

ORDINANCE NO. _____

An ordinance amending Article 468, “PD 468,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code; amending the regulations of Article 468; providing a new subdistrict map; providing a street hierarchy plan; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to amend Article 468 as specified in this ordinance; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Article 468, “PD 468,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“ARTICLE 468.

PD 468.

Oak Cliff Gateway Special Purpose District

SEC. 51P-468.101.

LEGISLATIVE HISTORY.

PD 468 was established by Ordinance No. 23057, passed by the Dallas City Council on March 12, 1997. Ordinance No. 23057 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23057 was amended by Ordinance No. 23868, passed by the Dallas City Council on April 28, 1999, and Ordinance No. 25866, passed by the Dallas City Council on January 26, 2005.

SEC. 51P-468.102. PROPERTY LOCATION AND SIZE.

PD 468 is established on property generally bounded by Interstate 30, the Levee on the east side of the Trinity River, Interstate 35E (South R.L. Thornton Freeway), Jefferson Boulevard, Eighth Street, a line midway between Beckley Avenue and Crawford Street, Neches Street, Bishop Avenue, Colorado Boulevard, and Beckley Avenue. The size of PD 468 is approximately 853.55 [~~608.86~~] acres.

SEC. 51P-468.103. PURPOSE.

This article provides standards specifically tailored to meet the needs of the Oak Cliff Gateway area of the city, which is hereby designated as an area of historical, cultural, and architectural importance and significance to the citizens of the city. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

- (1) Accommodate the existing mix of uses in the area.
- (2) Protect the internal and adjacent stable residential neighborhoods.
- (3) Preserve and enhance the historical, cultural, and architectural significance of the area.
- (4) Strengthen the neighborhood identity.
- (5) Create a more desirable pedestrian environment.
- (6) Periodically revisit proper zoning on the Property.

SEC. 51P-468.104. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions in Chapter 51A apply to this article.
- (b) Unless the context clearly indicates otherwise, in this article:

(1) ACCESSORY DWELLING UNIT means a residential structure accessory to a single family or duplex use located in the rear 50 percent of a lot.

() ACCESSORY ENERGY GENERATION means equipment used to generate power from alternative energy sources using solar panels, turbines, and other power-creating means that have the ability to return some or all of the newly created power to the energy grid.

() ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or items and decorations that have value and significance as a result of age, design, or sentiment.

() AQUARIUM means an establishment where aquatic animals and plants are kept and exhibited.

() AREA REGULATING PLAN means a planning document that sets forth policies and programs regulating development in a local area.

() ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

() ~~ARTISAN AND SPECIALTY GOODS SHOP means a small scale business that manufactures artisan goods or specialty goods for sale on or off premise. This use does not include other uses that are specifically listed in Section 51A 4.200.~~

() ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.

() ~~BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds, whether as an accessory use or a main use.~~

() BULB-OUT means location where the sidewalk edge is extended from the prevailing curb line into the roadway at sidewalk grade, effectively increasing pedestrian space.

() CUSTOM VEHICLE SHOP means a facility for the restoration, fabrication, modification, display, and sale of customized or modified automobiles, boats, trucks, motorcycles, motor scooters, recreational vehicles, or trailers.

() ENTERTAINMENT COMPLEX means a public, multi-use sports, entertainment, and convention facility where people view and participate in events and performances, including theatrical, musical, and dramatic performances; professional or amateur sporting events; and meetings and assemblages.

() GOURMET MARKETPLACE means a facility that offers prepared meals, catered meals, and retail grocery items that may include the sale of alcoholic beverages for consumption on-premise or off-premise and which may also allow customers in motor vehicles to pick-up food for off-premise consumption. The display area for the sale of alcoholic beverages may not exceed 40 percent of the floor area for this use.

() IDENTIFICATION SIGN means an attached premise sign that identifies the name or logo of the district, business, or tenant.

() LEGACY BUILDING means a building constructed before 1957 that has:

(A) all original street-facing facades remaining;

(B) a primary street-facing facade located within 15 feet of a right-of-way line;

(C) a main entrance that faces Colorado Boulevard, Zang, Beckley, Marsalis, Jefferson, Eighth Street, or Ballard;

(D) window and door openings that total at least 20 percent of the street-facing facades; and

(E) off-street parking located 100 percent outside of the required front yard.

() LINER DEVELOPMENT means a development specifically designed to mask a parking structure from a frontage on a public street or public space.

() LIVE/WORK UNIT means an interior space that combines a single occupancy residential [and nonresidential] use and an office or retail or personal service use. A live/work unit is considered a nonresidential use.

() ~~LUMINOUS REFLECTANCE means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.~~

() MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by the Texas Occupation Code 455, as amended.

() MEWS means the public or private right-of-way for pedestrians and/or vehicles within a block that provides access to the building, serves as a small street, and may provide access to vehicle parking.

() MIXED USE DEVELOPMENT means a development containing a mix of any two categories of main uses listed in this subdistrict on a building site.

() MOBILE FOOD ESTABLISHMENT means a container or vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes mobile food preparation vehicles and pushcarts.

() NEW CONSTRUCTION means an application for a building permit to expand floor area, excluding uncovered porches and uncovered patios, if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, or over 75 percent for residential projects.

() PROJECT ANNOUNCEMENT SIGN means an attached premise sign constructed of rigid material, mesh or fabric surface, or a projection of a light image onto a wall face that announces a project, tenant, or activity in the district.

() STREETSCAPE means the area between the buildings and edge of the vehicular or parking lanes. The principal streetscape components are curbs, sidewalks, street trees, tree planters, bicycle racks, litter containers, benches, and street lights. Treatments may also include paving materials, street/pedestrian wayfinding signs, parking meters, public art, water features, bollards and other elements.

~~() TATTOO OR BODY PIERCING STUDIO means an establishment in which tattooing is performed, or body piercing for the purpose of wearing jewelry in the pierced body part (for any body part other than earlobes) 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.]~~

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

(d) 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 *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) 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. (“DIR” means “development impact review.” For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, 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.)

(e) Unless the context clearly indicates otherwise, for purposes of interpreting Chapter 51A, the subdistricts are considered to be residential or nonresidential as indicated:

- (1) Subdistrict A – RTN [~~Beckley Industrial Area I~~]: [~~non~~]residential.
- (2) Subdistrict B [~~A-1~~] – WR-3 [~~Beckley Residential Area~~]: residential.
- (3) Subdistrict C [~~A-2~~] – WMU-3 Mixed-Use [~~Greenbriar Residential Area~~]: nonresidential.
- (4) Subdistrict D [~~A-3~~] – WMU-5 Mixed-Use [~~Trinity Townhome Multifamily Residential Area~~]: nonresidential.
- (5) Subdistrict E [~~A-4~~] – WMU-8 Mixed-Use [~~Beckley Industrial Area II~~]: nonresidential.
- (6) Subdistrict F [~~B~~] – WMU-12 Mixed-Use [~~Oak Farms Commercial Area~~]: nonresidential.
- (7) Subdistrict G [~~C~~] – WMU-20 Mixed-Use [~~Lake Cliff Residential Area~~]: nonresidential.
- (8) Subdistrict H [~~C-1~~] – WMU-20 Mixed-Use [~~Lake Cliff Neighborhood Service Area~~]: nonresidential.
- [(9) Subdistrict] – ~~Founders Park Mixed Area~~]: ~~nonresidential~~.
- (10) Subdistrict ~~D-1, Tracts 1 and 3~~ – ~~Founders Park Retail~~: ~~nonresidential~~; ~~Tract 2 – Founders Park Residential~~]: nonresidential.
- (11) Subdistrict ~~D-2~~ – ~~Founders Park Mixed Area 2~~: ~~nonresidential~~.
- (12) Subdistrict ~~E~~ – ~~Hospital Area~~: ~~nonresidential~~.]

SEC. 51P-468.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 468A: Subdistrict map.
- (2) Exhibit 468B: [~~Tract 1 and 3 conceptual plan/tract 2 development plan~~.]

- (3) Exhibit 468C: Street hierarchy plan. [~~Subdistrict A-1 development plan.~~]
- (4) Exhibit 468D: East Kessler Overlay property description. [~~Subdistrict A-2 conceptual plan.~~]
- (5) ~~Exhibit 468E: Subdistrict A-3 development plan.]~~

SEC. 51P-468.105. CREATION OF SUBDISTRICTS.

(a) This district is known as the Oak Cliff Gateway Special Purpose District, and is divided into the following 8 [~~12~~] subdistricts, as described in Exhibit A of Ordinance No. 23057, as amended, and as shown on the map labelled Exhibit 468A:

- (1) Subdistrict A – RTN [~~Beckley Industrial Area I.~~]
- (2) Subdistrict B [~~A-1~~] – WR-3 [~~Beckley Residential Area.~~]
- (3) Subdistrict C [~~A-2~~] – WMU-3 Mixed-Use [~~Greenbriar Residential Area.~~]
- (4) Subdistrict D [~~A-3~~] – WMU-5 Mixed-Use [~~Trinity—Townhome Multifamily Residential Area.~~]
- (5) Subdistrict E [~~A-4~~] – WMU-8 Mixed-Use [~~Beckley Industrial Area II.~~]
- (6) Subdistrict F [~~B~~] – WMU-12 Mixed-Use [~~Oak Farms Commercial Area.~~]
- (7) Subdistrict G [~~C~~] – WMU-20 Mixed-Use [~~Lake Cliff Residential Area.~~]
- (8) Subdistrict H [~~C-1~~] – WMU-20 Mixed-Use. [~~Lake Cliff Neighborhood Service Area.~~]
- (9) ~~Subdistrict D—Founders Park Mixed Area.~~
- (10) ~~Subdistrict D-1, Tracts 1 and 3—Founders Park Retail: nonresidential; Tract 2—Founders Park Residential.~~
- (11) ~~Subdistrict D-2—Founders Park Mixed Area 2: nonresidential.~~
- (12) ~~Subdistrict E—Hospital Area: nonresidential.]~~

(b) If there is [~~In the event of~~] a conflict between Exhibit A of Ordinance No. 23057, as amended, and Exhibit 468A, Exhibit A, as amended, controls.

(c) Use regulations and development standards for each subdistrict are set out below.

SEC. 51P-468.106.

SUBDISTRICTS A, B, C, D, E, F, and G [GENERAL DEVELOPMENT STANDARDS].

(a) General provisions. Except as provided in this subsection, Division 51A-13.100, “General provisions,” applies.

(1) Nonconforming structures. See Section 51A-4.704 and Section 51A-13.102(S) for details on nonconforming structures. Section 51A-13.102(S) provides that a person may renovate, remodel, repair, rebuild, or enlarge a nonconforming structure if the work does not cause the structure to become more nonconforming as to building placement, building height, building facade, garage placement, open space, or landscaping regulations. In this district, a major renovation is what causes a structure to become more nonconforming. For purposes of this section, MAJOR RENOVATION means a building permit or series of building permits for the reconstruction, alteration, or modification of an original building that increases the floor area that existed on [date of passage] by 50 percent or more.

(A) Additional square footage totals less than or equal to 50 percent permitted square footage. Floor area, building height, and any new construction must be developed according to the height regulations defined by each development type. The additional floor area, building height, and new construction is not required to fill the entire height regulations, but must be contained wholly within the area.

(B) Additional square footage totals 51 percent or more permitted square footage. Site must come into complete compliance with Article XIII regulations.

(b) District regulations. Except as otherwise provided in this subsection, Division 51A-13.300, “District Regulations,” applies.

(1) In general.

(A) Subdistrict A. Except as provided in this section, Subdistrict A must comply with the RTN regulations and development standards in Article XIII of Chapter 51A.

(B) Subdistrict B. Except as provided in this section, Subdistrict B must comply with the WR-3 regulations and development standards in Article XIII of Chapter 51A.

(C) Subdistrict C. Except as provided in this section, the Subdistrict C must comply with the WMU-3 regulations and development standards in Article XIII of Chapter 51A.

(D) Subdistrict D. Except as provided in this section, Subdistrict A must comply with the WMU-5 regulations and development standards in Article XIII of Chapter 51A.

(E) Subdistrict E. Except as provided in this section, Subdistrict A must comply with the WMU-8 regulations and development standards in Article XIII of Chapter 51A.

(F) Subdistrict F. Except as provided in this section, Subdistrict A must comply with the WMU-12 regulations and development standards in Article XIII of Chapter 51A.

(7) Subdistrict G. Except as provided in this section, Subdistrict A must comply with the WMU-20 regulations and development standards in Article XIII of Chapter 51A.

(8) Development types. The “Development Types By District” chart in Section 51A-13.402(a)(1) is replaced by Exhibit 468 __, “Required Parking in WMU and WR Districts.”

(2) Detention center, jail, or prison. Detention center, jail, or prison is prohibited as a main use.

(3) Height.

(A) No minimum height is required for structures less than 15,000 square feet in floor area.

(B) The following accessory structures may exceed the subdistrict height limits of this section provided they do not exceed the maximum subdistrict height by more than 12 feet:

(A) Amateur communications tower.

(B) Cooling tower.

(C) Clerestory.

(D) Chimney and vent stack.

(E) Elevator penthouse or bulkhead.

(F) Flagpoles.

(G) Mechanical equipment room.

(H) Ornamental cupola or dome.

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

- (J) Stairway access to roof.
- (K) Roof top deck.
- (L) Skylights.
- (M) Spires and belfries.
- (N) Solar panels.
- (O) Tank designed to hold liquids.
- (P) Visual screens surrounding roof-mounted mechanical equipment.
- (Q) Wind turbines and other integrated renewable energy systems.
- (4) Residential proximity slope. Residential proximity slope applies in these subdistricts.
- (5) Accessory dwelling units. For lots zoned Subdistrict A and located south of Colorado Boulevard, east of Beckley Avenue, and west of Marsalis Avenue, accessory dwelling units are permitted in the rear 50 percent of a single-family lot. Single family garages are not required to have vehicular access from an alley.
- (6) Fences and walls. In a door yard, a fence may not exceed four feet in height above grade. In all other required yards, no fence or wall may exceed six feet in height.
- (c) Parking regulations. Except as otherwise provided in this subsection, Division 51A-13.400, "Parking Regulations," applies.
- (1) In general. The "Required Parking in WMU and WR Districts" chart in Section 51A-13.402(a)(2) is replaced by Exhibit 468, "Required Parking in WMU and WR Districts."
- (2) Delta credits. In Subdistricts B, C, D, E, F, and G, if a parking reduction is granted, delta credits may not be used to meet the remaining parking requirement, and all rights to future delta credits are relinquished. This provision does not apply to properties that are granted a legacy building parking reduction.
- (3) Remote parking.

(A) Remote parking, as reference in Section 51A-404(g), must be located within a walking distance of 500 feet from the use served by the remote parking unless an extension of walking distance is approved by the building official.

(B) The building official shall extend the walking distance for remote parking to no more than 1,000 feet for up to 50 percent of the required parking spaces for a use unless the extension would

(i) significantly discourage patrons of the use from using the remote parking;

(ii) unreasonable endanger the safety of persons or property; or

(iii) not otherwise be in the public interest.

(C) A license is required to authorize an extension of walking distance beyond 1,000 feet. The building official must require that either a shuttle or an attendant be provided by the applicant as a condition to approval of an extension of the walking distance for remote parking beyond 1,000 feet.

(4) Parking for restaurant outdoor covered patios. For bar and restaurant uses, outdoor covered patio area is not included in parking requirement calculations for up to 25 percent of the size of the indoor floor area. The combined area of a restaurant's parking-exempts covered and uncovered outdoor dining area may not exceed 50 percent of the indoor dining area of the restaurant. Any portion of the outdoor dining patio area in excess of these maximums must be parked in accordance with Exhibit _____.

(5) Legacy building parking reduction. If the director determines that a structure is a legacy building as defined in Section 51P-468.104, the director may grant the following off-street parking reductions:

(A) For residential uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(B) For office uses within a legacy building, required off-street parking may be reduced by up to 50 percent.

(C) For retail uses other than restaurant uses within a legacy building, required off-street parking may be reduced by up to 35 percent.

(D) For restaurant uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(6) Bicycle parking. Consult Division 51A-4.330 for bicycle parking regulations.

(7) Mechanized parking. Consult Division 51A-4.340 for mechanized parking regulations.

(d) Minor streets and streetscapes. Except as otherwise provided in this subsection, Division 51A-13.500, “Minor Streets and Streetscapes,” applies. Block lengths and perimeters required in Section 51A-13.502(a) may be broken up with ungated private streets.

(e) Site development regulations. Except as otherwise provided in this subsection, Division 51A-13.600, “Site Development Regulations,” applies.

(f) Administration. Except as otherwise provided in this subsection, Division 51A-13.700, “Administration,” applies.

~~[(a) Except as provided in this section, the provisions of Section 51A-4.702, “Planned Development (PD) District Regulations,” relating to the PD pre-application conference, site plan procedure, site analysis, conceptual plan, development plan, development schedule, and amendments to the development plan do not apply to this district.~~

~~(b) In Subdistrict A-1, development and use of the Property must comply with the Subdistrict A-1 development plan (Exhibit 468C). If there is a conflict between the text of this article and the Subdistrict A-1 development plan, the text of this article controls.~~

~~(c) In Subdistrict A-1, for development and use of the Property as shown in the Subdistrict A-1 development plan, a preliminary plat is not required to be submitted at the same time that the development plan is submitted. For any other development or use of the Property that deviates from the Subdistrict A-1 development plan, a preliminary plat must be submitted with the development plan.~~

~~(d) In Subdistrict A-2, development and use of the Property must comply with the Subdistrict A-2 conceptual plan (Exhibit 468D). If there is a conflict between the text of this article and the Subdistrict A-2 conceptual plan, the text of this article controls. A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict.~~

~~(e) In Subdistrict A-3, development and use of the Property must comply with the Subdistrict A-3 development plan (Exhibit 468E). If there is a conflict between the text of this article and the Subdistrict A-3 development plan, the text of this article controls.~~

~~(f) For Tract 1 in Subdistrict D-1, a development plan that complies with the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan and this article must be approved by the city plan commission prior to the issuance of a building permit to authorize work in Tract 1. If there is a conflict between the text of this article and the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan, the text of this article controls.~~

~~(g) For Tract 2 in Subdistrict D-1, development and use of the Property must comply with the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan (Exhibit 468B). If there is a conflict between the text of this article and the development plan, the text of this article controls.~~

~~(h) For Tract 3 in Subdistrict D-1, a development plan that complies with the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan and this article must be approved by the city plan commission prior to the issuance of a building permit to authorize work in Tract 3. If there is a conflict between the text of this article and the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan, the text of this article controls.~~

~~(i) The provisions of Section 51A-4.702(h) and (i) apply to Subdistrict D-1.]~~

**SEC. 51P-468.107. SUBDISTRICT H. [SUBDISTRICTS A AND A-4-
BECKLEY INDUSTRIAL AREAS.**

(a) Site plan.

(1) A conceptual plan is not required for this Subdistrict.

(2) A site plan must accompany any application for a building permit that provides for new floor area within the district.

(3) Each site plan must comply with the requirements for a development plan listed in Section 51A-4.702(e)(1) and (e)(2), and must include:

(A) a tabulation box consisting of the proposed floor area, number of dwelling units, structure height, lot coverage, and number of required and provided off-street parking associated with the building permit;

(B) existing floor area or number of dwelling units, if applicable;

(C) existing floor area for the district; and

(D) cumulative floor area for the district.

(4) An example of the format for the requirements of Subsection (a)(3) may be found on the site plan development table (Exhibit 468 _____).

(b) Creation of a building site.

(1) In general. In addition to Subsection (b), the provisions of Section 51A-4.601 apply.

(2) Combined building site. A building site may be established by agreement between two adjacent lots or building sites if:

- (A) the area of the combined building site may not exceed one acre;
- (B) only one combined building site may be created per block (for purposes of this section, block is an area surrounded on all sides by a street, alley, or railroad right-of-way);
- (C) the proposed work is an addition to an existing structure for which a building permit was authorized for development of the existing structure;
- (D) the proposed work does not increase the floor area of the existing structure by more than 50 percent; and
- (E) the proposed work is for a ground level addition of no greater than one story.

(c) Main uses permitted.

(1) Agricultural uses.

- Crop production *[Limited to community gardens.]*

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Medical or scientific laboratory.
- Technical school.

(3) Industrial uses.

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

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convent or monastery.
- Halfway house. *[SUP]*
- Hospital. *[RAR]*
- Library, art gallery, or museum.

- Public school. [SUP]
- Open-enrollment charter school. [SUP]
- Private school. [SUP]

(5) Lodging uses.

- Extended stay hotel or motel [SUP. Limited to internal entry guest rooms only. Interior courtyard-entry guest rooms are permitted. Guest rooms with direct access to the street or parking area are prohibited.]
- Hotel or motel. [RAR]
- Lodging or boarding house. [SUP]

(6) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Live/work unit.
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [SUP]
- 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. [SUP]
- Duplex.
- Group residential facility. [SUP required if the spacing component of Section 51A-4.209(b)(3) is not met. Permitted in this district subject to the same requirements as if located in an MU-3 Mixed Use District.]
- Handicapped group dwelling unit. [SUP required if the spacing component of Section 51A-4.209(b)(3.1) is not met. Permitted in this district subject to the same requirements as if located in an MU-3 Mixed Use District.]
- Multifamily.

- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[By right for a microbrewery, microdistillery, or winery with a maximum of 10,000 square feet of floor area. By right for all other uses with a maximum floor area of 6,000 square feet. Otherwise by SUP.]*
- Ambulance service. *[RAR]*
- Animal shelter or clinic without outside runs. *[RAR]*
- Animal shelter or clinic with outside runs. *[SUP]*
- Antique shop.
- Aquarium.
- Art gallery. *[May include outside display.]*
- Art or craft production facility. *[May include outside display.]*
- Auto service center. *[SUP]*
- Business school.
- Car wash. *[Tunnel-type only.]*
- Commercial amusement (inside). *[See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this district subject to the same requirements as if located in an MU-3 Mixed Use District. Class E dance halls, as defined in Chapter 14 of the Dallas City Code, are not permitted. Billiard hall by SUP only. Bingo parlor by SUP only.]*
- Commercial amusement (outside). *[SUP]*
- Commercial parking lot or garage. *[SUP required for commercial parking lot.]*
- Convenience store with drive-through. *[SUP]*
- Custom vehicle shop.
- Dry cleaning or laundry store.
- Entertainment complex. *[Allowed by right up to 500 seats; otherwise by SUP only.]*
- Furniture store.
- General merchandise or food store 3,500 square feet or less. *[May include outside display.]*
- General merchandise or food store greater than 3,500 square feet.
- Gourmet marketplace.
- Home improvement center, lumber, brick, or building materials sales yard. *[By SUP only if greater than 10,000 square feet; otherwise by right.]*
- Household equipment and appliance repair.
- Liquor store.
- Massage establishment. *[SUP]*
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. *[SUP]*

- Mobile food establishment.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(11) Transportation uses.

- Heliport. [SUP]
- Helistop. [SUP]
- Private street or alley. [SUP]
- Railroad passenger station.
- Transit passenger shelter.
- Transit passenger station or transfer center.

(12) Utility and public service uses.

- Alternative energy plant. [SUP]
- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [SUP]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Contractor's maintenance yard. [SUP]
- Mini-warehouse. [SUP]
- Office showroom/warehouse.
- Recycling drop-off container. [SUP required if the requirements of Section 51A- 4.213(11.2)(E) are not satisfied.]
- Trade center.
- Warehouse. [SUP]

(d) Accessory uses.

(1) As a general rule, an accessory use is permitted in any district 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, see Section 51A-4.217.

(2) The following accessory uses are permitted as accessory uses only to an office use or mixed use development:

- Alternative energy plant.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [SUP]
- Heliport. [SUP]
- Helistop. [SUP]

(e) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(1) Front yard.

- (A) Primary Streets: Minimum 5 feet, maximum 15 feet.
- (B) Side streets: Minimum 5 feet, no maximum.
- (C) Service streets: No required setback.

(2) Side yard.

- (A) Abutting single family subdistricts: Minimum 15 feet.
- (B) Abutting all other districts: No required setback.
- (C) Abutting alleys: Minimum 5 feet.

(3) Rear yard.

- (A) Abutting single family subdistricts: Minimum 15 feet.
- (B) Abutting all other districts: Minimum 5 feet.
- (C) Abutting alleys: Minimum 5 feet.

(4) Projections. Belt courses, cornices, window sills, bay windows, awnings, arcades, fireplace chimneys, unenclosed balconies, enclosed and unenclosed porches and patios,

unenclosed stairs, unenclosed ingress-egress ladders, unenclosed mechanical access ladders, stoops, and other architectural features may project up to six feet into a required front, side, or rear yard.

(5) Density. No maximum or minimum density.

(6) Height.

(A) Maximum structure height is 300 feet. Maximum number of stories is 20.

(B) Minimum ground story height is 15 feet. Maximum ground story height is 30 feet.

(C) Minimum upper story height is 10 feet. Maximum upper story height is 15 feet.

(D) Except as provided in this paragraph, if any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope.

(E) The following structures may project a maximum of eight feet above the residential proximity slope provided they do not exceed 25 percent of the roof area:

(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 that surround roof mounted mechanical equipment.

(ix) chimney and vent stacks.

(7) Lot coverage. Maximum lot coverage is 100 percent.

(8) Lot size. No minimum lot size. Minimum lot width is 16 feet.

(9) Required street frontage. Minimum required street frontage along primary streets is 50 percent.

(8) Maximum blank wall area. Maximum contiguous blank wall area along primary streets is 30 feet. No maximum contiguous blank wall area along side streets or service streets.

(g) Open space regulations. This subdistrict must comply with the open space regulations for the WMU-20 District in Article XIII.

(h) Off-street parking and loading.

(1) In general.

(A) Except as provided in this subsection, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(B) Except for residential uses, required off-street parking may be located anywhere in the subdistrict, even another building site or lot, without regard to distance. The minimum front yard setback for surface parking lots is ten feet. If the required off-street parking is not provided in the subdistrict, a parking agreement in accordance with Division 51A-4.320 is required.

(2) Off-street parking ratios. Off-street parking must be provided at the following ratios:

SUP conditions.

(A) Alternative energy plant. The parking requirement must be set by

(B) Antique shop. One space per 600 square feet of floor area.

(C) Aquarium. One space per 600 square feet of floor area.

(D) Art gallery. One space per 600 square feet of floor area.

(E) Art or craft production facility. One space per 1,000 square feet of floor area. (6) Custom vehicle shop. One space per 500 square feet of floor area and outdoor area, exclusive of parking area.

(F) Entertainment complex. One space for each four seats.

(G) Gourmet marketplace. One space per 220 square feet of floor area.

(H) Live/work unit. One space per live/work unit. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use.

(I) Massage establishment. One space per 200 square feet of floor area.

(J) Mobile food establishment. No required parking. A mobile food establishment may not occupy a required parking space for another main use.

(3) Outdoor dining areas. For restaurant uses, the area of any covered or uncovered outdoor dining (not to exceed 50 percent of the indoor dining area) is exempt from the calculation of required parking spaces.

(4) On-street parking.

(A) Except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(i) 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.

(ii) 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 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 ($8/24 = \text{one-third}$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(B) All on-street parking must be approved as to design and construction by the director of public works and transportation. On-street parking must be striped in accordance with standard city specifications.

(5) Master parking plan and floor area plan.

(A) Purpose. Because required off-street parking may be provided in remote locations on the Property without a parking agreement, the master parking plan and floor area plan supplement (Exhibit 468I) calculates the amount of required off-street parking, identifies available off-street parking, and ensures that each use within the district meets the off-street parking requirements.

(B) Master parking plan and floor area plan supplement.

(i) To maintain adequate required off-street parking, a master parking plan and floor area plan supplement must be submitted to and approved by the building official when:

(aa) a site plan is submitted;

(bb) required off-street parking spaces are relocated; or

(cc) required off-street parking spaces are added or removed.

(ii) A master parking plan and floor area plan supplement must include:

(aa) the number of existing required off-street parking spaces;

(bb) the number and location of required off-street parking spaces added, removed, or relocated;

(cc) the number and location of all parking spaces; and

(dd) a revised master parking plan and floor area plan that shows:

(1) changes to a site plan; and

(2) other changes to the master parking plan and floor area plan since the last update, including changes to floor area and revisions to streets, alleys, or private drives.

(iii) The building official shall maintain a copy of each approved master parking plan and floor area supplement.

(iv) The Property owner must deliver a copy of each approved master parking plan and floor area plan supplement to the director within five days after the building official's approval of each supplement.

(6) Public transit parking reduction.

(A) The off-street parking requirement for all uses except restaurant uses and alcoholic beverage establishment uses may be reduced by 10 percent if the use is within 1,200 feet, measured as a pedestrian would walk, from a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday), or a DART bus stop or trolley stop at which DART bus service

or trolley service is available with bus or trolley headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

(B) The off-street parking requirement for an office use may be reduced by three percent if the office use is within 1,200 feet, measured as a pedestrian would walk, from a DART commuter rail station at which DART commuter rail service is available or a DART bus stop or trolley stop where DART bus service or trolley service is available, during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

(C) The total public transit parking reduction for an office use may not exceed 10 percent.

(7) Mixed use development parking reduction.

(A) In general.

(i) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development parking chart (Exhibit 468 _____).

(ii) This reduction may be used in combination with other parking reductions, except that the requirement for a mixed use development may not be reduced by more than 30 percent.

(B) Calculation of adjusted off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(i) The parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) The parking demand for each use is determined for each of the six times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all six times of day unless other factors can be demonstrated by a parking study and approved by the building official.

(iii) The “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these six sums is the adjusted off-street parking requirement for the development.

(iv) If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the mixed use

development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the retail and personal service uses in the mixed use development.

(8) Fees for required parking. Fees may be charged for required parking if the required parking is located within a parking structure.

(9) Below-grade parking structures. Below-grade parking structures may extend to the lot line and across lot lines within this district.

(10) Special exception. The board of adjustment may grant a special exception to reduce the number of required off-street parking spaces required in accordance with Section 51A-4.311.

(i) Site design requirements.

(1) Screening of surface parking from the street. All surface parking must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three and one-half feet above the parking surface:

(A) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each three feet of width.

(B) Solid wood or masonry fence or wall.

(C) Hedge-like evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials 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. Plant materials 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.

(2) Screening of surface parking from single-family or duplex adjacency. One or more of the three screening methods listed in Subsection (b) must be used to provide screening to separate a surface parking area from an adjacent single family or duplex zoned property. The screening must separately or collectively attain a minimum height of six feet above the parking surface.

(3) Off-street loading and garbage storage area screening.

(A) Off-street loading spaces and garbage storage areas for all uses except single family and duplex uses must be screened from:

(i) a public street that is adjacent to the lot; and

(ii) property in a single family or duplex zoned district that is adjacent to or directly across an alley from the lot.

(B) Screening required by this paragraph must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space or garbage storage area.

(C) Required screening must be constructed of:

(i) for off-street loading spaces, any of the materials described in Subsection (b) to separately or collectively attain the minimum height of six feet above the parking surface; and

(ii) for garbage storage areas, a solid wood or masonry fence or wall.

(D) Access through required screening may be provided only by a solid gate that equals the height of the screening. The gate must remain closed at all times except when in actual use.

(4) Above-grade off-street parking in general.

(A) Parking is permitted on any level of a building. Except for the portions of an above-grade parking structure facing a mews or an alley, parking structures must comply with the following:

(i) parking levels must be screened through use of vegetation, metal panels, or other architectural elements to obscure sloping ramps from view; or

(ii) parking levels must be concealed in a structure with facade building materials similar in appearance to the main structure's facade; and

(B) Liner development must be provided along the street level of the garage, only when fronting on a primary street, in accordance with the table of development standards (Exhibit 468).

(5) Highly reflective glass. Highly reflective glass may not be used as an exterior building material for more than 25 percent of a facade on any building or structure. For purposes of this subsection, HIGHLY REFLECTIVE GLASS means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

(6) Block standards.

(A) Block layouts must generally conform as shown on the area regulating plan. Additional streets not shown on the regulating plan are allowed if they are needed to meet minimum block standards or create blocks with a block perimeter of less than 1,600 feet. Additional streets must be developed in accordance with one of the street sections identified in the streetscape standards.

(B) Block standards apply during the platting process if the existing parcel of land or block is greater than the block perimeters described in this section.

(C) Except as provided in this paragraph, block perimeters may not exceed 1,600 linear feet as measured along the inner edges of each street right-of-way, private street, mews, or designated fire lane which is accompanied by a pedestrian sidewalk on at least one side and available at all times to the general public. The block may be broken by a civic building or open space lot provided the lot containing the civic building or open space is at least 50 feet wide and provides perpetual pedestrian access through the block. Block perimeters may exceed 1,600 feet up to a maximum perimeter of 2,400 feet, if one or more of the following conditions apply:

(i) The block has at least one block face on a street not considered a minor street.

(ii) The block has a mid-block mews constructed in accordance with this article that connects to another street.

(iii) The block has a pedestrian passage available at all times to the public. The pedestrian passage must comply with the following conditions:

(aa) The pedestrian passage has a continuous delineated path that is a minimum of 10-feet wide;

(bb) The pedestrian passage contains lighting at an interval to ensure a minimum illumination on the surface of the path of no less than one-half footcandle; and

(cc) The passage may be partially covered by a structure only if the following conditions are met:

(I) the total covered portion of each pedestrian passage is not longer than 70 feet;

(II) the portions of the facade of the structure are treated architecturally the same as the adjoining building through the use of materials, colors and architectural style;

(III) the portion of the structure covering the pedestrian passage has a minimum setback of 15 feet (the portion of the passage within the setback must comply with the mews cross section as shown in the streetscape standards);

(IV) the portion of the pedestrian passage under the structure has a minimum clearance of 14 feet and contains a clearly demarcated continuous pedestrian passageway; and

(V) the area between the covered portion of the pedestrian path and the street is treated architecturally like a courtyard through changes in ground surface materials, colors, or textures.

(7) Street standards. Streets and mews must comply with cross-sections in the streetscape standards.

(A) Bulb-outs. Bulb-outs are required at all intersections, except where parking is used as a lane of traffic during peak hours.

(B) Crosswalks. Crosswalks must be delineated through the use of contrasting pavement, texture, material, or color.

(C) Building access. Building access must be provided as shown in the table of development standards. Maximum entrance spacing is 150 feet.

(8) Sidewalk standards for new construction.

(A) In general.

(i) Sidewalks complying with the standards of this subsection must be provided for all new construction.

(ii) If a sidewalk is located in a front yard, a sidewalk easement must be dedicated to the city to assure its availability to the public for pedestrian use.

(B) Location.

(i) For all new construction, sidewalks must be located along the entire length of the street frontage.

(ii) Except for existing buildings that do not have room between the building and the street, sidewalks must be located as show in the streetscape standards. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(C) Width.

(i) Sidewalks must comply with the streetscape standards.

(ii) For any required sidewalks not illustrated in the street standards, sidewalks must have a minimum width of four feet, unobstructed by any structures or landscaping except tree grates, utility poles, and service boxes.

(9) Screening of outdoor storage areas. Except for retail and personal service uses, all outdoor storage areas must be screened by an eight-foot-high solid screening fence, vegetative materials consisting of evergreen plant materials, or other alternative deemed appropriate by the building official.

(j) Landscaping.

(1) In general. Except as provided in this subsection, landscaping must be provided in accordance with Article X.

(A) All street trees must meet the requirements of Section 51A-10.125(b)(4).

(B) All site trees must be a minimum of two inches in caliper at time of planting and may not be located closer than four feet to any paved surface (measured from the center of the tree trunk).

(C) All site tree in-ground planting areas must be a minimum of 100 square feet for a large tree and 50 square feet for a small tree. Planters for large or small trees must be a minimum of 25 square feet.

(D) Site trees must be large tree species listed in Section 51A-10.134.

(E) Small tree species may be substituted at a rate of two small trees per required large tree.

(F) Existing healthy site trees may be used to satisfy the site tree requirements of this section in accordance with Section 51A-10.125(b)(3)(B). Whether a site tree is healthy is a determination made by the building official.

(G) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.

(H) Site trees must be evenly distributed throughout the development.

(I) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

(2) Surface parking landscaping.

(A) Parking spaces in a surface parking lot may not be more than 100 feet from a large canopy tree planted in a median or island.

(B) Each tree must have a caliper of at least two inches and may not be planted closer than two feet to the paved portion of the parking lot.

(C) A median or island in a surface parking lot must be a minimum of 25 square feet in area.

(3) Shared Access Developments.

(A) One site tree must be provided for every 4,000 square feet, or portion thereof, within the shared access development, or a minimum of one site tree must be provided for each individual dwelling unit in the shared access development, whichever is greater.

(B) Site trees must be evenly distributed throughout the shared access development.

(k) Signs.

(1) Except as otherwise provided, signs must comply the provisions for business zoning districts in Article VII.

(2) The following additional attached premise signs are permitted:

(A) Identifications signs.

(i) An SUP is required. In addition to the provisions of Section 51A-4.219 in determining whether or not to grant a specific use permit, the following factors must be considered:

(aa) Effect on view corridors into and out of the Property.

(bb) Effect on views to and from area parks and landmarks, including the Trinity River Park.

(cc) Effect on public open space and parks.

(dd) Effect on residential uses within the Property.

(ii) A maximum of two are allowed.

(iii) May project 50 feet above the roof.

(iv) Maximum effective area is 5,000 square feet.

(v) May contain a changeable message.

(B) Project announcement signs.

(i) A maximum of ten are allowed.

(ii) Maximum effective area is 1,500 square feet.

(iii) May contain a changeable message.

(iv) May be displayed no more than 90 days before the project or activity in the subdistrict commences or the tenant moves in.

(v) Must be removed no more than 90 days after the project or activity in the subdistrict is completed or the tenant moves in.

(3) The use of neon is permitted.

(4) No sign may project beyond the street curb line.

(5) Signs may be illuminated by an independent external light source (such as an external floodlight).

[(a) Main uses permitted.

(1) Commercial and business service uses.

- Building repair and maintenance shop.
- Catering service.
- Commercial cleaning or laundry plant.
- Custom business services.
- Custom woodworking, furniture construction or repair.
- Electronics service center.
- Job or lithographic printing.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(2) Industrial uses.

- Alcoholic beverage manufacturing. [Subdistrict A-4 only.] [RAR]
- Industrial (inside) not potentially incompatible.
- Industrial (inside) light manufacturing.

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

(3) Institutional and community service uses.

- Child care facility.
- Church.
- Public or private school.

(4) Lodging uses.

- Hotel or motel. *[SUP required if less than 80 rooms.]*

(5) Miscellaneous uses.

- Temporary construction or sales office.

(6) Office uses.

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

(7) Recreation uses.

- Public park, playground, or golf course.

(8) Residential uses. The following residential uses are permitted only as a use category within a mixed use project:

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A 4.209(3.1) is not met.]*
- Multifamily.
- Single family.
- Retirement housing.

To qualify as a mixed use project, a development must contain residential uses and one or more of the other use categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

<u>Use Category</u>	<u>Percentage of Total Floor Area</u>
---------------------	---------------------------------------

Lodging	10 percent
Office	15 percent
Residential	10 percent
Retail and personal service	5 percent

(9) Retail and personal service uses.

- ~~Ambulance service.~~
- ~~Auto service center.~~
- ~~Car wash. [Tunnel unit type only.]~~
- ~~Commercial amusement (outside). [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.~~
- ~~Household equipment and appliance repair. [No outside storage permitted.]~~
- ~~Microbrewery, microdistillery, or winery. [Subdistrict A-4 only.] [RAR]~~
- ~~Mortuary, funeral home, or commercial wedding chapel.~~
- ~~Motor vehicle fueling station.~~
- ~~Nursery, garden shop, or plant sales.~~
- ~~Personal service uses.~~
- ~~Restaurant without drive-in or drive-through service.~~
- ~~Restaurant with drive-in or drive-through service.~~
- ~~Theater.~~

(10) Transportation uses.

- ~~Transit passenger shelter.~~

(11) Utility and public service uses.

- ~~Electrical substation.~~
- ~~Local utilities.~~
- ~~Police or fire station.~~
- ~~Post office.~~
- ~~Tower/antenna for cellular communication.~~
- ~~Utility or government installation other than listed. [SUP]~~

(12) Wholesale, distribution, and storage uses.

- ~~Contractor's maintenance yard.~~

- Mini-warehouse.
- Office showroom/warehouse.
- Warehouse.

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

(c) Yard, lot, and space regulations.

(1) Application of subsection. The following yard, lot, and space regulations apply to all properties within Subdistricts A and A 4 except as provided in the urban design guidelines for properties fronting on specific streets.

(2) In general. The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A 4.400. If there is a conflict between this subsection and Division 51A 4.400, this subsection controls.

(3) Front yard. Minimum front yard is 15 feet.

(4) Side and rear yard. No minimum side or rear yard.

(5) Density. No maximum density.

(6) Floor area ratio. Maximum floor area ratio is 3:1.

(7) Height. Maximum structure height to the east of Plowman Avenue is 270 feet. Maximum structure height to the west of Plowman Avenue is 110 feet.

(8) Lot coverage. Maximum lot coverage is 80 percent.

(9) Lot size. No minimum lot size.

(10) Stories. Maximum number of stories to the east of Plowman Avenue is 20. Maximum number of stories to the west of Plowman Avenue is eight.

(d) Off-street parking and loading. Consult the use regulations contained in Division 51A 4.200 for the specific off-street parking and loading requirements for each use.

(e) Environmental performance standards. See Article VI.

(f) Landscaping.

(1) All landscaping must be provided in accordance with Article X.

(2) ~~Plant material must be maintained in a healthy, growing condition.~~

(g) ~~Signs.~~ Signs must comply with the provisions for business zoning districts in Article VII.

(h) ~~Additional provisions.~~

(1) ~~Properties must be maintained in a state of good repair and neat appearance.~~

(2) ~~Development and use of the properties must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.~~

(i) ~~Urban design guidelines for properties fronting on Beckley Avenue, East Colorado Boulevard, Jefferson Boulevard, and Greenbriar Lane.~~

(1) ~~Purpose.~~ The purpose of these urban design guidelines is to enhance the pedestrian environment by increasing safety measures and providing amenities; preserve the historic character of Old Oak Cliff; and enhance the safety factors for heavily traveled major thoroughfares.

(2) ~~CPTED review.~~ Compliance with Crime Prevention Through Environmental Design (CPTED) review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.

(3) ~~Front yard.~~ Minimum front yard is 15 feet. Maximum front yard is 30 feet.

(4) ~~Lighting.~~ Exterior lighting of the front yard and parking areas must be directed away from adjoining properties.

(5) ~~Parking lots.~~

(A) ~~Screening methods.~~ All off street surface parking lots, excluding driveways used for ingress or egress must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:

(i) ~~Brick, stone, or concrete masonry; stucco; concrete; or wood wall or fence.~~

(ii) ~~Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.~~

~~(iii) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials 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. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.~~

~~(B) Measuring the height of screening. The height of screening is measured from the horizontal plane passing through the nearest point of the surface of the parking lot. Screening may be placed in a visibility triangle as defined in the visual obstruction regulations in Section 51A 4.602(c). Any screening placed in a visibility triangle must be two and one half 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.~~

~~(6) Reflective glass. Maximum permitted luminous reflectance of glass used as an exterior building material varies depending on where the reflective glass is used on the building. The luminous reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The luminous reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.~~

~~(7) Screening of outside storage. Outside storage must be screened as provided by Section 51A 4.602(b).~~

~~(8) Street trees. In addition to any landscaping required by Article X, trees must be planted within 10 feet of the front property line at a density of one tree for each 30 linear feet of frontage, excluding visibility triangles, driveways, and points of ingress and egress to and from the property.~~

~~(j) Urban design guidelines for properties fronting on Julian Street, Spann Street, Oregon Street, Dealey Street, and Morgan Street.~~

~~(1) Purpose. The purpose of these urban design guidelines is to enhance the pedestrian environment by increasing safety measures and providing amenities, and to preserve the historic character of Old Oak Cliff.~~

~~(2) CPTED review. Compliance with CPTED review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.~~

~~(3) Lighting. Exterior lighting of the front yard and parking areas must be directed away from adjoining properties.~~

~~(4) Reflective glass. Maximum permitted luminous reflectance of glass used as an exterior building material varies depending on where the reflective glass is used on the~~

~~building. The luminous reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The luminous reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.~~

~~(5) Screening of outdoor storage. Outside storage must be screened as provided by Section 51A-4.602(b).~~

~~(6) Sidewalks. Buildings must be set back at least six feet from the required sidewalk.~~

~~(7) Street trees. In addition to any landscaping required by Article X, trees must be planted within 10 feet of the front property line at a density of one tree for each 30 linear feet of frontage, excluding visibility triangles, driveways, and points of ingress and egress to and from the property.]~~

**SEC. 51P-468.108[7-1]. EAST KESSLER OVERLAY. [SUBDISTRICT A-1
BECKLEY RESIDENTIAL AREA.]**

(a) Applicability. The provisions in this section apply only in the East Kessler overlay as identified in Exhibit _____.

(b) Height. Maximum structure height is 35 feet.

(c) Stories. Maximum number of stories is 2.5.

(d) Parking reductions. Parking reductions allowed in this district are not allowed in the East Kessler Overlay.

(e) Remote parking. Remote parking is prohibited. No use in the East Kessler Overlay may use remote parking for required parking, whether the remote parking lot is within the overlay or outside of it. No use outside of the overlay may use a remote parking lot within the overlay for required parking.

(f) Rooftop decks. Rooftop decks accessible to the public are prohibited.

(g) Outdoor speakers. Outdoor speakers are prohibited.

(h) Detached signs. Detached signs are prohibited along Handley Drive and Greenbriar Lane.

(i) Backlit signs. Backlit signs are prohibited.

(j) Special provisions for lots adjacent to Handley.

(1) The following main uses are the only main uses allowed:

- Single family.
- Duplex.
- Multifamily.
- Office.
- Medical office.

(2) Minimum front yard setback is 15 feet.

(3) When adjacent to a single family use, minimum side and rear setback is 5 feet.

(4) Maximum structure height is 30 feet.

(5) Maximum lot coverage is 80 percent.

(vi) Detached signs are prohibited.

(6) LED lights are prohibited.

(7) Maximum effective area for attached premise signs is four square feet.

[(a) Main uses permitted.

(1) Residential uses.

- ~~Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]~~
- ~~Multifamily.~~
- ~~Residential hotel.~~
- ~~Single family.~~

(2) Transportation uses.

- ~~Transit passenger shelter.~~

(3) Utility and public service uses.

- ~~Electrical substation.~~
- ~~Local utilities.~~
- ~~Police or fire station.~~
- ~~Post office.~~
- ~~Tower/antenna for cellular communication.~~
- ~~Utility or government installation other than listed. [SUP]~~

~~(b) Accessory uses. As a general rule, an accessory use is permitted in any district 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. For more information regarding accessory uses, consult Section 51A 4.217.~~

~~(c) Yard, lot, and space regulations.~~

~~(1) Application of subsection. The following yard, lot, and space regulations apply to all properties within Subdistrict A 1.~~

~~(2) In general. The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A 4.400. In the event of a conflict between this section and Division 51A 4.400, this subsection controls.)~~

~~(3) Front yard. Minimum front yard is 15 feet.~~

~~(4) Side and rear yard. No minimum side or rear yard.~~

~~(5) Density. Maximum number of dwelling units is 23.~~

~~(6) Floor area ratio. Maximum floor area ratio is 3:1.~~

~~(7) Height. Maximum structure height is 50 feet.~~

~~(8) 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.~~

~~(9) Lot size. No minimum lot size.~~

~~(10) Stories. No maximum number of stories.~~

~~(d) Off-street parking and loading. Consult the use regulations contained in Division 51A 4.200 for the specific off-street parking/loading requirements for each use.~~

~~(e) Environmental performance standards. See Article VI.~~

~~(f) Landscaping.~~

~~(1) For a shared access development, landscaping must be provided in accordance with all provisions set forth in this paragraph.~~

~~(A) Treatment as a single lot. For purposes of landscape regulations, a shared access development is treated as a single lot.~~

~~(B) Landscape site area designation. A minimum of 20 percent of the shared access development must be designated as landscape site area. Permeable pavement for motor vehicles does not count as a part of the landscape site area.~~

~~(C) Trees.~~

~~(i) Site trees. One tree must be provided for every 4,000 square feet within the shared access development. A minimum of 50 percent of these site trees must be planted within the rear 50 percent of the shared access development. Every site tree must have a planting area of at least 25 square feet. The trunk of any site tree must be located more than two and one-half feet from any pavement.~~

~~(ii) Street trees. All street trees must be large canopy trees. One large canopy tree must be provided for every 25 feet of frontage, with a minimum of two trees required. These trees must be located within the public right of way.~~

~~(2) For all other uses, landscaping must be provided in accordance with Article X.~~

~~(3) All plant materials must be maintained in a healthy, growing condition.~~

~~(g) Signs. Signs must comply with the provisions for non-business zoning districts in Article VII.~~

~~(h) Additional provisions.~~

~~(1) Property in this subdistrict must be properly maintained in a state of good repair and neat appearance.~~

~~(2) Development and use of property in this subdistrict must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.]~~

**SEC. 51P-468.109[7.2]. MEDICAL USE OVERLAY, SUBDISTRICT A-2—
GREENBRIAR RESIDENTIAL AREA.**

(a) Applicability. The provisions in this section apply only in the medical use overlay as identified in Exhibit only when occupied by a medical use as defined in Section 51A-13.306(d)(4).

(b) Purpose. The medical use overlay is intended to provide flexibility to meet the unique requirements of medical uses including accessibility, building infrastructure, and structure design standards.

(c) Conflict. If there is a conflict between the text of this section and the text of other sections in this article, this section controls. If there is a conflict between the text of this section and Chapter 51A, the text of this section controls.

(d) Street hierarchy plan. The medical use overlay must comply with the street hierarchy plan (Exhibit 468C). Amendments to the hierarchy plan must follow the procedures for the minor amendment process in Section 51A-4.702(h)(2).

(e) Main uses permitted.

(1) In general. The following uses are the only main uses permitted:

- Commercial parking lot.
- Medical uses as defined in Section 51A-13.306(d)(4).
- Pedestrian sky bridge. [SUP. See Section 51A-4.217(b)(12). Traffic impact analysis is not required.]

(2) Active uses. Along Beckley Avenue and Colorado Boulevard, the only uses permitted on street-level and as part of a parking structure are active uses.

(f) Yard, lot, and space regulations.

(1) Front yard. Along secondary streets, maximum front yard is 30 feet. Along service streets, no maximum front yard. Pedestrian skybridges may be located in a required front yard.

(2) Side yard. Maximum side yard is 50 feet.

(3) Parking setback. Along non-primary streets, minimum setback for surface parking is 10 feet.

(4) Structure height. Except along Beckley Avenue and Colorado Boulevard, no minimum structure height. Along Colorado and Beckley, structure height must comply with WMU-20 regulations in Article XIII.

(5) Story height. No maximum or minimum story height.

(6) Block length. Maximum block lengths required by Article XIII may be measured from intervening fire lanes, driveways, pedestrian or bicycle passages, or alleys that serve to divide blockfaces.

(g) Off-street parking regulations.

(1) In general. Except as otherwise provided in this subsection, consult the parking regulations in Section 51A-13.402 for the specific off-street parking and loading requirements for medical uses.

(A) Hospital. One off-street parking space per bed is required.

(D) Pedestrian sky bridge. None required.

(2) Parking fees. Medical uses may charge a fee for required off-street parking.

(h) Facade transparency.

(1) Along Beckley Avenue and Colorado Boulevard, minimum facade transparency at street-level is 30 percent. Minimum facade transparency above street-level is 20 percent.

(i) Single story shopfront development. Single story shopfront development is allowed for medical uses in buildings that do not front Beckley Avenue or Colorado Boulevard.

(a) Main uses permitted.

(1) In general. Except for transit passenger shelter and local utilities, nonresidential uses must be part of a live/work unit and located in buildable area 2 as shown on the Subdistrict A-2 conceptual plan.

(2) Commercial and business service uses.

- Artisan and specialty goods shop.
- Art or craft production facility.
- Catering service.
- Live/work unit.

(3) Industrial uses.

- Industrial (inside) for light manufacturing. *[Limited to 1,000 square feet. Street level only.]*

(4) Office uses.

- Office.

(5) Residential uses.

- Multifamily.

(6) Retail and personal service uses.

- Art gallery.

- General merchandise or food store 3,500 square feet or less.
- Personal service uses.
- Restaurant without drive-in or drive-through service.

(7) Transportation uses.

- Transit passenger shelter.

(8) Utility and public service uses.

- Local utilities.

(b) Accessory uses. As a general rule, an accessory use is permitted in any district 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.

(c) Yard, lot, and space regulations.

(1) In general. The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A 4.400. If there is a conflict between this section and Division 51A 4.400, this section controls.

(2) Front yard.

(A) Minimum front yard.

- (i) Greenbriar Lane. Minimum front yard is five feet.
- (ii) Dealey Avenue. No front yard is required.

(B) Buildable area 1.

(i) A minimum of 65 percent of the easement frontage must have a building facade located within 0 and 15 feet of the wastewater easement.

(ii) The required setback from the wastewater easement is measured from the northernmost line of the easement shown on the Subdistrict A-2 conceptual plan.

(iii) A permit must be issued for a building in buildable area 2 that meets the minimum frontage requirement in Subparagraph (C) before the issuance of a permit to construct a building in buildable area 1.

(C) Buildable area 2.

- (i) ~~Maximum front yard is 15 feet.~~
 - (ii) ~~A minimum of 65 percent of the lot frontage must have a building facade located between the minimum and maximum front yard.~~
- (3) ~~Side and rear yard. No minimum side or rear yard.~~
- (4) ~~Density. Minimum density is 55 dwelling units per acre. No maximum dwelling unit density.~~
- (5) ~~Floor area ratio. No maximum floor area ratio.~~
- (6) ~~Height. Maximum structure height is 78 feet.~~
- (7) ~~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.~~
- (8) ~~Lot size. No minimum lot size.~~
- (9) ~~Stories. Minimum number of stories above grade is two. Maximum number of stories above grade is five.~~
- (d) ~~Off street parking and loading.~~
 - (1) ~~In general. Except as provided in this subsection, consult the use regulations in Division 51A 4.200 for the specific off street parking and loading requirements for each use.~~
 - (2) ~~Multifamily.~~
 - (A) ~~On street parking reduction. Any on street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on street parking space.~~
 - (i) ~~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 for a mixed use project.~~
 - (ii) ~~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.~~

~~(B) Bicycle parking. One bicycle parking space per 10 dwelling units is required. A minimum of 25 percent of the required bicycle parking spaces must be unassigned and available for guest parking. The remaining required bicycle parking spaces must be secure and located within an enclosed structure.~~

~~(C) Street car parking reduction. If a street car stop is located within a walking distance of 1,500 feet, the off-street parking requirement is 1.1 spaces per dwelling unit.~~

~~(3) Live/work units. Live/work units must comply with the parking requirements for multifamily uses. The nonresidential portion of a live/work unit does not require additional parking or loading above the minimum requirement for a multifamily use; however, the minimum parking requirement in Division 51A 4.200 or this section must be available and unassigned and must be located on-site or within the adjacent public right-of-way.~~

~~(4) Artisan and specialty goods shop or art or craft production facility. One space per 500 square feet of floor area is required.~~

~~(5) Art gallery. One space per 200 square feet of floor area is required.~~

~~(e) Environmental performance standards. See Article VI.~~

~~(f) Landscaping.~~

~~(1) Landscaping must be provided in accordance with Article X.~~

~~(2) Plant material must be maintained in a healthy, growing condition.~~

~~(g) Landscaping in the parkway.~~

~~(1) Private license granted.~~

~~(i) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this subdistrict for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right of way between the street curb and the lot line. 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 parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, 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 a 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 city.~~

~~(ii) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.~~

~~(iii) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant 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.~~

~~(iv) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.~~

~~(2) Parkway landscape permit.~~

~~(i) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.~~

~~(ii) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.~~

~~(iii) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.~~

~~(iv) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right of way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.~~

~~(v) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right of way.~~

~~(h) Signs.~~

~~(1) Signs must comply with the provisions for non-business zoning districts in Article VII.~~

~~(2) For the purpose of projecting signs, a live/work unit is considered a nonresidential premise. Projecting signs are limited to a maximum of 10 square feet of effective area.~~

~~(i) Urban design guidelines.~~

~~(1) Purpose. The purpose of these urban design guidelines is to enhance the pedestrian environment by increasing safety measures and providing amenities; preserve the historic character of Old Oak Cliff; and enhance the safety factors for heavily traveled major thoroughfares. For the purpose of these urban design guidelines, a live/work unit is considered a dwelling unit.~~

~~(2) Street-facing ground-floor dwelling units.~~

~~(A) A minimum of 80 percent of the street-facing, ground-floor dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk.~~

~~(B) Individual entries may be gated and private yards or patios may be fenced if the fencing is a minimum 70 percent open, such as wrought iron.~~

~~(C) A minimum of 60 percent of the street-facing, ground-floor dwelling units must have an individual entrance or patio within six to 30 inches above the finished sidewalk grade.~~

~~(D) Construction of stoops or porches at each street-facing, ground-floor dwelling unit is encouraged.~~

~~(E) For a live/work unit, the second floor shall be the maximum height allowed above the finished floor without the requirement of a mid-stair landing.~~

~~(F) The street-facing facade of a live/work unit must provide the following fenestration for the portions of the ground floor that has floor area. If an enclosed parking area within a live/work unit is converted to floor area, the entire street-facing facade of the ground level must comply with the following fenestration requirements.~~

~~(i) Windows and doors must contain clear and unpainted or similarly treated glass that provides a transparent surface (spandrel glass or back-painted glass is prohibited).~~

~~(ii) Windows and doors are required at a minimum of 50 percent of the street-fronting, street-level facade.~~

~~(iii) Windows must be located a maximum of three feet above the base of the structure.~~

~~(iv) Windows must be at least 10 feet in height.~~

~~(3) Architectural elements.~~

~~(A) Maximum permitted luminous reflectance of glass used as an exterior building material above the first two stories of the building may not exceed 27 percent.~~

~~(B) To break up long walls, building articulation of a minimum depth of one foot is required for every 50 feet of length of a street-facing facade.~~

~~(C) A minimum of two different facade materials or colors is required on each street-facing facade.~~

~~(D) Special architectural elements, such as architecturally prominent public entrances, a canopy or awning, or an attached tower or turret, are required at building public entry points. A minimum of two elements are required for buildable area 1 and a minimum of one element is required for buildable area 2.~~

~~(4) Parking structures. Parking structure facades must be concealed with a facade that is similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in the exterior parking structure facade may not exceed 60 percent of the total parking structure facade area. Solid screening that is a minimum of 42 inches in height from the floor level within the parking structure is required to screen vehicles and vehicle headlights. Other openings must be~~

~~screened with architectural grill work or other visual screening materials that provide ventilation. Cable guard strands must not be visible from the exterior of the parking structure.~~

~~(5) Pedestrian amenities.~~

~~(A) A minimum of two benches and two trash receptacles are required along each street frontage.~~

~~(B) Pedestrian scale lighting must be provided at an average of one lighting fixture per 75 feet of street frontage. Lighting fixtures may be attached or detached.~~

~~(C) A minimum sidewalk width of eight feet must be provided with a minimum unobstructed width of five feet. Trees and tree grates are sidewalk obstructions.~~

~~(D) Pedestrian crossings at driveways must be distinguished by a change in surface materials such as pavers or patterned concrete. Pedestrian crossings may not be distinguished by paint alone.~~

~~(6) Open space. A minimum of eight percent of the lot area must be provided as open space. Open space may be provided at or below grade or above ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. Open space cannot be parked on or driven upon.~~

~~(7) CPTED review. Compliance with Crime Prevention Through Environmental Design (CPTED) review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.~~

~~(8) Street trees.~~

~~(A) In addition to any landscaping required by Article X, trees must be planted within 10 feet of the front property line or within the parkway at a density of one tree for each 30 linear feet of frontage, excluding visibility triangles, driveways, and points of ingress and egress to and from the Property.~~

~~(B) The following small trees may be provided to comply with this requirement in areas where a conflict exists due to above or below ground utilities:~~

- ~~(i) Crepe Myrtle (*Lagerstroemia indica*)~~
- ~~(ii) Redbud (*Cercis canadensis*)~~
- ~~(iii) Desert Willow (*Chilopsis linearis*)~~
- ~~(iv) Yaupon Holly (*Ilex vomitoria*)~~

(v) ~~Mexican Plum (Prunus mexicana)~~

(9) ~~Paving.~~ Architecturally enhanced paving is encouraged adjacent to Greenbriar Lane and for parking areas visible from an improved public street.

(j) Additional provisions:

(1) A live/work unit may:

(A) ~~only have customers on the premises between 7:00 a.m. and 9:00 p.m., Monday through Sunday;~~

(B) ~~only have material deliveries and pick ups twice per week or less;~~

(C) ~~not allow work related activities to occur outside;~~

(D) ~~not have outdoor displays; and~~

(E) ~~not generate loud and raucous noise that renders enjoyment of life or property uncomfortable or interferes with public peace and comfort.~~

(2) ~~A stucco system used as a facade material must have a minimum thickness of a half inch.~~

(3) ~~Property in this subdistrict must be properly maintained in a state of good repair and neat appearance.~~

(4) ~~Development and use of the Property in this subdistrict must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.~~

SEC. 51P-468.110[7.3].

**TRANSITIONAL USES. [SUBDISTRICT A-3—
TRINITY TOWNHOME MULTIFAMILY
RESIDENTIAL AREA.**

(a) Application. This section applies only to Subdistricts B, C, D, E, F, and G.

(b) Purpose. When a form district is initiated, it may not be possible to develop and completely transition the entire area at the inception. Transitional uses are intended to provide an opportunity for owners in a form district to make appropriate use of their property during the interim period as the district develops. Transitional uses are intended to allow underutilized or vacant properties to have value between the effective date of this article and the time that full implementation of the zoning changes become practical and feasible with strict compliance. No transitional use is allowed without a specific use permit which must contain a specific duration

and, which may, if necessary provide regulations in this section to ensure compatibility of the use with surrounding properties.

(c) Specific use permit.

(1) The uses listed in Subsection (d) are permitted as transitional uses subject to a specific use permit.

(2) A specific use permit approved for a transitional use must contain a specified duration, which may not exceed years. A specific use permit for a transitional use is not subject to automatic renewal. No off-street parking reductions are permitted.

(3) A specific use permit approved for a transitional use may modify the following regulations of this article if the city council determines that no adverse impact on surrounding properties will result:

(A) Section 51A-13.302, “Height.”

(B) Section 51A-13.304, “Development Types.”

(C) Section 51A-13.305, “Building Elements.”

(4) A specific use permit for a transitional use does not create nonconforming rights in the use, structure, or any modifications of the regulations of this article. Upon expiration of the specific use permit, immediate compliance with all regulations of this article is required.

(5) No expiration for a specific use permit may occur while an application for renewal of the specific use permit is pending before the city plan commission or city council. If an application is pending at the end of the current time limit stated in the specific use permit ordinance, the time limit shall be extended as a matter of law:

(A) until the day following the next succeeding official agenda meeting of the city council after the council makes a final decision to deny the application; or

(B) if the city council votes to create a new time limit, until the effective date of the amending ordinance establishing the new time limit.

(d) List of transitional uses.

(1) All uses permitted under Section 51A-13.306, regardless of the subdistrict in which the use is located.

(2) Crop production.

(3) Building repair and maintenance shop.

- (4) Catering service, large scale.
 - (5) Electronics service center.
 - (6) Tool or equipment rental.
 - (7) Lumber, brick, or building materials sales yard.
 - (8) Recycling collection center.
 - (9) Outdoor recreation, including, but not limited to, country club with private membership, private recreation center, club, or area (outside), public golf course, and commercial amusement (outside).
 - (10) Nursery or plant sales on an open lot.
- (a) Main uses permitted. The following are the only main uses permitted:
- Local utilities.
 - Multifamily.
- (b) Accessory uses. As a general rule, an accessory use is permitted in any district 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.
- (c) Yard, lot, and space regulations.
- (1) In general. The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A 4.400. If there is a conflict between this subsection and Division 51A 4.400, this subsection controls.
 - (2) Front yard.
 - (A) Dealey Avenue. Along Dealey Avenue, minimum front yard is five feet.
 - (B) Greenbriar Lane.
 - (i) Except as provided in this subparagraph, along Greenbriar Lane and south of the sanitary sewer easement shown on the development plan,
 - (aa) minimum front yard is 5 feet; and
 - (bb) maximum front yard is 15 feet.

(ii) ~~For dwelling units along Greenbriar Lane and south of the sanitary sewer easement shown on the development plan, stoops and stairs may encroach up to five feet into the minimum front yard setback.~~

(iii) ~~A portion of the front facade equal to at least 25 percent of the length of the Property along Greenbriar Lane, including pedestrian and vehicular ingress and egress points, must be located within the area between the minimum and maximum front yard setback. The remainder of the front facade must comply only with the minimum front yard setback.~~

(C) ~~Urban form. Urban form setbacks are not required.~~

(3) ~~Side and rear yard. No minimum side or rear yard.~~

(4) ~~Density. Minimum density is 60 dwelling units. No maximum density.~~

(5) ~~Floor area ratio. No maximum floor area ratio.~~

(6) ~~Height.~~

(A) ~~Except as provided in this paragraph, maximum height is 75 feet.~~

(B) ~~In the area shown on the development plan, maximum height is 38 feet.~~

(7) ~~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.~~

(8) ~~Lot size. No minimum lot size.~~

(9) ~~Stories. Maximum number of stories is five.~~

(d) ~~Off-street parking and loading.~~

(1) ~~Except as provided in this subsection, consult the use regulations in Division 51A 4.200 for the specific off-street parking/loading requirements for each use.~~

(2) ~~Tandem parking is permitted in garages attached to individual dwelling units.~~

(3) ~~For a multifamily use, a minimum of 1.50 off-street parking spaces per dwelling unit must be provided. For visitor parking, an additional minimum of 0.25 off-street~~

~~parking spaces per dwelling unit must be provided. Required visitor parking must be available and unassigned.~~

~~(4) On-street parking spaces adjacent to the multifamily use may be counted toward the off-street visitor parking requirements.~~

~~(e) Environmental performance standards. See Article VI.~~

~~(f) Landscaping.~~

~~(1) Landscaping must be provided in accordance with Article X.~~

~~(2) Plant materials must be maintained in a healthy, growing condition.~~

~~(g) Signs. Signs must comply with the provisions for non-business zoning districts in Article VII.~~

~~(h) Urban design guidelines.~~

~~(1) In general.~~

~~(A) The purpose of these urban design guidelines is to:~~

~~(i) enhance the pedestrian environment by increasing safety measures and providing amenities;~~

~~(ii) preserve the historic character of Old Oak Cliff; and~~

~~(iii) enhance the safety factors for heavily traveled major thoroughfares.~~

~~(B) For purposes of the urban design guidelines, internal driveways are considered streets.~~

~~(C) The urban design guidelines do not apply to the existing dwelling units constructed before January 1, 2013 and shown on the development plan.~~

~~(2) Street-facing facades.~~

~~(A) Except as provided in this paragraph, a minimum of 80 percent of the street-facing street-level dwelling units must have an:~~

~~(i) individual entry with access to the street; and~~

~~(ii) improved path that connects to a sidewalk.~~

~~(B) Along Greenbriar Lane and south of the sanitary sewer easement shown on the development plan, 100 percent of the street-facing street-level dwelling units must have an:~~

- ~~(i) individual entry with access to the street; and~~
- ~~(ii) improved path that connects to a sidewalk.~~

~~(C) Along Greenbriar Lane and south of the sanitary sewer easement shown on the development plan, at least 30 percent of the area of street-facing street-level dwelling-unit facades, including windows and doors, must be transparent.~~

~~(3) Architectural elements.~~

~~(A) To break up long walls, building articulation of a minimum depth of one foot is required for every 50 feet of length of a street-facing facade.~~

~~(B) A minimum of two different facade materials or colors is required on each street-facing facade.~~

~~(4) Off-street parking structures.~~

~~(A) Except as provided in this paragraph, parking structures must be concealed with a facade that is similar in materials, architecture, and appearance to the facade of the main structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations.~~

~~(B) Openings in the exterior parking structure facade may not exceed 60 percent of the total parking structure facade area.~~

~~(C) Solid screening of a minimum of 42 inches in height from the floor level within the parking structure to screen vehicles and vehicle headlights.~~

~~(D) Other openings must be screened with architectural grill work or other visual screening materials that provide ventilation and minimize glare and noise.~~

~~(E) The off-street parking structure requirements do not apply to garages attached to individual dwelling units.~~

~~(5) Pedestrian amenities along Greenbriar Lane.~~

~~(A) Pedestrian-scale lighting must be provided at an average of one lighting fixture per 75 feet of Greenbriar Lane street frontage, including ingress and egress points.~~

~~(B) A minimum sidewalk width of eight feet must be provided with a minimum unobstructed width of five feet. Trees and tree grates are considered sidewalk obstructions. Internal sidewalks along the driveways must be a minimum width of three feet.~~

~~(C) Pedestrian crossings at driveways that connect to Greenbriar Lane must be distinguished by a change in surface materials, such as pavers or patterned concrete. Pedestrian crossings may not be distinguished by paint alone.~~

~~(6) CPTED review. Compliance with Crime Prevention Through Environmental Design (CPTED) review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.~~

~~(7) Fencing. The following fencing requirements apply when the seventh dwelling unit is completed on the Property:~~

~~(A) All fencing existing on November 12, 2013 must be removed, except the fencing for existing dwelling units constructed before January 1, 2013 and shown on the development plan.~~

~~(B) Except as provided in this paragraph, fencing for street facing dwelling units may not exceed four feet in height.~~

~~(C) Side yard perimeter fencing may not exceed nine feet in height.~~

~~(D) Vehicular security gates may not exceed six feet in height and must be located at least 15 feet from the street right of way as shown on the development plan.~~

~~(E) Fencing in the area between a street facing facade and the street that is not part of an individual dwelling unit's private yard or patio must have one pedestrian gate for every 150 feet of fencing length.~~

~~(F) Fencing and gates for individual dwelling unit entries, private yards, and patios must be a minimum of 70 percent open.~~

~~(i) Additional provisions:~~

~~(1) To ensure compliance with the standards of this article, before the issuance of a building permit to construct a building north of the sanitary sewer easement shown on the development plan, a building permit must be issued for a building that meets the facade location requirements in Section 51P-107.3(c)(2).~~

~~(2) Dumpsters are not permitted.~~

~~(3) The Property must be properly maintained in a state of good repair and neat appearance.~~

~~(4) Development and use of property in this subdistrict must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.]~~

SEC. 51P-468.111[08].

**HIGH-RISE TOWER CONFIGURATION AND
ORIENTATION REQUIREMENTS. [SUBDISTRICT
B – OAK FARMS COMMERCIAL AREA.]**

(a) Applicability. This section applies only to building sites in Subdistricts G and H that are adjacent to the Trinity River levee.

(b) Tower separation. A minimum tower separation of 100 feet is required.

(c) Tower floor proportion. To prevent a wall effect along the Trinity River, any portion of a building greater than 75 feet in height must comply with the following:

(1) For a tower with an average floor plate of 12,500 square feet or less, tower dimension or orientation restrictions are not required.

(2) Towers with an average floor plate greater than 12,500 square feet must comply with the following:

(A) The longest floorplate dimension for a tower greater than 75 in height must be oriented to be perpendicular to the nearest Trinity River axis. The perpendicular tower orientation is permitted a variation up to 10 degrees from perpendicular axis.

(B) Variations in the building shape and architectural façade are permitted, but the primary mass of the building tower must be as compact as possible to maintain the perpendicular tower orientation as shown in Exhibit _____.

(C) Floor plate dimensions may not exceed 130 feet in width and 300 feet in length.

(3) Towers may not have floor plates greater than 30,000 square feet.

~~[(a) Main uses permitted:~~

~~(1) Commercial and business service uses:~~

- ~~-- Building repair and maintenance shop.~~
- ~~-- Catering service.~~
- ~~-- Commercial cleaning or laundry plant.~~
- ~~-- Custom business services.~~
- ~~-- Custom woodworking, furniture construction or repair.~~
- ~~-- Electronics service center.~~

- ~~Job or lithographic printing.~~
- ~~Medical or scientific laboratory.~~
- ~~Technical school.~~
- ~~Tool or equipment rental. [No outside display or storage.]~~

(2) ~~Industrial uses.~~

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

(3) ~~Institutional and community service uses.~~

- ~~Child care facility.~~
- ~~Church.~~
- ~~Convalescent and nursing homes, hospice care, and related institutions. [SUP]~~
- ~~Public or private school.~~
- ~~Library, art gallery, or museum.~~

(4) ~~Lodging uses.~~

- ~~Hotel or motel. [SUP required if less than 80 rooms.]~~

(5) ~~Miscellaneous uses.~~

- ~~Temporary construction or sales office.~~

(6) ~~Office uses.~~

- ~~Financial institution without drive-in window.~~
- ~~Financial institution with drive-in window.~~
- ~~Medical clinic or ambulatory surgical center.~~
- ~~Office.~~

(7) ~~Recreation uses.~~

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

(8) ~~Residential uses.~~

- ~~Duplex.~~
- ~~Handicapped group dwelling unit. [SUP required if spacing component of Section 51A 4.209(3.1) is not met.]~~
- ~~Multifamily.~~
- ~~Single family.~~

- Retirement housing.
- The residential uses listed above are also permitted as a use category within a mixed use project. To qualify as a mixed use project, a development must contain residential uses and one or more of the other use categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

<u>Use Category</u>	<u>Percentage of Total Floor Area</u>
—Lodging	10 percent
—Office	15 percent
—Residential	10 percent
—Retail and personal	
—service	5 percent

(9) Retail and personal service uses.

- Ambulance service.
- Animal shelter or clinic without outside run.
- Auto service center.
- Car wash. *[Tunnel unit type only.]*
- Commercial amusement (outside). *[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.
- 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.
- Restaurant without drive in or drive through service.
- Restaurant with drive in or drive through service.
- Temporary retail store.
- Theater.
- Vehicle display, sales, and service.

(10) Transportation uses.

- Transit passenger shelter.

(11) Utility and public service uses.

- ~~Electrical substation.~~
- ~~Local utilities.~~
- ~~Police or fire station.~~
- ~~Post office.~~
- ~~Tower/antenna for cellular communication.~~
- ~~Utility or government installation other than listed. [SUP]~~

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

(c) ~~Yard, lot, and space regulations.~~

(1) ~~Application of subsection. The following yard, lot, and space regulations apply to all properties within Subdistrict B except as provided in the urban design guidelines for properties fronting on specific streets.~~

(2) ~~In general. The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.~~

(3) ~~Front yard. Minimum front yard is 15 feet.~~

(4) ~~Side and rear yard. No minimum side or rear yard.~~

(5) ~~Density. No maximum density.~~

(6) ~~Floor area. Maximum floor area ratio is 1.5:1.~~

(7) ~~Height. Maximum structure height to the south of Colorado Boulevard is 54 feet. Maximum structure height to the north of Colorado Boulevard is 95 feet.~~

(8) ~~Lot coverage. Maximum lot coverage is 80 percent.~~

(9) ~~Lot size. No minimum lot size.~~

(10) ~~Stories. Maximum number of stories above grade to the south of Colorado Boulevard is four. Maximum number of stories above grade to the north of Colorado Boulevard is seven.~~

(d) ~~Off-street parking and loading. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.~~

(e) ~~Environmental performance standards. See Article VI.~~

(f) Landscaping.

- (1) All landscaping must be provided in accordance with Article X.
- (2) Plant material must be maintained in a healthy, growing condition.

(g) Signs. Signs must comply with the provisions for business zoning districts contained in Article VII.

(h) Additional provisions.

(1) Properties must be maintained in a state of good repair and neat appearance.

(2) Development and use of the properties must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(i) Urban design guidelines for properties fronting on Jefferson Boulevard from the Trinity River to Eighth Street; Lancaster Boulevard north of Colorado Boulevard; and Marsalis Street north of Colorado Boulevard.

(1) Purpose. The purpose of these urban design guidelines is to enhance the pedestrian environment by increasing safety measures and providing amenities; preserve the historic character of Old Oak Cliff; and enhance the safety factors for heavily traveled major thoroughfares.

(2) CPTED review. Compliance with CPTED review is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.

(3) Front yard. Minimum front yard is 15 feet. Maximum front yard is 30 feet.

(4) Lighting. Exterior lighting of the front yard and parking areas must be directed away from adjoining properties.

(5) Parking lots.

(A) Screening methods. All off street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:

(i) Brick, stone, or concrete masonry; stucco; concrete; or wood wall or fence.

(ii) ~~Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.~~

(iii) ~~Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials 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. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.~~

(B) ~~Measuring the height of screening. The height of screening is measured from the horizontal plane passing through the nearest point of the surface of the parking lot. Screening may be placed in a visibility triangle as defined in the visual obstruction regulations in Section 51A-4.602(c). Any screening placed in a visibility triangle must be two and one-half 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.~~

(6) ~~Reflective glass. Maximum permitted luminous reflectance of glass used as an exterior building material varies depending on where the reflective glass is used on the building. The luminous reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The luminous reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.~~

(7) ~~Street trees. In addition to any landscaping required by Article X, trees must be planted within 10 feet of the front property line at a density of one tree for each 30 linear feet of frontage, excluding visibility triangles, driveways, and points of ingress and egress to and from the property.~~

SEC. 51P-468.10].

[SUBDISTRICT C -- LAKE CLIFF RESIDENTIAL AREA.]

[(a) Main uses permitted.

(1) Institutional and community service uses.

institutions:

- Child care facility.
- Church.
- Convalescent and nursing homes, hospice care, and related
- Public or private school.

(2) Recreation uses.

- ~~— Public park, playground, or golf course.~~

~~(3) — Residential uses.~~

- ~~— Duplex.~~
- ~~— Handicapped group dwelling unit. [SUP required if spacing component of Section 51A 4.209(3.1) is not met.]~~
- ~~— Multifamily.~~
- ~~— Single family.~~
- ~~— West of Marsalis Avenue, single family is the only permitted residential use on the following lots:~~

~~(i) Lots that were vacant on March 12, 1997.~~

~~(ii) Lots on which structures are removed, demolished, or destroyed by the intentional act of the owner or his agent.~~

- ~~— West of Marsalis Avenue, the number of dwelling units on a lot may not be increased. If the number of dwelling units on a lot is reduced, the lot is thereafter limited to the lesser number of dwelling units.~~

~~(4) — Transportation uses.~~

- ~~— Transit passenger shelter.~~

~~(5) — Utility and public service uses.~~

- ~~— Local utilities.~~

~~(b) — Accessory uses.~~

~~As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A 4.217. For more information regarding accessory uses, consult Section 51A 4.217.~~

~~(c) — Yard, lot, and space regulations.~~

~~(1) — Application of subsection. The following yard, lot, and space regulations apply to all properties within Subdistrict C.~~

~~(2) — In general. The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A 4.400. In the event of a conflict between this subsection and Division 51A 4.400, this subsection controls.~~

(3) ~~Front yard.~~ Minimum front yard is 15 feet, except that west of Marsalis Avenue, minimum front yard for the R-7.5(A) Single Family District applies.

(4) ~~Side and rear yard.~~ No minimum side or rear yard.

(5) ~~Density.~~ Maximum dwelling unit density is 30 units per acre.

(6) ~~Floor area ratio.~~ No maximum floor area ratio.

(7) ~~Height.~~ Maximum structure height is 36 feet.

(8) ~~Lot coverage.~~ Maximum lot coverage is 45 percent.

(9) ~~Lot size.~~ No minimum lot size.

(10) ~~Stories.~~ No maximum number of stories.

(d) ~~Off-street parking and loading.~~ Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(e) ~~Environmental performance standards.~~ See Article VI.

(f) ~~Landscaping.~~

(1) ~~All landscaping must be provided in accordance with Article X.~~

(2) ~~Plant material must be maintained in a healthy, growing condition.~~

(g) ~~Signs.~~ Signs must comply with the provisions for business zoning districts contained in Article VII.

(h) ~~CPTED review.~~ Compliance with CPTED review standards is encouraged for all construction requiring a building permit. Contact the building official/plans examiner for information on CPTED review standards.

(i) ~~Additional provisions.~~

(1) ~~Properties must be maintained in a state of good repair and neat appearance.~~

(2) ~~Development and use of the properties must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.]~~

SEC. 51P-468.110.

**[SUBDISTRICT C-1 - LAKE CLIFF NEIGHBORHOOD
SERVICE AREA.]**

~~[(a) Main uses permitted. The uses permitted in this district are those uses permitted in the NS(A) Neighborhood Service District, subject to the same conditions applicable in the NS(A) Neighborhood Service District, as set out in the Dallas Development Code. For example, a use permitted in the NS(A) Neighborhood Service District only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the NS(A) Neighborhood Service District is subject to DIR in this subdistrict; etc.~~

~~(b) Yard, lot, and space regulations.~~

~~(1) Application of subsection. The following yard, lot, and space regulations apply to all properties within Subdistrict C-1.~~

~~(2) In general. The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A 4.400. In the event of a conflict between this subsection and Division 51A 4.400, this subsection controls.~~

~~(3) Front yard. Minimum front yard is 15 feet.~~

~~(4) Side and rear yard. No minimum side or rear yard.~~

~~(5) Density. Maximum dwelling unit density is 30 units per acre.~~

~~(6) Floor area ratio. No maximum floor area ratio.~~

~~(7) Height. Maximum structure height is 36 feet.~~

~~(8) Lot coverage. Maximum lot coverage is 45 percent.~~

~~(9) Lot size. No minimum lot size.~~

~~(10) Stories. No maximum number of stories.~~

~~(c) Off street parking and loading. Consult the use regulations contained in Division 51A 4.200 for the specific off street parking and loading requirements for each use.~~

~~(d) Environmental performance standards. See Article VI.~~

~~(e) Landscaping.~~

~~(1) All landscaping must be provided in accordance with Article X.~~

~~(2) Plant material must be maintained in a healthy, growing condition.~~

~~(f) Signs. Signs must comply with the provisions for business zoning districts contained in Article VII.~~

(g) ~~CPTED review.~~ Compliance with CPTED review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.

(h) Additional provisions.

(1) Properties must be maintained in a state of good repair and neat appearance.

(2) Development and use of the properties must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-468.111. SUBDISTRICTS D AND D-2 -- FOUNDERS PARK MIXED AREA AND FOUNDERS PARK MIXED AREA 2.

(a) Main uses permitted.

(1) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Medical or scientific laboratory. *[SUP]*
- Tool or equipment rental. *[No outside display or storage.]*

(2) Industrial uses.

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

(3) Institutional and community service uses.

- Adult day care facility.
- Child care facility.
- Church.
- College, university, or seminary.
- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Public or private school.

(4) Lodging uses.

-- Hotel or motel. *[SUP required if less than 80 rooms.]*

(5) Miscellaneous uses.

-- Temporary construction or sales office.

(6) Office uses.

-- Financial institution without drive-in window.

-- Financial institution with drive-in window. *[SUP]*

-- Medical clinic or ambulatory surgical center.

-- Office.

(7) Recreation uses.

-- Private recreation center, club, or area.

-- Public park, playground, or golf course.

(8) Residential uses.

-- College dormitory, fraternity or sorority house.

-- Duplex.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A 4.209(3.1) is not met.]*

-- Multifamily.

-- Single family.

-- Retirement housing.

-- Single family and duplex uses are also permitted as a use category within a mixed use project. To qualify as a mixed use project, a development must contain single family or duplex residential uses and one or more of the other use categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

<u>Use Category</u>	<u>Percentage of Total Floor Area</u>
—Lodging	—10 percent
—Office	—15 percent
—Residential	—10 percent
—Retail and personal service	—5 percent

(9) Retail and personal service uses.

- ~~Auto service center.~~
- ~~Commercial parking lot or garage.~~
- ~~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.~~
- ~~Mortuary, funeral home, or commercial wedding chapel.~~
- ~~Motor vehicle fueling station.~~
- ~~Nursery, garden shop, or plant sales. [SUP]~~
- ~~Personal service uses.~~
- ~~Restaurant without drive in or drive through service.~~
- ~~Restaurant with drive in or drive through service. [SUP]~~
- ~~Temporary retail use.~~
- ~~Theater.~~

(10) ~~Transportation uses.~~

- ~~Helistop. [SUP]~~
- ~~Transit passenger shelter.~~

(11) ~~Utility and public service uses.~~

- ~~Electrical substation.~~
- ~~Local utilities.~~
- ~~Police or fire station.~~
- ~~Post office.~~
- ~~Tower/antenna for cellular communication.~~
- ~~Utility or government installation other than listed. [SUP]~~

(b) ~~Yard, lot, and space regulations.~~

(1) ~~Application of subsection.~~ ~~The following yard, lot, and space regulations apply to all properties within Subdistricts D and D-2 except as provided in the urban design guidelines for all nonresidential uses.~~

(2) ~~In general.~~ ~~The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A 4.400. In the event of a conflict between this subsection and Division 51A 4.400, this subsection controls.~~

(3) ~~Front yard.~~ ~~For Subdistrict D and for nonresidential uses in Subdistrict D-2, minimum front yard is 25 feet, and maximum front yard is 30 feet. For residential uses in Subdistrict D-2, minimum front yard is 15 feet.~~

(4) ~~Side and rear yard.~~ Minimum side yard is 10 feet. Minimum rear yard is 10 feet.

(5) ~~Density.~~ Maximum dwelling unit density is 50 units per acre provided, however, that if the dwelling unit density is 35 units per acre or more, development impact review pursuant to Section 51A 4.800, with review and approval by the director pursuant to Section 51A 4.803(e), is required. Appeals from decisions on development impact review will be made pursuant to Section 51A 4.803(i).

(6) ~~Floor area ratio.~~ Maximum floor area ratio is 1.6:1, except that maximum floor area ratio for office uses is 3.0:1.

(7) ~~Height.~~ Maximum structure height to the east of Plowman Avenue is 270 feet. Maximum structure height to the west of Plowman Avenue is 135 feet.

(8) ~~Lot coverage.~~ Maximum lot coverage is 80 percent.

(9) ~~Lot size.~~ No minimum lot size.

(10) ~~Stories.~~ Maximum number of stories to the east of Plowman Avenue is 20. Maximum number of stories to the west of Plowman Avenue is 10.

(c) ~~Off street parking and loading.~~

(1) ~~In general.~~ Consult the use regulations contained in Division 51A 4.200 for the specific off street parking and loading requirements for each use.

(2) ~~Screening.~~ All off street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface.

(A) ~~Brick, stone, or concrete masonry; stucco; concrete; or wood wall or fence.~~

(B) ~~Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.~~

(C) ~~Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials 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. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative~~

~~planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.~~

~~(3) Measuring the height of screening. The height of screening is measured from the horizontal plane passing through the nearest point of the surface of the parking lot. Screening may be placed in a visibility triangle as defined in the visual obstruction regulations in Section 51A-4.602(c). Any screening placed in a visibility triangle must be two and one-half 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.~~

~~(d) Environmental performance standards. See Article VI.~~

~~(e) Landscaping.~~

~~(1) All landscaping must be provided in accordance with Article X.~~

~~(2) Plant material must be maintained in a healthy, growing condition.~~

~~(f) Signs. Signs must comply with the provisions for business zoning districts contained in Article VII.~~

~~(g) Urban design guidelines for all nonresidential uses.~~

~~(1) Purpose. The purpose of these urban design guidelines is to enhance the pedestrian environment by increasing safety measures and providing amenities and to preserve the historic character of Old Oak Cliff.~~

~~(2) Lighting. Exterior lighting of the front yard and parking areas must be directed away from adjoining properties.~~

~~(3) Street trees. In addition to any landscaping required by Article X, trees must be planted within 10 feet of the front property line at a density of one tree for each 30 linear feet of frontage, excluding visibility triangles, driveways, and points of ingress and egress to and from the property.~~

~~(4) CPTED review. Compliance with CPTED review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.~~

~~(5) Reflective glass. Maximum permitted luminous reflectance of glass used as an exterior building material varies depending on where the reflective glass is used on the building. The luminous reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The luminous reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.~~

~~(h) Additional provisions.~~

(1) ~~Properties must be maintained in a state of good repair and neat appearance.~~

(2) ~~Development and use of the properties must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.]~~

~~SEC. 51P-468.112. SUBDISTRICT D-1-FOUNDERS PARK RETAIL (TRACTS 1 AND 3) AND FOUNDERS PARK RESIDENTIAL (TRACT 2).~~

(a) ~~Main uses permitted.~~

(1) ~~Commercial and business service uses.~~

- ~~— Catering service.~~
- ~~— Custom business services.~~
- ~~— Electronics service center.~~
- ~~— Medical or scientific laboratory. [SUP]~~

(2) ~~Institutional and community service uses.~~

- ~~— Adult day care facility. [SUP]~~
- ~~— Child care facility. [SUP]~~
- ~~— Church.~~
- ~~— College, university, or seminary.~~
- ~~— Community service center.~~
- ~~— Convalescent and nursing homes, hospice care, and related institutions. [By right in Tract 1; otherwise, by SUP]~~
- ~~— Hospital. [SUP]~~
- ~~— Library, art gallery, or museum.~~
- ~~— Public or private school.~~

(3) ~~Lodging uses.~~

- ~~— Hotel or motel. [SUP]~~

(4) ~~Miscellaneous uses.~~

- ~~— Temporary construction or sales office.~~

(5) ~~Office uses.~~

- ~~— Financial institution without drive in window.~~
- ~~— Financial institution with drive in window. [SUP]~~

- Medical clinic or ambulatory surgical center.
- Office.

(6) Recreation uses.

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

(7) Residential uses.

- College dormitory, fraternity or sorority house.
- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A 4.209(3.1) is not met.]*
- Multifamily.
- Retirement housing.
- Single family.
- Single family and duplex residential uses are also permitted as a use category within a mixed use project. To qualify as a mixed use project, a development must contain single family or duplex residential uses and one or more of the other use categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

<u>Use Category</u>	<u>Percentage of Total Floor Area</u>
Lodging	10 percent
Office	15 percent
Residential	10 percent
Retail and personal service	5 percent

(8) Retail and personal service uses.

- Commercial parking lot or garage.
- 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.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. *[Maximum of eight pumps.]*
- Nursery, garden shop, or plant sales. *[SUP]*
- Personal service uses. *[Bail bond office, and tattoo or body piercing studio uses are prohibited.]*
- Restaurant without drive in or drive through service.

- ~~— Restaurant with drive-in or drive-through service. [By right in Tract 1; otherwise, by SUP.]~~
- ~~— Temporary retail use.~~
- ~~— Theater.~~

(9) Transportation uses.

- ~~— Helistop. [SUP]~~
- ~~— Transit passenger shelter.~~

(10) Utility and public service uses.

- ~~— Electrical substation.~~
- ~~— Local utilities.~~
- ~~— Police or fire station.~~
- ~~— Post office.~~
- ~~— Radio, television, or microwave tower. [By right as an accessory use when located on a tract serving a main use; otherwise, by SUP.]~~
- ~~— Tower/antenna for cellular communication. [SUP]~~
- ~~— Utility or government installation other than listed. [SUP]~~

(b) Accessory uses. As a general rule, an accessory use is permitted in any district 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. For more information regarding accessory uses, consult Section 51A 4.217.

(c) Yard, lot, and space regulations. The following yard, lot, and space regulations apply to all properties within Subdistrict D[1], except as provided in the urban design guidelines for all nonresidential uses. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A 4.400. 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 as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.

(B) For Tract 2, fences, carports, and security gates may be located in a required front yard.

(2) Side and rear yard. Minimum side and rear yard is as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.

(3) Density.

~~(A) Except as provided below, maximum dwelling unit density is 50 units per acre, provided, however that if the dwelling unit density is 35 units per acre or more, development impact review pursuant to Section 51A 4.803(e) is required. Appeals from decisions on development impact review will be made pursuant to Section 51A 4.803(i).~~

~~(B) For Tract 1, maximum number of dwelling units is 400. A development impact review under Section 51A 4.803(e) is not required.~~

~~(C) For Tract 2, maximum number of dwelling units is 57 and dwelling units must be located as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(4) Floor area.~~

~~(A) Except as provided below, maximum floor area ratio is 1.6, except that maximum floor area ratio for office uses is 3.0.~~

~~(B) For Tract 1, maximum floor area is 30,000 square feet for nonresidential uses and 400,000 square feet for residential uses. The floor area must be located within the building setbacks as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(C) For Tract 3, maximum floor area is 10,500 square feet and the floor area must be located within the building setbacks as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(5) Height.~~

~~(A) For Tract 1, maximum structure height is 35 [156] feet as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(B) For Tract 2, maximum structure is 153 feet as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(C) For Tract 3, maximum structure height is 35 feet as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(6) Lot coverage.~~

~~(A) For Tract 1, maximum lot coverage is 80 percent [except as provided in this subparagraph, maximum lot coverage is 80 percent. Aboveground parking structures do not count toward lot coverage if at least 50 percent of their off-street parking spaces are dedicated to residential uses and at least 60 percent the roof surface is a landscape area as defined in Article X. Any portion of a building that is above 75 feet in height, measured along the west boundary of Tract 1 (Plowman right of way) may not have a floor plate greater than 60 percent of the lot.]~~

(B) ~~For Tract 2, maximum lot coverage is 32 percent.~~

(C) ~~For Tract 3, maximum lot coverage is 80 percent.~~

(7) ~~Lot size. No minimum lot size.~~

(8) ~~Stories.~~

(A) ~~For Tract 1, maximum number of stories is 15.~~

(B) ~~For Tract 2, maximum number of stories is 12.~~

(C) ~~For Tract 3, maximum number of stories is two.~~

(d) ~~Off street parking and loading.~~

(1) ~~Except as provided below, consult the use regulations contained in Division 51A 4.200 for the specific off street parking/loading requirements for each use.~~

(A) ~~For any permitted nonresidential use developed on Tract 1, no more than one head in parking space may be credited for each nine feet of frontage along Plowman Avenue, with no more than 21 head in parking spaces being provided as shown on the Tract 1 and 3 Conceptual Plan[/Tract 2 Development Plan. The head in or parallel parking on Plowman Avenue or Oakenwald Street as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan is not required.~~

(B) ~~The property owner must stripe the head in parking spaces in accordance with city striping standards up to a distance of eight feet from the curb.~~

(C) ~~The following off street parking requirements apply for an accessory community center (private) use on Tract 1: A minimum of one space per 500 square feet of floor area.~~

(D) ~~The following off street parking requirements apply for a multifamily use on Tract 1: A minimum of one and one half spaces are required for each dwelling unit.~~

(E) ~~The following off street parking requirements apply for a multifamily use on Tract 2:~~

(i) ~~A minimum of one and one half spaces are required for each dwelling unit in the building.~~

(ii) ~~In addition, a minimum of three visitor spaces must be provided in the location shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(F) Aboveground parking structures located on Tract 1 must be constructed of materials similar to the materials used for any main structure located on Tract 1.~~

~~(2) All off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:~~

~~(A) Brick, stone, or concrete masonry; stucco; concrete; or wood wall or fence.~~

~~(B) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.~~

~~(C) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials 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. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.~~

~~(D) The height of screening is measured from the horizontal plane passing through the nearest point of the surface of the parking lot. Screening may be placed in a visibility triangle as defined in the visual obstruction regulations in Section 51A 4.602(c). Any screening placed in a visibility triangle must be two and one-half 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.~~

~~(e) Environmental performance standards. See Article VI.~~

~~(f) Landscaping.~~

~~(1) For Tracts 1 and 2, landscaping must be provided and located as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan landscaping must be provided in accordance with Article X prior to the issuance of a certificate of occupancy.~~

~~(2) For Tract 3, in addition to the street trees located as shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan, landscaping must be provided in accordance with Article X.~~

~~(3) Plant material must be maintained in a healthy, growing condition.~~

~~(g) Landscaping in the parkway. In this section, parkway means the portion of a street right of way between the projected street curb and the lot line of the Property.~~

(1) Private license granted.

~~(A) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owner, to the tenants (“property owner”) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with the Dallas Building Code, or Paragraph (2) of this section. This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right of way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public rights of way in a manner satisfactory to the director of public works and transportation.~~

~~(B) A property owner is not required to comply with any landscaping requirement if compliance is made impossible due to the director's revocation of a landscape permit or the revocation of the license granted herein affecting landscaping.~~

~~(C) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights of way, the property owner 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 license granted herein, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, \$2,000,000 annual aggregate. Coverage under this liability policy shall be on an “occurrence” basis and the city shall be named as additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall 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 same are covered by this liability insurance policy.~~

~~(D) Each property owner shall be responsible for maintaining the landscaping and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping and related amenities. The granting of a license for landscaping and related amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right of way.~~

(2) Parkway landscape permit.

~~(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.~~

~~(B) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right of way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.~~

~~(C) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's denial of a parkway landscape permit.~~

~~(D) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right of way. The property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's revocation of a parkway landscape permit.~~

~~(E) The issuance of a parkway landscape permit under this paragraph does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or other amenities in the public right of way.~~

~~(h) Signs.~~

~~(1) Except as provided below, signs must comply with the provisions for business zoning districts contained in Article VII.~~

~~(2) A maximum of three monument signs are permitted at the locations shown on the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan.~~

~~(i) Urban design guidelines for all nonresidential uses.~~

~~(1) Purpose. The purpose of these urban design guidelines is to enhance the pedestrian environment by increasing safety measures and providing amenities; and to preserve the historic character of Old Oak Cliff.~~

(2) Lighting. Exterior lighting of the front yard and parking areas must be directed away from adjoining properties.

(3) Street trees. In addition to any landscaping required by Article X, trees must be planted within 10 feet of the front property line at a density of one tree for each 30 linear feet of frontage, excluding visibility triangles, driveways, and points of ingress and egress to and from the property.

(4) CPTED review. Compliance with CPTED review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.

(5) Reflective glass. Maximum permitted luminous reflectance of glass used as an exterior building material varies depending on where the reflective glass is used on the building. The luminous reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The luminous reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.

(j) Additional provisions.

(1) Properties must be maintained in a state of good repair and neat appearance.

(2) Development and use of properties must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-468.113. SUBDISTRICT E – HOSPITAL AREA.

[(a) Main uses permitted.

(1) Commercial and business service uses.

- Catering service.
- Custom business services.
- Medical or scientific laboratory.
- Technical school.

(2) Institutional and community service uses.

- Child care facility.
- Church.
- Convalescent and nursing homes, hospice care, and related institutions.
- Public or private school.

(3) Lodging uses.

- Hotel or motel. *[SUP required if less than 80 rooms.]*

(4) Miscellaneous uses.

- Temporary construction or sales office.

(5) Office uses.

- Medical clinic or ambulatory surgical center.
- Office.

(6) Recreation uses.

- Public park, playground, or golf course.

(7) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
- Multifamily. *[SUP required if the density is greater than 30 dwelling units per acre.]*
- Single family.

(8) Retail and personal service uses.

- Ambulance service.
- Dry cleaning or laundry store.
- General merchandise or food store 3,500 square feet or less.
- Motor vehicle fueling station.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service.
- Surface parking.

(9) Transportation uses.

- Helistop. *[SUP]*
- Transit passenger shelter.

(10) Utility and public service uses.

- Electrical substation.
- Local utilities.

- ~~Police or fire station.~~
- ~~Post office.~~
- ~~Tower/antenna for cellular communication.~~
- ~~Utility or government installation other than listed. [SUP]~~

(b) Yard, lot, and space regulations.

(1) Application of subsection. ~~The following yard, lot, and space regulations apply to all properties within Subdistrict E except as provided in the urban design guidelines for properties fronting on specific streets.~~

(2) In general. ~~The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A 4.400. In the event of a conflict between this subsection and Division 51A 4.400, this subsection controls.~~

(3) Front yard. ~~Minimum front yard is 15 feet.~~

(4) Side and rear yard. ~~Minimum side yard is 20 feet.~~

(5) Density. ~~Maximum dwelling unit density is 30 units per acre.~~

(6) Floor area ratio. ~~Maximum floor area ratio is 1.5:1.~~

(7) Height. ~~Maximum structure height is 115 feet.~~

(8) Lot coverage. ~~Maximum lot coverage is 80 percent.~~

(9) Lot size. ~~No maximum lot size.~~

(10) Stories. ~~Maximum number of stories is nine.~~

(c) Off-street parking and loading. ~~Consult the use regulations contained in Division 51A 4.200 for the specific off-street parking and loading requirements for each use.~~

(d) Environmental performance standards. ~~See Article VI.~~

(e) Landscaping.

(1) ~~All landscaping must be provided in accordance with Article X.~~

(2) ~~Plant material must be maintained in a healthy, growing condition.~~

(f) Signs. ~~Signs must comply with the provisions for business zoning districts contained in Article VII.~~

(g) Additional provisions.

~~(1) Properties must be maintained in a state of good repair and neat appearance.~~

~~(2) Development and use of the properties must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.~~

~~(h) Urban design guidelines for properties fronting on Colorado Boulevard across from Methodist Medical Center Complex.~~

~~(1) Canopy trees. Front yards and side yards must contain canopy trees.~~

~~(2) CPTED review. Compliance with CPTED review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.~~

~~(3) Parking lots.~~

~~(A) Screening methods. All off street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:~~

~~(i) Brick, stone, or concrete masonry; stucco; concrete; or wood wall or fence.~~

~~(ii) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.~~

~~(iii) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials 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. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.~~

~~(B) Measuring the height of screening. The height of screening is measured from the horizontal plane passing through the nearest point of the surface of the parking lot. Screening may be placed in a visibility triangle as defined in the visual obstruction regulations in Section 51A-4.602(c). Any screening placed in a visibility triangle must be two and one-half 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.]~~

SEC. 51P-468.112[4]. ADDITIONAL PROVISIONS [PAVING].

(a) Subject to engineering approval, permeable pavement is allowed for surface parking lots, provided that individual parking spaces are clearly marked in accordance with city standards.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

~~[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.]~~

SEC. 51P-468.113[5]. 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 city.

(b) The building official shall not issue a building permit to authorize work, or certificate of occupancy to authorize the operation of [for] a use, [in this PD] 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.”

SECTION 2. That the two year limitation in Section 51A-4.701(d) is waived for applications for specific use permits for any permitted use and for applications for the rezoning of any subdistrict until *[two years from date of passage]*.

SECTION 3. That the subdistrict map, Exhibit 468A of Article 468, “PD 468,” of Chapter 51P of the Dallas City Code, is replaced by the Exhibit 468A attached to this ordinance.

SECTION 4. That the Tract 1 and 3 conceptual plan/tract 2 development plan, Exhibit 468B of Article 468, “PD 468,” of Chapter 51P of the Dallas City Code, is replaced by the Exhibit 468B attached to this ordinance.

SECTION 5. That development of this district must comply with the full-scale version(s) of Exhibit ____ *(name of exhibit)* attached to this ordinance. (A) reduced-sized version(s) of

(this/these) plan(s) shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version(s) of the plan(s).

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. That Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____