




## MEMORANDUM

**TO:** Mayor and City Council Members

**FROM:** Gregory I. Guernsey, AICP, Director  
Planning and Zoning Department 

**DATE:** June 18, 2019

**SUBJECT:** Recommendations for Resolution 20181018-037 on Plaza Program Best Practices

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In October 2018 the City Council approved Resolution No. 20181018-037 directing staff to review existing plaza programs in other cities and to make recommendations based on best practices.

Planning and Zoning (PAZ) staff contacted New York City, San Francisco, Los Angeles, Seattle, and Philadelphia to inquire into the functionality and effectiveness of their existing programs as these cities have a proven record of managing public plaza programs. PAZ staff also interviewed City of Austin staff across departments to better understand past attempts at creating public plazas as well as other existing, related programs.

The following report contains the summary of research, background information, and recommendations for developing a public plaza program in Austin.

Should you have questions or need additional information, please contact Jorge Rousselin, Division Manager, Planning and Zoning Department, at (512)-974-2975 or via email at [Jorge.Rousselin@austintexas.gov](mailto:Jorge.Rousselin@austintexas.gov), or Greg Guernsey, Director, Planning and Zoning Department, at (512) 974-2387 or via email at [Greg.Guernsey@austintexas.gov](mailto:Greg.Guernsey@austintexas.gov)

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# RIGHT-OF-WAY PUBLIC PLAZA PROGRAM

Response to Resolution  
No. 20181018-37



## PART I: EXECUTIVE SUMMARY

### Policy Direction

In October 2018, Austin City Council approved [Resolution 20181018-037](#) directing staff to:

“research national best practices for temporary and permanent public plaza programs, with special attention to other programs’ organizational structures, application requirements, contractual agreements, cost-sharing models, accessibility standards, vendor requirements, signage requirements, features that appeal to all ages, and successful methods in which public entities engage private organizations and community groups that participate in the operation, maintenance, and programming of public plazas.”

The resolution further directed the City manager to provide a memo:

“that synthesizes these best practices, with recommendations for City of Austin implementation, including which City department should oversee the creation and administration of a public plaza program.”

This report responds to that direction, specifically with regard to plazas located within the public right-of-way (ROW).

### Key Recommendations

Staff contacted New York City, San Francisco, Los Angeles, Seattle, and Philadelphia to inquire into the functionality and effectiveness of their existing programs. They also interviewed City of Austin staff across departments to better understand past attempts at creating public plazas as well as other existing, related programs. This report is the culmination of this research and provides the information gathered along with recommendations for Austin’s own plaza program. For further recommendations on specific aspects of program management, arising from peer city research, please see “PART IV. RECOMMENDED AUSTIN APPROACH.”

#### Key Points in Recommendations

- The focus of this memo is on temporary public plazas in the ROW, including converting portions of the streets to pedestrian plazas.
- Peer city best practices include two approaches: 1) an applicant model (most common), in which a nonprofit, private-sector, or partnership group leads the project and applies to the City to design and construct a plaza in the ROW, and 2) a city-led model, in which ROW public plazas are initiated, sited, and constructed, by city government.

- The City would start with temporary plazas as pilots; if they prove successful, the most appropriate could advance to permanent installations.
- Extensive foundational work is required, as current City systems and processes create complex barriers. Major obstacles to implementing this type of program include: obtaining dedicated funding and staff; updating numerous elements of City code, regulations, guidance and standard practices to remove barriers; designing a clear application and permitting process; creating design standards; identifying community partners; and enforcement of agreements regarding plaza operations and maintenance.
- The City should embark on a public plaza program if sufficient staff and funding can be allocated to make the program successful and sustainable.

## **PART II: PEER CITY RESEARCH**

### **Funding and Resources**

New York City has the oldest plaza program of all the study cities; their ten-year old program is operated by the NYC Department of Transportation's Public Spaces Division in cooperation with the Department of City Planning and Department of Design and Construction. The program has eleven city staff responsible for managing the plaza program, which encompasses seventy-four locations over thirty acres. These staff are also responsible for other ROW related public space programming such as installing benches, bike racks, and operating street closure programs such as Summer Streets. While the program began with \$17 million in capital funding, which was enough to cover eight or nine plazas a year, their funding stream has been reduced to \$6 million annually, sufficient to fund one plaza a year. As a result, the plaza program team works with elected officials and assisted partners to leverage grants and fundraise to help fund plaza projects.

Los Angeles' People Street Program began in 2014 and is operated by the LA Department of Transportation's Active Transportation Division; they work with Public Works, City Planning, and Metro throughout the design and implementation phases to ensure a place-based design that does not interfere with transit routes. The program has one dedicated city staff person, who is responsible for the People Street Program as well as the City's Great Streets program and other initiatives. Their small staff has been a limiting factor, but the absence of a budget in the program's first year helped to identify the amount of money needed to successfully run a program. To date, they have implemented approximately three plazas per year.

Philadelphia began their plaza program in 2011 and has the narrowest organizational system, placing much of the design and implementation responsibilities on an applicant. Their Pedestrian Plaza Program is operated by the Office of Transportation, Infrastructure Systems, and Sustainability's Office of Complete Streets Division, with review as necessary by the city's Chief Traffic Engineer. The program has one dedicated city staff person who is responsible for other programs in the division. They do not set a

budget, outside of staff hours, and the applicant funds all the costs. To date, they have implemented approximately five plazas.

San Francisco began their plaza program in 2014 and has the broadest organizational structure of the cities studied. Their Plaza Program is operated by the Real Estate Department's Public Works Division in partnership with the Office of Economic and Workforce Development and Public Works. The program is a combination of several previous programs, including Pavement to Parks, Invest in Neighborhoods, and the Planning Department process for new neighborhoods and developments.

Seattle started the Pavement to Parks Program in 2015, which is managed by the Public Space Management Program in the Seattle Department of Transportation. The program has two to three staff members, including a crew chief coordinator, that work create and maintain up to four public plazas per year. Originally, the program was applicant driven but shifted to a City-driven, internal call for proposals process. Funding each year, provided by street fees, averages out to \$280 thousand a year. To date, the program has implemented 13 public plazas, 4 of which are becoming permanent.

## **Application Process**

The application requirements in each of the study cities are directly related to the plaza program goals and capacity to successfully implement new plazas. The requirements, along with the process for getting a plaza approved, are clear and available on the City's website. Typically, allowable applicants, called partners, include any mixture of business improvement districts, chambers of commerce, community benefit districts, nonprofits, property owners, private businesses, and other organizations. The demonstrated capacity of a partner organization to fulfill the responsibilities of the Program is critical to a plaza's success. Most cities require a potential partner to prove ties to the community through existing programs and relationships with stakeholders and community groups; these relationships prove vital when developing programming or there is opposition to a plaza.

Before submitting an application, potential partners are often required to conduct community outreach to gauge support for the plaza; documentation of this outreach is required for a successful application and can take the form of notification to abutting property owners, location signs, fliers, postcards, meeting minutes, or letters of support from council members, business owners, residents, or other institutions in close proximity to the plaza. Other initial documentation can include a map and photos of the site to include the location, surrounding area, traffic counts, traffic circulation patterns, and proposed street closure or parking removal; an initial concept description and layout; a maintenance plan that demonstrates the partner's capacity to manage the operations and maintenance of the plaza as required by the program; and a programming or activation calendar. The amount of information required of the partner should reflect the level of responsibility that organization will assume during the life of the plaza.

## **Selection Process**

Once an application is submitted to the relevant department, most cities have a review process to ensure adherence to the plaza site requirements and to evaluate the suitability of an applicant to fulfill their responsibilities.

Many cities require a minimum site area. Sites generally must be located in areas with underused roadways or road segments that are not critical to circulation. They must be near commercial corridors, transit or bicycle hubs, or other pedestrian-active areas, and in areas where adjacent streets have a speed limit of 25 mph or less. Los Angeles considers plazas on streets with a 30-35 mph speed limit on a case-by-case basis.

Assuming the site requirements are met, applications are typically scored on a set rubric that evaluates the applicant's capacity to fulfill the responsibilities required by the program. New York and Los Angeles award sites points or percentages as part of their selection process. Grading topics include inadequate public open space, underserved areas, and applicant capabilities. Sample criteria related to an applicant include the organizational capacity to conduct outreach and organize public meetings, a track record of work in the public realm (this could include community cleanup programs, streetscape projects, successful enforcement, or public safety programs), maintenance experience and/or the capacity to maintain the plaza, ability to purchase any required insurance, and the experience and/or capacity to coordinate public programming.

## **Plaza Design**

Once an application receives initial approval from the City, there are two potential paths. Some programs immediately begin the design and implementation phase, while others require public involvement before moving forward.

In Los Angeles, the Department of Transportation (LADOT) issues a public notice for all selected projects; the applicant is responsible for displaying the public notice and conducting a public meeting to gather feedback on a proposed plaza. This feedback is used to submit a final application with a preferred design, final budget, maintenance plan for one year, proposed programming, and proof of insurance.

New York follows a similar process in which the Department of Transportation reaches out to stakeholders through public notices, website and social media announcements, and presentations to community groups. The applicant is responsible for attending the Department of Transportation's outreach meetings, and for providing some of their own. The Partner is responsible for participating in meetings to finalize the plaza design; the design process is the responsibility of the Department of Transportation, who funds design and construction.

Final designs are often led by the city department managing a plaza program. In Los Angeles, the Department of Transportation develops a design scheme based on the partner's desired design elements, such as pre-approved furniture types, play equipment, and street painting, which are chosen from a document called the *Kit of Parts for Plazas*. This kit was created early in the plaza program process with the cooperation of a consultant team comprised of architects, graphic designers, and landscape architects. It is a guiding document, not regulatory, that strongly suggests certain element types. Philadelphia will expedite a plaza's design review if that design was created by a licensed architect or engineer. New York City offers applicants three-tiered plaza management levels: a one-day plaza, interim materials plaza, or permanent materials plaza; each has different design implications.

With a final design, the relevant city departments lead any necessary or allowable capital improvements, curb modifications, roadway markings, signal modifications, and surface treatments. Depending on the program, the city or partner may take the lead on installing movable furniture and play equipment, planters, bike parking, and wayfinding signs.

### **Features to Appeal to All Ages and Abilities**

The purpose of nearly all plaza programs is to convert a redundant or underused portion of a street into public space with the goal of increasing open space and contributing to more active, accessible, safe, and livable streets that enhance the quality of life in a city. This is achieved by incorporating furniture such as tables, chairs, benches, shade structures such as umbrellas; unique street painting; public art; planters of various sizes; exercise and play equipment; and games into what was once space dedicated to cars. These features allow for lounging, eating, and play. Los Angeles' *Kit of Parts for Plazas* provides plaza design typologies as well as specifications, vendor contact information, manufacturer information, pricing, and illustrations or photos for various plaza elements. People of various ages and abilities are featured in the product illustrations and photos, allowing plaza designers to more easily select amenities that could appeal to all ages.

All of the study cities required their plazas to be publicly accessible and to follow ADA Accessibility Guidelines; Los Angeles also requires all primary plaza features to be wheelchair accessible. Additional accessibility requirements state that plazas may not limit driveway access or interfere with transit routes, must provide access for delivery and sanitation vehicles, be allowed on metered and on-street parking streets, be below the curb, maintain access to crosswalks or existing pedestrian pathways, and limit intrusions to the sidewalk.

In addition to the physical features of a plaza, an engaging programming schedule is necessary to ensure vibrancy and inclusion. Programming can include art/craft fairs, farmers markets, limited sponsorship events, holiday celebrations, temporary art installations, music, dancing, yoga or other fitness classes, chess tournaments or lessons, art classes for kids, hula-hoop contests, or other community-oriented programs.

## Permitting

Los Angeles does not have an application fee or require permits for their plazas, since the California Vehicle Code allows the City to temporarily take a piece of road out of circulation. Two exceptions to this rule are for a temporary closure of the plaza for filming or other special events.

New York City does not require a permit for the plaza, but does require permits for additional elements of the plaza:

- Street Activity Permit through the Office of Citywide Event coordination and Management (CECM) for events
- Master Concession Agreement through the online Vendor Exchange System (VENDEX) for concessions after approval by the Franchise and Concession Review Committee
- Permitting through Street Activity Permit Office which categorizes plaza

Philadelphia requires a \$125 application fee. Approved applicants must legitimize their plaza's temporary street closure with a 1-year Pedestrian Enhancement Permit that is renewable for up to 3 years. After three years, the permittee must reapply.

San Francisco requires a \$4,802 Plaza Encroachment Permit for Street Plazas.

To ensure that all requirements of a plaza program are fulfilled by the city and community partners, most cities require a memorandum of understanding (MOU) or license agreement. These MOUs and license agreements can include the plaza location; access requirements; effective and sunset dates; any required street changes, closures, or parking removal; requirements for furniture specifications and storage, permitting, insurance, cleaning, and maintenance, programming and marketing expectations; and a communication schedule with the city or stakeholders. City staff regularly inspect plazas to ensure adherence to the MOU or license agreement.

## Vendor Requirements

Plazas in Los Angeles are subject to the sidewalk vending rules, and no permanent structures are allowed. Seattle permits vending carts and food vehicles in public plazas with the Sidewalk or Plaza Vending Permit. Additionally, food vehicles need a valid Street Use permit for a specific location. New York requires the Department of Transportation and plaza partners to apply to the Franchise and Concession Review Committee for authorization to enter into a Concession Agreement; the partner must also register with the City's Vendor Information Exchange System. Philadelphia does not allow vendors in plazas.



## Signage

Once a Partner creates a plaza, the rules regarding signage are strict, and allowable signs are typically limited to wayfinding to include the plaza name and a map of the surrounding area. In Philadelphia, all plazas are required to have a sign with the phrases “Public Plaza” and “All seating open to public.” Any additional accessory signage must receive approval from the Arts Commission. New York’s plazas feature signage with the rules for that particular space; the police department has reported that this assists with enforcement and resolving issues that may arise in the plaza regarding access or expectations. Sample rules include not feeding the squirrels, no camping, allowing one seat per individual, and prohibiting unattended items. Los Angeles does not allow advertising in the plazas, but rules are posted in the form of icons to express expectations for the space. These rules are enforced by the partner, who must manage the day-to-day activities of the plaza. If the partner encounters issues they are unable to resolve, the DOT would assist (to date, this has not happened).

Most cities do not allow advertising, but Seattle allows sponsor recognition and New York does allow banners that typically promote cultural exhibits and events or public and historic events that foster tourism. Any requested signs require department permission, must be three feet by two feet and six feet overall; aerial signs are prohibited.

## Partnerships for Operations, Maintenance, and Programming

Each of the plaza programs studied feature a cost sharing element between the city and community partner. New York’s program, for example, is funded through a combination of the Department of Transportation’s capital budget, which was secured through PlaNYC 2030’s long-range plan; unlike most cities, the New York Department of Transportation will also assume responsibility for some maintenance of plazas constructed of standard materials in high need areas. The applicant is responsible for the cost of managing the plaza long-term either directly, or through partnerships with other private entities. In New York the cost of installing basic amenities is estimated at \$100,000/year, with a yearly maintenance estimate of \$100,000.

In Los Angeles, the city pays for the plaza design development and installation, striping and surface treatments, perimeter plants and initial fill, flexible delineators to mark plaza boundaries, and wayfinding signage. The community partner pays for furnishings, soil and plant materials, any special play or exercise equipment, maintenance, and liability insurance of at least \$20 million. The City also has a technical assistance program to support applicants who may not have enough money for design assistance or for purchasing plaza amenities.

Once the community partner assumes responsibility for operating and maintaining the plaza to the extent required by contract, there are several sources of funding. Several plaza programs do not allow alcohol, table service, or advertising within the plaza, but a limited number of private and revenue-

generating events are typically allowable if all revenue is used to support the activation, management, and maintenance of a plaza. Other potential sources of revenue include donations and grants.

### **Evaluating Plazas for Success: Metrics and Methods**

Before installing a plaza, Los Angeles uses a very detailed methodology to conduct a public life study, examining data such as land uses, pedestrian and bicyclist counts, pedestrian questionnaires, business owner surveys, and an activity scan. One year after a plaza opens, Los Angeles reviews for complaints before a potential renewal of the MOU. Staff also collect data on pedestrian and bike activity, business activity, and public opinion after opening the plaza. While this data collection was extremely valuable early in the process as proof of concept for the plazas and to help refine application and site criteria, consistent data collection has been a challenge for staff, who lack the capacity to gather information on a regular basis.

New York City's evaluation studies can include pedestrian and vehicle counts, accident data, reports from the nonprofit partners, and surveys targeted to get feedback from the public, businesses and landlords.

## **PART III: AUSTIN CASE STUDY**

### **Nightwing Plaza (Planning and Zoning Department)**

In 2015, the Planning and Zoning Department (PAZ) Urban Design Division began the journey to create the Nightwing Plaza. This pedestrian plaza was proposed as a pilot project - converted street space adjacent to the Nightwing sculpture at Barton Springs Road and Congress Avenue - as a component of the South Central Waterfront Vision.

The internal City process to create this pilot project proved to be arduous and complex. Altogether, hundreds of staff hours were devoted in attempts to create a pilot project due to a lack of defined process for decision making, or supportive framework. Staff involved included PAZ, ATD, Office of Real Estate Services (ORES), Public Works Department (PWD), and others.

Initially, staff sought and obtained support from various agencies and surrounding business owners for the Nightwing plaza concept. Traffic safety and vehicle flow issues created concerns for engineers at ATD about the lane removal; these issues took over a year to work through. In 2017, PAZ drafted an ordinance to create a license agreement for the plaza. This agreement included a proposed fee waiver for the applicant (adjacent business owner YETI), with the provision that the plaza would be public space. This effort was coordinated through the ORES, which is responsible for license agreements for private use of the public ROW. However, the ordinance was pulled from the Council agenda and did not move forward.

Next, PAZ worked with PWD seeking to create the plaza through the Adopt-A-Median program; this program has been used for a variety of creative ROW improvements, beyond medians. To meet the program's requirements to only allow nonprofits to seek permits, the Austin Parks Foundation served as the applicant. By following this process, the project was able to advance. For safety, PWD contributed 10-ton barriers to provide physical separation between people in the plaza and vehicle lanes. Additionally, it was determined that before the space could open, an annual Temporary Sidewalk Cafe permit from ATD was also required. This requirement added additional time to the process. To meet the requirements for that permit, the adjacent business owner became the applicant and permits were obtained. Though sidewalk cafes are managed as private space by the applicant, in practice, Nightwing Plaza is continuously open to the public.

The plaza opened to the public in the fall of 2018 and staff continues to work on resolving several operation and maintenance issues. Examples include:

- **Access:** Delivery trucks need to cross the plaza to access an alley, and customers sometimes park in the alley. While a gate was initially installed to limit access to the alley, the gate was not consistently locked and was eventually removed. Allowing ongoing vehicular access presents a safety hazard for plaza users.
- **Management:** Maintenance on the plaza has been hit and miss with the partner organization reluctant to assume full responsibility for maintenance.
- **Permitting:** The Austin Center for Events (Office of Special Events at ATD) does not have a process for permitting ongoing activation of a public plaza in the right-of-way; it permits only one-time special events.
- **Safety:** The original plaza design did not provide adequate access for fire trucks and required a new agreement between private property owners, allowing alternative fire access through an adjacent property.

This experience pointed to the City of Austin's need for a holistic, efficient process to encourage, create, activate, and maintain a ROW public plaza. Closing street space to vehicular traffic to create pedestrian plazas requires careful analysis by transportation engineers, especially at sites where travel lanes or portions of whole streets are proposed for conversion. This type of installation requires evaluation and approval from many City departments, all with their own regulations and priorities. Currently, the lack of a standard process, clear authority and decision making across departments, dedicated staff, and community resources create severe barriers.

### **Street Patios and Neighborhood Business Districts (Austin Transportation Department)**

Street Patios, where parking spaces converted to pedestrian space, are essentially tiny ROW public plazas. These popular spaces (aka parklets), which are being created along Congress Avenue in particular, are issued as permits, to business owners, by ATD as temporary sidewalk cafes.

Applicants who have gone through the City process to permit a street patio report that the cross-departmental approval process required for applications (particularly approvals by utilities) creates

delays and draws out the process. The same applicants also report similar issues when seeking to create sidewalk cafes and street patios under the license agreement process. A license agreement is required for a more permanent, vs. temporary, installation. On a smaller scale, the issues are similar to those experienced by PAZ with the Nightwing Plaza. ATD is seeking ways to assist street patio permit applicants to streamline the cross-departmental approval process.

Beyond street patios, ATD has been open to working with various partners on creative projects that seek to create “people places” on City streets. These include tactical urbanism, creative painting of crosswalks and street space, and other projects proposed by the community via the Neighborhood Partnering Program (NPP) at PWD. NPP has had success in this partnership program but is available only to residential neighborhoods. It is not available Downtown or on commercial streets.

ATD has engaged with the Souly Austin Program and Redevelopment Services Division at the Economic Development Department (EDD) in neighborhood business districts. Merchants associations in neighborhood business districts have requested cohesive approaches to making streets more people-friendly. However, innovations have proved very difficult to implement to date.

Overall, City practices make it challenging to create people-focused public space in the ROW. Pilot projects have required laborious cross-departmental coordination and many work-arounds. These lessons learned are informative in considering a ROW public plaza program.

## **PART IV: RECOMMENDED AUSTIN APPROACH**

### **Research**

In researching national best practices, staff determined that the cities of San Francisco, Los Angeles, Seattle, New York City, and Philadelphia offered the best and most applicable peer city models. Staff in those cities were contacted, and phone interviews conducted, to inquire into the functionality and effectiveness of their existing programs. PAZ staff also interviewed City of Austin staff across departments about past attempts at creating public plazas, and related pilot projects and programs. The recommendations below reflect this local and peer-city research.

### **Community Benefits**

Peer cities, like Austin, are motivated to create public plazas to create public spaces that serve all people equitably, beautify and green streetscapes, activate streets, and transform streets and the pedestrian realm in walkable districts. Austin can benefit from a public plaza program by activating street space that is underutilized by motorists and redesign it for people; and create new public spaces in areas that are deficient in such amenities.

## Plaza Program, Phase I

Austin needs a comprehensive, professional, and ambitious approach to public space management - one designed to encourage, support, activate and permit (not deter) the use of City streets as vibrant gathering spaces and charming places for people.

However, the City should embark upon a program only if sufficient staff and funding can be allocated to make the program successful and sustainable. A public-private partnership is recommended.

The first phase of work to establish a public plaza program should be devoted to extensive foundational efforts to provide clearly defined expectations. As described above, current City systems and processes do not support the creation of plazas (or other types of people-centered space) in the public ROW. The initial phase of work will require steps that include:

- Establishing program scope, goals, and metrics;
- Identifying all current City barriers, and how to address them;
- Identifying dedicated funding and staff for the program;
- Establishing criteria for identifying and selecting optimal sites;
- Creating an application or partner selection process;
- Creating a ROW public plaza permitting/licensing and public space management process;
- Creating design standards;
- Identifying community partners;
- Planning for plaza operations and maintenance and;
- Planning for enforcement.

Given cross-departmental and regulatory changes needed, establishing a process and program will require some coordination at the level of the City Manager's Office to ensure alignment with the Strategic Direction 2023. Creating programs like this involves input, agreement, and a willingness to update practices from many different City departments including ATD, PWD, EDD, DSD, ORES, PAZ, Parks and Recreation Department (PARC), Austin Resource Recovery (ARR), Austin Fire Department (AFD), Austin Energy (AE), Austin Water Utility (AWU), Austin Center for Events, and others.

Development of the program should incorporate stakeholder engagement. Many non-profits, design professionals, and businesses have experience working with the City on place making projects and have unique insight into how processes can be improved.

An adequately staffed, resourced, and coordinated program is needed to solve for all issues holistically and provide efficiency. It should be best-practice, consistent, transparent, simple, inexpensive, equitable and easy to use.

## **Managing City Department**

The work and mission of four departments, ATD, EDD, PWD, and PAZ lends itself to a leadership role in managing a potential plaza program. PAZ is currently involved in community planning, neighborhood engagement, and placemaking initiatives, including a pilot plaza program at Barton Springs Road, South Congress, and the Box Bazaar. ATD is responsible for right-of-way management and street design. PWD is responsible for street maintenance and management of capital projects. EDD manages cultural arts programs and creative economy initiatives.

After conducting research and working across City departments, PAZ recommends that ATD should lead the development and launch of a ROW public plaza program. ATD is the City department responsible for ROW management and street use. It is responsible for street design, transportation engineering, pedestrian safety and use of streets, and the temporary sidewalk cafe (street patio) program. Recently, ATD has established a placemaking program and is positioned to ensure that these public spaces are aligned with the fast-changing mobility landscape to provide amenities for people travelling by all modes.

All the recommendations for Austin below would be further developed and refined in Phase 1 of creating a City of Austin ROW public plaza program.

## **Funding and Resources**

If Council directs the public plaza program to move forward, and identifies resources, ATD envisions a six-month phase of initial program development that will require interdepartmental collaboration. A pilot project could then be initiated, likely to start with one plaza at a site that meets optimal criteria.

After establishing program development, ongoing management of the program will be assigned to the division with the most adequate resources. A ROW public plaza program will require dedicated staff and funding. Within six months, ATD would identify and bring back to council the recommended budget and staff. At a minimum, the program will require one dedicated FTE in FY20 to manage the start-up of a program. Based on information from peer cities, the budget to implement a first temporary plaza - as a pilot using relatively low-cost materials, at a site where a permanent public plaza is desired - could be in the range of tens of thousands to hundreds of thousands of dollars, depending on scope. Peer cities that implement fully developed ROW public plaza programs report budgets that run into the millions of dollars. Public-private-philanthropic partnerships are utilized to make them fiscally sound.

Temporary plazas (e.g. one year) will require extensive resources; significant funding would be required for the creation and maintenance of a public plaza program. One temporary pedestrian plaza could be put in place, with the costs funded in part by the city and in part by private-sector, nonprofit, or philanthropic partners.

## Application/Proposal Process

The process and requirements for an Austin Plaza Program application should be decided by interdepartmental and stakeholder collaboration. Though dependent on the contractual agreement, community-driven proposals could establish an application fee that reflects the costs of reviewing and permitting a plaza. This base fee could be reduced for priority areas and equity goals to increase the equitable development of plazas throughout the city.

Austin does not have many community organizations equipped to deliver full-service maintenance, programming, and operation of a plaza. Partnerships will be needed; participants could include nonprofits, businesses, business improvement districts, merchants' associations, city departments, and other organizations. These groups would assemble partners with the capabilities to confer through all aspects of plaza design, development, operations and programming. The City of Austin could contract for maintenance and other needs to lessen the burden on community partners.

Information about the ROW public plaza program should be available online. This would include a path for community-led inquiries and proposals. The website and opportunities would be promoted by ATD through social media, e-newsletters, and traditional media outlets. If proposals and applications are invited, they should clearly outline the requirements, expectations, timelines, full process and procedures.

Proposals and/or applicants would need to demonstrate the following:

- A primary point of contact and financially responsible party
- Vision statement and description of community benefits for the plaza
- Community support in the form of signatures or letters of support from business owners, residents, or other institutions in close proximity to the plaza
- Capacity to contribute to the operations, maintenance, and programming of the plaza and to acquire liability insurance as evidenced by past work in these areas as well as ability to finance these activities.
- A design concept for the plan, to include a map and photos of the site, and proposed layout
- A proposed programming plan for ongoing activation

The City website and application should include:

- Program vision statement
- Application fee, deadline, submission requirements, and steps between application and implementation
- Site requirements
- Allowable capital projects and installations, and process for implementing these elements
- Plaza effective and sunset dates
- Expectations for access, maintenance, operations, and programming
- Requirements for special events, including signage, permitting, notification, and restroom access
- Guidelines for sponsor recognitions and advertisement based on existing rules
- Insurance requirements

- Rubric for scoring applications
- Optional: List of pre-screened preferred sites

## **Selection Process**

Criteria will be established for evaluating and selecting potential projects. The process should be clear and predictable, following a set of established, pre-approved criteria for each application element, including applicant responsibilities, site requirements, and how this plaza furthers Austin’s strategic and policy goals. The pre-approved criteria for plaza locations, size, amenities, and programming will need to be vetted by staff and publicly available.

Austin-specific site criteria could include:

- Surrounded by active uses
- Public access
- ADA Accessibility
- Access for public safety vehicles and equipment
- Locations that are in underused roadways or segments that are not critical for circulation or access
- Locations that are near pedestrian-active areas such as commercial destinations or transit stops
- Locations in an area considered park deficient

Dates of activation and sunseting can be flexible, and dependent upon the final budgetary scope of the public plaza program and the limitations of a particular site.

## **Plaza Design Standards & Contractual Agreements**

Proposals should include preliminary design. During design development, staff would ensure the plaza conforms to the City’s design standards and goals. City staff would assist in refining details to arrive at a final plaza design which would be included in a contractual agreement. The City often uses license agreements for which terms are specified in City code. An MOU or other contract may provide more flexibility with the temporary aspect of the plaza program and should be considered as part of the public plaza program development.

Finalizing the design, ATD could post a public notice and host meetings to gather feedback on the proposed plaza, followed by a collaborative effort between the lead department and applicant partner(s) to create a final design and proposed programming structure. This effort will require cooperation between multiple city departments, including ATD, PWD, PAZ, the Austin Center for Events, and others to determine the parameters of allowable change. Examples of this include: what, if any capital projects are allowed; acceptable installations of street paint, furniture, play areas, safety features, and other amenities; and what types of special or sponsored events might be allowed.



Examples of items for review include:

- Access requirements for people, business deliveries, and emergency vehicle and apparatus access
- Impact on nearby street traffic flow
- Signage that adheres to current regulations and conveys information such as:
  - Public access requirements
  - Hours of access, if applicable
  - Applicable limitations on food or beverage
  - A contact phone number or email address to report violations
  - Name of the plaza community partner(s)
  - Map or wayfinding to point out nearby amenities
- Vending, food, and alcohol permits reflective of current sidewalk cafe and special events
- Special events
- Structures beyond what's allowed in application process
- Programming, ongoing events including vending and food trucks

This collaborative process will result in a final permitted design, a final budget, a maintenance plan for one year, proposed programming with a preliminary list of any additional permits or other approval processes, and proof of applicant insurance. A checklist similar to the list provided with Sidewalk Cafe Permit should be used. This will be memorialized in a contractual agreement that includes items above, as well as:

- Access requirements
- Applicable street changes
- Effective and sunset dates
- Maintenance requirements
- Programming expectations
- Permitting requirements
- Signage regulations
- Insurance requirements

The agreement could be enforced through random plaza inspections as well as a sign at the plaza with a phone number or email address for members of the public to submit violations. Initially, temporary public plazas in the ROW would be approved for a term of 1 year.

### **Features to Appeal to All Ages and Abilities**

All plazas should meet ADA accessibility requirements and allow for uninhibited public access. To achieve active and accessible plazas, the City could proactively create a menu of required and optional design features, along with any programming and storage requirements that will give applicants predictability and flexibility to create a unique plaza enjoyable for people of all ages and abilities.

## **Permitting**

Using the Austin Center for Events cross-departmental review process model (as well as the cross-departmental Expedited Building Review program at DSD) as a guide, Austin's plaza program should formally coordinate department approvals to streamline the permitting process. Any issues with permitting that arise with the application proposal should be resolved during the "Finalizing the Design" phase.

Currently, two types of permits are required for a public plaza. One permits conversion of the ROW from vehicle to pedestrian plaza use; the other permits activation and events (programming). The City needs to streamline and create a new permitting process of those requirements to remove confusion and undue cost for the applicant.

## **Vendor Requirements**

Vending allowances in a plaza program should allow for retail and food carts and trucks when appropriate. A new permit will need to be created or an update needs to be made to the current ROW Vending Permit to include allowances for ongoing vending specific to public plazas. For special events, update the current ROW vending permit to accommodate the specific needs of public plazas.

## **Signage**

Plaza signage should adhere to current regulations and convey information such as public access requirements, hours of access (if applicable), limitations on food or beverage, contact phone number or email address to report violations, name of the plaza community partner(s), and map or wayfinding to point out nearby amenities. Signage should contain as much imagery, be concise and clear as possible to convey rules clearly to all people. Commercial signage would not be allowed, though, sponsor recognition may be considered for public-private partnerships. Street banners branded for the public plaza can be used as a "placemaking tool" to enliven and create a clear identity for the public space.

## **Partnerships for Operations, Maintenance, and Programming**

Management of the public plaza program will require additional funding and resources. Sponsorships and partnerships could be pursued by a community partner; the City cannot solicit donations, but it can engage partners. Partnership agreements could include design, implementation, and maintenance; programming; post-installation enforcement; and evaluation. A cost-sharing model could be implemented to split the cost of capital projects, installation, maintenance, and programming. The parameters of this cost-sharing would be set in the license agreement or MOU between the city and lead community partner. As part of the agreement, community partners may also need to carry insurance.

Ongoing partnerships will be necessary to ensure any maintenance and programming assigned to private parties are honored and implemented. ATD would ensure the expertise and cooperation of City departments throughout the application, design, implementation, review, construction, operations, maintenance, and programming phases of a plaza by establishing a cross-departmental advisory and review process.

### **Evaluating Plazas for Success: Metrics and Methods**

For operational plazas, the City could conduct a public life study or other evaluation on how the plaza is being used, who uses it, and the effects on safety, traffic flow, nearby businesses, and residents. Data and site observations will allow the City to evaluate the effectiveness of a plaza and further refine applicant, site, programming, and maintenance requirements. Studies should focus on ensuring that the plazas are successfully and equitably activating space in Austin.

Metrics should be aligned with the City's Strategic Direction 2023. The following community benefits are recommended as the goals and metrics for Austin.

- Economic Opportunity and Affordability
  - Improve the equity of public open space, for people in all areas of the city
  - which are open to all
  - Strengthen business districts to promote economic vitality
- Mobility
  - Increase connected travel to public places
  - Encourage walking, biking, and multi-mobility choices
  - Support and create infrastructure for smart mobility and emerging technologies
- Safety
  - Design, support and maintain plazas with safety as a priority
  - Enhance and maintain ROW infrastructure to increase safe travel to and from these plazas
- Health
  - Encourage active transportation and active programming which provides multiple health benefits
  - Integrate trees, plants, and landscaping that provide nature in the city
  - Increase carbon neutral mobility modes to public plazas
- Culture
  - Provide public spaces that reflect and enrich Austin's civic and cultural experiences
  - Create vibrant social spaces that are welcoming to all people and cultures
  - Strengthen neighborhood character and identity
  - Provide free events and amenities in public plazas