

Memorandum



CITY OF DALLAS

DATE June 23, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Agenda Item #14 Proposed Changes to Chapter 42A, Article IV of the Dallas City Code**

This memorandum is in reference to Agenda Item #14 for City Council approval on June 28, 2023, Convention and Event Services – Office of Special Events (CES-OSE) is recommending the amendment of two sections of the existing 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. CES-OSE has provided an overview of these changes respective to the Dallas Street Seats Pilot Program.

The 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, the City Council approved Ordinance No. 31708, an extension of the temporary parklet program through April 30, 2021. Concurrently, the 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, the City Council approved extending the program through July 31, 2023, on May 25, 2022, by CR 32213.

As Chapter 42A serves as gateway and guide for the public who host various temporary outdoor activations throughout the city, two Council Committees have been involved in stewarding the chapter since 2020: Transportation and Infrastructure and the Quality of Life, Arts & Culture (QoLAC) Committees. Originally, QoLAC exercised primary policy recommendation authority over Chapter 42A. With the addition of the Temporary Parklet which transitioned into the Dallas Street Seats Pilot Program, the Transportation and Infrastructure Committee was added to the policy oversight of this ordinance as these programs take place in the city right-of-way.

The proposed amendments of the existing *Chapter 42A Article IV. “Dallas Street Seats Pilot Program* are as follows:

1. SEC. 42A-28.2. APPLICATION; ISSUANCE.
 - (2) [A Phase II permit issued under the street seats program will expire two years after issuance. Applicants can apply for a new Phase II Permit 60 days before the expiration date listed on the Phase II Permit. All Phase II Permit Processing fees](#)

~~apply. All permits issued under the street seats program will expire on July 31, 2023.~~

2. SEC. 42A-28.3. LOCATION, DESIGN, AND OPERATIONS.

(d) ~~Applicants shall select from one of the pre-approved designs provided by the city which comply with NACTO parklet guidelines. The design submitted with the application must be approved by city departments and must comply with NACTO parklet guidelines.~~

CES-OSE recommends that the Dallas Street Seats Pilot Program transitions to 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. As such, CES-OSE proposes to remove language that makes the Dallas Street Seats Pilot Program a temporary program and add language that gives Phase II Permits an expiration date of two (2) years after issuance with renewal information.

Granting submissions with unique designs to be accepted and reviewed for approval or denial 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 proven to be a financial hurdle for smaller businesses, with the cost of materials increasing over the last two years. As such, CES-OSE staff recommends that the City maintains the City requirement for an independent engineer's review of the traffic safety, but include the removal of language that requires applicants to choose a City-designed street seat and adding language indicating that all designs must have City department approval.

Should you have any questions, please contact Rosa Fleming, Director – Convention and Event Services, at 214.939.2755 or by email at rosa.fleming@dallas.gov.



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