



Legislation Details (With Text)

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File created: 9/16/2021 **In control:** Department of Convention and Event Services

On agenda: 10/13/2021 **Final action:**

Title: An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code by amending Section 42A-12 to (1) provide an extension of the temporary parklet program; (2) providing a penalty not to exceed \$500.00; (3) providing a savings clause; (4) providing a severability clause; and (5) providing an effective date - Revenue Forgone: Convention and Event Services Fund \$15,000.00 over two months (see Fiscal Information)

Sponsors:

Indexes: 100

Code sections:

Attachments: 1. Ordinance

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 13, 2021

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Convention and Event Services

EXECUTIVE: Joey Zapata

SUBJECT

An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code by amending Section 42A-12 to **(1)** provide an extension of the temporary parklet program; **(2)** providing a penalty not to exceed \$500.00; **(3)** providing a savings clause; **(4)** providing a severability clause; and **(5)** providing an effective date - Revenue Forgone: Convention and Event Services Fund \$15,000.00 over two months (see Fiscal Information)

BACKGROUND

The COVID-19 Economic Recovery and Assistance Ad Hoc Committee authorized the temporary parklet program in response to the impacts of COVID-19 to permit the activation of on-street parking or sidewalk areas into additional seating or service areas in an effort to assist local businesses with their economic recovery.

The temporary parklet program launched Monday, May 18, 2020 with fourteen temporary parklets currently operating throughout the city. City Council approved amendments to the Special Events Ordinance - Chapter 42A on June 24, 2020, by Ordinance No. 31577 to allow for temporary parklet permitting through December 31, 2020 with all extension fees waived. Again, on December 9, 2020, City Council authorized Ordinance No. 31708 to allow for temporary parklet permitting through April 30, 2021 with all extension fees waived. Concurrently, City Council approved amendments to Chapter 42A to create the "Dallas Street Seats" program which allow permitting for a more permanent seating structure on public right-of-way through July 2022.

On April 28, 2021, City Council authorized an additional extension allowing temporary parklets to remain in place through September 30, 2021, by Ordinance No. 31841.

Given that restaurants still face economic challenges related to COVID-19 variants that may financially delay their ability to transition into Street Seats, staff is requesting City Council approval of an additional amendment to Chapter 42A which extends the temporary parklet program through November 30, 2021. The ordinance amendment will require updated property authorizations from each existing applicant.

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, 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, 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. 31577.

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, 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, 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-f5564dfdf5f.pdf>](http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=f32290cc-edf9-47a5-a13c-f5564dfdf5f.pdf)

On April 28, 2021, 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.

[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)

FISCAL INFORMATION

Estimated Revenue Forgone: Convention and Event Services Fund \$15,000.00. Permit extension fees are waived.