

# Public Space Management – Downtown/ Central Business District

**Public Safety Committee Update**  
**August 24, 2015**



# Downtown Public Space Management

- Overview
- Street Performances
- Public Safety
- Recommendations
  - Including Sidewalk Vending
- Questions
- Discussion and Direction

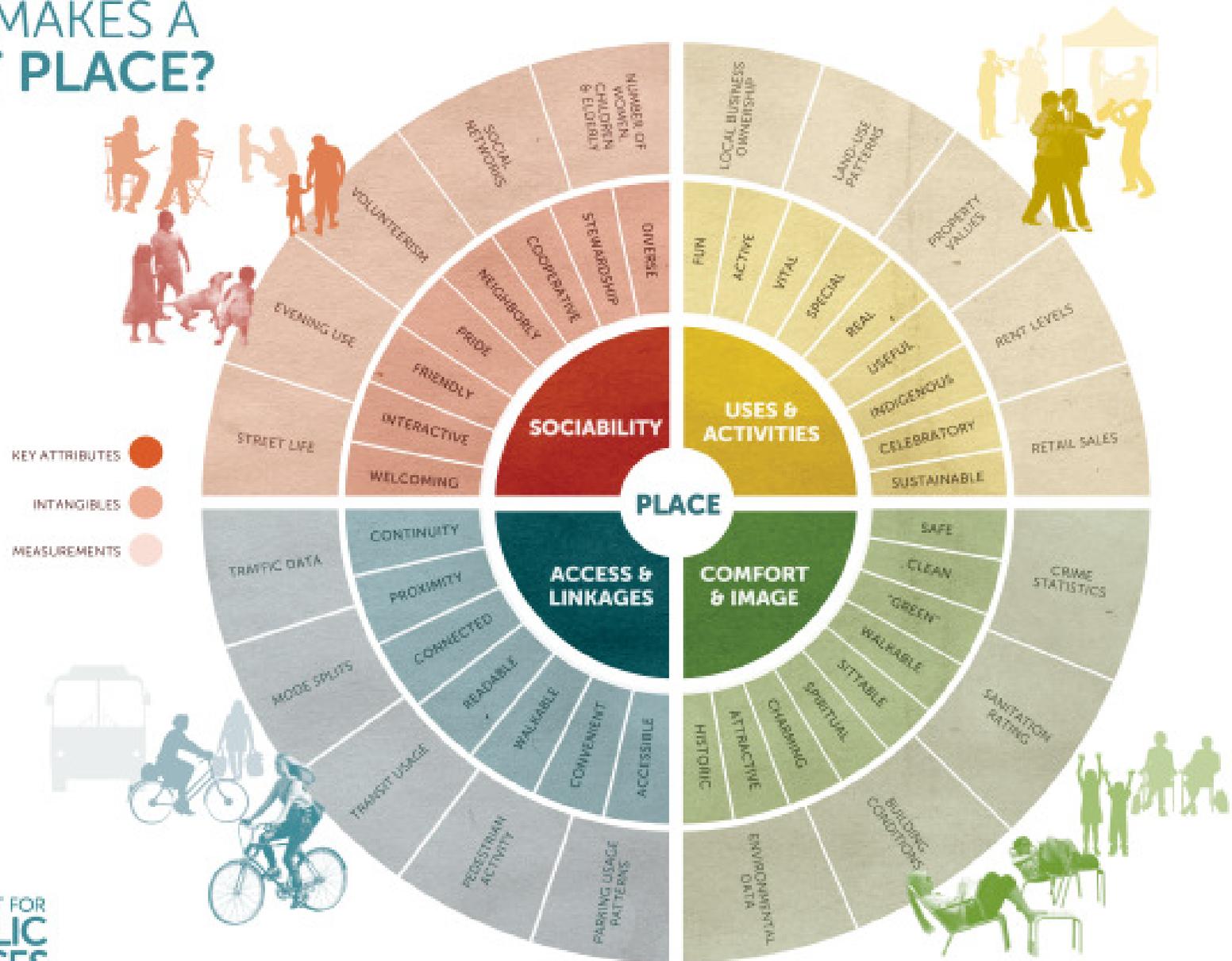
# Downtown Public Space Management



## PSC Consideration

- Downtown Enhancement Plan – July 2014
- Street Performances and Vending
  - September 2014
  - April 2015
  - Direction for continued research of options

# WHAT MAKES A GREAT PLACE?



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## Street Performances

- Welcome and important!
- Is one of many uses that adds to the sense of 'place' - managed in a fashion that fosters a balance
- Popular attraction which draws spectators to crowded and beyond capacity sidewalks
- Can compromise pedestrian safety



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## Public Safety – Street Performances



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## Street Performance Public Safety

- Overcrowded sidewalks
- Pets not controlled during performances
- Pedestrian crowding in roadways
- Motorist safety
- Blocked crosswalks, handicap access, ingress and egress
- Sharp/dangerous objects utilized during performances



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## Street Performance Community Concerns

- Noise complaints
- Sharp/dangerous objects utilized during performances
- Blocking of business entrances and bus stops
- Amplification
- Amount of space performers are taking up on sidewalks



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## Street Performance Related Calls

***April - September 2014***

- 35 calls
  - Noise and blocking of business entrances
  - Complaints of buskers “running customers off”

***April 2015 – Present***

- 41 calls
  - Noise, blocking of business entrances, crowd overflow to streets

## ***Asheville App***

- 2 complaints
  - Amplification and noise



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## Street Performance Major complaint areas:

1. Flat Iron
2. Woolworth Walk
3. Biltmore Avenue/ Patton Avenue
4. Haywood/College



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## Flat Iron & Woolworth



Iron to building  
12.9'

Road to iron  
13.9'

Building to fence  
10.5'

Road to building  
17.5'

Pole to building  
10.8'

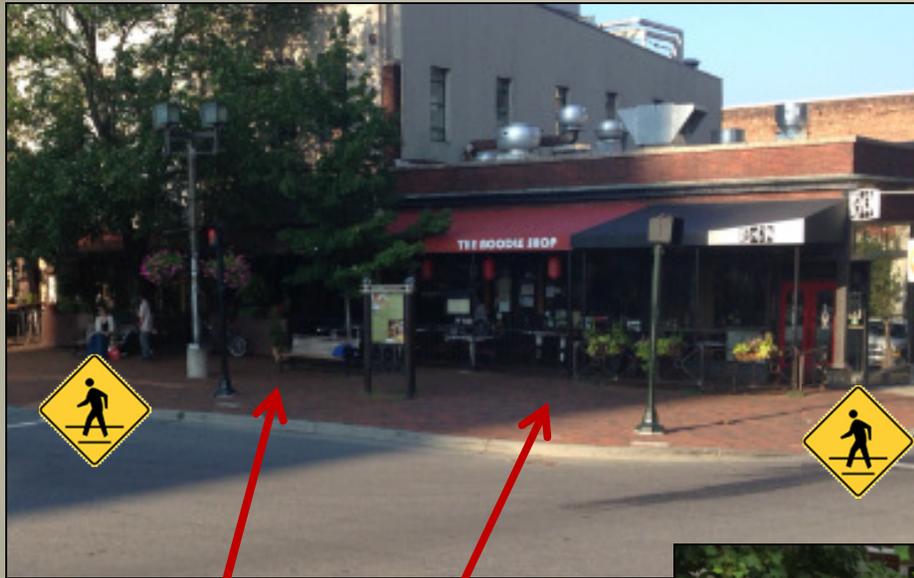


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**Biltmore Avenue/  
Patton Avenue**

**Haywood/ College**



**Bench to road  
21.1'**

**Fence to road  
28'**

**Building to pole  
20'**



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## Complaints



**Using bus shelters as performance spaces**

## Selling CD's



**40' Rule**

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## Complaints



**Performance equipment taking up sidewalk space**



**Pets not controlled during performances (unleashed)**

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## Complaints



**Crowd overflow into the street causing cars to cross double yellow line**

**Overcrowding sidewalk makes it hard for pedestrians to pass; blocking business entrances**



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## Complaints



Utilizing electrical box for performance



Large 5-6 piece bands causing overcrowding issues on sidewalks



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**Crowding sidewalk space, blocking crosswalks, dogs not secure, equipment taking up sidewalk space**



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## PEDESTRIAN SAFETY

From 2008-2012, the City of Asheville had the highest pedestrian accident rate among the largest 10 metro areas in the state (NCDOT study)

“Watch For Me NC” will run from August to November.

- Comprehensive campaign aimed at reducing the number of pedestrians and bicyclists injured in crashes with vehicles
- Enforcement and education

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## **STAFF RECOMMENDATIONS**

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## Downtown High Impact Area Pilot Program

- Three designated spaces for street performances
- Other street performance areas would not be regulated other than through then-current ordinances
- Other than proposed ordinance changes, other applicable regulations would remain in effect
- Monitor impacts through August 2016 and return to PSC and Council with data and recommended next steps
- Any adjustments could be proposed as warranted during and after the initial period

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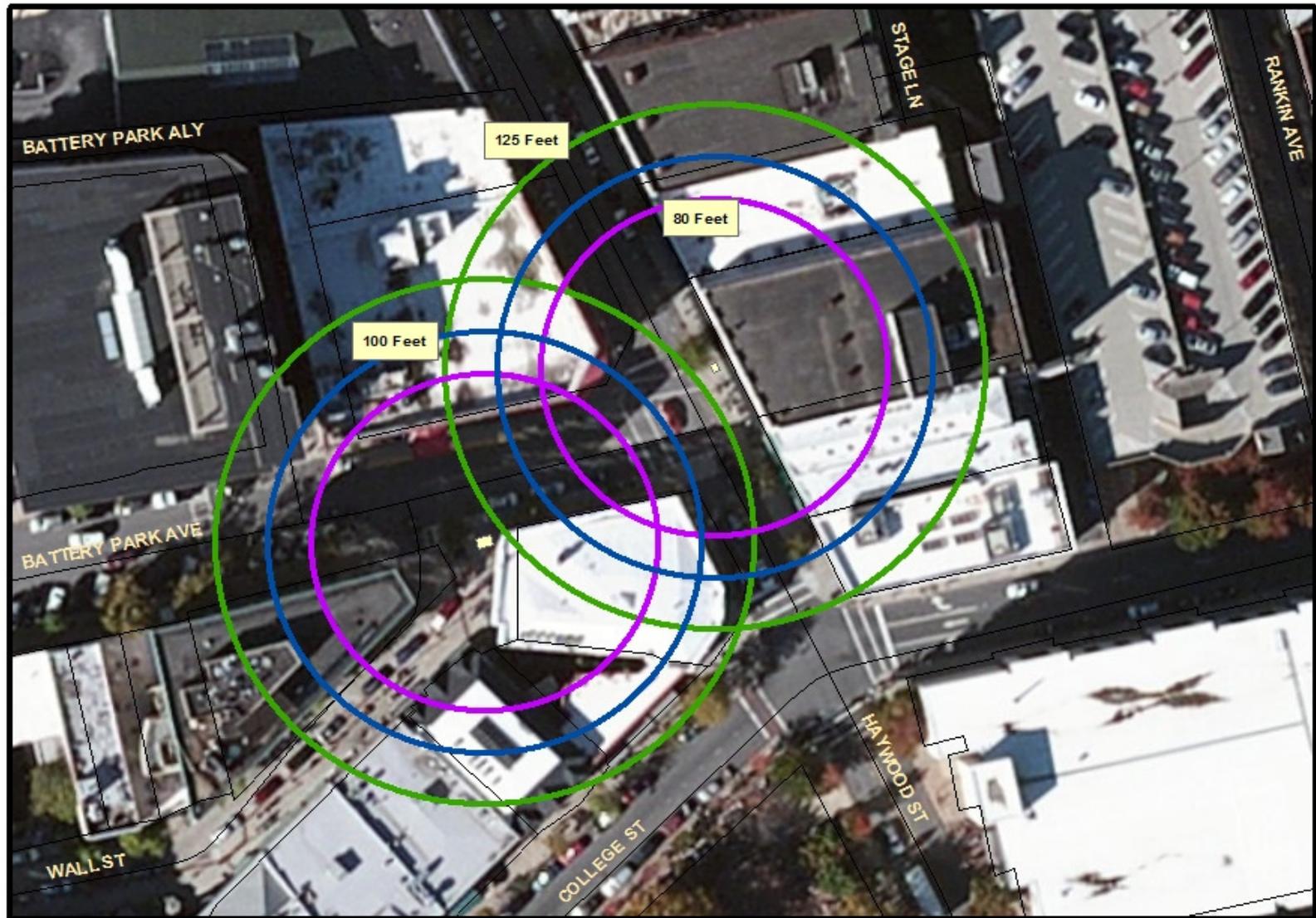
## **Haywood Street in Front of Woolworth Walk**

- Performance space limited to one performer
- Area of 3x4 feet located next to building or adjacent to street curb
- No other performers or performances within 100 feet in all directions

## **Flat Iron at Battery Park Avenue and Wall Street**

- On flat side of Flat Iron sculpture
- Performance space of 5x6 feet
- No other performers or performances within 100 feet in all directions

# Haywood Street Area



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## **Pack Square – south west side of Biltmore Avenue near Rhubarb**

- Performance space of 4x8 feet adjacent to Biltmore Avenue curb
- No other performers or performances within 100 feet in all directions

# Pack Square Area



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## Public Engagement Efforts

### ***Prior to Committee and Council Action***

- Following Committee direction, designated areas would be marked for feedback from stakeholders and public
- Presentation to Downtown Commission
- Return to Committee for input and action
- Presentation to Council for consideration and action

### ***After Committee and Council Action***

- Communication plan of adopted pilot program and ordinance changes
- Measurement of outcomes during the pilot

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## Public Engagement Efforts

### *August 2016*

- Reconnect with stakeholders
- Understand impacts of pilot including sense of 'place', vibrancy, public safety and bricks and mortar businesses

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## **RECOMMENDED ORDINANCE CHANGES**

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## Summary of Recommended Ordinance Changes



### Sec. 16-141 – Definitions

Add definition of Performance Space: “a space designated by marking on the sidewalk, within which performers of sidewalk entertainment may conduct performances”

Related to Designated Performance Space Pilot

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## Summary of Recommended Ordinance Changes



### Sec. 16-145 – Performers of sidewalk entertainment

Refer to performance and performers rather than entertainer/ entertainment	On-going; not based on pilot
Require performers to cease performing if pedestrians are stopped and observing the performance from the street	On-going; public-safety related; not based on pilot
Prohibits use of knives, swords, torches, axes, saws, fire or other dangerous objects or activities	On-going; public safety related; not based on pilot
Prohibits performers being accompanied by or in custody or possession of dog or cat	During performance; on-going; public safety related;
Prohibits sale/ donations for goods	On-going; not based on pilot

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## Summary of Recommended Ordinance Changes



### Sec. 16-145 – Performers of sidewalk entertainment

All performances shall take place only within designated space

Pilot - designated performance space only

No other performance may take place within designated distance measured from edge of performance space

Pilot - designated performance space only

All performers associated with performance must remain entirely within performance space – including equipment

Pilot - designated performance space only

All equipment and personal items in designated space must be accompanied by performer and must be removed at conclusion of performance

Pilot - designated performance space only

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## Summary of Recommended Ordinance Changes



### Sec. 16-145 – Performers of sidewalk entertainment

Performers are encouraged to be courteous to other performers and generally limit themselves to performing for no more than two hours in any designated performance space

Pilot - designated performance space only

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## Other Recommendations

Sidewalk Vending

No Changes

Regulation of Street  
Performance Signs

No Changes

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## ***Committee Direction***

- No action requested
- Designated high impact performance spaces
  - Number and locations
  - Distances from each performance space
- Ordinance changes
  - General
  - Related to designated high impact performance spaces
- Sidewalk Vending
- Regulation of Street Performance Signs
- Public Engagement Efforts
- Next Steps