable. All edging and buffering mechanisms will require City approval.

4. UTILITIES

Parklet/Pedlets shall not be allowed in front of a fire hydrant or over a manhole, public utility valve, or cover. Adequate clearance shall be provided so as not to impede storm drainage. If decking is being constructed, the decking should allow for easy access underneath. Construction of the Parklet/Pedlet shall be such that a gap exists between the body of the deck and the asphalt to facilitate the movement of water.

5. ADA REQUIREMENTS

All elements of Parklet/Pedlets shall be constructed and/or installed to conform to the applicable provisions, rules, regulations, and guidelines of the Americans with Disabilities Act (ADA).

6. DESIGN FOR EASY REMOVAL

Parklet/Pedlets are temporary in nature and must be designed for easy removal. All removable furniture must be secured or stowed during non-business hours.

7. PARKLET/PEDLET DECKING

Parklet/Pedlet access (the finished surface itself, or an access ramp) must be flush with the curb and may not have more than 3/8" gap from the curb. A minimum five foot (5') ADA accessible entryway to the Pedlet must be maintained (Parklet access can be 36" minimum with prior approval). Platforms shall not exceed a 2% cross slope. Decking will need to be constructed of durable material capable of withstanding weather elements. Deck installation shall not damage the sidewalk, street, curb, or any aspect of the public right-of-way. Due to the temporary nature of the Parklet/Pedlet, no part of the structure will be allowed to be bolted into the asphalt, curb face or sidewalk.

8. EDGING

All proposed edging should be visually permeable. Due to the temporary nature of the Parklet/Pedlet all edging or railing shall not be bolted to the asphalt. Therefore, any edging or railing will either need to be constructed such that it will not be moved by the wind or removed each day so as not to blow away or fall when the Parklet/Pedlet is not in use. The temporary railing shall be durable enough to stand on its own and shall have a sturdy base.

9. VISUAL DESIGN

Parklet/Pedlet designs must maintain a visual connection to the street and not obstruct sight lines to existing businesses or roadway signage. While not visible from the sidewalk, the Parklet/Pedlet's back is highly visible from across the street. ***As part of the application process, the applicant should articulate their plans for creating a visually attractive space, which may include artwork, plants or flowers, lighting, etc.***

10. MATERIALS

Materials shall be high quality, durable, waterproof, and capable of withstanding heavy use and exposure to the elements. If decking is used, it must not create a slip hazard when wet. Loose particles such as sand or loose stone are not permitted within the Parklet/Pedlet area. All furniture must be designed for outdoor use. The following images outline allowed material and furniture types. Sofas that are not specifically designed for use outdoors are prohibited.

Allowed materials: metals, sturdy plastic chairs, wood, composite decking, sturdy recycled materials.



RESPONSIBILITIES OF PERMIT HOLDERS

All approved Parklet/Pedlet requests will be granted a **Seasonal Encroachment Permit**. Seasonal permits will be considered for issuance between the dates of May 1st and October 31st each year, weather permitting. All permit holders shall maintain adequate insurance coverage per City insurance requirements.

Parklet/Pedlet permit holders are responsible for the following.

- Keep Parklet/Pedlet well maintained, in good repair, and unobstructed with daily cleaning.
- Keep Parklet/Pedlet free of debris, grime, and graffiti.
- Water and maintain all vegetation.
- Provide pest control as needed.
- **If applicant intends to serve alcohol, the following items shall be addressed prior to sale and/or consumption of alcohol:**
 - **City Council shall provide approval**
 - **Additional insurance may be required**
 - **License modification or temporary approval may be required through OLCC**
- No smoking is allowed in the Parklet/Pedlet.
- Music may be provided in the Parklet/Pedlet but it must be explicitly permitted and may not cause disruption to nearby businesses or property owners.
- The sponsoring business may provide signage advertising their business in or on the Parklet/Pedlet. No other advertising or signage is allowed in or on the Parklet/Pedlet, although the Parklet/Pedlet may include informational signs such as “no smoking” or “no alcoholic beverages.” All signage shall comply with the Downtown Business Zone sign ordinance.
- If food service is proposed within the Parklet/Pedlet (either on the sidewalk or the extended space provided by the Parklet):
 - The kitchen facilities must be a permitted Food Service Establishment in good standing.
 - Food trays, carts, receptacles for dirty dishes, etc. shall not be placed or stored on any portion of the sidewalk or Parklet.
 - Non-disposable dishes, silverware, and linens should be used to prevent items from blowing off tables.
 - Cooking appurtenances are prohibited within the Parklet/Pedlet.
- Any proposed removable tables, chairs, planters or other appurtenances should be secured or stowed nightly according best practices. The City takes no responsibility for these items.
- The permit holder must provide for at least one trash receptacle and one recycle bin that is emptied during the day and every night.

TRASH & RECYCLING REQUIREMENTS

The permit holder is required to provide trash and recycling receptacles sufficient for the proposed use and is subject to the following requirements:

- All establishments, food and retail, must provide both trash and recycle receptacles of adequate size to support business operations.
- Receptacles must be emptied by the permit holder at any time they are visibly full.
- All waste and recycling generated within the Parklet/Pedlet is the responsibility of the permit holder. This includes items that are blown from the Parklet/Pedlet.
- Bin covers are encouraged.
- Differentiating colors between receptacles are encouraged.