1.0 Purpose
The Governing Body finds that, because it encourages a pedestrian-oriented environment, because it creates a vibrant and visually attractive streetscape, and because it promotes and stimulates commerce, it is in the best interest of the residents of the City of Lawrence, Kansas, to permit within the Downtown District, subject to regulation, Hospitality Areas.

2.0 Definitions
The following words, terms, and phrases, when used in this Article, shall, except where the context clearly indicates otherwise, have the following meanings:

(a) "ADA" shall mean the Americans with Disabilities Act of 1990, codified as amended at 42 U.S.C. § 12101 et seq.

(b) "Amenity Zone" means that portion of the public Right of Way, adjacent to the sidewalk but outside the pedestrian walking area, which includes streetscape elements such as raised landscaping beds and street trees.

(c) "Applicant" shall refer to a Person or Establishment, or a Person authorized to act in behalf of an Establishment, that has filed with the City Clerk an application for a Hospitality License. For the purposes of these Regulations, Applicant may be used interchangeably with Establishment, Licensee, or Person.

(d) "Downtown District," for the purposes of this Article, shall mean that area encompassing Massachusetts Street, bounded by Sixth Street to the north and North Park Street to the south, and those streets that intersect Massachusetts Street within that same area, bounded by New Hampshire Street to the east and Vermont Street to the west.

(e) "Establishment" shall mean any business, however organized, that owns or operates real property within the Downtown District. For the purposes of these Regulations, Establishment may be used interchangeably with Applicant, Licensee, or Person.

(f) "Hospitality Area," for the purposes of this Article, shall mean a Parklet Hospitality Area, a Plaza Hospitality Area, or a Sidewalk Hospitality Area.
(g) "Licensee" shall mean any Person or Establishment to whom the City has issued a Hospitality License. For the purposes of these Regulations, Licensee may be used interchangeably with Applicant, Establishment, or Person.

(h) "Parklet Hospitality Area," for the purposes of this Article, shall mean a maximum of three diagonal or two parallel parking spaces, located within the City’s right of way in the Downtown District, and licensed to a Licensee for private use in accordance with the terms of this Article.

(i) "Person" shall mean any natural person, business association, business entity, or other legal entity, however organized. For the purposes of these Regulations, Person may be used interchangeably with Applicant, Establishment, or Licensee.

(j) "Plaza Hospitality Area," for the purposes of this Article, shall mean the brick plaza areas in that portion of the City's Right of Way or Easement in the Downtown District immediately adjoining the sidewalk, but outside of the pedestrian walkway, that may include streetscape elements such as raised landscaping beds, street trees, or other amenities, neighboring a property and licensed to a Licensee, owning or operating that property for private use in accordance with the terms of this Article.

(k) "Sidewalk Hospitality Area," for the purposes of this Article, shall mean that portion of the sidewalk, located within the City's right of way or easement in the Downtown District, immediately adjoining a property and licensed to a Licensee, owning or operating that property, for private use in accordance with the terms of this Article.

3.0 Location and Extent

(a) Size and Dimensions.

(i) The maximum width of a Parklet Hospitality Area shall be the area between the curb and travel lane of the parking spaces it replaces. Parklet Hospitality Areas may encroach into the “Amenity Zone” of the streetscape, subject to compliance with all other standards enunciated herein. Parklet Hospitality Areas may not encroach into the pedestrian walking area.

(ii) The maximum width of a Sidewalk Hospitality Area shall be the area between the building face and the pedestrian walking area.

(iii) A minimum of 6-feet of unobstructed pedestrian clearance for a pedestrian walkway, between areas eligible for Hospitality areas, shall exist at all times.

(b) Location. The location of all Hospitality Areas shall meet the following standards:

(i) The Applicant must have doors and windows facing the proposed location of the Hospitality Area.
(1) Applicants may apply to use neighboring parking spaces as a Parklet Hospitality Area with written permission of the business, and all owners of record of the real property, that has doors and windows facing the proposed location.

(ii) Parklet Hospitality Areas are prohibited in existing ADA parking spaces.

(iii) Hospitality Areas are prohibited within any bike lane, public park, bus lane/stop, or ride-hailing stand.

(iv) Parklet Hospitality Areas shall not inhibit access to public or private driveways. Parklet Hospitality Areas shall be set back at least 30 feet from the nearest intersection, driveway, or alley.

(v) Sidewalk Hospitality Areas shall be contiguous to the building face of the structure offering the Hospitality Area and there shall be a point of egress to and from the Sidewalk Hospitality Area to the structure offering the Hospitality Area.

(vi) Plaza Hospitality Areas shall be adjacent to the building face of the structure offering the Hospitality Area.

(1) Applicants may apply to use neighboring plaza areas as a Plaza Hospitality Area with written permission of the business, and all owners of record of the real property, that has doors and windows facing the proposed location.

(c) Extent. The location, extent, and design of Parklet Hospitality Areas shall be limited to the following standards:

(i) Parklet Hospitality Areas located in angled parking spaces may use a maximum of 3 combined parking spaces.

(ii) Parklet Hospitality Areas located in parallel parking spaces may use a maximum of 2 combined spaces.

(iii) The total number of parking stalls within the Downtown District dedicated for the use of Parklet Hospitality Areas shall not exceed 12 parking spaces per block at any time. Persons or Establishments submitting pre-applications after the maximum number of parking spaces being used for Parklet Hospitality Areas has been reached will be placed on a waiting list and contacted when they are eligible to apply for a Hospitality License for a Parklet Hospitality Area.

(d) Public Safety, Utility, and Facilities.
Hospitality Areas shall not obstruct utility access panels, manhole covers, storm drains, or fire hydrants. Licensees must provide for access to the City or any utility company that may have underground conduits beneath the constructed Hospitality Area. Access to utilities may require that a Licensee temporarily remove all or a portion of the Hospitality Area. Licensees will be responsible for the cost of re-installing and restoring any damage to the Hospitality Area.

Hospitality Areas shall not obstruct access to fire hydrants. A 15-foot clearance from a fire hydrant (7.5-foot each side) along the curb shall be maintained at all times. A 3-foot buffer around the hydrant on all sides should also be maintained at all times.

Hospitality areas shall not obstruct access to water meters and valves.

To maintain fire safety access, there must be a 4-foot-wide opening between Parklet Hospitality Areas adjacent to one another.

To maintain the safety of pedestrian traffic Plaza Hospitality Areas shall not extend in to the pedestrian crosswalk as defined in appendix A.

4.0 DESIGN AND COMPOSITION

(a) Perimeter Buffers. A Parklet Hospitality Area must be set back a minimum of 2 feet from the travel lane and a minimum of 2 feet from adjacent parking spaces or curbs. The City will install vertical reflective posts and concrete wheel stops in the buffer area. Concrete wheel stops shall be bolted and removal of bolted wheel stops shall use appropriate joint sealing compounds.

(b) Perimeter Barriers. Hospitality Areas shall have a continuous vertical barrier or wall along all three sides of the perimeter and shall comply with the following standards:

(i) Railings and barriers shall be constructed of ornamental metal, wrought iron, or other compatible materials and shall reflect the character of the area.

(ii) For Parklet Hospitality Areas, the side-facing barriers or walls must run parallel to the angled curb lines, and shall not encroach into adjacent parking spaces.

(iii) For Parklet Hospitality Areas, any barrier wall placed behind the curb at sidewalk grade shall be constructed in a modular fashion such that it can be dismantled or removed at the request of the City, with 24-hours' notice, for maintenance activities. In case of emergency maintenance, City staff may dismantle or remove such barriers at their discretion. A Licensee may return the barrier wall to its former location once the City's maintenance work is completed.
(iv) The City may provide reflective striping along interior edges of a Parklet Hospitality Area and the exterior edges of the Sidewalk Parklet Hospitality Area to clearly denote the pedestrian walkway.

(v) The height of perimeter barriers for Sidewalk Hospitality Areas and Parklet Hospitality areas shall not exceed 45 inches and must be at least 36 inches in height. The height of perimeter barriers shall be measured from the sidewalk for a Sidewalk Hospitality Area and from the platform of the Parklet Hospitality Area.

(vi) For Plaza Hospitality Areas, the height of perimeter barriers shall not exceed 45 inches and shall be constructed in a modular fashion such that it can be dismantled or removed at the request of the City, with 24-hours' notice, for maintenance activities or public use. In case of emergency maintenance, City staff may dismantle or remove such barriers at their discretion. A Licensee may return the barrier wall to its former location once the City's maintenance work is completed.

(vii) For Parklet Hospitality Areas, between November 1 and March 1, seasonal wind blocks may be installed as a vertical extension of the perimeter barrier. Seasonal wind blocks shall consist of tempered glass and metal framing, or other fire-approved materials deemed appropriate. Seasonal wind blocks shall not exceed a height of 84" (7 feet) measured from the platform of the Parklet Hospitality Area.

(viii) For Parklet Hospitality Areas, barriers shall have no gaps greater than 4 inches and must be constructed at least 7 inches from the curb.

(ix) All perimeter barriers must structurally sound, and be stable and sturdy enough not to fall over, pushed over, or blown over by strong winds.

(x) On Parklet Hospitality Areas, continuous reflective material must be added along the top outside edges of the perimeter barrier to ensure nighttime visibility and traffic safety.

(xi) Barriers installed parallel to the 6-foot pedestrian walkway shall have a minimum of 4-inch clearance from the street-side edge of the pedestrian walkway and shall be a minimum of 6 inches from any tree located within the Hospitality Area.

(c) **ADA Compliance.** All accessibility elements of the Hospitality Area shall be designed, constructed, and conform to the applicable provisions, rules, regulations and guidelines of the Kansas Building Code and ADA.

(i) All platforms of Parklet Hospitality Areas must be flush with the curb.

(ii) The Hospitality Area must have an unobstructed path of entry from the public sidewalk of at least 48 inches in width.
(iii) Each Hospitality Area must have a minimum of one table that meets ADA clearance requirements (28" min- 34" max).

(iv) Each Hospitality Area must maintain a 36" wide minimum accessible path within the parklet/seating area.

(v) Each Hospitality Area must be designed to accommodate a 60-inch turning circle for a wheelchair.

(d) Composition. Hospitality Areas should be finished with high-quality, weather-resistant materials that fit within the context of the Downtown District.

(i) The support (framing) of Parklet Hospitality Areas may be constructed using wood frame, steel frame, or pedestal support systems, or other acceptable methods.

(ii) All Licensees shall agree to comply with Building and Fire Safety Codes. The platform (decking) and barriers (guards) of a Parklet Hospitality Area must be made using non-combustible materials of fire-resistant materials that specify "Class A Flame Spread-Rating" in accordance with American Society for Testing and Materials (ASTM) E84.

(iii) The platform surface of all Parklet Hospitality Areas must be non-slip and weather resilient to ensure safety and accessibility. Loose particles, such as sand or loose stone, are not permitted on the parklet. Pavers may be utilized if they can be easily removed or placed on a platform structure.

(iv) Hospitality Areas are temporary in nature and must be designed to be removable. Using recycled and reclaimed materials can reduce costs to the applicant and the City encourages the use of recycled and reclaimed materials.

5.0 ACCESSORY COMPONENTS
The site plan must include any of the following components the applicant intends to include, subject to the following standards.

(a) Seating. All Hospitality Areas shall incorporate seating, and may be integrated in a variety of creative ways. Seating may be designed as a part of the structure, planters, or other creative features. Seating may be movable or stationary.

(b) Electricity. Electrical connections are permitted within Hospitality Areas, subject to the following standards:

(i) Hospitality Areas may be powered at the expense of the Licensee or Owner, with the electrical service from the subject property to the Hospitality Area. Electrical service must be performed by a licensed electrician with appropriate permits when required. Persons and Establishments are expressly prohibited from tapping into the City's electrical connections, including but not limited to streetlight poles.
(ii) All wiring and electrical cords must be exterior rated and installed in accordance with NFPA 70.

(iii) Wiring and electrical cords shall not create a tripping hazard. Cords crossing above the sidewalk must provide a minimum clearance of 10 feet above the sidewalk and the platform of and Parklet Hospitality Area. Wiring and electrical cords should be constructed so as to not affect the historic material of a building façade, and shall not be drilled into structures except in masonry joints.

(iv) The City strongly encourages the use of solar-powered or other self-contained low-voltage systems.

(c) **Lighting.** The addition of lighting elements, especially on Parklet Hospitality Areas, is encouraged. Licensees may not utilize any lighting that is dangerous to passing motorists, that flashes, or that could be mistaken for a traffic control device. Lights and electrical wires may be supported by vertical poles, and shall not, under any circumstance, be hung, wrapped, stapled, or nailed to trees.

(d) **Overhead Structures.** No permanent roof structures are permitted. Temporary overhead structures, with a minimum clearance of 80 inches, are permitted in the form of lighting, shading canopies, or umbrellas. The material of overhead materials needs to meet the flame propagation performance criteria of NFPA 701.

(e) **Outside Heaters.** On Parklet Hospitality Areas, portable heaters are permitted, but are limited to 2 portable heaters per parking space use or as allowed by spacing requirements of this section. Portable heaters must be located a minimum of 5 feet from any building and a minimum of 5–10 feet away from exits as identified by City Code, combustible material, vegetation, trees, utility poles, overhead structures, or other flammable materials. Propane shall not be stored indoors. The City expressly prohibits propane from being stored in the public Rights of Way or in, on, or under any Hospitality Area. Propane shall be stored in accordance with NFPA 58.

(f) **Open Flames.** No heating, cooking, or open flames used for cooking are permitted in any Hospitality Area. Outdoor food preparation is not permitted. Hotpots, barbecues, or other heating of food in the Public Rights of Way is expressly prohibited. Candles and open flames are not allowed in Parklet or Plaza Hospitality Areas. Candles, but no other open flames, are permitted in Sidewalk Hospitality Areas.

(g) **Vegetation.** Landscape plantings are encouraged. Plants should be selected on hardiness, durability, and interest. Plants shall not be poisonous, noxious, or invasive. Plants must be pruned to maintain clear sight lines to and from the street. Plantings shall be maintained in a healthy condition at all times.

(h) **Amplified Sound Systems.** Any use of amplified music or sound shall comply with Chapter 14, Section 14-413 of City Code as amended.
(i) **Signs.** All signs used in or on Hospitality Areas shall comply with the City’s Sign Code, codified as amended at Chapter 5, Article 18 of the City Code.

6.0 **OPERATIONS**

Licensees are responsible for all operational maintenance of Hospitality Areas, including:

(a) **Maintenance.** Licensees are responsible for the day-to-day upkeep of Hospitality Areas, including debris removal, garbage clearing, plant pruning and watering, and securing furniture at night. All Hospitality Areas must be kept clean and clear of all leaves, snow, ice, trash, and other debris.

   (i) Licensees operating Plaza Hospitality Areas may choose to secure furniture in these areas using materials of a permanent nature as indicated in their approved site plan. No materials may be used in the brick pavers located within these areas. Any furniture secured in these areas must comply with the aesthetics of the downtown district.

(b) **Trash.** Hospitality areas shall be kept clear of litter at all hours of operation.

(c) **Stormwater Pollution.** Pursuant to Section 9-902 of the City Code, Hospitality Areas must be managed to prevent stormwater pollution:

   (i) Food waste, trash, cigarettes, and other solid wastes must be contained, collected, and disposed of properly. Collection must be frequent enough to prevent wastes carried off by wind or stormwater runoff.

   (ii) Hospitality Areas and components must be cleaned frequently enough to prevent contamination of stormwater runoff.

(d) **Smoking.** Smoking is prohibited in Hospitality Areas.

(e) **Alcohol.** The City may permit the Licensees to sell and serve alcoholic liquor and/or cereal malt beverages and the Licensee’s patrons to purchase, possess, and consume alcoholic liquor and/or cereal malt beverages within Hospitality Areas in accordance with Chapter 4 of the City Code. Licensees shall also comply with all State laws and City laws ordinances governing the sale, possession, and consumption of alcoholic liquor and cereal malt beverages. Codes Enforcement Division will inspect the parklet area to ensure compliance with the following:

   (i) No taps, kegs, coolers, or other alcoholic beverage or cereal malt beverage storage devices are allowed in Hospitality Areas.

   (ii) Possession and consumption of alcohol in Hospitality Areas is limited to patrons seated at tables.

   (iii) Licensees shall monitor Hospitality Areas to prevent alcoholic beverages or cereal malt beverages from being removed from the licensed premises and to ensure compliance with other alcohol-related laws and ordinances.
Hospitality Area Restricted Zone: 10th & Mass