



Legislation Details (With Text)

**File #:** 23-1629      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Approved as Amended

**File created:** 6/5/2023      **In control:** Department of Convention and Event Services

**On agenda:** 6/28/2023      **Final action:**

**Title:** An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Street Seats; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code to amend, Article IV, "Dallas Street Seats Pilot Program," to (1) make the program permanent; (2) creating an expiration date for Phase II Permits; and (3) allowing unique designs submitted as street seats to be accepted for review by city departments - Financing: No cost consideration to the City (see Fiscal Information)

**Sponsors:**

**Indexes:** 2

**Code sections:**

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** June 28, 2023

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Convention and Event Services

**EXECUTIVE:** Majed Al-Ghafry

**SUBJECT**

An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Street Seats; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code to amend, Article IV, "Dallas Street Seats Pilot Program," to (1) make the program permanent; (2) creating an expiration date for Phase II Permits; and (3) allowing unique designs submitted as street seats to be accepted for review by city departments - Financing: No cost consideration to the City (see Fiscal Information)

**BACKGROUND**

Convention and Event Services - Office of Special Events (CES-OSE) is amending Article IV, "Dallas Street Seats Pilot Program" of Chapter 42A, "Special Events; Neighborhood Markets; Dallas Street Seats; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code to:

1. Remove language that makes the Dallas Street Seats Pilot Program a temporary program

2. Adding language that gives Phase II Permits an expiration date of two years after issuance with renewal information
3. Remove language that requires applicants to choose a city-designed street seat and adding language that all designs must have city department approval

CES-OSE is recommending making the Dallas Street Seats Pilot Program a permanent program due to the small number of Dallas Street Seats currently in use and the high level of investment local businesses have made in the program.

Granting submissions with unique designs to be accepted and reviewed by city departments will allow the program to be more affordable for local businesses. Applicants will be able to choose their design and the materials to construct such designs within their budget. Current designs have proved to be a financial hurdle for smaller businesses with the cost of materials increasing over the last two years.

CES-OSE launched the Temporary Parklet Program on May 18, 2020, as authorized by the COVID-19 Economic Recovery and Assistance Ad Hoc Committee. On June 24, 2020, City Council approved amendments to the Special Events Ordinance - Chapter 42A by Ordinance No. 31557 allowing the permitting of temporary parklets through December 31, 2020. On December 9, 2020, City Council approved Ordinance No. 31708, an extension of the temporary parklet program through April 30, 2021. Concurrently, City Council approved amendments to Chapter 42A to create the "Dallas Street Seats" program. The Dallas Street Seats Pilot Program was originally slated to end on July 31, 2022. To allow more time for the Dallas Street Seats Pilot Program to develop and increase participation, City Council approved extending the program through July 31, 2023 on May 25, 2022 by CR 32213.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

The Quality of Life, Arts and Culture Committee was briefed on CES-OSE permitting authority and functions, known challenges, planned operational improvements and process enhancements on April 9, 2018.

The Quality of Life, Arts and Culture Committee was briefed on proposed updates to the special events ordinance on November 26, 2018.

The Quality of Life, Arts and Culture Committee was briefed on proposed changes to permitting for special events on February 11, 2019.

On February 27, 2019, consideration on proposed amendments to Chapter 42A was deferred by Councilmember Sandy Greyson.

On March 27, 2019, the City Council adopted proposed amendments to Chapter 42A, by Ordinance No. 31144.

The Quality of Life, Arts and Culture Committee was briefed on the implementation of Chapter 42A and High Impact Areas on December 3, 2019.

The COVID-19 Economic Recovery and Assistance Ad Hoc Committee was briefed regarding CES-OSE permitting temporary parklets through the special event permitting process and requirements on

May 12, 2020.

[The Transportation and Infrastructure Committee was briefed by memorandum regarding proposed amendments to the Special Events Ordinance - Chapter 42A on June 15, 2020. <http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=fe31fa5b-affb-4d6c-a328-a8a448b12b11.pdf>](http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=fe31fa5b-affb-4d6c-a328-a8a448b12b11.pdf)

On June 24, 2020, the City Council authorized amendments to the Special Events Ordinance - Chapter 42A to allow for temporary parklet permitting through December 31, 2020, with all extension fees waived by Ordinance No. 31557.

The COVID-19 Economic Recovery and Assistance Ad Hoc Committee was briefed regarding available CARES Act Funding earmarked for parklets on October 1, 2020.

On October 28, 2020, the City Council authorized the allocation of Cares Act funding for temporary parklet program approved applicants under the Temporary Parklet Program by Resolution No. 20-1729.

[The Transportation and Infrastructure Committee was briefed by memorandum regarding the proposed extension of the Temporary Parklet Program to April 30, 2021 on November 16, 2020. <http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=c4beb4ed-1ecd-4b5c-b606-90486a824b59.pdf>](http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=c4beb4ed-1ecd-4b5c-b606-90486a824b59.pdf)

On December 9, 2020, the City Council authorized amendments to the Special Events Ordinance - Chapter 42A to create the new "Street Seats" program and allow for temporary parklet permitting through April 30, 2021, with all extension fees waived by Ordinance No. 31708.

[The Transportation and Infrastructure Committee was briefed by memorandum regarding the proposed extension of the Temporary Parklet Program to September 30, 2021 on April 19, 2021. <http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=f32290cc-edf9-47a5-a13c-f5564dfdfef5f.pdf>](http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=f32290cc-edf9-47a5-a13c-f5564dfdfef5f.pdf)

On April 28, 2021, the City Council authorized amendments to the Special Events Ordinance - Chapter 42A to allow temporary parklet permitting through September 30, 2021; with all extension fees waived by Ordinance No. 31841.

[The City Council was briefed by memorandum regarding this matter on September 17, 2021. <https://dallascityhall.com/government/citymanager/Documents/FY%2020-21%20Memos/Status%20Update%20on%20Temporary%20Parklet%20Program\\_Memo\\_09172021.pdf>](https://dallascityhall.com/government/citymanager/Documents/FY%2020-21%20Memos/Status%20Update%20on%20Temporary%20Parklet%20Program_Memo_09172021.pdf)

On October 13, 2021, the City Council authorized an extension of the Temporary Parklet Program through February 2022 by Ordinance No. 32017.

[The Transportation and Infrastructure as well as Quality of Life Committees was briefed by memorandum regarding this matter on May 16, 2022. <http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=8f7fe7a3-8052-4833-ae2b-08cdd79fb07e.pdf>](http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=8f7fe7a3-8052-4833-ae2b-08cdd79fb07e.pdf)

On May 25, 2022, the City Council authorized an extension of the Dallas Street Seats Pilot Program through July 31, 2023 by Ordinance No. 32213.

**FISCAL INFORMATION**

No cost consideration to the City.