ARTICLE 714.

PD 714.

West Commerce Street/Fort Worth Avenue Special Purpose District

SEC. 51P-714.101. LEGISLATIVE HISTORY.

PD 714 was established by Ordinance No. 25898, passed by the Dallas City Council on February 23, 2005. (Ord. 25898)

SEC. 51P-714.102. PROPERTY LOCATION AND SIZE.

PD 714 is established on property located north and south of West Commerce Street and Fort Worth Avenue from North Beckley Avenue to Westmoreland Road. The size of PD 714 is approximately 410.427 acres. (Ord. Nos. 25898; 26876; 27056; 28505; 31570; 32073)

SEC. 51P-714.103. CREATION OF SUBDISTRICTS.

(a) This district is divided into the following subdistricts:

(1) Subdistrict 1. This subdistrict is for medium density mixed-use development that respects existing businesses but gives incentive for new mid-rise commercial and residential development. Development should support West Commerce Street as the gateway from downtown into the area, and strengthen the Sylvan Avenue-Fort Worth Avenue intersection as a retail anchor. New development should support future light rail along the northern edge of the subdistrict. Preserving historic buildings through adaptive re-use is a priority. This subdistrict will be the most densely developed urban subdistrict due to its proximity to the Trinity River and downtown. The mix of uses should lean more to commercial, although residential development is essential to the success of the mixed uses. Buildings should front the street with broad sidewalks. Street trees should line the street edge. On-street parking should be parallel parking along West Commerce Street and Fort Worth Avenue. Off-street parking should be provided behind buildings or in parking structures and shared between adjacent lots. This subdistrict should have an overall urban feel, but still provide pedestrian amenities. Subdistricts 1A, 1B, 1C, 1D, 1E, 1F, 1G, and 1H have maximum building heights and maximum stories that reflect the rising topography and protect the downtown view. Buildings should have minimum or no setbacks, with commercial and retail uses at the ground level and office and residential above. Pedestrian protections from traffic, such as street trees, planters, and crosswalks, are desired. Subdistricts 1A, 1B, 1C, 1D, 1E, 1F, and 1G are part of Subdistrict 1. Except as provided in this article, Subdistrict 1 regulations apply in Subdistricts 1A, 1B, 1C, 1D, 1E, 1F, 1G, and 1H.

(2) Subdistrict 2. Subdistrict 2 is a mixed-use subdistrict that consists predominately of residential uses, but with some small retail and office uses. Because residential neighborhoods are adjacent to the subdistrict, it should be more serene than other subdistricts. New development should strengthen the existing residential neighborhoods and help to create a pedestrian-friendly environment. North Edgefield Avenue should connect the north and the south neighborhoods. Pedestrian protections from traffic, such as on-street parking, street trees, and parkways, are desired. Buildings should have minimum or no setbacks. Building heights are controlled separately in Subdistricts 2A, 2B, 2C, and 2D to optimize medium density residential development, preserve downtown views, and be sensitive to the existing single-family neighborhood to the north. Preserving historic buildings through adaptive re-use is a priority. Subdistricts 2A, 2B, 2C, and 2D are part of Subdistrict 2. Subdistrict 2 regulations apply in Subdistricts 2A, 2B, 2C, and 2D unless otherwise indicated.

(3) Subdistrict 3. Subdistrict 3 is a mixed-use subdistrict primarily developed with commercial and retail uses, but with some residential uses. Retail and commercial areas should be strengthened with more varied uses. New development should include residential uses and vertical stacking of uses for more efficient land use resulting in activity throughout the day and night. Buildings should have minimum or no setbacks. Off-street parking should be provided behind buildings and shared between neighboring lots. Use of traffic calming elements such as median plantings, on-street parking, street trees, broad sidewalks, and low-to-mid-rise buildings is desirable. Development should strive to create a village center accessible by pedestrians, bicycles, mass transit, and cars. Land uses are controlled separately in Subdistricts 3A, 3B, 3C, and 3D to be sensitive to residential neighborhoods. The regulations in Subdistrict 3 apply to Subdistrict 3D unless otherwise provided.

(4) Subdistrict 4. Subdistrict 4 is a mixed-use subdistrict dominated by multifamily uses. While commercial and retail uses are encouraged at street level, maintenance of the residential density is desired. Pedestrian protections from traffic, such as broad sidewalks, street trees, and crosswalks, are desired. New construction should be oriented to address the street front. Existing slip roads providing on-street parking and pedestrian amenities should be preserved. Building height, land use, and setbacks are controlled separately in Subdistricts 4A and 4B to encourage mixed use and townhouse development. Subdistricts 4A and 4B are part of Subdistrict 4. Subdistrict 4 regulations apply in Subdistricts 4A and 4B unless otherwise indicated.

(5) Subdistrict 5. Subdistrict 5 is a mixed-use district balanced with residential, commercial, and retail uses. New development should include vertical stacking of different uses to achieve more efficient land use and activity throughout the day and night. New development should also include a medium density residential component to strengthen surrounding residential neighborhoods and ensure the success of commercial and retail development. Building heights and uses are controlled to be sensitive to residential neighborhoods. New development should strengthen pedestrian connections on Fort Worth Avenue. Buildings should have minimum or no setbacks, with commercial and retail uses at the ground level and office and residential uses above. Off-street parking should be provided behind buildings and shared between neighboring lots. Pedestrian protections from traffic, such as broad sidewalks, street trees, planters, and crosswalks, are a priority.

(b) Exhibit 714A is a map showing the boundaries of this district and its subdistricts. Exhibit 714B is a verbal description of the boundaries of this district and its subdistricts. In the event of a conflict between the graphic depiction in Exhibit 714A and the verbal description in Exhibit 714B, the verbal description in Exhibit 714B controls.

(c) This district is considered to be a mixed-use zoning district. (Ord. Nos. 25898; 26876; 27056; 27820; 28505; 29654; 30610; 32104; 32175; 32411; 33019; 33093; 33133)

SEC. 51P-714.104. DEFINITIONS.

Unless otherwise stated, the definitions in Chapter 51A apply to this article. In this district:

(1) BINGO PARLOR means a facility licensed for the conducting of bingo pursuant to Texas Occupation Code Chapter 2001, as amended.

(2) BUILD-TO ZONE means the area where a specified percentage of a street-facing building facade must be constructed on a lot.

(3) CERAMIC STUDIO means a studio containing kilns used to fire ceramics.

(4) COWORKING OFFICE means, in Subdistrict 1E only, a building or portion thereof consisting of a shared office environment, which contains desks or other workspaces and facilities including, but not limited to, dedicated workstations, office suites, meeting rooms, event space, resource libraries, and business or administrative support services, and is used by a recognized membership who share the space. In all other subdistricts, this is an office use.

(5) CREATIVE OFFICE means, in Subdistrict 1E only, an office use for art and design related professions including, but not limited to, art studios, audio or visual production, architecture, real estate development, landscape architecture and engineering.

(6) DISTRICT means the entire planned development district (the West Commerce Street/Fort Worth Avenue Special Purpose District) created by this article.

(7) ELECTRICAL VEHICLE CHARGING STATION means a dedicated parking area for vehicles that includes publicly accessible recharging equipment.

(8) FARMERS MARKET means a publicly or privately owned or operated area for the sale and exchange of agricultural produce, food, and general merchandise by vendors.

(9) FOOD HALL means, in Subdistrict 1E only, an establishment with three or more individual food-related businesses in an area where food may be served. A food hall may combine restaurant or retail uses within a single structure, but share communal indoor and outdoor seating space, restrooms, and ingress/egress. Shared food preparation areas are also allowed. In all other subdistricts, this is a restaurant with or without drive-through use when dining is on-site or a general merchandise or food store use when there is no dining on site.

(10) FRONT FACADE means the primary building elevation facing the front yard.

(11) FULLY SIGHT-OBSCURING FENCE means a fence that provides complete visual separation. Fully sight-obscuring fences must be six feet high and 100 percent sight-obscuring. Fences must be constructed of one or more of the following: brick, concrete masonry (split or polished face only; no unfinished units or cinder block), stone, stucco, or wood. Landscaping with a minimum height of three feet must be provided on the street side of the fence. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(12) GATEWAY PLAZA means a plaza in Permissible Building Area A of Subdistrict 1C as shown on the conceptual plan that marks the entrance to Subdistrict 1C by creating a sense of arrival and that incorporates a minimum of two of the following, which must be shown on an approved development plan:

(A) Public art.

(B) A prominent architectural feature that marks the corner through increased height such as a tower or monument.

(C) A visual enhancement such as a water feature, distinctive landscaping, or a display window.

(D) Site configuration that allows direct pedestrian access through the plaza and into the interior of Subdistrict 1C through the use of pedestrian passages or paseos.

(13) HIGH SCREEN means a landscape treatment that provides physical and visual separation between uses. Shrubs must form a six-foot-high screen that is 95 percent opaque year-round within three years of planting. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. Ground

cover plants must cover the remainder of the landscaped area. If a wall or fence is also provided, it must be on the interior side of the high screen.

(14) LIVE/WORK UNIT means an interior space with street-level access that combines residential with office or retail and personal service uses.

(15) LOW SCREEN means a landscape treatment that provides physical separation between uses. Shrubs must form a three-foot-high screen that is 95 percent opaque year-round within three years of planting. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. Ground cover plants must cover the remainder of the landscaped area. A three-foot-high masonry wall may be substituted, but ground cover plants are still required. A berm may be substituted. The berm must be planted with turf grass or groundcover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height per three feet of width. If a wall or fence is provided in addition to shrubs or a berm, it must be on the interior side of the shrubs or berm.

(16) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in floor area of an original building by 50 percent or more. With regard to streets and sidewalks, MAJOR MODIFICATION means reconstruction, alteration, or renovation that exceeds 50 percent of the surface area of that street or sidewalk segment.

(17) MAKERSPACE means, in Subdistrict 1E only, a building or portion thereof used for the on-site production of parts or finished products by individual or shared use of hand-tools, mechanical tools, and electronic tools. Makerspaces may include space for design and prototyping of new materials, fabrication methodologies, and products, as well as space for packaging, incidental storage, sales, and distribution of such projects. Typical uses include but are not limited to the following: electronic goods; printmaking; leather products; jewelry and clothing/apparel; metalwork; furniture; woodworking and cabinet shops; glass or ceramic production; and paper manufacturing. Makerspaces may host classes or networking events which are open either to the public or to current and prospective members. In all other subdistricts, this use is one of the commercial and business services uses or one of the industrial uses, depending on the proposed operations.

(18) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under the physician's direction. MASSAGE means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, massage by registered physical therapists who treat only patients recommended by a licensed physician and who operate only under the physician's direction, or massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(19) MICRO-BREWERY OR MICRO-WINERY means a facility that produces no more than 15,000 barrels of beer or wine, as defined in the Texas Alcoholic Beverage Code, per year for sale or distribution on or off the premises.

(20) MICRO-DISTILLERY means a facility that manufactures no more than 250,000 gallons of distilled spirits, as defined in the Texas Alcoholic Beverage Code, per year for sale or distribution on or off premises.

(21) MIXED-USE PROJECT means a development containing uses in two or more of the following categories, and with the combined floor areas of the uses in each category equaling or exceeding the following percentages of the total floor area of the project:

In Subdistrict 1G:

Use category	**Percentage of total floor area**
Lodging	**10%**
Office	**15%**
Residential	**10%**
Retail and personal service	**2%**

In all other subdistricts:

Use category	**Percentage of total floor area**
Lodging	**10%**
Office	**15%**
Residential	**10%**
Retail and personal service	**5%**"

(22) NEW CONSTRUCTION means construction of a main structure that did not exist on February 23, 2005, the date of the establishment of this special purpose district. With regard to streets and sidewalks, NEW CONSTRUCTION means construction of a street or sidewalk that did not exist on February 23, 2005.

(23) ORIGINAL BUILDING means a structure existing on February 23, 2005, but does not include a structure that has undergone a major modification.

(24) PARTIALLY SIGHT-OBSCURING FENCE means a fence that provides partial visual separation. Partially sight-obscuring fences must be six feet high and at least 50 percent sight-obscuring. Fences must be constructed of one or more of the following: brick, concrete masonry (split or polished face only; no unfinished units or cinder block), stone, stucco, wood, or wrought iron. Landscaping with a minimum height of three feet must be provided on the street side of the fence. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(25) PHOTOGRAPHY STUDIO means a facility for taking and processing photographs. This does not include a bulk photography processing plant.

(26) PEDESTRIAN ZONE means the area between the back-of-curb and the building facade, which is intended for sidewalks, planting areas, outdoor eating areas, and pedestrian amenities.

(27) PIERCING SALON means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(28) REQUIRED FRONTAGE means the percentage of the street-facing facade that must be located within the build-to zone.

(29) SPECIAL COMMUNITY ACTIVITY means a temporary event or gathering such as:

(A) sale of merchandise, food, or beverages;

(B) art shows or craft shows; or

(C) outdoor shows, concerts, exhibits, or exhibitions that may also involve erection of a tent; installation of a stage, bandshell, trailer, van, portable building, grandstand, or bleachers; placement of portable toilets; or placement of temporary no-parking, directional, over-size, or identification signs or banners.

(30) SPECIAL PARK PROJECT means a development containing a public park use or private recreation center, club, or area in conjunction with one or more of the following uses: surface parking, restaurant without drive through, commercial amusement (inside), coworking office, creative office, farmers market, food hall, makerspace, special community activity, or special temporary retail use.

(31) SPECIAL TEMPORARY RETAIL USE means an outdoor temporary facility for the retail sale of seasonal products such as food, Christmas trees, and live plants.

(32) STOOP means a small porch leading to the entrance of a residential structure.

(33) STREET CAR/TROLLEY SHELTER means a structure which affords protection from the weather to persons who are waiting to board a publically-owned or franchised street car or trolley.

(34) SUBDISTRICT means one of the subdistricts referred to in Section 51P-714.103 of this article.

(35) SUPPORTIVE HOUSING means three or more dwelling units located on a lot where supportive services are provided onsite for residents. Supportive services include, but are not limited to, counseling services, health services, workforce training, and job placement assistance.

(36) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(37) TEMPORARY CELLULAR UNIT means any cellular communication structure, vehicle, trailer mounted apparatus, or device that is part of a system authorized by the Federal Communications Commission that is designed to temporarily provide service where an existing tower/antenna for cellular communication is not operable due to one or more of the following reasons:

(A) The existing tower/antenna for cellular communication use is damaged or destroyed by something other than the intentional act of the owner or agent; or

(B) A demolition or construction permit has been issued on a building site that includes an existing mounted cellular antenna, monopole cellular tower, or other cellular communication tower/antenna.

(38) VISIBILITY TRIANGLE means the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection. VISIBILITY TRIANGLE means the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and an adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on driveway or alley edge and the street curb line 20 feet from the intersection.

(39) WRECKER SERVICE means a facility for the parking or storage of vehicle tow

trucks. (Ord. Nos. 25898; 27820; 28470; 28505; 29914; 32104; 32175; 33093; 33133)

SEC. 51P-714.105. INTERPRETATIONS.

(a) Unless otherwise stated, all references to articles, divisions, or sections in this article are references to articles, divisions, or sections in Chapter 51A.

(b) Section 51A-2.101, "Interpretations," applies to this article.

(c) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol ***[L]*** appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol ***[SUP]*** appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]

(4) The symbol ***[DIR]*** appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol ***[RAR]*** appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800, "Development Impact Review.")

(d) If there is a conflict, the text of this article controls over any charts, exhibits, graphic displays, or maps. (Ord. 25898)

SEC. 51P-714.105.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 714A: Subdistrict boundary map.

(2) Exhibit 714B: Verbal description of the district and subdistrict boundaries.

(3) Exhibit 714C: Native and adapted xeriscape plants.

(4) Exhibit 714D: Main and accessory land use chart.

(5) Exhibit 714E: Development standards chart.

(6) Exhibit 714F: Street diagrams and landscaping.

(7) Exhibit 714G: Residential proximity slope illustration.

(8) Exhibit 714H: Residential proximity slope illustration for Subdistrict 4A.

(9) Exhibit 714I: Subdistrict 1C conceptual plan.

(10) Exhibit 714J: Subdistrict 4B development plan.

(11) Exhibit 714L: Subdistrict 1E conceptual plan.

(12) Exhibit 714M: Subdistrict 3D development plan. (Ord. Nos. 28505; 30491; 30610; 32104; 32411; 32854)

SEC. 51P-714.106. CONCEPTUAL PLAN.

(a) Except for Subdistricts 1C and 1E, there is no conceptual plan for this district.

(b) The Fort Worth Avenue Corridor Land Use and Urban Design Study should be consulted for goals, objectives, policy statements, and recommendations for development of this district.

(c) The West Dallas Urban Structure and Guidelines should be consulted for goals, objectives, policy statements, and recommendations for development of Subdistricts 1C.

(d) Development and use of Subdistrict 1C must comply with the Subdistrict 1C conceptual plan (Exhibit 714I).

(e) Development and use of Subdistrict 1E must comply with the Subdistrict 1E conceptual plan (Exhibit 714L). (Ord. Nos. 25898; 28505; 32104)

SEC. 51P-714.107. DEVELOPMENT PLAN.

(a) Except for Subdistricts 1C, 3D, and 4B no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

(b) A development plan must be approved by the city plan commission before the issuance of any building permit to authorize[~~d~~] work in Subdistrict 1C and Subdistrict 4B. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(c) For Subdistrict 1C, each development plan must comply with the requirements for a development plan listed in Section 51A-4.702 and include a tabulation box that includes:

(1) existing, proposed, and total floor area for all Permissible Building Areas;

(2) required and provided off-street parking for all permitted uses; and

(3) detail for all special temporary retail uses, inclusive of land area for each and required off-street parking; date of issuance of certificate(s) of occupancy, any 30-day extensions (noting revised off-street parking requirement for more than one 30-day extension). In lieu of a minor amendment to a development plan to comply with this paragraph, an analysis may be submitted for approval by the director that contains the information required by this paragraph.

(d) For single family uses in Subdistrict 4B:

(1) Development and use of the Property must comply with the Subdistrict 4B development plan (Exhibit 714J). If there is a conflict between the text of this article and the Subdistrict 4B development plan, the text of this article controls.

(2) Amendments to the Subdistrict 4B development plan must show the following:

(A) on-street inset parallel parking spaces along Fort Worth Avenue;

(B) a minimum 10-foot wide sidewalk on Fort Worth Avenue and minimum six-foot wide sidewalks on Colorado Boulevard and Walter Drive;

(C) street trees along Fort Worth Avenue, Colorado Boulevard, and Walter Drive; and

(D) minimum and maximum front yard setbacks on Fort Worth Avenue and minimum front yard setbacks on Colorado Boulevard and Walter Drive.

(e) In Subdistrict 3D, development and use of the Property must comply with the Subdistrict 3D development plan (Exhibit 714M). If there is a conflict between the text of this article and the Subdistrict 3D development plan, the text of this article controls. (Ord. Nos. 25898; 28505; 30491; 30610; 32411; 32854)

SEC. 51P-714.108. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NOS. 1A, 1B, 1D, 1F, and 1G.

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Building repair or maintenance shop.
-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing.
-- Machine or welding shop.
-- Medical or scientific laboratory.
-- Tool or equipment rental. *[Limited to 3,500 square feet.]*
-- Vehicle or engine repair or maintenance. *[SUP]*

(3) Industrial uses.

-- Alcoholic beverage manufacturing. *[By SUP in Subdistrict 1D only.]*
-- Industrial (inside) not potentially incompatible. *[SUP]*
-- Industrial (inside) for light manufacturing.
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.

-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
-- Convent or monastery.
-- Hospital. *[RAR]*
-- Library, art gallery, or museum.
-- Open-enrollment charter school. *[SUP]*
-- Private school. *[SUP]*
-- Public school. *[SUP]*

(5) Lodging uses.

-- Extended stay hotel or motel. *[SUP]*
-- Hotel or motel. *[SUP if 60 or fewer guest rooms.]*

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[DIR]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house.
-- Live/work unit. *[Subdistrict 1G only.] [The entire area of a live/work unit is considered a retail and personal service use for purposes of a mixed-use project.]*
-- Multifamily. *[Only as a component of a mixed-use project.] In Subdistrict 1F, the multifamily use and nonresidential use can be on separate lots, but the nonresidential portion of the mixed-use project must be at least 1.079 acres. A unified development plan is not required in Subdistrict 1F.]*
-- Retirement housing. *[RAR]*
-- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures.]*

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside runs. *[RAR]*
-- Auto service center. *[SUP]*
-- Business school.
-- Commercial amusement (inside). *[SUP] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*

-- Commercial parking lot or garage. *[SUP]*
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Home improvement center, lumber, brick, or building materials sales yard. *[SUP]*
-- Household equipment and appliance repair.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Temporary retail use.
-- Theater.

(11) Transportation uses.

-- Private street or alley. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

-- Electrical substation.
-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
-- Police or fire station.
-- Post office.
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Office showroom/warehouse.
-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
-- Trade center. *[SUP]*
-- Warehouse.
-- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory uses are permitted only by SUP:

-- Accessory helistop.

(3) In this subdistrict, the following accessory uses are not permitted:

-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(4) In this subdistrict, the following accessory use is permitted only with a fully sight-obscuring fence or a high screen on any side visible from a street:

-- Accessory outside storage.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this subparagraph, minimum front yard is six feet. At least 50 percent of the front facade must be at the minimum front yard setback. This subparagraph does not apply to structures built prior to 1985 in Subdistrict 1D.

(B) Maximum front yard is 15 feet.

(C) An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(2) Side and rear yard.

(A) Except as provided in Subparagraph (B), no minimum side and rear yard.

(B) An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet.

(3) Density.

(A) No maximum dwelling unit density.

(B) Minimum dwelling unit size is 450 square feet.

(4) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed-use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	Base (no MUP)	MUP=2 (no res.)	MUP=2 (with res.)	MUP=3 (with res.)
Lodging	**1.6**	**2.5**	**3.0**	**3.5**

Office	**1.6**	**2.5**	**3.0**	**3.5**
Residential	**1.6**	**--**	**3.0**	**3.5**
Retail and personal service	**1.0**	**1.1**	**1.2**	**1.3**
Total	**--**	**2.5**	**3.0**	**3.5**

(5) Height.

(A) Maximum structure height in Subdistricts 1A, 1D, and 1G is 145 feet.

(B) Maximum structure height in Subdistrict 1B is 40 feet.

(6) Lot coverage.

(A) Maximum lot coverage is 80 percent. For lot coverage requirements, Subdistrict 1D is considered one lot.

(B) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade in Subdistricts 1A, 1D, 1F, and 1G is 11.

(B) Maximum number of stories above grade in Subdistrict 1B is three.

(C) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading. See Section 51P-714.113, "Off-Street Parking and Loading."

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, "Landscaping," see Article X.

(g) Pedestrian amenities in Subdistrict 1F. Before a certificate of occupancy is issued for nonresidential uses in Subdistrict 1F, pedestrian-scale lighting that provides a minimum maintained average illumination level of 1.5 foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

(h) Lighting in Subdistrict 1G. In Subdistrict 1G, prior to the issuance of a certificate of occupancy for a combined total of more than 331 live/work units or multifamily units, pedestrian-scale lighting that provides a minimum maintained average illumination level of 1.5-foot candles must be provided on the east side of the building. The design and placement of the fixtures must be approved by the director of transportation and public works. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting. (Ord. Nos. 25898; 30610; 32994; 33019; 33093)

SEC. 51P-714.108.1 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 1C.

(a) Main uses permitted. The following uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Building repair or maintenance shop.

-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing.
-- Machine or welding shop.
-- Medical or scientific laboratory.
-- Tool or equipment rental. *[Limited to 3,500 square feet of floor area.]*
-- Vehicle or engine repair or maintenance. *[SUP]*

(3) Industrial uses.

– Industrial (inside) not potentially incompatible. *[SUP]*
– Industrial (inside) for light manufacturing.
– Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

– Adult day care facility.
– Cemetery or mausoleum. *[SUP]*
– Child-care facility.
– Church.
– College, university, or seminary.

– Community service center.
– Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
– Convent or monastery.
– Hospital. *[RAR]*
– Library, art gallery, or museum.
– Open-enrollment charter school. *[SUP]*
– Private school. *[SUP]*
– Public school. *[SUP]*

(5) Lodging uses.

– Extended stay hotel or motel. *[SUP]*
– Hotel or motel. *[SUP if 60 or fewer guest rooms.]*

(6) Miscellaneous uses.

- Live/work unit.
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[Only within Permissible Building Area A1 as shown on the conceptual plan.]*
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.
- Multifamily. *[Only as a component of a mixed-use project.]*
- Retirement housing. *[RAR]*
- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures.]*

(10) Retail and personal service uses.

- Animal shelter or clinic without outside runs. *[RAR]*
- Auto service center. *[SUP]*
- Business school.
- Ceramic studio.

- Commercial amusement (inside). *[SUP] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*
- Commercial parking lot or garage. *[SUP]*
- Dry cleaning or laundry store.
- Electrical vehicle charging station.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard. *[SUP]*
- Household equipment and appliance repair.
- Micro-brewery or micro-winery.
- Micro-distillery.
- Motor vehicle fueling station. *[By SUP only within Permissible Building Area A1 as shown on the conceptual plan.]*
- Nursery, garden shop, or plant sales.

- Outside sales.
- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR][Only within Permissible Building Area A1 as shown on the conceptual plan.]*
- Special community activity.
- Special temporary retail use.
- Theater.

(11) Transportation uses.

- Private street or alley. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

- Electrical substation.
- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
- Police or fire station.
- Post office.
- Tower/antenna for cellular communication *[Mounted cellular antenna only]*.
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Office showroom/warehouse.
- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*
- Trade center. *[SUP]*
- Warehouse.
- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory use is permitted only by SUP:

- Accessory helistop.

(3) In this subdistrict, the following accessory uses are not permitted:

- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

- General waste incinerator.
- Pedestrian skybridge.
- Private stable.

(c) Uses with drive-in or drive-through service. Uses with drive-in or drive-through service are only allowed in Permissible Building Area A1 as shown on the conceptual plan.

(d) Nonresidential uses in Permissible Building Area E. In Permissible Building Area E, as shown on the conceptual plan, nonresidential uses are only permitted on the ground floor of a multi-story structure if multifamily uses are located on the upper floors. Multifamily uses may be located on any floor of a multi-story structure.

(e) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Building placement within the front yard is required as follows:

	Permissable Building Area		Permissable Building Area B	Permissable Building Area C	Permissable Building Area D
	A	A1			
Build-to zone (min/max)	6.5 feet/ 12 feet	NA	6.5 feet/ 12 feet	0 feet/ 15 feet	0 feet/ 12 feet

Maximum setback	20 feet, except as provided in Subparagraph (B)	35 feet	20 feet	20 feet	20 feet
Required frontage	70%* (Not including angled portion of building)	NA	70%*	65%*	80%*

*covered patios and porches that are integral to the structure of the building may count toward compliance with the required frontage requirement.

(B) If a gateway plaza is provided, maximum front yard setback is 35 feet in Permissible Building Area A.

(C) Awnings may encroach into the required front yard setback provided that the awning and any part of the structure supporting the awning provides for a minimum of eight feet vertical clear area above the ground.

(2) Side and rear yard. No minimum side and rear yard.

(3) Density. No maximum dwelling unit density.

(4) Floor area.

(A) Maximum floor area for all permitted uses combined is 323,000 square feet.

(B) Minimum floor area per dwelling unit is 450 square feet.

(C) Except for covered patios, structures with omitted walls including awnings, breezeways, canopies, covered walkways, porte-cocheres, sheds, and other structures without walls are not considered for purposes of floor area requirements. This includes any structure constructed within the open space, as shown on the conceptual plan, that is used for pedestrian amenities, special community activities, or special temporary retail uses.

(5) Height.

(A) Unless further restricted under this paragraph, maximum structure height, inclusive of rooftop patios is:

(i) 40 feet for occupied floor area within Permissible Building Areas A, B, C, D, and F.

(ii) 70 feet for occupied floor area Permissible Building Area E.

(B) If a portion of any structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(C) Chimneys and structures listed in Section 51A-4.408(a)(2) may project 12 feet above the maximum structure height for occupied floor area.

(D) Parapet walls may not exceed seven feet above the maximum structure height for occupied floor area.

(E) Structured parking is considered occupied floor area for purposes of maximum structure height.

(F) Maximum stacking height for accessory outside storage in conjunction with a special temporary retail use is six feet.

(6) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories. No maximum number of stories.

(f) Off-street parking and loading.

(1) Except as provided in this subsection, parking must comply with Section 51P-714.113. If there is a conflict between Section 51P-714.113 and this subsection, this subsection controls.

(A) Off-street parking is required for any covered rooftop patio, rooftop garden, and other rooftop facility.

(B) For a ceramic studio, one off-street parking space for each 200 square feet of floor area.

(C) For an electrical vehicle charging station, no required off-street parking. This use may not take up off-street parking spaces that are required for any other use in this subdistrict.

(D) For a live/work unit, one space per bedroom up to a maximum of two spaces plus one space for each 200 square feet of floor area for office uses and retail and personal service uses within each dwelling unit.

(E) For a micro-brewery or micro-winery, one off-street parking space for each 500 square feet of floor area used for the manufacture of alcoholic beverages, and one space for each 100 square feet of floor area for the remainder of the use.

(F) For a micro-distillery, one off-street parking space for each 500 square feet of floor area used for the manufacture of alcoholic beverages, and one space for each 100 square feet of floor area for the remainder of the use.

(G) For a special community activity, no required off-street parking.

(H) For a special temporary retail use, except as provided in this subparagraph, one space for each 500 square feet of land area. Accessory outside storage requires no off-street parking.

(i) Prior to application for issuance of a second 30 day extension for a temporary certificate of occupancy, one space for each 200 square feet of land area.

(ii) Required parking for a special temporary retail use may not utilize any required parking spaces for other uses in this subdistrict.

(2) Off-street parking for any use within Subdistrict 1C may be located anywhere within Subdistrict 1C.

(3) Total required off-street parking for all uses in Subdistrict 1C may be reduced by 20 percent if at least 10 percent of the total floor area within this subdistrict is residential use and at least 10 percent of the total floor area within this subdistrict is retail and personal service use or office use. For purposes of calculating parking within Subdistrict 1C, this parking reduction may be calculated at thetime of development plan approval. The mixed-use shared parking reduction in Section 51P-714.113(i) may not be used in Subdistrict 1C.

(4) In Subdistrict 1C, bicycle parking for a minimum of 20 bicycles must be provided. This bicycle parking may be provided at one or more locations anywhere within Subdistrict 1C and may be shared by all uses within Subdistrict 1C.

(5) Within Permissible Building Areas A, B, C, and D, as shown on the conceptual plan, off-street parking may not be located between the front of a building and the right-of-way line of a public street.

(6) Uncovered rooftop parking areas are prohibited.

(7) Except for covered patios, structures with omitted walls including awnings, breezeways, canopies, covered walkways, porte-cocheres, sheds, and other structures without walls are not considered floor area for purposes of parking requirements. This includes any structure constructed within the open space, as shown on the conceptual plan, that is used for pedestrian amenities, special community activities, or special temporary retail uses.

(g) Construction and maintenance provisions for off-street parking.

(1) The surface of a parking space, maneuvering area, or driveway that connects to a street or alley must consist of:

(A) concrete paving;

(B) hot mix asphalt paving which consists of a binder and surface course; or

(C) a material of similar characteristics that is approved by the building official.

(2) At least 25 percent of the total paving surface, in the aggregate, used for unenclosed parking spaces, non-fire lane maneuvering areas for parking, and non-fire lane driveways must consist of a permeable material. Permeable material includes, but is not limited to, decomposed granite.

(h) Pedestrian amenities. Pedestrian amenities including bicycle racks, benches, and trash receptacles, must be provided along the Sylvan Avenue and Ft. Worth Avenue frontages. These pedestrian amenities may be located within public rights-of-way. Minimum pedestrian amenities must be provided as follows:

(1) Two groupings of bicycle racks, each containing spaces for no fewer than six bicycles, must be provided along Sylvan Avenue. One bicycle rack containing spaces for no fewer than six bicycles must be provided along Ft. Worth Avenue.

(2) Three trash receptacles must be provided along Sylvan Avenue. Two trash receptacles must be provided along Ft. Worth Avenue.

(3) Three benches must be provided along Sylvan Avenue. Two benches must be provided along Ft. Worth Avenue.

(i) Open space. At least 4,000 square feet of open space must be provided. The open space must be a contiguous open area of not less than 25 feet in width or length. Area within maximum setbacks may not be counted toward the minimum open space requirement. Open space must be primarily open to the sky, but structures that are not fully enclosed such as colonnades, pergolas, and gazebos are allowed. Open space must be accessible to all residential and nonresidential occupants of Subdistrict 1C (or to the general public if dedicated as public open space).

(j) Environmental performance standards. See Article VI.

(k) Landscape regulations. Except as provided in Section 51P-714.114, "Landscaping," see Article X.

(l) Roadway improvements. Before the final inspection of the 226th residential dwelling unit and the issuance of a certificate of occupancy for 49,694 square feet of nonresidential floor area, the following improvements must be completed. Driveway designation is shown on the conceptual plan.

(1) At Driveway 1, proposed ingress/egress along the westbound access road for IH-30, with design and construction subject to approval from the Texas Department of Transportation.

(2) Signalization at Driveway 3, with design and construction approved by the Director of Public Works/Transportation.

(3) A dedicated left-turn lane into Driveway 3, with design and construction approved by the Department of Sustainable Development and Construction. (Ord. 28505)

SEC. 51P-714.108.2 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 1E.

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Job or lithographic printing.
-- Medical or scientific laboratory.

(3) Industrial uses.

-- Alcoholic beverage manufacturing. *[SUP]*

(4) Institutional and community service uses.

-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*

-- Library, art gallery, or museum.
-- Open-enrollment charter school. *[SUP]*
-- Private school. *[SUP]*
-- Public school. *[SUP]*

(5) Lodging uses.

-- Extended stay hotel or motel. *[SUP]*
-- Hotel or motel. *[SUP if 30 or fewer guest rooms]*

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Coworking office.
-- Creative office.
-- Financial institution without drive-in window.
-- Makerspace.
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house. *[SUP]*
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
-- Live/work unit.
-- Multifamily. *[See Section 51P-714.108.2(c) for additional use standards.]*
-- Retirement housing. *[RAR]*
-- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures.]*

(10) Retail and personal service uses.

-- Alcoholic beverage establishment. *[SUP]*
-- Animal shelter or clinic without outside runs. *[RAR]*
-- Commercial amusement (inside). *[SUP] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*
-- Commercial parking lot or garage. *[SUP] [Surface parking lots are prohibited as a primary use.]*
-- Dry cleaning or laundry store.
-- Food hall.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Massage establishment, piercing salon, and tattoo*

studio prohibited.]

-- Restaurant without drive-in or drive-through service.
-- Temporary retail use.
-- Theater.

(11) Transportation uses.

-- Private street or alley. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

-- Electrical substation.
-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
-- Police or fire station.
-- Post office.
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following additional accessory use is permitted by right:

-- Accessory storage for multifamily residential

(3) In this subdistrict, the following accessory uses are permitted only by SUP:

-- Accessory helistop.
-- Pedestrian skybridges [Phase 3 only]

(4) In this subdistrict, the following accessory uses are not permitted:

-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.

(c) Additional multifamily use standards. Except as provided by this subsection, multifamily uses are allowed as part of a mixed-use project.

(1) Alternative mixed-use compliance. Multifamily uses are allowed only in conjunction with a minimum of five percent of gross square footage of qualifying non-residential uses. For the purposes of this provision, Subdistrict 1E is considered one lot. Alternative mixed-use projects must meet the following

standards:

(A) Initial development.

(i) Qualifying uses. Except as otherwise provided in this paragraph, non-residential uses include any non-residential use allowed in this subdistrict; non-residential portions of live/work units; and outdoor dining spaces.

(ii) Retail and personal services uses. A minimum of 50 percent of non-residential space must be retail and personal service uses.

(iii) Office uses. A maximum of 40 percent of non-residential space may be office uses. For the purposes of alternative mixed-use compliance, office uses are limited to co-working office, makerspace, and creative offices. Additional office and other office uses may be provided in the district but do not count towards required alternative mixed-use project compliance for non-residential uses.

(iv) Residential accessory uses. Non-residential accessory uses to a residential use in Phase 1 may be used to meet these requirements provided that they are open to or offer services or memberships to the general public. The building area of qualifying accessory uses may be included for the purposes of calculating non-residential use compliance.

(B) On-going compliance. Non-residential space may not be converted to residential use. Individual tenant spaces may be converted to other qualifying non-residential uses without limitation, provided that office uses allowed in this section do not exceed 50 percent of the required non-residential uses.

(C) Prohibited uses. The uses in the following categories may not be used to meet the non-residential component of an alternative mixed-use project:

-- Commercial parking lot or garage.
-- Institutional and community service uses greater than 5,000 gross square feet.
-- Miscellaneous uses.
-- Transportation uses.
-- Utility and public service uses.
-- Wholesale, distribution, and storage uses.

(D) West Commerce Street. Projects with frontage on West Commerce Street must include non-residential uses within Block 5 as identified on the Subdistrict 1E conceptual plan.

(E) Open space. A minimum of 40,000 square feet of open space, public plazas, or public seating areas must be provided within the subdistrict. Phase 1 must include a minimum 28,000 square feet of open space provided that a minimum of one-half acre must be contiguous. Open space must otherwise be a minimum of 200 square feet in area to be counted towards this requirement. A maximum of 10 percent of open space may be used for outdoor dining areas. For the purpose of this provision, open space must be provided at ground level.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) West Commerce Street.

(i) Minimum front yard is six feet.

(ii) Maximum front yard is 20 feet.

(iii) A least 50 percent of the street-facing facade must be at the minimum front yard setback.

(iv) A 26-foot front yard setback is required for that portion of a structure above 45 feet in height as measured from the property line.

(B) West Main Street.

(i) Phases 1 and 3. Minimum front yard is six feet.

(ii) Phase 2.

(aa) Minimum front yard is six feet.

(bb) Maximum front yard setback is 20 feet.

(cc) A least 50 percent of the front facade must be at the minimum front yard setback.

(dd) A 26-foot front yard setback is required for that portion of a structure above 45 feet in height as measured from the property line.

(C) All other public streets.

(i) Except as provided in this subparagraph, no minimum or maximum front yard setback.

(ii) An additional front yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 26 feet as measured from the property line.

(D) Facade. The following building features may be counted as part of a building facade to meet the minimum front yard setback on West Commerce Street and West Main Street:

(i) Raised porch landings, stoops or associated stairs up to a depth of four feet.

(ii) Unenclosed balconies up to a depth of six feet.

(iii) Ground floor courtyards or patio enclosures with solid masonry walls no more than four feet in height up to a depth of six feet.

(iv) Cantilevered roofs, porch overhangs, or eaves that extend a minimum of two feet up to a depth of four feet.

(v) Pergolas or arbors attached or directly adjacent to a building.

(vi) Canopies, arcades, or marquees up to a depth of eight feet.

(vii) Similar building features that establish an omitted wall line for the purposes of floor area.

(E) Encroachments. The following building and site features may be located in a

required front yard:

(i) Planters.

(ii) Outdoor dining areas.

(iii) Cantilevered roofs, porch, or eave overhangs up to a depth of three feet.

(iv) Awnings up to a depth of five feet.

(v) Ramps.

(vi) Retaining walls under three feet in height.

(vii) Raised porch landings, stoops, or associated stairs up to a depth of four feet.

(viii) Attached marquee and projecting signs in conformance with Section 51A-7.2000, Provisions for the West Commerce Street/Fort Worth Avenue Sign District.

(2) Side and rear yard.

(A) Except as provided in this paragraph, no minimum side and rear yard.

(B) An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet. No additional side or rear yard setback is required adjacent to railroad right-of-way.

(3) Density. No maximum dwelling unit density.

(4) Floor area ratio.

(A) Except as provided in this paragraph, the maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed- use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	**Base (no MUP)**	**MUP=2 (no res.)**	**MUP=2 (with res.)**	**MUP=3 (with res.)**
Lodging	**1.6**	**2.5**	**3.0**	**3.5**
Office	**1.6**	**2.5**	**3.0**	**3.5**
Residential	**1.6**	**--**	**3.0**	**3.5**
Retail and personal service	**1.0**	**1.1**	**1.2**	**1.3**
Total	**--**	**2.5**	**3.0**	**3.5**

(B) For mixed-use projects, multifamily projects that meet the requirements of Section 51P-714.108.2(c)(1) have a maximum FAR of 3.0, except all non-residential uses have a maximum FAR of 1.2.

(5) Height.

(A) In general.

(i) Phases 1 and 2. Maximum structure height is 40 feet.

(ii) Phase 3. Maximum structure height is 145 feet.

(B) Increased development standards. For a multifamily use in Phase 1, when five percent of the overall number of dwelling units are available to households earning between 51 and 60 percent of the area median family income (AMFI) and five percent of the overall number of dwelling units are available to households earning between 61 and 80 percent of the AMFI and complies with the provisions of Section 51P-714.118.1, the maximum structure height may be increased to 70 feet.

(C) Special height provisions. The following structures may project 12 feet above the maximum structure height:

(i) Elevator penthouse or bulkhead.

(ii) Mechanical equipment room.

(iii) Cooling tower.

(iv) Tank designed to hold liquids.

(v) Ornamental cupola or dome.

(vi) Skylights.

(vii) Clerestory.

(viii) Visual screens which surround roof mounted mechanical equipment.

(ix) Chimney and vent stack.

(x) Amateur communications tower.

(xi) Parapet wall, limited to a height of four feet.

(6) Lot coverage.

(A) Maximum lot coverage is 85 percent. For lot coverage requirements, individual blocks are considered one lot.

(B) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) In general.

(i) Phases 1 and 2. Maximum number of stories above grade is three.

(ii) Phase 3. Maximum number of stories above grade is 11.

(B) Increased development standards. For multifamily uses in Phase 1, when five percent of the overall number of dwelling units are available to households earning between 51 and 60 percent of the area median family income (AMFI) and five percent of the overall number of dwelling units are available to households earning between 61 and 80 percent of the AMFI and complies with the provisions of Section 51P-714.118.1, the maximum number of stories in Phase 1 may be increased to five.

(C) Exemptions. Parking garages and basements are exempt from this paragraph, but must comply with the height regulations in Paragraph (5). (Ord. 32104)

SEC. 51P-714.108.3. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 1H.

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.

(3) Institutional and community service uses.

-- Church.
-- Library, art gallery, or museum.
-- Public school. *[SUP]*

(4) Lodging uses.

-- Hotel or motel. *[If 30 or fewer guest rooms, an SUP is required.]*

(5) Miscellaneous uses.

-- Temporary construction or sales office.

(6) Office uses.

-- Coworking office.
-- Creative office.
-- Makerspace.
-- Office.

(7) Recreation uses.

-- Private recreation center, club, or area.
-- Public park, playground, or golf course.
-- Special park project.

(8) Residential uses.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
-- Live/work unit.
-- Multifamily.
-- Retirement housing. *[RAR]*

-- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures.]*

(9) Retail and personal service uses.

-- Animal shelter or clinic without outside runs. *[RAR]*
-- Commercial amusement (inside). *[SUP] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*
-- Commercial parking lot or garage. *[SUP][An SUP is not required if lot is developed as part of a special park project.]*
-- Dry cleaning or laundry store.
-- Farmers market.
-- Food hall.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
-- Restaurant without drive-in or drive-through service.
-- Temporary retail use.
-- Theater.

(10) Transportation uses.

-- Private street or alley. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(11) Utility and public service uses.

-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*

(12) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
-- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory use is permitted only by SUP:

-- Accessory helistop.

(3) In this subdistrict, the following accessory uses are not permitted:

-- Accessory medical/infectious waste incinerator.

-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.

(4) In this subdistrict, the following accessory use is permitted only with a fully sight-obscuring fence or a high screen on any side visible from a street:

-- Accessory outside storage.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is six feet. At least 50 percent of the front facade must be at the minimum front yard setback.

(B) Maximum front yard is 15 feet.

(C) For the portion of a structure that is 45 feet in height or taller, minimum front yard is 26 feet.

(D) For a special park project, no minimum or maximum front yard is required.

(2) Side and rear yard.

(A) Except as provided in this paragraph, no minimum side and rear yard is required.

(B) A side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure that is above 45 feet in height. The maximum side and read setback required by this subparagraph is of 30 feet.

(3) Density. No maximum dwelling unit density.

(4) Floor area ratio. The maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed- use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	**Base (no MUP)**	**MUP=2 (no res.)**	**MUP=2 (with res.)**	**MUP=3 (with res.)**
Lodging	**1.6**	**2.5**	**3.0**	**3.5**
Office	**1.6**	**2.5**	**3.0**	**3.5**
Residential	**1.6**	**--**	**3.0**	**3.5**

Retail and personal service	**1.0**	**1.1**	**1.2**	**1.3**
Total	**--**	**2.5**	**3.0**	**3.5**

(5) Height. Maximum structure height is 145 feet.

(6) Lot coverage.

(A) Maximum lot coverage is 80 percent.

(B) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(C) For lot coverage requirements, Subdistrict 1H is considered one lot.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade is 11.

(B) Parking garages are exempt from this paragraph but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading. See Section 51P-714.113, "Off-Street Parking and Loading."

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, "Landscaping," see Article X. (Ord. 33133)

SEC. 51P-714.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 2.

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services. *[Subdistricts 2A & 2B only.]*
-- Custom woodworking, furniture construction, or repair. *[Subdistrict 2A only.]*
-- Job or lithographic printing.

(3) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Library, art gallery, or museum.
-- Open-enrollment charter school. *[SUP]*
-- Private school. *[SUP]*
-- Public school. *[SUP]*

(5) Lodging uses.

-- Extended stay hotel or motel. *[SUP]*
-- Hotel or motel. *[SUP]*

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[DIR]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation center, club, or area. *[RAR]*
-- Public park, playground, or golf course.

(9) Residential uses.

-- Multifamily. *[Only as a component of a mixed-use project.]*
-- Retirement housing. *[RAR]*
-- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures. This provision does not apply to Subdistrict 2C.]*

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside runs. *[RAR]*
-- Animal shelter or clinic with outside runs. *[By SUP, only in Subdistrict 2B.]*
-- Commercial amusement (inside). *[By SUP, only in Subdistrict 2B.] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- Household equipment and appliance repair.

-- Motor vehicle fueling station. *[RAR]*
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
-- Photography studio. *[Only in Subdistrict 2C.]*
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Temporary retail use.

(11) Transportation uses.

-- Private street or alley. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
-- Police or fire station.
-- Post office. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Mini-warehouse. *[SUP]*
-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
-- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory uses are not permitted:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside storage.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 15 feet.

(B) Maximum front yard from Fort Worth Avenue is 60 feet. This provision does not apply to structures built before February 1, 2005, and additions to those structures in Subdistrict 2D.

(C) In Subdistrict 2D, minimum front yard setback is five feet. Steps, awnings, canopies, landings, trellis, and retaining walls are allowed to encroach into the front yard setback. A dumpster may only encroach into the front yard setback along Chappell Street.

(D) In Subdistrict 2B, an additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(2) Side and rear yard.

(A) Except as provided in Subparagraphs (B) and (C), minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district or a residential use (but not a mixed-use project with a residential component); and

(ii) no minimum in all other cases.

(B) An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet.

(C) In Subdistrict 2C only, the side and rear yard is 7.5 feet. An additional 20-foot side and rear yard is required for a portion of a structure above 32 feet in height.

(3) Density.

(A) No maximum dwelling unit density.

(B) Minimum dwelling unit size is 450 square feet.

(4) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed-use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	Base (no MUP)	MUP=2 (no res.)	MUP=2 (with res.)	MUP=3 (with res.)
Lodging	**1.6**	**2.5**	**3.0**	**3.5**
Office	**1.6**	**2.5**	**3.0**	**3.5**
Residential	**1.6**	**--**	**3.0**	**3.5**
Retail and personal service	**1.0**	**1.1**	**1.2**	**1.3**
Total	**--**	**2.5**	**3.0**	**3.5**

(5) Height.

(A) Residential proximity slope.

(i) In Subdistricts 2A and 2B, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(ii) In Subdistrict 2C, if any portion of a structure is over 36 feet in height, that portion may not be located above a residential proximity slope. In Subdistrict 2C, the angle for projection for the residential proximity slope is a 1 to 1 slope.

(iii) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height.

(i) Maximum structure height in Subdistricts 2A and 2C is 60 feet.

(ii) Maximum structure height in Subdistricts 2B and 2D is 80 feet.

(6) Lot coverage.

(A) Maximum lot coverage is 80 percent.

(B) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade in Subdistricts 2A and 2C is four.

(B) Maximum number of stories above grade in Subdistricts 2B and 2D is six.

(C) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading.

(1) Except as provided in this subsection, see Section 51P-714.113, "Off-Street Parking and Loading.

(2) In Subdistrict 2C, the required parking for a photography studio is one space per 400 square feet of floor area.

(3) In Subdistrict 2C, stacked parking is allowed only for required residential parking, not for visitor parking.

(4) In Subdistrict 2D, maneuvering in the Chappel Street right-of-way to access off-street parking spaces abutting the right-of-way is permitted, subject to approval of the Streets Services Department.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, "Landscaping," see Article X. (Ord. Nos. 25898; 27056; 28470; 29654; 30705)

SEC. 51P-714.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 3.

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom woodworking, furniture construction, or repair.

(3) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
-- Convent or monastery.
-- Library, art gallery, or museum.
-- Open-enrollment charter school. *[SUP]*
-- Private school. *[SUP]*
-- Public school. *[SUP]*

(5) Lodging uses.

-- None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[DIR] [In Subdistrict 3D, may not be located within 200 feet of the Property frontage along Fort Worth Avenue.]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house.
-- Multifamily. *[Only as a component of a mixed-use project.]*
-- Retirement housing. *[RAR]*
-- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures.]*
-- Supportive housing. *[In Subdistrict 3C only by SUP only.]*

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside runs. *[RAR]*
-- Auto service center. *[SUP]*
-- Commercial amusement (inside). *[By SUP only.] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Household equipment and appliance repair.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Pawn shop. *[Subdistrict 3A only.]*
-- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[DIR] [In Subdistrict 3D, may not be located within 200 feet of the Property frontage along Fort Worth Avenue.]*
-- Temporary retail use.
-- Theater.

(11) Transportation uses.

-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

-- Electrical substation.
-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
-- Police or fire station.
-- Post office.
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Mini-warehouse. *[SUP]*
-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
-- Recycling drop-off for special occasion collection. *[See Section 51A-*

4.213(11.3).]

-- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory uses are not permitted:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside storage.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this section, minimum front yard is five feet. At least 50 percent of the front facade must be at the minimum front yard setback.

(B) Except as provided in this section, maximum front yard is 15 feet.

(C) In Subdistrict 3C, buildings constructed before February 1, 2005 are not required to comply with this paragraph.

(D) In Subdistrict 3D, no maximum front yard for a structure containing a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet.

(E) In Subdistrict 3D, for a structure with a floor area less than 10,000 square feet, the maximum front yard may be increased to 75 feet, provided a patio or open space is provided between the sidewalk and front building facade. This open space must at a minimum measure a contiguous area of 400 square feet, and include the primary building entrance.

(F) In Subdistrict 3D, a restaurant with drive-in or drive-through service or financial institution with drive-in window may not be located within 200 feet of the Property frontage along Fort Worth Avenue with access to the exterior sidewalk.

(2) Side and rear yard.

(A) Except as provided in Subparagraph (B), minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district or a residential use (but not a mixed-use project with a residential component); and

(ii) no minimum in all other cases.

(B) An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet.

(3) Density.

(A) No maximum dwelling unit density.

(B) Except as provided in this subparagraph, minimum dwelling unit size is 450 square feet. In Subdistrict 3C, no minimum dwelling unit size for supportive housing.

(4) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed-use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	Base MUP=3 (no MUP)	MUP=2 (no res.)	MUP=2 (with res.)	(with res.)
Lodging	**1.6**	**2.5**	**3.0**	**3.5**
Office	**1.6**	**2.5**	**3.0**	**3.5**
Residential	**1.6**	**--**	**3.0**	**3.5**
Retail and personal service	**1.0**	**1.1**	**1.2**	**1.3**
Total	**--**	**2.5**	**3.0**	**3.5**

(5) Height.

(A) Residential proximity slope. If any portion of a structure isover 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Maximum structure height is 60 feet.

(6) Lot coverage.

(A) Maximum lot coverage is 80 percent.

(B) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade is four.

(B) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading.

(1) In general. Except as provided in this section, see Section 51P-714.113, "Off-Street Parking and Loading."

(2) Subdistrict 3C.

(A) For supportive housing, a minimum of 0.5 spaces per dwelling unit are required.

(B) The off-street parking area must comply with the lighting requirements of Section 51A-4.301 before the issuance of a final certificate of occupancy.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, "Landscaping," see Article X.

(g) Lighting.

(1) Subdistrict 3C. Pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

(2) Subdistrict 3D. Exterior lighting sources must be oriented down and onto the property they light and generally away from residential properties.

(h) Property owner engagement. In Subdistrict 3C, the operator of a supportive housing facility shall establish a community liaison committee to discuss community concerns, and to suggest improvements and changes if necessary. Membership of the committee should be open to two representatives each from surrounding homeowner's association and any property owner within a 500-foot radius of the facility. (Ord. Nos. 25898; 32175; 32411)

SEC. 51P-714.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 4.

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services. *[Subdistrict 4A only.]*

(3) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization*

of the building official.]

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
-- Convent or monastery. *[SUP]*

-- Library, art gallery, or museum.
-- Open-enrollment charter school. *[SUP]*
-- Private school. *[SUP]*
-- Public school. *[SUP]*

(5) Lodging uses.

-- Extended stay hotel or motel. *[SUP] [Subdistrict 4A only.]*
-- Hotel or motel. *[SUP] [Subdistrict 4A only.]*

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[DIR]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation center, club, or area. *[RAR]*
-- Public park, playground, or golf course.

(9) Residential uses.

-- Live/work unit. *[Subdistricts 4A and 4B only.] [The non-residential portion of a live/work unit is considered an office use or a retail and personal service use for purposes of a mixed-use project.]*
-- Multifamily. *[Only as a component of a mixed-use project.] [In Subdistrict 4B, the sales/leasing office of a multifamily use is considered a retail and personal service use.]*
-- Retirement housing. *[RAR]*
-- Single family. *[Except for Subdistrict 4B, a minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures. In Subdistrict 4B, a minimum of six single family structures must be attached with a minimum of 15 feet between each group of single family structures. In Subdistrict 4A, this only applies to single family structures located in the front yard setback area of Fort Worth*

Avenue. Except in Subdistrict 4B, s[S]ingle family detached structures are prohibited. In Subdistrict 4B a maximum of 7.5 percent of single family structures may be detached or occur in groupings of fewer than six structures.

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside runs. *[SUP] [Subdistrict 4A only.]*
-- Business school. *[Subdistrict 4A only.]*
-- Commercial amusement inside. *[SUP] [Subdistrict 4A only. Bingo parlor, billiard hall, Class E dance hall, and motor track prohibited.]*

-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet. *[Subdistrict 4A only.]*
-- General merchandise or food store 100,000 square feet or more. *[SUP] [Subdistrict 4A only.]*
-- Household equipment and appliance repair. *[Subdistrict 4A only.]*
-- Motor vehicle fueling station. *[RAR] [Prohibited in Subdistrict 4B.]*
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
-- Restaurant without drive-in or drive-through service. *[RAR] [In Subdistrict 4B, RAR not required if the restaurant has a floor area of 2,000 square feet or less.] [In Subdistrict 4B, SUP required if the restaurant has a floor area greater than 2,000 square feet.]*
-- Restaurant with drive-in or drive-through service. *[DIR] [SUP in Subdistrict 4B.]*
-- Temporary retail use.
-- Theater. *[SUP] [Subdistrict 4A only.]*

(11) Transportation uses.

-- Private street or alley. *[SUP]*
-- Street car/trolley shelter. *[Subdistricts 4A and 4B only.]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
-- Police or fire station.
-- Post office. *[SUP]*
-- Tower/antenna for cellular communication. *[Limited to a mounted cellular antenna and temporary cellular unit in Subdistrict No. 4 only. Mounted cellular antenna by SUP in Subdistrict No. 4 only. Prohibited in Subdistrict Nos. 4A and 4B]*
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
-- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory uses are not permitted:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside storage.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(3) In Subdistrict 4B, an accessory community center (private) is a permitted accessory use in conjunction with a shared access development.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Minimum front yard.

(i) Except as provided in this subparagraph, minimum front yard is 15 feet.

(ii) Except as provided in this subparagraph, in Subdistrict 4A, no minimum front yard setback is required.

(iii) In Subdistrict 4B, minimum front yard setback is five feet. Steps, stoops, porches, and associated railings may extend a maximum of five feet into the required minimum front yard.

(B) Maximum front yard.

(i) Maximum front yard from Fort Worth Avenue is 50 feet.

(ii) Except as provided in this subparagraph, in Subdistricts 4A and 4B, maximum front yard is 50 feet.

(iii) In Subdistrict 4A, maximum front yard is 100 feet on all right-of-ways other than Fort Worth Avenue or rights-of-way adjacent to Fort Worth Avenue if no more than one row of off-street parking is located in the setback. In Subdistrict 4A, if a public right-of-way is dedicated adjacent to the existing Fort Worth Avenue right-of-way, maximum front yard is 50 feet measured from the

Fort Worth Avenue right-of-way shown on the Subdistrict 4A existing Fort Worth Avenue right-of-way exhibit (Exhibit 714F).

(iv) In Subdistrict 4B, no maximum front yard for Walter Drive or Colorado Boulevard.

(C) Setback areas. In Subdistricts 4A and 4B, structures fronting Fort Worth Avenue or a right-of-way dedicated adjacent to Fort Worth Avenue must be located within the Fort Worth Avenue setback area for at least 60 percent of the lot width. In Subdistrict 4A, structures fronting current or future right-of-way dedications must be located within the setback area for at least 60 percent of the lot width. In Subdistrict 4B, the remainder of the front facade must comply only with the minimum front yard setback. The setback area is the area between the minimum and maximum front yard setbacks.

(D) Garage door .

(1) Subdistrict 4A. A residential use may not have a garage door facing the front lot line.

(2) Subdistrict 4B.

(i) Residential uses within 50 feet of Fort Worth Avenue may not have a garage door facing Fort Worth Avenue.

(ii) Residential uses may not have a garage door facing Colorado Boulevard or Walter Drive.

(E) Street car/trolley shelter. In Subdistricts 4A and 4B, a street car/trolley shelter is exempt from the front yard requirements, but must be at least five feet from the edge of a roadway.

(2) Side and rear yard.

(A) Except as provided in Subparagraph (B), minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district or a residential use (but not a mixed-use project with a residential component);

(ii) 15 feet in Subdistrict 4B; and

(iii) no minimum in all other cases.

(B) Except in Subdistrict[s] 4A, an additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet.

(C) In Subdistricts 4A and 4B, a carport is allowed within the side or rear yard setback. Carports must remain open. Storage of items other than motor vehicles within a carport is prohibited.

(D) In Subdistricts 4A and 4B, a streetcar/trolley shelter is exempt from the side and rear yard requirements, but must be at least five feet from the edge of a roadway.

(3) Density.

(A) No maximum dwelling unit density.

(B) Minimum dwelling unit size is 450 square feet.

(4) Floor area ratio.

(A) Except as provided in this subsection, maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed-use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	Base (no MUP)	MUP=2 (no res.)	MUP=2 (with res.)	MUP=3 (with res.)
Lodging	**1.6**	**2.5**	**3.0**	**3.5**
Office	**1.6**	**2.5**	**3.0**	**3.5**
Residential	**1.6**	**--**	**3.0**	**3.5**
Retail and personal service	**1.0**	**1.1**	**1.2**	**1.3**
Total	**--**	**2.5**	**3.0**	**3.5**

(B) A street car/trolley shelter is not counted as floor area.

(C) No maximum floor area ratio for a shared access development in Subdistrict 4B.

(5) Height.

(A) Subdistrict 4.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height. A mounted cellular antenna may exceed residential proximity slope if located atop an existing structure that is nonconforming to residential proximity slope.

(ii) Maximum height. Maximum structure height is 180 feet.

(iii) Temporary cellular unit. A temporary cellular unit must comply with the yard, lot and space regulations of the district and may not exceed the height of the existing tower/antenna for cellular communication use to be removed. Lightning rods atop a temporary cellular unit are not included in height calculations. A temporary cellular unit is not subject to the residential proximity slope. If a temporary cellular unit collocates existing operators on a single vertical temporary cellular unit, the following regulations apply:

(aa) If the height of the existing mounted cellular antenna to be removed is less than the maximum structure height of the district, the maximum structure height may extend an additional 10 feet in height for each existing operator above one, not to exceed the maximum structure height of the district.

(bb) If the height of the existing mounted cellular antennas to be removed is equal to or exceeds the maximum structure height of the district, the maximum height of the

temporary cellular unit may not exceed the height of the existing mounted cellular antennas to be removed.

(B) Subdistrict 4A.

(i) Residential proximity slope.

(aa) Except as otherwise provided in this subparagraph, if any portion of a structure is over 20 feet in height, that portion may not be located above a residential proximity slope. The residential proximity slope is a plane projected upward and outward at a one-to-two slope beginning at a point seven feet above grade at the site of origination, as shown on Exhibit 714G.

(bb) The residential proximity slope is infinite.

(cc) The residential proximity slope does not apply to a residential use 40 feet in height or less.

(dd) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less. Chimneys may project through the residential proximity slope to a height 12 feet above the residential proximity slope and 12 feet above the maximum structure height.

(ee) The residential proximity slope applies only to MF-1(A) adjacency. For the southernmost portion of this subdistrict, the site of origination is the north and northwest lines of the Wedglea Creek Addition as shown on Exhibit 714H.

(ii) Maximum height. Maximum structure height is 180 feet.

(C) Subdistrict 4B.

(i) Residential proximity slope.

(aa) Except as otherwise provided in this subparagraph, if any portion of a structure is over 20 feet in height, that portion may not be located above a residential proximity slope. The residential proximity slope is a plane projected upward and outward at a one-to-two slope beginning at a point seven feet above grade at the site of origination, as shown on Exhibit 714G.

(bb) The residential proximity slope terminates 150 feet from the site of origin.

(cc) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less. Chimneys may project through the residential proximity slope to a height 12 feet above the residential proximity slope and 12 feet above the maximum structure height.

(ii) Maximum height. Except as provided in this romanette, maximum structure height is 42 feet. The highest point of a structure with a gable, hip, gambrel, or dome roof may project a maximum of 12 feet above the maximum height.

(6) Lot coverage.

(A) Except as provided in this paragraph, maximum lot coverage is 80 percent.

(B) In Subdistricts 4A and 4B, maximum lot coverage is 90 percent. Subdistrict 4B is considered to be a multifamily district for lot coverage purposes in accordance with

Section 51A-4.411.

(C) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade is 12, except that maximum number of stories above grade in Subdistrict 4B is three.

(B) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading. See Section 51P-714.113, "Off-Street Parking and Loading."

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, "Landscaping," see Article X.

(g) Shared access development. In Subdistrict 4B, a maximum of 62 units may be platted in a single shared access development with a minimum of two access points. (Ord. Nos. 25898; 26876; 27820; 29914; 30491)

SEC. 51P-714.112. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 5.

(a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, and repair.
-- Electronics service center.
-- Tool or equipment rental. *[Limited to 3,500 square feet.]*

(3) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.

-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
-- Convent or monastery.
-- Hospital. *[RAR]*
-- Library, art gallery, or museum.
-- Open-enrollment charter school. *[SUP]*
-- Private school. *[SUP]*
-- Public school. *[SUP]*

(5) Lodging uses.

-- Extended stay hotel or motel. *[SUP]*
-- Hotel or motel. *[SUP if 60 or fewer guest rooms.]*

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[DIR]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house.
-- Multifamily. *[Only as a component of a mixed-use project.]*
-- Retirement housing. *[RAR]*
-- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures.]*

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside runs. *[RAR]*
-- Animal shelter or clinic with outside runs. *[SUP]*
-- Auto service center. *[SUP]*
-- Business school.
-- Car wash.
-- Commercial amusement inside. *[By SUP only.] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- General merchandise or food store 100,000 square feet or more. *[SUP]*
-- Home improvement center, lumber, brick, or building materials sales yard.

-- Household equipment and appliance repair.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Temporary retail use.
-- Theater.
-- Vehicle display, sales, and service. *[SUP]*

(11) Transportation uses.

-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

-- Electrical substation.
-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
-- Police or fire station.
-- Post office.
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Mini-warehouse. *[SUP]*
-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
-- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory uses are not permitted:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(3) In this subdistrict, the following accessory use is permitted only with a fully sight-obscuring fence or a high screen on any side visible from a street:

-- Accessory outside storage.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Minimum front yard is 15 feet.

(B) Maximum front yard is 60 feet.

(2) Side and rear yard.

(A) Except as provided in Subparagraph (B), minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district or a residential use (but not a mixed-use project with a residential component); and

(ii) no minimum in all other cases.

(B) An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet.

(3) Density.

(A) No maximum dwelling unit density.

(B) Minimum dwelling unit size is 450 square feet.

(4) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed-use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	Base (no MUP)	MUP=2 (no res.)	MUP=2 (with res.)	MUP=3 (with res.)
Lodging	**1.6**	**2.5**	**3.0**	**3.5**
Office	**1.6**	**2.5**	**3.0**	**3.5**
Residential	**1.6**	**--**	**3.0**	**3.5**
Retail and personal service	**1.0**	**1.1**	**1.2**	**1.3**
Total	**--**	**2.5**	**3.0**	**3.5**

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures

listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Maximum structure height is 60 feet.

(6) Lot coverage.

(A) Maximum lot coverage is 80 percent.

(B) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade is four.

(B) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading. See Section 51P-714.113, "Off-Street Parking and Loading."

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, "Landscaping," see Article X. (Ord. 25898)

SEC. 51P-714.113. OFF-STREET PARKING AND LOADING.

(a) In general. Except as modified in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Except as modified in this section, consult the off-street parking and loading regulations in Divisions 51A-4.300 et seq. for information regarding off-street parking and loading generally. For parking purposes, Subdistricts 1D, 1E, 1F, and a special park project use in Subdistrict 1H are each considered one lot.

(b) Remote parking. Except as provided in this section, remote parking is allowed if it is located within 600 feet of the main use and the requirements of Division 51A-4.320, "Special Parking Regulations," are met. Except for residential uses, all of Subdistrict 4A is considered one building site for parking purposes.

(c) Residential.

(1) One space per bedroom up to a maximum of two spaces per dwelling unit.

(2) In Subdistricts 4A and 4B, for purposes of this subsection, a bedroom is defined as having at least 100 square feet of floor area and direct access to a closet.

(3) In Subdistrict 4A, at least one parking space per residential unit must be located on the same building site as the residential unit. Any additional required parking spaces must be located on a building site within Subdistrict 4A and within 200 feet of the building site containing the residential use.

(d) Restaurant.

(1) One space per 125 square feet of floor area.

(2) Except as provided in this subsection, any outdoor dining area, whether or not covered, counts as floor area for calculation of the parking requirement. For purposes of this provision, "outdoor dining area" means a rectangular area that includes all outdoor tables, chairs, and wait-stations.

(3) In Subdistricts 4A and 4B, 50 percent of an outdoor dining area, whether or not covered, is excluded for calculation of the parking requirement as long as the outdoor dining area is within 20 feet of, and has direct access to, a street, sidewalk, or publicly accessible open space. This exclusion only applies to an area up to 20 percent of the size of the indoor floor area. Any portion of an outdoor dining area in excess of 20 percent of the size of the indoor floor area must be parked in accordance with Paragraph (2).

(4) This subsection does not apply to a special park project use in Subdistrict 1H.

(e) Retail and personal service in Subdistricts 4A and 4B. Except for a business school; commercial amusement (inside); furniture store; nursery, garden shop, or plant sales; and theater, one space per 250 square feet of floor area. The floor area of a sales/leasing office and amenities for residential uses that are part of a mixed use project do not count for purposes of determining parking calculations. The non-residential portion of a live/work unit is treated as an office or a retail and personal service use for parking purposes.

(f) Retirement housing in Subdistricts 4A and 4B. 0.7 spaces per dwelling unit or suite. In Subdistrict 4A, all required parking must be located on the same building site as the retirement housing use.

(g) Above-grade off-street parking. Parking is permitted on any level of a building.

(h) Bicycle parking.

(1) Except as provided by this subsection, if an institutional and community service use, mixed-use project, or retail and personal service use has a floor area of 4,000 square feet or more, it must provide a lockable rack for a minimum of two bicycles.

(2) In Subdistrict 1E, one bicycle parking space per six dwelling units is required for multifamily projects that develop under Section 51P-714.108.2(c)(1). A minimum of 75 percent of required bicycle parking must be located on the same property as the use requiring the bicycling parking. Remaining bicycle parking may be dispersed across the subdistrict. Required off-street parking may be reduced by one space for every six bicycle parking spaces provided on a building site. Required bicycle parking must otherwise comply with the requirements of Section 51A-4.330.

(i) Mixed-use shared parking reduction.

(1) Office and residential uses within a mixed-use project must share parking. Any shared parking must be on the same building site as the mixed-use project. The number of off-street parking spaces required for the mixed-use project is 100 percent of the parking requirement for the use requiring the greater number of spaces plus 25 percent of the parking requirements for the use requiring fewer spaces. For example, if the office component would separately require 100 spaces and the residential component would separately require 80 spaces, then the parking requirement for the mixed-use project is 120 spaces [(100 x 1.00) + (80 x .25) = 120].

(2) Retail and residential uses within a mixed-use project must share parking. Any shared parking must be on the same building site as the mixed-use project. The number of off-street parking spaces required for the mixed-use project is 100 percent of the parking requirement for the use requiring the greater number of spaces plus 75 percent of the parking requirements for the use requiring fewer spaces. For example, if the retail component would separately require 100 spaces and the residential component would

separately require 80 spaces, then the parking requirement for the mixed-use project is 160 spaces [(100 x 1.00) + (80 x .75) = 160].

(3) If a mixed-use project has office, retail, and residential uses, the project must use the parking reduction that offers the greatest reduction, but may not use both. For example, if the office-residential reduction reduces the parking to 120 spaces and the retail-residential reduction reduces the parking to 160 spaces, then the office-residential reduction must be used and the retail-residential reduction may not be used.

(4) The parking reduction in this subsection may not be used in Subdistrict 1C.

(j) On-street parallel, straight, or angled head-in parking.

(1) Except as provided in this subsection, any on-street parallel parking spaces on West Commerce Street, Fort Worth Avenue, or a street that intersects Fort Worth Avenue may be counted toward the parking requirement of the use adjacent to the on-street parallel parking space. In Subdistricts 1E and 1H any on-street parking spaces on West Main Street or a street that intersects West Commerce Street may be counted towards the parking requirement of the use adjacent to the on-street parking space.

(A) An on-street parallel parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space (8 ÷ 24 = one-third). The total of the limited availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(2) In Subdistrict 4A, any on-street parallel, straight, or angled head-in parking space may be counted toward the total off-street parking requirement of the use adjacent to the on-street parallel, straight, or angled head-in parking space.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space (8 ÷ 24 = one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(3) In Subdistrict 4B, parallel, straight, or angled head-in parking accessed from the alley between Subdistrict 4B and Colorado Boulevard is allowed and screening from the alley is not required.

(4) In Subdistrict 4B, on-street parallel, straight, or angled head-in parking may be counted towards the total off-street parking requirement.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available.

For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space (8 ÷ 24 = one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(k) Parking to the rear of the main structure.

(1) Except as provided in this paragraph, in Subdistricts 1A, 1B, 1D, and 1H, 100 percent of any parking for new construction located on the same building site as the main use must be to the rear of the main structure. In Subdistrict 1E, off-street surface parking may not be located between a street-facing facade and public right-of-way and off-street structured parking must be provided in compliance with subsection (l). In Subdistrict 1D and 1E, compliance with this paragraph is only required after the demolition of an existing structure built prior to 1985. This subsection does not apply to a special park project use in Subdistrict 1H.

(2) Except as provided in this subsection, in Subdistricts 2, 3, 4, and 5, only 25 percent of any parking for new construction located on the same building site as the main use, or one row of parking, whichever is fewer spaces, may be located in front of the main structure. In addition, only one drive aisle may be located in front of the main structure. This paragraph does not apply to Subdistrict 2D or to a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet in Subdistrict 3D.

(3) In Subdistrict 4B, one row of parking is allowed in front of the main structure with no limit on the percentage of total parking.

(l) Parking structures.

(1) In Subdistrict 4A, if an aboveground parking structure is located within 200 feet of an adjacent residential district not dedicated to a public park, playground, or golf course use, the parking must be concealed in a structure with a facade similar in appearance to the main structure's facade. At least 12 percent of the parking structure facade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total facade.

(2) Except as provided in this subparagraph, aboveground parking structures are prohibited in Subdistrict 4A within 100 feet of a residential district not dedicated to a public park, playground, or golf course use. If an aboveground parking structure is located in that portion of Subdistrict 4A shown on Exhibit 714H, which is located within 100 feet of the boundary of the adjacent residential district, the aboveground parking structure must be aligned with the existing aboveground parking structure. If the existing aboveground parking structure in the adjacent residential district is demolished or is not used for parking prior to construction of the aboveground parking structure in Subdistrict 4A, the aboveground parking structure in Subdistrict 4A must be located more than 100 feet from the boundary line of the adjacent residential district.

(3) In Subdistrict 2D, parking structures must have a facade similar in appearance to the main structure's facade. At least 12 percent of the parking structure facade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total facade.

(4) In Subdistricts 1E and 1H parking structures must be located behind a primary use except as otherwise provided in this paragraph.

(A) Blocks 4 and 6.

(i) 40 percent of the ground story facade may be allowed as a parking structure provided that the parking structure is setback a minimum of 20 feet from West Main Street to allow for open space or outdoor dining areas between the street and parking structure and the parking facade is

similar in appearance to the main structure facade.

(ii) Additional stories above the ground story of a parking structure are not required to be located behind a primary use provided that the parking facade is similar in appearance to the main structure facade.

(B) Screening for all parking structures. All parking structures must be constructed to screen vehicle headlights from adjacent properties. Screening may include louvers, landscaped green walls, architectural grill work, or other materials that provide ventilation. This provision does not apply to parking structure facades facing railroad right-of-way.

(m) Loading.

(1) In Subdistricts 1D, 4A, and 4B, a nonresidential use with a floor area greater than 10,000 square feet, but less than 20,000 square feet, per occupancy must have one small size loading space as defined in Section 51A-4.303.

(2) In Subdistricts 4A and 4B, a required loading space may be located within the public right-of-way.

(3) Structures in Subdistrict 1D built prior to 1985 may provide loading within interior floor area.

(4) In Subdistricts 1E and 1H, residential loading must be located outside the public right-of-way. For the purposes of this paragraph, Blocks 4 and 6 as shown on the conceptual plan are exempt.

(n) Parking lanes and private drives In Subdistricts 1D and 4B, parking lanes and private drives may be accessed from an alley.

(o) Subdistrict 2D.

(1) Single building site. For purposes of off-street parking, this subdistrict is considered one building site.

(2) Special parking. A maximum of 50 percent of off-street parking may be special parking.

(p) Subdistrict 1E.

(1) Co-working and creative office uses must provide parking at a ratio of 1 space per 333 square feet of floor area before the application of any reductions.

(2) Food hall uses must provide parking at a ratio of 1 space per 125 square feet of floor area. Outdoor dining areas are included for the purposes of parking.

(3) Makerspace uses must provide parking at a ratio of 1 space per 1,000 square feet of floor area before the application of any reductions.

(4) Off-street parking requirements for projects in compliance with Section 51P-714.108.2(c)(1) are reduced by 25 percent for non-residential uses, including non-residential accessory uses to a residential use that are open to the public for service or membership.

(q) Subdistrict 1H.

(1) For a special park project use, a minimum of 40 spaces are required.

(2) For all main uses, parking and loading must be provided as required by this section. (Ord. Nos. 25898; 26876; 27820; 28505; 29654; 30610; 30705; 32104; 32411; 33019; 33133)

SEC. 51P-714.114. LANDSCAPING.

(a) In general.

(1) Except as modified in this section, the regulations in Article X, "Landscape and Tree Preservation Regulations," apply to this district. In the event of a conflict between this section and Article X, this section controls.

(2) Landscaping of streets as shown in Exhibit 714F is required. This paragraph does not apply to a special park project use in Subdistrict 1H.

(b) Street trees.

(1) One street tree must be provided per 30 feet of street frontage, with a minimum of two street trees per building site. Along Fort Worth Avenue in Subdistricts 1C and 2D, small tree types, as listed in Section 51P-714.114 (c)(5) may be provided in lieu of street trees. The director may waive the requirement for a street tree in Subdistrict 2D in locations that conflict with an underground or overhead utility.

(2) It is recommended that, to the extent possible, street trees be spaced 30 feet apart, but, where necessary, street trees may be spaced a minimum of 20 feet apart. This paragraph does not apply to a special park project use in Subdistrict 1H.

(3) Street trees must have a minimum caliper of three inches and must have a minimum height of eight feet when planted.

(4) In Subdistricts 1A and 1B, street trees must be placed in a 16-foot square tree grate. In Subdistrict 1C, street trees must be planted in either a minimum 16-foot square tree grate or a minimum 4x6 foot planting area. In Subdistricts 1C and 1E, street trees must be planted within six feet of the back of curb. In Subdistrict 1E, street trees must be placed within a minimum five-foot tree planting zone.

(4.1) In Subdistrict 1H, for a special park project use, street trees must comply with this paragraph.

(A) Along Beckley Avenue, street trees are not required.

(B) Except as provided in this paragraph, along Main Street, Commerce Street, Wales Street, and any other proposed right of way, street trees must be provided along every 30 feet of street frontage. If the building official determines that a conflict exists because of fire access, passenger and service loading and unloading zones, or utilities and electrical infrastructure, the street tree requirement may be reduced.

(5) In Subdistrict 2, street trees must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(6) In Subdistrict 3, street trees must be placed in a 16-foot square tree grate.

(7) Except as provided in this subsection, in Subdistrict 4, street trees must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(8) In Subdistricts 4A and 4B, street trees must be placed in a minimum 15 square foot

tree grate if placed within a sidewalk or other non-permeable area. In Subdistricts 4A and 4B, street trees not planted within a sidewalk or other non-permeable area must be placed in a minimum 15 square foot planting strip. In Subdistricts 4A and 4B, street trees may be placed anywhere within the public right-of-way.

(9) In Subdistricts 4A and 4B, credit will be given for the preservation of existing street trees in accordance with Section 51A-10.125(b)(3)(B).

(10) In Subdistricts 1E, 1H, 4A, and 4B, site trees and street trees planted in the right-of-way count as replacement trees required for the mitigation of protected trees.

(11) In Subdistrict 5, street trees along Fort Worth Avenue must be placed in a 16-foot square tree grate, and street trees along all other streets must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(12) Street trees at the following frontages must be placed in a 16-foot[-]square tree grate:

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street and Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block 4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(13) Trees must be evenly spaced over the length of a planting strip. This paragraph does not apply to a special park project use in Subdistrict 1H.

(14) Except for Subdistricts 1C and 1H, see Exhibit 714F for the required location of tree grates or planting strips.

(15) Except as provided in this paragraph, street trees may not be counted as site trees. In Subdistricts 1E and 4A, street trees may be counted as site trees. In Subdistrict 4B, street trees other than those directly adjacent to Fort Worth Avenue may be counted as site trees.

(16) Except as provided in this section, street trees must be provided from the following list of Texas native or adapted species:

Scientific name	**Common name**	**Tree type**
Acer barbatum var. "Caddo"	**Caddo maple**	**Large canopy**
Acer buergerianum	**Trident maple**	**Large canopy**
Acer grandidentatum	**Bigtooth maple**	**Large canopy**
Acer truncatum	**Shantung maple**	**Medium canopy *[Subdistrict 1C only]***
Diospyros virginiana (male only)	**Common persimmon**	**Large canopy**
Fraxinus americana	**White ash**	**Large canopy**
Fraxinus pennsylvanica	**Urbanite ash**	**Large canopy *[Subdistrict 1C only]***

Gymnocladus dioicus	**Kentucky coffee tree**	**Large canopy**
Liquidambar styraciflua	**Sweetgum**	**Large canopy**
Pistachia chinensis	**Chinese pistachio**	**Large canopy**
Platanus occidentalis	**American Sycamore**	**Large canopy *[Special Park Project use in Subdistrict 1H only]***
Prosopis glandulosa	**Maverick mesquite**	**Large canopy *[Subdistrict4A and 4B only]***
Quercus buckleyi	**Texas red oak**	**Large canopy**
Quercus durandii	**Durand oak**	**Large canopy**
Quercus fusiformis	**Escarpment live oak**	**Large canopy**
Quercus lyrate	**Overcup oak**	**Large canopy *[Special Park Project use in Subdistrict 1H only]***
Quercus muhlenbergii	**Chinkapin oak**	**Large canopy**
Quercus polymorpha	**Netleaf white oak**	**Large canopy *[Special Park Project use in Subdistrict 1H only]***
Quercus shumardii	**Shumard oak**	**Large canopy**
Quercus virginiana	**Live oak**	**Large canopy**
Quercus virginiana "SLDN"	**Cathedral live oak**	**Large canopy [Subdistrict1C only]**
Quercus virginiana "QVTIA"	**High-rise live oak**	**Large canopy *[Subdistricts 1C, 4A and 4B only]***
Ulmus crassifolia	**Cedar elm**	**Large canopy**
Ulmus parvifolia	**Bosque elm**	**Large canopy *[Subdistricts 4A and 4B only]***
Ulmus parviflora	**Lacebark elm**	**Large canopy**

(17) Street trees required to be planted along West Commerce Street or Fort Worth Avenue must be provided from the following list of Texas native or adapted species:

Scientific name	**Common name**	**Tree type**
Acer barbatum var. "Caddo"	**Caddo maple**	**Large canopy**
Acer buergerianum	**Trident maple**	**Large canopy**
Acer grandidentatum	**Bigtooth maple**	**Large canopy**
Acer truncatum	**Shantung maple**	**Medium canopy *Subdistrict 1C only]***
Fraxinus pennsylvanica	**Urbanite ash**	**Large canopy *[Subdistrict1C only]***
Liquidambar styraciflua	**Sweetgum**	**Large canopy**
Pistachia chinensis	**Chinese pistachio**	**Large canopy**
Platanus occidentalis	**American Sycamore**	**Large canopy *[Special park project use Subdistrict 1H only]***
Prosopis glandulosa	**Maverick mesquite**	**Large canopy *[Subdistrict4A and 4B only]***
Quercus buckleyi	**Texas red oak**	**Large canopy**
Quercus durandii	**Durand oak**	**Large canopy**
Quercus fusiformis	**Escarpment live oak**	**Large canopy**
Quercus lyrate	**Overcup oak**	**Large canopy *[Special park project use Subdistrict 1H only]***
Quercus muhlenbergii	**Chinkapin oak**	**Large canopy**
Quercus polymorpha	**Netleaf white oak**	**Large canopy *[Special park project use Subdistrict 1H only]***

Quercus shumardii	**Shumard oak**	**Large canopy**
Quercus virginiana	**Live oak**	**Large canopy**
Quercus virginiana "SLDN"	**Cathedral live oak**	**Large canopy *[Subdistrict 1C only]***
Quercus virginiana "QVTIA	**High-rise live oak**	**Large canopy *[Subdistricts 1C, 4A and 4B only]***
Ulmus crassifolia	**Cedar elm**	**Large canopy**
Ulmus parvifolia	**Bosque elm**	**Large canopy *[Subdistricts 4A and 4B only]***
Ulmus parviflora	**Lacebark elm**	**Large canopy**

(18) In Subdistrict 1D, this subsection does not apply to the Sulphur Street frontage of a structure built prior to 1985.

(c) Site trees.

(1) One site tree must be provided per 3,000 square feet of lot area or fraction thereof, with a minimum of four trees provided.

(2) Site trees must have a minimum caliper of two inches.

(3) Site trees may not be counted as street trees.

(4) In Subdistricts 4A and 4B, site trees planted in the right-of-way count as replacement trees required for the mitigation or protected trees.

(5) Except as provided in this paragraph, site trees must be provided from the following list of Texas native or adapted species. In Subdistrict 1C, other species of trees may be used as street trees with approval from the building official.

Scientific name	**Common name**	**Tree type**
Acer barbatum var. "Caddo"	**Caddo maple**	**Large canopy**
Acer buergerianum	**Trident maple**	**Large canopy**
Acer grandidentatum	**Bigtooth maple**	**Large canopy**
Acer truncatum	**Shantung maple**	**Medium canopy**
		[Subdistrict 1C only]
Aesculus glaba v. arguta	**Texas buckeye**	**Small**
Aesculus pavia	**Red buckeye**	**Small**
Carya illinoinensis	**Pecan**	**Large canopy**
Carya texana	**Black hickory**	**Large canopy**
Cercis canadensis	**Redbud**	**Small**
Chilopsis linearis	**Desert willow**	**Small**
Diospyros texana	**Texas persimmon**	**Small**
Diospyros virginiana (male only)	**Common persimmon**	**Large canopy**
Fraxinus americana	**White ash**	**Large canopy**
Fraxinus pennsylvanica	**Urbanite ash**	**Large canopy *[Subdistrict 1C only]***
Gymnocladus dioicus	**Kentucky coffee tree**	**Large canopy**
Ilex decidua	**Deciduous holly or Possumhaw**	**Small**
Ilex vomitoria	**Yaupon holly**	**Small**
Juglans microcarpa	**Texas black walnut**	**Large canopy**
Juniperus ashei	**Ashe juniper**	**Small**

Juniperus virginiana	**Eastern red cedar**	**Large noncanopy**
Lagerstroemia indica	**Crepe myrtle**	**Small**
Liquidambar styraciflua	**Sweetgum**	**Large canopy**
Magnolia grandiflora	**Southern magnolia**	**Large noncanopy**
Pistachia chinensis	**Chinese pistachio**	**Large canopy**
Prosopis glandulosa	**Mesquite**	**Small**
Prosopis glandulosa	**Maverick mesquite**	**Large canopy *[Subdistrict 4A and 4B only]***
Prunus mexicana	**Mexican plum**	**Small**
Quercus buckleyi	**Texas red oak**	**Large canopy**
Quercus durandii	**Durand oak**	**Large canopy**
Quercus fusiformis	**Escarpment live oak**	**Large canopy**
Quercus macrocarpa	**Bur oak**	**Large canopy**
Quercus muhlenbergii	**Chinkapin oak**	**Large canopy**
Quercus shumardii	**Shumard oak**	**Large canopy**
Quercus virginiana	**Live oak**	**Large canopy**
Quercus virginiana "SLDN"	**Cathedral live oak**	**Large canopy [Subdistrict 1C only]**
Quercus virginiana "QVTIA"	**High-rise live oak**	**Large canopy *[Subdistricts 1C,4A and 4B only]***
Rhamnus caroliniana	**Carolina buckthorn**	**Small**
Rhus lanceolata	**Flameleaf sumac**	**Small**
Rhus virens	**Evergreen sumac**	**Small**
Sophora affinis	**Eve's necklace**	**Small**
Taxodium ascandens	**Pond cypress**	**Large noncanopy**
Taxodium distichum	**Bald cypress**	**Large noncanopy**
Ulmus crassifolia	**Cedar elm**	**Large canopy**
Ulmus parvifolia	**Bosque elm**	**Large canopy *[Subdistricts 4A and 4B only]***
Ulmus parviflora	**Lacebark elm**	**Large canopy**
Viburnum rufidulum	**Rusty blackhaw viburnum**	**Small**

(6) For a special park project use in Subdistrict 1H, the director may approve the following alternative tree species not listed in Article X:

Scientific name	Common name	Tree type
Celtis x "Magnifica	Magnifica Hackberry	Large canopy
Juniperus virginiana "Taylor"	Taylor Juniper	Large canopy
Parkinsonia x "Desert Museum"	Texas Palo Verde	Large canopy
Prunus serotina var. serotina	Eastern Black Cherry	Large canopy
Quercus canbyi	Sierra Red Oak	Large canopy
Quercus lyrate	Overcup Oak	Large canopy
Quercus michauxii	Swamp Chestnut Oak	Large canopy
Quercus nuttallii	Nuttall Oak	Large canopy
Sabal texana	Texas Palmetto	Large canopy
Salix babylonica	Weeping Willow	Large canopy
Taxodium mucronatum	Montezuma Bald Cypress	Large canopy
Acer palmatum	Japanese Maple	Medium
Bauhinia lunarioides	Anacacho Orchid Tree	Medium
Cotinus x "Grace"	Grace Smoke Tree	Medium
Diospyros virginiana	Common Persimmon	Small
Prunus serotina	Black Cherry	Large canopy
Quercus buckleyi	Buckley Oak	Large canopy"

(7) Section 51A-10.101(h) does not apply to a special park project use in Subdistrict 1H.

(d) Parking lot trees.

(1) Except as provided in this subsection, each required parking space must be within 75 feet of the trunk of a large canopy site tree.

(2) In Subdistricts 1E, 1H, 4A, and 4B, each required parking space not within a parking structure must be within 75 feet of either a site tree or street tree.

(3) Parking lot trees must have a minimum caliper of three inches.

(4) Parking lot trees may not be planted closer than two feet from a paved surface.

(5) Parking lot trees may be counted as site trees, but may not be counted as street trees. This paragraph does not apply to a special park project use in Subdistrict 1H.

(e) Prohibited trees. The following trees may not be planted within this district:

Scientific name	Common name
Pyrus calleryana	Bradford pear
Populus deltoides	Cottonwood
Albizia julbrissen	Mimosa

(f) Open space fund.

(1) If a property owner cannot plant all of the required trees on the building site, the property owner shall make a payment into the West Commerce Street/Fort Worth Avenue Open Space Fund for no more than 50 percent of the required trees.

(2) The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a tree equal in caliper to the tree not planted, as derived from the most recent edition of the *Guide for Establishing Values of Trees and Other Plants* published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining the tree for two years as determined by the park and recreation department.

(3) The department shall administer a city account to be known as the West Commerce Street/Fort Worth Avenue Open Space Fund. Funds from the West Commerce Street/Fort Worth Avenue Open Space Fund must be used only for acquiring and maintaining property for parks and open space within this district and for median landscape improvement on West Commerce Street or Fort Worth Avenue. The Fort Worth Avenue Development Group, its successor or a similar organization, should be consulted on uses of the fund

(g) Landscaping in the public right-of-way.

(1) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.

(2) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this district for the exclusive purpose of authorizing compliance with the landscaping requirements of this district. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a right-of-way landscape permit. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license

by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(3) A property owner or tenant is not required to comply with any right-of-way landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of a right-of-way landscape permit or the revocation of the private license granted under this subsection.

(4) Upon the installation of landscaping in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, and $2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(5) Each owner or tenant is responsible for maintaining the right-of-way landscaping in a healthy, growing condition, and for keeping the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to

maintain right-of-way landscaping or make repairs. The granting of a license for landscaping under this subsection does not release the owner or tenant from liability for the installation or maintenance of landscaping in the public right-of- way.

(h) Plant requirements. Plants used to satisfy landscape requirements must comply with the following requirements:

(1) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.

(2) Solid sod or hydro-mulch grass may be used.

(3) Artificial plant materials may not be used.

(4) Any required landscaping that dies must be replaced.

(5) Except as provided in this subsection, trees and shrubs must be planted at least 10 feet from the centerline of any water or sewer main. Landscaping over water or sewer mains must be limited to ground cover. This paragraph does not apply to a special park project use in Subdistrict 1H.

(6) In Subdistricts 4A and 4B, trees and shrubs must be planted at least five feet from the centerline of any water or sewer main.

(7) Trees must be trimmed to provide adequate clearance for pedestrians and vehicles so as not to create a safety hazard.

(8) Trees may not be located within 15 feet of light poles, signal lights, warning signs, or traffic control devices. This provision does not apply to existing trees in Subdistricts 4A and 4B. This paragraph does not apply to a special park project use in Subdistrict 1H.

(9) Trees may not be planted within 90 feet of a school crossing or a railroad crossing. This provision does not apply to existing trees in Subdistricts 4A and 4B.

(10) An adequate irrigation and drainage system must be provided for all landscaping. Drought tolerant plants must be used when an irrigation system is not provided. See Section 51A-10.106, "Irrigation Requirements."

(11) Plants other than trees within parkways must be maintained so that they do not overhang the curb.

(i) Plantings within medians.

(1) Trees within medians may not be planted adjacent to left turn lanes.

(2) Trees within medians must be located so as to provide adequate sight distance.

(3) Trees within medians may not be planted within 30 feet of the tip of the median.

(4) Trees within medians may not be planted within three feet of the back of the curb.

(5) Trees within medians must be placed in a six-foot-wide planting strip.

(6) Plants other than trees within medians must be maintained so that they do not overhang the curb.

(7) Trees within medians must have a minimum clearance of 15 feet.

(8) Drought tolerant plants must be used in medians.

(j) Landscape plan.

(1) This section becomes applicable to a building site when an application is made for a building permit for construction work that within a 24-month period:

(A) increases the number of stories in a building on the site;

(B) increases the combined floor area of all buildings on the site; or

(C) increases the nonpermeable coverage on the site by 1,000 square feet or more.

(D) This paragraph does not apply to a special park project use in Subdistrict 1H.

(2) Landscape plans must be reviewed by water utilities and the department of public works and transportation.

(3) A landscape plan must include a schedule for maintenance of required landscaping.

(4) A landscape plan must earn at least 75 points (out of a total of 125 possible points). The points awarded for providing each feature is provided in parentheses. Existing landscaping qualifies for points. If the landscape plan earns at least 75 points, the design standards of Section 51A-10.126, "Design Standards," are not required.

(A) Lighting. (Total possible points = 30) Ten points each are awarded for providing tree lighting, building facade lighting, or landscape area lighting. Tree lighting must provide lighting in each tree in the front yard. Building facade lighting must illuminate the entire front facade. Landscape area lighting must illuminate a landscape feature such as a planting bed, fountain, sculpture, or water feature. The lighting must be at least 1.5 foot-candles in intensity.

(B) Foundation planting strip. (Total possible points = 30) Thirty points are awarded for a three-foot-wide foundation planting strip extending along at least 50 percent of the foundation facing the street. The foundation planting strip must have evergreen shrubs planted every three feet on center.

(C) Seasonal color landscaping. (Total possible points = 15) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for each 10 square feet of landscape area. The plants in the landscape area must be changed at least twice per year with appropriate seasonal color plants. The landscape area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(D) Native or adapted xeriscape landscaping. (Total possible points = 30) Points may be obtained for using native plants or xeriscape plants for at least 80 percent of the landscape requirement. Native plants or adapted xeriscape plants listed in Exhibit 714C must be used.

(E) Creation of open space. (Total possible points = 20) Five points are awarded for every 200 square feet of open space if the open space is a minimum of 500 feet from the

building site but within this district. For purposes of this subparagraph, "open space" means a contiguous space containing primarily grass or vegetation and pedestrian amenities such as fountains, benches, paths, or shade structures. In Subdistricts 1E, 1H, 4A, and 4B, dog parks, community gardens, and publicly-accessed plazas are also open space. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued.

(k) Street buffer zone in Subdistrict 3D. The street sections and landscaping as shown in Exhibit 714F are not required in Subdistrict 3D, if the following provisions are met.

(1) Except as provided in this paragraph, one large or medium street buffer tree must be provided for every 30 linear feet of frontage. When existing conditions prohibit planting large or medium trees, the building official may approve two small trees to be substituted for each large or medium tree.

(2) Street buffer trees must be planted within 30 feet of the curb.

(3) Landscaping buffers and planting areas must be provided as required by Article X.

(l) Surface parking lots in Subdistrict 3D. Permeable pavers must be used in parking spaces with bioswales between rows where two rows of parking abut. (Ord. Nos. 25898; 26876; 27820; 28505; 30610; 30705; 32104; 32411; 33133)

SEC. 51P-714.115. STREET AND SIDEWALK STANDARDS.

(a) In general.

(1) The street and sidewalk standards of this section apply only to new construction or a major modification.

(2) Except as provided in this section, streets as shown in Exhibit 714F are required. This provision does not apply in Subdistricts 1C, 1H, 2D, and 3D.

(3) Except as provided in this section, sidewalks along streets as shown in Exhibit 714F are required. This paragraph does not apply in Subdistrict 1H.

(4) In Subdistrict 3D, sidewalks are required to be continuous and level across all driveways and curb cuts and designed to be at the same grade as the existing sidewalk, subject to approval of the director.

(5) In Subdistrict 3D, at each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete or patterned or stamped brick pavers for pedestrian crossing.

(b) Street standards.

(1) Except as provided in this section, streets must be constructed as shown in Exhibit 714F. If future right-of-way dedications are made in Subdistricts 1D and 4A, the pavement width for new streets must be in accordance with Exhibit 714F. Parallel parking must be provided as shown in Exhibit 714F. This provision does not apply in Subdistricts 1C, 1H, and 2D. This provision does not apply in Subdistrict 3D, provided the provisions in Paragraph (5) are met.

(2) Vehicular access to and from Subdistrict 4B is restricted to Colorado Boulevard and Walter Drive.

(3) The following frontages are exempt from parallel parking requirements:

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street
and Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block
4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(F) Street frontages in Subdistricts 4A and 4B.

(G) The Powell Street frontage in Subdistrict 1D so long as it remains a 30- foot right-of-way.

(H) The Sulphur Street frontage in Subdistrict 1D so long as it remains a 40- foot right-of-way.

(I) The Haslett Street frontage in Subdistrict 1D so long as it remains a 40-
foot right-of-way.

(4) In Subdistrict 4B, a slip street is prohibited in the area between Fort Worth Avenue and buildings fronting Fort Worth Avenue.

(5) The regulations in Paragraph (1) do not apply to Subdistrict 3D if the street buffer trees are planted within 20 feet of the curb.

(c) Sidewalk standards.

(1) Except as provided in this subsection, in Subdistricts 1A, 1B, and 1D, there must be a 15-foot-wide sidewalk along West Commerce Street and Fort Worth Avenue, and an 11-foot, six-inch- wide sidewalk along any other street. In Subdistrict 1C, there must be a minimum 15-foot-wide pedestrian zone along Fort Worth Avenue, and a minimum 11-foot, six-inch-wide pedestrian zone along Sylvan Avenue. In Subdistrict 1E, there must be a 15-foot-wide pedestrian zone along West Commerce Street and Fort Worth Avenue, and an 11-foot, six-inch-wide pedestrian zone along any other street which may be reduced to an 11-foot wide pedestrian zone when the pavement width for the adjacent street must be provided in excess of the requirements of this district for the purpose of fire protection. This paragraph does not apply to a special park project use in Subdistrict 1H.

(2) In Subdistrict 2, there must be a six-foot sidewalk.

(3) In Subdistrict 2D, there must be a five-foot sidewalk.

(4) Except as provided in this paragraph, in Subdistrict 3, there must be a 12-foot sidewalk along Fort Worth Avenue, and an 11-foot, six-inch sidewalk along any other street. In Subdistrict 3D, a six-foot-wide sidewalk is required along Hampton Road.

(5) Except as provided in this subsection, in Subdistrict 4, there must be a six-

foot
sidewalk.

(6) In Subdistricts 4A and 4B, the minimum width of sidewalks along Fort Worth Avenue is 10 feet. At least five feet of the sidewalks along Fort Worth Avenue must be made of concrete; the remainder may be an aggregate or permeable surface. All other sidewalks along a right-of-way must be at least six-feet-wide with at least three feet of the sidewalk unobstructed and clear. ADA-approved tree grates are not a sidewalk obstruction. If a sidewalk is located in the front yard, the property owner must
dedicate a sidewalk easement or access agreement to the city to assure its availability to the public as a permanent pedestrian way.

(7) In Subdistrict 5, there must be a 10-foot sidewalk.

(8) Except as provided in this paragraph, see Exhibit 714F for the required widths of sidewalks. See Paragraph (1) for the required width of sidewalks in Subdistricts 1C and 1D.

(9) The street curb may not be counted as part of the sidewalk width.

(10) The following frontages must provide the sidewalks shown on page 6 of Exhibit
714F.

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street
and Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block
4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(11) Sidewalk widths must taper or expand to match the width of existing sidewalks in front of adjacent properties at the point of convergence.

(12) Sidewalks must be located along the entire length of the street frontage.

(13) Each owner or tenant is responsible for maintaining sidewalks, and for keeping sidewalks safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to maintain sidewalks or make repairs.

(14) Except as provided in this paragraph, in Subdistrict 1D, if the right-of-way width is 40 feet or less, a minimum nine-foot, six-inch wide sidewalk (as measured from back of curb perpendicular to property edge, exclusive of tree wells) is required adjacent to Sulphur Street and Haslett Street and a minimum seven-foot, six-inch wide sidewalk (as measured from back of curb perpendicular to property edge exclusive of tree wells) is required adjacent to Powell Street. Frontage adjacent to structures built prior to 1985 are exempt from this requirement.

(15) In Subdistrict 1E, the following additional improvements are required:

(A) A minimum eight-foot wide bicycle and pedestrian path must be provided to connect West Main Street and Sylvan Avenue within Phase 2.

(B) Pedestrian-scale lighting must be provided at regular intervals with a spacing of no greater than 100 feet along all street facing facades, except for visibility triangles and vehicular drives, in order to provide lighting on sidewalks, walkways, and plazas.

(16) For a special park project use in Subdistrict 1H, the following minimum sidewalk widths are required:

(A) Except as provided in this paragraph, along Beckley Avenue, Main Street, and any other proposed right of way, minimum average sidewalk width is five feet.

(B) Along Commerce Street and Wales Street, minimum average sidewalk width is seven feet. (Ord. Nos. 25898; 26876; 27820; 28505; 30491; 30610; 30705; 32104; 32411; 33133)

SEC. 51P-714.116. SCREENING REGULATIONS.

(a) In general. Except as modified in this section, the provisions of Section 51A-4.301(f), "Screening Provisions for Off-Street Parking," apply.

(b) Parking lots.

(1) Except as provided in this subsection, surface parking lots must be screened with a low screen. The screening requirement for surface parking lots applies only to new construction.

(2) In Subdistrict 2D, parking lot screening may be located in the parkway.

(3) If a structure is built in Permissible Building Area E in Subdistrict 1C before structures are built in Permissible Building Areas A, B, C, and D and surface parking exists between Permissible Building Area E and the public right-of-way, then the surface parking must be screened from the public right-of-way with a low screen until structures are built in Permissible Building Areas A, B, C, and D. In Subdistrict 1C, screening of surface parking is not required for any surface parking between Permissible Building Areas C and D.

(c) Loading spaces. Except as provided in this subsection, off-street loading spaces must be screened with a fully sight-obscuring fence or a high screen. In Subdistricts 4A and 4B, only off-street loading spaces visible from Fort Worth Avenue must be screened.

(d) Dumpsters and garbage storage areas.

(1) All dumpsters and garbage storage areas must be screened on all four sides with a solid fence. One side may be a gate.

(2) Screening materials must match the main building. This provision does not apply to Subdistrict 1C and the existing dumpster located adjacent to Chappell Street located in Subdistrict 2D.

(3) Screening must be at least as tall as the objects being screened, but in no case less than six feet in height.

(4) Each panel of the gate must have a pin that can be inserted in a sleeved hole

in the ground to allow the gate to be held open during garbage collection.

(e) Outside storage areas.

(1) Except as provided in this subsection, all outside storage areas for commercial and business services uses and industrial uses must be entirely screened on any side visible from a street with a fully sight-obscuring fence or a high screen.

(2) In Subdistrict 1C, outside storage used for temporary outside display and sales does not need to be screened.

(3) In Subdistrict 1C, accessory outside storage provided in conjunction with a special temporary retail use must be screened with a minimum four-foot solid screen. Metal panels or slats are prohibited screening materials. Accessory outside storage may not exceed five percent of the land area associated with each special temporary retail use.

(f) Nonresidential buildings. The rear or service side of a nonresidential building must be screened with a partially sight-obscuring fence if the nonresidential building is exposed to a residential use.

(g) Maintenance.

(1) Each owner or tenant is responsible for maintaining screening at no expense to the city, and the city is absolutely exempt from any requirements to maintain screening or make repairs.

(2) Screening must be properly maintained so that:

(A) the screening is not out of vertical alignment more than one foot from the vertical, measured at the top of the screening; and

(B) any rotted, fire damaged, or broken slats or support posts; any broken or bent metal posts; any torn, cut, bent, or ripped metal screening; any loose or missing bricks, stones, rocks, mortar, or similar materials; and any dead or damaged landscaping materials are repaired or replaced. (Ord. Nos. 25898; 27820; 28505; 30705)

SEC. 51P-714.117. SIGNS.

(a) See Division 51A-7.2000, "Provisions for the West Commerce Street/Fort Worth Avenue Sign District," of Article VII."

(b) No signs are permitted on street car/trolley shelters except government signs, street car or trolley system logos, schedules, and route information. (Ord. Nos. 25898; 27820; 28505)

SEC. 51P-714.118. ARCHITECTURAL DESIGN STANDARDS.

(a) Purpose.

(1) The district is hereby designated as an area of historical, cultural, and architectural importance and significance. The architectural design standards of this section are intended to preserve the historical, cultural, and architectural importance and significance of the West Commerce Street/Fort Worth Avenue corridor. The corridor has historic and cultural importance as an early major east-west thoroughfare in the Dallas metroplex. The development patterns and architecture along the corridor reflect pioneer settlements; the Great Depression; mid-20th century Americana; and post-

World War II automobile, nightclub, and restaurant culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance.

(2) The purpose of these architectural design standards is to:

(A) ensure that new development enhances the character of the corridor and complement adjacent neighborhoods;

(B) ensure that increased density in established neighborhoods makes a positive contribution to the area's character;

(C) ensure the integrity of historic buildings and the compatibility of new development; and

(D) enhance the character and environment for pedestrians.

(b) Applicability. The architectural design standards of this section apply to:

(1) New construction and major modifications of buildings containing a nonresidential use.

(2) Buildings containing only residential uses.

(3) In Subdistrict 2D, facades constructed before February 1, 2005 do not count towards the facade calculations for purposes of determining compliance with this section.

(4) In Subdistrict 3C, buildings constructed before February 1, 2005 are not required to comply with this section.

(5) This section does not apply for a special park project use in Subdistrict 1H.

(c) Plan review. The director shall review any plan submitted to determine whether it complies with the requirements of this section.

(d) Building orientation.

(1) Except as provided in 51A-714.118(e)(3), the primary facade and primary entrance of new construction must be oriented to face the public right-of-way. In Subdistrict 4B, the primary facade and primary entrance of new construction must be oriented to face Fort Worth Avenue. In Subdistrict 3D, except as provided in this paragraph, the primary facade and primary entrance for new construction must be oriented to face Hampton Road. In Subdistrict 3D, any building within 100 feet of Fort Worth Avenue may be oriented to face Fort Worth Avenue. In Subdistrict 1E, in a building of less than 10 units, when the primary facade of an individual unit is immediately adjacent to right of way, its primary facade and primary entrance must be oriented towards the right of way. All other units within the building may be oriented to front on an open space.

(2) Except as provided in 51P-714.111(c)(1)(D), garage doors serving eight or fewer dwelling units may not face West Commerce Street or Fort Worth Avenue. In Subdistrict 1C, this provision applies only to individual vehicular garages for residential dwelling units.

(e) Entrances.

(1) In general. All street-facing entrances must be architecturally prominent and clearly visible from the street. This provision applies only to new construction. In Subdistrict 1C, except as provided in 51A-714.118(e)(3), all customer entrances for retail and personal service uses must have the same level of design and articulation whether street-facing or not.

(2) Primary customer entrances for retail and personal service uses in all subdistricts. Except as provided in this subsection, primary customer entrances for retail and personal service uses must face the street. For corner lots, primary customer entrances for retail and personal service uses may be oriented toward the corner. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:

(A) Arcade.

(B) Arch.

(C) Attached tower or turret.

(D) Awning.

(E) Canopy.

(F) Decorative elements such as tile work, molding, raised banding, or projected banding.

(G) Display windows.

(H) Integral planters or wing walls that incorporate landscaped areas or places for sitting.

(I) Overhang.

(J) Peaked roof form.

(K) Patio.

(L) Porch.

(M) Portico.

(N) Projection.

(O) Raised corniced parapet.

(P) Recess.

(3) Additional regulations for customer entrances for retail and personal service uses in Subdistrict 1C. Street-facing customer entrances must be provided as follows:

(A) In Permissible Building Area A, one entrance must be oriented to Sylvan Avenue unless the facade oriented to Sylvan Avenue is 60 percent or more glazing. For purposes of calculating glazing percentage, glazing must be located a minimum of three feet above grade and a maximum of 10 feet above grade.

(B) In Permissible Building Area B, one entrance must be oriented to

Sylvan Avenue.

(C) In Permissible Building Area C, two entrances must be oriented to a public street.

(D) In Permissible Building Area D, one entrance must be oriented to Ft. Worth Avneue.

(E) Four of the five entrances required in this paragraph must comply with Paragraph (2). All other entrances are not required to comply with Paragraph (2).

(4) Structures built prior to 1985 in Subdistrict 1D. The primary entrance may be located on the side of a building no more than 20 feet from the street facing facade, and must have one architectural element.

(f) Facades.

(1) Street-facing facades on a single development tract must have similar architectural design. This provision does not apply to buildings built before February 1, 2005 in Subdistrict 2D. For Subdistrict 1E, only street-facing facades on a lot must have similar architectural design.

(2) Except as provided in this paragraph, street-facing facades exceeding 30 feet in length must have two of the following elements. Street-facing facades exceeding 100 feet in length must have four of the following elements. Street facing facades on single family uses in Subdistrict 4B must have at least two of the following elements. Street-facing facades on structures built prior to 1985 in Subdistrict 1D may contain metal or glass overhead roll up doors and are exempt from the requirements in the following list.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and a depth of at least eight inches and may include columns, planters, arches, and niches.

(B) Architectural details such as raised bands and cornices.

(C) Architecturally prominent public entrance.

(D) Attached tower or turret.

(E) Awnings.

(F) Change in color.

(G) Change in material.

(H) Change in texture.

(3) Except for structures built prior to 1985 in Subdistrict 1D, the ground floor of the primary facade of nonresidential uses or mixed-use projects with retail uses on the ground floor must have at least two of the following elements for at least 60 percent of the width of the facade. In Subdistrict 1E, this applies only to facades with non-residential facades or entrances.

(A) Arcades, canopies, or secondary roofs to provide shade.

(B) Display windows.

(C) Awnings associated with windows or doors.

(4) Except in Subdistricts 1C, 1D, 1E, 2D, and 4B street-facing facades of all buildings other than accessory buildings must be visually divided into a base, a middle, and a top. The base must be at least two feet above grade and distinguished from the middle by a change of materials, horizontal banding, change of color, or change of plane. The top must be distinguished from the middle by cornice treatments, roof overhangs with brackets, stepped parapets, corbeling, textured materials, or differently colored materials. Color bands are not acceptable as the only treatment for the top.

(5) Accessory structures must have the same architectural detail, design elements, materials, and roof design as the primary structure.

(6) Except as provided in this paragraph, any parking structure for a residential use must be constructed of comparable materials and be of the same architectural treatment as the dwelling units. In Subdistrict 4A, this provision only applies to a facade facing a public street. In Subdistrict 1E, this provision only applies to a facade facing a public street, unless adjacent to rail right-of-way, in which case architectural treatments must be provided over 40 feet in height.

(7) Additions and alterations must have the same architectural detail, design elements, materials, and roof design as the portion of the structure that is not being altered.

(8) That portion of the ground-level floor facing the street of any multi-floor parking facility must have a use other than parking. For Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground-level western facade must be a use other than parking.

(9) Except as provided in this paragraph, at least 20 percent, but no more than 80 percent, of street-facing facades of nonresidential uses must be windows and doors. In Subdistrict 3D, general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet must have a minimum of 30 percent of the street-facing facade be transparent or have a painted work of art. In Subdistrict 1D, the entire square footage of metal overhead rollup doors are counted as door area and the entire square footage of glass overhead rollup doors are counted as window area. In Subdistrict 1C, at least 20 percent, but no more than 80 percent, of non-street level facades of nonresidential uses must be windows and doors, except for residential portions of mixed-use structures. Windows and doors on street-level facades in Subdistrict 1C must be provided as follows:

	Permissible Building Area A	Permissible Building Area B	Permissible Building Area C	Permissible Building Area D
Minimum transparency required**	50% facing Sylvan*	50% facing Sylvan	50% facing Sylvan	60% facing Fort Worth Ave

* See SEC. 51P-714.118(e)(3) for additional requirements.

** For purposes of calculating the minimum transparency required, glazing must be located a minimum of 3 feet and a maximum of 10 feet above grade.

(A) In Subdistrict 1C, metal and stucco are allowed in addition to masonry on up to 50 percent of the total area of street-facing facade per street frontage.

(B) In Subdistrict 2D:

(i) For the Fort Worth Avenue frontage, at least 50 percent, but no more than 80 percent, of the street-facing facade of nonresidential uses must be windows and doors.

(ii) For the Sylvan Avenue frontage, at least 40 percent, but no more than 80 percent, of the first 10 feet measured from the finished floor of the street-facing facade of nonresidential uses must be windows and doors. The first 10 feet measured from grade of the open areas between buildings may be credited towards meeting this requirement.

(10) Except as provided in this paragraph, if a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. Except in Subdistrict 1E, i[~~I~~]f the building is more than two stories, 100 percent of the first-story street-facing facade, excluding fenestration, must be masonry. In Subdistrict 1C, metal and stucco are allowed in addition to masonry on up to 50 percent of the total area of street-facing facade per street frontage. In Subdistrict 4B, 75 percent of the first-story street-facing facade, excluding fenestration, must be masonry.

(11) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.

(12) Within Permissible Building Area E in Subdistrict 1C, vehicular access must be provided from west to east.

(13) Within Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground floor of any parking structure oriented to and visible from the east boundary line of Subdistrict 1C must be screened by plant material.

(14) In Subdistrict 1C, facades oriented to Sylvan Avenue and Ft. Worth Avenue may have overhead garage-type doors if the doors do not open to an automotive use.

(15) In Subdistrict 4B, facades of single family structures that face Walter Drive or Colorado Boulevard must have a minimum 10 percent fenestration.

(16) In Phase 2 for Subdistrict 1E, a minimum of 25 percent of street-level dwelling units adjacent to a street in each building must have individual entries that access the street with an improved path connecting to the sidewalk.

(17) Within Subdistrict 3D, galleries, arcades, or awnings with a minimum length of 25 feet per 100 feet of building facade must be provided along the primary entrance of a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet.

(18) Within Subdistrict 3D, a building must have a minimum of one entrance that is architecturally prominent and facing the street.

(g) Fences and walls.

(1) In general. To prevent visual monotony, at least 20 percent of the length of any fence or wall longer than 200 feet must be alternate materials, alternate textures, gates, offsets, or openings. The alternate materials, alternate textures, gates, offsets, or openings may spread out over the length of the fence or wall.

(2) Subdistrict 4B.

(i) A maximum four-foot-high fence is allowed in a front yard and must have fence panels with surface areas that are a minimum of 50 percent open.

(ii) Fences must be decorative metal (for example, wrought iron).

(iii) Columns must be decorative metal, brick, stone, or masonry.

(iv) A maximum three-foot-high handrail may be located on maximum four- foot-high retaining walls in a front yard.

(h) Materials. Exterior building materials should be high quality and durable.

(1) Glass.

(A) Allowed. Glass is allowed. In Subdistrict 1C, no more than 50 percent of the total area of street-facing facade per street frontage may be metal panels.

(B) Prohibited. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used on stories above the first two stories may not exceed 27 percent. As used in this provision, "reflectance" is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(2) Masonry.

(A) Allowed.

(i) Brick.

(ii) Cement-based siding or panels.

(iii) Finished concrete masonry units such as split-faced concrete masonry units.

(iv) Tilt architectural pre-cast concrete with an applied masonry finish. Painted pre-cast concrete walls are allowed in Subdistrict 1D for structures built prior to 1985.

(B) Prohibited.

(i) Painted brick.

(ii) Simulated brick.

(iii) Unfinished concrete masonry units.

(3) Metal.

(A) Allowed.

(i) General. Except as provided in this paragraph, no more than 20 percent of a street-facing facade may be flat or corrugated metal panels.

(ii) Subdistrict 1C. No more than 50 percent of the total area of street- facing facade per street frontage may be metal panels.

(iii) Subdistrict 1D. Neither passage doors nor overhead doors count towards the calculation of flat or corrugated metal panels.

(iv) Subdistrict 2D.

(aa) Except as provided in this item, a maximum of 50

percent of the total area of the street-facing facades may be metal panels.

(bb) Along Forth Worth Avenue a maximum of 50 percent of the street-facing facade of each building may be metal panels.

(B) Prohibited.

(i) Aluminum siding.

(ii) Reflective metal panels.

(4) Plastic.

(A) Allowed. Fiberglass.

(B) Prohibited. Plastic, including plastic siding and vinyl siding.

(5) Stone.

(A) Allowed.

(i) Cast stone.

(ii) Materials that simulate natural stone.

(iii) Natural stone.

(B) Prohibited. Painted stone.

(6) Stucco.

(A) Allowed. Stucco. In Subdistricts 4A and 4B, miscellaneous foam trim sections are permissible as base material to be covered in stucco.

(B) Prohibited. Simulated stucco. In Subdistricts 4A and 4B, exterior insulated finish systems (EIFS).

(7) Tile. Terra cotta and tile are allowed.

(8) Wood.

(A) Allowed.

(i) Natural wood.

(ii) No more than 20 percent of a street-facing facade may be shake shingles or plywood.

(B) Prohibited. Flakeboard.

(i) Roofs. Roofs must comply with the following:

(1) Sloped roofs must have a pitch of 4:12 or more, and must have overhanging eaves extending no less than 12 inches past the supporting walls. Overhanging eaves are not required in Subdistrict 1E.

(2) Except in Subdistrict 1E, flat roofs and roofs with a pitch of less than 4:12 must have a parapet that meets the following:

(A) Except in Subdistrict 1D, the parapet must be articulated or detailed as an element distinct from other building facade elements.

(B) Single-story buildings must have a parapet at least 18 inches high.

(C) Multi-story buildings must have a parapet at least 24 inches high.

(D) Structures built prior to 1985 in Subdistrict 1D must have a minimum 12- inch-high parapet on at least three sides.

(3) Except as allowed in Subdistricts 1C and 1D, mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way. In Subdistrict 1C, skylights and solar panels may be part of any structure regardless of visibility. In Subdistrict 1D, mechanical equipment must not be visible to a person standing at ground level on the opposite side of the right-of-way adjacent to the primary facade.

(j) Story dimensions.

(1) A minimum 10-foot floor-to-floor dimension is required for the ground floor of single-story and multi-story residential structures. In Subdistrict 1E, the residential portion of the ground floor of a multi-story mixed use building must have a minimum 10-foot floor-to-floor dimension required. Except in Subdistricts 1E, 4A, and 4B, the foundation must be two feet above grade.

(2) A minimum 12-foot floor-to-floor dimension is required for the ground floor of single-story nonresidential structures and single-story mixed-use projects.

(3) Except as provided in this subsection, a minimum 14-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and multi-story mixed-use projects.

(4) In Subdistrict 4A, a minimum 10-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and the nonresidential portions of multi-story mixed use projects.

(5) In Subdistrict 4B, a minimum nine-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and the nonresidential portions of multi-story mixed- use projects.

(6) In Subdistricts 4A and 4B, a minimum eight-foot floor-to-floor dimension is required for any residential portion of a structure.

(7) For structures built prior to 1985 in Subdistrict 1D, a building with two stories or less above grade may have floor-to-floor heights of seven-feet, six-inches for up to 30 percent of the total floor area.

(k) Pedestrian pathway. In Subdistrict 3D, for a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet, at least one pedestrian pathway from the sidewalk along Fort Worth Avenue is required for commercial spaces abutting Fort Worth Avenue. A pedestrian pathway must be clearly marked by colored concrete or patterned or stamped brick pavers, in contrast to any crossing parking areas, maintaining a continuous grade, and directly connecting the exterior sidewalks with the entrance to each retail structure. Any improved paths must include one of

the following:

-- Covered by a trellis, canopy, or awning.

-- A large tree planted every 30 feet. (Ord. Nos. 25898; 27820; 28505; 30491; 30610; 30705; 32104; 32175; 32411; 33133)

SEC. 51P-714.118.1 MIXED INCOME HOUSING.

(a) For Subdistrict 1E, except as provided in this section, compliance with Division 51A-4.1100 is required to obtain the height and stories bonus in Section 51P-714.108.2(d)(5) and (8).

(b) For Subdistrict 1E, compliance with Section 51A-4.1107 is not required. (Ord. 32104)

SEC. 51P-714.119. ADDITIONAL PROVISIONS.

(a) In general. Property within this district must be properly maintained in a state of good repair and neat appearance.

(b) Compliance. Development and use of property within this district must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Visual obstruction regulations. A person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is in a visibility triangle and between two and one- half feet and eight feet in height measured from the top of the adjacent street curb. If there is no adjacent street curb, the measurement is taken from the grade of the portion of the street adjacent to the visibility triangle. The board of adjustment shall grant a special exception to the requirements of this subsection when, in the opinion of the board of adjustment, the item will not constitute a traffic hazard.

(d) Temporary cellular unit.

(1) The building official may issue a certificate of occupancy for a period not to exceed one year. The building official may grant two six-month extensions if an application for or amendment to a specific use permit or planned development district has been filed with the director or a permit is issued for the replacement of the existing tower/antenna for cellular communication.

(2) A temporary cellular unit must be removed upon the expiration of its certificate of occupancy or upon the completion or expiration of a permit to construct a structure to mount a permanent mounted cellular antenna, a monopole cellular tower, or other cellular antenna.

(e) Subdistrict 1E.

(1) An apportionment determination for: (i) the removal of the west bound slip street; (ii) improvements of the approach angle of West Commerce Street; (iii) improvements to accommodate an accessible pedestrian signal system for the crossing of West Commerce Street to the west; and (iv) design and construction of improvements associated with vehicular signalization improvements at the intersection of Fort Worth Avenue at West Commerce Street must be made prior to issuance of a building permit for new construction.

(2) Before the issuance of building permits for new construction, a development agreement or contract must be executed for the installation or payment of costs associated with: (i) the removal of the west bound slip street; (ii) improvements of the approach angle of West Commerce Street; (iii) improvements to accommodate accessible pedestrian signal system for the crossing of West Commerce Street; and (iv) design and construction of improvements associated with vehicular signalization improvements at the intersection of Fort Worth Avenue at West Commerce Street as

determined by apportionment analysis above.

(f) Subdistrict 3D.

(1) For a general merchandise or food store greater than 3,500 square feet with a floor area more than 10,000 square feet, to prevent shopping carts from leaving the subdistrict, all shopping carts that are provided for customers must be equipped with anti-theft wheel lock technology that causes the carts' wheels to automatically brake at the perimeter of the subdistrict.

(2) At least one contiguous open space of at least 3,500 square feet, with a minimum width of 50 feet and a minimum depth of 50 feet, must be located within 125 feet from the property line along Fort Worth Avenue.

(A) The open space must be accessible from the public right-of-way or required pedestrian passage.

(B) The open space must contain primarily grass, landscaping, or pedestrian amenities such as paths, seating, or shade structures.

(3) A drive-through loudspeaker used by a restaurant with drive-in or drive-through service may not be located within 150 feet of the property line along Hampton Road and must be oriented away from a lot containing a residential use located within 1,000 feet of the loudspeaker. For purposes of this paragraph, a drive-through loudspeaker means a loudspeaker used to communicate to persons in a motor vehicle, including loudspeakers used by a restaurant with drive-in or drive-through service. (Ord. Nos. 25898; 29914; 32104; 32411)

SEC. 51P-714.120. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 25898)

1C only]