

6-16-11

ORDINANCE NO. 28267

An ordinance amending Ordinance No. 26793, passed by the Dallas City Council on June 13, 2007, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1669 for a child-care facility; amending the conditions in Section 2 of that ordinance to allow a foster home and prohibit a child-care facility; 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. 1669; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1669; 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. 26793 are amended to

read as follows:

- “1. USE: The only use authorized by this specific use permit is a foster home [~~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 expires on June 22, 2016 [~~13, 2012~~], but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For 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 provides 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 applications for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.
5. ~~[ENROLLMENT: Enrollment in the child care facility may not exceed 80 children.]~~
- 6.] FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
- 6[7]. FLOOR AREA: The maximum floor area is 2,380 square feet.
- 7[8]. HOURS OF OPERATION: The foster home [~~child care facility~~] may [~~only~~] operate 24 hours a day, seven days a week [~~between 6:30 a.m. and 6:00 p.m., Monday through Friday~~].
- 8[9]. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
- [10]. ~~OUTDOOR PLAY AREA: A minimum of 100 square feet of outdoor play area must be provided for each child in the outdoor play area at one time. The outdoor play area must be located as shown on the attached site plan.]~~
- 9[11]. PARKING: Parking must be located as shown on the attached site plan.
10. RESIDENTS: For a foster home, no more than 16 children may reside on the Property.
- 11[12]. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 12[13]. 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.

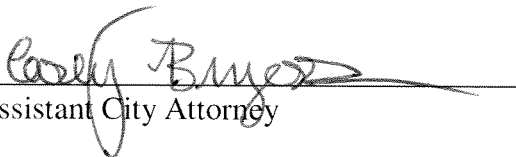
SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

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 JUN 22 2011

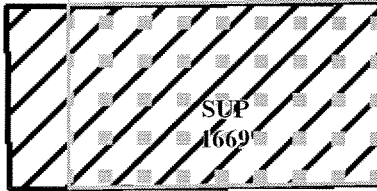
28267

FIDELIS AVE

R-7.5(A)

MANITOBA AVE

RED WING DR



SUP
187



1:1,200

ZONING AND LAND USE

Map no: **P-7**

Case no: **Z101-235**