

ORDINANCE NO. 28002

An ordinance amending Ordinance No. 26033, passed by the Dallas City Council on June 22, 2005, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1588 for a child-care facility; amending the conditions in Section 2 of that ordinance; 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 Specific Use Permit No. 1588; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1588; Now, Therefore,

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

SECTION 1. That the conditions in Section 2 of Ordinance No. 26033 are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit [~~is approved for a period that~~] expires on September 22, 2015, but [~~June 22, 2010, and~~] is eligible for automatic renewal for additional five-year periods[~~5~~] pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. [~~In order~~] E[f]or automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provided that applications for automatic renewal must be filed after the 180th but before the 120th day before the

expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)(-]

4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended. Plant materials must be maintained in a healthy, growing condition.
5. DRIVE: A circular drive or similar area must be provided for the off-street loading and unloading of children in the location shown on the attached site plan.
6. HOURS OF OPERATION: The child care facility may only operate between 6:00 a.m. and 6:00 p.m.
7. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan.
8. OUTDOOR PLAY AREA FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
9. PARKING: A minimum of five off-street parking spaces must be provided in the location shown on the attached site plan.
10. QUEUING: Queuing is prohibited in public rights-of-way.
11. SCREENING: Screening fences must be provided at the heights and in the locations shown on the attached site plan.
- 12[44]. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 13[42]. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.”

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

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

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SECTION 4. 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 5. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed SEP 22 2010

