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BILL NO. 2021-32

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC CHAPTER 19.04 TO ADD A NEW SECTION TO PROVIDE PROCEDURES AND STANDARDS BY WHICH PARKLETS AND STREATERIES MAY BE ESTABLISHED WITHIN PUBLIC RIGHTS-OF-WAY AND ADJACENT TO PUBLIC SIDEWALKS IN ORDER TO PROVIDE CERTAIN AMENITIES; TO AMEND LVMC CHAPTER 19.18 TO PROVIDE CORRESPONDING DEFINITIONS; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Olivia Díaz

Summary: Amends LVMC Chapter 19.04 to add a new section to provide procedures and standards by which parklets and streateries may be established within public rights-of-way and adjacent to public sidewalks in order to provide certain amenities, and amends LVMC Chapter 19.18 to provide corresponding definitions.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Section 2 and 3 of this Ordinance. The amendments are deemed to be amendments to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 2: Title 19, Chapter 4, is hereby amended by adding thereto a new Section 390, reading as set forth in Exhibit A attached hereto.

SECTION 3: Title 19, Chapter 18, Section 20, is hereby amended by adding thereto, at the appropriate locations, the following terms and their corresponding definitions:

Parklet. An area that:

- 1. Is located within public right-of-way and generally is adjacent to a public sidewalk and appears as if it were an extension of the sidewalk;
- 2. Is constructed of non-permanent materials; and
- 3. Provides a public amenity, including without limitation open space or a seating area.

1 **Streatery.** An area that:

- 2 1. Is located within public right-of-way and generally is adjacent to a public sidewalk and
3 appears as if it were an extension of the sidewalk;
- 4 2. Is constructed of non-permanent materials; and
- 5 3. Provides outdoor seating space for patrons of a nearby restaurant, tavern or similar business.

6 SECTION 4: The Department of Planning is authorized and directed to incorporate into
7 the Unified Development Code the amendments contained in and adopted by Sections 2 and 3 of this
8 Ordinance.

9 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
10 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
11 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
12 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
13 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
14 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
15 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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1 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this ____ day of _____, 2021.

5 APPROVED:

6
7 By _____
CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 _____
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 7-6-21
13 Val Steed, Date
14 Deputy City Attorney
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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2021, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2021, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

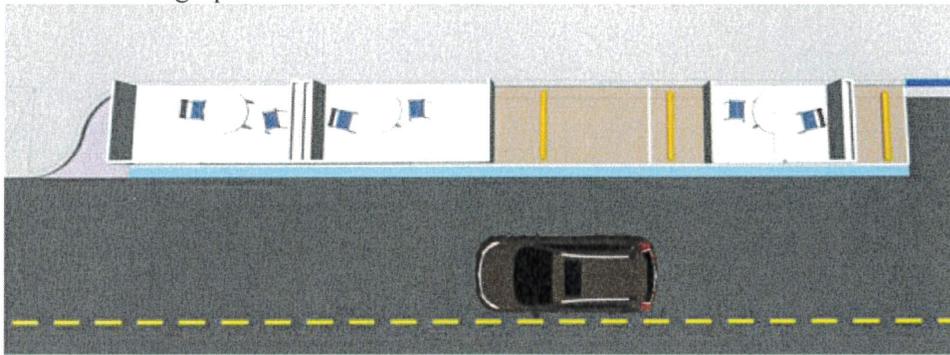
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13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

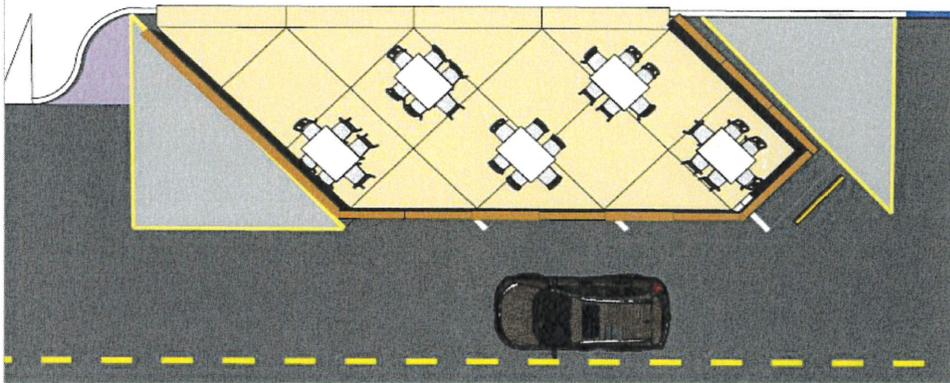
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16 LUANN D. HOLMES, MMC
City Clerk

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Figure 1: Parallel vs. angled parklets or streateries.
Parallel Parking Spaces



Angled Parking Spaces



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2. Parklet or Streatery Location Types. See Figure 2 and Table 1 for Physical Design Standards

Figure 2: Parklet or Streatery Physical Design Standards

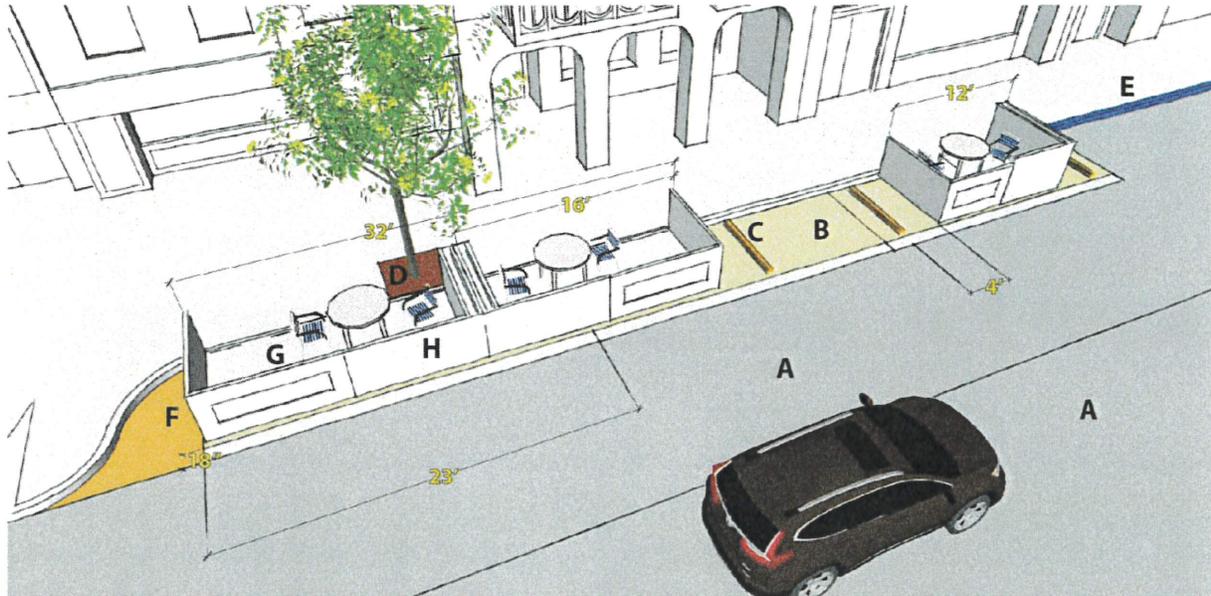


Table 1: Parklet or Streatery Physical Design Standards

A	Setback from vehicle travel lane	Minimum 18 inches
B	Parking Lane Width	8-9 feet
C F	Wheel Stops	Shall be provided 4 feet from the edge of the parklet or streatery when adjacent to another parking space or travel lane; otherwise not required.
D	Sidewalk Clearance	Physical obstacles such as trees, utility boxes, or fire hydrants shall be at least 4 feet from the parklet or streatery.
E	Prohibited locations	Shall not be located in front of any painted curb, fire hydrant or fire department connection
G	ADA/PROWAG Conformance	Shall meet all ADA and PROWAG requirements for wheelchair turning movement and resting space; shall provide 4 feet of clearance from physical obstacles such as trees, utility boxes, or fire hydrants.
H	Height	Minimum 30 inches with a continuous exterior edge

3. Accessibility

a. Design and construction compliance. Proposed structures must be designed and constructed in conformance with the Americans with Disabilities Act 2010 Standards for Accessible Design, and the Public-Rights-of-Way Accessibility Guidelines (PROWAG).

b. Accessible deck surface. The connection between the parklet or streatery and the sidewalk (if applicable) must be level.

c. Accessible entry. The parklet or streatery must incorporate at least one ADA access point a minimum of 48 inches wide for each parking space utilized.

d. Wheelchair turning space. The parklet or streatery must allow for a minimum turning space of 60

inches in diameter entirely within the platform.

e. Wheelchair landing. A 36-inch by 48-inch clear floor area must be provided for wheelchair use. The wheelchair landing space may overlap with the wheelchair turning space.

4. Visibility

a. The applicant for a parklet or streatory shall submit to the Department of Public Works a sight visibility study for review as part of the license agreement or similar approval pursuant to LVMC 13.32.020.

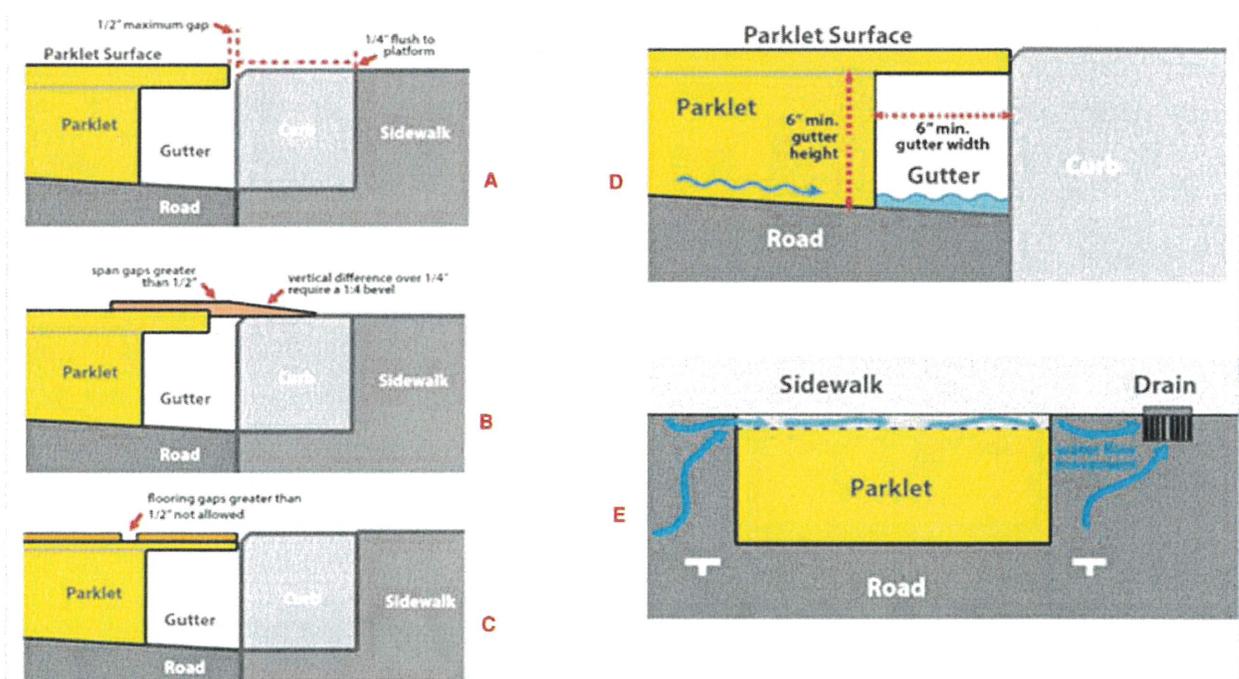
b. Proposed landscaping or other objects shall not block motorist line-of-sight visibility requirements established in this Title and in current AASHTO guidelines.

c. All shade structures shall be securely fastened to the parklet or streatory and shall be wind resistant.

d. Signage on the structure, umbrellas, awnings or canopies of a parklet or streatory shall be limited to the business logo of the associated business and may not exceed 20 percent of the overall area of the structure, umbrella, awning, or canopy.

5. Platform Design. Platform design standards shall be in accordance with this Paragraph 5 and Figure 3 below.

Figure 3: Parklet or Streatory Platform Design Standards



a. Clearance. The structure shall maintain 18 inches of clearance from the adjacent travel lane, or 18 inches clearance from the outside edge of the marked parking space.

b. Materials. Durable materials must be used that can withstand wear and tear from the elements. The applicant(s) is (are) responsible for maintaining all platform elements and ensuring they are in good condition.

c. Existing Public Utilities. Structures within the parking lane shall not restrict access to public utilities.

d. Threshold. The deck or platform shall be flush with the sidewalk and shall not leave a horizontal separation greater than one-half inch or a vertical separation greater than one-quarter inch (See Figure 3, subparts A, B and C).

e. Attachment Prohibited. At no time shall structures be bolted or affixed in any way to the roadway or any structure, including but not limited to buildings, fire hydrants, street trees, streetlights, signage or traffic poles.

f. Use of Concrete Prohibited. Pouring concrete for shared space platforms is prohibited. Concrete pavers on a platform structure are permitted.

g. Access. Fire hydrants and other fire department connections shall remain accessible at all times.

h. Platform Surface. Surface materials must be textured or treated with a non-skid coating to ensure a safe walking surface. Loose particles, such as sand or loose stone, are prohibited.

i. Drainage. Platforms shall allow for curbside drainage flow. A six-inch by six-inch minimum clear gutter space must be provided along the entire length of the proposed platform (See Figure 3, subparts D and E).

6. Maintenance. Parklets and streateries shall be:

a. Maintained by the sponsor or host business at all times. If the sponsor/host business goes out of business, the parklet or streatory shall be removed and the public right-of-way restored to its normal condition.

b. Maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Section at all times.

c. Maintained in a clean and orderly manner to be free of trash and litter, and free from fading, peeling, chipping or other states of disrepair.

7. Neighborhood Notification

The applicant for a parklet or streatory under this Section must provide public notice of the applicant's intent to install a parklet or streatory. Such notice must be posted for a minimum of 10 days during the application period. The notice must be printed on a sheet of paper of at least 8½ inches by 11 inches in size and must be posted in a conspicuous location that allows for patrons to view it without entering the host/sponsor business, if applicable. The notification must include, at a minimum, the following:

- a. A statement of purpose that includes the set-up date, tear-down date and hours of operation;
- b. A site plan showing the parklet or streatory in context with the street, sidewalk or other public area (as applicable);
- c. Elevations of the parklet or streatory structure; and
- d. Contact information for the applicant.