

CITY OF MINOT

PARKLETS, STREETERIES, AND DINING PLATFORM PROGRAM

This proposal for Minot is closely based upon the program instituted in Grand Forks, ND. It is intended to be thorough and anticipate most uses and considerations. In practice it is intended to make proper applications easy and quick to obtain while maintaining safety and accountability.

GENERAL GUIDELINES

Parklets, Streeteries, and Dining Platforms – For the purpose of this document and regulating/permitting, parklets, streeteries, and dining platforms shall be treated the same, though they have different uses.

Temporary Encroachment Permit - A temporary encroachment permit issued by the ***City of Minot*** is required before a Parklet can be installed. All installed Parklets are subject to the terms and conditions outlined in the Temporary Encroachment Permit. If removal is required by the City of Minot, the costs for removal and temporary storage, as well as reasonable legal fees, will be liened or special assessed against the associated property.

Duration of Installation - Approved Parklets shall be permitted for installation from April 1 – October 15 and must be designed for easy removal. All approved Parklets are temporary installations and are subject to revocation of the Temporary Encroachment Permit. Because an annual building inspection is required as a *temporary structure*, permits for the Parklet are only provided on an annual basis. It is the goal to continue the program for the foreseeable future.

Accessibility Requirements - All Parklets must comply with the Americans with Disabilities Act (ADA) and be accessible to all users, including people with physical disabilities, wheelchair users and those with impaired vision.

Required Performance Bond – Owner-Applicants will be subject to liens or assessments for removal. Tenant-applicants shall be required to present a performance bond, surety, or letter of credit for \$5,000, to be approved by the City for the purpose of ensuring the costs of removing the Parklet are covered.

Advertising - With the exception of a small plaque (4 inches by 6 inches) recognizing donors, advertising is prohibited. A two by two-foot area on each end may be used to post a menu.

Building Permit – Because the platforms will constitute an occupied commercial platform a building permit will be required.

Design Professional - A licensed architect, landscape architect, or engineer in the State of North Dakota, must seal applicant's proposed plans.

Failure to abide by the regulations, including required maintenance, may result in the revocation of a permit, removal of the Parklet at the owner's expense, and a prohibition on an application the following year by the owner or tenant.

SITE SELECTION

Most application requests are likely to come from Downtown or Neighborhood Commercial Districts.

Speed Limit – The proposed location shall have a posted speed limit of 25 mph or less. Streets with higher speed limits may be considered on a case by case basis.

Corner Locations – The proposed Parklet site shall be located at least one parking space (approximately 20 feet) from an intersection, unless located in conjunction with a sidewalk bump out.

Parklet Placement – Parklets can be sited along the curb line on streets where on-street parking spaces exist for on street parallel, or perpendicular parking. Parklets must be located directly in front of the applicant's place of business. Other proposed locations will be considered on a case by case basis.

Utilities – Parklets shall not be allowed in front of fire department connections and fire hydrants, or over manhole covers, gate valves, or catch basins. May not be located within ten (10) feet of a catch basin. May be subject to immediate removal in the case of an infrastructure repair.

City Projects – As part of its initial screening process, the City will review proposed Parklet locations for potential conflicts with future programmed projects. Proposed locations may be rejected if there is pending improvement work planned.

Transit – Parklets are not permitted in bus stops.

Buffer from adjacent parking spaces – In the case where there are adjacent parking spaces, Parklets shall be required to have soft hit posts, wheel stops, or some other buffer to prevent conflicts with parking cars.

PLATFORM GUIDELINES

Size – For practical purposes of use of an on-street parking space and storage and installation, the maximum size of a platform shall be eight (8) foot deep by Twenty-two (22) feet long. For purposes of repair and some interchangeability, owners might consider three equal-sized platforms.

Platform Surface – The top of the Parklet platform must be flush with the sidewalk with a maximum gap of one-half inch (1/2").

Drainage – The Parklet cannot impede the flow of curbside drainage. The platform must be designed in a manner to accommodate the drainage patterns on the street and should maximize drainage in the gutter. A support up to 2 inches wide may be placed along the curb with a 16-inch opening parallel to the curb for a gutter. The platform shall maximize clearance below the curb height, not to exceed 2.75 inches (1.5" plus 5/4). Designers are required to cover openings at either end of the Parklet with screens to prevent collection of debris under the Parklet.

Platform Cross Slope – Parklet platform rest areas cannot exceed two percent cross slopes (or rake). Your final construction drawings will need to show spot elevations for both the sidewalk and the platform areas.

ENCLOSURE GUIDELINES

Buffers/Screens on the edges – All Parklets shall have an edge to buffer the street. This can take the form of planters, railing, cabling, or some other appropriate buffer. The height and scale of the buffer required will vary depending on context of the site. Railings shall be of sufficient height to prevent falling over the railing, usually 36 inches or more. 12 square inches or more of reflective material shall be added to the corners top leading (traffic side) edges.

Note on design Recommendations — Although the City of Minot may provide a few design suggestions, it is the responsibility of the owner and their licensed designer to create a Parklet that meets all guidelines, including but not limited to proper safety, proper drainage, proper lighting, dynamic load bearing, egress, attractiveness, and so on.

Maintain a visual connection to the street – Parklet designs must maintain a visual connection to the street and not obstruct sight lines to existing businesses or roadway signage. Columns, overhangs, and other vertical elements may be considered as a part of the Temporary Encroachment Permit review and approval process.

Extend the Sidewalk – Parklets should be designed as an extension of the sidewalk, with multiple points of entry along the curbside edge. Consider the street side of the Parklet – while not visible from the sidewalk, the Parklet’s back is highly visible from across the street. Large blank walls are not permitted.

AMENITIES

Integrate amenities into the Parklet structure –

Moveable Seating – If applicant chooses to use movable tables and chairs, they should be durable and comfortable for individuals and groups of all ages and abilities. They must be removed at the end of the business day, at business closure, or in the event of inclement weather, unless arrangements for assembly and storage of such items on a part of the Parklet are approved in the temporary encroachment permit.

Planting – Integrated planting is required. Flower shrubs and trees are encouraged and must be properly maintained by the owner.

Lighting – **Only Low voltage lighting elements are permitted.** Use of extension cords to be governed by building code but shall not be placed on ground where the public shall cross over it. Low voltage lighting can be incorporated overhead ten (10) feet or more above the sidewalk or crossing of other pathways. No lighting shall be placed to interfere with driver’s ability to see or that might be confused as traffic or warning lights.

Sun and Rain enclosures – The City will consider an overhead structure such as a pergola subject to approval of the building department for the proper anchoring and the use of tent materials with approved fire-rated materials and proper grounding of any metal poles.

Bicycle Parking – Integrated bicycle parking is allowed. Bike racks integrated into the sidewalk or adjoining street area may be considered as a part of the Temporary Encroachment Permit review and approval process.

SUSTAINABLE DESIGN AND CONSTRUCTION

Materials – Use of *stainless steel hardware is encouraged* for durability and weather resistance. Construction screws are favored over nails. Drywall screws should not be used. All materials must be high quality, durable, and capable of withstanding heavy use and exposure to the elements.

Materials that are easy to maintain – Have a strategy for removing graffiti, and replacing or repairing damaged parklet features such as plants, railings, or other elements.

ELIGIBLE APPLICANTS

The following entities are eligible to apply for the installation of a Parklet:

- Property Owners
- Storefront business owners (with property owner's permission)
- Non-profit institutions
- Community organizations
- Schools
- City of Minot
- Minot Park District
- Other applicants will be considered on a case-by-case basis

RESPONSIBILITIES OF THE SUCCESSFUL APPLICANT

Insurance – In order to obtain a temporary encroachment permit, applicants shall provide and maintain a certificate of insurance for comprehensive general liability and products and complete operations coverage in a minimum amount of one million dollars (\$1,000,000.00) per occurrence. All certificates shall be issued by an insurance company authorized to do business in North Dakota, shall name the city as additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without thirty (30) days' advance written notice to the city. The permit application must also include a signed hold harmless agreement that specifies that the permittee will defend, indemnify, and hold the city harmless for any loss, injuries, damage, claims or lawsuit, including attorney's fees that arise from the encroachment.

Cleaning – Applicant will be required to keep the Parklet free of debris, trash, grime, and graffiti. Permit holder must clean the surface of the Parklet and rinse out the area beneath the Parklet at least once a week. Seating should be dried after rainfall if necessary.

Because mechanical streetsweepers cannot get close to a Parklet, the applicant is expected to manually sweep and pick up debris once a week or as needed twenty feet on either side of their platform.

Landscaping – Applicant must keep plants in good health, including watering, weeding, and trimming when necessary.

Movable Furniture – Any movable items, such as tables and chairs, must be removed at the end of the business day, at business closure, or in the event of inclement weather, unless arrangements for assembly and storage of such items on a part of the Parklet are approved in the temporary encroachment permit. Unsecured furniture that is not a permanent feature of the Parklet are not permitted after business hours.

No Smoking – Because it is intended for public use there is no smoking allowed in a Parklet. At least one clearly visible sign to that effect shall be posted on the interior of the structure.

Disassembly/Removal and Storage – Applicants are responsible for completing disassembly, removal and storing their Parklet outside of the approved installation dates.

ADOPTED BY MINOT CITY COUNCIL on April 3, 2021