

10-12-22

ORDINANCE NO. 32324

An ordinance changing the zoning classification on the following property:

BEING property located in City Blocks 4817, ~~4848~~, 4819, 4820, 4821, 4822, 4823, 4824, 4825, 4828, 4829, 4830, 4831, 4832, 4833, 4834, 4835, 4836, 4837, 4838, 4840, 4841, 4842, 4843, 4844, ~~4845~~, 4845, 4846, 4847, 4911, 4913, 4914, 4917, 4918, 4919, 4921, 4922, 4923, 4924, 4925, 4992, 4993, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, and 5699, generally located west of Robin Road, north of Mockingbird Lane, and south of Kelton Drive, and containing approximately 299 acres,

from an R-7.5(A) Single Family District to Planned Development District 67; amending Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code to reflect the expansion of the planned development district; amending the property location and size, definitions and interpretations, exhibits, tracts, tract I uses and development standards, tract II uses and development standards, tract III uses and development standards, tract IV uses and development standards, development of vacant area and redevelopment of existing structures on tracts I, III, and IV, variance procedure, paving, and compliance with conditions regulations in Sections 51P-67.102, 51P-67.103, 51P-67.103.1, 51P-67.104, 51P-67.105, 51P-67.106, 51P-67.107, 51P-67.108, 51P-67.110, 51P-67.111, 51P-67.112, and 51P-67.113 of Article 67; adding a new Section 51P-67.101.1, "Purpose"; adding a new Section 51P-67.110.1, "Accessory Uses"; adding a new Section 51P-67.110.2, "Design Standards for Residential Uses"; adding a new Section 51P-67.110.3, "Environmental Performance Standards"; providing an overall and tract property descriptions; providing a tract map; providing a revised existing land use map (Exhibit 67A); providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

WHEREAS, the city council finds that it is in the public interest to change the zoning classification and amend Article 67 as specified in this ordinance; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from an R-7.5(A) Single Family District to Tract IV within Planned Development District No. 67 on the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”).

SECTION 2. That Article 67, “PD 67,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended by adding a new Section 51P-67.101.1, “Purpose,” to read as follows:

“SEC. 51P-67.101.1. PURPOSE.

This article provides standards tailored to meet the needs of the Elm Thicket Northpark Neighborhood which is an area of historical and cultural importance and significance to the citizens of the City of Dallas. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

- (1) Accommodate the existing mix of uses in the area.
- (2) Protect the internal stable residential neighborhood.
- (3) Preserve and enhance the historical and cultural significance of the area.
- (4) Strengthen neighborhood identity.”

SECTION 3. That Section 51P-67.102, "Property Location and Size," of Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-67.102. PROPERTY LOCATION AND SIZE.

PD 67 is established on property generally located west of Robin Road [~~Roper Street~~], east of Lemmon Avenue, north of Mockingbird Lane, and south of Kelton Drive [~~Stigall Street~~]. The size of PD 67 is approximately 395.22 [~~92.22~~] acres."

SECTION 4. That Section 51P-67.103, "Definitions and Interpretations," of Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-67.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) CO-LOCATED DRIVEWAY means a driveway adjacent to the side property line, meeting the edge of a driveway on the adjacent lot.

(2) DAY-NIGHT SOUND LEVEL (Ldn) means the A-weighted equivalent sound level for a 24-hour period with an additional 10 decibels imposed on the equivalent sound levels for night time hours of 10:00 p.m. to 7:00 a.m. Day-Night Sound Level can be expressed as $Ldn = 10 \log (1 / 24 (15 (10Ld/10) + 9 (10((Ln + 10)/10)))$ where:

Ldn = day-night sound level (dBA)

Ld = daytime equivalent sound level (dBA)

Ln = nighttime equivalent sound level (dBA)

(3) GABLE ROOF means a roof having a triangular wall section at the ends of a roof with a minimum pitch of 4:12, bounded by the two roof slopes and the ridge pole which is positioned at the centerline of two eaves.

(4) HIP ROOF means a roof with a minimum pitch of 4:12 having sloping edges and sides.

(5) MAJOR MODIFICATION means reconstruction, alteration, or renovation of a single family or duplex structure that exceeds 50 percent of the structure area as determined by the Dallas Central Appraisal District, or any increase in the floor area of a structure if the expansion is over 50 percent of the floor area of the existing structure.

(6) NEW CONSTRUCTION means construction of a structure that did not exist as of October 12, 2022.

(7) RIBBON DRIVEWAY means a driveway consisting of two parallel paved surfaces.

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

(c) This district is considered a residential zoning district.”

SECTION 5. That Section 51P-67.103.1, “Exhibits,” of Article 67, “PD 67,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-67.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 67A: existing land use map.
- (2) Exhibit 67B: Tract II height zone map.
- (3) Exhibit 67C: Tract III parking district site plan.
- (4) Exhibit 67D: Tract II landscape buffer area.
- (5) Exhibit 67E: Tract V development plan for K. B. Polk Elementary School.
- (6) Exhibit 67F: overall and tract property descriptions.
- (7) Exhibit 67G: tract map.”

SECTION 6. That Section 51P-67.104, “Tracts,” of Article 67, “PD 67,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-67.104. TRACTS.

This PD is divided into five Tracts: Tract I, Tract II, Tract III, Tract IV, and Tract V as described in the overall and tract property descriptions (Exhibit 67F) and shown on the tract map (Exhibit 67G). [~~A metes and bounds description of each tract is contained in Ordinance No. 15189, as amended by Ordinance Nos. 23873, 25283, and 25344.~~]

SECTION 7. That Section 51P-67.105, "Tract I Uses and Development Standards," of Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-67.105. TRACT I USES AND DEVELOPMENT STANDARDS.

(a) In general. Except as provided in this section, [L]and use must remain as indicated on the "Existing Land Use" map (Exhibit 67A), with single-family uses and other permitted uses regulated by the requirements of the R-7.5(A) Single-Family [Dwelling] District [7,500-Square Feet] and with duplex uses and other permitted uses regulated by the requirements of the D(A) Duplex [Dwelling] District, with the development of vacant property and redevelopment of existing property governed by the provisions of Section 51P-67.110 below. [~~Note: The land use map has not been amended to reflect the changes made by: (1) Ordinance No. 25283, which removed property from Tract III and created a new Tract V; (2) Ordinance No. 25344, which removed a portion of Tract III along Lemmon Avenue and Webster Avenue, north of Thedford Street, from the PD; and (3) Ordinance No. 29890, which removed a portion of Tract III along Roper Street.~~]

(b) Single family and duplex structures.

(1) Height.

(A) Maximum residential structure height is 25 feet. No portion of the residential structure may be greater than 30 feet above grade.

(B) Maximum accessory structure height is 15 feet. No portion of the accessory structure may be greater than 20 feet above grade.

(2) Lot coverage. Maximum lot coverage is 40 percent for residential structures.

(3) Roofs. When the height of a roof is above 20 feet, 90 percent of the roof of the main structure must be hip and gable."

SECTION 8. That Section 51P-67.106, "Tract II Uses and Development Standards," of Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-67.106. TRACT II USES AND DEVELOPMENT STANDARDS.

(a) In general. Except as provided in this section [below], for properties located between University Boulevard and 200 feet south of the property line, the NS(A) Neighborhood Service District uses and development standards apply. [~~Signs located on the Property must comply with the provisions for non-business zoning districts contained in Article VII.~~]

(b) R-5(A) uses. Uses permitted in the R-5(A) Single Family District are permitted, and the development standards of the R-5(A) Single Family District apply to those uses.

(c) Duplex uses. Duplex uses are permitted, and the development standards of the D(A) Duplex District apply to those uses.

(d) Multifamily uses. Except as provided in this subsection, multifamily uses are permitted, and the development standards of the MF-2(A) Multifamily District apply to those uses. [~~For multiple-family uses, development must comply with the following regulations:~~]

(1) Development plan. A development plan must be approved by the city plan commission before issuance of any building permit for multifamily [~~multiple-family~~] uses. A development plan approved by the commission subject to conditions shall not be considered as finally approved. Until a revised development plan is finally approved by the city plan commission, the development plan approved subject to conditions shall be deemed denied.

(2) Front yard. A minimum 15-foot front yard setback must be provided along University Boulevard. A minimum 10-foot front yard setback must be provided along all other streets.

(3) Fences. Fences are prohibited within the required front yard.

(4) Density. Maximum dwelling unit density is 39 units per acre.

(5) Height. Maximum structure heights and number of stories are as shown on the Tract II height zone map (Exhibit 67B).

(6) Access. Vehicular access to and from Roper Street is prohibited.

(7) Noise mitigation. Buildings occupied with multifamily [~~multiple-family~~] uses must be constructed using noise mitigation methods so that outside noise levels, measured within the habitable space of a dwelling unit, do not exceed 45 Ldn. For purposes of this condition, habitable space means space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

(8) Parking garage. No portion of a parking garage may be visible from University Boulevard, Roper Street, and Linnet Lane. Visibility will be measured at a point five feet above the abutting street surface.

(9) Landscape buffer. A landscaped buffer area must be provided in that portion of Linnet Lane as shown on the Tract II landscape buffer area (Exhibit 67D). This landscaped buffer area must be shown on the development plan and must comply with the following requirements:

(A) 60 percent of the area must contain trees, shrubs, vines, flowers, or ground cover vegetation. A minimum of five trees must be planted within the buffer area. These

trees must have a caliper of at least two and one-half inches and must be spaced no closer than 50 feet apart, measured from trunk to trunk. All plant materials must be recommended for local use by the director of parks and recreation.

(B) The landscaped buffer area must be irrigated and drained by automatic irrigation and permanent drainage systems installed must comply with industry standards.

(C) Pedestrian scale lighting must be provided and located in the landscaped buffer area. The light standards may not exceed 10 feet in height and must be spaced more than 50 feet apart. Lighting must comply with the requirements of Section 51A-4.301(e)(2)(C).

(10) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive private license to the owners or tenants (with the written consent of the owner) of all property in Tract II for the exclusive purpose of authorizing compliance with the right-of-way landscaping requirements of this section. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a right-of-way landscape permit. This private license shall not terminate at the end of any specific time period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for the termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installation in the public rights-of-way to the satisfaction of the city.

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

(C) Upon the installation of the landscaping and related amenities, such as irrigation systems, in the public right-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this paragraph, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the police must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

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

(11) Right-of-way landscape permit.

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

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

(C) A property owner is not required to comply with any right-of-way landscaping requirement of this subsection if compliance is made impossible due to the building official's denial of a right-of-way landscape permit.

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

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

(e[e]) Skybridges. Skybridges as defined in Chapter 51A are prohibited on Tract II.

(f) Signs. Signs located on the Property must comply with the provisions for non-business zoning districts contained in Article VII.”

SECTION 9. That Section 51P-67.107, "Tract III Uses and Development Standards," of Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-67.107. TRACT III USES AND DEVELOPMENT STANDARDS.

(a) In general. Except as provided in this section, l[E]and use must remain as indicated on the "Existing Land Use" map with single-family uses and other permitted uses regulated by the requirements of the R-5(A) Single[-]Family [Dwelling] District [5,000-Square-Feet] and with duplex uses and other permitted uses regulated by the requirements of the D(A) Duplex [Dwelling] District and with the development of vacant property and the redevelopment of property governed by the provisions of Section 51P-67.110 below. Lots 27 through 31 of City Block M/2603 may be used for P(A) Parking District uses subject to the approved Tract III parking district site plan (Exhibit 67C).

(b) Duplex uses. Duplex use is permitted on property fronting Roper Street and Mabel Avenue.

(c) Single family and duplex structures.

(1) Height. Maximum structure height is 25 feet. No portion of the structure may be greater than 30 feet above grade.

(2) Lot coverage. Maximum lot coverage is 40 percent for residential structures.

(3) Roofs. When the height of a roof is above 20 feet, 90 percent of the roof of the main structure must be hip and gable."

SECTION 10. That Section 51P-67.108, "Tract IV Uses and Development Standards," of Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-67.108. TRACT IV USES AND DEVELOPMENT STANDARDS.

(a) In general. Except as provided in this section, land use must remain as indicated on the "Existing Land Use" map with single family uses and other permitted uses regulated by the requirements of the R-7.5(A) Single Family District and with duplex uses and other permitted uses regulated by the requirements of the D(A) Duplex District, with the development of vacant property and the redevelopment of property governed by the provisions of Section 51P-67.110 below.

(b) Single family and duplex structures.

(1) Height. Maximum structure height is 25 feet. No portion of the structure may be greater than 30 feet above grade.

(2) Maximum lot coverage. Maximum lot coverage is 40 percent for residential structures.

(3) Roofs. When the height of a roof is above 20 feet, 90 percent of the roof of the main structure must be hip and gable.

~~[(a) Uses permitted in the R-5 Single Family District are permitted on Tract IV, and the development standards of the R-5 Single Family District apply to those uses.~~

~~(b) Duplex uses are permitted, and the development standards of the D Duplex District apply to those uses.~~

~~(c) Multiple family uses are permitted, and, except as provided in this subsection, the development standards of the MF-2 Multiple Family District apply to those uses.~~

~~(1) A development plan must be approved by the city plan commission before issuance of any building permit for multiple family uses. A development plan approved by the commission subject to conditions shall not be considered as finally approved. Until a revised development plan is finally approved by the city plan commission, the development plan approved subject to conditions shall be deemed denied.~~

~~(2) Minimum front yard setback is 10 feet.~~

~~(3) Fences are prohibited within the required front yard.~~

~~(4) Maximum dwelling unit density is 39 units per acre.~~

~~(5) Maximum structure heights and number of stories are as shown on the height zone map.~~

~~(6) Vehicular access to and from Roper Street is prohibited.~~

~~(7) Buildings occupied with multiple family uses must be constructed using noise mitigation methods so that outside noise levels, measured within the habitable space of a dwelling unit, do not exceed 45 Ldn. For purposes of this condition, habitable space means space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.~~

~~(8) No portion of a parking garage may be visible from University Boulevard, Roper Street, and Linnet Lane. Visibility will be measured at a point five feet above the abutting street surface.~~

(9) A landscaped buffer area must be provided in that portion of Linnet Lane shown on Exhibit 67D. This landscaped buffer area must be shown on the development plan and must comply with the following requirements:

(A) Sixty percent of the area must contain trees, shrubs, vines, flowers, or ground cover vegetation. A minimum of five trees must be planted within the buffer area. These trees must have a caliper of at least two and one-half inches and must be spaced no closer than 50 feet apart, measured from trunk to trunk. All plant material must be recommended for local use by the director of parks and recreation.

(B) The landscaped buffer area must be irrigated and drained by automatic irrigation and permanent drainage systems installed to comply with industry standards.

(C) Pedestrian scale lighting must be provided and located in the landscaped buffer area. The light standards may not exceed 10 feet in height and be spaced more than 50 feet apart. Lighting must comply with the requirements of Section 51A-4.301(E)(2)(e)(i) through (iii).

(D) The city council hereby grants a private license to the owners of all property in Tract IV for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this paragraph. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right of way or whenever the purpose or use of this license is likely to become a nuisance.

(E) It is the responsibility of the property owner to apply for and obtain the required right-of-way landscape permit before locating plant materials in the right-of-way. An application for a right-of-way landscape permit must be made to the director of public works and transportation before any plant materials are located in the right-of-way. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the right-of-way affected and the construction and planting proposed.

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

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

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

~~(d) Skybridges as defined in Chapter 51A are prohibited on Tract IV.~~

~~(e) Signs located on the Property must comply with the provisions for non-business zoning districts contained in Article VII.]”~~

SECTION 11. That Section 51P-67.110, “Development of Vacant Area and Redevelopment of Existing Structures on Tracts I, III, and V,” of Article 67, “PD 67,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-67.110. DEVELOPMENT OF VACANT AREA AND REDEVELOPMENT OF EXISTING STRUCTURES ON TRACTS I, III, IV, AND V.

Any vacant property may be developed in accordance with the provisions of the zoning district classification designated for the property. The requirements of D(A) Duplex District apply for development of vacant area and redevelopment of existing structures on property indicated as vacant or church on the "Existing Land Use" map. ~~[Approval of any use of vacant property not permitted by the zoning district classification designated for the property must be determined by a public hearing before the city plan commission and the city council in accordance with Section 34 of the Comprehensive Zoning Ordinance. The filing fee, however, will be based on the amount of land area involved in the amendment in accordance with the fee schedule established for zoning changes.]~~ Redevelopment of existing structures on Tract V may be permitted with an approved development plan.”

SECTION 12. That Article 67, “PD 67,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended by adding Section 51P-67.110.1, “Accessory Uses,” to read as follows:

“SEC. 51P-67.110.1. ACCESSORY USES.

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

SECTION 13. That Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Section 51P-67.110.2, "Design Standards for Residential Uses," to read as follows:

"SEC. 51P-67.110.2. DESIGN STANDARDS FOR RESIDENTIAL USES.

(a) Purpose. The design standards for residential uses are intended to guide new construction and major modifications to preserve and enhance the existing single family neighborhood.

(b) Applicability for single family uses. The design standards in this section apply to new construction and major modification of single family uses.

(1) Roofs. Only hip and gable roofs are permitted on the main structure if the structure height exceeds 20 feet above grade.

(A) Flat and shed roofs must not be visible from the street unless it comprises 10 percent or less of the visible area of the street facing facade.

(B) Mansard, gambrel, and barrel vault roofs are not permitted.

(2) Driveways.

(A) Types and placement.

(i) Both flat surface and ribbon driveways are permitted.

(ii) Ribbon driveways must consist of two parallel paved surfaces, two to three feet wide, at least three feet apart.

(iii) Co-located driveways must consist of a minimum eight-foot to maximum 10-foot wide driveway adjacent to the side property line, meeting the edge of an eight- to 10-foot wide driveway on the adjacent lot.

(iv) The director may waive the driveway placement requirement if compliance with this paragraph would prevent the development of a lot due to easement or utility conflicts.

(B) Width. Except as provided in this section, the minimum driveway width is eight feet and the maximum width is 20 feet at the property line.

(C) Driveway curb cuts. The minimum allowable curb radius is five feet. The maximum allowable curb cut radius is 10 feet. Driveway radii may not intrude onto the frontage of adjacent lots."

SECTION 14. That Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Section 51P-67.110.3, "Environmental Performance Standard," read as follows:

"SEC. 51P-67.110.3. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI."

SECTION 15. That Section 51P-67.111, "Variance Procedure," of Article 67, "PD 67," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-67.111. FENCING AND SCREENING [VARIANCE PROCEDURE].

(a) Except as provided in this section, the visual obstruction regulations in Section 51A-4.602(d) apply.

(b) Fencing or screening placed between co-located driveways is prohibited.

~~[The board of adjustment has the authority to grant variances from the terms of Ordinance No. 15189, as amended, in accordance with regulations and procedures specified in Section 29 of the Comprehensive Zoning Ordinance, in the following matters:~~

~~(1) To hear and decide appeals where it is alleged there is error on any order, requirement, decision, or determination made by the building inspection division in the enforcement of this article.~~

~~(2) Permit such variance of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum sidewalk or setback standards, off-street parking, off-street loading, and visibility obstruction regulations where the literal enforcement of the provision of this article would result in an unnecessary hardship, and where such variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district by being of such restricted area, shape, or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standards established by this article may not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor may such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this article to other parcels of land in this district.~~

~~(3) Authorize the use of a structure or portion thereof or incorporate a portion of the main structure for servants or caretakers quarters in this district when, in the opinion of the board, such structure or portion thereof will be used by bona fide servants or caretakers and will not be rental accommodations.~~

(4) ~~Permit such variances of fence heights when, in the opinion of the board, such fences will not adversely affect neighboring property. Variances of fence heights providing screening around parking facilities area excluded.]”~~

SECTION 16. That Section 51P-67.112, “Paving,” of Article 67, “PD 67,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-67.112. ADDITIONAL PROVISIONS [PAVING].

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

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

~~[All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation.]”~~

SECTION 17. That Section 51P-67.113, “Compliance With Conditions,” of Article 67, “PD 67,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-67.113. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

~~[No certificate of occupancy may be issued by the building official until there has been full compliance with this article and any applicable provisions of the zoning ordinance and the building codes.]”~~

SECTION 18. That the land use map, Exhibit 67A of Article 67, “PD 67,” of Chapter 51P of the Dallas City Code, is replaced by the Exhibit 67A attached to this ordinance.

SECTION 19. That development of this district must comply with the full-scale versions of Exhibit 67G (tract map) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 20. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 21. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 22. That the zoning ordinances for the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 23. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 24. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By  _____
Assistant City Attorney

OCT 12 2022

Passed _____

32324
EXHIBIT A

BEGINNING at the intersection of the centerline of University Boulevard with the centerline of Roper Street;

THENCE North $0^{\circ} 42' 47''$ West, a distance of 1182.941 feet;

THENCE South $88^{\circ} 33' 44''$ West, a distance of 1016.369 feet;

THENCE South $1^{\circ} 28' 46''$ East, a distance of 158.964 feet;

THENCE South $88^{\circ} 42' 9''$ West, a distance of 984.846 feet;

THENCE North $24^{\circ} 6' 1''$ East, a distance of 317.948 feet;

THENCE North $46^{\circ} 37' 4''$ West, a distance of 250.454 feet;

THENCE South $38^{\circ} 16' 9''$ West, a distance of 93.271 feet;

THENCE South $44^{\circ} 14' 30''$ West, a distance of 277.763 feet;

THENCE North $45^{\circ} 55' 36''$ West, a distance of 207.704 feet;

THENCE North $45^{\circ} 35' 55''$ East, a distance of 28.907 feet;

THENCE North $45^{\circ} 1' 31''$ East, a distance of 144.618 feet;

THENCE North $45^{\circ} 2' 19''$ East, a distance of 854.863 feet;

THENCE South $85^{\circ} 16' 33''$ East, a distance of 21.708 feet;

THENCE North $44^{\circ} 41' 17''$ East, a distance of 232.592 feet;

THENCE South $0^{\circ} 0' 31''$ East, a distance of 95.495 feet;

THENCE South $89^{\circ} 51' 35''$ East, a distance of 26.84 feet;

THENCE North $88^{\circ} 59' 57''$ East, a distance of 647.006 feet;

THENCE North $88^{\circ} 59' 57''$ East, a distance of 29.13 feet;

THENCE North $85^{\circ} 28' 30''$ East, a distance of 21.945 feet;

THENCE North $89^{\circ} 19' 59''$ East, a distance of 286.975 feet;

THENCE South $0^{\circ} 17' 17''$ East, a distance of 162.679 feet;

THENCE South $0^{\circ} 17' 17''$ East, a distance of 23.854 feet;

THENCE North $89^{\circ} 20' 28''$ East, a distance of 521.905 feet;

THENCE North $0^{\circ} 1' 22''$ West, a distance of 7.52 feet;

THENCE North $87^{\circ} 35' 27''$ East, a distance of 26.108 feet;

THENCE North 89° 24' 48" East, a distance of 173.502 feet;
THENCE North 89° 24' 48" East, a distance of 220.139 feet;
THENCE North 0° 26' 50" West, a distance of 10.248 feet;
THENCE North 89° 37' 2" East, a distance of 155.988 feet;
THENCE South 0° 28' 15" East, a distance of 304.278 feet;
THENCE North 88° 58' 3" East, a distance of 854.655 feet;
THENCE North 0° 30' 52" West, a distance of 273.808 feet;
THENCE North 89° 34' 9" East, a distance of 163.758 feet;
THENCE South 89° 47' 47" East, a distance of 46.695 feet;
THENCE North 89° 16' 17" East, a distance of 150 feet;
THENCE North 89° 16' 15" East, a distance of 4.04 feet;
THENCE North 0° 14' 45" West, a distance of 228.204 feet;
THENCE North 89° 18' 3" East, a distance of 723.001 feet;
THENCE South 0° 6' 50" East, a distance of 503.501 feet;
THENCE South 88° 41' 26" West, a distance of 179.189 feet;
THENCE South 0° 3' 33" West, a distance of 482.984 feet;
THENCE South 89° 40' 59" East, a distance of 177.053 feet;
THENCE South 0° 57' 7" East, a distance of 321.486 feet;
THENCE South 0° 4' 21" East, a distance of 822.589 feet;
THENCE South 89° 34' 23" West, a distance of 401.865 feet;
THENCE South 0° 15' 56" East, a distance of 156.027 feet;
THENCE North 89° 35' 54" East, a distance of 3.305 feet;
THENCE South 0° 19' 53" East, a distance of 6.468 feet;
THENCE along a curve to the left having a Radius of 253 feet, an arc distance of 21.99 feet, and a Chord Direction of South 13° 53' 18" East;
THENCE along a curve to the left having a Radius of 198.5 feet, an arc distance of 50.18 feet, and a Chord Direction of South 23° 37' 14" East;
THENCE along a curve to the right having a Radius of 148.5 feet, an arc distance of 40.79 feet, and a Chord Direction of South 22° 59' 38" East;

THENCE South 15° 7' 30" East, a distance of 5.57 feet;
THENCE South 0° 40' 59" East, a distance of 27.33 feet;
THENCE North 89° 31' 53" East, a distance of 55.427 feet;
THENCE South 0° 32' 39" West, a distance of 317.196 feet;
THENCE South 1° 14' 52" West, a distance of 2373.279 feet;
THENCE South 88° 34' 24" West, a distance of 345.013 feet;
THENCE South 88° 59' 43" West, a distance of 584.589 feet;
THENCE South 88° 11' 59" West, a distance of 269.094 feet;
THENCE South 88° 0' 30" West, a distance of 550.683 feet;
THENCE North 46° 57' 36" West, a distance of 517.311 feet;
THENCE North 0° 13' 50" West, a distance of 2082.45 feet;
THENCE North 1° 37' 3" West, a distance of 548.53 feet to the POINT OF BEGINNING and
CONTAINING 13043752.69 square feet or 299.443 acres of land more or less.

DISCLAIMER

NOTE: This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in the real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

EXHIBIT 67F
PD 67 Subarea Property Descriptions

PERIMETER

This Planned Development District does not have a perimeter description, the boundary is comprised of the (5) Tract within PD 67.

TRACT 1:

BEING all of Lots 1 through 16 in City Block A/4993, fronting on the north line of Hopkins Avenue between Bristol Avenue and Roper Street.

BEING all of Lots 1 through 32 in City Block B/4993, bounded by Hopkins Avenue on the north, Roper Street on the east, March Avenue on the south and Bristol Avenue on the west.

BEING all of Lots 1 through 16 in City Block C/4993, fronting on the south line of March Avenue between Bristol Avenue and Roper Street.

BEING all of Lots 1 through 17 in City Block 6/5038, fronting on the north line of Cowan Street between Bristol Street and Roper Street.

BEING all of Lots 1 through 34 in City Block 1/5037, bounded by Cowan Street on the north, Roper Street on the east, University Boulevard on the south and Bristol Street on the west.

TRACT 2:

BEGINNING at the intersection of the centerline of University Boulevard with the centerlines of Bristol Avenue (north side) and Webster Street (south side);
THENCE, North 88° 35' 23" East, a distance of 997.18 feet;
THENCE, South 01° 37' 03" East, a distance of 548.53 feet;
THENCE South 88° 27' 44" West, a distance of 951.72 feet;
THENCE North 04° 00' 54" West, a distance of 96.34 feet;
THENCE North 09° 23' 31" West, a distance of 67.40 feet;
THENCE North 06° 22' 50" West, a distance of 144.59 feet;
THENCE, North 06° 22' 50" West, a distance of 244.53 feet to the POINT OF BEGINNING.

TRACT 3:

BEING all of Lots 8 through 26 in City Block D/2596, bounded by the south line of City Block 4994 on the north, Thedford Street on the south, Webster Street on the east and Mabel Avenue on the west.

BEING all of Lots 1 through 34 in City Block C/2595, bounded by a 30 foot wide alley on the north, Thedford Street on the south, Tyree Street on the east and Webster Street on the west.

BEING all of Lots 16 through 19 and the southern 25 feet of Lot 15 and the southern 25 feet of

Lot 20 in City Block B/2594 an area bounded by Thedford Street on the south, Victoria Avenue on the east the and Tyree Street on the west.

BEING all of Lots 1 through 17, Lots 18 through 22 referenced as Tract 1 (K.B. Polk Park), Lots 23 through 28 and all of Lot 29A (a replat of Lots 29-34) Lawson Subdivision in City Block A/2593, bounded by a 30 foot alley on the north (Linnet Lane), Thedford Street on the south, Roper Street on the east and Victoria Avenue on the west.

BEING all of Lots 1 through 9 and all of Lots 15 through 26 in City Block K/2601, bounded by Thedford Street on the north, Webster Street on the east and Mabel Avenue on the west.

BEING all of Lots 1 through 36 in City Block L/2602, bounded by Thedford Street on the north, Tyree Street on the east, Savage Street on the south and Webster Street on the west.

BEING all of Lots 1 through 36 in City Block M/2603, bounded by Thedford Street on the north, Victoria Avenue on the east, Savage Street on the south and Tyree Street on the west.

BEING all of Lots 1 through 36 in City Block H/2604, bounded by Thedford Street on the north, Roper Street on the east, Savage Street on the south and Victoria Avenue on the west.

BEING all of Lots 1 through 7 and all of Lots 16 through 22 in City Block P/2606, bounded by Savage Street on the north, Victoria Avenue on the east, the north line of Lots 8 and 15 in said same Block P/2606 on the south and Tyree Street on the west.

BEING all of Lots 1 through 8 and all of Lots 15 through 22 in City Block O/2605, bounded by Savage Street on the north, Roper Street on the east, the north line of Lots 9 and 14 in said same Block O/2605 on the south and Victoria Avenue on the west.

TRACT 4:

BEGINNING at the intersection of the centerline of University Boulevard with the centerline of Roper Street;

THENCE North 0° 42' 47" West, a distance of 1182.941 feet;

THENCE South 88° 33' 44" West, a distance of 1016.369 feet;

THENCE South 1° 28' 46" East, a distance of 158.964 feet;

THENCE South 88° 42' 9" West, a distance of 984.846 feet;

THENCE North 24° 6' 1" East, a distance of 317.948 feet;

THENCE North 46° 37' 4" West, a distance of 250.454 feet;

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THENCE South 44° 14' 30" West, a distance of 277.763 feet;

THENCE North 45° 55' 36" West, a distance of 207.704 feet;

THENCE North 45° 35' 55" East, a distance of 28.907 feet;
THENCE North 45° 1' 31" East, a distance of 144.618 feet;
THENCE North 45° 2' 19" East, a distance of 854.863 feet;
THENCE South 85° 16' 33" East, a distance of 21.708 feet;
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THENCE North 88° 59' 57" East, a distance of 647.006 feet;
THENCE North 88° 59' 57" East, a distance of 29.13 feet;
THENCE North 85° 28' 30" East, a distance of 21.945 feet;
THENCE North 89° 19' 59" East, a distance of 286.975 feet;
THENCE South 0° 17' 17" East, a distance of 162.679 feet;
THENCE South 0° 17' 17" East, a distance of 23.854 feet;
THENCE North 89° 20' 28" East, a distance of 521.905 feet;
THENCE North 0° 1' 22" West, a distance of 7.52 feet;
THENCE North 87° 35' 27" East, a distance of 26.108 feet;
THENCE North 89° 24' 48" East, a distance of 173.502 feet;
THENCE North 89° 24' 48" East, a distance of 220.139 feet;
THENCE North 0° 26' 50" West, a distance of 10.248 feet;
THENCE North 89° 37' 2" East, a distance of 155.988 feet;
THENCE South 0° 28' 15" East, a distance of 304.278 feet;
THENCE North 88° 58' 3" East, a distance of 854.655 feet;
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THENCE South 89° 47' 47" East, a distance of 46.695 feet;
THENCE North 89° 16' 17" East, a distance of 150 feet;
THENCE North 89° 16' 15" East, a distance of 4.04 feet;
THENCE North 0° 14' 45" West, a distance of 228.204 feet;

THENCE North 89° 18' 3" East, a distance of 723.001 feet;
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THENCE South 0° 57' 7" East, a distance of 321.486 feet;
THENCE South 0° 4' 21" East, a distance of 822.589 feet;
THENCE South 89° 34' 23" West, a distance of 401.865 feet;
THENCE South 0° 15' 56" East, a distance of 156.027 feet;
THENCE North 89° 35' 54" East, a distance of 3.305 feet;
THENCE South 0° 19' 53" East, a distance of 6.468 feet;
THENCE along a curve to the left having a Radius of 253 feet, an arc distance of 21.99 feet, and a Chord Direction of South 13° 53' 18" East;
THENCE along a curve to the left having a Radius of 198.5 feet, an arc distance of 50.18 feet, and a Chord Direction of South 23° 37' 14" East;
THENCE along a curve to the right having a Radius of 148.5 feet, an arc distance of 40.79 feet, and a Chord Direction of South 22° 59' 38" East;
THENCE South 15° 7' 30" East, a distance of 5.57 feet;
THENCE South 0° 40' 59" East, a distance of 27.33 feet;
THENCE North 89° 31' 53" East, a distance of 55.427 feet;
THENCE South 0° 32' 39" West, a distance of 317.196 feet;
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THENCE South 88° 11' 59" West, a distance of 269.094 feet;
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THENCE North 46° 57' 36" West, a distance of 517.311 feet;
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THENCE North 1° 37' 3" West, a distance of 548.53 feet to the POINT OF BEGINNING and CONTAINING 13043752.69 square feet or 299.443 acres of land more or less.

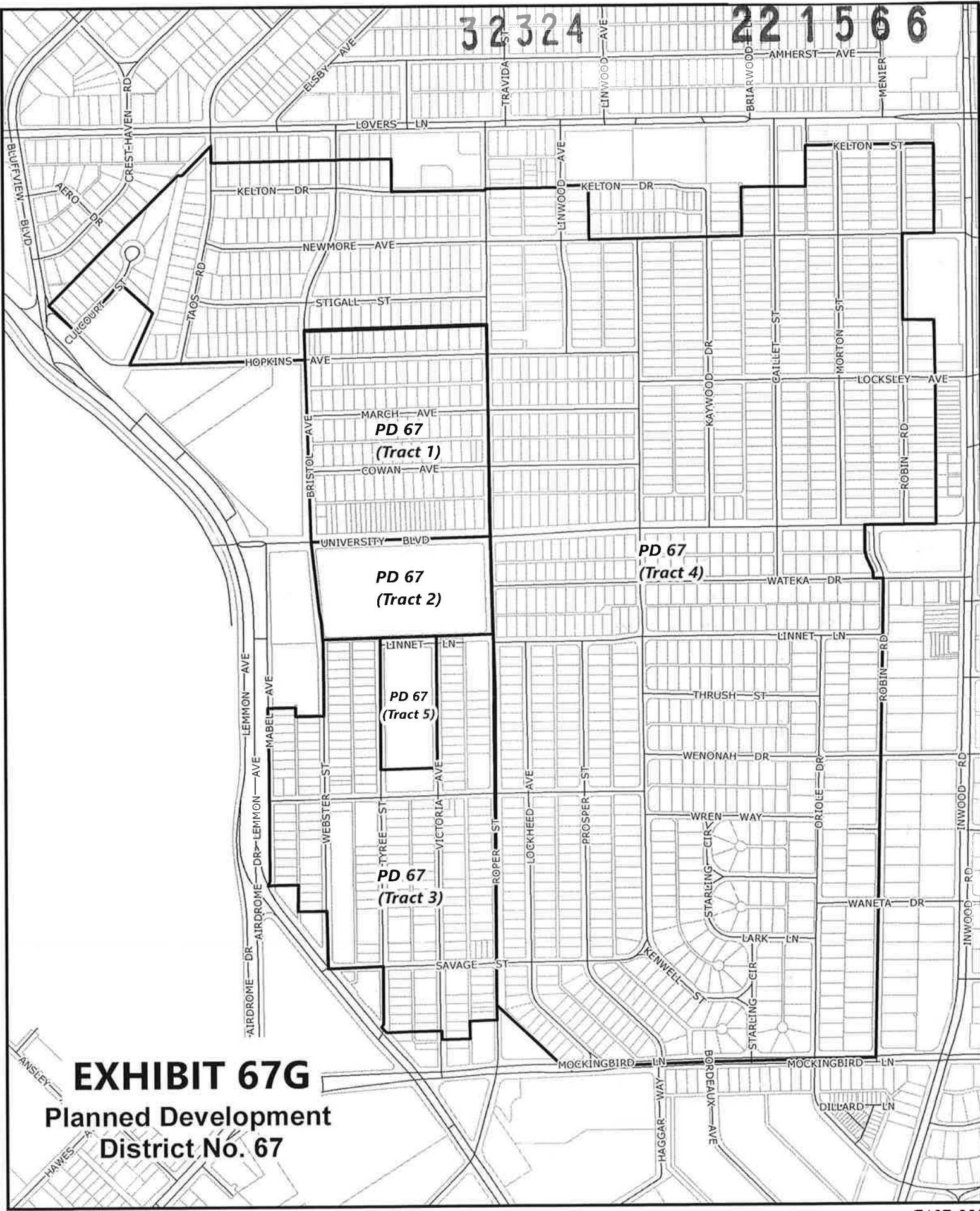
3 2 3 2 4

TRACT 5:

BEING all of Lot 1A in City Block B/2594 (being a replat of Lots 1 through 14, Lots 21 through 34 in City Block B/2594 and the northern 25 feet of Lot 15 and the northern 25 feet of Lot 20) an area bounded by Linnet Lane on the north, Victoria Avenue on the east and Tyree Street on the west.

DISCLAIMER

NOTE: This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in the real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



32324

221566

EXHIBIT 67G

Planned Development
District No. 67



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL OCT 12 2022

ORDINANCE NUMBER 32324

DATE PUBLISHED OCT 15 2022

ATTESTED BY: