

# CITY OF BETHLEHEM

## APPLICATION TO CREATE A PARKLET IN BETHLEHEM



The City of Bethlehem will be issuing a limited number of permits to qualified applicants to “Construct a Parklet” in Bethlehem’s Commercial areas. Proposals will be accepted until 10:00 a.m. on Wednesday, February 15, 2017. Late proposals will not be accepted.

Proposal envelopes should be marked with proposal title, proposer’s name and proposer’s address. One original and (3) copies of the “Parklet Preliminary Application” shall be submitted.

Proposal specifications can be obtained from Bethlehem’s Department of Community and Economic Development by contacting Darlene Heller, [dheller@bethlehem-pa.gov](mailto:dheller@bethlehem-pa.gov) or from the city website, [www.bethlehem-pa.gov](http://www.bethlehem-pa.gov). All final proposals shall be submitted to:

Darlene Heller, Director of Planning and Zoning  
City of Bethlehem  
10 E. Church Street  
Bethlehem, PA 18018

## City of Bethlehem Parklet Program Policy

### **PURPOSE**

The City of Bethlehem is releasing applications for qualified proposers to install Parklets at specified places in the downtowns and core commercial areas. This is a pilot program that will run through 2017. In 2018, the City will re-evaluate the merits of the program and determine whether the program will be continued, revised or discontinued.

This program establishes guidelines for Parklets within the City of Bethlehem public rights-of-way by providing a formal mechanism for residents, neighborhood associations and businesses to develop Parklets that enhance pedestrian use of streets. Parklets will offer another way for businesses and neighborhoods to help shape the character of their streets.



### **DEFINITION**

A Parklet is a sidewalk extension that provides more space and amenities for people using the street. Parklets are installed on parking lanes and use several parking spaces. Parklets are public or private seating platforms that convert curbside parking spaces into vibrant community spaces.



## **BACKGROUND**

A Parklet is made by converting two or more curbside parallel spaces (or three to four angled parking spaces) into a platform with an attractive seating area. Parklets provide open spaces on the city streets and create new seasonal spaces that improve the quality of life in the City of Bethlehem's commercial corridors. Parklet designs are accessible. Each Parklet may have a distinct, site specific design that reflects the neighborhood's unique character.

## **PARKLET USE AND ACCESS**

Parklets can be used in one of two ways: open seating for the public, or private seating controlled by the business and used for serving food and beverages, or other business use. Parklets adjacent to residences must be open seating for the public. Access to the Parklet shall be allowed during the business hours of the sponsoring adjacent business or, in residential areas, during the time frames designated on the permit. Parklets can also be used as part of a separate temporary use or special event permit.

## **PARKLET REVIEW PROCESS**

Interested parties in designated commercial zones may submit proposals for the installation of appropriate Parklets for review and consideration by the City of Bethlehem. The Parklets are intended to enhance activity in commercial and mixed use areas where the existing public right-of-way may not support outdoor seating or additional open space. Proposals will be received through Friday, February 10, 2017 and will be reviewed by an internal committee. A maximum of 4 Parklets may be approved for installation in 2017. Ideally, only one (1) Parklet will be permitted per block to encourage the development of Parklets in different areas of the City.

## **APPROPRIATE LOCATIONS AND DESIGN PARAMETERS**

Parklets are urban amenities appropriate for narrow, actively pedestrian streets with slower speed limits. Parklets will only be allowed in commercial corridors in designated areas. The following factors need to be considered while planning to submit an application:

### Location

- Shall generally be located in an area that demonstrates a high-level of pedestrian activity and/or where narrow and congested sidewalks prevent installation of traditional sidewalk cafes.
- Shall be permitted on streets with a posted speed limit of 30 mph or less. The Parklet shall maintain a slope below five (5) percent. Other locations will be considered on a case-by-case basis.
- May be located near a range of business types and need not be limited to dining or other food related establishments. Applicants which are businesses or residences must have doors and windows facing the Parklet location.
- Must be set back designated minimum distances from certain existing improvements in the right-of-way, such as: five (5) feet minimum distance from vertical utilities or utility poles; five (5) feet horizontal distance from - loading zones, driveways, ramps, and accessible parking spaces; 60 feet horizontal distance from any bus stop or shelter; 30 feet from a crosswalk; 30 feet from a stop sign or signalized intersection, and 15 feet from any fire hydrants.

### Design Requirements for Each Parklet

- Must be erected on a temporary platform designed for assembly and occupancy.
- Except for the area abutting the curb, the outer edges of the platform shall be ringed with three (3) foot high safety railings to prevent persons from falling off the platform.
- The platform shall extend no more than eight (8) feet from the curb

- The platform shall occupy two or more curbside parallel spaces (or three to four angled parking spaces), but in no case shall be wider than the street frontage of the property in front of which the platform shall be placed.
- The platform can only be placed in front of the property of which the Applicant is the owner or lessee.
- The platform shall not have a permanent roof structure, but may have a temporary, removable canopy made from cloth, plastic, canvas or other flexible material.
- The floor of the platform must be flush with the curb at the point of entrance and have the same elevation above the street as the sidewalk so as to create a safe extension of the sidewalk.
- The floor of the platform must be a uniform level, so that its substructure is used to the curvature of the street, but allow for easy access to the underside of the platform without affecting adequate drainage of storm water runoff.
- Concrete “wheel stops” must separate neighboring parking spaces from the platform by a distance of at least four (4) feet, which wheel stops must be positioned at least one (1) foot from the curb.
- The platform and railings must be protected by reflective “stop hit posts” which protect the outer edge of the platform closest to, but not entering into, the travel lane. Other safety measures may be required depending on the Parklet location.
- Parklets must include some vertical elements (planters, posts, anchored removable umbrellas, etc.) to be visible to passing vehicles; however these must not obstruct driver views or traffic control signs.
- If Parklet seating is fixed, 20% of the seating must be accessible.
- Parklets should be finished with high quality, durable materials.
- Parklets should be treated with a graffiti resistant coating or designed with graffiti tolerant surfaces and materials.
- A minimum of one “Public Parklet” or “Private Parklet” sign must be installed on the structure for optimum visibility. If the Parklet is private, a small sign with the business name may be placed on the Parklet structure or on umbrellas or other shade structures associated with the Parklet.

**APPLICATION PROCESS:**

- A. Interested persons must submit a completed Parklet Preliminary Application (no charge). A completed Application will be required to show the location of the proposed Parklet which shall include a scaled drawing of proposed Parklet with actual measurements of, and the distances between, the entire block of the street, including intersections and any utilities, driveways, loading zones, ramps, fire hydrants, bus stops, and manholes. The Preliminary Parklet Application is free and will be reviewed by staff from the Planning and Zoning Bureau, Traffic Bureau, and Engineering Bureau.
- B. Once the location has been approved by the City, interested persons must submit a full Parklet Application Package. The application will include plans, project description, certificate of insurance, and petition with signatures of adjacent property owners and 51% of the remaining property owners on the block in support of the Parklet. Application fee is due at the time of submittal.
- C. City will review Parklet plan and supporting documents and, if approved, create an encroachment permit.
- D. Interested persons must obtain permits, pay applicable fees and furnish a cash bond for emergency removal of Parklet, removal of parking meters, and any additional fees for right-of-way work required to accommodate Parklet.
- E. Interested persons must construct Parklet in accordance with approved plans and in coordination with the Traffic and Engineering Bureaus for traffic management, restriping, and removal of parking meters.

- F. Interested persons must obtain inspection approval and a certificate of completion prior to opening the Parklet to the public.
- G. Applicants who meet all City requirements shall be given an encroachment permit which will expire upon removal of the Parklet or November 1, 2017, whichever comes first.

**INSURANCE REQUIREMENTS**

Encroachments in the right-of-way must be covered by liability insurance. The insurance certificate shall satisfy the following:

- A. The certificate must be included with the full Parklet Application Package. The applicant is responsible for maintaining a current policy and submitting the updated policy on an annual basis to the City. Applicant’s failure to supply current insurance documentation shall result in the permit being revoked.
- B. The certificate must declare the limits of coverage: \$1,000,000.
- C. The certificate must name the City of Bethlehem as an additional insured on applicant’s insurance policy.
- D. The applicant will be required to execute an indemnification agreement in favor of the City to save and hold harmless the City of Bethlehem.

**SPECIAL COMMENTS**

An encroachment permit allows the City’s right-of-way be used only in accordance with the purposes and plans of the Parklet as approved by the City. The permit is subject to all laws, ordinances, codes, and other regulations and cannot be issued in violation of the intent of such laws, ordinances, codes, and regulations. The applicant has no recourse against the City for any loss, costs, expenses, or damages arising out of any of the conditions or provisions of the permit.

Encroachment permits are non-transferable. Change of ownership will require notification to the City and the new property owner will be responsible for obtaining a new encroachment permit. Under all circumstances, the property owner will be responsible for removing the encroachment at his/her/its cost. The permit is revocable by either the City or the applicant. The encroachment shall be removed within 30 days of revocation of the permit.

**PARKLET FEE SCHEDULE:**

Description	Fee
<b>Initial Fees</b>	
Initial Review for location approval	Free
Application/Permit Fee	\$125
Parking Meter Removal (if applicable)	\$650
Additional Costs (if applicable) *	\$150 - \$500
Cash Bond for Emergency Removal	\$500
Building Code Review Fee	varies
<b>Ongoing Annual Fees</b>	
Parklet Permit Fee (renewed annually)	\$650 to Bethlehem Parking Authority

\* Any sign changes, striping, loading zone, landscape, etc. that must be altered to accommodate Parklet

**RELOCATION, REMOVAL, AND TERMINATION OF THE AGREEMENT:**

The Parklet permit will not be revoked unless certain unforeseen conditions occur. In the event of such an emergency, the applicant shall, upon request of the City, relocate the Parklet, and/or remove the Parklet, including any furniture and structures either publicly or privately owned. The applicant will absorb all costs and expenses necessary for performance of such relocation/removal work. Both the City and the applicant may terminate the encroachment permit upon thirty (30) days written notice to the non-terminating party at any time, with or without cause. Applicant shall be required to vacate the Parklet and leave space in a clean condition, clear of all property and debris, and restore the Parklet area to the satisfaction of the City within (30) days after termination. At that time, the applicant may request a refund of the bond posted at time of construction. If applicant fails to relocate and/or remove the Parklet and restore the area to its original condition, the City shall have the right and privilege to use the applicant's bond to remove the Parklet and restore the area to its original condition.

**MAINTENANCE, MONITORING AND ENFORCEMENT:**

Parklets shall be permitted from April 15 to November 1 unless the Applicant can demonstrate that the Parklet will not be a hazard for snow plows or vehicles. Parklets that have not been removed after November 1 may be removed by the City at the owner's expense.

The Parklet must be maintained, clean, and kept in good repair in compliance with the maintenance agreement signed by the applicant. During the off season, the Parklet shall be stored in a location outside the right of way. City staff will monitor and enforce proper maintenance and appropriate use of Parklets. Applicant will be advised if Parklet is found to be out of compliance with maintenance agreement and/or allowable uses. Misuse of the Parklet, safety issues, and/or lack of maintenance will be grounds for the City to revoke the permit and require removal of the Parklet.