

FILE NUMBER: DCA 178-004

DATE INITIATED: December 14, 2017

TOPIC: Ceremonial street naming

CITY COUNCIL DISTRICTS: All

CENSUS TRACTS: All

PROPOSAL: Consideration of amending Chapter 51 and Chapter 51A of the Dallas Development Code: (1) Article IX to create regulations to allow ceremonial street naming; and (2) Article I to establish fees for ceremonial street naming and amend fees for street name change.

SUMMARY: The proposal will allow for ceremonial street naming to honor an individual by adding a ceremonial plaque as a topper on street signs. The ceremonial street naming will not change the existing name of the street, addressing, or impact emergency services. Ceremonial street naming toppers will be unique in design and style, different from existing street name signs. The proposed ordinance establishes the fee for the ceremonial street naming process and amends the fee for a street name change.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

Background:

City Council members or a citizen often request to rename a street to honor and in recognition of a community leader. Currently, this can be done only through the street naming and name change process defined in Division 51A-9.300 of code. Examples of such street name changes are the 200 to 2700 blocks of South Central Expressway changed to Cesar Chavez Street; Education Way changed to Ebby Halliday Road, etc. The street name change is a lengthy process, requiring review from fourteen departments, and impacting addressing, emergency services, mapping, and disruption of abutting businesses.

Cities like Baltimore, Boston, Columbus, Chicago, Greenville, Houston, New York, New Orleans, and San Diego have policies allowing a person to be honored by placing street toppers on existing streets instead of renaming the street. These street toppers are placed on existing street signs.

The intent of the proposal is to provide a simple process to honor a community leader that will not impact addressing and emergency services by adding ceremonial plaques as toppers on street signs. A ceremonial street naming topper will be unique in design and style, different from existing street name signage.

In establishing the fee for the new program ceremonial street naming, the existing street name change fee was evaluated. The fee for a street name change has not been updated in the past ten years and consequently does not accurately reflect the cost associated with the time involved in processing a street name change. After thorough analysis, the application fee for ceremonial street naming and an amended fee for a street name change are proposed.

Research/Staff Analysis:

Many cities have policies to honor an individual/groups for their services to local/national life via street naming. These policies are similar to the current City of Dallas Historic Street name change process. This process impacts addressing and emergency services. The goal is to develop a process that honors a leader for their community service yet will not impact addressing and emergency services.

Surrounding cities: Allen, Arlington, Cedar Hill, Duncanville, Fort Worth, Garland, Grand Prairie, Irving, Mesquite, McKinney, Plano and Richardson; and Index cities: San Antonio, Austin, Philadelphia, Phoenix, San Jose, and El Paso, do not have an alternative process for honoring individuals that doesn't impact addressing, emergency services, and mapping.

However, Baltimore, Boston, Columbus, Chicago, Greenville, TX, Houston, New York, New Orleans, and San Diego do have policies that honor an individual that has contributed to the local and national life. Their policies outline the application and petition

requirements and must be approved by the City Council or by their designated community board. The designs (color, dimension and shape) of the commemorating signs are different and subordinate to their standard street name signs.

Proposal:

Ceremonial street naming commemorates individuals who have made significant contributions to the community but without causing any disruption to the existing street names and abutting uses.

The proposal is based on research from other cities and the standards for Street Name and Street Name Changes in the Dallas Development Code Division 51A-9.300.

Ceremonial Street Naming criteria:

1. Prospective honorees should have a minimum of 10 years community involvement and have demonstrated an extraordinary and consistent voluntary commitment and dedication to the community or who have contributed significantly to City of Dallas.
2. Prospective honorees must be deceased for at least two years prior to consideration.
3. Individuals who have already been honored on one street may not be honored on another street.
4. City Council, by a three-fourths vote of its members, may waive the above requirements.

General Provisions:

1. No street or portion of a street may have more than one ceremonial street name.
2. Ceremonial street naming cannot contain a product or be used for commercial purpose.
3. Ceremonial street name ends 10 years after the effective date.
4. Ceremonial street naming topper shall have "Honorary" as the top line.

Ceremonial Street Naming Application:

1. A ceremonial street naming application may be initiated by:
 - a. an owner of property abutting the street in a block by petition: a petition indicating that at least 51 percent of the owners of all lots abutting the street favor the ceremonial street naming; or
 - b. by a council member with concurrence by two other council members.
2. An application for a ceremonial street naming must be filed with the department on an application form furnished by the department. The application must include:
 - a. The application fee;

- b. A statement of contributions made by prospective honoree, supporting documents showing the significant contributions made by the prospective honoree and meeting the ceremonial street naming criteria; and
 - c. A map showing the boundary and portion of the street proposed for ceremonial street naming.
3. Ceremonial Street naming can be changed/removed by an application process and following the same steps as requesting a ceremonial street naming.

Ceremonial Street Naming Approval Process:

1. Notice of the public hearing before the City Council must be advertised 15 days prior to the hearing and a notice of the public hearing to the abutting property owners shall be mailed no fewer than 15 days prior to the date of the public hearing. Notification signs must be posted along the street for no fewer than 15 days before the date of the hearing.
2. City Council may approve or deny the application based on the testimony presented at the public hearing and whether or not it meets the ceremonial street naming criteria standards.
3. The favorable vote of three-fourths of all members of the city council is required if:
 - A written protest against the ceremonial street naming has been signed by the owners of 20 percent of all lots abutting the street

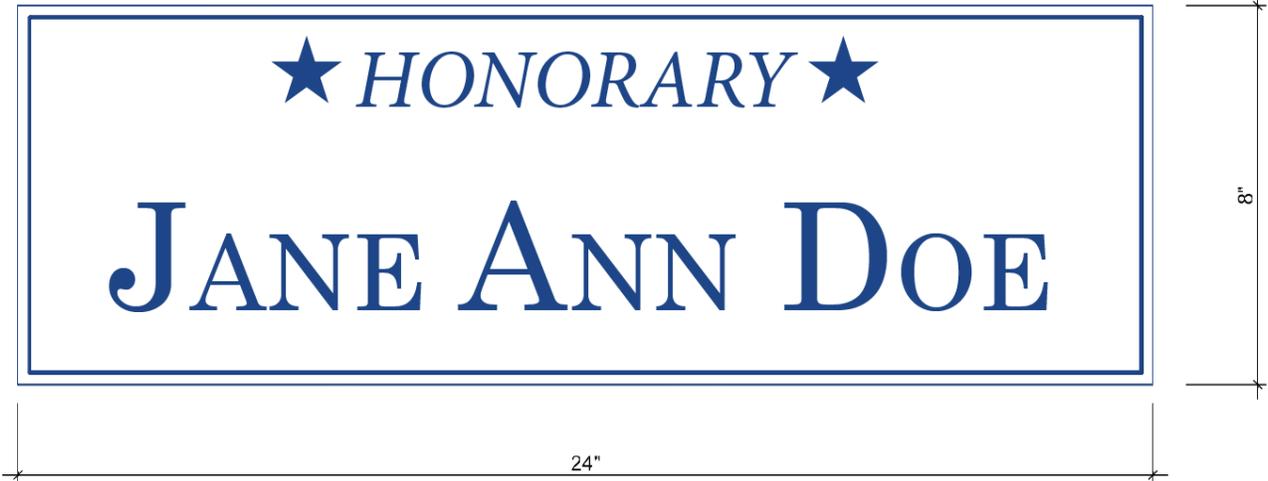
Ceremonial Street Naming Implementation and maintenance:

After City Council's approval, the Transportation Department is responsible for the fabrication and installation of the ceremonial street naming sign toppers. If a property owner initiated the request, the cost for fabrication and installation of the sign toppers will be paid by the property owner. At this time there is no funding in the Transportation Department's annual budget to accommodate the cost for City initiated requests. During the budget cycle Council could add funding to the Transportation Department's budget to cover City initiated requests.

In lieu of budgetary funding, Council would need to identify funding for each request as they are approved.

The City is not responsible for replacing a ceremonial street name topper due to vandalism, theft, normal wear and tear. The Transportation Department may remove any ceremonial street naming sign topper that has become unsightly without replacing it.

**EXAMPLE
CEREMONIAL STREET NAMING SIGN TOPPER**



Note:
Background to be white with blue lettering.

CPC ACTION

February 1, 2018:

Motion: It was moved to recommend **approval** of amending Article IX of Chapter 51 and Chapter 51A of the Dallas Development Code to create regulations to allow ceremonial street naming with the following modifications: 1) amend Sec. 51A-9.506 to add at the end “Unless reapproved pursuant to a new application.” and 2) Correct a typographical error in Sec. 51A-9.503(b)(1) change 10 days to 15 days.

Maker: Jung
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter,
Lavallaisaa, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

Speakers: None

ORDINANCE NO. _____

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 adding a new Division 51-9.500 and a new Division 51A-9.500; providing for ceremonial street naming; amending Section 51A-1.105; providing a fee for ceremonial street naming; 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 Article IX, “Thoroughfares,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended by adding Division 51-9.500, “Ceremonial Street Naming,” to read as follows:

“Division 51-9.500. Ceremonial Street Naming.

This division incorporates by reference the language of Division 51A-9.500 of Chapter 51A of the Dallas Development Code, as amended.”

SECTION 2. That Subsection (l), “Fees for a Street Name Change,” of Section 51A-1.105, “Fees,” of Article I, “General Provisions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(l) Fees for a street name change and for a ceremonial street naming.

(1) The following fees are required for a street name change.

(A) A street name change fee must be paid to the director before an application will be processed.

(B) A fee for new street identification signs must be paid to the director of sustainable development and construction within 60 days of the approval of a street name change by the city council.

(C) A fee for change of official address records must be paid to the building official within 60 days of the approval of a street name change by the city council.

(D[2]) Fee schedule.

(i[A]) <u>Application Fee.</u>	<u>Amount</u>
If the street is less than one-fourth mile	\$ <u>1,500.00</u> [\$750.00]
If the street is less than one-half mile but more than or equal to one-fourth mile	\$ <u>2,100.00</u> [\$1,050.00]
If the street is less than one mile but more than or equal to one-half mile	\$ <u>2,700.00</u> [\$1,350.00]
If the street is more than or equal to one mile	\$ <u>2,700.00</u> [\$1,350.00] for first mile plus \$ <u>600.00</u> [\$300.00] for each additional one-fourth mile.
(ii[B]) <u>Street Identification Sign Fee.</u>	<u>Amount</u>
For each blade to be replaced	\$1130.00
For each mast arm to be replaced	\$233.00
For Texas Department of Transportation signs to be replaced	To be determined based upon Texas Department of Transportation cost calculation at the time of installation.

<u>(iii)(C) Change of Official Address Fee.</u>	<u>Amount</u>
For each address change up to 10	\$150.00
For more than 10 address changes	\$1,500.00 for the first ten address changes plus \$113.00 per hour of service required for additional address changes.

(E)(3) No fee is required for street name change applications filed by the governmental entities listed in Section 51A-1.105.1.

(2) The following fee is required for a ceremonial street naming.

(A) A ceremonial street naming fee must be paid to the director before an application will be processed.

(B) Fee schedule.

<u>Application Fee</u>	<u>Amount</u>
<u>If the street is less than one-fourth mile</u>	<u>\$750.00</u>
<u>If the street is less than one-half mile but more than or equal to one-fourth mile</u>	<u>\$1,050.00</u>
<u>If the street is less than one mile but more than or equal to one-half mile</u>	<u>\$1,350.00</u>
<u>If the street is more than or equal to one mile</u>	<u>\$1,350.00 for first mile plus \$300.00 for each additional one-fourth mile.</u>

(C) Additional fees may be required for production and installation of ceremonial street name toppers.

(D) No fee is required for street name change applications filed by the governmental entities listed in Section 51A-1.105.1.”

SECTION 3. That Article IX, “Thoroughfares,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Division 51A-9.500, “Ceremonial Street Naming,” to read as follows:

“Division 51A-9.500. Ceremonial Street Naming.

SEC. 51A-9.501. PURPOSE.

The purpose of this division is to commemorate individuals who have made significant contributions to the community, but without causing any disruption of the existing street names and abutting uses.

SEC. 51A-9.502. GENERAL PROVISIONS.

(a) Only public streets may be granted ceremonial street naming by the process contained in this division.

(b) A ceremonial street naming application may only be initiated by:

(1) an owner of property abutting the street if the property owner submits a petition showing 51 percent of the owners of all abutting lots are in support of the ceremonial street name; or

(2) a city council member with concurrence of two other council members.

(c) Ceremonial street names must be a person’s name.

SEC. 51A-9.503. PROCESS.

(a) Application. An application for a ceremonial street naming must be filed with the department on an application form furnished by the director. The application must include the following:

(1) The application fee for an owner initiated ceremonial street naming.

(2) A statement of the reasons supporting a ceremonial street naming including a showing that the prospective honoree had a minimum of 10 years community involvement and demonstrated an extraordinary and consistent voluntary commitment and dedication to the community, or has contributed significantly to City of Dallas.

(3) A map showing the location of the street and the portion of the street receiving the ceremonial street name.

(b) Notice.

(1) Prior to the public hearing before the city council, the director shall give notice of the public hearing in the official newspaper of the city at least 15 days before the hearing.

(2) Notice of the public hearing must be given to the abutting property owners not less than 15 days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved tax roll. This notice must be written in English and Spanish if the area of request is located wholly or partly within a census tract in which 50 percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census.

(3) Required notification signs must be posted along the street at least 15 days before the date of the hearing.

(c) Public hearing. The city council may approve the application based on the testimony presented at the public hearing and a determination that the application meets the ceremonial street naming criteria standards. The application may be approved by a majority vote of the members present, except the favorable vote of three-fourths of all members of the city council is required if a written protest against the ceremonial street naming has been signed by the owners of 20 percent of all lots abutting the street.

(d) Early removal. The same application, notice, and hearing process must be followed to remove a ceremonial street name.

SEC. 51A-9.504. STANDARDS FOR CEREMONIAL STREET NAMING

(a) In general.

(1) Except as provided in this subsection:

(A) Prospective honorees must have had a minimum of 10 years community involvement and demonstrated an extraordinary and consistent voluntary commitment and dedication to the community, or have contributed significantly to the City of Dallas.

(B) Use of a ceremonial street naming is prohibited until at least two years after the death of the person to be honoured.

(C) Individuals who have already been honored on one street, whether ceremonial or official, may not be honored on another street.

(2) The standards in this subsection may be waived by a three quarters vote of the city council.

(b) Additional standards.

(1) Ceremonial street naming cannot contain a product name or be used for a commercial purpose.

(2) Ceremonial street naming must be a person's name.

(3) A ceremonial street naming sign topper must have "Honorary" as the top line.

(4) No street or portion of a street may have more than one ceremonial street name.

SEC. 51A-9.505. NOTIFICATION OF CEREMONIAL STREET NAMING.

If the request for a ceremonial street naming is approved by the city council, the subdivision administrator shall send written notice of the city council's action to abutting property owners.

SEC. 51A-9.506. EFFECTIVE DATE OF CEREMONIAL STREET NAME AND END DATE.

Providing that all required fees have been paid by the applicant, a ceremonial street name approved by the city council takes effect 60 days after the date of its approval unless city council sets a later effective date. The ceremonial street name ends 10 years after the effective date.

SEC. 51A-9.507. INSTALLATION AND REPLACEMENT.

(a) Installation. The director of the transportation department is responsible for the fabrication and installation of the ceremonial street name toppers.

(b) Removal. The department is not responsible for replacing ceremonial street naming toppers due to vandalism, theft, and normal wear and tear. The department may remove any ceremonial street name topper that has become unsightly without replacing it."

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.

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:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____