

ORDINANCE NO. 31705

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51-4.217 and 51A-4.217; providing a new accessory use of temporary inclement weather shelter; providing land use regulations for temporary inclement weather shelters; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (b), "Specific Accessory Uses," of Section 51-4.217, "Accessory Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Paragraph (19), "Temporary Inclement Weather Shelter," to read as follows:

"(19) Temporary inclement weather shelter.

(A) Definition: A facility that offers shelter during times of inclement weather in compliance with Chapter 45.

district. (B) District restrictions: This accessory use is not permitted in the P

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) This use must comply with the regulations in Chapter 45.

(ii) This use may only operate in conjunction with a valid certificate of occupancy for a permitted main use. This use is not allowed in conjunction with single family, duplex, townhouse, or handicapped group dwelling unit.

(iii) Except at the Kay Bailey Hutchison Convention Center and other city-owned facilities, this accessory use may not operate within 0.5 mile of the central business district.”

SECTION 2. That Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Paragraph (11.1), “Temporary Inclement Weather Shelter,” to read as follows:

“(11.1) Temporary inclement weather shelter.

(A) Definition: A facility that offers shelter during times of inclement weather in compliance with Chapter 45.

district. (B) District restrictions: This accessory use is not permitted in the P(A)

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) This use must comply with the regulations in Chapter 45.

(ii) This use may only operate in conjunction with a valid certificate of occupancy for a permitted main use. This use is not allowed in conjunction with single family, duplex, townhouse, or handicapped group dwelling unit.

(iii) Except at the Kay Bailey Hutchison Convention Center and other city-owned facilities, this accessory use may not operate within 0.5 mile of the central business district.

(iv) The area restrictions in Subsection (a)(3) do not apply to this use.”

SECTION 3. That the director of sustainable development and construction shall revise the use charts to reflect the change in use regulations made by this ordinance, and shall provide these charts for publication in the Dallas Development Code.

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. 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 7. 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.

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SECTION 8. 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:

CHRISTOPHER J. CASO, City Attorney

By   
Assistant City Attorney

Passed NOV 11 2020



## 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 NOV 11 2020

ORDINANCE NUMBER 31705

DATE PUBLISHED NOV 14 2020

ATTESTED BY: