

COVID-19 RECOVERY SPECIAL EVENT PARKLET/STREATERY TEMPORARY USE APPLICATION

Date: _____ Business Name: _____	<small style="text-align: center;">OFFICE USE ONLY</small> Permit # _____ Proof of liability <input type="checkbox"/> Liquor liability <input type="checkbox"/> Approved site sketch <input type="checkbox"/> Approved WSLCB <input type="checkbox"/> Review date _____
Business Physical Address: _____ Applying for: Streatery <input type="checkbox"/> or Parklet <input type="checkbox"/> Retail - outside placement <input type="checkbox"/>	

Restaurant <input type="checkbox"/> Retail <input type="checkbox"/> Other <input type="checkbox"/>	
Business Owner: Name: _____ Address: _____ City/St/Zip: _____ Phone: _____ Email: _____	Property Owner (if different): Name: _____ Address: _____ City/St/Zip: _____ Phone: _____ Email: _____
Requested start date: _____ - Automatic Review in 60 Days from Approval Date. Days and hours of operation: _____ Do you intend to apply for the addition or extension of outside liquor service from WSLCB? <input type="checkbox"/> YES <input type="checkbox"/> NO	

Signature of Applicant: I certify that all activities associated with this permit will be in accordance with State Law, the Port Townsend Municipal Code, and applicable County Health Department Codes and WSLCB permitting.

Print Name: _____

Signature: _____

Date: _____

I certify that I am either the owner(s) or authorized to act on behalf of the owner(s)

Print Name: _____

Signature: _____

Date: _____

COVID-19 RECOVERY SPECIAL EVENT HOLD HARMLESS AND INSURANCE TERMS

Hold Harmless

Permittee shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with activities or operations performed by the Permittee or on the Permittee's behalf out of issuance of this Permit, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that RCW 4.24.115 applies to this Permit, then the Permittee agrees to defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless to the maximum extent permitted thereunder. It is further specifically and expressly understood that the indemnification provided herein constitutes the Permittee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

Insurance Term

The Permittee shall procure and maintain for the duration of the Permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with operations or activities performed by or on the Permittee's behalf with the issuance of this Permit. The Permittee's maintenance of insurance as required by the Permit shall not be construed to limit the liability of the Permittee to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

The Permittee shall obtain Commercial General Liability insurance. The insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover liability arising from operations, products-completed operations, and stop-gap liability. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Permittee's Commercial General Liability insurance policy using ISO Additional Insured-State or Political Subdivisions-Permits CG 20 12 or a substitute endorsement providing at least as broad coverage. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate and \$2,000,000 products - completed operations aggregate limit. The Permittee's Commercial General Liability insurance policy or policies are to contain or be endorsed to contain that they shall be primary insurance as respect the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Permittee's insurance and shall not contribute with it. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII. The Permittee shall furnish the City with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the Permittee before issuance of the Permit.

Print Name: _____

Signature: _____

Date: _____

COVID-19 RECOVERY SPECIAL EVENT

PARKLET/STREATERY

TEMPORARY USE APPLICATION

INSTRUCTION, RULES, EXPECTATIONS,

GUIDELINES AND MANAGEMENT

As part of the Open Streets Initiative, the City of Port Townsend desires to help businesses impacted by the COVID crisis re-open safely. The program recognizes that a fundamental requirement for safe business operations is the need for adequate – and likely additional – space for safe physical distancing. To help ensure such space, this program to assist in implementing the State’s reopening guidelines for each sector and utilizes the public right of way to help expand the physical space of business. The program intended to attract residents and visitors to enjoy Port Townsend as a safe place to experience retail, restaurants, and recreation in our beautiful city.

What are Parklets and Streateries?

Parklet

- Open to the public, 24/7



Streatory-

- Like a sidewalk café: private exclusive use is allowed during business hours. The area is open to the public after hours.



Where?

- Uptown
- Downtown
- Any Zoning District or where commercial uses and restaurants are a legally permitted use.

Why?

- Vibrancy and activity on the Street!
- Provides area businesses with additional seating, safe social distancing, and atmosphere.
- Parklets and Streateries are a new type of public space allowing for an economical and creative solution to help meet the requirement of social distancing. They serve as mini-parks and sidewalk cafés where people can sit, relax, and enjoy the City environment around them especially where sidewalks are narrow. This adds more seating for eating establishments to provide safe distance dining.



COVID-19 RECOVERY SPECIAL EVENT PARKLET/STREATERY TEMPORARY USE APPLICATION SUBMITTAL REQUIREMENTS

CHECKLIST

- Completed Application form (Page 1)
- Email specialevents@cityofpt.us with questions.
- If in Downtown or Uptown, notification of Port Townsend Main Street.
- Notification letter to adjacent businesses.
- Dimensioned site plan sketch showing hydrants, street trees, parking lanes, sidewalk, street use area, etc. (see example attached).
- Site plan also showing measurements of proposed area and “railing” height. 30” or 42” with approved WSLCB permit.
- Moveable items able to be locked down (or removed daily).
- List of materials and specifications if applicable.
- Sight distance considerations.
- A City Business License.
- Proof of property owner approval.
- Proof of Liability Insurance showing the City of Port Townsend as additionally insured. (Insurance requirements)
- Proof of Liquor Liability as needed.
- Proof of granted approval for Liquor Service for extended or additional area as needed.

COVID-19 SPECIAL EVENT PARKLET/STREATERY TEMPORARY USE APPLICATION SUBMITTAL REQUIREMENTS

GUIDELINES

1. Maximum size: 2 parking stalls or width of current physical business location.
2. Location: Directly adjacent to business. Recommended use of dead zones (unused pavement) and recommend collaboration with neighboring businesses. City may also recommend a suitable alternative for safety reasons.
3. Must have approval of property owner.
4. Business advertising on or in Streatery/Parklet prohibited
5. Permit is revocable at any time due to safety/disrepair or failure to comply with permitting requirements, etc.
6. Streatery/Parklet barrier and design requirements
 - Two feet from fog line
 - Visually 30" high, 42" if WSLCB approved.
 - Appropriate barriers include planter boxes or pots, fence posts on concrete blocks, lattice, fencing, benches
 - All materials used to create the Streatery/Parklet and associated furniture must be able to withstand windy conditions and be safe.
 - Umbrellas are permitted in the use area and must be removed at the end of each day. Other overhead items like awnings, tents, and temporary shelters are not allowed.
 - Electrical connections and cords strung across the sidewalk are prohibited. However, if a street tree outlet is nearby safe and conspicuous lighting is allowed.
7. Aesthetics: Parklets and Streateries typically require substantial investments. For this trial period, lesser investments are expected due to the temporary nature of the program. However, permittees need to set up the permit area with features that represent quality in appearance complimenting the business and the surrounding area. These features are intended to be attractive and add to the customer experience in Port Townsend.
8. Prohibited Activities: Amplified music, street vendors, cooking
9. Management: Permittee shall ensure the area is maintained area as follows:
 - Maintain barriers and safety features within the use area.
 - Keep the use area clean and free of debris. Permittee is required to provide garbage service within the use area.
 - Manage patron's occupancy of streateries during business hours
 - Maintain compliance with COVID requirements for use of the permit area.
10. Permit Termination: A permit may be terminated at anytime by the City if the use fails to meet the intent of the program or the conditions of the permit.
11. Permit Duration: Permits will be valid for 60 days or until September 8, 2020 whichever is earlier. Permits will be **automatically reviewed 60 days from approval date** to ensure program goals are being met and the use is functioning well. Permit extensions may be granted but in no case shall an extension be beyond September 8, 2020 unless the program is extended by the City.

CITY CODE MINIMUM APPROVAL CRITERIA

Approval criteria per City of Port Townsend Municipal Code

- A. The temporary use will not be materially detrimental to the public health, safety or welfare, nor injurious to property or improvements in the immediate vicinity. To this end, temporary tent encampments shall comply with the minimum standards set forth in PTMC [17.60.045](#);
- B. The temporary use is compatible with the purpose and intent of this title, and the specific zoning district in which it will be located;
- C. The temporary use is compatible in intensity and appearance with existing land uses in the immediate vicinity;
- D. Structures proposed for the temporary use comply with the setback and clear vision area requirements of this title, and with applicable provisions of the building and fire codes;
- E. Adequate parking is available to serve the temporary use, and, if applicable, the temporary use does not occupy required off-street parking facilities for adjacent or nearby uses;
- F. Hours of operation of the temporary use are specified;
- G. The temporary use will not cause noise, light, or glare which adversely impacts surrounding land uses; and
- H. If applicable, the applicant has obtained approval of a street use agreement pursuant to Chapter [12.10](#) PTMC. (Ord. 3154 § 4(6) (Exh. H), 2016; Ord. 2892 § 1, 2005; Ord. 2571 § 2, 1997).

SAMPLE SITE PLAN

