

Memorandum



CITY OF DALLAS

DATE October 30, 2024

Honorable Members of the City Council Economic Development Committee: Tenell Atkins (Chair), Omar Narvaez (Vice Chair), Carolyn King Arnold, Chad West, Adam Bazaldua, Paul Ridley, and Kathy Stewart

SUBJECT Amendment to Chapter 52, "Administrative Procedures for the Construction Codes"

Several issues related to construction site management, particularly concerning parking, have been identified. On construction sites where off-street parking is not available, construction workers are parking in the street, affecting local businesses as customers struggle to find parking spaces. Additionally, construction workers are not adhering to parking regulations, including time limitations, which exacerbates the problem and creates difficulties for parking enforcement officers to identify construction vehicles. To address these issues, contractors need to make adequate provisions for off-street parking for their workers.

To mitigate the negative impacts on businesses and the community, the following amendments to Chapter 52, "Administrative Procedures for the Construction Codes," are proposed. A copy of the proposed ordinance is attached for your reference.

1. Off-Street Parking Plan Requirement:

Contractors must provide an off-street parking plan for construction projects under the following conditions:

- Projects located within Planned Development District No. 193 (PD 193).
- Construction projects exceeding 200,000 square feet.
- Construction projects with a duration of over one year.

This plan should ensure that all construction workers have designated parking spaces off the public streets.

2. Penalties for Violations:

Introduce fines for violations of the parking plan requirements. These fines will serve as a deterrent and encourage compliance with the new regulations.

3. Stop Work Orders:

Issue a stop work order for projects that fail to comply with an approved off-street parking plan. Work will only resume once the noncompliance has been corrected.

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The proposed amendments aim to resolve the parking issues associated with construction sites. Ensuring that construction workers do not occupy street parking will enhance parking availability for customers, minimize the disruption to the community and maintain better relations between construction sites and local residents, and will lead to more organized and efficient construction site management.



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Assistant City Manager (I)

c: Kimberly Bizer Tolbert City Manager (I)
Tammy Palomino, City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Dominique Artis, Chief of Public Safety (I)
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M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Alina Ciocan, Assistant City Manager
Donzell Gipson, Assistant City Manager (I)
Jack Ireland, Chief Financial Officer
Elizabeth Saab, Chief of Strategy, Engagement, and Alignment (I)
Directors and Assistant Directors

ORDINANCE NO. _____

An ordinance amending Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code by amending Section 605; providing off-street parking requirements for certain construction projects; 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 605, “Construction Truck Traffic,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

**“SECTION 605
CONSTRUCTION TRUCK TRAFFIC AND OFF-STREET PARKING”**

605.1 Definitions. The definitions in Section 102.3 apply to this section. For the purpose of this section:

PD 193 means Planned Development District No. 193 as described in Article 193 of Chapter 51P of the Dallas City Code.

RESPONSIBLE PARTY means a natural person who represents the applicant who may be contacted 24 hours a day, seven days a week, to address parking issues in connection with a building permit.

~~[General. A contractor shall limit and regulate construction truck traffic to, from, and around the construction site in accordance with regulations established by the director of transportation relating to the following:~~

- ~~1. Truck routes to and from the nearest major thoroughfare.~~
- ~~2. Truck ingress, egress, and on-street loading and unloading locations.~~

- ~~3. Truck parking or staging locations, including restrictions on the number of vehicles authorized at any given time of day.~~
- ~~3. Special restrictions based on vehicle weight, vehicle length, street width, and general traffic requirements as necessary to limit damage to public property and to avoid impeding traffic flow in the general vicinity of the construction site.]~~

605.2 Off-street parking plan.

605.2.1 General. An applicant shall provide the building official an off-street parking plan when:

1. the property or the building permit is for construction in PD 193;
2. the construction on the property has continued in duration for more than one year, or the estimated time to complete the construction under the building permit is for more than one year;
3. the property or the building permit is for construction of more than 200,000 square feet of floor area; and

605.2.2 Required information. An off-street parking plan must contain:

1. a general site plan designating off-street parking locations for contractors, workers, and visitors;
2. the maximum number of anticipated contractors, workers, and visitors at any one time and number of off-street parking spaces available under the general site plan ;
3. a list of approved off-site contractor, worker, and visitor parking lots;
4. identification of mass or public transit mediums;
5. confirmation that applicant will inform contractors and workers of the approved parking plans;
6. acknowledgement that the off-street parking plan must comply with all local, state, and federal laws and regulations;

7. a copy of any agreement with a third party to provide off-street parking. A parking plan must be updated to reflect the loss of use of any designated parking areas with newly designated parking;
8. acknowledgement that failure to comply with the off-street parking plan by employees, contractors, subcontractors and visitors associated with the construction site is a violation of this section; and
9. any other reasonable and pertinent information that the building official determines is necessary to the administration and enforcement of this section.

605.3 Responsible party.

605.3.1 General. If a parking plan is required under Section 605.2.1, the applicant shall provide the building official the name, address, and telephone number of a responsible party. The applicant must notify the building official immediately of any change regarding the responsible party or the responsible party's contact information on a notarized form designated by the building official.

605.3.2 Required response. The responsible party shall arrive at the construction site within one hour after being notified by a city official that the parking plan is not being complied with. Upon arrival, the responsible party shall notify the building official of his or her arrival and shall take reasonable steps to resolve the lack of compliance with the parking plan.

605.4 Compliance. Contractors, workers, and visitors must comply with the off-street parking plan.

1. An applicant may be cited for violations of Section 605.3, failure to submit a parking plan or failure to perform the requirements of the parking plan.
2. The building official may issue notices and citations to the applicant.
3. If a parking plan is not updated when required, then the building official may issue a stop order in accordance with Section 202.4.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That Chapter 52 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. 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 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By _____
Assistant City Attorney

Passed _____