

Memorandum

RECEIVED

2012 MAY 10 PM 5: 24

CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

DATE May 10, 2012

TO Honorable Members of the Quality of Life & Government Services Committee:
Mónica R. Alonzo, Dwaine Caraway, Carolyn Davis

SUBJECT Quality of Life & Government Services Committee Meeting Agenda

Monday, May 14, 2012, 9:30 a.m.

Dallas City Hall - 6ES, 1500 Marilla St., Dallas, TX 75201

The agenda for the meeting is as follows:

- | | |
|--|--|
| 1. Call to Order | Sandy Greyson, Chair |
| 2. Approval of April 9, 2012 minutes
(9:30 – 9:31 a.m.) | Sandy Greyson, Chair |
| 3. Proposed Development Code Amendment
to Subdivision Regulations
(9:31 – 10:00 a.m.) | David Cossum, Assistant Director
Sustainable Development & Construction |
| 4. Proposed Development Code Amendment
to Window Sign Regulations
(10:00 – 10:30 a.m.) | David Cossum, Assistant Director
Sustainable Development & Construction |
| 5. Proposed Amendments to the Downtown
Vending Ordinance
(10:30 – 11 a.m.) | Jimmy Martin, Director
Code Compliance |
| 6. Adjourn | Sandy Greyson, Chair |

Please let me know if you have any questions.

A handwritten signature in cursive script that reads "Sandy Greyson".

Sandy Greyson
Chair

DATE May 10, 2012
SUBJECT Quality of Life & Government Services Committee Meeting Agenda
PAGE 2 of 2

cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Rosa A. Rios, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
C. Victor Lander, Administrative Judge
Stephanie Cooper, Assistant to the City Manager

A.C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.

Quality of Life & Government Services Committee Meeting Record

DRAFT

Meeting Date: April 9, 2012

Convened: 9:39 a.m.

Adjourned: 10:40 a.m.

Members Present:

Sandy Greyson, Chair
Mónica R. Alonzo
Dwayne Caraway
Carolyn Davis

Members Absent:

None

Briefing Presenters

Frank Camp, Interim Director
Environmental Quality

Jimmy Martin, Director
Code Compliance

Staff Present:

Joey Zapata, Jimmy Martin, Frank Camp, James Childers, Kevin Lefebvre, Clifton Gillespie

AGENDA:

1. **Approval of March 26, 2012 minutes**

Presenter(s):

Information Only:

Action Taken/Committee Recommendation(s): Motion made to approve March 26, 2012 minutes

Motion made by: Dwayne Caraway

Motion seconded by: Carolyn Davis

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

2. **Earth Day**

Presenter(s): Frank Camp

Information Only:

Action Taken/Committee Recommendation(s):

This briefing provided a history of Earth Day, including how Dallas has participated in Earth Day events over the years. The presentation also covered Earth Day Dallas 2012, which aims to be the largest Earth Day event ever in Dallas, hoping to attract 100,000 visitors over two-days at Fair Park. Other Earth Day events in Dallas include school cleanups, Oak Cliff Earth Day activities, and City environmental outreach teams participating in multiple events in April.

The committee members expressed support for the Earth Day, and all the events taking place in Dallas.

3. **Code Accountability Report**

Presenter(s): Jimmy Martin, James Childers

Information Only:

Action Taken/Committee Recommendation(s):

This briefing provided information to the committee regarding the development of the next version of the Code Accountability Report (version 2.0). The report will tie report card measures to current performance measures used by the Community Code Division, and will keep all data analysis in the current year and month. The data gathering process for this report will be automated.

Committee members expressed that the current report is not useful enough. The way the information is currently organized makes it difficult to track progress in areas of the city. The members also stressed the importance of open communications between communities and City staff. The new report should be a reflection of Code Compliance's response to community issues.

4. Operation: Beautification

Informational Memo

Presenter(s): Joey Zapata

Information Only:

Action Taken/Committee Recommendation(s):

This memo provided information about the citywide cleanup event that will take place on May 19, 2012. At the Quality of Life meeting on February 13, 2012, the committee was in favor of proceeding with a citywide cleanup event. Operation: Beautification is the result of staff's efforts to organize an event based on the committee's recommendations.

Councilmember Sandy Greyson
Chair

Memorandum



CITY OF DALLAS

DATE May 11, 2012

TO Honorable members of the Quality of Life and Government Services Committee:
Sandy Greyson (Chair), Monica Alonzo, Dwaine Caraway and Caroline R. Davis

SUBJECT **Proposed Development Code Amendment to Subdivision Regulations**

On Monday, May 14, 2012, the Quality of Life and Government Services Committee will be briefed on a proposed development code amendment to Division 51A-8.500, Subdivision Layout and Design, of the Development Code. The Economic Development Committee was briefed on this item on April 30, 2012 and May 7, 2012. The City Plan Commission recommended approval of the proposed amendments on March 1, 2012. The material is attached for your review.

Please feel free to contact me if you need additional information.

A handwritten signature in blue ink that reads "Ryan S. Evans".

Ryan S. Evans
Assistant City Manager

c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr. City Attorney
Rosa Rios, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
A.C. Gonzalez, First Assistant City Manager
Jill Jordan, P.E., Assistant City Manager
Forest Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Edward Scott, Director, Controller's Office
Frank Libro, Public Information Office
Theresa O'Donnell, Director, Sustainable Development and Construction
Rick Galceran, Director, Public Works
Stephanie Cooper -Thompson, Assistant to the City Manager – Council Office

DCA 112-004

Proposed Development Code Amendment to Subdivision Regulations

Division 51A-8.500, Subdivision Layout and Design

City Council
Quality of Life and Government Services
Committee
May 14, 2012



Background

- Representatives from Dallas Independent School District requested that the City consider a code amendment to address a provision in the subdivision regulations that platted lots must conform in width, depth and area to the pattern already established in the adjacent areas.

Background

- Currently Section 51A-8.503 of the Development Code has the following standard for lots under the requirements for subdivision layout and design:
 - Lot size. The area of each platted lot must comply with the minimum regulations for the zoning district in which the lot is located. Lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets.

Background

- The City Plan Commission Subdivision Review Committee considered amending Section 8.503 of the Development Code on February 16, 2012 and March 1, 2012. The committee recommended approval of amending code at the March 1, 2012 meeting.
- On March 1, 2012 the City Plan Commission recommended approval of amending Section 8.503 of the code.
- The City Council Economic Development Committee was briefed on the proposal on April 30, 2012 and May 7, 2012. At the May 7, 2012 meeting the Committee recommended forwarding the proposal to the full city council for a public hearing.

Issues

- There are certain governmental related uses that are appropriate to locate in most zoning district classifications. Frequently these uses require greater lot areas than surrounding lots, particularly when located in single family residential zoning districts. These uses include parks, recreation centers, libraries, public schools, fire stations, and utilities such as water storage facilities and pump stations.

Issues

- As a result of capital programs the city has platted several libraries, fire stations and recreation centers in the past several years that were in areas with smaller lots intended for residential uses.
- Similarly, area school districts have had to plat to accommodate both new schools and school expansions in areas with smaller lots intended for residential uses.
- Typically these plats have been approved but the current wording does not recognize the unique service these uses provide that are complimentary to and consistent with the lots in the surrounding area.

Issues

- “*forwardDallas!*” includes several references to the importance of amenities such as schools and parks to serve neighborhoods.
- The purpose statements in the Development Code for single family zoning districts, such as the R-7.5(A) district, include language such as:
 - “This district is intended to be composed of single family dwellings together with public and private schools, churches, and public parks essential to create basic neighborhood units.”

Proposal

- Amend wording to allow for different consideration of property owned by a governmental entity intended for public use that is permitted in residential districts.
- Amend wording to give due consideration to present zoning of the property and appropriate lot configuration for permitted uses.

Initial Proposal

“(a) Lot size. The area of each platted lot must comply with the minimum regulations for the zoning district in which the lot is located. Except for property owned by a governmental agency and intended to be used for a public purpose such as a fire station, library, park, school or utility use; [L]ots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, its zoning and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets.”

CPC Recommendation

(a) Lot size and pattern.

(1) The width, depth, and area of each platted lot must comply with the minimum regulations for the zoning district in which the lot is located.

(2) Lots in a planned development district must be platted in accordance with the conceptual plan or development plan of that district. Lots to be developed pursuant to a specific use permit must be platted in accordance with the site plan of that specific use permit.

CPC Recommendation (cont)

(3) Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, except that this paragraph does not apply to:

(A) Property owned by a governmental agency and intended to be used for a public purpose or building such as a fire station, library, park, school, or utility.

(B) Property owned by a public utility and intended to be used for utility services.

(C) Property in nonresidential districts where there is no established pattern of platted lots.

CPC Recommendation (cont)

(4) Platting must have ~~[having]~~ due regard for the area's existing structures, existing uses, zoning, and ~~[to the]~~ character. ~~[of the area,]~~

(5) Platting must take ~~[its—particular suitability for development , and taking]~~ into consideration the property's suitability for development, [natural] topography ~~[of the ground], drainage, [wastewater facilities], and [the]~~ proposed layout of streets.”



Sunset Pump Station



Cowart Elementary School



Salazar Elementary School



Lee Elementary School

Next Steps

- Schedule for City Council Consideration on June 13, 2012

Memorandum



CITY OF DALLAS

DATE May 11, 2012

TO Honorable members of the Quality of Life and Government Services Committee:
Sandy Greyson (Chair), Monica Alonzo, Dwaine Caraway and Caroline R. Davis

SUBJECT **Proposed Development Code Amendment to Window Sign Regulations**

On Monday, May 14, 2012, the Quality of Life and Government Services Committee will be briefed on a proposed development code amendment to the window sign regulations of the Development Code. The City Plan Commission recommended approval of the proposed amendments on August 18, 2011. The material is attached for your review.

Please feel free to contact me if you need additional information.

A handwritten signature in blue ink, appearing to read 'Ryan S. Evans'.

Ryan S. Evans
Assistant City Manager

c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr. City Attorney
Rosa Rios, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
A.C. Gonzalez, First Assistant City Manager
Jill Jordan, P.E., Assistant City Manager
Forest Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Edward Scott, Director, Controller's Office
Frank Libro, Public Information Office
Theresa O'Donnell, Director, Sustainable Development and Construction
Rick Galceran, Director, Public Works
Stephanie Cooper -Thompson, Assistant to the City Manager – Council Office

Window Sign Code Amendment

City Council
Quality of Life and Government Services
Committee
May 14, 2012



Purpose

- Brief the committee on a proposal to amend Article VII, “Sign Regulations,” of Chapter 51A, the Dallas Development Code, to give the Zoning Board of Adjustment and Appeals the authority to consider exceptions to current provisions governing window signs subject to certain conditions being met.

Background

- On June 25, 2008 City Council amended the sign ordinance to:
 - prohibit signs in the upper two thirds of windows
 - limit overall sign coverage in a window to 15 percent of the area of a window
 - limit overall sign coverage of a primary façade to 25 percent of the area of the facade
- Previous to this code amendment there were no size limitations for premise signs in a business zoning district, except that each premise was limited to 6 words.

Background

- On April 4, 2011, an application was made to the Department of Sustainable Development and Construction by Ross Stores, Inc. to amend the sign regulations to give the board of adjustment authority to grant special exceptions to allow translucent graphics to cover the upper two thirds of windows and exceed the 15 percent coverage limitation.

Background

- The Special Sign District Advisory Committee (SSDAC) considered this issue at public meetings in June and July of 2011 and on July 12, 2011 they recommended approval of the proposed amendments.
- CPC considered the proposed amendments on August 18, 2011 and recommended approval.

CPC Recommendation

- Allow the Board of Adjustment to consider exceptions to allow signs to be in the upper two thirds of a window and cover greater than 15 percent of the window area provided;
 - The sign is made of translucent vinyl or a similar material with at least a 65/35 perforation pattern (65 percent of the area is closed, 35 percent of the area is open);
 - Text is only permitted in the lower one third of the window;
 - Text is limited to 15 percent of the window area; and
 - Establishments regulated by Chapter 12B (convenience store regulations) are not eligible for this exception.

Possible Additional Restrictions

- Exception only allowed for businesses greater than 10,000 square feet in floor area.
- Exception only allowed on a building site where there is a minimum of 25,000 square feet of leasable floor area occupied by two or more business establishments.

Sign Example - View from Outside



Sign Example - View from Inside



Additional Views



Next Steps

- Schedule for City Council action on May 23, 2012

Memorandum



CITY OF DALLAS

DATE May 11, 2012

TO Honorable Members of the Quality of Life & Government Services Committee:
Sandy Greyson (Chair), Mónica R. Alonzo, Dwaine Caraway, Carolyn R. Davis

SUBJECT Proposed Amendments to the Downtown Street Vending Ordinance

On Monday, May 14, 2012 the committee will be briefed on proposed amendments to the downtown street vending ordinance. Briefing materials are attached for your review.

If you have any questions, or require additional information, please do not hesitate to contact me.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata
Assistant City Manager

cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
C. Victor Lander, Administrative Judge

A.C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Stephanie Cooper, Assistant to the City Manager



Dallas Code Compliance, what it all means
COMMUNITY



Proposed Amendments to the Downtown Street Vending Ordinance

Quality of Life &
Government Services Committee

May 14, 2012

Purpose

- ▶ Review proposed amendments to street vending regulations designed to foster vibrant streets and public spaces

Background

- ▶ Street vendors are regulated in Chapter 50, Article XII of the Dallas City Code
 - Provisions concerning street vendors have not undergone extensive revisions in 20 years
- ▶ Downtown stakeholders offered a series of recommendations to expand street vending to create more vibrant streets and public spaces in the Central Business District (CBD)
- ▶ Staff has proposed initial changes designed to:
 - Streamline permitting for vending in the CBD
 - Enhance the quality of vendors

Background

- ▶ Briefed Quality of Life Committee in October 2011 on proposed changes to Chapter 50
- ▶ Other recent code changes affecting vending that are not in Chapter 50:
 - PD/Zoning changes in April 2011 to allow Hot Trucks in the Arts District
 - AT&T Performing Arts Center use agreement allows Center to permit vending on grounds surrounding Winspear Opera House, Wily Theatre, Annette Strauss Artist Square, Sammons Park, and Jack Evans Road
 - Updates to food safety regulations for hot truck operations in Chapter 17 (Food Establishments) in June 2011
 - Additional updates to food safety ordinances in Chapter 17 in December 2011 that allow retrofitted hot trucks and allow preparation of raw meats

Background

- ▶ The City currently has 12 vendors operating with 18 location permits in the CBD
 - Warehouse (West End) District – 4 Location Permits
 - Flowers and Handcrafted Goods
 - CBD Core area – 5 Location Permits
 - Hot dogs, flowers, newspapers and oil fragrances
 - Arts District – 9 Location Permits
 - Corn/Nachos and Water



Fostering More Vending in CBD

- ▶ Currently street vendors in any area of the CBD are required to:
 - Have a **CBD Concession License** if vending on private or public property (**City Code Section 50-157**)
 - Have a **CBD Location Permit** if vending on public property (**City Code Section 50-159.1**)
- ▶ To streamline the vendor permitting process, proposed amendments to Chapter 50 would require only a CBD Concession License that will also permit the use of public property if requested
 - Vending on the street is not allowed

Fostering More Vending in CBD

- ▶ Currently, vendors selling on public property are charged a \$150 concession license and an annual \$1,200 location permit
- ▶ Proposed fees
 - Fee of \$150 for a concession license per location without the use of public property
 - Vending on Private Property
 - Fee of \$1,200 for a concession license per location with the use of public property
 - Vending on Public Property
 - Additional cost for sites exceeding 40 square feet
 - \$25 for each square foot over 40 square feet

Fostering More Vending in CBD

- ▶ In addition to consolidating the CBD Concession License and Location Permits, the following changes have been proposed to further encourage active vending in the CBD:
 - Establishing deadlines for application renewals and updates
 - Clarifying code to prohibit sale, sublease or assignment to others
 - Require minimum hours of operation:
 - May 1 through September 1 – 15 hours over the span of at least 4 days per week and one weekend per month
 - Use a lottery system when multiple vendors apply for the same location
 - Remove restriction on the number of years a vendor can operate at a specific site

Fostering More Vending in CBD



- ▶ Expand hours for vending
 - 6 a.m. to 8 p.m. Mon.– Thu.
 - 8 a.m. to Midnight Fri. – Sat.
 - 10 a.m. to 10 p.m. Sunday
 - Existing code allows vending from 6 a.m. to 8 p.m. daily
- ▶ Remove restrictions on vending near schools in CBD
 - Limited number of schools in the CBD that will not be adversely affected by vendors
- ▶ Allow selling limited quantities of potted plants, vegetables or fruits in the CBD outside of Farmers Market
 - Requires amendment to Chapter 29 of the City Code

Licensing in the Public ROW

- ▶ Vending from public streets is not permitted in Dallas
 - Poses public safety/traffic issues
 - Impacts competition with businesses in adjacent structures
 - Reduces on-site parking for customers/residents
- ▶ City Code Chapter 43 regulates the use of the public right-of-way
 - For Valet Parking within the CBD, the City charges annually for the use of the of the ROW, \$250 each for the first 6 spaces and \$1,000 each for any additional spaces
 - Affected businesses within 50 feet may offer their approval or disapproval

Enhancing Vendor Quality

- ▶ In addition to fostering more vending in the CBD, the following efforts will be made to enhance vendor quality
 - Strengthen regulations against aggressive selling by requiring sale of goods within five feet of the permit location
 - Establish fees and requirements for issuing photo identification badges for all concession licensees and their workers
 - Require that cost of merchandise for sale be legibly marked and visible to customers

Enhancing Vendor Quality

- ▶ Additional measures will be taken to ensure vendor quality
 - Require that the city telephone number for complaints against vendors be legibly marked on carts
 - Establish a minimum dress code for vendors
 - Prohibit smoking by vendor while operating at the vending location
 - Prohibit use of public trash receptacles by vendors
 - Increase minimum fines to \$100 for the first offense and \$200 for an additional offense in a 12-month period

Next Steps

- ▶ Review and consult with stakeholders
- ▶ Draft ordinance for City Council Consideration