

3/10/86

ORDINANCE NO. **19084**

An ordinance amending CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended; establishing Planned Development District No. 225, to be known as the State-Thomas Special Purpose District, for certain property generally bounded by the southerly line of properties fronting McKinney Avenue, the southerly lines of Greenwood, Calvary, Emanuel Cemeteries, and Freedmen's Cemetery/Park, North Central Expressway, Woodall Rodgers Freeway, the Routh-Maple connector, and Fairmount Avenue and also including blocks bounded by Fairmount Avenue, Thomas Avenue, and the Routh Maple connector, but excluding Specific Use Permit No. 835 (the Dallas Power and Light Substation), and Griggs Park, which property is more particularly described in Exhibit A attached to and made a part of this ordinance; providing for the establishment of 4 zoning districts and 16 subdistricts including the re-establishment of Historic District No. 25 as the State-Thomas Historic Core Subdistrict with new development standards and design criteria; establishing new use and development regulations; providing a penalty not to exceed \$1,000.00; providing a saving clause; providing a severability clause; and providing an effective

date.

WHEREAS, the city plan commission and the city council of the City of Dallas find that the property described in Exhibit A is an area of cultural and architectural importance and significance to the citizens of the city; and

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the applicable ordinances of the city, have given the required notices and held the required public hearings regarding the rezoning of the property described in Exhibit A; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district, to be known as the State-Thomas Special Purpose Zoning District; Now, Therefore,

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

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SECTION 2. Creation of districts and subdistricts.

(a) CHAPTER 51, "DALLAS DEVELOPMENT CODE," as amended, is hereby amended by changing the zoning classification on the property described in Exhibit A from Planned Development District No. 124/H-25, Planned Development District No. 124, an MF-2 Multiple-Family District; a GR-D General Retail Dry District; an NS Neighborhood Service District; a GR General Retail District; Planned Development District No. 174; an O-1 Office District; an O-2 Office District; Planned Development District No. 147; Planned Development District No. 169; a P Parking District; and an HC Heavy Commercial District with Specific Use Permit Nos. 754 and 243; to Planned Development District No. 225, to be known as the State-Thomas Special Purpose District, or the State-Thomas SPD.

(b) The following districts and subdistricts are hereby established within the State-Thomas Special Purpose District:

(1) The Historic District. The Historic District consists of three subdistricts:

(A) The Core Subdistrict on property more particularly described in Exhibit B;

(B) The Neighborhood Service Subdistrict on property more particularly described in Exhibit C.

(C) The Transition Subdistricts on property more particularly described in Exhibits D and E; and

(2) The Interior Neighborhood District consists of six subdistricts:

(A) The Mid-Rise Residential Subdistrict on property more particularly described in Exhibit F;

(B) The Hi-Rise Office/Residential Subdistrict

on property more particularly described in Exhibit G;

(C) The Mid-Rise Office/Residential Subdistrict on property more particularly described in Exhibit H;

(D) The Mid-Rise Mix Subdistrict on property more particularly described in Exhibit I;

(E) The Transition Subdistrict on property more particularly described in Exhibit J; and

(F) The Allen Street Special Retail Subdistrict on property more particularly described in Exhibit K.

(3) The Freeway Frontage District consists of six subdistricts:

(A) The Woodall/Guillet Hi-Rise Subdistrict on property more particularly described in Exhibit L;

(B) The Woodall Hi-Rise Subdistrict on property more particularly described in Exhibit M;

(C) The Woodall Mid-Rise Mix Subdistrict on property more particularly described in Exhibit N;

(D) The Woodall Transition Subdistrict on property more particularly described in Exhibit O;

(E) The Central Hi-Rise Office Subdistrict on property more particularly described in Exhibit P;

(F) The Central Hi-Rise Mix Subdistrict on property more particularly described in Exhibit Q;

(4) The Fringe Transition District consists of one subdistrict:

(A) The Lo-Rise Office Subdistrict on property more particularly described in Exhibit R.

### SECTION 3. Reconciliation with other ordinances.

(a) The Dallas Development Code, as amended, applies to the State-Thomas Special Purpose District unless expressly modified by this ordinance.

(b) Previous ordinances establishing zoning districts

within the boundaries of the property described in Exhibits B through R are hereby repealed unless otherwise stated in this ordinance.

(c) The provisions of Section 51-4.702, "Planned Development (PD) District Regulations," of the Dallas Development Code, do not apply to this SPD.

SECTION 4. Definitions.

(a) Unless the context clearly indicates otherwise, in this ordinance:

(1) BASEMENT means any floor level below the ground floor.

(2) BLOCK means an area bounded by streets on all sides.

(3) BLOCKFACE means all of the lots on one side of a block.

(4) CALIPER means the diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

(5) CANOPY TREE means a species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

(6) CERTIFICATE OF APPROPRIATENESS means a certificate issued by the city to authorize the alteration of the physical character of real property in this district, or any portion of the exterior of a structure on the property, or the placement, construction, maintenance, expansion, or removal of any structure on or from the property.

(7) COLUMN means the entire column including the base and capital, if any.

(8) COMMISSION means the city plan commission.

(9) COMMITTEE means the landmark committee created under Section 51-3.103 of the Dallas Development Code.



(10) CONTRIBUTING STRUCTURE means a structure designated in accordance with Section 11.5 of this ordinance.

(11) CORNER LOT means a lot that has frontage on two different streets.

(12) CORNER SIDE FACADE means the main building facade facing the side street.

(13) CORNER SIDE YARD means a side yard that abuts a street.

(14) DIRECTOR means the director of planning and development or his representative.

(15) ENHANCED PAVEMENT means any permeable or nonpermeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(16) EVERGREEN TREE OR SHRUB means a tree or shrub of a species which normally retains its leaves throughout the year.

(17) FENCE means a structure or hedgerow that provides a physical barrier.

(18) FLOOR AREA RATIO ("FAR") means the ratio of floor area of a structure other than a parking structure, to lot area, unless otherwise indicated. If a structure contains both parking and other uses, the area used for parking is not included in the computation of the FAR.

(19) FLORESCENT COLOR means any color defined by the Munsell Book of Color as having a minimum value of eight and a minimum chroma of ten.

(20) FRONT YARD means the portion of a lot that abuts a street (other than streets listed in Section 20) and extends across the width of the lot between the street and the main building and lines parallel to and extending outward from the front facade of the main building. Portions of lots abutting streets listed in Section 20 are rear yards for the purposes of this ordinance.

(21) HEIGHT means the vertical distance measured from grade to:

(A) for a structure with a gable, hip, or gambrel roof, the midpoint of the vertical dimension between the lowest eaves and the highest ridge of the structure;

(B) for a structure with a dome roof, the midpoint of the vertical dimension of the dome; and

(C) for any other structure, the highest point of the structure.

(22) GROUND COVER means natural mulch or plants of species which normally reach a height of less than three feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

(23) GROUND FLOOR means an interior floor level that is no more than five feet above grade, and that has an interior ceiling that is no more than 24 feet above grade.

(24) LANDSCAPE ARCHITECT means a person licensed to practice or teach landscape architecture in the state of Texas pursuant to state law.

(25) LARGE SHRUB means a shrub which normally reaches a height of six feet or more upon maturity.

(26) LARGE TREE means a tree of a species which normally reaches a height of 30 feet or more upon maturity.

(27) LOT means a building site, as defined in the Dallas Development Code.

(28) MASONRY PAVER means a solid brick or block of masonry material used as a paving material.

(29) METALLIC COLOR means a paint color which has pigments that incorporate fine flakes of bronze, aluminum, or copper metal.

(30) MODERATE INCOME HOUSING means dwelling units built for rent or sale to persons or families earning yearly incomes of no more than 80 percent of the median income for the Dallas primary metropolitan statistical area (PMSA).

(31) MOVE-IN BUILDING means a building that has been moved onto an existing lot.

(32) NONRESIDENTIAL BUILDING means any building that is not a residential building.

(33) NONPERMEABLE COVERAGE means coverage with nonpermeable pavement.

(34) NONPERMEABLE PAVEMENT means any pavement that is not "permeable pavement" as defined in this section.

(35) PERMEABLE PAVEMENT means a paving material that permits water penetration to a soil depth of 18 inches or more. Permeable pavement may consist of nonporous surface materials poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area.

(36) PRESERVATION CRITERIA means the standards considered by the director, committee, and commission in determining whether a certificate of appropriateness should be granted or denied.

(37) REAR YARD means:

(A) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between the main building and lines parallel to and extending outward from the rear facade of the main building and the rear lot line;

(B) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the corner side facade, and between the rear lot line and the main building and a line parallel to and extending outward from the interior side corner of the rear facade; and

(C) on a lot abutting a street listed in Section 20, that portion of the lot abutting the listed street.

(38) RESIDENTIAL BUILDING means a building that contains only residential uses.

(39) SCREENING means screening that complies with the construction and maintenance regulations in Section 51-4.602, of the Dallas Development Code, as amended, except as those regulations may be expressly modified in this ordinance.

(40) SECOND FLOOR means the first floor level above the ground floor. The interior ceiling of a second floor may not exceed a height of 30 feet above grade.

(41) SERVICE AREA means all off-street occupancy support service areas, including but not limited to areas for delivery, loading, and trash removal.

(42) SIDE YARD means any portion of a lot not occupied by a main building that is not a front or rear yard. "Side yard" includes "corner side yard."

(43) SMALL TREE means a tree of a species which normally reaches a height of less than 30 feet upon maturity.

(44) SOIL means a medium that plants will grow in.

(45) TOTAL POTENTIAL RESIDENTIAL FLOOR AREA ("TPR") means the total floor area of all residential uses in the subdistrict that is in existence or for which a building permit has issued, plus:

(A) the amount of residential floor area, if any, requested in the permit application; and

(B) the amount of privately owned land surface area in the subdistrict (excluding the land that is the subject of the permit application) multiplied times four.

(46) TOTAL NONRESIDENTIAL FLOOR AREA ("TNR") means the total nonresidential floor area in the subdistrict that is currently in existence or for which a building permit has issued plus the amount of nonresidential floor area requested in the permit application.

(47) TRIM COLOR means a paint color other than the dominant color. Stain is not a trim color. Trim color does not include the color of screen and storm doors and windows, gutters, downspouts, porch floors and ceilings.

(48) VISIBILITY TRIANGLE means the term "visibility triangle" as defined in Section 51-4.602(c) of the Dallas Development Code, as amended.

SECTION 5. Use regulations for the State-Thomas Special Purpose District. The following uses are the only permitted uses in the State Thomas Special Purpose District. A use chart is attached as Exhibit S. This chart is for ease of reference only. In the case of any conflict between the chart, and the text of this ordinance, the text controls. Uses listed as "limited uses" must comply with Section 51-4.218 of the Dallas Development Code, as amended. Uses listed as "restricted<sup>1</sup> uses" are permitted subject to the restrictions in subsection (q)(1) of this section, uses listed as "restricted<sup>2</sup> uses" are permitted subject to the restrictions of subsection (q)(2) of

this section, and uses listed as a restricted<sup>3</sup> uses are permitted subject to the restrictions of subsection (q)(3) of this section. If a use is permitted both as a limited and as a restricted use, it may be operated as a limited use subject to the limited use regulations or as a restricted use subject to the restricted use regulations. Each listed use is permitted only in the subdistricts indicated and is subject to all restrictions listed:

(a) Residential uses.

(1) Single-family.

(A) Subdistricts permitted: all subdistricts.

(2) Duplex.

(A) Subdistricts permitted: all subdistricts.

(3) Multiple-family.

(A) Subdistricts permitted: all subdistricts.

(4) Lodging or boarding house.

(A) Subdistricts permitted: all subdistricts.

(5) Hotel and motel.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail subdistricts; all Freeway Frontage subdistricts; and by specific use permit in all Historic subdistricts; Interior Mid-Rise Residential; Interior Mid-Rise Mix; Interior Transition; and all Fringe Transition subdistricts.

(b) Utility and service uses.

(1) Utility or governmental installation, other than listed.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(2) Local utilities.

(A) Subdistricts permitted: Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(3) Electrical substation.

(A) Subdistricts permitted: Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(4) Electrical energy generating plant.

(A) Subdistricts permitted: Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(5) Radio, television, or microwave tower.

(A) Subdistricts permitted: Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(6) Commercial radio or television transmitting station.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential and all Freeway Frontage subdistricts.

(7) Telephone exchange, switching and transmitting equipment.

(A) Subdistricts permitted: Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(8) Water reservoir, well, or pumping station.

(A) Subdistricts permitted: by specific use permit in Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(9) Water treatment plant.

(A) Subdistricts permitted: by specific use permit in Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(c) Transportation Uses.

## (1) Passenger bus station and terminal.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

## (2) Bus passenger shelter.

(A) Subdistricts permitted: all Interior Neighborhood subdistricts except Allen Street Special Retail; all Freeway Frontage subdistricts; as a restricted<sup>1</sup> use in the Allen Street Special Retail Subdistrict; and by specific use permit in all Historic subdistricts, and all Fringe Transition subdistricts.

## (3) Helistop.

(A) Subdistricts permitted: by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

## (4) Railroad passenger station.

(A) Subdistricts permitted: by specific use permit in all Historic subdistricts.

(d) Community service uses.

## (1) Post office.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts, and as a restricted<sup>1</sup> use in Interior Mid-Rise Residential and Allen Street Special Retail subdistricts.

## (2) Community, welfare, or health center.

(A) Subdistricts permitted: by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail; and all Freeway Frontage subdistricts.

## (3) Day care center.

(A) Subdistricts permitted: all Freeway Frontage subdistricts; and by specific use permit in all Historic subdistricts; Interior Mid-Rise Residential; Interior

Hi-Rise Office/Residential; Interior Mid-Rise  
Office/Residential; Interior Transition; Allen Street Special  
Retail; and all Fringe Transition subdistricts.

(e) Medical uses.

(1) Hospital

(A) Subdistricts permitted: the Central Hi-Rise Mix subdistrict and by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise and Central Hi-Rise Office subdistricts.

(2) Nursing home.

(A) Subdistricts permitted: the Central Hi-Rise Mix Subdistrict; and by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; and Central Hi-Rise Office subdistricts.

(3) Residence home for the aged.

(A) Subdistricts permitted: the Central Hi-Rise Mix Subdistrict; and by specific use permit in all Interior Neighborhood subdistricts except Interior Transition; and all Freeway Frontage subdistricts except Central Hi-Rise Mix.

(4) Medical clinic.

(A) Subdistricts permitted: Historic Transition; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; all Freeway Frontage and Fringe Transition subdistricts; by specific use permit in Historic Core; Historic Neighborhood Service; Interior Mid-Rise Mix and Interior Transition subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(5) Medical or scientific laboratory.

(A) Subdistricts permitted: all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(6) Optical shop.

(A) Subdistricts permitted: all Historic subdistricts; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Transition; all Freeway Frontage and Fringe Transition subdistricts, and as a



restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(7) Medical appliance fitting and sales.

(A) Subdistricts permitted: Historic Transition; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; all Freeway Frontage and Fringe Transition subdistricts, and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(8) Ambulance service.

(A) Subdistricts permitted: the Central Hi-Rise Mix Subdistrict.

(f) Religious uses.

(1) Church.

(A) Subdistricts permitted: Woodall Hi-Rise; Woodall Mid-Rise Mix; and by specific use permit in all other subdistricts in the State-Thomas SPD.

(2) Rectory.

(A) Subdistricts permitted: All subdistricts.

(3) Convent or monastery.

(A) Subdistricts permitted: the Central Hi-Rise Mix Subdistrict; and by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Woodall Mid-Rise Mix; and Central Hi-Rise Office subdistricts.

(4) Establishment of a religious, charitable, or philanthropic nature.

(A) Subdistricts permitted: the Central Hi-Rise Mix Subdistrict; and by specific use permit in all Interior Neighborhood subdistricts except Interior Transition; and all Freeway Frontage subdistricts.

(g) Educational uses.

(1) Public and private school.

(A) Subdistricts permitted: Woodall Hi-Rise and Woodall Mid-Rise Mix subdistricts; and by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Mid-Rise Mix; Allen Street Special

Retail; Woodall/Guillet Hi-Rise; Woodall Transition; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(2) Institute for special education.

(A) Subdistricts permitted: by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Mid-Rise Mix; Allen Street Special Retail; and all Freeway Frontage subdistricts.

(3) Business school.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Woodall Mid-Rise Mix; and Woodall Transition subdistricts.

(4) College, university, or seminary.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Woodall Mid-Rise Mix; and Woodall Transition subdistricts.

(5) College fraternity or sorority house.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Mid-Rise Mix; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition subdistricts.

(6) College dormitory.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Mid-Rise Mix; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition subdistricts.

(7) Library, art gallery, or museum.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted<sup>1</sup> use; in the Interior Mid-Rise Mix Subdistrict as a restricted<sup>3</sup> use; and in the Allen Street Special Retail Subdistrict as a restricted<sup>2</sup> use.

(h) Recreation and entertainment uses.

(1) Public park or playground.

(A) Subdistricts permitted: all Interior Neighborhood Subdistricts except Interior Transition; and all Freeway Frontage subdistricts.

(2) Game court center.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition subdistricts.

(3) Private recreation club or area.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition subdistricts.

(4) Inside commercial amusement.

(A) Subdistricts permitted: all Freeway Frontage subdistricts; by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential and Interior Mid-Rise Office/Residential subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(5) Outside commercial amusement.

(A) Subdistricts permitted: by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

## (6) Theatre.

(A) Subdistricts permitted: all Historic subdistricts, all Freeway Frontage subdistricts; all Fringe Transition subdistricts; and the Interior Transition subdistrict; by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; and Interior Mid-Rise Office/Residential subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

## (7) Wax museum.

(A) Subdistricts permitted: by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(i) Bar and restaurant uses.

## (1) Bar, lounge, or tavern.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

## (2) Restaurant without drive-in service.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(3) Restaurant with alcoholic beverages and/or entertainment.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

## (4) Private club.

(A) Subdistricts permitted: Interior Hi-Rise

Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(5) Catering service.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(j) Professional, personal service, and custom crafts uses.

(1) Office.

(A) Subdistricts permitted: All subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as restricted<sup>1</sup> use; in the Interior Mid-Rise Mix Subdistrict, as a restricted<sup>3</sup> use; and in the Allen Street Special Retail Subdistrict, as a restricted<sup>2</sup> use.

(2) Temporary construction or sales office.

(A) Subdistricts permitted: All subdistricts.

(3) Bank or savings and loan office (without drive-in).

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; by specific use permit in all Historic; Interior Transition; and all Fringe Transition subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(4) Bank or savings and loan office (with drive-in).

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(5) Barber and Beauty Shop.

(A) Subdistricts permitted: All subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise

Residential Subdistrict, this use is permitted as a limited or restricted<sup>1</sup> use; and in the Allen Street Special Retail Subdistrict, as a limited or restricted<sup>2</sup> use.

(6) Health studio.

(A) Subdistricts permitted: all Freeway Frontage Subdistricts; as a limited or restricted<sup>1</sup> use in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential and Interior Mid-Rise Office/Residential subdistricts; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(7) Self service laundry or dry cleaning.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict; and as a limited use in the Interior Mid-Rise Residential Subdistrict.

(8) Laundry or cleaning pickup and receiving station.

(A) Subdistricts permitted: Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; all Freeway Frontage and Fringe Transition subdistricts; as a restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(9) Key shop.

(A) Subdistricts permitted: All subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(10) Shoe repair.

(A) Subdistricts permitted: All subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(11) Tailor, custom sewing and millinery.

(A) Subdistricts permitted: All subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted<sup>1</sup> use; and in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(12) Travel bureau.

(A) Subdistricts permitted: All subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted<sup>1</sup> use; and in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(13) Broadcasting or recording studio.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(14) Instructional arts studio.

(A) Subdistricts permitted: all Historic subdistricts; the Interior Transition Subdistrict; all Freeway Frontage subdistricts; all Fringe Transition subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(15) Handcrafted art work studio.

(A) Subdistricts permitted: all Historic subdistricts; the Interior Transition Subdistrict; all Freeway Frontage subdistricts; all Fringe Transistion subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(16) Handcafted bookbinding.

(A) Subdistricts permitted: all Historic subdistricts; the Interior Transition Subdistrict; all Freeway Frontage subdistricts; all Fringe Transistion subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(17) Photography studio.

(A) Subdistricts permitted: all Historic subdistricts; the Interior Transition Subdistrict; all Freeway Frontage subdistricts; all Fringe Transition subdistricts, and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(18) Safe deposit boxes.

(A) Subdistricts permitted: all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(19) Wedding Chapel.

(A) Subdistricts permitted: all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(k) Retail uses.

(1) Retail stores other than listed.

(A) Subdistricts permitted: Woodall/Gillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(2) Antique shop.

(A) Subdistricts permitted: all Historic subdistricts; the Interior Transition Subdistrict; all Freeway Frontage subdistricts; and all Fringe Transition subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(3) Retail food store.

(A) Subdistricts permitted: Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(4) Bakery or confectionery shop.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise



Residential Subdistrict, this use is permitted as a restricted<sup>1</sup> use; in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(5) Book and stationery store.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a limited or restricted<sup>1</sup> use; in the Allen Street Special Retail Subdistrict, this use is permitted as a limited or restricted<sup>2</sup> use.

(6) Camera store.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted<sup>1</sup> use; in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(7) Cigar, tobacco, and candy store.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a limited or restricted<sup>1</sup> use; in the Allen Street Special Retail Subdistrict, this use is permitted as a limited or restricted<sup>2</sup> use.

(8) Clothing store.

(A) Subdistricts permitted: all Historic subdistricts; the Interior Transition Subdistrict; all Freeway Frontage subdistricts; all Fringe Transition subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(9) Drug store.

(A) Subdistricts permitted: Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(10) Beverage store.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted<sup>2</sup> use in the Allen Special Retail Subdistrict.

(11) Florist store.

(A) Subdistricts permitted: all subdistricts, except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail subdistricts. This use is permitted as a restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(12) Pet shop.

(A) Subdistricts permitted: Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(13) Furniture store.

(A) Subdistricts permitted: all Historic subdistricts; Interior Transition; Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; Central Hi-Rise Mix; and all Fringe Transition subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistricts.

(14) Hardware or sporting goods store.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(15) Hobby and art supplies store.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential, Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(16) Paint and wallpaper store.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(17) Swimming pool sales and supply.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(1) Motor vehicle related uses.

(1) Automobile or motorcycle display, sales, and service (inside display).

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(2) Auto parts sales (inside only).

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(3) Auto repair garage (inside).

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(4) Car wash.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(5) Service station.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(6) Commercial parking lot or garage.

(A) Subdistricts permitted: all Freeway

Frontage subdistricts; and by specific use permit in all Interior Neighborhood subdistricts except Interior Transition.

(m) Commercial uses.

(1) Appliance fix-it shop.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(2) Building repair and maintenance shop.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(3) Plumbing, electrical, air conditioning, and heating shops.

(A) Subdistricts permitted: Central Hi-Rise Mix.

(4) Job printing, lithographer, printing, or blueprinting plant.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(5) Duplication shop.

(A) Subdistricts permitted: all Historic subdistricts; the Interior Transition Subdistrict; all Freeway Frontage subdistricts; and all Fringe Transition subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(6) Custom print shop.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(7) Gummed label printing.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

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(8) Venetian blind or window shade repair, assembly, and sales.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(9) Computer service center.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(10) Garden shop, plant sales, or greenhouse.

(A) Subdistricts permitted: all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(11) Diamond and precious stone sales (wholesale only).

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted<sup>1</sup> use; and in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(12) Design or decorative center.

(A) Subdistricts permitted: Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(n) Animal Related Uses.

(1) Veterinarian's office.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential and all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(2) Animal clinic without outside runs.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential and all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(o) Accessory Uses. The listed accessory uses are permitted in the subdistricts indicated, subject to the provisions of Section 51-4.217 of the Dallas Development Code, as amended.

(1) Game court (private).

(A) Subdistricts permitted: all Interior Neighborhood subdistricts, except Interior Transition; and all Freeway Frontage subdistricts; and by specific use permit in Historic Transition and Fringe Transition subdistricts.

(2) Swimming pool (private).

(A) Subdistricts permitted: all subdistricts.

(3) Home occupation.

(A) Subdistricts permitted: all subdistricts.

(4) Occasional sales (garage sales).

(A) Subdistricts permitted: all subdistricts.

(5) Community center.

(A) Subdistricts permitted: all Interior Neighborhood subdistricts, except Interior Transition; all Freeway Frontage subdistricts.

(p) Special Uses. (Special uses are non-residential uses not defined in the Dallas Development Code.)

(1) Art or drama studio. This use is defined as a facility for instructing, coaching, or counselling in art, ceramics, drama, speech, or similar personal skills or arts.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(2) Art or frame shop. This use is defined as a facility for the retail sale of art, art supplies, framing, framing materials, and related accessories.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special

Retail Subdistrict, this use is permitted as a restricted<sup>1</sup> use.

(3) Community center. This use is defined as a community service facility where social, recreational, or child care service is provided by a public, quasi-public, tax-exempt, church, or municipal agency.

(A) Subdistricts permitted: Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage subdistricts; and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(4) Gift shop. This use is defined as a facility for the retail sale of novelties such as greeting cards, jewelry, and other small manufactured articles intended mainly for personal or household adornment.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted<sup>2</sup> use.

(5) Ice cream shop. This use is defined as a facility for the retail sale of ice cream, frozen yogurt, or other frozen goods not requiring any cooking facilities.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. This use is permitted as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict, and as a restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(6) Drive-thru restaurant. This use is defined as any restaurant with direct window service allowing customers in motor vehicles to pick up food for off premise consumption.

(A) Subdistricts permitted: by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix subdistricts.

(7) Coffee shop. This use is defined as an establishment with limited food preparation on site, where only non-alcoholic beverages are served, and having a seating capacity of less than 31 persons.

(A) Subdistricts permitted: all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix;

and Allen Street Special Retail. This use is permitted as a limited or restricted<sup>1</sup> use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted<sup>2</sup> use in the Allen Street Special Retail Subdistrict.

(B) The only food preparation permitted in a coffee shop is the preparation of cakes, cookies, pies, sandwiches and hot beverages.

(g) Restricted use regulations.

(1) Restricted<sup>1</sup> uses.

(A) Floor area. No restricted<sup>1</sup> use may have a floor area greater than 2,000 square feet.

(B) Location in structure. Restricted<sup>1</sup> uses are permitted only on basement, and ground floor levels of a structure.

(2) Restricted<sup>2</sup> uses.

(A) Floor area. There are no minimum or maximum floor area requirements.

(B) Location in structure. Restricted<sup>2</sup> uses are permitted only on basement, ground, and second floor levels of a structure.

(3) Restricted<sup>3</sup> Uses.

(A) Floor area. There are no minimum or maximum floor area requirements.

(B) Location in structure. Restricted<sup>3</sup> uses are permitted only on basement, ground, and second floor levels of a structure. Restricted<sup>3</sup> uses are also permitted on the third floor level, if any, and only if the third floor has an interior floor level that is at or above the eaveline of the primary roof structure.

SECTION 6. Development standards for the Historic District. The following development standards apply to all subdistricts in the Historic District:

(a) Density.

(1) Limitation on dwelling units.



(A) Core and Neighborhood Service subdistricts. Residential buildings in these subdistricts are limited to three dwelling units per story and six dwelling units overall. Non-residential buildings are limited to two dwelling units per story and four dwelling units overall. Residential uses are limited to six dwelling units per lot.

(B) Transition subdistricts. There are no dwelling unit limitations in the Transition subdistricts.

(2) Floor area ratio ("FAR").

(A) Core and Neighborhood Service subdistricts.

(i) Non-residential buildings that contain no residential uses are limited to a maximum FAR of 1.25:1.

(ii) All other buildings and structures are limited to a maximum FAR of 1.5:1.

(B) Transition subdistricts.

(i) All buildings and structures are limited to a maximum FAR of 2:1.

(b) Lot Coverage.

(1) Core and Neighborhood Service subdistricts. The maximum permitted lot coverages are:

(A) 60 percent for a structure containing a residential use; and

(B) 50 percent for a structure that does not contain a residential use.

(2) Transition subdistricts. The maximum permitted lot coverages are:

(A) 70 percent for a structure containing a residential use; and

(B) 60 percent for a structure that does not contain a residential use.

(c) Height.

(1) Core and Neighborhood Service subdistricts. The maximum permitted heights for all buildings and structures are:

(A) 36 feet for a main building or structure; and

(B) 14 feet for an accessory building or structure.

(2) Transition subdistrict. The maximum permitted height for all buildings and structures is determined by the slope beginning at a line parallel to and 36 feet above the boundary line of the Historic Core subdistrict and extending perpendicularly from that line over the transition subdistricts two feet horizontally for every one foot of vertical rise, to a maximum height of 48 feet.

(d) Story limitation. For purposes of this subsection, story is not a term of measurement, and one-half of a story means the interior floor level that is at or above the eave line of the primary roof structure.

(1) Core and Neighborhood Service subdistricts. The maximum permitted number of stores is two and one-half.

(2) Transition subdistricts. The maximum permitted number of stores is three and one-half.

(e) Lot size.

(1) Core and Neighborhood Service subdistricts. Lots must conform to the following standards:

(A) Each lot must have an area no less than 3,000 and no more than 9,000 square feet.

(B) Each corner lot must have a width no less than 40 feet and no more than 65 feet.

(C) Each interior lot must have a width:

(i) no less than 35 and no more than 55 feet; or

(ii) that is within five percent of the average width of all interior lots on the same blockface.

(D) Special exception. Lots platted on or before the effective date of this ordinance are legal building sites even though they may not conform to the requirements of this section.

(2) Transition subdistricts. There are no lot size requirements.

(f) Setbacks.

(1) Core and Neighborhood Service subdistricts.

(A) Minimum front yard. A main building on an interior or corner lot must have a front yard setback that is within five percent of the average setback of all main buildings in the same blockface.

(B) Minimum side and rear yards. The minimum permitted rear and side yard setback for any building or structure is five feet.

(2) Transition subdistricts.

(A) Front yard. All structures except as provided in subsection (i) below must have a minimum front yard setback of eight feet and a maximum front yard setback of eighteen feet.

(i) All structures on a corner lot in a blockface that includes lots in the Core Subdistrict must have a front yard (or where applicable, a corner side yard) setback that is within five percent of the average setback of all main buildings on the same blockface.

(B) Rear yard. All structures must have a minimum rear yard setback of five feet.

(C) Side yard. There is no minimum side yard requirement, unless a corner side yard occurs on a blockface that includes lots in the Core Subdistrict, when a corner side yard setback is required in accordance with subsection (A)(i) above.

(g) Off-street parking.

(1) Minimum Number of spaces required.

(A) Residential uses. Residential uses must provide one off-street parking space for each dwelling unit.

(B) Non-residential use. Non-residential uses must provide one off-street parking space for each 500 square feet of floor area.

(i) Special exception. Any non-residential use in a contributing structure must provide a minimum of one off-street parking space for each 1000 square feet of floor area.

(2) Location of off-street parking.

(A) In General. All off-street parking, whether used to fulfill minimum parking requirements or as excess parking, must be set back no less than the required front yard. Required off-street parking must be provided on the lot occupied by the main use, or on the rear 50 percent of a separate lot that is:

(i) dedicated to parking use by an instrument approved by the city attorney, filed with the building official and in the deed records of the county in which the property is located, and consolidated with the main use under one certificate of occupancy with the main use;

(ii) located in the same subdistrict as the main use or in another district that allows a commercial parking lot or garage as a main use; and

(iii) located within 600 feet of the lot occupied by the main use. The distance measured includes streets and alleys and is the shortest distance between the lots.

(B) Parking on vacant lots. On vacant lots, no off-street surface parking may be located within 75 feet of Hibernia Street, State Street, Thomas Avenue, or Colby Street.

(i) Special Exception. In City Block 564, the only setback requirement for off-street surface parking on vacant lots is that it may not be located within 75 feet of Boll Street.

(3) Access to off-street parking.

(A) Generally. A public alley, access easement, or private driveway may be used for two-way access to and from off-street parking, and for maneuvering space, without the approval of the director of public works. Driveways providing access to off-street parking must be at least 8 feet wide.

(B) Structured parking. In all Historic subdistricts, vehicular access to parking structures is not permitted to or from the street on which the main building fronts, unless the lot abuts no other street or alley.

(4) Screening. All off-street parking must be screened from the street and from adjacent lots containing residential uses. Screening from the street must be at least three and one-half feet in height. Screening from adjacent

lots containing residential uses must be at least six feet in height. Screening on vacant lots must be located within three feet of the parking spaces screened. A landscape hedge may be used to screen off-street parking. No screening must be solid, however, it may not have more than 70 square inches of open area for each square foot of surface area.

(5) Surface materials. The only permitted off-street parking surface materials are brushed or aggregate concrete, hot mix asphalt, masonry pavers, and gravel that is at least three inches thick.

(h) Signs.

(1) In general. Except as otherwise provided in this ordinance, signs are governed by the provisions for non-business zoning districts contained in Article VII, "Sign Regulations," of the Dallas Development Code, as amended.

(2) Detached signs.

(A) Core and Neighborhood Service subdistricts. Only one detached sign is permitted on each lot. The sign must:

(i) be located at least 15 feet from the public right-of-way, or at the building line if this requires a lesser setback;

(ii) be five feet or less in height;

(iii) not be illuminated; and

(iv) not exceed four square feet in effective area.

(B) Transition subdistricts. Only one detached sign is permitted for each 50 lineal feet of street frontage. Each sign must:

(i) be located at least eight feet from the public right-of-way, or at the building line if this requires a lesser setback;

(ii) be five feet or less in height;

(iii) not be illuminated; and

(iv) not exceed four square feet in effective area.

(3) Attached signs.(A) Core and Neighborhood Service subdistricts.

No more than two attached signs are permitted on each building. Each sign must:

(i) not be illuminated, except by one external spotlight not to exceed 75 watts in power; and

(ii) not exceed one square foot in effective area.

(B) Transition subdistricts. No more than two attached signs are permitted for each 50 lineal feet of street frontage. Each sign must:

(i) not be illuminated except by one external spotlight not to exceed 75 watts in power; and

(ii) not exceed one square foot in effective area.

(i) Special landscaping requirements. All lots with nonresidential uses on the ground floor must have at least two trees planted in parkway areas that are over two feet in width. The trees must be:

(1) of at least three-inch caliper;

(2) placed a uniform distance apart; and

(3) planted along a line parallel to the street.

SECTION 7. Review procedures for certificate of appropriateness in the Historic District.

(a) In general. The review procedure for routine maintenance and replacement and the standard review procedure outlined in Section 51-4.501 of the Dallas Development Code, as amended, apply to the Historic District except as expressly modified by this section.

(b) Review by the director.

(1) Routine maintenance and replacement. Routine maintenance and replacement includes, but is not limited to the process of cleaning (including water blasting and stripping); repainting an item the same color; and replacing, duplicating, or stabilizing deteriorated or damaged architectural features.

(For more information regarding routine maintenance and replacement, see Section 51-4.501 of the Dallas Development Code.)

(2) Minor exterior alterations. In addition to approving or denying applications for certificates of appropriateness for routine maintenance and replacement, the director shall approve or deny an application for a certificate of appropriateness for one or more of the following minor exterior alterations as if the work were routine maintenance and replacement:

(A) The application, installation, maintenance, or replacement of:

- (i) storm windows and doors;
- (ii) window and door screens;
- (iii) gutters and downspouts;
- (iv) skylights and solar panels;
- (v) fences;
- (vi) a chimney or awning located on an accessory building, or located on the rear 50 percent of a main building and not part of the corner side facade; and
- (vii) lights located at ground level, in a tree or shrub, along eaves and soffits, or on accessory buildings;
- (viii) paint of any color;
- (ix) signs;
- (x) pavement; and
- (xi) landscaping.

(B) The restoration of original architectural elements.

(C) The demolition of an accessory structure.

(c) Review by the committee and commission.

(1) The standards contained in this section should be

used by the committee in making its recommendation to the commission.

(2) The commission shall review all applications for certificates of appropriateness forwarded to it by the director and committee. In reviewing an application, the commission shall determine whether the proposed work complies with the preservation criteria and regulations contained in this ordinance and all other applicable ordinances. If the proposed work complies, the commission shall grant the certificate.

(3) Except as otherwise provided in this section, if the proposed work does not comply with or is not addressed by the preservation criteria and regulations contained in this or any other applicable ordinance, the commission shall deny the certificate.

(4) If the proposed work is the restoration of original architectural elements and will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of a structure or blockface in the Historic District, or of the Historic District as a whole, the commission shall grant the certificate. In determining whether the proposed work constitutes the restoration of original architectural elements, the commission shall consider all available materials, including but not limited to photographs and drawings showing the original appearance of the building and its surrounding property at the time of construction.

(5) If the proposed work is not addressed by the preservation criteria and regulations contained in this ordinance and all other applicable ordinances, and will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of a structure or blockface in the Historic District, or of the Historic District as a whole, the commission shall grant the certificate.

(d) Who may appeal. Only the applicant may appeal a decision by the director or the commission to deny a certificate of appropriateness.

#### SECTION 8. Preservation criteria for the Historic District.

##### (a) Building placement, form, and treatment.

(1) Accessory buildings. Accessory buildings are only permitted in the rear yard and the interior side yard and must be compatible with the scale, shape, roof form, materials,



detailing, and color of the main building. All accessory buildings must have pitched roofs.

(2) Additions. Additions to a main building are only permitted on the side and rear facades, except that a porch may be added to the front facade. All additions to a building must be compatible with the dominant horizontal or vertical characteristics, scale, shape, roof form, materials, detailing, and color of the building.

(3) Architectural detail. Materials, colors, structural and decorative elements, and the manner in which they are used, applied, or joined together must be typical of the style and period of the other buildings, if any, on the blockface and compatible with the contributing structures in the Historic Core Subdistrict.

(4) Awnings. Awnings on the front and corner side facade must be made of fabric and complement the main building in style and color. Metal and corrugated plastic awnings are only permitted on an accessory building or the rear facade of a main building. Other awnings must be typical of the style and period of the main building, and compatible with the contributing structures of a similar style in the Historic Core Subdistrict.

(5) Building eaves. The eave or soffit height of a main building must be within 10 percent of the eave or soffit height of the closest main building in the Historic District of a similar style and having the same number of stories.

(6) Building placement. All buildings must be placed so as not to adversely affect the rhythm of spaces between buildings on the blockface.

(7) Building widths.

(A) Core and Neighborhood Service subdistricts.

(i) Main buildings on interior lots. A main building on an interior lot must have a width no less than 25 feet and no more than 40 feet.

(ii) Main buildings on corner lots. A main building on a corner lot must have a width no less than 35 feet and no more than 60 feet.

(B) Transition subdistricts. There are no building width requirements.

(8) Chimneys. All chimneys must be compatible with the style and period of the main building and the contributing structures of a similar style in the Historic Core Subdistrict. Chimneys on the front 50 percent of a main building or on a corner side facade must be:

(A) constructed of brick or other materials that look typical of the style and period of the main building; and

(B) of a style and proportion that is typical of the style and period of the main building; and the other buildings on the same blockface.

(9) Color.

(A) In general. Permitted exterior colors and color combinations are limited to those typically used in the 19th century. The director shall keep publications that illustrate permitted exterior colors and color combinations in a permanent file that is made available for public inspection.

(B) Brick surfaces. Brick surfaces not previously painted may not be painted unless the applicant establishes that the painting is necessary to restore or preserve the brick itself.

(C) Certain colors prohibited. Fluorescent and metallic colors are not permitted on the exterior of any structure in the Historic District.

(D) Dominant and trim colors. All structures must have a dominant color and no more than five trim colors. The colors of a structure must be complementary of each other and the overall character of the Historic District.

(E) Gutters and downspouts. Gutters and downspouts must be painted or colored to match the trim color or the roof color of the structure.

(F) Roof colors. Roof colors must complement the style and overall color scheme of the structure.

(G) Stain. The use and color of stain must be typical of the style and period of the building.

(10) Columns.

(A) Function. Columns are only permitted as vertical supports near the front entrance of the main building or as vertical supports for porches.

(B) Materials. Columns must be constructed of brick, wood, or other materials that look typical of the style and period of the main building.

(C) Style. Columns must be of a style typical of the style and period of the main building.

(11) Facade materials.

(A) In general. The only permitted facade materials are brick, wood siding, and wood products that look like wood siding. All facade treatments and materials must be typical of the style and period of the main building.

(B) Wood facades. Existing wood facades must be preserved as wood facades (no existing wood facade may be bricked). Wood shingles are not permitted as a primary facade material.

(12) Front entrances and porches.

(A) In general.

(i) Core and Neighborhood Service subdistricts. Each main building must have a covered front porch that extends across at least 50 percent of the front facade.

(ii) Transition subdistricts. Each front facade of a main building must be interrupted at intervals no greater than 50 feet by a porch, a bay window, or a change of plane. If a change of plane is used, the inset or jutting portion must be generally parallel to the street, and must be inset or set out a minimum of two feet from the typical plane of the facade. These elements must occupy no less than 30 percent and no more than 60 percent of the front facade.

(B) Detailing. Railings, mouldings, tilework, carvings, and other detailing and architectural decorations on front entrances and front porches must be typical of the style and period of the main building and the contributing structures of a similar style in the Historic Core Subdistrict.

(C) Enclosures. A front entrance or front porch may not be enclosed with any material, including iron bars, glass, or mesh screening.

(D) Facade openings. Front porches must not obscure or conceal any facade openings in the main building.

(E) Floor coverings. Carpeting is not permitted as a front porch floor or step covering.

(F) Style. Each front porch and entry treatment must have a shape, roof form, materials, and colors that are typical of the style and period of the building, and must reflect the dominant horizontal or vertical characteristics of the main building and the contributing structures of a similar style in the Historic Core Subdistrict.

(13) Porte cocheres. Porte cocheres must be preserved as architectural features and not be enclosed by fences, gates, or any other materials.

(14) Roof forms.

(A) Materials and colors. Roof materials and colors must complement the style and overall color scheme of the building or structure. On residential structures, tar and gravel (built-up) is only permitted as a roof material on covered porches and porte cocheres with flat roofs. Carpet is not permitted as a roof material. Composition shingle, cedar shingle, and metal roofing materials may be permitted.

(B) Overhang. The minimum permitted roof overhang for a new or move-in main building is 12 inches. A replacement roof on an existing building must have an overhang that is equal to or greater than the overhang of the roof it replaces.

(C) Patterns. Roof patterns of a main building must be typical of the style and period of the architecture of the building and the contributing structures of a similar style in the Historic Core Subdistrict.

(D) Skylights and solar panels.

(i) Except as otherwise provided in this subsection, skylights and solar panels are only permitted on:

(aa) the rear 50 percent of the roof of a main building on an interior lot;

(bb) the rear inside quadrant of the roof of a main building on a corner lot; and

(cc) the roof of an accessory building in the rear yard.

(ii) The commission may allow skylights and solar panels at another location on a building if their placement does not have an adverse effect on the architecture of the building, blockface, or the Historic District as a whole.

(E) Slope and pitch. The degree and direction of roof slope and pitch must be typical of the style and period of the main building and compatible with existing building forms in the Historic Core Subdistrict. In no case is a roof permitted with a pitch less than a six inch rise in any twelve inch horizontal distance. Flat or Mansard roof designs are not permitted on main or accessory buildings or structures, except that a covered porch or porte cochere may have a flat roof that is typical of the style and period of the main building.

(15) Signs. Signs must not obscure significant architectural features of the building. The shape, materials, color, design, and letter style of signs must be typical of and compatible with the style and period of the architecture of the building and complement the district. [See Section 6(h) for additional standards applicable to signs.]

(16) Windows and doors.

(A) Front facade openings.

(i) Historic Core and Neighborhood subdistricts. The total number of window and door openings (combined) in the front facade of a main building must be equal to or greater than the total number of original window and door openings (combined) in that facade. The number of door openings in the front facade of a main building must not be increased. Each story of a front facade of a main building must contain at least two windows or one window with a door.

(ii) Transition subdistricts. For every 45 feet of building width, at least two windows or one window and a door must be provided in each story of the front facade.

(B) Glass. Clear, decorative stained, beveled, etched, and clear leaded glass may be permitted in any window opening. Reflective, tinted, opaque, and mirrored glass and plastic are not permitted in any opening. Translucent glass is not permitted, except in a bathroom window. No glass pane may exceed 16 square feet in area.

(C) Screens, storm doors, and storm windows. A screen, storm door, or storm window on a front or side facade of a main building may be permitted only if:

(i) its frame is painted or colored to match or complement the color scheme of the main building; and

(ii) it does not obscure significant features of the windows and doors it covers.

(D) Security and ornamental bars. Security and ornamental bars are not permitted on the exterior of the front and corner side facade of a main building.

(E) Shutters. Shutters must be typical of the style and period of the building and appear to be installed in a manner to perform their intended function.

(F) Style.

(i) All windows and doors in the front or side facade of a main building must be proportionally balanced in a manner typical of the style and period of the building.

(ii) No single, fixed plate glass is allowed except as part of an original period design. The size and proportion of window and door openings located on the front and side facades of a main building must be typical of the style and period of the building.

(iii) All windows, doors, and lights in the front and side facades of a main building must be typical of the style and period of the building. Windows must contain at least two lights (window panes). Front doors must contain at least one light. Sidelights must be compatible with the door.

(iv) The frames of windows must be trimmed in a manner typical of the style and period of the building and compatible with the contributing structures of a similar style in the Historic Core Subdistrict.

(b) Landscaping.

(1) Certain items prohibited in front and corner side yards. The following items are not permitted in the front and corner side yards:

- (A) Above-ground meters.
- (B) Berms.
- (C) Cacti.
- (D) Pylons and similar structures.

(E) Rock or sculpture gardens.

(2) Fences.

(A) Form.

(i) Fences must be constructed and maintained in a vertical position.

(ii) The top edge of a fence must be along a line that is either horizontal or parallel to grade. Except in the case of a picket, chain link, or wrought iron fence, the top edge of a fence must be flat. The director may approve a fence that does not comply with this paragraph if the applicant establishes that the fence is Victorian in character.

(B) Height. A fence in a front or corner side yard may not exceed three feet in height, unless a taller fence is needed to satisfy screening requirements for off-street parking. The maximum permitted height of any fence is nine feet.

(C) Location.

(i) A fence in an interior side yard must be located in the rear 50 percent of the side yard and behind the rearmost side projection of the main building, except that the commission may allow a fence to be located anywhere in an interior side yard if it determines that the fence does not screen all or any portion of a significant architectural feature of the main building on the same or an adjacent lot.

(ii) A fence in a corner side yard must not be directly in front of the corner side facade, except that the commission may allow a fence that is directly in front of all or any portion of the rear 50 percent of the corner side facade if:

(aa) more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and

(bb) the fence does not screen all or any portion of a significant architectural feature of the main building.

(iii) A fence in the corner side yard must be set back a minimum of two feet from a public sidewalk.

(iv) A fence must run either parallel or perpendicular to a building wall or lot line.

(v) A fence on a vacant lot must be set back a distance that is equal to or greater than the setback of the front facade of the closest main building, if any, in the same blockface. If no main building exists on the blockface, this setback is equal to or greater than the setback of the closest main building in the Historic Core Subdistrict. In the case of a single interior vacant lot, the setback must be equal to or greater than the setback of the main building, if any, on the adjacent lots with the greater setback. If no main building exists on either adjacent lot, this setback is equal to or greater than the setback of the closest main building in the Historic Core Subdistrict

(D) Materials. A fence in a front or corner side yard must be constructed of wrought iron, wood, or brick. The use of brick in a fence is not permitted except as part of a structural column, or a base that is two feet or less in height. Concrete blocks are not permitted.

(E) Masonry columns and bases.

(i) The color, texture, pattern, and dimensions of masonry and the color, width, type, and elevation of mortar joints in a fence column or base must match the masonry and mortar joints of the main building as nearly as practicable.

(ii) All exposed brick in a fence column or base must be fired brick as defined by the American Standard Testing Materials Designation C-126-75A, Type Grade FBS-SW.

(F) Metal fences. Wrought iron and metal fences must be compatible with the style and period of the main building.

(G) Wooden fences.

(i) All wooden structural posts must be at least four inches in diameter (nominal size).

(ii) The side of a wooden fence facing a public street must be the finished side.

(iii) Wooden fences may be painted or stained a color that is complementary to the main building.

(3) Foundation plantings. Foundation plantings must



not screen significant architectural features of the main building.

(4) Outdoor lighting. Outdoor light fixtures must be compatible with the style and period of the main building and not obscure or conflict with significant architectural details. Overhead and exposed wiring and conduit for outdoor lighting is not permitted. Except for mercury halogen vapor lights, colored outdoor lighting is not permitted in a front or side yard.

(5) Parkway plantings. All trees in the parkway must be placed a uniform distance apart and planted along a line parallel to the street.

(6) Pavement, filler, and edging materials. Pavement and filler and edging materials, such as landscape timbers, gravel, stone, brick, and bark, used in landscape beds in the front and corner side yards must be approved by the commission as part of an overall landscape plan if the landscape beds collectively comprise more than 25 percent of the combined areas of the front and corner side yards. No more than 25 percent of the front yard of a residential use may be covered by pavement or filler materials.

(7) Retaining walls. Retaining walls are not permitted in the front and side yards, except to preserve a natural or existing slope, or to make a slope similar to that of an adjacent lot. The height of a retaining wall must not exceed the height of the slope it retains. A retaining wall must be constructed of unpainted natural stone or brick that is compatible in texture, color, and style with the main building.

(8) Sidewalks, driveways, and curbing.

(A) Materials. All sidewalks and front yard driveways must be constructed of brushed or exposed aggregate concrete, masonry pavers or red brick that matches or is compatible in texture, color, and style with the main building.

(B) Width, style, and spacing.

(i) The maximum permitted width of a driveway in a front yard is 10 feet. The driveway width may be expanded to 20 feet at any point behind the front facade.

(ii) Ribbon driveways are permitted, but only if the ribbons are at least one foot wide.

(iii) Circular driveways are not permitted in the front yard.

(iv) A driveway constructed in the front yard adjacent to an existing driveway on an adjacent lot must be spaced a minimum of one foot from the existing driveway pavement.

(v) Prior to the issuance of a certificate of occupancy (or prior to a final inspection if no certificate of occupancy is required for the use), each property owner is required to construct and maintain a four foot wide sidewalk in an area parallel to and within zero to eight feet of the back of the projected street curb. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the City of Dallas to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this ordinance, the standards, provisions, and requirements of CHAPTER 43, "STREETS AND SIDEWALKS," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD.

SECTION 9. Public right-of-way improvements in the Historic District. The director of public works shall submit plans for any proposed changes to the public right-of-way in the Historic District to the director, who shall forward the plans to the committee and commission for review to determine the impact of the change on historically significant properties, and its compatibility with preservation policy and the provisions of this and all other applicable ordinances. The following preservation criteria apply specifically to public rights-of-way in this district:

(a) Lighting. Lighting in the public right-of-way must be uniform, and all light fixtures must be Victorian in character.

(b) Pavement and right-of-way widths. Neither existing street pavement widths nor existing street right-of-way widths in the State-Thomas Historic District may be increased except along Colby Street (between Fairmont Avenue and Boll Street) and the Routh-Maple connector.

SECTION 10. Nonconforming uses and structures.

(a) In general. Except as otherwise provided in this ordinance, Section 51-4.704 of the Dallas Development Code, as amended, relating to nonconforming uses and structures, applies to all uses and structures in the State-Thomas Special Purpose District.

(b) Rebuilding damaged or destroyed structures. If a nonconforming structure in the Historic District is damaged or destroyed, the structure may be rebuilt at the same location without the approval of the board of adjustment.

SECTION 11. Tax freeze regulations.

(a) State-Thomas SPD tax freeze. The owner of a qualifying historic landmark in the Historic District may apply for a tax freeze on city property taxes for both the land and structure on the building site. The qualifying historic landmark will have an annual assessed value equal to the assessed value of the tax year immediately before the restoration was completed, for eight years following completion of the restoration. The tax freeze will begin the first day of the first tax year after verification of the restoration. For purposes of this section, "restoration" means work performed in accordance with certificates of appropriateness granted by the commission and the construction codes of the city.

(b) Eligibility for tax freeze. To be eligible for a city property tax freeze, the property must be a city designated historic landmark located in the State-Thomas Historic District and must meet all of the following conditions:

(1) The historic landmark must not have been granted a previous property tax freeze under Section 4.501 of the Dallas Development Code, or of this ordinance.

(2) At the time of application for the tax freezes, the exterior and interior of the historic landmark must be in need of restoration that exceeds 50 percent of the assessed value of the structure, for the year the restoration is to begin. Only that restoration for which a building permit, electrical permit, plumbing permit, or other project permit has been issued may be counted in determining whether the work exceeds 50 percent of the assessed value.

(3) The structure must be a contributing structure in accordance with Section 11.5 of this ordinance.

(c) Application for tax freeze. An application for a historic landmark tax freeze must be filed with the director of planning and development. Each application must be signed and sworn to by the owner of the property and must include the following information:

- (1) The legal description of the property.
- (2) Detailed plans and documents related to the proposed work showing how the exterior of the historic landmark is to be restored in accordance with the preservation criteria.
- (3) A statement and documentation of the costs for the restoration of the exterior and interior of the historic landmark to show that the costs exceed 50 percent of the assessed value of the structure.
- (4) A projection of the construction time and completion date of the restoration.
- (5) The proposed use of the property.
- (6) Any other information which is necessary to the city in determining eligibility.

(d) Certification of eligibility. The owner of the historic landmark shall comply with the certificate of appropriateness procedure, and the contributing structure procedure in order to have the proposed alterations to the exterior of the historic landmark approved and to obtain a certificate of eligibility indicating that the historic landmark is eligible for the tax freeze.

(e) Qualification for tax freeze.

(1) Upon completion of the restoration of the historic landmark in accordance with the certificate of appropriateness and the certificate of eligibility, the owner shall submit to the director a sworn statement certifying that the restoration has been completed.

(2) The owner shall obtain a certificate of qualification for a tax freeze by following the same procedure as required for certificate of appropriateness review.

(3) If a certificate of qualification is approved, the director shall send written notice to the county appraisal district which shall appraise the property in accordance with subsection (a) of this section. The director shall also send a

copy of the certificate of qualification to the city finance department.

(4) A certificate of qualification shall not be approved until the applicant files a commitment to immediately repay to the city all tax revenues not paid because of the tax freeze if the owner is required to repay the taxes under subsection (f) below. The commitment must be approved as to form by the city attorney and filed in the county deed records. The commitment shall run with the land and bind the owner and his heirs and assigns. Any unpaid repayment required under subsection (f) below shall be a lien against the property.

(f) Historic landmark destruction or alteration.

(1) If the city manager has reason to believe that a historic landmark has been totally or partially destroyed or altered by the willful act or negligence of the owner or his representative in violation of the preservation criteria contained in this ordinance, the city manager shall immediately cause the matter to be scheduled for the earliest possible consideration by the city council. If, after giving notice and hearing to the owner, the city council determines that the historic landmark has been totally or partially destroyed or altered by the willful act or negligence of the owner or his representative, the owner shall immediately repay to the city all of the tax revenues that were not paid because of the tax freeze.

(2) Where a historic landmark is totally or partially destroyed or altered other than by the willful act or negligence of the owner or his representative, the owner shall, within 30 days, request a building permit to reconstruct the historic landmark in accordance with the preservation criteria. The determination as to whether restoration is feasible shall be made by the commission, upon the advice of the landmark committee, as part of the certificate of appropriateness review procedure required to be followed in obtaining a demolition or building permit. In cases where a demolition permit is issued by the city because restoration is not feasible, repayment of the tax revenues is not required.

(g) Extension of tax freeze beyond Historic District: If a structure not currently located in the Historic District is designated as an historic landmark and a contributing structure, the ordinance designating the structure may extend this tax freeze to that structure.

SECTION 11.5 Designation as a contributing structure.

For the purposes of this ordinance, a property owner may wish to have a structure in the State-Thomas SPD designated as a contributing structure. To obtain this designation, a property owner must follow the procedure set forth below.

(a) Application to the director. A person wishing to have a structure designated as a contributing structure shall submit an application to the director. The application must contain the following:

(1) a document stating when the structure was built, and its contribution to the Historic District;

(2) photographs of the structure; and

(3) any other relevant information needed by the city in making its determination.

(b) Review by the committee and the commission. Once a completed application is submitted, the director shall forward it to the committee and commission. The committee and the commission shall use the following standard in making the determination:

(1) Any building built prior to 1920 or whose location, design, setting, materials, workmanship, feeling and association adds to the Historic District's sense of time and place and historical development is a contributing structure. A building is not considered contributory if the preceding elements have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.

(c) Appeal. An applicant whose request for designation is rejected by the commission may appeal the rejection to the city council upon filing a written request with the city manager. This request must be filed within 15 days of the commission's decision.

SECTION 12. Graphics and design guidelines for the Historic District. Graphics that illustrate the requirements of the Historic District are attached to and made a part of this ordinance as Exhibit T. In the event of a conflict, the

text of this ordinance controls over any graphic display. Nonmandatory design guidelines are also attached to this ordinance as Exhibit U.

SECTION 13. Enforcement.

(a) Certificate of appropriateness required. A person commits an offense if he is criminally responsible for an alteration of the physical character of any real property located in the Historic District, or any portion of the exterior of a structure on the property, or the placement, construction, maintenance, expansion, or removal of any structure on or from the property, unless the act is expressly authorized by a certificate of appropriateness obtained in accordance with this ordinance and Section 51-4.501 of the Dallas Development Code, as amended.

(b) Defenses to prosecution. It is a defense to prosecution under Subsection (a) of this section that the alteration is:

- (1) in a rear yard and six feet or less in height;
- (2) in a side yard, six feet or less in height, and totally screened by a fence or hedge that is at least six feet in height;
- (3) the installation, maintenance, or replacement of plant materials not prohibited;
- (4) the installation, maintenance, or replacement of:
  - (A) a sprinkler system; or
  - (B) an air conditioning unit in the side or rear yard.
- (5) the installation or maintenance of a special purpose sign; or
- (6) temporary in nature. An alteration is temporary in nature if it occurs no more than two time periods per calendar year for a maximum of five days per time period.

(c) Additional offenses. A person commits an offense if he is criminally responsible for a violation of the use regulations or development standards of this ordinance.

(d) Criminal responsibility. A person is criminally responsible for a violation if he:

(1) commits or assists in the commission of an act in violation; or

(2) owns part or all of the land or a structure on the land where a violation exists.

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HISTORIC  
DISTRICT

SECTION 14. Development standards for the Interior Neighborhood District. The following development standards apply to all subdistricts within the Interior Neighborhood District:

RETAINING  
OF  
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(a) Density (stated in floor area ratio "FAR").

(1) The Mid-Rise Residential Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Main buildings containing no residential uses are not permitted. Non-residential uses may not exceed the lesser of:

(A) an FAR of .25:1;

(B) 20 percent of the total floor area of a structure.

(2) The Hi-Rise Office/Residential Subdistrict. Buildings and structures may not exceed an FAR of 4:1 on any individual lot. The total floor area of nonresidential uses in the subdistrict may not exceed two times the total privately owned land surface area in the subdivision. Any application for a building permit for nonresidential uses must include a calculation showing that the total potential residential floor area (TPR) in the subdistrict is equal to or greater than the total nonresidential floor area (TNR).

(3) The Mid-Rise Office/Residential Subdistrict. Buildings and structures may not exceed an FAR of 4:1 on any individual lot. The total floor area of nonresidential uses in the subdistrict may not exceed two times the total privately owned land surface area in the subdivision. Any application for a building permit for nonresidential uses must include a calculation showing that the total potential residential floor area (TPR) in the subdistrict is equal to or greater than the total nonresidential floor area (TNR).



THENCE, in a southeasterly direction along said common property line, a distance of 87 feet to a point for corner in the southeast line of Lot 6 in City Block H/573;

THENCE, in a northeasterly direction along said southeast line of Lot 6 in City Block H/573, a distance of 83.5 feet to a point for corner on the southwest line of Allen Street;

THENCE, in a southeasterly direction along the southwest line of Allen Street, a distance of 290.6 feet to its point of intersection with the northwest line of Guillot Street, the Place of Beginning.

#### STATE-THOMAS AREA SUBDISTRICTS

#### EXHIBIT "B"

BEING all of City Blocks B/555 and C/556; and Lots 1, 2, 3, 4, 7, 8, 9, 10, 11 and 12, and part of Lots 5 and 6 in City Block D/550; Lots 1, 2, 3, 4, 5, and 6 in City Block E/551; Lots 5, 6 and 7 in City Block A/554; Lots 1, 2, 3, 4, 5 and 6 in City Block D/557; Lots 2, 3 and 4, and part of Lot 1 in City Block A/561; Lots 3, 4, 5 and 6 in City Block B/562; Lots 1, 2 and 3 in City Block F/564; and more particularly described as follows:

BEGINNING at the point of intersection of the northeast line of Fairmount Street and the southeast line of State Street;

THENCE, in a northeasterly direction along said southeast line of State Street, a distance of 200 feet to point for corner at its point of intersection with the southwest line of Lot 5 in City Block D/550;

THENCE, in a southeasterly direction along said southwest Lot line, a distance of 50 feet to a point for corner;

THENCE, in a northeasterly direction along a line described as being located a distance of 50 feet from and parallel to the southeast line of State Street and said described line prolonged, a distance of 150 feet to a point for corner at its point of intersection with the northeast line of Routh Street;

THENCE, in a northwesterly direction along said northeast line of Routh Street, a distance of 525 feet to a point for corner at its point of intersection with the southeast line of an alley right-of-way in City Block A/554;

THENCE, in a northeasterly direction and in a northerly direction along the southeasterly line of said alley and said alley line prolonged to a point for corner at its point of intersection with the northeast line of Boll Street, point being located a distance of 177 feet northwesterly from the northwest line of Hibernia Street;

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THENCE, in a southeasterly direction along said northeast line of Boll Street to a point for corner at its point of intersection with the northwest line of an alley right-of-way between City Blocks 561 and A/561 (point also being located a distance of 155 feet northwesterly from the northwest line of Hibernia Street);

THENCE, in a northeasterly direction along the northwest line of said alley, a distance of 242 feet to a point for corner;

THENCE, in a southeasterly direction along a line described as being located a distance of 46 feet from and parallel to southwest line of Worthington Street, a distance of 155 feet to a point for corner at its point of intersection with the northwest line of Hibernia Street;

THENCE, in a southwesterly direction along said northwest line of Hibernia Street, a distance of 98 feet to a point for corner at its point of intersection with the northeast line of Lot 3 in City Block A/561;

THENCE, in a southeasterly direction crossing Hibernia Street and along the northeast line of Lots 3 and 6 in City Block B/562, a distance of 335 feet to a point for corner at its point of intersection with the northwest line of State Street;

THENCE, in a southwesterly direction along said northwest line of State Street, a distance of 189 feet to a point for corner at its point of intersection with the southwest line of Boll Street;

THENCE, in a southeasterly direction along said southwest line of Boll Street and said line of Boll Street prolonged, a distance of 415 feet to a point for corner at its point of intersection with the southeast line of Thomas Avenue;

THENCE, in a northeasterly direction along said southeast line of Thomas Avenue, a distance of 165 feet to a point for corner at its point of intersection with the southwest line of Boll Street;

THENCE, in a southeasterly direction along said southwest line of Boll Street, a distance of 150 feet to a point for corner at its point of intersection with the northwest line of Lot 4 in City Block F/564;

THENCE, in a southwesterly direction along said northwest Lot line and continuing along the northwest line of Lots 7, 8, 9, 10, 11, and 12 in City Block D/557 and the northwest line of Lots 7, 9, 10, 11 and 12 in City Block E/551, a distance of 815 feet to a point for corner at its point of intersection with the northeast line of Fairmount Street;

THENCE, in a northwesterly direction along said northeast line of Fairmount Street, a distance of 515 feet to its point of intersection with the southeast line of State Street, the Place of Beginning.

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## EXHIBIT 'C'

BEING part of Lots 5 and 6 in City Block D/550; and more particularly described as follows:

BEGINNING at the point of intersection of the northeast line of State Street and the southwest line of Routh Street;

THENCE, in a southeasterly direction along said southwest line of Routh Street, a distance of 50 feet to point for a corner:

THENCE, in a southwesterly direction along a line described as being located a distance of 50 feet from and parallel to the southeast line of State Street, a distance of 100 feet to a point for corner in the northeast line of Lot 4 in City Block D/550;

THENCE, in a northwesterly direction along the northeast line of said Lot, a distance of 50 feet to a point for corner at its point of intersection with the southeast line of State Street;

THENCE, in a northeasterly direction along said southeast line of State Street, a distance of 100 feet to its point of intersection with the southwest line of Routh Street, the Place of Beginning.

## EXHIBIT 'D'

BEING ALL OF Lots 7, 8, 9, 10, 11 & 12 and part of Lot 6 in City Block C/549; and more particularly described as follows:

BEGINNING at the point of intersection of the northwest line of State Street and the northeast line of Fairmount Street;

THENCE, in a northwesterly direction along said northeast line of Fairmount Street, a distance of 122 feet to a point for corner at its point of intersection with the southern line of an alley right-of-way in City Block C/549;

THENCE, in a northerly direction along the southern line of said alley to a point for corner, said point being located a distance of 170 feet southerly along said alley line from the southwest line of Routh Street;

THENCE, in a northeasterly direction along a line described as being located a distance of 210 feet from and parallel to the northwest line of State Street, a distance of approximately 150 to a point for corner at its point of intersection with the southwest line of Routh Street;

THENCE, in a southeasterly direction along said southwest line of Routh Street, a distance of 210 feet to a point for corner at its point of intersection with the northwest line of State Street;

THENCE, in a southwesterly direction along said northwest line of State Street, a distance of 300 feet to its point of intersection with the northeast line of Fairmount Street, the Place of Beginning.

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## EXHIBIT 'E'

BEING all of Lots 7, 8, 9, 10, 11 & 12 in City Block E/551; Lots 7, 8, 9, 10, 11 & 12 in City Block D/557; Lots 4 & 5 in City Block F/564; and more particularly described as follows:

BEGINNING at the point of intersection of the northwest line of Colby Street and the northeast line of Fairmount Street;

THENCE, in a northwesterly direction along said northeast line of Fairmount Street, a distance of 150 feet to a point for corner at its point of intersection with the southeast line of Lot 1 in City Block E/551;

THENCE, in a northeasterly direction along said southeast Lot line and continuing along the southeast line of Lots 2, 3, 4, 5, & 6 in City Block E/551, of Lots 1, 2, 3, 4, 5, and 6 in City Block D /557, and of Lot 3 in City Block F/564, a distance of 815 feet to a point for corner at its point of intersection with the southwest line of Boll Street;

THENCE, in a southeasterly direction along said southwest line of Boll Street, a distance of 117.6 feet to a point for corner at its point of intersection with the northwest line of Colby Street;

THENCE, in a southwesterly direction along said northwest line Colby Street, a distance of 815 feet to its point of intersection with the northeast line of Fairmount Street, the Place of Beginning.

## EXHIBIT 'F'

~~TRACT No 1~~

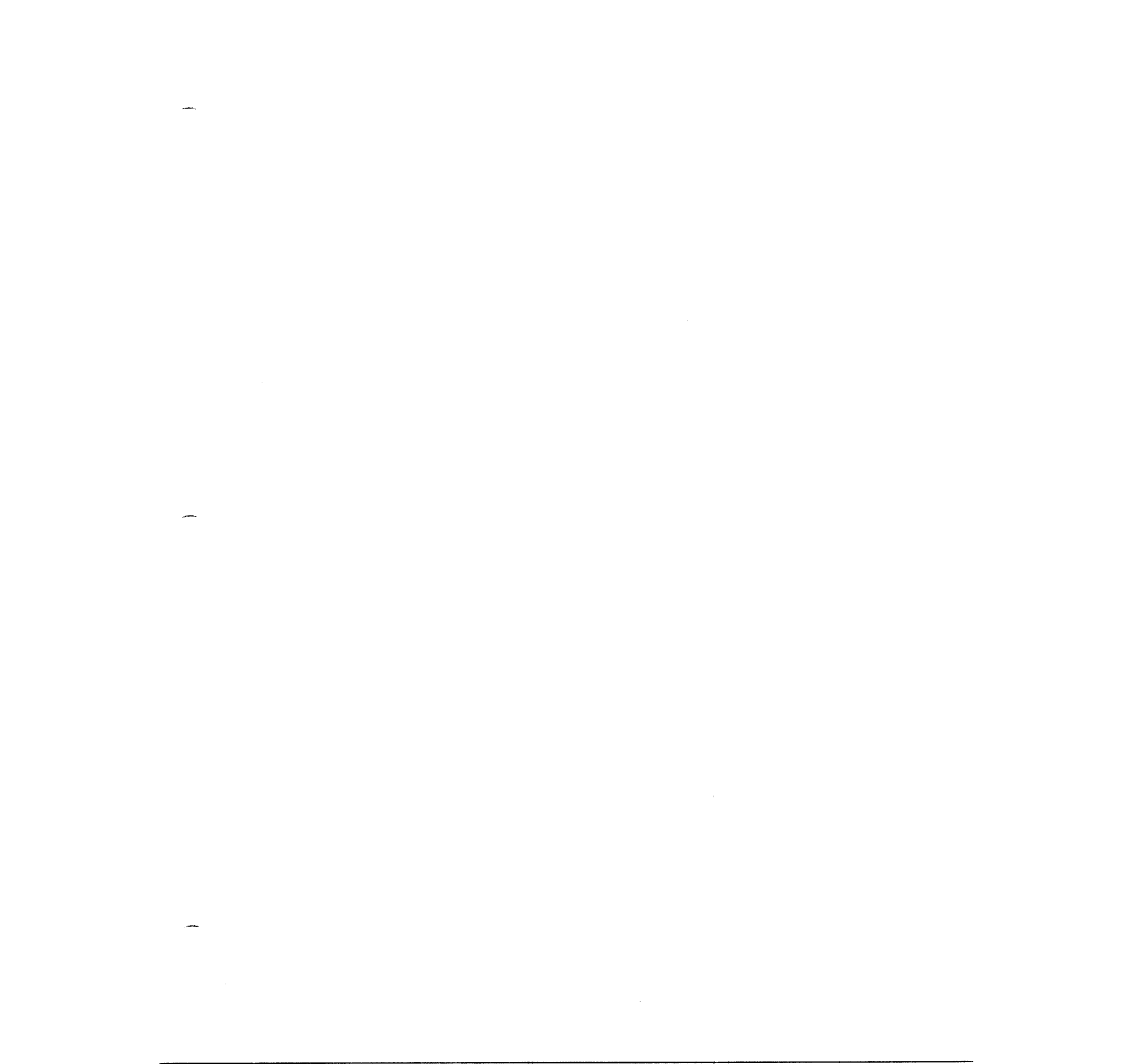
~~BEING all of City Block C/563; Lots 7 & 8 in City Block B/562; Lots 1, 2, 3, 4, 5, & 6 in City Block G/565; Lots 9, 10, 11 & 12 in City Block H/573; Lots 4, 5, 6, 7, 8, 9, 10 and 11 in City Block K/574; Lots 9, 10, 11, & 12 of the Simpson and Clark Addition in City Block L/575; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of the W. M. Jackson's Resubdivision in City Block L/575; and more particularly described as follows:~~

~~BEGINNING at the point of intersection of the southwest line of Boll Street and the northwest line Colby Street;~~

~~THENCE, in a northwesterly direction along said southwest line of Boll Street, a distance of 267.6 feet to a point for corner at its point of intersection with the southeast line of Thomas Avenue;~~

~~THENCE, in a southwesterly direction along said southeast line of Thomas Avenue, a distance of 165 feet to a point for corner at its point of intersection with the northeast line of Lot 6 in City Block D/557;~~

~~THENCE, in a northwesterly direction crossing Thomas Avenue and along the northeast line of City Block C/556 and said Block line prolonged, a distance of 415 feet to a point for corner at its point of intersection with the northwest line of State Street;~~





November 19, 1986

86-3636

ATTENDMENT TO STATE THIRTYAS ORDINANCE  
NUMBER 19084

Agenda item 34: Ordinance authorizing an amendment to Planned Development District No. 225 changing the maximum allowable building width standards on property generally bounded by the southerly line of the property fronting on McKinney Avenue, Fairmount Street, Colby Street and Boli Street, located north of Worthington Street and State Street - Z856-214/6667-N

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 19382.

