



MEETING OF NOVEMBER 21, 2023

TO: Mayor Jordan and City Council
THRU:
FROM: Susan Norton, Chief of Staff
DATE:
SUBJECT: Lights of the Ozarks Ordinance Updates

RECOMMENDATION:

Staff recommends revisions to City Code 117.83 Lights Of the Ozarks and 178.04 Outdoor Mobile Vendors at the recommendation of the City Attorney's Office in response to a request by the Downtown Fayetteville Coalition and Experience Fayetteville to improve safety, crowd control, and traffic flow around the square during the annual Lights of the Ozarks.

BACKGROUND:

Since 1994, Lights of the Ozarks has continued to attract thousands of visitors to the Downtown Square during the holiday season. The Downtown Fayetteville Coalition requested the Mayor to consider an amendment to the special event permit regarding Lights of the Ozarks to include a longer street closure than is currently allowed by code for the mobile food truck vendors. City Attorney Kit Williams advised Mayor Jordan that the proper action would be an amendment to code as the Fayetteville Code does not currently allow the City to close East Avenue between Mountain and Center 24 hours per day for food truck use during this time.

DISCUSSION:

Staff agrees that it will be not only safer for visitors by expanding the pedestrian space, but it will also encourage pedestrians to spend more time patronizing businesses in the downtown area and that these changes represent a placemaking move. Staff further agrees that two sections of code will require revision, as stated above. The first section of code (117.83) presented an opportunity for considerable cleanup to also include food trucks explicitly called out in addition to "other event vendors." Operating hours are changed, as is the name of the sponsoring entity from The Town Center staff to the umbrella Advertising and Promotion Commission. The second section of code (178.04) places a new section under (E) (4) that standing events that may have designated food truck areas by City Code or special permit and creates an exemption for the twelve hour time limit for food trucks and trailers during Lights of the Ozarks. A memo from Kelly Rich is attached, which explains their rationale for improving the safety of the event. Kelly has assured me that she has reached out to the downtown square merchants to get their input on the event and to share ideas about a new footprint, as reflected in the proposed code changes drafted by Senior Assistant City Attorney, Blake Pennington. The DFC has been looking at new ways to make logistics of the event as smooth as possible. The consensus of those she visited with on the square is that they are excited for these potential updates. Additional attention was given to the East Street businesses who could be affected the most. The Pryor Center's Oral History offices, Tula, and Cheers at the OPO are all aware and willing to work with the DFC on the potential changes. Joon Bridal and Startup Junkie have been contacted with additional communication efforts planned.

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

BUDGET/STAFF IMPACT:

ATTACHMENTS: SRF (#3), Exhibit A - 117.93 Lights of the Ozarks Amendment (#4), Downtown Fayetteville Coalition Update Memo (#5), 117.93 - Lights of the Ozarks Amendment - REDLINE (#6), 178.04 Outdoor Mobile Vendors Amendment - REDLINE (#7)

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2023-1286

Lights of the Ozarks Ordinance Updates

AN ORDINANCE TO AMEND §117.93 LIGHTS OF THE OZARKS TO EXPAND THE EVENT AREA TO INCLUDE THE BLOCK OF EAST AVENUE BETWEEN MOUNTAIN STREET AND CENTER STREET, TO AMEND §178.04 OUTDOOR MOBILE VENDORS TO AUTHORIZE FOOD TRUCKS AND TRAILERS TO OPERATE ON THE DOWNTOWN SQUARE DURING CERTAIN STANDING EVENTS, AND TO DECLARE AN EMERGENCY

WHEREAS, since 1994, Lights of the Ozarks has attracted thousands of visitors to the Downtown Square during the holiday season; and

WHEREAS, the Downtown Fayetteville Coalition requested that the City consider authorizing the closure of East Avenue between Mountain Street and Center Street for longer than is currently allowed by code; and

WHEREAS, approving this extended closure will keep sidewalks and walkways clear and accessible, provide organizers with the flexibility to move food trucks and trailers around the square to spread out power needs, create pedestrian-focused spaces for people to congregate safely, and keep traffic flowing smoothly utilizing a U-shaped traffic plan to alleviate congestion; and

WHEREAS, City staff agrees that it will be not only safer for visitors by expanding the pedestrian space, but it will also increase the economic impact of Lights of the Ozarks by encouraging pedestrians to spend more time patronizing businesses in the downtown area; and

WHEREAS, an amendment to § 178.04 will clarify that permitted food trucks and trailers may operate on the Downtown Square during the Farmer's Market, First Thursday, and Lights of the Ozarks.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby repeals § 117.93 **Lights of the Ozarks** and enacts a replacement § 117.93 as shown in Exhibit A attached hereto.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends § 178.04 **Outdoor Mobile Vendors** by enacting a new subsection (E)(4) to authorize permitted food trucks and trailers to operate on the Downtown Square during certain standing events as follows:

(4) Parking spaces on the Downtown Square during the following standing events and within the areas

2023-1286

designated for the events by the City Code or special event permit:

- (a) Farmer's Market
- (b) First Thursday

(c) Lights of the Ozarks. The twelve hour time limit does not apply to permitted food trucks and trailers managed by the Fayetteville Advertising and Promotion Commission during Lights of the Ozarks as authorized by § 117.93 of the City Code.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby determines that this ordinance should become effective without delay to make the Downtown Square safer for pedestrians and to keep vehicular traffic flowing more smoothly and safely during Lights of the Ozarks, which began on November 17. The City Council finds that this is necessary for the public peace as well as the health and safety of Fayetteville residents and, therefore, declares an emergency exists such that this ordinance shall become effective immediately upon its passage and approval.

Memo



To: Susan Norton, City of Fayetteville, Chief of Staff

From: Kelly Rich, Downtown Fayetteville Coalition

Date: November 7, 2023

Re: Lights of the Ozarks Ordinance Update

Background

Lights of the Ozarks is a 30-year-old beloved tradition for downtown and the entire city of Fayetteville. Each year sees an increase of thousands of visitors walking and driving around our historic square for the entire six-week season. With the number of new downtown business announcements and projected city population growth, we expect crowds to continue to aggressively grow in the future.

For several years, there have been discussions with Lights of the Ozarks organizers, local business owners, and city leadership on how we can better plan for safety, crowd control, and traffic flow around the square. Using input from these stakeholders, organizers have ideas they would like to implement but are restricted under the current code. Updating the code by reducing the restrictive language gives flexibility to the event organizers to adapt to the exciting growth the event and the city as a whole is experiencing.

Approving the ordinance with these updates would:

1. Give additional space for food trucks to position their serving windows to move their lines away from the sidewalks which would keep the walkways clear and accessible for everyone.
2. Give organizers the freedom to move food trucks around the square to spread the

power needs. Currently 50 amp power is only available on the exterior corners of the square and the ordinance only allows food trucks on the interior. This requires their power cords to cross the streets which is not only visually cluttering but also a trip hazard.

3. Give organizers the option to close streets to cars and create pedestrian-focused spaces for people to congregate safely.
4. Increase economic impact by incentivizing visitors to get out of their cars and patronize our local businesses.
5. Keep traffic flowing smoothly utilizing a u-shaped traffic plan with people entering the square via Center St and exiting on Mountain. This alleviates the congestion that is seen at the intersection of Center and East St throughout the season.

These are just a few of the benefits that could be accomplished by updating the 20-year-old ordinance. Allowing event organizers the flexibility to adapt and change to the current environment is a necessary step for success as the city of Fayetteville heads into its next chapter as the best city in Northwest Arkansas.