

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 new Subdistrict D Tract 1 conceptual plan/tract 2 development plan; 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:

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

Staff recommendation:

(X) 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.

(1) 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.

~~[(2) 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.]~~

(3) 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.

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

(X) DAIRYING means a facility primarily for the processing and delivery of milk and milk products.

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

(A) all original facades remaining;

(B) a primary street-facing façade 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

Staff recommendation:

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

(5) 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.

(6) 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.

(7) 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 [~~Beekley Industrial Area I~~]: [~~non~~]residential.

(2) Subdistrict B [~~A-1~~] – WR-3 [~~Beekley Residential Area~~]: residential.

(3) Subdistrict C [~~A-2~~] – Lake Cliff Park [~~Greenbriar Residential Area~~]: residential.

(4) Subdistrict D [~~A-3~~] – Founders Park Retail [~~Trinity Townhome Multifamily Residential Area~~]: nonresidential.

(5) Subdistrict E [~~A-4~~] – WMU-3 Mixed-Use [~~Beckley Industrial Area II~~]: nonresidential.

(6) Subdistrict F [~~B~~] – WMU-5 Mixed-Use [~~Oak Farms Commercial Area~~]: nonresidential.

(7) Subdistrict G [~~C~~] – WMU-8 Mixed-Use [~~Lake Cliff Residential Area~~]: nonresidential.

(8) Subdistrict H [~~C-1~~] – WMU-12 Mixed-Use [~~Lake Cliff Neighborhood Service Area~~]: nonresidential.

(9) Subdistrict I [~~D~~] – WMU-20 Mixed-Use [~~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: Subdistrict D Tract 1 [~~and 3~~] conceptual plan/tract 2 development plan.

(3) Exhibit 468C: Street hierarchy plan. [~~Subdistrict A-1 development plan.~~]

Steering committee recommendation:

(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 9 [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~~] – Lake Cliff Park [~~Greenbriar Residential Area~~].
- (4) Subdistrict D [~~A-3~~] – Founders Park Retail [~~Trinity Townhome Multifamily Residential Area~~].
- (5) Subdistrict E [~~A-4~~] – WMU-3 Mixed-Use [~~Beckley Industrial Area II~~].
- (6) Subdistrict F [~~B~~] – WMU-5 Mixed-Use [~~Oak Farms Commercial Area~~].
- (7) Subdistrict G [~~C~~] – WMU-8 Mixed-Use [~~Lake Cliff Residential Area~~].
- (8) Subdistrict H [~~C-1~~] – WMU-12 Mixed-Use [~~Lake Cliff Neighborhood Service Area~~].
- (9) Subdistrict I [~~D~~] – WMU-20 Mixed-Use [~~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, E, F, G, H, and I [~~GENERAL DEVELOPMENT STANDARDS~~].

(a) In general.

(1) Subdistrict A. Except as provided in this section, the RTN use regulations and development standards in Article XIII of Chapter 51A apply.

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

(3) Subdistrict E. Except as provided in this section, the WMU-3 use regulations and development standards in Article XIII of Chapter 51A apply.

(4) Subdistrict F. Except as provided in this section, the WMU-5 use regulations and development standards in Article XIII of Chapter 51A apply.

(5) Subdistrict G. Except as provided in this section, the WMU-8 use regulations and development standards in Article XIII of Chapter 51A apply.

(6) Subdistrict H. Except as provided in this section, the WMU-12 use regulations and development standards in Article XIII of Chapter 51A apply.

(7) Subdistrict I. Except as provided in this section, the WMU-20 use regulations and development standards in Article XIII of Chapter 51A apply.

(b) Residential proximity slope. Residential proximity slope applies in these subdistricts.

(c) Parking as a main use.

(1) In Subdistricts F, G, H, and I, commercial parking may be a main use only in an above-ground or underground parking structure.

(2) In Subdistricts A, B, and E, commercial parking prohibited.

(d) Outside storage.

(1) In Subdistricts B, E, F, G, H, and I, outside storage must be screened by a minimum eight-foot-tall masonry wall with solid gates.

(2) In Subdistrict A, outside storage is prohibited.

Staff recommendation:

(e) <u>Dairying.</u> In Subdistrict I, dairying is allowed by right.
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(f) Special parking regulations.

(1) In general. Except as otherwise provided in this section, see Section 51A-13.404 for special parking regulations.

(2) Delta credits. In Subdistricts B, E, F, G, H, and I, 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.

Staff recommendation:

No change from Section 51A-13.404(g) remote parking regulations.

Steering committee recommendation:

(A) Remote parking, as reference in Section 51A-404(g), must be located within a walking distance of 1,000 feet (Art. XIII is 300 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 1,500 feet (Art. XIII is 600 feet) unless the extension would

remote parking;

(i) significantly discourage patrons of the use from using the

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

(iii) not otherwise be in the public interest.

The rest of Section 51A-13.404(g) is part of the steering committee's recommendation with no change except that Paragraph (3) will reference 1,500 feet instead of 600 feet.

Steering committee recommendation:

(4) Parking for bar and restaurant outdoor covered patios. For bar and restaurant uses only, outdoor covered patio area is not included in parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor covered patio area in excess of 25 percent of the size of the indoor floor area must be parked in accordance with Article XIII.

(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.

Staff recommendation:

(B) For retail and office uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

Steering committee recommendation:

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

(g) Building elements.

(1) In general. Except as provided in this section, structures must comply with the building elements requirements in Section 51A-13.305.

Staff recommends no deviation from 51A-13.305.

Steering committee recommendation:

(2) Fences and walls.

(A) Except as provided in this section, the provisions of Section 51A-4.602 apply.

(B) 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.

(h) 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.

(1) 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.

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

Steering committee recommendation:

(i) Additional provisions.

(1) No minimum height is required. [Compare to Section 51A-13.302(b).]

(2) It is not required that all lighting fixtures be full cutoff fixtures. [Compare to Section 51A-13.601(b)(2)(A).]

(3) Signs may be illuminated by an independent, external light source (such as an external floodlight). [Compare to Section 51A-13.603(b)(4).]

(4) 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.
[Compare to Section 51A-13.302(e)(2).]

(5) In Subdistrict A only, 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. [Compare to Section 51A-13.304(i)(6)(A).]

(6) Block lengths and perimeters required in Section 51A-13.502(a) may be broken up with ungated private streets.

(7) Detention center, jail, or prison is prohibited as a main use. [Compare to chart in Section 51A-13.306(b).]

(j) East Kessler Overlay. The following regulations apply to the East Kessler Overlay on the property described in East Kessler Overlay property description (Exhibit 468D).

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

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

(3) 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.

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

(5) Backlit signs. Backlit signs are prohibited.

~~[(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. [SUBDISTRICTS A AND A-4 -- BECKLEY INDUSTRIAL AREAS.

~~(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-468.107.1. SUBDISTRICT A-1- BECKLEY RESIDENTIAL AREA.

(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-468.107.2. SUBDISTRICT A-2 GREENBRIAR RESIDENTIAL AREA.**~~

~~(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 ($8 \div 24 = \text{one-third}$). 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) 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 (*Cereis 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-468.107.3

**~~SUBDISTRICT A-3 — TRINITY TOWNHOME
MULTIFAMILY RESIDENTIAL AREA.~~**

~~(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-468.108.

~~SUBDISTRICT B – OAK FARMS COMMERCIAL AREA.~~

(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.~~

SUBDISTRICT C - LAKE CLIFF PARK [~~RESIDENTIAL AREA~~].

(a) Main uses permitted.

(1) Institutional and community service uses.

- Child-care facility.
- Church.
- Convalescent and nursing homes, hospice care, and related institutions.
- 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.

(1) 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.

(2) The following accessory use is permitted in this subdistrict:

-- Accessory dwelling unit.

(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. If there is ~~[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) Accessory structures. ~~[Additional provisions.]~~

(1) All accessory structures on the same lot may not exceed more than 1,200 square feet combined.

(2) Only one accessory dwelling unit is allowed per lot. ~~[Properties must be maintained in a state of good repair and neat appearance.]~~

~~(3[2])~~ An accessory dwelling unit must be located on the same lot as a single-family structure. ~~[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.]~~

(4) Accessory dwelling units may not have a larger floor area than the main single-family structure on the same lot.

(5) Accessory dwelling units must comply with the yard, lot, and space regulations in this section.

~~[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.

(e) ~~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.

(e) ~~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-468.108[12]. SUBDISTRICT D[~~1~~] FOUNDERS PARK RETAIL
[~~(TRACTS 1 AND 3)~~ AND FOUNDERS PARK
RESIDENTIAL (TRACT 2)].**

(a) In general.

(1) For Tract 1 in Subdistrict D, a development plan that complies with the Subdistrict D Tract 1 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 Subdistrict D Tract 1 Conceptual Plan/Tract 2 Development Plan, the text of this article controls.

(2) For Tract 2 in Subdistrict D, development and use of the Property must comply with the Subdistrict D Tract 1 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.

(3) The provisions of Section 51A-4.702(h) and (i) apply.

(b) 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 in Tract 2.]*
- 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 in Tract 2.]*

- 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[-4], 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 Subdistrict D 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 Subdistrict D 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 Subdistrict D 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 Subdistrict D Tracts 1 and 2 [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 Subdistrict D 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 Subdistrict D Tract 1 ~~[and 3]~~ Conceptual Plan/Tract 2 Development Plan.

(B) For Tract 2, maximum structure is 153 feet as shown on the Subdistrict D 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 two [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 Subdistrict D Tracts 1 and 2 [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.]~~

~~(C[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 Subdistrict D 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 Tract[s] 1 ~~[and 2]~~, in addition to the street trees located [landscaping must be provided and] located as shown on the Subdistrict D 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 2 ~~[3]~~, landscaping must be provided and [in addition to the street trees] located as shown on the Subdistrict D Tract 1 [and 3] Conceptual Plan/Tract 2 Development Plan, prior to the issuance of a certificate of occupancy [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 in this subsection [~~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 Subdistrict D 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-468.109[13]. MEDICAL USE OVERLAY IN SUBDISTRICT I [E—HOSPITAL AREA].

(a) Applicability. This section applies only to 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).]

(2) Active uses. Along Beckley and Colorado, the only uses permitted on street-level are active uses. For purposes of this paragraph, the following uses are considered active uses:

(A) Civic uses.

- Community service.
- Day care
- Educational.
- Government service (excluding detention center, jail, or prison).

(B) Place of worship.

- Place of worship.

(C) Lodging uses.

- Hotel or motel.

(D) Office uses.

- Financial institution without drive-in window.
- Office.
- Medical, dental office, or chiropractor's office.

(E) Retail and personal service uses.

- Restaurant or bar.
- Retail sales.

(F) Service and entertainment uses.

- Commercial amusement (inside) (except adult cabaret).

- Indoor recreation.
- Personal Service.

(G) Utility and public service uses.

- Commercial radio or television transmitting station.
- Post office.

(f) Yard, lot, and space regulations.

- (1) Front yard. Along secondary streets, maximum front yard is 30 feet.
- (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 Colorado and Beckley, 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 and Colorado, 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 on building sites that do not front Beckley or Colorado.

(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.

(e) ~~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-468.110. TRANSITIONAL USES.

Staff recommendation:

<p>(a) <u>Application.</u> This section applies only to Subdistricts B, E, F, G, H, and I.</p> <p>(b) <u>Purpose.</u> 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. 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.</p> <p>(c) <u>Specific use permit.</u></p> <p>(1) <u>The uses listed in Subsection (d) are permitted as transitional uses subject to a specific use permit.</u></p> <p>(2) <u>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.</u></p> <p>(3) <u>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:</u></p>

(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.

Steering Committee recommendation:

(a) 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.

(b) Transitional uses. A transitional use is a use that is operating in accordance with an existing certificate of occupancy as of [date of passage]. Unlike a legal non-conforming use, a transitional use may be expanded in height by one additional story and by no more than 25 percent of additional floor area providing the expansion otherwise complies with this article and all other regulations.

SEC. 51P-468.111. HIGH-RISE TOWER CONFIGURATION AND ORIENTATION REQUIREMENTS.

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

Staff recommendation:

(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) For office uses, tower dimension perpendicular to the levee may not exceed three times tower dimension parallel to the levee.

(B) For all other uses, tower dimension perpendicular to the levee may not exceed four times tower dimension parallel to the levee.

(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.

(d) Tower orientation. The high-rise floor plate is permitted variation of up to 10 degrees from perpendicular axis. Variations in the building shape and architectural facade are permitted, but the primary mass of the building tower must be as compact as possible to maintain the perpendicular tower orientation as described above and as shown on Exhibit ____.

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 _____