

**FILE NUMBER:** DCA178-007

**DATE INITIATED:** March 16, 2018

**TOPIC:** Article XIII (Round III)

**CITY COUNCIL DISTRICTS:** All

**CENSUS TRACTS:** All

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**PROPOSAL:** Consideration of amending Chapter 51A of the Dallas Development Code, Article XIII - Form Districts.

**SUMMARY:** The proposal focuses on amending regulations pertaining to street designation, the minimum lot area for duplexes in the Manor House development type, parking, development types allowed in districts, and adding a picture to the character examples of a development type in Article XIII Form Districts. The intent of the amendments are to ensure consistency, provide flexibility to address common issues, and provide clarification on certain requirements.

**ZOAC RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval

## **BACKGROUND**

- On February 25, 2009, the City Council adopted an ordinance amending Chapter 51A of the Dallas City Code adding Article XIII creating “Form Districts” for walkable mixed use developments at a range of densities. (DCA 078-011)
- On August 12, 2015, the City Council approved revisions to Article XIII, “Form Districts” (DCA 134-003). The topics were:
  - non-conforming structures allowed to expand up to 35% within the development envelope
  - artificial lots applicable for landscaping in Article XIII
  - planting zones to allow for conflict with utilities
  - blocks and block length measurements
  - pedestrian passage width
- On June 13, 2018, the City Council approved revisions to Article XIII, “Form Districts” (DCA 178-002) The topics were:
  - access to transit—clarification for a rail transit station
  - self-service storage uses by SUP
  - administrative waivers to front setback requirements because of utilities or street easements
  - story height definition as an exterior dimension relative to façade and pedestrian scale
  - stoops and front porches allowed in apartment development type
  - structured parking transparency regulations
  - single family districts clarified to include D, TH, CH, and RTN districts
  - street frontage requirement relief by City Plan Commission based on hardship
  - planting zone clarification to allow location of small trees in lieu of street trees
  - off-street loading to be located behind parking setback
- Members of Current Planning met on March 21, 2018, to discuss the past revisions to Article XIII, “Form Districts” and prepare for a third round of revisions.
- In April 2018, Current Planning staff began numerous and ongoing meetings with other departments to discuss the proposed changes to Article XIII. The insight from Building Inspection came from their experience interpreting and implementing Article XIII, Transportation to provide feedback with respect to parking, and Planning and Urban Design giving perspective on the proposed changes from an understanding of the intent of current language as they were instrumental in the creation of Article XIII.
- Current Planning and Building Inspection staff met with City Plan Commissioners (who were interested in, and had worked with, Article XIII)

and members from the Article XIII Task Force that was key in the establishment and approval of Article XIII, to review the proposed changes and receive feedback.

- Current Planning staff hosted three, city wide, community meetings on March 20, March 25, and April 1, 2019. The community meetings provided an opportunity to inform the public about the proposed amendments as well as receive input on the proposal. The largest areas in the city with a base of Article XIII are in Planned Development District No. 468, the Oak Cliff Gateway; Planned Development District No. 887, Valley View/Galleria; and Planned Development District No. 595, South Dallas/Fair Park. The meetings were held at Hitt Auditorium, the North Dallas Chamber of Commerce, and the Martin Luther King, Jr. Community Center.
- The Zoning Ordinance Advisory Committee (ZOAC) considered this issue at two public meetings: April 4, 2019 and on April 18, 2019, ZOAC recommended the proposal move to City Plan Commission (CPC).

## **GENERAL INFORMATION**

Form-based code intends to encourage diverse land uses, promote a mix of housing types, foster community buy-in, champion local architecture, and cement the character of an area to elevate the distinguished qualities that create a sense of place. Dallas elected to implement form-based development through a hybrid method in which Article XIII was added to the existing City Code. Therefore, the zoning code was left intact, while certain geographic areas are subject to the regulations of Article XIII. Due to the concurrent nature of existing zoning and form districts, issues have been identified as form districts were established within the city.

## **STAFF ANALYSIS**

### **1) Street Designation**

Many development standards within Article XIII are determined by the classification of street type. Currently, street designation is determined on a lot by lot basis. This methodology allows for lots with frontage on the same blockface to have inconsistent street designations. This proposal intends to make the block, rather than the lot, the determining factor when assigning street designation. The proposed code amendments will create a method of assigning a consistent street designation along an entire blockface.

### **2) Minimum Lot Area for Duplexes in the Manor House Development Type**

Article XIII was created to allow walkable urban neighborhoods with higher density mixed uses and mixed housing-types. The minimum lot area for a duplex is 6,000

square feet in Section 51A-4.113 Duplex District. However, Article XIII requires a minimum lot area of 7,000 square feet. Form districts are intended to create walkable urban neighborhoods where higher density mixed uses and mixed housing-types promote less dependence on the automobile. A larger minimum lot area does not meet the purpose of Article XIII. Therefore, staff recommends a minimum lot area of 6,000 square feet.

### **3) Parking**

The proposed changes to required parking are to the civic use categories *Educational* and *Utilities*. The word *spaces* is not necessary as the title of the column is *Number of Spaces Required*. The *1 per 4 seats in any other classroom* requirement is vague and difficult to enforce. The proposed language of *1 per 25 SF in any other classroom type* will achieve the intent of the requirement by assigning a tangible square footage requirement to the standard. The *Utilities* requirement *Building official to apply similar use* is redundant as a note references the parking requirements of Division 51A-4.200 apply to uses not listed.

The current standard for *Self-service storage* is 1 parking space per 1,000 square feet of floor area up to 20,000 square feet and 1 parking space per 4,000 square feet of floor area over 20,000 square feet. The standard for mini-warehouse in Chapter 51A is 6 spaces. Estimates for the average size of self-service storage facilities range from 40,000 square feet to 60,000 square feet. Under the current standard, a 40,000 square foot self-service storage facility would require 25 parking spaces and a 60,000 square foot self-service storage facility would require 30 parking spaces. The studies researched by staff have concluded that the current parking requirement is excessive because there is no evidence of a proportional rate that mandates more parking spaces as square footage increases. In fact, the studies showed that the need for parking maxed out at around 6 spaces, regardless of the size of the structure. This is due to the nature of the self-service storage use where there is not peak demand or a high frequency of visits. Staff recommends the parking requirement for self-service storage to be a minimum of 6 spaces.

### **4) Development Types Allowed in a District**

The proposal is to allow office and medical uses in the development type Single-Story Shopfront (Ss) by right in the district Walkable Urban Residential-Low (WR-3, WR-5) exclusively along thoroughfares. Medical and office uses are allowed by right in the following development types: Mixed Use Shopfront (Mu), Single-Story Shopfront (Ss), and General Commercial (Gc). Office uses are currently allowed in the ground story of the development type Townhouse Stacked (Ts). Therefore, office uses are allowed by right only in the districts Walkable Urban Mixed Use-Low (WMU-3, WMU-5), Walkable Urban Mixed Use-Medium (WMU-8, WMU-12), Walkable Urban Mixed Use-High (WMU-20, WMU-40), Walkable Urban Residential-Low (WR-3, WR-5), and Walkable Urban Residential-Medium (WR-8, WR-12). Medical uses are only allowed by right only in the districts Walkable Urban Mixed Use-Low (WMU-3, WMU-5), Walkable Urban Mixed Use-Medium (WMU-8, WMU-12), Walkable Urban Mixed Use-High (WMU-20, WMU-40). In the district Walkable

Urban Residential (WR), medical use is not allowed, and office use is only allowed in the ground story of the development type Townhouse Stacked (Ts). The proposed change would allow both office and medical uses to be allowed in the development type Single-Story Shopfront (Ss) exclusively along thoroughfares in the district Walkable Urban Residential-Low (WR-3, WR-5). This would limit both the uses and location of the development type Single-Story Shopfront (Ss) in the district Walkable Urban Residential-Low (WR-3, WR-5).

We currently see office and medical uses along thoroughfares in single story shopfronts. Occasionally, these types of structures exist along both sides of a thoroughfare with different districts on either side of the thoroughfare. On one side of the thoroughfare, the use is allowed, but on the other side of the thoroughfare, the identical use is not allowed. Limiting medical use and office use to be allowed along thoroughfares ensures that these structures, and uses, are not placed in the middle of residential streets.

## **5) Adding a Picture**

The proposal to replace a picture from Townhouse (Th) to show a Shared Access Development intends to give better representation of all development choices available in the development type Townhouse (Th). Section 51A-13.304(g)(2) shows six photos for illustrative purposes of character examples of the development type Townhouse (Th). The addition of a picture of a Shared Access Development allows a more complete representation of character examples of structures allowed in the development type Townhouse (Th).

**Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes**

April 4, 2019

**Motion to accept staff’s recommendation for amendments to the Dallas Development Code to amend the minimum lot area for duplexes in the Manor House Development Type, clarify the parking requirements in WMU and WR Districts, and to add a graphic on the Townhouse Development Type section.**

**Motion:** Benedict  
**2<sup>nd</sup>:** Brown

**Result:** Passed: 6-0  
For: Shidid, Murphy, Lewis, Behring, Benedict, Brown, and Gomez  
Against: none  
Absent: none

April 18, 2019

**Motion to accept staff’s recommendation for amendments to the Dallas Development Code to amend Article XIII to make the block, rather than the lot, the determining factor when assigning street designation.**

**Motion:** Lewis  
**2<sup>nd</sup>:** Benedict

**Result:** Passed: 6-0  
For: Shidid, Murphy, Lewis, Behring, Benedict, and Brown  
Against: none  
Absent: Gomez

**PROPOSED AMENDMENTS**

**SEC. 51A-13.703(c) Primary Street Designation.**

~~(1) Applying the standards in this subsection, the building official shall determine whether streets are considered primary or side streets.~~

~~(2) If a lot abuts only one street, the street is a primary street. Any street within a SH overlay is also considered a primary street.~~

~~(3) If a lot runs from one street to another and has double frontage, both streets are primary streets.~~

~~(4) If a lot is located on a corner, one street is a primary street and one street is a side street, except as provided in Paragraph (5). The primary street is:~~

~~(A) the street abutting the longest face of the block; or~~

~~(B) the street parallel to the alley within the block.~~

~~(5) When a lot is located on a corner, both streets are primary streets if:~~

~~(A) a majority of the lots on the shorter block face are platted perpendicularly to the longer face of the block;~~

~~(B) there are two primary streets designated on a regulating plan; or~~

~~(C) the applicant designates both streets as primary streets.~~

(1) Definitions in this section are:

(A) CONSIDERATION means a measured comparison of a blockface to the adjacent blockfaces at each of its endpoints.

(B) CORRIDOR means the blockfaces on the same side of the street as the subject blockface separated by a street, alley, or other right of way.

(2) Street designation for each lot frontage shall be determined by the classification of the subject blockface. The classification of each blockface shall be determined by the following method:

(A) The longest blockface in each consideration is designated as a primary street.

(B) If a blockface fails to be designated as a primary street after all considerations, then that blockface is designated as a side street.

(C) If the longest blockface is equal in length to another blockface in the same consideration, then both blockfaces shall be designated as primary streets.

(D) If all blockfaces are equal in length, then the street designation is determined by the following rule:

(i) If a block contains an alley, any blockface parallel to the alley will be designated as a primary street and any blockface not parallel to the alley will be designated as a side street.

(ii) If there is no alley, then the subject blockface shall match the street designation of the corridor.

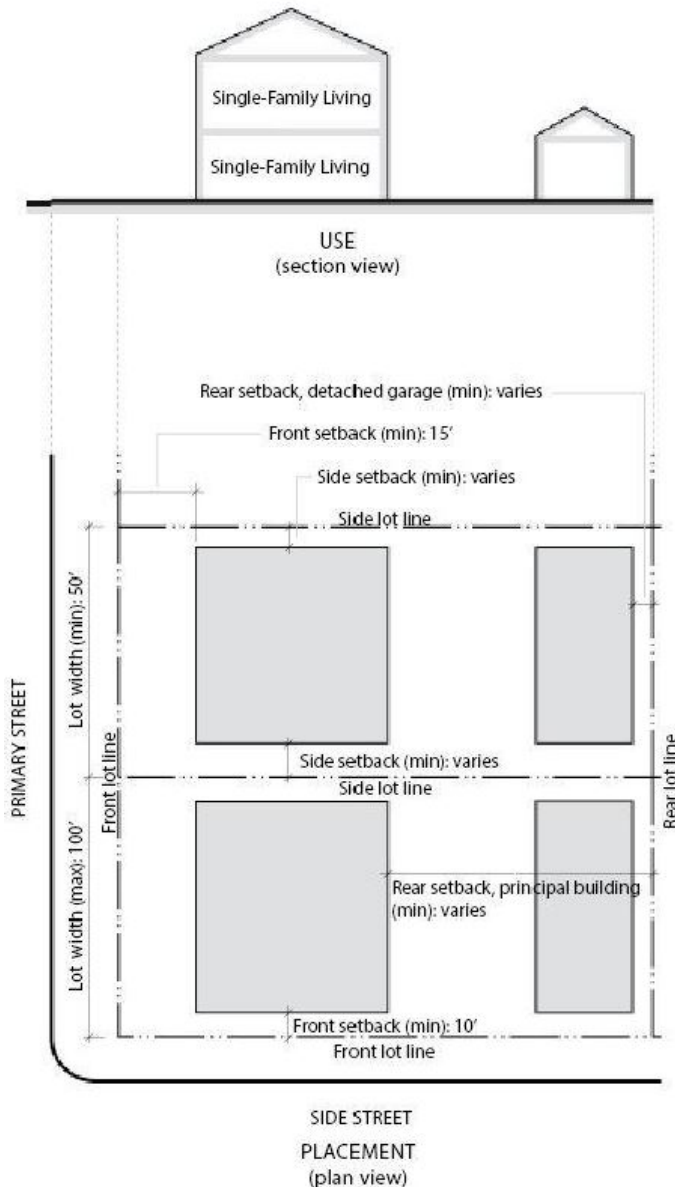
(iii) If the corridor consists of multiple street designations, then the subject blockface shall match the street designation of the blockface across the street.

(iv) If the blockface across the street is unable to be identified through this process, then the subject blockface shall be classified as a side street.





**(4) Use and Placement.**



**BUILDING USE**

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

**BUILDING PLACEMENT**

**LOT**

Area (min sf)	
2 units (duplex)	6,000 <del>7,000</del>
3 to 5 units	10,000
Area (max sf)	20,000
Width (min ft)	50
Width (max ft)	100
Lot coverage (max)	60%

**FRONT SETBACK**

Primary street (min ft)	15
Side street (min ft)	10

**SIDE SETBACK**

Abutting residential districts other than multifamily [single-family district] (min ft)	10
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5

**REAR SETBACK (principal building)**

Abutting residential districts other than multifamily [single-family district] (min ft)	15
Abutting multifamily or nonresidential district (min ft)	15

**REAR SETBACK (detached garage)**

Abutting common lot line (min ft)	3
Abutting alley (min ft)	3 or 20+

## Required Parking in WMU and WR Districts

	USE CATEGORY	Number of Spaces Required
Residential	Household living	1.50 per single-family living unit 1.15 per one-bedroom or smaller multifamily living unit 1.65 per two-bedroom multifamily living unit 2.00 per three-bedroom or larger multifamily living unit 0.70 per retirement housing living unit
	Group living	0.25 <del>spaces</del> per bed PLUS 1 per 200 SF office, minimum 4 spaces
Civic	Community service	1 per 200 SF
	Day care	1 per 500 SF
	Educational	1.50 <del>spaces</del> per elementary classroom 3.50 <del>spaces</del> per junior high or middle classroom 9.50 <del>spaces</del> per senior high classroom <del>1 per 4 seats in any other classroom</del> <u>1 per 25 SF of any other classroom type</u>
	Government service	1 per 200 SF
	Park/open space	None
	Place of worship	1.00 per 4 fixed seats or per 18" length of bench OR 1 per 28.00 SF floor area without seating
	Social service	see Group Living
	<del>Utilities</del>	<del>Building official to apply similar use</del>
Office	Medical	1 per 222 SF
	Office, except: Art studio, gallery	1 per 333 SF 1 per 500 SF
	Financial services, Bank	1 per 222 SF
	Call center	1 per 167 SF
Retail	Restaurants, except: Bar, private club	1 per 100 SF 1 per 83 SF
	Retail sales	1 per 250 SF
	Vehicle sales	1 per 200 SF sales area
Service and Entertainment	Commercial amusement (inside), except: Dance hall	1 per 200 SF 1 per 25 SF
	Indoor recreation, except: Health club or spa Movie theater Performing arts theater	1 per 150 SF 1 per 143 SF 0.27 per seat 0.40 per seat
	Personal service	1 per 250 SF
Commerce	Overnight lodging	1.25 per room PLUS 1 per 200 SF of meeting room
	Self-service storage	<del>1 per 1,000 SF floor area up to 20,000 SF</del> <del>1 per 4,000 SF floor area over 20,000 SF</del> <u>minimum 6 spaces</u>
Fabrication	Light manufacturing	1 per 600 SF
	Research & development	1 per 300 SF
	Vehicle service	1 per 500 SF, minimum 5 spaces

Note: The parking requirements of Division 51A-4.200 apply to uses not listed in the preceding chart nor deemed to be an equivalent use pursuant to the provisions of Section 51A-13.306, "Uses."

**SEC. 51A-13.304. DEVELOPMENT TYPES.**

**(a) General.**

**(1) Development Types by District.**

	Mixed Use Shopfront	Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked	Townhouse	Manor House	Single-Family House	Civic Building	Open Space Lot
District	Mu	Ss	Gc	Apt	Ts	Th	Mh	Sf	Civ	O
Walkable Urban Mixed Use (WMU)										
Low (WMU-3, WMU-5)	■	■	■	■	■	■	■		■	■
Medium (WMU-8, WMU-12)	■		■	■	■	■			■	■
High (WMU-20, WMU-40)	■		■	■					■	■
Walkable Urban Residential (WR)										
Low (WR-3, WR-5)		■ *		■	■	■	■		■	■
Medium (WR-8, WR-12)				■	■	■			■	■
High (WR-20, WR-40)				■					■	■
Residential Transition (RTN)						■	■	■	■	■
Shopfront (-SH) Overlay over any WMU or WR district	■	■							■	■

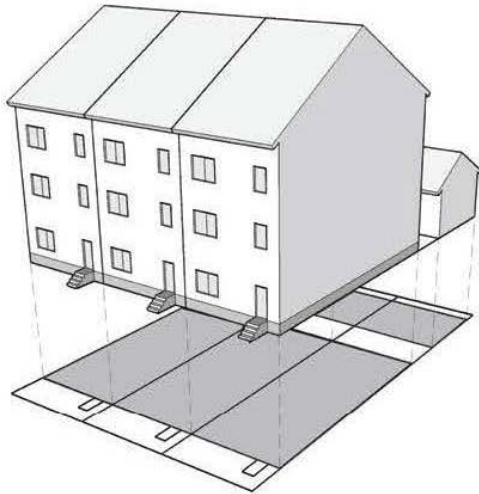
**\* office and medical allowed only along thoroughfare**

**Th**

townhouse

**(g) Townhouse.**

**(1) Definition.**



A development type with three or more attached dwelling units consolidated into a single structure.

Each unit must be separated by a common side wall. A townhouse unit must be more than one story in height, however, units must not be vertically mixed. Each unit must have its own external entrance. No on-site surface parking is permitted between the building and the street. Garages facing the primary street are prohibited. In the RTN district, only one unit per lot is permitted. An elevated ground floor for residential uses is recommended to ensure privacy.

**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



**(3) Districts Permitted.**

LOW:	WMU-3, WMU-5	WR-3, WR-5	RTN
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12	