



City of Dallas

89th Legislature:

HB 24, HB 4506, SB 15, SB 840

City Plan Commission

August 7, 2025

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City of Dallas

Outline



- HB 4506 – Electronic Notification (“E-Notification”)
- HB 24 – Notice Procedures and Protest
- SB 15 – Small Lot Single Family
- SB 840 – Multifamily and Mixed-Use Residential Uses and Developments





HB 4506

Electronic Notification Option



HB 4506: Background



- State law requires cities to notify owners of property within 200 feet of a zoning change by US Mail 10 days prior to a zoning public hearing.
- Address data comes from most recently approved municipal tax roll (DCAD).



HB 4506: E-Delivery Option



- Changes language requiring delivery of zoning notifications by US Mail to add the option for electronic delivery (email or text).
- “A municipality may deliver notice electronically under this chapter only if the recipient elects to receive notice electronically....”
- Calls for participating cities to set up a portal where property owners can subscribe and manage delivery preferences.



Challenges for E-Delivery



- If participating in E-Delivery, the City **MUST** receive an acknowledgement of receipt by every individual E-recipient.
- If we do not receive an acknowledgement of receipt from an E-recipient, we must then send traditional notice to that property owner.



Challenges for E-Delivery



- As notifications must be sent prior to 10 days before the hearing, electronic notification would have to be sent significantly ahead of the 10-day deadline, which would push back the zoning headway, increasing wait times.
- It would also increase the likelihood of mis-notifications, as the City would have to maintain multiple (ever changing) lists of who has received notification electronically and who has received a mailer.



E-Delivery Opportunities



- Replacing portions of our 200-foot mailers with this presents difficulties
- Our department would welcome more delivery options.
- We're exploring online notification portal systems.





HB 24

Notice Procedure Clarifications, Protest Reform



HB 24 Background



- Unclear requirements in existing state law for code reforms in cities statewide.



Big Picture HB 24



- Clarifies notification procedures for large-scale zoning changes (think code reforms).
- Amends 20% protest rule.
- Clarifies sign requirements.



New Definition: “proposed comprehensive zoning change”



- (1) change an existing zoning regulation that:
 - (A) will have the effect of allowing more residential development than the previous regulation; **and**
 - (B) will apply uniformly to each parcel in one or more zoning districts;

OR

- (2) adopt a new zoning code or zoning map that will apply to the entire municipality;

OR

- (3) adopt a zoning overlay district that:
 - (A) will have the effect of allowing more residential development than allowed without the overlay; **and**
 - (B) will include an area along a major roadway, highway, or transit corridor.



New Definition: “proposed comprehensive zoning change” (PCZC)



- Example 1: Increasing the height in each of the multifamily districts by 10 feet.
- Example 2: Adding a new chapter with an updated zoning code
- Example 3: Adopting an overlay that increases dwelling unit density along a DART line.

If considering a “PCZC”



- Clarifies that ONLY the following notices are required:
- (1) published in an official newspaper or a newspaper of general circulation in the municipality;
- (2) if the municipality maintains an Internet website, published on the municipality’s Internet website; and
- (3) notices in accordance Section 211.006(a-1) (88th Leg SB 929), the law requiring special notice if a use is made nonconforming



Zoning changes that are not covered by “PCZC”



- Unchanged: Old “20% rule” for most rezonings:
- Require a $\frac{3}{4}$ * vote at **Council IF**
 - property owners owning at least 20% of the land within the area being rezoned respond in opposition (think authorized hearing); OR
 - property owners owning at least 20% of the land within 200 feet of area being rezoned (neighbors).
- New provision:
- Majority* vote at **Council IF**
 - A certain rezoning “has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses...”
 - AND property owners owning at least 60% of the land within 200 feet respond in opposition.



3/4 and Majority votes at Council



- Law describes:
 - $\frac{3}{4}$ of *all members* of Council (12 votes required)
 - Majority of *all members* of Council (8 votes required)*

*Different from typical majority of members *present* at a hearing (could be as little as an affirmative vote of five members if a quorum of nine is present).



3/4 and Majority votes at Council



- Previously state code allowed cities to require $\frac{3}{4}$ of *all members* of Council (12 votes required) in the event the Commission recommended Denial
- Provision removed, CPC Denials require simple majorities unless triggering opposition as noted in previous slides



Examples of new protest:



- R-5(A) to MF-2(A): requires 60% opposition to trigger 8 vote council requirement.
- MF-2(A) to MF-3(A): requires 60% opposition to trigger 8 vote council requirement.
- NS(A) to CR: Maintains old 20% rule.
- MF-1(A) to MU-1: Maintains old 20% rule.
- R-5(A) to PD for multifamily uses: requires 60% opposition to trigger 8 vote council requirement.



Notice Signs



- Not previously required by state law.
- Now: Notice signs must be posted:
 - 10 days prior to a CPC hearing; and
 - must remain up until final determination.
- Minimum sign dimensions: 24 inches by 48 inches.



HB 24 Phase In



- The law specifies it only applies to zoning changes submitted after September 1.
- Case submitted prior to Sept 1 will be processed based on previous state code





SB 15

Small Lot Single Family



Big Picture - SB 15



- The City must permit small lot subdivisions on unplatted tracts of land greater than 5 acres in zoning districts that allow single family
- When developing these, modified development standards apply
- Locational exclusions apply

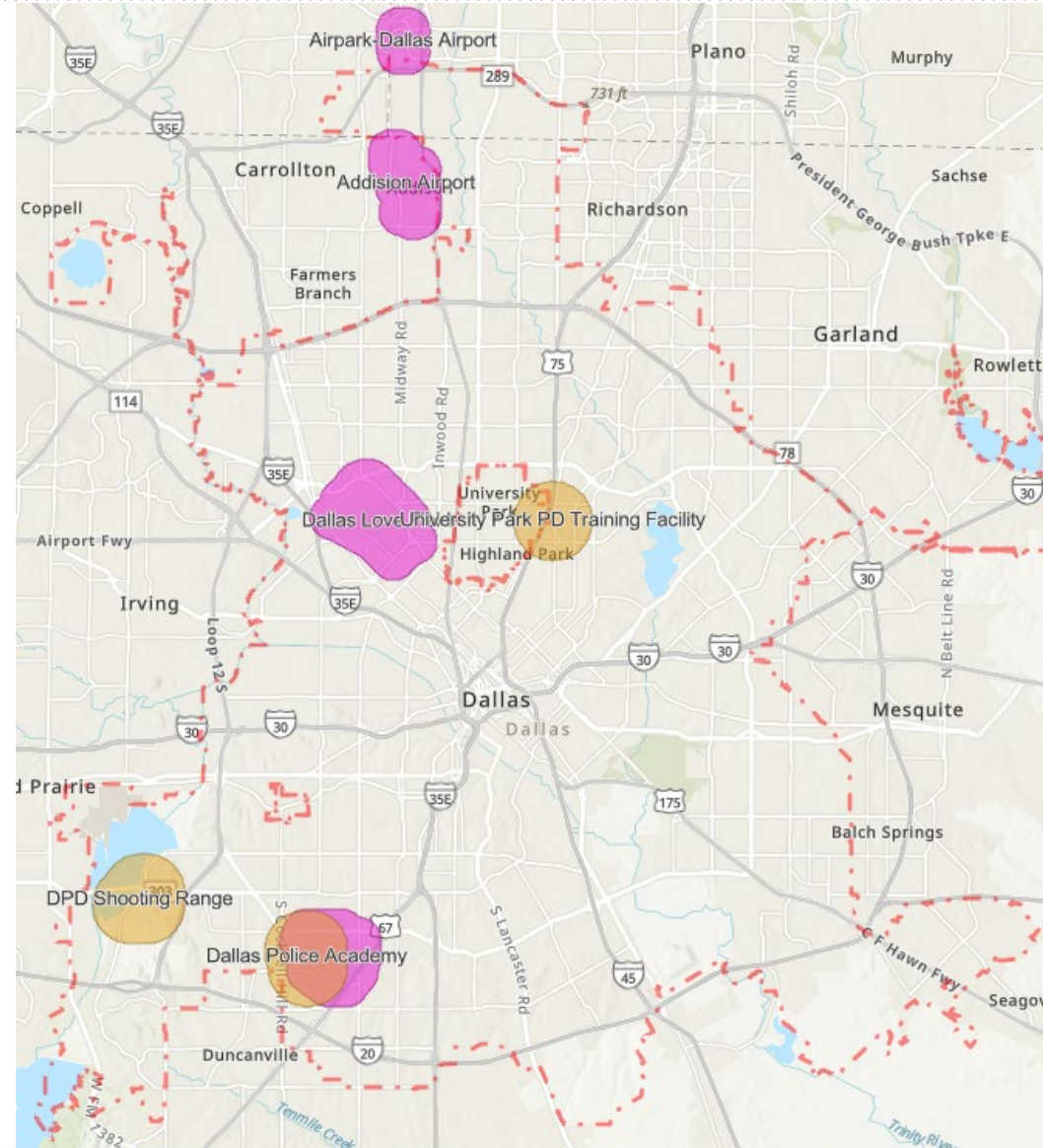


Exclusions



3,000 feet of airports

5,280 feet of police training facilities



Small Lot Subdivisions



- IF a tract of land:
 - permits single family;
 - is five acres or more; and
 - does not have a recorded plat...
- THEN the City must allow:
 - subdivision into lots as small as 3,000 square feet , 30 feet wide, 75 feet deep; and
 - a unit density of lots equal to at least 3,000 square feet.



Small Lot Development Standards



- In these subdivisions, alternate development standards apply (unless City code is less restrictive).
 - Front setback: 15 feet
 - Side Setback: 5 feet
 - Rear Setback: 10 feet
 - Parking: No more than one space may be required, cannot require the space to be covered, cannot require the space to be off site.



Small Lot Development Standards



- May not require fewer than three full stories (10 feet in height from floor to ceiling).
- No more than 30% open space or permeable surface.
- No maximum building bulk.
- No wall articulation requirements.



Small lot standards – Expressly allowed regs.



- Things cities specifically CAN regulate:
 - Driveway sharing with another lot.
 - Permitting fees equivalent to regular single family developments.
 - Regular impact fees.
 - Regular stormwater regulation.
 - Other existing development standards not inconsistent with the law

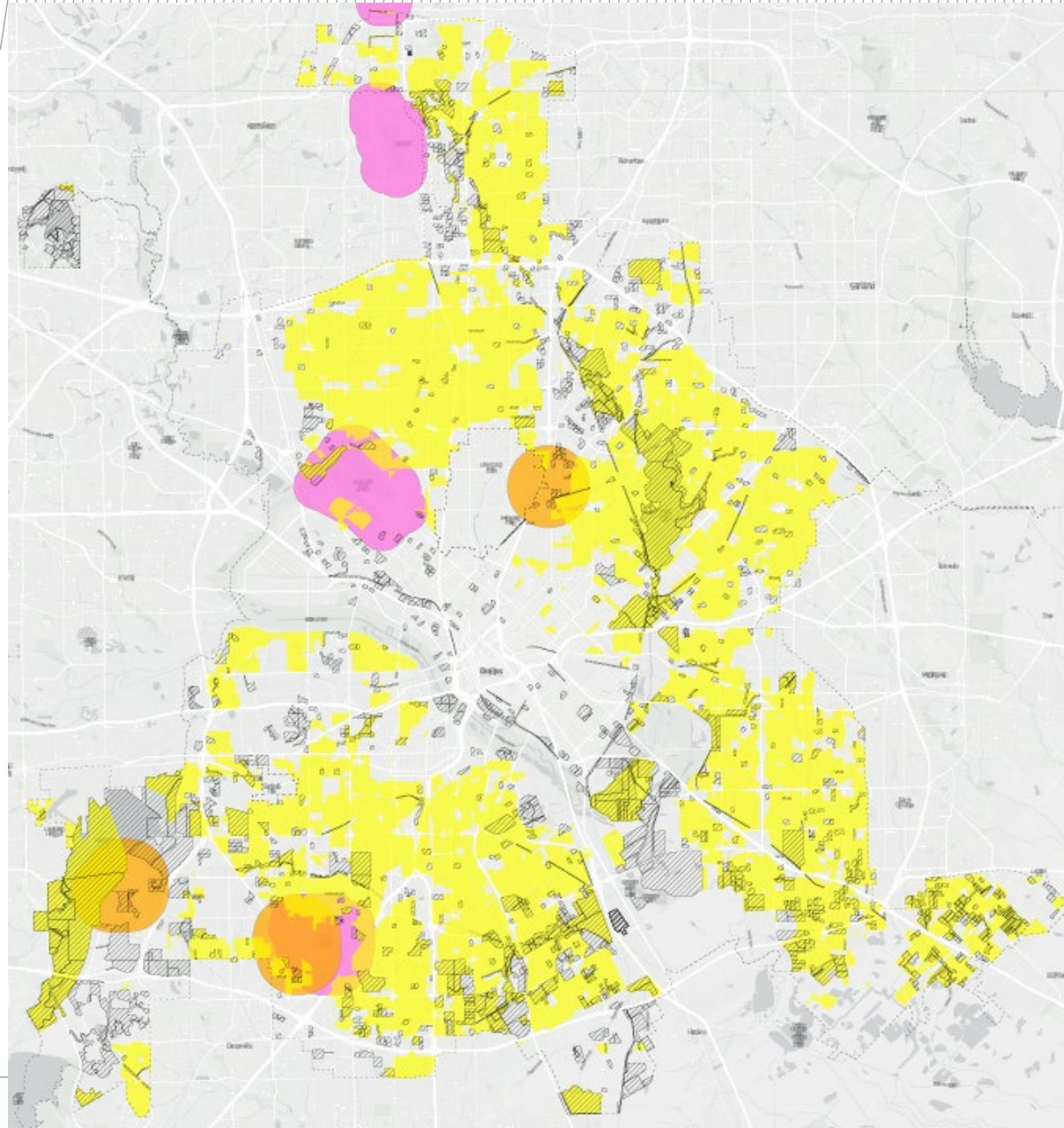




Draft map for demonstration purposes only (Only includes R, D, and TH)

This map is not for permitting or entitlement purposes.

A case-by-case determination will be needed for each application for a plat to determine if the request qualifies for SB 15.



Districts which permit single family uses:

A(A) R-1ac(A) R-1/2ac(A)
R-16(A) R-13(A) R-10(A)
R-7.5(A) R-5(A) D(A)
TH-1 / 2 / 3(A) CH MF-1(A) MF-2(A) MH(A) MU-1
CA-1 CA-2 Certain PDs





SB 840

Multifamily & Mixed-Use Residential Uses and Developments



SB 840 – The Big Picture

[Applies to permit applications submitted on or after September 1, 2025]



1. Requires *certain municipalities, including Dallas, to allow ***multifamily*** and ***mixed-use residential*** development projects (MF/MU-R) in additional zoning classifications

**municipal population > 150,000 and within (partly or wholly) county with population > 300,000*

2. Limits authority to regulate certain aspects of MF/MU-R development projects *wherever they occur across the city

**where currently allowed -and- where allowed as a result of SB 840*

3. Streamlines the process for the conversion of certain commercial buildings to MF/MU-R occupancy



No Effect on Certain Restrictions/Rules



- **Short-term rental units** – Municipalities may continue to apply regulations on short-term rental units to MF/MU-R developments.
- **MIHDB program** – Municipalities may adopt or enforce density bonus programs (or other voluntary programs) that allow for site development standards that are less restrictive than the standards outlined in SB 840.
- **Other regulations** – Municipalities may apply regulations to multifamily and mixed-use residential developments that are generally applicable to other developments in the municipality

[e.g. sewer and water access requirements, building codes, stormwater mitigation, etc.]



SB 840 Uses & Developments [MF/MU-R] Defined



- ***Multifamily residential*** means the use or development of a site for three or more dwelling units within one or more buildings.
- ***Mixed-use residential*** means the use or development of a site consisting of residential and non-residential uses in which the residential uses are at least 65% of the total square footage of the development.



SB 840 – Additional Districts / Locations

[Applies to permit applications submitted on or after September 1, 2025]



1. Requires *certain municipalities, including Dallas, to allow ***multifamily*** and ***mixed-use residential*** development projects (MF/MU-R) in additional zoning classifications:

- Any zoning classification that allows office, commercial, retail, warehouse, or mixed-use as an allowed use under the zoning classification must allow MF/MU-R uses and developments under SB 840
- New Chap. 51A Districts = A(A), NO(A), LO(A), MO(A), GO(A), NS(A), CR, RR, CS, LI, and MC
- PDs, HDs, and CDs that allow office, commercial, retail, or warehouse uses.
- Municipality may not require multifamily development to include nonresidential uses unless located in an area that requires a nonresidential component in conjunction with a multifamily residential development (e.g. certain PDs, shop front overlay area, certain development types in article XIII, etc.).



SB 840 – Exclusions



Zoning District Exclusions [Chap. 51 A]:

- Zoning districts that do not allow office, commercial, retail, warehouse, or mixed-use [P(A), R(A), RTN, D(A), *TH(A), and MH(A) and PDs, HDs, or CDs that default to these districts for allowed uses] are excluded from the requirement to allow MF/MU-R uses and developments under SB 840
- Heavy industrial districts [IR industrial research and IM industrial manufacturing] are excluded from SB 840

Distance Exclusions:

- Land located within 1,000 feet of a heavy industrial use
- Land located within 3,000 feet of an airport or military base
- Area designated by the City as a “clear zone” or “accident potential zone”



Current MF/MU-R Districts

[Limits to City's regulation authority under SB 840 apply to permit applications submitted on or after September 1, 2025]



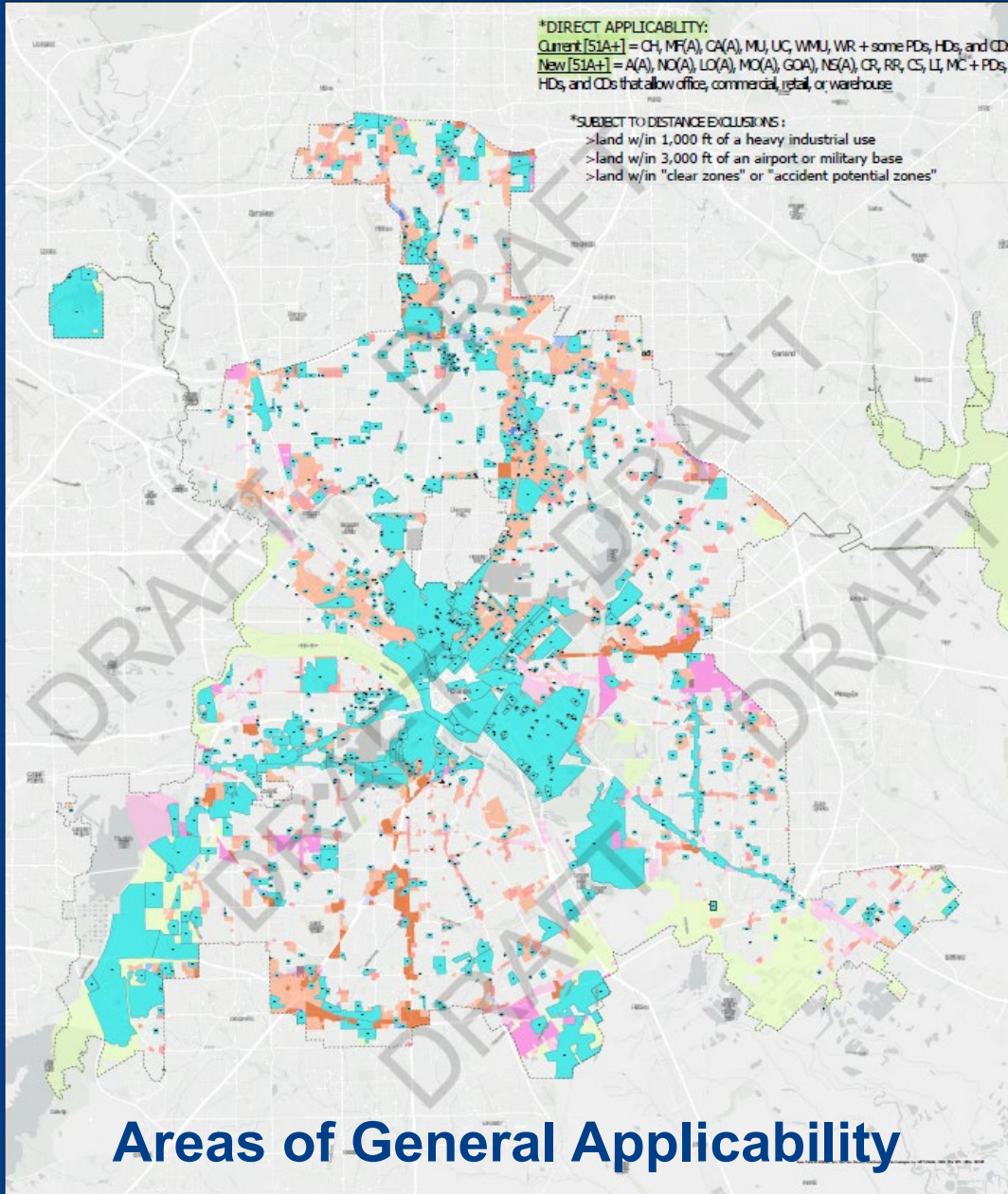
- Current Chap. 51A Districts allowing MF/MU-R = *TH(A), CH, MF(A), CA(A), MU, UC, WMU, and WR
- Some PDs, HDs, and CDs
- Even in zoning classifications that currently allow multifamily and/or mixed-use residential uses and developments, the limits on our ability to regulate these developments under SB 840 apply to ***multifamily*** and ***mixed-use residential*** uses and developments
- Local zoning regulations and site development standards [Chap. 51/51A, planned development districts, conservation districts, *historic districts, deed restrictions, specific use permits, or any other ordinance] cannot override a conflicting regulation or standard in SB 840 unless the local regulation or standard is less restrictive than what is outlined in SB 840






***DIRECT APPLICABILITY:**
Current [SIA+] = CH, MF(A), CA(A), MU, UC, WMU, WR + some PDs, HDs, and CD
New [SIA+] = A(A), NO(A), LO(A), MO(A), GO(A), NS(A), CR, RR, CS, LI, MC + PDs, HDs, and CDs that allow office, commercial, retail, or warehouse

***SUBJECT TO DISTANCE EXCLUSIONS:**
>land w/in 1,000 ft of a heavy industrial use
>land w/in 3,000 ft of an airport or military base
>land w/in "clear zones" or "accident potential zones"



Areas of General Applicability



City of Dallas


City Limits
Planned Development
Conservation District
Multi-family
Mixed Use
Walkable Urban Mixed Use
Walkable Urban Residential
Commercial Service
Light Industrial

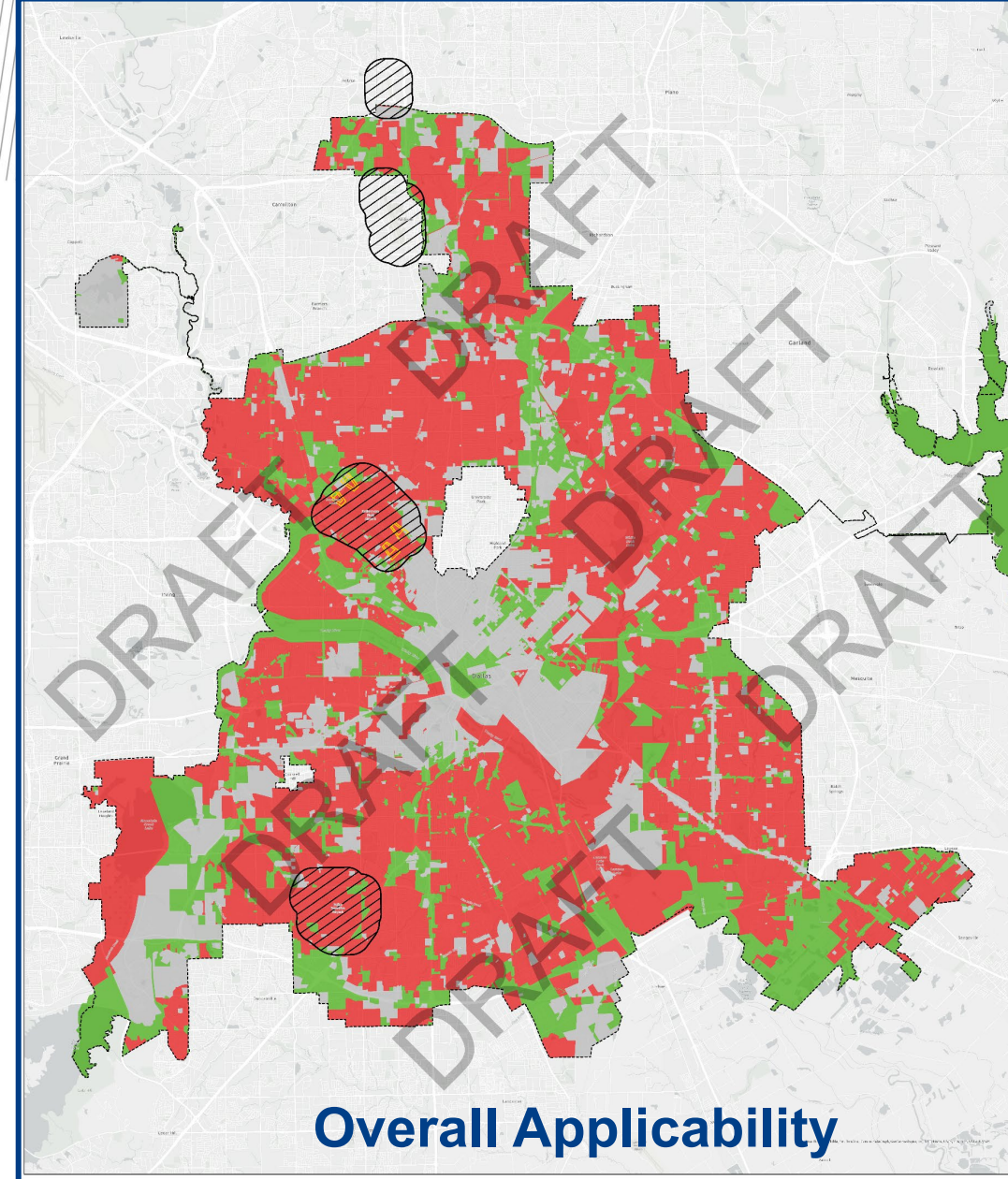
Neighborhood Office
Limited Office
Mid-Range Office
General Office
Neighborhood Retail
Community Retail
Regional Retail
Multiple Commercial
Agricultural

**ZONING DESIGNATIONS
WHERE STATE LAW 840
IS GENERALLY APPLICABLE**

Case-by-case interpretation will be needed to make official determination at permitting

1:56,000





Overall Applicability



City of Dallas

City Limits
Airport Exceptions
Runway Protection Zones
Zoning designations where state law applies directly 29
Zoning designations that need case-by-case determination on whether and how the state law applies
Zoning designations where state law does not apply

**APPLICABILITY OF
STATE LAW 840**

Case-by-case interpretation will be needed to make the official determination at time of permitting. This map is for information purposes only.

1:56,000



- Draft maps for demonstration purposes only.
- These maps are not for permitting or other entitlement purposes.
- A case-by-case determination will be needed for each permit application for a MF/MU-R development to determine if the location qualifies under SB 840.

SB 840 – The Big Picture

[Applies to permit applications submitted on or after September 1, 2025]



2. Limits authority to regulate certain aspects of MF/MU-R development projects *wherever they occur across the city

**where currently allowed -and- where allowed as a result of SB 840*



Regulation of MF/MU-R Developments

[Limits to City's regulation authority under SB 840 apply to permit applications submitted on or after September 1, 2025]



May not adopt or enforce an ordinance, zoning restriction, or other regulation more restrictive than the following:

- **Density** – greater of [highest residential density allowed in the municipality] -or- 36 units per acre
 - Dallas = No Max density for MF/MU-R developments, regardless of zoning classification in which property is located
 - No direct or indirect restrictions on density may be imposed by zoning regulations [e.g. minimum lot area requirements based on number of bedrooms in a dwelling unit, maximum floor area allowed, etc.]



Regulation of MF/MU-R Developments

[Limits to City's regulation authority under SB 840 apply to permit applications submitted on or after September 1, 2025]



May not adopt or enforce an ordinance, zoning restriction, or other regulation more restrictive than the following:

- **Height** – greater of [highest height that would apply to office, commercial, retail, or warehouse development constructed on the site] -or- 45 feet
 - Dallas = site by site analysis required for all MF/MU-R developments
 - In no instance may zoning regulations limit MF/MU-R developments to less than 45 feet in height
 - SB 840 alters the application of Residential Proximity Slope [RPS] to MF/MU-R developments but does not completely remove RPS as a height limiting factor.
 - When calculating RPS, the highest height that is achieved within the RPS, up to the maximum height allowed in the district, establishes the maximum height across the site for a MF/MU-R development. However, RPS cannot limit the height to less than 45 feet.



Regulation of MF/MU-R Developments

[Limits to City's regulation authority under SB 840 apply to permit applications submitted on or after September 1, 2025]



May not adopt or enforce an ordinance, zoning restriction, or other regulation more restrictive than the following:

- **Setback or buffer** – lesser of [setback or buffer requirement that would apply to office, commercial, retail, or warehouse development constructed on the site] -or- 25 feet
 - Dallas = site by site analysis required for all MF/MU-R developments
 - In no instance may zoning regulations require a setback or buffer greater than 25 feet for MF/MU-R developments
 - Regulations requiring additional setbacks at upper floors [e.g. urban form setback, tower spacing, etc.] are not enforceable if it results in a setback greater than what is allowed under this provision.



Regulation of MF/MU-R Developments

[Limits to City's regulation authority under SB 840 apply to permit applications submitted on or after September 1, 2025]



May not adopt or enforce an ordinance, zoning restriction, or other regulation more restrictive than the following:

- **Floor Area Ratio (FAR)** – may not restrict FAR of MF/MU-R developments in relation to lot area – no max FAR in Dallas
- **Parking** – may not require MF/MU-R developments to provide more parking than one space per dwelling unit
 - Dallas = site by site analysis required for all MF/MU-R developments
 - May not require a multilevel parking structure be provided in connection with an MF/MU-R development



Approving MF/MU-R Uses & Developments

[Limits to City's regulation authority under SB 840 apply to permit applications submitted on or after September 1, 2025]



- **City may NOT require discretionary approvals** [zoning change, amendment, exception, variance, etc.] for MF/MU-R developments in a zoning classification that allows office, commercial, retail, warehouse, or mixed-use residential development
- **A permit or other authorization** required for construction of MF/MU-R **shall be administratively approved** for MF/MU-R development in a zoning classification that allows office, commercial, retail, warehouse, or mixed-use residential development



SB 840 – The Big Picture – Conversions

[Applies to permit applications submitted on or after September 1, 2025]



3. Streamlines the process for the conversion of certain commercial buildings to MF/MU-R occupancy

Applicability:

The conversion provisions within SB 840 apply to a building or structural component of a building that:

- is being used for office, retail, or warehouse use;
- is proposed to be converted from non-residential occupancy to MF/MU-R occupancy for at least 65% of the building -AND- at least 65% of each floor of the building that is fit for occupancy; and
- was constructed at least five years before the proposed date to START the conversion.



SB 840 – Streamlining Conversions

[Applies to permit applications submitted on or after September 1, 2025]



City may not [in connection with the use, development, construction, or occupancy of a building meeting the above applicability criteria and proposed to be converted to MF/MU-R] **require the following:**

- a traffic impact analysis or other study relating to the effect the proposed converted building would have on traffic or traffic operations;
- the constructions of improvements or payment of a fee in connection with mitigating traffic effects related to the proposed converted building;
- the provision of additional parking spaces, other than the parking spaces that already exist on the site of the proposed converted building;
- the extension, upgrade, replacement, or oversizing of a utility facility except as necessary to provide the minimum capacity needed to serve the proposed converted building; or
- a design requirement, including a requirement related to the exterior, windows, internal environment of a building, or interior space dimensions of an apartment, that is more restrictive than the applicable minimum standard under the International Building Code as adopted as a municipal commercial building code.



Next Steps



- Checklists, GIS layers, and other tools.
- Screening projects for eligibility under new laws.
- Project/plan review under new laws.
- HDs, CDs, PDs.
- Tracking SB 15 development and SB 840 development/conversions.
- Code amendment





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