



## Legislation Text

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File #: 20-2252, Version: 1

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**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** December 9, 2020

**COUNCIL DISTRICT(S):** All

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

**EXECUTIVE:** Joey Zapata

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### **SUBJECT**

An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code for the purpose of **(1)** extension of the temporary parklet program provisions until April 30, 2021; **(2)** creating a pilot program entitled "Street Seats" that will allow for private or public parklet options and the use of up to two curbside parking spaces; **(3)** definitions of "Street Seats"; **(4)** fees; **(5)** providing a penalty not to exceed ~~\$500.00~~ [\\$2,000.00 for a violation governing fire safety, zoning, or public health and sanitation](#); **(6)** providing a saving clause; **(7)** providing a severability clause; and **(8)** providing an effective date - Estimated Annual Revenue: Convention and Event Services Fund \$9,500.00 (see Fiscal Information for further details)

### **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 on Monday, May 18th, with sixteen temporary parklets currently operating throughout the city. City Council approved amendments to the Special Events Ordinance - Chapter 42A on June 24, 2020, by Resolution No. 20-0970 to allow for temporary parklet permitting through December 31, 2020, with all extension fees waived.

Understanding that businesses will not have recovered from the economic shut down by December 31, 2020 the city seeks to continue assisting those businesses with their recovery by permitting non-permanent temporary parklets through the regular permitting process until April 30, 2021.

Additionally, the Department of Convention and Event Services-Office of Special Event (CES-OSE) staff were tasked by the COVID-19 Economic Recovery and Assistance Ad Hoc Committee to design a more permanent solution for the parklet program. CES-OSE staff have worked with other City departments to finalize proposed amendments to Chapter 42A that will create a pilot program entitled “Street Seats” that will allow for private or public parklet options and the use of up to two curbside parking spaces.

Creating a Street Seats pilot program through CES-OSE allows the City to accept applications and issue permits for both private and public “Street Seats”. The pilot program is designed to accommodate businesses seeking additional outdoor seating and provide public gathering places that bring vitality to the streetscape. Under the pilot “Street Seats” Program, permit applicants will select from pre-approved, available design plans. Approved “Street Seats” will comply with all National Association of City Transportation Officials parklet requirements. Public safety sign-off will be required from a licensed engineer. CES-OSE staff anticipates a 60 to 90 day process from application submission to “Street Seats” opening, including departmental review and construction. The permit process will include both pre-construction and construction, with each phase requiring reviews, permit requirements and site inspections. Property authorization and public support will also be required as part of the “Street Seats” pilot program.

Applicants are responsible for securing other necessary permits, such as parking meter hooding and permission from Texas Alcoholic Beverage Commission to serve alcohol. Permit fees are as follows:

<u>“Street Seats Permit”</u>	<u>Processing Fees</u>
Phase I permit (construction approved)	\$500.00
Phase II permit (occupancy approved)	\$500.00
Certified 501(c)3 Non-profit Discount	50%

### **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 Resolution No. 19-0449; 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.

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 Resolution No. 20-0970.

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 this item on November 16, 2020.

### **FISCAL INFORMATION**

Estimated Annual Revenue: Convention and Event Services Fund \$9,500.00

Cost consideration to others. This ordinance allows for the assessment of "Street Seats" pilot program permit application processing fees.