

9/1/2015

ORDINANCE NO. 29882

An ordinance amending Sections 2-52 and 2-53 of Chapter 2, "Administration," Sections 43-121 and 43-126.5 of Chapter 43, "Streets and Sidewalks," and amending Sections 51A-3.103, 51A-5.209, and 51A-9.102 of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code; changing the name of the department of planning and neighborhood vitality to the department of planning and urban design; adding to the duties of the Chief Planning Officer supervision of the Thoroughfare Plan amendment process and the implementation of the Dallas Bike Plan; making conforming 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 Article V-e, "Reserved," of Chapter 2, "Administration," of the Dallas City Code is amended to read as follows:

"ARTICLE V-e.

DEPARTMENT OF PLANNING AND URBAN DESIGN [~~NEIGHBORHOOD VITALITY~~].

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

There is hereby created the department of planning and urban design [~~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 urban design [~~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 urban design [~~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) Supervise the Thoroughfare Plan amendment process and supervise the implementation of the Dallas Bike Plan.

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

(7[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.

(8[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 2. 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 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 urban design [~~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 3. 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 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 urban design [~~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 4. 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 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 urban design [~~neighborhood vitality~~], 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 5. 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 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 urban design [~~neighborhood vitality~~], and public works. Members of the committee shall be appointed by the heads of the departments they represent. At least two representatives must be present to constitute a quorum.”

SECTION 6. 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 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 urban design [~~neighborhood vitality~~]:

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

(B) The required fee.”

SECTION 7. That, unless specifically provided otherwise by this ordinance or by state law, 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.

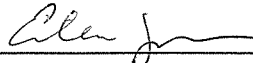
SECTION 8. That Chapters 2, 43, and 51A of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred before the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 9. 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 10. That this ordinance will take effect on October 1, 2015, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By 
Assistant City Attorney

Passed SEP 22 2015



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 22 2015

ORDINANCE NUMBER 29882

DATE PUBLISHED SEP 26 2015

ATTESTED BY: