City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Legislation Details (With Text)

File #:	22-1075	**Version:**	1	**Name:**	
Type:	ITEMS FOR INDIVIDUAL CONSIDERATION			**Status:**	Approved as Amended
File created:	4/25/2022			**In control:**	Department of Convention and Event Services
On agenda:	5/25/2022			**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 for the purpose of (1) addition of language to 42A-22 Location of a Neighborhood Market; and (2) extension of the Dallas Street Seats Pilot Program provisions from July 31, 2022 to July 31, 2023 in 42A-28.2 - Financing: No cost consideration to the City (see Fiscal Information)				
Sponsors:					
Indexes:	2				
Code sections:					
Attachments:	1. Ordinance				

Date	Ver.	Action By	Action	Result

STRATEGIC PRIORITY: Transportation & Infrastructure

AGENDA DATE: May 25, 2022

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 for the purpose of (1) addition of language to 42A-22 Location of a Neighborhood Market; and (2) extension of the Dallas Street Seats Pilot Program provisions from July 31, 2022 to July 31, 2023 in 42A-28.2 - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

Convention and Event Services - Office of Special Events (CES-OSE) is amending two sections of the existing Chapter 42A, “Special Events; Neighborhood Markets; Dallas Street Seats; Dallas Farmers Market Farmers Market; Streetlight Pole Banners,” of the Dallas City Code to:

1. Add language that provides an exception for residential properties with a valid certificate of occupancy for a non-residential use or by special exception granted by the director on a case-

by-case basis

2. Provide an additional year to the Dallas Street Seats Pilot Program

To clarify the requirements under the 42A-22 Location of Neighborhood Markets section of Chapter 42A, CES-OSE collaborated with Planning & Urban Design, Building Inspection, Code Compliance, and outside partners to add language that encourages equity and food access.

As currently written, the ordinance does not allow for Neighborhood Markets to be held in a single family, duplex, or townhouse zoning district as defined in the Dallas Development Code (Chapter 51A). City staff have recommended the addition of language that allows for an exception for properties with valid certificates of occupancy for a non-residential use. This would allow for the permitting of markets at schools, churches, and other non-residential uses allowable under the underlying zoning district.

Additionally, CES-OSE is recommending the extension of the Dallas Street Seats Pilot Program in 42A-28.2 for an additional year. 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. With the ongoing pandemic and the level of financial investment required, the onboarding process of applicants has taken longer than anticipated. To allow more time for the Dallas Street Seats Pilot Program to develop and increase participation, CES-OSE staff seeks to extend the program through July 31, 2023.

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>

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. 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, 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>

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-f5564dfdfe5f.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>

On October 13, 2021, 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 will be 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>

FISCAL INFORMATION

Financing: No cost consideration to the City.