



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: CHRIS MCGINNIS, TOWN ENGINEER/PUBLIC WORKS DIRECTOR
VANESSA AGEE, COMMUNICATIONS DIRECTOR
RE: PARKLET & COMMERCIAL USE OF TOWN PROPERTY DISCUSSION
DATE: JANUARY 14, 2025

Summary and Background:

Since the summer of 2020, Frisco Main Street has accommodated various commercial uses, beginning with the 2020 Main Street Pedestrian Promenade between 2nd and 5th Avenues and continuing with parklets in the fall of 2020. As the program enters its fifth year, Town Council gave direction to staff to bring it back to Council for discussion and review. Staff is also including a discussion of the use of Town property for all commercial uses to provide a comprehensive review of not just the parklet program but all uses of Town property. Town property not only includes streets and adjacent parking, but it also includes sidewalks, often right up to the buildings and businesses on Main Street.

First Parklet and CDOT Grant

In 2018, Frisco had already built and deployed one parklet and placed it in a parking space on Main Street. This small, ADA accessible “deck” was designed free of charge by Norris Designs and built by Frisco Public Works in 2018 to fit into a parking space and be flush with the sidewalk. Therefore, in the summer of 2020 when the COVID-19 pandemic was impacting all aspects of life including commerce, the Town of Frisco applied for the Colorado Department of Transportation’s (CDOT) first round in the Revitalizing Main Street grant program. Subsequently in August 2020, Frisco was awarded \$50,000 to build parklets, as this project fit into the grant’s mission of “providing financial assistance to communities seeking to make creative modifications to state roadways or other public spaces as a way of promoting social distancing and economic activity”. CDOT required a 10% match to qualify for this grant and noted in their grant award announcement that Frisco’s efforts would “increase pedestrian activities and enhance business access along Main Street”.

Parklets and the Promenade

In October 2020, the first round of 20 parklets was installed, and Frisco Public Works continued to build parklets in anticipation of the next summer. This was a formalized process, which required license agreements to use Town property, as well as insurance, fees starting in 2022, and in some cases an application to extend liquor licenses. Subsequently, the Promenade returned for the summer of 2021 with some minor adjustment, including additional parklets. During the summers of 2022, 2023, and 2024, Frisco Town Council made the decision to not continue with the Promenade, to open Main Street to vehicle traffic, and to continue to offer businesses the opportunity to use Town property for commercial uses from June to October.

In 2021, 54 parklets were deployed at 20 businesses. In 2022, 30 parklets were installed at 11 businesses and some were then also installed at the Frisco Bay Marina, where they remain today as well. From 2020-2022, there were still several businesses that chose to utilize their parklets over the winter, but this amount decreased greatly each year, and in the fall of 2023, this option was no longer made available due to street maintenance, diminished use, and snow clearing responsibilities/challenges.

Outreach and Council Discussion in 2023

In the spring of 2023, there was significant outreach regarding parklet and promenade use, including a survey administered by RRC, and Council subsequently decided during their [May 9, 2023 meeting](#) that only parklets would be made available and to not stand up a promenade. These decisions were based largely on the feedback from Main Street businesses. In 2023, 40 parklets were installed at 17 businesses. In 2024, 39 parklets were installed at 19 businesses.

Use of Parklets and Town Property

Parklets have been made available to all categories of Main Street businesses since 2020, and businesses on side avenues were offered parklets starting in 2024; only one business, 5th Avenue Grill, utilized parklets on a side street. In 2024, out of the 19 businesses that had parklets, 11 were restaurants/bars, six were retail, and two were primarily service providers.

Most businesses who opted to use public property for commercial purposes did choose to use parklets in the parking spaces in front of their businesses, except for Rebel Sports. From 2020 to 2024, Rebel Sports, at the corner of Main Street and 3rd Avenue, has participated in the parklet program and paid the same price for their use of Town property but decided not to utilize parklet structures. Instead, they use five parking spaces on Main Street in front of their business for their bike rental fleet. Rebel Sports pays for each space, as if it were a parklet, and receives rope and wine barrels to delineate their use area. Also, through the years several local restaurants have expanded their use of Town sidewalks for seating, either when they have parklets or when parklets are not available from late fall to June.

Per Frisco Town Code, obstructions or improvements in the right-of-way are not allowed unless permitted through a revocable license agreement or a right-of-way permit. Right-of-way permits are typically used for temporary, construction related uses of the right-of-way, while revocable license agreements are used for more permanent improvements, landscaping, or temporary commercial uses such as parklets. While the Town has required license agreements for parklets, there have been many smaller commercial uses in the ROW, such as restaurant seating and signage encroaching in the Main Street ROW, in which the Town has not enforced the licensing or permitting requirements.

Parklet Administration

In 2023, the Communications staff took over parklet administration and communication, which continues to this day. This effort requires significant communication to reach all potentially interested businesses and to then secure license agreements for the use of Town property, certificates of insurance, and fees. Also, Communications staff work with the Town Clerk, Finance, and Community Development Departments to determine the status of business licenses, any building permits, and liquor licensing needs.



Parklet Use on Frisco Main Street



Licensed use of Town Property without a parklet



Informal/Unlicensed Use of Town Property without a parklet

Parklet Fees

There was no fee for the use of Town property/parklets 2020 and 2021. Starting in 2022, the fee was \$1 per square foot for each 10x10 space/parklet, resulting in \$100 per parklet for the “parklet season”. In 2023, this fee was increased to \$1.50 per square foot for \$150 per parklet for the “parklet season” (June-October), and in 2024, it was increased to \$3 per square foot which translates to \$300 per parklet. In 2024, the Town also charged \$75 for bistro lighting per parklet to cover installation, electric use, and replacement/repair costs for lighting. If a business wishes to extend their existing liquor license onto their parklets, they are required to apply for a liquor license extension and pay a \$300 fee to the State of Colorado.

Financial Impact:

Since their construction four years ago, most parklets have aged and required varying degrees of repair. The annual fees aim to offset the costs of maintenance, as well as the significant recurring expenses associated with closing Main Street twice each parklet season and installing and removing parklets, lighting, signage, and wine barrel/rope barriers.

The initial cost to construct the parklets in 2020 was approximately \$55,000. Due to being stored outdoors, the parklets have a limited lifespan, requiring annual upkeep and complete reconstruction roughly every five years. Additionally, the placement and removal of parklets each summer involve substantial staff labor and equipment expenses, estimated at \$14,000 annually. Combined, the total annual costs for labor, maintenance, and reconstruction are approximately \$32,000.

In 2024, the Town collected \$13,200 in fees for parklet use, lighting, and associated use of Town property. However, even with this increase in fees there was still a shortfall of approximately \$19,000.

For the 2025 budget, \$30,000 has been allocated for the reconstruction of a portion of the parklets. Additionally, \$14,000 from the Public Works Streets section of the general fund will cover in-house labor and equipment costs for installation and repairs.

Analysis:

Frisco Sanitation District

In 2024, the Frisco Sanitation District also notified the Town that they are looking into charging businesses more for sanitation services when they are expanding their businesses onto Town property, as their sewer tap fees are based on seating capacity or square footage. They have indicated they would likely charge an annual fee for outdoor seasonal use to account for the additional capacity.

Water Division

Similar to the Frisco Sanitation District, the Town Water Division calculates water tap fees based on seating capacity or square footage. Currently, the Town does not impose fees specifically for parklets. However, following the Sanitation District's approach, the Town could consider including annual water usage fees as part of the permit fee structure.

Program Successes

The parklet program has successfully enhanced Frisco's Main Street by increasing restaurant and business capacity during the busy visitor season, expanding the limited outdoor seating options, and contributing to a cohesive and distinctive Main Street character. As the only municipality in the region with a parklet program, Frisco offers a unique experience to its visitors. Frisco's parklet program has also been successful in fostering a vibrant and welcoming atmosphere that encourages community interaction and engagement. By transforming parking spaces into functional extensions of local businesses, the program has supported economic activity. Despite several challenges outlined below, the program has encountered few major issues over its five seasons.

Program Challenges

The following challenges and concerns are created from the parklet program:

1. The parklets require annual maintenance and reconstruction approximately every five years. The annual program costs exceed the revenue by approximately \$19,000.
2. Dozens of parking spaces are consumed by the parklets, resulting in a loss of parking on Main Street.
3. Several businesses extend their operations into the sidewalk area, raising pedestrian and ADA accessibility concerns and necessitating enforcement measures. Additionally, restaurant operations often require staff to cross the sidewalk frequently, which can create conflicts with pedestrian traffic.
4. Parklets are located in vehicle parking areas, which introduces a mixed-use dynamic that combines parking, pedestrian traffic, and seating. While Main Street has always involved managing competing uses, the presence of parklets amplifies these conflicts.
5. The Town must store the parklets through the winter, using storage space at its Public Works yard.
6. There has been ongoing feedback that many retail displays on parklets appear "messy" or "junky", that having only seating on parklets is a passive use that does not outweigh the value of parking, and that parklets appear to be most appropriate for restaurants and bars.

Program Alternative Options

Based on the successes and challenges listed above, the Town can proceed with several different options.

Option 1 – No Change

The Town would proceed with the Parklet program in 2025 and subsequent years with no changes from previous years. This option would continue to include the Town storing, maintaining, rebuilding, installing, and permitting parklets to all Main Street and side street businesses.

Option 2 – Add Use restrictions and/or Increase Fees

In order to reduce inactivated parklets, parking loss, and programs expenses, use restrictions and/or increased fees could be implemented. An example of use restriction would be only allowing restaurants to be permitted for parklet use. Increased fees could be used to reduce the number of minimally used parklets and help cover the program costs. Fee increases could range from modest to significant. For example, in many municipalities, parklet fees are over \$1,000.

Option 3 – Business Supplied Parklets

In this option, businesses would be required to supply, maintain, remove and store their own parklets annually. The Town would regulate, permit, and inspect the parklets, but would not own, store, or install any. This option would likely decrease the number of parklets, while also reducing the cost and work for the Town to administer the program. This would also result in different parklet designs, which could both add to the downtown character with unique designs or erode the character by eliminating the current uniformity. The permitting for this option could also be applied to businesses, such as Rebel Sports, wishing to utilize right of way for purposes other than a parklet. Rules would require winter removal, ADA access, and drainage accommodation. Aesthetic requirements could be added as well. It should be noted that it is likely that this option would greatly reduce the use of parklets, as storage options are scarce in Summit County and moving parklets requires significant labor and heavy equipment, and that it may result in parklets that are not built to be as aesthetically pleasing, as what is currently provided by the Town.

Option 4 – Eliminate Parklets and other Town Property Use

The parklet program was initiated during the COVID pandemic, but the parklet program has continued after the end of the pandemic. This option would eliminate parklets and other business uses in the right-of-way, reserving right-of-way exclusively for traffic, mobility, parking, and other municipal uses.

Alignment with Strategic Plan:

The use of Town property for commerce supports a thriving economy.

Environmental Sustainability:

Parklets have been repaired and reused for five years, and the case could be made that parklets encourage biking and walking over driving.

Staff Recommendation:

Staff is asking for direction regarding the use of Town property and the use of parklets going forward. Questions for Council:

- 1- Is Council supportive of the use of Town property for commerce? If so, please review the following questions. If not, Option 4 may be the answer, and no further direction is needed.

Parklet specific questions

- 2- Should parklets to be made available for commerce? If so, should one of the alternative options listed above or a different option not listed replace the current parklet program?
- 3- Does Council support increased fees and/or water fees for parklet use?
- 4- Should parklet improvements continue to be made, including the addition of side railings when adjacent to a parking spot? Are there any other priority improvements or changes desired?

More Informal Use of Town Property without Parklets for Commerce

- 5- Should all use of Town property, including the currently informal use of sidewalks for restaurant seating and rental bike displays, require license agreements, insurance, and fees, as parklets currently require?

Reviews and Approvals:

Tom Fisher, Town Manager

Diane McBride, Assistant Town Manager

Leslie Edwards, Finance Director