RESOLUTION NO. 5
Series of 2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO REVISING THE TOWN OF TELLURIDE'S TEMPORARY SUMMER PARKLET POLICY AND PROCESS

WHEREAS, the Town Council of Telluride, Colorado is charged as the public trustee for public rights-of-way as provided for in C.R.S. §§ 43-2-123-125 and 31-15-702(1)(a)(i); and

WHEREAS, food service establishments are a key component of Telluride's local services and tourist-based economy; and

WHEREAS, expanded outdoor dining options for patrons of food service establishments adds interest and vibrancy to the Town's streetscapes and complements the visitor experience; and

WHEREAS, the Town Council of the Town of Telluride desires to revise policies and procedures approved by the Town Council for temporary summer parklets to ensure the location and placement of parklet structures do not impact public safety improvements within the Town's public rights-of-way and to provide clarifications to streamline administration and enforcement of parklet regulations and to ensure consistency with Town Council decisions that are directly relevant to the Temporary Summer Parklet program.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO as follows:

The Town of Telluride, Colorado hereby adopts the following policies and procedures with revisions that allow the use of temporary summer parklets in designated vehicle on-street parking areas of the public rights-of-way:

1. A temporary summer parklet is defined as a privately owned and maintained platform with three-sided edging (planters, railing, cabling, or some other appropriate buffer) occupying up to two on-street public parking spaces during the summer months that is accessed from the adjacent sidewalk, for use by patrons of food service establishments subject to all the terms and conditions of food service permits and alcohol licenses.

2. The temporary summer parklet policy is consistent with the Town's Master Plan by enhancing the pedestrian experience in the commercial core and generating a "campus" atmosphere that promotes interaction and walking environment.

3. The Town will make available public vehicular parking spaces for temporary summer parklets for outdoor dining at the front of or directly adjacent to food service establishments, unless the Telluride Public Works Department determines that the construction of public safety and accessibility improvements requires the relocation of specific parklets for the duration of the summer parklet season.

4. Application and approval for a "Temporary Summer Parklet Permit" is required before a parklet is installed at any public parking space within the public right-of-way.

5. A "Temporary Summer Parklet Certificate" is required before a parklet is made available for patrons of food service establishments.

6. Temporary Summer Parklets shall meet the following Parklet Design Standards:
   a. To ensure visibility to moving traffic and parking cars, parklets must be buffered using a wheel stop one foot from the curb at the edge of the front and back parking spaces and setback four feet (4') from the parklet.
   b. Parklets must have vertical reflective elements of three feet (3') that make the parklet visible to traffic, such as flexible "soft hit" posts or bollards that align with the outside corners of the platform on each side.
   c. Parklets are limited to a width of ten feet (10'). Parklets in locations off Colorado Avenue, where travel lanes are constricted, are limited to a width of eight feet (8').
   d. Parklets must have three-sided physical edging to the street (planters, railing, cabling, or some other appropriate buffer) and roof structures are prohibited. Edging shall be no less than thirty-six inches (36") in height and no greater than forty-two inches (42") in height, capable of withstanding at least two-hundred pounds (200 lbs.) of horizontal force. If cable railing is used, spacing between cables cannot exceed six inches (6"). Planters must be adequately secured to remain upright and in place.
   e. Bicycle racks may be placed at one or both ends of the parklet, subject to an increase of the buffer area for the placement of a wheel stop and upon review and approval of the Town.
   f. Parklet length is limited to between twenty feet (20') for use of one full parking space to forty feet (40') for use of two full parking spaces. A Parklet may include a fraction of a second parking space but may not extend beyond two full parking spaces.
   g. Parklets must have a flush transition at the sidewalk and curb with a maximum gap of one-half inch (1/2") to permit easy access and to avoid tripping hazards. A minimum thirty-six inch (36") clear width entryway must be maintained without vertical protrusions to comply with ADA Standards.
   h. Parklet platforms must be level not to exceed a two percent (2%) cross slope using the substructure to account for the curvature of the street. Design must allow for easy access underneath the platform, and curbside drainage may not be impeded. Platforms must support 100 pounds (100 lbs.) per square foot and shall be constructed with materials that can sustain exposure to the elements, are easily maintained, and are slip resistant including wood, metal, concrete, or composite.

7. Parklets must adhere to the following Parklet Guidelines:
   a. Parklets are permitted only for food service establishments with a valid Town of Telluride "Summer Parklet Certificate."
   b. Parklets will be considered along the curb line on streets where there is on-street parallel parking only.
   c. Entry onto parklets must occur only from adjacent sidewalks.
   d. The location of parklets must be at least the distance of one parking space away from any intersection, curb cut or street corner at a location approved by the Public Works Department, to ensure an adequate and safe distance from any existing or future public improvements that may impact the parklet structure.
   e. Parklets may not extend beyond the width of the parklet business's storefront with the following exceptions:
      1) with permission granted by the property owner or the lessee of the neighboring ground floor establishment if the parklet extends into the boundary of their storefront, or
      2) events where work, repair or maintenance to Town infrastructure is required; staff may approve the impacted parklet permission for a relocation to the nearest potential parklet location outside of the work area for the entire summer season, subject to Public Works Department approval.
   f. No lease or sub-lease arrangements are permitted nor is any additional payment or consideration permitted by patrons to reserve or occupy a table within a parklet.

g. Parklets may not block public utilities or access points (i.e. manhole covers, fire hydrants, utility access panels), and must meet the minimum five-foot (5') clearance requirement from public facilities or vertical utilities in the right-of-way.
h. When it is determined a parklet location off Colorado Avenue is limited due to roadway width or other circumstance, the applicant may request a narrower parklet footprint. Alternatively, the applicant may consider an Outdoor Dining License to occupy part of the sidewalk immediately in front of the applicant's business, provided that no less than four feet (4') of the sidewalk remains unobstructed for pedestrian traffic, taking into account benches, light poles, and other possible obstructions.
i. The parklet must maintain a visual connection to the street and may not obstruct views for motorists approaching intersections. Umbrellas are the preferred shading device so as to maintain visibility with adjacent businesses. Shade structures other than umbrellas may be approved if it is determined that the structures will not cause greater impacts to views and visibility than would umbrella structures. Shade structures with side coverings are prohibited unless the side coverings are retractable and are lowered/utilized only during rain or snow occurrences. Umbrellas and other approved shade structures shall have a minimum seven feet (7') vertical clearance as measured from the finished deck surface of the parklet to the bottom edge of the umbrella or shade structure and shall not exceed a maximum of nine feet (9') in height from the finished deck surface of the parklet. Umbrellas shall be mechanically fastened to a 40-to-60-pound base so as to prevent movement during high wind events. Other approved shade structures, such as canopies, shall be adequately attached or fixed to the parklet to sustain high winds. No part of any umbrella or other shade structure may extend into the travel lane or over sidewalks. Finally, umbrellas must immediately be closed when winds exceed 15 miles per hour.
j. The finish of any umbrella or other shade structure shall minimize potential corrosion and shall consist of a marine grade canvas that is fire-retardant, pressure-treated or manufactured of fire-resistant material. Vinyl fabric shall not be permitted. Membrane materials shall not be ripped, torn, falling down, fluttering, waving or stained. Colors of the canvas shall be limited to solid muted tones or colors consistent with the general color theme of the restaurant business.
k. Parklet businesses are required to maintain all relevant licenses for food and beverage service including liquor licenses. Food and drink service on parklets is permitted during the parklet business's normal operating hours but may not continue past 10:00 p.m. daily.
l. Parklet businesses must monitor their parklets to ensure use does not cause a public nuisance through noise, lighting, litter or other means, and to identify unlawful obstructions into the sidewalk or roadway (i.e. strollers, pets). In the event of an obstruction the parklet business shall notify Town staff to respond.
m. Parklet businesses must contain all operations within the parklet and are prohibited from using adjacent sidewalks or roadways for waitstaff activity, seating, off-site food delivery or dining.
n. Parklet businesses are responsible for installation and removal of parklets, and for providing all furnishings which must be secured and remain contained within the parklet.
o. Parklet owners agree to disassemble all shade structures during the day prior to the night of "Balloon Glow."
p. Parklets must comply with the Americans with Disabilities Act (ADA).
q. No private advertising, logos, or other branding is permitted on or within parklets.
r. No permanent modifications to the right-of-way pavement or surfaces are allowed.
s. Parklet use is allowed from the third Wednesday of May through the last day of October of each year, or for a shorter period in cases where public roadway improvements impact the parklet locations. In these instances, fees will be reduced in proportion to the number of weeks the parklet is unable to operate.

8. Temporary Summer Parklet Fees:
   a. An application fee as established by the annual fee schedule adopted by the Town Council.
   b. Temporary Summer Parklet Use Fee of
      Parking Revenue per day (as established by the most recently amended parking fee schedule adopted by the Town Council at the time of parklet application submission) * X days of use X _____Parking Space X .85 (85 percent occupancy)

      Payment may be made in installments per an agreement with the Town. Payment may also be waived by the Town in cases when the parklet is placed on the street for a very limited duration due to roadway improvements. If a fraction of a parking space is utilized by the parklet, the fee shall apply to the full parking space unless the space can accommodate and is used for a stand for bicycle parking, in which case the fee amount will be reduced to only the percentage of parking space utilized for the parklet.

9. The following Temporary Summer Parklet process shall be followed:
   a. Applicants must submit a complete application and site plan with all required supporting documentation and the application fee as prescribed by the annual fee schedule adopted by the Town Council by no later the second Friday in March. Temporary Summer Parklet Permits are issued upon approval of parklet design and placement. All parklet designs must comply with the Parklet Design Standards and Parklet Guidelines set forth in this Resolution.
   b. Upon receipt of a Temporary Summer Parklet Permit a pre-installation field inspection scheduled through the Building Department is required. Installation work shall not occur before April 1. The parklet must be completed by no later than the third Monday of May unless exempted by staff.
   c. Applicants must schedule and pass a second inspection at commencement of the parklet installation, and a final inspection upon completion. Parklets will be inspected to ensure design standards, guidelines, and safety and accessibility codes are met. Failure to maintain compliance could result in termination of the temporary summer parklet use.
   d. Upon passing final inspection, verification of insurance requirements, and execution of all required agreements and waivers, applicants must pay a Temporary Summer Parklet Use Fee and obtain a Temporary Summer Parklet Use Certificate from the Historic Preservation and Planning Department prior to opening the parklet to the public. Temporary Summer Parklet Use Certificates must be prominently displayed on the parklet and are valid from the third Wednesday of May through the last day of October of each year. Parklets and all accessories must be removed from the right-of-way by no later than the last day of October.
   e. Parklets where alcohol will be served must obtain local and state approval of a Temporary Modification of Licensed Premises prior to any sale of alcohol on the parklet structure.

10. As a part of the Temporary Summer Parklet Permit application, construction plans stamped by a certified P.E. shall be submitted that include or have attached:
    a. details of assembly, construction and finishes
    b. load bearing and railing force rating specifications
    c. certification that proposed edging meets 200 lbs. of horizontal force standard
    d. certification that platform meets the 100 lbs. per square foot standard
    e. certification that plans do not impede drainage flow
    f. certification that shade structures are adequately secured to withstand wind velocities that exceed 15 to 20 mph.

11. A private contractor shall also certify that the parklet meets the Parklet Design Standards as per this Resolution.

12. Temporary Summer Parklet Certificates are revocable by the Town Manager upon determination by the Town that the use of the parklet is detrimental to the public health or welfare or upon finding of violation of any term of this policy, or violation of other licenses or permits involving the licensed property including sales tax, liquor license and business license requirements, or violations of other applicable provisions of the Town's Municipal Code and Ordinances. For purpose of this provision, improper use of the edging (railing) that delineates the parklet for signage, tethering of dogs, bicycles or other obstructions shall constitute a violation of the policy. Notice of revocation shall be provided in writing no less than thirty (30) days in advance of such action, unless immediate revocation is determined to be necessary for the protection of preservation of public health, safety, and welfare.

RESOLVED, APPROVED AND ADOPTED by the Town Council of the Town of Telluride, Colorado this 4th **day of** February**, 2025.**

TOWN OF TELLURIDE

Teddy Errico, Mayor

ATTEST

Tiffany Kavanaugh, Town Clerk

TOWN OF TELLURIDE SEAL SAN MIGUEL COUNTY COLORADO

Approved as to form:

Kevin J. Geiger, Town Attorney

STATE OF COLORADO)
)
COUNTY OF SAN MIGUEL) ss.
)
TOWN OF TELLURIDE)

I, Tiffany Kavanaugh, the Town Clerk, of the Town of Telluride, Colorado ("Town"), do hereby certify:

i. The foregoing pages are a true and correct copy of a Resolution ("Resolution") passed and adopted by the Town Council ("Council") of the Town at a regular meeting of the Council held on February 4, 2025.

ii. The Resolution was duly moved and seconded and the Resolution was adopted at the Council meeting of February 4, 2025 by an affirmative vote of a majority of the members of the Council as follows:

Name	"Yes"	"No"	Absent	Abstain	Recused
Teddy Errico, Mayor	✓				
Meehan Fee, Mayor Pro Tem	✓				
Jessie Rae Arguelles	✓				
Geneva Shaunette			✓		
Dan Enright	✓				
Elena Levin	✓				
Ashley Story Von Spreecken	✓				

iii. The Resolution was approved and authenticated by the signature of the Mayor, sealed with the Town seal, attested by the Town Clerk and recorded in the minutes of the Council.

iv. There are no bylaws, rules or regulations of the Council that might prohibit the adoption of said Resolution.

v. The members of the Council were present at the meeting and voted on the passage of such Resolution as set forth above.

TOWN OF TELLURIDE
SEAL
SAN MIGUEL COUNTY
COLORADO

Tiffany Kavanaugh, Town Clerk