



City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

Director's Report for Sustainability and Transportation Committee
July 27, 2016

Proposal Summary

Since May 2014, Seattle Department of Transportation (SDOT) has been operating a pilot Play Streets Program and has issued 180+ permits to date. The program has been met with widespread support from applicants and their neighbors and SDOT is moving to formalize the program.

In support of this formalization, we are proposing an amendment to the Seattle Municipal Code (SMC) that is intended to clear up a potential point of confusion between two code sections. In SMC Section 11.16.125 "Director of Transportation – Authority – Street and Alley Closures", the SDOT Director is granted authority to permit the closing of streets to traffic. This authority has been the basis for allowing numerous forms of temporary street closures including neighborhood block parties and special events. By extension, the issuance of Play Street permits would also fall under this authority.

The source of potential confusion lies in SMC Section 11.40.250 "Playing in the streets". As written, this section would seem to prohibit any use of the roadway that involves "any sport, amusement or exercise or play". Our proposed amendment would make note of SDOT's existing permitting authority to clarify that use of the roadway for play is allowed when a closure permit has been granted by the Street Use division of SDOT.

Background

In 2013, SDOT convened a task force to identify program areas for a new Public Space Management Program (PSMP) within the department. 'Play Equipment' was marked by the task force as one of the priority program areas to explore.

Initial research and analysis of permitting play equipment in the right-of-way was not favorable due to maintenance and liability concerns. Allowing structures such as swing-sets or sandboxes would have required excessive staff time to properly evaluate and monitor proper installation and long-term maintenance.

As an alternative, PSMP began investigation into historic and contemporary examples of play street programs. The first established program dates back to New York City in 1914 and there has been a renewal of the concept in other cities (Philadelphia, Chicago, London, etc) in the last decade.

Seattle also has a long history of allowing neighbors to temporarily close their street to through traffic for the purposes of community gathering and activity. Each year, hundreds of temporary street closures are permitted for neighborhood block parties and special events. The Play Streets Program

developed by PSMP used the template of the existing neighborhood block party permit and adapted best practices from other cities.

In May 2014, the first play street was held by St Therese School in Madrona. Since then, over 180 other play street permits were issued in neighborhoods across the city. Growth of the program has been spurred by word-of-mouth, community outreach, and latent demand for this type of use of neighborhood streets.

During the pilot period, we received a few questions about the language found in SMC Section 11.40.250. This code section, adopted by ordinance 108200 in 1979, reads as follows:

No person upon roller skates, or riding in or by means of any coaster, skateboard, toy vehicle or similar device, shall go upon the roadway of any arterial street or transit coach route, except while crossing such street at a crosswalk; or engage in any sport, amusement or exercise or play in the roadway of any street.

The intent of this legislation is to limit potential conflicts and collisions between vehicular and non-vehicular uses of the roadway. What has generated confusion is the general prohibition of play in the roadway of any street without any reference to SDOT’s longstanding authority to allow for temporary street closures where play is frequently an element.

This existing authority is found in SMC Section 11.16.125A, and reads:

The Director of Transportation is authorized:

- A. To close, or authorize closure, of any street or alley or portion thereof to any or all traffic pursuant to the provisions of this subtitle;

Proposed Amendment

To clear up any potential confusion between the two code sections and to support the formalization of a Play Streets Program, SDOT is proposing the attached amendment to SMC Section 11.40.250.

This minor amendment does not make any substantive changes to SDOT authority or procedures.