

# Clean-up Amendments Round 2

**Zoning Ordinance  
Advisory Committee  
December 14, 2017**

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**City of Dallas**

# Request

- Consideration of amending Chapter 51 and Chapter 51A to clarify language regarding light poles, air conditioning units, and generators in required front, side, and rear yards as applicable; clarification of associated noise regulation standards; and pedestrian skybridges.



# Background

- Over the past few months, staff has been collecting a variety of clean up amendments to Chapter 51A. Round 2 of these clean up amendments includes:
  - 1) light poles, air conditioners, and generators in required front, side, and rear yards
  - 2) clarification of language related to pedestrian skybridges



# ZOAC Direction and Update

- Staff recommendation is to approve the requested changes.



# Required yards

- Building Inspection staff and the City Attorney's Office have requested ZOAC review of three items they recommend be allowed by right in various required yards:
  - Light poles
  - Air conditioning units
  - Generators



# 1) Light poles

- Pedestrian lighting encourages walkability by supporting pedestrian safety at night.
- Dallas Development Code currently does not allow lighting to be placed in the required front or side yards, and the city requires a license for additional pedestrian lighting in the right of way.
- This conflict becomes a disincentive to providing adequate lighting near sidewalks.
- The proposed changes to Chapter 51 and 51A would allow additional lighting to be installed in the required front and side yards



# Proposal – front yards - poles

- Section 51-4.401 and Section 51A-4.401 (wording is nearly the same)
  - (a) General provisions.
    - (1) Required front yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required front yard. A fireplace chimney may project up to two feet into the required front yard if its area of projection does not exceed 12 square feet. Cantilevered roof eaves and balconies may project up to five feet into the required front yard.



# Proposal – side yards - poles

- Section 51-4.402 and Section 51A-4.402 (wording is nearly the same)
  - (a) General provisions.
    - (1) Required side yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required side yard. A fireplace chimney may project up to two feet into the required side yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required side yard. Balconies may not project into the required side yard.



## 2) Air conditioning units and generators

- A/C units: Section 51A-4.402 regulates location and noise levels of air conditioners, but current language refers to SRN (sound rating number), an outdated method of rating the volume of air conditioners.
  - Sound levels now measured in decibels.
  - Proposed change removes outdated language and the exception for air conditioning units in Section 6.102(a)(5) of the noise regulations.
- Additional change
  - Paragraph (5) is redundant and is recommended to be removed



# Proposal – side yards – A/C units

(4) A unitary air conditioning unit which has a standard sound rating number (SRN) designation of 20 or less according to the Air Conditioning and Refrigeration Institute may be located in the required side yard, but not nearer than three feet to the property line as follows:

(A) No more than three units with a SRN designation of 18 or less and with a minimum separation of 10 feet between units.

(B) No more than two units with a SRN designation of 19 or less with a minimum separation of 10 feet between units; or

(C) No more than one unit with a SRN designation of 20.

(5) The minimum side yard requirements in a planned development district are controlled by the planned development district regulations.



# Proposal – Noise regulations

- Section 51-6.102 and SEC. 51A-6.102. Noise regulations. (worded the same in 51 and 51A)
  - (a) General provisions.
    - ~~(5) The requirements of this section do not apply to:~~
      - ~~(A) the side yard placement of a unitary air conditioning unit which complies with the requirements in Section [51A-4.402](#)(a)(4);~~



### 3) Generators

- Electrical generators for residential use:
  - Placement not addressed in code.
  - Generally treated as accessory structures
  - Proposed change codifies this practice and ensures that generators, if installed, are placed to the rear of the lot.



# Proposal – side yards – generator

(b) Side yard provisions for residential districts.

(3) In a residential district, a person need not provide a side yard setback for a structure accessory to a residential use, including a generator, if the structure:

(A) does not exceed 15 feet in height; and

(B) is located in the rear 30 percent of the lot.



# Proposal – rear yards - generator

(b) Rear yard provisions for residential districts.

(1) Reserved.

(2) In a residential district, a person need not provide a full rear yard setback for a structure accessory to a residential use, including a generator, if the structure does not exceed 15 feet in height. Where the rear yard is adjacent to an alley, a three-foot setback must be provided. Where the rear yard is not adjacent to an alley, no setback is required.

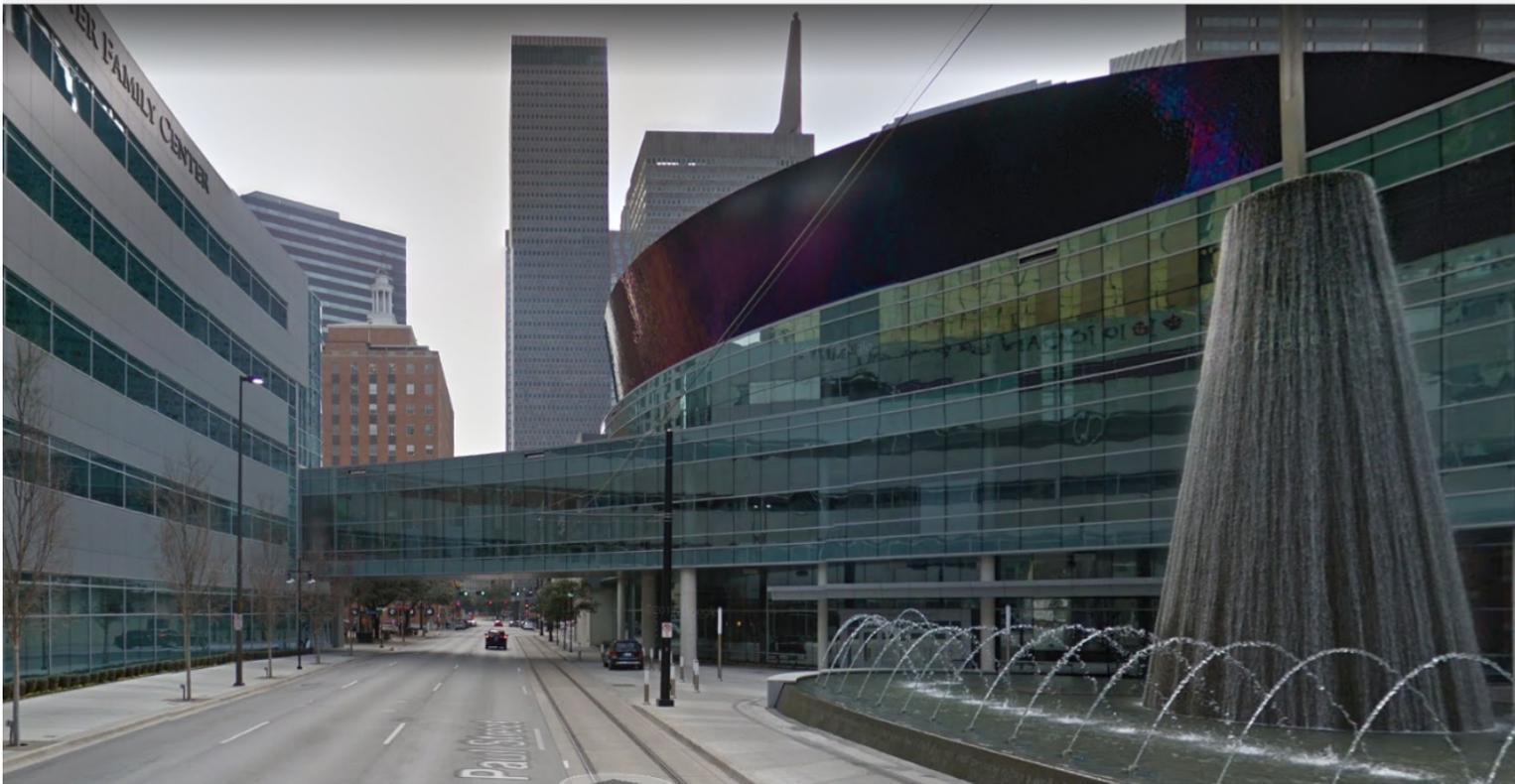


## 4) Pedestrian skybridges

- Allowed by SUP as an accessory use in most base zoning districts. Currently:
  - Not allowed in required yards.
    - No required yard = no problem
    - But - setbacks begin at ground level and go to an infinite height.
  - Supports are not allowed in the right of way.
    - Some skybridges need a support mid-way between buildings.
  - If skybridge needs relief from any of 19 mandatory design and construction provisions, applicant must seek a special exception from Board of Adjustment.



# Pedestrian Skybridges



<https://goo.gl/maps/ZmefJbktpdp> - North St Paul – First Baptist Church



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# Pedestrian Skybridges



<https://goo.gl/maps/NkFVzqkhg3K2> - Parkland Hospital over Harry Hines



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# Pedestrian Skybridges - proposal

- Allow skybridges to be placed in required yards
- Remove the prohibition of supports in the right of way
  - Still need Public Works review and ROW license.
- Replace BDA special exception with request for waiver from the Council as part of the SUP process.
- Clarify the spelling of *rights-of-way* and *skybridge* to be consistent throughout the section.



# Pedestrian Skybridges - proposal

- Remove (F)(vi): ~~Supports must not be located within the public right of way~~
- Add (F)(xviii): Skybridges may be placed in the required front, side, or rear yard.
- Amend (H): Special exception Waiver. ~~The board of adjustment~~ The City Council may, by a three-fourths vote, grant a ~~special exception waiver~~ to the pedestrian skybridge standards contained in this paragraph if the ~~board~~ Council finds that:
  - (i) strict compliance with the requirements will unreasonably burden the use of either of the properties;
  - (ii) the ~~special exception waiver~~ will not adversely affect neighboring property; ~~and~~
  - (iii) the ~~special exception waiver~~ will not be contrary to the public interest; ~~and~~
  - (iv) the waiver will not be contrary to the public health, safety, or welfare.



# ZOAC Direction and Update

- Unintended consequences – Staff does not anticipate any unintended consequences.



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