



CITY OF  
DALLAS

**OFFICE OF  
SPECIAL EVENTS**

# DALLAS STREET SEATS GUIDEBOOK

*Information to assist you in the  
planning and permitting  
of a Dallas Street Seat*

# TABLE OF CONTENTS

## SECTION ONE – GENERAL

- A. [What is the \*Street Seats Pilot Program\*?](#)
- B. [Private and Public Street Seats](#)
- C. [Fees and Other Expected Costs](#)
- D. [Bond](#)

## SECTION TWO – ANALYZING YOUR LOCATION

- A. [Selecting a Location](#)
- B. [Determining the size of the Dallas Street Seat](#)
- C. [Examples of Buffer Zone](#)

## SECTION THREE - SELECTING A STREET SEAT DESIGN

- A. [Base/Platform](#)
- B. [Materials](#)
- C. [Roofing](#)
- D. [ADA Options](#)
- E. [Add-on Elements](#)
- F. [Buffer Zone Elements](#)
- G. [Materials and Installation Estimates](#)

## SECTION FOUR - THE APPLICATION

- A. [Saving Your Application as You Go](#)
- B. [Completing Your Application](#)
- C. [Cancellation of Application](#)
- D. [Changes to Your Application](#)

## THE PERMIT PROCESS

## PROPERTY AUTHORIZATIONS AND PUBLIC SUPPORT

## INSURANCE AND INDEMNIFICATION REQUIREMENTS

## PUBLIC NOTICE

## PERMIT ISSUANCE

## OPERATIONS OF A DALLAS STREET SEATS

## STREET SEAT REMOVAL

## DENIAL OR REVOCATION

## SECTION ONE – GENERAL

- A. [What is the \*Street Seats Pilot Program\*?](#)
- B. [Private and Public Street Seats](#)
- C. [Fees and Other Expected Costs](#)
- D. [Bond](#)

## A. What is the *Dallas Street Seats Pilot Program*?

In December 2020 Dallas City Council approved a pilot program that allows restaurants, bars, retail establishments or other entities to transition no more than two street parking spaces into a useable area for additional dining, expanded retail space or for a place for people to gather. This space must be defined by a safe perimeter and a platform that extends the sidewalk into the approved parking spaces and may be accompanied by amenities like benches, tables, bicycle parking, and planters. Dallas Street Seats are intended to add vibrancy to the street scape, enhance outdoor urban living and provide a fun place for people to enjoy.

*Dallas Street Seats* is a pilot program that runs from February 2021 through July 2022. As a pilot program the rules, processes, and requirements are subject to change. We welcome and encourage comments and suggestions to improve the pilot program.

The applicant must buildout this space according to one of the approved designs provided by the city. These detailed plans, including materials, estimated costs and installation plans, will be provided to the applicant once the application and proposed space has been reviewed and approved. The applicant is responsible for the space buildout and for all ongoing maintenance. The cost of the materials and installation/build is at the applicant's expense.

## B. Private and Public Street Seats

The Dallas Street Seat Pilot Program accommodates two models: *Private* and *Public*.

***Private Street Seat*** permits are issued for parking spaces immediately adjacent to a licensed ground floor/street level establishment for the purpose of supplementing the establishment's floor space/seating capacity. Restaurants may use the street seat as additional seating and retail operations may use this space to expand licensed retail activity. Private Street Seats are installed, operated and maintained by the permit holder and may have posted hours. This space is not open for general public use. For example, a restaurant may install a private street seat for additional table seating; a bookstore or coffee shop may permit a private street seat as an outdoor space for customers to sit, read and sip coffee; or a retail flower shop may bring part of their store outdoors to be more visible and add to a vibrant streetscape.

A ***Public Street Seat*** is open to the public and may be permitted to a non-abutting person, property owner, or business operator with consent of abutting owners and tenants. Public Street Seats are installed, operated and maintained by the permit holder and are open 24/7. Vending, commercial activity and alcohol are prohibited. Individuals may bring food and beverages into a Public Street Seat to enjoy. For example, a neighborhood association or multi-tenant high rise may permit a street seat for general

public use - a place for people to gather outdoors, sit and read, play cards or visit with friends.

**C. Fees and Other Expected Costs**

DALLAS STREET SEATS APPLICATION PROCESSING FEES	
<b>Base Application Fee - Phase I Permit</b> (construction approved)	\$500
A certified 501(c)3 non-profit discount off base application fee	50% off
<b>Phase II Permit</b> (occupancy approved)	\$500
<b>Alcohol</b>	
Provided	\$50
Sold	\$150
<b>Late fee</b> - Per day and limited to up to five days required by ordinance	\$40
<b>Change fee</b> (per minor change requested by the applicant)	\$50

All application processing fees listed above are non-refundable.

**Additional City Department Fees Apply**

In addition to the application processing fees, the applicant is responsible for direct costs incurred by the City in providing services to a permitted activity; including but not limited to, the costs of set-up, clean-up, public safety, oversight of city facilities and equipment, electrical services, construction, placement and retrieval of city equipment, and other related services beyond what the city would provide to the general public in the ordinary course of its daily operations.

Some of these costs may include:

1. Fees related to all other required permits and licenses
2. A parking meter hooding or removal fee, computed in accordance with Section 28-114.12 of Dallas City Code, will apply for each parking meter required by the applicant to be hooded or removed for a planned permitted activity.
3. Rental fees related to the use of city equipment and property.
4. Security deposits for any city equipment or property rented to be refunded to the applicant if the equipment or property is returned undamaged to the city.

These requirements will be identified in the preliminary informational letter. These fees will be invoiced and paid directly to the applicable City departments. [Find a listing on the FEES tab of the website.](#)

**D. BOND**

An applicant shall provide a \$1,000 refundable bond to secure removal of the street seat prior to issuance of the Phase I Permit. The bond will be refunded upon removal of the street seat to the satisfaction of the city.

## SECTION TWO – ANALYZING YOUR LOCATION

### A. SELECTING A LOCATION

### B. DETERMINING THE SIZE OF THE DALLAS STREET SEAT

- i. Measure the Space
- ii. Determine the buffer zones required at your proposed location.
- iii. Determine the maximum platform size that your proposed spaces can accommodate.

### C. EXAMPLES OF BUFFER ZONES

## A. SELECTING A LOCATION

The parking space locations of a Dallas Street Seat must meet the following requirements:

1. The location must be in a designated parking space with no posted time restrictions.
2. The location must be on a street with a posted speed limit of 30 miles-per-hour or less.
3. The location must not be within a designated fire lane.
4. The location must provide a 12-foot clearance around fire hydrants and fire department connections (FDC).
5. The location must not interfere with handicap-access parking spaces.
6. The location must not interfere with any DART stops or MATA stops.
7. The location must not interfere with existing utility access and maintenance (i.e. manholes, storm and wastewater, electrical, telecom, etc.)
8. The location must maintain at least five feet of clearance to in-street utilities access points (stormwater drainage, electrical poles, underground utility access, electrical transformer vaults, etc.)
9. The location must allow for the free flow of water to the stormwater drain.
10. The location must not interfere with other curb uses.
  - i. Valet operation (Contact Department of Transportation for coordination of moving the valet operation.)
  - ii. Loading zone (Consider moving the loading zone. Contact Department of Transportation for coordination.)
  - iii. Taxi zone (Contact Department of Transportation to request the taxi zone be moved)
  - iv. Other specially designated zones
  - v. Licensing to another establishment
11. The location must be at least one parking space away from a roadway intersection unless it is buffered by a curb bulbout.
12. The location must maintain at least 25 feet from an alley.
13. The location must be distanced a minimum of 40 feet from a bus stop zone.
14. Maintain a visibility triangle of 30-45 feet from the intersection, depending on the traffic control devices at the intersection.
15. The outside edge of the structure must be placed to allow for a minimum 18" buffer to the adjacent vehicular travel lane.
16. The adjacent sidewalk must maintain a minimum unobstructed sidewalk width of 6 feet (8 feet in CBD).

**Note:** No more than one Dallas Street Seat permit may be issued on a given block without written support from additional stakeholders as defined by director. (Ord. 31708)

## B. DETERMINING THE SIZE OF THE DALLAS STREET SEAT

The curb-front length of a private street seat is limited to the host building's frontage. You may make a special request on your application to extend the private street seat to include a portion of another building frontage. In that case, written property authorization is required from the neighboring building's tenant and owner which explicitly extends permission to occupy parking spaces in front of their building.

**A street seat may activate in a space no larger than two adjoining parking spaces.**

Before selecting the design and add-on elements for your Street Seats, it is essential that you have identified the total space available and the size of the Street Seats platform that can be accommodated at your chosen location. Here is what you need to know:

- How many parking spaces - one or two?
- The dimensions of the parking space(s) to include depth and length
- Identify the adjacent space use and buffer-zone requirements
- Identify the maximum platform length and width that can be accommodated within your available space. The maximum platform length is the available parking space minus the required buffer zones.

### i. Measuring the Space.

**Please measure the exact dimensions (length and depth) of your proposed parking spaces as defined below. Make a note of these measurements as you will be asked to add them to the permit application.**

For the purpose of Dallas Street Seats:

**Length** refers to the total dimension of the proposed parking space(s)

**Depth** refers to the dimension of the parking space from the curb to the edge of the abutting traffic lane

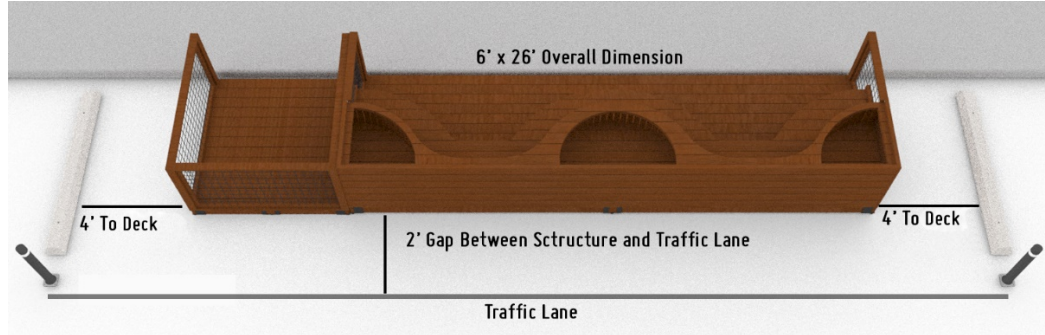


### ii. Determine the buffer zones required at your proposed location.

- (a) A minimum of 18 inches is required for the buffer zone between the outside edge of the structure and the adjacent traffic lane. We recommend that you plan for a 2 foot buffer to allow some wiggle room at the time of installation.



- (b) Determine if your location requires a buffer zone on one end, both ends or not at all.
1. Create a 4 foot buffer between the platform and the adjacent active parking /vehicular area.
  2. This 4 foot buffer is not required when a Street Seats abuts a curb bulbout.

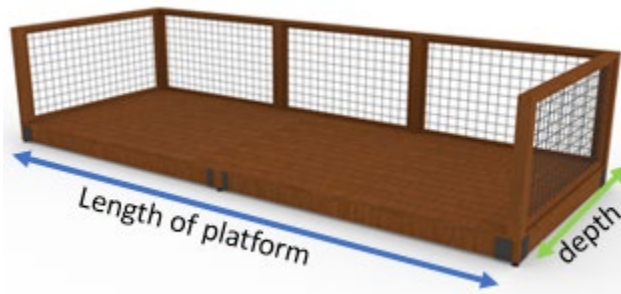


- iii. **Determine the maximum platform size that your proposed spaces can accommodate.** Subtract the required buffer zones from the proposed parking space dimensions measured in step one above to determine the maximum platform size that can be accommodated in your chosen location. Make a note of these dimensions as they are required on the application.

For the purpose of the Dallas Street Seats:

**Length** refers to the dimension of the street seat platform that abuts the curb

**Depth** refers to the dimension of the platform from the curb to the traffic lane



Note: A wheel stop and flexi stick are required at each end abutting active vehicular activity. These shall be installed at the permit holder's expense.

### C. EXAMPLES OF END BUFFER ZONES

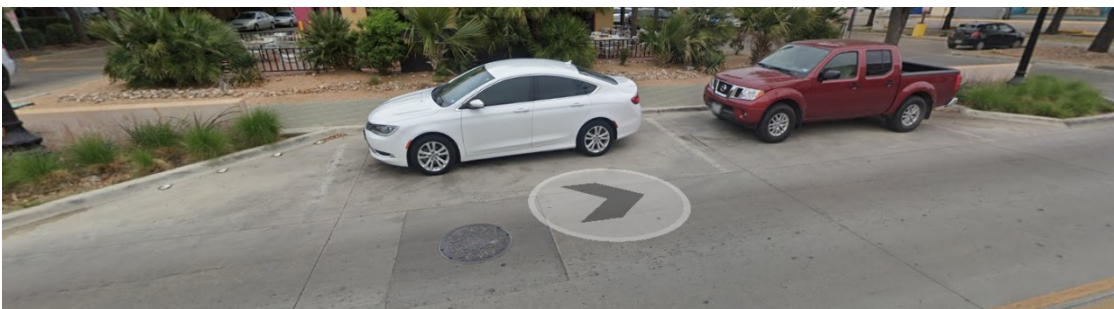
The following examples are intended to demonstrate the various mix of location specific foundational elements and their buffer zone requirement. These photos do not guarantee that a Dallas Street Seat would be approved at the specific location used as an example. Each proposed location is sent through a comprehensive review process before a Phase I Permit is issued (approval to install/construct a Street Seat).

### Example 1. Curb Bulbout and Active Parking Combination



This example is a single parking space with a curb bulbout on one end and active parking on the other end. This location will require one 4 foot buffer zone between the Street Seat platform and the adjacent active parking space if the location is approved.

### Example 2. Curb Bulbout on Both Ends



This example shows two parking spaces with a curb bulbout on each end. If using a location like this, the 4 foot end buffer zones are not required; the entire length including the triangular sections on the end may be converted to a Dallas Street Seat if the specific location is approved.

### Example 3. Valet Operation on One End



This example shows parking spaces that may be converted to a street seat; however, there is an adjacent VALET operation. A 4 foot end buffer zone is required between the valet zone and the platform.

#### Example 4. Active Parking and Permanent Fixture Combination



This example shows two parking spaces that may be converted to a street seat. There is a permanent bike rack installed adjacent to the proposed spaces. A 4 foot end buffer zone is NOT required between the platform and the bike rack; however, a 4 foot end buffer zone is required on the other end between the platform and the adjacent active parking.

## SECTION THREE - SELECTING A STREET SEAT DESIGN

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- C. [Roofing](#)
- D. [ADA Options](#)
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- F. [Buffer Zone Elements](#)
- G. [Materials and Installation Estimates](#)

## Selecting a Design

Dallas Street Seats should strive to become a focal point for the area and a welcoming public gathering place and should be designed to be visually distinguishable from any adjacent sidewalk cafes or existing seating areas.

*Before selecting the design and add-on elements for your street seat, it is essential that you have identified the total space available and the size of the street seat platform that can be accommodated at your chosen location. More details are provided in the previous section.*

Applicants shall select from one of the pre-approved designs detailed below. Dallas Street Seats must be designed and installed so as not to create a traffic safety hazard by interfering with visibility of pedestrians, street signs or vehicular traffic.



This is a good time to consult with a professional firm or your installation/construction vendor. They may provide invaluable insight and assist you with the following decisions:

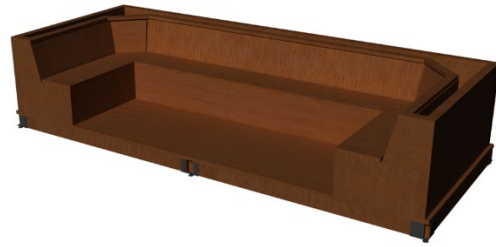
1. Base design selection
2. Platform materials selection
3. Roofing selection
4. ADA selection
5. Add-on optional elements selection
6. Buffer zone elements selection

**Note:** The designs that follow are the property of the City of Dallas and are for use with a Dallas Street Seats permit only. These designs are not for private use or re-sale.

### **STEP 1 – Please select your base design “The Block”**

- The Block-A: 10 Feet, Full Bench
- The Block-B: 12 Feet, Full Bench
- The Block-C: 14 Feet, Full Bench
- The Block-D: 14 Feet, Full Rails
- The Block-E: 16 feet, Half Bench and Half Rails
- The Block-F: 16 Feet, Full Rails
- The Block-G: 16 Feet, Full Bench
- The Block-H: 20 Feet, Full Bench
- The Block-I: 20 Feet, Half Bench and Half Rails
- The Block-J: 20 Feet, Full Rails

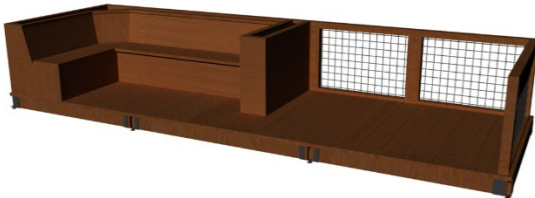
Examples of The Block design with a full bench with planter boxes along the bench backs. Note: the full bench is “L” shaped on shorter platforms and wrap-around on the longer lengths.



Examples of The Block design with full rails. This design gives you the flexibility to arrange free standing tables and chairs in a variety of layouts and provides maximum visibility and airflow.



Examples of The Block design with half bench and half rail. The rail can be on either end and may accommodate traffic visibility and safety concerns at your proposed location.





### **“The Wave”**

The Wave design is an option only when your available space can accommodate a 20 foot platform. The Wave incorporates two corner planter boxes.



### **STEP 2 - Select materials**

The specifications and plans that will be provided include a wood base using standard cut lumber and wood for cladding; however, working with your contractor, you could convert the plans and use composite for the cladding.

Note: Wood requires sanding and staining or painting and will require ongoing maintenance. The composite material and installation may cost more initially; however, the maintenance should be less. We recommend that you confirm with your installer that they have experience working with composite boards before selecting this option.

### **STEP 3 – Select preferred roofing from the following options:**

- None
- Umbrellas
- Pergola with Wood slats
- Pergola with Fabric cover
- Pergola with Plastic cover

Roofing must not create a visibility obstruction for pedestrians or vehicular traffic. Roofing choice needs to be evaluated carefully for a given location particularly where the street seat is to be installed close to a crosswalk, intersection, alley or driveway.

Overhead weather protection and shade is encouraged. These overhead structures must be contained within the Dallas Street Seat footprint and may not intrude into the travel lane or the sidewalk. See examples below for roofing options.



#### **STEP 4 – Select appropriate ADA accommodation**

Each Dallas Street Seat or a substantial portion thereof, must be designed to be accessible in accordance with the Americans with Disabilities Act (ADA).

Ideally the installed platform is flush with the sidewalk and has a seamless connection with the curb; however, due to various curb heights and street slopes this is rarely the case. A gap no larger than ½ inch between the curb and the street seat platform is acceptable - larger gaps require a lip cover. A step-up height from the curb to the platform of less than two inches is acceptable and typically can be bridged with a lip plate. Step-up heights greater than two inches require an ADA acceptable transition.

Select from the available options after considering the location specifications:

- Full length lip plate
- Narrow ramp with lip plate
- Curbside counter
- Platform attachment (lip plate)

Please see examples on the next page.

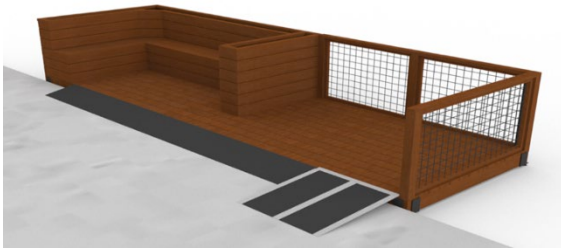


**Example 1. A full length lip plate.**



The full length lip plate provides a safe transition from the curb to the deck and is a good choice when the step-up height is less than two inches. A lip plate is required when the gap between the curb and the deck is more than ½ inch.

**Example 2. Ramp with lip plate**



A standard width (off-the-shelf) ramp with a lip plate. When the step-up height between the curb and the deck is greater than 2 inches then a ramp may be the best option. Note: this ramp extends onto the sidewalk and may create an obstruction and an unacceptable safety concern for

pedestrians. This ramp is best placed adjacent to an existing built in element (tree well) or planter box.

**Example 2. Curbside Counter**



The curbside counter allows roll-up access. Note: the counter is adjacent to the curb and a wheelchair sitting at this counter is on the sidewalk and may create an obstruction and an unacceptable safety concern for pedestrians. This is a good option where the sidewalk width can accommodate both a wheelchair rolled up

to the counter and still leave enough unobstructed pedestrian sidewalk.

**Example 3. Platform Attachment**

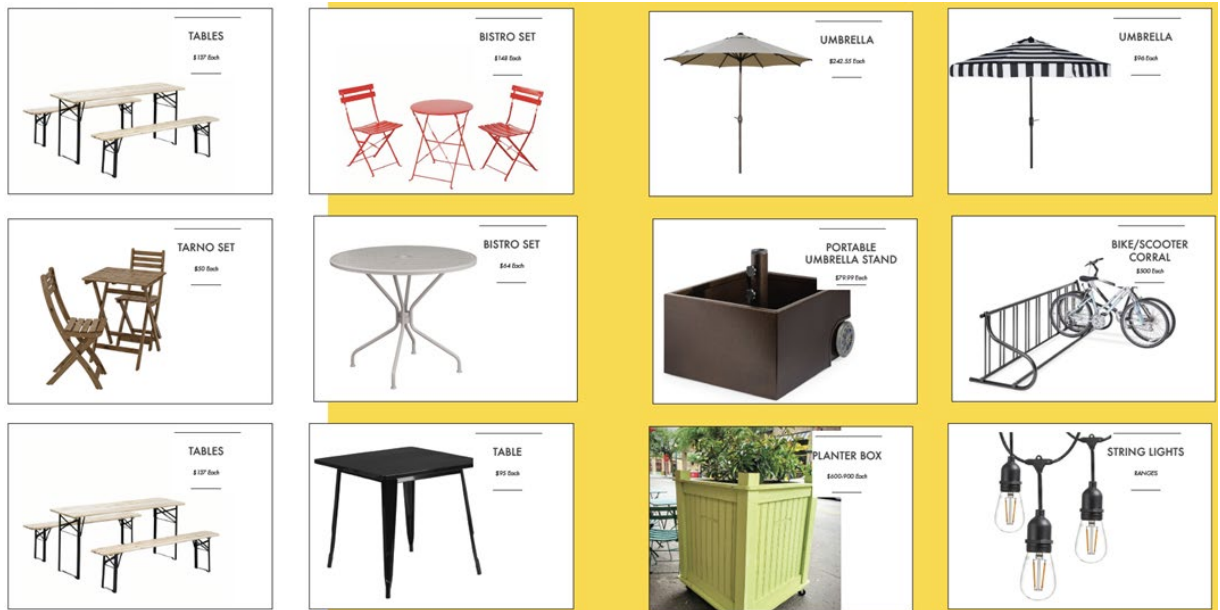


Note: this option may be the most viable option after ruling out all other options. Please note the primary platform may need to be shorter in length by (6 feet) in order to accommodate this attachment. This platform is built with a lower profile and as such will reduce the step height at the curb

to allow roll-in access. A lip may also be required.

## STEP 5 - Select add-on elements

- Umbrella stands
- Chairs
- Tables
- Lighting – solar
- Lighting – electric
- Fans
- Misters
- Plants (include plantings that provide year-round interest. Native and drought-tolerant plants are preferred. Consider water, sun/shade and maintenance needs of plantings. Plantings must be pruned to maintain clear sight lines to and from the street.
- Propane heaters (Require an additional permit from DFR. You will receive instructions during the review process.)
- Electrical supply (may require additional permits and plans)
- Other



## STEP 6 - Select buffer zone elements

Earlier you determined if your location requires a buffer zone on one end, both ends or not at all.

Select buffer zone elements:

- None
- Scooter parking
- Bicycle rack
- Planter

Note: a wheel stop and flexi stick is required at each end abutting active vehicular activity (parking, bus, loading or valet zone etc.)

**There are countless configurations. Here are a few examples:**

**The Block in use:** a 16 foot platform, required 4 foot buffer zones on each end, plants, no roof, and a planter and bike rack added within the buffer zones.



**The Block in use:** 16 foot platform, translucent plastic roofing, full length lip, two 4 foot buffer zones and a bike rack within the buffer zone. This example is 24 feet in length.



**The Block in use:** 10-foot parklet with L-shaped bench, plants, no roofing, full length lip plate and two buffer zones with scooter and bike racks. This example fits within one 18 foot single parking space



**The Wave in use:** 20 foot platform, umbrellas that reduce visibility obstruction, plants and both buffer zones activated. This installation is 28 feet in length



***Once your preferred design and location is approved by the city, the city will provide you with pre-approved detailed plans that include materials and build instructions. These design plans are the property of the City of Dallas and are for use with a Dallas Street Seats permit only. These designs are not for private use or re-sale.***

## MATERIALS AND INSTALLATION ESTIMATES

The following information is an **estimate only** to assist you in the planning process.

BASE DESIGN ESTIMATES	FULL BENCH	FULL RAILS	HALF BENCH/RAIL
<b>10 Feet Block</b>			
Estimate Materials	\$4,708		
Estimate Labor	\$2,000		
<b>12 Feet Block</b>			
Estimate Materials	\$4,768		
Estimate Labor	\$2,000		
<b>14 Feet Block</b>			
Estimate Materials	\$4,825	\$3,678	
Estimate Labor	\$2,500	\$2,000	
<b>16 Feet Block</b>			
Estimate Materials	\$5,352	\$3,723	\$4,719
Estimate Labor	\$3,000	\$2,000	\$2,500
<b>20 Feet Block</b>			
Estimate Materials	\$5,909	\$4,506	\$5,468
Estimate Labor	\$4,375	\$2,500	\$3,500
<b>20 Feet - Wave</b>	\$6,170		
	\$5,000		

### Roofing Cost Estimates

	Umbrellas	Wood	Fabric	Plastic
<b>10 Feet</b>	\$96-\$254 each	Materials: 336 Labor: 500	Materials: 190 Labor: 500	Materials: 182 Labor: 500
<b>12 Feet</b>	\$96-\$254 each	Materials: 414 Labor: 500	Materials: 288 Labor: 500	Materials: 260 Labor: 500
<b>14 Feet</b>	\$96-\$254 each	Materials: 414 Labor: 750	Materials: 298 Labor: 750	Materials: 260 Labor: 750
<b>16 Feet</b>	\$96-\$254 each	Materials: 414 Labor: 750	Materials: 298 Labor: 750	Materials: 260 Labor: 750
<b>20 Feet</b>	\$96-\$254 each	Materials: 642 Labor: 1,000	Materials: 506 Labor: 1,000	Materials: 378 Labor: 1,000

## SECTION FOUR – APPLICATION

- E. [Saving Your Application as You Go](#)
- F. [Completing Your Application](#)
- G. [Cancellation of Application](#)
- H. [Changes to Your Application](#)



## APPLICATION

- Dallas Street Seats is a pilot program that runs from February 2021 through July 2022. All permits issued under the street seats program will expire on July 31, 2022.
- Please submit an online application with the Office of Special Events.
- A complete application must be filed a minimum of 90 days before the proposed street seat opening date or a minimum of 60 days before the proposed construction start date.
- An application must be completed in full before it can be invoiced. Submission of a complete application does not guarantee a street seats permit will be issued. All requirements must be met prior to permit issuance.
- The application review process will not begin until the base application processing fee has been paid as invoiced.

## SAVING YOUR APPLICATION AS YOU GO

OSE applications allow you to save your work as you go. Simply start an application (or any of our online forms) and click “Save” in the bottom right corner. You will be asked to copy the link or have an email sent to you. Cognito Forms, the web host, will send you an email from [notifications@cognitofirms.com](mailto:notifications@cognitofirms.com) with a “Resume Now” link to return to your application in progress at your leisure. Once you hit the orange “Submit” button on the application the link will expire as your application has been submitted to OSE.

## COMPLETING YOUR APPLICATION

Here are some of the details you will need in order to submit a complete application:

- Location with dimensions
- Four photos:
  - A photo taken from the street facing your establishment showing the proposed parking space(s) with your storefront identifiable in the background. This photo should include all permanent structures in the sidewalk adjacent to your proposed parking spaces (trees, landscape wells/grates, trashcans, benches, parking meters).
  - A photo taken from the street that shows the proposed parking space(s) and the adjacent space to the right.
  - A photo taken from the street that shows the proposed parking space(s) and the adjacent space to the left.
  - A close-up photo of the proposed parking space(s) (without any cars parked in the spots) showing any meters, manhole covers, utilities and/or storm drain location that are located within 10 feet of your proposed parking spaces.
- A site map that identifies:
  - the length and depth of the proposed parking spaces;
  - the location of the platform (dimensions of the platform) with dimensions;

- the required 4 foot buffer zone(s);
- the required 18 inch buffer zone between the exterior edge of the street seat structure and the adjacent traffic lane;
- the placement of the wheel stop and flexi stick; and
- access to all utilities.
- Required property authorizations and community support documents. Please visit the website for a copy of the electronic [property authorization form](#).
- Parking meter identification number(s)
- Selected design including base platform, perimeter, roofing, ADA component, cladding material, optional add-on elements, and buffer zone elements.
- The applicant must hold a valid food establishment license and/or TABC license if the permit holder intends to serve food/alcohol.
- A copy of any Residential Adjacency Restrictions (RAR) or Specific Use Permits (SPU)

### **CANCELLATION OF APPLICATION**

- If the director determines that an application requires additional information in order to make a decision, or if additional fees will be required to process the application, the application will be considered incomplete and cancelled if the applicant does not supply the additional information or fees after the director has sent two reminder emails and made one reminder phone call after a period of 10 calendar days without a response from the applicants.
- If the director determines that an applicant has failed to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed scheduled activity or a past scheduled activity, the application will be deemed incomplete and the application will be cancelled. An application that has been cancelled under this subsection cannot be re-filed for 12 months
- An application may be cancelled if there is a scheduled utility repair/installation, street improvement, adjacent development project, parking space reassignment, or other restoration project, or if the location is deemed inappropriate by the director of transportation, public works, or office of special events. The applicant may be given the option to proceed with a shorter-term permit or to delay installation.
- An application that has been cancelled because it is incomplete cannot be appealed under section 42A-8 and all application processing fees are forfeited.

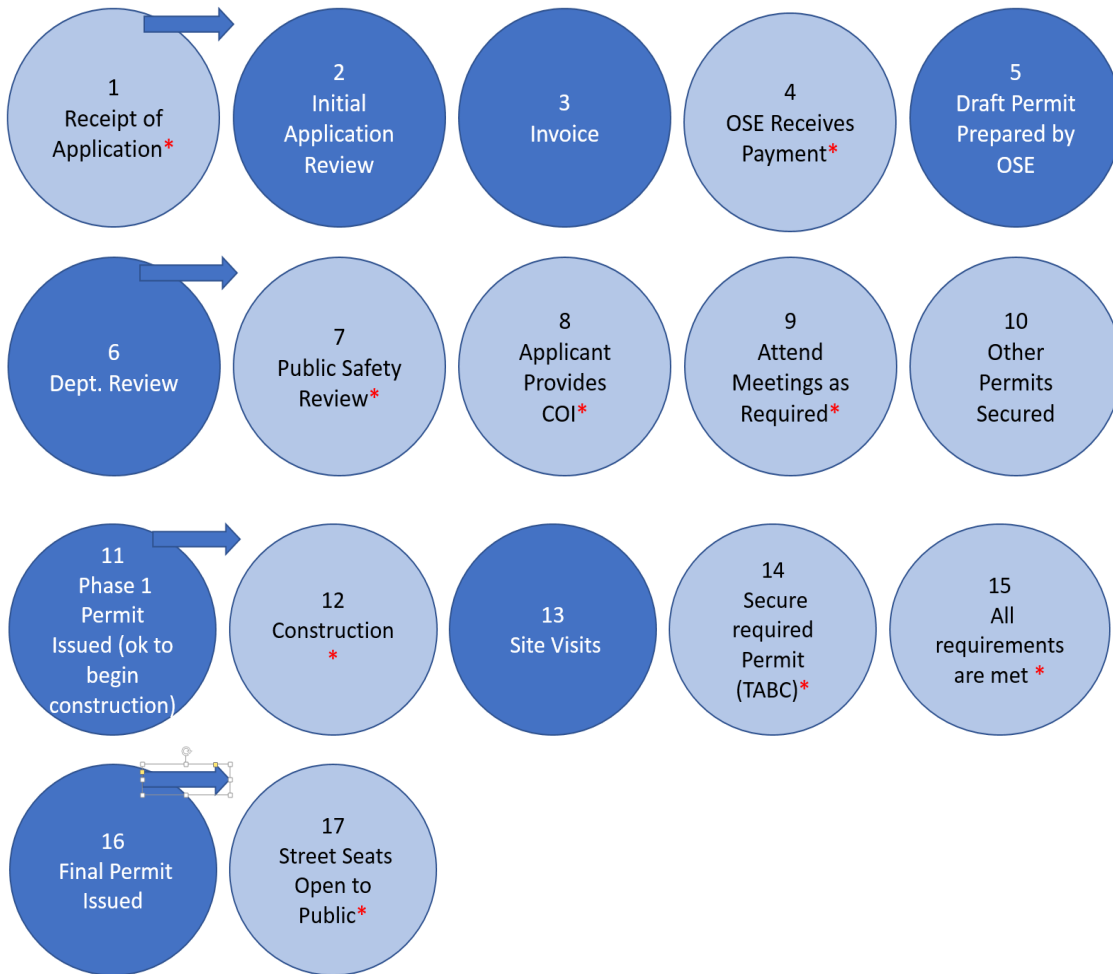
### **CHANGES TO YOUR APPLICATION**

**Minor changes** to the submitted application will result in a fee of \$50 per change. The application will not proceed until payment is received. Minor changes include those changes that can be accommodated prior to initiating the review process and or without having to redo the public safety or department review process.



If the applicant makes **major changes** to the original submission of an application after the review has been initiated, this will result in the original permit application being deemed incomplete and cancelled. A revised permit application will be required, along with new application processing fees if the applicant wishes to pursue the application.

## THE PERMIT PROCESS



\*Indicates steps where applicant action is needed

Upon receipt of a complete application, the application processing fee, and a \$1,000 refundable removal bond, the director shall forward a copy of the application to all applicable city departments and partner agencies for review. Consideration will be given based on accessibility, public safety, location, potential to enhance street scape, community and property owner support, adherence to design and public safety standards, quality of design, and capacity to construct, maintain, and remove the street seat among other factors.

After reviewing and confirming all permit requirements have been met, the director shall issue a street seats permit unless denial or revocation is required by Section 42A-28.9.

## COMMUNITY SUPPORT AND PROPERTY AUTHORIZATION

### COMMUNITY SUPPORT

- Applicant shall submit written permission using the approved form if utilizing restrooms owned by another establishment.
- Public Dallas Street Seats are often installed and managed by an entity in partnership with local businesses and residents. Applicants must provide documented community support from property owners, businesses and residents in the area at the time of application.
- It is recommended that the applicants of a Dallas Street Seats permit meet and solicit input and support from the local neighborhood association, merchant association and/or PID prior to applying.

### PROPERTY AUTHORIZATIONS

An applicant must provide written approval using the approved form from the following parties as part of the permit application:

- from the **property owner** if the applicant's establishment holds a lease and is not the exclusive owner of the property.

and

- **each adjacent tenant and property owner** if the street seat crosses an adjacent property line.

## **INSURANCE AND INDEMNIFICATION REQUIREMENTS**

An applicant for a street seat permit shall procure and keep in full force and effect no less than the insurance coverage required by this section through a policy or policies written by an insurance company that is authorized to do business in the State of Texas; and is acceptable to the city.

1. The insured provisions of the policy must name the city and its officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation of a street seat.
2. The certificate of insurance or policy and endorsements will be evidenced by delivery to Office of Special Events, 650 S. Griffin St., Dallas TX 75201.
3. All certificates of insurance must name the City of Dallas as the certificate holder.
4. An applicant shall maintain commercial general liability insurance and must provide single limits of liability for bodily injury (including death) and property damage of \$500,000 for each occurrence, with a \$1 million annual aggregate.
5. Insurance required under this article must: include a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 30 days before cancelling the insurance policy (for a reason other than non-payment) or before making a reduction in coverage; include a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 10 days before cancelling for non-payment; include an endorsement to waive subrogation in favor of the city and its officers and employees for bodily injury (including death), property damage, or any other loss; comply with all applicable federal, state, and local laws.
6. Any insurance policy required by this article must be on file with the city prior to the issuance of the PHASE ONE (Approved to begin construction/installation) permit is issued, and thereafter within 45 days of the expiration or termination of a previously issued policy.
7. Liquor liability insurance is required if street seats will be used for alcohol consumption, with a minimum limit of \$1 million each claim.
8. In addition to the insurance requirements in this section, the director may require additional insurance for a permit if such additional insurance is recommended by the city's risk manager as being necessary for the protection of the city or the public health, safety, and welfare. (Ord. [31708](#))

## **INDEMNIFICATION**

An applicant for a permit issued under this chapter shall execute an agreement to indemnify the city and its officers and employees against all claims of injury or damage to persons or property, whether public or private, arising out of the permitted activity. (Ord. 31144). **The indemnification is built into the on-line application.**

## PERMIT ISSUANCE

The Dallas Street Seats permitting process includes two distinct and separate phases; a Phase One permit and then a Phase Two permit. Each phase requires the applicant to take specified actions to prevent the delay or denial of the next phase.

**Phase One Permit** is issued within sixty days of receipt of the application processing fee and provided that the applicant provides all required information by the listed dates.

The permit review does not begin until the base application processing fees are paid as invoiced. All requirements must be met prior to the issuance of the Phase One permit including but not limited to:

- Proof of required insurance
- Receipt of the Public Safety Review
- Receipt of installer
- One or more in person meetings with applicants and design and construction team may be required during this 0-day application review process.

This initial permit confirms that the location and proposed design have been approved and is notice that the permit holder may begin installation/construction.

The following actions are required during Phase one and before the issuance of the Phase Two permit:

## PUBLIC NOTICE

- Public notice must be displayed within the window of the abutting establishment for a minimum of 30 days during the application review to allow for public input.
- Written notice must be given to owners and occupants of real property abutting the proposed street seat and those impacted by the street seat utilizing the template provided by the director a minimum of five days prior to the first date of construction. Notice may be delivered by hand, mail, or email. (Ord. 31708)

## PUBLIC SAFETY REVIEW

The applicant shall provide a road safety review produced by a professional engineer licensed in the state of Texas within 14 days of application acceptance. The review must be specific to the proposed street seat location and must confirm that the proposed street seat follows the [NACTO parklet guidelines](#) and all city requirements and safety regulations as detailed in the guidebook. (Ord. 31708)

## ADDITIONAL PERMITS

The applicant is responsible for securing all applicable permits and licenses. Failure to obtain all applicable permits will render the Dallas Street Seats Permit null and void. Copies of all permits must be on hand and available for review upon request.

The applicant shall contact TABC and secure applicable permit revision to include the Dallas Street Seats in all cases where alcohol will be sold and served.

Equipment deliveries and/or set-up may not take place until the Phase Two permit (construction approval permit) has been issued.

**Phase Two Permit** is the permit allowing occupancy of the Dallas Street Seats and this permit shall be issued after all permit application fees have been paid, construction is complete, confirmation of compliance with all requirements and site inspections are complete.

A Street Seat may require site visits or inspections by city staff. If site visits or inspections are required, the applicant or the applicant's design and installation contractors shall accompany city staff on scheduled site visits or inspections as requested.

A copy of the permit must be on site and shall be provided to city staff/inspectors upon request. The Dallas Street Seats permit will be null and void, if all stipulations and requirements are not met.

## OPERATIONS OF A DALLAS STREET SEATS

### INSTALLATION AND CONSTRUCTION

- The street seat must be installed and operated according to the approved site map.
- The street seat shall be constructed according to the plans provided.
- A permit holder must provide patrons of the street seat access to onsite restrooms.
- Nothing is mounted or attached to the street, sidewalk, street posts, lights, or other public items in the Right of Way without specific written approval from the OSE.
- Approved plans will detail approved anchoring of platform if applicable.
- No permanent or semi-permanent markings or fixtures may be applied to the street or sidewalk without specific written approval from the OSE.
- A Dallas Street Seat must be able to be easily removed without damaging the curb, sidewalk, any drainage structures, and the underlying roadway.
- The design should allow for access under the platform for cleaning and clearing debris.
- A permit holder is responsible for providing and maintaining all street seats elements including furniture and amenities

### SIGNAGE

- Private Dallas Street Seats shall post signage indicating the name of the responsible establishment and hours of operation and include “Not available for public use.”
- Public Dallas Street Seats must include signage indicating that the space is open and accessible to the public and shall identify the entity responsible for maintenance and upkeep including a contact phone number.
- Advertisements shall not be permitted within Dallas Street Seats nor shall any other signs be in violation of city code or policy.
- All signage must be submitted and approved before installed.

### MAINTENANCE

- The permit holder is responsible for maintaining the permitted street seat in good repair and condition.
- Permit holder provides daily maintenance of the street seat and surrounding area.
- The permit holder is responsible for ensuring that the street seat and surrounding area is kept clean and neat and that all trash and debris is picked up daily and disposed of properly.
- The permit holder is responsible for ensuring that the space under the platform is kept clear of debris and that debris does not collect so as to be washed down the storm drain. Debris should be vacuumed out or blown out and then swept and picked up and disposed of properly. Debris may not be blown or flushed down the storm drain.

- The permit holder is responsible for ensuring that the flow of stormwater is not impeded in any way.

### **FOOD AND BEVERAGE**

- Private Dallas Street Seats – all food and beverage shall be prepared inside a licensed food establishment and served to the patrons outdoor. No outdoor food or beverage stations shall be permitted.
- Restaurants selling and serving alcohol – the applicant is responsible for complying with all rules and regulations and for ensuring alcohol sales and consumption is limited to the street seat. The serving, distribution or sales of alcohol is prohibited in a public street seat.
- Permit holder is the exclusive operator/vendor. No sublet is permitted.

### **QUALITY OF LIFE**

- Permit holder is responsible for monitoring occupancy and for complying with occupancy maximum as listed on the permit.
- Permit holder is responsible for securing the private street seat when not in operation.
- Amplified outdoor sound is allowed in conjunction with a permit issued under this chapter only between the hours of 8 a.m. and 10 p.m.
- The permit holder is responsible for maintaining the permitted street seat in good repair and condition.
- The following elements are not permitted: generators, combustible fuel, bands, large speakers, candles/open flame, pyrotechnics including sparklers and cold pyro.

### **STREET SEAT REMOVAL**

- Dallas Street Seats must be designed to be easily removed without damaging the curb, sidewalk, any drainage structures, and the underlying roadway.
- The design should allow for access under the platform for cleaning and clearing debris so as to prevent the need for removal for cleaning and debris removal.
- The city reserves the right to require removal of a street seat for street improvements, utility work, emergencies, public safety, violation of agreements or permits, or other outstanding circumstances deemed necessary by the city.
- If at any time the directors of the Office of Special Events or the departments of public works or transportation, require the removal of the street seat, the permit holder shall promptly remove the street seat within three business days in order to conform to the requirement, without any cost to the city.
- A permit holder shall, at its own expense, remove a street seat within five business days of permit expiration and return the area to the same condition as it was prior to installation. (Ord. [31708](#))



## DENIAL OR REVOCATION

The director shall **deny** a street seats permit if:

1. the applicant fails to meet any of the requirements outlined and defined in the guidebook;
2. the applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by another city ordinance or other applicable law for the conduct of all activities included as part of the street seat;
3. the applicant has had a street seats permit revoked within the preceding 14 months;
4. the applicant has received, within the preceding 14 months, two or more notices of violation or citations related to a provision of a street seat permit or this chapter;
5. the director of transportation, public works, office of special events, the chief of the police department, or the chief of the fire-rescue department, determines that the street seat would pose a serious threat to the public health, safety, or welfare;
6. the applicant or any other person responsible for the conduct or sponsorship of the street seat is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or other person;
7. the applicant has a history of conducting or sponsoring street seats in a disorderly, unsafe, unsanitary, or fiscally irresponsible manner;
8. the director is notified of any code violation on the abutting property; or
9. a street seat will interfere with the rights of nearby residents to the quiet, peaceable, and undisturbed enjoyment of their property.
10. A street seat interferes with other curb uses including but not limited to:
  - a. Fire hydrant.
  - b. Valet operation.
  - c. Bus stop or transit station.
  - d. Loading zone.
  - e. Taxi zones.
  - f. Handicapped-access parking spaces.
  - g. Other specially designated zones.
  - h. Licensing to another establishment.

The director shall **revoke** a street seats permit if:

1. the street seats permit, a city ordinance, or any other applicable law;
2. the permit holder made a false statement or omission of material fact on an application for a street seat permit;
3. the director of transportation, public works, office of special events, or the chief of the police department or the chief of the fire-rescue department determines that the street seat would pose a serious threat to the public health, safety, or welfare;
4. the permit holder fails to maintain public order in and around the street seat;
5. the permit holder failed to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed street seat or for a past street seat;
6. the director is notified that the permit holder or any other person responsible for the conduct or sponsorship of the street seats is overdue in payment to the city of

- taxes, fees, fines, or penalties assessed against or imposed upon the permit holder or other person; or
7. the director is notified of any code violations on the abutting establishment.