



## Legislation Details (With Text)

**File #:** 22-36      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Approved

**File created:** 11/9/2021      **In control:** Department of Transportation

**On agenda:** 1/12/2022      **Final action:**

**Title:** An ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, As Amended," of the Dallas City Code by amending Sections 51A-9.401 "Application" and 51A-9.403 "Appeals" of "Division 51A-9.400. Four-Way/All-Way Stop Controls at Residential Intersections" to (1) amending the notice requirement for appeals; (2) providing a penalty not to exceed \$2,000.00; (3) providing a saving clause; (4) providing a severability clause; and (5) providing an effective date - Financing: No cost consideration to the City

**Sponsors:**

**Indexes:** 100

**Code sections:**

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 12, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Majed Al-Ghafry

### SUBJECT

An ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, As Amended," of the Dallas City Code by amending Sections 51A-9.401 "Application" and 51A-9.403 "Appeals" of "Division 51A-9.400. Four-Way/All-Way Stop Controls at Residential Intersections" to **(1)** amending the notice requirement for appeals; **(2)** providing a penalty not to exceed \$2,000.00; **(3)** providing a saving clause; **(4)** providing a severability clause; and **(5)** providing an effective date - Financing: No cost consideration to the City

### BACKGROUND

A summary of changes include: increasing the limits from 600 feet to 900 feet for area notification requirements; adding public meeting requirements (51A-9.401.d); increasing newspaper notification requirements from 10 to 15 calendar days; and adding the word "calendar" throughout. Additionally, the changes to the chapter are indicated by the blue underline for additions and ~~red bracket strikethrough~~ for deletions to the sections below.

Section 51A-9.401, "Application," of Division 51A-9.400, "Four-Way/All-Way Stop Controls at Residential Intersections" 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:

"SEC. 51A-9.401. APPLICATION.

(a) Prerequisites for accepting an application. An application for installation or removal of four-way/all-way stop controls at residential intersections must be filed with the traffic engineer. The traffic engineer shall not accept an application unless it has the support of at least two-thirds of the owners or tenants residing within 600 ~~900~~ feet of the intersection at issue.

(b) Calculation of votes. The following rules apply for purposes of calculating the extent to which an application has the support of owners or tenants:

(1) Lots containing no more than four dwelling units receive one application vote per unit.

(2) Lots containing more than four dwelling units receive no votes unless the application is signed by the owner or property manager, in which case the lot is allocated a number of application votes based on the following formula:

Number of votes = Length of street frontage of the lot containing the dwelling units (in feet) divided by the average single family lot width (in feet) in the area within 600 ~~900~~ feet of the intersection at issue.

(c) Owner or manager of a residential building may sign application. The owner or manager of a residential building may sign the application on behalf of the tenants."

(d) Public Meeting. The traffic engineer may supplement the petition process with a public meeting, as needed. If the public meeting is held, the traffic engineer shall post the notice of the meeting on the city or department's website not less than 10 calendar days before the meeting.

Section 51A-9.403, "Appeals," of Division 51A-9.400, "Four-Way/All-Way Stop Controls at Residential Intersections" 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:

(a) Appeal to the city plan commission. An applicant who is dissatisfied with the decision of the traffic engineer may appeal that decision to the city plan commission. A written notice of appeal must be signed by the applicant or its legal representative and filed with the traffic engineer within 30 calendar days of the date that notice of the traffic engineer's decision is given.

(b) Public hearing before the commission; notice requirements. The city plan commission shall hold a public hearing to allow interested parties to express their views regarding the appeal. The traffic engineer shall give notice of the public hearing in a newspaper of general circulation in the city at least ~~14~~ 15 calendar days before the hearing. In addition, the traffic engineer shall send written notice of the hearing to all owners of real property lying within 600

~~[900]~~ feet of the intersection at issue. The notice must be given not less than 10 [calendar](#) days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.”

(c) Decision of the commission. The city plan commission may reverse or affirm, in whole or in part, or modify the decision of the traffic engineer based upon testimony presented at the public hearing, technical information provided by city staff, and the standards contained in this division. The decision of the commission shall be final unless the applicant files a notice of appeal to the city council in accordance with this section.

(d) Appeal to the city council. An applicant who is dissatisfied with the decision of the city plan commission may appeal that decision to the city council. A written notice of appeal must be signed by the applicant or its legal representative and filed with the traffic engineer within 30 [calendar](#) days of the commission’s decision.

(e) Public hearing before the city council; notice requirements. The city council shall hold a public hearing to allow interested parties to express their views regarding the appeal. The traffic engineer shall give notice of the public hearing in a newspaper of general circulation in the city at least 15 [calendar](#) days before the hearing. In addition, the traffic engineer shall send written notice of the hearing to all owners of real property lying within 600 ~~[900]~~ feet of the intersection at issue. The notice must be given not less than 10 [calendar](#) days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(f) Decision of the city council. The city council may reverse or affirm, in whole or in part, or modify the decision of the city plan commission based upon testimony presented at the public hearing, technical information provided by city staff, and the standards contained in this division. The favorable vote of two-thirds of all members of the city council is required to grant an application that has been recommended for denial by the commission.”

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

The Transportation and Infrastructure Committee was briefed on the “All Way Stop Sign-Petition Process” on October 18, 2021.

### **FISCAL INFORMATION**

No cost consideration to the City.