

9/17/2014

ORDINANCE NO. 29478

An ordinance amending Sections 2-37.2, 2-42, 2-52, 2-53, and 2-135.3 of Chapter 2, "Administration"; Sections 39A-2, 39A-4, and 39A-5 of Chapter 39A, "Relocation Assistance - Eminent Domain"; Sections 43-121 and 43-126.5 of Chapter 43 "Streets and Sidewalks"; and Sections 51A-3.103, 51A-4.501, 51A-5.105, 51A-5.209, 51A-8.402, 51A-8.503, 51A-8.504, 51A-8.506, 51A-8.507, 51A-8.510, 51A-8.602, 51A-8.604, 51A-8.606, 51A-8.607, and 51A-9.102 of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, as amended; correcting obsolete references to the urban rehabilitation standards board; creating the department of planning and neighborhood vitality; transferring certain planning functions to the department of planning and neighborhood vitality; making certain semantic, grammatical, and structural changes; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 2-37.2, "Authority to Sell; Deposit of Cash," of Division 2, "Sale of Unclaimed and Surplus Property," of Chapter 2, "Administration," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 2-37.2. AUTHORITY TO SELL; DEPOSIT OF CASH.

(a) The following property may be sold by the city in the manner provided in this article:

(1) abandoned, stolen, or recovered property, except motor vehicles, that remain unclaimed with the city for 60 days, whether or not the owner is known;

(2) abandoned, stolen, or recovered motor vehicles that remain unclaimed with the city for 30 days, whether or not the owner is known;

(3) personal property owned by the city that has been declared surplus, obsolete, worn out, or useless by the head of a department and that is no longer needed for public use; except that microcomputer equipment and software covered by the microcomputer executive plan policy must be disposed of in accordance with that policy; and

(4) city-owned firearms and firearm accessories and ammunition that the chief of police has declared surplus or obsolete and has recommended for use as trade-ins on new property of the same general type.

(b) Property listed in Subsection (a)(4) may be traded only to a person holding a federal firearms license.

(c) Items of personal property, the sale of which is restricted by criminal law, may only be sold by the city if the sale is in accordance with all applicable provisions of the law containing the restrictions.

(d) Cash money that is abandoned, stolen, or recovered, that remains unclaimed with the police department for 60 days, and that is not being held for evidence, whether or not the owner is known, must be deposited in the general fund of the city unless the money is of collector quality. Money of collector quality may be sold as other personal property.

~~[(e) For the purpose of this article, abandoned property includes personal property that the urban rehabilitation standards board has ordered removed from a structure to be demolished.]”~~

SECTION 2. That Subsection (a) of Section 2-42, “Duties of the Director of Sustainable Development and Construction,” of Article V, “Department of Sustainable Development and Construction,” of Chapter 2, “Administration,” of the Dallas City Code, as amended, is amended to read as follows:

“(a) The director of sustainable development and construction shall perform the following duties:

(1) Supervise and administer the department of sustainable development and construction.

(2) Supervise the purchase and sale of all real property of the city.

(3) Manage real property under the director's supervision including approval of short term month-to-month leases.

(4) Determine pursuant to the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970 the public necessity for the acquisition of real

property, when the property is purchased in whole or in part with community development grant funds.

(5) Add to, delete from, modify or otherwise specify the property area determined to be acquired with community development funds.

(6) Solicit proposals from independent appraisers for the furnishing of appraisals of real property when appropriate.

(7) Advise the city manager, in cooperation with the chief planning officer and others designated by the city manager, on matters affecting the urban design and physical development of the city.

(8) Participate with the chief planning officer in developing [~~Develop~~] and recommending to the city manager a comprehensive plan for the city.

(9) Participate with the chief planning officer in reviewing and making [~~Review and make~~] recommendations regarding proposed actions implementing the comprehensive plan.

(10) Participate in the preparation and revision of the capital improvement program.

(11) Administer the regulations governing the subdivision and platting of land in accordance with state and local laws.

(12) Participate in the [~~Coordinate all~~] planning relating to urban redevelopment, urban rehabilitation, and conservation intended to alleviate or prevent slums, obsolescence, blight, or other conditions of urban deterioration.

(13) Give advice and provide staff assistance to the board of adjustment and the plan commission in the exercise of their responsibilities.

(14) Serve as secretary to the landmark commission.

(15) Supervise the engineering, construction, and paving of all streets, boulevards, alleys, sidewalks, and public ways when the work is being done by a private developer.

(16) Supervise the engineering and construction of the storm sewers and storm drainage systems when the work is being done by a private developer.

(17) Administer, implement, and enforce city regulations relating to the construction of public water and wastewater infrastructure improvements by private developers.

(18) Provide for the administration, implementation, and enforcement of the city's construction codes.

(19) Perform plan reviews and inspections for new construction and renovation of fixed facilities for food products establishments.

(20) Perform such other duties as may be required by the city manager or by ordinance of the city council.”

SECTION 3. That Article V-e, “Reserved,” of Chapter 2, “Administration,” of the Dallas City Code, as amended, is amended to read as follows:

“ARTICLE V-e.

DEPARTMENT OF PLANNING AND NEIGHBORHOOD VITALITY [RESERVED].

SEC. 2-52. CREATED; CHIEF PLANNING OFFICER.

There is hereby created the department of planning and neighborhood vitality, the head of which shall be the chief planning officer who shall be appointed by the city manager. The department of planning and neighborhood vitality will be composed of the chief planning officer and such other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager.

SEC. 2-53. DUTIES OF THE CHIEF PLANNING OFFICER.

The chief planning officer shall perform the following duties:

(1) Supervise and administer the department of planning and neighborhood vitality.

(2) Advise the city manager, in cooperation with others designated by the city manager, on matters affecting the urban design and physical development of the city.

(3) Develop and recommend to the city manager a comprehensive plan for the city.

(4) Review and make recommendations regarding proposed actions implementing the comprehensive plan.

(5) Participate in the preparation and revision of the capital improvement program.

(6) Coordinate all planning relating to urban redevelopment, urban rehabilitation, and conservation intended to alleviate or prevent slums, obsolescence, blight, or other conditions of urban deterioration.

(7) Perform such other duties as may be required by the city manager or by ordinance of the city council.

SECS. 2-54 THRU 2-60. RESERVED.”

SECTION 4. That Section 2-135.3, “Duties of the Director of Financial Services,” of Article XV-b, “Office of Financial Services,” of Chapter 2, “Administration,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 2-135.3. DUTIES OF THE DIRECTOR OF FINANCIAL SERVICES.

The director of financial services [~~chief financial officer~~] shall perform the following duties:

- (1) Supervise and administer the office of financial services.
- (2) Perform such other duties as may be required by the city manager or by ordinance of the city council.”

SECTION 5. That Subsection (b) of “Displaced Person,” of Section 39A-2 “Definitions,” of Chapter 39A, “Relocation Assistance - Eminent Domain,” of the Dallas City Code, as amended, is amended to read as follows:

“(b) A person who permanently moves or discontinues a business, permanently moves other personal property, or permanently moves from a dwelling as a direct result of any city of Dallas code enforcement project not involving real property acquisition shall, for the purposes of this chapter, be deemed to have been displaced as the result of the acquisition of real property. To be considered "a direct result of any city of Dallas code enforcement project," the move must be made pursuant to an official order issued personally by [~~the urban rehabilitation standards board,~~] the fire marshal, the building official, or the city health officer.”

SECTION 6. That Subsection (k), “Recovery of Relocation Costs Resulting from Code Enforcement,” of Section 39A-4, “Relocation Assistance Program,” of Chapter 39A, “Relocation

Assistance - Eminent Domain,” of the Dallas City Code, as amended, is amended to read as follows:

“(k) Recovery of relocation costs resulting from code enforcement. When a person is displaced from property as a direct result of an official order issued personally by [~~the minimum urban rehabilitation standards board,~~] the fire marshal, the building official, or the city health officer in a code enforcement action against the property, the city may, in accordance with Section 214.001 of the Texas Local Government Code, place a lien on the property, unless it is a homestead protected by the Texas Constitution, to recover costs incurred by the city in relocating the displaced person.”

SECTION 7. That Subsection (u), “Temporary Housing Payments,” of Section 39A-5, “Moving Expenses Provisions Related to All Relocatees,” of Chapter 39A, “Relocation Assistance - Eminent Domain,” of the Dallas City Code, as amended, is amended to read as follows:

“(u) Temporary housing payments. Whenever [~~the urban rehabilitation standards board,~~] the fire marshal, the building official, or the city health officer personally issues an official order to temporarily vacate or evacuate property because of code violations creating an imminent danger to the health or safety of the occupants, the occupants of the property may receive the following temporary housing payments for a period not to exceed 72 hours, whether or not they could qualify for permanent relocation benefits under this chapter:

- (1) housing expenses not to exceed \$50 per night for each household; and
- (2) food expenses not to exceed \$10 per day for each member of a household.”

SECTION 8. That Subsection (c) of Section 43-121, “License Required; Application; Issuance,” of Division 2, “Bicycle Parking Devices,” of Article VI, “License for the Use of Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code, as amended, is amended to read as follows:

“(c) The director shall forward a copy of any completed application to the departments of street services, sanitation services, code compliance, public works, planning and neighborhood vitality, and sustainable development and construction, and to any utility company that might be affected by the proposed installation and operation of a bicycle parking device. Each department, and any utility company notified, shall review the application and return it, with any comments, to the director within 30 days of receipt.”

SECTION 9. That Subsection (d) of Section 43-126.5, "License Required; Application; Issuance," of Division 3, "Valet Parking Services," of Article VI, "License for the Use of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, is amended to read as follows:

"(d) The director shall forward a copy of any completed application to any person required to be notified under Subsection (c)(7) and to the departments of street services, sanitation services, code compliance, sustainable development and construction, public works, planning and neighborhood vitality, and risk management, and to any other department that might be affected by the proposed operation of a valet parking service. Each department, and any other notified persons, shall review the application and return it, with any comments, to the director within 30 days of receipt."

SECTION 10. That Paragraph (4) of Subsection (a), "Creation; Membership; Appointment," of Section 51A-3.103, "Landmark Commission," of Article III, "Decisionmaking and Administrative Bodies," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, as amended, is amended to read as follows:

"(4) In addition to the 15 regular members, representatives from the city plan commission, department of sustainable development and construction, the building inspection division of the department of sustainable development and construction, code compliance department, the department of planning and neighborhood vitality [~~urban rehabilitation standards board~~], and the park and recreation department shall sit on the landmark commission as ex officio members. The ex officio members are not entitled to vote but assist the landmark commission in various functions. The department shall provide adequate staff support to the landmark commission and shall assign a member of the staff to act as the historic preservation officer."

SECTION 11. That Subparagraph (F), "Referral for Enforcement," of Paragraph (3), "Demolition by Neglect Procedure," of Subsection (k), "Demolition by Neglect," of Section 51A-4.501, "Historic Overlay District," of Division 51A-4.500, "Overlay and Conservation District Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, as amended, is amended to read as follows:

“(F) Referral for enforcement. If the property owner or the property owner's agent with control over the structure fails to start repairs by the deadline set in the notice, fails to make continuous progress toward completion, or fails to complete repairs by the deadline set in the notice, the landmark commission may refer the demolition by neglect case to the code compliance department[~~, the urban rehabilitation standards board,~~] or the city attorney for appropriate enforcement action to prevent demolition by neglect.”

SECTION 12. That Paragraph (2), “Review of Application by Departments,” of Subsection (e), “Filling to Remove an FP Designation,” of Section 51A-5.105, “Filling in the Flood Plain,” of Division 51A-5.100, “Flood Plain Regulations,” of Article V, “Flood Plain and Escarpment Zone Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(2) Review of application by departments.

(A) If the application is to remove an FP designation, the director of Trinity watershed management shall forward copies of the application to the director of sustainable development and construction, the chief planning officer, and the director of park and recreation for review.

(B) The director of sustainable development and construction, the chief planning officer, and the director of park and recreation shall review the application and advise the director of Trinity watershed management of the environmental impacts of the project. They shall also determine whether the applicant's property should be considered for public acquisition due to its ecological, scenic, historic or recreational value. The director of Trinity watershed management shall provide a report to the city council on each application regarding environmental impacts and public acquisition issues.”

SECTION 13. That Subsection (a) of Section 51A-5.209, “Escarpment Area Review Committee,” of Division 51A-5.200, “Escarpment Regulations,” of Article V, “Flood Plain and Escarpment Zone Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(a) In order to assist the director and the board of adjustment in the administration and interpretation of these escarpment regulations, and to establish an efficient forum for city input and review of proposed developments in geologically similar areas, an escarpment area review committee (“the committee”) shall be established. The committee shall be advisory in nature and be comprised of at least one representative from the departments of sustainable development and construction, parks and recreation, planning and neighborhood vitality, and

public works. Members of the committee shall be appointed by the heads [~~directors~~] of the departments they represent. At least two representatives must be present to constitute a quorum.”

SECTION 14. That Section 51A-8.402, “Platting of Street Right-of-Way Prohibited,” of Division 51A-8.400, “Procedures,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 51A-8.402. PLATTING OF STREET RIGHT-OF-WAY PROHIBITED.

Platting street right-of-way without platting adjacent property to be served by the street is prohibited unless the director of sustainable development and construction and the chief planning officer recommend[s] platting the right-of-way because a graphic representation of the right-of-way is needed to facilitate thoroughfare or local street planning.”

SECTION 15. That Paragraph (4) of Subsection (b), “Frontage,” of Section 51A-8.503, “Lots,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(4) If four or more single family, townhouse, and duplex lots share a private driveway, a private driveway easement must be provided. The private driveway easement must provide a minimum access width of 20 feet with a flare to 30 feet at its intersection with the curb line of a minor street, and a flare to 40 feet at its intersection with the curb line of a thoroughfare. The private driveway access easement need not be exclusive to a particular lot, but must be indicated on the plat, and must have direct access to a dedicated public street or a private street approved in accordance with this chapter. No more than four lots may share a private driveway access easement unless, upon recommendation from the director and the chief planning officer, the commission finds that the extraordinary topography or shape of the property unduly limits the development potential of the property, and that the proposed development is consistent with the spirit and intent of this chapter. The shared access area in a shared access development is not subject to this paragraph.”

SECTION 16. That Subsection (c), “Residential Access to Thoroughfares,” of Section 51A-8.503, “Lots,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(c) Residential access to thoroughfares. Where single family, townhouse, or duplex lots abut a divided thoroughfare, driveway access to the thoroughfare is prohibited unless, upon recommendation of the director and the chief planning officer, the commission finds that the extraordinary topography or shape of the property unduly limits the development potential of the property, and the proposed development is consistent with the spirit and intent of this chapter. If the commission permits access under this subsection, the traffic barrier otherwise required in Section 51A-8.618 is waived.”

SECTION 17. That Subsection (a), “Block Length,” of Section 51A-8.504, “Blocks,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(a) Block length. Block lengths in plats for single family lots should not exceed 1200 feet measured from block corner to block corner. The length may be extended if, upon recommendation from the director and the chief planning officer, the commission finds that the extraordinary topography or shape of the property unduly limits the development potential of the property, and that the proposed development is consistent with the spirit and intent of this chapter.”

SECTION 18. That Paragraph (2), “Permanent Dead-End Streets,” of Subsection (b), “Dead-End Streets,” of Section 51A-8.506, “Street Layout,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(2) Permanent dead-end streets.

(A) Except as otherwise provided in this paragraph, if a permanent dead-end street is created within a proposed plat, a circular turnaround or other approved turnaround must be provided. The minimum radius for the circular turnaround is 50 feet for the right-of-way and 43.5 feet for the pavement measured to the back of the curb. The length of permanent dead-end streets must not exceed 600 feet, measured along the centerline from the block corner to the center of the cul-de-sac. The length of a permanent dead-end street may be extended upon recommendation of the director and the chief planning officer if they [~~he or she~~] find[s] that the extraordinary topography or shape of the property unduly limits the development potential of the property, and that the proposed development is consistent with the spirit and intent of this chapter.

(B) A waiver to the requirement of a turnaround for a dead-end street may be obtained from the director and the chief planning officer only upon their [~~the director's~~] determination that a turnaround is not needed to serve the traffic on the street or otherwise needed to protect the public interest.”

SECTION 19. That Paragraph (4) of Subsection (b), “Regulations,” of Section 51A-8.507, “Alleys,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(4) Permanent dead-end alleys are not allowed unless all access is prohibited between the alley and public rights-of-way. Alleys must either intersect with a dedicated public or private undivided street or an existing alley. If a dead-end alley is shown on a proposed plat, an approved turnaround must be provided unless a waiver is obtained from the director and the chief planning officer. A waiver is permitted only if the director and the chief planning officer determine[s] a turnaround is not necessitated by the amount of traffic on the alley, nor otherwise needed to protect the public interest.”

SECTION 20. That Subsection (g), of Section 51A-8.510, “Community Unit Development,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(g) Open space provided in a CUD must be approved as appropriate for its intended purpose by the director and the chief planning officer. The open space area must be within 1320 feet, measured radially, of any residential lot that is reduced in size in accordance with Subsection (c) of this section.

(1) Unimproved open space:

(A) may extend into floodway easements or floodway management areas;

(B) must be indicated on the plat with a prohibition of structures and parking areas; and

(C) must have a minimum of 10,000 square feet.

(2) Improved open space:

(A) must not extend into floodway easements or floodway management areas unless the proposed improvements are in compliance with Division 51A-5.100 of this chapter; and

(B) must be developed in accordance with a site plan approved by the city council after recommendation by the commission. The site plan must include the location and dimensions of all improvements and structures planned for the open space.”

SECTION 21. That Subparagraph (B) of Paragraph (1) of Subsection (c), “Streets,” of Section 51A-8.602, “Dedications,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(B) When a thoroughfare is along the perimeter of a proposed plat, sufficient right-of-way must be dedicated to provide one-half of the thoroughfare plan requirement, measured from the centerline of the existing right-of-way or, if there is no existing right-of-way, the proposed right-of-way as determined by the director and the chief planning officer. If the property on the side of the thoroughfare opposite the property to be platted is railroad right-of-way or a utility or floodway easement, or if some physical or topographical condition makes the property on that side of the street undesirable for street right-of-way, the commission may require a correspondingly greater dedication.”

SECTION 22. That Paragraph (3) of Subsection (c), “Streets,” of Section 51A-8.602, “Dedications,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(3) When property has been previously platted and improvements have been constructed, accepted, and used, the commission may waive the requirements for additional right-of-way for existing streets if:

- (A) no realignment of any minor street is proposed;
- (B) no change in zoning classification is proposed;
- (C) the street has been improved with the required number of lanes, and the full right-of-way standard is not warranted by expected traffic volumes, property access requirements, truck, bus, and taxi loading, or pedestrian use;

(D) the director and the chief planning officer recommend[s] the waiver; and

(E) the commission finds that the area is a redeveloping area.”

SECTION 23. That Paragraph (1) of Subsection (d), “Private Streets Criteria,” of Section 51A-8.604, “Street Engineering Design and Construction,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(1) Private streets must be constructed and maintained to the standards for public rights-of-way and must be approved by the director and the chief planning officer. Sidewalks are required and must be constructed and maintained to the standards for sidewalks in the public right-of-way. Water and wastewater mains must be installed in accordance with the applicable ordinances.”

SECTION 24. That Subsection (a), “Required,” of Section 51A-8.606, “Sidewalks,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(a) Required. Sidewalk construction is required along all public and private streets unless waived by the director and the chief planning officer.”

SECTION 25. That Subsection (d), “Waiver of Sidewalks,” of Section 51A-8.606, “Sidewalks,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(d) Waiver of sidewalks. A person desiring a waiver of a sidewalk requirement shall make application to the director and the chief planning officer. The director and the chief planning officer shall take into account any specific pedestrian traffic need such as a project recommended by the school children safety committee, transit stops, parks and playgrounds, and

other population intensive areas when considering the request for sidewalk waivers. Should the director and the chief planning officer waive the required sidewalks, the waiver does not preclude the city from installing sidewalks at some later time and assessing the abutting owners for the cost of the installation. A waiver of the sidewalk requirement may be appropriate in the following instances:

(1) The potential pedestrian traffic in the area is so minimal that sidewalks are not warranted.

(2) In a single family or duplex zoning district, at least 50 percent of the lots located on the same side of the block as the proposed plat have been developed with completed, approved structures without sidewalks.

(3) A permanent line and grade cannot be set within the public street right-of-way.

(4) It is desirable to preserve natural topography or vegetation preexisting the proposed plat, and pedestrian traffic can be accommodated internally on the property.”

SECTION 26. That Subsection (b), “When Required,” of Section 51A-8.607, “Median Openings, Extra Lanes, and Driveways,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(b) When required. Left turn lanes are required to serve median openings providing access to the proposed plat. Other extra lanes must be designed and constructed as part of the subdivision infrastructure improvements when:

(1) they are required by the thoroughfare plan;

(2) they are required by the zoning district in which the property is located; or

(3) they are recommended and approved by the director and the chief planning officer for proper traffic management.”

SECTION 27. That Paragraph (2) of Subsection (a), “Initiation of Thoroughfare Plan Amendments,” of Section 51A-9.102, “Thoroughfare Plan Amendment Process,” of Division 51A-9.100, “Thoroughfare Plan Amendments,” of Article IX, “Thoroughfares,” of Chapter 51A,

“Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, as amended, is amended to read as follows:

“(2) Proposed changes in the thoroughfare plan may also be initiated by any person who submits the following to the department of planning and neighborhood vitality [~~sustainable development and construction~~]:

(A) An application, on a form provided for that purpose, with all required information completed.

(B) The required fee.”

SECTION 28. That a person violating a provision of this ordinance governing fire safety, zoning, or public health and sanitation, including dumping of refuse, is, upon conviction, punishable by a fine not to exceed \$2,000 and that a person violating any other provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 29. That Chapters 2, 39A, 43, and 51A of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred before the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 30. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

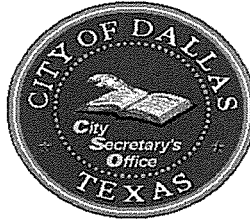
SECTION 31. That this ordinance will take effect on October 1, 2014, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By *Alex Muen*
Assistant City Attorney

Passed SEP 17 2014



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL SEP 17 2014

ORDINANCE NUMBER 29478

DATE PUBLISHED SEP 20 2014

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose C. Liss".