



INFORMATION MEMORANDUM

TO: Mayor and City Council

THROUGH: Ben Williamson, City Manager

FROM: Marcos Narvaez, Deputy Director of Planning

DATE: May 21, 2024

SUBJECT: Conduct a public hearing and consider adopting Ordinance No. 3859 to amend various sections of the Comprehensive Zoning Ordinance related to development standards and expirations for site plans; and take appropriate action.

Background:

The Comprehensive Zoning Ordinance (CZO) currently lacks provisions concerning the expiration of site plans, whereas Planned Development Districts (PDs) or Specific Use Permits (SUPs) may independently establish their own timelines pertaining to site plan expirations. This issue was discussed during the City Council's Strategic Planning Session on February 12, 2024. A consensus emerged among Council members to address this item by implementing an expiration timeline for site plans. While the Council tentatively suggested a three-year timeframe, they expressed a desire to review data from neighboring municipalities to aid in their decision-making.

Therefore, staff thoroughly examined the regulations governing site plan expiration dates in neighboring jurisdictions. Drawing upon this research, the staff has formulated a preliminary set of standards for review.

In addition, following consultations with the City's attorney office, staff recommends substituting the terms "Comprehensive Site Plan" and "Site Plan" with "Detailed Site Plan" in various additional sections of the CZO. This adjustment addresses discrepancies in the CZO's terminology, ensuring clarity.

Proposed Amendment:

The proposed amendment is comprehensive and addresses several key issues. As previously mentioned, it entails replacing the terms "Comprehensive Site Plan" and "Site Plan" with "Detailed

Site Plan" in multiple sections to ensure consistency. Additionally, it introduces an expiration provision for both existing and forthcoming approved site plans. For projects requiring new construction, the site plan will expire two years after approval if a development permit has not been secured or has expired without construction completion. The Director of Planning may grant extensions, not exceeding one year past the original deadline. For projects without new construction, the site plan will expire if a Certificate of Occupancy (CO) is not obtained within six months of approval. Exceptions apply to site plans under a SUP or PD District with specified expiration dates. Otherwise, the proposed ordinance sets the expiration timeline. Please reference the attached draft ordinance for additional details.

Research:

Staff has reviewed expiration deadlines for approved site plans in various local municipalities. These deadlines typically require either the issuance or application for a building permit within one to two years after plan approval to prevent expiration. Below is a summary of expiration timelines across several municipalities:

Municipality	Expiration Deadline	Requirement
Addison	1-2 years (depending on the zoning district)	Building Permit obtained.
Carrollton	2 years	Building Permit applied for.
Dallas	2 years	Building Permit obtained.
Midlothian	1 year	Building Permit applied for.

Under the proposed amendments, staff recommends a building permit must be obtained within two years of approval when a development permit is necessary. When a development permit is not needed, a CO must be acquired within six months of approval.

Public Response:

Notice of this request and public hearing with the Planning & Zoning Commission was posted in the Dallas Morning News on April 12, 2024. An additional notice for the City Council public hearing was posted in the Dallas Morning News on May 3, 2024. As of the writing of this report, no written correspondence has been received by the City.

Recommendation:

On April 22, 2024, the Planning and Zoning Commission (P&Z) considered this request and unanimously recommended approval with the modification that Section B.5. be amended to allow the Director to authorize one or more extensions to the expiration of site plans that do not require new construction, for a period totaling not more than one year after the original deadline.