



# SDOT Director's Rule 2-2012

<b>Applicant:</b>  CITY OF SEATTLE Seattle Department of Transportation (SDOT)	<b>Page</b> 1 of 9	<b>Supersedes:</b> 2-2011
	<b>Publication:</b> 1/6/2012	<b>Effective:</b> 2/7/2012
<b>Subject:</b>  Designation of Festival Streets and activities allowed under a Street Use Festival Street permit.	<b>Code and Section Reference:</b> Seattle Municipal Code (SMC) Sections 3.12.030, 11.14.203, 15.02.046, Titles 15 and 22, and Chapters 23.55, 25.08, and 3.02	
	<b>Type of Rule:</b> Legislative	
	<b>Ordinance Authority:</b> Ordinance 123600 and SMC 3.12.030	
<b>Index:</b> Festival Streets; Street and Sidewalk Use	Approved  (signature on file)	Date  2/7/2012
	Peter Hahn, Director Seattle Department of Transportation	

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### 1.0 **References**

- 1.1 Seattle Municipal Code (SMC) Section 3.12.030, Director's Duties
- 1.2 SMC Title 15, Street and Sidewalk Use
- 1.3 SMC Section 11.14.203, Festival Street
- 1.4 SMC Chapter 25.08, Noise Control
- 1.5 SMC Title 22, Building Code
- 1.6 SMC 23.55, Sign Code
- 1.7 SMC 3.02, Administrative Code

### 2.0 **Rule and Background**

- 2.1 Seattle's street right-of-ways are an important and complex public resource. SDOT is authorized to manage Seattle's transportation system and strives to operate and maintain this system to support public health and safety for all members of the traveling public of all ages and abilities. SDOT is also responsible for overseeing permit processes for public right-of-ways, including the Street Use Festival Street permit application process. SDOT supports the Festival Street program in order to activate the street-level pedestrian environment.
- 2.2 The SDOT Director is authorized to designate public places or portions of public places as festival streets, prescribing the uses that may be permitted on designated festival streets, and prohibiting some or all vehicular use on them, per SMC Section 3.12.030.

- 2.3 Ordinance 123600, authorized the Director to promulgate rules to implement the Festival Street program, including the designation process, allowable activities and uses, the term or duration of the activity, permit requirements, mapping of designated festival streets and other subjects the Director believes may aid in the implementation of the Festival Street program.
- 2.4 The purpose of this Rule is to establish standardized procedures and requirements for the designation of public right-of-way as a Festival Street and establish the items and activities that would be allowed under a Street Use Festival Street permit.

### **3.0 Definitions**

- 3.1 "Festival Street" means a public place or portion of a public place that has been designated by the Director of Transportation for recurring temporary closure to vehicular traffic use for the purpose of pedestrian-oriented special activities, as established by the Director of Transportation. (SMC 11.14.203)
- 3.2 "Public Place" means and includes streets, avenues, ways, boulevards, drives, places, alleys, sidewalks, and planting strips, squares, triangles and right-of-way for public use and the space above or beneath its surface, whether or not opened or improved. (SMC 15.02.046)

### **4.0 Festival Street Designation Process**

- 4.1 SMC Section 3.12.030 authorizes the SDOT Director to designate portions of public places as festival streets. The designation of festival streets is intended to be a community-driven effort with support from the neighborhood. A proposal for a new designation can be made by private development proponents, government agencies, community groups, or any other organized local interest or individual. The list and maps of designated festival streets can be found at:  
<http://www.seattle.gov/transportation/drules.htm>.
- 4.2 The following types of streets are considered the most appropriate for designation as a festival street:
  - 4.2.1 Non-arterial streets within or providing connections to pedestrian-oriented neighborhood commercial areas where Festival Street activity could reinforce commercial and mixed-use activity, and enhance the quality of the pedestrian environment without conflicting with the desired traffic circulation;
  - 4.2.2 Non-arterial streets that are direct links to major transit facilities and light rail stations;

- 4.2.3 Non-arterial streets that, when regularly closed to vehicular traffic, would not require rerouting transit service or inhibit emergency vehicle access to areas;
  - 4.2.4 Non-arterial streets at critical locations in redeveloping areas that could serve as a focus for new development and provide direction for desirable changes in land use patterns;
  - 4.2.5 Non-arterial streets that provide safe pedestrian and bicycle connections with neighborhood amenities, such as schools, shopping areas, public facilities, institutions, and public open spaces, or streets integrated with the City's urban trail network;
  - 4.2.6 Non-arterial streets that have a special character of interest to pedestrians, including streets with special views, and streets located in areas of unique architectural interest; and
  - 4.2.7 Non-arterial streets that have little to no parking impacts in order to minimize the need for Festival Street permittees to apply for meter hood permits for street closures.
- 4.3 The following types of streets are considered the least appropriate for designation as a festival street:
- 4.3.1 Any streets that consist of a majority of single-family residential development;
  - 4.3.2 Any streets that include multiple driveways that provide the only point of access for residential units or business activities;
  - 4.3.3 Any streets that provide service or regular access for public transit vehicles including snow routes or non-service related turn-around;
  - 4.3.4 Any streets that provide Seattle Fire Department emergency routes.
- 4.4 Festival street designation process. Community groups, businesses, or individuals may submit applications for proposals for a street to be designated as a festival street by the SDOT Director.
- 4.4.1 The applicant proposing the new festival street designation will be required to notify the abutting property owners of the proposal. The notice will include a description of the proposal, as well as provide information on how the public can submit comments on the pending proposal to SDOT. Notice shall also be provided to the applicable Business Improvement Associations, Community Development Authorities, and neighborhood news organizations. Notice should

be made no less than 2 weeks (14 days) before the first Neighborhood District Council meeting in which the proposal will be presented, described at 4.4.2.

- 4.4.2 The applicant proposing the new festival street designation will be required to present the proposal to the applicable Neighborhood District Council at a regularly scheduled public meeting. At least two weeks after the initial presentation, the applicable neighborhood council will vote to approve or disapprove of the proposed designation by simple majority rule. If the proposed festival street is located in an area with more than one Neighborhood District, then applicants must make presentations to both Neighborhood District Councils and both Neighborhood District Councils must approve the proposal.
- 4.4.3 If the proposed festival street is within a Historic or Landmark District, the applicant must also obtain a Certificate of Approval from the applicable Board.
- 4.4.4 The SDOT Director will review applications for new festival street designations only after approval by the Neighborhood District Council and only after issuance of a Certificate of Approval by the applicable Historic and Landmark District or approval by other City departments, if required. The SDOT Director may also consider input from other potentially impacted groups in the festival street designation outreach process. Proof of public notification and approvals including District Council meeting notes, adjacent property contact information, and Historic and Landmark District Certificate of Approval must be submitted along with the festival street designation application.
- 4.4.5 Following review, the SDOT Director will make a decision on the festival street designation proposal. Upon designation of a new festival street, SDOT will amend the list and maps of designated festival streets to reflect the newly designated festival street. The list and maps of designated festival streets can be found at: <http://www.seattle.gov/transportation/drules.htm>.

## 5.0 **Street Use Festival Street Permit Application and Review**

- 5.1 Application to SDOT Street Use for use of a designated Festival Street.
  - 5.1.1 Only streets that are designated as a festival street by the SDOT Director are eligible for a Street Use Festival Street permit. Other types of Street Use permits may be available to close a street for a special activity in a street that has not been officially designated as a festival street.

- 5.1.2 A Festival Street permit is an SDOT Street Use permit intended for community groups, businesses, or individuals that plan one or more closures of a designated festival street on a pre-approved schedule and for pre-approved activities.
- 5.1.3 Applicants for a Street Use festival street permit must fill-out and sign the Street Use Non-Construction Permit Application. By signing the permit application, the applicant agrees to defend, indemnify and hold harmless the City of Seattle, and comply with the conditions of the Street Use permit, pursuant to SMC Chapter 15.04.
- 5.1.4 SDOT will only consider complete permit applications. To submit a complete permit application, the applicant must provide the following information to SDOT along with their signed application:
1. Traffic control plan, including the following:
    - Plan of street closure showing location of Street Closed signs as required by the Traffic Control Manual for In-Street Work; and
    - Schedule of days and times of street closure.
  2. Site plan including the following:
    - North arrow;
    - Name of adjoining street(s) or alley(s);
    - Location and dimensions of any proposed installations in the sidewalk or roadway associated with the Festival Street activity. Note: Include installations such as platforms, canopies, tables, chairs;
    - Location of 20-foot fire lane;
    - Location and dimension of pedestrian zone on sidewalk remaining for public path of travel;
    - Location of existing improvement (e.g., utility poles, fire hydrants, parking meters or pay stations, bike racks, bus shelters, sign posts, tree pits), showing the distance of each from the nearest edge of any proposed installation;
    - Location of building exits and entrances;
  3. Schedule and list of proposed activities;
  4. Certificate of \$1,000,000 Liability Insurance with the City of Seattle named as an additional insured. (For more information, see CAM 2102, Certificate of Liability Insurance);

5. Field Review Fee Deposit per current Street Use Permit Fee Schedule hourly rate.

## 6.0 **Street Use Festival Street Permit Conditions**

- 6.1 The following elements are required when a street is closed as part of a Street Use Festival Street permit:
  - 6.1.1 20-foot fire lane maintained in the street at all times;
  - 6.1.2 6-foot pedestrian zone maintained in the sidewalk area at all times;
  - 6.1.3 Street Closed signs as required by the Traffic Control Manual for In-Street Work;
- 6.2 The following items and activities are allowed under the conditions of a Street Use Festival Street permit:
  - 6.2.1 Activities with anticipated attendance of up to 300 people;
  - 6.2.2 Amplified music between the hours of 9:00 a.m. and 10:00 p.m., provided that the activity conforms to SMC 25.08, Noise Control;
  - 6.2.3 Performances such as music or dance;
  - 6.2.4 Art shows and art displays;
  - 6.2.5 Community celebrations such as holiday or themed activities;
  - 6.2.6 Park-like activities such as games and gatherings;
  - 6.2.7 Temporary tables, chairs, or benches;
  - 6.2.8 Temporary tents or canopies that do not exceed 400 square feet in area (example, four lashed 10 foot x 10 foot canopies);
  - 6.2.9 Temporary stages that do not exceed 4-foot height and that conform to SMC Title 22, Building Code; and
  - 6.2.10 Signage conforming to SMC 23.55, Sign Code.
- 6.3 The following items and activities are NOT allowed under the conditions of the Street Use Festival Street permit:
  - 6.3.1 Any activity or event that meets the threshold for requiring a Special Event permit (see Special Event website: <http://www.seattle.gov/specialevents/default.htm>);

- 6.3.2 Any activity or event that requires the City to provide any public services in addition to those that would normally be provided by the City in the absence of the activity or event;
  - 6.3.3 Activities with anticipated attendance of over 300 people;
  - 6.3.4 Erecting non-movable items, like tents and stages, in the designated 20-foot fire lane;
  - 6.3.5 Erecting or storing items that block or impede pedestrian travel in the designated pedestrian zone;
  - 6.3.6 Vending of any kind, unless otherwise permitted by a separate Street Use permit;
  - 6.3.7 Amplified music outside the hours of 9:00 a.m. to 10:00 p.m., or otherwise in violation of Title 25.08, Noise Code;
  - 6.3.8 Carnival or inflatable rides, pyrotechnics, motor vehicle, or other related activity;
  - 6.3.9 Placement or storage of loose or uncovered material such as sand or gravel in the public place; or
  - 6.3.10 Flashing lights or similar objects that may pose a distraction to motorists.
- 6.4 The Director may, as deemed appropriate, condition the Street Use Festival Street permit to address the:
- 6.4.1 Hours of operation and dates of use;
  - 6.4.2 Impacts associated with the festival street activity from:
    - 6.4.2.1 Lighting;
    - 6.4.2.2 Noise; or
    - 6.4.2.3 Placement of signage, furniture, or equipment.
  - 6.4.3 Pedestrian circulation, traffic management, or any public use purpose.
- 6.5 All permit-related installations shall be removed from the public place when the Street Use permit duration ends.



## 7.0 Permittee Responsibilities

- 7.1 When closing a Festival Street to vehicle traffic, the Festival Street Permittee is responsible for the following:
  - 7.1.1 Providing advanced notice for closure of any on-street parking in the form of Temporary No Parking Zones; advanced notice of parking closure is not required on Festival Streets where parking is otherwise prohibited.  
<http://www.seattle.gov/transportation/parking/tempnoparking.htm>;
  - 7.1.2 Obtaining SDOT Traffic meter hooding permits if paid on-street parking will be closed;
  - 7.1.3 Site cleanup of the Festival Street and surrounding vicinity following a Festival Street activity;
  - 7.1.4 Ensuring that all activities conform to the Street Use Festival Street permit conditions;
  - 7.1.5 Complying with all the Street Use Festival Street permit conditions for the duration of the Street Use Festival Street permit; and
  - 7.1.6 Requesting additional closures not on original Street Use permit application at least two weeks in advance of event. Be advised that this permit extension request may require additional application items identified in Section 5.1.4.