



ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING

April 22, 2025, at 9:00 A.M.



Location: Dallas City Hall, Room 6ES / Virtual
Video Conference Link: <https://bit.ly/Apr22ZOAC>
Webinar Number/Access code: 2489 794 4690
Telephone: (408) 418-9388
Attendee Password: Dallas (325527 from phones and video systems)

ACCESS / ACCESO

Individuals who wish to speak on an agenda item must register by 12:00 p.m. (noon) on **Sunday, April 20** by visiting

<https://forms.office.com/g/8Rnd71QTdU>

The City of Dallas will make Reasonable Accommodations/Modifications to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Planning and Development Department by calling (214) 670-4209 three (3) business days prior to the scheduled meeting. A video stream of the meeting will be available after adjournment by visiting

<https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx>.

Las personas interesadas en hablar sobre un punto de orden deben registrarse aquí <https://forms.office.com/g/8Rnd71QTdU> o llamando al (214) 670-4209, antes de las 12:00 p.m. (mediodía) **Domingo 20 de Abril.**

La Ciudad de Dallas llevará a cabo Adecuaciones/Modificaciones Razonables a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio y/o interpretación para poder participar de forma íntegra en la reunión debe notificar a Departamento de Planificación y Desarrollo llamando al (214) 670-4209 tres (3) días laborales antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en

<https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx>.

AGENDA

I. Call to Order

Tipton Housewright, Chair

II. Approval of Minutes – March 26, 2025

III. Discussion:

1. DCA245-006(JP): Amendment to the Dallas Development Code, Section 51A-4.701(e) “Postponements”, to eliminate the section and shift requests for postponements of hearings for zoning cases from an administrative action to a request made as part of the City Plan Commission and/or City Council public hearing process.

Jalyn Porchay
Planning & Development
Department

IV. Public Speakers

V. Adjournment

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el

subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."



City of Dallas

Zoning Ordinance Advisory Committee (ZOAC) Meeting Action Minutes

March 26, 2025

Room 6ES / Videoconference

9:00 a.m.

ATTENDEES:

ZOAC Members Present: Tipton Housewright (Chair), Nathaniel Barrett, Ryan Behring, Paul Carden, Enrique MacGregor, Mark Rieves, Brent Rubin, Tabitha Wheeler-Reagan

ZOAC Members Absent: None

City Plan Commission Members Present: None

City Council Members Present: None

City Staff: Emily Liu, Michael Wade, Lori Levy, Jacob Rojo, Andrea Gilles, Arturo del Castillo, Patrick Blaydes, and Megan Wimer (Planning & Development) and Suzanne Knuppel and Daniel Moore (City Attorney's Office)

The meeting was called to order at 9:13 a.m. by Tipton Housewright (Chair)

PRESENTATION: Dallas Zoning Reform

Arista Strungys of planning consultant Camiros presented the Code Diagnostic regarding the Dallas Zoning Reform project. Committee members questioned Camiros and staff.\

Speakers: Jennifer Hiromoto

MOTION #1

Motion to approve the 3/26/2025 ZOAC meeting action minutes.

Motion: Carden

2nd: MacGregor

Result: Passed: 8-0
 For: Barrett, Behring, Carden, Housewright, MacGregor, Rieves, Rubin,
 Wheeler-Reagan
 Against: None
 Absent: None

The meeting adjourned at 11:38 a.m.

NOTE: For more detailed information on the discussion of an issue(s) heard during this meeting, refer to the video recording retained on the Planning & Urban Design website.

Staff: Jalyn Porchay, Senior Planner

FILE NUMBER: DCA245-006**DATE INITIATED:** March 5, 2025

TOPIC: Amendment to the Dallas Development Code, Section 51A-4.701(e) "Postponements", to eliminate the section and shift requests for postponements of hearings for zoning cases from an administrative action to a request made as part of the City Plan Commission and/or City Council public hearing process.

COUNCIL DISTRICT: All**CENSUS TRACTS:** All

PROPOSAL: Consideration of eliminating Section 51A-4.701(e) "Postponements" to shift the determination of a request for a postponement of a hearing for a zoning case from a non-discretionary administrative decision to that of the City Plan Commission (CPC) and/or City Council (CC), as applicable. If granted, CPC and CC would also establish a new, "date certain" public hearing date. The amendment would increase transparency by having the request made at the public hearing, rather than at the staff level after notices have already been sent to property owners within the area of request.

SUMMARY: The proposed code amendment to Chapter 51A aims to enhance transparency and fairness, increase procedural efficiency, and reduce administrative costs.

STAFF RECOMMENDATION: Approval.

BACKGROUND

This proposal originated from a Planning and Development (PDD) staff review of the processing times for zoning cases (both city-initiated and individual), the financial impact of the current postponement process, and the transparency of the existing regulation. Processing times for Authorized Hearings (City-initiated zonings) and individual zoning cases have been in the spotlight for the past several years, and staff has looked at multiple angles to decrease the time it takes to complete zoning cases. Under the current standards, cases may be postponed by four weeks or more before one City Plan Commission (CPC) public hearing and one City Council public hearing. Of the last five Authorized Hearings, three had requests for postponements, adding up to an additional three months to the project.

The rising costs of supplies and postage and financial sustainability also weighed into the proposal. Between 2022 and 2025, City staff analyzed the costs, time, and efficiency associated with re-noticing public hearings for zoning cases due to administrative, non-discretionary postponement rules. Total costs include printing, postage, cost of materials, and administrative overhead. The analysis revealed that the true costs associated with the postponement process, including both re-noticing in the newspaper and re-mailing notices, far outweigh the flat \$150 postponement fee. Furthermore, these re-notices result in confusion within the community due to multiple mailouts with changing public hearing dates. The intent of this amendment is to improve transparency, promote greater financial efficiency, and streamline processes.

STAFF ANALYSIS

Current Process

Under the existing code, both the applicant and opposition within the area of notification of a zoning case may request postponement of a scheduled public hearing by paying a fee of \$150 and submitting a formal letter of request to the Director of Planning and Development that sets forth the grounds for the postponement. These postponements are automatic with receipt of the fee and the letter of request. One postponement is allowed prior to CPC and one prior to City Council, and the request may be for 4-weeks or more in the future. These postponement requests are made after notices are sent and must be submitted no later than 5:00 pm on the Monday preceding the week of the hearing, triggering the requirement for another newspaper notice and a second mailout to affected properties owners to announce the postponement and new meeting date.

Issues

The existing postponement rules in Section 51A-4.701(e) lack transparency, lead to confusion, add extra time to zoning cases, and result in increased costs to the City. Since postponements are currently administrative and automatically granted upon request, governing bodies and the community have no

opportunity to weigh in on the requests. This can be particularly impactful on large-area zoning cases where months of community meetings have taken place and expectations for a proposed timeline have been established. Currently, one person within the area of notification may request a postponement to staff, and it must be granted, without consideration by appointed and elected officials, other property owners, or community members in the area. This results in confusion by property owners who expected a certain process, and poses challenges to having cases heard in a timely manner.

Another significant issue with the current regulation is the rising costs associated with the process. When the zoning code was adopted in 1987, postage was 22 cents. Today, postage is 73 cents, and it is estimated that each piece of mail that goes out costs the City a minimum of \$1.04 including postage, paper, envelopes and printing. The flat rate postponement fee of \$150 most often does not meet cost recovery, and the additional cost of re-mailing notices and publishing again in the newspaper falls entirely on the City, PDD specifically. This issue is exemplified with the larger rezoning cases, often initiated by the City itself through the Authorized Hearing process. With some of the Authorized Hearing areas covering more than 10,000 properties, costs can often exceed \$10,000 just to send the first notice of hearing.

In addition to an internal review of the impacts of this code, staff also reviewed the postponement procedures of several jurisdictions in Texas including Arlington, Garland, Grapevine, San Antonio, Plano, Irving, and Austin. There is a mix of how postponements are addressed, but the majority defer the decision-making authority over postponements to the governing bodies, rather than by administrative decision. In cases where there is the option for an administrative decision, the request for postponement must either be made prior to noticing for a public hearing or the requestor is responsible for any costs or fees associated with the postponement.

Staff Proposal

If more time is needed prior to a zoning case being scheduled for CPC or for City Council, applicants and property owners generally work with staff to afford more time to address outstanding issues prior to scheduling a public hearing. At a certain point, however, the engagement prior to a public hearing reaches its productive end, and the most prudent next step is to schedule the public hearing to engage the appointed and elected officials in the discussion. Should more time be warranted after a public hearing is set, an individual may still request a postponement at the public hearing. This proposal to strike Section 51A-4.701(e) Postponements, does not eliminate the option to request a postponement, but it would require that requests and decisions be made at the public hearing. This would allow either the CPC or City Council to weigh the reasons for the request and, if granted, set a new date for the public hearing. Postponing or holding the case to a date certain does not trigger the requirement to re-send notices, which minimizes confusion to property owners and is responsible from a budget standpoint. The proposed amendments to Sec. 51A-4.701 are to follow.

STAFF-RECOMMENDED AMENDMENTS:

SEC. 51A-4.701 ZONING AMENDMENTS.

Subsections (a), (b), (c), and (d) have been omitted for brevity.

~~(e) Postponements.~~

~~—(1) The applicant and the opponents shall each be allowed to postpone one hearing date before the commission and one hearing date before the city council.~~

~~—(2) A request for postponement must be in writing and must be submitted to the director no later than 5:00 p.m. on the Monday of the week preceding the week of the hearing. If the deadline falls on an official city holiday, then the request must be submitted no later than noon on the following day.~~

~~—(3) Before a hearing to be held by the city plan commission may be postponed, the person requesting postponement shall pay a fee of \$150.00 to the director. Before a hearing to be held by the city council may be postponed, the person requesting postponement shall pay a fee of \$150.00 to the director.~~

~~—(4) Only the applicant or his representative may postpone the hearing date prior to the mailing of the hearing notices. A hearing postponed by the applicant or his representative whether prior to the mailing of required notices or after the mailing of required notices may be postponed for no longer than 60 days from the date of the scheduled or advertised hearing. If the applicant fails to request in writing within 60 days a new hearing date, the application is automatically withdrawn, and the director shall return the application to the applicant and the filing fee, less that amount necessary for administrative cost as determined by the director.~~

~~—(5) Only a property owner within the area of notification may request a postponement for the opposition. The request for postponement must set forth the grounds for the postponement and must be signed by the party making the request. If postponed, the case will be rescheduled for the next hearing date that is four weeks or more in the future, unless the party making the request requests an earlier date.~~

