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Public Notice

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POSTED CITY SECRETARY
DALLAS, TX

BOARD OF ADJUSTMENT (PANEL B)

NOVEMBER 20, 2024, BRIEFING AT 10:30 A.M. AND THE PUBLIC HEARING AT 1:00 P.M.

Dallas City Hall, Room 6ES Council Briefing and Videoconference

Video Conference Link: https://bit.ly/boa1120B
Telephone: (408) 418-9388**, Access Code:** 325527

The City of Dallas will make Reasonable Accommodations/Modifications to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Board of Adjustment by calling (214) 670-4127 three (3) business days prior to the scheduled meeting. A video stream of the meeting will be available twenty-four (24) hours after adjournment by visiting https://dallastx.new.swagit.com/views/113.

Individuals and interested parties wishing to speak must register with the Board of Adjustment at https://bit.ly/BDA-B-Register **by the close of business Tuesday, November 19, 2024. In Person speakers can register at the hearing.**

La Ciudad de Dallas llevará a cabo Adecuaciones/Modificaciones Razonables a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio y/o interpretación para poder participar de forma íntegra en la reunión debe notificar a Junta de Ajustes llamando al (214) 670-4127 tres (3) días hábiles antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en https://dallastx.new.swagit.com/views/113.

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en https://bit.ly/BDA-B-Register **antes de cierre de oficina el Martes, 19 de Noviembre, 2024. Las Personas que quieran hablar en persona, se pueden registrar en la Audiencia.**

AGENDA

I.	**Call to Order**	Cheri Gambow, Vice-Chair
II.	**Staff Presentation/Briefing**	
III.	**Public Hearing**	Board of Adjustment
IV.	**Public Testimony**	
V.	**Miscellaneous Items**	
VI.	**Case Docket**	Board of Adjustment
	- Uncontested Items	
	- Holdover Items	
	- Individual Items	
VII.	**Adjournment**	

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propriedad."

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

MISCELLANEOUS ITEM(S)

- Approval of Panel B Minutes – October 23, 2024
- Approval of Full Board Meeting Minutes – October 29, 2024

BDA234-155_FR1 929 Brookwood Drive 1
REQUEST: Application of Benjamin Lartey requesting a **(1)** fee waiver for special exceptions to the fence height regulations and visibility obstruction regulations.

UNCONTESTED CASE(S)

BDA234-133(CJ) 3434 Altamoore Drive 2
REQUEST: Application of Micheal Bergey represented by Elsie Thurman for **(1)** a variance to the building height regulations.

BDA234-138(BT) 1415 Corto Drive 3
REQUEST: Application of Larry Paschall for **(1)** a special exception to the 20-foot visibility obstruction regulations at driveway approaches, and for **(2)** a special exception to the 20-foot visibility obstruction regulations at driveway approaches.

HOLDOVER

BDA234-122(BT) 5314 Ursula Lane 4
REQUEST: Application of Eddie Grothaus for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations.

BDA234-124(BT) 2417 W. 12th Street 5
REQUEST: Application of Elizabeth Rader to request an interpretation of the intent of the zoning district boundary map.

INDIVIDUAL CASES

BDA234-130(CJ) 9820 Royce Drive 6
REQUEST: Application of Alma Rocio Davalos represented by Douglas Lemus for **(1)** a variance to the front-yard setback regulations.

BDA234-137(BT) 12464 Breckenridge Drive 7
REQUEST: Application of Baldwin Associates for **(1)** a special exception to the fence height regulations.

BOARD OF ADJUSTMENT

Panel B Minutes

October 23rd, 2024

DRAFT

6ES Briefing Room
24974849659@dallascityhall.we
bex.com
Cheri Gambow, Vice-Chair

PRESENT: [5]

Cheri Gambow, Vice-Chair	
Sarah Lamb	
Joe Cannon	
Dr. Emmanuel Glover	
Nicholas Brooks	

ABSENT: [0]

Vice-Chair Cheri Gambow made the motion to select Sarah Lamb as Presiding Officer, seconded by Phil Sahuc, and was called the briefing to order at **10:34 A.M.** with a quorum of the Board of Adjustment present.

Presiding Officer Sarah Lamb called the hearing to order at **1:01 P.M.** with a quorum of the Board of Adjustment present.

The Chairperson stated that no action of the Board of Adjustment shall set a precedent. Each case must be decided upon its own merits and circumstances, unless otherwise indicated, each use is presumed to be a legal use. Each appeal must necessarily stand upon the facts and testimony presented before the Board of Adjustment at this public hearing, as well as the Board's inspection of the property.

PUBLIC SPEAKERS

The Board of Adjustment provided public testimony opportunities for individuals to comment on manners that were scheduled on the posted meeting agenda.

- We had no speakers for public testimony during this hearing.

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel B, September 18th, 2024, Meeting Minutes.

Motion was made to approve Panel B, September 18th, 2024, Public Hearing Minutes.

Maker:	Joe Cannon				
Second:	Sarah Lamb				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	0	

UNCONTESTED CASES

1. 1800 S. Ervay Street
This item was moved to Individual Cases
BDA234-106(BT)

BUILDING OFFICIAL'S REPORT: Application of JERRY OU for **(1)** a special exception to the 20-foot visibility obstruction regulations, and for **(2)** a special exception to the 45-foot visibility obstruction regulations at **1800 S. ERVAY ST.** This property is more fully described as BLOCK B/916, LOT 5, and is zoned PD-317 (subarea 2), which requires a 20-foot visibility triangle at driveway approaches and requires a 45-foot visibility triangle at street intersections. The applicant proposes to construct and/ or maintain a nonresidential structure in a required 20-foot visibility obstruction triangle, which will require **(1)** a special exception to the 20-foot visibility obstruction regulations at the driveway along Beaumont St.; and to construct and/or maintain a nonresidential structure in a required 45-foot visibility obstruction triangle, which will require **(2)** a special exception to the 45-foot visibility obstruction regulations at the intersection of Beaumont St. and S. Ervay St.

LOCATION: 1800 S. Ervay St.

APPLICANT: Jerry Ou

REQUEST:

(1) A special exception to the 20-foot visibility obstruction regulations at the driveway along Beaumont St.; and
(2) A special exception to the 45-foot visibility obstruction regulations at the intersection of Beaumont St. and S. Ervay St.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, **the special exception will not constitute a traffic hazard.**

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	PD-317(Subdistrict 2) (Mixed Use Corridors)
North:	PD-317(Subdistrict 2) (Mixed Use Corridors) and PD-317(Subdistrict 1 Tract 1) (Moderate Density Residential)
East:	PD-317(Subdistrict 2) (Mixed Use Corridors) and PD-317(Subdistrict 1 Tract 1) (Moderate Density Residential)
South:	PD-317(Subdistrict 2) (Mixed Use Corridors) and PD-317(Subdistrict 1 Tract 2) (Moderate Density Residential))
West:	PD-317(Subdistrict 2) (Mixed Use Corridors)

Land Use:

The subject site and surrounding properties are developed with various uses.

BDA History:

No BDA history found in the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jerry Ou for the property located at 1800 S. Ervay St. focuses on 2 requests relating to the visibility obstruction regulations.
- First, the applicant is requesting a special exception to the 20-foot visibility obstruction triangle at the drive approach along Beaumont St. The proposed 42" high planters encroach about 16-feet into the visibility obstruction triangle on the northwestern boundary of Beaumont St. The existing retaining wall and chain link fence encroach about 3-feet into the visibility obstruction triangle on the northeastern boundary of Beaumont St.
- Secondly, the applicant is requesting a special exception to the 45-foot visibility obstruction triangle at the corner of S. Ervay St. and Beaumont St. The proposed visibility obstruction triangle is 30-foot x 30-foot with a combination of 24-inch high and 42-inch high planters along the boundary and intersection.
- From the submitted site plan and elevations, the applicant is proposing to construct and maintain a combination of 24-inch high and 42-inch high planters along S. Ervay St. and Beaumont St.
- From the submitted site plan and elevations, the applicant is proposing to construct and maintain a 6-foot high chain link fence along Beaumont St.
- It is imperative to note that the subject site is a corner lot, and only vehicular entrance from Beaumont St. for deliveries and trash pick-up. Only pedestrian entrance along S. Ervay St.

- Based upon staff's analysis of the surrounding properties, there was a mixture of commercial and residential development.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations regarding visual obstruction will not constitute a traffic hazard.
- Granting the special exceptions to the fence standards relating to visibility obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: **BDA234-106 at 1800 S Ervay St**

Timeline:

July 19, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 3, 2024: The applicant submitted email requesting to postpone hearing while working w/engineering.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Hatsumi Kuzuu, 1800 S. Ervay St, Dallas TX 75215
Vaibhav (Vo) Singhal, 1800 S. Ervay, Dallas TX 75215 (Did not speak)

Against: No Speakers

Motion # 1
I move that the Board of Adjustment, in Appeal No. BDA 234-106, on application of Jerry Ou, **GRANT** the request to maintain items in the 20-foot visibility triangle at the driveway along Beaumont Street, as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code, as amended:

Compliance with the most recent version of all submitted plans, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Sarah Lamb				
Second:	Joe Cannon				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks and Dr. Emmanuel Glover
		Against:	-	0	

Motion # 2
I move that the Board of Adjustment, in Appeal No. BDA 234-106, on application of Jerry Ou, **GRANT** the request to maintain items in the 45-foot visibility triangle at the intersection of Beaumont Street and S. Ervay Street as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code, as amended:

Compliance with the most recent version of all submitted plans, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Sarah Lamb				
Second:	Nicholas Brooks				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	0	

2. 10230 Marsh Lane
BDA234-116(CJ)

BUILDING OFFICIAL'S REPORT Application of Darian Kaar for **(1)** a special exception to the fence height regulations at 10230 Marsh Lane. This property is more fully described as Block A/6416, Lot 4, and is zoned R-16(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front yard,

which will require **(1)** a 2-foot special exception to the fence regulations.

LOCATION: 10230 Marsh Lane

APPLICANT: Darian Kaar

REQUEST:

(3) A request for a special exception to the fence height regulations.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence height regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 10230 Marsh Lane in the last 5 years.

Square Footage:

- This lot contains 55,756.8 of square feet or 1.28 acres.
- This lot is zoned R-16(A) which has a minimum lot size of 16,000 square feet.

Zoning:

Site:	R-16 (A) (Single Family District)
North:	R-16 (A) (Single Family District)
East:	R-16 (A) (Single Family District)
South:	R-16 (A) (Single Family District)
West:	R-16 (A) (Single Family District)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Darian Kaar for property located at 10230 Marsh Lane focuses on 1 request relating to the fence height standards.
- The applicant proposes to maintain a 6-foot high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations on Marsh Lane.
- The subject site along with properties to the north, south, east, and west are all developed with uses permissible in a residential zoning district.

- The subject site is a mid-block lot with single street frontage along Marsh Lane.
- The proposed fence is material is composite metal.
- Based upon staff's analysis of the surrounding properties, there are homes along Marsh Lane with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- Per staff's review of the subject site, the fence is existing and not proposed.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standard regulations relating to height with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: BDA234-116 at 10230 Marsh Ln.

Timeline:

August 23, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Darrian Kaar, 10230 Marsh Lan, Dallas TX 75229 (Did not speak)
Against: No Speakers

Motion
I move that the Board of Adjustment **GRANT** the following applications listed on the uncontested docket because it appears, from our evaluation of the property and all relevant evidence that the applications satisfy all the requirements of the Dallas Development Code and are consistent with the general purpose and intent of the Code, as applicable, to wit:

BDA 234-116 – Application of Darian Kaar, for a special exception to fence height regulations contained in the Dallas Development Code, is granted, subject to the following condition:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Sarah Lamb				
Second:	Nicholas Brooks				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	0	

3. 1901 Ramsey Avenue
BDA234-120(CJ)
This item was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of Megan Brown for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations, and for **(3)** a special exception to the 20-foot visibility obstruction regulation, and for **(4)** a special exception to the 45-foot visibility obstruction regulation at 1901 Ramsey Avenue. This property is more fully described as Block 12/3603 Lot 14, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4-feet; requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line; requires a 20-foot visibility triangle at driveway approaches; and requires a 45-foot visibility triangle at street intersections. The applicant proposes to construct an 8-foot high fence in a required front yard, which will require **(1)** a 4-foot special exception to the fence height regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations, and to construct a single-family residential fence structure in a required visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation at driveway approaches, and to construct a single-family residential fence structure in a required visibility obstruction triangle, which will require **(4)** a special exception to the visibility obstruction regulation at street intersections.

LOCATION: 1901 Ramsey Avenue.

APPLICANT: Megan Brown

REQUEST:

(4) A request for a special exception to the fence height regulations; and
(5) A special exception to the fence standards regulations regarding opacity; and
(6) A special exception to the 20-foot visibility obstruction regulations at the drive approach.
(7) A special exception to the 45-foot visibility obstruction regulations at the street intersection.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT & OPACITY STANDARD REGULATIONS: Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence standard regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, **the special exception will not constitute a traffic hazard.**

STAFF RECOMMENDATION:

Special Exceptions (4):

No staff recommendation is made on these requests.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 1901 Ramsey Avenue in the last 5 years.

Square Footage:

- This lot contains 7405.2 of square feet.
- This lot is zoned R-7.5(A) which has a minimum lot size of 7,500 square feet.

Zoning:

Site:	R-7.5(A) (Single Family District)
North:	R-7.5(A) (Single Family District)
East:	R-7.5(A) (Single Family District)
South:	R-7.5(A) (Single Family District)
West:	R-7.5(A) (Single Family District)

Land Use:

The subject site and surrounding properties to the north, south, east and west are developed with single-family uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application for Megan Brown property located at 1901 Ramsey Avenue focuses on 4 requests relating to fence height, fence opacity and visual obstruction regulations.
- The applicant proposes to construct and maintain an 8-foot fence in a required front yard, which will require a 4-foot special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the fence standards regulations regarding opacity; the proposed fence material is recycled composite plastic topped with hog wire panels in various sections.
- Thirdly, the applicant is proposing to maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require a special exception to the 20-foot visibility obstruction regulations at the drive approach on Ramsey Avenue.
- Lastly, the applicant is proposing to maintain a single-family residential fence structure in a required 45-foot visibility obstruction triangle where the alley and street intersect, which will require a special exception to the 45-foot visibility obstruction regulation at the street intersection of Ramsey Avenue and Georgia Avenue.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- It is imperative to note that the subject site is a corner lot with double street frontage on Georgia Drive and Ramsey Drive.
- The street frontage along Georgia Drive and Ramsey Drive act as two front yards due to block-face continuity.
- Based upon staff's analysis of the surrounding properties, there are several homes along Georgia Avenue and Ramsey Avenue with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- The applicant has stated that the request for special exception has been made for safety reasons.
- It has been confirmed that the fence is proposed and not existing.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.

- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.

- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations regarding visual obstruction will not constitute a traffic hazard.

- Granting the special exceptions to the fence standards relating to height, opacity and visual obstruction regulations with a condition that the applicant complies with the submitted site

plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: BDA234-120 at 1901 Ramsey Ave.

Timeline:

August 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

September 20, 2024: The Traffic Engineering provided their review comment sheet.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Megan Brown – 1901 Ramsey Ave., Dallas TX 75216

Against: No Speakers

Motion # 1
I move that the Board of Adjustment, in Appeal No. BDA 234-120, on application of Megan Brown, **GRANT** the request of this applicant to construct and/or maintain a 8-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Sarah Lamb					
Second:	Joe Cannon					
Results:	5-0 Unanimously					Motion to grant
		Ayes:	-		5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-		0	

Motion # 2
I move that the Board of Adjustment, in Appeal No. BDA 234-120, on application of Megan Brown, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

> Compliance with opacity and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Sarah Lamb					
Second:	Dr. Emmanuel Glover					
Results:	5-0 Unanimously					Motion to grant
		Ayes:	-		5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-		0	

Motion # 3
I move that the Board of Adjustment, in Appeal No. BDA 234-120, on application of Megan Brown, **GRANT** the request to maintain items in the 20-foot visibility triangle at the drive approach on Ramsey Avenue as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code, as amended:

> Compliance with the most recent version of all submitted plans, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Sarah Lamb					
Second:	Joe Cannon					

Results:	5-0 Unanimously					Motion to grant
		Ayes:	-		5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-		0	

Motion # 4
I move that the Board of Adjustment, in Appeal No. BDA 234-120, on application of Megan Brown, **GRANT** the request to maintain items in the 45-foot visibility triangle at the street intersection of Ramsey Avenue and Georgia Avenue as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code, as amended:

> Compliance with the most recent version of all submitted plans, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Sarah Lamb					
Second:	Nicholas Brooks					
Results:	5-0 Unanimously					Motion to grant
		Ayes:	-		5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-		0	

4. 4100 Swiss Avenue
BDA234-121(BT)
This item was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of Jennifer Hiromoto for **(1)** a variance to the parking regulations at **4100 SWISS AVENUE**. This property is more fully described as Block 7/767, Tract 2, and is zoned PD-298 (Subarea 11), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a medical office use, and provide 10 of the required 19 parking spaces, which will require **(1)** a 9-space variance (47 percent reduction) to the parking regulation.

LOCATION: 4100 Swiss Ave.

APPLICANT: Jennifer Hiromoto

REQUEST:

A request for a variance to the off-street parking regulations

STANDARDS OF REVIEW FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area

for structures accessory to single-family uses, height, minimum sidewalks, **off-street parking** or off-street loading, or landscape regulations provided that the variance is:

- **not contrary to the public interest** when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- **necessary to permit development** of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE:

Dallas Development Code § 51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(v) the municipality considers the structure to be a nonconforming structure. zoning.

STAFF RECOMMENDATION:

1. Variance to the off-street parking regulations
   APPROVAL
   Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:
   A. Not contrary to the public interest, indicated by having received no letters of opposition.
   B. It is restrictive in shape for parking multiple vehicles on-site. Additional parking is not allowed in the required front-yard setback. Therefore, the subject site cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
   C. Not a self-created or personal hardship.

Zoning:

Site:	PD-298 (Subarea 11) Tract 7
North:	PD-298 (Subarea 11) Tract 7
South:	PD-298 (Subarea 12) Tract 2
East:	PD-298 (Subarea 11) Tract 7
West:	PD-298 (Subarea 11) Tract 7

Land Use:

The subject site proposed development with a medical office. The areas to the north, south, east,

and west are developed with various use types including but not limited to residential and medical office clinics.

BDA HISTORY:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jennifer Hiromoto for the property located at 4100 Swiss Ave. focuses on 1 request relating to a variance to the off-street parking regulations of a 9-space parking (47 percent reduction) is made to construct and/or maintain a medical office.
- The subject site shares a driveway with the lot next door, originally developed for residential use.
- Zoning PD-298 (Subarea 11) Tract 7 allows for a wide range of allowed and prohibited uses (SEC. 51P-298.107.) USES (5) Exhibits 298E: Use Chart
- Zoning PD-298 (Subarea 11) Tract 7 Parking Requirements reference (SEC. 51P-298.115.) (a) The parking provisions in Chapter 51A apply in the Bryan Area SPD, except as modified below: See PD for details.
- Parking Requirements per PD-298 1/200 Medical Office use.
- The applicant provided BDA staff with a Zoning Determination Letter - Delta Credits for 4100 Swiss Ave (TR 2, Block 7/767).
- The applicant states in a letter to BDA staff hours of operation, number of employees, number of rooms available for visits to be considered.
- The Transportation Engineering division has no objections if certain conditions are met.
- The Transportation Engineering division request parking data needs. No published data for medical clinics based on the number of employees at this facility.
- Granting the variance to the parking regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: **BDA234-121 at 4100 Swiss Ave**

Timeline:

August 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Jennifer Hiromoto, 10233 E. NW Hwy # 38586, Dallas TX 75238
Lloyd Denman, 2928 Westminster Ave., Dallas TX 75205

Against: No Speakers

Motion
I move that the Board of Adjustment, in Appeal No. BDA 234-121, on application of Jennifer Hiromoto, **GRANT** the 9-space variance to the parking regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with the most recent version of all submitted plans are required.

Maker:	Sarah Lamb					
Second:	Dr. Emmanuel Glover					
Results:	5-0 Unanimously					Motion to grant
		Ayes:	-		5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-		0	

5. 5314 Ursula Lane
BDA234-122(BT)
This item was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of Eddie Grothaus for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **5314 URSULA LANE**. This property is more fully described as Block C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 5314 Ursula Ln.

APPLICANT: Eddie Grothaus

REQUEST:

(8) A request for a special exception to the fence height regulations; and
(9) A request for a special exception to the fence standard regulations regarding opacity

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT, FENCE OPACITY AND FENCE MATERIAL STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	R-1ac(A)
North:	R-1ac(A)
East:	R-1ac(A)
South:	R-1ac(A)
West:	R-1ac(A)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Eddie Grothaus for the property located at 5314 Ursula Ln. focuses on 2 requests relating to the fence height, and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high gate in a required front-yard, which will require a 2-foot special exception to the fence height regulations.
- Lastly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The subject site along with surroundings properties to the north, south, east and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to replace the existing 4-foot high gate section to the east and west with a 6-foot high gate, located near the front property line.
- Based upon staff's analysis of the surrounding properties, many were open with no fencing or vegetation, some properties provided a form of vegetation serving as a screening mechanism along Ursula Ln and Palomar Ln.
- Some properties provided a fence and/or gate at 4-feet above grade in the required front yard along Ursula Ln and Palomar Ln.
- Applicant is requesting additional height due to safety and security concerns, as the family travel schedule is public knowledge.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: **BDA234-122 at 5314 Ursula Ln**

Timeline:

August 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of

Adjustment Panel **B**.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Eddie Grothans, 10930 Switzer Ave, Dallas TX 75238

Against: Kara Gehan, 5330 Ursula Lane, Dallas TX 75229

Motion
I move that the Board of Adjustment in Appeal No. BDA 234-122 **HOLD** this matter under advisement until **November 20, 2024.**

Maker:	Sarah Lamb					
Second:	Nicholas Brooks					
Results:	5-0 Unanimously					Motion to hold until November 20, 2024.
		Ayes:	-		5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-		0	

HOLDOVER CASES

6. 5325 Kelsey Road
BDA234-096(CJ)

BUILDING OFFICIAL'S REPORT: Application of Charles Anderson for **(1)** a special exception to the fence height regulations; for **(2)** a special exception to the visibility obstruction regulations at driveway #1; and for **(3)** a special exception to the visibility obstruction regulations at driveway #2 at 5325 Kelsey Road. This property is more fully described as Block A/5517, Lot 9, and is zoned R-

1ac(A), which limits the height of a fence in the front-yard to 4-feet and requires a 20-foot visibility triangle at the driveway approaches. The applicant proposes to construct and/or maintain an 6-foot 6-inch high fence in a required front-yard, which will require **(1)** a 2-foot 6-inch special exception to the fence height regulations; the applicant proposes to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require **(2)** a special exception to the 20-foot visibility obstruction regulation at driveway #1; the applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation at driveway #2.

LOCATION: 5325 Kelsey Road

APPLICANT: Charles C. Anderson

REQUEST:

(10) A special exception to the fence height regulations; and
(11) A special exception to the 20-foot visibility obstruction regulations at the first drive approach; and
(12) A special exception to the 20-foot visibility obstruction regulations at the second drive approach.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence opacity regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, **the special exception will not constitute a traffic hazard.**

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on this or any request for a special exception.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 5325 Kelsey Road in the last five years.
Square Footage:

- This lot contains 42,253.2 of square feet.
- This lot is zoned R-1ac(A) which has a minimum lot size of 1 acre or 43,650 square feet.

Zoning:

Site:	R-1ac(A) Zoning District
North:	R-1ac(A) Zoning District
East:	R-1ac(A) Zoning District
South:	R-1ac(A) Zoning District
West:	R-1ac(A) Zoning District

Land Use:

The subject site and all surrounding properties are developed with single-family residential uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application, for the Charles C. Anderson property located at 5325 Kelsey Road focuses on 3 requests relating to the fence height and visual obstruction regulations.
- The applicant is proposing to construct and maintain a 6-foot gate with 6-foot 6-inch stone columns in a required front yard, which will require a 2-foot 6-inch special exception to the fence height regulations.
- Secondly, the applicant is proposing to maintain a single-family residential fence structure in required 20-foot visibility obstruction triangles, which will require a special exception to the 20-foot visibility obstruction regulations at drive approach #1 (west).
- Lastly, the applicant is proposing to maintain a single-family residential fence structure in required 20-foot visibility obstruction triangles, which will require a special exception to the 20-foot visibility obstruction regulations at drive approach #2 (east).
- The subject site along with properties to the north, east, south, and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a 6-foot gate with 6-foot 6-inch stone columns along the front yard of the home.
- The proposed gate is material is wrought iron connected by stone columns.
- It is imperative to note that the subject site is a mid-block lot with single street frontage on Kelsey Road.
- The applicant has stated that the request for special exception has been made for safety/security reasons.
- Based upon staff's analysis of the surrounding properties, there are a few homes along Kelsey Road with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- It has been confirmed that the proposed fence will replace the existing 4-foot fence and be placed in a similar location.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations regarding fence height, will not adversely affect neighboring properties.
- The applicant also has the burden of proof in establishing that the special exceptions to the fence regulations regarding visual obstruction will not constitute a traffic hazard.

- Granting the special exceptions to the fence standards relating to fence height and visual obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: BDA234-096 at 5325 Kelsey Rd.

Timeline:

June 21, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

July 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the August 9, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 26, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

July 29, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

August 21, 2024: Panel B, at its regular scheduled hearing on August 21, 2024 voted to hold this matter under advisement until September hearings.

August 30, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the September public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

September 18, 2024: Panel B, at its regular scheduled hearing on September 18, 2024, voted to hold this matter under advisement until October hearings.

September 19, 2024: The Board Secretary mailed the applicant an outcome letter restating the board outcome and the hearing date/time for October.

Speakers:

For: Peter Kavanagh, 1620 Handley St., Dallas TX 75208
Moll Anderson, 5325 Kelsey Road, Dallas TX 75229

Against: No Speakers

Motion # 1
I move that the Board of Adjustment, in Appeal No. BDA 234-096, on application of Charles Anderson, **GRANT** the request of this applicant to construct and/or maintain a 6-foot 6-inch high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Sarah Lamb				
Second:	Joe Cannon				
Results:	4-1				Motion to grant
		Ayes:	-	4	Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	1	Cheri Gambow

Motion # 2
I move that the Board of Adjustment, in Appeal No. BDA 234-096, on application of Charles Anderson, **GRANT** the request to maintain items in the 20-foot visibility triangle at the most westerly driveway approach as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code, as amended:

Compliance with the most recent version of all submitted plans, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Sarah Lamb				
Second:	Nicholas Brooks				
Results:	4-1				Motion to grant
		Ayes:	-	4	Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	1	Cheri Gambow

Motion # 3
I move that the Board of Adjustment, in Appeal No. BDA 234-096, on application of Charles Anderson, **GRANT** the request to maintain items in the 20-foot visibility triangle at the most easterly driveway approach as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code, as amended:

> Compliance with the most recent version of all submitted plans, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Joe Cannon				
Second:	Sarah Lamb				
Results:	4-1				Motion to grant
		Ayes:	-	4	Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	1	Cheri Gambow

5. 5322 Kelsey Road
BDA234-098(BT)

BUILDING OFFICIAL'S REPORT: Application of Karlyn Herlitz for **(1)** a special exception to the fence height regulations at **5322 KELSEY RD.** This property is more fully described as Block B/5517, Lot 10, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard, which will require a 2-foot 6-inch special exception to the fence regulation.

LOCATION: 5322 Kelsey Rd.

APPLICANT: Karlyn Herlitz

REQUEST:

(13) A request for a special exception to the fence height regulations

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT, FENCE OPACITY AND FENCE MATERIAL STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	R-1ac(A)
North:	R-1ac(A)
East:	R-1ac(A)
South:	R-1ac(A)
West:	R-1ac(A)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Karlyn Herlitz for the property located at 5322 Kelsey Rd. focuses on 1 request relating to the fence height regulations.
- The request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot 6-inch high iron gate and fence in a required front-yard, which will require a 2-foot 6-inch special exception to the fence height regulations.
- The subject site along with surroundings properties to the north, south east and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a combination of 6-foot high iron double gate and fence with 6-foot 6-inch high stone columns, located near the front property line.
- A majority of the proposed iron fence and gate will be 6-foot high.
- A portion of the proposed stone columns, fence and gate will be constructed on an existing retaining wall.
- Based upon staff's analysis of the surrounding properties, some properties provided a fence and gate exceeding 4-feet above grade in the required front yard and/or some provided a form of vegetation serving as a screening mechanism along Kelsey Rd.
- The applicant provided a motor vehicle theft police report from 2022.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height will not adversely affect the neighboring properties.
- 200' Radius Video: BDA234-098 at 5322 Kelsey Rd

Timeline:

June 25, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

July 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the July 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and August 9, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

August 21, 2024: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, August 21, 2024, moved to **HOLD** this matter under advisement until **September 18, 2024.**

August 21, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the August 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and September 6, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 30, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the September public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner,

Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Peter Kavanagh, 1620 Handley St., Dallas TX 75208
Karlyn Herlitz, 5322 Kelsey Rd., Dallas TX 75229

Against: No Speakers

Motion
I move that the Board of Adjustment, in Appeal No. BDA 234-098, on application of Karlyn Herlitz, **GRANT** the request of this applicant to construct and/or maintain a 6-foot 6-inch high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Sarah Lamb				
Second:	Nicholas Brooks				
Results:	4-1				Motion to grant
		Ayes:	-	4	Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	1	Cheri Gambow

INDIVIDUAL CASES

6. 2417 W. 12th Street
BDA234-124(BT)

BUILDING OFFICIAL'S REPORT: Application of Elizabeth Rader at **2417 W 12TH STREET** to request an interpretation of the intent of the zoning district boundary map. This property is more fully described as Block B/4567, parts of Lots 7, 8 and a portion of Tract 15, and is zoned CR and R-7.5(A). The applicant requests the Board of Adjustment interpret the zoning map for this property and the ordinances amending the map.

LOCATION: 2417 W 12TH St.

APPLICANT: Elizabeth Rader

REQUEST: A request is made that the Board of Adjustment interpret the zoning map for this property and the ordinances amending the map.

STANDARD FOR INTERPRETATION OF INTENT OF ZONING DISTRICT BOUNDARY MAP:

Dallas Development Code Sec. 51A-4.104(d) state that when there is a question as to the

boundary of a tract and that question cannot be resolved by the application of Subsections (a) through (c), the board of adjustment shall determine the boundary by interpreting the official zoning district map and ordinances amending the map.

STANDARD FOR DECISION MAKING:

Dallas Development Code Sec. 51A.3-102(d)(2) states that the board has the following powers and duties to interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.

BACKGROUND INFORMATION:

Zoning:

Site:	CR and R-7.5(A)
North:	CR and R-7.5(A)
East:	CR
South:	R-7.5(A)
West:	PD-829

Land Use:

The subject site is developed with an auto service use and surrounding properties to the north developed with restaurant use, east developed with uses allowed in CR, south developed with DISD school use and west developed with DISD athletic field uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- Elizabeth Rader, represented by James B. Harris is requesting the Board of Adjustment interpret the zoning map and ordinances amending the map at the property located at 2417 W 12th St.
- March 1954 - 20’ strip of land deeded to adjacent property, creating split zoning on the property (R-7.5 and C-1).
- 1959 Ordinance No. 5238 zoned property C-1 thru special permit
- December 1959 boundaries near W. 12th St. and S. Hampton Rd. all rezoned C-1 Ordinance No. 8288
- March 29, 1965 (Revised May 20, 1971) rezoning maps with Ordinance No 10962 near W. 12th St. and S. Hampton Rd.
- February 4, 1987, Ordinance No. 19455 which adopted Chapter 51A provided new zoning districts city-wide, replacing all previous district definitions and boundaries (see Exhibit B of Ordinance No. 20180 passed on January 25,1989)
- Majority of the original R-7.5(A) zoning district was removed by Ordinance 27942 on August 11, 2010.

- CPC denying request to change R-7.5(A) to CR with Z212-345 on February 2, 2023.
- May 3, 2024 letter delivered to Casey Burgess, Executive Assistant City Attorney.
- Memorandum provided to applicant from city staff with detail interpretation of the zoning district boundary lines on July 24, 2024.
- The board has the power and duty to interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.
- 200' Radius Video: **BDA234-124 at 2417 W 12th St**

Timeline:

August 29, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 30, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Jim Harris – 1722 Routh Street, Dallas TX 75201
Peter Kavanagh - 1620 Handley ST., Ste A, Dallas TX 75208
Geena Piwetz - 12342 Inwood Rd., Dallas TX 75244

Against (Virtual) Yolanda Alameda – 2405 Tyler St., Dallas TX 75224
Christine Hopkins – 1118 Elmwood Blvd., Dallas TX 75224
Albert Mata – 101 W. Davis St., Dallas TX 75208

In person: Jerry Figueroa – 2220 W. Clarendon Dr., Dallas TX 75208
Marco Amador – 1207 S. Oak Cliff BLVD., Dallas TX 75208 29

Jennifer Rangel – 207 N. Morocco Ave., Dallas TX 75211
Billy Rangel – 2702 Kellogg Ave., Dallas TX 75216

Motion
I move that the Board of Adjustment in Appeal No. BDA 234-124 **HOLD** this matter under advisement until **November 20, 2024.**

Maker:	Nicholas Brooks				
Second:	Sarah Lamb				
Results:	3-2				Motion to hold until November 20, 2024.
		Ayes:	-	3	Cheri Gambow, Sarah Lamb, and Dr. Emmanuel Glover
		Against:	-	2	Joe Cannon and Nicholas Brooks

Recess at 2:50 pm – 2:56 pm

Recess at 3:57 pm – 4:02 pm

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Vice-chair Cheri Gambow moved to adjourn the meeting at 5:38 p.m.

Required Signature: Date
Mary Williams, Board Secretary
Planning and Development Department

Required Signature: Date
Dr. Kameka Miller-Hoskins, Board Administrator
Planning and Development Department

Required Signature: Date
Cheri Gambow, Vice Chair
Board of Adjustment

BOARD OF ADJUSTMENT

Full Board Meeting Minutes

October 29th, 2024

DRAFT

6EN Council Chambers
24923176153@dallascityhall.webex.com
David A. Neumann, Chairman

PRESENT: [13]

David A. Neumann, Chairman	Joe Cannon
Cheri Gambow, Vice Chair	Andrew Finney
Robert Agnich, Vice Chair	Dr. Emmanuel Glover
Rachel Hayden	
Kathleen Davis	
Michael Hopkovitz	
Jay Narey	
Judy Pollock	
Jared Slade	
Roger Sashington	

ABSENT: [5]

Rodney Milliken	Nicholas Brooks
Sarah Lamb	Philip Sahuc
TC Fleming	

Chairman Neumann called the Special Meeting of the Board of Adjustment to order at **9:09 A.M.** with a confirmed quorum of the Board of Adjustment present.

WELCOME: **David A. Neumann**

Introduction of Board Members & Alternates

PUBLIC TESTIMONY:

Robert Reeves (Consultant) - 3807 Vinecrest Dr., Dallas TX 75229
Steve Long (Consultant) – 902 Thomasson, Dallas TX 75208

SPEAKERS:

- Emily Liu, Director, Planning & Development Department
- Jason Pool, Assistant Director (I) Customer Excellence
    1. FY 23-24 Strategic Efficiency Plan
    2. FY 23-24 Summary of Progress
    3. FY 22-23 & FY 23-24 Charts & Metrics
    4. FY 24-25 Planning & Goals

CHAIRMAN'S REPORT: **David A. Neumann**

October 1, 2023 – September 30, 2024

Focus:

Ensure Fairness for every property owner appeal to the Board of Adjustment through a Transparent process that culminates in Timely hearings where Accurate information is reasonably applied to the Board's preexisting legal standards.

Advocacy

- Met quarterly with City Manager's key staff: Assistant City Managers Majed Al-Ghafry and Robin Bentley; Directors Andrew Espinoza and Emily Liu, to maintain executive level support and awareness of the mission of the Board, its members, staff and property owner/taxpayer.
- Working with Board Attorney and City Attorney's Office to assert the Board's fully interpreted and expressed authority within the Dallas Development Code to determine a just and fair decision for all cases/appeals presented.

Empowerment

- Implemented our updated Rules of Procedure providing greater empowerment of the Board, Chairman, and Vice Chairs to lead the hearings as a citizen appointed board of the City Council.
- Board Officers worked collectively to ensure relative consistency amongst the panels and provide feedback loop to staff to ensure effectiveness of hearings.
- Panel Hearings were fully attended by 5 Members/Alternates 27 of 30 hearings or 90% to ensure a full panel's deliberation for the applicant.

Transition challenges

- Challenged by city staff turnover of Board Administrators, Senior Planners, and resulting learning curves during last 12 months and departmental transitioning from Planning Urban Design to Development Services back to Planning & Development.
- Positive and hopeful leadership now under Dr. Kameka Millers-Hoskins as our Board Administrator. Proofreading all work to be presented is essential.

Progress

- Worked regularly with Jason Pool as Development Services Administrator to support his leadership and obtained more comprehensive staff analysis for hearings, technology to aid in understanding adjacent properties and leverage/utilize the BOA website to provide accurate and timely information to the public regarding all aspects of the BOA appeal process. Reduced days from application to hearing from 74 to 61. Outstanding!

BOARD TRAINING

- **ETHICS AND CONFLICT OF INTEREST** **Baron Eliason, Chief Integrity Officer**
  - Why we have the Code of Ethics
  - The BIG picture of ethics in our city

- Big Picture: Be on our best behavior
- Two types of best behavior rules: 1) All the time rules 2) If/then rules
- All the time rules: 1) Fiduciary duty 2) Civility
- Civility in employee interactions – a two step
- All the time rules: 1) Fiduciary duty 2) Civility 3) Appearances – personal and professional
- If/Then Rules: Code of Ethics Reference Guide
- If/Then Conflicts and Violations Checklist
- Substantial Interests in a Business §12A-13.1
- Substantial Interests in Property §12A-13.1
- Acquisition of Interests §12A-14(a)(1)
- Benefits to Previous Employers §12A-14(a)(3)
- Nepotism
- Polotical Activity and disclosures: §12A-21
- Outside Employment §12A-19
- Gifts Deep Dive
- Gifts and Donations
- Options with Gifts
- When is a Gift prohibited? - §12A-12(a)
- Is there more guidance?
- Analyzing Gifts
- Reporting of Gifts - §12A-42
- What's it worth?
- What counts as a year?
- When are reports due?
- Where do I find the report form?
- Donations
- Reporting Chart – Financial Disclosure
- Reporting Chart – Financial Statement
- Reporting Chart – Short Form
- Reporting Chart – Gifts
- Reporting Chart – Donations
- Reporting Chart – Travel

➢ **<u>PLANNING & DEVELOPMENT DEPARTMENT</u>** **Chief Planner**, **Dr. Kameka Miller-Hoskins**
Bryant Thompson, Senior Planner

- Team Introductions
- Parking Reductions
  - ❖ How is Parking Calculated?
    - ❖ Off-Street Parking reductions
      What is an Off-street parking reduction?
    - ❖ Types of Off-street Parking Reductions
      - Special Exception
        Example
      - Variance
        Example
    - ❖ Summary
    - ❖ Questions
- Blockface Continuity
  - ❖ Blockface
  - ❖ Blockface Continuity
  - ❖ Importance of blockface Continuity

- ❖ When is Blockface Applied?
  Examples
- ❖ Questions

****Lunch: 12:35 p.m.; Resume: 1:18 p.m.****

➢ **CITY ATTORNEY'S OFFICE** **Theresa Carlyle, Board Attorney & Matthew Sapp, Assistant City Attorney**

- Board of Adjustment Authority
  - ❖ The Ultimate Authority: The Constitution of the United States
  - ❖ Authority
  - ❖ Quasi-judicial Land-use Boards
- Roles of Board of Adjustment
  - ❖ How does the Board of Adjustment ensure that the highest and best use of land is accomplished?
  - ❖ Through (VANS): Variances, Administrative Appeals, Non-conforming Uses, and Special Exceptions
- Variances and Special Exceptions Policy Analysis
  - ❖ Variance – Sec. §51A-3.102(a)
    Pre-existing structure
    Sec. §51A-3.102(d)(10)(b)
    Sec. §51A-3.102(d)(10)(b)(i)
    Sec. §51A-3.102(d)(10)(b)
  - ❖ Special Exception Analysis
    S.A.M. – Safety, Aesthetics, Monetary
  - ❖ Administrative Official Appeals
- Appeals of Administrative Decisions
- Case Law Review
  - ❖ City of Dallas v. Vanesco
  - ❖ Texas Card House
- **Texas Open Meetings Act** **Daniel Moore, Assistant City Attorney**
  - The Rule
  - Meeting
  - Walking Quorums
  - Notice Requirements
  - Videoconference
  - Other Rules
  - Close Meeting (Executive Session)
  - Close Meeting: Who may Attend
  - Recordkeeping

➢ **BOARD MEMBER RESPONSE**

- ❖ Suggestions & Feedback

➢ **ACTION ITEMS**

- o Review and approval of Meeting Minutes September 17, 2024
- o Review/Adopt 2025 meeting Calendar.
- o Review/Adopt Annual Report to City Council
  - o 2023-2024 Accomplishments
  - o 2024-2025 Goals and Objectives
  - o Board Recommendations
- o Amendments to Rules of Procedure

❖ BOARD OF ADJUSTMENT ACTIONS:

- Review and approval of Meeting Minutes September 17, 2024

Maker:	Judy Pollock					
Second:	Robert Agnich					
Results:	12-0 unanimously					Moved to approve/adopt
		Ayes:	-		12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-		0	

- Review/Adopt 2025 Board Meeting Calendar as presented.

Maker:	Robert Agnich					
Second:	Judy Pollock					
Results:	11-1					Moved to approve/adopt
		Ayes:	-		11	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Jay Narey, Judy Pollock, Jared Slade, Michael Hopkovitz
		Against:	-		1	Roger Sashington

- 2023-2024 Accomplishments

Maker:	Cheri Gambow					
Second:	Joe Cannon					
Results:	12-0 unanimously					Moved to approve/adopt
		Ayes:	-		12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-		0	

- 2024-2025 Goals and Objectives

Maker:	Michael Hopkovitz					
Second:	Andrew Finney					

Results:	12-0 unanimously					Moved to approve/adopt
		Ayes:	-		12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-		0	

- Amendments to Rules of Procedure

Maker:	Robert Agnich					
Second:	Jay Narey					
Results:	12-0 Unanimously					Moved to adopt the changes
		Ayes:	-		12	David A. Neumann, Cheri Gambow, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Joe Cannon, Andrew Finney and Roger Sahington
		Against:	-		0	

- Board Recommendations to City Council to include metrics on Section 2 relating on source of permitting errors.

Maker:	Cheri Gambow					
Second:	Andrew Finney					
Results:	5-6					Motion fails
		Ayes:	-		5	Joe Cannon, Cheri Gambow, Andrew Finney, Dr. Emmanuel Glover, Jared Slade
		Against:	-		6	David A. Neumann, Michael Hopkovitz, Judy Pollock, Jay Narey, Robert Agnich, Kathleen Davis

- Board Recommendations to City Council Section 1, 2 & 3 and Final Adoption of 2023-2024 Annual Report

Maker:	Robert Agnich					
Second:	Andrew Finney					
Results:	9-2					Moved to adopt as presented
		Ayes:	-		9	David A. Neumann, Cheri Gambow, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay

						Narey, Judy Pollock, Jared Slade
		Against:	-		2	Joe Cannon and Andrew Finney

Board Member Rachel Hayden left at 2:30 p.m.
Board Member Roger Sashington left at 4:08 p.m.

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman Neumann moved to adjourn the meeting at 4:43 p.m. and it was unanimously approved.

Required Signature: Date
Mary Williams, Board Secretary
Planning & Development Department

Required Signature: Date
Dr. Kameka Miller-Hoskins, Board Administrator
Planning & Development Department

Required Signature: Date
David A. Neumann, Chairman
Board of Adjustment

FILE NUMBER: BDA234-155_FW1

BUILDING OFFICIAL'S REPORT: Application of Benjamin Lartey requesting a **(1)** fee waiver for special exceptions to the fence height regulations and visibility obstruction regulations.

LOCATION: 929 Brookwood Dr.

APPLICANT: Benjamin Lartey

REQUESTS:

The applicant is requesting a fee waiver for special exceptions to the fence height regulations and visibility obstruction regulations at 929 Brookwood Dr.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

The staff does not make a recommendation on fee waiver requests since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.

FILE NUMBER: BDA234-133 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Michael Bergey represented by Elsie Thurman for **(1)** a variance to the building height regulations at **3434 Altamoore Drive**. This property is more fully described as Block A/8299, Lot 2 and is zoned LI, which limits the maximum structure height to 70-feet. The applicant proposes to construct and/or maintain a non-residential structure (wind turbine) measuring 97-feet in height, which will require **(1)** a 27-foot variance to the maximum building height regulations.

LOCATION: 3434 Altamoore Drive

APPLICANT: Michael Bergey

REQUEST:

(1) A request for a variance to the maximum building height regulations.

STANDARDS OF REVIEW FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, **height,** minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

(A) **not contrary to the public interest** when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.

(B) **necessary to permit development of a specific parcel of land** that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE:

Dallas Development Code § 51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

1. Variance to the maximum building height regulations

   Denial

   Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
B. Although the specifications describe the proposed wind turbine as smaller than average, the subject site is 2,191,503.6 of square feet or 50.31 acres, and not sloped or irregularly shaped; therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

BDA History:
No BDA history found at 3434 Altamoore Drive within the last 5 years.

Square Footage:
This lot contains 2,191,503.6 of square feet or 50.31 acres.
This lot is zoned Light Industrial (LI) which does not have a minimum lot size.

Site: Light Industrial (LI) Zoning District
North: Light Industrial (LI) Zoning District
East: Light Industrial (LI) Zoning District
South: Light Industrial (LI) Zoning District
West: Light Industrial (LI) Zoning District

Land Use:
The subject site and areas to the north, south, east, and west are zoned Light Industrial (LI).

GENERAL FACTS/STAFF ANALYSIS:

- The application for the Michael Bergey property located at 3434 Altamoore Drive focuses on one request relating to the maximum building height regulations.

- A request for a variance to the maximum building height regulations of 27-feet is made to construct a 97-foot non-residential structure; the maximum building height allowed in the Light Industrial zoning district is 70-feet.

- The subject site has triple street frontage on Altamoore Drive, Van Horn Drive, and Balmorhea Drive.

- The subject site along with surrounding properties to the north, south, east and west are zoned with industrial uses.

- The subject site is currently developed with a non-residential structure and located within an established industrial area.
- Per the applicant, the L'Oreal group would like to go green at their warehouse as an initiative to aid The City in promoting and protecting the health and safety of the communities through the Office of Environmental Quality & Sustainability.

The applicant has the burden of proof in establishing the following:

- That granting the variance will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§ 51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed variance below, with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
    - 27-foot variance to the maximum building height regulations.

- 200' Radius Video: BDA234-133 at 3434 Altamoore Rd.

Timeline:

September 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

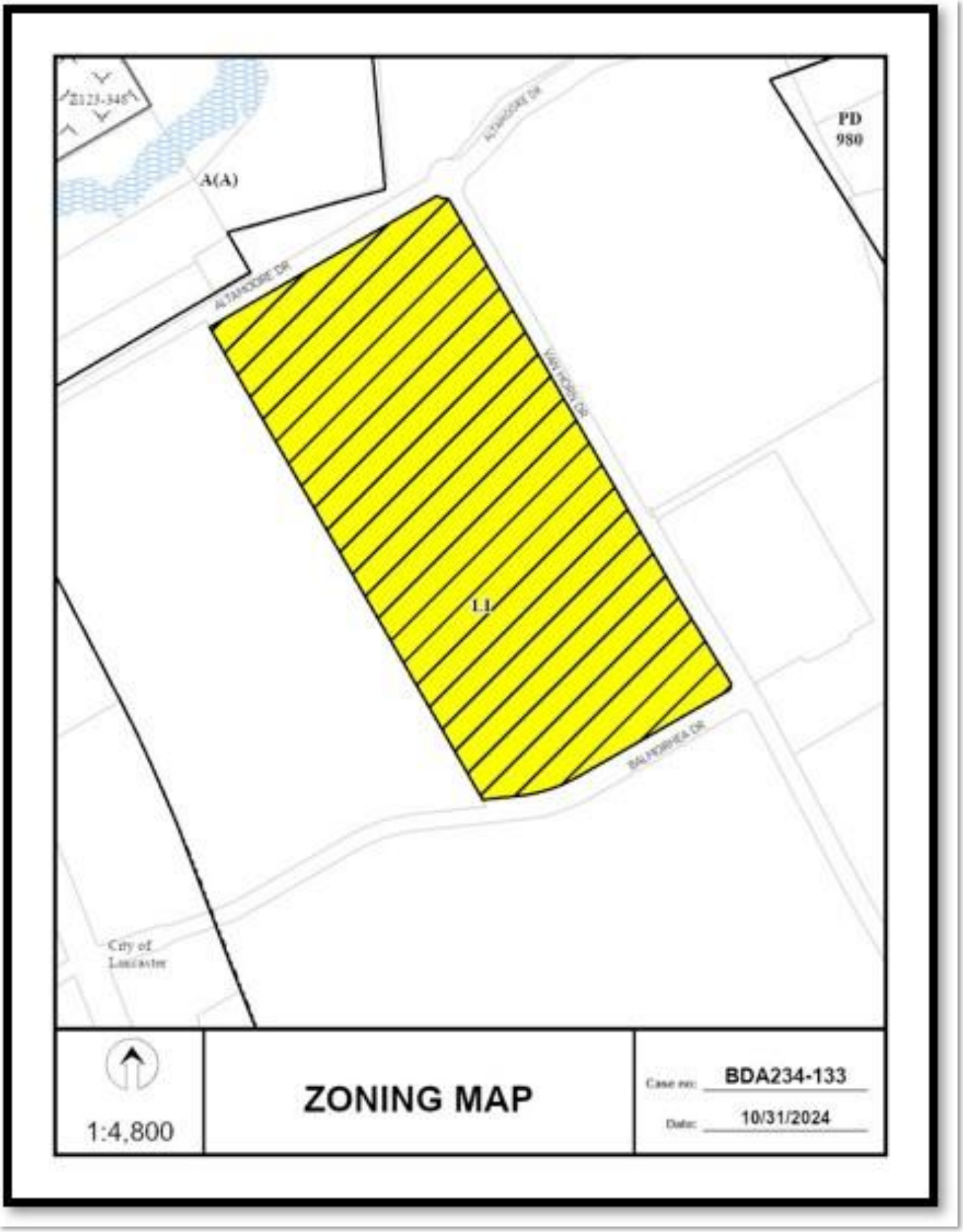
October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

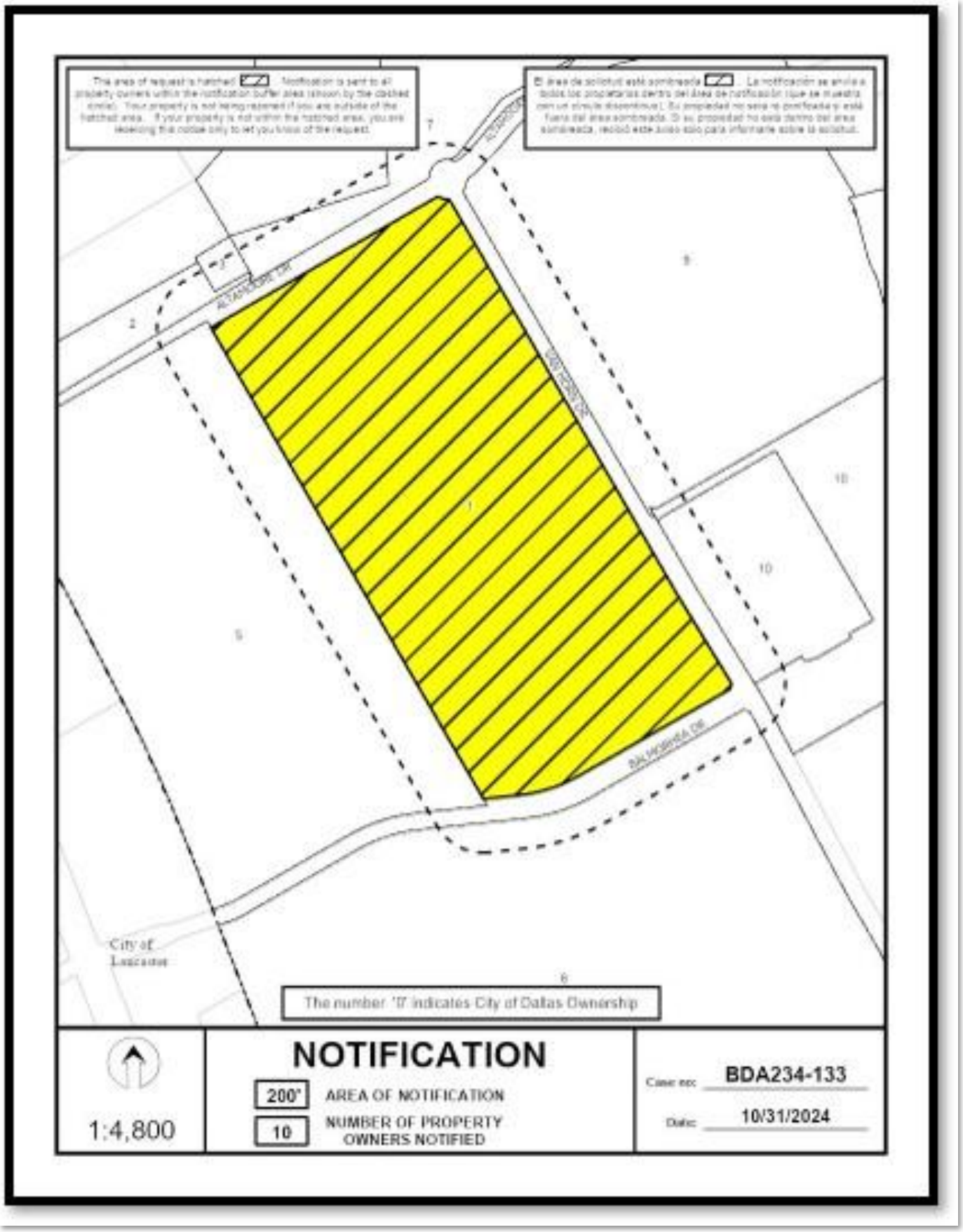
October 16, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

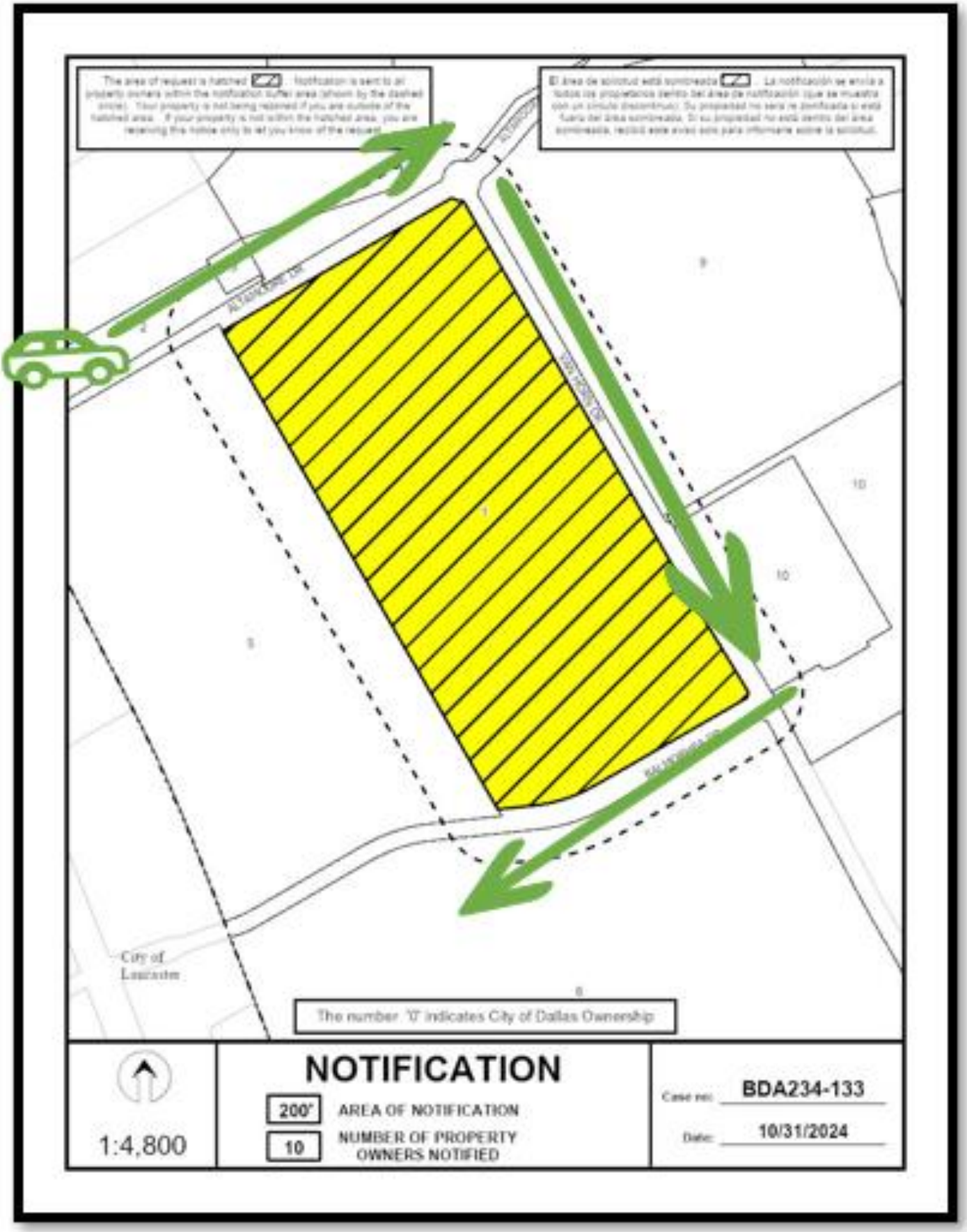
- an attachment that provided the hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.


MT Truck &
Trailer Repair
LINEAGE LOGISTICS
- LANCASTER, TX
N Dallas Ave
Amazon HDA3/HDA8
Lienzo Charro
La Escondida
Way Fair


Z123-348
A(A)
ALTAMOORE DR
PD
980
ALTAMOORE DR
VAN HORN DR
I-1
BALFOUR EA DR
City of
Lancaster
1:4,800
ZONING MAP
Case no: BDA234-133
Date: 10/31/2024


The area of request is hatched
Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being reviewed if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada
La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será revisada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
ALTAMESA DR
SAN LEANDRO DR
SAN INDALECIO DR
City of Lancaster
The number '8' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
10
NUMBER OF PROPERTY OWNERS NOTIFIED
1:4,800
Case no: BDA234-133
Date: 10/31/2024


The area of request is hatched. Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada. La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
ATLANTIC DR
WESTMORELAND RD
City of Lancaster
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200' AREA OF NOTIFICATION
10 NUMBER OF PROPERTY OWNERS NOTIFIED
1:4,800
Case no: BDA234-133
Date: 10/31/2024

10/31/2024

Notification List of Property Owners

BDA234-133

10 Property Owners Notified

Label #	*Address*		*Owner*
1	3434	ALTAMOORE DR	Taxpayer at
2	2750	CEDARDALE RD	ENSERCH CORP
3	2740	CEDARDALE RD	CEMETERY
4	8301	GLORIETTA LN	KEETON PAUL LAWRENCE
5	3350	ALTAMOORE DR	AGG DALPARK LLC &
6	3199	TELEPHONE RD	PROPERTY RESERVE INC
7	1	VAN HORN DR	RIDGE LOGISTICS CNTR S DALLAS
8	3500	ALTAMOORE DR	RIDGE LOGISTICS CENTER SOUTH DALLAS PROPERTY
9	3566	ALTAMOORE DR	TC CEDAR ALT DISTRIBUTION CENTER LLC
10	9190	VAN HORN DR	ALTAMOORE OWNER LLC



NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)

NOTICE IS HEREBY GIVEN that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)** will hold a hearing as follows:

DATE: **WEDNESDAY, NOVEMBER 20th, 2024**

BRIEFING: **10:30 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa1120B

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment.

BDA234-133(CJ) Application of Micheal Bergey represented by Elsie Thurman for a variance to the building height regulations at **3434 ALTAMOORE DRIVE**. This property is more fully described as Block A/8299, Lot 2 and is zoned LI, which limits the maximum structure height to 70-feet. The applicant proposes to construct and/or maintain a non-residential structure (wind turbine) measuring 97-feet in height, which will require a 27-foot variance to the maximum building height regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAreply@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing, if you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-B-Register **by the close of business Tuesday, November 19th, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning & Development Department
1500 Marilla Street 5CN Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register

AVISO DE AUDIENCIA PÚBLICA

JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL B)

POR LA PRESENTE SE NOTIFICA que la **JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL B)** celebrará una audiencia de la siguiente manera:

FECHA: **MIÉRCOLES, 20 DE NOVIEMBRE DE 2024**

SESIÓN INFORMATIVA: **10:30 a.m.** Vía **Videoconferencia y** en **6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. **https://bit.ly/boa1120B**

AUDIENCIA: **1:00 p.m.** Vía **Videoconferencia y** en **6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. **https://bit.ly/boa1120B**

El propósito de la audiencia es considerar las siguientes apelaciones actualmente pendientes ante la Junta de Ajuste.

BDA234-133 (CJ) Solicitud de Micheal Bergey representado por Elsie Thurman para una variación a las regulaciones de altura del edificio en **3434 ALTAMOORE DRIVE.** Esta propiedad se describe más detalladamente como Bloque A / 8299, Lote 2 y está zonificada como LI, lo que limita la altura máxima de la estructura a 70 pies. El solicitante propone construir y/o mantener una estructura no residencial (turbina eólica) de 97 pies de altura, lo que requerirá una variación de 27 pies a las regulaciones de altura máxima de construcción.

Usted ha recibido este aviso porque posee una propiedad dentro de los 200 pies de la propiedad anterior. Es posible que le interese asistir a la audiencia de la Junta de Ajuste para expresar su apoyo u oposición a la solicitud. También puede comunicarse con la Junta de Ajuste por correo electrónico a BDAreply@dallas.gov. Se aceptarán cartas hasta las 9:00 a.m. del día de la audiencia, si no puede asistir a la audiencia. Si decide responder, es importante que informe a la Junta sus razones para estar a favor o en contra de la solicitud. Los miembros de la Junta están muy interesados en su opinión.

Nota: Cualquier material (como planos, elevaciones, etc.) incluido en este aviso puede estar sujeto a cambios.

La audiencia de la Junta de Ajuste se llevará a cabo por videoconferencia y en 6ES en el Ayuntamiento. Las personas que deseen hablar de acuerdo con las Reglas de Procedimiento de la Junta de Ajuste **uniéndose a la reunión virtualmente**, deben registrarse en línea en https://bit.ly/BDA-B-Register **antes del cierre de las operaciones el martes 19 de noviembre de 2024. Todos los oradores virtuales deberán mostrar su video para dirigirse a la junta. Los oradores presenciales pueden registrarse en la audiencia.** El Departamento de Asuntos Públicos y Divulgación también transmitirá la audiencia pública en el canal 96 o 99 de Spectrum Cable; y bit.ly/cityofdallastv o YouTube.com/CityofDallasCityHall

Los oradores en la reunión tienen un máximo de tres minutos para dirigirse a la Junta.

Se puede obtener información adicional sobre la solicitud llamando a Cambria Jordan, Planificadora Senior al (214) 948-4476, o Mary Williams, Secretaria de la Junta al (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Junta de Ajuste
Departamento de Planificación y Desarrollo
1500 Marilla Street, 5CN, Dallas, TX 75201

POR FAVOR, ENVÍE SUS RESPUESTAS A:
BDAreply@dallas.gov
Las cartas se recibirán hasta las 9:00 a.m. del día de la audiencia.

POR FAVOR REGÍSTRESE EN:
https://bit.ly/BDA-B-Register



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-133 (OFFICE USE ONLY)

Data Relative to Subject Property: Date: 9/27/24 (FOR OFFICE USE ONLY)

Location address: 3434 Altamoore Drive, Dallas, TX 75241 Zoning District: LI-Light Industrial

Lot No.: LOT 2 Block No.: BLK A/8299 Acreage: 50.310 Acres Census Tract: 48113016709

Street Frontage (in Feet): 1) 968.17 2) 398.85 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Dallas Ridge Industrial I LLC (owner), L'Oreal USA S/D, INC. (lessee)

Applicant: Michael Bergey/Bergey Windpower Company Telephone: 405-364-4212

Mailing Address: 2200 Industrial Blvd., Norman, OK Zip Code: 73069

E-mail Address: mbergey@bergey.com

Represented by: Elsie Thurman/Land Use Planning&Zoning Services Telephone: 214-680-7949

Mailing Address: 9406 Biscayne Blvd., Dallas, TX Zip Code: 75218

E-mail Address: elsie.thurman@landdevsolutions.com

Affirm that an appeal has been made for a Variance X or Special Exception ☒ of Special exception to allow 96' height in LI-Light Industrial (max height 70') for the L'Oreal Distribution Center to install a 15kW horizontal-axis wind-turbine self-supporting lattice tower for green energy. The wind-turbine is by right, the additional height triggers the Board of Adjustment.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

L'Oreal would like to go green at their warehouse. The city works to ensure compliance to promote and protect the health and safety of the communities through the Office of Environmental Quality & Sustainability. Due to the green initiative we have been working with District 8-Commissioner Blair who supports this effort.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Michael Bergey

(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: Michael J Bergey

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 8 day of May, 2024

Notary Public in and for ~~Dallas~~ County, ~~Texas~~ Cleveland, OK

URSULA WOODBURY NOTARY PUBLIC STATE OF OKLAHOMA # 20008902 EXP. 07/23/24

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-133

I, Dallas Ridge Industrial I, LLC., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3434 ALTAMOORE DRIVE, DALLAS, TX 75241
(Address of property as stated on application)

Authorize: APPLICANT: MICHAEL BERGEY & REPRESENTATIVE: ELSIE THURMAN
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

X Special Exception (specify below)

_____ Other Appeal (specify below)

Specify:

To allow 96' in height in LI-Light Industrial (max height 70') to install a 15kW horizontal-axis wind-turbine self-supporting lattice tower. The wind-turbine is by right, the additional height triggers the board of adjusment.

Clarke Crenshaw
Print name of property owner or registered agent

Signature of property owner or registered agent

Date May 6, 2024

Before me, the undersigned, on this day personally appeared
Clarke Crenshaw

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 6 day of May, 2024

MARY BETH ROCHELLE
Notary Public, State of Texas
Comm. Expires 06-17-2025
Notary ID 133161656

Mary Beth Rochelle

Commission expires on
6-17-2025

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-133

I, Dallas Ridge Industrial I, LLC., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3434 ALTAMOORE DRIVE, DALLAS, TX 75241
(Address of property as stated on application)

Authorize: APPLICANT: MICHAEL BERGEY & REPRESENTATIVE: ELSIE THURMAN
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

X Special Exception (specify below)

_____ Other Appeal (specify below)

Specify:

To allow 96' in height in LI-Light Industrial (max height 70') to install a 15kW horizontal-axis wind-turbine self-supporting lattice tower. The wind-turbine is by right, the additional height triggers the board of adjusment.

Paul Garcia

Print name of property owner or registered agent

Signature of property owner or registered agent

Date September 5, 2025

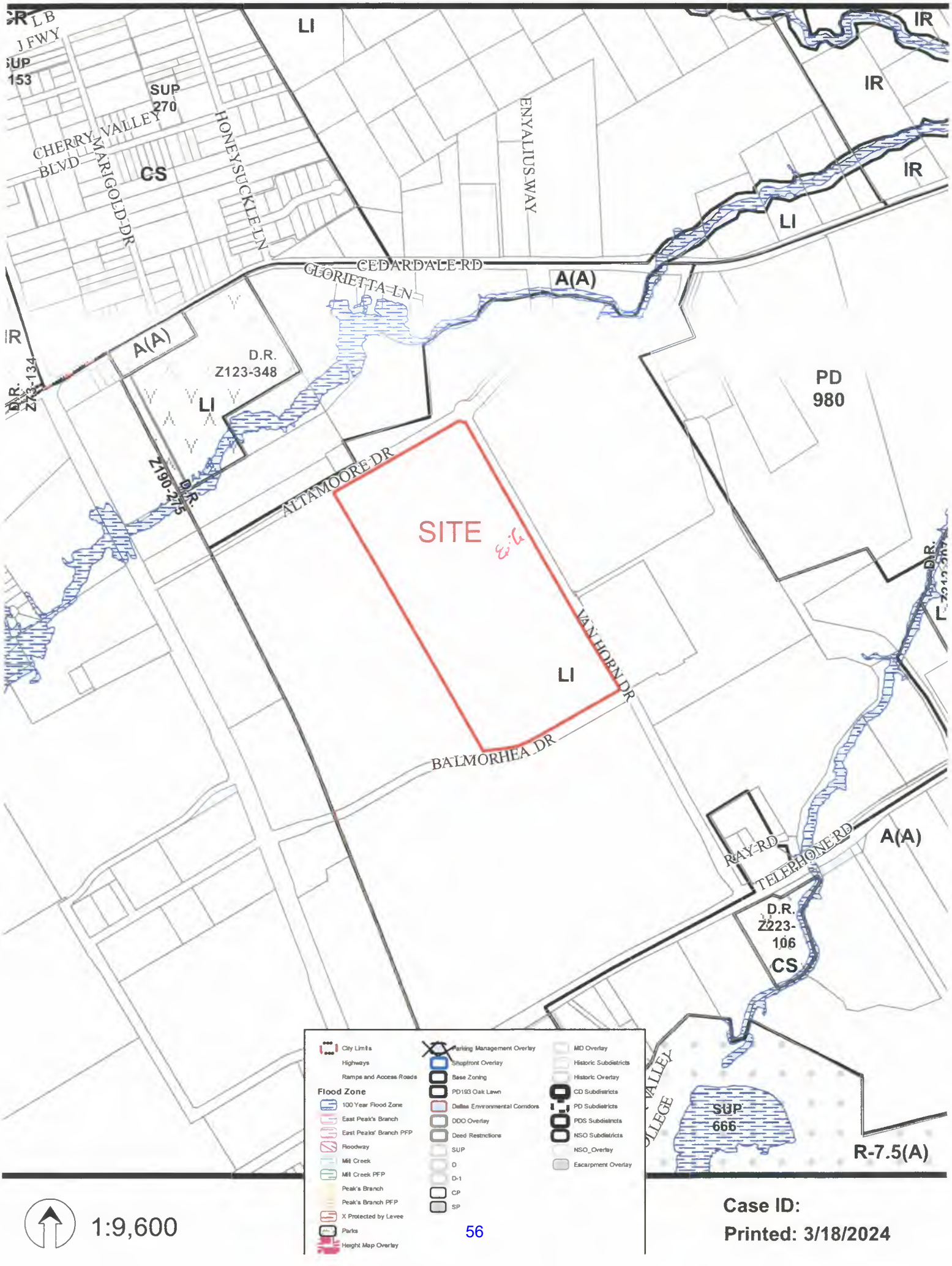
Before me, the undersigned, on this day personally appeared Paul Garcia

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 5 day of September, 2024

MARY BETH ROCHELLE
Notary Public, State of Texas
Comm. Expires 06-17-2025
Notary ID 133161656

Mary Beth Rochelle

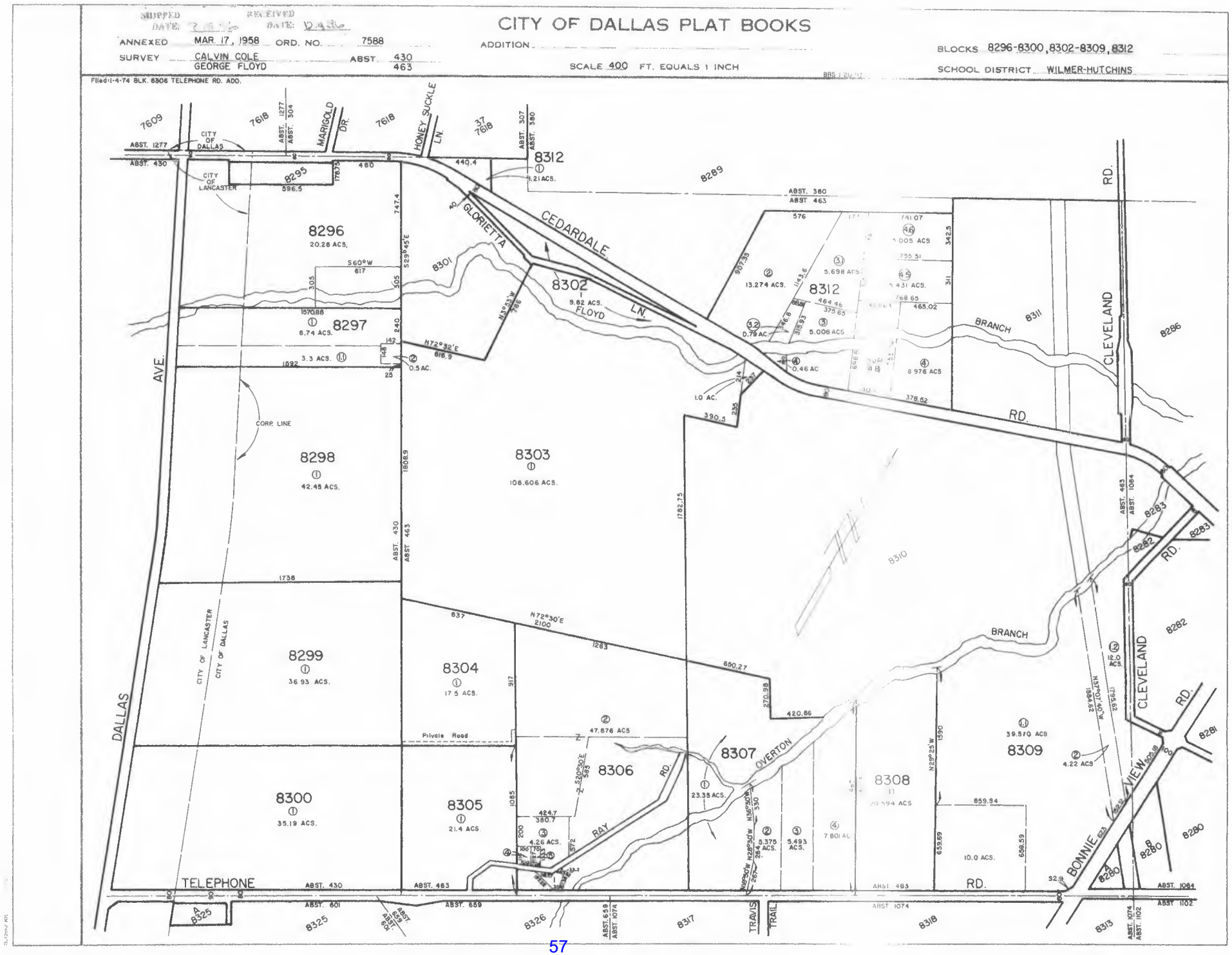
Commission expires on 6-17-2025

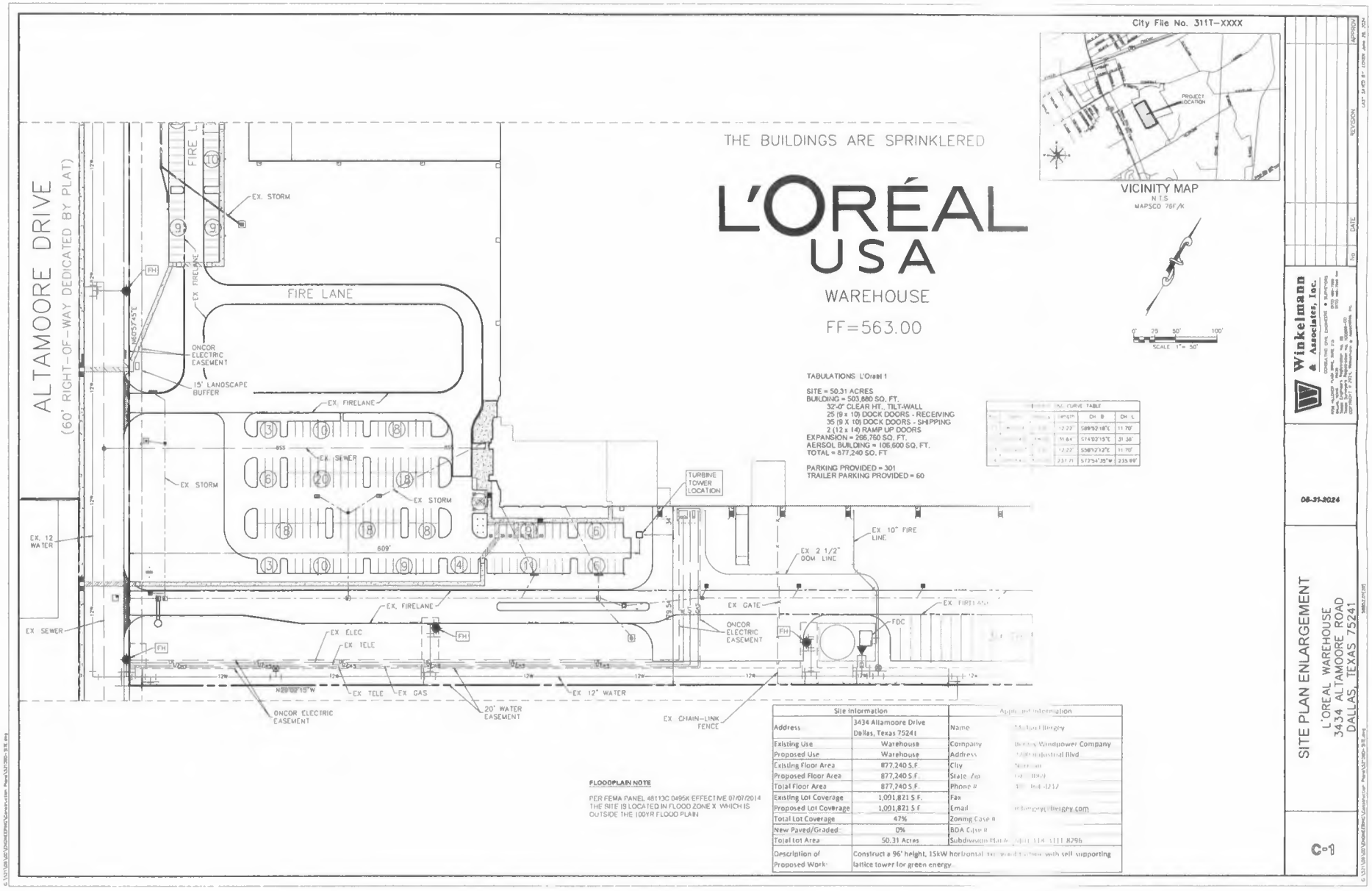


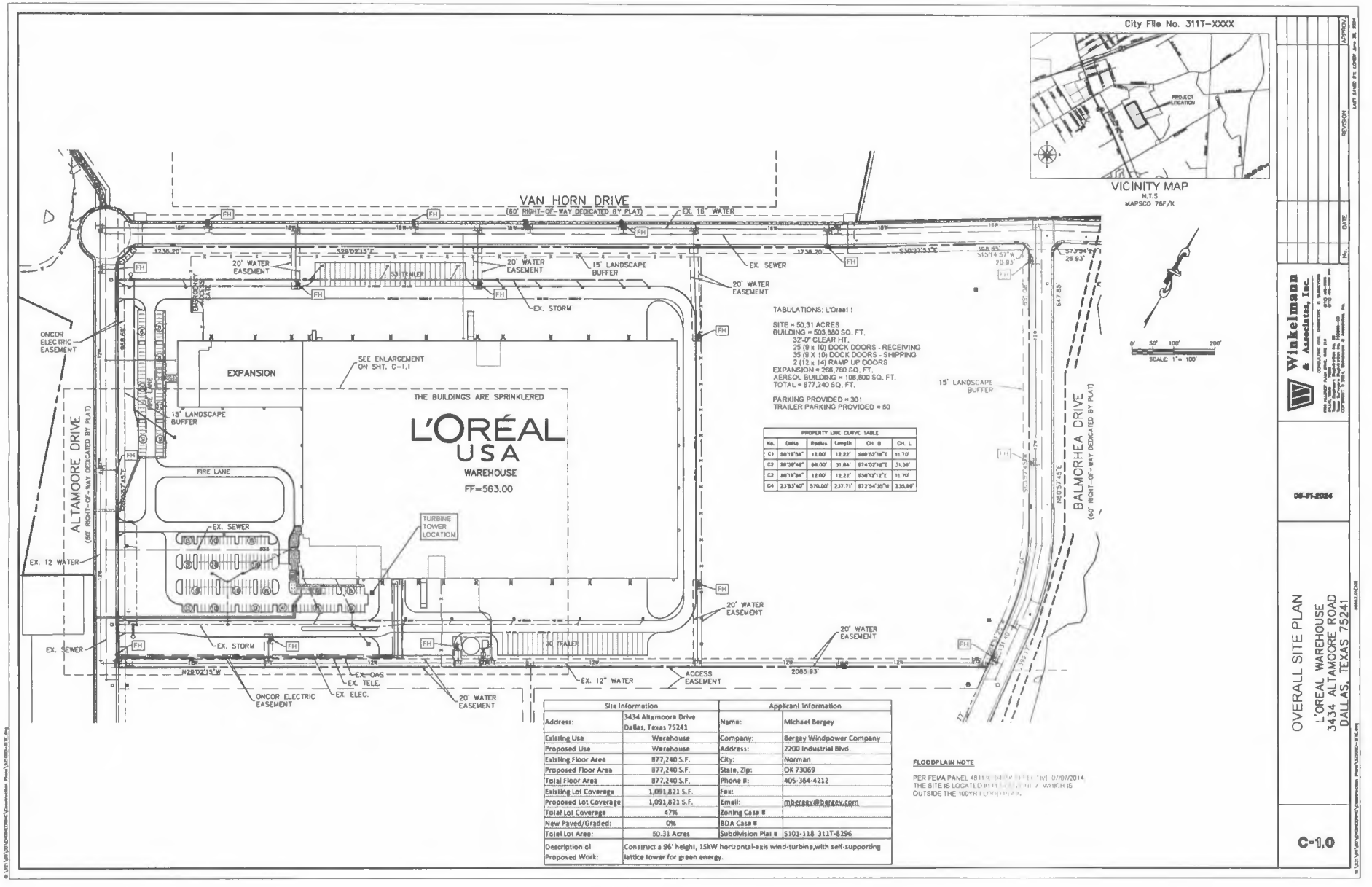
1:9,600

Case ID:

Printed: 3/18/2024


CITY OF DALLAS PLAT BOOKS
ANNEXED MAR. 17, 1958 ORD. NO. 7588
SURVEY CALVIN COLE
GEORGE FLOYD
ABST. 430
463
ADDITION
SCALE 400 FT. EQUALS 1 INCH
BLOCKS 8296-8300, 8302-8309, 8312
SCHOOL DISTRICT WILMER-HUTCHINS
Filed 1-4-74 BLK. 8306 TELEPHONE RD. ADD.
8296
20.28 ACS.
8297
6.74 ACS.
8298
42.45 ACS.
8299
36.93 ACS.
8300
35.19 ACS.
8301
8302
9.82 ACS.
8303
108.606 ACS.
8304
17.5 ACS.
8305
21.4 ACS.
8306
8307
8308
8309
8310
8311
8312
8325
8326
8289
8286
8283
8282
8281
8280
CITY OF DALLAS
CITY OF LANCASTER
CORP. LINE
DALLAS AVE.
MARIGOLD DR.
HONEY SUCKLE LN.
GLORIETTA
CEDARDALE
FLOYD LN.
CLEVELAND RD.
BRANCH
OVERTON RD.
RAY RD.
TELEPHONE RD.
BONNIE VIEW RD.
TRAVIS TRAIL
Private Road


City File No. 311T-XXXX
THE BUILDINGS ARE SPRINKLERED
L'ORÉAL USA
WAREHOUSE
FF=563.00
ALTAMOORE DRIVE
(60' RIGHT-OF-WAY DEDICATED BY PLAT)
FIRE LANE
EX. STORM
EX. FIRELANE
ONCOR ELECTRIC EASEMENT
15' LANDSCAPE BUFFER
EX. SEWER
TURBINE TOWER LOCATION
EX. 12 WATER
EX. 10" FIRE LINE
EX. 2 1/2" DOM LINE
EX. GATE
FDC
EX. ELEC
EX. TELE
EX. GAS
EX. 12" WATER
20' WATER EASEMENT
EX. CHAIN-LINK FENCE
609'
VICINITY MAP
N.T.S.
MAPSCO 78F/K
SCALE 1" = 50'
TABULATIONS: L'Oreal 1
SITE = 50.31 ACRES
BUILDING = 503,880 SQ. FT.
32'-0" CLEAR HT., TILT-WALL
25 (9 x 10) DOCK DOORS - RECEIVING
35 (9 X 10) DOCK DOORS - SHIPPING
2 (12 x 14) RAMP UP DOORS
EXPANSION = 266,760 SQ. FT.
AERSOL BUILDING = 106,600 SQ. FT.
TOTAL = 877,240 SQ. FT
PARKING PROVIDED = 301
TRAILER PARKING PROVIDED = 60
FLOODPLAIN NOTE
PER FEMA PANEL 48113C 0495K EFFECTIVE 07/07/2014 THE SITE IS LOCATED IN FLOOD ZONE X WHICH IS OUTSIDE THE 100YR FLOOD PLAIN
Site Information
Address: 3434 Altamoore Drive Dallas, Texas 75241
Existing Use: Warehouse
Proposed Use: Warehouse
Existing Floor Area: 877,240 S.F.
Proposed Floor Area: 877,240 S.F.
Total Floor Area: 877,240 S.F.
Existing Lot Coverage: 1,091,821 S.F.
Proposed Lot Coverage: 1,091,821 S.F.
Total Lot Coverage: 47%
New Paved/Graded: 0%
Total lot Area: 50.31 Acres
Description of Proposed Work: Construct a 96' height, 15kW horizontal [illegible] with self supporting lattice tower for green energy.
Applicant Information
Name:
Company: Pioneer Windpower Company
Address:
City:
State Zip:
Phone #:
Fax:
Email:
Zoning Case #:
BDA Case #:
Subdivision Plat #:
Winkelmann & Associates, Inc.
08-31-2024
SITE PLAN ENLARGEMENT
L'OREAL WAREHOUSE
3434 ALTAMOORE ROAD
DALLAS, TEXAS 75241
C-1


City File No. 311T-XXXX
VICINITY MAP
N.T.S
MAPSCO 76F/K
PROJECT LOCATION
VAN HORN DRIVE
(60' RIGHT-OF-WAY DEDICATED BY PLAT)
EX. 16" WATER
EX. SEWER
20' WATER EASEMENT
15' LANDSCAPE BUFFER
53' TRAILER
EX. STORM
ONCOR ELECTRIC EASEMENT
EXPANSION
SEE ENLARGEMENT ON SHT. C-1.1
THE BUILDINGS ARE SPRINKLERED
L'ORÉAL USA
WAREHOUSE
FF=563.00
FIRE LANE
TURBINE TOWER LOCATION
ALTAMOORE DRIVE
(60' RIGHT-OF-WAY DEDICATED BY PLAT)
BALMORHEA DRIVE
(60' RIGHT-OF-WAY DEDICATED BY PLAT)
EX. 12 WATER
EX. 12" WATER
ACCESS EASEMENT
EX. OHS
EX. TELE.
EX. ELEC.
TABULATIONS: L'Oreal 1
SITE = 50.31 ACRES
BUILDING = 503,880 SQ. FT.
32'-0" CLEAR HT.
25 (9 x 10) DOCK DOORS - RECEIVING
35 (9 X 10) DOCK DOORS - SHIPPING
2 (12 x 14) RAMP UP DOORS
EXPANSION = 266,760 SQ. FT.
AERSOL BUILDING = 106,800 SQ. FT.
TOTAL = 877,240 SQ. FT.
PARKING PROVIDED = 301
TRAILER PARKING PROVIDED = 80
PROPERTY LINE CURVE TABLE
No. | Delta | Radius | Length | CH. B | CH. L
C1 | 86°16'34" | 18.00' | 13.22' | S49°33'18"E | 11.70'
C2 | 38°38'48" | 66.00' | 31.84' | S74°02'18"E | 31.38'
C3 | 86°16'34" | 18.00' | 13.22' | S36°13'12"E | 11.70'
C4 | 23°33'40" | 570.00' | 237.71' | S72°34'36"W | 235.99'
Site Information
Address: 3434 Altamoore Drive Dallas, Texas 75241
Existing Use: Warehouse
Proposed Use: Warehouse
Existing Floor Area: 877,240 S.F.
Proposed Floor Area: 877,240 S.F.
Total Floor Area: 877,240 S.F.
Existing Lot Coverage: 1,091,821 S.F.
Proposed Lot Coverage: 1,091,821 S.F.
Total Lot Coverage: 47%
New Paved/Graded: 0%
Total Lot Area: 50.31 Acres
Description of Proposed Work: Construct a 96' height, 15kW horizontal-axis wind-turbine,with self-supporting lattice tower for green energy.
Applicant Information
Name: Michael Bergey
Company: Bergey Windpower Company
Address: 2200 Industrial Blvd.
City: Norman
State, Zip: OK 73069
Phone #: 405-364-4212
Fax:
Email: mbergey@bergey.com
Zoning Case #
BDA Case #
Subdivision Plat #: 5101-118 311T-8296
FLOODPLAIN NOTE
PER FEMA PANEL 48113C EFFECTIVE 07/07/2014
THE SITE IS LOCATED OUTSIDE THE 100YR FLOODPLAIN.
Winkelmann & Associates, Inc.
OVERALL SITE PLAN
L'OREAL WAREHOUSE
3434 ALTAMOORE ROAD
DALLAS, TEXAS 75241
08-31-2024
C-1.0

GENERAL NOTES:

1. REF A1.01 FOR SITE INFORMATION
2. REF A6.01 FOR DOOR SCHEDULE & WINDOW TYPES

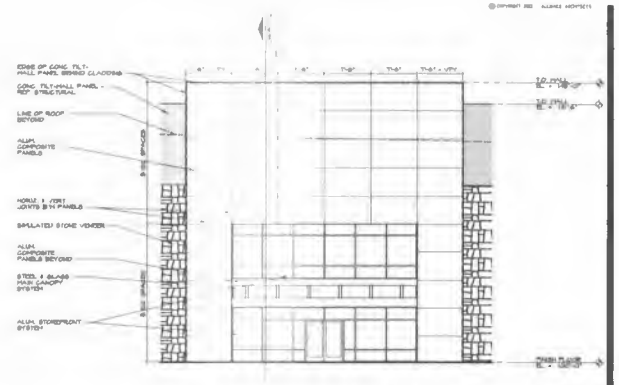
LEGEND:

PAINTED TILT WALL PANEL (TYP.)

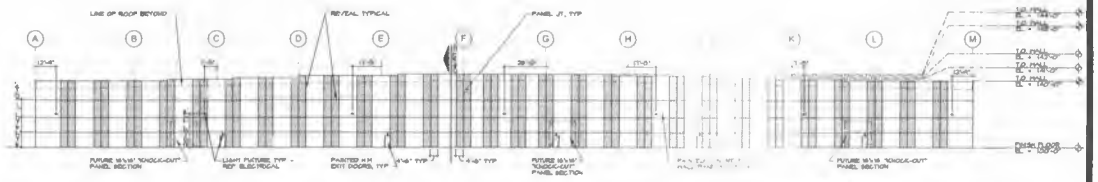
PAINTED TILT-WALL PANEL (TYP.)2

EXTERIOR FINISHES:

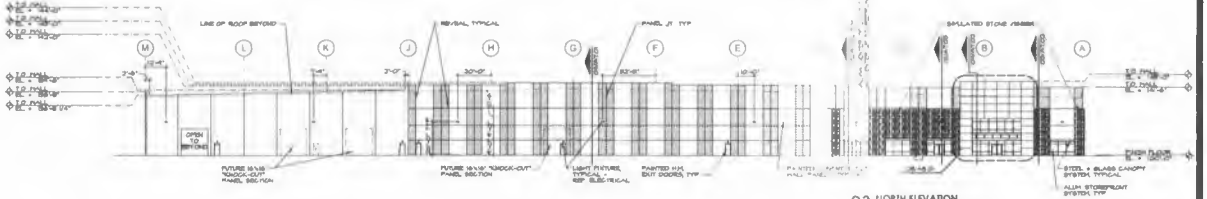
- SPANDREL PLASTER, EIFS (THROUGHOUT U.N.O.) COLOR TO MATCH EIFS
- EXPOSED CONCRETE TILT-WALL, EIFS (THROUGHOUT U.N.O.) COLOR: SHERWIN WILLIAMS SW6006 "FACER WHITE" (OR EQUAL)
- EXPOSED CONCRETE TILT-WALL, EIFS WHERE INDICATED COLOR: SHERWIN-WILLIAMS SW6002 "PRACTICAL BEIGE" (OR EQUAL)
- EXTERIOR ALUM. STOREFRONT DOORS CLEAR ANODIZED
- ALUMINUM COMPOSITE PANELS COLOR: TBD "SILVER METALLIC" BY ALPOLIC (OR EQUAL)
- EXPOSED STEEL DOWNSPOUT W/JACKETS (NON-GALVANIZED) PAINT TO MATCH ADJACENT CONC. PANEL
- GLAZING GRAY TINTED
- SIMULATED STONE VENEER LEDGESTONE BOULDER "BLACK STACK TEXAS GOLD GREEN" BY CORONADO STONE (OR EQUAL)
- GUTTERS, DOWNSPOUTS, COPINGS PREFINISHED SHT. MTL. - COLOR: TO BE SELECTED
- EXTERIOR H.M. DOORS / FRAMES PAINT TO MATCH ADJACENT TILT WALL
- SEALANTS & MORTARS COLORS TBD FROM MANUFACTURER'S FULL COLOR RANGE



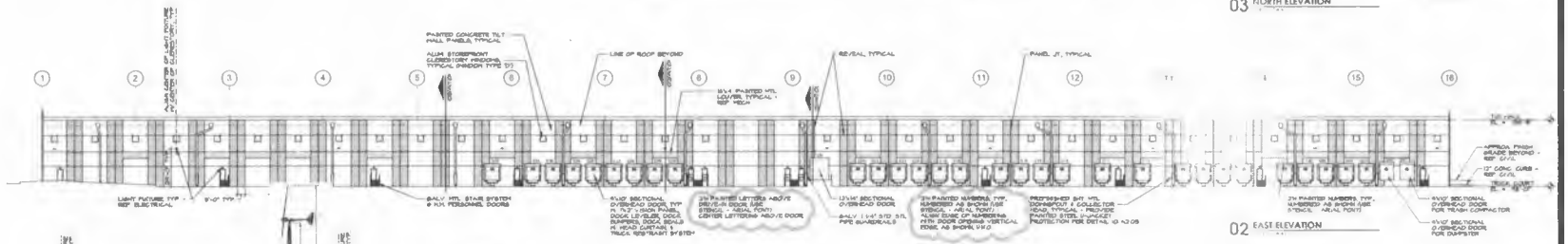
05 MAIN ENTRY ELEVATION



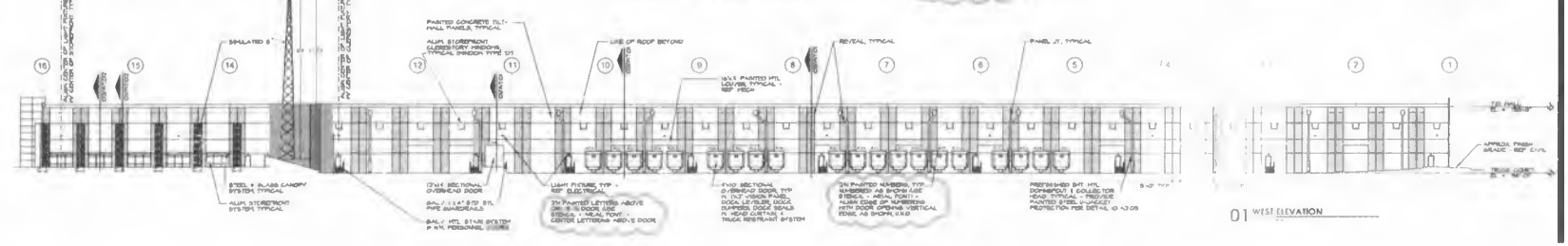
04 SOUTH ELEVATION



03 NORTH ELEVATION



02 EAST ELEVATION



01 WEST ELEVATION

ALLIANCEARCHITECTS

L'ORÉAL USA

RIDGE PROPERTY TRUST

EXTERIOR ELEVATIONS

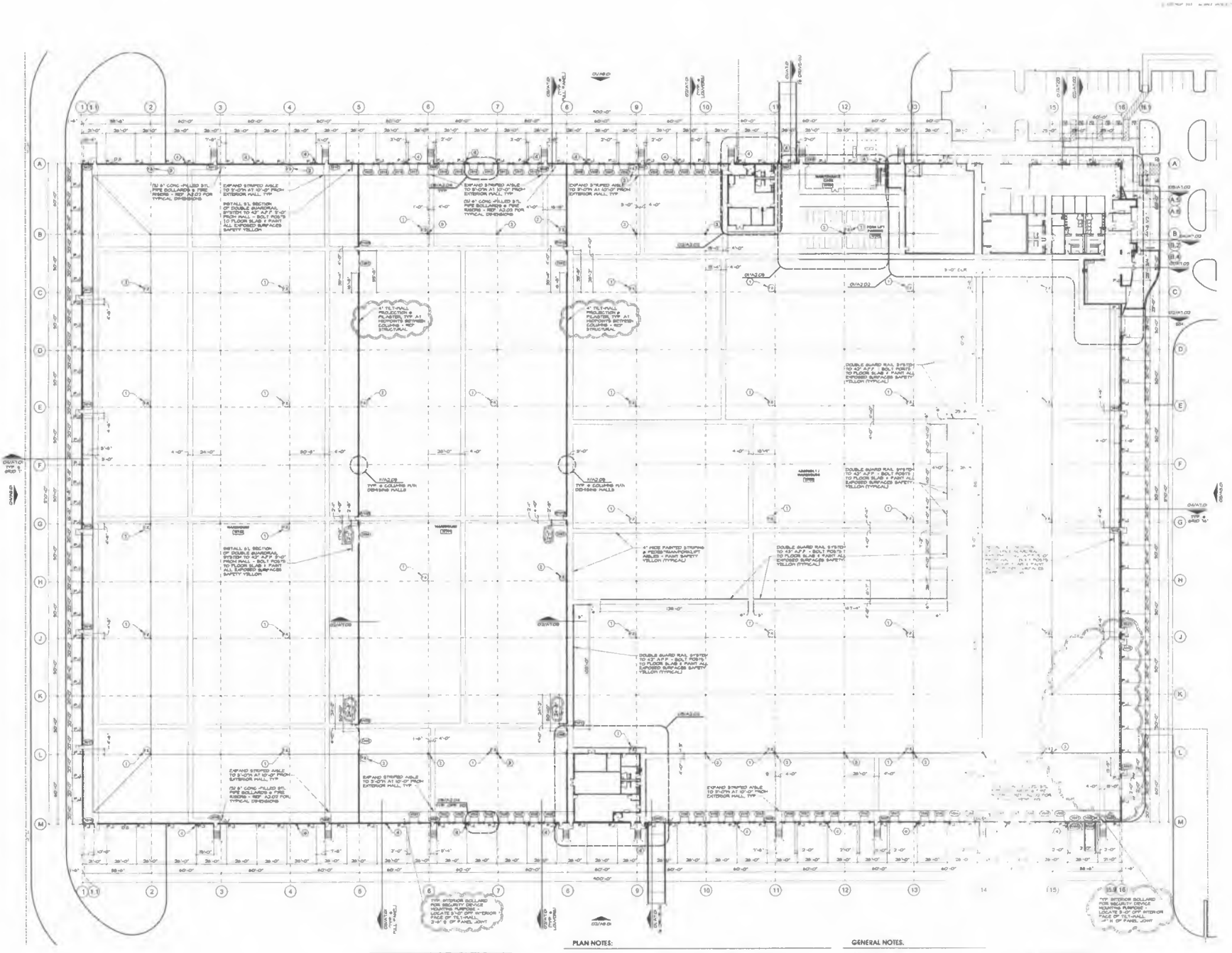
REVISIONS:

CCD #002 MARCH 11, 2013	
CCD #004 JULY 12, 2013	
CCD #005 OCTOBER 8, 2013	

PROJECT NO.. 12185

A5.01

DATE: DEC 17 2012



PLAN NOTES:

1. FIRE EXTINGUISHER (ATTACH TO COLUMN IN APPROPRIATE BRACKET) - PAINT ENTIRE COLUMN FIRE RED
2. FIRE EXTINGUISHER (ATTACH TO WALL IN APPROPRIATE BRACKET)
3. LOW-DENSITY POLYETHYLENE COLUMN PROTECTION TO 42" A.F.F.
4. PAINTED STEEL U-NICHE PROTECTION @ TRUCK COURT LEVEL DOWNSPOUTS - REF 10/A2.09

GENERAL NOTES:

1. REF A1.01 FOR SITE INFORMATION
2. REF A8.01 FOR DOOR SCHEDULE
3. F.J. - PANEL JOINT - REF 08/A2.09

NOTE: COORDINATE WITH OWNER-PROVIDED CONTRACTOR IN VERIFYING PRE-SPRINKLER WATER DETENTION VOLUME REQUIREMENT IS ACHIEVED - REF STRUCT'L FOR VOLUME REQUIREMENT

01 OVERALL FLOOR PLAN
SCALE: 1/64" = 1'-0"

ALLIANCEARCHITECTS

14001 N. Dallas Blvd. Suite 1000
Dallas, Texas 75240
(972) 233-0400
Fax: (972) 233-7399

L'ORÉAL USA

RIDGE PROPERTY TRUST

OVERALL FLOOR PLAN

REVISIONS:

CCD #008 APRIL 10, 2013

CCD #004 JULY 13, 2012

PROJECT NO.: 12185

A2.01

DATE: DEC. 17, 2012

Elsie Thurman

To: Michael Bergey; albin.kneggs@dallascityhall.com
Cc: Nora.Castaneda@dallas.gov; ORSINI Brian
Subject: RE: Electrical Certifications for Bergey 15 kW wind turbine proposed for L'Oréal, 3434 Altamoore Dr.

From: Michael Bergey <mbergey@bergey.com>
Sent: Thursday, June 13, 2024 10:28 AM
To: albin.kneggs@dallascityhall.com
Cc: Nora.Castaneda@dallas.gov; Elsie Thurman <elsie.thurman@landdevsolutions.com>; ORSINI Brian <brian.orsini@loreal.com>
Subject: Electrical Certifications for Bergey 15 kW wind turbine proposed for L'Oréal, 3434 Altamoore Dr.

Dear Mr. Kneggs,

I have attached specification sheets for the Bergey Excel 15 wind turbine and its Powersync 25 inverter.

The Powersynce 25 inverter is Certified to UL 1741 by Intertek. The listing label is shown on the specification sheet. The Intertek listing is at https://ramuk.intertekconnect.com/webclients/its/dlp/products.nsf/4c8700f3b75987a08525777700583333/18ed9ce20c42ce6986258a010052a473?OpenDocument

The wind turbine is certified to AWEA 9.1-2009 but is not listed to UL 6142. That certification is in process and may be completed before the L'Oreal system is installed. If it is not, we would propose a field evaluation by a NRTL. We have done this for Excel 15's installed in Minnesota.

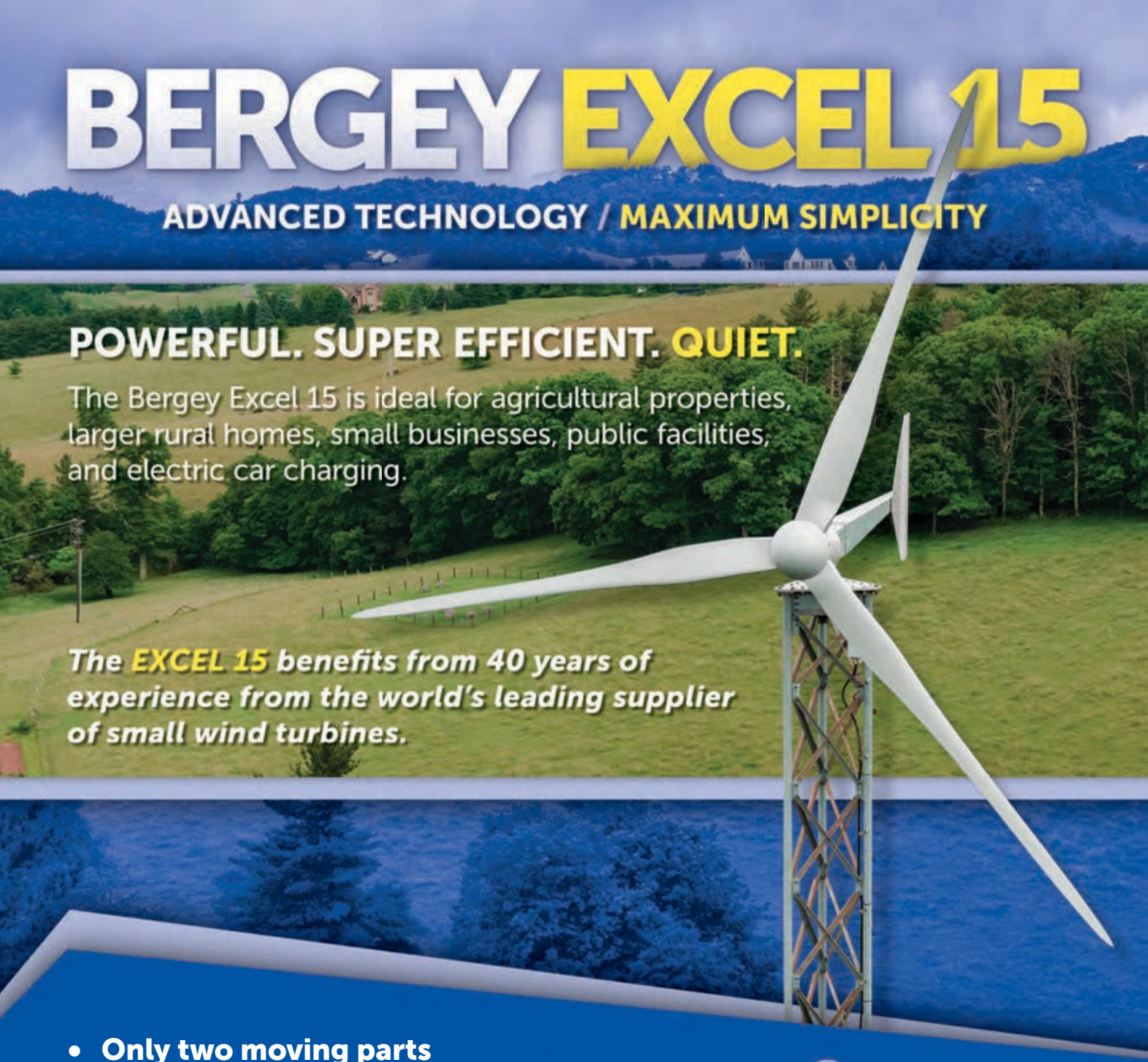
Please let me know if you have any other questions or concerns.

Best Regards,

Mike Bergey
President & CEO
Bergey Windpower Co.
2200 Industrial Blvd.
Norman, OK USA
Tel: 405-364-4212
E-mail: mbergey@bergey.com
Web: www.bergey.com

BERGEY EXCEL 15

ADVANCED TECHNOLOGY / MAXIMUM SIMPLICITY



POWERFUL. SUPER EFFICIENT. QUIET.

The Bergey Excel 15 is ideal for agricultural properties, larger rural homes, small businesses, public facilities, and electric car charging.

The EXCEL 15 benefits from 40 years of experience from the world's leading supplier of small wind turbines.

- **Only two moving parts**
- **No scheduled maintenance required**
- **Direct-drive alternator**
- **Active speed control**
- **Certified for tax credit approval**
- **Carbon fiber blades**
- **HD galvanized steel structure**



PROUDLY MADE IN THE USA

BERGEY WINDPOWER

2200 INDUSTRIAL BLVD, NORMAN, OK 73069 • 405.364.4212 • BERGEY.COM • SALES@BERGEY.COM

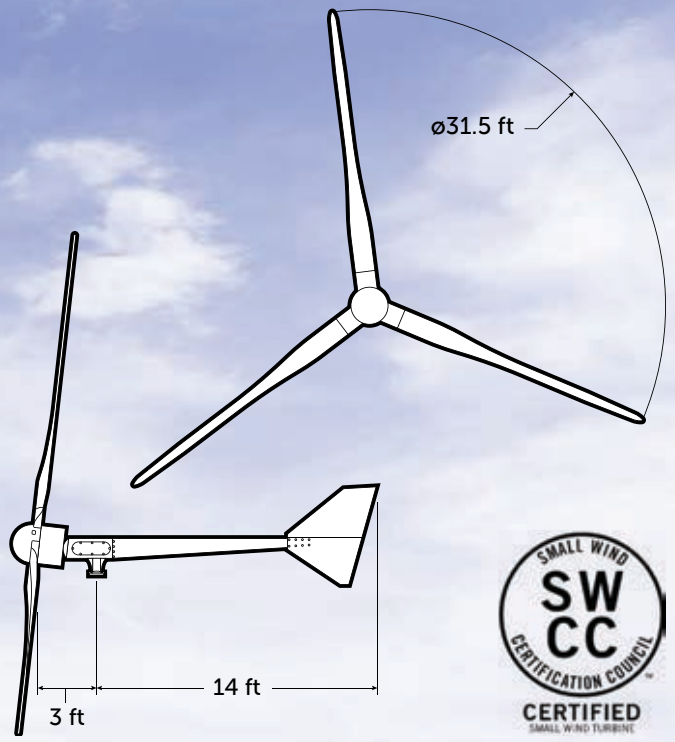
BERGEY EXCEL 15

PERFORMANCE:

- AWEA RATED POWER: 15.6 kW
- AWEA ANNUAL ENERGY: 29,800 kW
- PEAK POWER: 20.6 kW
- CUT-IN WIND SPEED: 7 mph (3 m/s)
- START-UP WIND SPEED: 10 mph (4.5 m/s)
- CUT-OUT WIND SPEED: None
- MAX DESIGN WIND SPEED: 134 mph (60 m/s)
- ROTOR SPEED: 0-140 rpm

SPECIFICATIONS:

- ROTOR DIAMETER: 31.5 ft (9.6 m)
- WEIGHT: 1,400 lbs (640 kg)
- GEARBOX: None
- ACTIVE SPEED CONTROL
- TEMPERATURE RANGE: -40/140° F (-40/60° C)
- TOWERS: Guyed and Non-guyed 80-160 ft (18-49 m)
- INVERTER: 20 kW Powersync 25 (UL-1741 Certified)



SMALL WIND SWCC CERTIFICATION COUNCIL CERTIFIED SMALL WIND TURBINE

INFLATION REDUCTION ACT OF 2022

- 40% investment tax credit through 2032
- 5-year MACRS depreciation (or Sec. 179)
- USDA grants for rural businesses, farms, and ranches, of up to 50% of the project
- Commercial tax credit is transferrable

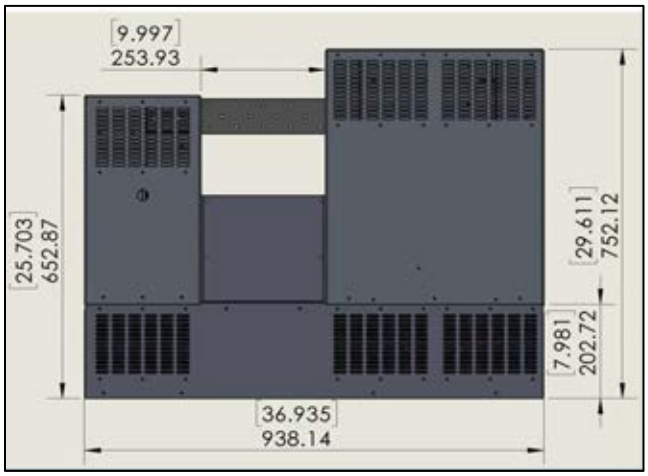
Current federal incentives can pay up to 90%+ of cost!





Powersync 25 Inverter





The Powersync 25 is an advanced power conversion system using high-speed Silicon-Carbide switching technology to provide ultra-clean alternating current (AC) output for the Bergey Excel 15 wind turbine. It is certified to UL 1741 and has a peak efficiency of 97%. The inverter is also available for 230 VAC, 1P, 50 Hz. The Powersync 25 is built under license from Intergrid.



BUILT USA

INVERTER SPECIFICATIONS

Input – From Turbine

Input Voltage Maximum (3 Phase Input)	480 VAC
Input Start Voltage Minimum	270 VAC
Input Operating Voltage Range	270 to 480 VAC
Input Frequency Maximum	47 Hz
Input Current Maximum	34 Amps

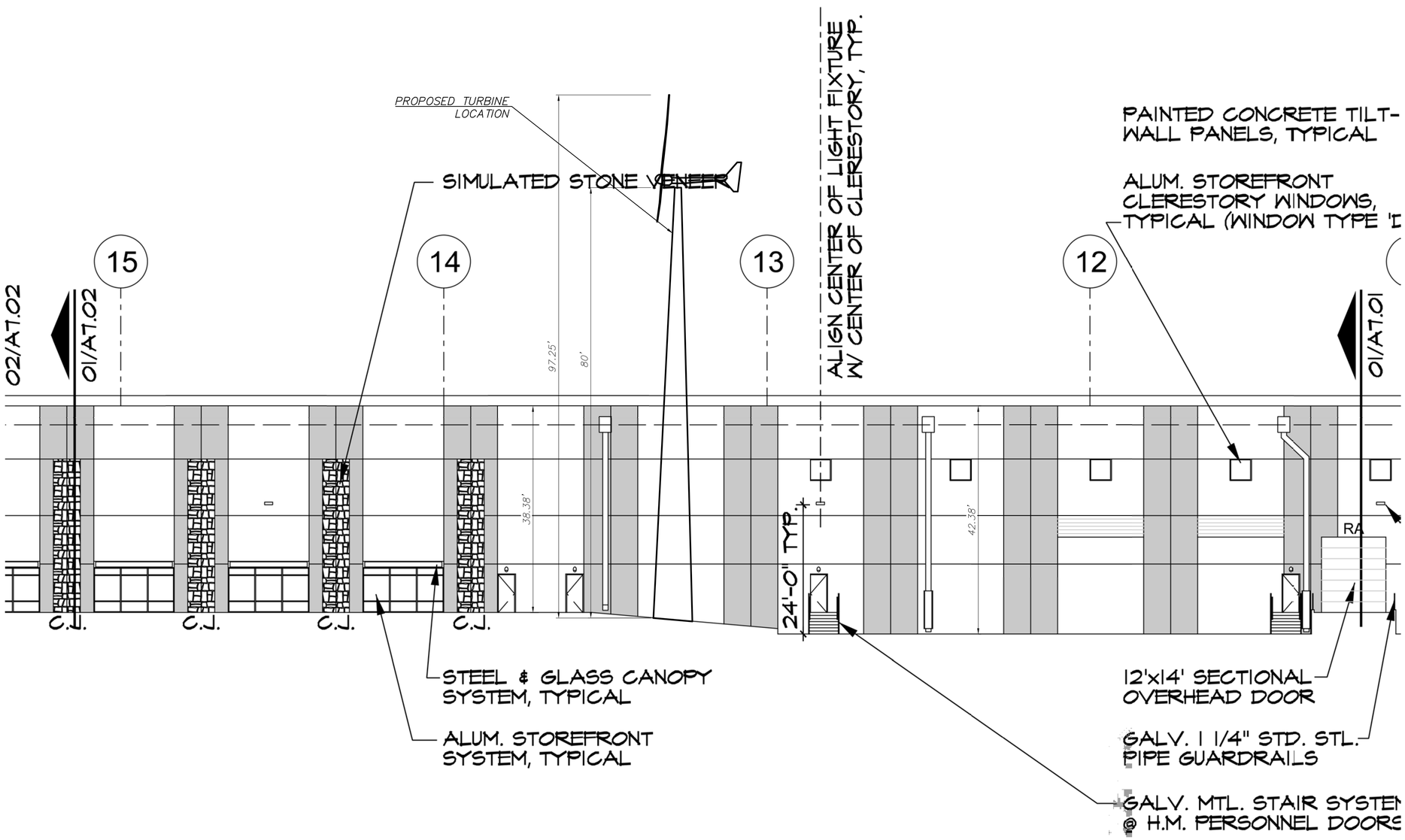
Output – To Utility

Model	IG20-240-2
Continuous Output Power Maximum	21.1 kW
Continuous Output Power Tolerance	±10%
Output Voltage Nominal (Single Phase) Line-Line	240 VAC
Operating Voltage Range Line-Line	212-264
Output Voltage Nominal (Single Phase) Line-Neutral	120 VAC
Operating Voltage Range Line-Neutral	106-132 VAC
Continuous Output Current Maximum	80 Amps
Output Current Tolerance	105 Amps peak
Voltage Measurement Tolerance	± 1%
Operating Frequency Nominal	60 Hz
Operating Frequency Range	59.3 to 60.3 Hz
Operating Frequency Measurement Tolerance	± 0.05 Hz
Output Power Factor	1.00 ± 5%
Temperature Range Normal Operation	-4°F to 113°F (-20°C to 45°C)
Output Over-Current Protection Maximum	100 Amps
Synchronization In-Rush Current Maximum	10 Amps
Utility Interconnection Trip Time	various, see chart
Time Measurement Tolerance	2 Cycles ± 32 msec

A. Other Specifications

Dimensions	see drawing
Weight	153 lbs. / 64 Kg
Enclosure	NEMA Type 1

NEMA 1 indicates that the enclosure is constructed for indoor use only. It provides protection to personnel against incidental contact with the enclosed equipment.



N
W
E
S

0 10' 20'
SCALE: 1" = 10'

No.	DATE	REVISION	APPROV.

LAST SAVED BY: LOKEN May 23, 2024

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
4784 HALDEMAN PLACE, SUITE 215
DALLAS, TEXAS 75230 (972) 490-1999
Texas Engineers Registration No. F-2609
Texas Surveyors Registration No. 100866-00

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05-31-2024

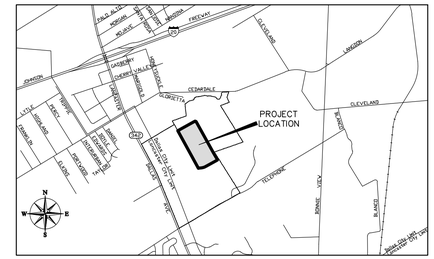
WEST ELEVATION VIEW
WITH TURBIME
L'OREAL WAREHOUSE
3434 ALTAMOORE ROAD
DALLAS, TEXAS 75241

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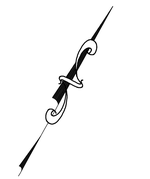
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City File No. 311T–XXXX



VICINITY MAP
N.T.S
MAPSCO 76F/K



0' 50' 100' 200'
SCALE: 1"= 100'

VAN HORN DRIVE
(60' RIGHT–OF–WAY DEDICATED BY PLAT)

EX. 16" WATER

EX. SEWER

20' WATER EASEMENT

15' LANDSCAPE BUFFER

EX. STORM

ONCOR ELECTRIC EASEMENT

EMERGENCY ACCESS GATE

53 TRAILER

SEE ENLARGEMENT ON SHT. C-1.1

EXPANSION

THE BUILDINGS ARE SPRINKLERED

L'ORÉAL USA

WAREHOUSE

FF=563.00

FIRE LANE

TURBINE TOWER LOCATION

EX. 12 WATER

EX. GAS

EX. TELE.

EX. ELEC.

30 TRAILER

ACCESS EASEMENT

2085.93'

ALTAMOORE DRIVE
(60' RIGHT–OF–WAY DEDICATED BY PLAT)

BALMORHEA DRIVE
(60' RIGHT–OF–WAY DEDICATED BY PLAT)

TABULATIONS: L'Oreal 1

SITE = 50.31 ACRES
BUILDING = 503,880 SQ. FT.
32'-0" CLEAR HT.
25 (9 x 10) DOCK DOORS - RECEIVING
35 (9 X 10) DOCK DOORS - SHIPPING
2 (12 x 14) RAMP UP DOORS
EXPANSION = 266,760 SQ. FT.
AERSOL BUILDING = 106,600 SQ. FT.
TOTAL = 877,240 SQ. FT.

PARKING PROVIDED = 301
TRAILER PARKING PROVIDED = 60

PROPERTY LINE CURVE TABLE

No.	Delta	Radius	Length	CH. B	CH. L
C1	58°19'54"	12.00'	12.22'	S89°52'18"E	11.70'
C2	26°39'49"	68.00'	31.64'	S74°02'15"E	31.36'
C3	58°19'54"	12.00'	12.22'	S58°12'12"E	11.70'
C4	23°53'40"	570.00'	237.71'	S72°54'35"W	235.99'

Site Information		Applicant Information	
Address:	3434 Altamoore Drive Dallas, Texas 75241	Name:	Michael Bergey
Existing Use	Warehouse	Company:	Bergey Windpower Company
Proposed Use	Warehouse	Address:	2200 Industrial Blvd.
Existing Floor Area	877,240 S.F.	City:	Norman
Proposed Floor Area	877,240 S.F.	State, Zip:	OK 73069
Total Floor Area	877,240 S.F.	Phone #:	405-364-4212
Existing Lot Coverage	1,091,821 S.F.	Fax:	
Proposed Lot Coverage	1,091,821 S.F.	Email:	mbergey@bergey.com
Total Lot Coverage	47%	Zoning Case #	
New Paved/Graded:	0%	BDA Case #	
Total Lot Area:	50.31 Acres	Subdivision Plat #	S101-118 311T-8296
Description of Proposed Work:	Construct a 96' height, 15kW horizontal-axis wind-turbine,with self-supporting lattice tower for green energy.		

FLOODPLAIN NOTE

PER FEMA PANEL 48113C 0495K EFFECTIVE 07/07/2014, THE SITE IS LOCATED IN FLOOD ZONE X, WHICH IS OUTSIDE THE 100YR FLOOD PLAIN.

No.	DATE	REVISION	APPROV.

LAST SAVED BY: LOKEN June 28, 2024

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
4784 HALDEMAN PLACE, SUITE 215
DALLAS, TEXAS 75230
Texas Engineers Registration No. F-00866–00
Texas Surveyors Registration No. 100866–00
(972) 490–1999 FAX

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05-31-2024

OVERALL SITE PLAN
L'OREAL WAREHOUSE
3434 ALTAMOORE ROAD
DALLAS, TEXAS 75241

58852.01(20)

C-1.0

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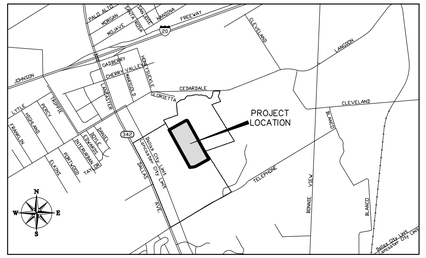
City File No. 311T–XXXX

THE BUILDINGS ARE SPRINKLERED

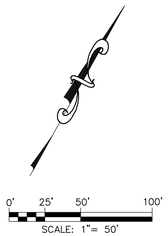
L'ORÉAL USA

WAREHOUSE

FF=563.00



VICINITY MAP
N.T.S
MAPSCO 76F/K



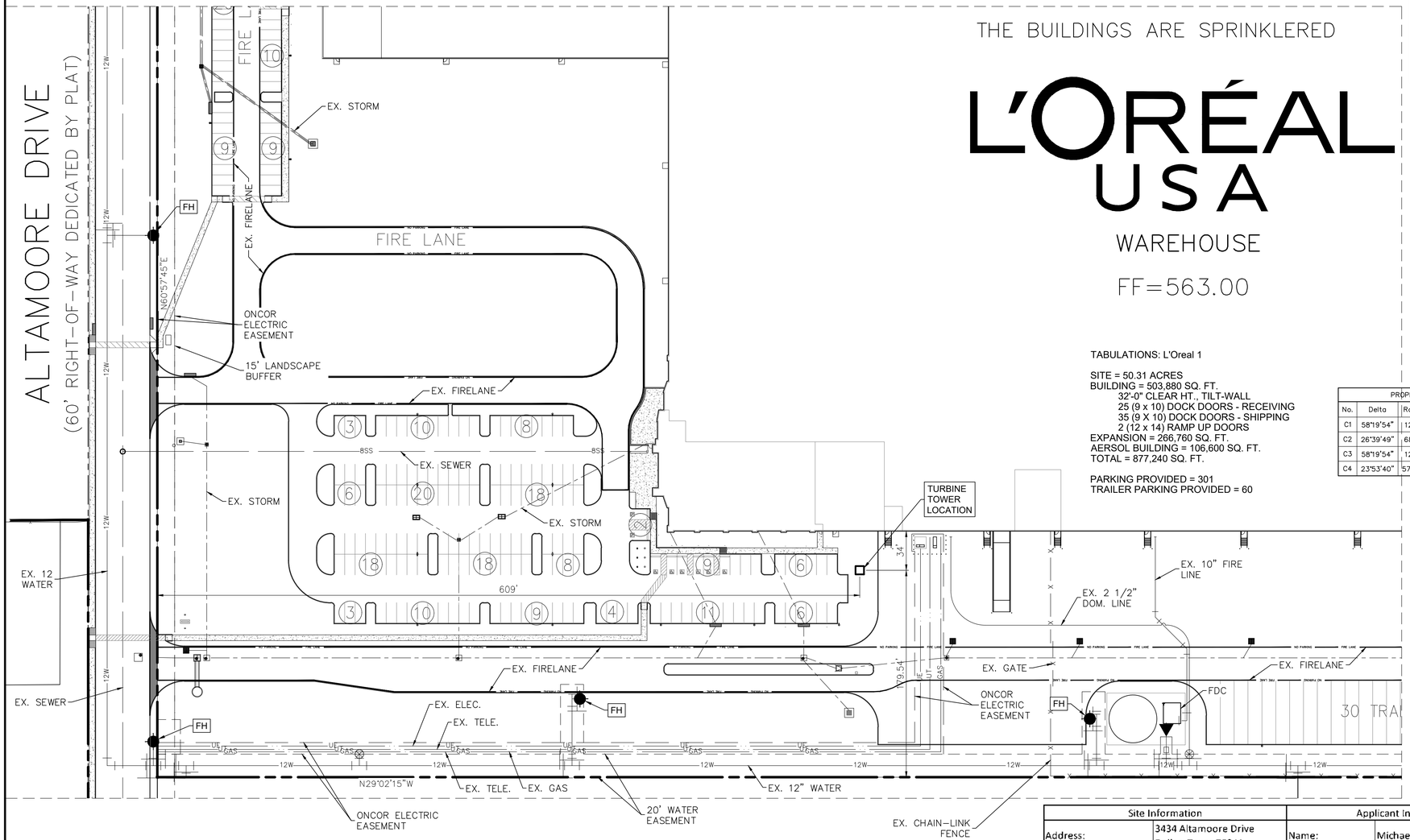
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FLOODPLAIN NOTE

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Address:	3434 Altamoore Drive Dallas, Texas 75241	Name:	Michael Bergey
Existing Use	Warehouse	Company:	Bergey Windpower Company
Proposed Use	Warehouse	Address:	2200 Industrial Blvd.
Existing Floor Area	877,240 S.F.	City:	Norman
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Description of Proposed Work:	Construct a 96' height, 15kW horizontal-axis wind-turbine,with self-supporting lattice tower for green energy.		

No.	DATE	REVISION	APPROV.

LAST SAVED BY: LOKEN June 28, 2024

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
2727 ALLEN PARKWAY, SUITE 215
HOUSTON, TEXAS 77019
(972) 490-1999 FAX
4784 HALDIMEE PLACE
DALLAS, TEXAS 75230
Texas Engineers Registration No. F-2386
Texas Surveyors Registration No. 100866-00

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05-31-2024

SITE PLAN ENLARGEMENT
L'OREAL WAREHOUSE
3434 ALTAMOORE ROAD
DALLAS, TEXAS 75241

58852.01(20)

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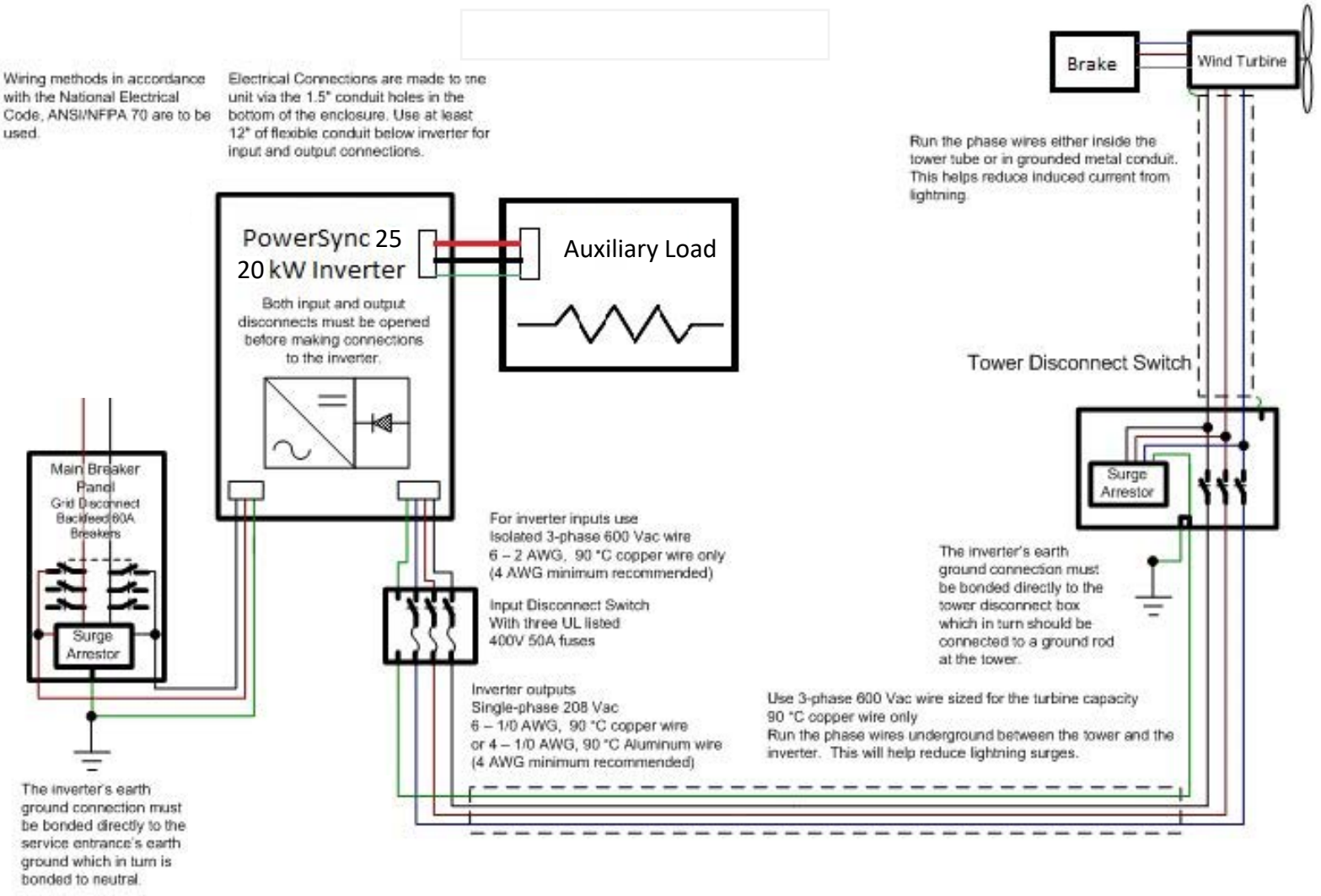
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Excel 15 Wind Turbine for the L'Oreal Distribution Facility, Dallas, TX



Electrical Plan

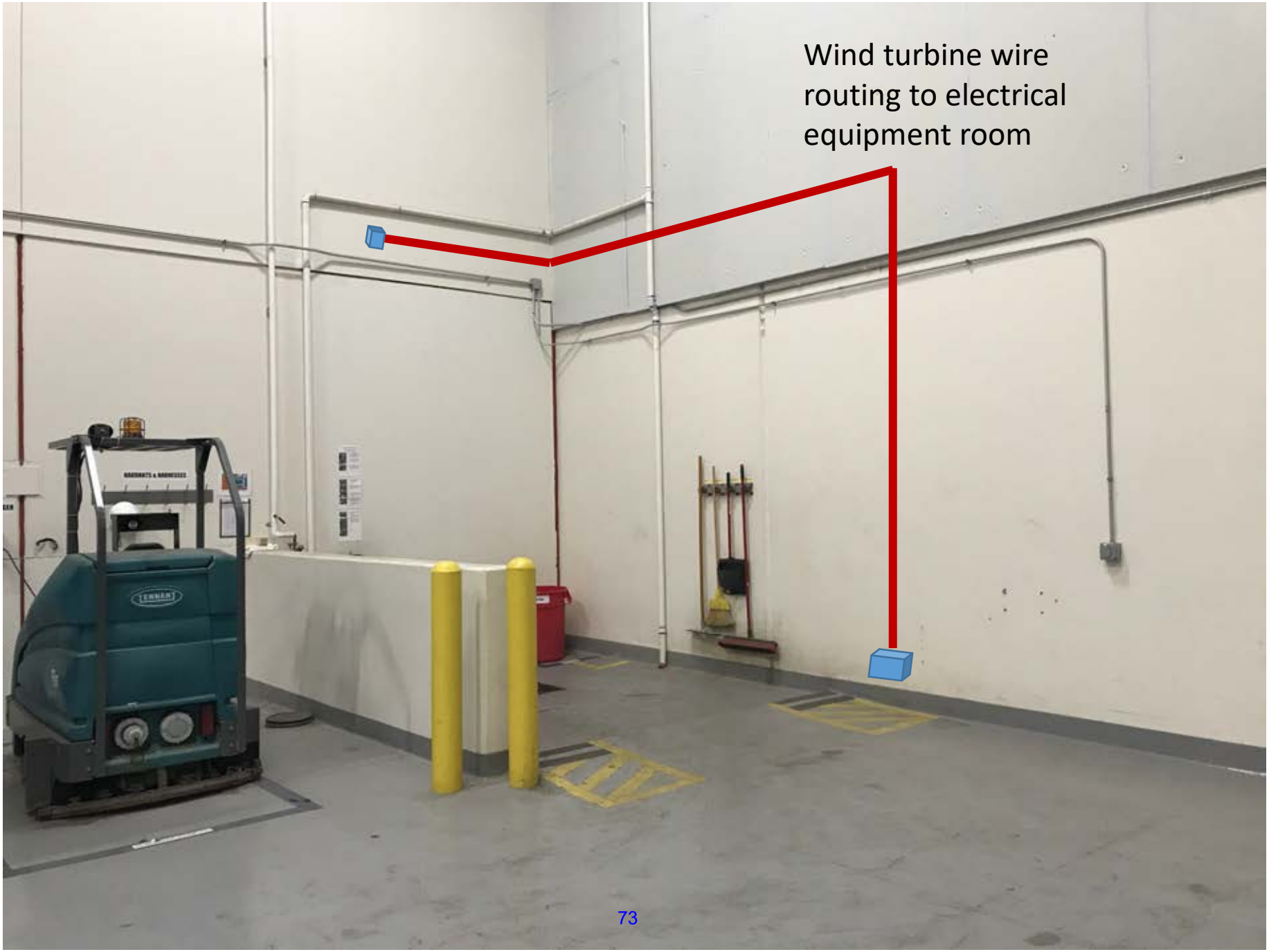
208 VAC, 1P Electrical Schematic
Bergey Excel 15 Turbine and Powersync 25 Inverter



Surge arrestors are not required but are recommended. No lightning protection system provides complete protection. Lightning damage is not covered under your warranty. Contact your distributor or DTI for application specific lightning surge suppression solutions.


Site for Excel 15
on 80 ft. SSL tower




Wind turbine wire routing to electrical equipment room

Ceiling of Electrical Room





Electrical Room



FILE NUMBER: BDA234-138 (BT)

BUILDING OFFICIAL'S REPORT: Application of Larry Paschall for **(1)** a special exception to the 20-foot visibility obstruction regulations, at driveway approaches, and for **(2)** a special exception to the 20-foot visibility obstruction regulations at driveway approaches at **1415 CORTO DR.** This property is more fully described as Block 8/5331, Lot 14, and is zoned R-10(A), which requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a residential fence structure in a required 20-foot visibility obstruction triangle at driveway #1, which will require **(1)** a special exception to the visibility obstruction regulations, and to construct and/or maintain a residential fence structure in a required 20-foot visibility obstruction triangle at driveway #2, which will require **(2)** a special exception to the visibility obstruction regulations.

LOCATION: 1415 Corto Dr.

APPLICANT: Larry Paschall

REQUEST:

(1) A request for a special exception to the 20-foot visibility obstruction regulations at the driveway #1 along Hermosa Dr.; and
(2) A request for a special exception to the 20-foot visibility obstruction regulations at the driveway #2 along Hermosa Dr.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, **the special exception will not constitute a traffic hazard.**

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	R-10(A)
North:	R-10(A)
East:	R-10(A)
South:	R-10(A)
West:	R-10(A)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Larry Paschall for the property located at 1415 Corto Dr. focuses on two requests relating to the visual obstruction regulations.
- The first request is for a special exception to 20-foot visibility obstruction triangle at the drive approach #1 along Hermosa Dr.
- Secondly, the applicant is requesting a special exception to 20-foot visibility obstruction triangle at the drive approach #2 along Hermosa Dr.
- The subject site and surroundings properties to the north, south, east, and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing fencing and gates along Hermosa Dr.
- The Engineering Division has no objections to the proposed 15' x 15' encroachment to the visibility triangle at the alley along Hermosa Dr.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence height and visual obstruction regulations will not adversely affect the neighboring properties nor constitute a traffic hazard.
- Granting the special exceptions to the visual obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:

Timeline:

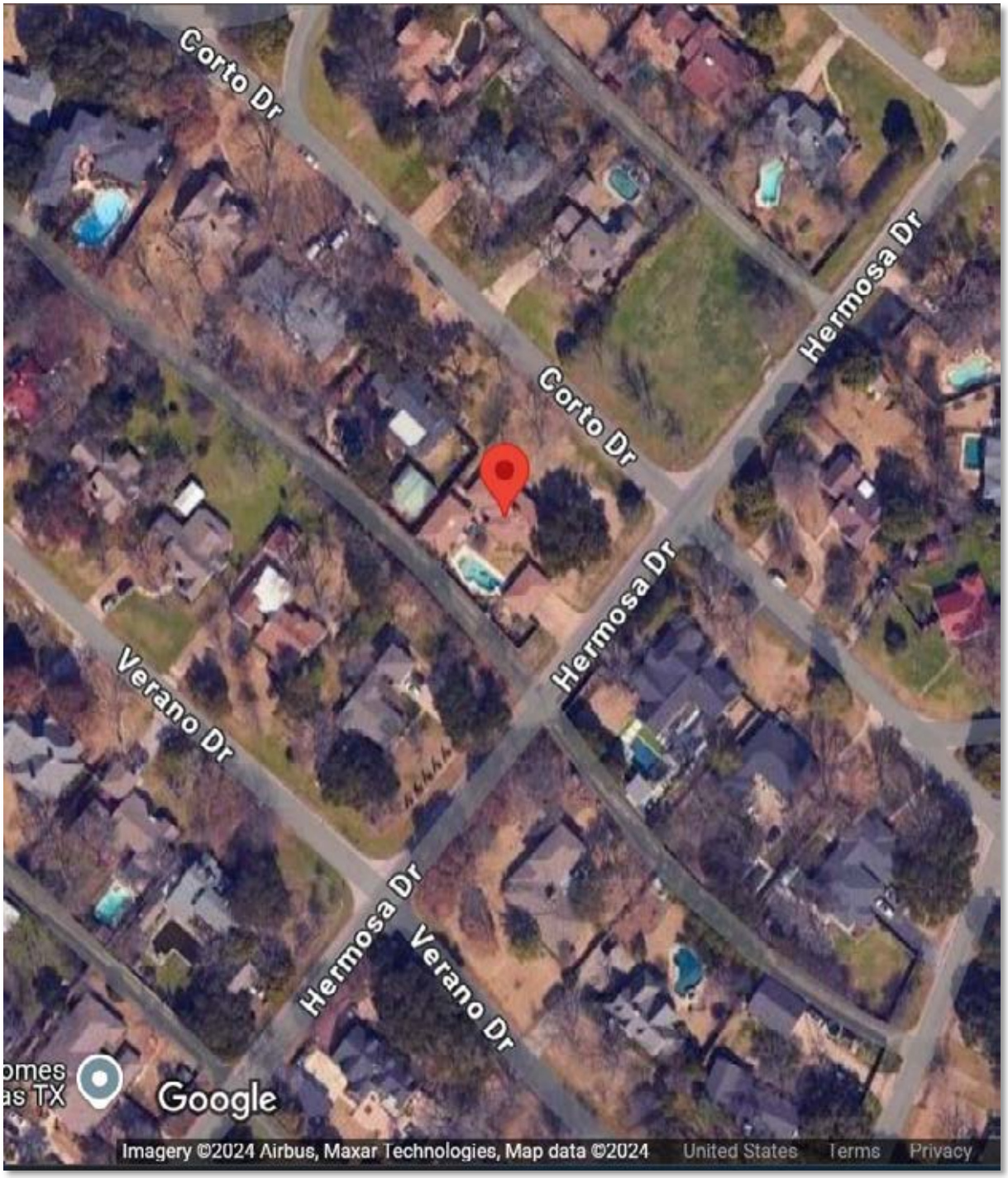
October 1, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

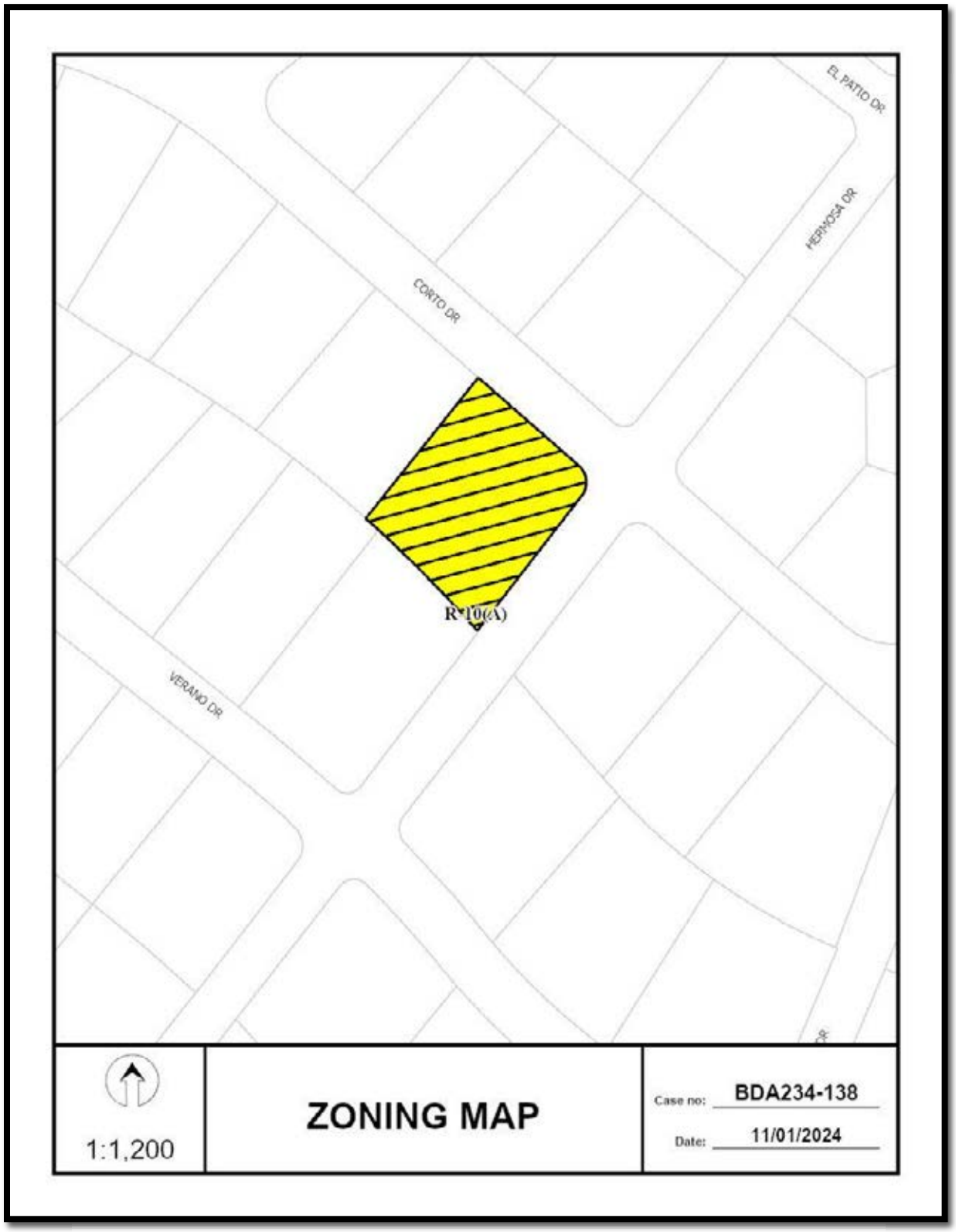
October 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

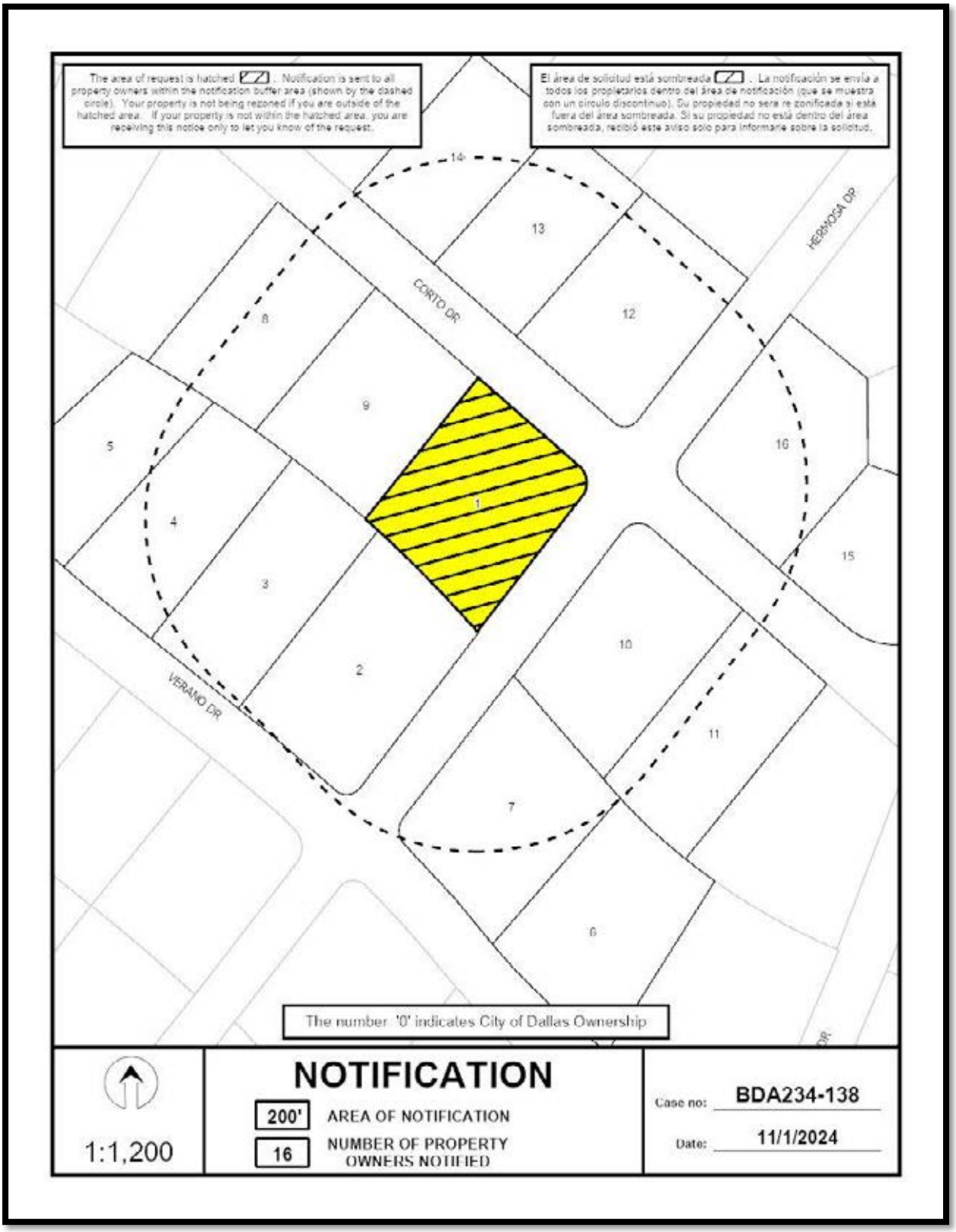
- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.



1:1,200	AERIAL MAP	Case no: BDA234-138 Date: 11/01/2024


EL PATIO DR
HERMOSA DR
CORTO DR
R-10(A)
VERANO DR
1:1,200
ZONING MAP
Case no: BDA234-138
Date: 11/01/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
CORTO DR
HERMOSA DR
VERANO DR
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
16
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: BDA234-138
Date: 11/1/2024

11/01/2024

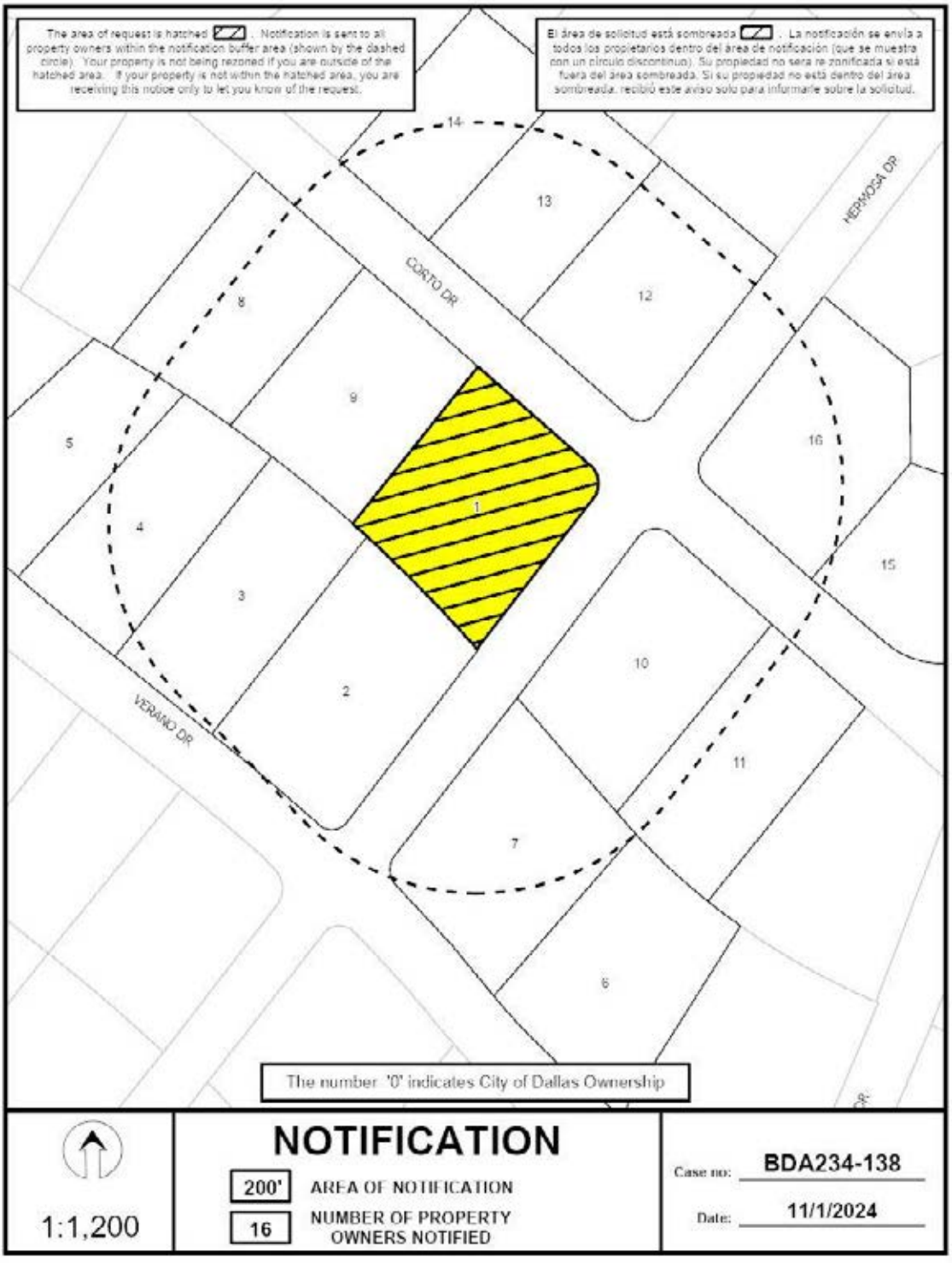
Notification List of Property Owners

BDA234-138

16 Property Owners Notified

Label #	*Address*		*Owner*
1	1415	CORTO DR	WARD EDWARD B JR &
2	1430	VERANO DR	JOHNS CAROL J
3	1426	VERANO DR	LUBBERS GENOVIA TRUST U/A
4	1422	VERANO DR	FITZGERALD JOANNE L
5	1418	VERANO DR	CONTRERAS RICARDO
6	1506	VERANO DR	REID WALTER D & NATALIE K
7	1502	VERANO DR	WIDHALM JOHN
8	1407	CORTO DR	MENTZER JEFFREY E & MISCHIKA D
9	1411	CORTO DR	KONDIKOFF PATRICIA & FRANK J JR
10	1503	CORTO DR	COOK GRACE ELLEN
11	1507	CORTO DR	MCCLAIN KRISTIN ASHLEY
12	1414	CORTO DR	GOODMAN BRADLEY & JENNIFER
13	1410	CORTO DR	PADDEN AIMEE J &
14	1406	CORTO DR	FUSON JARED K & JENNIFER
15	1506	CORTO DR	LDS CHILDREN REVOCABLE LIVING TRUST
16	1502	CORTO DR	PYLANT JAMES RANDY & MELINDA KILENE

200’ Radius Route Map



NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)

NOTICE IS HEREBY GIVEN that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)** will hold a hearing as follows:

DATE: **WEDNESDAY, NOVEMBER 20th, 2024**

BRIEFING: **10:30 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment.

BDA234-138(BT) Application of Larry Paschall for **(1)** a special exception to the 20-foot visibility obstruction regulations at driveway approaches, and for **(2)** a special exception to the 20-foot visibility obstruction regulations at driveway approaches at **1415 CORTO DRIVE**. This property is more fully described as Block 8/5331, Lot 14, and is zoned R-10(A), which requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a residential fence structure in a required 20-foot visibility obstruction triangle at driveway #1, which will require **(1)** a special exception to the visibility obstruction regulations, and to construct and/or maintain a residential fence structure in a required 20-foot visibility obstruction triangle at driveway #2, which will require **(2)** a special exception to the visibility obstruction regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAreply@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing, if you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-B-Register **by the close of business Tuesday, November 19th, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning & Development Department
1500 Marilla Street 5CN Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-138 FOR OFFICE USE ONLY

RECEIVED OCT 01 REC'D BY:

Date: FOR OFFICE USE ONLY

Data Relative to Subject Property:

Location address: 1415 Corto Drive Zoning District: R-10(A)

Lot No.: 14 Block No.: 8/5331 Acreage: 0.53 Census Tract: 48113008200

Street Frontage (in Feet): 1) 150.13 2) 152.49 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Edward B Ward Jr. and Michael Roy Martin

Applicant: Lawrence Paschall Telephone: 214-450-1031

Mailing Address: 9540 Garland Rd. Suite 381-133 Zip Code: 75218

E-mail Address: larry@spotteddogarchitecture.com

Represented by: same as above Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance __, or Special Exception X, of

51A-4.602(d)(2)(c) Visibility Triangle Obstructions

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

reduction in depth of visibility triangles at existing and new driveways from 20'-0" to 15'-0" to allow for secure parking behind new 8'-0" fence and gates.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared LAWRENCE PASCHALL

(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 1st day of OCTOBER, 2024

Tom M. Phipps

Notary Public in and for Dallas County, Texas

TOM M PHIPPS
Notary ID #2073918
My Commission Expires
December 6, 2027

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-138

I, Edward B Ward Jr. and Michael Roy Martin, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1415 Corto Drive
(Address of property as stated on application)

Authorize: Lawrence Paschall
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

_____Variance (specify below)

__X__Special Exception (specify below)

_____Other Appeal (specify below)

Specify: reduction in depth of visibility triangles at existing and new driveways from 20'-0" to 15'-0" to allow for secure parking behind new 8'-0" fence and gates.

Edward B. Ward Jr Michael Roy Martin — Edward B. Ward Jr. Michael Roy Martin
Print name of property owner or registered agent — Signature of property owner or registered agent

Date 5-7-24

Before me, the undersigned, on this day personally appeared
Edward B Ward and Michael Roy Martin

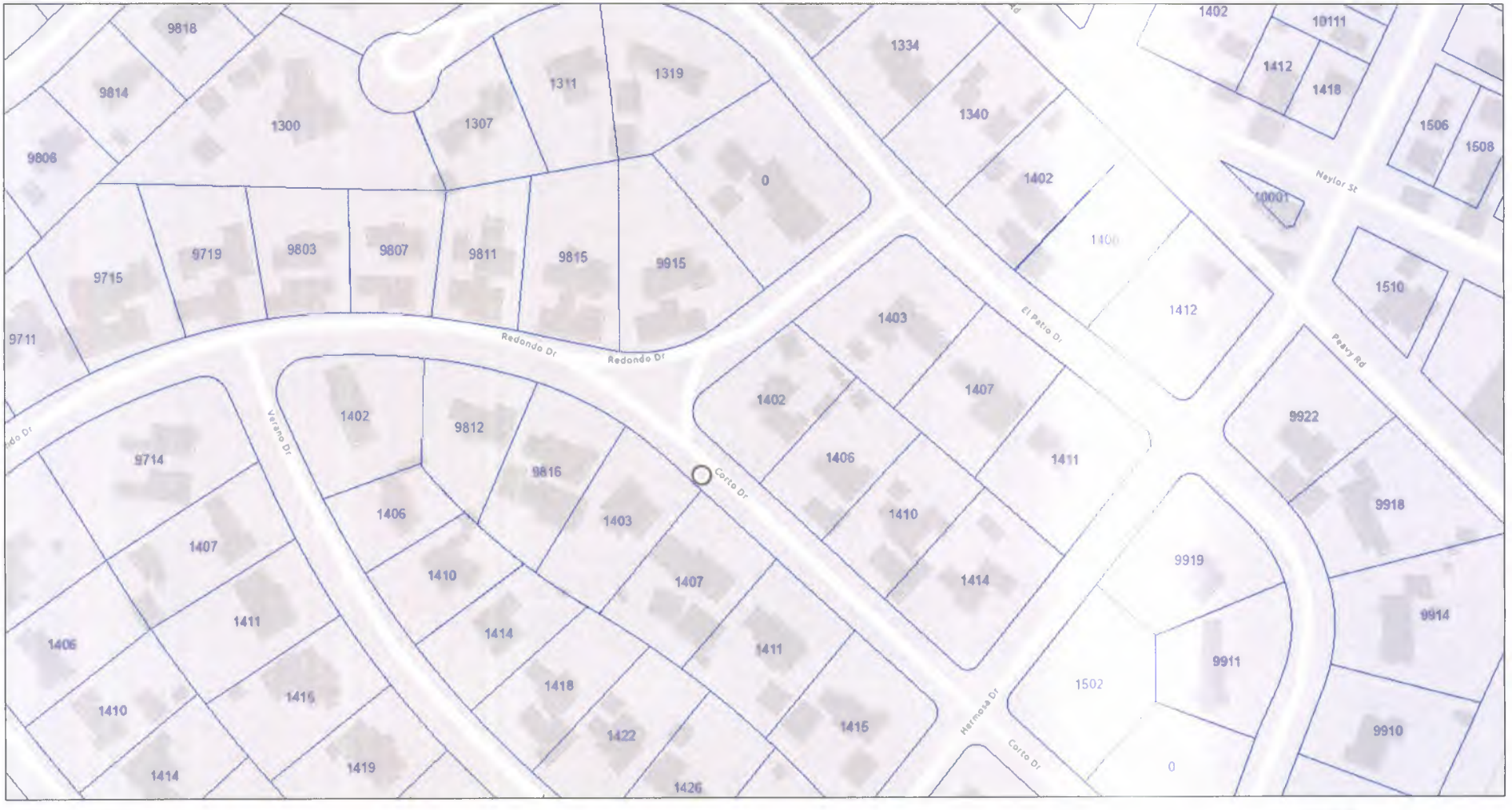
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 07th day of May, 2024

DAVID LEE RAMIREZ
Notary ID #126598020
My Commission Expires
June 8, 2026

Notary Public for Dallas County, Texas

Commission expires on
June 8, 2026

ArcGIS Web Map



5/14/2024, 10 33:41 AM

1:1,596

0 01 0 03 0 06 mi

0 03 0 05 0 1 km

Sources Esri TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

CITY OF DALLAS

Development Services Board of Adjustment
Referral Form:

Applicant/Representative: Ed Ward

Owner (if applicable): _____

Property address: 1415 Corto Dr.

Lot: 14 City Block: 8/5331 Zoning: R-10(A)

Request (check all that apply):

- ☐ **Variance**
  - ☐ Yard setback
  - ☐ Lot width
  - ☐ Lot Depth
  - ☐ Lot Coverage
  - ☐ Floor area for accessory structures for single family uses
  - ☐ Height
  - ☐ Minimum width of sidewalk
  - ☐ Off-street parking
  - ☐ Off-street loading
  - ☐ Landscape regulations
  - ☐ Other
- ☐ **Special Exception**
  - ☐ Fence height and standards
  - ☒ Visibility triangle obstructions 51A-4.602(d)(2)(C)
  - ☐ Parking demand
  - ☐ Landscaping
  - ☐ Additional dwelling unit for a single-family
  - ☐ Carport
  - ☐ Non-conforming use
  - ☐ Other

Referrer

- ☐ Physical properties of the land prohibit commensurate development with properties of the same zoning
- ☐ The land (not the improvements) has restrictive size, shape, or slope.

"A variance may not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor may a variance be granted to permit any reason privilege in developing a parcel of land permitted by the zoning ordinance to other parcels of the land in districts with the same classification."

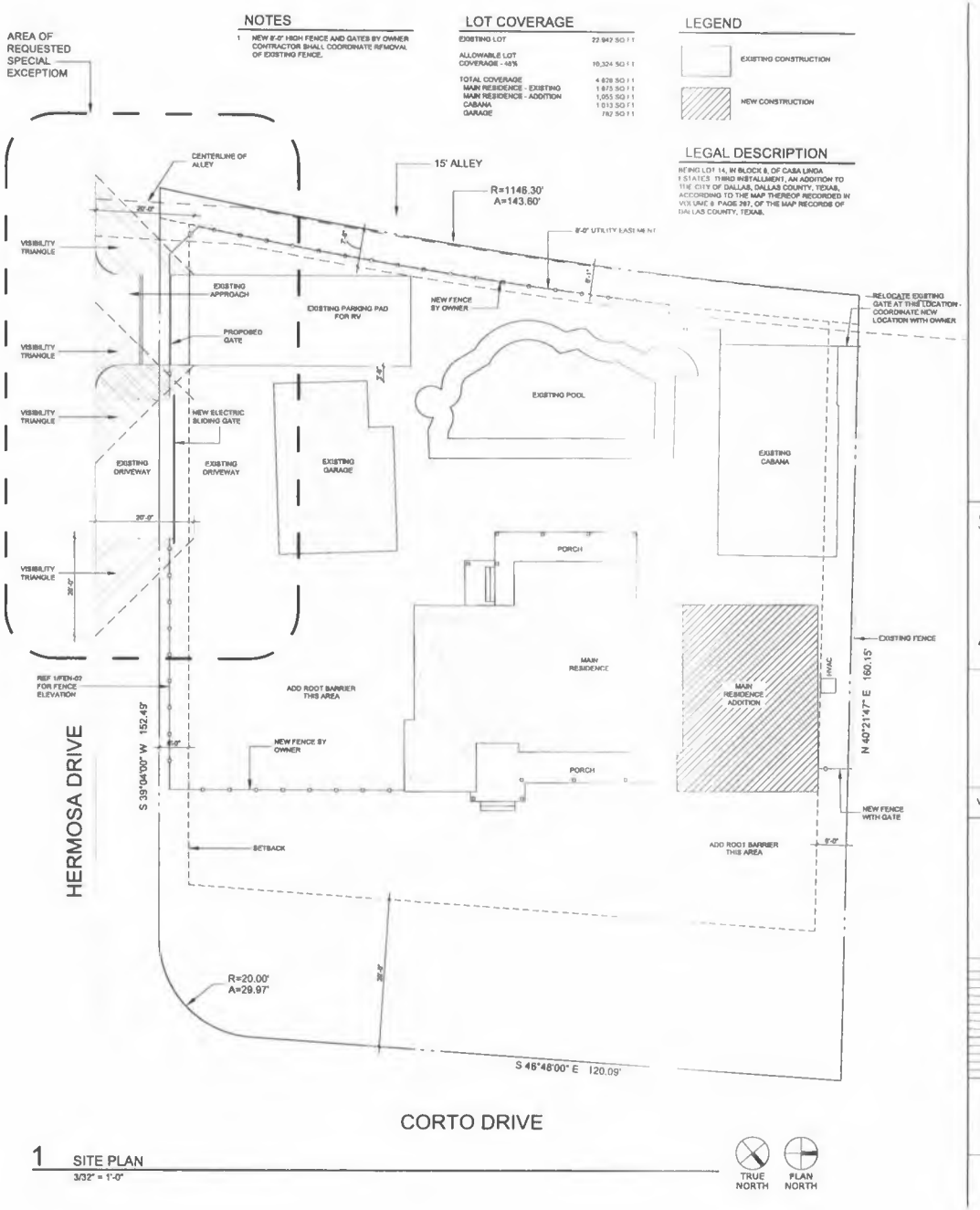
Applicant would like to encroach into driveway visibility triangles with an 8ft fence

SEC. 51A-3.102

Referred by: Ivan Rosales Date: 4/25/24

Printed name

Application forms can be obtained at
http://www.dallascityhall.com/development_services/current_planning.html
or
320 E. Jefferson Blvd, Rm 118 Dallas TX 75203



New Fence for
Ed Ward & Michael Martin
1415 Corto Dr.
Dallas, Texas

SPOTTED DOG
ARCHITECTURE
9540 Garland Rd Suite 381-133
Dallas, TX 75218 T 214.450.1031

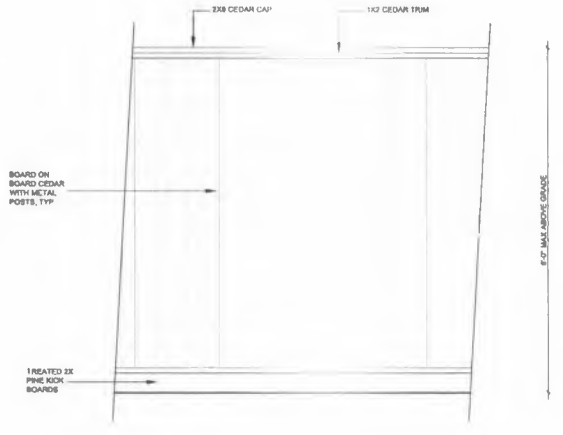
Variance Application

09-27-24

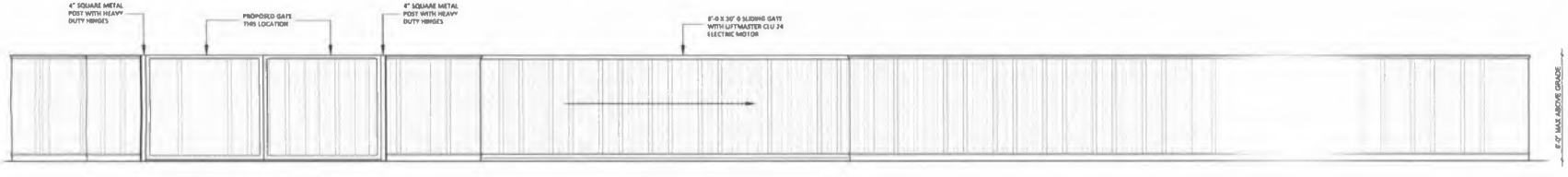
SITE PLAN WITH NEW FENCE, LOT COVERAGE, LEGAL DESCRIPTION, PROPOSED VISIBILITY TRIANGLES

FEN-01

06



2 ENLARGED FENCE PANEL
3/4" = 1'-0"



1 FENCE ELEVATION - SOUTH
1/4" = 1'-0"

New Fence for
Ed Ward & Michael Martin
1415 Corto Dr.
Dallas, Texas

SPOTTED DOG
ARCHITECTURE
9540 Garland Rd Suite 381-133
Dallas, TX 75218 T 214.450.1031

Variance Application

09-27-24

Issue date	Issue description
09-27-24	Variance Application

FENCE ELEVATION - SOUTH; ENLARGED FENCE PANEL

FEN-02

NOTES

1. NEW 8'-0" HIGH FENCE AND GATES BY OWNER. CONTRACTOR SHALL COORDINATE REMOVAL OF EXISTING FENCE.

LOT COVERAGE

EXISTING LOT	22,942 SQ FT
ALLOWABLE LOT COVERAGE - 45%	10,324 SQ FT
TOTAL COVERAGE	4,828 SQ FT
MAIN RESIDENCE - EXISTING	1,975 SQ FT
MAIN RESIDENCE - ADDITION	1,055 SQ FT
CABANA	1,013 SQ FT
GARAGE	782 SQ FT

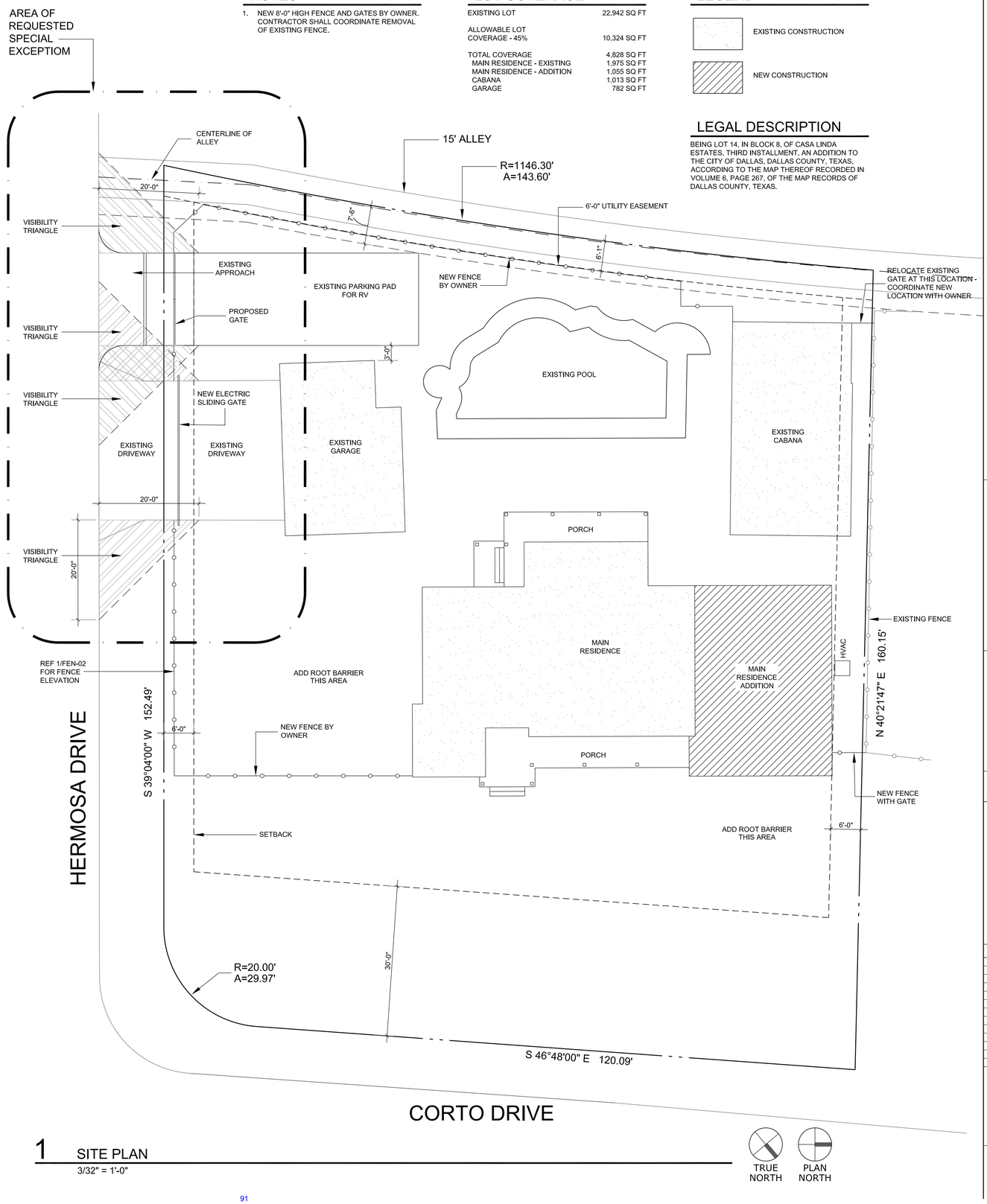
LEGEND

EXISTING CONSTRUCTION

NEW CONSTRUCTION

LEGAL DESCRIPTION

BEING LOT 14, IN BLOCK 8, OF CASA LINDA ESTATES, THIRD INSTALLMENT, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 6, PAGE 267, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.



1 SITE PLAN

3/32" = 1'-0"

TRUE NORTH

PLAN NORTH

New Fence for

Ed Ward & Michael Martin

1415 Corto Dr.
Dallas, Texas

SPOTTED DOG ARCHITECTURE
9540 Garland Rd Suite 381-133
Dallas, TX 75218 T 214.450.1031

Variance Application

LAWRENCE PASCHALL 20846 REGISTERED ARCHITECT STATE OF TEXAS

09-27-24

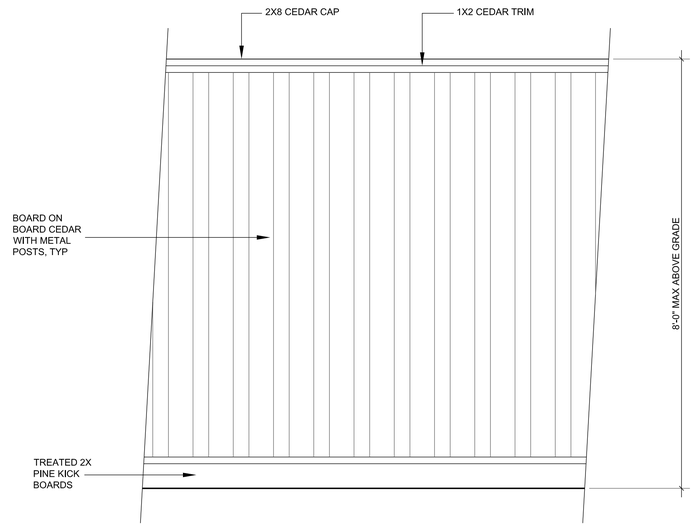
issue date	issue description
09-27-24	Variance Application

sheet title

SITE PLAN WITH NEW FENCE, LOT COVERAGE, LEGAL DESCRIPTION, PROPOSED VISIBILITY TRIANGLES

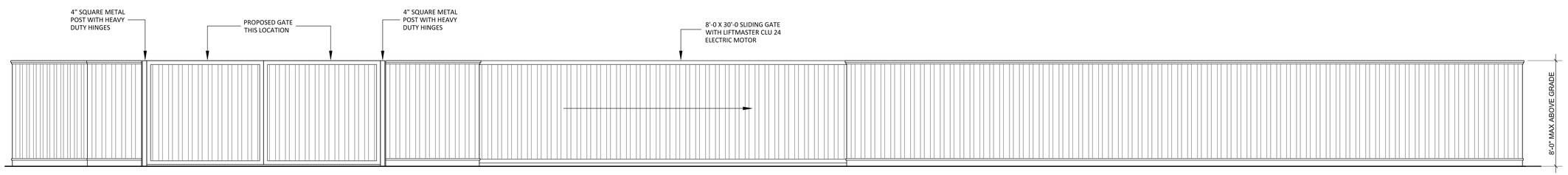
sheet number

FEN-01



2 ENLARGED FENCE PANEL

3/4" = 1'-0"



1 FENCE ELEVATION - SOUTH

1/4" = 1'-0"

New Fence for

Ed Ward & Michael Martin

1415 Corto Dr.
Dallas, Texas

SPOTTED DOG
ARCHITECTURE
9540 Garland Rd Suite 381-133
Dallas, TX 75218 T 214.450.1031

Variance Application

LAWRENCE PASCHEN
REGISTERED ARCHITECT
20846
STATE OF TEXAS

09-27-24

Issue date	Issue description
09-27-24	Variance Application

sheet title

FENCE ELEVATION - SOUTH;
ENLARGED FENCE PANEL

sheet number

FEN-02

FILE NUMBER: BDA234-122 (BT)

BUILDING OFFICIAL'S REPORT: Application of Eddie Grothaus for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **5314 URSULA LANE**. This property is more fully described as Block C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 5314 Ursula Ln.

APPLICANT: Eddie Grothaus

REQUEST:

(1) A request for a special exception to the fence height regulations; and
(2) A request for a special exception to the fence standard regulations regarding opacity

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT, FENCE OPACITY AND FENCE MATERIAL STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	R-1ac(A)
North:	R-1ac(A)
East:	R-1ac(A)
South:	R-1ac(A)
West:	R-1ac(A)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Eddie Grothaus for the property located at 5314 Ursula Ln. focuses on 2 requests relating to the fence height, and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high gate in a required front-yard, which will require a 2-foot special exception to the fence height regulations.
- Lastly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The subject site along with surroundings properties to the north, south, east and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to replace the existing 4-foot high gate section to the east and west with a 6-foot high gate, located near the front property line.
- Based upon staff's analysis of the surrounding properties, many were open with no fencing or vegetation, some properties provided a form of vegetation serving as a screening mechanism along Ursula Ln and Palomar Ln.
- Some properties provided a fence and/or gate at 4-feet above grade in the required front yard along Ursula Ln and Palomar Ln.
- Applicant is requesting additional height due to safety and security concerns, as the family travel schedule is public knowledge
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: **BDA234-122 at 5314 Ursula Ln**

Timeline:

August 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

October 23, 2024: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, October 23, 2024, moved to **HOLD** this matter under advisement until **November 20, 2024.**

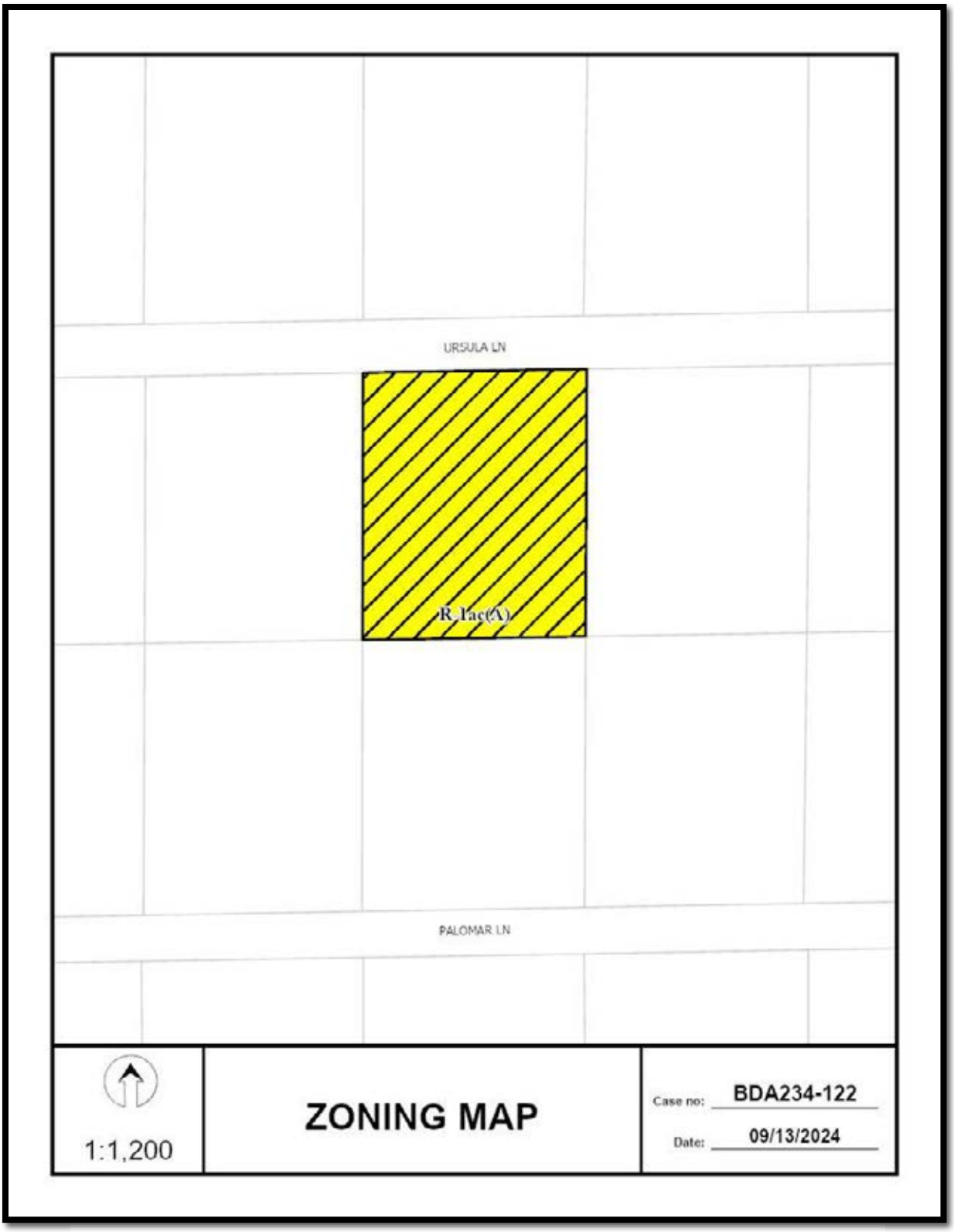
October 24, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

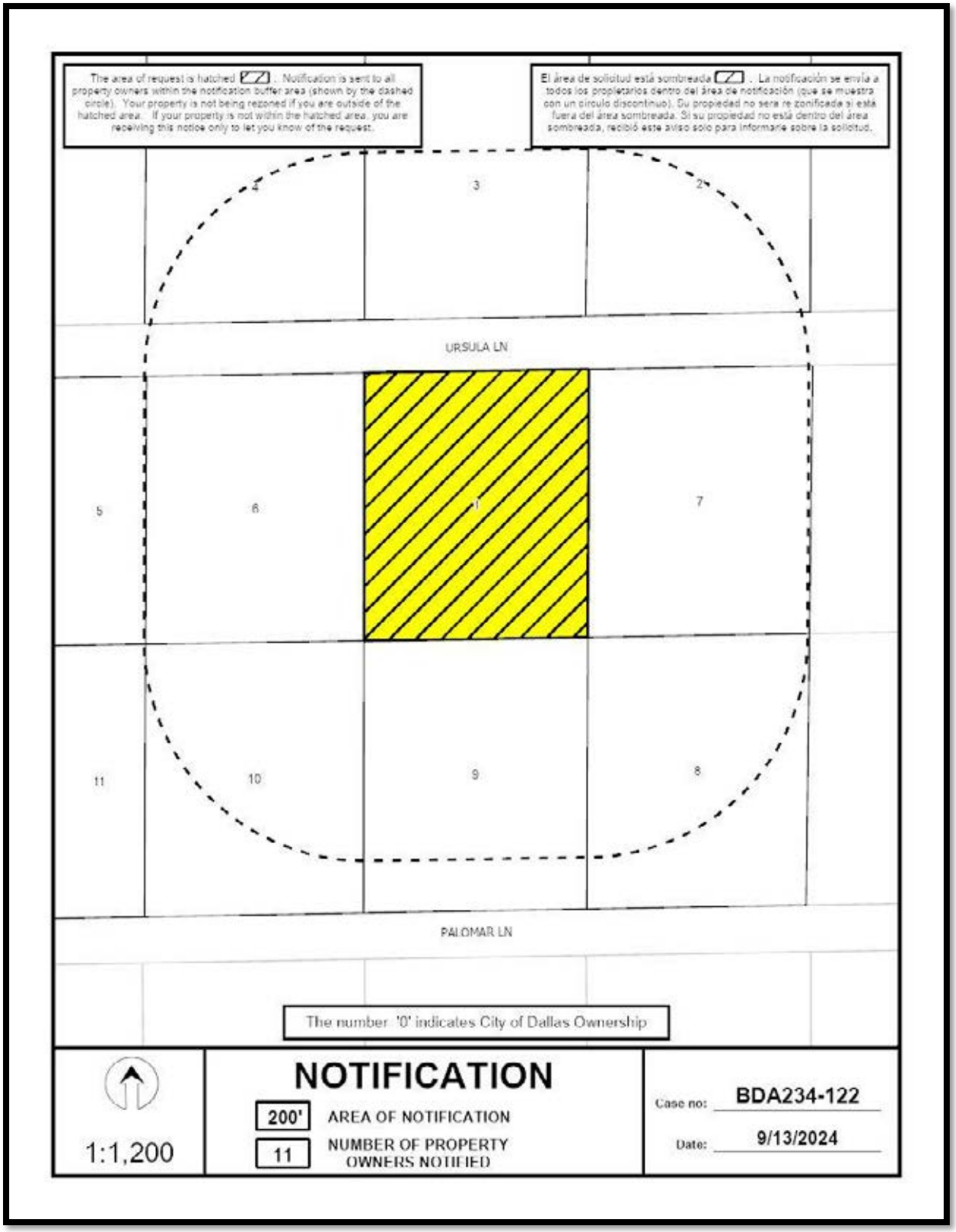
- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.



1:1,200	**AERIAL MAP**	Case no: **BDA234-122** Date: **09/13/2024**


URSULA LN
R_1ac(A)
PALOMAR LN
1:1,200
ZONING MAP
Case no: BDA234-122
Date: 09/13/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
URSULA LN
PALOMAR LN
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
11
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-122
Date: 9/13/2024

09/13/2024

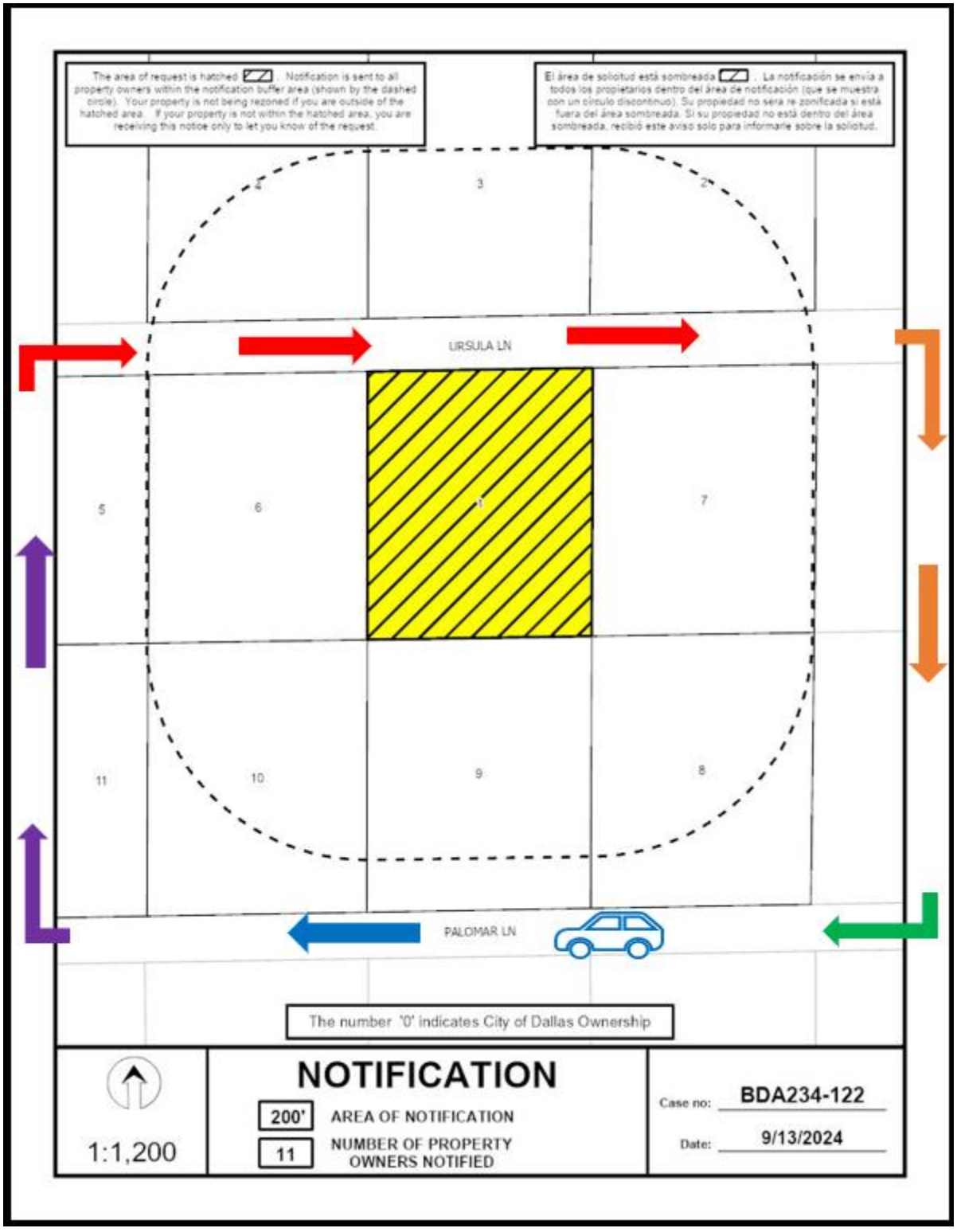
Notification List of Property Owners

BDA234-122

11 Property Owners Notified

Label #	*Address*		*Owner*
1	5314	URSULA LN	MAHAN HUNTER & KANDI
2	5331	URSULA LN	KARLSENG CATHERINE
3	5315	URSULA LN	LIU QING
4	5233	URSULA LN	SIEGEL MARK J
5	5214	URSULA LN	HARBERG JOSEPH L &
6	5230	URSULA LN	UZELAC THEODORE D &
7	5330	URSULA LN	GEHAN PETER M & KARA E
8	5331	PALOMAR LN	FAGELMAN MICHAEL & KERRY
9	5315	PALOMAR LN	KAHN MICHAEL IAN &
10	5233	PALOMAR LN	COUSINS JOHN D TR &
11	5215	PALOMAR LN	DEVENING JASON B & KARA D

200’ Radius Route Map



NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)

NOTICE IS HEREBY GIVEN that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)** will hold a hearing as follows:

DATE: **WEDNESDAY, NOVEMBER 20th, 2024**

BRIEFING: **10:30 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment.

BDA234-122(BT) Application of Eddie Grothaus for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **5314 URSULA LANE**. This property is more fully described as Block C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

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Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning & Development department
1500 Marilla Street 5CN Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-122

RECEIVED
AUG 26 REC'D
BY:

Data Relative to Subject Property: Date:

Location address: 5314 URSULA LN 75229 Zoning District: R-1AC

Lot No.: 5 Block No.: C/5518 Acreage: 1.1 Census Tract:

Street Frontage (in Feet): 1) 200' 2) 3) 4) 5)

To the Honorable Board of Adjustment: JENNIFER CERRETO

Owner of Property (per Warranty Deed): TRUSTEE of THE 4610 SOUTH LINDHURST AVENUE TRUST

Applicant: EDWARD GROTHAUS Telephone: 214 914 0079

Mailing Address: 4004 BARNES BRIDGE RD Zip Code: 75228

E-mail Address: EDDIE@HALLSCOHOMES.COM

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance __, or Special Exception __, of FENCE/GATE HEIGHT & STANDARDS. SEEKING TO CONSTRUCT SEMI-PRIVATE ENTRY GATES (2) AND WING WALLS AT 72" HEIGHT. PICTURE OF SLIDING GATE ATTACHED.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

SAFETY & SECURITY AS FAMILY TRAVEL SCHEDULE IS PUBLIC KNOWLEDGE.

WINGWALL OPACITY 0%

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared EDWARD GROTHAUS

(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted:

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 23 day of July, 2024

Notary Public in and for Dallas County, Texas

MICHAEL A. BEAUCHAMP
My Notary ID # 131922491
Expires November 17, 2027

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman _____

Building Official's Report

I hereby certify that EDDIE GROTHAUS

did submit a request for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations

at 5314 Ursula

BDA234-122. Application of EDDIE GROTHAUS for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations at 5314 URSULA LN. This property is more fully described as Blcok C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5- feet from the front lot line, which will require (2) a special exception to the fence standard regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-122

I, Jennifer Cerreto, 4610 S. Lindhurst Trust, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5314 Ursula In, Dallas TX
(Address of property as stated on application)

Authorize: Edward Grothaus IV
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

~~X~~ ~~Variance (specify below)~~

X Special Exception (specify below) Fence Height

_____ Other Appeal (specify below)

Specify: Construct 72" entry gates and wing walls at 2 entries. WING WALL OPACITY 0%

Jennifer Cerreto, 4610 S. Lindhurst Trust
Print name of property owner or registered agent

Jen Cerreto
Signature of property owner or registered agent

Date 7/16/2024

Before me, the undersigned, on this day personally appeared
JENNIFER CERRETO

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 16TH day of July, 2024

SANDRA BACA CASTILLO
Notary Public
State of New Jersey
My Commission Expires Sept. 10, 2027

Commission expires on Sept. 10, 2027

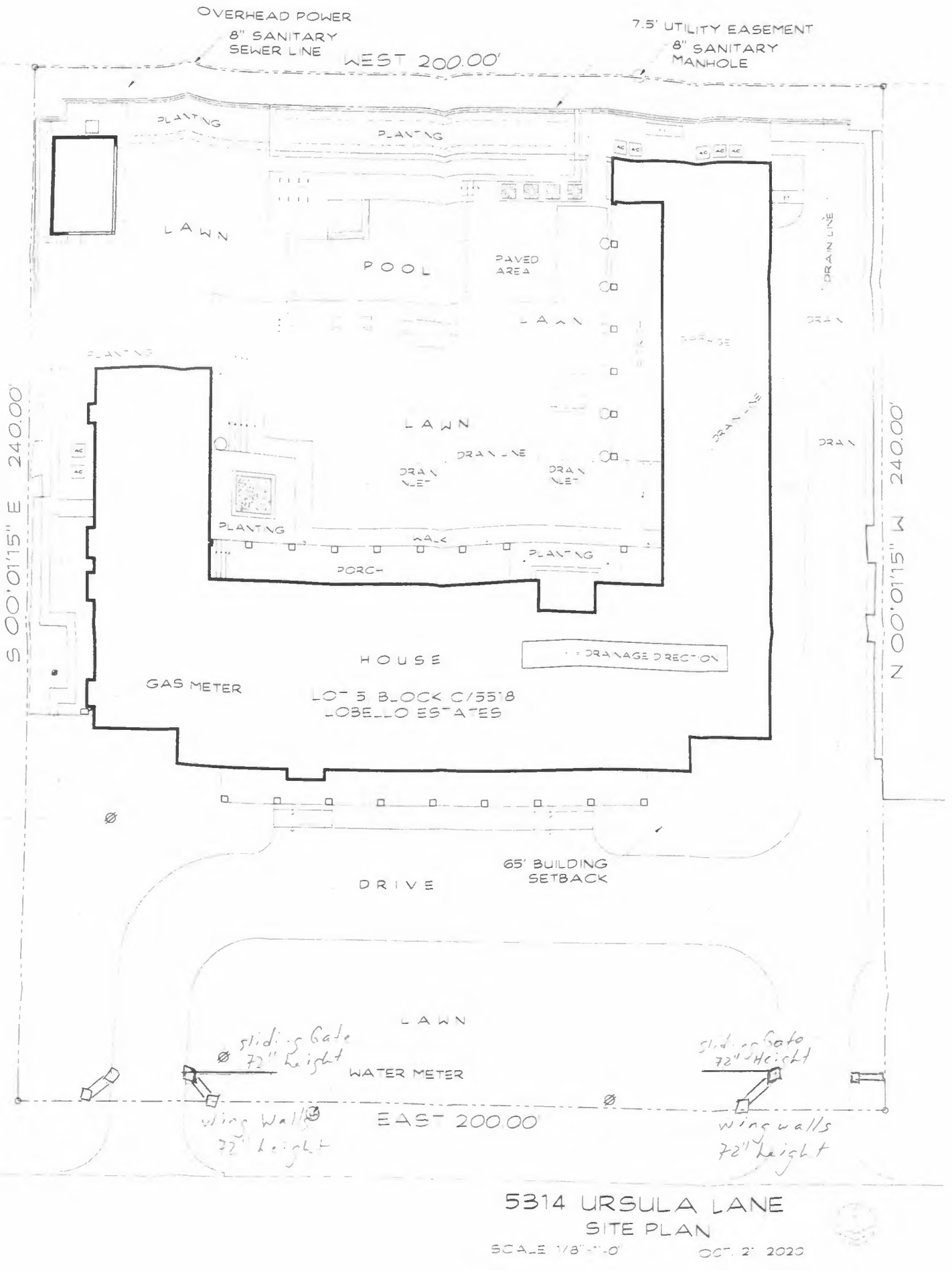
City of Dallas Zoning Map 2.2



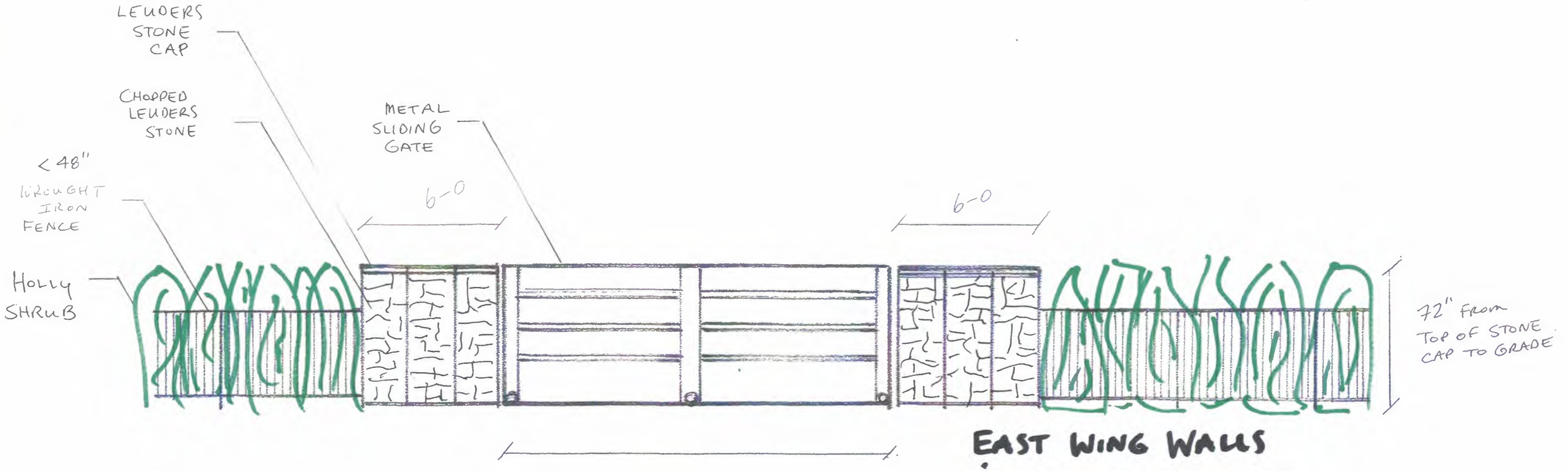
Selected features: 1

500 ft

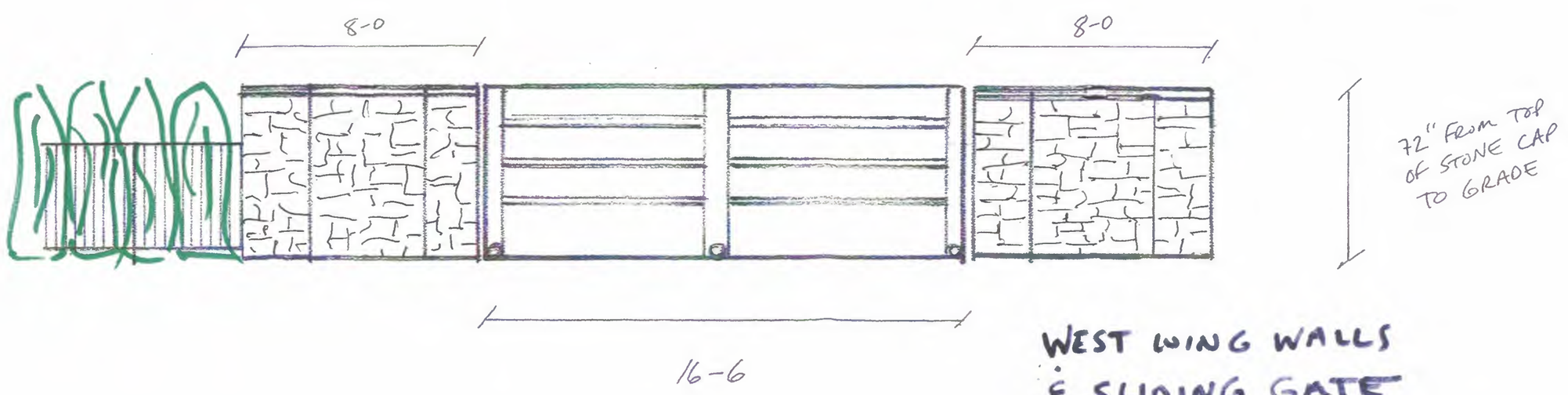
nity Maps Contributors, Texas Parks & Wild... Powered by Esri



5314 URSULA LANE
SITE PLAN
SCALE 1/8"=1'-0" OCT. 2, 2020



EAST WING WALLS & SLIDING GATE



WEST WING WALLS & SLIDING GATE

1/4" = 1'

FILE NUMBER: BDA234-124 (BT)

BUILDING OFFICIAL'S REPORT: Application of Elizabeth Rader at **2417 W 12TH STREET** to request an interpretation of the intent of the zoning district boundary map. This property is more fully described as Block B/4567, parts of Lots 7, 8 and a portion of Tract 15, and is zoned CR and R-7.5(A). The applicant requests the Board of Adjustment interpret the zoning map for this property and the ordinances amending the map.

LOCATION: 2417 W 12TH St.

APPLICANT: Elizabeth Rader

REQUEST: A request is made that the Board of Adjustment interpret the zoning map for this property and the ordinances amending the map.

STANDARD FOR INTERPRETATION OF INTENT OF ZONING DISTRICT BOUNDARY MAP:

Dallas Development Code Sec. 51A-4.104(d) state that when there is a question as to the boundary of a tract and that question cannot be resolved by the application of Subsections (a) through (c), the board of adjustment shall determine the boundary by interpreting the official zoning district map and ordinances amending the map.

STANDARD FOR DECISION MAKING:

Dallas Development Code Sec. 51A.3-102(d)(2) states that the board has the following powers and duties to interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.

BACKGROUND INFORMATION:

Zoning:

Site:	CR and R-7.5(A)
North:	CR and R-7.5(A)
East:	CR
South:	R-7.5(A)
West:	PD-829

Land Use:

The subject site is developed with an auto service use and surrounding properties to the north developed with restaurant use, east developed with uses allowed in CR, south developed with DISD school use and west developed with DISD athletic field uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- Elizabeth Rader, represented by James B. Harris is requesting the Board of Adjustment interpret the zoning map and ordinances amending the map at the property located at 2417 W 12th St.
- The property owner requested C-1 zoning, but instead CPC recommended a Special Permit and Council passed CPC's recommendation.
- City of Dallas staff understanding is that essentially a Special Permit (SP) is not exactly like an SUP—it is probably closer to a Planned Development (PD) because an SUP can allow a use that the zoning district allows when special conditions are imposed, whereas the 1951 zoning code allows Council to adopt an SP for a use that is not allowed in the zoning district when special conditions (and a site plan) are imposed.
- The important distinction here is that the zoning was still Residential and Council granted an SP instead of the C-1 zoning the applicant requested.
- Describing something similar to public deed restrictions or the current SUP regulations by saying it is an “amendment to the zoning ordinance as applicable” like we would apply a DR or SUP over the map today. It also goes on to explain the conditions are for granting the CO.
- March 1954 - 20’ strip of land deeded to adjacent property, creating split zoning on the property (R-7.5 and C-1).
- 1959 Ordinance No. 5238 zoned property C-1 thru special permit
- December 1959 boundaries near W. 12th St. and S. Hampton Rd. all rezoned C-1 Ordinance No. 8288
- March 29, 1965 (Revised May 20, 1971) rezoning maps with Ordinance No 10962 near W. 12th St. and S. Hampton Rd.
- February 4, 1987, Ordinance No. 19455 which adopted Chapter 51A provided new zoning districts city-wide, replacing all previous district definitions and boundaries (see Exhibit B of Ordinance No. 20180 passed on January 25,1989)
- Majority of the original R-7.5(A) zoning district was removed by Ordinance 27942 on August 11, 2010.
- CPC denying request to change R-7.5(A) to CR with Z212-345 on February 2, 2023.
- May 3, 2024 letter delivered to Casey Burgess, Executive Assistant City Attorney.
- Memorandum provided to applicant from city staff with detail interpretation of the zoning district boundary lines on July 24, 2024.

- The board has the power and duty to interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.
- 200' Radius Video: **BDA234-124 at 2417 W 12th St**

Timeline:

August 29, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

October 23, 2024: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, October 23, 2024, moved to **HOLD** this matter under advisement until **November 20, 2024.**

October 24, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis;

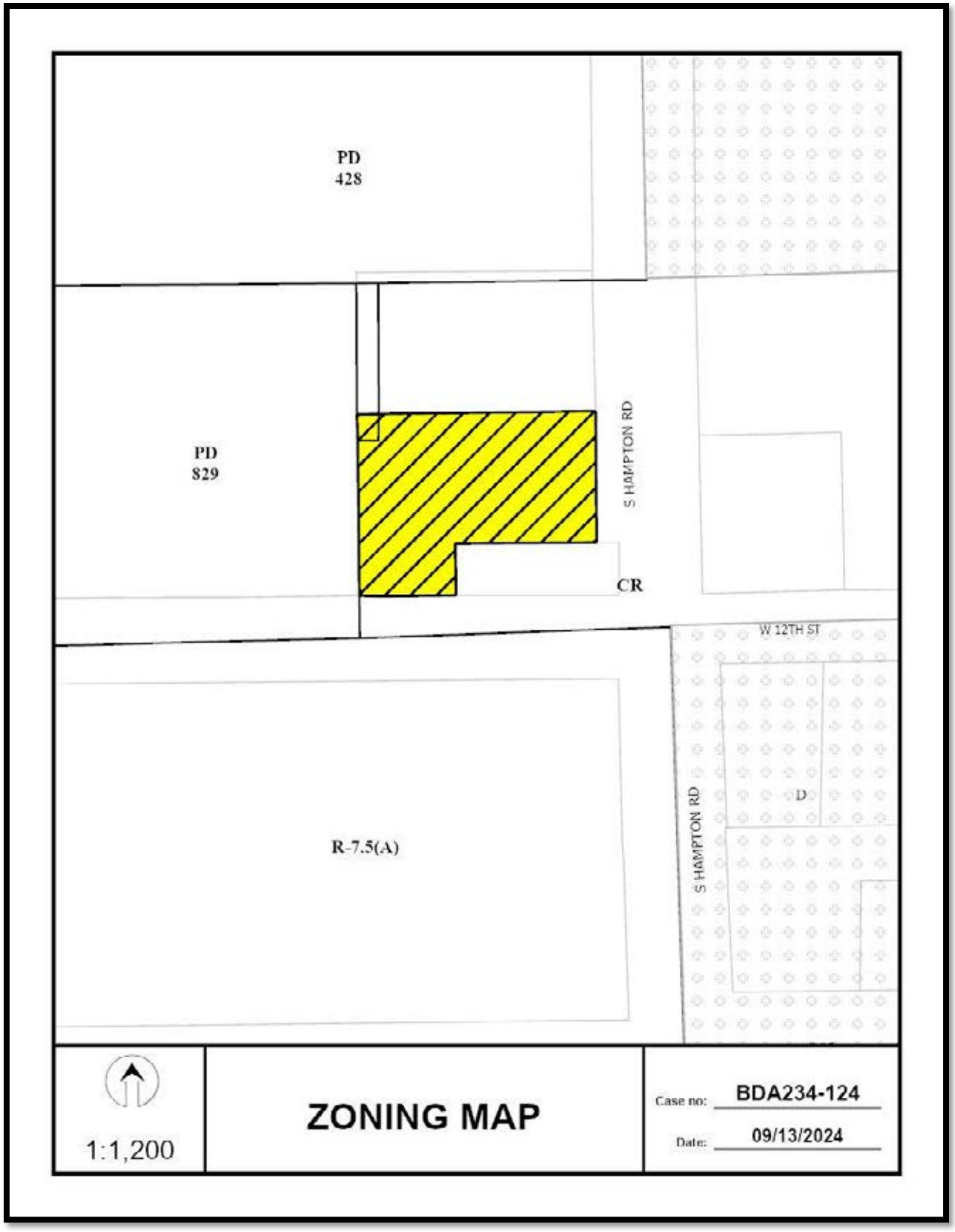
and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.

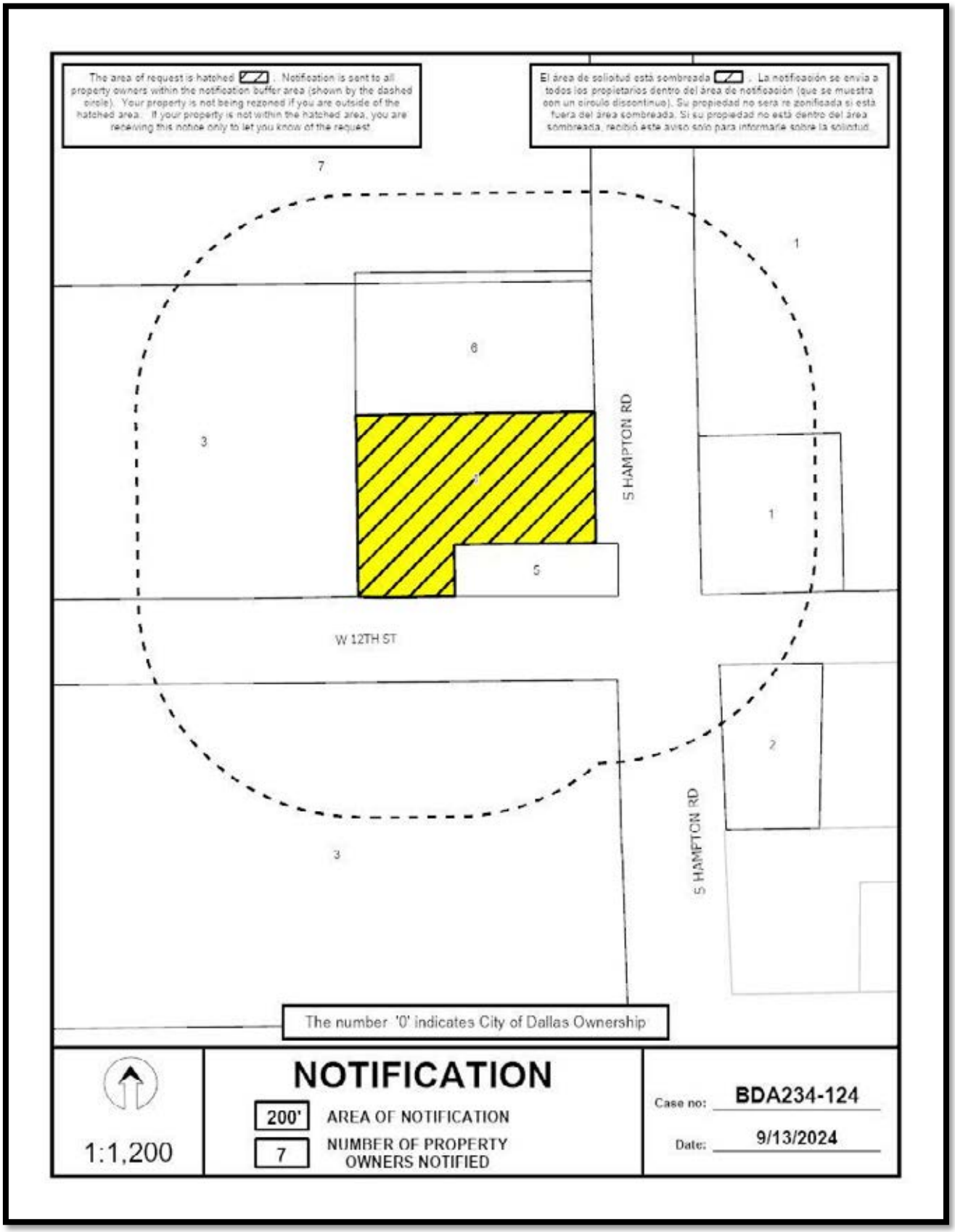
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.



1:1,200	AERIAL MAP	Case no: BDA234-124 Date: 09/13/2024


PD
428
PD
829
S HAMPTON RD
CR
W 12TH ST
R-7.5(A)
D
S HAMPTON RD
1:1,200
ZONING MAP
Case no: BDA234-124
Date: 09/13/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
7
1
6
3
S HAMPTON RD
1
5
W 12TH ST
2
3
S HAMPTON RD
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
7
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-124
Date: 9/13/2024

09/13/2024

Notification List of Property Owners

BDA234-124

7 Property Owners Notified

Label #	Address		Owner
1	444	S HAMPTON RD	HAMPTON & 12TH LP
2	500	S HAMPTON RD	MINNESOTA NICE HOLDINGS INC
3	2419	GLADSTONE DR	Dallas ISD
4	315	S HAMPTON RD	RANDALLS PROPERTIES INC
5	2407	W 12TH ST	NEARPASS VICTORIA
6	401	S HAMPTON RD	FREIDA KASSAM US INC
7	315	S HAMPTON RD	SAFEWAY REALTY LLC



NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)

NOTICE IS HEREBY GIVEN that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)** will hold a hearing as follows:

DATE:	**WEDNESDAY, NOVEMBER 20th, 2024**
BRIEFING:	**10:30 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**
HEARING:	**1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment.

BDA234-122(BT) Application of Eddie Grothaus for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **5314 URSULA LANE**. This property is more fully described as Block C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAreply@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing, if you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-B-Register **by the close of business Tuesday, November 19th, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning & Development department
1500 Marilla Street 5CN Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-134

Date: 8/29/24

RECEIVED
AUG 29 2024
BY

Data Relative to Subject Property:

Location address: 2417 W. 12th Street Zoning District: CR

Lot No.: Pt. 8 Block No.: B/4567 Acreage: 0.009 Census Tract: 45 Dallas Cty, TX

Street Frontage (in Feet): 1) N/A 2) N/A 3) N/A 4) N/A 5) N/A

119' 90'

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Hampton & 12th, L.P.

Applicant: Hampton & 12th, L.P. – Elizabeth Rader Telephone: (972) 392-7500

Mailing Address: 12342 Inwood Road, Dallas, TX Zip Code: 75244

E-mail Address: gpiwetz@rptexas.com

Represented by: James B. Harris Telephone: (214) 969-1102

Mailing Address: 1722 Routh Street, Suite 1500, Dallas, TX Zip Code: 75201

E-mail Address: jim.harris@hklaw.com

Affirm that an appeal has been made ~~for a Variance __, or Special Exception __,~~ of to challenge and to correct a decision of the Chief Planner for the City of Dallas regarding the accuracy of the City's Official Zoning Map by finding a 20 foot by 20 foot parcel within the subject property is zoned CR not R-7.5(A).

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

See attached Exhibit A.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Elizabeth J. Rader

(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: Elizabeth J. Rader

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 28 day of August, 2024

Ramona Norris

Notary Public in and for Dallas County, Texas

RAMONA NORRIS
My Notary ID # 131684998
Expires August 16, 2026

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman _____

Building Official's Report

I hereby certify that ELIZABETH RADER

did submit a request to interpret the zoning district boundary map

at 2417 W 12th.

BDA234-124. Application of ELIZABETH RADER at 2417 W 12TH ST to request an interpretation of the intent of the zoning district boundary map. This property is more fully described as B/4567 Parts of lots 7,8 & ADJ TR 15 and is zoned CR and R-7.5(A). The applicant proposes to appeal the decision of an administrative official in the interpretation of the zoning district map that was based on an exisitng mapping error.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

Holland & Knight

One Arts Plaza | 1722 Routh Street, Suite 1500 | Dallas, TX 75201-2532 | T 214.964.9500 | F 214.964.9501
Holland & Knight LLP | www.hklaw.com

James B. Harris
+1 214-969-1102
Jim.Harris@hklaw.com

November 7, 2024

Via E-mail (mary.williams1@dallas.gov)

Mary Williams
Board Secretary for Board of Adjustment
Board Coordinator
Planning and Development Department
City of Dallas
1500 Marilla Street 5CN
Dallas, TX 75201

Re: BDA234-124(BT)

Dear Ms. Williams:

Please bring this letter and its attachments to the attention of the panel that will resume considering the referenced matter on November 20, 2024.

At the hearing on October 23, 2024, it was suggested that the wholesale revision in 1965 and again in 1987 (incorrectly identified as 1989) of the city's zoning ordinance effectively rezoned a 20-feet by 20-feet section of a 20-feet by 169.5-feet strip of land (the "Strip") that the city had zoned for commercial uses in 1959 to make its zoning consistent with the nearly half-acre tract of which it is a part (the "Hampton and 12th Tract").

It is undisputed that the current zoning map includes 149.5 feet of the Strip in a commercial zoning district. If the 1965 zoning ordinance rezoned anything it only rezoned the northern 20 feet of the 169.5-foot-long Strip. Rezoning 20 feet of a Strip 169.5 feet in length makes no sense. Rezoning 400 square feet of the Hampton and 12th Tract makes no sense. There is no landowner who would request such a change. And there is no legitimate reason for the city to do so on its own. Such a rezoning would have caused the 20 by 20 section to become worthless. It would have caused the building in that area to become non-conforming. No rational landowner would request such results and there is no legitimate public purpose for the city to seek such results. Such a rezoning would be absurd.

The only reasonable explanation for the existence of a 20 by 20 section being identified as zoned residential, when the rest of the Strip is commercial, is not that the 1965 zoning ordinance

rezoned the 20 by 20 section, but that a mistake was made in locating the northern boundary of the commercial zoning district that included the "Strip" in the 1965 zoning map. Let me explain how that happened.

1. It is undisputed that in 1959 the zoning for all of the Strip was changed by ordinance from residential to commercial through the "special permit" process, which is completely unrelated to the current "specific use permit" process, and no longer exists. That change made the Strip's zoning consistent with the rest of the Hampton and 12th Tract of which it is a part.
2. It is undisputed (based on the articles from the Dallas Morning News in 1964 and 1965 attached as Exhibit A) that the adoption of the 1965 zoning ordinance (a copy of which is attached as Exhibit B) was intended to discontinue the "special permit" process while not taking away any zoning previously granted by those "special permits."
3. It is undisputed that in 1965 zoning rights could not be taken away unless the process set out by ordinance and state law was followed.
4. It is undisputed that in 1965 that process was not followed with respect to the Strip meaning the 1965 zoning ordinance did not and could not have changed the zoning established by the 1959 ordinance.
5. It is undisputed that in absence of the Strip being rezoned, the 1965 zoning map needed to follow the zoning district boundaries previously adopted by the city council in the 1959 ordinance, which included the Strip and the 20 by 20 section within the Strip, meaning the entire Strip was supposed to be in a commercial district.
6. It is undisputed that as of 1965 the city council had zoned all of the "Hampton and 12th" Tract, which included the Strip, as commercial.
7. It is undisputed that the 1965 zoning ordinance provided that zoning district boundaries are "usually along … property lines …"
8. It is undisputed that the commercial zoning district lines in the 1965 zoning map for the Hampton and 12th Tract are not along the property lines for that tract or of the property lines identified in the 1959 ordinance that rezoned the Strip from residential to commercial and, as a result, the 1965 zoning map leaves the 20 by 20 section out of the commercial zoning district.
9. It is undisputed that if the boundary line in the 1965 zoning map for commercial zoning for the Hampton and 12th Tract had followed the property lines, the 20 by 20 section would have been in a commercial zoning district.
10. It is undisputed that failing to follow the property lines means the 1965 zoning map is inaccurate because it does not follow the legal description set out in the 1959 ordinance rezoning the Strip, which includes the 20 by 20 section, from residential to commercial.
11. It is undisputed that the 1987 ordinance (a copy of which is attached as Exhibit C) creating 51A provides that "the passage of this ordinance, in and of itself, shall not change the zoning classification or boundary of any property in the city;" meaning that whatever error was made in the 1965 zoning map was carried forward and the 1987 ordinance did not and could not have rezoned the 20 by 20 section as residential.

12. It is undisputed that from 1960 until the transition to a digital zoning map sometime after 2003, the City treated the entire Hampton and 12th Tract and all of the Strip that is part of that tract as commercially zoned.
13. It follows that including the 20 by 20 section in a residential district in the 1965 zoning map was a mistake that needs to be corrected.

With respect to concerns that "there is something going on here," the only thing that is going on is a desire by the landowner to correct a mapping error brought to its attention in 2022 so that all of its property is in one zoning district consistent with the actions of the city council in 1959. The property is not under contract nor are there current plans to change the existing use. Furthermore, this correction would not affect any future rezoning efforts applicable to commercial properties in this area.

The owner respectfully requests that the Board of Adjustment find that a mistake was made in the 1965 zoning map and direct the chief planner to correct the city's zoning map to show the 20 by 20 section is in a CR zoning district.

Yours very truly,

HOLLAND & KNIGHT LLP

/s/ James B. Harris

James B. Harris

JH:tkl

cc: Bryant Thompson (*via email - bryant.thompson@dallas.gov*)
Diana Barkum (*via email – diana.barkum@dallas.gov*)

NewsBank inc.

April 21, 1964 | Dallas Morning News | By Francis Raffetto | Dallas, Texas | News Article | Page 1

EXHIBIT A-1

Ordinance On Zoning Completed

Council Receives 3½-Year Project; Changes Offered

By FRANCIS RAFFETTO

The new city-wide zoning

ordinance has been completed and submitted to the City Council.

It is a 3½-year project vitally affecting present and future growth.

"We should go on record thanking chairman Howell Watson and his volunteer zoning revision committee for a job well done," Councilman George M. Underwood Jr. said Monday.

The new ordinance, when passed as law, will replace an old patchwork ordinance which

contained too few zoning categories to accommodate modern development. This caused a maze of special permits which makes present Dallas zoning a patchwork puzzle hard to decipher.

The City Council referred the 160-page proposed ordinance to the City Plan Commission and to the city attorney for study and recommendations.

"Before any drastic changes are made from this proposed ordinance, we should hold more public hearings for the specific areas," Councilman Joe H. Golman said

Public hearings in various Dallas areas were held in November and December, 1962, at which time citizens studied maps and expressed desires on future zoning.

The new zoning ordinance lists 28 districts or zoning categories instead of the former 16, explained James M. Schroeder Jr., assistant planning director who served as secretary of the revision committee.

Some of the proposed changes include a uniform set of specifications or rules for shopping cen-

fers—instead of the special permit apparatus which presently allows special conditions in different areas of the city.

"Requirements for shopping centers will now be the same, whether in Oak Cliff, North Dallas or anywhere else," said Schroeder.

In residential zoning, a new category, R-13 (one house per 13,000 square feet of land) will give more flexibility to present categories (R-7.5, R-10, R-16, R-1/2 acre, R-1 acre, etc.). A new district, R-5, replaces R-6 (6,000 square feet per house)

square feet per house).

Suiting new building trends, a special category has been created for town or row house development (long residential structures with a common wall, landscaped, etc.).

Other additions include new apartment zoning categories for garden-type apartments and for high-rise apartments, both in the downtown area and outside; plus a mobile home district set of specifications allowing a "high class" type of subdivision for trailer homes, said Schroeder.

In the past, office use has been

permitted in apartment zoning. Now a special office district zoning, including general and medical offices, is planned.

Industrial zoning, which used to list various types allowed in a geographic business (a soap factory, etc.), has been changed to include sets of performance standards only. If a factory meets the requirements, it may enter a district and is not barred by omission from a list of permitted uses.

CITATION (AGLC STYLE)

By Francis Raffetto , 'Ordinance on Zoning Completed', *Dallas Morning News* (online), 21 Apr 1964 1 ‹https://infoweb.newsbank.com/apps/news/document-view?p=WORLDNEWS&docref=image/v2%3A0F99DDB671832188%40EANX-NB-0FF3D4BFE46195BA%402438507-0FF3D4BFEF512D5B%400-0FF3D4C0FAFB48FA%40Ordinance%2Bon%2BZoning%2BCompleted›

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NewsBank inc.

EXHIBIT A-2

Revised Zoning Code

DALLAS real-estate owners are indebted to the fine work of the zoning revision committee headed by Howell Watson. Its importance is seen in the fact that, when adopted officially by the City Council, the report will govern all uses that may be made of the 236,615 separate pieces of real property in Dallas, which today have a combined market value in excess of 3.5 billion dollars.

The result of more than three years of conscientious work, this proposed revamping of the comprehensive zoning code is the first attempted since 1947 and only the second since zoning was adopted by Dallas in 1929. It is a major updating of the zoning law to bring practice and procedures in line with city area and population growth that have more than doubled since 1940.

Keep in mind that no new structure may be built in Dallas, or an old one altered, without a building permit being secured first from the city hall. The building inspector is required to make certain that the intended use of the building conforms with zoning ordinances.

Last year the building inspector issued 23,707 permits for construction totaling more than $212,000,000. This was an increase from 19,682 issued 10 years before for a total of $108.-000,000.

Basic principles of land-use control remain intact but the code revision the application of the law. This would be accomplished by expansion of the number of zoning districts, or categories, allowed, from the present 16 to 28. This recognizes a number of newer trends in housing and other realty developments in a city the size of Dallas.

Dallas' 35 years of experience with flexible, comprehensive zoning has long since proved its great value. Dallas pioneered among Texas cities in adopting this measure to safeguard the public health and safety.

Zoning was urged by The News and other advocates of city planning led by the late G. B. Dealey as a necessary part of civic reform that culminated in the adoption of council-manager government in 1931.

The Watson committee report is based on a series of public hearings during 1962 in all parts of Dallas, together with the soundest available advice from experts in the field. The City Council wisely has referred it to the 15-member City Planning Commission headed by Port Stages and to City Atty. Henry P. Kucera's office.

More public hearings will be held by the City Council before final action on the revision. Some changes may be expected, but essential features of the Watson report should be adopted. Mr. Watson and his associates have labored long and effectively to bring in a practical and long-overdue solution to weaknesses that grew up in-

sion makes some key changes to assure greater fairness and uniformity evitably over the years in this city code.

CITATION (AGLC STYLE)

'Revised Zoning Code', *Dallas Morning News* (online), 23 Apr 1964 2 ‹https://infoweb.newsbank.com/apps/news/document-view?p=WORLDNEWS&docref=image/v2%3A0F99DDB671832188%40EANX-NB-0FF3D4CAAF7147D6%402438509-0FF3D4CB51BB574A%4039-0FF3D4CE70594799%40Revised%2BZoning%2BCode›

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Zoning Ordinance Goes to Council

The City Plan Commission ended a 7-month review of the new city-wide zoning ordinance Monday and turned over the sweeping city "blueprint" to the City Council.

Digesting the ordinance and the maps in their revised version will require some time before formal adoption, the city fathers decided.

Also, any drastic changes in presently zoned property carry a moral obligation to hold public hearings on the matter before the ordinance becomes law, Councilman Joe H. Golman reminded the council.

The zoning revision committee, a volunteer professional group that worked with City Hall on the project, submitted the ordinance to the council last April. Since then, the plan commission "reviewed and analyzed the ordinance in detail," Port E. Stages, CPC chairman, said.

In his accompanying letter, Stages suggested that new city ordinances be written to conform to the new zoning ordinance in these categories: Dance halls, billiard halls, building codes, tourist court, subdivision rules, child care and batching plant.

Also suggested was that the council approve the ordinance to be effective six months later. During that time, no new applications under the old ordinance would be accepted.

CITATION (AGLC STYLE)

'Zoning Ordinance Goes to Council', *Dallas Morning News* (online), 1 Dec 1964 1 ‹https://infoweb.newsbank.com/apps/news/document-view?p=WORLDNEWS&docref=image/v2%3A0F99DDB671832188%40EANX-NB-0FF3D91B382AF8F3%402438731-0FF3D91BAAD37A8C%4036-0FF3D91DF9AB16B5%40Zoning%2BOrdinance%2BGoes%2Bto%2BCouncil›

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June 13, 1964 | Dallas Morning News | By Francis Raffetto | Dallas, Texas | News Article | Page 16

EXHIBIT A-4

No Drastic Zone Changes Predicted by City Planner

By FRANCIS RAFFETTO

The new city-wide zoning ordinance to blueprint Dallas' future development for the first time since 1951 will result in no sweeping neighborhood changes, a city planner predicted Friday.

The new zoning ordinance sets forth the land use and zoning category for the entire city. Dallas first got zoning in 1929, revised its zoning in 1947 and 1951 before the present change now working.

The Zoning Revision Committee, a volunteer group under Chairman Howell Watson, worked 3½-years on the present proposed ordinance.

Last April 20, the City Council received it, referred it to the City Plan Commission for its recommendation before it is passed into law.

"There are no wholesale drastic changes as such," said James M. Schroeder Jr., assistant city planner.

There have been numerous suggested "constructive changes" where bad zoning exists, with pieces of property left out of a proper category, said Schroeder.

Neither will adoption of the new zoning law mean a wholesale cancelation of zoning already acquired, he stressed. As in most city laws, it will govern present and future zoning and growth.

The revised ordinance, however, does provide new categories necessary in the more complicated modern city. It will allow development in the new categories without adding to the maze of special permits. And it will achieve uniformity in various sections of Dallas, said Schroeder.

"We will now have an office category of zoning," Schroeder predicted. "Also, a high-rise apartment zoning district, heretofore possible only through special permit."

A "parking district" category is added to allow necessary off-street parking, especially along strip retail zoning areas now served only by head-in or parallel parking.

A mobile home category will allow high-type developments as such, instead of intruding into other areas as at present.

A new R-13 category (one dwelling unit per 13,000 square feet of land space) fills a gap between present R-10 and R-18. this takes care of the $20,000 to $25,000 homes.

"We believe the ordinance allows a much greater flexibility of land development," said the city planner.

With the new ordinance, one development can have a combination of single-family dwellings and apartments—"a community unit with variable housing," said Schroeder. Also, more flexibility is allowed in the building-land proportion, allowing the developer to reduce lot size, in some cases, to devote the land to green spaces or parks in the development.

Town houses or so-called row houses with one building wall are included in the new ordinance. A "condominium" category, where joint ownership of the land is coupled with single-person title to the dwelling, is made flexible enough to allow property owners to own the land individually.

Two new categories cover high-rise apartment buildings: MF-4, for downtown, and MF-3, for outlying buildings such as in the Lake Cliff area of Oak Cliff and in Oak Lawn—older areas in a transition stage and close enough to merit the high-rise development.

"I think it would be erroneous to say Dallas should quit building

apartments and wait for occupancy to catch up," said Schroeder.

"Certainly there are parts of town where there are no apartments but which are desirable locations yet undeveloped. On the other hand, there were probably too many apartments granted in places where there was no need, or where they were unsuitable.

"Probably," said the planner, "a closer look with proper planning and study should be taken on future requests."

The CPC has been meeting every Wednesday, rehashing the new ordinance before submitting it to the City Council. Public hearings were held last year. It will be at least several weeks before the 15-man plan group finishes its work, Schroeder said.

CITATION (AGLC STYLE)

By Francis Raffetto , 'No Drastic Zone Changes Predicted by City Planner', *Dallas Morning News* (online), 13 Jun 1964 16 ‹https://infoweb.newsbank.com/apps/news/document-view?p=WORLDNEWS&docref=image/v2%3A0F99DDB671832188%40EANX-NB-0FF3D3264E0E6A0A%402438560-0FF3D326A257BC44%4015-0FF3D328B993E202%40No%2BDrastic%2BZone%2BChanges%2BPredicted%2Bby%2BCity%2BPlanner›

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City Council to Polish up Revised Zoning Ordinance - Dallas Morning News - December 8, 1964 - page 15
December 8, 1964 | Dallas Morning News | Dallas, Texas | News Article | Page 15

City Council to Polish Up Revised Zoning Ordinance

The City Council will meet at 8 a.m. Wednesday to begin polishing up the city's brand-new zoning ordinance, it was decided Monday.

"Lots of people and industry are waiting for our decision on this ordinance," Councilman George M. Underwood Jr. told the council.

The City Plan Commission earlier completed a 7-month review of the massive new zoning—the work of a citizen-professional volunteer zoning revision committee.

The council turned the ordinance over to the CPC last April for study and recommended changes.

"We should continue these special briefings after Wednesday if necessary to make a decision," said Underwood.

Councilman Joe G. Moody stressed two basic "promises" made earlier by the council:

"That we would not take away any zoning previously granted, and that we would not grant any controversial changes without having a public hearing."

The new 156-page document primarily will erase the present hodge-podge of special permits and amended zoning ordinances, besides creating several new categories.

CPC chairman Port E. Stages Jr., in presenting the ordinance last week, stressed the city's need for prompt action and suggested that it be put into effect in six months.

CITATION (AGLC STYLE)

EXHIBIT A-5

'City Council to Polish up Revised Zoning Ordinance', *Dallas Morning News* (online), 8 Dec 1964 15 ‹https://infoweb.newsbank.com/apps/news/document-view?p=WORLDNEWS&docref=image/v2%3A0F99DDB671832188%40EANX-NB-0FF3D94E873F8189%402438738-0FF3D94EBB720DDD%4014-0FF3D95055C44CC2%40City%2BCouncil%2Bto%2BPolish%2Bup%2BRevised%2BZoning%2BOrdinance›

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EXHIBIT A-6

City Votes Ordinance On Zoning

The city's massive new zoning ordinance passed its final legal

hurdle Monday as the City Council unanimously adopted it after two years of preparation and public hearings.

The new city-wide edict, junking hundreds of special permits and updating every piece of real estate within the city limits, will become effective immediately.

However, the council added a provision to allow present property owners planning new developments to apply to the building inspector for permits within 30 days. During ths time, the provisions of the old zoning ordinance

will apply.

In the council's Statler-Hilton luncheon briefing, some discussion took place on whether the ordinance provisions should wait six months before becoming effective.

When this was tried in another Texas city, its new ordinance was thrown out totally in court, the council was told.

After a hard-working committee of real estate, plan and development volunteers plus city professional planners devised the ordinance, along with new maps

covering every part of Dallas, extensive hearings were held.

CITATION (AGLC STYLE)

'City Votes Ordinance on Zoning', *Dallas Morning News* (online), 30 Mar 1965 1 ‹https://infoweb.newsbank.com/apps/news/document-view?p=WORLDNEWS&docref=image/v2%3A0F99DDB671832188%40EANX-NB-0FF3DD8793A0D381%402438850-0FF3DD882195D4A1%4032-0FF3DD8AB95F7320%40City%2BVotes%2BOrdinance%2Bon%2BZoning›

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NOTICE

THE FOLLOWING DOCUMENT IS THE COPY OF ORDINANCE 10962 WHICH WAS PRESENTED TO THE CITY COUNCIL ON MARCH 29, 1965 AND PASSED AS INDICATED BY THE PRECEDING MOTION.

ON JULY 12, 1965 THE CITY COUNCIL ADOPTED RESOLUTION 65-3837. THIS RESOLUTION DIRECTED THAT A CORRECTED PRINTING OF ORDINANCE 10962 BE SUBSTITUTED FOR THE ORIGINAL DOCUMENT, AND THAT THE CORRECTED PRINTING OF THE ORDINANCE BE ENROLLED BY THE CITY SECRETARY AS THE OFFICIAL RECORD.

IN THIS MICROFILM RECORD THE ORIGINAL DOCUMENT IS PRESENTED FIRST, FOLLOWED BY A COPY OF COUNCIL RESOLUTION 65-3837 AND THE CORRECTED PRINTING OF ORDINANCE 10962.

THE CORRECTED PRINTING OF ORDINANCE 10962 WAS THE VERSION OF THE ORDINANCE THAT WAS ENROLLED IN MINUTE BOOK 61A.

Harold G. Shank

HAROLD G. SHANK
CITY SECRETARY

EXHIBIT B

W. LEE ARMSTRONG
ASST. CITY SECRETARY
DALLAS 1, TEXAS

VOLUME III

Harold C. Shank
CITY SECRETARY
Dallas 1, Texas

REVISED CODE OF CIVIL AND CRIMINAL ORDINANCES OF THE CITY OF DALLAS, TEXAS

Comprehensive Zoning Ordinance and Map Delineating the Various Use Districts

As enacted by the City Council on March 29, 1965

ORDINANCE NO. 10962

An Ordinance repealing Ordinance No. 5238, Appendix Part I of the Revised Code of Civil and Criminal Ordinances of the City of Dallas, Texas, together with all amendments and maps thereto, except as provided in Section 34 of This Ordinance, and enacting in lieu thereof a Comprehensive General Zoning Ordinance of the City of Dallas, together with a map creating twenty-eight (28) Zoning Districts, which map consists of 138 sections which define the boundaries of each Use District, to be known as Chapter 51 of the Revised Code of Civil and Criminal Ordinances of the City of Dallas; Providing for the effective date of said General Zoning Ordinance; Providing for penalties for violation of the terms and provisions thereof; Providing for the preservation of all pending litigation; Providing for a savings clause; Declaring the purpose of said General Zoning Ordinance; Providing that a Table of Contents of said Ordinance be attached as an exhibit; and Declaring an Emergency.

--- o0o ---

WHEREAS, the City Council initiated a general revision of the Basic Zoning Ordinance of the City of Dallas more than two years ago, as is evidenced by Resolution No. 63-193 which is made a part hereof for all purposes, adopted on the 14th day of January 1963, and recorded in Volume 142, page 344 of the Minute Book of the City Council, and has been working on said revision since that time with the Zoning Revision Committee and the City Plan Commission; and

WHEREAS, as evidenced by Resolution No. 65-1027 of the City Council, which is made a part hereof for all purposes, dated the 22nd day of February 1965, and recorded in Volume 156, page 554 of said Minute Book, the City Council directed that further hearings be held on March 17, 1965, for the purpose of further hearings on the revision of said Zoning Ordinance, the various Use Districts and the creation of new Use Districts, and that notice thereof be given in the official newspaper of the City of Dallas as required by law; and

WHEREAS, said notice was duly published as directed in the official paper, being the Dallas Morning News, on February 25, 26 and 27, 1965, and thereafter the City Council did on the 17th day of March 1965, conduct a public hearing at which hearing every property owner and interested person desiring to be heard on any matter contained in said ordinance as affecting his property or otherwise, was afforded an opportunity to be heard; and

WHEREAS at the conclusion of said hearing, the City Council directed the City Attorney to present the revision of the General Zoning Ordinance and maps delineating the boundaries of the Use Districts, in legal form; and

WHEREAS the City Council has examined the same and is of the opinion that the corrections directed by it have been made; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS:

SECTION 1
ENACTING CLAUSE

1-100 That Ordinance No. 5238, Appendix Part I of the Revised Code of Civil and Criminal Ordinances of the City of Dallas, Texas, together with all amendments and maps thereto, except as provided in Section 34 of this Ordinance, be and the same are hereby repealed, and that there be enacted in lieu thereof the following Comprehensive General Zoning Ordinance of the City of Dallas, together with a map creating and delineating twenty-eight (28) Zoning Districts, which map consists of 138 sections which define the boundaries of each Use District, to be known as Chapter 51 of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2
PURPOSE

2-100 It is hereby declared to be the purpose and intent of the City Council in enacting this ordinance that the zoning regulations and districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City consistent with a comprehensive plan.

SECTION 3
ZONING DISTRICTS ESTABLISHED

3-100 THE CITY OF DALLAS, DALLAS COUNTY, TEXAS IS HEREBY DIVIDED INTO TWENTY-EIGHT (28) ZONING DISTRICTS WHICH ARE FURTHER SUBDIVIDED INTO SUBDISTRICTS WHERE APPROPRIATE. THE USE, HEIGHT, AREA, AND PARKING REGULATIONS AS SET OUT HEREIN ARE UNIFORM IN EACH DISTRICT. THE TWENTY-EIGHT (28) DISTRICTS HEREIN ESTABLISHED SHALL BE KNOWN AND CITIED AS:

Abbreviated Designation	Zoning District Name
R-1	Single-Family Dwelling District 1 acre
R-1/2	Single-Family Dwelling District 1/2 acre
R-16	Single-Family Dwelling District 16,000 square feet
R-13	Single-Family Dwelling District 13,000 square feet
R-10	Single-Family Dwelling District 10,000 square feet
R-7.5	Single-Family Dwelling District 7,500 square feet
R-5	Single-Family Dwelling District 5,000 square feet
2F-1	Two-Family Dwelling District 1
2F-2	Two-Family Dwelling District 2
MF-1	Multiple-Family Dwelling District 1
MF-2	Multiple-Family Dwelling District 2
MF-3	Multiple-Family Dwelling District 3
MF-4	Multiple-Family Dwelling District 4
PD	Planned Development District
MH	Mobile Home District
A	Agricultural District
P	Parking District
O	Office District
NS	Neighborhood Service District
SC	Shopping Center District
GR	General Retail District
LC	Light Commercial District
CA-1	Central Area District 1
CA-2	Central Area District 2
HC	Heavy Commercial District
I-1	Industrial District 1
I-2	Industrial District 2
I-3	Industrial District 3

FP prefixed to any district designates a subdistrict subject to the provisions of Section 10-1100
D suffixed to any district designates a subdistrict subject to the provisions of Section 10-1500

SECTION 4
PURPOSE OF ZONING DISTRICTS

4-100 EACH ZONING DISTRICT HEREIN ESTABLISHED IS PROVIDED FOR A SPECIFIC PURPOSE AND IN ACCORDANCE WITH A COMPREHENSIVE PLAN FOR THE LOCATION OF VARIOUS TYPES OF USES THROUGHOUT THE CITY AS FOLLOWS:

4-101 R-1 and R-1/2, Single-Family Dwelling Districts: There exists in certain parts of the City of Dallas large areas of single-family residential development on estate type lots of one-half acre to one acre or more in area. Such development has been supplied with utilities and other public services based upon an estate type density. To conserve the character and value of buildings and building sites existing in such areas and to provide for the gradual expansion of such residential development in accordance with the need and a comprehensive plan for various types of residential districts, the R-1 and R-1/2, Single-Family Dwelling Districts are provided. These districts are intended to be composed of single-family dwellings together with public and parochial schools, churches and public park areas to serve the area. The sections designated in the R-1 and R-1/2 Districts are limited in area and are not intended to be subject to major alteration by future amendment except at the fringe of such districts where minor adjustment may become appropriate to permit the reasonable development of vacant tracts or gradual transition from other districts.

4-102 R-16, R-13 and R-10, Single-Family Dwelling Districts: Single-family residential development has taken place on intermediate sized lots in portions of the City of Dallas in recent years. In order to protect and encourage the continued development of intermediate density with single-family residences in appropriate areas of the City, the R-16, R-13 and R-10, Single-Family Dwelling Districts are provided. In addition to single-family residences it is intended that churches, public and parochial schools and public parks necessary to serve and compliment the intermediate density development be permitted. The areas placed in the R-16, R-13 or R-10, Single-Family Dwelling Districts are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify such action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

4-103 R-7.5, Single-Family Dwelling District: This district comprises a major portion of the existing single-family dwelling development of the City and is considered to be the proper zoning classification for large areas of the undeveloped land remaining in the City appropriate for single-family dwelling use. This district is intended to be composed of single-family dwellings together with the public and parochial schools, churches and public parks essential to create basic neighborhood units. Limited portions of such neighborhood units may consist of denser residential zoning classifications which are shown on the Zoning District Map or which later may be created by amendments to such map.

4-104 R-5, Single-Family Dwelling District: This classification creates a single-family dwelling district which is appropriate in area requirements for moderate value single-family housing development and which, at the same time, provides a reasonable standard of light, air and similar living amenities. Most areas classified as R-6 under the previous ordinance are designated in the R-5 District. It is intended that the R-5 classification be added by amendment in specific areas where higher density single-family residence development is shown to be appropriate because of existing development and the adequacy of utilities and where redevelopment of substandard areas at increased single-family density is appropriate.

4-105 2F-1 and 2F-2, Two-Family Dwelling Districts: Two-family or duplex dwellings have long been a recognized form of housing in the City of Dallas. In order to provide standards which will protect and encourage the various types of two-family dwellings existing in the City, two two-family dwelling districts of differing density and area requirements are provided. The 2F-1 District is appropriate for and is used to provide a spacious type of two-family dwelling district suitable for larger dwelling units. The 2F-2 District provides a more dense two-family dwelling classification appropriate for smaller dwelling units and is largely utilized in the previously developed duplex sections of the City. In some of the two-family districts, it is anticipated that some change to more dense apartment or town house residences may from time to time be appropriate to encourage the redevelopment of desirable forms of housing.

4-106 MF-1 and MF-2, Multiple-Family Dwelling Districts: These districts are composed mainly of areas containing mixtures of single-family, two-family and multiple-family dwellings and certain uniformly developed multiple-family dwelling sections. The MF-1 and MF-2 Districts are medium density districts and are located in certain areas close in to the center of the City and at various outlying locations. The area regulations are designed to protect the residential character and to prevent the overcrowding of the land in the MF-1 and MF-2 Districts by providing minimum standards for building spacing, yards, off-street parking and coverage. All commercial and office uses are prohibited in the MF-1 and MF-2 Districts. It is anticipated that additional areas may be designated in the MF-1 or MF-2 District from time to time in the future where such change is appropriate and access and utility services can reasonably accommodate such medium density dwellings.

4-107 MF-3 and MF-4, Multiple-Family Dwelling Districts: There has been constructed in several parts of the City of Dallas in recent years, a number of multiple story apartment buildings. To provide proper and appropriate standards for this dense form of housing, two specific districts have been provided. The MF-3 District is designed to accommodate high-rise apartment buildings outside the central area where greater open space and higher off-street parking standards are appropriate. Certain limited service uses such as a restaurant, barber or beauty shop are permitted in the MF-3 District when such uses are totally contained within the building. Provisions are made for yards, building spacing and a maximum floor-area ratio to assure that high-rise buildings located in the MF-3 District will be compatible with adjacent lower buildings and to prevent the overcrowding of land. It is anticipated and intended that the MF-3, Multiple-Family District will be expanded and some new areas created from time to time.

Both MF-3 and MF-4 Districts are high density dwelling districts. The MF-4 District is designed and intended to be used in and near the central business area and is not intended to be used in the outlying parts of the City. High densities are permitted in the MF-4 District and combinations of business and apartment uses are also permitted. Specific standards for light, air and building bulk are prescribed for the building.

4-108 PD, Planned Development District: In order to provide flexibility in the planning and development of projects with combinations of uses or of specific physical designs such as office centers, combination apartment and retail centers, shopping centers, medical centers with office and housing elements, special industrial districts, housing developments or any similar developments, a PD, Planned Development District is provided. This district is intended to be applied to the district map as an amendment to the zoning ordinance. Certain maximum and minimum standards are specified for various use categories and certain standards such as yards, coverage, building spacing are to be determined by the design. Specific development conditions and development schedules can be enforced with respect to a PD, Planned Development District and failure to adhere to a development schedule can be the basis of removing all or part of a PD, Planned Development District from the Zoning District Map. The purposes of the PD, Planned Development District are to achieve flexibility and variety in the physical development pattern of the City, to encourage a more efficient use of open space and to encourage the appropriate use of land. It is intended that cognizance be taken of the surrounding property and the proper protection of such property be given in locating and approving any PD, Planned Development District.

4-109 MH, Mobile Home District: The mobile home or house trailer is recognized as a specific form of housing for which accommodations should be provided. To provide appropriate standards as to density, spacing and use, a separate district is created and designated for the specific purpose of providing at appropriate locations, area for the development of mobile home parks, courts or subdivisions. In certain commercial and industrial districts, a mobile home development may be provided for by amending the Zoning District Map where such projects are appropriate by approval of a Specific Use Permit. The standards for commercial mobile home development for transient occupancy differ from those of a mobile home subdivision where more or less permanent occupancy is anticipated.

4-110 A, Agricultural District: There exists in certain fringe areas of the City of Dallas, land which is presently used for agricultural purpose and to which urban services are not yet available. These lands should appropriately continue to be used for agricultural purposes for a number of years and until needed for urban purposes in conformity with the orderly growth of the City. The uses permitted in the A, Agricultural District are intended to accommodate the normal farming, ranching and gardening activities. It is anticipated that all of the A, Agricultural District area will be changed to other urban zoning categories as the area within the Corporate Limits of Dallas becomes fully developed. Newly annexed territory shall be temporarily zoned as A, Agricultural District until permanent zoning is established.

4-111 P, Parking District: The provision of off-street parking for motor vehicles in connection with all types of use is essential to the reduction of congestion in the streets and to the encouragement of the most appropriate use of land. Numerous strip retail and commercial areas exist in Dallas which are deficient in the provision of off-street parking space. The P, Parking District provides a zoning classification generally limited to parking use and intended for use behind, across the street, or adjacent and incidental to apartments, retail, commercial, institutional, office, or industrial uses where the provision of off-street parking is essential to protection of existing development and conducive to the most appropriate use of land. The P, Parking District is intended to be applied to the Zoning District Map by amendment where property ownership, physical arrangement and proper access make such change appropriate. In many instances the P, Parking District may be less than one (1) acre in area.

4-112 O, Office District: The financial, professional and managerial dominance of Dallas as a regional center has made office use a distinct and separate form of land use. In order to provide a zoning district which would protect and encourage a high standard of office development the O, Office District is included as a separate zoning classification. The area standards provided in the O, Office District anticipate that office uses will be located in close proximity to apartments and other residential uses. Yards, building bulk and off-street parking regulations are provided to assure that office uses will be compatible with adjacent residential districts. Where office buildings higher than three stories are anticipated or constructed, greater setbacks are required in order to protect the light and air to adjacent properties. Limited retail and service uses related to the operation of the office building such as a tobacco shop, barber shop or restaurant are permitted in the O, Office District but only when such uses are contained within the building proper and are arranged to serve the building occupants and not the general public.

4-113 NS, Neighborhood Service; SC, Shopping Center; GR, General Retail Districts: Three classifications of retail districts are provided to accommodate the various types of retail services and existing retail development.

The NS, Neighborhood Service District is a limited retail category intended for use near neighborhood areas for purposes of supplying day to day retail needs of the residents such as food, drugs and personal services. The NS, Neighborhood Service District occurs often at limited corner locations in existing developments and is intended for small service areas in new development plans.

The SC, Shopping Center District provides a uniform set of standards for modern shopping center development including requirements for screening, off-street parking and building setbacks. The preponderance of outlying shopping centers zoned by special permit in the previous zoning ordinance are placed in the SC, Shopping Center District. Inasmuch as the SC, Shopping Center District occurs in close proximity to residential development, building setback and screening requirements are included to achieve a compatible relationship between the retail development and the adjacent residential areas which they are intended to serve. It is anticipated that from time to time, additional SC, Shopping Center Districts will be applied to the district map where such retail service is required to serve developing residential communities.

The GR, General Retail District is applied to the substantial strip retail areas which because of the nature of development are not appropriate for inclusion in the SC, Shopping Center District. The uses specified in the GR, General Retail District include most types of retail activity except for certain open-type displays such as used car lots and heavy machinery sales which are not compatible with the retail shopping function intended in the GR, General Retail District. It is not anticipated that the strip retail areas zoned as GR, General Retail Districts will be subject to any major expansion. It is, however, anticipated that in some situations a future change to a Commercial or Office classification might be appropriate to permit the transition of strip retail areas which are no longer in demand for retail use to other productive forms of land use.

4-114 LC, Light Commercial District: Part of the existing strip business development consists of uses related to the automobile, including drive-in or curb service eating places, used car lots, repair garages, amusements and repair and service uses such as custom woodworking shops, upholstery shops, commercial amusements and plumbing shops. Such uses are generally not compatible to retail shopping areas and tend to obstruct and interfere with the shopping function. To accommodate such uses, the LC, Light Commercial District is provided. Generally this district is located along major arteries where strip business development exists.

4-115 CA-1 and CA-2, Central Area Districts: These districts are provided to accommodate existing developments in the central area of the city, to encourage the most appropriate future use of land, and to prevent the increase of street congestion. The requirements of both districts are quite similar with the major difference being the requirements for apartment development. Both districts require off-street parking and loading although the construction of parking facilities for fifty (50) cars or less is exempted in CA-1. The CA-1 District covers the area within the central freeway loop as well as a portion of the business development along Jefferson Boulevard. The CA-2 District is found in several sections outside the central freeway loop and on the border areas of the Jefferson Boulevard business section.

4-116 HC, Heavy Commercial District: The sale, service, display and storage of certain commodities is by its nature not compatible with many other sales and display operations. Building material yards, contractor yards, open storage and repair of heavy machinery and welding or machine shops are examples of such heavy uses. In order to establish areas where such essential heavy sales, service, display and storage uses could be located, the HC District is provided.

4-117 I-1, I-2 and I-3, Industrial Districts: Industrial development particularly of the distribution and light processing types represent a substantial part of the economic base of Dallas. The rapidly changing variety of industry found in Dallas and the development of modern technology make it appropriate and desirable to provide for standards of industrial performance rather than to attempt to categorize industrial uses by name. Performance Standards cover-

ing noise, smoke, particulate matter and other air contaminants, odorous matter, fire and explosive hazard, glare and vibration are specified for each of the three industrial districts and noise, odor and glare standards are made applicable to all districts.

The I-1 District permits basically the same uses and has the same Performance Standards as the I-2 District. The I-1 District area provisions are, however, applicable to the modern industrial district developments, several of which have come into being in recent years. The district is provided to encourage and protect the high standard of industrial district development that has prevailed in Dallas in recent years.

The I-1 District requirements include front yard setbacks and building spacing standards not appropriate in the I-2 District. The I-2 District standards are based upon the close-in light industrial development where little or no front yard setback or building spacing has been provided. In order therefore to protect the existing development and to encourage the most appropriate use of land in the future, the I-1 and I-2 Districts are provided.

The I-3 District has more liberal Performance Standards than the two light industrial districts, I-1 and I-2, and is considered to be a heavy industrial district. Most industrial uses are permitted in the I-3 District. The provision of adequate site area and technical operation which will permit a use to meet the standards for noise, smoke and contaminants, odor, fire and hazard, glare and vibration at the bounding property line of the site will enable almost any industrial operation to be located in the I-3 District.

All types of housing development other than that for caretakers or watchmen are excluded from the I-3 District and only apartment development is permitted in the I-1 and I-2 Districts, it being the intent of such provision to protect the industrial land of the City of Dallas from the adverse effects of unregulated residential encroachment and to facilitate the proper and adequate provision of transportation, schools, parks and other public requirements.

4-118 FP, Flood Plain Prefix: Any zoning district designation appearing on the Zoning District Map may be preceded by the Prefix FP indicating a subdistrict. Such indication shall apply to zoning districts located in low lying flood plain areas along major streams and drainageways in the City of Dallas which are subject to periodic inundation and are unsuitable in present form for use as a building site. The area designated in a FP Subdistrict may be used only for those uses listed in the provisions of Section 10-1100 until the area or any portion thereof located in the FP Subdistrict is certified by the Director of Public Works as being suitable for the uses permitted in the general district and it has been determined that building construction would not create an obstruction to drainage nor a hazard to life or property and that such use or construction is not contrary to the public interest.

4-119 Specific Use Permits: Certain uses because of their nature and existing location are not appropriate for categorizing into specific zoning districts. Such uses include among others, utility installations, colleges and universities, institutions, community facilities, zoos, cemeteries, country clubs and some heavy operations such as junk yards, dumps and gravel pits. To provide for the proper handling and location of such specific uses, provision is made for amending this ordinance to grant a permit for a specific use in a specific location. All uses for which Specific Use Permits may be granted are shown on the Use Schedule 10-200 through 10-215. The procedure for approval of a Specific Use Permit includes a public hearing and the amending ordinance may provide for certain restrictions and standards of operation. The indication that it is possible to grant a Specific Use Permit in the Use Schedule does not constitute a grant of privilege for such use nor is there any obligation to approve a Specific Use Permit unless it is the finding of the City Planning and Zoning Commission and City Council that such specific use is compatible with adjacent property use and consistent with the character of the neighborhood.

SECTION 5
ZONING DISTRICT MAP

5-100 THE BOUNDARIES OF ZONING DISTRICTS SET OUT HEREIN ARE DELINEATED UPON A SET OF SECTIONAL ZONING DISTRICT MAPS OF THE CITY OF DALLAS, TEXAS CONSISTING OF 138 SECTIONS. SAID SET OF MAPS ARE ADOPTED AS PART OF THIS ORDINANCE AS FULLY AS IF THE SAME WERE SET FORTH HEREIN IN DETAIL.

5-101 One original set of Zoning District Maps shall be filed in the office of the City Secretary. This copy shall be the official Zoning District Map and shall bear the signature of the Mayor and attestation of the City Secretary. This copy shall not be changed in any manner. In case of any question, this copy, together with amending ordinances, shall be controlling.

5-102 Additional copies of the original set of Zoning District Maps shall be placed in the offices of the City Secretary, the Building Inspector and the Director of Planning. These copies shall be used for reference and shall be maintained up-to-date by posting thereon all subsequent amendments.

SECTION 6
ZONING DISTRICT BOUNDARIES

6-100 THE DISTRICT BOUNDARY LINES SHOWN ON THE ZONING DISTRICT MAP ARE USUALLY ALONG STREETS, ALLEYS, PROPERTY LINES OR EXTENSIONS THEREOF. WHERE UNCERTAINTY EXISTS AS TO THE BOUNDARIES OF DISTRICTS AS SHOWN ON THE OFFICIAL ZONING MAP THE FOLLOWING RULES SHALL APPLY:

6-101 Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.

6-102 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

6-103 Boundaries indicated as approximately following city limits shall be construed as following city limits.

6-104 Boundaries indicated as following railroad lines shall be construed to be the established centerline of the right-of-way or if no centerline is established, the boundary shall be interpreted to be midway between the right-of-way lines.

6-105 Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line.

6-106 Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines, and in the event of change in the centerline, shall be construed as moving with the centerline. The centerline shall be interpreted as being midway between the shore lines.

6-107 Boundaries indicated as parallel to or extensions of features indicated in 6-101 through 6-106 above shall be so construed. Distances not specifically indicated on the Zoning District Map shall be determined by the scale of the map.

6-108 Whenever any street, alley or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley or other public way shall be automatically extended to the centerline of such vacated street, alley or way and all area so involved shall then and henceforth be subject to all regulations of the extended districts.

6-109 Boundaries indicated as dividing a lot or tract shall be construed as being located as shown on the Zoning District Map. Distances not specifically indicated on the Zoning District Map shall be determined by the scale of the map.

6-110 Where physical features on the ground are at variance with information shown on the official Zoning District Map or when there arises a question as to whether or how a parcel of property is zoned and such questions cannot be resolved by the application of subsections 6-101 through 6-109 the property shall be classified as A, Agricultural District, temporarily in the same manner as provided for newly annexed territory and issuance of building permits and the determination of permanent zoning shall be in accordance with provisions for temporarily zoned areas as set forth in Section 9.

SECTION 7
COMPLIANCE REQUIRED

7-100 All land, buildings, structures or appurtenances thereon located within the City of Dallas, Texas which are hereafter occupied, used, erected, altered or converted shall be used, placed and erected in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located except as hereinafter provided. Land used in meeting the requirements of this ordinance with respect to a particular use or building shall not be used to meet the requirements for any other use or building.

SECTION 8
PRESERVING RIGHTS AND CONTINUITY IN ENFORCEMENT, PENDING LITIGATION, AND VIOLATIONS UNDER ORDINANCE 5238 AND AMENDMENTS THERETO

8-100 By the passage of this ordinance no presently illegal use or building shall be deemed to have been legalized unless such use falls within a use district where the actual use and standards under the terms of this ordinance would be conforming. Any use which does not conform to provisions of this ordinance shall be a nonconforming use or structure if it legally existed as a conforming or nonconforming use or structure under Ordinance 5238 or an illegal use if it did not exist as a conforming or nonconforming use or structure, as the case may be. It is further the intent and declared purpose of this ordinance that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time the existing zoning ordinance was repealed and this ordinance adopted shall be discharged or affected by such repeal; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures may be instituted or causes presently pending proceeded with in all respects as if such prior ordinance had not been repealed.

SECTION 9
ANNEXED TERRITORY TEMPORARILY ZONED

9-100 ALL TERRITORY HEREAFTER ANNEXED TO THE CITY OF DALLAS SHALL BE TEMPORARILY CLASSIFIED IN THE A, AGRICULTURAL DISTRICT UNTIL PERMANENT ZONING CLASSIFICATIONS ARE GIVEN THE AREA BY THE CITY COUNCIL OF THE CITY OF DALLAS.

9-101 The procedure for establishing the permanent zoning on any annexed territory shall be the same as is provided by law for the amendment of the zoning ordinance.

9-102 In an area temporarily classified in the A, Agricultural District, building permits and certificates of occupancy and compliance may be issued for all uses permitted in the A, Agricultural District subject to all of the requirements and regulations specified for this district.

9-103 Building permits and certificates of occupancy and compliance for uses other than those permitted in the A, Agricultural District may be issued in a newly annexed territory prior to permanent zoning upon authorization by the City Council in the following manner:

a. An application for any use shall be made to the Building Inspector, said application to show the use contemplated, a plat showing the size of the lot or tract of land proposed to be used and the location of and the size and type of buildings proposed to be constructed.

b. Such application shall be referred by the Building Inspector to the City Plan Commission for consideration.

c. The City Plan Commission shall make its recommendation to the City Council after giving due consideration to the land use plan for the area in which the application is located.

d. Whenever such a recommendation is filed with the City Council, it shall be advisory only and the City Council may grant or deny the application as the facts may justify.

SECTION 10
USE OF LAND AND BUILDINGS

10-100 LAND AND BUILDINGS IN EACH OF THE ZONING DISTRICTS MAY BE USED FOR ANY OF THE LISTED USES BUT NO LAND SHALL HEREAFTER BE USED, AND NO BUILDING OR STRUCTURE SHALL HEREAFTER BE ERECTED, ALTERED OR CONVERTED WHICH IS ARRANGED OR DESIGNED OR USED FOR OTHER THAN THOSE USES SPECIFIED AS PERMITTED USES IN THE DISTRICT IN WHICH IT IS LOCATED ACCORDING TO THE FOLLOWING USE SCHEDULE AND IN ACCORDANCE WITH THE PROVISIONS OF THE FOLLOWING SECTIONS OF THIS ORDINANCE.

10-200 SCHEDULE OF USES

LEGEND

▨ Designates use permitted in district indicated.

☐ Designates use prohibited in district indicated.

S Indicates use may be approved as Specific Use Permit; see 10-900

L Indicates use permitted under specific limitations and conditions; see 10-1000.

TYPE USE	DISTRICTS																								
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
10-201 PRIMARY RESIDENTIAL TYPE USES																									
a One-Family Dwelling (Detached) (1)	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨		▨		▨	▨	▨	▨	▨	▨	▨	▨			
b One-Family Dwelling (Attached) (2)								▨	▨	▨	▨	▨	▨	▨					▨	▨	▨	▨	▨	▨	▨			
c Two-Family Dwelling (3)								▨	▨	▨	▨	▨	▨	▨					▨	▨	▨	▨	▨	▨	▨			

NOTE: For definitions and explanations of uses followed by numbers in parenthesis see Section 10-300.

DISTRICTS

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT 1	CA-2 CENTRAL AREA DISTRICT 2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT	I-2 INDUSTRIAL DISTRICT 2	I-3 INDUSTRIAL DISTRICT 3
J Multiple-Family Dwelling (4)										▒	▒	▒	▒	▒					▒	▒	▒	▒	▒	▒	▒	▒	▒	
K Community Unit Development Conforming Housing (5)	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒				▒	▒	▒	▒	▒	▒	▒	▒		
L Community Unit Development Variable Housing (6)	S	S	S	S	S	S	S	S	S																			
M Boarding or Rooming House (7)											▒	▒	▒	▒					▒			▒	▒	▒	▒	▒		
N Trailer Camp or Mobile Home Park (20)															▒								S			S		S	
O Hotel or Motel (9)													▒	▒	▒				▒		▒	▒	▒	▒	▒	▒	▒	▒	
P Tourist Court (10)																							▒			▒	▒	▒	
10-202 ACCESSORY & INCIDENTAL USES																													
Accessory Building for Uses Permitted	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒		▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	
Accessory Dwelling Units (2)	S	S	S	S	S	S	S	S	S	▒	▒	▒	▒	▒	▒	▒			▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	
Farm Accessory Building (13)	▒	▒	▒	▒	▒	▒	▒	▒	▒								▒									▒	▒	▒	▒
Guest House (Detached) (14)	▒	▒	▒														▒									▒	▒	▒	▒
Off-Street Parking Incidental to Main Use (15)	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒		▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒
Retail or Service Use Incidental to Main Use (16)												L	▒						L	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒
Servant or Caretaker's Quarters (17)	▒	▒	▒											▒			▒							▒	▒	▒	▒	▒	▒
Stable (Private) (18)	▒																▒									▒		▒	▒
Swimming Pool (Private) (19)	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒		▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒
Temporary Field or Construction Office (23)				SUBJECT TO CONTROL BY BUILDING INSPECTOR SEE 10-1200																									
Home Occupation (21)	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒												
Apartment Accessory Uses (22)										▒	▒	▒	▒	▒	▒				▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
10-203 UTILITY & SERVICE USES																													
a Electrical Substation	S	S	S	S	S	S	S	S	S	S	S	S	S		S		S												
b Electrical Energy Generating Plant	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S		S	S	S	S	S	S	S	S	S	S	S	
c Electrical Transmission Line																													
d Fire Station																													
e Gas Line and Regulating Station																													
f Local Utility Line (23)																													
g Local Transit Station or Turnaround (24)																													
h Radio, Television or Micro-Wave Tower (25)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S		S										
i Commercial Radio or Television Transmitting Station																S													
j Sewage Pumping Station																													
k Sewage Treatment Plant	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S	S	S	S	S	S	S	
l Telephone Exchange, Switching & Transmitting Equipment Only (26)																													
m Telephone Business Office																													
n Utility Installation, Public or Private, Not Listed (27)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S										
o Water Stand Pipe or Elevated Storage (28)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S												
p Water Reservoir, Well or Pumping Station																													
q Water Treatment Plant	S	S	S	S	S	S	S	S	S	S	S	S	S		S														
10-204 INSTITUTIONAL EDUCATIONAL & SPECIAL USES																													
a Church or Rectory (29)																													

DISTRICTS

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF2 MULTIPLE FAMILY DWELLING DISTRICT	MF3 MULTIPLE FAMILY DWELLING DISTRICT	MF4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
b College, University or Private School (30)	S	S	S	S	S	S	S	S	S	S	S	S			S												
c Cemetery or Mausoleum	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S											
d Community Center (Public) (31)																											
e Convent or Monastery	S	S	S	S	S	S	S	S	S	S					S				S	S							
f Day Nursery or Kindergarten (32)	S	S	S	S	S	S	S	S	S	S					S	S			S	S							
g Day Camp	S	S	S	S	S	S	S	S	S	S	S	S	S			S											
h Fraternity or Sorority											S																
i Institution for Care of Aged or Children, Penal or Correctional Institution	S	S	S	S	S	S	S	S	S	S	S	S	S			S		S	S	S	S	S	S	S	S	S	
j	S	S	S	S	S	S	S	S	S	S	S	S	S			S											
k										S	S	S				S		S			S						
l Institution for Care of Aged or Children, Penal or Correctional Institution	S	S	S	S	S	S	S	S	S	S	S	S				S											
m Library, Art Gallery or Museum (Public) (37)	S	S	S	S	S	S	S	S	S							S											
n Lodge or Fraternal Organization	S	S	S	S	S	S	S	S	S	S	S	S	S						S	S							
o Nursing Home or Residence Home for Aged (38)										S	S	S							S	S							
p School, Business (39)																			S	S							
q School, Commercial Trade or Craft (40)																					S						
r School, Public or Denominational (41)																											
s Welfare or Health Center (42)										S						S											
10-205 ADVERTISING & SIGN USES																											
a Name Plates (43)																											

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
b Real Estate (44)																											
c Construction (45)																											
d Development (46)																											
e Nonresidential Identification (47)																											
f Institutional (48)																											
g Apartment Wall (49)																											
h Apartment (50)																											
i Mobile Home (51)																											
j Agricultural (52)																											
k General Business (53)																											
l Special Height (54)																											
m Advertising (55)																											
10-206 FOOD & BEVERAGE SERVICE																											
a Bar, Lounge or Tavern (56)																											
b Eating Place with Drive-in or Curb Service (57)																											
c Eating Place without Drive-in or Curb Service (58)												L						L									
d Eating Place with Beer or Wine (59)												L															
e Eating Place with Dancing or Entertainment (60)																											
f Private Club with Dining & Bar Service																		L									
g Catering Service																											

DISTRICTS

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
10-207 OFFICE, PROFESSIONAL & FINANCIAL USES																												
a Bank or Savings & Loan Office														P				P	P	P	P	P	P	P	P	P	P	P
b Clinic, Medical or Dental (61)														P				P	P	P	P	P	P	P	P	P	P	P
c Doctors or Physicians Office (62)													P	P				P	P	P	P	P	P	P	P	P	P	P
d Laboratory, Medical or Dental														P				P		P	P	P	P	P	P	P	P	P
e Laboratory, Scientific Testing														P				P		P	P	P	P	P	P	P	P	P
f Medical Appliance Fittings & Sales														P				P		P	P	P	P	P	P	P	P	P
g Mortuary																		S	S	P	P	P	P	P	P	P	P	P
h Office, Professional or General Business													P	P				P	P	P	P	P	P	P	P	P	P	P
i Optical Shop														P				P	P	P	P	P	P	P	P	P	P	P
j Person, Artist													P	P				P	P	P	P	P	P	P	P	P	P	P
k Studio, Drama, Speech or Dance (63)														P				P		P	P	P	P	P	P	P	P	P
l Studio, Music														P				P		P	P	P	P	P	P	P	P	P
m Studio, Display of Arts & Decorative Objects (64)													P	P				P	P	P	P	P	P	P	P	P	P	P
n Studio, Recording and Broadcasting														P				P		P	P	P	P	P	P	P	P	P
10-208 PLANTS, PETS, ANIMALS & RELATED USES																												
a Animal Clinic or Hospital (Household Pets, No Outside Run)														P		S				P	P	P	P	P	P	P	P	P
b Animal Clinic or Hospital or Kennel (Outside Run)																S										S	S	S
c Animal Pound, Public or Private																S										S	S	S
d Aquarium, Commercial																				P	P	P	P	P	P	P		P

DISTRICTS

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
e Farm, Ranch, Garden or Orchard (65)																S											S		
f Garden Shop & Plant Sales Display or Greenhouse																S													
g Hatchery, Poultry																													
h Livestock Auction Pens or Sheds																										S		S	
i Pet Shop (Small Animals & Birds) (66)																													
j Stable, Commercial (67)																S												S	
k Veterinarians' Office (No Hospital)																													
l Zoo, Commercial																										S		S	S
m Zoo, Public	← BY SPECIAL APPROVAL OF CITY COUNCIL →															S		S	S	S	S	S	S	S	S	S	S	S	S
10-209 PERSONAL SERVICE & CUSTOM CRAFTS																													
a Art Needlework (68)																													
b Barber & Beauty Shop												L						L											
c Book Handcraft Binding (69)																													
d Cabinet & Woodwork Shop, Custom (70)																													
e Cleaning Shop, Small Custom Shop (71)																													
f Cleaning Shop, Commercial																													
g Custom Sewing & Millinery (72)																													
h Handcraft, Ceramic Sculpture or Similar Art Work																													
i Hand Weaving																													
j Health Studio																													

TYPE USE	DISTRICTS																												
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF2 MULTIPLE FAMILY DWELLING DISTRICT	MF3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT 1	I-2 INDUSTRIAL DISTRICT 2	I-3 INDUSTRIAL DISTRICT 3
Key Shop																													
Laundry or Dry Cleaning (Self-Service) (73)																													
Laundry, Commercial																													
Laundry or Cleaning Pick-up & Receiving Station																													
Photography Studio																													
Shoe Repair																													
Tailor																													
Taxidermist																													
Travel Bureau																													
Upholstery Shop																													
10-210 RETAIL SALES USE																													
Antique Shop, Enclosed (74)																													
Bakery Store																													
Bakery or Confectionary Shop (Retail)																													
Book & Stationery Store																													
Camera Shop																													
Cigar, Tobacco, & Candy												L						L											
Clothing Store																													
Drug Store or Pharmacy																		L											
Feed Store, Retail (Livestock) (No Mill) (75)																													

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
j Beverage Store													▨	▨						▨	▨	▨	▨	▨	▨	▨	▨
k Florist Shop													▨	▨				L	▨	▨	▨	▨	▨	▨	▨	▨	▨
l Furniture Store (New)													▨	▨						▨	▨	▨	▨	▨	▨	▨	▨
m Hardware & Sporting Goods													▨	▨					▨	▨	▨	▨	▨	▨	▨	▨	▨
n Hobby Shop & Art Supply Store													▨	▨					▨	▨	▨	▨	▨	▨	▨	▨	▨
o Letter & Mimeograph Shop																		L	▨	▨	▨	▨	▨	▨	▨	▨	▨
p Paint & Wallpaper Store													▨	▨					▨	▨	▨	▨	▨	▨	▨	▨	▨
q Pawn Shop																					▨	▨	▨		▨	▨	▨
r Second Hand Store, Used Furniture or Rummage Shop																					▨	▨	▨		▨	▨	▨
s Swimming Pool, Sales & Supply																					▨	▨	▨	▨	▨	▨	▨
t Retail Stores & Shops Other Than Listed (76)													▨	▨							▨	▨	▨	▨	▨	▨	▨
u Tool Rental														▨							▨	▨	▨	▨	▨	▨	▨
10-211 RECREATION, SOCIAL & ENTERTAINMENT USES																											
a Amusement, Commercial (Outdoor) (77)														▨						S	S	▨	▨	▨	▨	▨	▨
b Amusement, Commercial (Indoor) (78)														▨						▨	▨	▨	▨	▨	▨	▨	▨
c Carnival or Circus (Temporary) (79)	← PERMITTED BY SPECIAL RESOLUTION OF THE CITY COUNCIL →																										
d Country Club Private Membership (80)	S	S	S	S	S	S	S	S	S	S	S	S	S			S						▨	▨	▨	▨	▨	▨
e Dance Hall or Night Club (81)																						S		▨		S	▨
f Club, Private, Business (82)													▨	▨				L		▨	▨	▨	▨	▨	▨	▨	▨
g Fairgrounds														▨								▨	▨	▨	▨	S	S

TYPE USE	DISTRICTS																											
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-75 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT -	I-2 INDUSTRIAL DISTRICT 2	I-3 INDUSTRIAL DISTRICT 3
h Golf Course Commercial (83)																												
i Golf Course Public (84)	S	S	S	S	S	S	S	S	S	S	S	S	S		S													
j Ice Skating Rink																	S											
k Park or Playground Public (85)																												
l Recreation Club or Area, Private (86)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S		S										
m Rodeo																S									S		S	
n Theatre Drive-in Type																S					S							
o Theatre Not Drive-in Type																												
p Billiard Parlor																				S	S	S						
10-212 TRANSPORTATION TYPE USES																												
o Airport or Landing Field (87)																S		S	S	S	S	S		S	S	S		
b Bus Station & Terminal																												
c Hauling & Storage Company																												
d Helicopter Base (88)																S				S			S	S	S	S		
e Heliport (89)																S				S		S	S	S	S	S		
f Helistop (90)												S	S			S		S		S	S	S	S	S	S			
g Motor Freight Terminal																												
h Railroad Freight Terminal																												
i Railroad Passenger Station																												
j Railroad Team Track (91)																												

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
k Railroad Yard Roundhouse & Shops																													
10-213 MOTOR VEHICLES & RELATED USES																													
a Auto Laundry (92)																													
b Auto Glass, Muffler & Seat Cover Shop																													
c Auto Parts & Accessory Sales (Indoor Only)																													
d Auto Parts & Accessory Sales (Outdoor Display)																													
e Auto Sales (Indoor Display)																													
f Auto Sales or Storage (Outdoor Display)																													
g Auto Storage or Auction																													
h Auto Repair Garage																													
i Auto Painting or Body Rebuilding Shop																													
j Bus or Truck Parking or Garage																													
k Drag Strip or Commercial Racing																													S
l Engine or Motor Repair (93)																													
m Go Cart Track																											S	S	S
n Machinery Repair Display or Sales																													
o Machine or Welding Shop																													
p Motorcycle or Scooter Sales & Service																													
q Parking, Commercial Lot or Garage																													
r Service Station (Motor Vehicle Fuel)																													

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
s Steam Cleaning Vehicles & Machinery																													
t Wrecking Yard Junk & Salvage (94)																													S
10-214 STORAGE, PROCESSING & COMMERCIAL USES																													
a Brick Yard & Similar Building Material Sales																													
b Clothing Manufacturing & Similar Light Manufacturing & Assembly (95)																													
c Fix-it Shop & Appliance Repair (96)																													
d Furniture Repair and Upholstery																													
e Job Printing																													
f Laboratory, Manufacturing (97)																													
g Light Fabrication & Assembly Processes (98)																													
h Lumber Yard																													
i Lithographing or Printing Plant																													
j Monument Sales Yard																													
k Open Storage (No Enclosure) (99)																													
l Open Storage Visual Screen (100)																							S						
m Petroleum Products Storage & Wholesale																													
n Plumbing Shop																													
o Maintenance & Home Repair Shop (No Outside Storage) (101)																													
p Contractor or Maintenance Yard (102)																													
q Salvage Yard (Outside) (103)																													S

DISTRICTS

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
r Salvage & Reclamation (In Building)																								S	S		S	
s Sand, Gravel or Earth Sale & Storage																								S	S		S	
t Dump, Private or Municipal																S									S		S	
u Stone, Sand or Gravel Extraction																S									S	S	S	
v Warehouse or Covered Storage (104)																												
10 - 215 INDUSTRIAL & MANUFACTURING USES																												
a Light Manufacturing or Industrial Uses as Defined by Performance Standards																												
b Heavy Manufacturing or Industrial Uses as Defined by Performance Standards																												
c Concrete or Asphalt Batching Plant	TEMPORARY BATCHING PLANTS PERMITTED BY CITY COUNCIL RESOLUTION IN R-1 THROUGH CA-2 AND I-1.																								S			
d Animal or Poultry Slaughtering																											S	
e Any other industrial or manufacturing use which due to the possible emission of excessive smoke, noise, gas, fumes, dust, odor or vibration or danger of fire, explosion or radiation, as determined by the Building Inspector, Fire Marshal or City Health Officer, is presently or in the future is likely to be a hazard or nuisance to adjacent property or the community at large.																											S	S

10-300 DEFINITIONS AND EXPLANATIONS APPLICABLE TO USE SCHEDULE

10-301 The following definitions and explanatory notes supplement, restrict and define the meaning and intent of the use regulations as noted in 10-200, Schedule of Uses.

(1) One-Family Dwelling (detached): A detached building having a single dwelling unit and occupied by not more than one family.

(2) One-Family Dwelling (attached): A dwelling unit on a separately owned lot which is joined to another dwelling unit on one or more sides by a party wall or abutting separate walls and occupied by not more than one family.

(3) Two-Family Dwelling: A detached building having two dwelling units and occupied by not more than two families.

(4) Multiple-Family Dwelling: Any building or portion thereof, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or residence of three or more families.

(5) Community Unit Development (conforming housing) - shall mean a related group of residences and associated uses including a private community center which conform to the type of residences and uses which are permitted in the district in which the development is located and which are planned as an entity and subject to design, development and regulation as a single related and unified residential development by a single owner or group of owners acting jointly. The area, density and site requirements on individual dwellings may vary from the standards of the district in which the Community Unit Development is located but the overall density standards for the district shall be observed.

(6) Community Unit Development (variable housing) - shall mean a related group of residences and associated uses including a private community center which do not all conform in type and height to the residences and uses which are permitted in the district in which the development is located and which are planned as an entity and subject to design, development and regulation as a single related and unified residential development by a single owner or group of owners acting jointly. A Specific Use Permit is necessary to allow the varied density and housing types proposed for a Community Unit Development with variable housing.

(7) Boarding or Rooming House: A building, other than a hotel or multiple-family dwelling, where lodging is provided for five or more persons for compensation, where meals may or may not be served and where

facilities for food preparation are not provided in the individual rooms. Where meals are served, they shall be served only to the residents of the boarding house.

(8) Trailer Camp or Mobile Home Park: A lot, tract, or parcel of land used to accommodate trailers or mobile homes as a semi-permanent place of residence. Such a park may be in single ownership with trailer stands for hire or it may be a lot in a subdivision expressly designed as a mobile home subdivision.

(9) Hotel or Motel: A building or group of buildings designed and occupied as a temporary abiding place of individuals. To be classified as a hotel or motel an establishment shall contain a minimum of twenty (20) individual guest rooms or units and shall furnish customary hotel services such as linen, maid service, telephone, use and upkeep of furniture and the accommodations shall not be designed as permanent dwelling units.

(10) Tourist Court: A lot, tract or parcel of land upon which not more than nineteen (19) cottage units are located and maintained for the accommodation of transients for compensation.

(11) Accessory Building (residential): A subordinate building detached from the main building and used for purposes customarily incidental to the residential occupancy of the main building and not involving the conduct of a business or the sale of a service. Accessory buildings include but are not limited to an automobile storage garage, laundry room, garden shelter, hobby room and mechanical room.

(12) Community Center (private): A building or group of rooms designed and used as an integral part of a residential project or Community Unit Development by the tenants of such a project for a place of meeting, recreation or social activity and under the management and unified control of the operators of the project. A Private Community Center shall not be operated as a place of public meetings, or as a business, nor shall the operation of such facility create noise, odor or similar conditions perceptible beyond the bounding property line of the project site nor shall any alcoholic beverage permit for the sale of such beverages be issued for such facility.

(13) Farm Accessory Building: An accessory structure on a tract qualifying as a farm as herein defined for storing or housing the usual products and animals raised or maintained on a farm, such as a barn, poultry house, stable, machinery shed or granary. No structure housing animals or poultry shall be located nearer than one hundred (100) feet to the bounding property lines of the farm tract.

(14) Guest House (detached): A secondary structure on a lot or tract containing dwelling accommodations but excluding kitchen facilities and separate utility services or meters and intended for the temporary occupancy by guests and not for rent or permanent occupancy.

(15) Off-Street Parking Incidental to Main Use: Off-street parking spaces provided for and accessory to a main use located on the same lot or tract as the main use or within three hundred (300) feet as specified in Section 20 and located within the same zoning district as the main use.

(16) Retail or Service Use Incidental to Main Use: A special sales or service use permitted as part of a residential development or building as indicated on the Use Schedule.

(17) Servant or Caretaker's Quarters: Living quarters for persons employed on the premises only and not for rent or use as a separate domicile of other than persons employed on the premises and with no separate utility meters. Such facilities may be located in the main structure or in an accessory building located on the lot with a main residential structure.

(18) Stable (private): An accessory building for quartering not to exceed four (4) horses on a farm or lot when set back from adjacent property lines a minimum distance of one hundred (100) feet.

(19) Swimming Pool (private): A swimming pool constructed for the exclusive use of the residents of a single-family, two-family or apartment dwelling and located and fenced in accordance with the standards and regulations of the City of Dallas. Such private swimming pool shall not be operated as a business nor maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.

(20) Temporary Field or Construction Office: Temporary office buildings and temporary building material storage areas to be used solely for construction purposes in connection with the property on which they are erected may be permitted for a specified period of time in accordance with a permit issued by the Building Inspector.

(21) Home Occupation: An occupation customarily carried on in the home by a member of the occupant's family, being incidental to the primary occupancy of the home as a dwelling, without the offering, display or advertising of any commodity or service for sale on the premises, without the employment of any persons other than a member of the immediate family, without the use of any sign, lighting or display, without the use of other than normal domestic or household equipment or appliances, and the conduct of which does not generate noise, odor, fumes, vibration or any other condition visible, obnoxious or detrimental to abutting or adjacent properties.

(22) Apartment Accessory Uses: Permitted uses accessory to an apartment building shall include a recreation room, employee's washroom, a manager's apartment and office and laundry. Such a recreation room shall be for the exclusive use of the tenants and their guests and no alcoholic beverage permit for the sale of such beverages shall be issued for such facility. When provided an employee's washroom shall be accessible only to the outside of

the apartment building and not through any other room in the building and the washroom be limited to a maximum of thirty (30) square feet in floor area. The manager's apartment may be used as an office, but such facility shall be included in computations of lot area requirements. The laundry room may be used for clothes washing and drying facilities for the exclusive use of the tenants and no exterior advertising of such use may be permitted.

(23) Local Utility Line: The usual electric power, telephone, gas, water, sewer and drainage lines designed and constructed by the municipality or a franchised utility company to serve a community with urban type services.

(24) Local Transit Station or Turnaround: A shelter or building for accommodation of local transit patrons or an off-street turnaround or standing area for loading.

(25) Radio, Television or Micro-Wave Towers: Structures supporting antennae for transmitting or receiving any portion of the radio spectrum but excluding noncommercial antennae installations for home use of radio or television.

(26) Telephone Exchange, Switching and Transmitting Equipment Only: A switching or transmitting station owned by a public utility but not including business office facilities, storage or repair shops or yards.

(27) Utility Installation, Public or Private, Not Listed: Any public or private utility facility franchised or approved by the City of Dallas such as closed circuit television or steam distribution or other similar utility not specifically covered by the uses listed in the Use Schedule, 10-200.

(28) Water Standpipe or Elevated Storage: Any public or private structure for the storage above ground of water for distribution or fire protection purposes.

(29) Church or Rectory: The place of worship and religious training of recognized religions including the on site housing of ministers, priests, rabbis, nuns and similar staff personnel.

(30) College, University or Private School: An academic institution other than a public or parochial elementary or secondary school, including private elementary and secondary schools and institutions of higher learning.

(31) Community Center (public): A building and grounds owned and operated by a governmental body for the social, recreational, health or welfare of the surrounding community.

(32) Day Nursery or Kindergarten: An establishment where four (4) or more children are left for care or training during the day or a portion thereof.

(33) Institution for Care of Alcoholic, Narcotic or Psychiatric Patient: An institution offering resident or out-patient treatment to alcoholic, narcotic or psychiatric patients. In residential districts where such uses are possible by Specific Use Permit approval, a minimum site of twenty (20) acres shall be required.

(34) Hospital (general acute care): An institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life and which is licensed by the State of Texas.

(35) Hospital (chronic care): An institution where those persons suffering from generally permanent types of illness, injury, deformity, deficiency or age are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas.

(36) Institution of a Religious, Charitable or Philanthropic Nature: Buildings, grounds and activities sponsored or operated by organizations established for religious or philanthropic purposes including orphans homes, homes for the aged, resident homes for indigent or handicapped, training and educational facilities and similar establishments.

(37) Library, Art Gallery or Museum (public): Any institution for the loan or display of books, objects of art or science which is sponsored by a public or responsible quasi-public agency and which institution is open and available to the general public.

(38) Nursing Home or Residence Home for Aged: A place of residence or care for persons suffering from infirmities of age or illness where care is provided on a prolonged or permanent basis. This term shall include a convalescent home.

(39) School, Business: A business operating for profit and offering instruction and training in a service or art, such as a secretarial school, barber college, commercial art school, but not including a manual trade school.

(40) School, Commercial Trade or Craft: A business operating for profit and offering instruction and training in a trade such as welding, brick laying, machinery operation and other similar manual trades.

(41) School, Public or Denominational: A school and customary accessory uses under the sponsorship of a public or religious agency having a curriculum generally equivalent to public, elementary or secondary schools, but not including private, trade or commercial schools.

(42) Welfare or Health Center: A community service facility where assistance in welfare and health problems is provided by a public or municipal agency for the benefit of residents of the area.

(43) Name Plate Sign: An accessory sign identifying the name and address of the owner or occupant.

(44) Real Estate Sign: A temporary accessory sign pertaining to the sale or rental of the property on which the sign is placed and advertising the property only for a use for which it is properly zoned.

(45) Construction Sign: A temporary accessory sign identifying the property owner, architect, landscape architect, engineer, decorator, contractor or mortgagee engaged in the design, construction or improvement of the premises upon which the sign is located.

(46) Development Sign: A temporary accessory sign relating to the promotion of new developments on the premises upon which the sign is located.

(47) Nonresidential Identification Sign: An accessory sign advertising a nonresidential use which may be permitted in a residential zone or which may be approved by Specific Use Permit.

(48) Institutional Sign: An accessory sign relating to a church, school or other public institution.

(49) Apartment Wall Sign: An accessory sign composed of the name of an apartment house or development and promoting the sale or rental of the apartments.

(50) Apartment Sign: An accessory sign promoting the sale or rental of apartments.

(51) Mobile Home Sign: An accessory sign identifying the name and address of a Mobile Home Park and promoting the sale or rental of mobile home sites.

(52) Agricultural Sign: An accessory sign identifying the name of a farm or ranch, the owner or operator, the address or advertising the produce, crops or animals raised thereon.

(53) General Business Sign: An accessory sign which directs attention to a business, profession, service, product or activity conducted, sold or offered on the premises where such sign is located.

(54) Special Height Sign: An accessory sign of the General Business type which is higher than other permitted signs.

(55) Advertising Sign: A sign which is a primary use of land (not an accessory use) and which directs attention to a business, product, activity or service which is not necessarily conducted, sold or offered on the premises where the sign is located.

(56) Bar, Lounge or Tavern: An establishment, the primary activity of which is the sale and consumption on the premises of beer, wine or other liquors and where food service, if any, is secondary to the sale of beer, wine or other liquors.

(57) Eating Place with Drive-In or Curb Service: An establishment offering food for sale to customers in automobiles and wherein the food service is to the automobile.

(58) Eating Place without Drive-In or Curb Service: Any eating establishment, cafeteria, restaurant or inn where food service is offered to customers not in automobiles.

(59) Eating Place with Beer or Wine: An establishment other than a bar, tavern or lounge where the primary activity is the sale and service of food to customers and where beer and wine are served incidental to the serving of food.

(60) Eating Place with Dancing or Entertainment: An establishment, the primary activity of which is the sale and service of food or beverage to customers and which incidentally may offer music, entertainment and facilities for dancing by patrons.

(61) Clinic, Medical or Dental: Facilities for examining, consulting with and treating patients including offices, laboratories and outpatient facilities but not including hospital beds and rooms for acute or chronic care.

(62) Doctor's or Physican's Office: A small office for examining and consulting with patients including necessary accessory facilities and occupied by not more than two (2) doctors.

(63) Studio: Drama, Speech or Dance: A building or rooms in a building used for the instructing, coaching or counseling in drama, speech, dance or similar personal skills or arts.

(64) Studio: Display of Art or Decorators Objects: Display rooms and accessory offices for the display of art objects, fabrics and similar items which may be supplied to the clientele of the operator but not involving a direct retail shop. In an MF-4 and O Districts there shall be no sign or display on the exterior of the building.

(65) Farm, Ranch, Garden or Orchard: An area of three (3) acres or more which is used for growing of usual farm products, vegetables, fruits, trees and grain for the raising thereon of the usual farm poultry and farm animals such as horses, cattle and sheep, including a private stable and also including the necessary accessory uses for raising, treating and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law.

(66) Pet Shop, Small Animals and Birds: Facilities for the display and sale of small animals and birds as pets, such as dogs, cats, parakeets or canaries but not involving the boarding or treating of dogs or similar pets.

(67) Stable, Commercial: A structure housing horses which are boarded or rented to the public or any stable other than a private stable; but not including a sales barn, auction or similar trading activity.

(68) Art Needlework: Hand sewing, knitting or weaving of handicraft objects for sale or on a custom basis.

(69) Book Handcraft Binding: Hand binding on a custom basis of books and similar documents.

(70) Cabinet and Woodwork Shop (custom): Shop for the repair or creation of individual items of furniture and wooden home furnishings on a custom basis, not a factory, planing mill or similar woodworking plant.

(71) Cleaning Shop (small custom shop): A cleaning establishment for custom cleaning of individual garments only and not a bulk or commercial type cleaning plant.

(72) Custom Sewing and Millinery: Custom making of items of apparel and millinery, such as a seamstress, but not involving a factory.

(73) Laundry or Dry Cleaning, Self-Service: An establishment providing facilities for washing or dry cleaning garments and similar items and where the customer may personally supervise and handle the cleaning operation.

(74) Antique Shop (enclosed): An establishment offering for sale articles such as glass, china, furniture or similar furnishing and decorations which have value and significance as result of age, design or sentiment; and when all such items displayed or offered for sale are housed within a building and there is no exterior display except the usual sign or advertising.

(75) Feed Store, Retail (livestock, no mill): An establishment for the sale of grain, prepared feed and forage for pets, livestock and fowl but not involving the grinding, mixing or commercial compounding of such items.

(76) Retail Stores and Shops Other Than Listed: Any establishment not listed in the Use Schedule, 10-200, offering consumer goods for sale except those uses specifically excluded and listed in other districts.

(77) Amusement, Commercial (outdoor): Any amusement enterprise offering entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open, including but not limited to a golf driving range, archery range and miniature golf course.

(78) Amusement, Commercial (indoor): An amusement enterprise wholly enclosed in a building which is treated accoustically so that no noise of the enterprise is perceptible at the bounding property line and including but not limited to a bowling alley or billiard parlor.

(79) Carnival or Circus (temporary): A temporary traveling show or exhibition usually housed in tents, and which has no permanent structure or installation. Such temporary carnival or circus is subject to special authorization by resolution of the City Council.

(80) Country Club, Private Membership: An area of twenty (20) acres or more containing a golf course and a club house and available only to a private specific membership. Such a club may contain as adjunct facilities, a private club and dining room, swimming pool, tennis courts and similar service and recreation facilities.

(81) Dance Hall or Night Club: An establishment offering to the general public facilities for dancing and entertainment for a fee and subject to licensing and regulation by the City of Dallas.

(82) Club, Private (business): A club room or suite of rooms or a building available to restricted membership for meetings, dining and entertainment. Such facilities may include a private tennis court, swimming pool or similar recreation facilities, none of which are available to the general public.

(83) Golf Course, Commercial: A golf course, privately owned but open to the general public for a fee and operated as a commercial venture.

(84) Golf Course, Public: A golf course owned or controlled by a public agency such as the municipal Park Department and operated for the benefit of the public.

(85) Park or Playground (public): An open recreation facility or park owned or operated by a public agency such as the municipal Park Department or School Board, and available to the general public. This term shall include such uses as stadiums, field houses, and customary accessory uses.

(86) Recreation Club or Area, Private: A building, park or recreation area, the use of which is restricted to private membership such as by a church, neighborhood association, fraternal or social organization and which may contain the normal active and passive facilities as provided in a public park or playground.

(87) Airport or Landing Field: A landing facility for fixed wing aircraft containing a minimum of sixty (60) acres and approved by the City of Dallas Aviation Department as an aircraft landing facility, subject to the Federal Aviation Agency's requirement of safety and applicant's securing air space utilization from the Federal Aviation Agency.

(88) Helicopter Base: A landing and terminal facility for rotary wing aircraft, including facilities for fueling, servicing and maintaining such craft and subject to approval by the City of Dallas Aviation Department and subject to the Federal Aviation Agency's requirement of safety and applicant's securing air space utilization from the Federal Aviation Agency.

(89) Heliport: A landing facility for rotary wing aircraft not exceeding a gross weight of 12,500 pounds subject to regularly scheduled use, but not including fueling or servicing facilities for such craft and subject to approval by the City of Dallas Aviation Department and subject to the Federal Aviation Agency's requirement of safety and applicant's securing air space utilization from the Federal Aviation Agency.

(90) Helistop: A landing pad for occasional and infrequent use by rotary wing aircraft not exceeding a gross weight of 6,000 pounds and not for regularly scheduled stops and subject to approval by the City of Dallas Aviation Department.

(91) Railroad Team Track: A siding for the spotting and unloading or loading of box cars or other railroad cars and which area is connected to a public street by a drive for access.

(92) Auto Laundry: A facility for the washing and steam cleaning of passenger automobiles (including a self-service operation) and which does not generate obnoxious conditions perceptible at the bounding property lines of the tract on which the facility is located. In the GR or LC District the noise level at the bounding property line from an auto laundry operation shall not exceed the standards specified in 10-424.

(93) Engine or Motor Repair: A shop for the disassembly, rebuilding and repair of motor vehicle engines, electric motors, vehicle transmissions or other major machinery components on an assembly line basis. General vehicle repair shall be classified as a repair garage.

(94) Wrecking Yard, Junk and Salvage: A yard or building where automobiles, machinery, appliances or other used commodities and equipment are stored, dismantled, and/or offered for sale as whole units or as salvaged parts.

(95) Clothing Manufacturing and Similar Light Manufacturing and Assembly: Operations involving cutting, sewing, forming and packing of garments and similar items and including the making of millinery and clothing accessories, but involving no obnoxious or hazardous materials or machinery.

(96) Fix-It Shop and Appliance Repair: A shop for the repair of household and home equipment, such as electrical appliances, lawn mowers, tools and similar items where all such items are stored within a building or a storage area surrounded by a solid fence, wall or screen as defined in Section 18.

(97) Laboratory, Manufacturing: Operations involving the compounding of products such as perfumes, pharmaceutical and the development and assembly of instruments and similar items.

(98) Light Fabrication and Assembly Processes: Including but not limited to the manufacture of jewelry, trimming decorations, signs and any similar item not involving the generation of noise, odor, vibration, dust or hazard.

(99) Open Storage (no enclosure): Storage in the open of vehicles, machinery or any equipment or commodity where permitted as a primary use of land and accessory storage in the open of commercial and industrial products where such storage is not enclosed by a fence, wall or building.

(100) Open Storage (visual screen): The permitted storage of any equipment or commodity in an open area which is enclosed by a fence or wall meeting the specifications of 24-300 or surrounded by a building so as to create an effective visual screening of the storage from the adjacent property.

(101) Maintenance and Home Repair Shop (no outside storage): A building housing the facilities and equipment of a home repair or maintenance service but not including the storage of building material, junk or similar commodities in the open, unenclosed.

(102) Contractor or Maintenance Yard: An open storage yard for supplies and operational equipment, including buildings, but not constituting a junk, wrecking or salvage yard.

(103) Salvage Yard (outside): An open yard for the receiving, sorting, storage or packing of paper, rags, glass, boxes and similar commodities.

(104) Warehouse or Covered Storage: A building or group of buildings providing shelter for commodities stored therein. No open or unenclosed storage shall be classified as a warehouse.

10-400 PERFORMANCE STANDARDS

10-401 ALL USES IN ALL DISTRICTS SHALL CONFORM IN OPERATION, LOCATION AND CONSTRUCTION TO THE PERFORMANCE STANDARDS HEREIN SPECIFIED FOR NOISE; ODOROUS MATTER; TOXIC AND NOXIOUS MATTER; AND GLARE.

ALL USES ESTABLISHED IN THE I-1, I-2, I-3 AND PD DISTRICTS SHALL CONFORM IN OPERATION, LOCATION AND CONSTRUCTION TO THE PERFORMANCE STANDARDS HEREIN SPECIFIED FOR NOISE; ODOROUS MATTER; TOXIC AND NOXIOUS MATTER; GLARE; SMOKE, PARTICULATE MATTER AND OTHER AIR CONTAMINANTS; FIRE AND EXPLOSIVE OR HAZARDOUS MATTER; AND VIBRATION.

10-410 GENERAL PROVISIONS

10-411 Any use established after the effective date of this ordinance shall comply with all of the Performance Standards applicable to the district in which it is located.

10-412 All regulations of the City of Dallas or the State of Texas applicable to such matters as the emission of toxic, noxious or odorous matter, particulate material, radiation or the storage, manufacture, handling or transportation or use of explosive, inflammable or radioactive material shall be observed and nothing specified in this section shall be interpreted as authorizing any practice or operation which would constitute a violation of a statute, ordinance, rule or regulation of the City of Dallas or State of Texas.

10-420 NOISE

10-421 Measurement of noise shall be made with a sound level meter and octave band analyzer meeting the standards prescribed by the American Standards Association. The instruments shall be maintained in calibration and good working order. Octave band corrections may be employed in meeting the response specification. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone

shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured. Times when the level of the primary noise being measured does not exceed that of the background noise in all octave bands shall be considered as "off times" of the primary noise in determining the corrections from Table 5, 10-426b.

10-422 Permissible Noise Level: I-1 and I-2, Planned Development Districts (Industrial)

a. At no point at the bounding property line of any use in the I-1, I-2 or PD District shall the sound pressure level of any operation or plant exceed the decibel limits specified in the octave bands designated in Table 1, nor shall the sound pressure level at any I-1, I-2 or PD District boundary line adjacent to a residential, retail or commercial district exceed the decibel limits specified in the octave bands designated by Table 3 for Residential Districts and Table 4 for Retail and Commercial Districts.

b. Table 1

Maximum Permissible Daytime Octave Band Decibel Limits at the Bounding Property Line of a Use in the I-1, I-2, Planned Industrial (PD) District

	Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)		86	76	70	65	63	58	55	53	65

Note: A Scale levels are provided for monitoring purposes only.

10-423 Permissible Noise Level: I-3 District

a. At no point at the bounding property line of any use in the I-3 District shall the sound pressure level of any operation or plant exceed the decibel limits specified in the octave bands designated in Table 2, nor shall the sound pressure level at any I-3 District boundary line adjacent to a residential, retail or commercial district exceed the decibel limits specified in the octave bands designated by Table 3 for Residential Districts and Table 4 for Retail and Commercial Districts.

b. Table 2

Maximum Permissible Daytime Octave Band Decibel Limits at the Bounding Property Line of a Use in the I-3 District

	Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)		90	80	74	69	65	62	60	58	70

Note: A Scale levels are provided for monitoring purposes only.

10-424 Permissible Noise Level: Residential Districts

a. At no point on the district boundary line of any residential type district nor at any point on the bounding property line of any use within the boundary of such districts shall the sound level pressure from any operation, use or occupancy exceed the decibel limits specified in the octave bands designated in Table 3.

b. Table 3

Maximum Permissible Daytime Octave Band Decibel Limits At or Within the Boundary of a Residential District

	Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)		80	68	61	55	51	48	45	43	56

Note: A Scale levels are provided for monitoring purposes only.

10-425 Permissible Noise Level: Retail and Commercial Districts

a. At no point on the district boundary line of any retail or commercial type district, nor at any point on the bounding property line of any use within the boundary of such districts shall the sound pressure level from any operation, use or occupancy exceed the decibel limits specified in the octave band limits designated in Table 4.

b. Table 4

Maximum Permissible Daytime Octave Band Decibel Limits At or Within the Boundary of a Retail or Commercial District

Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)	84	73	67	62	58	55	52	50	63

Note: A Scale levels are provided for monitoring purposes only.

10-426 Special Noise Level Corrections

a. Corrections shall be made to the basic octave band levels specified in Tables 1, 2, 3 and 4 for the specific conditions listed in accordance with Table 5.

b. Table 5

Corrections Permitted to Basic Octave Band Levels

Noise is present at nighttime	Subtract 7 db
Noise contains strong pure-tone components or is implusive (meter reading changes at a rate greater than 10 decibels per second)	Subtract 7 db

Noise Has An "On Time" Of No More Than	And An "Off Time" Between Successive "On Times" Of At Least	
0.5 Minutes	1/2 Hour)	
5.0 Minutes	1 Hour)	Add 10 Decibels
10.0 Minutes	2 Hours)	to permitted level
20.0 Minutes	4 Hours)	

10-430 ODOROUS MATTER

10-431 Any use established or operated in the I-1, I-2, I-3 or PD District shall comply with the Performance Standards herein specified for the emission of odorous matter.

10-432 I-1, I-2 and PD Districts

a. Emissions of odorous matter from a source of operation in the I-1, I-2 and PD Districts shall not exceed the odor threshold at or beyond the bounding property line of the tract on which such use or operation is located.

10-433 I-3 District

a. Emission of odorous matter from a source operation in the I-3 District shall not exceed a concentration at the bounding property line or any point beyond which when diluted with an equal volume of odor free air exceeds the odor threshold (2 odor units).

10-434 The odor threshold as herein referred to shall be determined by observation by a person or persons. In any case where the operator of an odor-emitting use may disagree with the enforcing officer where specific measurement of odor concentration is required, the method and procedures specified by American Society for Testing Materials ASTMD 1391-57 entitled "Standard Method for Measuring Odors in Atmosphere" shall be used, a copy of which is hereby incorporated by reference and is on file in the office of the City Secretary of the City of Dallas.

10-435 No use shall be operated in any zoning district of the City of Dallas in such a manner that the emission of odorous matter occurs in such quantity or volume as to produce a nuisance, source of discomfort or hazard beyond the bounding property lines of such use.

10-440 TOXIC AND NOXIOUS MATTER

10-441 No operation or use permitted in any district shall emit a concentration across the bounding property line of such operation or use of toxic or noxious matter which will exceed ten percent (10%) of the concentration (exposure) considered as the threshold limit for an industrial worker as such standards are established by Texas State Department of Health or as they may be amended in "Threshold Limit Values, Occupational Health Regulation No. 3", a copy of which is hereby incorporated by reference and is on file in the office of the City Secretary of the City of Dallas.

10-442 The storage, use and transportation of hazardous chemicals, poisonous gases, acids or radioactive material in the I-1, I-2, I-3 or PD Districts shall be subject to approval of the Fire Marshal and the Health Officer of the City of Dallas and in accordance with all applicable ordinances and laws.

10-450 GLARE

10-451 No use in any district shall be operated so as to produce intense glare or direct illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together the light beam is controlled and not directed across any bounding property line.

10-460 SMOKE, PARTICULATE MATTER AND OTHER AIR CONTAMINANTS

10-461 Any use established or operated in the I-1, I-2, I-3 or PD Districts shall comply with the Performance Standards herein specified covering the emission of air contaminants.

10-462 Procedure for Making Observations To Determine Compliance For Visible Emissions

a. The following provisions shall govern observations of emissions to determine compliance with 10-467. These provisions shall be applied to each observation to the extent that they are applicable and to whatever extent time and physical circumstances permit.

b. Observations shall be made from a position which is at a right angle to the line of travel of the emitted material.

c. The plume shall be observed against a suitable background.

d. Observations during daylight hours shall be made with the observer generally facing away from the sun.

e. Observations during hours of darkness shall be made with the aid of a light source.

f. Readings shall be noted at approximately 15 second intervals during observation, except that intervals up to 1 minute shall be permitted where the appearance of the emission does not vary during such intervals.

g. The general color of the emission during the period of observation shall be noted as part of the record of observation.

10-463 Standard Sampling Procedures for Particulate Matter in Emissions from Vents and Stacks

a. All source test procedures shall be designed so as to obtain samples which are truly representative of the emissions of the particulate matter.

b. Probe size and sampling rate shall be such as to obtain a reasonably representative sample.

c. The sampling shall be carried out for a period of one hour which shall include the period of maximum emissions.

d. In measuring emissions from Type "A" and Type "B" emission points the quantity of emission from a test area shall be increased by the proportion which the whole area bears to the test area. Such a test area may be taken as the cross sectional area of the inlet to a sample probe. Emissions from the test area may be measured at the place and by the procedure which results in the highest measurement of air contaminants. The emission from any test area of a Type "B" emission point shall be deemed to be representative in every respect of the emissions from the whole area of such Type "B" emission point. This provision shall not apply if other sampling and testing facilities which will disclose the nature, extent, quantity and degree of air contaminants are provided by the person responsible for the emissions.

e. Currently accepted engineering practice shall be followed in any test procedure employed for the determination of gas flow rate, gas composition, moisture content, density and process weight.

f. Prior to weighing of the sample, it shall be dried by methods and under conditions which do not permit significant change in the weight of particulate matter and where the requirements permit, the same shall be dried at a temperature not less than 218° F nor more than 224° F for a period of one to two hours after superficial dryness is reached. Samples dried in such manner shall be deemed to be free of uncombined matter.

10-464 Standard Gas Sampling Procedures for Vents and Stacks

a. The following stack sampling procedures shall be adhered to in the determination of gassy emissions.

b. Proper adjustments shall be made in the sampling procedure to compensate for significant stratification and nonhomogeneity in the gas stream so that the sample of gas approaches a representative sample.

c. Where liquid impingers are used for the sampler, any filter preceding the impingers shall be maintained at stack gas temperature.

d. Where an evacuated flask is used for sample collection, any filter preceding the sampler may be maintained at ambient temperature.

e. Where impingers on other continuous flow sampling devices are used, a gas measuring device placed in series with and downstream of the samples shall be used to determine the volume of gas sampled. Pressure and temperature indicators shall be installed at appropriate points to indicate sample gas conditions.

10-465 Dust and Air Contaminant From Open Storage

Open storage and open processing operations including on site transportation movements which are the source of wind borne dust or other particulate matter, or which involve dust or other particulate air contaminant generating equipment such as used in paint spraying, grain handling, sand or gravel processing or storage, or sandblasting shall be so conducted that dust and other particulated air contaminants so generated are not transported across the boundary line of the tract on which the use is located in concentrations exceeding four (4) grains per one thousand (1000) cubic feet of air. All other visible emissions of air contaminants shall conform to the provisions of 10-467.

10-466 Application of Standards

The following standards shall apply to emission of air contaminants from industrial operations in the I-1, I-2, I-3 and PD Districts and to the registration of each plant responsible for emissions of air contaminants whether or not limits are established by these regulations for emission of all such contaminants. All operations which involve the emission of particulate matter or other air contaminants shall register with the Director of Public Health before obtaining a certificate of occupancy.

These regulations apply, as herein provided, to:

a. Visible emissions from all operations.

b. Sulfur dioxide from all operations.

c. Particulate matter from all operations.

d. Hydrocarbons and carbonyls from incineration or salvage operations.

e. Fumes and gasses from all operations.

f. Air contaminants which can cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such person or to the public, or which cause or have a natural tendency to cause injury or damage to business or property.

10-467 Visible Emissions

No operation shall cause, create or allow the emission of air contaminants for more than three minutes in any one hour which, at the emission point or within a reasonable distance of the emission point, are:

a. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart as published by the United States Bureau of Mines Information Circular 7118.

b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in 10-467a; and the determination of such opacity shall be according to standard accepted procedures for such observations.

10-468 Section 10-467 shall not apply under the following conditions:

a. Where the presence of uncombined water is the only reason for the failure of an emission to meet the limitations of 10-467.

b. To any emission on the basis of any observation of an air contaminant observed while such contaminant is inside a bona fide building.

c. If the operation responsible for an emission meets all the following requirements:

1. The emission is from a Type "A" emission point.

2. The emission does not contain significant amounts of materials which are vapors at stack temperature and particulate matter at ambient temperature.

3. The emission does not contain more than "n" grains of particulate matter per standard cubic foot (n = 0.12L where L is the significant dimension of the emission point in feet).

4. The emission does not contain particulate matter determined in 10-468c (3) or uncombined water or both that contributes significantly to the failure of the emission to meet the limiations of 10-467.

d. If the operation responsible for an emission of SO_3 (sulfur trioxide) or H_2SO_4 (sulfuric acid) or both meet with the following requirements:

1. From operations using elemental sulfur or pyrites as the principal raw material, such emission shall have a concentration of SO_3 or H_2SO_4 or both, expressed as 100% H_2SO_4, not exceeding 0.02 grains per standard cubic foot of exhaust gas volume.

2. From operations using as a principal raw material any sulfur containing material other than elemental sulfur or pyrites, such emission shall have a concentration of SO_3 or H_2SO_4 or both, expressed as 100% H_2SO_4, not exceeding 0.02 grains per standard cubic foot of exhaust gas volume.

3. Such emission shall not contain amounts of any material other than SO_3, H_2SO_4, or uncombined water, which would contribute to the failure of the emission to meet the limitations of 10-467b.

10-469 Sulfur Dioxide

No operation shall cause, create or allow any emission of sulfur compounds calculated as sulfur dioxide from any emission point in excess of two thousand (2000) ppm (vol.).

10-470 Particulate Matter

a. No operation shall cuase, create or allow the emission of particulate matter from any emission point in a concentration in excess of 0.04 grains per cubic foot of exhaust gas volume calculated to twelve percent (12%) carbon dioxide at standard conditions.

b. No operation shall cuase, create or allow the emission of particulate matter from any emission point, at a rate in excess of that specified in Table 6 for the process weight rate allocated to such emission point.

c.

Table 6

Allowable Rate Of Emission Based On Process Weight Rate

Process Weight Rate		Rate of Emission	Process Weight Rate		Rate of Emission
Lb/Hr	Tons/Hr	Lb/Hr	Lb/Hr	Tons/Hr	Lb/Hr
100	0.05	0.551	16,000	8.00	16.5
200	0.10	0.877	18,000	9.00	17.9
400	0.20	1.40	20,000	10.00	19.2
600	0.30	1.83	30,000	15.00	25.2
800	0.40	2.22	40,000	20.00	30.5
1,000	0.50	2.58	50,000	25.00	35.4
1,500	0.75	3.38	60,000	30.00	40.0
2,000	1.00	4.10	70,000	35.00	41.3
2,500	1.25	4.76	80,000	40.00	42.5
3,000	1.50	5.38	90,000	45.00	43.6
3,500	1.75	5.96	100,000	50.00	44.6
4,000	2.00	6.52	120,000	60.00	46.3
5,000	2.50	7.58	140,000	70.00	47.8
6,000	3.00	8.56	160,000	80.00	49.0
7,000	3.50	9.49	200,000	100.00	51.2
8,000	4.00	10.4	1,000,000	500.00	69.0
9,000	4.50	11.2	2,000,000	1,000.00	77.6
10,000	5.00	12.0	6,000,000	3,000.00	92.7
12,000	6.00	13.6			

10-471 Hydrocarbons and Carbonyls

No operation shall cause, create or allow the emission from any incineration operation or salvage operation of an exhaust gas containing a concentration of more than fifty (50) ppm (vol.) of total hydrocarbons or a concentration of more than fifty (50) ppm (vol.) of total carbonyls. For purposes of this section, total hydrocarbons shall be the sum of the concentrations of C_2 and higher saturated and unsaturated hydrocarbons as measured by gas chromatography. Total carbonyls shall include aldehydes and ketones calculated as formaldehyde. Each carbonyl group is deemed equivalent to one (1) molecule of formaldehyde.

10-480 FIRE AND EXPLOSIVE OR HAZARDOUS MATTER

10-481 Any use established or operated in the I-1, I-2, I-3 or PD Districts shall comply with the Performance Standards herein specified for the storage, manufacture and use of flammable, explosive or hazardous matter.

10-482 I-1, I-2 and PD Districts

a. No use involving the manufacture or storage of compounds or products which decompose by detonation shall be permitted in the I-1, I-2 or PD Districts except that chlorates, nitrates, perchlorates, phosphorous and similiar substances and compounds in small quantities for use by industry, schools, laboratories, druggists or wholesalers may be permitted in accordance with the provisions of the Fire Protection Code of the City of Dallas.

b. The storage and use of all flammable liquids and materials such as pyroxylin plastics, nitrocellulose film, solvents and petroleum products in the I-1, I-2 and PD Districts shall be in accordance with the provisions of the Fire Protection Code of the City of Dallas for the storage and handling of such materials and liquids, except that no high hazard flammable liquid having a flash point below one hundred degrees Fahrenheit (100^{0} F) shall be stored above ground in the I-1, I-2 or PD District except by special approval of the Fire Marshal and when the use and storage of such liquid is located a safe distance from adjacent uses and buildings.

10-483 I-3 District

a. Operations or uses involving the manufacture, storage or use of compounds which decompose by detonation except those specifically prohibited by the Fire Protection Code of the City of Dallas are permitted in the I-3 District, but only when such operations and uses are approved and a permit for same is issued by the Fire Marshal.

b. The storage in bulk or use of flammable liquids or materials and of liquified petroleum gas are permitted in the I-3 District subject to the requirements and safeguards concerning the location, use and special precautions specified by the Fire Marshal for such storage or use.

10-484 All uses and operations involving the use, storage or handling of explosive or flammable and hazardous matter shall be in compliance with the Fire Protection Code of the City of Dallas as it exists or as it may hereafter be amended and shall be subject to approval by the Fire Marshal and nothing herein specified shall mitigate, interfere with or alter any provision of the Fire Protection Code of the City of Dallas as it may apply to the use, storage or handling of explosives or flammable and hazardous material.

10-490 VIBRATION

10-491 No operation or use in the I-1, I-2 or PD Industrial Districts shall at any time create earth borne vibrations which when measured at the bounding property line of the source operation exceed the limits of displacement set forth in the following table:

Table 7

Allowable Displacement Earth Borne Vibrations I-1, I-2 and PD Districts

Frequency In Cycles Per Second	Displacement In Inches
0 to 10	0.0010
10 to 20	0.0008
20 to 30	0.0005
30 to 40	0.0004
40 and Over	0.0003

10-492 No operation or use in the I-3 Industrial District shall at any time create earth borne vibrations which when measured at the bounding property line of the source operation exceed the limits of displacement set forth in the following table:

Table 8

Allowable Displacement Earth Borne Vibrations I-3 District

Frequency In Cycles Per Second	Displacement In Inches
0 to 10	0.0020
10 to 20	0.0016
20 to 30	0.0010
30 to 40	0.0006
40 and Over	0.0005

10-500 DEFINITIONS AND STANDARDS APPLICABLE TO 10-400 THROUGH 10-492

10-501 The following definitions and explanatory notes supplement, restrict and define the meaning and intent of words and terms used in the Performance Standards provisions, 10-400 through 10-492 inclusive.

(1) Background Noise - noise from all sources other than that under specific consideration including traffic operating on public thoroughfares.

(2) Frequency - the number of oscillations per second in a sound wave.

(3) Octave Band - a term denoting all the frequencies between any given frequency and double that frequency.

(4) Octave Band Filter - an electrical frequency analyzer designed according to the standards formulated by the American Standards Association and used in conjunction with a sound level meter to take measurements in specific octave intervals.

(5) Daytime - the hours between sunrise and sunset on any given day.

(6) Bounding Property Line - the far side of any street, alley, stream or other permanently dedicated open space from the noise source when such open space exists between the property line of the noise source and adjacent property. When no such open space exists the common line between two parcels of property shall be interpreted as the bounding property line.

(7) Residential Districts - refers to the R-1, R-1/2, R-16, R-13, R-10, R-7.5, R-5, 2F-1, 2F-2, MF-1, MF-2, MF-3, MF-4, MH and A Districts.

(8) Retail or Commercial Districts - refers to the P, O, NS, SC, GR, LC and HC Districts.

(9) Atmospheric Pollution - the discharging from stacks, open storage, chimneys, exhausts, vents, ducts, openings, or open fires of such air contaminants as visible emissions, sulfur dioxide, particulate matter, hydrocarbons, fumes or similar material or gases.

(10) Atmosphere - the air that envelops or surrounds the earth. Where air contaminants are emitted into a building not designed specifically as air pollution control equipment, such emission into the building shall be considered emission into the atmosphere.

(11) Combustion - the rapid exothermic reaction of any material with oxygen.

(12) Containing Device - any stack, duct, flue, oven, kettle or other structure or device containing a gas stream which may contain an air contaminant, and which is designed to prevent the gas stream from entering the atmosphere, except through such openings as may be incorporated for that purpose in the containing device; and excluding equipment used for air pollution abatement operations, or any other device which significantly changes the nature, extent, quantity or degree of air contaminants in the gas stream or in which such change does or has a natural tendency to occur.

(13) Emission - the act of passing into the atmosphere an air contaminant or a gas stream which contains or may contain an air contaminant or the material so passed to the atmosphere.

(14) Emission Point - the location (place in horizontal plane and vertical elevation) at which an emission enters the atmosphere.

(15) Exhaust Gas Volume - the total volume of gas emitted from an emission point.

(16) Odor Threshold - the concentration of odorous matter in the atmosphere necessary to be perceptible to the olfactory nerve of normal persons.

(17) Operation - any physical action resulting in a change in the location, form or physical properties of a material, or any chemical action resulting in a change in the chemical composition or chemical or physical properties of a material. The following are given as examples, without limitation of the generality of the

foregoing: heat transfer, calcination, double decomposition fermentation, pyrolysis, electrolysis, combustion, material handling, evaporation mixing, absorption, filtration, fluidization, screening, crushing, grinding, demolishing, shoveling, bagging, etc.

(18) Particulate Matter - any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions when released into the atmosphere.

(19) Person or Operation - any person, firm, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user or owner or any state or local governmental agency or public district or any officer or employee thereof. It includes the owner, lessor, lessee, tenant, licensee, manager and operator, or any of such, of an emission point or any source operation which may constitute a source of atmospheric pollution related thereto, or any interest in such emission point or operation source.

(20) ppm (vol) - parts per million by volume.

(21) Process Weight - the total weight of all materials introduced into a source operation, including solid fuels, but excluding liquids and gases used solely as fuels and excluding air introduced for the purposes of combustion.

(22) Process Weight Rate - a rate established as follows:

(a) For continuous or long run steady state source operations, the total process weight for the entire period of continuous operation or a typical portion thereof, divided by the number of hours of such period or portion thereof.

(b) For cyclical or batch source operations the total process weight for a period which covers a complete operation or an integral number of cycles, divided by the number of hours of actual process operation during such periods.

(23) Significant Dimension - of an area means the square root of the numerical value of the area.

(24) Source Operation - the last operation preceding the emission of an air contaminant which operation:

(a) results in separation of air contaminants from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion of fuel; and

(b) is not an air pollution abatement operation.

(25) Standard Conditions - a pressure of 14.7 pounds per square inch absolute, and a temperature of 60° F.

(26) Type "A" Emission Point - an opening of reasonably regular geometry, preceded by a containing device which has a minimum length six times the significant dimension of the emission point and within such minimum length; has a reasonably straight glas flow channel; has smooth interior surface; has area and geometry essentially constant and equal to the emission point; and does not cause a significant change in the gross direction of gas flow.

(27) Type "B" Emission Point - any emission point not qualifying under 26 above.

10-600 PLANNED DEVELOPMENT DISTRICT

10-601 The purpose of this district is to accommodate planned associations of uses developed as integral land use units such as industrial parks or industrial districts, office, commercial or service centers, shopping centers, residential developments of multiple or mixed housing, or any appropriate combination of uses which may be planned, developed and operated as integral land use units either by a single owner or combination of owners.

10-610 APPLICATION

10-611 An application for a Planned Development District may be made to the City Plan Commission in the same manner that an application for any amendment to the zoning ordinance is made. Applications for approval of a Planned Development District shall be processed according to the procedure specified in Section 32 and a site plan and related data shall be submitted for approval in accordance with the requirements of 10-650 and 10-660.

10-612 The City Council of the City of Dallas, after public hearing and proper notice to all parties affected and after recommendation by the City Plan Commission, may authorize the creation of a Planned Development District on sites of five (5) acres or more to accommodate various types of developments and combinations of developments.

10-620 USES PERMITTED

10-621 A Planned Development District may be approved for any use or combination of uses listed in the Use Schedule, 10-200, shown under the PD District. The uses permitted in any specific Planned Development District shall be enumerated in the ordinance establishing such district.

10-630 HEIGHT, FLOOR-AREA RATIO, DENSITY AND PARKING AND LOADING STANDARDS

10-631 The maximum height, lot width, lot depth, floor-area ratio and lot area, and the minimum off-street parking and loading requirements for uses proposed shall be established for each Planned Development District, and such standards and requirements shall comply with or be more restrictive than the standards established in the following districts for the specified type uses:

GENERAL USE CATEGORY	MAXIMUM HEIGHT, LOT WIDTH, LOT DEPTH, FLOOR-AREA RATIO OR LOT AREA AND MINIMUM OFF-STREET PARKING AND LOADING STANDARDS SHALL BE ESTABLISHED BY THE FOLLOWING DISTRICTS:
Residential	MF-3
Retail and Personal Service Uses	SC
Office	O
Industrial or Manufacturing	I-1
Commercial Services	LC

10-640 PROCEDURE FOR ESTABLISHING STANDARDS

10-641 In approving the development plan and the ordinance establishing the Planned Development District, the City Council shall, after recommendation by the City Plan Commission, specify such maximum height, floor-area ratio, density and minimum off-street parking and loading standards within the limits of those specified in the districts listed for the specific uses involved as is appropriate for the development. The City Council shall, after receiving the recommendation of the City Plan Commission, establish the standards for yards, signs, building spacing, site coverage, access, screening walls or landscaping, building area, open space, pedestrianways, public or private streets and alleys to be observed in a Planned Development District and such standards shall be specified in the ordinance establishing the district.

10-650 DEVELOPMENT SCHEDULE

10-651 An application for a Planned Development District shall if the applicant desires or the City Plan Commission or City Council requires be accompanied by a development schedule indicating the appropriate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, if adopted and approved by the City Council, shall become part of the development plan and shall be adhered to by the owner, developer and his successors in interest.

10-652 Annually, where a development schedule has been required, the Building Inspector shall report to the City Plan Commission the actual development accomplished in the various Planned Development Districts as compared with the development schedule.

10-653 The City Plan Commission may, if in its opinion the owner or owners of property are failing or have failed to meet the approved schedule, initiate proceedings under Section 32 to amend the Zoning District Map or the Planned Development District by removing all or part of the Planned Development District from the Zoning District Map and placing the area involved in another appropriate zoning district. Upon the recommendation of the City Plan Commission and for good cause shown by the owner and developer, the City Council may also extend the development schedule or adopt such new development schedule as may be indicated by the facts and conditions of the case.

10-660 DEVELOPMENT PLAN REQUIRED

10-661 An application for a Planned Development District shall include and be accompanied by a development plan which shall become a part of the amending ordinance and shall be referenced on the Zoning District Map. Changes in the development plan shall be considered the same as changes in the Zoning District Map and shall be processed as required in Section 32: except that, changes of detail which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, floor-area ratio, height or coverage of the site, or which do not decrease the off-street parking ratio, or reduce the yards provided at the boundary of the site as indicated on the approved development plan may be authorized by the Director of Planning and Zoning. Any applicant may appeal the decision of the Director of Planning and Zoning to the City Plan Commission for review and decision as to whether an amendment to the Planned Development District ordinance shall be required.

10-662 The Development Plan Shall Include:

a. A scale drawing showing any proposed public or private streets and alleys: building sites or building lots: any areas proposed for dedication or reserved as parks, parkways, playgrounds, utility and garbage easements, school sites, street widening, street changes: the points of ingress and egress from existing public streets on an accurate survey of the boundary of tract and topography with a contour interval of not less than five (5) feet, or spot grades where the relief is limited.

b. Where multiple types of land use are proposed, a land use plan delineating the specific areas to be devoted to various uses shall be required.

c. Where building complexes are proposed, a site plan showing the location of each building and the minimum distance between buildings, and between buildings and the property line, street line and/or alley line shall be submitted. For buildings more than one (1) story in height, except single-family and two-family residences, elevations and/or perspective drawings may be required in order that the relationship of the buildings to adjacent property, open spaces and to other features of the development plan may be determined. Such drawings need only indicate the height, number of floors and exposures for access, light and air.

d. A plan indicating the arrangement and provision of off-street parking and off-street loading where required. Such a plan may be presented as a ratio of off-street parking and off-street loading area to building area when accompanied by a typical example indicating the feasibility of the arrangement proposed and when the areas where the example would be applied are dimensioned on the drawing of the entire site. Any special traffic regulation facilities proposed or required to assure the safe function of the circulation plan shall also be shown.

e. A designation of the maximum building coverage of the site shall be indicated upon the site plan.

f. Screening and landscaping plan shall be required where such treatment is essential to the proper arrangement of the development in relation to adjacent property. Such plan shall when required include screening walls, ornamental planting, playgrounds, wooded areas to be retained, lawns and gardens if such are determined to be necessary by the City Council.

g. Any or all of the required features may be incorporated on a single drawing if such drawing is clear and capable of evaluation by the Director of Planning and Zoning and interpretation by the Building Inspector.

10-670 Every Planned Development District approved under the provisions of this ordinance shall be considered as an amendment to the zoning ordinance as applicable to the property involved. In carrying out the development of a Planned Development District, the development conditions and the development schedule, if required, shall be complied with and such conditions as are specified for the development of a Planned Development District shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy and compliance as required by Section 30.

10-700 MOBILE HOME DISTRICT

10-701 The mobile home or house trailer is recognized as a special form of housing and therefore subject to the specific and special standards as herein provided.

10-710 TYPES OF MOBILE HOME DEVELOPMENT

10-711 Two types of mobile home development are provided for by this ordinance as follows:

a. A mobile home park or trailer court is a unified development of mobile home sites, plots or transient stands arranged on a large tract under single ownership.

b. A mobile home subdivision shown on a subdivision plat approved by the City Plan Commission and filed for record designed specifically for mobile home development.

10-720 APPLICATION

10-721 Prior to issuance of any building permit for a Mobile Home Park, a site plan shall be approved by the City Plan Commission.

10-722 Prior to the issuance of any building permit in a Mobile Home Subdivision, such subdivision shall be approved by the City Plan Commission and shall comply with the normal requirements for platting and with the provisions of this ordinance.

10-730 USES PERMITTED

10-731 The uses designated as permitted in the Mobile Home District in 10-200 shall be permitted in a Mobile Home Park. In addition to such uses a caretaker's home and office shall be permitted, but only one such facility shall be permitted for each Mobile Home Development.

10-732 Only the uses designated as permitted in the Mobile Home District in 10-200 shall be permitted in a Mobile Home Subdivision.

10-740 MOBILE HOME DEVELOPMENT STANDARDS

10-741 No mobile home, house trailer, dwelling or other structure permitted in the Mobile Home District may be erected, altered, placed, moved or converted on any lot or tract unless it is in conformity with all minimum area regulations specified in this subsection.

10-742 The minimum lot area, lot width, lot depth, front yard, side yard, rear yard, coverage, and off-street parking of any Mobile Home lot, tract, plot or stand shall be as specified in Sections 11, 12, 13, 14, 15, 16, 17 and 20.

10-743 Regardless of the standards required in 10-742, no mobile home; house trailer; or mobile home lot, tract, plot, or stand shall be placed, located or erected nearer than fifty (50) feet to any Mobile Home District boundary line.

10-744 No carport, garage, storage building, office or caretaker's dwelling, laundry house or other permitted structure may be located nearer than fifty (50) feet to any boundary line of the MH District nor shall any such structure be located nearer than ten (10) feet to any side line of a plot, lot, tract or stand, except that such structure may be located within three (3) feet of the side or rear line of a plot, lot, tract or stand when such structures are located within the rear twenty-five (25) percent of the trailer lot, plot or tract.

10-750 SPECIAL DEVELOPMENT STANDARDS

10-751 Each Mobile Home or House Trailer Park, court or subdivision shall meet the standards specified in this subsection.

10-752 Provide sanitation, fire protection and utility service to each lot, tract, plot or stand in accordance with the City of Dallas Health Department requirements or any ordinance or code of the City of Dallas regulating sanitation, fire protection and utility service to mobile home or house trailer developments.

10-753 Provide ingress and egress to the property in accordance with the requirements of the City of Dallas Traffic Control Department.

10-754 Provide open playground space within the park or court at a ratio of five hundred (500) square feet for each of the first twenty (20) units provided and at a ratio of two hundred fifty (250) square feet for all additional unit spaces provided.

10-755 Provide street and drive surfacing, drainage and garbage collection rights-of-way, fire lanes and utility easements as required by the City of Dallas.

10-756 Provide and maintain a permanent fence of the steel chain link type or equivalent or better, not less than five (5) feet in height completely around the rear and all sides of the mobile home or house trailer, park, court or subdivision not exposed to a dedicated street or highway.

10-800 COMMUNITY UNIT DEVELOPMENT

10-801 To encourage reasonable flexibility of design and arrangement in the organization and development of residential communities and neighborhoods, provisions are made herein for the approval of Community Unit Developments in accordance with the following standards.

10-810 TYPES OF COMMUNITY UNIT DEVELOPMENT

10-811 Two types of Community Unit Development may be approved as follows:

a. Community Unit Development with Conforming Housing wherein the types of dwelling structures conform to those permitted in the district in which the Community Unit is located.

b. Community Unit Development with Variable Housing wherein the types of dwelling structures may vary from those permitted in the district in which the Community Unit is located such as apartments or town houses in a single-family residence district.

10-820 PROCEDURE FOR APPROVAL OF A COMMUNITY UNIT DEVELOPMENT

10-821 Where a Community Unit Development includes only conforming types of housing, the development may be approved by the City Plan Commission as a subdivision or as a site plan, in accordance with Section 25.

10-822 Where a Community Unit Development includes variable housing, the approval of the development shall be by Specific Use Permit in accordance with the requirements of 10-900. Such Specific Use Permit shall specify appropriate standards by reference to a particular zoning district.

10-830 STANDARDS FOR APPROVAL OF A COMMUNITY UNIT DEVELOPMENT

10-831 The overall density in square feet of site area per dwelling unit or room shall conform to the density prescribed for the district in which the Community Unit Development is located or in the case of variable housing to the district referred to by the Specific Use Permit.

10-832 The minimum lot depth, lot width and lot or site area per dwelling unit or room may be reduced not to exceed twenty-five percent (25%) from the standards prescribed for the district in which the Community Unit Development is located or as established in the Specific Use Permit provided permanent community open space sufficient to compensate for the reduced individual lot or site sizes and to meet the overall density requirement of the district is incorporated in the development.

10-833 The nature and method of establishing the permanent open space provided in a Community Unit Development such as park and playground sites, wider than required streets and alleys, community center, parkway, golf course or water area shall be subject to approval by the City Council after recommendation by the City Plan Commission.

10-834 The minimum front, side and rear yard and building spacing standards prescribed for dwelling structures in the district in which the Community Unit Development is located or which are referred to in the Specific Use Permit shall be observed.

10-900 SPECIFIC USE PERMITS

10-901 The City Council may, after public hearing and recommendation by the City Plan Commission, and after conducting a public hearing as is required for all amendments to the zoning ordinance in accordance with the provisions of Section 32, authorize for specific parcels of land the issuance of a Specific Use Permit in accordance with the provisions of the Use Schedule, 10-200, in those districts where it is indicated that a Specific Use Permit for a specific type use may be approved.

10-902 The designation of a Specific Use Permit as possible on the Use Schedule, 10-200, in a given district does not constitute an authorization or an assurance that such use will be permitted. Rather, each Specific Use Permit application shall be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate.

10-910 CONDITIONS FOR APPROVAL OF A SPECIFIC USE PERMIT

10-911 In considering and determining its recommendation to the City Council relative to any application for a Specific Use Permit, the City Plan Commission may require that the applicant furnish plans and data concerning the operation, location, function and characteristics of any use of land or building proposed.

10-912 The City Plan Commission may recommend to the City Council that certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangement, location or construction of buildings and uses and operation be required.

10-913 The City Council may in the interest of the public welfare and to assure compliance with the intent of this ordinance, require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole.

10-914 A site plan setting forth the conditions specified may be required of the applicant and such plan when accepted shall be made part of the amending ordinance.

10-915 A Specific Use Permit approved under the provisions of this ordinance shall be considered as an amendment to the zoning ordinance as applicable to the property involved. Any of the conditions contained in a Specific Use Permit

shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be considered as conditions precedent to the granting of a certificate of occupancy and compliance for the specific use provided for.

10-1000 LIMITED USE

10-1001 Limited use as indicated herein applies to certain service and retail uses, indicated by symbol on the Use Schedule, 10-200, which are permitted in certain districts as shown and which are to be contained entirely within the main building, do not have an exterior access except through the general building entrances and which has no exterior advertising or signs. Such uses are secondary to the main use and for service to the occupants of the building.

10-1100 FLOOD PLAIN PREFIX TO DISTRICT DESIGNATION

10-1101 To provide for the appropriate use of land which has a history of inundation or is determined to be subject to flood hazard and to promote the health, safety and general welfare of the community, portions of certain districts are designated with a Flood Plain Prefix "FP" and shall be subject to the following provisions.

10-1110 USES PERMITTED

10-1111 The following uses shall be permitted within that portion of a district designated with a Flood Plain "FP" Prefix:

a. Agricultural activities including the ordinary cultivation of land or legal forms of animal husbandry.

b. Off-street parking incidental to any adjacent main use.

c. Electrical substation.

d. All types of local utilities.

e. Parks, community centers, playgrounds, public golf courses.

f. Private commercial open area amusements such as golf courses, driving ranges, archery courses and similar uses when approved by Specific Use Permit as provided by 10-900.

g. Private open space as part of a Community Unit Development.

h. Helistop when approved by Specific Use Permit as provided in 10-900.

10-1112 No permanent building or structure shall be erected in that portion of a district designated with a Flood Plain "FP" Prefix until and unless such structure has been approved by the Director of Public Works who will ascertain that such building or structure would not constitute an encroachment hazard or obstacle to the movement of flood waters and that such construction would not endanger the public health and welfare or value and safety of the property.

10-1113 Any dump, excavation, storage or filling operation within that portion of a district having a Flood Plain "FP" Prefix shall be approved in writing by the Director of Public Works before such operation is begun except that such approval shall not be required for the improvement or repair of levees or drainage facilities related thereto when such are located within a legally constituted district charged with such responsibility.

10-1120 CHANGES IN THE FLOOD PLAIN PREFIX DESIGNATION

10-1121 An area may be removed from the Flood Plain Prefix designation when, by the provision of drainage works, grading, flood protection or specific drainage study, it is determined by the Director of Public Works that the flood hazard has been alleviated. Removal of the Flood Plain Prefix shall be accomplished by written notification by the Director of Public Works to the Director of Planning setting forth the description of the area from which the Flood Plain "FP" Prefix should be removed.

10-1130 RESPONSIBILITY FOR FLOODING

10-1131 The fact that land or property is or is not within a district having a Flood Plain Prefix shall not constitute assurance that such land or property is not subject to local flooding and the designation of the Flood Plain Prefix in this ordinance shall not be so interpreted.

10-1200 TEMPORARY FIELD OFFICES

10-1201 Temporary field or construction offices and temporary building material storage areas to be used solely for construction purposes in connection with the property on which they are erected may be permitted for specific periods of time when approved by the Building Inspector by issuance of a permit. Such temporary uses shall be discontinued by the order of the Building Inspector and in no event shall such temporary uses continue to exist on the premises after the construction for which they were erected is completed.

10-1300 CLASSIFICATION OF NEW AND UNLISTED USES

10-1301 It is recognized that new types of land use will develop and that forms of land use not anticipated will seek to locate in the City of Dallas. In order to provide for such changes and contingencies a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

a. All questions concerning the classification of new or unlisted uses shall be referred to the City Planning Commission for an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, nature and time of occupancy or operation of the premises, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated and the requirements for public utilities such as sanitary sewer and water.

b. The City Plan Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use should be permitted.

c. The City Plan Commission shall transmit its findings and recommendation as to the classification of any new or unlisted use to the City Council who may by resolution approve the recommendation of the City Plan Commission or make such determination concerning the classification of such use as it determines appropriate.

d. A revised use list including all additions made to the uses permitted in the several zoning classifications shall be published periodically.

10-1400 USE CONVERSION OF EXISTING BUILDING

10-1401 No building or portion thereof designed and constructed as a residential building shall be changed to an office, retail or business use of any type similar to those listed in 10-206 through 10-215.

10-1500 LIQUOR SALE AND CONSUMPTION

10-1501 To provide for the appropriate use of land in the vicinity of residential neighborhoods, portions of the MF-3, MF-4, PD, O, NS, SC, GR, and LC Districts may be designated by the suffix "D". No person, firm or organization may sell or serve alcoholic beverages for either on or off-premises consumption nor shall set-ups be sold or served for mixing with alcoholic beverages for on-premises consumption in any apartment use, store, restaurant, private club or night club located within that portion of a zoning district designated by the suffix "D". Such suffix may be added to or removed from the Zoning District Map only after public hearings in accordance with the procedure established for amending this ordinance.

SECTION 11
MINIMUM LOT AREA FOR RESIDENTIAL USE

11-100 EXCEPT AS HEREINAFTER PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED, ALTERED OR CONVERTED FOR ANY RESIDENTIAL USE PERMITTED IN THE DISTRICT IN WHICH IT IS LOCATED UNLESS IT IS IN CONFORMITY WITH THE MINIMUM REGULATIONS FOR LOT AREA AS SPECIFIED IN THE FOLLOWING SCHEDULES AND PROVISIONS.

11-200 SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
LOT AREA REQUIRED FOR ONE FAMILY DETACHED DWELLING IN SQUARE FEET	1 ACRE	1/2 ACRE	16,000	13,000	10,000	7,500	5,000	6,000	5,000	6,000	5,000	5,000	5,000		3 ACRES
LOT AREA REQUIRED FOR ONE FAMILY ATTACHED DWELLING IN SQUARE FEET								4,000	3,000	3,000	1,800	1,800	1,800		
LOT AREA REQUIRED FOR TWO FAMILY DWELLING IN SQ. FT. PER DWELLING UNIT								4,000	3,000	3,000	3,000	2,500	2,500		
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQ. FT. PER BEDROOM IN UNIT STRUCTURES THREE STORIES OR LESS IN HEIGHT															
a. NO SEPARATE BEDROOM										1,000	800	800	800		
b. ONE BEDROOM										1,400	1,000	1,000	1,000		
c. TWO BEDROOMS										1,800	1,200	1,200	1,200		
d. MORE THAN TWO BEDROOMS										1,800 PLUS 200 SQ. FT. FOR EACH BEDROOM OVER 2	1,200 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER TWO				

11-200 SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS (Continued)

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-1B SINGLE FAMILY DWELLING DISTRICT	R-1J SINGLE FAMILY DWELLING DISTRICT	R-1B SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQUARE FEET PER BEDROOM IN UNIT STRUCTURES OVER THREE STORIES IN HEIGHT a. NO SEPARATE BEDROOM												100	90		
b. ONE BEDROOM												125	65		
c. TWO BEDROOMS												150	75		
d. MORE THAN TWO BEDROOMS												150 PLUS 25 SQ. FT. FOR EACH BEDROOM OVER 2	75 PLUS 10 SQ. FT. FOR EACH BEDROOM OVER 2		
LOT AREA REQUIRED FOR TRAILER OR MOBILE HOME IN SQ. FT. PER UNIT a. TRANSIENT STAND														1,300	
b. SUBDIVIDED LOT														4,000	

11-300 SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
LOT AREA REQUIRED FOR ONE FAMILY DETACHED DWELLING IN SQUARE FEET	5,000		6,000	6,000	6,000	6,000	6,000	NONE	5,000	5,000					
LOT AREA REQUIRED FOR ONE FAMILY ATTACHED DWELLING IN SQUARE FEET	1,800		1,800	1,800	1,800	1,800	1,800	NONE	1,800	1,800					

11-300 SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE – NONRESIDENTIAL DISTRICTS (Continued)

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
LOT AREA REQUIRED FOR TWO FAMILY DWELLING IN SQUARE FEET PER DWELLING UNIT	2,500		3,000	3,000	3,000	3,000	3,000	NONE	2,500	2,500					
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQ. FT. PER BEDROOM IN UNIT STRUCTURE THREE STORIES OR LESS IN HEIGHT															
a. NO SEPARATE BEDROOM	800		800	1,000	800	800	800	NONE	800	800	800	800			
b. ONE BEDROOM	1,000		1,000	1,400	1,000	1,000	1,000	NONE	1,000	1,000	1,000	1,000			
c. TWO BEDROOMS	1,200		1,200	1,800	1,200	1,200	1,200	NONE	1,200	1,200	1,200	1,200			
d. MORE THAN TWO BEDROOMS	1,200 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2		1,200 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2	1,800 PLUS 200 SQ. FT. FOR EACH BEDROOM OVER 2	1,200 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2			NONE	12,00 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2						
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQ. FT. PER BEDROOM IN UNIT STRUCTURES OVER THREE STORIES IN HEIGHT															
a. NO SEPARATE BEDROOM	100		100		100	100	100	NONE	50	100	100	100			
b. ONE BEDROOM	125		125		125	125	125	NONE	65	125	125	125			
c. TWO BEDROOMS	150		150		150	150	150	NONE	75	150	150	150			
d. MORE THAN TWO BEDROOMS	150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2		150 PLUS 25 SQ. FT FOR EACH BEDROOM OVER 2		150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2	150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2	150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2	NONE	75 PLUS 10 SQ.FT. FOR EACH BEDROOM OVER 2	← 150 PLUS 25 SQ. FT. FOR EACH BEDROOM OVER 2 →					
LOT AREA REQUIRED FOR TRAILER OR MOBILE HOME IN SQUARE FEET PER UNIT															
a. TRANSIENT STAND							1,500			1,500		1,500			
b. SUBDIVIDED LOT							4,000			4,000		4,000			

11-400 GENERAL PROVISIONS

11-401 A lot having less area than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling.

11-402 No lot existing at the time of passage of this ordinance shall be reduced in area below the minimum requirements set forth herein except when such lot is replatted for a Community Unit Development in accordance with the provisions of 10-800.

11-403 A lot of record reduced in size to less than herein required by reason of the widening of an abutting street by the City of Dallas or other governmental agency may be used for a one-family dwelling. In such instances, the minimum lot area requirements shall be computed on the basis of the original lot size prior to the street widening.

11-500 SPECIAL LOT AREA PROVISIONS

11-501 The minimum lot area per dwelling unit or room may be varied in a Community Unit Development approved in accordance with the standards prescribed in 10-800.

SECTION 12
MINIMUM LOT WIDTH FOR RESIDENTIAL USE

12-100 EXCEPT AS HEREINAFTER PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED, ALTERED OR CONVERTED FOR ANY RESIDENTIAL USE PERMITTED IN THE DISTRICT IN WHICH IT IS LOCATED UNLESS IT IS IN CONFORMITY WITH THE MINIMUM REGULATIONS FOR LOT WIDTH AS SPECIFIED IN THE FOLLOWING SCHEDULES AND PROVISIONS.

12-200 SCHEDULE OF MINIMUM LOT WIDTHS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-12 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	ZF-1 TWO FAMILY DWELLING DISTRICT	ZF-2 TWO FAMILY DWELLING DISTRICT	MF-1 [illegible] DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
	MINIMUM LOT WIDTH IN FEET														
ONE-FAMILY DETACHED DWELLING	125	110	100	85	70	55	50	60	50	50	50	50	50		200
ONE-FAMILY ATTACHED DWELLING								30	20	25	18	18	18		
TWO-FAMILY DWELLING								60	50	50	50	50	50		
MULTIPLE FAMILY DWELLING THREE STORIES OR LESS IN HEIGHT										60	50	50	50		
MULTIPLE FAMILY DWELLING OVER THREE STORIES IN HEIGHT												100	100		
TRAILER OR MOBILE HOME a. TRANSIENT STAND														30	
b. SUBDIVIDED LOT														40	

12-300 SCHEDULE OF MINIMUM LOT WIDTHS FOR RESIDENTIAL USE - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
	MINIMUM LOT WIDTH IN FEET														
ONE-FAMILY DETACHED DWELLING	50		50	60	50	50	50	50	50	50					
ONE-FAMILY ATTACHED DWELLING	18		18	18	18	18	18	18	18	18					
TWO-FAMILY DWELLING	50		50	50	50	50	50	50	50	50					
MULTIPLE-FAMILY DWELLING THREE STORIES OR LESS IN HEIGHT	50		60	60	60	50	50	50	50	50	60	60			
MULTIPLE-FAMILY DWELLING OVER THREE STORIES IN HEIGHT	100		100		100	100	100	100	100	100	100	100			
TRAILER OR MOBILE HOME a. TRANSIENT STAND							30			30		30			
b. SUBDIVIDED LOT							40			40		40			

12-400 GENERAL PROVISIONS

12-401 A lot having less width than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling, but must comply with all other provisions of this ordinance.

12-402 No lot existing at the time of passage of this ordinance shall be reduced in width below the minimum set forth herein except when such lot is replatted for a Community Unit Development in accordance with the provisions of 10-800.

12-403 A lot of record reduced in size to less than herein required by reason of the widening of an abutting street by the City of Dallas or other governmental agency may be used for dwelling purposes. In such instances, the minimum lot width requirements shall be computed on the basis of the original lot size prior to widening.

12-500 SPECIAL LOT WIDTH PROVISIONS

12-501 The minimum lot width for residential use may be varied in a Community Unit Development approved in accordance with the standards prescribed in 10-800.

SECTION 13
MINIMUM LOT DEPTH FOR RESIDENTIAL USE

13-100 EXCEPT AS HEREINAFTER PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED, ALTERED OR CONVERTED FOR ANY RESIDENTIAL USE PERMITTED IN THE DISTRICT IN WHICH IT IS LOCATED UNLESS IT IS IN CONFORMITY WITH THE MINIMUM REGULATIONS FOR LOT DEPTH AS SPECIFIED IN THE FOLLOWING SCHEDULES AND PROVISIONS.

13-200 SCHEDULE OF MINIMUM LOT DEPTHS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MINIMUM LOT DEPTH IN FEET FOR RESIDENTIAL USES	130	130	190	100	100	100	100	100	100	120	100	100	100		200
MINIMUM LOT DEPTH IN FEET FOR TRAILER OR MOBILE HOME a. TRANSIENT STAND														50	
b. SUBDIVIDED LOT														80	

13-300 SCHEDULE OF MINIMUM LOT DEPTHS FOR RESIDENTIAL USES - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM LOT DEPTH IN FEET FOR RESIDENTIAL USES	100		100	100	100	100	100	100	100	100	100	100			
MINIMUM LOT DEPTH IN FEET FOR TRAILER OR MOBILE HOME a. TRANSIENT STAND							50			50		50			
b. SUBDIVIDED LOT							80			80		80			

13-400 GENERAL PROVISIONS

13-401 A lot having less depth than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling.

13-402 No lot existing at the time of passage of this ordinance shall be reduced in depth below the minimum set forth herein except when such lot is replatted for Community Unit Development in accordance with the provisions of 10-800.

13-403 A lot of record reduced in size to less than herein required by reason of the widening of an abutting street by the City of Dallas or other governmental agency may be used for dwelling purposes. In such instances, the minimum lot depth requirements shall be computed on the original lot size prior to the street widening.

13-500 SPECIAL LOT DEPTH PROVISIONS

13-501 The minimum lot depth may be varied in a Community Unit Development approved in accordance with the standards prescribed in 10-800.

SECTION 14
MINIMUM FRONT YARD

14-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO HAVE A SMALLER FRONT YARD THAN SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

14-200 SCHEDULE OF MINIMUM FRONT YARDS - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-12 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MINIMUM FRONT YARD IN FEET FOR RESIDENTIAL USE EXCEPT AS HEREINAFTER PROVIDED	40	40	35	30	30	25	20	25	20	25 SEE 14-521	25 SEE 14-521	15 SEE 14-522 14-407	NONE SEE 14-523 14-524 14-407	SEE 14-406	50
MINIMUM FRONT YARD IN FEET FOR NONRESIDENTIAL USES	40 SEE 14-531	40 SEE 14-531	35 SEE 14-531	30 SEE 14-531	30 SEE 14-531	25 SEE 14-531	20 SEE 14-531	25 SEE 14-531	25 SEE 14-531	25 SEE 14-531	25 SEE 14-531	15 SEE 14-531 14-407	NONE SEE 14-531 14-407	25 SEE 14-531	50 SEE 14-531

14-300 SCHEDULE OF MINIMUM FRONT YARDS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM FRONT YARD IN FEET FOR RESIDENTIAL USES EXCEPT AS HEREINAFTER PROVIDED	SEE 14-612		25 SEE 14-407	25	30 SEE 14-407	25 SEE 14-407	25 SEE 14-406 14-407	NONE SEE 14-612 14-621 14-622 14-407	NONE SEE 14-611 14-621 14-622 14-407	25 SEE 14-406 14-407	25 SEE 14-407	15 SEE 14-406 14-407			
MINIMUM FRONT YARD IN FEET FOR NONRESIDENTIAL USES EXCEPT AS HEREINAFTER PROVIDED	SEE 14-612 14-613	20	25 SEE 14-407 14-613	25	SEE 14-631 14-407 14-632 14-613	25 SEE 14-407 14-632 14-613	25 SEE 14-407 14-632 14-613	NONE SEE 14-611 14-407 14-613	NONE SEE 14-611 14-407 14-613	NONE SEE 14-407 14-632 14-613	25 SEE 14-407 14-632 14-613	NONE SEE 14-407 14-613	NONE SEE 14-407 14-613		

14-400 GENERAL PROVISIONS

14-401 The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace, accessory building or any supporting structure. Eaves and roof extensions may project into the required front yard for a distance not to exceed four (4) feet and ordinary projections of window sills, belt courses, cornices, and other architectural features may project not to exceed twelve (12) inches. Surface and subsurface structures may not project into the front yard to a height greater than forty (40) inches.

14-402 Where a minimum building line is shown on a plat recorded with the County Clerk of Dallas County after January 1, 1951, and such building line provides a front yard of twenty (20) feet or more in depth and is part of a plan for the orderly development of a subdivision either with a uniform or staggered building line, the building line so shown shall be interpreted as establishing the minimum front yard requirements for the lots in the subdivision.

14-403 Where a building line has been established by ordinance and such line requires a greater or lesser front yard setback than is prescribed by this ordinance for the district in which the building line is located, the minimum required front yard shall comply with the building line so established by such ordinance.

14-404 Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line has been established along one frontage on the plat or by separate ordinance, in which event only one required front yard need be observed and the building line shall apply on the second frontage as designated by plat or separate ordinance.

14-405 Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.

14-406 In the MH, LC, HC and I-2 Districts, no mobile home or house trailer shall be placed, located or erected nearer than thirty (30) feet to any dedicated street or highway right-of-way nor shall any such mobile home or house trailer unit be located nearer than twenty (20) feet to any private drive used for access, circulation or service to the plot, lot or tract or stand upon which a mobile home or house trailer is located.

14-407 In all districts where buildings are erected or altered to exceed three (3) stories in height, and where such buildings are adjacent to a single-family or two-family district, a minimum front yard shall be provided as specified in 14-200 and 14-300. However, the minimum front yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to twice the total height of the building and shall be measured from the centerline of the street.

14-500 SPECIAL FRONT YARD PROVISIONS - RESIDENTIAL DISTRICTS

14-510 GENERAL

14-511 If buildings along the frontage of any street between two intersecting streets in any residential district have observed an average setback which is greater or lesser in dimension than the minimum front yard or setback established for the district in which such street frontage is located, then the average setback of all buildings fronting upon such street between the two intersecting streets shall establish the minimum required front yard. All vacant lots shall be assumed to have the minimum front yard specified for the district in computing the average front yard. These provisions shall not be interpreted as requiring any building to observe a front yard of more than ten (10) feet greater than the setback on any contiguous lot nor shall these provisions be interpreted as requiring a setback or front yard greater than fifty (50) feet. These provisions shall not apply to a lot where a minimum building line has been established by plat or separate ordinance in conformance with 14-402 or 14-403.

14-520 RESIDENTIAL USES

14-521 In the MF-1 and MF-2 Districts, the minimum front yard shall be twenty-five (25) feet except where a circular or similar entrance drive is constructed across the lot in front of the main building, in which event a front yard of thirty-five (35) feet shall be provided and no vehicle parking spaces accessible from such drive shall be located closer to the front property line than twenty (20) feet.

14-522 In the MF-3 District (except as provided in 14-407), a minimum front yard of fifteen (15) feet shall be required provided, however, that the front yard shall be increased so that the distance from the centerline of the street on which a building fronts to the front face of the building shall not be less than one-half (1/2) the height of the building. Such distance need not exceed fifty (50) feet.

14-523 In the MF-4 District (except as provided in 14-407), no front yard is required for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls facing the street with no openings for light or air.

14-524 In the MF-4 District (except as provided in 14-407), a minimum front yard setback shall be required for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light and air. Such setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the centerline of the street to the wall surface containing openings. No such setback need exceed fifty (50) feet.

14-530 NONRESIDENTIAL USES

14-531 Uses which are permitted to exceed the maximum height specified for the district in which they are located (See 18-401) shall provide a setback in addition to the required front yard for that portion of the building which exceeds the specified maximum height. Such additional setback shall be equal to one-half (1/2) the extra height of that portion of the building which exceeds the specified maximum height.

14-600 SPECIAL FRONT YARD PROVISIONS - NONRESIDENTIAL DISTRICTS

14-610 GENERAL

14-611 In the CA-1 and CA-2 Districts, a minimum sidewalk space shall exist between the street curb and the first floor face of the building, either within the public right-of-way or on adjacent private property in accordance with the following regulations.

a. The minimum sidewalk provisions as herein specified shall apply to any and all sides of a building adjacent to a street.

b. No permanent building shall have a sidewalk width adjacent to any street of less than ten (10) feet.

c. The sidewalk surface area provided in front of or around buildings shall be equal to the minimum average sidewalk widths specified by the following schedule times the total lineal feet of street frontage as measured at the property line.

For buildings having an FAR up to 8:1	A minimum sidewalk width of 10 feet
For buildings having a FAR from 8:1 to 10:1	A minimum average sidewalk width of 11 feet
For buildings having a FAR from 10:1 to 12:1	A minimum average sidewalk width of 12 feet
For buildings having a FAR from 12:1 to 14:1	A minimum average sidewalk width of 13 feet
For buildings having a FAR from 14:1 to 16:1	A minimum average sidewalk width of 14 feet
For buildings having a FAR from 16:1 to 18:1	A minimum average sidewalk width of 15 feet
For buildings having a FAR from 18:1 to 20:1	A minimum average sidewalk width of 16 feet

d. The required sidewalk may be provided by 1) the existing space between the street curb and the property line; 2) building setback; 3) cantilever construction with sidewalk setback at first floor level; or 4) sidewalk setback behind columns. Where columns are used, the minimum sidewalk clearance between the building face and any column shall be five (5) feet.

14-612 The minimum front yard requirements in a Planned Development District shall be established on the site plan in accordance with 10-600.

14-613 In nonresidential districts where buildings are erected or altered to exceed three (3) stories in height and where such buildings are adjacent to a MF-1 or MF-2 District, a minimum front yard shall be provided as specified in 14-300. However, the minimum front yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the centerline of the street. No such setback need exceed fifty (50) feet.

14-620 RESIDENTIAL USES

14-621 In the CA-1 and CA-2 Districts (except as provided in 14-407 and 14-613), no front yard is required for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls facing the street with no openings for light and air.

14-622 In the CA-1 and CA-2 Districts (except as provided in 14-407 and 14-613), a minimum front yard setback shall be required for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light or air. Such setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the centerline of the street to the wall surface containing the openings. No such setback need exceed fifty (50) feet.

14-630 NONRESIDENTIAL USES

14-631 In the SC District (except as provided in 14-407 and 14-613), the front or rear of all buildings or parts thereof which are occupied by nonresidential uses shall provide a minimum front yard along all streets of sixty (60) feet. The ends of any such building shall setback a minimum distance of forty-five (45) feet from all streets. The face of all gasoline service stations, drive-in pick-up services, and similar drive-in uses shall be setback a minimum distance of forty-five (45) feet from all streets.

14-632 Gasoline service station pump island or station canopies in the SC, GR, LC, HC and I-1 Districts may not be located nearer than eighteen (18) feet to the front property line.

SECTION 15
MINIMUM SIDE YARD

15-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO HAVE A SMALLER SIDE YARD ON EITHER SIDE THAN SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

15-200 SCHEDULE OF MINIMUM SIDE YARDS - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
REQUIRED SIDE YARD ONE-FAMILY AND TWO-FAMILY DWELLINGS IN FEET, DETACHED	10% OF WIDTH OF LOT 10' MIN. 30' MAX.	10% OF WIDTH OF LOT 10' MIN. 30' MAX.	10% OF WIDTH OF LOT 10' MIN. 15' MAX.	10% OF WIDTH OF LOT 8' MIN. 12' MAX.	10% OF WIDTH OF LOT 6' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.		10% OF WIDTH OF LOT 20' MIN. 30' MAX.
MINIMUM REQUIRED SIDE YARD ONE-FAMILY ATTACHED DWELLING								SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522		
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS THREE STORIES AND LESS IN HEIGHT										10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524		
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS OVER THREE STORIES IN HEIGHT												10 SEE 15-400 15-525 15-526	10 SEE 15-400 15-525 15-526		
MINIMUM REQUIRED SIDE YARD FOR MOBILE HOME OR TRAILER IN FEET														10 SEE 15-402	
MINIMUM REQUIRED SIDE YARD FOR USES UNDER 15-401	20 SEE 15-531	20 SEE 15-531	15 SEE 15-531	15 SEE 15-531	10 SEE 15-531	10 SEE 15-531	10 SEE 15-531	10 SEE 15-531	10 SEE 15-531	15 SEE 15-531	15 SEE 15-531	10	10	10 SEE 15-531	20 SEE 15-531
MINIMUM REQUIRED SIDE YARD FOR OTHER NONRESIDENTIAL MAIN BUILDING IN FEET	← 10% OF WIDTH OF LOT 20' MIN. - 30' MAX. →											10	10	10	20

15-300 SCHEDULE OF MINIMUM SIDE YARDS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GC GENERAL COMMERCIAL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM REQUIRED SIDE YARD ONE-FAMILY AND TWO-FAMILY DWELLINGS IN FEET	SEE 15-611		10% OF WIDTH OF LOT 5' MIN., 10' MAX.	10% OF WIDTH OF LOT 5' MIN., 10' MAX.	10% OF WIDTH OF LOT 5' MIN., 10' MAX.	10% OF WIDTH OF LOT 5' MIN., 10' MAX.	10% OF WIDTH OF LOT 5' MIN., 10' MAX.	10% OF WIDTH OF LOT 5' MIN., 10' MAX.	10% OF WIDTH OF LOT 5' MIN., 10' MAX.	10% OF WIDTH OF LOT 5' MIN., 10' MAX.					
MINIMUM REQUIRED SIDE YARD ONE-FAMILY ATTACHED DWELLING	SEE 15-611		SEE 15-522 15-621	SEE 15-522 15-621	SEE 15-522	SEE 15-522 15-621	SEE 15-522 15-621	SEE 15-522 15-621	SEE 15-522 15-621	SEE 15-522 15-621					
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS THREE STORIES AND LESS IN HEIGHT	SEE 15-611		10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524 15-621	10 SEE 15-523 15-524	10 SEE 15-523 15-524			
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS OVER THREE STORIES IN HEIGHT	SEE 15-403 15-611 15-612		10 SEE 15-403 15-525 15-526 15-612 15-622		10 SEE 15-403 15-525 15-526 15-612 15-623	10 SEE 15-403 15-525 15-526 15-612	10 SEE 15-403 15-525 15-526 15-612	NONE SEE 15-403 15-612 15-623 15-624	NONE SEE 15-403 15-612 15-623 15-624	10 SEE 15-403 15-525 15-526 15-612	10 SEE 15-403 15-525 15-526 15-612	10 SEE 15-403 15-525 15-526 15-612			
MINIMUM REQUIRED SIDE YARD FOR MOBILE HOME OR TRAILER							10 SEE 15-402			10 SEE 15-402		10 SEE 15-402			
MINIMUM REQUIRED SIDE YARD FOR OTHER NONRESIDENTIAL MAIN BUILDING IN FEET	SEE 15-403 15-612 15-622	NONE SEE 15-531 15-632 15-612	10 SEE 15-403 15-612 15-631	NONE SEE 15-531 15-632 15-632	20 SEE 15-403 15-612 15-634	NONE SEE 15-612 15-632 15-633	NONE SEE 15-612 15-632 15-633	NONE SEE 15-403 15-612	NONE SEE 15-403 15-612	NONE SEE 15-403 15-612 15-632	10 SEE 15-403 15-612	NONE SEE 15-403 15-612 15-632	NONE SEE 15-403 15-612 15-632		

15-400 GENERAL PROVISIONS

15-401 Required side yards shall be open and unobstructed except for accessory buildings as permitted herein and fences which provide fire fighting access. Ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed three (3) feet into the required side yard are permitted.

15-402 In the MH, LC, HC and I-2 Districts, mobile home or house trailer within a mobile home or house trailer park, court or subdivision shall not be located nearer than ten (10) feet to the side line of any lot, plot, tract or stand, and the minimum space between adjacent mobile homes or house trailers shall be twenty (20) feet.

15-403 In all districts, where buildings are erected or altered to exceed three (3) stories in height, and where such buildings are adjacent to a single-family or two-family district, a minimum side yard shall be provided as specified in 15-200 and 15-300. However, the minimum side yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to twice the total height of the building and shall be measured from the property lines, or if a corner lot, from the centerline of the street.

15-500 SPECIAL SIDE YARD PROVISIONS - RESIDENTIAL DISTRICTS

15-510 GENERAL

15-511 On lots which were official lots of record prior to the effective date of this ordinance, the minimum side yard adjacent to a side street shall comply with the minimum required side yard for the respective districts as otherwise specified except that in no case shall a side yard adjacent to a side street be less than ten (10) feet.

15-520 RESIDENTIAL USES

15-521 On a corner lot used for one-family or two-family dwellings both street exposures shall be treated as front yards on all lots platted after the effective date of this ordinance, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the City Plan Commission containing a side yard of ten (10) feet or more or where a building line has been established by ordinance the building line provisions on the plat or in the ordinance shall be observed.

15-522 One-family attached dwellings need not provide a side yard except that a minimum required side yard adjacent to a side street of ten (10) feet shall be provided. A minimum required side yard of five (5) feet shall be provided at the end of each one-family attached dwelling complex so that the ends of any two adjacent building complexes shall be at least ten (10) feet apart. The required side yards for complexes of one-family attached dwellings may be designated upon a plat approved by the City Plan Commission. A complex of attached one-family dwellings shall have a minimum length of four (4) dwelling units and shall not exceed three hundred (300) feet in length.

15-523 On a corner lot a side yard adjacent to a street for a multiple-family dwelling not exceeding three (3) stories in height shall not be less than fifteen (15) feet.

15-524 Multiple-family dwellings not exceeding three (3) stories in height shall provide a minimum side yard of fifteen (15) feet between any building wall containing openings for light and air and any side lot line except as herein provided. Any building face or wall with openings for light and air parallel to the side lot line and not exceeding thirty-five (35) feet in length may provide a minimum side yard of ten (10) feet. Where the same building has more than one

wall face with openings for light and air adjacent to the same side lot line at least fifty percent (50%) of the length of such walls adjacent to the side lot line shall observe a minimum side yard of fifteen (15) feet, except that wall faces less than thirty-five (35) feet in length with openings for light and air which are separated by outer courts a minimum of thirty (30) feet in width and five (5) feet in depth, may provide a minimum side yard of ten (10) feet. Where a multiple-family building wall contains no openings for windows, light or air, a minimum side yard of ten (10) feet shall be provided between such wall and the side lot line regardless of the length of the building wall.

15-525 In the MF-3 and MF-4 Districts (except as provided in 15-403), a minimum side yard of ten (10) feet shall be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

15-526 In the MF-3 and MF-4 Districts (except as provided in 15-403), a minimum side yard shall be provided for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light and air. Such side yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line (or if a corner lot from the centerline of the street) to the wall surface containing openings. In providing the required side yard herein specified, one side yard may be reduced up to twenty percent (20%) from the dimension required, provided that the other side yard is increased a distance equal to the reduction in the other side yard.

15-530 NONRESIDENTIAL USES

15-531 Uses which are permitted to exceed the maximum height specified for the district in which they are located (See 18-401) shall provide a setback in addition to the required side yard for that portion of the building which exceeds the specified maximum height. Such additional side yard shall be equal to one-half (1/2) the extra height of that portion of the building which exceeds the specified maximum height.

15-600 SPECIAL SIDE YARD PROVISIONS - NONRESIDENTIAL DISTRICTS

15-610 GENERAL

15-611 The minimum side yard requirements in a Planned Development District shall be established on the site plan in accordance with 10-600.

15-612 In nonresidential districts where buildings are erected or altered to exceed three (3) stories in height and where such buildings are adjacent to a MF-1 or MF-2 District, a minimum side yard shall be provided as specified in 15-300. However, the minimum side yard shall be increased for the parts of the building over thirty (30) feet

in height. Such additional setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line (or from the centerline of the street, if a corner lot). In no case shall such setback exceed fifty (50) feet.

15-620 RESIDENTIAL USES

15-621 In the O, NS, GR, LC, CA-1, CA-2 and HC Districts the minimum side yard requirements for single-family (attached and detached), two-family and multiple-family buildings of three (3) stories or less shall be as specified in 15-300, 15-510 and 15-520.

15-622 In the O, GR, LC, HC, I-1 and I-2 Districts, the minimum side yard requirements for multiple-family buildings over three (3) stories in height shall be as specified in 15-525 and 15-526.

15-623 In the SC District, the minimum side yard requirements for residential buildings shall be as specified in 15-300, 15-510 and 15-520, but where such buildings are adjacent to a single-family or two-family district a minimum side yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line (or if a corner lot from the centerline of the street) a distance equal to twice the total height of the building.

15-624 In the CA-1 and CA-2 Districts (except as provided in 15-403 and 15-612), no side yard needs to be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

15-625 In the CA-1 and CA-2 Districts (except as provided in 15-403 and 15-612), a minimum side yard shall be provided for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light and air. Such side yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line (or if a corner lot from the centerline of the street) to the wall surface containing openings. In providing the required side yard herein specified, one side yard may be reduced up to twenty percent (20%) from the dimension required provided the other side yard is increased a distance equal to the reduction in the other side yard.

15-630 NONRESIDENTIAL USES

15-631 In the O District (except as provided in 15-403 and 15-612), a minimum side yard of ten (10) feet shall be provided. However, the minimum side yard shall be increased for the parts of the building over twenty (20) feet in height and which have walls with openings for light and air. Such side yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line to the wall surface containing openings.

In no case need a side yard exceed fifty (50) feet. A minimum side yard of fifteen (15) feet shall be provided for the parts of the building over twenty (20) feet in height where the wall does not contain openings for light and air.

15-632 No side yard is specified for nonresidential use in the P, NS, GR, LC, HC, I-2 and I-3 Districts except where a commercial, retail or industrial or other nonresidential use abuts upon a district boundary line dividing such districts from a residential district in which event a minimum ten (10) foot side yard shall be provided on the side adjacent to such residential district and such side yard shall be increased as provided in 15-403 and 15-612.

15-633 On a corner lot in the P, NS, GR and LC Districts, a minimum side yard of ten (10) feet shall be provided on the side street.

15-634 In the SC District, a minimum side yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line (or if a corner lot from the centerline of the street) a distance equal to twice the total height of the building.

SECTION 16
MINIMUM REAR YARD

16-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO HAVE A SMALLER REAR YARD THAN SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

16-200 SCHEDULE OF MINIMUM REAR YARDS - RESIDENTIAL DISTRICTS

	R-1	R-2	R-10	R-12	R-20	R-5	R-7.5	ZR-1	ZR-2	MH-1	MH-2	MH-3	MH-4	MH-5	A
MINIMUM REAR YARD IN FEET FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS	20	20	20	15	15	15	10	10	10	10	10	10	10		50
	SEE SPECIAL REAR YARD COVERAGE STANDARDS 17-402														
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS NOT EXCEEDING THREE STORIES IN HEIGHT										15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511		
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS EXCEEDING THREE STORIES IN HEIGHT												25 SEE 16-512 16-516 16-513	NONE SEE 16-512 16-513 16-514 16-402		
MINIMUM REAR YARD IN FEET FOR MOBILE HOME OR HOUSE TRAILER														10	
MINIMUM REQUIRED REAR YARD FOR USES UNDER 18-401	20 SEE 16-521	20 SEE 16-521	20 SEE 16-521	15 SEE 16-521	15 SEE 16-521	15 SEE 16-521	10 SEE 16-521	10 SEE 16-521	10 SEE 16-521	15 SEE 16-521	15 SEE 16-521	25		10 SEE 16-521	20 SEE 16-521
MINIMUM REAR YARD IN FEET FOR OTHER NONRESIDENTIAL USES	50	50	50	35	35	35	35	35	35	35	35	35	NONE	10	50

16-300 SCHEDULE OF MINIMUM REAR YARDS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM REAR YARD IN FEET FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS	SEE 16-611		10	10	10	10	10	10	10	10					
	SEE SPECIAL REAR YARD COVERAGE STANDARDS 17-402														
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS NOT EXCEEDING THREE STORIES IN HEIGHT	SEE 16-611		15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511			
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS EXCEEDING THREE STORIES IN HEIGHT	SEE 16-611		25 SEE 16-512 16-514		25 SEE 16-512 16-514	25 SEE 16-512 16-514	25 SEE 16-512 16-514	NONE SEE 16-624 16-625	NONE SEE 16-624 16-625	25 SEE 16-512 16-514	25 SEE 16-512 16-514	25 SEE 16-512 16-514			
MINIMUM REAR YARD IN FEET MOBILE HOME OR HOUSE TRAILER							10			10		10			
MINIMUM REAR YARD IN FEET NONRESIDENTIAL USES	SEE 16-611	NONE SEE 16-632	10 SEE 16-631	NONE SEE 16-631	20 SEE 16-634	NONE SEE 16-633	NONE SEE 16-633	NONE	NONE	NONE SEE 16-633	NONE SEE 16-633	NONE SEE 16-633	NONE SEE 16-633		

16-400 GENERAL PROVISIONS

16-401 Required rear yards shall be open and unobstructed except for accessory buildings as permitted herein and fences which provide fire fighting access. Ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed three (3) feet into the required rear yard are permitted.

16-402 In all districts where buildings are erected or altered to exceed three (3) stories in height, and where such buildings are adjacent to a single-family or two-family district, a minimum rear yard shall be provided as specified in 16-200 and 16-300. However, the minimum rear yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to twice the total height of the building and shall be measured from the property line.

16-500 SPECIAL REAR YARD PROVISIONS - RESIDENTIAL DISTRICTS

16-510 RESIDENTIAL USES

16-511 In the MF-1, MF-2, MF-3 and MF-4 Districts (except as provided in 16-512, 16-513 and 16-514), multiple-family dwellings not exceeding three (3) stories in height shall provide a rear yard of fifteen (15) feet when an alley exists adjacent thereto. When no alley exists adjacent thereto a rear yard of twenty-five (25) feet shall be provided.

16-512 In the MF-3 District (except as provided in 16-402), a minimum rear yard of twenty-five (25) feet shall be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

16-513 In the MF-4 District (except as provided in 16-402), no rear yard need be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

16-514 In the MF-3 and MF-4 Districts (except as provided in 16-402), a minimum rear yard shall be provided as specified in 16-200 for buildings or parts thereof which are occupied by residential uses and which have openings for access, light and air. Such rear yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the rear property line to the wall surface containing the openings. In providing the required rear yard as herein specified, the rear yard may be reduced up to twenty percent (20%) from the dimension required, provided that the front yard is increased a distance equal to the rear yard reduction.

16-520 NONRESIDENTIAL USES

16-521 Uses which are permitted to exceed the maximum height specified for the district in which they are located (See 18-401) shall provide a setback in addition to the required rear yard for that portion of the building which exceeds the specified maximum height. Such additional rear yard shall be equal to one-half (1/2) the extra height of that portion of the building which exceeds the specified maximum height.

16-600 SPECIAL REAR YARD PROVISIONS - NONRESIDENTIAL DISTRICTS

16-610 GENERAL

16-611 The minimum rear yard in a Planned Development District shall be established on the site plan in accordance with 10-600.

16-612 In nonresidential districts where buildings are erected or altered to exceed three (3) stories in height and where such buildings are adjacent to a MF-1 or MF-2 District, a minimum rear yard shall be provided as specified in 16-300. However, the minimum rear yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the rear property line. In no case shall such setback exceed fifty (50) feet.

16-620 RESIDENTIAL USES

16-621 In the O, NS, GR, LC, CA-1, CA-2, HC, I-1 and I-2 Districts, the minimum rear yard requirements for multiple-family buildings of three (3) stories or less shall be as specified in 16-300 and 16-511.

16-622 In the O, GR, LC, HC, I-1 and I-2 Districts, the minimum rear yard requirements for multiple-family buildings over three (3) stories in height shall be as specified in 16-512 and 16-514.

16-623 In the SC District, the minimum rear yard requirement for residential buildings shall be as specified in 16-300, 16-511, 16-512 and 16-514, but where such buildings are adjacent to a single-family or two-family district, a minimum rear yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line a distance equal to twice the total height of the building.

16-624 In the CA-1 and CA-2 Districts (except as provided in 16-402 and 16-612), no rear yard needs to be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

16-625 In the CA-1 and CA-2 Districts (except as provided in 16-402 and 16-612), a minimum rear yard shall be provided for buildings or parts thereof which are occupied by residential uses and which have walls with openings for light and air. Such rear yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line to the wall surface containing the openings. In providing the required rear yard herein specified, the rear yard may be reduced up to twenty percent (20%) from the dimension specified, provided the front yard is increased a distance equal to the rear yard reduction.

16-630 NONRESIDENTIAL USES

16-631 In the O District (except as provided in 16-402 and 16-612), a minimum rear yard of ten (10) feet shall be provided for buildings three (3) stories or less in height. For buildings over three (3) stories in height, a minimum rear yard of twenty-five (25) feet shall be provided where the rear wall contains no openings for light or air. Where openings are provided the minimum rear yard shall be equal to one-half (1/2) the total height of the building but in no case shall it be less than twenty-five (25) feet.

16-632 In the P District (except as provided in 16-402 and 16-612), no rear yard shall be required except that where such parking structure rears upon a district boundary line separating a P District from any residential district such parking structure shall be setback a minimum distance of ten (10) feet from the rear property line.

16-633 In the NS, GR, LC, HC, I-1, I-2 and I-3 Districts, no rear yard is specified except that where retail, commercial, industrial or other nonresidential uses back or rear upon a common district boundary line whether separated by an alley or not dividing the listed districts from any residential district, a minimum rear yard of ten (10) feet shall be provided by the nonresidential use and such rear yard shall be increased as provided in 16-402 and 16-612.

16-634 In the SC District, a minimum rear yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line a distance equal to twice the total height of the building.

SECTION 17
MAXIMUM LOT COVERAGE

17-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO COVER A GREATER PERCENTAGE OF THE LOT THAN SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

17-200 SCHEDULE OF MAXIMUM LOT OR SITE COVERAGE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1 1/2 SINGLE FAMILY DWELLING DISTRICT	R-1A SINGLE FAMILY DWELLING DISTRICT	R-1-1 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2R-1 TWO FAMILY DWELLING DISTRICT	2R-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY MAIN BUILDING AND ACCESSORY BUILDINGS FOR RESIDENTIAL USE	30% SEE 17-400	30% SEE 17-400	30% SEE 17-400	35% SEE 17-400	35% SEE 17-400	35% SEE 17-400	35% SEE 17-400	35% SEE 17-400	40% SEE 17-400	40% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	100% SEE 17-400	20% SEE 17-400	10% SEE 17-400
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY NON-RESIDENTIAL BUILDINGS	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	50% SEE 17-400	50% SEE 17-400	100% SEE 17-400	25% SEE 17-400	25% SEE 17-400

17-300 SCHEDULE OF MAXIMUM LOT OR SITE COVERAGE - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY MAIN BUILDING AND ACCESSORY BUILDINGS FOR RESIDENTIAL USE	SEE 17-400		60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	100% SEE 17-400	100% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400			
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY NON-RESIDENTIAL BUILDINGS	SEE 17-400	100%	40% SEE 17-400	40% SEE 17-400	40% SEE 17-400	40% SEE 17-400	40% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400		

17-400 GENERAL PROVISIONS

17-401 The maximum percentage of any lot or building site which may be covered by a main building and all accessory buildings shall not exceed the standards specified in 17-200 and 17-300.

17-402 In all districts permitting one-family and two-family dwellings, such dwelling structures and all accessory buildings shall not cover more than fifty percent (50%) of that portion of the lot lying to the rear of a line erected joining the mid-point on one side lot line with the mid-point of the opposite side lot line.

17-403 In districts permitting multiple-family dwelling not excceding three (3) stories in height, any such main dwelling structure shall not cover more than forty percent (40%) of the lot or tract and together with covered parking structures and other accessory buildings not more than sixty percent (60%) of the lot or tract may be covered by all buildings or structures.

17-404 All buildings and structures on a lot or tract occupied by an attached single-family residence shall not exceed sixty percent (60%) of the total lot area.

17-405 In all districts permitting multiple-family dwellings exceeding three (3) stories in height, such dwelling structures and any combination of such dwellings and nonresidential uses shall not cover more than sixty percent (60%) of the lot or tract on which they are situated unless the maximum coverage specified by 17-200 and 17-300 is one hundred percent (100%).

17-406 In all residential districts and the O, NS, SC, GR and LC Districts, institutional buildings shall be permitted to cover a maximum of sixty percent (60%) of the lot or tract on which they are situated.

17-407 In the MF-3, MF-4, O, GR, LC, HC, I-1 and I-2 Districts, for multiple-family dwellings exceeding three (3) stories in height and for other permitted uses, any structures used for off-street parking of vehicles may be excluded in determining any coverage requirements.

17-408 The maximum percentage of the area of any lot or tract which may be covered by buildings and structures in a Planned Development District shall be established by the amending ordinance and the site plan in accordance with 10-600.

SECTION 18
MAXIMUM BUILDING HEIGHT

18-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED TO EXCEED THE MAXIMUM HEIGHT STANDARDS SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

18-200 SCHEDULE OF MAXIMUM HEIGHT - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-12 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 [illegible] FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MAXIMUM HEIGHT OF BUILDING OR STRUCTURE IN NUMBER OF STORIES	3 SEE 18-400	3 SEE 18-400	2 SEE 18-400	2 SEE 18-400	2 SEE 18-400	2 SEE 18-400	2 SEE 18-400	3 SEE 18-400	3 SEE 18-400	3 SEE 18-400	3 SEE 18-400	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT	2 SEE 18-400	2 SEE 18-400

18-300 SCHEDULE OF MAXIMUM HEIGHT - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MAXIMUM HEIGHT OF BUILDING OR STRUCTURE IN NUMBER OF STORIES	20 WITH SPECIAL SETBACKS	2 stories or 3 parking levels not exceeding 25 feet SEE 18-401 18-402	20 WITH SPECIAL SETBACKS	2 SEE 18-401 18-402	20 WITH SPECIAL SETBACKS	10 WITH SPECIAL SETBACKS	20 WITH SPECIAL SETBACKS	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT	20 WITH SPECIAL SETBACKS	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT		

18-400 SPECIAL HEIGHT PROVISIONS

18-401 All public schools, denominational schools having a curriculum equivalent to public elementary and secondary schools, and all accessory buildings or structures normally associated therewith including stadiums and field houses; churches; permitted institutional buildings; permitted utility and service uses; church spires, cupolas, and steeples; and chimney and vent stacks may be erected to any height not prohibited by the Airport Zoning Ordinance, Federal Aviation Agency air space limitations, or any applicable building codes provided such structures are setback from property lines as specified in Sections 14, 15 and 16.

18-402 In any district where the building height is restricted to three (3) stories or less, elevator penthouses or bulkheads; mechanical equipment rooms; cooling towers; tanks; and ornamental cupolas and domes erected on the top of a building shall not be counted as being a story.

SECTION 19
MAXIMUM FLOOR-AREA RATIO

19-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED TO EXCEED THE MAXIMUM FLOOR-AREA RATIO SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

19-200 SCHEDULE OF MAXIMUM FLOOR-AREA RATIO - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 [illegible] FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING [illegible]	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MAXIMUM RATIO OF GROSS FLOOR AREA TO LAND AREA	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	4:1 SEE 19-401	10:1 SEE 19-401	NONE	NONE

19-300 SCHEDULE OF MAXIMUM FLOOR-AREA RATIO - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL [illegible] DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MAXIMUM RATIO OF GROSS FLOOR AREA TO LAND AREA	2:1 SEE 19-401	NONE	4:1 SEE 19-401	NONE	1:1 SEE 19-401	2:1 SEE 19-401	4:1 SEE 19-401	10:1 for residential use; 20:1 for non-residential use SEE 19-401	20:1 SEE 19-401	4:1 SEE 19-401	4:1 SEE 19-401	10:1 SEE 19-401	2:1 SEE 19-401		

19-400 GENERAL PROVISIONS

19-401 The floor area of structures used for off-street parking of vehicles shall be excluded in computing the floor-area ratio of a structure.

SECTION 20
MINIMUM OFF-STREET PARKING

20-100 TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; TO LESSEN CONGESTION IN THE STREETS; TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION; TO CONSERVE THE VALUE OF BUILDINGS; AND TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND MINIMUM OFF-STREET PARKING SHALL BE PROVIDED AS SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

20-200 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SINGLE-FAMILY, TWO-FAMILY AND MULTIPLE-FAMILY DWELLINGS - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-12 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
ONE-FAMILY DWELLING (DETACHED)	2	2	2	2	2	1	1	2	1	2	1	1	1		2
ONE-FAMILY DWELLING (ATTACHED)								2	1	2	1	2	1		
TWO-FAMILY DWELLING SPACES PER DWELLING UNIT								2	1	2	1 1/2	2	1		
MULTIPLE-FAMILY DWELLING SPACES PER DWELLING UNIT										2	1 1/2	2	1		

20-300 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SINGLE-FAMILY, TWO-FAMILY AND MULTIPLE-FAMILY DWELLINGS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
ONE-FAMILY DWELLING (DETACHED)			1	1	1	1	1	1	1	1					
ONE-FAMILY DWELLING (ATTACHED)			1	1	1	1	1	1	1	1					
TWO-FAMILY DWELLING SPACES PER DWELLING UNIT			1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	1	1	1 1/2					
MULTIPLE-FAMILY DWELLING SPACES PER DWELLING UNIT			1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	1	1	1 1/2	1 1/2	1 1/2			

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
RESIDENTIAL USES			
BOARDING OR ROOMING HOUSE	1	DWELLING OR ROOMING UNIT	
MOBILE HOME OR HOUSE TRAILER	1 1/2	LOT, PLOT, TRACT OR STAND	
HOTEL, MOTEL OR TOURIST COURT	1	GUEST ROOM OR RESIDENCE UNIT	

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
INSTITUTIONAL AND SPECIAL USES			
CHURCH	1	4 SEATS IN SANCTUARY OR AUDITORIUM	
COLLEGE, UNIVERSITY OR PRIVATE SCHOOL	1	4 DAY STUDENTS	
PUBLIC COMMUNITY, HEALTH OR WELFARE CENTER	1	200 SQUARE FEET OF FLOOR AREA	
DAY CAMP, KINDERGARTEN OR DAY NURSERY	1	10 PUPILS	
FRATERNITY OR SORORITY	1	2 MEMBERS OR RESIDENTS	
INSTITUTION FOR ALCOHOLIC, NARCOTIC OR PSYCHIATRIC PATIENTS	1	2 EMPLOYEES OR ATTENDANTS	4
HOSPITAL, GENERAL ACUTE CARE	1	EACH BED	
HOSPITAL, CHRONIC CARE	1	6 BEDS	
INSTITUTION, RELIGIOUS, CHARITABLE OR PHILANTHROPIC	1 plus 1	2 EMPLOYEES 10 RESIDENTS	
NURSING OR CONVALESCENT HOME	1	6 BEDS	
INSTITUTIONAL HOME FOR AGED	1	3 RESIDENCE UNITS	
RESIDENCE HOME FOR AGED	1	DWELLING UNIT	

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
PLACE OF PUBLIC ASSEMBLY	1	4 SEATS	
SCHOOL, PRIVATE			
ELEMENTARY	1	25 STUDENTS	
JUNIOR HIGH	1	18 STUDENTS	
SENIOR HIGH	1	5 STUDENTS	
LODGE OR FRATERNAL ORGANIZATION	1	200 SQUARE FEET OF FLOOR AREA	10
FOOD AND BEVERAGE SERVICES			
EATING OR DRINKING PLACE - SERVICE TO AUTO	12 minimum plus 1	50 SQUARE FEET OF FLOOR AREA	
EATING OR DRINKING PLACE - NO SERVICE TO AUTO	1	100 SQUARE FEET OF FLOOR AREA	
OFFICE, PROFESSIONAL OR FINANCIAL USES			
BANK OR SAVINGS AND LOAN OFFICE	1	300 SQUARE FEET OF FLOOR AREA	
CLINIC OR DOCTOR'S OFFICE	1	150 SQUARE FEET OF FLOOR AREA	
OFFICE, GENERAL	1	300 SQUARE FEET OF FLOOR AREA	

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2 (Continued)

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
DANCE, DISPLAY, DRAMA OR MUSIC STUDIO	1	200 SQUARE FEET OF FLOOR AREA	
VETERINARIAN OFFICE OR CLINIC	1	300 SQUARE FEET OF FLOOR AREA	
SCHOOL, BUSINESS, TRADE OR CRAFT	1	4 DAY STUDENTS	
PERSONAL SERVICE AND RETAIL USES			
PERSONAL SERVICE SHOP OR ESTABLISHMENT	1	200 SQUARE FEET OF FLOOR AREA	
RETAIL STORES OR SHOPS - IN BUILDINGS	1	200 SQUARE FEET OF FLOOR AREA	
OPEN RETAIL SALES	1	600 SQUARE FEET OF SITE AREA EXCLUSIVE OF BUILDINGS	
RECREATION, SOCIAL AND ENTERTAINMENT USES			
COMMERCIAL AMUSEMENTS	1 or 1	3 GUESTS 100 SQUARE FEET OF FLOOR AREA WHICHEVER IS GREATER	
BOWLING ALLEY	6	PER LANE	
PRIVATE CLUB OR NIGHT CLUB	1	100 SQUARE FEET OF FLOOR AREA	
THEATRE	1	4 SEATS	

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2 (Continued)

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
MOTOR VEHICLE AND MACHINERY USES-			
AUTO LAUNDRY	1	500 SQUARE FEET OF FLOOR AREA	20
AUTO REPAIR, GARAGE OR SHOP	1	500 SQUARE FEET OF FLOOR AREA	5
VEHICLE OR MACHINERY SALES - INDOOR	1	500 SQUARE FEET OF FLOOR AREA	5
AUTO PARTS AND ACCESSORY SALES - INDOOR	1	200 SQUARE FEET OF FLOOR AREA	
AUTO PARTS AND ACCESSORY SALES - OUTDOOR	1	1,000 SQUARE FEET OF SITE AREA	
VEHICLE OR MACHINERY SALES - OUTDOOR	1	1,000 SQUARE FEET OF SITE AREA	
STORAGE, WHOLESALE AND MANUFACTURING USES			
BRICK OR LUMBER YARD OR SIMILAR AREA	1	1,000 SQUARE FEET OF SITE AREA	
OPEN STORAGE OF SAND, GRAVEL, PETROLEUM PRODUCTS, ETC.	1	2,000 SQUARE FEET OF SITE AREA	
WAREHOUSE AND ENCLOSED STORAGE, WHOLESALE OR MANUFACTURING OPERATION	1	1,000 SQUARE FEET OF FLOOR AREA	

20-500 GENERAL PROVISIONS

20-501 An off-street parking space shall be a striped area of not less than one hundred sixty-two (162) square feet, measuring approximately nine (9) by eighteen (18) feet, not located on a public street or alley. Such parking space, aisles and maneuvering areas shall have an all-weather surfacing, enclosed or unenclosed, and shall be connected by an all-weather surfaced driveway to a street or alley. Head-in parking adjacent to a public thoroughfare wherein the maneuvering of the vehicle in parking or leaving a parking space is done on a public street shall not be classified as off-street parking in computing any parking requirements herein specified.

20-502 In determining the required number of parking spaces, fractional spaces shall be counted to the nearest whole space. Parking spaces located in buildings used for repair garages or auto laundries shall not be counted as meeting the required minimum parking.

20-503 Where a lot or tract of land is used for a combination of uses, the off-street parking requirements shall be the composite or sum of the requirements for each type of use and no off-street parking space provided for one type use or building shall be included in calculation of the off-street parking requirements for any other use or building.

20-504 Floor area of structures devoted to off-street parking of vehicles shall be excluded in computing the floor area for off-street parking requirements.

20-505 In all districts except the CA-1 and CA-2 Districts, the required off-street parking for all permitted uses, except institutional uses, shall be available to the customers, employees, tenants, clients and occupants of a use on a prearranged basis, other than an hourly or daily fee basis, as free or contract parking in accordance with the minimum parking ratio prescribed for the various districts and uses in the following schedule.

20-506 Except for institutional uses, required off-street parking for permitted uses in single-family, two-family, MF-1, MF-2, MH and A Districts shall be provided on the lot or tract occupied by the main use. For institutional uses in residential districts and for permitted uses in all other districts, off-street parking shall be provided on the lot or tract occupied by the main use or upon a lot or tract dedicated to parking use by an instrument filed for record and consolidated under a single Certificate of Occupancy with the main use. Such parking facility shall be located in the same zoning district as the main use or in any other district which permits a commercial parking lot or garage; and all or any part of such facility shall be located within a distance (including streets and alleys) of three hundred (300) feet of the property upon which the main use is located.

20-507 No off-street parking shall be required for public schools, denominational schools having a curriculum equivalent to a public elementary or secondary school, and all accessory buildings and structures normally associated therewith, including stadiums and field houses. Such schools may provide off-street parking according to their needs.

20-600 SPECIAL OFF-STREET PARKING PROVISIONS - RESIDENTIAL DISTRICTS

20-601 No required off-street parking space shall be located in the required front yard in any single-family, two-family, MF-1, MF-2, MH or A District.

20-602 In the MF-3 and MF-4, surface parking may extend to the front property line.

20-700 SPECIAL OFF-STREET PARKING PROVISIONS - NONRESIDENTIAL DISTRICTS

20-701 In all nonresidential districts, surface parking may extend to the front property line.

20-702 In the CA-1 District, off-street parking space for all uses shall be provided at the ratio of one space for each two thousand (2000) square feet of floor area. In the event that the required number of spaces amounted to fifty (50) or less, no off-street parking need be provided.

20-703 In the CA-2 District, off-street parking space for all uses, other than single-family, two-family and multiple-family uses, shall be provided at the ratio of one space for each two thousand (2000) square feet of floor area exceeding five thousand (5000) square feet. No off-street parking is required for buildings containing less than five thousand (5000) square feet of floor area.

SECTION 21
MINIMUM OFF-STREET PARKING

21-100 TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; TO LESSEN CONGESTION IN THE STREETS; TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION; TO CONSERVE THE VALUE OF BUILDINGS; AND TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND: MINIMUM OFF-STREET LOADING SHALL BE PROVIDED AS SET FORTH IN THE FOLLOWING PROVISIONS.

21-200 MINIMUM OFF-STREET LOADING - ALL DISTRICTS EXCEPT CA-1

21-201 Except in the CA-1 District, off-street facilities shall be provided and maintained for receiving and loading merchandise, supplies and materials within a building or on the lot or tract adjacent thereto. Such off-street loading space may be adjacent to a public alley or private service drive or may consist of a truck berth within the structure with no portion of the loading space extending into the public right-of-way. At least one-half (1/2) of such off-street loading spaces or truck berths shall have a minimum dimension of ten (10) by forty (40) feet, and the remaining one-half (1/2) of the required loading berths shall have a minimum dimension of ten (10) by twenty (20) feet. Such spaces or berths shall be provided in accordance with the following schedules.

21-210 FOR ALL RETAIL, COMMERCIAL AND INDUSTRIAL USES

SQUARE FEET OF GROSS FLOOR AREA IN STRUCTURE	MINIMUM REQUIRED SPACES OR BERTHS
0 to 10,000	None
10,000 to 50,000	1
50,000 to 100,000	2
100,000 to 200,000	3
Each additional 100,000	1 additional

21-220 FOR ALL HOTELS, OFFICE BUILDINGS, RESTAURANTS AND SIMILAR ESTABLISHMENTS

SQUARE FEET OF GROSS FLOOR AREA IN STRUCTURE	MINIMUM REQUIRED SPACES OR BERTHS
0 to 50,000	None
50,000 to 150,000	1
150,000 to 300,000	2
300,000 to 500,000	3
500,000 to 1,000,000	4
Each additional 500,000	1 additional

21-300 MINIMUM OFF-STREET LOADING - CA-1 DISTRICT

21-301 For buildings containing over one hundred thousand (100,000) square feet of floor area erected in the CA-1 District, one (1) off-street loading space having minimum dimensions of ten (10) by forty (40) feet and one (1) space having minimum dimensions of ten (10) by twenty (20) feet shall be provided. In addition, one (1) off-street loading space having a minimum dimension of ten (10) by twenty (20) feet shall be provided for each additional five hundred thousand (500,000) square feet of floor area over one hundred thousand (100,000) square feet.

SECTION 22
ACCESSORY BUILDING STANDARDS

22-100 THE FOLLOWING REGULATIONS SHALL BE OBSERVED FOR ALL ACCESSORY USES AND BUILDINGS LOCATED IN RESIDENTIAL DISTRICTS AND FOR RESIDENTIAL ACCESSORY USES AND BUILDINGS IN NONRESIDENTIAL DISTRICTS:

22-101 Accessory uses located in the main building or in structures attached to the main building shall observe the same front, side and rear yard requirements as are specified for the main building.

22-102 Detached accessory buildings within the front fifty percent (50%) of the lot shall observe the same front yard as the main building.

22-103 Detached accessory buildings shall not be located nearer than three (3) feet to any interior side lot line, except that where party wall construction which meets the fire prevention code requirements is used and such accessory building is located within the rear thirty percent (30%) of the lot, no side yard need be provided except as required for the main building.

22-104 Detached accessory buildings on a corner lot shall not be located nearer than ten (10) feet to a side lot line along a side street.

22-105 Detached accessory buildings shall not be located nearer than three (3) feet to any rear lot line.

22-106 Detached accessory buildings shall not be located nearer than ten (10) feet to a residential structure.

22-107 Automobile storage spaces located in the open or in a main or accessory building so as to face upon or be entered directly from a street or alley shall not be nearer than twenty (20) feet to the property line adjacent to such street or alley regardless of any building line platted to a lesser setback and regardless of any other provision of this section.

22-108 No open parking or motor vehicle storage space shall be located nearer than eight (8) feet to any multiple-family dwelling structure, and all off-street parking facilities shall be so located and arranged as to not obstruct direct fire protection and emergency access to any multiple-family dwelling.

22-109 No detached accessory building shall be used as a place of habitation unless it is a bona fide guesthouse or servant's quarters as provided for and defined elsewhere in this ordinance.

22-110 No accessory building housing animals or livestock which is located in any residential district shall be placed nearer to any adjacent property line than one hundred (100) feet.

SECTION 23
SIGN STANDARDS

23-100 SIGNS ARE RECOGNIZED AS A SIGNIFICANT AND SPECIFIC USE OF LAND. FOR THE PURPOSE OF PROTECTION OF PLACES AND AREAS OF HISTORICAL AND CULTURAL IMPORTANCE; TO INCREASE SAFETY AND LESSEN CONGESTION IN THE STREETS; TO CONSERVE THE VALUE OF BUILDINGS; TO PRESERVE-RESIDENTIAL VALUES; AND TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND, STANDARDS ARE HEREIN PROVIDED FOR THE CONSTRUCTION OF SIGNS. NO SIGN SHALL BE ERECTED, PLACED, DISPLAYED OR LOCATED EXCEPT IN ACCORDANCE WITH THE FOLLOWING STANDARDS.

23-200 SCHEDULE OF SIGN STANDARDS

LEGEND

The following sign construction types are defined in and correspond to those specified in the City of Dallas Building Code.

G - Ground Sign
W - Wall Sign
PA - Parapet Wall Sign
P - Pole Sign
PR - Projecting Sign
R - Roof Sign
M - Marquee Sign

	PERMITTED IN	MAXIMUM AREA IN SQUARE FEET SEE 23-401	MAXIMUM HEIGHT IN FEET SEE 23-403	CONSTRUCTION TYPE PERMITTED	SETBACK REQUIRED SEE 23-402	SPACING	LIGHTING PERMITTED	FLASHING PERMITTED	MOTION PERMITTED	MAXIMUM DURATION	ADDITIONAL REQUIREMENTS
NAME PLATES	ALL DISTRICTS	2	3	G,W,P	NONE	NONE	YES	NO	NO	PERMANENT	
REAL ESTATE	ALL DISTRICTS	12	6	G,W,P	NONE	1 FOR EACH 30 FT. OF STREET FRONT	YES	NO	NO	TEMPORARY-REMOVE UPON SALE OR RENTAL OF PROPERTY	
CONSTRUCTION	ALL DISTRICTS	20	6	G,W,P	NONE	NONE	YES	NO	NO	TEMPORARY-REMOVE UPON COMPLETION OF CONSTRUCTION	
DEVELOPMENT	SF & 2F DISTRICTS	400	30	G,W,P	NONE	1 FOR EACH 10 ACRES OR PART THEREOF	YES	NO	NO	TEMPORARY-REMOVE WHEN PROJECT 90 PERCENT (90%) COMPLETE	PERMITTED FOR NEW SUBDIVISIONS ONLY
	MF-1, MF-2 AND MF-3	200	20	G,W,P	NONE	1 FOR EACH 10 ACRES OR PART THEREOF	YES	NO	NO	TEMPORARY-REMOVE WITHIN SIX MONTHS AFTER ISSUANCE OF CERTIFICATE OF OCCUPANCY	
	ALL OTHER DISTRICTS	400	30	G,W,P	NONE	1 FOR EACH 10 ACRES OR PART THEREOF	YES	NO	NO	TEMPORARY-REMOVE WITHIN SIX MONTHS AFTER ISSUANCE OF CERTIFICATE OF OCCUPANCY	

23-200 SCHEDULE OF SIGN STANDARDS (Continued)

	PERMITTED IN	MAXIMUM AREA IN SQUARE FEET SEE 23-401	MAXIMUM HEIGHT IN FEET SEE 23-403	CONSTRUCTION TYPE PERMITTED	SETBACK REQUIRED SEE 23-402	SPACING	LIGHTING PERMITTED	FLASHING PERMITTED	MOTION PERMITTED	MAXIMUM DURATION	ADDITIONAL REQUIREMENTS
NONRESIDENTIAL IDENTIFICATION	SF, 2F, MF, A	12	6	G,W,PA, P,PR,M	BEHIND REQUIRED SETBACK LINE	NONE	YES	NO	NO	PERMANENT	NOT PERMITTED FOR LIMITED USES
INSTITUTIONAL	ALL DISTRICTS	30	20	G,W,PA, P,PR,M	BEHIND REQUIRED SETBACK LINE	NONE	YES	NO	NO	PERMANENT	
APARTMENT WALL	ALL DISTRICTS EXCEPT SF, 2F, A, P & I-3	50	NONE	W	NONE	1 FOR EACH STREET FRONTAGE	YES	NO	NO	PERMANENT	MAY BE PERMITTED ON WALLS OR FENCES IN REQUIRED FRONT YARDS
APARTMENT	ALL DISTRICTS EXCEPT SF, 2F, A, P & I-3	20	6	G,P,W, PA,PR, & M	8	1 FOR EACH STREET FRONTAGE	YES	NO	NO	PERMANENT	
MOBILE HOME	MH	96	20	G,W,P	25	1 FOR EACH STREET FRONTAGE	YES	NO	NO	PERMANENT	PERMITTED FOR MOBILE HOME PARKS ONLY
AGRICULTURAL	A	50	20	G,W,P	25	ONLY 2 FOR EACH FARM OR RANCH	YES	NO	NO	PERMANENT	PERMITTED ONLY FOR ADVERTISING PRODUCE, CROPS OR ANIMALS RAISED ON A FARM OR RANCH
GENERAL BUSINESS	MF-6, O, P	SEE 23-404	30	W,P,M, PA & G	BEHIND REQUIRED SETBACK LINE	SEE 23-405	YES	NO	NO	PERMANENT	
	NS	NONE EXCEPT 50 SQ. FT FOR POLE SIGNS	30	W,PA,P, G,M	25	SEE 23-406	YES	NO	NO	PERMANENT	
	SC	NONE EXCEPT 50 SQ FT FOR POLE SIGNS	30	W,PA,P G,M	25	SEE 23-406	YES	NO	YES	PERMANENT	

	PERMITTED IN	MAXIMUM AREA IN SQUARE FEET SEE 23-401	MAXIMUM HEIGHT IN FEET SEE 23-403	CONSTRUCTION TYPE PERMITTED	SETBACK REQUIRED SEE 23-402	SPACING	LIGHTING PERMITTED	FLASHING PERMITTED	MOTION PERMITTED	MAXIMUM DURATION	ADDITIONAL REQUIREMENTS
GENERAL BUSINESS	GR, LC	NONE	30	W,PA,P, G,PR,R, M	25	SEE 23-406	YES	YES	YES	PERMANENT	
	HC, I-1, I-2, I-3	NONE	50	W,PA,P, G,PR,R, M	NONE	SEE 23-406	YES	YES	YES	PERMANENT	
SPECIAL HEIGHT	SC, GR, LC	NONE	50	G,P	25 FT INCLUDING POLE SIGNS	SEE 23-406 INCLUDING POLE SIGNS	YES	YES, EXCEPT IN SC	YES	PERMANENT	
ADVERTISING	SC	NONE	30	G,W,PA, P,M	25	SEE 23-407	YES	NO	YES	PERMANENT	SEE 23-408
	GR, LC, A	NONE	50	G,W,PA, P,PR,M,R	25	SEE 23-407	YES	YES	YES	PERMANENT	SEE 23-408 - 23-409
	I-1, I-2, I-3, HC	NONE	50	G,W,PA, P,PR,M,R	NONE	SEE 23-407	YES	YES	YES	PERMANENT	

SECTION 23
SIGN STANDARDS

23-300 GENERAL PROVISIONS

23-301 The standards and regulations specified in this section shall apply only to those signs for which building permits must be obtained under the requirements of the City of Dallas Building Code.

23-302 No regulation or standard contained in this section shall apply to signs painted on or erected inside a window.

23-303 The provisions herein contained are applicable to the location, size and placement of signs and shall otherwise be considered supplementary to the Building Code and Sign Ordinance of the City of Dallas and no provisions specified herein shall be construed to otherwise amend nor nullify any provision of the Building Code, Sign Ordinances or other regulation pertaining to the erection, maintenance and operation of signs in the City of Dallas.

23-304 No front yard, side yard, rear yard or height requirement specified elsewhere in this ordinance shall apply to any sign.

23-305 Signs shall be permitted for all nonconforming uses in accordance with the regulations and standards specified in this section.

23-306 A sign in direct line of vision of any traffic control signal, from any point in a moving traffic lane within fifty (50) feet of and approaching such signal shall not be permitted.

23-307 No revolving beam or beacon of light resembling any emergency vehicle light shall be permitted to be erected as part of any sign display in any zoning district nor shall any sign or graphic advertising device be located or placed so as to obstruct the vision or sight distance of motor vehicle drivers or pedestrians at any street intersection, street crossing or point of traffic concentration.

23-308 The area of a sign shall be computed by drawing a line or lines around the sign in such a way as to form not more than four (4) regular geometric figures such as a rectangle, circle, triangle, trapezoid or ellipse. The total area of these figures shall be the total area of the sign.

23-400 SPECIAL STANDARDS FOR SIGNS

23-401 The maximum sign area in square feet as specified in 23-200 shall apply to only one sign face. However, if the sign has more than one face the maximum area of all faces shall be twice the area specified.

23-402 The required setback as specified in 23-200 shall be measured from the property line of all streets bounding the lot or tract upon which a sign is erected and shall apply only to ground signs unless otherwise specified. Where the setback is shown as being "behind the required setback line", the required setback shall be as shown in the following schedule.

DISTRICT	SETBACK	DISTRICT	SETBACK	DISTRICT	SETBACK	DISTRICT	SETBACK
R-1	40	2F-1	25	A	25	LC	25
R-1/2	40	2F-2	20	PD	as specified in granting ordinance	CA-1	None
R-16	35	MF-1	25	P	None	CA-2	None
R-13	30	MF-2	25	O	25	HC	None
R-10	30	MF-3	15	NS	25	I-1	25
R-7.5	25	MF-4	None	SC	25	I-2	None
R-5	20	MH	25	GR	25	I-3	None

23-403 The maximum sign height as specified in 23-200 shall apply only to ground and pole signs.

23-404 The maximum sign area for one face shall be fifty (50) square feet for each nonresidential use. The maximum sign area for building identification shall be five percent (5%) of the total wall area facing in the same direction as the wall faces upon which the sign is placed.

23-405 Only one building identification sign may be permitted for each street frontage. No standard is specified for signs advertising nonresidential uses.

23-406 There shall be no spacing requirement for pole signs unless otherwise specified. However, all ground signs shall be spaced no less than one hundred (100) feet from all other ground signs and any special height signs.

23-407 Advertising sign structures erected in the A, SC, GR, LC, HC, I-1, I-2 and I-3 Districts shall be placed a minimum of one hundred (100) feet apart when erected so as to face in the same direction. No such structure shall be located within one hundred (100) feet of a residential district boundary line if the face of the sign is placed at an angle of less than ninety degrees (90°) to the district boundary line.

23-408 Advertising sign structures erected in the A, SC, GR and LC Districts shall not contain more than two (2) panels facing in the same direction nor shall the length exceed sixty (60) feet.

23-409 Advertising signs erected in the A District shall be removed when the zoning is changed if the sign does not conform to the regulations of the new zoning district.

23-410 Sign regulations for any development placed in the Planned Development District shall be established by the Planned Development District ordinance and shall specify the maximum height, setback, general types and area of such signs permitted in accordance with the provisions of 10-641.

23-411 All types of signs are permitted in the CA-1 and CA-2 Districts. However, sign regulations specified by Ordinance 7469 shall continue to apply to the applicable areas as delineated by such ordinance, and other parts of the CA-1 and CA-2 Districts shall be subject to regulations of any other ordinance which the City Council may adopt relative to sign location, construction or maintenance.

SECTION 24
OPEN STORAGE AND SCREENING REGULATIONS

24-100 TO ENCOURAGE THE MOST APPROPRIATE USE OF THE LAND AND TO CONSERVE AND PROTECT THE VALUE OF ADJACENT LAND AND BUILDINGS, REGULATIONS ARE PRESCRIBED FOR THE LOCATION AND SCREENING OF OPEN STORAGE OF MATERIALS, COMMODITIES AND VEHICLES OF ALL TYPES IN THE VARIOUS DISTRICTS IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

24-200 LOCATION OF OPEN STORAGE

24-201 In addition to the regulations of 10-214 concerning commercial and industrial storage uses, the following regulations shall apply to storage accessory to residential and retail uses.

24-202 In all one-family, two-family, multiple-family and mobile home districts, no open accessory storage or display outside a building of materials or commodities for sale at wholesale or retail or for storage purposes shall be permitted nor shall any motor vehicle or machinery storage other than that which is incidental to the use of a premises as herein provided for be permitted, nor shall any truck or commercial vehicle storage be permitted, except that one (1) panel delivery or pick-up truck not exceeding one and one-half (1 1/2) ton capacity may be stored by the owner of a premises when such vehicle storage is incidental to the main use of such premises.

24-203 In the O, NS, SC, GR, LC and I-1 Districts, no open accessory storage or display of materials and commodities other than used cars for sale shall be permitted between the street line and the front setback or yard line as herein provided, except that such restriction shall not apply to provision of off-street parking facilities in conformance with the requirements of this ordinance. For a gasoline service station, the front setback or yard line applicable to this regulation shall be interpreted as the specified setback for fuel pumps or pump islands. Permitted open accessory storage shall be screened as required by 24-314.

24-300 SCREENING REGULATIONS

24-310 LOCATION OF REQUIRED SCREENING

24-311 Where the rear or service side of a nonresidential building in a residential district is exposed to a residence and where a nonresidential building in an O, NS, SC, GR or LC District is exposed to a residential district boundary line, and where such building is closer than one hundred fifty (150) feet to the boundary line, a screening wall or fence not less than six (6) feet in height shall be erected separating the rear or service side of such building from the adjacent residence or residential district. Where all service, storage and loading facilities are contained within a building, the screening provisions of this section shall not apply.

24-312 In an O, NS, SC, GR or LC District where parking space for motor vehicles for nonresidential buildings is provided adjacent to a residential district which is occupied or to be occupied by residential buildings, whether the district boundary lines are separated by a street or alley or not, a screening wall or landscaped visual barrier not less than three (3) feet in height shall be provided along the boundary of such parking areas. This requirement does not waive the requirements of 24-311.

24-313 In the P District, all open parking space for motor vehicles shall be separated from adjacent residential districts which are occupied or to be occupied by residential buildings by a screening wall or landscaped visual barrier not less than three (3) feet in height and such screening shall be required whether the district boundary line between the two districts is along a street or alley separating the two districts or directly adjacent with no street or alley separation.

24-314 In all districts where open storage is permitted and screening of the storage area is required, a screening wall or fence shall be provided not less than six (6) feet in height.

24-315 Garbage storage areas shall be visually screened by a six (6) foot high solid fence on all sides except when one (1) side is adjacent to an alley or easement used for garbage pickup service no screening fence shall be required on that side.

24-316 All wrecking yards (junk and salvage) and salvage yards (outside) with open storage of wrecked or salvaged automobiles, machinery, appliances or other used commodities and equipment shall surround such open storage with a screening wall or fence not less than six (6) feet in height.

24-320 STANDARDS FOR SCREENING

24-321 A required screening wall or fence shall be constructed of masonry or of a concrete or metal frame or base which supports a permanent type wall material, the surface of which does not contain openings more than forty (40) square inches in each one (1) square foot of surface of such wall or fence, and which surface shall constitute a visual barrier. No openings shall be permitted for access unless a solid gate equaling the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

24-322 Where barriers are required for parking facilities as specified in 24-312 or 24-313, such barriers shall consist of a screening wall not less than three (3) feet in height constructed in accordance with the provisions of 24-321 or a landscaped strip not less than six (6) feet in width, containing a solid planting or hedge not less than three (3) feet in height, which planting shall be maintained in a healthy, growing condition.

24-323 No screening wall, planting or other visual barrier shall be so located or placed that it obstructs the vision of motor vehicle drivers approaching any street, drive or alley intersection. This requirement takes precedence over any other requirements of 24-300.

24-324 Walls and landscaped strips shall be protected from vehicle wheels by a bumper rail or wheel barrier located at least three (3) feet from such planting or wall.

24-325 Any wall or fence constructed to comply with any screening provision herein specified shall be maintained so as to meet the minimum standard of screening.

SECTION 25
CREATION OF BUILDING SITE

25-100 IN ORDER TO MAKE POSSIBLE THE PROVISION OF ADEQUATE ACCESS, AND TO FACILITATE THE PROVISION OF WATER, SEWERAGE, DRAINAGE AND SIMILAR UTILITIES, PARKS, SCHOOLS AND OTHER PUBLIC REQUIREMENTS; TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; TO PROVIDE ADEQUATE LIGHT AND AIR AND TO AVOID UNDUE CONCENTRATION OF THE POPULATION, A BUILDING SITE SHALL BE CREATED AS SET FORTH HEREIN.

25-101 No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract or building lot has been created by compliance with one of the following conditions:

a. The lot or tract is part of a plat of record, properly approved by the City Plan Commission, and filed in the Plat Records of Dallas County, Texas.

b. The site, plot or tract is all or part of a site plan officially approved by the City Plan Commission, which site plan shows all utility and drainage easements, alleys, streets and other public improvements necessary to meet the normal requirements for platting including the designation of building areas and such easements, alleys and streets as are required and have been properly dedicated, and the necessary public improvements which have been provided.

c. The plot, tract or lot faces upon a dedicated street and was separately owned prior to September 11, 1929, or prior to annexation to the City of Dallas, whichever is applicable, in which event a building permit for only one main building may be issued on each such original separately owned parcel without first complying with either 19-101a or b preceding.

d. The tract is not separately platted but is part of a block or tract previously platted as an industrial or commercial subdivision wherein only streets, easements and blocks are delineated and such plat has been approved by the City Plan Commission and filed for record in which case no specific lot delineation shall be required.

SECTION 26
BUILDING LOCATION AND SPACING STANDARDS

26-100 IN ORDER TO MAKE POSSIBLE THE PROVISION OF ADEQUATE ACCESS; TO FACILITATE THE PROVISION OF WATER, SEWERAGE, DRAINAGE AND SIMILAR UTILITIES; TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; AND TO PROVIDE ADEQUATE LIGHT AND AIR; NO BUILDING SHALL BE ERECTED OR ALTERED UNLESS IT IS IN CONFORMITY WITH THE FOLLOWING REQUIREMENTS OF BUILDING LOCATION AND SPACING.

26-200 LOCATION OF BUILDINGS ON A SITE

26-201 Only one main building for one-family (attached or detached) or two-family dwelling purposes may be located upon a platted lot, tract or building site as defined in 25-101a, b and c except where building arrangements have been approved in accordance with the provisions of 10-600, Planned Development District, or 10-800, Community Unit Development.

26-202 More than one main building for multiple-family, office, retail, commercial, industrial or institutional use may be erected upon an officially platted lot, tract or building site as specified in 25-101, provided such building arrangements comply with the applicable requirements for building spacing specified herein.

26-300 BUILDING SPACING

26-310 SPACING STANDARDS FOR MULTIPLE-FAMILY DWELLINGS

26-311 Where two or more multiple-family dwellings, structures or buildings are located upon a single building site, lot or tract as defined in 25-101b, the minimum provision of space between exterior building walls shall be as contained herein: (The standards herein specified shall apply whether the dwelling structure is connected by a common roof or is free standing.)

26-312 Where buildings are parallel (front to front or rear to rear or front to rear), the minimum space between building walls shall be thirty (30) feet and in no event shall such space be less than the height of the building above the grade, except that no such space between building walls need exceed one hundred (100) feet and except further that when the parallel wall condition exists for fifty (50) feet or less one building wall may be considered as an end wall and the spacing standards shall conform to those specified in 26-315.

26-313 Where buildings are aligned obliquely or not parallel (front to front, rear to rear or front to rear), the minimum spacing provided between building walls may be reduced by up to fifty percent (50%) at one end from the minimum spacing specified in 26-312 preceding, provided that the space between the buildings at the opposite end is increased by a minimum equal to the reduction so that the average distance between the building walls is as specified in 26-312 except that where the oblique wall relationship exists for fifty (50) feet or less one building wall may be considered as an end wall and the spacing standards shall conform to those specified in 26-315.

26-314 Where end walls of buildings containing no openings for light or air are opposite each other at any point, the end walls shall be spaced a minimum distance of ten (10) feet apart. Where one end wall contains openings for light or air and the end wall opposite does not, the minimum distance between such building walls shall be fifteen (15) feet and such minimum space between walls shall be increased five (5) feet for each story that the building exceeds three (3) stories, except that such space between building walls need not exceed thirty (30) feet. Where both opposite end walls contain openings for light and air, the minimum space between walls shall be twenty (20) feet and such minimum distance between walls shall be increased five (5) feet for each story that the building exceeds three (3) stories, except that such space between building walls need not exceed fifty (50) feet.

26-315 Where the end wall of one building is opposite the front or rear wall of another building and not more than one such opposite wall contains openings for light and air, the minimum distance between such opposite walls shall be fifteen (15) feet and such minimum space shall be increased five (5) feet for each story either or both buildings exceed three (3) stories, except that such space need not exceed thirty (30) feet. Where the end wall of one building is opposite the front or rear wall of another building and both opposite walls contain openings for light or air, the minimum distance between such opposite walls shall be twenty (20) feet and such minimum space shall be increased five (5) feet for each story either or both walls exceed three (3) stories, except that such space need not exceed seventy-five (75) feet. For the purposes herein specified no building wall exceeding fifty (50) feet in length shall be interpreted as an end wall except as provided in 26-312 and 26-313.

26-316 Where corners of adjacent buildings do not face or overlap each other and provision is made for passage between the two buildings, the minimum space between such building corners shall be ten (10) feet.

26-317 In measuring the space between buildings, the distance shall be measured to exterior wall lines and not omitted wall lines.

26-320 OUTER COURT STANDARDS FOR MULTIPLE-FAMILY DWELLINGS

26-321 For multiple-family dwellings, three (3) stories or less in height, any outer court which has openings for access, light or air shall have a minimum width equal to the depth of the court but the width of any such court need not exceed thirty (30) feet, even though the court depth exceeds such dimension.

26-322 For multiple-family dwellings, exceeding three (3) stories in height, any outer court which has openings for access, light or air shall have a minimum width equal to the depth of the court; but the width of any such outer court need not exceed one hundred (100) feet, even though the court depth exceeds such dimension.

26-330 INNER COURT STANDARDS FOR MULTIPLE-FAMILY DWELLINGS

26-331 For multiple-family dwellings, three (3) stories or less in height, any inner court which has openings for access, light or air shall have a minimum dimension in length and in width equal to the height of the building enclosing such court; but neither the width or length of such inner court need exceed thirty (30) feet, even though the height of the enclosing walls may exceed such dimension.

26-332 For multiple-family dwellings, exceeding three (3) stories in height, any inner court which has openings for access, light or air shall have a minimum dimension in length and in width equal to the height of the building enclosing such inner court; but neither the width or the length of such inner court need exceed one hundred (100) feet, even though the height of the enclosing walls may exceed such dimension.

26-400 RELATION TO COVERAGE AND FLOOR-AREA RATIO

26-401 Where two or more multiple-family dwellings, office, retail, institutional, commercial or industrial buildings are erected on a single building site, lot or tract, the maximum site coverage and floor-area ratio shall not exceed that specified in Section 17 and Section 19 for the district in which such buildings are located.

SECTION 27
SPECIAL ACCESS STANDARDS

27-100 TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION; TO LESSEN THE CONGESTION IN THE STREETS; AND TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS, MINIMUM STANDARDS OF PRIMARY ACCESS TO VARIOUS USES ARE HEREIN ESTABLISHED WITH DUE REGARD TO THE TRAFFIC DEMANDS CREATED BY SUCH VARIOUS USE ON DIFFERENT CLASSIFICATION OF STREETS AS ESTABLISHED BY THE MAJOR THOROUGHFARE PLAN OF THE CITY OF DALLAS.

27-101 All buildings or structures shall be setback from the street line a minimum distance equal to the front and side yards specified in Sections 14 and 15 or the setbacks from street centerline specified in this section, whichever is greater.

27-200 ONE-FAMILY AND TWO-FAMILY DWELLING USES

27-201 The standard right-of-way for streets providing the primary means of access to one-family and two-family dwellings shall be:

For Minor Streets - Fifty (50) feet

For Secondary Streets - Sixty (60) feet

For Major Streets - One Hundred (100) feet

27-202 No permit for the erection of any one-family or two-family dwelling shall be issued on a street of lesser standards than specified by 27-201 unless the street providing the primary means of access has a minimum right-of-way width along the entire frontage of the property and the dwelling and all accessory buildings are setback from the centerline as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
Minor Street	15 Feet	40 Feet	35 Feet
Secondary Street	25 Feet	50 Feet	40 Feet
Major Street	30 Feet	60 Feet	50 Feet

27-300 MULTIPLE-FAMILY DWELLING AND INSTITUTIONAL USES NOT EXCEEDING THREE STORIES IN HEIGHT

27-301 The standard right-of-way for streets providing the primary means of access to multiple-family dwellings and institutional uses not exceeding three (3) stories in height shall be:

For Minor Streets - Fifty (50) feet

For Secondary Streets - Sixty (60) feet

For Major Streets - One Hundred (100) feet

27-302 No permit for the erection of any multiple-family dwelling or institutional use not exceeding three (3) stories in height shall be issued on a street of lesser standards than specified by 27-301 unless the primary means of access has a minimum right-of-way width along the entire frontage of property and the dwellings and all accessory buildings are setback from the centerline of such street as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
Minor Street	25 Feet	45 Feet	40 Feet
Secondary Street	30 Feet	50 Feet	45 Feet
Major Street	40 Feet	60 Feet	55 Feet

27-400 MULTIPLE-FAMILY DWELLING AND INSTITUTIONAL USES EXCEEDING THREE STORIES IN HEIGHT

27-401 The standard right-of-way for streets providing the primary means of access to multiple-family dwellings and institutional uses exceeding three (3) stories in height shall be:

For Minor Streets - Sixty (60) feet

For Secondary Streets - Sixty (60) feet

For Major Streets - One Hundred (100) feet

27-402 No permit for the erection of any multiple-family dwelling or institutional use exceeding three (3) stories in height shall be issued on a street of lesser standard than specified by 27-401 unless the primary means of access has a minimum right-of-way width along the entire frontage of the property and all buildings are setback from the centerline as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
Minor Street	30 Feet	40 Feet *	35 Feet *
Secondary Street	30 Feet	45 Feet *	40 Feet *
Major Street	50 Feet	60 Feet *	55 Feet *

* Except in CA-1, CA-2 and MF-4 Districts (See Section 14).

27-500 RETAIL, COMMERCIAL, SERVICE AND INDUSTRIAL USES EXCEPT IN THE CA-1 AND CA-2 DISTRICTS

27-501 The standard right-of-way for streets providing the primary means of access to retail, commercial, service and industrial uses shall be:

For Minor Streets - Sixty (60) feet

For Secondary Streets - Seventy (70) feet

For Major Streets - One Hundred (100) feet

27-502 No permit for any retail, commercial, service or industrial use shall be issued on any street of lesser standard than specified by 27-501 unless the primary means of access has a minimum right-of-way width along the entire frontage of the property and all buildings are setback from the centerline as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
FOR RETAIL USES		IN SC DISTRICT, ADD 20 FEET TO SETBACK FROM CENTERLINE	
Minor Street	30 Feet	50 Feet	40 Feet
Secondary Street	35 Feet	60 Feet	45 Feet
Major Street	50 Feet	70 Feet	60 Feet
FOR COMMERCIAL AND INDUSTRIAL USES			
Minor Street	30 Feet	30 Feet	30 Feet
Secondary Street	35 Feet	35 Feet	35 Feet
Major Street	50 Feet	50 Feet	50 Feet

SECTION 28
NONCONFORMING USES AND STRUCTURES

28-100 EXCEPT AS HEREINAFTER PROVIDED, NO NONCONFORMING USE OF LAND OR BUILDINGS, NOR ANY NONCONFORMING STRUCTURE SHALL BE ENLARGED, CHANGED, ALTERED OR REPAIRED EXCEPT IN CONFORMITY WITH THE FOLLOWING REGULATIONS.

28-200 TYPES OF NONCONFORMITY

28-201 Any use of land or buildings which does not conform to use regulations prescribed in this ordinance shall be deemed to be a nonconforming use.

28-202 Any building or structure which does not conform to the lot area, front yard, side yard, rear yard, coverage, height, floor-area ratio, parking, loading, building spacing, screening, access or Performance Standard regulations prescribed in this ordinance shall be deemed to be a nonconforming structure.

28-203 The operation of any use existing prior to the effective date of this ordinance which does not comply with the Performance Standards specified for the district in which the use is located shall be deemed to be nonconforming.

28-300 NONCONFORMING STATUS

28-301 A nonconforming status under the provisions of this ordinance shall exist:

a. When a use or structure, which does not conform to the regulations prescribed for the district in which such use or structure is located, was in existence and lawfully operating prior to September 11, 1929, and has since been in regular and continuous use.

b. When a use or structure, which does not conform to the regulations prescribed for the district in which such use or structure is located, was in existence and lawfully constructed, located and operating on the effective date of this ordinance or was a nonconforming use under the provisions of the prior zoning ordinance and has since been in regular and continuous use.

c. When a use or structure, which does not conform to the regulations prescribed in the district in which such use or structure is located, was in existence at the time of annexation to the City of Dallas and has since been in regular and continuous use.

28-400 NONCONFORMING USES

28-410 REGISTRATION OF NONCONFORMING USES

28-411 The operator, owner or owners of all nonconforming uses of land or buildings shall, within eighteen (18) months of the effective date of this ordinance, register such nonconforming use by obtaining from the Building Inspector a Certificate of Occupancy (nonconforming) even though a previous Certificate of Occupancy has been issued. Such Certificate of Occupancy (nonconforming) shall be considered as evidence of the legal existence of a nonconforming use as contrasted to an illegal use or violation of this ordinance. The Building Inspector shall maintain a register of all certificates of occupancy issued for nonconforming uses and shall, on written request and payment of a fee, issue a duplicate certificate to anyone having a proprietary interest in the property in question. A nonconforming structure need not be registered.

28-420 TERMINATION OF NONCONFORMING USES

28-421 It is the declared purpose of this ordinance that nonconforming uses be eventually discontinued and the use of premises required to conform to the regulations prescribed herein having due regard for the investment in such nonconforming use.

28-422 A nonconforming use may be occupied, used and maintained in good repair, but it shall not be remodeled or enlarged except as provided in 28-430. The right to operate a nonconforming use shall cease and such use shall be terminated under any of the following circumstances:

a. Whenever a nonconforming use is abandoned, all nonconforming rights shall cease and the use of the premises shall henceforth be in conformance to this ordinance. Abandonment shall involve the intent of the user or owner to discontinue a nonconforming operation and the actual act of discontinuance. Any nonconforming use which is discontinued for, or which remains vacant for, a period of six (6) months shall be considered to have been abandoned.

b. The violation of any of the provisions of this ordinance or violation of any ordinance of the City of Dallas with respect to a nonconforming use shall terminate immediately the right to operate such nonconforming use.

c. Whenever a nonconforming use is changed to a conforming use by rezoning so as to achieve compliance with the provisions of a new or different zoning district.

d. Whenever a nonconforming use is changed to a conforming use under the provisions of this section.

e. Whenever the structure in which a nonconforming use is housed, operated or maintained is destroyed or damaged by fire or other causes to the extent of more than sixty percent (60%) of the replacement cost of the structure, on the date of the damage, the right to operate such nonconforming use shall terminate.

f. The right to maintain or operate a nonconforming use may be terminated by the Board of Adjustment in accordance with the provisions of Section 29 of this ordinance.

g. Whenever the time limitation established by a Special Permit under the provision of the previous zoning ordinance has expired.

28-430 CHANGING NONCONFORMING USES

28-431 Any nonconforming use may be changed to a conforming use and once such change is made, the use shall not thereafter be changed back to a nonconforming use.

28-432 The Board of Adjustment may grant a change of use from one nonconforming use to another nonconforming use provided such change is to a use permitted in a zoning district where the original nonconforming use would be permitted or provided that such change is to a use permitted in a more restrictive classification. However, such change of use and occupancy shall not tend to prolong the life of a nonconforming use. Upon review of the facts in accordance with Section 29, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use.

28-433 The Board of Adjustment may approve the remodeling or enlargement of a nonconforming use when such an enlargement would not tend to prolong the life of the nonconforming use. Upon review of the facts, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use in accordance with 29-701e.

28-440 LIMITATIONS ON CHANGING NONCONFORMING USES

28-441 No nonconforming use shall be changed to another nonconforming use which requires more off-street parking spaces or off-street loading space than the original nonconforming use unless additional off-street parking and loading space is provided so as to comply with the requirements of Section 20 and 21.

28-442 The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing on the effective date of this ordinance.

28-443 No nonconforming use may be expanded or increased beyond the lot or tract upon which such nonconforming use is located as of the effective date of this ordinance except to provide off-street loading or off-street parking space upon approval of the Board of Adjustment.

28-444 All nonconforming uses being expanded under the provisions of this ordinance shall comply with the other applicable provisions of this ordinance.

28-500 NONCONFORMING STRUCTURES

28-510 TERMINATION OF NONCONFORMING STRUCTURES

28-511 In event of damage or destruction of a nonconforming structure to the extent of sixty percent (60%) of the replacement cost of such structure on the date of such damage, such nonconforming structure may be rebuilt only after hearing and favorable action by the Board of Adjustment as provided by Section 29.

28-512 Whenever a nonconforming structure is determined to be obsolete, dilapidated or substandard by the Board of Adjustment, the right to operate, occupy or maintain such structure may be terminated by action of the Board of Adjustment as provided in Section 29 and such structure shall be demolished.

28-520 USE OF NONCONFORMING STRUCTURES

28-521 Any nonconforming structure may be enlarge, remodeled, occupied, used and maintained in a state of good repair, but no nonconforming structure shall be enlarged or extended so as to increase the nonconformity with any of the provisions of this ordinance.

28-522 Where a conforming use is located in a structure which is nonconforming, the use may be changed to another conforming use by securing a Certificate of Occupancy and Compliance from the Building Inspector.

28-523 Where a nonconforming use is located in a structure which is nonconforming, the use may be changed in accordance with the provisions of 28-400.

28-530 SPECIAL REGULATIONS FOR PUBLIC AND DENOMINATIONAL SCHOOLS

28-531 All public schools, denominational schools having a curriculum equivalent to public elementary or secondary schools, and all accessory buildings and structures normally associated therewith including stadiums and field houses which are built and existing on the effective date of this ordinance shall be considered as conforming to the pro-

visions of this ordinance. In the event such school buildings have been constructed with lesser front yards, side yards, or rear yards, or with greater coverage, or floor-area ratio than herein specified, such buildings may be altered, remodeled, enlarged or increased in height, but no provision herein shall be construed as to require greater yards, or lesser coverage, or floor-area ratio than provided by the existing construction and building permits shall be issued if in compliance with the provisions of the Building Code.

28-600 NONCONFORMANCE WITH PERFORMANCE STANDARDS

28-601 The operation of any use existing prior to the effective date of this ordinance which is nonconforming because of its noncompliance with the Performance Standards specified for the district in which the use is located, may continue subject to any operating standards or conditions which may be required by the Board of Adjustment and the Director of Public Health in the interest of the public health and the protection of the use and enjoyment of adjacent property.

28-602 No enlargement, alteration, change, replacement, addition to or reconstruction of any operation or use subject to Performance Standards shall be permitted when such would cause greater noncompliance with Performance Standards than that which existed at the time of adoption of this ordinance.

SECTION 29
BOARD OF ADJUSTMENT

29-100 THERE IS HEREBY CREATED A BOARD OF ADJUSTMENT WHICH SHALL BE ORGANIZED, APPOINTED AND FUNCTION AS FOLLOWS:

29-200 ORGANIZATION OF BOARD OF ADJUSTMENT

29-201 The Board of Adjustment shall consist of five (5) members who are residents and taxpayers of the City of Dallas, each to be appointed by resolution of the City Council for a term of two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member, whose place becomes vacant for any cause, in the same manner as the original appointment was made. Provided, however, that the City Council may appoint two (2) alternate members of the Board of Adjustment who shall serve in the absence of one or more of the regular members when requested to do so by the Chairman of the Board or City Manager, as the case may be. All cases to be heard by the Board of Adjustment will always be heard by a minimum number of four (4) members. These alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.

29-300 OPERATIONAL PROCEDURE

29-301 The Board shall adopt rules to govern its proceedings provided, however, that such rules are not inconsistent with this ordinance or State Law. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oath and compel the attendance of witnesses.

29-302 All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

29-303 Appeals to the Board of Adjustment can be taken by any person aggrieved, or by an officer, department or board of the municipality affected by any decision of the Building Inspector. Such appeal shall be taken within fifteen (15) days time after the decision has been rendered by the administrative officer, by filing with the officer from whom the appeal is taken and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the records upon which the action appealed from was taken.

29-304 An appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

29-305 No appeal to the Board of Adjustment for the same or a related variance on the same piece of property shall be allowed prior to the expiration of six (6) months from a previous ruling by the Board on any appeal to such body unless other property in the immediate vicinity has within the said six (6) months period been changed or acted on by the Board of Adjustment or City Council so as to alter the facts and conditions on which the previous Board action was based. Such change of circumstances shall permit the rehearing of an appeal by the Board of Adjustment prior to the expiration of a six (6) month period, but such conditions shall in no wise have any force in law to compel the Board of Adjustment, after a hearing, to grant a subsequent appeal. Such subsequent appeal shall be considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.

29-306 At a public hearing relative to any appeal, any interested party may appear in person or by agent or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action of the Board of Adjustment on any appeal. Any special exception or variance granted or authorized by the Board of Adjustment under the provisions of this ordinance shall authorize the issuance of a building permit or a certificate of occupancy, as the case may be, for a period of ninety (90) days from the date of the favorable action of the Board unless said Board shall have in its action approved a longer period of time and has so shown such specific longer period in the minutes of its action. If the building permit and/or certificate of occupancy shall not have been applied for within said ninety (90) day period or such extended period as the Board may have specifically granted, then the special exception or variance shall be deemed to have been waived and all rights thereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal and such subsequent appeal shall be subject to the same regulation and requirement for hearing as herein specified for the original appeal.

29-500 ACTIONS OF THE BOARD OF ADJUSTMENT

29-501 In exercising its powers, the Board may, in conformity with the provisions of the Statutes of the State of Texas as existing or hereafter amended, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken. The Board shall have the power to impose reasonable conditions to be complied with by the applicant.

29-502 The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the application on any matter upon which it is required to pass under this ordinance or to effect any variance in said ordinance.

29-503 Any person or persons, jointly or severally aggrieved by any decision of the Board of Adjustment or any taxpayer or any officer, department or board of the municipality may present to a court of records (District Court) a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten (10) days after the filing of the decision in the office of the Board and not thereafter.

29-600 NOTICE OF HEARING BEFORE BOARD OF ADJUSTMENT REQUIRED

29-601 The Board of Adjustment shall hold a public hearing on all appeals made to it and written notice of such public hearing shall be sent to the applicant and all other persons who are owners of real property lying within two hundred (200) feet of the property on which the appeal is made. Such notice shall be given not less than ten (10) days before the date set for hearing to all such owners who have rendered their said property for City taxes as the ownership appears on the last City tax roll. Such notice may be served by depositing the same properly addressed and postage paid in the United States Post Office. Notice shall also be given by publishing the same in the official publication of the City of Dallas at least ten (10) days prior to the date set for hearing which notice shall state the time and place of such hearing.

29-700 JURISDICTION OF BOARD OF ADJUSTMENT

29-701 When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards authorize the following special variances and exceptions to the regulations herein established and take action relative to the continuance or discontinuance of a nonconforming use.

a. To hear and decide appeals where it is alleged there is error on any order, requirement, decision or determination made by the Building Inspector in the enforcement of this ordinance.

b. Interpret the intent of the Zoning District Map where uncertainty exists because the physical features on the ground vary from those on the Zoning District Map and none of the rules set forth in Section 6 apply.

c. To approve the use of a lot or lots in a residential district contiguous to (even if separated by a street or alley) an apartment, office, retail, commercial or industrial district for off-street parking of passenger vehicles subject to such standards and safeguard as are appropriate for the protection of adjacent residential uses.

d. Initiate on its motion or cause presented by interested property owners action to bring about the discontinuance of a nonconforming use in accordance with 29-701e.

e. Require the discontinuance of a nonconforming use under any plan whereby full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance.

f. Permit the change of occupancy of a nonconforming use to another nonconforming use in accordance with the provisions of 28-432 and 28-440.

g. Permit the enlargement of a nonconforming use in accordance with the provisions of 28-433 and 28-440.

h. Permit the reconstruction of a nonconforming structure or building on the lot or tract occupied by such building, provided such reconstruction does not, in the judgment of the Board, prevent the return of such property to a conforming use or increase the nonconformity of a nonconforming structure and provided that such actions conform to the provisions of 28-511.

i. Require the vacation and demolition of a nonconforming structure which is deemed to be obsolete, dilapidated or substandard.

j. Consider on its own motion or upon the request of interested property owners the operation or alteration of any use which is a nonconforming use because of noncompliance with the Industrial Performance Standards as set forth in 10-200 through 10-280 and specify the operating conditions and standards which must be complied with by the nonconforming use.

k. Vary the provisions and conditions required for the development of off-street parking facilities in the "P" Parking District when such variations are found to be in the interest of the area and necessary to secure reasonable parking use of a specific parcel of land.

l. Permit such variance of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum sidewalk or setback standards, off-street parking or off-street loading regulations where the literal enforcement of the provisions of this ordinance 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 ordinance shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the district.

SECTION 30
CERTIFICATE OF OCCUPANCY AND COMPLIANCE REQUIRED

30-100 No building or portion thereof hereafter erected, converted, or altered shall be used, occupied, or changed in use and no land may be used or change in use until a certificate of occupancy and compliance shall have been issued by the Building Inspector of the City of Dallas stating that the building or portion thereof or the proposed use of land or building complies with the provisions of this ordinance and other building laws of the City of Dallas. Failure to comply with the provisions of this ordinance and other building laws shall constitute a basis to deny or disconnect City utilities or to require private utility companies to do likewise.

30-101 A certificate of occupancy and compliance shall be applied for coincident with the application for a building permit and will be issued before occupancy and connection of utilities to such building provided such construction or change has been made in complete conformity to the provisions of this ordinance and other building laws.

30-102 A record of all Certificates of Occupancy shall be maintained on file in the office of the Building Inspector of the City of Dallas and copies shall be furnished for a fee on written request to any person having a proprietary or tenancy interest in the building or land affected.

SECTION 31
COMPLETION OF CONSTRUCTION

31-100 Nothing herein contained shall require any change in the plans, construction or designated use of a building actually under construction within the City of Dallas on the effective date of this ordinance and which entire building shall be completed within one (1) year from the effective date of this ordinance or which building shall be maintained under continuous construction even though not completed within one (1) year. Nothing herein contained shall require any change in plan, construction or designated use of a building for which a building permit has been heretofore issued while such permit is valid and provided the building shall have been started within six (6) months of the date of issuance of the permit and which entire building shall be completed within one (1) year from the effective date of this ordinance or which building shall be maintained under continuous construction even though not completed within one (1) year.

SECTION 32
PROCEDURE FOR CHANGES AND AMENDMENTS

32-100 Any person or corporation or group of persons having a proprietary interest in any property, upon proof of such interest, may petition the governing body for a change or amendment to the provisions of this ordinance or the City Plan Commission may on its own motion, institute proposals for change and amendment in the public interest. All petitions for the amendment of this ordinance shall bear the signature of the owners of all property within the area of request.

32-101 The City Council may from time to time amend, supplement or change by ordinance the boundaries of the districts or regulations herein. Before taking action on any proposed amendment, supplement or change, the City Council shall submit the same to the City Plan Commission for its recommendation and report.

32-102 The City Plan Commission or a committee thereof shall hold a public hearing on any application for any amendment, supplement or change prior to making its recommendation and report to the City Council. Written notice of all public hearings before the City Plan Commission or a committee thereof on a proposed amendment, supplement or change shall be sent to all owners of real property lying within two hundred (200) feet of the property on which the change is requested. Such notice shall be given not less than ten (10) days before the date set for hearing by depositing a notice properly addressed and postage paid in the United States Post Office to such property owners as the ownership appears on the last approved City tax roll.

32-103 A public hearing shall be held by the City Council before adopting any proposed amendment, supplement or change. At least fifteen (15) days notice of the time and place of such hearing shall be published in the official newspaper of the City of Dallas.

32-104 If such proposed amendment, supplement or change has been denied by the City Plan Commission, or if a protest against such proposed amendment, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change or those immediately adjacent in the rear thereof extending two hundred (200) feet therefrom or of those directly opposite thereto extending two hundred (200) feet from the street frontage of such opposite lots, such amendment shall not become effective except by a three-fourths (3/4ths) vote of the members of the City Council of the City of Dallas.

SECTION 33
GENERAL DEFINITIONS

33-100 CERTAIN WORDS IN THIS ORDINANCE NOT HERETOFORE DEFINED ARE DEFINED AS FOLLOWS:

Words used in the present tense include the future; words in the singular number include the plural number and words in the plural number include the singular number; the word "building" includes the word "structure"; the word "lot" includes the words "plot" or "tract"; the word "shall" is mandatory and not discretionary.

33-101 Accessory Building (nonresidential): A subordinate building to the main building, the use of which is incidental and related to the main use and which is located on the same lot.

33-102 Alley: A public space or thoroughfare which affords a secondary means of access to property abutting thereon.

33-103 Apartment: A dwelling unit in a multiple-family dwelling or apartment house arranged, designed or occupied as a place of residence by a single family.

33-104 Area of Lot: The square foot area of a lot within the bounding property lines and exclusive of dedicated streets or alleys.

33-105 Area Regulations: The regulations controlling minimum lot area, lot width, lot depth, front yard, side yard, rear yard, coverage and floor-area ratio.

33-106 Basement: That portion of a building between floor and ceiling so located that the vertical distance from grade to the floor below is greater than the vertical distance from grade to ceiling. A basement shall not be counted in computing the number of stories.

33-107 Bedroom: A room in an apartment other than a kitchen, dining room, living room, bathroom or closet. This item shall include extra kitchens, dining rooms, living rooms and all dens, gamerooms, sun rooms or similar extra rooms.

33-108 Block: An area enclosed by streets or if said word is used as a term of measurement, it shall mean the distance along a side of a street between two intersecting streets or if the street is of a dead-end type, a block shall be considered to be measured between the nearest intersecting street and the end of such dead-end street.

33-109 Board: The Zoning Board of Adjustment as provided for in Section 29.

33-110 Building: Any structure designed, built or intended for the shelter or enclosure of persons, animals, chattels or movable property of any kind or for an accessory use. When separated by an absolute fire separation, each portion of such structure so separated shall be deemed a separate building. This definition shall include structures wholly or partly enclosed with on exterior wall.

33-111 Building Bulk: The relationship between the total mass of a building and the site on which it is located. As herein specified, building bulk refers to floor-area ratio.

33-112 Building Line: A line parallel or approximately parallel to the street line at a specified distance therefrom, marking the minimum distance from the street line that a building may be erected. For existing buildings, the building line shall be the exterior wall or omitted wall line which is closest to the street.

33-113 Building, Ends: Those sides of a building having the least dimension as compared with the front or rear of a building. As used herein for building spacing regulations for multiple-family dwellings, a building end shall be interpreted as being the narrowest side of the building regardless of whether it fronts upon a street, faces the rear of the lot or is adjacent to the side lot line or another building.

33-114 Building, Front: The side of a building having a greater length than the end. As used herein for building spacing regulations for multiple-family dwellings, a building front shall be interpreted as being the side of greater length whether it fronts upon a street, facing the rear of the lot or is adjacent to the side lot line or another building.

33-115 Building, Rear: The opposite side from the building front.

33-116 Centerline, Street or Alley: A line erected midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the centerline shall be determined by the Director of Public Works.

33-117 City Council: The official Governing Body of the City of Dallas.

33-118 Court: An open space bounded on more than two sides by the walls of a building.

33-119 Court, Inner: A court entirely surrounded by the exterior walls of a building. Such walls may have openings for access, light and air.

33-120 Court, Outer: A court having one side open to a street, alley, yard or other permanent open space.

33-121 Coverage: The percent of lot area which is covered by a roof, floor or other structure and is not open to the sky. Roof eaves to the extent of two (2) feet and ordinary projections from the building not exceeding twelve (12) inches shall not be counted in computing coverage.

33-122 Density: The relationship of dwelling units or rooms to the area of the lot or tract upon which a residential structure is located or erected.

33-123 Development Schedule: A chronological estimate of the rate and order of development.

33-124 Dwelling Unit: A building or portion of a building which is arranged, occupied or intended to be occupied as a single living quarters and includes facilities for food preparation and sleeping.

33-125 Family: A family is any number of individuals living together as a single housekeeping unit, in which not more than four individuals are unrelated by blood, marriage or adoption.

33-126 Floor Area: The total square foot area of all floors in the building measured to the outside faces of exterior walls or to the line of an omitted wall, whichever includes the largest area.

33-127 Floor-Area Ratio (F.A.R.): The ratio between the total square feet of floor area and the total square feet of land in the lot.

33-128 Frontage, Lot: The length of street frontage between property lines or lease lines.

33-129 Frontage, Street: The length of all property on one side of a street between two intersecting streets measured along the line of the street, or if the street is dead-ended, then the length of all property abutting on one side between an intersecting street and the end of the dead-end street.

33-130 Grade: The average elevation of the highest and lowest elevations measured at the finished surface of the ground at any of the exterior corners of the building or structure.

33-131 Height: The vertical distance measured from grade to (1) the highest point of any flat roof surface, (2) to the top deck line of mansard roofs, or (3) to the mean height level between eaves and ridge for hip and gable roofs, (4) the top of any elevator, penthouses or bulkheads, mechanical equipment rooms, cooling towers, tanks and ornamental cupolas and domes or other structures erected on the roof of a building.

33-132 Institutional Use: Schools, churches, colleges, lodges, hospitals, convents, welfare homes and similar establishments to those listed in 10-204.

33-133 Legal Height: The maximum height of a building imposed by the Airport Zoning Ordinance or any other ordinance which is effective.

33-134 Lot: Land which is occupied or intended to be occupied by a building and its accessory building and including such open spaces as are required under this ordinance and having frontage on a dedicated street.

33-135 Lot, Corner: A lot situated at the intersection of two dedicated streets and having frontage along both streets extending from the intersection.

33-136 Lot, Double Frontage: A lot having frontage on two or more dedicated streets other than a corner lot.

33-137 Lot Lines: The property or lease lines bounding a lot as defined herein.

33-138 Lot Line, Interior: A lot line delineating the division between two (2) contiguous lots on the interior of a block and not adjacent to a street.

33-139 Lot, Percentage Of: Determination of any percentage of a lot such as the rear fifty percent (50%), shall be done by finding the point on each side lot line which corresponds to that percentage of the length of such line and connecting the two points. The area so delineated shall be interpreted as representing that portion of the lot specified.

33-140 Lot of Record: A lot which is part of a subdivision plat which has been recorded in the office of the County Clerk of Dallas County.

33-141 Lot Width: The width of a lot at the required front yard line or at the building line if such is established at a greater distance from the street than the required front yard line.

33-142 Main Building: The building or buildings on a lot which are occupied by the primary use.

33-143 Occupancy: Occupancy as used herein pertains to and is the purpose for which a building is used or intended to be used. A change of occupancy is not intended to include a change of tenants or proprietors.

33-144 Omitted Wall Line: A line enclosing the exterior vertical elements of a structure or the outer edge of any floor, deck, balcony, walkway, bridge, stairway or such other structures as may cover the land contrary to the definition of open space. In the case of structures, composed of a roof and open sides, the omitted wall line is the exterior line of such roof. For ordinary roof eaves, the omitted wall line shall be two (2) feet inside of the eave line.

33-145 Open Space: An area on a lot that is open and unobstructed to the sky except for the ordinary projections of cornices and eaves.

33-146 Openings for Light and Air: Any windows, window walls, or glass panels located in the building, but not including doors which are used only for ingress or egress.

33-147 Performance Standards: The standards specified for the operating characteristics of industrial uses related to Noise, Smoke and Particulate Matter, Odorous Matter, Fire and Explosive Hazard, Toxic and Noxious Matter, Glare and Vibration.

33-148 Permanent Community Open Space: Parks, School Playgrounds, Community Centers, Golf Courses, Parkways, Water Areas or similar areas which are dedicated to the City of Dallas or which are created as private open space under a permanent agreement for maintenance and responsibility which agreement is accepted by the City Council and approved by the City Attorney.

33-149 Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

33-150 Street: Any thoroughfare other than an alley and not less than thirty (30) feet in width, which has been dedicated to the public for public use and which affords primary access to abutting property.

33-151 Street Line: A dividing line between a lot, tract or parcel of land and a contiguous street.

33-152 Structure: A structure shall be interpreted the same as a building, but shall, in addition, include such items as a free-standing ground sign and pylon when erected on a base and not made integral with a building.

33-153 Trailer Stand, Transient: A parking place for a house trailer or mobile home unit together with the necessary yards and parking space required.

33-154 Use, Nonresidential: Any use other than a single-family, two-family, multiple-family residence or rooming house and bona fide accessory uses as listed in 10-201 and 10-202.

33-155 Use, Residential: A single-family, two-family or multiple-family residence together with bona fide accessory uses as listed in 10-201 and 10-202.

33-156 Use, Retail or Commercial: Any use listed or similar to a use listed in 10-206, 10-207, 10-208, 10-209, 10-210, 10-212, 10-213 and 10-214.

33-157 Wall, Exterior: The exposed or outer most wall of the structure.

33-158 Yard: An open space on the lot on which a building is situated and which is open and unobstructed to the sky.

33-159 Yard, Front Required: A yard facing and abutting a street and extending across the front of the lot between the side lot lines and having a minimum horizontal depth measured from the street equal to the depth of the minimum front yard specified for the district in which the lot is located. The required front yard line represents the line in front of which no building or structure may be erected.

33-160 Yard, Rear Required: A yard, except for accessory buildings as herein permitted, extending across the rear of the lot between side lot lines and having a minimum depth measured from the rear lot line as specified for the district in which the lot is located.

33-161 Yard, Side Required: A yard located on a lot and extending from the required front yard to the required rear yard and having a minimum width measured from the side lot line as specified for the district in which the lot is located. Any lot line which is not a rear or front lot line shall be deemed a side lot line. Where a lot has only three (3) lot lines those lot lines which do not front upon a street shall be deemed side lot lines.

33-162 Zoning District: A classification within which the regulations specified herein are uniform and which is assigned to a particular area of the City by delineation upon the Zoning District Maps which are a part of this ordinance.

33-163 Zoning District Map: The official, certified map or maps upon which the boundaries of the various zoning districts are shown and which are an integral part of this zoning ordinance and together with this zoning text make up the zoning ordinance for the City of Dallas.

33-164 Zoning District, Nonresidential: The nonresidential zoning district shall be considered to be the PD, P, O, NS, SC, GR, LC, CA-1, CA-2, HC, I-1, I-2 and I-3 Districts.

33-165 Zoning District, Residential: The residential zoning district shall be considered to be the R-1, R-1/2, R-16, R-13, R-10, R-7.5, R-5, 2F-1, 2F-2, MF-1, MF-2, MF-3, MF-4, MH and A Districts.

33-166 Trailer or Mobile Home: A living unit designed to be moved from location to location by truck or a similar prime mover and designed to be moved on wheels which are an integral part of the unit's structure, and which has approved sewer and water connections to accommodate a flush water closet, tub or shower, and a sink within the unit.

33-167 Cottage Unit: A cottage unit is any fixed building, structure or part thereof located in a tourist court and used as sleeping quarters or temporary dwelling place by one or more persons living together as one family.

33-168 Sign: Any structure or object which is placed, arranged, colored, designed or constructed for the purpose of advertising or attracting attention to a building, business, product, activity or service.

33-169 Accessory Sign: A sign which is an accessory use of land and which directs attention to a business, product, activity or service which is conducted, sold or offered on the premises where the sign is located.

33-170 Flashing Sign: A sign or part thereof operated so as to create flashing; changes in light intensity, color or copy; or intermittant light impulses more frequently than once in every four (4) seconds.

33-171 Moving Sign: A sign or any part thereof which moves, rotates, or gives the perception of motion.

SECTION 34
SPECIFIC USE PERMITS AND PLANNED DEVELOPMENT DISTRICTS ESTABLISHED

34-100 THE FOLLOWING, SP, SPECIFIC USE PERMITS ARE ADOPTED AS PART OF THIS ORDINANCE AND SHALL BE SUBJECT TO CONDITIONS AND STANDARDS SPECIFIED IN EACH AMENDING ORDINANCE AS LISTED.

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
1	Private school	9543	B-8, C-8
2	Electric substation	9747	C-6, C-7
3	Power plant	None	C-2, C-3 and D-2
4	Community recreation center	7957	D-6, E-6
5	Community recration center	9579	D-6
6	Private school	9299	D-6
7	Private school	6499	D-6, D-7, E-6 and E-7
8	Trailer court	None	H-5
9	Billiard hall	10609	I-7
10	Nursing home		K-7
11	Electric substation	7383	H-9
12	Nursing home	10191	K-9
13	Telephone company	None	H-9, H-10
14	Airport	None	G-5, G-6 and H-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
15	Day nursery	9537	G-6
16	Convalescent home	9837	F-9
17	Municipal Service Center	10081	F-9
18	Cemetery	None	F-9
19	Dance hall	10711	H-6
20	Radio station and tower	8704	F-9
21	Electric substation	None	G-7
22	Day school	None	G-7
23	Billiard hall	10743	J-7
24	Day nursery and school	10753	C-7
25	Home for the aged	8773	G-10, G-11
26	Cemetery	None	F-6, F-5
27	Day nursery	10794	K-10
28	Electric substation	6768	F-6
29	Church recreation facilities	9645	F-7
30	Cemetery	10209, 10976	F-7, F-8
31	Hospital	9726 & 9960	F-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
32	Private club	8769	F-8
33	Dance hall	10762	L-8
34	Community recreation center	8754	F-10
35	Day nursery	10758	I-8
36	Day nursery	9547	H-10
37	Day nursery	10795	L-10
38	Private social club	10781	F-7, F-8
39	Day nursery	9775	H-8
40	Telephone company	6711 & 6805	H-10
41	Library	9519	H-10
42	Private school	7331	H-10
43	Day nursery	10787	L-5
44	Electric substation	5988	E-7
45	Branch library	9481	E-7
46	Country club	10896	A-7
47	Electric substation	7164	E-6
48	Cemetery	None	E-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
49	Private school	9087	E-6
50	Recreation club	8160, 9465	E-6
51	Electric substation	7163	E-6
52	Convalescent home	8697	G-9
53	Day nursery	5933	G-9
54	Lodge	5132	G-9
55	Private school	8845	E-5
56	Private school	9036	E-5
57	Community recreation club	7593	E-5
58	Heliport	8178	I-5
59	Hospital zone	None	I-6
60	Handicapped children's home	9062	I-10
61	Lodge	7949	I-9
62	Day nursery	8953	O-7
63	Day nursery	10263	M-7
64	Community center	6285	E-8
65	Electric substation	6992	E-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
66	Cemetery		D-8
67	Church recreation center	9768	D-8
69	Day nursery	9413	F-10
70	Commercial golf course	9468	F-8, F-9
71	Private recreation club	10642	E-5
72	Recreation club	9047, 9576	G-10
73	Chronic care hospital	7913, 10835	M-7
74	Day nursery	9473	K-10
75	Day nursery	9472	H-10
76	Day nursery	10205	G-6
77	Cemetery		G-6
78	Cemetery		G-6
79	Recreation center and private club		F-8
80	Religious institution		M-10
81	Recreation club	7617, 9010	I-8
82	Electric substation	9351	F-5
83	Hospital	10849	N-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
84	Sewage treatment plant	10810	P-11, Q-11, P-12
85	Cemetery		F-5
86	Community recreation center	9175	F-5
87	Day nursery	9257	K-10
88	Electric substation	8131	K-10
89	Day nursery	9741	K-10
90	Day nursery	9766	K-10
91	Recreation club	6599	K-10
92	Cemetery		K-10
93	Electric substation		K-9, J-9
94	Day nursery	9381	K-9
95	Meat packing		K-9
96	Day nursery	10867	H-7
97	Airport	5579	D-5, E-5
98	Quarry	7663	K-6, K-4, K-5, L-4, L-5, L-6
99	Country club		F-8
100	Children's home		J-10

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
101	Private community club	10740	D-8
102	Helistop	9934, 10249, 10645, 10296	F-8
103	Drive-in theatre		J-9
104	Cemetery		J-9
105	Old people's home	8954	J-9
106	Dance hall	10082	J-9
107	Radio tower	8259	K-5
108	Radio tower	7901	K-5
109	Mental hospital	4547	K-5
110	Hospital		I-7
111	Helibase	9934, 10249, 19645, 10296	F-8
112	Storage yard		I-7
113	Cemetery		I-7
114	Dance hall	9521	K-7
115	Dance hall	9587	K-7
116	Dance hall	9285	K-7
117	Institution of religious education	10897	I-10, I-11

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
118	Hospital	7182	K-6
119	Cemetery		K-8
120	Religious & institutional organization	9202 - 9548	K-8
121	Cemetery		K-8
122	Day nursery and kindergarten	10766	K-8
123	Country club	4935 & 6761	C-7
124	Community center & mission station	6791	K-8
125	Philanthropic institution	5837	K-8
126	Radio tower	8366	L-4, L-5
127	Radio tower	8832	L-5
128	Convent		L-5
129	Electric substation	7764	L-5
130	Day nursery	10161	I-10
131	Cemetery		G-9
132	Sewage disposal plant	7312	L-8, M-8
133	Municipal Service Center	6193	L-8
134	Day nursery	4717	L-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
135	Dance hall	10163	L-8
136	Private school	5541, 5925	L-6
137	Private club	7328	L-6
138	Day nursery	9455	L-6
139	Electric substation	9034	L-6
140	Girls' home and home for aged	6036	L-6
141	Public utility storage and warehouse	4891	L-6
142	Radio tower		L-10
143	Day nursery	8914	L-10
144	Day nursery	9255	L-10
145	Municipal ground storage & pumping station	8142	L-11
146	Electric substation		M-5
147	Electric substation	5841	M-5
148	Electric substation		L-11
149	County storage yard		M-5
150	Day nursery	6015	K-10
151	Hospital		K-10

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
152	Batching plant	9610, 10144	K-10, J-10
153	Day nursery	9483	L-6
154	Mortuary	9892	K-10
155	Dance hall	9418	K-7
156	Theatre center	7748	I-7
157	Private club	10138	M-6
158	Telephone supply yard		M-6
159	Public library	9847	M-6
160	Day nursery	6053	M-6
161	Day nursery	5834	M-6
162	Recreation club	4833	M-6
163	Lodge	7481	M-6
164	Municipal storage area		L-7
165	Electric substation		M-10
166	Day nursery	9685	M-10
167	Day nursery	9759	M-10
168	Convalescent home	10022	M-10

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
169	Airport	9658	N-5, O-5, N-6, O-6
170	Day nursery	9945	M-8
171	Day nursery	4639	M-7
172	Day nursery	9607	M-7
173	Hospital		N-7, N-8
174	Nursing home	9546	N-8
175	Drive-in theatre	7994	N-8
176	Home for aged	8716	N-7
177	Electric substation	10353	C-8
178	Private school	10389	D-7
179	Church recreation	9128	N-7
180	Mining sand and gravel	10352	E-4
181	Armory		N-7
182	Mining operation		N-10
183	Day nursery	5605	N-8
184	Country club	9049	O-7, O-8
185	College	8703	O-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
186	Day nursery	9644	O-8
187	Cemetery	10703	O-7, P-7
188	Electric substation		P-7
189	Country club	6761	D-7, D-8
190	Trailer court	7321	O-7
191	Home for aged	9790	P-8
192	Day nursery	10207	P-8
193	Water pumping station	8850	P-8
194	Country club	6110	O-6, P-6
195	Day nursery	9588	P-6
196	Convalescent home	10137	P-6
197	Power plant		L-3, M-4, L-4, M-3
198	Water tower	10180	M-4
199	Electric substation		M-7
200	Sand and gravel mine	10088	E-4
201	Sand and gravel mine	10270	E-4
202	Day nursery	10159	F-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
203	Day nursery	10256	H-6
204	Zoo	4449	L-7
205	Batching plant	9857	I-6
206	Day nursery and school	10946	I-10
207	Recreation club	9522	J-9
208	Mobile home park	9298	K-4
209	Mining and quarry	7663	K-4
210	Nursing home	8620	O-8
211	Mobile home park	4162	L-6
212	Day nursery	10287	M-5
213	Alcoholics' hospital	8429	I-7
214	Hospital		O-8
215	Electric substation	6382	I-9
216	Private club	6694	I-9
217	Country club		I-8, I-9
218	Day nursery	8237	M-7
219	Nursing home	7732	M-7

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
220	Clinic and convalescent home	9754	K-5
221	Dance hall	8627	K-9
222	Day nursery	5560	K-9
223	Drive-in theatre	4583	L-5
224	Golf course		I-9, J-9
225	Day nursery	5606	H-8
226	Day nursery	9017	L-7
227	Day nursery	9907	M-5
228	Day nursery	9337	M-5
229	Private social club	8607	N-5
230	Day nursery	9535	N-7
231	Day nursery	10015	P-6
232	Lodge	7126	N-8
233	Cemetery		N-10
234	Day nursery	10360	E-5
235	Golf course		K-6, L-6
236	Golf course		M-7

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
237	Day nursery	10350	G-6
238	Recreation club	10428	G-8, H-8
239	Seminary		L-4, L-5
240	Billiard hall	10706	H-6
241	Institution for care of alcoholics	10328	I-7
242	Children's home	10608	I-7
243	Billiard hall	10456	I-7
244	Day nursery	10329	I-10
245	Radio tower	10702	J-5
246	Day nursery	10368	J-5
247	Day nursery	10445	J-5
248	Boys' club	10485	J-5
249	Day nursery	10666	J-6
250	Dance hall	10351	J-7
251	Billiard hall	10521	J-8
252	Day nursery	10441	J-9
253	Water tower	10637	J-10

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
254	Billiard hall	10348	K-8
255	Billiard hall	10694	K-8
256	Billiard hall	10380	K-8
257	Day nursery	10459	K-8
258	Nursing home	9323	I-8
259	Apartments for aged	9376	K-6
260	Day nursery	10688	L-7
261	Concrete batching plant	10519	L-9
262	Billiard hall	10482	L-10
263	Day nursery	10561	M-6
264	Day nursery	10388	M-7
265	Day nursery	10410	N-5
266	Day nursery	10409	N-7
267	Day nursery	10458	N-7
268			
269	Nursing home	9309	I-8
270	Water tower	10664	P-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
271	Telephone service center	10689	Q-6
272	Dance hall	10494	K-7
273	Picnic area	10438	N-8
274	Day nursery	10913	K-8
275	Electric substation	10909	N-6
276	Country club		C-7
277	Country club		C-7, D-7
278	Convent		H-6
279	Convent		H-8

34-200 THE FOLLOWING, PD, PLANNED DEVELOPMENT DISTRICTS ARE ADOPTED AS PART OF THIS ORDINANCE AND SHALL BE SUBJECT TO CONDITIONS AND STANDARDS SPECIFIED IN EACH AMENDING ORDINANCE AS LISTED.

PLANNED DEVELOPMENT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
1	Offices and clinics	8101, 8286 & 9259	D-7
2	Shopping and park	6920 & 8846	E-5
3	Discount store	8389 & 8907	F-8
4	Recreation park	None	F-8
5	Industrial development	6271 & 8931	F-10, F-11, G-10, G-11
6	Retail and office	7059	G-7
7	Retail	8421, 8695	G-10
8	Retail, office and apartment	8289, 9059	I-7
9	Retail	5250, 6355	I-7, J-7
10	Office and apartments	7906	I-8
11	Retail	10379	H-6
12	Shopping center	10198	O-7
13	Apartment development	9806	F-8, G-8
14	Motel and apartment development	10862	H-6

PLANNED DEVELOPMENT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
15	Apartment development	4040	F-7
16	Retail	10660	D-7
17	Retail	9148, 10290	C-7

SECTION 35
PENALTY FOR VIOLATION

35-100 Any person or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building or use in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than two hundred dollars ($200.00) and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof, where anything in violation of this ordinance shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction shall be fined as herein provided. The City likewise shall have the power to enforce the provisions of this ordinance through civil court action as provided by State Law.

SECTION 36
VALIDITY

36-100 If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provisions thereof other than the part so decided to be invalid or unconstitutional.

SECTION 37
WHEN EFFECTIVE

37-100 This Zoning Ordinance shall become effective immediately on and after its passage by the City Council, subject to the following qualifications:

a. Section 34 reserves the rights granted under Special Permits therein enumerated, adopted prior to the enactment of this Ordinance.

b. Any construction now in progress and construction for which building permits have been issued in accordance with the prior ordinance, shall be unaffected by this Ordinance.

c. Pending applications for zoning change or amendments of any Use District made under the prior ordinance, shall be processed, and if the City Council is of the opinion that a zoning change is justified and should be made, then such change or amendment shall be classified and placed into the proper Use District where such use and occupancy is permitted as contained in this Ordinance.

d. In the event construction drawings are presented to the Chief Building Inspector of the City of Dallas showing development proposed under the terms of the prior zoning ordinance within thirty (30) days from the passage of this Ordinance, and in the event the denial of a building permit for such construction would cause a loss or hardship, the City Council may consider the case on the facts and if it is of the opinion that the general zoning scheme and public interest will not be adversely affected thereby, it may grant a permit for development and construction.

SECTION 38
TABLE OF CONTENTS

38-100 There is attached hereto as an appendix, a Table of Contents of this Ordinance, together with the names of the Zoning Revision Committee, heretofore appointed by the City Council to aid and assist the City Plan Commission and the City Council in drafting the foregoing Zoning Ordinance and maps.

SECTION 39
EMERGENCY CLAUSE

39-100 The fact that the City of Dallas has not generally revised its Basic Zoning Ordinance since 1951 and since that time the territorial limits of the City of Dallas and its population have greatly increased; general economical conditions of the City of Dallas have materially changed; construction, land use and techniques have been modernized and up-dated; the traffic patterns in the development of freeway, expressway and major arterial throughways with the consequence increase in traffic, have brought about the need for a change of land use from residential to business or otherwise and the expansion of the areas for residential development in areas annexed to the City of Dallas, creates an urgency and an emergency for the proper safeguard of the public welfare, health, peace and safety and requires that this Ordinance shall become effective immediately upon its passage, and it is accordingly so ordained.

APPROVED AS TO FORM:

H. P. KUCERA, City Attorney

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APPENDIX B

The City Council wishes to express its appreciation to the Zoning Revision Committee for its help and assistance to the City Planning and Zoning Commission and City Council in revising and modernizing this Comprehensive Zoning Ordinance and Maps showing the Use Districts.

The Zoning Revision Committee was composed of:

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William M. Gaynier, Vice-Chairman
Howard Adleta
LaVere Brooks
Herschel Brown
William L. Cobb
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Austen Hargrave
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Harris A. Kemp
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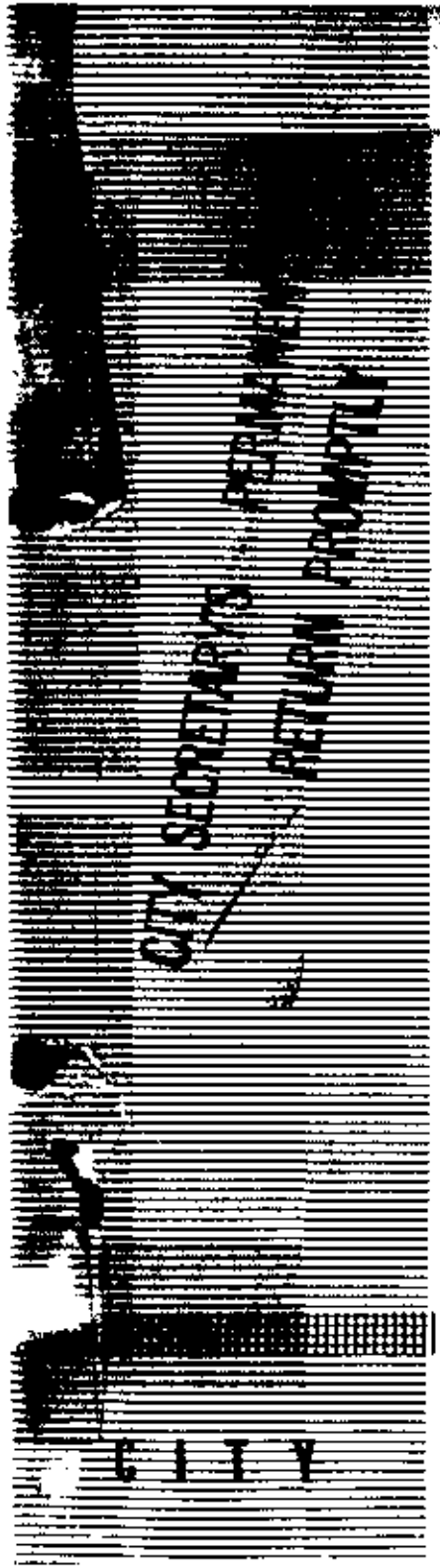
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CITY SECRETARY'S - PERMANENT FILE

RETURN PROMPTLY



Comprehensive Zoning Ordinance and Map Delineating the Various Use Districts

As recommended to the City Council by the City Planning and Zoning Commission
November 24, 1964

CITY OF DALLAS TEXAS

65-1849

ORDINANCE NO. 10962

An Ordinance repealing Ordinance No. 5238, Appendix Part 1 of the Revised Code of Civil and Criminal Ordinances of the City of Dallas, Texas, together with all amendments and maps thereto, except as provided in Section 34 of This Ordinance, and enacting in lieu thereof a Comprehensive General Zoning Ordinance of the City of Dallas, together with a map creating twenty-eight (28) Zoning Districts, which map consists of 138 sections which define the boundaries of each Use District, to be known as Chapter 51 of the Revised Code of Civil and Criminal Ordinances of the City of Dallas; Providing for the effective date of said General Zoning Ordinance; Providing for penalties for violation of the terms and provisions thereof; Providing for the preservation of all pending litigation; Providing for a savings clause; Declaring the purpose of said General Zoning Ordinance; Providing that a Table of Contents of said Ordinance be attached as an exhibit; and Declaring an Emergency.

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WHEREAS, the City Council initiated a general revision of the Basic Zoning Ordinance of the City of Dallas more than two years ago, as is evidenced by Resolution No. 63-193 which is made a part hereof for all purposes, adopted on the 14th day of January 1963, and recorded in Volume 142, page 344 of the Minute Book of the City Council, and has been working on said revision since that time with the Zoning Revision Committee and the City Plan Commission; and

WHEREAS, as evidenced by Resolution No. 65-1027 of the City Council, which is made a part hereof for all purposes, dated the 22nd day of February 1965, and recorded in Volume 156, page 554 of said Minute Book, the City Council directed that further hearings be held on March 17, 1965, for the purpose of further hearings on the revision of said Zoning Ordinance, the various Use Districts and the creation of new Use Districts, and that notice thereof be given in the official newspaper of the City of Dallas as required by law; and

WHEREAS, said notice was duly published as directed in the official paper, being the Dallas Morning News, on February 25, 26 and 27, 1965, and thereafter the City Council did on the 17th day of March 1965, conduct a public hearing at which hearing every property owner and interested person desiring to be heard on any matter contained in said ordinance as affecting his property or otherwise, was afforded an opportunity to be heard; and

WHEREAS at the conclusion of said hearing, the City Council directed the City Attorney to present the revision of the General Zoning Ordinance and maps delineating the boundaries of the Use Districts, in legal form; and

WHEREAS the City Council has examined the same and is of the opinion that the corrections directed by it have been made; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS:

SECTION 1
ENACTING CLAUSE

1-100 That Ordinance No. 5238, Appendix Part 1 of the Revised Code of Civil and Criminal Ordinances of the City of Dallas, Texas, together with all amendments and maps thereto, except as provided in Section 34 of this Ordinance, be and the same are hereby repealed, and that there be enacted in lieu thereof the following Comprehensive General Zoning Ordinance of the City of Dallas, together with a map creating and delineating twenty-eight (28) Zoning Districts, which map consists of 138 sections which define the boundaries of each Use District, to be known as Chapter 51 of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2
PURPOSE

2-100 It is hereby declared to be the purpose and intent of the City Council in enacting this ordinance that the zoning regulations and districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City consistent with a comprehensive plan.

SECTION 3
ZONING DISTRICTS ESTABLISHED

3-100 THE CITY OF DALLAS, DALLAS COUNTY, TEXAS IS HEREBY DIVIDED INTO TWENTY-EIGHT (28) ZONING DISTRICTS WHICH ARE FURTHER SUBDIVIDED INTO SUBDISTRICTS WHERE APPROPRIATE. THE USE, HEIGHT, AREA, AND PARKING REGULATIONS AS SET OUT HEREIN ARE UNIFORM IN EACH DISTRICT. THE TWENTY-EIGHT (28) DISTRICTS HEREIN ESTABLISHED SHALL BE KNOWN AND CITIED AS:

Abbreviated Designation	Zoning District Name
R-1	Single Family Dwelling District 1 acre
R-1/2	Single Family Dwelling District 1/2 acre
R-16	Single Family Dwelling District 16,000 square feet
R-13	Single Family Dwelling District 13,000 square feet
R-10	Single Family Dwelling District 10,000 square feet
R-7.5	Single Family Dwelling District 7,500 square feet
R-5	Single Family Dwelling District 5,000 square feet
2F-1	Two Family Dwelling District 1
2F-2	Two Family Dwelling District 2
MF-1	Multiple Family Dwelling District 1
MF-2	Multiple Family Dwelling District 2
MF-3	Multiple Family Dwelling District 3
MF-4	Multiple Family Dwelling District 4
PD	Planned Development District
MH	Mobile Home District
A	Agricultural District
P	Parking District
O	Office District
NS	Neighborhood Service District
SC	Shopping Center District
GR	General Retail District
LC	Light Commercial District
CA-1	Central Area District 1
CA-2	Central Area District 2
HC	Heavy Commercial District
I-1	Industrial District 1
I-2	Industrial District 2
I-3	Industrial District 3

FP prefixed to any district designates a subdistrict subject to the provisions of Section 10-1100
D suffixed to any district designates a subdistrict subject to the provisions of Section 10-1500

SECTION 4
PURPOSE OF ZONING DISTRICTS

4-100 EACH ZONING DISTRICT HEREIN ESTABLISHED IS PROVIDED FOR A SPECIFIC PURPOSE AND IN ACCORDANCE WITH A COMPREHENSIVE PLAN FOR THE LOCATION OF VARIOUS TYPES OF USES THROUGHOUT THE CITY AS FOLLOWS:

4-101 R-1 and R-1/2, Single-Family Dwelling Districts: There exists in certain parts of the City of Dallas large areas of single-family residential development on estate type lots of one-half acre to one acre or more in area. Such development has been supplied with utilities and other public services based upon an estate type density. To conserve the character and value of buildings and building sites existing in such areas and to provide for the gradual expansion of such residential development in accordance with the need and a comprehensive plan for various types of residential districts, the R-1 and R-1/2, Single-Family Dwelling Districts are provided. These districts are intended to be composed of single-family dwellings together with public and parochial schools, churches and public parks areas to serve the area. The sections designated in the R-1 and R-1/2 Districts are limited in area and are not intended to be subject to major alteration by future amendment except at the fringe of such districts where minor adjustment may become appropriate to permit the reasonable development of vacant tracts or gradual transition from other districts.

4-102 R-16, R-13 and R-10, Single-Family Dwelling Districts: Single-family residential development has taken place on intermediate sized lots in portions of the City of Dallas in recent years. In order to protect and encourage the continued development of intermediate density of single-family residences in appropriate areas of the City, the R-16, R-13 and R-10, Single-Family Dwelling Districts are provided. In addition to single-family residences it is intended that churches, public and parochial schools and public parks necessary to serve and compliment the intermediate density development be permitted. The areas placed in the R-16, R-13 or R-10, Single-Family Dwelling Districts are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify such action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

4-103 R-7.5, Single-Family Dwelling District: This district comprises a major portion of the existing single-family dwelling development of the City and is considered to be the proper zoning classification for large areas of the undeveloped land remaining in the City appropriate for single-family dwelling use. This district is intended to be composed of single-family dwellings together with the public and parochial schools, churches and public parks essential to create basic neighborhood units. Limited portions of such neighborhood units may consist of denser residential zoning classifications which are shown on the zoning district maps or which later may be created by amendments to such maps.

4-104 R-5, Single-Family Dwelling District: This classification creates a single-family dwelling district which is appropriate in area requirements for moderate value single-family housing development and which, at the same time, provides a reasonable standard of light, air and similar living amenities. Most areas classified as R-6 under the previous ordinance are designated in the R-5 District. It is intended that the R-5 classification be added by amendment in specific areas where higher density single-family residence development is shown to be appropriate because of existing development and the adequacy of utilities and where redevelopment of substandard areas at increased single-family density is appropriate.

4-105 2F-1 and 2F-2, Two-Family Dwelling Districts: Two-family or duplex dwellings have long been a recognized form of housing in the City of Dallas. In order to provide standards which will protect and encourage the various types of two-family dwellings existing in the City, two two-family dwelling districts of differing density and area requirements are provided. The 2F-1 District is appropriate for and is used to provide a spacious type of two-family dwelling district suitable for larger dwelling units. The 2F-2 District provides a more dense two-family dwelling classification appropriate for smaller dwelling units and is largely utilized in the previously developed duplex sections of the City. In some of the two-family districts, it is anticipated that some change to more dense apartment or town house residences may from time to time be appropriate to encourage the redevelopment of desirable forms of housing.

4-106 MF-1 and MF-2, Multiple Family Dwelling Districts: These districts are composed mainly of areas containing mixtures of single-family, two-family and multiple-family dwellings and certain uniformly developed multiple-family dwelling sections. The MF-1 and MF-2 Districts are medium density districts and are located in certain areas close in to the center of the City and at various outlying locations. The area regulations are designed to protect the residential character and to prevent the overcrowding of the land in the MF-1 and MF-2 Districts by providing minimum standards for building spacing, yards, off-street parking and coverage. All commercial and office uses are prohibited in the MF-1 and MF-2 Districts. It is anticipated that additional areas may be designated in the MF-1 or MF-2 District from time to time in the future where such change is appropriate and access and utility services can reasonably accommodate such medium density dwellings.

4-107 MF-3 and MF-4, Multiple-Family Dwelling Districts: There has been constructed in several parts of the City of Dallas in recent years, a number of multiple story apartment buildings. To provide proper and appropriate standards for this dense form of housing, two specific districts have been provided. The MF-3 District is designed to accommodate high-rise apartment buildings outside the central area where greater open space and higher off-street parking standards are appropriate. Certain limited service uses such as a restaurant, barber or beauty shop are permitted

in the MF-3 District when such uses are totally contained within the building. Provisions are made for yards, building spacing and a maximum floor area ratio to assure that high-rise buildings located in the MF-3 District will be compatible with adjacent lower buildings and to prevent the overcrowding of land. It is anticipated and intended that the MF-3, Multiple-Family District will be expanded and some new areas created from time to time. Both MF-3 and MF-4 Districts are high density dwelling districts. The MF-4 District is designed and intended to be used in and near the central business area and is not intended to be used in the outlying parts of the City. High densities are permitted in the MF-4 District and combinations of business and apartment uses are also permitted. Specific standards for light, air and building bulk are prescribed for the building.

4-108 PD, Planned Development District: In order to provide flexibility in the planning and development of projects with combinations of uses or of specific physical designs such as office centers, combination apartment and retail centers, shopping centers, medical centers with office and housing elements, special industrial districts, housing developments or any similar developments, a PD, Planned Development District is provided. This district is intended to be applied to the district maps as an amendment to the zoning ordinance. Certain maximum and minimum standards are specified for various use categories and certain standards such as yards, coverage, building spacing are to be determined by the design. Specific development conditions and development schedules can be enforced with respect to a PD, Planned Development District and failure to adhere to a development schedule can be the basis of removing all or part of a PD, Planned Development District from the zoning district map. The purposes of the PD, Planned Development District are to achieve flexibility and variety in the physical development pattern of the City and to encourage a more efficient use of open space and to encourage the appropriate use of land. It is intended that cognizance be taken of the surrounding property and the proper protection of such property be given in locating and approving any PD, Planned Development District.

4-109 MH, Mobile Home District: The mobile home or house trailer is recognized as a specific form of housing for which accommodations should be provided. To provide appropriate standards as to density, spacing and use, a separate district is created and designated for the specific purpose of providing at appropriate locations, area for the development of mobile home parks, courts or subdivisions. In certain commercial and industrial districts, a mobile home development may be provided for by amending the zoning district map where such projects are appropriate by approval of a Specific Use Permit. The standards for commercial mobile home development for transient occupancy differ from those of a mobile home subdivision where more or less permanent occupancy is anticipated.

4-110 A, Agricultural District: There exists in certain fringe areas of the City of Dallas, land which is presently used for agricultural purpose and to which urban services are not yet available. These lands should appropriately continue to be used for agricultural purposes for a number of years and until needed for urban purposes in conformity with the orderly growth of the City. The uses permitted in the A, Agricultural District are intended to accommodate the normal farming, ranching and gardening activities. It is anticipated that all of the A, Agricultural District area will be changed to other urban zoning categories as the area within the Corporate Limits of Dallas become fully developed. Newly annexed territory shall be temporarily zoned as A, Agricultural District until permanent zoning is established.

4-111 P, Parking District: The provision of off-street parking for motor vehicles in connection with all types of use is essential to the reduction of congestion in the streets and to the encouragement of the most appropriate use of land. Numerous strip retail and commercial areas exist in Dallas which are deficient in the provision of off-street parking space. The P, Parking District provides a zoning classification generally limited to parking use and intended for use behind, across the street, or adjacent and incidental to apartments, retail, commercial, institutional, office, or industrial uses where the provision of off-street parking is essential to protection of existing development and conducive to the most appropriate use of land. The P, Parking District is intended to be applied to the Zoning District Map by amendment where property ownership, physical arrangement and proper access make such change appropriate. In many instances the P, Parking District may be less than one (1) acre in area.

4-112 O, Office District: The financial, professional and managerial dominance of Dallas as a regional center has made office use a distinct and separate form of land use. In order to provide a zoning district which would protect and encourage a high standard of office development the O, Office District is included as a separate zoning classification. The area standards provided in the O, Office District anticipate that office uses will be located in close proximity to apartments and other residential uses. Yards, building bulk and off-street parking regulations are provided to assure that office uses will be compatible with adjacent residential districts. Where office buildings higher than three stories are anticipated or constructed, greater setbacks are required in order to protect the light and air to adjacent properties. Limited retail and service uses related to the operation of the office building such as a tobacco shop, barber shop or restaurant are permitted in the O, Office District but only when such uses are contained within the building proper and are arranged to serve the building occupants and not the general public.

4-113 NS, Neighborhood Service; SC, Shopping Center; GR, General Retail Districts: Three classifications of retail districts are provided to accommodate the various types of retail services and existing retail development.

The NS, Neighborhood Service District is a limited retail category intended for use near neighborhood areas for purposes of supplying day to day retail needs of the residents such as food, drugs and personal services. The NS, Neighborhood Service District occurs often at limited corner locations in existing developments and is intended for small service areas in new development plans.

The SC, Shopping Center District provides a uniform set of standards for modern shopping center development including requirements for screening, off-street parking and building setbacks. The preponderance of outlying shopping centers zoned by special permit in the previous zoning ordinance are placed in the SC, Shopping Center District. Inasmuch as the SC, Shopping Center Districts occur in close proximity to residential development, building setback and screening requirements are included to achieve a compatible relationship between the retail development and the adjacent residential areas which they are intended to serve. It is anticipated that from time to time, additional SC, Shopping Center Districts will be applied to the district map where such retail service is required to serve developing residential communities.

The GR, General Retail District is applied to the substantial strip retail areas which because of the nature of development are not appropriate for inclusion in the SC, Shopping Center District. The uses specified in the GR, General Retail District include most types of retail activity except for certain open-type displays such as used car lots and heavy machinery sales which are not compatible with the retail shopping function intended in the GR, General Retail District. It is not anticipated that the strip retail areas zoned as GR, General Retail Districts will be subject to any major expansion. It is, however, anticipated that in some situations a future change to a Commercial or Office classification to permit the transition of strip retail areas which are no longer in demand for retail use to other productive forms of land use.

4-114 LC, Light Commercial District: Part of the existing strip business development consists of uses related to the automobile, including drive-in or curb service eating places, used car lots, repair garages, amusements and repair and service uses such as custom woodworking shops, upholstery shops, commercial amusements and plumbing shops. Such uses are generally not compatible to retail shopping areas and tend to obstruct and interfere with the shopping function. To accommodate such uses, the LC, Light Commercial District is provided. Generally this district is located along major arteries where strip business development exists.

4-115 CA-1 and CA-2, Central Area Districts: These districts are provided to accommodate existing developments in the central area of the city, to encourage the most appropriate future use of land, and to prevent the increase of street congestion. The requirements of both districts are quite similar with the major difference being the requirements for apartment development. Both districts require off-street parking and loading although the construction of parking facilities for fifty (50) cars or less is exempted in CA-1. The CA-1 District covers the area within the central freeway loop as well as a portion of the business development along Jefferson Boulevard. The CA-2 District is found in several sections outside the central freeway loop and on the border areas of the Jefferson Boulevard business section.

4-116 HC, Heavy Commercial District: The sale, service, display and storage of certain commodities is by its nature not compatible with many other sales and display operations. Building material yards, contractor yards, open storage and repair of heavy machinery and welding or machine shops are examples of such heavy uses. In order to establish areas where such essential heavy sales, service, display and storage uses could be located, the HC District is provided.

4-117 I-1, I-2 and I-3, Industrial Districts: Industrial development particularly of the distribution and light processing types represent a substantial part of the economic base of Dallas. The rapidly changing variety of industry found in Dallas and the development of modern technology make it appropriate and desirable to provide for standards of industrial performance rather than to attempt to categorize industrial uses by name. Performance Standards covering noise, smoke, particulate matter and other air contaminants, odorous matter, fire and explosive hazard, glare and vibration are specified for each of the three industrial districts and noise, odor and glare standards are made applicable to all districts.

The I-1 District permits basically the same uses and has the same performance standards as the I-2 District. The I-1 District area provisions are, however, applicable to the modern industrial district developments, several of which have come into being in recent years. The district is provided to encourage and protect the high standard of industrial district development that has prevailed in Dallas in recent years.

The I-1 District requirements include front yard setbacks and building spacing standards not appropriate in the I-2 District. The I-2 District standards are based upon the close-in light industrial development where little or no front yard setback or building spacing has been provided. In order therefore to protect the existing development and to encourage the most appropriate use of land in the future, the I-1 and I-2 Districts are provided.

The I-3 District has more liberal performance standards than the two light industrial districts, I-1 and I-2, and is considered to be a heavy industrial district. Most industrial uses are permitted in the I-3 District. The provision of adequate site area and technical operation which will permit a use to meet the standards for noise, smoke and contaminants, odor, fire and hazard, glare and vibration at the bounding property line of the site will enable almost any industrial operation to be located in the I-3 District.

All types of housing development other than that for caretakers or watchmen are excluded from the I-3 District and only apartment development is permitted in the I-1 and I-2 Districts, it being the intent of such provision to protect the industrial land of the City of Dallas from the adverse effects of unregulated residential encroachment and to facilitate the proper and adequate provision of transportation, schools, parks and other public requirements.

4-118 FP, Flood Plain Prefix: Any zoning district designation appearing on the Zoning District Map may be preceded by the Perfix FP indicating a subdistrict. Such indication shall apply to zoning districts located in low lying flood plain areas along major streams and drainageways in the City of Dallas which are subject to periodic inundation and are unsuitable in present form for use as a building site. The area designated in a FP Subdistrict may be used only for those uses listed in the provisions of Section 10-1100 until the area or any portion thereof located in the FP Subdistrict is certified by the Director of Public Works as being suitable for the uses permitted in the general district and it has been determined that building construction would not create an obstruction to drainage nor a hazard to life or property and that such use or construction is not contrary to the public interest.

4-119 Specific Use Permits: Certain uses because of their nature and existing location are not appropriate for categorizing into specific zoning districts. Such uses include among others, utility installations, colleges and universities, institutions, community facilities, zoos, cemeteries, country clubs and some heavy operations such as junk yards, dumps and gravel pits. To provide for the proper handling and location of such specific uses, provision is made for amending this ordinance to grant a permit for a specific use in a specific location. All uses for which Specific Use Permits may be granted are shown on the Use Schedule 10-101 through 10-115. The procedure for approval of a Specific Use Permit includes a public hearing and the amending ordinance may provide for certain restrictions

and standards of operation. The indication that it is possible to grant a Specific Use Permit in the Use Schedule does not constitute a grant of privilege for such use nor is there any obligation to approve a Specific Use Permit unless it is the finding of the City Planning and Zoning Commission and City Council that such specific use is compatible with adjacent property use and consistent with the character of the neighborhood.

SECTION 5
ZONING DISTRICT MAP

5-100 THE BOUNDARIES OF ZONING DISTRICTS SET OUT HEREIN ARE DELINEATED UPON A SET OF SECTIONAL ZONING DISTRICT MAPS OF THE CITY OF DALLAS, TEXAS CONSISTING OF 138 SECTIONS. SAID SET OF MAPS ARE ADOPTED AS PART OF THIS ORDINANCE AS FULLY AS IF THE SAME WERE SET FORTH HEREIN IN DETAIL.

5-101 One original set of Zoning District Maps shall be filed in the office of the City Secretary. This copy shall be the official Zoning District Map and shall bear the signature of the Mayor and attestation of the City Secretary. This copy shall not be changed in any manner. In case of any question, this copy, together with amending ordinances, shall be controlling.

5-102 Additional copies of the original set of Zoning District Maps shall be placed in the offices of the City Secretary, the Building Inspector and the Director of Planning. These copies shall be used for reference and shall be maintained up-to-date by posting thereon all subsequent amendments.

SECTION 6
ZONING DISTRICT BOUNDARIES

6-100 THE DISTRICT BOUNDARY LINES SHOWN ON THE ZONING DISTRICT MAPS ARE USUALLY ALONG STREETS, ALLEYS, PROPERTY LINES OR EXTENSIONS THEREOF. WHERE UNCERTAINTY EXISTS AS TO THE BOUNDARIES OF DISTRICTS AS SHOWN ON THE OFFICIAL ZONING MAPS, THE FOLLOWING RULES SHALL APPLY:

6-101 Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.

6-102 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

6-103 Boundaries indicated as approximately following city limits shall be construed as following city limits.

6-104 Boundaries indicated as following railroad lines shall be construed to be the established centerline of the right-of-way or if no centerline is established, the boundary shall be interpreted to be midway between the right-of-way lines.

6-105 Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line.

6-106 Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines, and in the event of change in the centerline, shall be construed as moving with the centerline. The centerline shall be interpreted as being midway between the shore lines.

6-107 Boundaries indicated as parallel to or extensions of features indicated in 6-101 through 6-106 above shall be so construed. Distances not specifically indicated on the Zoning District Maps shall be determined by the scale of the map.

6-108 Whenever any street, alley or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley or other public way shall be automatically extended to the centerline of such vacated street, alley or way and all area so involved shall then and henceforth be subject to all regulations of the extended districts.

6-109 Boundaries indicated as dividing a lot or tract shall be construed as being located as shown on the Zoning District Map. Distances not specifically indicated on the Zoning District Maps shall be determined by the scale of the map.

6-110 Where physical features on the ground are at variance with information shown on the official Zoning District Maps or when there arises a question as to whether or how a parcel of property is zoned and such question cannot be resolved by the application of subsections 6-101 through 6-109 the property shall be classified as A, Agricultural District, temporarily in the same manner as provided for newly annexed territory and issuance of building permits and the determination of permanent zoning shall be in accordance with provisions for temporarily zoned areas as set forth in Section 9.

SECTION 7
COMPLIANCE REQUIRED

7-100 All land, buildings, structures or appurtenances thereon located within the City of Dallas, Texas which are hereafter occupied, used, erected, altered or converted shall be used, placed and erected in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located except as hereinafter provided. Land used in meeting the requirements of this ordinance with respect to a particular use or building shall not be used to meet the requirements for any other use or building.

SECTION 8
PRESERVING RIGHTS AND CONTINUITY IN ENFORCEMENT, PENDING LITIGATION, AND VIOLATIONS UNDER ORDINANCE 5238 AND AMENDMENTS THERETO

8-100 By the passage of this ordinance no presently illegal use or building shall be deemed to have been legalized unless such use falls within a use district where the actual use and standards under the terms of this ordinance would be conforming. Any use which does not conform to provisions of this ordinance shall be a nonconforming use or structure if it legally existed as a conforming or nonconforming use or structure under Ordinance 5238 or an illegal use if it did not exist as a conforming or nonconforming use or structure, as the case may be. It is further the intent and declared purpose of this ordinance that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time the existing zoning ordinance was repealed and this ordinance adopted shall be discharged or affected by such repeal; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures may be instituted or causes presently pending proceeded with in all respects as if such prior ordinance had not been repealed.

SECTION 9
ANNEXED TERRITORY TEMPORARILY ZONED

9-100 ALL TERRITORY HEREAFTER ANNEXED TO THE CITY OF DALLAS SHALL BE TEMPORARILY CLASSIFIED IN THE A, AGRICULTURAL DISTRICT UNTIL PERMANENT ZONING CLASSIFICATIONS ARE GIVEN THE AREA BY THE CITY COUNCIL OF THE CITY OF DALLAS.

9-101 The procedure for establishing the permanent zoning on any annexed territory shall be the same as is provided by law for the amendment of the zoning ordinance.

9-102 (9-200) In an area temporarily classified in the A, Agricultural District, building permits and certificates of occupancy and compliance may be issued for all uses permitted in the A, Agricultural District subject to all of the requirements and regulations specified for this district.

9-103 Building permits and certificates of occupancy and compliance for uses other than those permitted in the A, Agricultural District may be issued in a newly annexed territory prior to permanent zoning upon authorization by the City Council in the following manner:

a. An application for any use shall be made to the Building Inspector, said application to show the use contemplated, a plat showing the size of the lot or tract of land proposed to be used and the location of and the size and type of buildings proposed to be constructed.

b. Such application shall be referred by the Building Inspector to the City Plan Commission for consideration.

c. The City Plan Commission shall make its recommendation to the City Council after giving due consideration to the land use plan for the area in which the application is located.

d. Whenever such a recommendation is filed with the City Council, it shall be advisory only and the City Council may grant or deny the application as the facts may justify.

USE OF LAND AND BUILDINGS

10-100 LAND AND BUILDINGS IN EACH OF THE ZONING DISTRICTS MAY BE USED FOR ANY OF THE LISTED USES BUT NO LAND SHALL HEREAFTER BE USED, AND NO BUILDING OR STRUCTURE SHALL HEREAFTER BE ERECTED, ALTERED OR CONVERTED WHICH IS ARRANGED OR DESIGNED OR USED FOR OTHER THAN THOSE USES SPECIFIED AS PERMITTED USES IN THE DISTRICT IN WHICH IT IS LOCATED ACCORDING TO THE FOLLOWING USE SCHEDULE AND IN ACCORDANCE WITH THE PROVISIONS OF THE FOLLOWING SECTIONS OF THIS ORDINANCE.

10-200 SCHEDULE OF USES

LEGEND

▒▒ Designates use permitted in district indicated.

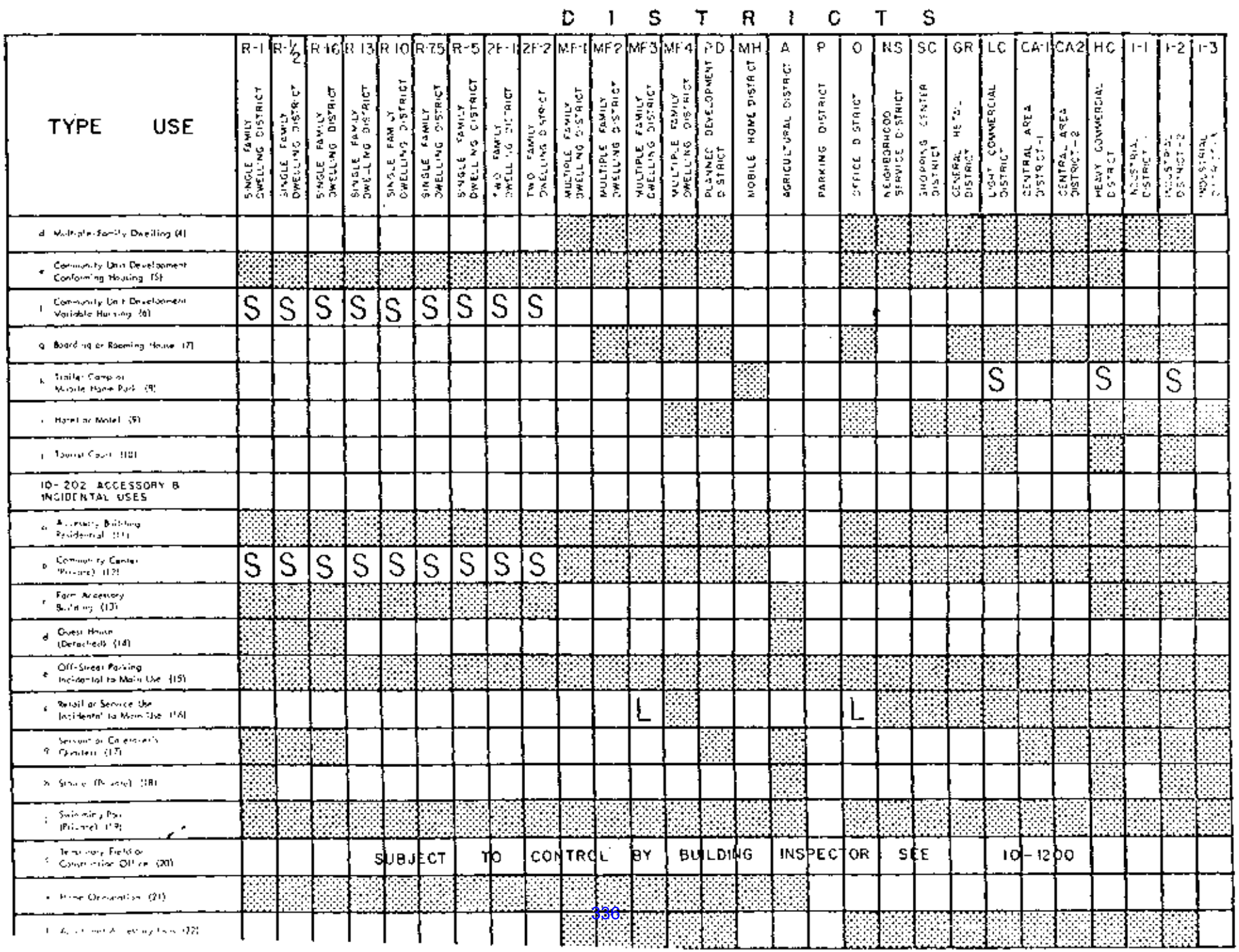
[ ] Designates use prohibited in district indicated.

[S] Indicates use may be approved as Specific Use Permit, see 10-900

[L] Indicates use permitted under specific limitations and conditions; see 10-1000.

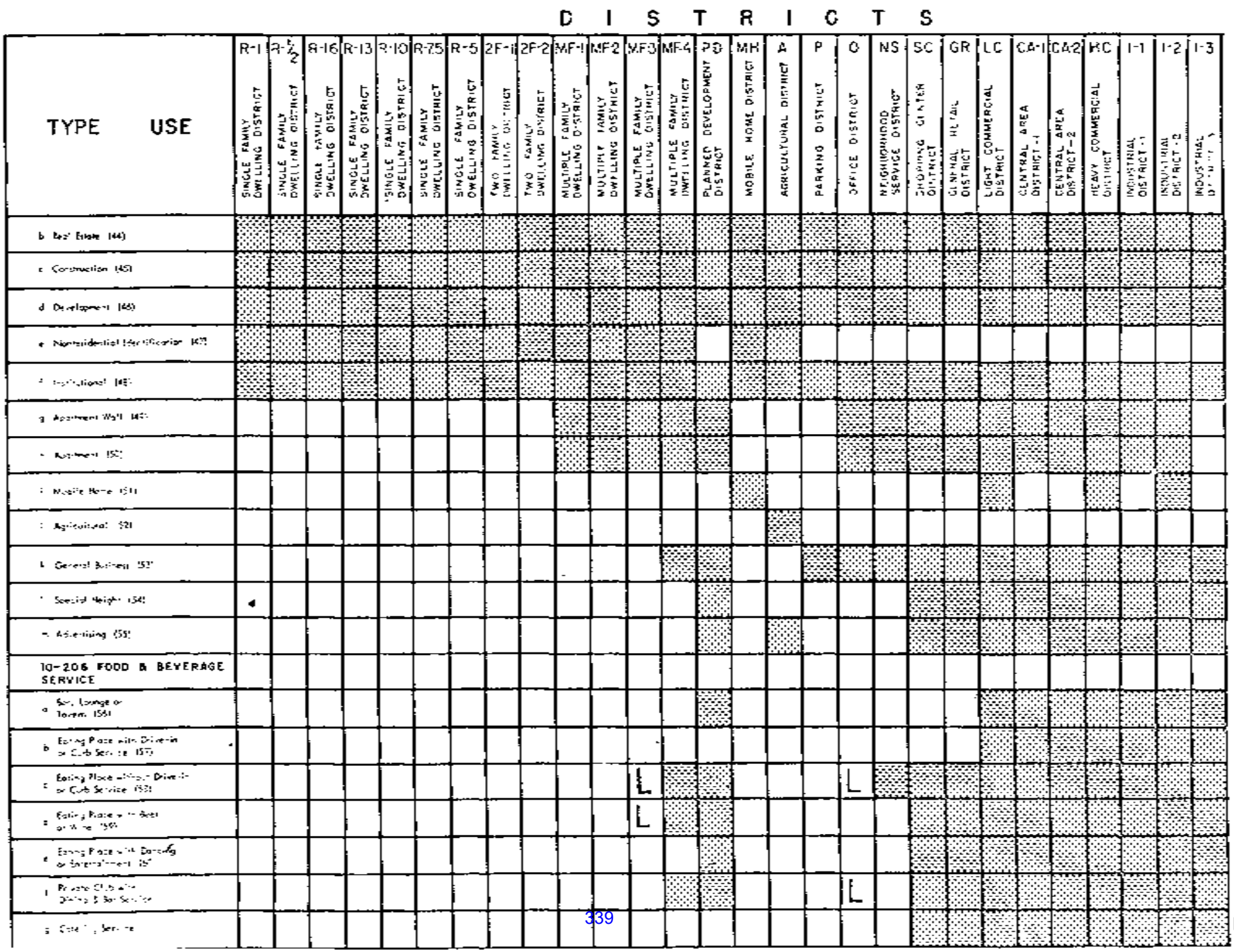
TYPE USE	DISTRICTS																									
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 CENTRAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
10-201 PRIMARY RESIDENTIAL TYPE USES																										
a One-Family Dwelling (Detached) (1)	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒	▒		▒		▒	▒	▒	▒	▒	▒	▒	▒	
b One-Family Dwelling (Attached) (2)								▒	▒	▒	▒	▒	▒	▒				▒	▒	▒	▒	▒	▒	▒	▒	
c Two-Family Dwelling (3)								▒	▒	▒	▒	▒	▒	▒				▒	▒	▒	▒	▒	▒	▒	▒	

NOTE: For definitions and explanations of uses followed by numbers in parenthesis see Section 10-300.

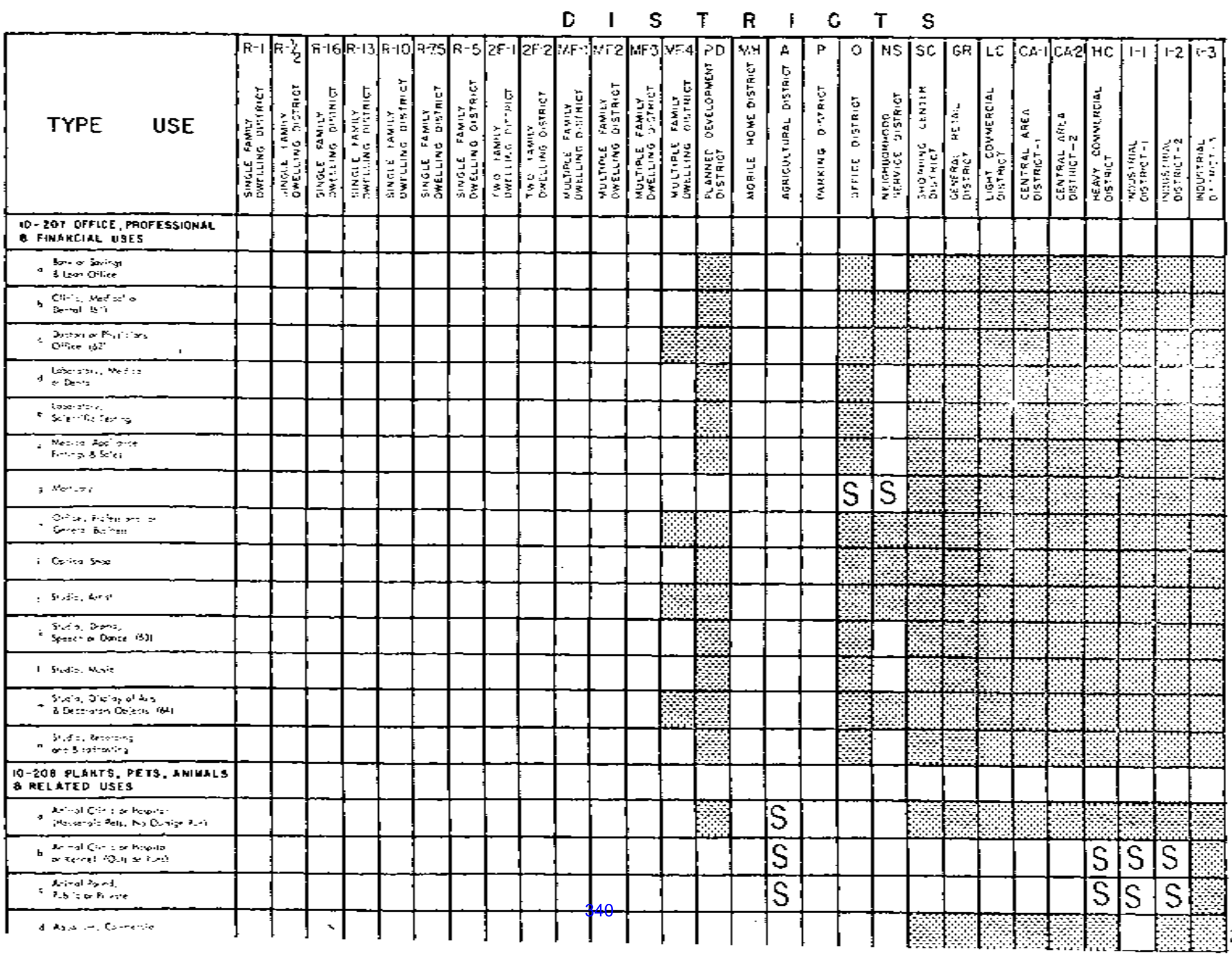

DISTRICTS
TYPE USE
R-1 SINGLE FAMILY DWELLING DISTRICT
R-½ SINGLE FAMILY DWELLING DISTRICT
R-16 SINGLE FAMILY DWELLING DISTRICT
R-13 SINGLE FAMILY DWELLING DISTRICT
R-10 SINGLE FAMILY DWELLING DISTRICT
R-7.5 SINGLE FAMILY DWELLING DISTRICT
R-5 SINGLE FAMILY DWELLING DISTRICT
2F-1 TWO FAMILY DWELLING DISTRICT
2F-2 TWO FAMILY DWELLING DISTRICT
MF-1 MULTIPLE FAMILY DWELLING DISTRICT
MF-2 MULTIPLE FAMILY DWELLING DISTRICT
MF-3 MULTIPLE FAMILY DWELLING DISTRICT
MF-4 MULTIPLE FAMILY DWELLING DISTRICT
PD PLANNED DEVELOPMENT DISTRICT
MH MOBILE HOME DISTRICT
A AGRICULTURAL DISTRICT
P PARKING DISTRICT
O OFFICE DISTRICT
NS NEIGHBORHOOD SERVICE DISTRICT
SC SHOPPING CENTER DISTRICT
GR GENERAL RETAIL DISTRICT
LC LIGHT COMMERCIAL DISTRICT
CA-1 CENTRAL AREA DISTRICT-1
CA-2 CENTRAL AREA DISTRICT-2
HC HEAVY COMMERCIAL DISTRICT
I-1 INDUSTRIAL DISTRICT-1
I-2 INDUSTRIAL DISTRICT-2
I-3 INDUSTRIAL DISTRICT-3
d Multiple-Family Dwelling (4)
e Community Unit Development Conforming Housing (5)
f Community Unit Development Variable Housing (6)
g Boarding or Rooming House (7)
h Trailer Camp or Mobile Home Park (9)
i Hotel or Motel (9)
j Tourist Court (10)
10-202 ACCESSORY & INCIDENTAL USES
a Accessory Building Residential (11)
b Community Center (Private) (12)
c Farm Accessory Building (13)
d Guest House (Detached) (14)
e Off-Street Parking Incidental to Main Use (15)
f Retail or Service Use Incidental to Main Use (16)
g Servant or Caretaker's Quarters (17)
h Stable (Private) (18)
i Swimming Pool (Private) (19)
j Temporary Field or Construction Office (20)
k Home Occupation (21)
l Accessory Apartment (22)
S
L
SUBJECT TO CONTROL BY BUILDING INSPECTOR SEE 10-1200

TYPE USE	DISTRICTS																									
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1½ SINGLE FAMILY DWELLING DISTRICT	R-1G SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
10-203 UTILITY & SERVICE USES																										
a Electrical Substation	S	S	S	S	S	S	S	S	S	S	S	S	S		S		S									
b Electrical Energy Generating Plant	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S		S	S	S	S	S	S	S	S	S
c Electrical Transmission Line																										
d Fire Station																										
e Gas Line and Regulating Station																										
f Local Utility Line (23)																										
g Local Transit Station or Turnaround (24)																										
h Radio, Television or Micro-Wave Tower (25)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S		S							
i Commercial Radio or Television Transmitting Station																S										
j Sewage Pumping Station																										
k Sewage Treatment Plant	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S	S	S	S	S
l Telephone Exchange, Switching & Transmitting Equipment Only (26)																										
m Telephone Business Office																										
n Utility Installation, Public or Private, Not Listed (27)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S							
o Water Stand Pipe or Elevated Storage (28)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S									
p Water Reservoir Well or Pumping Station																										
q Water Treatment Plant	S	S	S	S	S	S	S	S	S	S	S	S	S		S											
10-204 INSTITUTIONAL EDUCATIONAL & SPECIAL USES																										
a Church or Rectory (29)																										

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
b College, University or Private School (30)	S	S	S	S	S	S	S	S	S	S	S	S	S			S											
c Cemetery or Mausoleum	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S											
d Community Center (Public) (31)																											
e Convent or Monastery	S	S	S	S	S	S	S	S	S	S					S				S	S							
f Day Nursery or Kindergarten (32)	S	S	S	S	S	S	S	S	S	S					S	S			S	S							
g Day Camp	S	S	S	S	S	S	S	S	S	S	S	S	S			S											
h Fraternity or Sorority											S																
i Institution for Care of Alcoholic Narcotic or Psychiatric Patient (33)	S	S	S	S	S	S	S	S	S	S	S	S	S			S		S	S	S	S	S	S	S		S	S
j Hospital, General Acute Care (34)	S	S	S	S	S	S	S	S	S	S	S	S	S			S											
k Hospital, Chronic Care (35)										S	S	S				S		S			S						
l Institution of Religious, Charitable or Philanthropic Nature (36)	S	S	S	S	S	S	S	S	S	S	S	S				S											
m Library, Art Gallery or Museum (Public) (37)	S	S	S	S	S	S	S	S	S							S											
n Lodge or Fraternal Organization	S	S	S	S	S	S	S	S	S	S	S	S	S						S	S							
o Nursing Home or Residence Home for Aged (39)										S	S	S						S	S	S							
p School, Business (39)																		S	S	S							
q School, Commercial Trade or Craft (40)																				S							
r School, Public or Denominational (41)																											
s Welfare or Health Center (42)										S						S											
10-205 ADVERTISING & SIGN USES																											
a Name Plate (43)																											


DISTRICTS
TYPE USE
R-1 SINGLE FAMILY DWELLING DISTRICT
R-16 SINGLE FAMILY DWELLING DISTRICT
R-13 SINGLE FAMILY DWELLING DISTRICT
R-10 SINGLE FAMILY DWELLING DISTRICT
R-7.5 SINGLE FAMILY DWELLING DISTRICT
R-5 SINGLE FAMILY DWELLING DISTRICT
2F-1 TWO FAMILY DWELLING DISTRICT
2F-2 TWO FAMILY DWELLING DISTRICT
MF-1 MULTIPLE FAMILY DWELLING DISTRICT
MF2 MULTIPLE FAMILY DWELLING DISTRICT
MF3 MULTIPLE FAMILY DWELLING DISTRICT
MF4 MULTIPLE FAMILY DWELLING DISTRICT
PD PLANNED DEVELOPMENT DISTRICT
MH MOBILE HOME DISTRICT
A AGRICULTURAL DISTRICT
P PARKING DISTRICT
O OFFICE DISTRICT
NS NEIGHBORHOOD SERVICE DISTRICT
SC SHOPPING CENTER DISTRICT
GR GENERAL RETAIL DISTRICT
LC LIGHT COMMERCIAL DISTRICT
CA-1 CENTRAL AREA DISTRICT-1
CA-2 CENTRAL AREA DISTRICT-2
HC HEAVY COMMERCIAL DISTRICT
I-1 INDUSTRIAL DISTRICT-1
I-2 INDUSTRIAL DISTRICT-2
I-3 INDUSTRIAL DISTRICT-3
b Real Estate (44)
c Construction (45)
d Development (46)
e Nonresidential Use Not Classified (47)
f Institutional (48)
g Apartment Hotel (49)
h Apartment (50)
i Mobile Home (51)
j Agricultural (52)
k General Business (53)
l Special Height (54)
m Advertising (55)
10-206 FOOD & BEVERAGE SERVICE
a Bar, Lounge or Tavern (56)
b Eating Place with Drive-in or Curb Service (57)
c Eating Place without Drive-in or Curb Service (58)
d Eating Place with Beer or Wine (59)
e Eating Place with Dancing or Entertainment (60)
f Private Club with Dining & Bar Service
g Catering Service
L
L
L

19


DISTRICTS
TYPE USE
R-1 SINGLE FAMILY DWELLING DISTRICT
R-2 SINGLE FAMILY DWELLING DISTRICT
R-16 SINGLE FAMILY DWELLING DISTRICT
R-13 SINGLE FAMILY DWELLING DISTRICT
R-10 SINGLE FAMILY DWELLING DISTRICT
R-7.5 SINGLE FAMILY DWELLING DISTRICT
R-5 SINGLE FAMILY DWELLING DISTRICT
2F-1 TWO FAMILY DWELLING DISTRICT
2F-2 TWO FAMILY DWELLING DISTRICT
MF-1 MULTIPLE FAMILY DWELLING DISTRICT
MF2 MULTIPLE FAMILY DWELLING DISTRICT
MF3 MULTIPLE FAMILY DWELLING DISTRICT
MF4 MULTIPLE FAMILY DWELLING DISTRICT
PD PLANNED DEVELOPMENT DISTRICT
MH MOBILE HOME DISTRICT
A AGRICULTURAL DISTRICT
P PARKING DISTRICT
O OFFICE DISTRICT
NS NEIGHBORHOOD SERVICE DISTRICT
SC SHOPPING CENTER DISTRICT
GR GENERAL RETAIL DISTRICT
LC LIGHT COMMERCIAL DISTRICT
CA-1 CENTRAL AREA DISTRICT-1
CA-2 CENTRAL AREA DISTRICT-2
HC HEAVY COMMERCIAL DISTRICT
I-1 INDUSTRIAL DISTRICT-1
I-2 INDUSTRIAL DISTRICT-2
I-3 INDUSTRIAL DISTRICT-3
10-207 OFFICE, PROFESSIONAL & FINANCIAL USES
a Bank or Savings & Loan Office
b Clinic, Medical or Dental (61)
c Doctor or Physicians Office (62)
d Laboratory, Medical or Dental
e Laboratory, Scientific Testing
f Medical Appliance Fitting & Sales
g Mortuary
h Office, Professional or General Business
i Optical Shop
j Studio, Artist
k Studio, Drama, Speech or Dance (801)
l Studio, Music
m Studio, Display of Arts & Decorative Objects (64)
n Studio, Recording and Broadcasting
10-208 PLANTS, PETS, ANIMALS & RELATED USES
a Animal Clinic or Hospital (Housepets Pets, No Outside Run)
b Animal Clinic or Hospital or Kennel (Outside Run)
c Animal Pound, Public or Private
d Aquarium, Commercial
S
340
20

DISTRICTS

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
e Farm, Ranch, Garden or Orchard (65)																											S		
f Garden Shop & Plant Sales Display or Greenhouse																S													
g Hatchery, Poultry																													
h Livestock Auction Pens or Sheds																										S		S	
i Pet Shop (Small Animals & Birds) (66)																													
j Stable, Commercial (67)																S												S	
k Veterinarians' Office (No Hospital)																													
l Zoo, Commercial																										S		S	S
m Zoo, Public	← BY SPECIAL APPROVAL OF CITY COUNCIL →															S		S	S	S	S	S	S	S	S	S	S	S	
10-209 PERSONAL SERVICE & CUSTOM CRAFTS																													
n Art Needlework (68)																													
b Barber & Beauty Shop												L						L											
c Book Handcraft Binding (69)																													
d Cabinet & Woodwork Shop, Custom (70)																													
e Cleaning Shop, Small Custom Shop (71)																													
f Cleaning Shop, Commercial																													
g Custom Sewing & Millinery (72)																													
h Handcraft, Ceramic Sculpture or Similar Art Work																													
i Hand Weaving																													
j Health Studio																													

DISTRICTS

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-1&2 SINGLE FAMILY DWELLING DISTRICT	R-1&3 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL ANCA DISTRICT-1	CA-2 CENTRAL ANCA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
k Key Shop																													
l Laundry or Dry Cleaning (Self-Service) (2)																													
m Laundry, Commercial																													
n Laundry or Cleaning Pick-up & Receiving Station																													
o Photography Studio																													
p Shoe Repair																													
q Tailor																													
r Taxidermist																													
s Travel Bureau																													
t Upholstery Shop																													
10-210 RETAIL SALES USE																													
a Antique Shop, Enclosed (2)																													
b Food Store																													
c Bakery or Confectionery Shop (Retail)																													
d Book & Stationery Store																													
e Camera Shop																													
f Cigar, Tobacco, & Candy												L						L											
g Clothing Store																													
h Drug Store or Pharmacy																		L											
i Feed Store, Retail (Livestock) (No N-1) (2)																													

DISTRICTS

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R ½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R 10 SINGLE FAMILY DWELLING DISTRICT	R-75 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
j Beverage Store																													
k Florist Shop																		L											
l Furniture Store (New)																													
m Hardware & Sporting Goods																													
n Hobby Shop [illegible]																													
o Letter & Mimeograph Shop																		L											
p Paint & Wallpaper Store																													
q Pawn Shop																													
r Second Hand Store, Used Furniture or Rummage Shop																													
s Swimming Pool, Sales & Supply																													
t Retail Stores & Shops Other Than Listed (76)																													
u Tool Rental																													
10-211 RECREATION, SOCIAL & ENTERTAINMENT USES																													
a Amusement, Commercial (Outdoor) (77)																					S	S							
b Amusement, Commercial (Indoor) (78)																													
c Carnival or Circus (Temporary) (79)	← PERMITTED BY SPECIAL RESOLUTION OF THE CITY COUNCIL →																												
d Country Club Private Membership (80)	S	S	S	S	S	S	S	S	S	S	S	S	S			S													
e Dance Hall or Night Club (81)																							S					S	
f Club, Private, Business (82)																		L											
g Fairgrounds																												S	S

TYPE USE	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT—2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT 3
h Golf Course Commercial (53)																												
i Golf Course Public (54)	S	S	S	S	S	S	S	S	S	S	S	S	S		S													
Ice Skating Rink																		S										
k Parks Playground Public (55)																												
l Recreation Club or Area, Private (56)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S			S									
m Rodeo																S									S		S	
n Theatre Drive-in Type																S						S						
o Theatre Not Drive-in Type																												
p Billiard Parlor																					S	S	S					
RD-212 TRANSPORTATION TYPE USES																												
q Airport or Landing Field (57)																S		S	S	S	S	S		S	S	S		
b Bus Station & Terminal																												
c Hauling & Storage Company																												
d Helicopter Base (58)																S				S			S	S	S	S		
e Heliport (59)																S				S		S	S	S	S	S		
f Helistop (60)													S	S		S		S		S	S	S	S	S	S			
g Motor Freight Terminal																												
h Railroad Freight Terminal																												
i Railroad Passenger Station																												
j Railroad Team Track (61)																												

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
Railroad Yard Roundhouse & Shops																											
10-213 MOTOR VEHICLES & RELATED USES																											
a Auto Laundry (P)																											
b Auto Glass, Muffler & Seat Cover Shop																											
c Auto Parts & Accessory Sales (Indoor Only)																											
d Auto Parts & Accessory Sales (Outdoor Display)																											
e Auto Sales (Indoor Display)																											
f Auto Sales or Storage (Outdoor Display)																											
g Auto Storage or Auction																											
h Auto Repair Garage																											
i Auto Painting or Body Rebuilding Shop																											
j Bus or Truck Parking or Garage																											
k Drag Strip or Commercial Racing																											S
l Engine or Motor Repair (P)																											
m Go Cart Track																									S		S
n Machinery Repair Shop or Sales																											
o Machine or Welding Shop																											
p Motorcycle or Scooter Sales & Service																											
q Parking, Commercial Lot or Garage																											
r Service Station (Motor Vehicle Fuel)																											

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
e Steam Cleaning Vehicles & Machinery																											
f Wrecking Yard Junk & Salvage (94)																											S
10-214 STORAGE, PROCESSING & COMMERCIAL USES																											
a Brick Yard & Similar Building Material Sales																											
b Clothing Manufacturing & Similar Light Manufacturing & Assembly (95)																											
c Repair Shop & Appliance Repair (96)																											
d Furniture Repair and Upholstery																											
e Job Printing																											
f Laboratory, Manufacturing (97)																											
g Light Fabrication & Assembly Processes (98)																											
h Lumber Yard																											
i Lithographer or Printing Plant																											
j Monument Sales Yard																											
k Open Storage (No Enclosure) (99)																											
l Open Storage Visual Screen (100)																						S					
m Petroleum Products Storage & Wholesale																											
n Plumbing Shop																											
o Maintenance & Home Repair Shop (No Outside Storage) (101)																											
p Contractor or Maintenance Yard (102)																											
q Salvage Yard (Except Jet (103)																											S

TYPE USE	DISTRICTS																										
	R-1 SINGLE FAMILY DWELLING DISTRICT	R-½ SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	PD PLANNED DEVELOPMENT DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3
r Salvage & Reclamation (In Building)																								S	S		S	
s Sand, Gravel or Earth Sale & Storage																								S	S		S	
t Dump, Private or Municipal																S									S		S	
u Stone, Sand or Gravel Extraction																S									S	S	S	
v Warehouse or Covered Storage (10A)																												
10 - 215 INDUSTRIAL & MANUFACTURING USES																												
a Light Manufacturing or Industrial Uses as Defined by Performance Standards																												
b Heavy Manufacturing or Industrial Uses as Defined by Performance Standards																												
c Concrete or Asphalt Batching Plant	TEMPORARY BATCHING PLANTS PERMITTED BY CITY COUNCIL RESOLUTION IN R-1 THROUGH CA-2 AND I-1.																								S			
d Animal or Poultry Slaughtering																											S	
e Any other industrial or manufacturing use which due to the possible emission of excessive smoke, noise, gas, fumes, dust, odor or vibration or danger of fire, explosion or radiation, as determined by the Building Inspector, Fire Marshal or City Health Officer, is presently or in the future is likely to be a hazard or nuisance to adjacent property or the community at large.																											S	S

10-300 DEFINITIONS AND EXPLANATIONS APPLICABLE TO USE SCHEDULE

10-301 The following definitions and explanatory notes supplement, restrict and define the meaning and intent of the use regulations as noted in 10-200, Schedule of Uses.

(1) One-Family Dwelling (detached): A detached building having a single dwelling unit and occupied by not more than one family.

(2) One-Family Dwelling (attached): A dwelling unit on a separately owned lot which is joined to another dwelling unit on one or more sides by a party wall or abutting separate walls and occupied by not more than one family.

(3) Two-Family Dwelling: A detached building having two dwelling units and occupied by not more than two families.

(4) Multiple Family Dwelling: Any building or portion thereof, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or residence of three or more families.

(5) Community Unit Development (conforming housing) - shall mean a related group of residences and associated uses including a private community center which conform to the type of residences and uses which are permitted in the district in which the development is located and which are planned as an entity and subject to design, development and regulation as a single related and unified residential development by a single owner or group of owners acting jointly. The area, density and site requirements on individual dwellings may vary from the standards of the district in which the Community Unit Development is located but the overall density standards for the district shall be observed.

(6) Community Unit Development (variable housing) - shall mean a related group of residences and associated uses including a private community center which do not all conform in type and height to the residences and uses which are permitted in the district in which the development is located and which are planned as an entity and subject to design, development and regulation as a single related and unified residential development by a single owner or group of owners acting jointly. A Specific Use Permit is necessary to allow the varied density and housing types proposed for a Community Unit Development with variable housing.

(7) Boarding or Rooming House - A building, other than a hotel or multiple family dwelling, where lodging is provided for five or more persons for compensation, where meals may or may not be served and where facilities for food preparation are not provided in the individual rooms. Where meals are served, they shall be served only to the residents of the boarding house.

(8) Trailer Camp or Mobile Home Park - A lot, tract, or parcel of land used to accommodate trailers or mobile homes as a semi-permanent place of residence. Such a park may be in single ownership with trailer stands for hire or it may be a lot in a subdivision expressly designed as a mobile home subdivision.

(9) Hotel or Motel - A building or group of buildings designed and occupied as a temporary abiding place of individuals. To be classified as a hotel or motel an establishment shall contain a minimum of twenty (20) individual guest rooms or units and shall furnish customary hotel services such as linen, maid service, telephone, use and upkeep of furniture and the accommodations shall not be designed as permanent dwelling units.

(10) Tourist Court - A lot, tract or parcel of land upon which not more than nineteen (19) cottage units are located and maintained for the accommodation of transients for compensation.

(11) Accessory Building (residential) - A subordinate building detached from the main building and used for purposes customarily incidental to the residential occupancy of the main building and not involving the conduct of a business or the sale of a service. Accessory buildings include but are not limited to an automobile storage garage, laundry room, garden shelter, hobby room and mechanical room.

(12) Community Center (private) - A building or group of rooms designed and used as an integral part of a residential project or community unit development by the tenants of such a project for a place of meeting, recreation or social activity and under the management and unified control of the operators of the project. A Private Community Center shall not be operated as a place of public meetings, or as a business, nor shall the operation of such facility create noise, odor or similar conditions perceptible beyond the bounding property line of the project site nor shall any alcoholic beverage permit for the sale of such beverages be issued for such facility.

(13) Farm Accessory Building - An accessory structure on a tract qualifying as a farm as herein defined for storing or housing the usual products and animals raised or maintained on a farm, such as a barn, poultry house, stable, machinery shed or granary. No structure housing animals or poultry shall be located nearer than one hundred (100) feet to the bounding property lines of the farm tract.

(14) Guest House (detached) - A secondary structure on a lot or tract containing dwelling accommodations but excluding kitchen facilities and separate utility services or meters and intended for the temporary occupancy by guests and not for rent or permanent occupancy.

(15) Off-Steet Parking Incidental to Main Use - Off-street parking spaces provided for and accessory to a main use located on the same lot or tract as the main use or within three hundred (300) feet as specified in Section 20 and located within the same zoning district as the main use.

(16) Retail or Service Use Incidental to Main Use - A special sales or service use permitted as part of a residential development or building as indicated on the use schedule.

(17) Servant or Caretaker's Quarters - Living quarters for persons employed on the premises only and not for rent or use as a separate domicile of other than persons employed on the premises and with no separate utility meters. Such facilities may be located in the main structure or in an accessory building located on the lot with a main residential structure.

(18) Stable (private) - An accessory building for quartering not to exceed four (4) horses on a farm or lot when set back from adjacent property lines a minimum distance of one hundred (100) feet.

(19) Swimming Pool (private) - A swimming pool constructed for the exclusive use of the residents of a single-family, two-family or apartment dwelling and located and fenced in accordance with the standards and regulations of the City of Dallas. Such private swimming pool shall not be operated as a business nor maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.

(20) Temporary Field or Construction Office - Temporary office buildings and temporary building material storage areas to be used solely for construction purposes in connection with the property on which they are erected may be permitted for a specified period of time in accordance with a permit issued by the Building Inspector.

(21) Home Occupation - An occupation customarily carried on in the home by a member of the occupant's family, being incidental to the primary occupancy of the home as a dwelling, without the offering, display or advertising of any commodity or service for sale on the premises, without the employment of any persons other than a member of the immediate family, without the use of any sign, lighting or display, without the use of other than normal domestic or household equipment or applicances, and the conduct of which does not generate noise, odor, fumes, vibration or any other condition visible, obnoxious or detrimental to abutting or adjacent properties.

(22) Apartment Accessory Uses - Permitted uses accessory to an apartment building shall include a recreation room, employee's washroom, a manager's apartment and office and laundry. Such a recreation room shall be for the exclusive use of the tenants and their guests and no alcoholic beverage permit for the sale of such beverages be issued for such facility. When provided an employee's washroom shall be accessible only to the outside of the apartment building and not through any other room in the building and the washroom be limited to a maximum of thirty (30) square feet in floor area. The manager's apartment may be used as an office, but such facility shall be included in computations of lot area requirements. The laundry room may be used for clothes washing and drying facilities for the exclusive use of the tenants and no exterior advertising of such use may be permitted.

(23) Local Utility Line - The usual electric power, telephone, gas, water, sewer and drainage lines designed and constructed by the municipality or a franchised utility company to serve a community with urban type services.

(24) Local Transit Station or Turnaround - A shelter or building for accommodation of local transit patrons or an off-street turnaround or standing area for loading.

(25) Radio, Television or Micro-Wave Towers - Structures supporting antennae for transmitting or receiving any portion of the radio spectrum but excluding noncommercial antennae installations for home use of radio or television.

(26) Telephone Exchange, Switching and Transmitting Equipment Only - A switching or transmitting station owned by a public utility but not including business office facilities, storage or repair shops or yards.

(27) Utility Installation, Public or Private, Not Listed - Any public or private utility facility franchised or approved by the City of Dallas such as closed circuit television or steam distribution or other similar utility not specifically covered by the uses listed in the use schedule, 10-200.

(28) Water Standpipe or Elevated Storage - Any public or private structure for the storage above ground of water for distribution or fire protection purposes.

(29) Church or Rectory - The place of worship and religious training of recognized religions including the one on site housing of ministers, priests, rabbis, nuns and similar staff personnel.

(30) College, University or Private School - An academic institution other than a public or parochial elementary or secondary school, including private elementary and secondary schools and institutions of higher learning.

(31) Community Center (public) - A building and grounds owned and operated by a governmental body for the social, recreational, health or welfare of the surrounding community.

(32) Day Nursery or Kindergarten - An establishment where four (4) or more children are left for care or training during the day or a portion thereof.

(33) Institution for Care of Alcoholic, Narcotic or Psychiatric Patient - An institution offering resident or outpatient treatment to alcoholic, narcotic or psychiatric patients. In residential districts where such uses are possible by Specific Use Permit approval, a minimum site of twenty (20) acres shall be required.

(34) Hospital (general acute care) - An institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life and which is licensed by the State of Texas.

(35) Hospital (chronic care) - An institution where those persons suffering from generally permanent types of illness, injury, deformity, deficiency or age are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas.

(36) Institution of a Religious, Churitable or Philenthropic Nature - Buildings, grounds and activities sponsored or operated by organizations established for religious or philantrhorpic purposes including orphans homes, homes for the aged, resident homes for indigent or handicapped, training and educational facilities and similar establishments.

(37) Library, Art Gallery or Museum (public) - Any institution for the loan or display of books, objects of art science which is sponsored by a public or responsible quasi-public agency and which institution is open and available to the general public.

(38) Nursing Home or Residence Home for Aged - A place of residence or care for persons suffering from infirmities of age or illness where care is provided on a prolonged or permanent basis. This term shall include a convalescent home.

(39) School, Business - A business operating for profit and offering instruction and training in a service or art, such as a secretarial school, barber college, commercial art school, but not including a manual trade school.

(40) School, Commercial Trade or Craft - A business operating for profit and offering instruction and training in a trade such as welding, brick laying, machinery operation and other similar manual trades.

(41) School, Public or Parochial - A school and customary accessory uses under the sponsorship of a public or religious agency having a curriculum generally equivalent to public, elementary or secondary schools but not including private, trade or commercial schools.

(42) Welfare or Health Center - A community service facility where assistance in welfare and health problems is provided by a public or municipal agency for the benefit of residents of the area.

(43) Name Plate Sign - An accessory sign identifying the name and address of the owner or occupant.

(44) Real Estate Sign - A temporary accessory sign pertaining to the sale or rental of the property on which the sign is placed and advertising the property only for a use for which it is properly zoned.

(45) Construction Sign - A temporary accessory sign identifying the property owner, architect, landscape architect, engineer, decorator, contractor or mortgagee engaged in the design, construction or improvement of the premises upon which the sign is located.

(46) Development Sign - A temporary accessory sign relating to the promotion of new developments on the premises upon which the sign is located.

(47) Nonresidential Identification Sign - An accessory sign advertising a nonresidential use which may be permitted in a residential zone or which may be approved by Specific Use Permit.

(48) Institutional Sign - An accessory sign relating to a church, school or other public institution.

(49) Apartment Wall Sign - An accessory sign composed of the name of an apartment house or development and promoting the sale or rental of the apartments.

(50) Apartment Sign - An accessory sign promoting the sale or rental of apartments.

(51) Mobile Home Sign - An accessory sign identifying the name and address of a Mobile Home Park and promoting the sale or rental of mobile home sites.

(52) Agricultural Sign - An accessory sign identifying the name of a farm or ranch, the owner or operator, the address or advertising the produce, crops or animals raised thereon.

(53) General Business Sign - An accessory sign which directs attention to a business, profession, service, product or activity conducted, sold or offered on the premises where such sign is located.

(54) Special Height Sign - An accessory sign of the General Business type which is higher than other permitted signs.

(55) Advertising Sign - A sign which is a primary use of land (not an accessory use) and which directs attention to a business, product, activity or service which is not necessarily conducted, sold or offered on the premises where the sign is located.

(56) Bar, Lounge or Tavern - An establishment, the primary activity of which is the sale and consumption on the premises of beer, wine or other liquors and where food service, if any, is secondary to the sale of beer, wine or other liquors.

(57) Eating Place with Drive-In or Curb Service - An establishment offering food for sale to customers in automobiles and wherein the food service is to the automobile.

(58) Eating Place without Drive-In or Curb Service - Any eating establishment, cafeteria, restaurant or inn where food service is offered to customers not in automobiles.

(59) Eating Place with Beer or Wine - An establishment other than a bar, tavern or lounge where the primary activity of which is the sale and service of food to customers and where beer and wine are served incidental to the serving of food.

(60) Eating Place with Dancing or Entertainment - An establishment, the primary activity of which is the sale and service of food or beverage to customers and which incidentally may offer music, entertainment and facilities for dancing by patrons.

(61) Clinic, Medical or Dental - Facilities for examining, consulting with and treating patients including offices, laboratories and outpatient facilities but not including hospital beds and rooms for acute or chronic care.

(62) Doctor's or Physican's Office - A small office for examining and consulting with patients including necessary accessory facilities and occupied by not more than two (2) doctors.

(63) Studio, Drama, Speech or Dance - A building or rooms in a building used for the instructing, coaching or counseling in drama, speech, dance or similar personal skills or arts.

(64) Studio, Display of Art or Decorators Objects - Display rooms and accessory offices for the display of art objects, fabrics and similar items which may be supplied to the clientele of the operator but not involving a direct retail shop. In an MF-4 and O Districts there shall be no sign or display on the exterior of the building.

(65) Farm, Ranch, Garden or Orchard - An area of three (3) acres or more which is used for growing of usual farm products, vegetables, fruits, trees and grain for the raising thereon of the usual farm poultry and farm animals such as horses, cattle and sheep, including a private stable and also including the necessary accessory uses for raising, treating and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law.

(66) Pet Shop, Small Animals and Birds - Facilities for the display and sale of small animals and birds as pets, such as dogs, cats, parakeets or canaries but not involving the boarding or treating of dogs or similar pets.

(67) Stable, Commercial - A structure housing horses which are boarded or rented to the public or any stable other than a private stable, but not including a sales barn, auction or similar trading activity.

(68) Art Needlework - Hand sewing, knitting or weaving of handicraft objects for sale or on a custom basis.

(69) Book Handcraft Binding - Hand binding on a custom basis of books and similar documents.

(70) Cabinet and Woodwork Shop (custom) - Shop for the repair or creation of individual items of furniture and wooden home furnishings on a custom basis, not a factory, planing mill or similar woodworking plant.

(71) Cleaning Shop (small custom shop) - A cleaning establishment for custom cleaning of individual garments only and not a bulk or commercial type cleaning plant.

(72) Custom Sewing and Millinery - Custom making of items of apparel and millinery, such as a seamstress, but not involving a factory.

(73) Laundry or Dry Cleaning, Self-Service - An establishment providing facilities for washing or dry cleaning garments and similar items and where the customer may personally supervise and handle the cleaning operation.

(74) Antique Shop (enclosed) - An establishment offering for sale articles such as glass, china, furniture or similar furnishing and decorations which have value and significance as result of age, design or sentiment, and when all such items displayed or offered for sale are housed within a building and there is no exterior display except the usual sign or advertising.

(75) Feed Store, Retail (livestock, no mill) - An establishment for the sale of grain, prepared feed and forage for pets, livestock and fowl but not involving the grinding, mixing or commercial compounding of such items.

(76) Retail Stores and Shops Other Than Listed - Any establishment not listed in the use schedule, 10-200, offering consumer goods for sale except those uses specifically excluded and listed in other districts.

(77) Amusement, Commercial (outdoor) - Any amusement enterprise offering entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open, including but not limited to a golf driving range, archery range and miniature golf course.

(78) Amusement, Commercial (indoor) - An amusement enterprise wholly enclosed in a building which is treated acoustically so that no noise of the enterprise is perceptible at the bounding property line and including but not limited to a bowling alley or billiard parlor.

(79) Carnival or Circus (temporary) - A temporary traveling show or exhibition usually housed in tents, and which has no permanent structure or installation. Such temporary carnival or circus is subject to special authorization by resolution of the City Council.

(80) Country Club, Private Membership - An area of twenty (20) acres or more containing a golf course and a club house and available only to a private specific membership. Such a club may contain as adjunct facilities, a private club and dining room, swimming pool, tennis courts and similar service and recreation facilities.

(81) Dance Hall or Night Club - An establishment offering to the general public facilities for dancing and entertainment for a fee and subject to licensing and regulation by the City of Dallas.

(82) Club, Private (business) - A club room or suite of rooms or a building available to restricted membership for meetings, dining and entertainment. Such facilities may include a private tennis court, swimming pool or similar recreation facilities, none of which are available to the general public.

(83) Golf Course, Commercial - A golf course, privately owned but open to the general public for a fee and operated as a commercial venture.

(84) Golf Course, Public - A golf course owned or controlled by a public agency such as the municipal Park Department and operated for the benefit of the public.

(85) Park or Playground (public) - An open recreation facility or park owned or operated by a public agency such as the municipal Park Department or School Board, and available to the general public. This term shall include such uses as stadiums, field houses, and customary accessory uses.

(86) Recreation Club or Area, Private - A building, park or recreation area, the use of which is restricted to private membership such as by a church, neighborhood association, fraternal or social organization and which may contain the normal active and passive facilities as provided in a public park or playground.

(87) Airport or Landing Field - A landing facility for fixed wing aircraft containing a minimum of sixty (60) acres and approved by the City of Dallas Aviation Department as an aircraft landing facility, subject to the Federal Aviation Agency's requirement of safety and applicant's securing air space utilization from the Federal Aviation Agency.

(88) Helicopter Base - A landing and terminal facility for rotary wing aircraft, including facilities for fueling, servicing and maintaining such craft and subject to approval by the City of Dallas Aviation Department and subject to the Federal Aviation Agency's requirement of safety and applicant's securing air space utilization from the Federal Aviation Agency.

(89) Heliport - A landing facility for rotary wing aircraft not exceeding a gross weight of 12,500 pounds subject to regularly scheduled use, but not including fueling or servicing facilities for such craft and subject to approval by the City of Dallas Aviation Department and subject to the Federal Aviation Agency's requirement of safety and applicant's securing air space utilization from the Federal Aviation Agency.

(90) Helistop - A landing pad for occasional and infrequent use by rotary wing aircraft not exceeding a gross weight of 6,000 pounds and not for regularly scheduled stops and subject to approval by the City of Dallas Aviation Department.

(91) Railroad Team Track - A siding for the spotting and unloading or loading of box cars or other railroad cars and which area is connected to a public street by a drive for access.

(92) Auto Laundry - A facility for the washing and steam cleaning of passenger automobiles (including a self-service operation) and which does not generate obnoxious conditions perceptible at the bounding property lines of the tract on which the facility is located. In the GR or LC District the noise level at the bounding property line from an auto laundry operation shall not exceed the standards specified in 10-424.

(93) Engine or Motor Repair - A shop for the disassembly, rebuilding and repair of motor vehicle engines, electric motors, vehicle transmissions or other major machinery components on an assembly line basis. General vehicle repair shall be classified as a repair garage.

(94) Wrecking Yard, Junk and Salvage - A yard or building where automobiles, machinery, appliances or other used commodities and equipment are stored, dismantled, and/or offered for sale as whole units or as salvaged parts.

(95) Clothing Manufacturing and Similar Light Manufacturing and Assembly - Operations involving cutting, sewing, forming and packing of garments and similar items and including the making of millinery and clothing accessories, but involving no obnoxious or hazardous materials or machinery.

(96) Fix-It Shop and Appliance Repair - A shop for the repair of household and home equipment, such as electrical appliances, lawn mowers, tools and similar items where all such items are stored within a building or a storage area surrounded by a solid fence, wall or screen as defined in Section 18.

(97) Laboratory, Manufacturing - Operations involving the compounding of products such as perfumes, pharmaceutical and the development and assembly of instruments and similar items.

(98) Light Fabrication and Assembly Processes - Including but not limited to the manufacture of jewelry, trimming decorations, signs and any similar item not involving the generation of noise, odor, vibration, dust or hazard.

(99) Open Storage (no enclosure)- Storage in the open of vehicles, machinery or any equipment or commodity where permitted as a primary use of land and accessory storage in the open of commercial and industrial products where such storage is not enclosed by a fence, wall or building.

(100) Open Storage (visual screen) - The permitted storage of any equipment or commodity in an open area which is enclosed by a fence or wall meeting the specifications of 24-300 or surrounded by a building so as to create an effective visual screening of the storage from the adjacent property.

(101) Maintenance and Home Repair Shop (no outside storage) - A building housing the facilities and equipment of a home repair or maintenance service but not including the storage of building material, junk or similar commodities in the open, unenclosed.

(102) Contractor or Maintenance Yard - An open storage yard for supplies and operational equipment and including buildings, but not constituting a junk, wrecking or salvage yard.

(103) Salvage Yard (outside) - An open yard for the receiving, sorting, storage or packing of paper, rags, glass, boxes and similar commodities.

(104) Warehouse or Covered Storage - A building or group of buildings providing shelter for commodities stored therein. No open or unenclosed storage shall be classified as a warehouse.

10-400 PERFORMANCE STANDARDS

10-401 ALL USES IN ALL DISTRICTS SHALL CONFORM IN OPERATION, LOCATION AND CONSTRUCTION TO THE PERFORMANCE STANDARDS HEREIN SPECIFIED FOR NOISE; ODOROUS MATTER; TOXIC AND NOXIOUS MATTER; AND GLARE.

ALL USES ESTABLISHED IN THE I-1, I-2, I-3 AND PD DISTRICTS SHALL CONFORM IN OPERATION, LOCATION AND CONSTRUCTION TO THE PERFORMANCE STANDARDS HEREIN SPECIFIED FOR NOISE; ODOROUS MATTER; TOXIC AND NOXIOUS MATTER; GLARE; SMOKE, PARTICULATE MATTER AND OTHER AIR CONTAMINANTS; FIRE AND EXPLOSIVE OR HAZARDOUS MATTER; AND VIBRATION.

10-410 GENERAL PROVISIONS

10-411 Any use established after the effective date of this ordinance shall comply with all of the performance standards applicable to the district in which it is located.

10-412 All regulations of the City of Dallas or the State of Texas applicable to such matters as the emission of toxic, noxious or odorous matter, particulate material, radiation or the storage, manufacture, handling or transportation or use of explosive, inflammable or radioactive material shall be observed and nothing specified in this section shall be interpreted as authorizing any practice or operation which would constitute a violation of a statute, ordinance, rule or regulation of the City of Dallas or State of Texas.

10-420 NOISE

10-421 Measurement of noise shall be made with a sound level meter and octave band analyzer meeting the standards prescribed by the American Standards Association. The instruments shall be maintained in calibration and good working order. Octave band corrections may be employed in meeting the response specification. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured. Times when the level of the primary noise being measured does not exceed that of the background noise in all octave bands shall be considered as "off times" of the primary noise in determining the corrections from Table 5, 10-426b.

10-422 Permissible Noise Level I-1 and I-2, Planned Development Districts (Industrial)

a. At no point at the bounding property line of any use in the I-1, I-2 or PD Districts shall the sound pressure level of any operation or plant exceed the decibel limits specified in the octave bands designated in Table 1, nor shall the sound pressure level at any I-1, I-2 or PD District boundary line adjacent to a residential, retail or commercial district exceed the decibel limits specified in the octave bands designated by Table 3 for Residential Districts and Table 4 for Retail and Commercial Districts.

b. Table 1

Maximum Permissible Daytime Octave Band Decibel Limits at the Bounding Property Line of a Use in the I-1, I-2, Planned Industrial (PD) District

	Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)		86	76	70	65	63	58	55	53	65

Note: A Scale levels are provided for monitoring purposes only.

10-423 Permissible Noise Level I-3 District

a. At no point at the bounding property line of any use in the I-3 District shall the sound pressure level of any operation or plant exceed the decibel limits specified in the octave bands designated in Table 2, nor shall the sound pressure level at any I-3 District boundary line adjacent to a residential, retail or commercial district exceed the decibel limits specified in the octave bands designated by Table 3 for Residential Districts and Table 4 for Retail and Commercial Districts.

b. Table 2

Maximum Permissible Daytime Octave Band Decibels Limits at the Bounding Property Line of a Use in the I-3 District

	Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)		90	80	74	69	65	62	60	58	70

Note: A Scale levels are provided for monitoring purposes only.

10-424 Permissible Noise Level Residential Districts

a. At no point on the district boundary line of any residential type district nor at any point on the bounding property line of any use within the boundary of such districts shall the sound level pressure from any operation, use or occupancy exceed the decibel limits specified in the octave bands designated in Table 3.

b.

Table 3

Maximum Permissible Daytime Octave Band Decibel Limits At or Within the Boundary of a Residential District

Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)	80	68	61	55	51	48	45	43	56

Note: A Scale levels are provided for monitoring purposes only.

10-425 Permissible Noise Level Retail and Commercial Districts

a. At no point on the district boundary line of any retail or commercial type district, nor at any point on the bounding property line of any use within the boundary of such districts shall the sound pressure level from any operation, use or occupancy exceed the decibel limits specified in the octave band limits designated in Table 4.

b.

Table 4

Maximum Permissible Daytime Octave Band Decibel Limits At or Within the Boundary of a Retail or Commercial District

Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)	84	73	67	62	58	55	52	50	63

Note: A Scale levels are provided for monitoring purposes only.

10-426 Special Noise Level Corrections

a. Corrections shall be made to the basic octave band levels specified in Tables 1, 2, 3 and 4 for the specific conditions listed in accordance with Table 5.

b. Table 5

Corrections Permitted to Basic Octave Band Levels

Noise is present at nighttime	Subtract 7 db
Noise contains strong pure-tone components or is impulsive (meter reading changes at a rate greater than 10 decibels per second)	Subtract 7 db

Noise Has An "On Time" Of No More Than	And An "Off Time" Between Successive "On Times" Of At Least	
0.5 Minutes	1/2 Hour)	Add 10 Decibels to permitted level
5.0 Minutes	1 Hour)	
10.0 Minutes	2 Hours)	
20.0 Minutes	4 Hours)	

10-430 ODOROUS MATTER

10-431 Any use established or operated in the I-1, I-2, I-3 or PD Districts shall comply with the performance standards herein specified for the emission of odorous matter.

10-432 I-1, I-2 and PD Districts

a. Emissions of odorous matter from a source of operation in the I-1, I-2 and PD Districts shall not exceed the odor threshold at the bounding property line of the tract on which such use or operation is located or beyond.

10-433 I-3 District

a. Emission of odorous matter from a source operation in the I-3 District shall not exceed a concentration at the bounding property line or any point beyond which when diluted with an equal volume of odor free air exceeds the odor threshold (2 odor units).

10-434 The odor threshold as herein referred to shall be determined by observation by a person or persons. In any case where the operator of an odor-emitting use may disagree with the enforcing officer where specific measurement of odor concentration is required, the method and procedures specified by American Society for Testing Materials ASTMD 1391-57 entitled "Standard Method for Measuring Odors in Atmosphere" shall be used. A copy of which is hereby incorporated by reference and is on file in the office of the City Secretary of the City of Dallas.

10-435 No use shall be operated in any zoning district of the City of Dallas in such a manner that the emission of odorous matter occurs in such quantity or volume as to produce a nuisance, source of discomfort or hazard beyond the bounding property lines of such use.

10-440 TOXIC AND NOXIOUS MATTER

10-441 No operation or use permitted in any district shall emit a concentration across the bounding property line of such operation or use of toxic or noxious matter which will exceed ten percent (10%) of the concentration (exposure) considered as the threshold limit for an industrial worker as such standards are established by Texas State Department of Health or as they may be amended in "Threshold Limit Values, Occupational Health Regulation No. 3". A copy of which is hereby incorporated by reference and is on file in the office of the City Secretary of the City of Dallas.

10-442 The storage, use and transportation of hazardous chemicals, poisonous gases, acids or radioactive material in the I-1, I-2, I-3 or PD Districts shall be subject to approval of the Fire Marshal and the Health Officer of the City of Dallas and in accordance with all applicable ordinances and laws.

10-450 GLARE

10-451 No use in any district shall be operated so as to produce intense glare, or direct illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together the light beam is controlled and not directed across any bounding property line.

10-460 SMOKE, PARTICULATE MATTER AND OTHER AIR CONTAMINANTS

10-461 Any use established or operated in the I-1, I-2, I-3 or PD Districts shall comply with the performance standards herein specified covering the emission of air contaminants.

10-462 Procedure for Making Observations To Determine Compliance For Visible Emissions

a. The following provisions shall govern observations of emissions to determine compliance with 10-467. These provisions shall be applied to each observation to the extent that they are applicable and to whatever extent time and physical circumstances permit.

b. Observations shall be made from a position which is at a right angle to the line of travel of the emitted material.

c. The plume shall be observed against a suitable background.

d. Observations during daylight hours shall be made with the observer generally facing away from the sun.

e. Observations during hours of darkness shall be made with the aid of a light source.

f. Readings shall be noted at approximately 15 second intervals during observation, except that intervals up to 1 minute shall be permitted where the appearance of the emission does not vary during such intervals.

g. The general color of the emission during the period of observation shall be noted as part of the record of observation.

10-463 Standard Sampling Procedures for Particulate Matter in Emissions from Vents and Stacks

a. All source test procedures shall be designed so as to obtain samples which are truly representative of the emissions of the particulate matter.

b. Probe size and sampling rate shall be such as to obtain a reasonably representative sample.

c. The sampling shall be carried out for a period of one hour which shall include the period of maximum emissions.

d. In measuring emissions from Type "A" and Type "B" emission points the quantity of emission from a test area shall be increased by the proportion which the whole area bears to the test area. Such a test area may be taken as the cross sectional area of the inlet to a sample probe. Emissions from the test area may be measured at the place and by the procedure which results in the highest measurement of air contaminants. The emission from any test area of a Type "B" emission point shall be deemed to be representative in every respect of the emissions from the whole area of such Type "B" emission point. This provision shall not apply if other sampling and testing facilities which will disclose the nature, extent, quantity and degree of air contaminants are provided by the person responsible for the emissions.

e. Currently accepted engineering practice shall be followed in any test procedure employed for the determination of gas flow rate, gas composition, moisture content, density and process weight.

f. Prior to weighing of the sample, it shall be dried by methods and under conditions which do not permit significant change in the weight of particulate matter and where the requirements permit, the same shall be dried at a temperature not less than 218° F nor more than 224° F for a period of one to two hours after superficial dryness is reached. Samples dried in such manner shall be deemed to be free of uncombined matter.

10-464 Standard Gas Sampling Procedures for Vents and Stacks

a. The following stack sampling procedures shall be adhered to in the determination of gassy emissions.

b. Proper adjustments shall be made in the sampling procedure to compensate for significant stratification and nonhomogeneity in the gas stream so that the sample of gas approaches a representative sample.

c. Where liquid impingers are used for the sampler, any filter preceding the impingers shall be maintained at stack gas temperature.

d. Where an evacuated flask is used for sample collection, any filter preceding the sampler may be maintained at ambient temperature.

e. Where impingers on other continuous flow sampling devices are used, a gas measuring device placed in series with and downstream of the samples shall be used to determine the volume of gas sampled. Pressure and temperature indicators shall be installed at appropriate points to indicate sample gas conditions.

10-465 Dust and Air Contaminant From Open Storage

Open storage and open processing operations including on site transportation movements which are the source of wind borne dust or other particulate matter, or which involve dust or other particulate air contaminant generating equipment such as used in paint spraying, grain handling, sand or gravel processing or storage, or sandblasting shall be so conducted that dust and other particulated air contaminants so generated are not transported across the boundary line of the tract on which the use is located in concentrations exceeding four (4) grains per one thousand (1000) cubic feet of air. All other visible emissions of air contaminants shall conform to the provisions of 10-467.

10-466 Application of Standards

The following standards shall apply to emission of air contaminants from industrial operations in the I-1, I-2, I-3 and PD Districts and to the registration of each plant responsible for emissions of air contaminants whether or not limits are established by these regulations for emission of all such contaminants. All operations which involve the emission of particulate matter or other air contaminants shall register with the Director of Public Health before obtaining a certificate of occupancy.

These regulations apply, as herein provided, to:

a. Visible emissions from all operations.

b. Sulfur dioxide from all operations.

c. Particulate matter from all operations.

d. Hydrocarbons and carbonyls from incineration or salvage operations.

e. Fumes and gasses from all operations.

f. Air contaminants which can cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such person or to the public, or which cause or have a natural tendency to cause injury or damage to business or property.

10-467 Visible Emissions

No operation shall cause, create or allow the emission of air contaminants for more than three minutes in any one hour which, at the emission point or within a reasonable distance of the emission point, are:

a. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart as published by the United States Bureau of Mines Information Circular 7118.

b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in 10-467a; and the determination of such opacity shall be according to standard accepted procedures for such observations.

10-468 Section 10-467 shall not apply under the following conditions:

a. Where the presence of uncombined water is the only reason for the failure of an emission to meet the limitations of 10-467.

b. To any emission on the basis of any observation of an air contaminant observed while such contaminant is inside a bona fide building.

c. If the operation responsible for an emission meets all the following requirements:

1. The emission is from a Type "A" emission point.

2. The emission does not contain significant amounts of materials which are vapors at stack temperature and particulate matter at ambient temperature.

3. The emission does not contain more than "n" grains of particulate matter per standard cubic foot ($n = 0.12L$ where L is the significant dimension of the emission point in feet).

4. The emission does not contain particulate matter determined in 10-468c (3) or uncombined water or both that contributes significantly to the failure of the emission to meet the limitations of 10-467.

d. If the operation responsible for an emission of SO_3 (sulfur trioxide) or H_2SO_4 (sulfuric acid) or both meet with the following requirements:

1. From operations using elemental sulfur or pyrites as the principal raw material, such emission shall have a concentration of SO_3 or H_2SO_4 or both, expressed as 100% H_2SO_4, not exceeding 0.02 grain per standard cubic foot of exhaust gas volume.

2. From operations using as a principal raw material any sulfur containing material other than elemental sulfur or pyrites, such emission shall have a concentration of SO_3 or H_2SO_4 or both, expressed as 100% H_2SO_4, not exceeding 0.2 grain per standard cubic foot of exhaust gas volume.

3. Such emission shall not contain amounts of any material other than SO_3, H_2SO_4, or uncombined water, which would contribute to the failure of the emission to meet the limitations of 10-467b.

10-469 Sulfur Dioxide

No operation shall cause, create or allow any emission of sulfur compounds calculated as sulfur dioxide from any emission point in excess of two thousand (2000) ppm (vol.).

10-470 Particulate Matter

a. No operation shall cause, create or allow the emission of particulate matter from any emission point in a concentration in excess of 0.04 grains per cubic foot of exhaust gas volume calculated to twelve percent (12%) carbon dioxide at standard conditions.

b. No operation shall cause, create or allow the emission of particulate matter from any emission point, at a rate in excess of that specified in Table 6 for the process weight rate allocated to such emission point.

c.

Table 6

Allowable Rate Of Emission Based On Process Weight Rate

Process Weight Rate		Rate of Emission	Process Weight Rate		Rate Emission
Lb/Hr	Tons/Hr	Lb/Hr	Lb/Hr	Tons/Hr	Lb/Hr
100	0.05	0.551	16,000	8.00	16.5
200	0.10	0.877	18,000	9.00	17.9
400	0.20	1.40	20,000	10.00	19.2
600	0.30	1.83	30,000	15.00	25.2
800	0.40	2.22	40,000	20.00	30.5
1,000	0.50	2.58	50,000	25.00	35.4
1,500	0.75	3.38	60,000	30.00	40.0
2,000	1.00	4.10	70,000	35.00	41.3
2,500	1.25	4.76	80,000	40.00	42.5
3,000	1.50	5.38	90,000	45.00	43.6
3,500	1.75	5.96	100,000	50.00	44.6
4,000	2.00	6.52	120,000	60.00	46.3
5,000	2.50	7.58	140,000	70.00	47.8
6,000	3.00	8.56	160,000	80.00	49.0
7,000	3.50	9.49	200,000	100.00	51.2
8,000	4.00	10.4	1,000,000	500.00	69.0
9,000	4.50	11.2	2,000,000	1,000.00	77.6
10,000	5.00	12.0	6,000,000	3,000.00	92.7
12,000	6.00	13.6			

10-471 Hydrocarbons and Carbonyls

No operation shall cause, create or allow the emission from any incineration operation or salvage operation of an exhaust gas containing a concentration of more than fifty (50) ppm (vol.) of total hydrocarbons or a concentration of more than fifty (50) ppm (vol.) of total carbonyls. For purposes of this section, total hydrocarbons shall be the sum of the concentrations of C2 and higher saturated and unsaturated hydrocarbons as measured by gas chromatography. Total carbonyls shall include aldehydes and ketones calculated as formaldehyde. Each carbonyl group is deemed equivalent to one (1) molecule of formaldehyde.

10-480 FIRE AND EXPLOSIVE OR HAZARDOUS MATTER

10-481 Any use established or operated in the I-1, I-2, I-3 or PD Districts shall comply with the performance standards herein specified for the storage, manufacture and use of flammable, explosive or hazardous matter.

10-482 I-1, I-2 and PD Districts

a. No use involving the manufacture or storage of compounds or products which decompose by detonation shall be permitted in the I-1, I-2 or PD Districts except that chlorates, nitrates, perchlorates, phosphorous and similar substances and compounds in small quantities for use by industry, schools, laboratories, druggists or wholesalers may be permitted in accordance with the provisions of the Fire Protection Code of the City of Dallas.

b. The storage and use of all flammable liquids and materials such as pyroxylin plastics, nitrocellulose film, solvents and petroleum products in the I-1, I-2 and PD Districts shall be in accordance with the provisions of the Fire Protection Code of the City of Dallas for the storage and handling of such materials and liquids, except that no high hazard flammable liquid having a flash point below one hundred degrees Fahrenheit (100° F) shall be stored above ground in the I-1, I-2 or PD District except by special approval of the Fire Marshal and when the use and storage of such liquid is located a safe distance from adjacent uses and buildings.

10-483 I-3 District

a. Operations or uses involving the manufacture, storage or use of compounds which decompose by detonation except those specifically prohibited by the Fire Protection Code of the City of Dallas are permitted in the I-3 District, but only when such operations and uses are approved and a permit for same is issued by the Fire Marshal.

b. The storage in bulk or use of flammable liquids or materials and of liquified petroleum gas are permitted in the I-3 District subject to the requirements and safeguards concerning the location, use and special precautions specified by the Fire Marshal for such storage or use.

10-484 All uses and operations involving the use, storage or handling of explosive or flammable and hazardous matter shall be in compliance with the Fire Protection Code of the City of Dallas as it exists or as it may hereafter be amended and shall be subject to approval by the Fire Marshal and nothing herein specified shall mitigate, interfere with or alter any provision of the Fire Protection Code of the City of Dallas as it may apply to the use, storage or handling of explosives or flammable and hazardous material.

10-490 VIBRATION

10-491 No operation or use in the I-1, I-2 or PD Industrial Districts shall at anytime create earth borne vibrations which when measured at the bounding property line of the source operation exceed the limits of displacement set forth in the following table:

Table 7

Allowable Displacement Earth Borne Vibrations I-1, I-2 and PD Districts

Frequency In Cycles Per Second	Displacement In Inches
0 to 10	0.0010
10 to 20	0.0008
20 to 30	0.0005
30 to 40	0.0004
40 and Over	0.0003

10-492 No operation or use in the I-3 Industrial District shall at anytime create earth borne vibrations which when measured at the bounding property line of the source operation exceed the limits of displacement set forth in the following table:

Table 8

Allowable Displacement Earth Borne Vibrations I-3 District

Frequency In Cycles Per Second	Displacement In Inches
0 to 10	0.0020
10 to 20	0.0016
20 to 30	0.0010
30 to 40	0.0006
40 and Over	0.0005

10-500 DEFINITIONS AND STANDARDS APPLICABLE TO 10-400 THROUGH 10-492

10-501 The following definitions and explanatory notes supplement, restrict and define the meaning and intent of words and terms used in the performance standards provisions, 10-400 through 10-492 inclusive.

(1) Background Noise - noise from all sources other than that under specific consideration including traffic operating on public thoroughfares.

(2) Frequency - the number of oscillations per second in a sound wave.

(3) Octave Band - a term denoting all the frequencies between any given frequency and double that frequency.

(4) Octave Band Filter - an electrical frequency analyzer designed according to the standards formulated by the American Standards Association and used in conjunction with a sound level meter to take measurements in specific octave intervals.

(5) Daytime - the hours between sunrise and sunset on any given day.

(6) Bounding Property Line - the far side of any street, alley, stream or other permanently dedicated open space from the noise source when such open space exists between the property line of the noise source and adjacent property. When no such open space exists the common line between two parcels of property shall be interpreted as the bounding property line.

(7) Residential Districts - refers to the R-1, R-1/2, R-16, R-13, R-10, R-7.5, R-5, 2F-1, 2F-2, MF-1, MF-2, MF-3, MF-4, MH and A Districts.

(8) Retail or Commercial Districts - Refers to the P, O, NS, SC, GR, LC and HC Districts.

(9) Atmospheric Pollution - the discharging from stacks, open storage, chimneys, exhausts, vents, ducts, openings, or open fires of such air contaminants as visible emissions, sulfur dioxide, particulate matter, hydrocarbons, fumes or similar material or gases.

(10) Atmosphere - the air that envelops or surrounds the earth. Where air contaminants are emitted into a building not designed specifically as air pollution control equipment, such emission into the building shall be considered emission into the atmosphere.

(11) Combustion - the rapid exothermic reaction of any material with oxygen.

(12) Containing Device - any stack, duct, flue, oven, kettle or other structure or device containing a gas stream which may contain an air contaminant, and which is designed to prevent the gas stream from entering the atmosphere, except through such openings as may be incorporated for that purpose in the containing device; and excluding equipment used for air pollution abatement operations, or any other device which significantly changes the nature, extent, quantity or degree of air contaminants in the gas stream or in which such change does or has a natural tendency to occur.

(13) Emission - the act of passing into the atmosphere an air contaminant or a gas stream which contains or may contain an air contaminant or the material so passed to the atmosphere.

(14) Emission Point - the location (place in horizontal plane and vertical elevation) at which an emission enters the atmosphere.

(15) Exhaust Gas Volume - the total volume of gas emitted from an emission point.

(16) Odor Threshold - the concentration of odorous matter in the atmosphere necessary to be perceptible to the olfactory nerve of normal persons.

(17) Operation - any physical action resulting in a change in the location, form or physical properties of a material, or any chemical action resulting in a change in the chemical composition or chemical or physical properties of a material. The following are given as examples, without limitation of the generality of the foregoing: heat transfer, calcination, double decomposition fermentation, pyrolysis, electrolysis, combustion, material handling, evaporation mixing, absorption, filtration, fluidization, screening, crushing, grinding, demolishing, shoveling, bagging, etc.

(18) Particulate Matter - any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions when released into the atmosphere.

(19) Person or Operation - any person, firm, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user or owner or any state or local governmental agency or public district or any officer or employee thereof. It includes the owner, lessor, lessee, tenant, licensee, manager and operator, or any of such, of an emission point or any source operation which may constitute a source of atmospheric pollution related thereto, or any interest in such emission point or operation source.

(20) ppm (vol) - parts per million by volume.

(21) Process Weight - the total weight of all materials introduced into a source operation, including solid fuels, but excluding liquids and gases used solely as fuels and excluding air introduced for the purposes of combustion.

(22) Process Weight Rate - a rate established as follows:

(a) For continuous or long run steady state source operations, the total process weight for the entire period of continuous operation or a typical portion thereof, divided by the number of hours of such period or portion thereof.

(b) For cyclical or batch source operations the total process weight for a period which covers a complete operation or an integral number of cycles, divided by the number of hours of actual process operation during such periods.

(23) Significant Dimension - of an area means the square root of the numerical value of the area.

(24) Source Operation - the last operation preceding the emission of an air contaminant which operation:

(a) results in separation of air contaminants from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion of fuel; and

(b) is not an air pollution abatement operation.

(25) Standard Conditions - a pressure of 14.7 pounds per square inch absolute, and a temperature of 60° F.

(26) Type "A" Emission Point - an opening of reasonably regular geometry, preceded by a containing device which has a minimum length six times the significant dimension of the emission point and within such minimum length; has a reasonably straight gas flow channel; has smooth interior surface; has area and geometry essentially constant and equal to the emission point; and does not cause a significant change in the gross direction of gas flow.

(27) Type "B" Emission Point - any emission point not qualifying under 26 above.

10-600 PLANNED DEVELOPMENT DISTRICT

10-601 The purpose of this district is to accommodate planned associations of uses developed as integral land use units such as industrial parks or industrial districts, office, commercial or service centers, shopping centers, residential developments of multiple or mixed housing, or any appropriate combination of uses which may be planned, developed and operated as integral land use units either by a single owner or combination of owners.

10-610 APPLICATION

10-611 An application for a Planned Development District may be made to the City Plan Commission in the same manner that an application for any amendment to the zoning ordinance is made. Applications for approval of a Planned Development District shall be processed according to the procedure specified in Section 32 and a site plan and related data shall be submitted for approval in accordance with the requirements of 10-650 and 10-660.

10-612 The City Council of the City of Dallas, after public hearing and proper notice to all parties affected and after recommendation by the City Plan Commission, may authorize the creation of a Planned Development District on sites of five (5) acres or more to accommodate various types of developments and combinations of developments.

10-620 USES PERMITTED

10-621 A Planned Development District may be approved for any use or combination of uses listed in the use schedule, 10-200, shown under the PD District. The uses permitted in any specific Planned Development District shall be enumerated in the ordinance establishing such district.

10-630 HEIGHT, FLOOR AREA RATIO, DENSITY AND PARKING AND LOADING STANDARDS

10-631 The maximum height, lot width, lot depth, floor-area ratio and lot area, and the minimum off-street parking and loading requirements for uses proposed shall be established for each Planned Development District, and such standards and requirements shall comply with or be more restrictive than the standards established in the following districts for the specified type uses:

GENERAL USE CATEGORY	LOT WIDTH, LOT DEPTH MAXIMUM HEIGHT, FLOOR AREA RATIO OR LOT AREA AND MINIMUM OFF-STREET PARKING AND LOADING STANDARDS SHALL BE ESTABLISHED BY THE FOLLOWING DISTRICTS:
Residential	MF-3
Retail and Personal Service Uses	SC
Office	O
Industrial or Manufacturing	I-1
Commercial Services	LC

10-640 PROCEDURE FOR ESTABLISHING STANDARDS

10-641 In approving the development plan and the ordinance establishing the Planned Development District, the City Council shall, after recommendation by the City Plan Commission, specify such maximum height, floor area ratio, density and minimum off-street parking and loading standards within the limits of those specified in the districts listed for the specific uses involved as is appropriate for the development. The City Council shall, after receiving the recommendation of the City Plan Commission, establish the standards for yards, signs, building spacing, site coverage, access, screening walls or landscaping, building area, open space, pedestrianways, public or private streets and alleys to be observed in a Planned Development District and such standards shall be specified in the ordinance establishing the district.

10-650 DEVELOPMENT SCHEDULE

10-651 An application for a Planned Development District shall if the applicant desires or the City Plan Commission or City Council requires be accompanied by a development schedule indicating the approximate date on which

construction is expected to begin and the rate of anticipated development to completion. The development schedule, if adopted and approved by the City Council, shall become part of the development plan and shall be adhered to by the owner, developer and his successors in interest.

10-652 Annually, where a development schedule has been required, the Building Inspector shall report to the City Plan Commission the actual development accomplished in the various Planned Development Districts as compared with the development schedule.

10-653 The City Plan Commission may, if in its opinion the owner or owners of property are failing or have failed to meet the approved schedule, initiate proceedings under Section 32 to amend the zoning district map or the Planned Development District by removing all or part of the Planned Development District from the zoning district map and placing the area involved in another appropriate zoning district. Upon the recommendation of the City Plan Commission and for good cause shown by the owner and developer, the City Council may also extend the development schedule or adopt such new development schedule as may be indicated by the facts and conditions of the case.

10-660 DEVELOPMENT PLAN REQUIRED

10-661 An application for a Planned Development District shall include and be accompanied by a development plan which shall become a part of the amending ordinance and shall be referenced on the zoning district map. Changes in the development plan shall be considered the same as changes in the zoning district map and shall be processed as required in Section 32, except that changes of detail which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, floor area ratio, height or coverage of the site, or which do not decrease the off-street parking ratio, or reduce the yards provided at the boundary of the site as indicated on the approved development plan may be authorized by the Director of Planning and Zoning. Any applicant may appeal the decision of the Director of Planning and Zoning to the City Plan Commission for review and decision as to whether an amendment to the Planned Development District ordinance shall be required.

10-662 The Development Plan Shall Include:

a. A scale drawing showing any proposed public or private streets and alleys, building sites or building lots, any areas proposed for dedication or reserved as parks, parkways, playgrounds, utility and garbage easements, school sites, street widening, street changes, the points of ingress and egress from existing public streets on

an accurate survey of the boundary of tract and topography with a contour interval of not less than five (5) feet, or spot grades where the relief is limited.

b. Where multiple types of land use are proposed, a land use plan delineating the specific areas to be devoted to various uses shall be required.

c. Where building complexes are proposed, a site plan showing the location of each building and the minimum distance between buildings, and between buildings and the property line, street line and/or alley line shall be submitted. For buildings more than one (1) story in height, except single-family and two-family residences, elevations and/or perspective drawings may be required in order that the relationship of the buildings to adjacent property, open spaces and to other features of the development plan may be determined. Such drawings need only indicate the height, number of floors and exposures for access, light and air.

d. A plan indicating the arrangement and provision of off-street parking and off-street loading where required. Such a plan may be presented as a ratio of off-street parking and off-street loading area to building area when accompanied by a typical example indicating the feasibility of the arrangement proposed and when the areas where the example would be applied are dimensioned on the drawing of the entire site. Any special traffic regulation facilities proposed or required to assure the safe function of the circulation plan shall also be shown.

e. A designation of the maximum building coverage of the site shall be indicated upon the site plan.

f. Screening and landscaping plan shall be required where such treatment is essential to the proper arrangement of the development in relation to adjacent property. Such plan shall when required include screening walls, ornamental planting, playgrounds, wooded areas to be retained, lawns and gardens if such are determined to be necessaryby the City Council.

g. Any or all of the required features may be incorporated on a single drawing if such drawing is clear and capable of evaluation by the Director of Planning and Zoning and interpretation by the Building Inspector.

10-670 Every Planned Development District approved under the provisions of this ordinance shall be considered as an amendment to the zoning ordinance as applicable to the property involved. In carrying out the development of a Planned Development District, the development conditions and the development schedule, if required, shall be complied with and such conditions as are specified for the development of a Planned Development District shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy and compliance as required by Section 30.

10-700 MOBILE HOME DISTRICT

10-701 The mobile home or house trailer is recognized as a special form of housing and therefore subject to the specific and special standards as herein provided.

10-710 TYPES OF MOBILE HOME DEVELOPMENT

10-711 Two types of mobile home development are provided for by this ordinance as follows:

a. A mobile home park or trailer court is a unified development of mobile home sites, plots or transient stands arranged on a large tract under single ownership.

b. A mobile home subdivision shown on a subdivision plat approved by the City Plan Commission and filed for record designed specifically for mobile home development.

10-720 APPLICATION

10-721 Prior to issuance of any building permit for a Mobile Home Park, a site plan shall be approved by the City Plan Commission.

10-722 Prior to the issuance of any building permit in a Mobile Home Subdivision, and such subdivision shall be approved by the City Plan Commission and shall comply with the normal requirements for platting and with the provisions of this ordinance.

10-730 USES PERMITTED

10-731 The uses designated as permitted in the Mobile Home District in 10-200 shall be permitted in a Mobile Home Park. In addition to such uses a caretaker's home and office shall be permitted, but only one such facility shall be permitted for each Mobile Home Development.

10-731 Only the uses designated as permitted in the Mobile Home District in 10-200 shall be permitted in a Mobile Home Subdivision.

10-740 MOBILE HOME DEVELOPMENT STANDARDS

10-741 No mobile home, house trailer, dwelling or other structure permitted in the Mobile Home District may be erected, altered, placed, moved or converted on any lot or tract unless it is in conformity with all minimum area regulations specified in this subsection.

10-742 The minimum lot area, lot width, lot depth, front yard,side yard, rear yard, coverage, and off-street parking of any Mobile Home lot, tract, plot or stand shall be as specified in Sections 11, 12, 13, 14, 15, 16, 17 and 20.

10-743 Regardless of the standards required in 10-742, no Mobile Home; House Trailer; or Mobile Home lot, tract, plot, or stand shall be placed, located or erected nearer than fifty (50) feet to any Mobile Home District boundary line.

10-744 No carport, garage, storage building, office or caretaker's dwelling, laundry house or other permitted structure may be located nearer than fifty (50) feet to any boundary line of the MH District nor shall any such structure be located nearer than ten (10) feet to any side line of a plot, lot, tract or stand, except that such structure may be located within three (3) feet of the side or rear line of a plot, lot, tract or stand when such structures are located within the rear twenty-five (25) percent of the trailer lot, plot or tract.

10-750 SPECIAL DEVELOPMENT STANDARDS

10-751 Each Mobile Home or House Trailer Park, court or subdivision shall meet the standards specified in this subsection.

10-752 Provide sanitation, fire protection, and utility service to each lot, tract, plot or stand in accordance with the City of Dallas Health Department requirements or any ordinance or code of the City of Dallas regulating sanitation, fire protection and utility service to mobile home or house trailer developments.

10-753 Provide ingress and egress to the property in accordance with the requirements of the City of Dallas Traffic Control Department.

10-754 Provide open playground space within the park or court at a ratio of five hundred (500) square feet for each of the first twenty (20) units provided and at a ratio of two hundred fifty (250) square feet for all additional unit spaces provided.

10-755 Provide street and drive surfacing, drainage and garbage collection rights-of-way, fire lanes and utility easements as required by the City of Dallas.

10-756 Provide and maintain a permanent fence of the steel chain link type or equivalent or better, not less than five (5) feet in height completely around the rear and all sides of the mobile home or house trailer, park, court or subdivison subdivision not exposed to a dedicated street or highway.

10-800 COMMUNITY UNIT DEVELOPMENT

10-801 To encourage reasonable flexibility of design and arrangement in the organization and development of residential communities and neighborhoods, provisions are made herein for the approval of Community Unit Developments in accordance with the following standards.

10-810 TYPES OF COMMUNITY UNIT DEVELOPMENT

10-811 Two types of Community Unit Development may be approved as follows:

a. Community Unit Development with Conforming Housing wherein the types of dwelling structures conform to those permitted in the district in which the Community Unit is located.

b. Community Unit Development with Variable Housing wherein the types of dwelling structures may vary from those permitted in the district in which the Community Unit is located such as apartments or town houses in a single-family residence district.

10-820 PROCEDURE FOR APPROVAL OF A COMMUNITY UNIT DEVELOPMENT

10-821 Where a Community Unit Development includes only conforming types of housing, the development may be approved by the City Plan Commission as a subdivision or as a site plan, in accordance with Section 25.

10-822 Where a Community Unit Development includes variable housing, the approval of the development shall be by Specific Use Permit in accordance with the requirements of 10-900. Such Specific Use Permit shall specify appropriate standards by reference to a particular zoning district.

10-830 STANDARDS FOR APPROVAL OF A COMMUNITY UNIT DEVELOPMENT

10-831 The overall density in square feet of site area per dwelling unit or room shall conform to the density prescribed for the district in which the Community Unit Development is located or in the case of variable housing to the district referred to by the Specific Use Permit.

or site

10-832 The minimum lot depth, lot width and lot/area per dwelling unit or room may be reduced not to exceed twenty-five percent (25%) from the standards prescribed for the district in which the Community Unit Development is located or as established in the Specific Use Permit provided permanent community open space sufficient to compensate for the reduced individual lot or site sizes and to meet the overall density requirement of the district is incorporated in the development.

10-833 The nature and method of establishing the permanent open space provided in a Community Unit Development such as park and playground sites, wider than required streets and alleys, community center, parkway, golf course or water area shall be subject to approval by the City Council after recommendation by the City Plan Commission.

10-834 The minimum front, side and rear yard and building spacing standards prescribed for dwelling structures in the district in which the Community Unit Development is located or which are referred to in the Specific Use Permit shall be observed.

10-900 SPECIFIC USE PERMITS

10-901 The City Council may, after public hearing and recommendation by the City Plan Commission, and after conducting a public hearing as is required for all amendments to the zoning ordinance in accordance with the provisions of Section 32, authorize for specific parcels of land the issuance of a Specific Use Permit in accordance with the provisions of the use schedule, 10-200, in those districts where it is indicated that a Specific Use Permit for a specific type use may be approved.

10-902 The designation of a Specific Use Permit as possible on the use schedule, 10-200, in a given district does not constitute an authorization or an assurance that such use will be permitted. Rather, each Specific Use Permit application shall be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate.

10-910 CONDITIONS FOR APPROVAL OF A SPECIFIC USE PERMIT

10-911 In considering and determining its recommendation to the City Council relative to any application for a Specific Use Permit, the City Plan Commission may require that the applicant furnish plans and data concerning the operation, location, function and characteristics of any use of land or building proposed.

10-912 The City Plan Commission may recommend to the City Council that certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangement, location or construction of buildings and uses and operation be required.

10-913 The City Council may in the interest of the public welfare and to assure compliance with the intent of this ordinance, require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole.

10-914 A site plan setting forth the conditions specified may be required of the applicant and such plan when accepted shall be made part of the amending ordinance.

10-915 A Specific Use Permit approved under the provisions of this ordinance shall be considered as an amendment to the zoning ordinance as applicable to the property involved. Any of the conditions contained in a Specific Use Permit shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be considered as conditions precedent to the granting of a certificate of occupancy and compliance for the specific use provided for.

10-1000 LIMITED USE

10-1001 Limited use as indicated herein applies to certain service and retail uses, indicated by symbol on the use schedule, 10-200, which are permitted in certain districts as shown and which are to be contained entirely within the main building, do not have an exterior access except through the general building entrances and which has no exterior advertising or signs. Such uses are secondary to the main use and for service to the occupants of the building.

10-1100 FLOOD PLAIN PREFIX TO DISTRICT DESIGNATION

10-1101 To provide for the appropriate use of land which has a history of inundation or is determined to be subject to flood hazard and to promote the health, safety and general welfare of the community, portions of certain districts are designated with a Flood Plain Prefix "FP" and shall be subject to the following provisions:

10-1110 USES PERMITTED

10-1111 The following uses shall be permitted within that portion of a district designated with a Flood Plain "FP" Prefix:

a. Agricultural activities including the ordinary cultivation of land or legal forms of animal husbandry.

b. Off-street parking incidential to any adjacent main use.

c. Electrical substation..

d. All types of local utilities.

e. Parks, community centers, playgrounds, public golf courses.

f. Private commercial open area amusements such as golf courses, driving ranges, archery courses and similar uses when approved by Specifi: Use Permit as provided by 10-900.

g. Private open space as part of cCommunity Unit Development.

h. Helistop when approved by Specific Use Permit as provided in 10-900.

10-1112 No permanent building or structure shall be erected in that portion of a district designated with a Flood Plain "FP" Prefix until and unless such structure has been approved by the Director of Public Works who will ascertain that such building or structure would not constitute an encroachment hazard or obstacle to the movement of flood waters and that such construction would not endanger the public health and welfare or value and safety of the property.

10-1113 Any dump, excavation, storage or filling operation within that portion of a district having a Flood Plain "FP" Prefix shall be approved in writing by the Director of Public Works before such operation is begun except that such approval shall not be required for the improvement or repair of levees or drainage facilities related thereto when such are located within a legally constituted district charged with such responsibility.

10-1120 CHANGES IN THE FLOOD PLAIN PREFIX DESIGNATION

10-1121 An area may be removed from the Flood Plain Prefix designation when, by the provision of drainage works, grading, flood protection or specific drainage study, it is determined by the Director of Public Works that the flood hazard has been alleviated. Removal of the Flood Plain Prefix shall be accomplished by written notification by the Director of Public Works to the Director of Planning setting forth the description of the area from which the Flood Plain "FP" Prefix should be removed.

10-1130 RESPONSIBILITY FOR FLOODING

10-1131 The fact that land or property is or is not within a district having a Flood Plain Prefix shall not constitute assurance that such land or property is not subject to local flooding and the designation of the Flood Plain Prefix in this ordinance shall not be so interpreted.

10-1200 TEMPORARY FIELD OFFICES

Temporary field or construction offices and temporary building material storage areas to be used solely for construction purposes in connection with the property on which they are erected may be permitted for specific periods of time when approved by the Building Inspector by issuance of a permit. Such temporary uses shall be discontinued by the order of the Building Inspector and in no event shall such temporary uses continue to exist on the premises after the construction for which they were erected is completed.

10-1300 CLASSIFICATION OF NEW AND UNLISTED USES

10-1301 It is recognized that new types of land use will develop and that forms of land use not anticipated will seek to locate in the City of Dallas. In order to provide for such changes and contingencies a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

a. All questions concerning the classification of new or unlisted uses shall be referred to the City Planning Commission for an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature

thereof, enclosed or open storage, anticipated employment, transportation requirements, nature and time of occupancy or operation of the premises, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated and the requirements for public utilities such as sanitary sewer and water.

b. The City Plan Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use should be permitted.

c. The City Plan Commission shall transmit its findings and recommendation as to the classification of any new or unlisted use to the City Council who may by resolution approve the recommendation of the City Plan Commission or make such determination concerning the classification of such use as it determines appropriate.

d. A revised use list including all additions made to the uses permitted in the several zoning classifications shall be published periodically.

10-1400 USE CONVERSION OF EXISTING BUILDING

10-1401 No building or portion thereof designed and constructed as a residential building shall be changed to an office, retail or business use of any type similar to those listed in 10-206 through 10-215.

10-1500 LIQUOR SALE AND CONSUMPTION

10-1501 To provide for the appropriate use of land in the vicinity of residential neighborhoods, portions of the MF-3, MF-4, PD, O, NS, SC, GR, and LC Districts may be designated by the suffix "D". No person, firm, or organization may sell or serve alcoholic beverages for either on or off-premises consumption nor shall set-ups be sold or served for mixing with alcoholic beverages for on-premises consumption in any apartment use, store, restaurant, private club or night club located within that portion of a zoning district designated by the suffix "D". Such suffix may be added to or removed from the zoning district map only after public hearings in accordance with the procedure established for amending this ordinance.

SECTION 11
MINIMUM LOT AREA FOR RESIDENTIAL USE

11-100 EXCEPT AS HEREINAFTER PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED, ALTERED OR CONVERTED FOR ANY RESIDENTIAL USE PERMITTED IN THE DISTRICT IN WHICH IT IS LOCATED UNLESS IT IS IN CONFORMITY WITH THE MINIMUM REGULATIONS FOR LOT AREA AS SPECIFIED IN THE FOLLOWING SCHEDULES AND PROVISIONS.

11-200 SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-11 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT*	MF-2 MULTIPLE FAMILY DWELLING DISTRICT*	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
LOT AREA REQUIRED FOR ONE FAMILY DETACHED DWELLING IN SQUARE FEET	1 ACRE	1/2 ACRE	16,000	13,000	10,000	7,500	5,000	6,000	5,000	6,000	5,000	5,000	5,000		1 ACRE
LOT AREA REQUIRED FOR ONE FAMILY ATTACHED DWELLING IN SQUARE FEET								4,000	3,000	3,000	1,800	1,800	1,800		
LOT AREA REQUIRED FOR TWO FAMILY DWELLING IN SQ. FT. PER DWELLING UNIT								4,000	3,000	3,000	3,000	2,500	2,500		
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQ. FT. PER BEDROOM IN UNIT STRUCTURES THREE STORIES OR LESS IN HEIGHT															
a. NO SEPARATE BEDROOM										1,000	800	800	800		
b. ONE BEDROOM										1,400	1,000	1,000	1,000		
c. TWO BEDROOMS										1,800	1,200	1,200	1,200		
d. MORE THAN TWO BEDROOMS										1,800 PLUS 200 SQ. FT. FOR EACH BEDROOM OVER 2	1,200 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER TWO				

11-200 SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS (Continued)

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-1B SINGLE FAMILY DWELLING DISTRICT	R-1L SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQUARE FEET PER BEDROOM IN UNIT STRUCTURES OVER THREE STORIES IN HEIGHT															
a. NO SEPARATE BEDROOM												100	90		
b. ONE BEDROOM												125	65		
c. TWO BEDROOMS												150	75		
d. MORE THAN TWO BEDROOMS												150 PLUS 25 SQ. FT. FOR EACH BEDROOM OVER 2	75 PLUS 10 SQ. FT. FOR EACH BEDROOM OVER 2		
LOT AREA REQUIRED FOR TRAILER OR MOBILE HOME IN SQ. FT., PER UNIT															
a. TRANSIENT STAND														1,500	
b. SUBDIVIDED LOT														4,000	

11-300 SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
LOT AREA REQUIRED FOR ONE FAMILY DETACHED DWELLING IN SQUARE FEET	5,000		6,000	6,000	6,000	6,000	6,000	NONE	5,000	5,000					
LOT AREA REQUIRED FOR ONE FAMILY ATTACHED DWELLING IN SQUARE FEET	1,800		1,800	1,800	1,800	1,800	1,800	NONE	1,800	1,800					

SCHEDULE OF MINIMUM LOT AREAS FOR RESIDENTIAL USE - NONRESIDENTIAL DISTRICTS (Continued)

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
LOT AREA REQUIRED FOR TWO FAMILY DWELLING IN SQUARE FEET PER DWELLING UNIT	2,500		3,000	3,000	3,000	3,000	3,000	NONE	2,500	2,500					
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQ. FT. PER BEDROOM IN UNIT STRUCTURE THREE STORIES OR LESS IN HEIGHT															
a. NO SEPARATE BEDROOM	800		800	1,000	800	800	800	NONE	800	800	800	800			
b. ONE BEDROOM	1,000		1,000	1,400	1,000	1,000	1,000	NONE	1,000	1,000	1,000	1,000			
c. TWO BEDROOMS	1,200		1,200	1,800	1,200	1,200	1,200	NONE	1,200	1,200	1,200	1,200			
d. MORE THAN TWO BEDROOMS	1,300 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2		1,300 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2	1,800 PLUS 200 SQ. FT. FOR EACH BEDROOM OVER 2	1,200 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2			NONE	1200 PLUS 150 SQ. FT. FOR EACH BEDROOM OVER 2						
LOT AREA REQUIRED FOR MULTIPLE FAMILY DWELLING IN SQ. FT. PER BEDROOM IN UNIT STRUCTURES OVER THREE STORIES IN HEIGHT															
a. NO SEPARATE BEDROOM	100		100		100	100	100	NONE	50	100	100	100			
b. ONE BEDROOM	125		125		125	125	125	NONE	65	125	125	125			
c. TWO BEDROOMS	150		150		150	150	150	NONE	75	150	150	150			
d. MORE THAN TWO BEDROOMS	150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2		150 PLUS 25 SQ. FT FOR EACH BEDROOM OVER 2		150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2	150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2	150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2	NONE	75 PLUS 10 SQ.FT. FOR EACH BEDROOM OVER 2	← 150 PLUS 25 SQ.FT. FOR EACH BEDROOM OVER 2 →					
LOT AREA REQUIRED FOR TRAILER OR MOBILE HOME IN SQUARE FEET PER UNIT															
a. TRANSIENT STAND							1,500			1,500		1,500			
b. SUBDIVIDED LOT							4,000			4,000		4,000			

11-400 GENERAL PROVISIONS

11-401 A lot having less area than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling.

11-402 No lot existing at the time of passage of this ordinance shall be reduced in area below the minimum requirements set forth herein except when such lot is replatted for a Community Unit Development in accordance with the provisions of 10-800.

11-403 A lot of record reduced in size to less than herein required by reason of the widening of an abutting street by the City of Dallas or other governmental agency may be used for a one-family dwelling. In such instances, the minimum lot area requirements shall be computed on the basis of the original lot size prior to the street widening.

11-500 SPECIAL LOT AREA PROVISIONS

11-501 The minimum lot area per dwelling unit or room may be varied in a Community Unit Development approved in accordance with the standards prescribed in 10-800.

SECTION 12
MINIMUM LOT WIDTH FOR RESIDENTIAL USE

12-100 EXCEPT AS HEREINAFTER PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED, ALTERED OR CONVERTED FOR ANY RESIDENTIAL USE PERMITTED IN THE DISTRICT IN WHICH IT IS LOCATED UNLESS IT IS IN CONFORMITY WITH THE MINIMUM REGULATIONS FOR LOT WIDTH AS SPECIFIED IN THE FOLLOWING SCHEDULES AND PROVISIONS.

12-200 SCHEDULE OF MINIMUM LOT WIDTHS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
	MINIMUM LOT WIDTH IN FEET														
ONE-FAMILY DETACHED DWELLING	125	110	100	85	70	55	50	60	50	50	50	50	50		200
ONE-FAMILY ATTACHED DWELLING								30	20	25	18	18	18		
TWO-FAMILY DWELLING								60	50	50	50	50	50		
MULTIPLE FAMILY DWELLING THREE STORIES OR LESS IN HEIGHT										60	50	50	50		
MULTIPLE FAMILY DWELLING OVER THREE STORIES IN HEIGHT												100	100		
TRAILER OR MOBILE HOME a. TRANSIENT STAND														30	
b. SUBDIVIDED LOT														40	

12-300 SCHEDULE OF MINIMUM LOT WIDTHS FOR RESIDENTIAL USE - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
	MINIMUM LOT WIDTH IN FEET														
ONE-FAMILY DETACHED DWELLING	30		50	60	50	50	50	50	50	50					
ONE-FAMILY ATTACHED DWELLING	18		18	18	18	18	18	18	18	18					
TWO-FAMILY DWELLING	50		50	50	50	50	50	50	50	50					
MULTIPLE-FAMILY DWELLING, THREE STORIES OR LESS IN HEIGHT	50		60	60	60	50	50	50	50	50	60	60			
MULTIPLE-FAMILY DWELLING OVER THREE STORIES IN HEIGHT	100		100		100	100	100	100	100	100	100	100			
TRAILER OR MOBILE HOME a. TRANSIENT STAND							30			30		30			
b. SUBDIVIDED LOT							40			40		40			

12-400 GENERAL PROVISIONS

12-401 A lot having less width than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling, but must comply with all other provisions of this ordinance.

12-402 No lot existing at the time of passage of this ordinance shall be reduced in width below the minimum set forth herein except when such lot is replatted for a Community Unit Development in accordance with the provisions of 10-800.

12-403 A lot of record reduced in size to less than herein required by reason of the widening of an abutting street by the City of Dallas or other governmental agency may be used for dwelling purposes. In such instances the minimum lot width requirements shall be computed on the basis of the original lot size prior to widening.

12-500 SPECIAL LOT WIDTH PROVISIONS

12-501 The minimum lot width for residential use may be varied in a Community Unit Development approved in accordance with the standards prescribed in 10-800.

SECTION 13
MINIMUM LOT DEPTH FOR RESIDENTIAL USE

13-100 EXCEPT AS HEREINAFTER PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED, ALTERED OR CONVERTED FOR ANY RESIDENTIAL USE PERMITTED IN THE DISTRICT IN WHICH IT IS LOCATED UNLESS IT IS IN CONFORMITY WITH THE MINIMUM REGULATIONS FOR LOT DEPTH AS SPECIFIED IN THE FOLLOWING SCHEDULES AND PROVISIONS.

13-200 SCHEDULE OF MINIMUM LOT DEPTHS FOR RESIDENTIAL USE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MINIMUM LOT DEPTH IN FEET FOR RESIDENTIAL USES	130	130	130	100	100	100	100	100	100	120	100	100	100		200
MINIMUM LOT DEPTH IN FEET FOR TRAILER OR MOBILE HOME a. TRANSIENT STAND														90	
b. SUBDIVIDED LOT														80	

13-300 SCHEDULE OF MINIMUM LOT DEPTHS FOR RESIDENTIAL USES - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM LOT DEPTH IN FEET FOR RESIDENTIAL USES	100		100	100	100	100	100	100	100	100	100	100			
MINIMUM LOT DEPTH IN FEET FOR TRAILER OR MOBILE HOME a. TRANSIENT STAND							90			90		90			
b. SUBDIVIDED LOT							80			80		80			

13-400 GENERAL PROVISIONS

13-401 A lot having less depth than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling.

13-402 No lot existing at the time of passage of this ordinance shall be reduced in depth below the minimum set forth herein except when such lot is replatted for Community Unit Development in accordance with the provisions of 10-800.

13-403 A lot of record reduced in size to less than herein required by reason of the widening of an abutting street by the City of Dallas or other governmental agency may be used for dwelling purposes. In such instances, the minimum lot depth requirements shall be computed on the original lot size prior to the street widening.

13-500 SPECIAL LOT DEPTH PROVISIONS

13-501 The minimum lot depth may be varied in a Community Unit Development approved in accordance with the standards prescribed in 10-800.

SECTION 14
MINIMUM FRONT YARD

14-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO HAVE A SMALLER FRONT YARD THAN SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

14-200 SCHEDULE OF MINIMUM FRONT YARDS - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-11 SINGLE FAMILY DWELLING DISTRICT*	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2* TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MINIMUM FRONT YARD IN FEET FOR RESIDENTIAL USE EXCEPT AS HEREINAFTER PROVIDED	40	40	35	30	30	25	20	25	20	25 SEE 14-521	25 SEE 14-521	15 SEE 14-522 14-407	NONE SEE 14-523 14-524 14-407	SEE 14-406	50
MINIMUM FRONT YARD IN FEET FOR NONRESIDENTIAL USES	40 SEE 14-531	40 SEE 14-531	35 SEE 14-531	30 SEE 14-531	30 SEE 14-531	25 SEE 14-531	20 SEE 14-531	25 SEE 14-531	20 SEE 14-531	25 SEE 14-531	25 SEE 14-531	15 SEE 14-531 14-407	NONE SEE 14-531 14-407	25 SEE 14-531	50 SEE 14-531

14-300 SCHEDULE OF MINIMUM FRONT YARDS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM FRONT YARD IN FEET FOR RESIDENTIAL USES EXCEPT AS HEREINAFTER PROVIDED	SEE 14-612		25 SEE 14-407	25	30 SEE 14-407	25 SEE 14-407	25 SEE 14-406 14-407	NONE SEE 14-611 14-621 14-622 14-407	NONE SEE 14-611 14-621 14-622 14-407	25 SEE 14-406 14-407	25 SEE 14-407	15 SEE 14-406 14-407			
MINIMUM FRONT YARD IN FEET FOR NONRESIDENTIAL USES EXCEPT AS HEREINAFTER PROVIDED	SEE 14-612	20	25 SEE 14-407	25 SEE 14-407	SEE 14-431 14-407 14-632	25 SEE 14-407 14-632	25 SEE 14-407 14-632	NONE SEE 14-611 14-407	NONE SEE 14-611 14-407	NONE SEE 14-407 14-632	25 SEE 14-407 14-632	NONE SEE 14-407	NONE SEE 14-407		

14-400 GENERAL PROVISIONS

14-401 The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace, accessory building, or any supporting structure. Eaves and roof extensions may project into the required front yard for a distance not to exceed four (4) feet and ordinary projections of window sills; belt courses, cornices, and other architectural features may project not to exceed twelve (12) inches. Surface and subsurface structures may not project into the front yard to a height greater than forty (40) inches.

14-402 Where a minimum building line is shown on a plat recorded with the County Clerk of Dallas County after January 1, 1951, and such building line provides a front yard of twenty (20) feet or more in depth and is part of a plan for the orderly development of a subdivision either with a uniform or staggered building line, the building line so shown shall be interpreted as establishing the minimum front yard requirements for the lots in the subdivision.

14-403 Where a building line has been established by ordinance and such line requires a greater or lesser front yard setback than is prescribed by this ordinance for the district in which the building line is located, the minimum required front yard shall comply with the building line so established by such ordinance.

14-404 Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line has been established along one frontage on the plat or by separate ordinance, in which event only one required front yard need be observed and the building line shall apply on the second frontage as designated by plat or separate ordinance.

14-405 Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.

14-406 In the MH, LC, HC and I-2 Districts, no mobile home or house trailer shall be placed, located or erected nearer than thirty (30) feet to any dedicated street or highway right-of-way nor shall any such mobile home or house trailer unit be located nearer than twenty (20) feet to any private drive used for access, circulation or service to the plot, lot or tract or stand upon which a mobile home or house trailer is located.

14-407 In all districts where buildings are erected or altered to exceed three (3) stories in height, and where such buildings are adjacent to a single-family or two-family district, a minimum front yard shall be provided for all parts of as specified in 14-200 and 14-300. However, the minimum front yard shall be increased for hall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to twice the total height of the building and shall be measured from the centerline of the street.

14-500 SPECIAL FRONT YARD PROVISIONS - RESIDENTIAL DISTRICTS

14-510 GENERAL

14-511 If buildings along the frontage of any street between two intersecting streets in any residential district have observed an average setback which is greater or lesser in dimension than the minimum front yard or setback established for the district in which such street frontage is located, then the average setback of all buildings fronting upon such street between the two intersecting streets shall establish the minimum required front yard. All vacant lots shall be assumed to have the minimum front yard specified for the district in computing the average front yard. These provisions shall not be interpreted as requiring any building to observe a front yard of more than ten (10) feet greater than the setback on any contiguous lot nor shall these provisions be interpreted as requiring a setback or front yard greater than fifty (50) feet. These provisions shall not apply to a lot where a minimum building line has been established by plat or separate ordinance in conformance with 14-402 or 14-403.

14-520 RESIDENTIAL USES

14-521 In the MF-1 and MF-2 Districts, the minimum front yard shall be twenty-five (25) feet except where a circular or similar entrance drive is constructed across the lot in front of the main building, in which event a front yard of thirty-five (35) feet shall be provided and no vehicle parking spaces accessible from such drive shall be located closer to the front property line than twenty (20) feet.

14-522 In the MF-3 District (except as provided in 14-407), a minimum front yard of fifteen (15) feet shall be required provided, however, that the front yard shall be increased so that the distance from the centerline of the street on which a building fronts to the front face of the building shall not be less than one-half (1/2) the height of the building. Such distance need not exceed fifty (50) feet.

14-523 In the MF-4 District (except as provided in 14-407), no front yard is required for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls facing the street with no openings for light or air.

14-524 In the MF-4 District (except as provided in 14-407), a minimum front yard setback shall be required for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light, and air. Such setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the centerline of the street to the wall surface containing openings. No such setback need exceed fifty (50) feet.

14-530 NONRESIDENTIAL USES

14-531 Uses which are permitted to exceed the maximum height specified for the district in which they are located (See 18-401) shall provide a setback in addition to the required front yard for that portion of the building which exceeds the specified maximum height. Such additional setback shall be equal to one-half (1/2) the extra height of that portion of the building which exceeds the specified maximum height.

14-600 SPECIAL FRONT YARD PROVISIONS - NONRESIDENTIAL DISTRICTS

14-610 GENERAL

14-611 In the CA-1 and CA-2 Districts, that a minimum sidewalk space shall exist between the street curb and the first floor face of the building, either within the public right-of-way or on adjacent private property in accordance with the following regulations.

a. The minimum sidewalk provisions as herein specified shall apply to any and all sides of a building adjacent to a street.

b. No permanent building shall have a sidewalk surface adjacent to any street of less than ten (10) feet.

c. The sidewalk surface area provided in front of or around buildings shall be equal to the minimum average sidewalk widths specified by the following schedule times the total lineal feet of street frontage as measured at the property line.

For buildings having an FAR up to 8:1	A minimum sidewalk width of 10 feet
For buildings having a FAR from 8:1 to 10:1	A minimum average sidewalk width of 11 feet
For buildings having a FAR from 10:1 to 12:1	A minimum average sidewalk width of 12 feet
For buildings having a FAR from 12:1 to 14:1	A minimum average sidewalk width of 13 feet
For buildings having a FAR from 14:1 to 16:1	A minimum average sidewalk width of 14 feet
For buildings having a FAR from 16:1 to 18:1	A minimum average sidewalk width of 15 feet
For buildings having a FAR from 18:1 to 20:1	A minimum average sidewalk width of 16 feet

d. The required sidewalk may be provided by 1) the existing space between the street curb and the property line; 2) building setback; 3) cantilever construction with sidewalk setback at first floor level; or 4) sidewalk setback behind columns. Where columns are used, the minimum sidewalk clearance between the building face and any column shall be five (5) feet.

14-612 The minimum front yard requirements in a Planned Development District shall be established on the site plan in accordance with 10-600.

14-613 In nonresidential districts where buildings are erected or altered to exceed three (3) stories in height and where such buildings are adjacent to a MF-1 or MF-2 District, a minimum front yard shall be provided as specified in 14-300. However, the minimum front yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to one-half the total height of the building and shall be measured from the centerline of the street. In no case shall such setback exceed fifty (50) feet.

14-620 RESIDENTIAL USES

14-621 In the CA-1 and CA-2 Districts (except as provided in 14-407 and 14-613), no front yard is required for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls facing the street with no openings for light and air.

14-622 In the CA-1 and CA-2 Districts (except as provided in 14-407 and 14-613), a minimum front yard setback shall be required for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light, or air. Such setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the centerline of the street to the wall surface containing the openings. No such setback need exceed fifty (50) feet.

14-630 NONRESIDENTIAL USES

14-631 In the SC District (except as provided in 14-407 and 14-613), the front or rear of all buildings or parts thereof which are occupied by nonresidential uses shall provide a minimum front yard along all streets of sixty (60) feet. The ends of any such building shall set back a minimum distance of forty-five (45) feet from all streets. The face of all gasoline service stations, drive-in pick-up services, and similar drive-in uses shall be set back a minimum distance of forty-five (45) feet from all streets.

14-632 Gasoline service station pump island or station canopies in the SC, GR, LC, HC and I-1 Districts may not be located nearer than eighteen (18) feet to the front property line.

SECTION 15
MINIMUM SIDE YARD

15-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO HAVE A SMALLER SIDE YARD ON EITHER SIDE THAN SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

15-200 SCHEDULE OF MINIMUM SIDE YARDS - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
REQUIRED SIDE YARD ONE-FAMILY AND TWO-FAMILY DWELLINGS IN FEET, DETACHED	10% OF WIDTH OF LOT 10' MIN. 20' MAX.	10% OF WIDTH OF LOT 10' MIN. 20' MAX.	10% OF WIDTH OF LOT 10' MIN. 15' MAX.	10% OF WIDTH OF LOT 8' MIN. 12' MAX.	10% OF WIDTH OF LOT 6' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.	10% OF WIDTH OF LOT 5' MIN. 8' MAX.		10% OF WIDTH OF LOT 20' MIN. 30' MAX.
MINIMUM REQUIRED SIDE YARD ONE-FAMILY ATTACHED DWELLING								SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522		
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS THREE STORIES AND LESS IN HEIGHT										10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524		
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS OVER THREE STORIES IN HEIGHT												10 SEE 15-403 15-525 15-526	10 SEE 15-403 15-525 15-526		
MINIMUM REQUIRED SIDE YARD FOR MOBILE HOME OR TRAILER IN FEET														10 SEE 15-402	
MINIMUM REQUIRED SIDE YARD FOR USES UNDER 18-401	20 SEE 15-531	20 SEE 15-531	15 SEE 15-531	15 SEE 15-531	10 SEE 15-531	10 SEE 15-531	10 SEE 15-531	10 SEE 15-531	10 SEE 15-531	15 SEE 15-531	15 SEE 15-531	10	10	10 SEE 15-531	20 SEE 15-531
MINIMUM REQUIRED SIDE YARD FOR OTHER NONRESIDENTIAL MAIN BUILDING IN FEET	10% OF WIDTH OF LOT 20' MIN. - 30' MAX.											10	10	10	20

15-300 SCHEDULE OF MINIMUM SIDE YARDS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM REQUIRED SIDE YARD ONE-FAMILY AND TWO-FAMILY DWELLINGS IN FEET	SEE 15-611		10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.	10% OF WIDTH OF LOT 5' MIN. 10' MAX.					
MINIMUM REQUIRED SIDE YARD ONE-FAMILY ATTACHED DWELLING	SEE 15-611		SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522	SEE 15-522					
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS THREE STORIES AND LESS IN HEIGHT	SEE 15-611		10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524 15-623	10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524	10 SEE 15-523 15-524			
MINIMUM REQUIRED SIDE YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS OVER THREE STORIES IN HEIGHT	SEE 15-611		10 SEE 15-525 15-526		10 SEE 15-525 15-526 15-623	10 SEE 15-525 15-526	10 SEE 15-525 15-526	NONE SEE 15-623 15-624	NONE SEE 15-623 15-624	10 SEE 15-525 15-526	10 SEE 15-525 15-526	10 SEE 15-525 15-526			
MINIMUM REQUIRED SIDE YARD FOR MOBILE HOME OR TRAILER							10 SEE 15-402			10 SEE 15-402		10 SEE 15-402			
MINIMUM REQUIRED SIDE YARD FOR OTHER NONRESIDENTIAL MAIN BUILDING IN FEET	SEE 15-611	NONE SEE 15-632	10 SEE 15-631	NONE SEE 15-632 15-633	30 SEE 15-634	NONE SEE 15-632 15-633	NONE SEE 15-632 15-633	NONE	NONE	NONE SEE 15-632		NONE SEE 15-632	NONE SEE 15-633		

15-400 GENERAL PROVISIONS

15-401 Required side yards shall be open and unobstructed except for accessory buildings as permitted herein and fences which provide fire fighting access. Ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed three (3) feet into the required side yard are permitted.

15-402 In the MH, LC, HC and I-2 Districts, mobile home or house trailer within a mobile home or house trailer park, court or subdivision shall not be located nearer than ten (10) feet to the side line of any lot, plot, tract or stand, and the minimum space between adjacent mobile homes or house trailers shall be twenty (20) feet.

15-403 In all districts, where buildings are erected or altered to exceed three (3) stories in height, and where such buildings are adjacent to a single-family or two-family district, a minimum side yard shall be provided as specified in 15-200 and 15-300. However, the minimum side yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to twice the total height of the building and shall be measured from the property lines, or if a corner lot, from the centerline of the street.

15-500 SPECIAL SIDE YARD PROVISIONS - RESIDENTIAL DISTRICTS

15-510 GENERAL

15-511 On lots which were official lots of record prior to the effective date of this ordinance, the minimum side yard adjacent to a side street shall comply with the minimum required side yard for the respective districts as otherwise specified except that in no case shall a side yard adjacent to a side street be less than ten (10) feet.

15-520 RESIDENTIAL USES

15-521 On a corner lot used for one family or two family dwellings both street exposures shall be treated as front yards on all lots platted after the effective date of this ordinance, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the City Plan Commission containing a side yard of ten (10) feet or more or where a building line has been established by ordinance the building line provisions on the plat or in the ordinance shall be observed.

15-522 One family attached dwellings need not provide a side yard except that a minimum required side yard adjacent to a side street of ten (10) feet shall be provided. A minimum required side yard of five (5) feet shall be provided at the end of each one family attached dwelling complex so that the ends of any two adjacent building complexes shall be at least ten (10) feet apart. The required side yards for complexes of one family attached dwellings may be designated upon a plat approved by the City Plan Commission. A complex of attached one family dwellings shall have a minimum length of four (4) dwelling units and shall not exceed three hundred (300) feet in length.

15-523 On a corner lot a side yard adjacent to a street for a multiple family dwelling not exceeding three (3) stories in height shall not be less than fifteen (15) feet.

15-524 Multiple family dwellings not exceeding three (3) stories in height shall provide a minimum side yard of fifteen (15) feet between any building wall containing openings for light and air and any side lot line except as herein provided. Any building face or wall with openings for light and air parallel to the side lot line and not exceeding thirty-five (35) feet in length may provide a minimum side yard of ten (10) feet. Where the same building has more than

one wall face with openings for light and air adjacent to the same side lot line at least fifty percent (50%) of the length of such walls adjacent to the side lot line shall observe a minimum side yard of fifteen (15) feet, except that wall faces less than thirty-five (35) feet in length with openings for light and air which are separated by outer courts a minimum of thirty (30) feet in width and five (5) feet in depth, may provide a minimum side yard of ten (10) feet. Where a multiple family building wall contains no openings for windows, light or air a minimum side yard of ten (10) feet shall be provided between such wall and the side lot line regardless of the length of the building wall.

15-525 In the MF-3 and MF-4 Districts (except as provided in 15-403), a minimum side yard of ten (10) feet shall be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

15-526 In the MF-3 and MF-4 Districts (except as provided in 15-403), a minimum side yard shall be provided for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light and air. Such side yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line (or if a corner lot from the centerline of the street) to the wall surface containing openings. In providing the required side yard herein specified, one side yard may be reduced up to twenty percent (20%) from the dimension required, provided that the other side yard is increased a distance equal to the reduction in the other side yard.

15-530 NONRESIDENTIAL USES

15-531 Uses which are permitted to exceed the maximum height specified for the district in which they are located (See 18-401) shall provide a setback in addition to the required side yard for that portion of the building which exceeds the specified maximum height. Such additional side yard shall be equal to one-half (1/2) the extra height of that portion of the building which exceeds the specified maximum height.

15-600 SPECIAL SIDE YARD PROVISIONS - NONRESIDENTIAL DISTRICTS

15-610 GENERAL

15-611 The minimum side yard requirements in a Planned Development District shall be established on the site plan in accordance with 10-600.

15-612 In nonresidential districts where buildings are erected or altered to exceed three (3) stories in height and where such buildings are adjacent to a MF-1 or MF-2 District, a minimum side yard shall be provided as specified in 15-300. However, the minimum side yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line (or from the centerline of the street, if a corner lot). In no case shall such setback exceed fifty (50) feet.

15-620 RESIDENTIAL USES

15-621 In the O, NS, GR, LC, CA-1, CA-2 and HC Districts the minimum side yard requirements for single-family (attached and detailed), two-family, and multiple family buildings of three (3) stories or less shall be as specified in 15-300, 15-510 and 15-520.

15-622 In the O, GR, LC, HC, I-1, and I-2 Districts, the minimum side yard requirements for multiple family buildings over three (3) stories in height shall be as specified in 15-525 and 15-526.

15-623 In the SC District, the minimum side yard requirements for residential buildings shall be as specified in 15-300, 15-510 and 15-520, but where such buildings are adjacent to a single-family or two-family district a minimum side yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line (or if a corner lot from the centerline of the street) a distance equal to twice the total height of the building.

15-624 In the CA-1 and CA-2 Districts (except as provided in 15-403 and 15-612), no side yard needs to be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

15-625 In the CA-1 and CA-2 Districts (except as provided in 15-403 and 15-612), a minimum side yard shall be provided for buildings or parts thereof which are occupied by residential uses and which have walls with openings for access, light and air. Such side yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line (or if a corner lot from the centerline of the street) to the wall surface containing openings. In providing the required side yard herein specified, one side yard may be reduced up to twenty percent (20%) from the dimension required provided the other side yard is increased a distance equal to the reduction in the other side yard.

15-630 NONRESIDENTIAL USES

15-631 In the O District (except as provided in 15-403 and 15-612), a minimum side yard of ten (10) feet shall be provided. However, the minimum side yard shall be increased for the parts of the building over twenty (20) feet in height and which have walls with openings for light and air. Such side yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line to the wall surface containing openings. In no case need a side yard exceed fifty (50) feet. A minimum side yard of fifteen (15) feet shall be provided for the parts of the building over twenty (20) feet in height where the wall does not contain openings for light and air.

15-632 No side yard is specified for nonresidential use in the P, NS, GR, LC, HC, I-2 and I-3 Districts except where a commercial, retail or industrial or other nonresidential use abuts upon a district boundary line dividing such districts from a residential district in which event a minimum ten (10) foot side yard shall be provided on the side adjacent to such residential district and such side yard shall be increased as provided in 15-403 and 15-612.

15-633 On a corner lot in the P, NS, GR and LC Districts, a minimum side yard of ten (10) feet shall be provided on the side street.

15-634 In the SC District, a minimum side yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line (or if a corner lot from the centerline of the street) a distance equal to twice the total height of the building.

SECTION 16
MINIMUM REAR YARD

16-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO HAVE A SMALLER REAR YARD THAN SET FORTH IN THE FOLFOWING SCHEDULES AND PROVISIONS.

16-200 SCHEDULE OF MINIMUM REAR YARDS - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MINIMUM REAR YARD IN FEET FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS	20	20	20	15	15	15	10	10	10	10	10	10	10		30
	SEE SPECIAL REAR YARD COVERAGE STANDARDS 17-402														
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS NOT EXCEEDING THREE STORIES IN HEIGHT										15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511		
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS EXCEEDING THREE STORIES IN HEIGHT												25 SEE 16-512 16-513 16-514	NONE SEE 16-512 16-513 16-514		
MINIMUM REAR YARD IN FEET FOR MOBILE HOME OR HOUSE TRAILER														10	
MINIMUM REQUIRED REAR YARD FOR USES UNDER 16-401	20 SEE 16-521	20 SEE 16-521	30 SEE 16-521	15 SEE 16-521	15 SEE 16-521	15 SEE 16-521	10 SEE 16-521	10 SEE 16-521	10 SEE 16-521	15 SEE 16-521	15 SEE 16-521	25	NONE	10 SEE 16-521	30 SEE 16-521
MINIMUM REAR YARD IN FEET FOR OTHER NONRESIDENTIAL USES	30	30	30	35	35	35	35	35	35	35	35	35	NONE	10	30

16-300 SCHEDULE OF MINIMUM REAR YARDS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	G* GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MINIMUM REAR YARD IN FEET FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS	SEE 16-611		10	10	10	10	10	10	10	10	10	10			
	SEE SPECIAL REAR YARD COVERAGE STANDARDS 17-402														
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS NOT EXCEEDING THREE STORIES IN HEIGHT	SEE 16-611		15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511	15 SEE 16-511			
MINIMUM REAR YARD IN FEET FOR MULTIPLE-FAMILY DWELLINGS EXCEEDING THREE STORIES IN HEIGHT	SEE 16-611		25 SEE 16-512 16-514		25 SEE 16-512 16-514	25 SEE 16-512 16-514	25 SEE 16-512 16-514	NONE SEE 16-624 16-625	NONE SEE 16-624 16-625	25 SEE 16-512 16-514	25 SEE 16-512 16-514	25 SEE 16-512 16-514			
MINIMUM REAR YARD IN FEET MOBILE HOME OR HOUSE TRAILER							10			10		10			
MINIMUM REAR YARD IN FEET NONRESIDENTIAL USES	SEE 16-611	NONE SEE 16-632	10 SEE 16-631	NONE SEE 16-633	20 SEE 16-634	NONE SEE 16-633	NONE SEE 16-633	NONE	NONE	NONE SEE 16-633	NONE SEE 16-633	NONE SEE 16-633	NONE SEE 16-633		

16-400 GENERAL PROVISIONS

16-401 Required rear yards shall be open and unobstructed except for accessory buildings as permitted herein and fences which provide fire fighting access. Ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required rear yard, and roof eaves projecting not to exceed three (3) feet into the required rear yard are permitted.

16-402 In all districts where buildings are erected or altered to exceed three (3) stories in height, and where such buildings are adjacent to a single-family or two-family district, a minimum rear yard shall be provided as specified in 16-200 and 16-300. However, the minimum rear yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to twice the total height of the building and shall be measured from the property line.

16-500 SPECIAL REAR YARD PROVISIONS - RESIDENTIAL DISTRICTS

16-510 RESIDENTIAL USES

16-511 In the MF-1, MF-2, MF-3, and MF-4 Districts, multiple family dwellings not exceeding three (3) stories in height shall provide a rear yard of fifteen (15) feet when an alley exists adjacent thereto. When no alley exists adjacent thereto a rear yard of twenty-five (25) feet shall be provided.

16-512 In the MF-3 District (except as provided in 16-402), a minimum rear yard of twenty-five (25) feet shall be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

16-513 In the MF-4 District (except as provided in 16-402), no rear yard need be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

16-514 In the MF-3 and MF-4 Districts (except as provided in 16-402), a minimum rear yard shall be provided as specified in 16-200 for buildings or parts thereof which are occupied by residential uses and which have openings for access, light and air. Such rear yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the rear property line to the wall surface containing the openings. In providing the required rear yard as herein specified, the rear yard may be reduced up to twenty percent (20%) from the dimension required, provided that the front yard is increased a distance equal to the rear yard reduction.

16-520 NONRESIDENTIAL USES

16-521 Uses which are permitted to exceed the maximum height specified for the district in which they are located (See 18-401) shall provide a setback in addition to the required rear yard for that portion of the building which exceeds the specified maximum height. Such additional rear yard shall be equal to one-half (1/2) the extra height of that portion of the building which exceeds the specified maximum height.

16-600 SPECIAL REAR YARD PROVISIONS - NONRESIDENTIAL DISTRICTS

16-610 GENERAL

16-611 The minimum rear yard in a Planned Development District shall be established on the site plan in accordance with 15-203.

16-612 In nonresidential districts where buildings are erected or altered to exceed three (3) stories in height and where such buildings are adjacent to a MF-1 or MF-2 District, a minimum rear yard shall be provided as specified in 16-300. However, the minimum rear yard shall be increased for the parts of the building over thirty (30) feet in height. Such additional setback shall be equal to one-half (1/2) the total height of the building and shall be measured from the rear property line. In no case shall such setback exceed fifty (50) feet.

16-620 RESIDENTIAL USES

16-621 In the O, NS, GR, LC, CA-1, CA-2, HC, I-1 and I-2 Districts, the minimum rear yard requirements for multiple family buildings of three (3) stories or less shall be as specified in 16-300 and 16-511.

16-622 In the O, GR, LC, HC, I-1 and I-2 Districts, the minimum rear yard requirements for multiple family buildings over three (3) stories in height shall be as specified in 16-512 and 16-514.

16-623 In the SC District, the minimum rear yard requirement for residential buildings shall be as specified in 16-300, 16-511, 16-512 and 16-514, but where such buildings are adjacent to a single-family or two-family district, a minimum rear yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line a distance equal to twice the total height of the building.

16-624 In the CA-1 and CA-2 Districts (except as provided in 16-402 and 16-612), no rear yard needs to be provided for buildings or parts thereof which are occupied by residential uses and which have solid or blank walls with no openings for light and air.

16-625 In the CA-1 and CA-2 Districts (except as provided in 16-402 and 16-612), a minimum rear yard shall be provided for buildings or parts thereof which are occupied by residential uses and which have wall with openings for light and air. Such rear yard shall be equal to one-half (1/2) the total height of the building and shall be measured from the property line to the wall surface containing the openings. In providing the required rear yard herein specified, the rear yard may be reduced up to twenty percent (20%) from the dimension specified, provided the front yard is increased a distance equal to the rear yard reduction.

16-630 NONRESIDENTIAL USES

16-631 In the O District (except as provided in 16-402 and 16-612), a minimum rear yard of ten (10) feet shall be provided for buildings three (3) stories or less in height. For buildings over three (3) stories in height, a minimum rear yard of twenty-five (25) feet shall be provided where the rear wall contains no openings for light or air. Where openings are provided the minimum rear yard shall be equal to one-half (1/2) the total height of the building but in no case shall it be less than twenty-five (25) feet.

16-632 In the P District (except as provided in 16-402 and 16-612), no rear yard shall be required except that where such parking structure rears upon a district boundary line separating a P District from any residential district such parking structure shall be setback a minimum distance of ten (10) feet from the rear property line.

16-633 In the NS, GR, LC, HC, I-1, I-2 and I-3 Districts, no rear yard is specified except that where retail, commercial, industrial or other nonresidential uses back or rear upon a common district boundary line whether separated by an alley or not dividing the listed districts from any residential district, a minimum rear yard of ten (10) feet shall be provided by the nonresidential use and such rear yard shall be increased as provided in 16-402 and 16-612.

16-634 In the SC District, a minimum rear yard of twenty (20) feet shall be provided and all parts of a building shall be setback from the property line a distance equal to twice the total height of the building.

MAXIMUM LOT COVERAGE

17-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED SO AS TO COVER A GREATER PERCENTAGE OF THE LOT THAN SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

17-200 SCHEDULE OF MAXIMUM LOT OR SITE COVERAGE - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1-2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-11 SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY MAIN BUILDING AND ACCESSORY BUILDINGS FOR RESIDENTIAL USE	30% SEE 17-400	30% SEE 17-400	30% SEE 17-400	35% SEE 17-400	35% SEE 17-400	35% SEE 17-400	35% SEE 17-400	35% SEE 17-400	40% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	100% SEE 17-400	30% SEE 17-400	10% SEE 17-400
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY NON-RESIDENTIAL BUILDINGS	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	25% SEE 17-400	50% SEE 17-400	50% SEE 17-400	100% SEE 17-400	25% SEE 17-400	25% SEE 17-400

17-300 SCHEDULE OF MAXIMUM LOT OR SITE COVERAGE - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY MAIN BUILDING AND ACCESSORY BUILDINGS FOR RESIDENTIAL USE	SEE 17-400		60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400	100% SEE 17-400	100% SEE 17-400	60% SEE 17-400	60% SEE 17-400	60% SEE 17-400			
MAXIMUM PERCENT OF LOT AREA WHICH MAY BE COVERED BY NON-RESIDENTIAL BUILDINGS	SEE 17-400	100%	40% SEE 17-400	40% SEE 17-400	40% SEE 17-400	40% SEE 17-400	40% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400	100% SEE 17-400		

17-400 GENERAL PROVISIONS

17-401 The maximum percentage of any lot or building site which may be covered by a main building and all accessory buildings shall not exceed the standards specified in 17-200 and 17-300.

17-402 In all districts permitting one-family and two-family dwellings, such dwelling structures and all accessory buildings shall not cover more than fifty percent (50%) of that portion of the lot lying to the rear of a line erected joining the mid-point on one side lot line with the mid-point of the opposite side lot line.

17-403 In districts permitting multiple family dwelling not exceeding three (3) stories in height, any such main dwelling structure shall not cover more than forty percent (40%) of the lot or tract and together with covered parking structures and other accessory buildings not more than sixty percent (60%) of the lot or tract may be covered by all buildings or structures.

17-404 All buildings and structures on a lot or tract occupied by an attached single-family residence shall not exceed sixty percent (60%) of the total lot area.

17-405 In all districts permitting multiple family dwellings exceeding three (3) stories in height, such dwelling structures and any combination of such dwellings and nonresidential uses shall not cover more than sixty percent (60%) of the lot or tract on which they are situated unless the maximum coverage specified by 17-200 and 17-300 is one hundred percent (100%).

17-406 In all residential districts and the O, NS, SC, GR and LC Districts, institutional buildings shall be permitted to cover a maximum of sixty percent (60%) of the lot or tract on which they are situated.

17-407 In the MF-3, MF-4, O, GR, LC, HC, I-1 and I-2 Districts, for multiple family dwellings exceeding three (3) stories in height and for other permitted uses, any structures used for off-street parking of vehicles may be excluded in determining any coverage requirements.

17-408 The maximum percentage of the area of any lot or tract which may be covered by buildings and structures in a Planned Development District shall be established by the amending ordinance and the site plan in accordance with 10-600.

SECTION 18
MAXIMUM BUILDING HEIGHT

18-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED TO EXCEED THE MAXIMUM HEIGHT STANDARDS SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

18-200 SCHEDULE OF MAXIMUM HEIGHT - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-1A SINGLE FAMILY DWELLING DISTRICT	R-1B SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MAXIMUM HEIGHT OF BUILDING OR STRUCTURE IN NUMBER OF STORIES	3 SEE 18-400	3 SEE 18-400	2 SEE 18-400	2 SEE 18-400	2 SEE 18-400	2 SEE 18-400	2 SEE 18-400	3 SEE 18-400	3 SEE 18-400	3 SEE 18-400	3 SEE 18-400	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT	2 SEE 18-400.	2 SEE 18-400

18-300 SCHEDULE OF MAXIMUM HEIGHT - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MAXIMUM HEIGHT OF BUILDING OR STRUCTURE IN NUMBER OF STORIES	20 WITH SPECIAL SETBACKS	2 stories or 3 parking levels not exceeding 25 feet SEE 18-401 18-402	20 WITH SPECIAL SETBACKS	2 SEE 18-401 18-402	20 WITH SPECIAL SETBACKS	10 WITH SPECIAL SETBACKS	20 WITH SPECIAL SETBACKS	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT	20 WITH SPECIAL SETBACKS	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT	ANY LEGAL HEIGHT		

18-400 SPECIAL HEIGHT PROVISIONS

18-401 All public schools, denominational schools having a curriculum equivalent to public elementary and secondary schools, and all accessory buildings or structures normally associated therewith including stadiums and field houses; churches; permitted institutional buildings; permitted utility and service uses; church spires, cupolas, and steeples; and chimney and vent stacks may be erected to any height not prohibited by the Airport Zoning Ordinance, Federal Aviation Agency air space limitations, or any applicable building codes provided such structures are set back from property lines as specified in Sections 14, 15 and 16.

18-402 In any district where the building height is restricted to three (3) stories or less, elevator penthouses or bulkheads; mechanical equipment rooms; cooling towers; tanks; and ornamental cupolas and domes erected on the top of a building shall not be counted as being a story.

SECTION 19
MAXIMUM FLOOR-AREA RATIO

19-100 EXCEPT AS OTHERWISE PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED OR ALTERED TO EXCEED THE MAXIMUM FLOOR-AREA RATIO SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

19-200 SCHEDULE OF MAXIMUM FLOOR-AREA RATIO - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R 1/2 SINGLE FAMILY DWELLING DISTRICT	R-16 SINGLE FAMILY DWELLING DISTRICT	R-13 SINGLE FAMILY DWELLING DISTRICT	R 10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 [illegible] DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING [illegible]	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
MAXIMUM RATIO OF GROSS FLOOR AREA TO LAND AREA	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE	4:1 SEE 19-401	10:1 SEE 19-401	NONE	NONE

19-300 SCHEDULE OF MAXIMUM FLOOR-AREA RATIO - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
MAXIMUM RATIO OF GROSS FLOOR AREA TO LAND AREA	2:1 SEE 19-401	NONE	4:1 SEE 19-401	NONE	1:2 SEE 19-401	2:1 SEE 19-401	4:1 SEE 19-401	30:1 for residential use; 20:1 for non-residential use SEE 19-401	20:1 SEE 19-401	4:1 SEE 19-401	4:1 SEE 19-401	10:1 SEE 19-401	2:1 SEE 19-401		

19-400 GENERAL PROVISIONS

19-401 The floor area of structures used for off-street parking of vehicles shall be excluded in computing the floor-area ratio of a structure.

SECTION 20
MINIMUM OFF-STREET PARKING

20-100 TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; TO LESSEN CONGESTION IN THE STREETS; TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION; TO CONSERVE THE VALUE OF BUILDINGS; AND TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND MINIMUM OFF-STREET PARKING SHALL BE PROVIDED AS SET FORTH IN THE FOLLOWING SCHEDULES AND PROVISIONS.

20-200 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SINGLE-FAMILY, TWO-FAMILY AND MULTIPLE FAMILY DWELLINGS - RESIDENTIAL DISTRICTS

	R-1 SINGLE FAMILY DWELLING DISTRICT	R-1/2 SINGLE FAMILY DWELLING DISTRICT	R-1A SINGLE FAMILY DWELLING DISTRICT	R-1B SINGLE FAMILY DWELLING DISTRICT	R-10 SINGLE FAMILY DWELLING DISTRICT	R-7.5 SINGLE FAMILY DWELLING DISTRICT	R-5 SINGLE FAMILY DWELLING DISTRICT	2F-1 TWO FAMILY DWELLING DISTRICT	2F-2 TWO FAMILY DWELLING DISTRICT	MF-1 MULTIPLE FAMILY DWELLING DISTRICT	MF-2 MULTIPLE FAMILY DWELLING DISTRICT	MF-3 MULTIPLE FAMILY DWELLING DISTRICT	MF-4 MULTIPLE FAMILY DWELLING DISTRICT	MH MOBILE HOME DISTRICT	A AGRICULTURAL DISTRICT
ONE-FAMILY DWELLING (DETACHED)	2	2	2	2	2	1	1	2	1	2	1	1	1		2
ONE-FAMILY DWELLING (ATTACHED)								2	1	2	1	2	1		
TWO-FAMILY DWELLING SPACES PER DWELLING UNIT								2	1	2	1 1/2	2	1		
MULTIPLE-FAMILY DWELLING SPACES PER DWELLING UNIT										2	1 1/2	2	1		

20-300 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SINGLE-FAMILY, TWO-FAMILY AND MULTIPLE FAMILY DWELLINGS - NONRESIDENTIAL DISTRICTS

	PD PLANNED DEVELOPMENT DISTRICT	P PARKING DISTRICT	O OFFICE DISTRICT	NS NEIGHBORHOOD SERVICE DISTRICT	SC SHOPPING CENTER DISTRICT	GR GENERAL RETAIL DISTRICT	LC LIGHT COMMERCIAL DISTRICT	CA-1 CENTRAL AREA DISTRICT-1	CA-2 CENTRAL AREA DISTRICT-2	HC HEAVY COMMERCIAL DISTRICT	I-1 INDUSTRIAL DISTRICT-1	I-2 INDUSTRIAL DISTRICT-2	I-3 INDUSTRIAL DISTRICT-3		
ONE-FAMILY DWELLING (DETACHED)			1	1	1	1	1	1	1	1					
ONE-FAMILY DWELLING (ATTACHED)			1	1	1	1	1	1	1	1					
TWO-FAMILY DWELLING SPACES PER DWELLING UNIT			1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	1	1	1 1/2					
MULTIPLE-FAMILY DWELLING SPACES PER DWELLING UNIT			1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	1	1 1/2	1 1/2					

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2.

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
RESIDENTIAL USES			
Boarding or Rooming House	1	Dwelling or Rooming Unit	
Mobile Home or House Trailer	1 1/2	Lot, Plot, Tract or Stand	
Hotel, Motel or Tourist Court	1	Guest room or Residence Unit	

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2. (Continued)

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
INSTITUTIONAL & SPECIAL USES			
Church	1	4 Seats in sanctuary or auditorium	
College, University or Private School	1	4 day students	
Public Community, Health or Welfare Center	1	200 square feet of floor area	
Day Camp, Kindergarten or Day Nursery	1	10 pupils	
Fraternity or Sorority	1	2 members or residents	
Institution for Alcoholic, Narcotic or Psychiatric Patients	1	2 employees or attendants	4
Hospital, General Acute Care	1	Each bed	
Hospital, Chronic Care	1	6 beds	
Institution, Religious, Charitable or Philantropic	1 plus 1	2 employees 10 residents	
Nursing or Convalescent Home	1	6 beds	
Institutional Home for Aged	1	3 residence units	
Residence Home for Aged	1	Dwelling unit	

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2. (Continued)

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
Place of Public Assembly	1	4 seats	
School, Private			
Elementary	1	25 students	
Junior High	1	18 students	
Senior High	1	5 students	
Lodge or Fraternal Organization	1	200 square feet of floor area	10
FOOD AND BEVERAGE SERVICES			
Eating or Drinking Place - Service to Auto	12 min. plus 1	50 square feet of floor area	
Eating or Drinking Place - No Service to Auto	1	100 square feet of floor area	
OFFICE, PROFESSIONAL OR FINANCIAL USES			
Bank or Savings and Loan Office	1	300 square feet of floor area	
Clinic or Doctor's Office	1	150 square feet of floor area	
Office, General	1	300 square feet of floor area	

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2. (Continued)

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
Dance, Display, Drama or Music Studio	1	200 square feet of floor area	
Veterinarian Office or Clinic	1	300 square feet of floor area	
School, Business, Trade or Craft	1	4 day students	
PERSONAL SERVICE AND RETAIL USES			
Personal Service Shop or Establishment	1	200 square feet of floor area	
Retail Stores or Shops - In Buildings	1	200 square feet of floor area	
Open Retail Sales	1	600 square feet of site area exclusive of buildings	
RECREATION, SOCIAL & ENTERTAINMENT USES			
Commercial Amusements	1 or 1	3 guests 100 square feet of floor area whichever is greater	
Bowling Alley	6	Per lane	
Private Club or Night Club	1	100 square feet of floor area	
Theatre	1	4 seats	

20-400 SCHEDULE OF MINIMUM OFF-STREET PARKING FOR SPECIFIED USES - ALL DISTRICTS EXCEPT CA-1 AND CA-2. (Continued)

USE	NUMBER OF PARKING SPACES	REQUIRED FOR EACH	MINIMUM SPACES REQUIRED
MOTOR VEHICLE & MACHINERY USES			
Auto Laundry	1	500 square feet of floor area	20
Auto Repair, Garage or Shop	1	500 square feet of floor area	5
Vehicle or Machinery Sales - Indoor	1	500 square feet of floor area	5
Auto Parts and Accessory Sales - Indoor	1	200 square feet of floor area	
Auto Parts and Accessory Sales - Outdoor	1	1,000 square feet of site area	
Vehicle or Machinery Sales - Outdoor	1	1,000 square feet of site area	
STORAGE, WHOLESALE & MANUFACTURING USES			
Brick or Lumber Yard or Similar Area	1	1,000 square feet of site area	
Open Storage of Sand, Gravel, Petroleum Products, Etc.	1	2,000 square feet of site area	
Warehouse and Enclosed Storage, Wholesale or Manufacturing Operation	1	1,000 square feet of floor area	

20-500 GENERAL PROVISIONS

20-501 An off-street parking space shall be a stripped area of not less than one hundred sixty-two (162) square feet, measuring approximately nine (9) by eighteen (18) feet, not located on a public street or alley. Such parking space, aisles and maneuvering areas shall have an all-weather surfacing, enclosed or unenclosed, and shall be connected by an all-weather surfaced driveway to a street or alley. Head-in parking adjacent to a public thoroughfare wherein the maneuvering of the vehicle in parking or leaving a parking space is done on a public street shall not be classified as off-street parking in computing any parking requirements herein specified.

20-502 In determining the required number of parking spaces, fractional spaces shall be counted to the nearest whole space. Parking spaces located in buildings used for repair garages or auto laundries shall not be counted as meeting the required minimum parking.

20-503 Where a lot or tract of land is used for a combination of uses, the off-street parking requirements shall be the composite or sum of the requirements for each type of use and no off-street parking space provided for one type use or building shall be included in calculation of the off-street parking requirements for any other use or building.

20-504 Floor area of structures devoted to off-street parking of vehicles shall be excluded in computing the floor area for off-street parking requirements.

20-505 In all districts except the CA-1 and CA-2 Districts, the required off-street parking for all permitted uses, except institutional uses, shall be available to the customers, employees, tenants, clients and occupants of a use on a prearranged basis, other than an hourly or daily fee basis, as free or contract parking in accordance with the minimum parking ratio prescribed for the various districts and uses in the following schedule.

20-506 Except for institutional uses, required off-street parking for permitted uses in single-family, two-family, MF-1, MF-2, MH and A Districts shall be provided on the lot or tract occupied by the main use. For institutional uses in residential districts and for permitted uses in all other districts, off-street parking shall be provided on the lot or tract occupied by the main use or upon a lot or tract dedicated to parking use by an instrument filed for record and consolidated under a single Certificate of Occupancy with the main use. Such parking facility shall be located in the same zoning district as the main use or in any other district which permits a commercial parking lot or garage; and all or any part of such facility shall be located within a distance (including streets and alleys) of three hundred (300) feet of the property upon which the main use is located.

20-507 No off-street parking shall be required for public schools, denominational schools having a curriculum equivalent to a public elementary or secondary school, and all accessory buildings and structures normally associated therewith, including stadiums and field houses. Such schools may provide off-street parking according to their needs.

20-600 SPECIAL OFF-STREET PARKING PROVISIONS - RESIDENTIAL DISTRICTS

20-601 No required off-street parking space shall be located in the required front yard in any single-family, two-family, MF-1, MF-2, MH or A District.

20-602 In the MF-3 and MF-4, surface parking may extend to the front property line.

20-700 SPECIAL OFF-STREET PARKING PROVISIONS - NONRESIDENTIAL DISTRICTS

20-701 In all nonresidential districts, surface parking may extend to the front property line.

20-702 In the CA-1 District, off-street parking space for all uses shall be provided at the ratio of one space for each two thousand (2,000) square feet of floor area. In the event that the required number of spaces amounted to fifty (50) or less, no off-street parking need be provided.

20-703 In the CA-2 District, off-street parking for all uses, other than single-family, two-family and multiple family uses, at the ratio of one space for each two thousand (2,000) square feet of floor area exceeding five thousand (5,000) square feet. No off-street parking is required for buildings containing less than five thousand (5,000) square feet of floor area.

SECTION 21
MINIMUM OFF-STREET LOADING

21-100 TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; TO LESSEN CONGESTION IN THE STREETS; TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION; TO CONSERVE THE VALUE OF BUILDINGS; AND TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND MINIMUM OFF-STREET LOADING SHALL BE PROVIDED AS SET FORTH IN THE FOLLOWING PROVISIONS.

21-200 MINIMUM OFF-STREET LOADING - ALL DISTRICTS EXCEPT CA-1

21-201 Except in the CA-1 District, off-street facilities shall be provided and maintained for receiving and loading merchandise, supplies and materials within a building or on the lot or tract adjacent thereto. Such off-street loading space may be adjacent to a public alley or private service drive or may consist of a truck berth within the structure with no portion of the loading space extending into the public right-of-way. At least one-half (1/2) of such off-street loading spaces or truck berths shall have a minimum dimension of ten (10) by forty (40) feet, and the remaining one-half (1/2) of the required loading berths shall have a minimum dimensions of ten (10) by twenty (20) feet. Such spaces or berths shall be provided in accordance with the following schedules.

21-210 FOR ALL RETAIL, COMMERCIAL AND INDUSTRIAL USES

SQUARE FEET OF GROSS FLOOR AREA IN STRUCTURE	MINIMUM REQUIRED SPACES OR BERTHS
0 to 10,000	None
10,000 to 50,000	1
50,000 to 100,000	2
100,000 to 200,000	3
Each additional 100,000	1 additional

21-220 FOR ALL HOTELS, OFFICE BUILDINGS, RESTAURANTS AND SIMILAR ESTABLISHMENTS

SQUARE FEET OF GROSS FLOOR AREA IN STRUCTURE	MINIMUM REQUIRED SPACES OR BERTHS
0 to 50,000	None
50,000 to 150,000	1
150,000 to 300,000	2
300,000 to 500,000	3
500,000 to 1,000,000	4
Each additional 500,000	1 additional

21-300 MINIMUM OFF-STREET LOADING - CA-1 DISTRICT

21-301 For buildings containing over one hundred thousand (100,000) square feet of floor area erected in the CA-1 District, one (1) off-street loading space having minimum dimensions of ten (10) by forty (40) feet and one (1) space having minimum dimensions of ten (10) by twenty (20) feet shall be provided. In addition, one (1) off-street loading space having a minimum dimension of ten (10) by twenty (20) feet shall be provided for each additional five hundred thousand (500,000) square feet of floor area over one hundred thousand (100,000) square feet.

SECTION 22
ACCESSORY BUILDING STANDARDS

22-100 THE FOLLOWING REGULATIONS SHALL BE OBSERVED FOR ALL ACCESSORY USES AND BUILDINGS LOCATED IN RESIDENTIAL DISTRICTS AND FOR RESIDENTIAL ACCESSORY USES AND BUILDINGS IN NONRESIDENTIAL DISTRICTS:

22-101 Accessory uses located in the main building or in structures attached to the main building shall observe the same front, side and rear yard requirements as are specified for the main building.

22-102 Detached accessory buildings within the front fifty (50) percent of the lot shall observe the same front yard as the main building.

22-103 Detached accessory buildings shall not be located nearer than three (3) feet to any interior side lot line, except that where party wall construction which meets the fire prevention code requirements is used and such accessory building is located within the rear thirty percent (30%) of the lot, no side yard need be provided except as required for the main building.

22-104 Detached accessory buildings on a corner lot shall not be located nearer than ten (10) feet to a side lot line along a side street.

22-105 Detached accessory buildings shall not be located nearer than three (3) feet to any rear lot line.

22-106 Detached accessory buildings shall not be located nearer than ten (10) feet to a residential structure.

22-107 Automobile storage spaces located in the open or in a main or accessory building so as to face upon or be entered directly from a street or alley shall not be nearer than twenty (20) feet to the property line regardless of any building line platted to a lesser setback and regardless of any other provision of this section.

22-108 No open parking or motor vehicle storage space shall be located nearer than eight (8) feet to any multiple family dwelling structure, and all off-street parking facilities shall be so located and arranged as to not obstruct direct fire protection and emergency access to any multiple family dwelling.

22-109 No detached accessory building shall be used as a place of habitation unless it is a bona fide guesthouse or servant's quarters as provided for and defined elsewhere in this ordinance.

22-110 No accessory building housing animals or livestock which is located in any residential district shall be placed nearer to any adjacent property line than one hundred (100) feet.

SECTION 23
SIGN STANDARDS

23-100 SIGNS ARE RECOGNIZED AS A SIGNIFICANT AND SPECIFIC USE OF LAND. FOR THE PURPOSE OF PROTECTION OF PLACES AND AREAS OF HISTORICAL AND CULTURAL IMPORTANCE; TO INCREASE SAFETY AND LESSEN CONGESTION IN THE STREETS; TO CONSERVE THE VALUE OF BUILDINGS; TO PRESERVE RESIDENTIAL VALUES; AND TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND, STANDARDS ARE HEREIN PROVIDED FOR THE CONSTRUCTION OF SIGNS. NO SIGN SHALL BE ERECTED, PLACED, DISPLAYED OR LOCATED EXCEPT IN ACCORDANCE WITH THE FOLLOWING STANDARDS.

23-200 SCHEDULE OF SIGN STANDARDS

LEGEND

The following sign construction types are defined in and correspond to those specified in the City of Dallas Building Code.

G - Ground Sign
W - Wall Sign
Pa - Parapet Wall Sign
P - Pole Sign
Pr - Projecting Sign
R - Roof Sign
M - Marquee Sign

	PERMITTED IN	MAXIMUM AREA IN SQUARE FEET SEE 23-40	MAXIMUM HEIGHT IN FEET SEE 23-401	CONSTRUCTION TYPE PERMITTED	SETBACK REQUIRED SEE 23-402	SPACING	LIGHTING PERMITTED	FLASHING PERMITTED	MOTION PERMITTED	MAXIMUM DURATION	ADDITIONAL REQUIREMENTS
NAME PLATES	All Districts	2	3	G,W,P	None	None	Yes	No	No	Permanent	
REAL ESTATE	All Districts	32	6	G,W,P	None	1 for each 300 ft of street front	Yes	No	No	Temporary-Remove upon sale or rental of property	
CONSTRUCTION	All Districts	20	6	G,W,P	None	None	Yes	No	No	Temporary-Remove upon completion of construction	
DEVELOPMENT	SF & 2F Districts	400	30	G,W,P	None	1 for each 10 acres or part thereof	Yes	No	No	Temporary-Remove when project 90% complete	Permitted for new subdivisions only
	MF1, MF2 & MF3	200	20	G,W,P	None	1 for each 10 acres or part thereof	Yes	No	No	Temporary-Remove within 6 months after issuance of certificate of occupancy	
	All other Districts	400	30	G,W,P	None	1 for each 10 acres or part thereof	Yes	No	No	Temporary-Remove within 6 months after issuance of certificate of occupancy	

23-200 SCHEDULE OF SIGN STANDARDS (Continued)

	PERMITTED IN	MAXIMUM AREA IN SQUARE FEET SEE 23-401	MAXIMUM HEIGHT IN FEET SEE 23-403	CONSTRUCTION TYPES PERMITTED	SETBACK REQUIRED SEE 23-402	SPACING	LIGHTING PERMITTED	FLASHING PERMITTED	MOTION PERMITTED	MAXIMUM DURATION	ADDITIONAL REQUIREMENTS
NONRESIDENTIAL IDENTIFICATION	SF, 2F, MF A	12	6	G, W, Po, P Pr, M	Behind required set-back line	None	Yes	No	No	Permanent	Not permitted for Limited Uses
INSTITUTIONAL	All Districts	30	20	G, W, Po, P Pr, M	Behind required set-back line	None	Yes	No	No	Permanent	
APARTMENT WALL	All Districts except SF, 2F, A, P & I-3	50	None	W	None	1 for each street frontage	Yes	No	No	Permanent	May be permitted on walls or fences in required front yards
APARTMENT	All Districts except SF, 2F, A, P & I-3	20	6	G, P, W, Po, Pr, & M	5	1 for each street frontage	Yes	No	No	Permanent	
MOBILE HOME	MH	96	20	G, W, P	25	1 for each street frontage	Yes	No	No	Permanent	Permitted for Mobile Home Parks only
AGRICULTURAL	A	50	20	G, W, P	25	Only 2 for ea. farm or ranch	Yes	No	No	Permanent	Permitted only for advertising produce, crops or animals raised on a farm or ranch
GENERAL BUSINESS	MH, O, P	See 23-404	30	W, P, M, Po & G	Behind required set-back line	See 23-405	Yes	No	No	Permanent	
	NS	None except 50 sq ft for pole signs	30	W, Po, P G, M	25	See 23-406	Yes	No	No	Permanent	
	SC	None except 50 sq ft for pole signs	30	W, Po, P, G, M	25	See 23-406	Yes	No	Yes	Permanent	
	GR, LC	None	30	W, Po, P, G, Pr, R, M	25	See 23-406	Yes	Yes	Yes	Permanent	
	HC, I-1, I-2, I-3	None	50	W, Po, P, G, Pr, R, M	None	See 23-406	Yes	Yes	Yes	Permanent	

23-200 SCHEDULE OF SIGN STANDARDS (Continued)

	PERMITTED IN	MAXIMUM AREA IN SQUARE FEET SEE 23-401	MAXIMUM HEIGHT IN FEET SEE 23-403	CONSTRUCTION TYPE PERMITTED	SETBACK REQUIRED SEE 23-402	SPACING	LIGHTING PERMITTED	FLASHING PERMITTED	MOTION PERMITTED	MAXIMUM DURATION	ADDITIONAL REQUIREMENTS
SPECIAL HEIGHT	SC, GR, LC,	None	50	G, P	25 ft. min. excluding pole sign	[illegible]	Yes	Yes, except in SC	[illegible] Yes	Permanent	
ADVERTISING	SC	None	30	G, W, Pa, P, M	25	See 23-407	Yes	No	Yes	Permanent	See 23-408
	GR, LC, A	None	50	G, W, Pa, P Pr, M, R	25	See 23-407	Yes	Yes	Yes	Permanent	See 23-408 - 23-409
	I-1, I-2, I-3, HC	None	50	G, W, Pa, P P, M, R	None	See 23-407	Yes	Yes	Yes	Permanent	

SECTION 23

23-300 GENERAL PROVISIONS — SIGN STANDARDS

23-301 The standards and regulations specified in this section shall apply only to those signs for which building permits must be obtained under the requirements of the City of Dallas Building Code.

23-302 No regulation or standard contained in this section shall apply to signs painted on or erected inside a window.

23-303 The provisions herein contained are applicable to the location, size and placement of signs and shall otherwise be considered supplementary to the Building Code and Sign Ordinance of the City of Dallas and no provision specified herein shall be construed to otherwise amend nor nullify any provision of the Building Code, Sign Ordinances or other regulation pertaining to the erection, maintenance and operation of signs in the City of Dallas.

23-304 No front yard, side yard, rear yard or height requirement specified elsewhere in this ordinance shall apply to any sign.

23-305 Signs shall be permitted for all nonconforming uses in accordance with the regulations and standards specified in this section.

23-306 A sign in direct line of vision of any traffic control signal, from any point in a moving traffic lane within fifty (50) feet of and approaching such signal.

23-307 No revolving beam or beacon of light resembling any emergency vehicle light shall be permitted to be erected as part of any sign display in any zoning district nor shall any sign or graphic advertising device be located or placed so as to obstruct the vision or site distance of motor vehicle drivers or pedestrians at any street intersection, street crossing or point of traffic concentration.

23-308 The area of a sign shall be computed by drawing a line or lines around the sign in such a way as to form not more than four (4) regular geometric figures such as a rectangle, circle, triangle, trapezoid or ellipse. The total area of these figures shall be the total area of the sign.

23-400 SPECIAL STANDARDS FOR SIGNS

23-401 The maximum sign area in square feet as specified in 23-200 shall apply to only one sign face. However, if the sign has more than one face the maximum are of all faces shall be twice the area shown.

23-402 The required setback as specified in 23-200 shall be measured from the property line of all streets bounding the lot or tract upon which a sign is erected and shall apply only to ground signs unless otherwise specified. Where the setback is shown as being "behind the required setback line", the required setback shall be as shown in the following schedule.

DISTRICT	SETBACK	DISTRICT	SETBACK	DISTRICT	SETBACK	DISTRICT	SETBACK
R-1	40	2F-1	25	A	25	LC	25
R-1/2	40	2F-2	20	PD	as specified in granting ordinance	CA-1	None
R-16	35	MF-1	25	P	None	CA-2	None
R-13	30	MF-2	25	O	25	HC	None
R-10	30	MF-3	15	NS	25	I-1	25
R-7.5	25	MF-4	None	SC	25	I-2	None
R-5	20	MH	25	GR	25	I-3	None

23-403 The maximum sign height as specified in 23-200 shall apply only to ground and pole signs.

23-404 The maximum sign area for one face shall be fifty (50) square feet for each nonresidential use. The maximum sign area for building identification shall be five percent (5%) of the total wall area facing in the same direction as the wall faces upon which the sign is placed.

23-405 Only one building identification sign may be permitted for each street frontage. No standard is specified for signs advertising nonresidential uses.

23-406 There shall be no spacing requirement for pole signs unless otherwise specified. However, all ground signs shall be spaced no less than one hundred (100) feet from all other ground signs and any special height signs.

23-407 Advertising sign structures erected in the A, SC, GR, LC, HC, I-1, I-2 and I-3 Districts shall be placed a minimum of one hundred (100) feet apart when erected so as to face in the same direction. No structure shall be located win within one hundred (100) feet of a residential district boundary line if the face of the sign is placed at an angle of less than ninety degrees (90°) to the district boundary line.

23-408 Advertising sign structures erected in the A, SC, GR and LC Districts shall not contain more than two (2) panels facing in the same direction nor shall the length exceed sixty (60) feet.

23-409 Advertising signs erected in the A District shall be removed when the zoning is changed if the sign does not conform to the regulations of the new zoning district.

23-410 Sign regulations for any development placed in the Planned Development District shall be established by the Planned Development District ordinance and shall specify the maximum height, setback, general types and area of such signs permitted in accordance with the provisions of 10-641.

23-411 All types of signs are permitted in the CA-1 and CA-2 Districts. However, sign regulations specified by Ordinance 7469 shall continue to apply to the applicable areas as delineated by such ordinance, and other parts of the CA-1 and CA-2 Districts shall be subject to regulations of any other ordinance which the City Council may adopt relative to sign location, construction or maintenance.

SECTION 24
OPEN STORAGE AND SCREENING REGULATIONS

24-100 TO ENCOURAGE THE MOST APPROPRIATE USE OF THE LAND AND TO CONSERVE AND PROTECT THE VALUE OF ADJACENT LAND AND BUILDINGS, REGULATIONS ARE PRESCRIBED FOR THE LOCATION AND SCREENING OF OPEN STORAGE OF MATERIALS, COMMODITIES AND VEHICLES OF ALL TYPES IN THE VARIOUS DISTRICTS IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

24-200 LOCATION OF OPEN STORAGE

24-201 In addition to the regulations of 10-214 concerning commercial and industrial storage uses, the following regulations shall apply to storage accessory to residential and retail uses.

24-202 In all one-family, two-family, multiple-family and mobile home districts, no open accessory storage or display outside a building of materials or commodities for sale at wholesale or retail or for storage purposes shall be permitted nor shall any motor vehicle or machinery storage other than that which is incidental to the use of a premises as herein provided for be permitted, nor shall any truck or commercial vehicle storage be permitted, except that one panel delivery or pick-up truck not exceeding one and one-half (1 1/2) ton capacity may be stored by the owner of a premises when such vehicle storage is incidental to the main use of such premises.

24-203 In the O, NS, SC, GR, LC and I-1 Districts, no open accessory storage or display of materials and commodities other than used cars for sale shall be permitted between the street line and the front setback or yard line as herein provided, except that such restriction shall not apply to provision of off-street parking facilities in conformance with the requirements of this ordinance. For a gasoline service station, the front setback or yard line applicable to this regulation shall be interpreted as the specified setback for fuel pumps or pump islands. Permitted open accessory storage shall be screened as required by 24-314.

24-300 SCREENING REGULATIONS

24-310 LOCATION OF REQUIRED SCREENING

24-311 Where the rear or service side of a nonresidential building in a residential district is exposed to a residence and where a nonresidential building in an O, NS, SC, GR or LC District is exposed to a residential district boundary line, and where such building is closer than one hundred fifty (150) feet to the boundary line, a screening wall or fence not less than six (6) feet in height shall be erected separating the rear or service side of such building from the adjacent residence or residential district. Where all service, storage and loading facilities are contained within a building, the screening provisions of this section shall not apply.

24-312 In an O, NS, SC, GR or LC District where parking space for motor vehicles for nonresidential buildings is provided adjacent to a residential district which is occupied or to be occupied by residential buildings, whether the district boundary lines are separated by a street or alley or not, a screening wall or landscaped visual barrier not less than three (3) feet in height shall be provided along the boundary of such parking areas. This requirement does not waive the requirements of 24-311.

24-313 In the P District, all open parking space for motor vehicles shall be separated from adjacent residential districts which are occupied or to be occupied by residential buildings by a screening wall or landscaped visual barrier not less than three (3) feet in height and such screening shall be required whether the district boundary line between the two districts is along a street or alley separating the two districts or directly adjacent with no street or alley separation.

24-314 In all districts where open storage is permitted and screening of the storage area is required, a screening wall or fence shall be provided not less than six (6) feet in height.

24-315 Garbage storage areas shall be visually screened by a six (6) foot high solid fence on all sides except when one side is adjacent to an alley or easement used for garbage pickup service no screening fence shall be required on that side.

24-316 All wrecking yards (junk and salvage) and salvage yards (outside) with open storage of wrecked or salvaged automobiles, machinery, appliances or other used commodities and equipment shall surround such open storage with a screening wall or fence not less than six (6) feet in height.

24-320 STANDARDS FOR SCREENING

24-321 A required screening wall or fence shall be constructed of masonry or of a concrete or metal frame or base which supports a permanent type wall material, the surface of which does not contain openings more than forty (40) square inches in each one (1) square foot of surface of such wall or fence, and which surface shall constitute a visual barrier. No openings shall be permitted for access unless a solid gate equaling the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

24-322 Where barrers are required for parking facilities as specified in 24-312 or 24-313, such barriers shall consist of a screening wall not less than three (3) feet in height constructed in accordance with the provisions of 24-321 or a landscaped strip not less than six (6) feet in width, containing a solid planting or hedge not less than three (3) feet in height, which planting shall be maintained in a healthy, growing condition.

24-323 No screening wall, planting or other visual barrier shall be so located or placed that it obstructs the vision of motor vehicle drivers approaching any street, drive or alley intersection. This requirement takes precedence over any other requirements of 24-300.

24-324 Walls and landscaped strips shall be protected from vehicle wheels by a bumper rail or wheel barrier located at least three (3) feet from such planting or wall.

24-325 Any wall or fence constructed to comply with any screening provision herein specified shall be maintained so as to meet the minimum standard of screening.

SECTION 25
CREATION OF BUILDING SITE

25-100 IN ORDER TO MAKE POSSIBLE THE PROVISION OF ADEQUATE ACCESS, AND TO FACILITATE THE PROVISION OF WATER, SEWERAGE, DRAINAGE AND SIMILAR UTILITIES, PARKS, SCHOOLS AND OTHER PUBLIC REQUIREMENTS, TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS, TO PROVIDE ADEQUATE LIGHT AND AIR AND TO AVOID UNDUE CONCENTRATION OF THE POPULATION, A BUILDING SITE SHALL BE CREATED AS SET FORTH HEREIN.

25-101 No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract or building lot has been created by compliance with one of the following conditions:

a. The lot or tract is part of a plat of record, properly approved by the City Plan Commission, and filed in the Plat Records of Dallas County, Texas.

b. The site, plot or tract is all or part of a site plan officially approved by the City Plan Commission, which site plan shows all utility and drainage easements, alleys, streets and other public improvements necessary to meet the normal requirements for platting including the designation of building areas and such easements, alleys and streets as are required and have been properly dedicated, and the necessary public improvements which have been provided.

c. The plot, tract or lot faces upon a dedicated street and was separately owned prior to September 11, 1929, or prior to annexation to the City of Dallas, whichever is applicable, in which event a building permit for only one main building may be issued on each such original separately owned parcel without first complying with either 19-101a or b preceding.

d. The tract is not separately platted but is part of a block or tract previously platted as an industrial or commercial subdivision wherein only streets, easements and blocks are delineated and such plat has been approved by the City Plan Commission and filed for record in which case no specific lot delineation shall be required.

SECTION 26
BUILDING LOCATION AND SPACING STANDARDS

26-100 IN ORDER TO MAKE POSSIBLE THE PROVISION OF ADEQUATE ACCESS; TO FACILITATE THE PROVISION OF WATER, SEWERAGE, DRAINAGE AND SIMILAR UTILITIES; TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; AND TO PROVIDE ADEQUATE LIGHT AND AIR; NO BUILDING SHALL BE ERECTED OR ALTERED UNLESS IT IS IN CONFORMITY WITH THE FOLLOWING REQUIREMENTS OF BUILDING LOCATION AND SPACING.

26-200 LOCATION OF BUILDINGS ON A SITE

26-201 Only one main building for one-family (attached or detached) or two-family dwelling purposes may be located upon a platted lot, tract or building site as defined in 25-101a, b and c except where building arrangements have been approved in accordance with the provisions of 10-600, Planned Development District, or 10-800, Community Unit Development.

26-202 More than one main building for multiple family, office, retail, commercial, industrial or institutional use may be erected upon an officially platted lot, tract or building site as specified in 25-101, provided such building arrangements comply with the applicable requirements for building spacing specified herein.

26-300 BUILDING SPACING

26-310 SPACING STANDARDS FOR MULTIPLE FAMILY DWELLINGS

26-311 Where two or more multiple family dwellings, structures or buildings are located upon a single building site, lot or tract as defined in 25-101b, the minimum provision of space between exterior building walls shall be as contained herein: (The standards herein specified shall apply whether the dwelling structure is connected by a common roof or is free standing.)

23-312 Where buildings are parallel (front to front or rear to rear or front to rear), the minimum space between building walls shall be thirty (30) feet and in no event shall such space be less than the height of the building above the grade, except that no such space between building walls need exceed one hundred (100) feet and except further that when the parallel wall conditions exists for fifty (50) feet or less one building wall may be considered as an end wall and the spacing standards shall conform to those specified in 26-315.

26-313 Where buildings are aligned obliquely or not parallel (front to front, rear to rear or front to rear), the minimum spacing provided between building walls may be reduced by up to fifty percent (50%) at one end from the minimum spacing specified in 26-312 preceding, provided that the space between the buildings at the opposite end is increased by a minimum equal to the reduction so that the average distance between the building walls is as specified in 26-312 except that where the oblique wall relationship exists for fifty (50) feet or less one building wall may be considered as an end wall and the spacing standards shall conform to those specified in 26-315.

26-314 Where end walls of buildings containing no openings for light or air are opposite each other at any point, the end walls shall be spaced a minimum distance of ten (10) feet apart. Where one end wall contains openings for light or air and the end wall opposite does not, the minimum distance between such building walls shall be fifteen (15) feet and such minimum space between walls shall be increased five (5) feet for each story that the building exceeds three (3) stories, except that such space between building walls need not exceed thirty (30) feet. Where both opposite end walls contain openings for light and air, the minimum space between walls shall be twenty (20) feet and such minimum distance between walls shall be increased five (5) feet for each story that the building exceeds three (3) stories, except that such space between building walls need not exceed fifty (50) feet.

26-315 Where the end wall of one building is opposite the front or rear wall of another building and not more than one such opposite wall contains openings for light and air, the minimum distance between such opposite walls shall be fifteen (15) feet and such minimum space shall be increased five (5) feet for each story either or both buildings exceed three (3) stories, except that such space need not exceed thirty (30) feet. Where the end wall of one building is opposite the front or rear wall of another building and both opposite walls contain openings for light or air, the minimum distance between such opposite walls shall be twenty (20) feet and such minimum space shall be increased five (5) feet for each story either or both walls exceed three (3) stories, except that such space need not exceed seventy-five (75) feet. For the purposes herein specified no building wall exceeding fifty (50) feet in length shall be interpreted as an end wall except as provided in 26-312 and 26-313.

26-316 Where corners of adjacent buildings do not face or overlap each other and provision is made for passage between the two buildings, the minimum space between such building corners shall be ten (10) feet.

26-317 In measuring the space between buildings, the distance shall be measured to exterior wall lines and not omitted wall lines.

26-320 OUTER COURT STANDARDS FOR MULTIPLE FAMILY DWELLINGS

26-321 For multiple family dwellings, three (3) stories or less in height, any outer court which has openings for access, light or air shall have a minimum width equal to the depth of the court but the width of any such court need not exceed thirty (30) feet, even though the court depth exceeds such dimension.

26-322 For multiple family dwellings, exceeding three (3) stories in height, any outer court which has openings for access, light or air shall have a minimum width equal to the depth of the court; but the width of any such outer court need not exceed one hundred (100) feet, even though the court depth exceeds such dimension.

26-330 INNER COURT STANDARDS FOR MULTIPLE FAMILY DWELLINGS

26-331 For multiple family dwellings, three (3) stories or less in height, any inner court which has openings for access, light or air shall have a minimum dimension in length and in width equal to the height of the building enclosing such court; but neither the width or length of such inner court need exceed thirty (30) feet, even though the height of the enclosing walls may exceed such dimension.

26-332 For multiple family dwellings, exceeding three (3) stories in height, any inner court which has openings for access, light or air shall have a minimum dimension in length and in width equal to the height of the building enclosing such inner court; but neither the width or the length of such inner court need exceed one hundred (100) feet, even though the height of the enclosing walls may exceed such dimension.

26-400 RELATION TO COVERAGE AND FLOOR AREA RATIO

26-401 Where two or more multiple family dwellings, office, retail, institutional, commercial or industrial buildings are erected on a single building site, lot or tract, the maximum site coverage and floor area ratio shall not exceed that specified in Section 17 and Section 19 for the district in which such buildings are located.

SECTION 27
SPECIAL ACCESS STANDARDS

27-100 TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION; TO LESSEN THE CONGESTION IN THE STREETS; AND TO SECURE SAFETY FROM FIRE, PANIC, AND OTHER DANGERS, MINIMUM STANDARDS OF PRIMARY ACCESS TO VARIOUS USES ARE HEREIN ESTABLISHED WITH DUE REGARD TO THE TRAFFIC DEMANDS CREATED BY SUCH VARIOUS USE ON DIFFERENT CLASSIFICATION OF STREETS AS ESTABLISHED BY THE MAJOR THOROUGHFARE PLAN OF THE CITY OF DALLAS.

27-101 All buildings or structures shall be set back from the street line a minimum distance equal to the front and side yards specified in Sections 14 and 15 or the setbacks from street centerline specified in this section, whichever is greater.

27-200 ONE FAMILY AND TWO FAMILY DWELLING USES

27-201 The standard right-of-way for streets providing the primary means of access to one family and two family dwellings shall be:

For Minor Streets - Fifty (50) feet

For Secondary Streets - Sixty (60) feet

For Major Streets - One Hundred (100) feet

27-202 No permit for the erection of any one family or two family dwelling shall be issued on a street of lesser standards than specified by 27-201 unless the street providing the primary means of access has a minimum right-of-way width along the entire frontage of the property and the dwelling and all accessory buildings are set back from the centerline as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
Minor Street	15 Feet	40 Feet	35 Feet
Secondary Street	25 Feet	50 Feet	40 Feet
Major Street	30 Feet	60 Feet	50 Feet

27-300 MULTIPLE FAMILY DWELLING AND INSTITUTIONAL USES NOT EXCEEDING THREE STORIES IN HEIGHT

27-301 The standard right-of-way for streets providing the primary means of access to multiple family dwellings and institutional uses not exceeding three (3) stories in height shall be:

For Minor Streets - Fifty (50) feet

For Secondary Streets - Sixty (60) feet

For Major Streets - One Hundred (100) feet

27-302 No permit for the erection of any multiple family dwelling or institutional use not exceeding three (3) stories in height shall be issued on a street of lesser standards than specified by 27-301 unless the primary means of access has a minimum right-of-way width along the entire frontage of property and the dwellings and all accessory buildings are setback from the centerline of such street as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
Minor Street	25 Feet	45 Feet	40 Feet
Secondary Street	30 Feet	50 Feet	45 Feet
Major Street	40 Feet	60 Feet	55 Feet

27-400 MULTIPLE FAMILY DWELLINGS AND INSTITUTIONAL USES EXCEEDING THREE (3) STORIES IN HEIGHT

27-401 The standard right-of-way for streets providing the primary means of access to multiple family dwellings and institutional uses exceeding three (3) stories in height shall be:

For Minor Streets - Sixty (60) feet

For Secondary Streets - Sixty (60) feet

For Major Streets - One Hundred (100) feet

27-402 No permit for the erection of any multiple family dwelling or institutional use exceeding three (3) stories in height shall be issued on a street of lesser standard than specified by 27-401 unless the primary means of access has a minimum right-of-way width along the entire frontage of the property and all buildings are set back from the centerline as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
Minor Street	30 Feet	40 Feet *	35 Feet *
Secondary Street	30 Feet	45 Feet *	40 Feet *
Major Street	50 Feet	60 Feet *	55 Feet *

* Except in CA-1, CA-2 and MF-4 Districts (See Section 14).

27-500 RETAIL, COMMERCIAL, SERVICE AND INDUSTRIAL USES EXCEPT IN THE CA-1 AND CA-2 DISTRICTS

27-501 The standard right-of-way for streets providing the primary means of access to retail, commercial, service and industrial uses shall be:

For Minor Streets - Sixty (60) feet

For Secondary Streets - Seventy (70) feet

For Major Streets - One Hundred (100) feet

27-502 No permit for any retail, commercial, service or industrial use shall be issued on any street of lesser standard than specified by 27-501 unless the primary means of access has a minimum right-of-way width along the entire frontage of the property and all buildings are setback from the centerline as follows:

Street	Minimum R.O.W. Centerline To Front Property Line	Minimum Front Setback From Centerline of Street	Minimum Side Setback From Centerline of Side Street
FOR RETAIL USES		IN SC DISTRICT, ADD 20 FEET TO SETBACK FROM CENTERLINE	
Minor Street	30 Feet	50 Feet	40 Feet
Secondary Street	35 Feet	60 Feet	45 Feet
Major Street	50 Feet	70 Feet	60 Feet
FOR COMMERCIAL AND INDUSTRIAL USES			
Minor Street	30 Feet	30 Feet	30 Feet
Secondary Street	35 Feet	35 Feet	35 Feet
Major Street	50 Feet	50 Feet	50 Feet

SECTION 28
NONCONFORMING USES AND STRUCTURES

28-100 EXCEPT AS HEREINAFTER PROVIDED, NO NONCONFORMING USE OF LAND OR BUILDINGS, NOR ANY NONCONFORMING STRUCTURE SHALL BE ENLARGED, CHANGED, ALTERED OR REPAIRED EXCEPT IN CONFORMITY WITH THE FOLLOWING REGULATIONS.

28-200 TYPES OF NONCONFORMITY

28-201 Any use of land or buildings which does not conform to use regulations prescribed in this ordinance shall be deemed to be a nonconforming use.

28-202 Any building or structure which does not conform to the lot area, front yard, side yard, rear yard, coverage, height, floor-area ratio, parking, loading, building spacing, screening, access, or performance standard regulations prescribed in this ordinance shall be deemed to be a nonconforming structure.

28-203 The operation of any use existing prior to the effective date of this ordinance which does not comply with the performance standards specified for the district in which the use is located shall be deemed to be nonconforming.

28-300 NONCONFORMING STATUS

28-301 A nonconforming status under the provisions of this ordinance shall exist:

a. When a use or structure, which does not conform to the regulations prescribed for the district in which such use or structure is located, was in existence and lawfully operating prior to September 11, 1929, and has since been in regular and continuous use.

b. When a use or structure, which does not conform to the regulations prescribed for the district in which such use or structure is located, was in existence and lawfully constructed, located and operating on the effective date of this ordinance or was a nonconforming use under the provisions of the prior zoning ordinance and has since been in regular and continuous use.

c. When a use or structure, which does not conform to the regulations prescribed in the district in which such use or structure is located, was in existence at the time of annexation to the City of Dallas and has since been in regular and continuous use.

28-400 NONCONFORMING USES

28-410 REGISTRATION OF NONCONFORMING USES

28-411 The operator, owner or owners of all nonconforming uses of land or buildings shall, within eighteen (18) months of the effective date of this ordinance, register such nonconforming use by obtaining from the Building Inspector a Certificate of Occupancy (nonconforming) even though a pervious Certificate of Occupancy has been issued. Such Certificate of Occupancy (nonconforming) shall be considered as evidence of the legal existence of a nonconforming use as contrasted to an illegal use or violation of this ordinance. The Building Inspector shall maintain a register of all certificates of occupancy issued for nonconforming uses and shall, on written request and payment of a fee, issue a duplicate certificate to anyone having a proprietory interest in the property in question. A nonconforming structure need not be registered.

28-420 TERMINATION OF NONCONFORMING USES

28-421 It is the declared purpose of this ordinance that nonconforming uses be eventually discontinued and the use of premises required to conform to the regulations prescribed herein having due regard for the investment in such nonconforming use.

28-422 A nonconforming use may be occupied, used and maintained in good repair, but it shall not be remodeled or enlarged except as provided in 28-430. The right to operate a nonconforming use shall cease and such use shall be terminated under any of the following circumstances:

a. Whenever a nonconforming use is abandoned, all nonconforming rights shall cease and the use of the premises shall henceforth be in conformance to this ordinance. Abandonment shall involve the intent of

the user or owner to discontinue a nonconforming operation and the actual act of discontinuance. Any nonconforming use which is discontinued for, or which remains vacant for, a period of six (6) months shall be considered to have been abandoned.

b. The violation of any of the provisions of this ordinance or violation of any ordinance of the City of Dallas with respect to a nonconforming use shall terminate immediately the right to operate such nonconforming use.

c. Whenever a nonconforming use is changed to a conforming use by rezoning so as to achieve compliance with the provisions of a new or different zoning district.

d. Whenever a nonconforming use is changed to a conforming use under the provisions of this section.

e. Whenever the structure in which a nonconforming use is housed, operated or maintained is destroyed or damaged by fire or other causes to the extent of more than sixty (60) percent of the replacement cost of the structure,on the date of the damage, the right to operate such nonconforming use shall terminate. nonconforming use shall terminate.

f. The right to maintain or operate a nonconforming use may be terminated by the Board of Adjustment in accordance with the provisions of Section 29 of this ordinance.

g. Whenever the time limitation established by a Special Permit under the provision of the previous zoning ordinance has expired.

28-430 CHANGING NONCONFORMING USES

28-431 Any nonconforming use may be changed to a conforming use and once such change is made, the use shall not thereafter be changed back to a nonconforming use.

28-432 The Board of Adjustment may grant a change of use from one nonconforming use to another nonconforming use provided such change is to a use permitted in a zoning district where the original nonconforming use would be permitted or provided that such change is to a use permitted in a more restrictive classification. However, such change of use and occupancy shall not tend to prolong the life of a nonconforming use. Upon review of the facts in accordance with Section 29, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use.

28-433 The Board of Adjustment may approve the remodeling or enlargement of a nonconforming use when such an enlargement would not tend to prolong the life of the nonconforming use. Upon review of the facts, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use in accordance with 29-701e.

28-440 LIMITATIONS ON CHANGING NONCONFORMING USES

28-441 No nonconforming use shall be changed to another nonconforming use which requires more off-street parking spaces or off-street loading space than the original nonconforming use unless additional off-street parking and loading space is provided so as to comply with the requirements of Section 20 and 21.

28-442 The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing on the effective date of this ordinance.

28-443 No nonconforming use may be expanded or increased beyond the lot or tract upon which such nonconforming use is located as of the effective date of this ordinance except to provide off-street loading or off-street parking space upon approval of the Board of Adjustment.

28-444 All nonconforming uses being expanded under the provisions of this ordinance shall comply with the other applicable provisions of this ordinance.

28-500 NONCONFORMING STRUCTURES

28-510 TERMINATION OF NONCONFORMING STRUCTURES

28-511 In event of damage or destruction of a nonconforming structure to the extent of sixty (60) percent of the replacement cost of such structure on the date of such damage, such nonconforming structure may be rebuilt only after hearing and favorable action by the Board of Adjustment as provided by Section 29.

28-512 Whenever a nonconforming structure is determined to be obsolete, dilapidated, or substandard by the Board of Adjustment, the right to operate, occupy or maintain such structure may be terminated by action of the Board of Adjustment as provided in Section 29 and such structure shall be demolished.

28-520 USE OF NONCONFORMING STRUCTURES

28-521 Any nonconforming structure may be occupied, used and maintained in a state of good repair, but no nonconforming structure shall be enlarged or extended so as to increase the nonconformity with any of the provisions of this ordinance.

28-522 Where a conforming use is located in a structure which is nonconforming, the use may be changed to another conforming use by securing a Certificate of Occupancy and Compliance from the Building Inspector.

28-523 Where a nonconforming use is located in a structure which is nonconforming, the use may be changed in accordance with the provisions of 28-400.

28-530 SPECIAL REGULATIONS FOR PUBLIC AND DENOMINATIONAL SCHOOLS

28-531 All public schools, denominational schools having a curriculum equivalent to public elementary or secondary schools, and all accessory buildings and structures normally associated thereiwth including stadiums and field houses which are built and existing on the effective date of this ordinance shall be considered as conforming to the provisions of this ordinance. In the event such school buildings have been constructed with lesser front yards, side yards, or rear yards, or with greater coverage, or floor-area ratio than herein specified, such buildings may be altered, remodeled, enlarged or increased in height, but no provision herein shall be construed as to require greater yards, or lesser coverage, or floor-area ratio than provided by the existing construction and building permits shall be issued if in compliance with the provisions of the Building Code.

28-600 NONCONFORMANCE WITH PERFORMANCE STANDARDS

28-601 The operation of any use existing prior to the effective date of this ordinance which is nonconforming because of its noncompliance with the performance standards specified for the district in which the use is located, may continue subject to any operating standards or conditions which may be required by the Board of Adjustment and the Director of Public Health in the interest of the public health and the protection of the use and enjoyment of adjacent property.

28-602 No enlargement, alteration, change, replacement, addition to or reconstruction of any operation or use subject to performance standards shall be permitted when such would cause greater noncompliance with performance standards than that which existed at the time of adoption of this ordinance.

SECTION 29
BOARD OF ADJUSTMENT

29-100 THERE IS HEREBY CREATED A BOARD OF ADJUSTMENT WHICH SHALL BE ORGANIZED, APPOINTED AND FUNCTION AS FOLLOWS:

29-200 ORGANIZATION OF BOARD OF ADJUSTMENT

29-201 The Board of Adjustment shall consist of five (5) members who are residents and taxpayers of the City of Dallas, each to be appointed by resolution of the City Council for a term of two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member, whose place becomes vacant for any cause, in the same manner as the original appointment was made. Provided, however, that the City Council may appoint two alternate members of the Board of Adjustment who shall serve in the absence of one or more of the regular members when requested to do so by the Chairman of the Board or City Manager, as the case may be. All cases to be heard by the Board of Adjustment will always be heard by a minimum number of four members. These alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.

29-300 OPERATIONAL PROCEDURE

29-301 The Board shall adopt rules to govern its proceedings provided, however, that such rules are not inconsistent with this ordinance or State Law. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oath and compel the attendance of witnesses.

29-302 All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

29-303 Appeals to the Board of Adjustment can be taken by any person aggrieved, or by an officer, department or board of the municipality affected by any decision of the Building Inspector. Such appeal shall be taken within fifteen (15) days time after the decision has been rendered by the administrative officer, by filing with the officer

29-304 An appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

29-305 No appeal to the Board of Adjustment for the same or a related variance on the same piece of property shall be allowed prior to the expiration of six (6) months from a previous ruling by the Board on any appeal to such body unless other property in the immediate vicinity has within the such six (6) months period been changed or acted on by the Board of Adjustment or City Council so as to alter the facts and conditions on which the previous Board action was based. Such change of circumstances shall permit the rehearing of an appeal by the Board of Adjustment prior to the expiration of a six (6) month period, but such conditions shall in no wise have any force in law to compel the Board of Adjustment, after a hearing, to grant a subsequent appeal. Such subsequent appeal shall be considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.

29-306 At a public hearing relative to any appeal, any interested party may appear in person or by agent or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action of the Board of Adjustment on any appeal. Any special exception or variance granted or authorized by the Board of Adjustment under the provisions of this ordinance shall authorize the issuance of a building permit or a certificate of occupancy, as the case may be, for a period of ninety (90) days from the date of the favorable action of the Board unless said Board shall have in its action approved a longer period of time and has so shown such specific longer period in the minutes of its action. If the building permit and/or certificate of occupancy shall not have been applied for within said ninety (90) day period or such extended period as the Board may have specifically granted, then the special exception or variance shall be deemed to have been waived and all rights thereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal and such subsequent appeal shall be subject to the same regulation and requirement for hearing as herein specified for the original appeal.

29-500 ACTIONS OF THE BOARD OF ADJUSTMENT

29-501 In exercising its powers, the Board may, in conformity with the provisions of the Statutes of the State of Texas as existing or hereafter amended, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken. The Board shall have the power to impose reasonable conditions to be complied with by the applicant.

29-502 The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the application on any matter upon which it is required to pass under this ordinance or to affect any variance in said ordinance.

29-503 Any person or persons, jointly or severally aggrieved by any decision of the Board of Adjustment or any taxpayer or any officer, department or board of the municipality may present to a court of records (District Court) a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten (10) days after the filing of the decision in the office of the Board and not thereafter.

29-600 NOTICE OF HEARING BEFORE BOARD OF ADJUSTMENT REQUIRED

29-601 The Board of Adjustment shall hold a public hearing on all appeals made to it and written notice of such public hearing shall be sent to the applicant and all other persons who are owners of real property lying within two hundred (200) feet of the property on which the appeal is made. Such notice shall be given not less than ten (10) days before the date set for hearing to all such owners who have rendered their said property for City taxes as the ownership appears on the last City tax roll. Such notice may be served by depositing the some properly addressed and postage paid in the United States Post Office. Notice shall also be given by publishing the same in the official publication of the City of Dallas at least ten (10) days prior to the date set for hearing which notice shall state the time and place of such hearing.

29-700 JURISDICTION OF BOARD OF ADJUSTMENT

29-701 When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards

authorize the following special variances and exceptions to the regulations herein established and take action relative to the continuance or discontinuance of a nonconforming use.

a. To hear and decide appeals where it is alleged there is error on any order, requirement, decision or determination made by the Building Inspector in the enforcement of this ordinance.

b. Interpret the intent of the zoning district map where uncertainty exists because the physical features on the ground vary from those on the zoning district map and none of the rules set forth in Section 6 apply.

c. To approve the use of a lot or lots in a residential district contiguous to (even if separated by a street or alley) an apartment, office, retail, commercial or industrial district for off-street parking of passenger vehicles subject to such standards and safeguard as are appropriate for the protection of adjacent residential uses.

d. Initiate on its motion or cause presented by interested property owners action to bring about the discontinuance of a nonconforming use in accordance with 29-701e.

e. Require the discontinuance of a nonconforming use under any plan whereby full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance.

f. Permit the change of occupancy of a nonconforming use to another nonconforming use in accordance with the provisions of 28-432 and 28-440.

g. Permit the enlargement of a nonconforming use in accordance with the provisions of 28-433 and 28-440.

h. Permit the reconstruction of a nonconforming structure or building on the lot or tract occupied by such building, provided such reconstruction does not, in the judgment of the Board, prevent the return of such property to a conforming use or increase the nonconformity of a nonconforming structure and provided that such actions conform to the provisions of 28-511.

i. Require the vacation and demolition of a nonconforming structure which is deemed to be obsolete, dilapidated or substandard.

j. Consider on its own motion or upon the request of interested property owners the operation or alteration of any use which is a nonconforming use because of noncompliance with the Industrial Performance Standards as set forth in 10-200 through 10-280 and specify the operating conditions and standards which must be complied with by the nonconforming use.

k. Vary the provisions and conditions required for the development of off-street parking facilities in the "P" Parking District when such variations are found to be in the interest of the area and necessary to secure reasonable parking use of a specific parcel of land.

l. Permit such variance of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum sidewalk or setback standards, off-street parking or off-street loading regulations where the literal enforcement of the provisions of this ordinance 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 ordinance shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the district.

SECTION 30
CERTIFICATE OF OCCUPANCY AND COMPLIANCE REQUIRED

30-100 No building or portion thereof hereafter erected, converted, or altered shall be used, occupied, or changed in use and no land may be used or changed in use until a certificate of occupancy and compliance shall have been issued by the Building Inspector of the City of Dallas stating that the building or portion thereof or the proposed use of land or building complies with the provisions of this ordinance and other building laws of the City of Dallas. Failure to comply with the provisions of this ordinance and other building laws shall constitute a basis to deny or disconnect City utilities or to require private utility companies to do likewise.

30-101 A certificate of occupancy and compliance shall be applied for coincident with the application for a building permit and will be issued before occupancy and connection of utilities to such building provided such construction or change has been made in complete conformity to the provisions of this ordinance and other building laws.

30-102 A record of all Certificates of Occupancy shall be maintained on file in the office of the Building Inspector of the City of Dallas and copies shall be furnished for a fee on written request to any person having a proprietary or tenancy interest in the building or land affected.

SECTION 31
COMPLETION OF CONSTRUCTION

31-100 Nothing herein contained shall require any change in the plans, construction or designated use of a building actually under construction within the City of Dallas on the effective date of this ordinance and which entire building shall be completed within one (1) year from the effective date of this ordinance or which building shall be maintained under continuous construction even though not completed within one (1) year. Nothing herein contained shall require any change in plan, construction or designated use of a building for which a building permit has been heretofore issued while such permit is valid and provided the building shall have been started within six (6) months of the date of issuance of the permit and which entire building shall be completed within one (1) year from the effective date of this ordinance or which building shall be maintained under continuous construction even though not completed within one (1) year.

SECTION 32
PROCEDURE FOR CHANGES AND AMENDMENTS

32-100 Any person or corporation or group of persons having a proprietary interest in any property, upon proof of such interest, may petition the governing body for a change or amendment to the provisions of this ordinance or the City Plan Commission may on its own motion, institute proposals for change and amendment in the public interest. All petitions for the amendment of this ordinance shall bear the signature of the owners of all property within the area of request.

32-101 The City Council may from time to time amend, supplement or change by ordinance the boundaries of the districts or regulations herein. Before taking action on any proposed amendment, supplement or change, the City Council shall submit the same to the City Plan Commission for its recommendation and report.

32-102 The City Plan Commission or a committee thereof shall hold a public hearing on any application for any amendment, supplement or change prior to making its recommendation and report to the City Council. Written notice of all public hearings before the City Plan Commission or a committee thereof on a proposed amendment, supplement or change shall be sent to all owners of real property lying within two hundred (200) feet of the property on which the change is requested. Such notice shall be given not less than ten (10) days before the date set for hearing by depositing a notice properly addressed and postage paid in the United States Post Office to such property owners as the ownership appears on the last approved City tax roll.

32-103 A public hearing shall be held by the City Council before adopting any proposed amendment, supplement or change. At least fifteen (15) days notice of the time and place of such hearing shall be published in the official newspaper of the City of Dallas.

32-104 If such proposed amendment, supplement or change has been denied by the City Plan Commission, or if a protest against such proposed amendment, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change or those immediately adjacent in the rent thereof extending two hundred (200) feet therefrom or of those directly opposite thereto extending two hundred (200) feet from the street frontage of such opposite lots, such amendment shall not become effective except by a three-fourths (3/4ths) vote of the members of the City Council of the City of Dallas.

SECTION 33
GENERAL DEFINITIONS

33-100 CERTAIN WORDS IN THIS ORDINANCE NOT HERETOFORE DEFINED ARE DEFINED AS FOLLOWS:

Words used in the present tense include the future; words in the singular number include the plural number and words in the plural number include the singular number; the word "building" includes the word "structure"; the word "lot" includes the words "plot" or "tract"; the word "shall" is mandatory and not discretionary.

33-101 Accessory Building (nonresidential): A subordinate building to the main building, the use of which is incidential and related to the main use and which is located on the same lot.

33-102 Alley: A public space or thoroughfare which affords a secondary means of access to property abutting thereon.

33-103 Apartment: A dwelling unit in a multiple family dwelling or apartment house arranged, designed or occupied as a place of residence by a single family.

33-104 Area of Lot: The square foot area of a lot within the bounding property lines and exclusive of dedicated streets or alleys.

33-105 Area Regulations: The regulations controlling minimum lot area, lot width, lot depth, front yard, side yard, rear yard, coverage and floor area ratio.

33-106 Basement: That portion of a building between floor and ceiling so located that the vertical distance from grade to the floor below is greater than the vertical distance from grade to ceiling. A basement shall not be counted in computing the number of stories.

33-107 Bedroom: A room in an apartment other than a kitchen, dining room, living room, bathroom or closet. This item shall include extra kitchens, dining rooms, living rooms and all dens, gamerooms, sun rooms or similar extra rooms.

33-108 Block: An area enclosed by streets or if said word is used as a term of measurement, it shall mean the distance along a side of a street between two intersecting streets or if the street is of a dead-end type, a block shall be considered to be measured between the nearest intersecting street and the end of such dead-end street.

33-109 Board: The Zoning Board of Adjustment as provided for in Section 29.

33-110 Building: Any structure designed, built or intended for the shelter or enclosure of persons, animals, chattels or movable property of any kind or for an accessory use. When separated by an absolute fire separation, each portion of such structure so separated shall be deemed a separate building. This definition shall include structures wholly or partly enclosed with an exterior wall.

33-111 Building Bulk: The relationship between the total mass of a building and the site on which it is located. As herein specified, building bulk refers to floor area ratio.

33-112 Building Line: A line parallel or approximately parallel to the street line at a specified distance therefrom, marking the minimum distance from the street line that a building may be erected. For existing buildings, the building line shall be the exterior wall or omitted wall line which is closest to the street.

33-113 Building, Ends: Those sides of a building having the least dimension as compared with the front or rear of a building. As used herein for building spacing regulations for multiple family dwellings, a building end shall be interpreted as being the narrowest side of the building regardless of whether it fronts upon a street, faces the rear of the lot or is adjacent to the side lot line or another building.

33-114 Building, Front: The side of a building having a greater length than the end. As used herein for building spacing regulations for multiple family dwellings, a building front shall be interpreted as being the side of greater length whether it fronts upon a street, facing the rear of the lot or is adjacent to the side lot line or another building.

33-115 Building, Rear: The opposite side from the building front.

33-116 Centerline, Street or Alley: A line erected midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the centerline shall be determined by the Director of Public Works.

33-117 City Council: The official Governing Body of the City of Dallas.

33-118 Court: An open space bounded on more than two sides by the walls of a building.

33-119 Court, Inner: A court entirely surrounded by the exterior walls of a building. Such walls may have openings for access, light and air.

33-120 Court, Outer: A court having one side open to a street, alley, yard or other permanent open space.

33-121 Coverage: The percent of lot area which is covered by a roof, floor or other structure and is not open to the sky. Roof eaves to the extent of two (2) feet and ordinary projections from the building not exceeding twelve (12) inches shall not be counted in computing coverage.

33-122 Density: The relationship of dwelling units or rooms to the area of the lot or tract upon which a residential structure is located or erected.

33-123 Development Schedule: A chronological estimate of the rate and order of development.

33-124 Dwelling Unit: A building or portion of a building which is arranged, occupied or intended to be occupied as a single living quarters and includes facilities for food preparation and sleeping.

33-125 Family: A family is any number of individuals living together as a single housekeeping unit, in which not more than four individuals are unrelated by blood, marriage or adoption.

33-126 Floor Area: The total square foot area of all floors in the building measured to the outside faces of exterior walls or to the line of an omitted wall, whichever includes the largest area.

33-127 Floor Area Ratio (F.A.R.): The ratio between the total square feet of floor area and the total square feet of land in the lot.

33-128 Frontage, Lot: The length of street frontage between property lines or lease lines.

33-129 Frontage, Street: The length of all property on one side of a street between two intersecting streets measured along the line of the street, or if the street is dead-ended, then the length of all property abutting on one side between an intersecting street and the end of the dead-end street.

33-130 Grade: The average elevation of the highest and lowest elevations measured at the finished surface of the ground at any of the exterior corners of the building or structure.

33-131 Height: The vertical distance measured from grade to (1) the highest point of any flat roof surface, (2) to the top deck line of mansard roofs, or (3) to the mean height level between eaves and ridge for hip and gable roofs, (4) the top of any elevator, penthouses or bulkheads, mechanical equipment rooms, cooling towers, tanks and ornamental cupolas and domes or other structures erected on the roof of a building.

33-132 Institutional Use: Schools, churches, colleges, lodges, hospitals, convents, welfare homes and similar establishments to those listed in 10-202.

33-133 Legal Height: The maximum height of a building imposed by the Airport Zoning Ordinance or any other ordinance which is effective.

33-134 Lot: Land which is occupied or intended to be occupied by a building and its accessory building and including such open spaces as are required under this ordinance and having frontage on a dedicated street.

33-135 Lot, Corner: A lot situated at the intersection of two dedicated streets and having frontage along both streets extending from the intersection.

33-136 Lot, Double Frontage: A lot having frontage on two or more dedicated streets other than a corner lot.

33-137 Lot Lines: The property or lease lines bounding a lot as defined herein.

33-138 Lot Line, Interior: A lot line delineating the division between two (2) contiguous lots on the interior of a block and not adjacent to a street.

33-139 Lot, Percentage Of: Determination of any percentage of a lot such as the rear fifty (50) percent, shall be done by finding the point on each side lot line which corresponds to that percentage of the length of such line and connecting the two points. The area so delineated shall be interpreted as representing that portion of the lot specified.

33-140 Lot of Record: A lot which is part of a subdivision plat which has been recorded in the office of the County Clerk of Dallas County.

33-141 Lot Width: The width of a lot at the required front yard line or at the building line if such is established at a greater distance from the street than the required front yard line.

33-142 Main Building: The building or buildings on a lot which are occupied by the primary use.

33-143 Occupancy: Occupancy as used herein pertains to and is the purpose for which a building is used or intended to be used. A change of occupancy is not intended to include a change of tenants or proprietors.

33-144 Omitted Wall Line: A line enclosing the exterior vertical elements of a structure or the outer edge of any floor, deck, balcony, walkway, bridge, stairway or such other structures as may cover the land contrary to the definition of open space. In the case of structures, composed of a roof and open sides, the omitted wall line is the exterior line of such roof. For ordinary roof eaves, the omitted wall line shall be two (2) feet inside of the eave line.

33-145 Open Space: An area on a lot that is open and unobstructed to the sky except for the ordinary projections of cornices and eaves.

33-146 Openings for Light and Air: Any windows, window walls, or glass panels located in the building, but not including doors which are used only for ingress or egress.

33-147 Performance Standards: The standards specified for the operating characteristics of industrial uses related to Noise, Smoke and Particulate Matter, Odorous Matter, Fire and Explosive Hazard, Toxic and Noxious Matter, Glare and Vibration.

33-148 Permanent Community Open Space: Parks, School Playgrounds, Community Centers, Golf Courses, Parkways, Water Areas or similar areas which are dedicated to the City of Dallas or which are created as private open space under a permanent agreement for maintenance and responsibility which agreement is accepted by the City Council and approved by the City Attorney.

33-149 Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

33-150 Street: Any thoroughfare other than an alley and not less than thirty (30) feet in width, which has been dedicated to the public for public use and which affords primary access to abutting property.

33-151 Street Line: A dividing line between a lot, tract or parcel of land and a contiguous street.

33-152 Structure: A structure shall be interpreted the same as a building, but shall, in addition, include such items as a free standing ground sign and pylon when erected on a base and not made integral with a building.

33-153 Trailer Stand, Transient: A parking place for a house trailer or mobile home unit together with the necessary yards and parking space required.

33-154 Use, Nonresidential: Any use other than a single family, two family, multiple family residence or rooming house and bona fide accessory uses as listed in 10-201 and 10-202.

33-155 Use, Residential: A single family, two family, or multiple family residence together with bona fide accessory uses as listed in 10-201 and 10-202.

33-156 Use, Retail or Commercial: Any use listed or similar to a use listed in 10-206, 10-207, 10-208, 10-209, 10-210, 10-212, 10-213 and 10-214.

33-157 Wall, Exterior: The exposed or outer most wall of the structure.

33-158 Yard: An open space on the lot on which a building is situated and which is open and unobstructed to the sky.

33-159 Yard, Front Required: A yard facing and abutting a street and extending across the front of the lot between the side lot lines and having a minimum horizontal depth measured from the street equal to the depth of the minimum front yard specified for the district in which the lot is located. The required front yard line represents the line in front of which no building or structure may be erected.

33-160 Yard, Rear Required: A yard, except for accessory buildings as herein permitted, extending across the rear of the lot between side lot lines and having a minimum depth measured from the rear lot line as specified for the district in which the lot is located.

33-161 Yard, Side Required: A yard located on a lot and extending from the required front yard to the required rear yard and having a minimum width measured from the side lot line as specified for the district in which the lot is located. Any lot line which is not a rear or front lot line shall be deemed a side lot line. Where a lot has only three (3) lot lines those lot lines which do not front upon a street shall be deemed side lot lines.

33-162 Zoning District: A classification within which the regulations specified herein are uniform and which is assigned to a particular area of the City by delineation upon the zoning district maps which are a part of this ordinance.

33-163 Zoning District Map: The official, certified map or maps upon which the boundaries of the various zoning districts are shown and which are an integral part of this zoning ordinance and together with this zoning text make up the zoning ordinance for the City of Dallas.

33-164 Zoning District, Nonresidential: The nonresidential zoning district shall be considered to be the PD, P, O, NS, SC, GR, LC, CA-1, CA-2, HC, I-1, I-2 and I-3 Districts.

33-165 Zoning District, Residential: The residential zoning district shall be considered to be the R-1, R-1/2, R-16, R-13, R-10, R-7.5, R-5, 2F-1, 2F-2, MF-1, MF-2, MF-3, MF-4, MH and A Districts.

33-166 Trailer or Mobile Home: A living unit designed to be moved from location to location by truck or a similar prime mover and designed to be moved on wheels which are an integral part of the unit's structure, and which has approved sewer and water connections to accommodate a flush water closet, tub or shower, and a sink within the unit.

33-167 Cottage Unit: A cottage unit is any fixed building, structure or part thereof located in a tourist court and used as sleeping quarters or temporary dwelling place by one or more persons living together as one family.

33-168 Sign: Any structure or object which is placed, arranged, colored, designed or constructed for the purpose of advertising or attracting attention to a building, business, product, activity or service.

33-169 Accessory Sign: A sign which is an accessory use of land and which directs attention to a business, product, activity or service which is conducted, sold or offered on the premises where the sign is located.

33-170 Flashing Sign: A sign or part thereof operated so as to create flashing; changes in light intensity, color, or copy; or intermittant light impulses more frequently than once in every four (4) seconds.

33-171 Moving Sign: A sign or any part thereof which moves, rotates, or gives the perception of motion.

SECTION 34
SPECIFIC USE PERMITS AND PLANNED DEVELOPMENT DISTRICTS ESTABLISHED

34-100 THE FOLLOWING, SP, SPECIFIC USE PERMITS ARE ADOPTED AS PART OF THIS ORDINANCE AND SHALL BE SUBJECT TO CONDITIONS AND STANDARDS SPECIFIED IN EACH AMENDING ORDINANCE AS LISTED.

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
1	Day nursery and school	10946	I-10
2	Electric substation	9747	C-6, C-7
3	Power plant	None	C-2, C-3 and D-2
4	Community recreation center	7957	D-6, E-6
5	Community recreation center	9579	D-6
6	Private school	9299	D-6
7	Private school	6499	D-7, D-8, E-7 and E-8
8	Trailer court	None	H-5
9	Billiard hall	10609	I-7
10	Day nursery	10714	K-8
11	Electric substation	6383	H-9
12	Day nursery	9589	H-9
13	Telephone company	None	H-9, H-10
14	Airport	None	G-5, G-6 and H-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
15	Day nursery	9537	G-6
16	Convalescent home	9837	F-9
17	Municipal Service Center	10081	F-9
18	Cemetery	None	F-9
19	Dance hall	10711	H-6
20	Radio station and tower	8704	F-9
21	Electric substation	None	G-7
22	Day school	None	G-7
23	Billiard hall	10743	J-7
24	Day nursery and school	10753	C-7
25	Home for the aged	8773	G-10, G-11
26	Cemetery	None	F-6, F-5
27	Day nursery	10794	K-10
28	Electric substation	6768	F-6
29	Church recreation facilities	9645	F-7
30	Cemetery	None	F-7, F-8
31	Hospital	9726 & 9960	F-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
32	Private club	8769	F-8
33	Dance hall	10762	L-8
34	Community recreation center	8754	F-10
35	Day nursery	10758	I-8
36	Day nursery	9547	H-10
37	Day nursery	10795	L-10
38	Private social club	10781	F-7, F-8
39	Day nursery	9775	H-8
40	Telephone company	6711 & 6805	H-10
41	Library	9519	H-10
42	Private school	7331	H-10
43	Day nursery	10787	L-5
44	Electric substation	5938	E-7
45	Branch library	9481	E-7
46	Country club	10896	A-7, B-7
47	Electric substation	7164	E-6
48	Cemetery	None	E-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
49	Private school	9087	E-6
50	Recreation club	9465	E-6
51	Electric substation	7163	E-6
52	Convalescent home	8697	G-9
53	Day nursery	5933	G-9
54	Lodge	5132	G-9
55	Private school	8845	E-5
56	Private school	9036	E-5
57	Community recreation club	7593	E-5
58	Heliport	8178	I-5
59	Hospital zone	None	I-6
60	Handicapped children's home	9062	I-10
61	Lodge	7949	I-9
62	Day nursery	8953	O-7
63	Day nursery	10263	M-7
64	Community center	6285	E-8
65	Electric substation	6992	E-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
66	Cemetery		D-8
67	Church recreation center	9768	D-8
69	Day nursery	9413	F-10
70	Commercial golf course	9468	F-8, F-9
71	Private recreation club	10642	E-5
72	Recreation club	9047	G-10
73	Chronic care hospital	10835	M-7
74	Day nursery	8222	K-10
75	Day nursery	9472	H-10
76	Day nursery	10205	G-6
77	Cemetery		G-6
78	Cemetery		G-6
79	Recreation center and private club		F-8
80	Religious institution		M-10
81	Recreation club	7617	I-8
82	Electric substation	9351	F-5
83	Hospital	10849	N-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
84	Sewage treatment plant	10810	P-11
85	Cemetery		F-5
86	Community recreation center	9175	F-5
87	Day nursery	8078	K-10
88	Electric substation	8131	K-10
89	Day nursery	8386	K-10
90	Day nursery	9766	K-10
91	Recreation club	6599	K-10
92	Cemetery		K-10
93	Electric substation		K-9
94	Day nursery		K-9
95	Meat packing		K-9
96	Day nursery	10867	H-7
97	Airport	5579	D-5, E-5
98	Quarry	7663	H-5, K-4, K-5, L-4, L-5, L-6
99	Country club		F-8
100	Children's home		J-10

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
101	Private community club	10740	D-8
102	Helistop	10645	F-8
103	Drive-in theatre		J-9
104	Cemetery		J-9
105	Old people's home	8954	J-9
106	Dance hall	10082	J-9
107	Radio tower	8259	K-5
108	Radio tower	7901	K-5
109	Mental hospital	4567	K-5
110	Hospital		I-7
111	Helibase	10645	F-8
112	Storage yard		I-7
113	Cemetery		I-7
114	Dance hall	9521	K-7
115	Dance hall	9587	K-7
116	Dance hall	9285	K-7
117	Institution of religious education	10897	I-10, I-11

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
118	Hospital	4900	K-6
119	Cemetery		K-8
120	Religious & institutional organization	9202 & 9548	K-8
121	Cemetery		K-8
122	Day nursery and kindergarten	8915	K-8
123	Country club	4935 & 6761	C-7
124	Community center & mission station	6791	K-8
125	Philanthropic institution	5837	K-8
126	Radio tower	8366	L-4, L-5
127	Radio tower		L-5
128	Convent		L-5
129	Electric substation	7764	L-5
130	Day nursery	10161	I-10
131	Cemetery		G-9
132	Sewage disposal plant	7313	L-8, M-8
133	Municipal Service Center	6193	L-8
134	Day nursery	4717	L-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
135	Dance hall	10163	L-8
136	Private school	3581	L-6
137	Private club	7327	L-6
138	Day nursery	8103	L-6
139	Electric substation	8417	L-6
140	Girls' home and home for aged	4508	L-6
141	Public utility storage & warehouse	4891	L-6
142	Radio tower		L-10
143	Day nursery	8914	L-10
144	Day nursery	9255	L-10
145	Municipal ground storage & pumping station	8142	L-11
146	Electric substation		M-5
147	Electric substation	5841	M-5
148	Electric substation		L-11
149	County storage yard		M-5
150	Day nursery	4315	K-10
151	Hospital		K-10

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
152	Batching plant	9610	K-10
153	Day nursery	9483	L-6
154	Mortuary	9892	K-10
155	Dance hall	9418	K-7
156	Theatre center	6160	I-7
157	Private club	7566	M-6
158	Telephone supply yard		M-6
159	Public library	9847	M-6
160	Day nursery	4390	M-6
161	Day nursery	5834	M-6
162	Recreation club	2525	M-6
163	Lodge	7481	M-7
164	Municipal storage area		L-7
165	Electric substation		M-10
166	Day nursery	9685	M-10
167	Day nursery	9759	M-10
168	Convalescent home	10012	M-10

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
169	Airport	9658	N-5, O-5, N-6, O-6
170	Day nursery	9945	M-8
171	Day nursery	4639	M-7
172	Day nursery	8349	M-7
173	Hospital		N-7, N-8
174	Nursing home	9546	N-8
175	Drive-in theatre	7994	N-8
176	Home for aged	8716	N-7
177	Electric substation	10353	C-8
178	Private school	10389	D-7
179	Church recreation	9128	N-7
180	Mining sand and gravel	10352	E-4
181	Armory		N-7
182	Mining operation		N-10
183	Day nursery	5605	N-8
184	Country club	9049	O-7, O-8
185	College	8703	O-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
186	Day nursery	9644	O-8
187	Cemetery		O-7, P-7
188	Electric substation		P-7
189	Country club	6761	D-7, D-8
190	Trailer court	7321	O-7
191	Home for aged	9790	P-8
192	Day nursery	10207	P-8
193	Water pumping station	8850	P-8
194	Country club	8864	O-6, P-6
195	Day nursery	9588	P-6
196	Convalescent home	10137	P-6
197	Power plant	7092	L-3, M-4
198	Water tower	10180	M-4
199	Electric substation		M-7
200	Sand and gravel mine	10088	E-4
201	Sand and gravel mine	10270	E-4
202	Day nursery	10159	F-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
203	Day nursery	10256	H-6
204	Zoo	4449	L-7
205	Batching plant	9857	I-6
207	Recreation club	9522	J-9
208	Mobile home park	9298	K-4
209	Mining and quarry	9298	K-4
210	Nursing home	8620	O-8
211	Mobile home park	4162	L-6
212	Day nursery	10287	M-5
213	Alcoholics' hospital	8420	I-7
214	Hospital		O-8
215	Electric substation	6382	I-9
216	Private club	6694	I-9
217	Country club		I-8, I-9
218	Day nursery	7732	M-7
219	Nursing home	7732	M-7
220	Clinic and convalescent home	9754	K-5

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
221	Dance hall	8627	K-9
222	Day nursery	5560	K-9
223	Drive-in theatre	4583	L-5
224	Golf course		I-9, J-9
225	Day nursery	5606	H-8
226	Day nursery	9017	L-7
227	Day nursery	9907	M-5
228	Day nursery	9337	M-5
229	Private social club	8607	N-5
230	Day nursery	9535	N-7
231	Day nursery	8734	P-6
232	Lodge	7126	N-8
233	Cemetery		N-10
234	Day nursery	10360	E-5
235	Golf course		K-6
236	Golf course		M-7
237	Day nursery	10350	G-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
238	Recreation club	10428	G-8
239	Seminary		L-4, L-5
240	Billiard hall	10706	H-6
241	Institution for care of alcoholics	10328	I-7
242	Children's home	10608	I-7
243	Billiard hall	10456	I-7
244	Day nursery	10329	I-10
245	Radio tower	10702	J-5
246	Day nursery	10368	J-5
247	Day nursery	10445	J-5
248	Boys' club	10486	J-5
249	Day nursery	10666	J-6
250	Dance hall	10351	J-7
251	Billiard hall	10521	J-8
252	Day nursery	10441	J-9
253	Water tower	10637	J-10
254	Billiard hall	10348	K-8

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
255	Billiard hall	10694	K-8
256	Billiard hall	10380	K-8
257	Day nursery	10459	K-8
258	Radio tower	10520	K-9
259	Apartments for aged	9376	K-6
260	Day nursery	10688	L-7
261	Concrete batching plant	10519	L-9
262	Billiard hall	10482	L-10
263	Day nursery	10561	M-6
264	Day nursery	10388	M-7
265	Day nursery	10410	N-5
266	Day nursery	10409	N-7
267	Day nursery	10458	N-7
268	Mortuary	10703	O-7
269	Nursing home	9309	I-8
270	Water tower	10664	P-8
271	Telephone service center	10689	Q-6

SPECIFIC USE PERMIT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
272	Dance hall	10494	K-7
273	Picnic area	10438	N-8
274	Day nursery	10913	K-8
275	Electric substation	10909	N-6
276	Country club		C-7
277	Country club		C-7, D-7
278	Convent		H-6
279	Convent		H-8

34-200 THE FOLLOWING, PD, PLANNED DEVELOPMENT DISTRICTS ARE ADOPTED AS PART OF THIS ORDINANCE AND SHALL BE SUBJECT TO CONDITIONS AND STANDARDS SPECIFIED IN EACH AMENDING ORDINANCE AS LISTED.

PLANNED DEVELOPMENT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
1	Offices and clinics	8101, 8286 & 9259	D-7
2	Shopping and park	6920 & 8846	E-5
3	Discount store	8907	F-8
4	Recreation park	None	F-8
5	Industrial development	6271 & 8931	F-10, F-11, G-10, G-11
6	Retail and office	7059	G-7
7	Retail	8421, 8695	G-10
8	Retail, office and apartment	8289, 9059	I-7
9	Retail	5250, 6355	I-7, J-7
10	Office and apartments	7706	I-8
11	Retail	10379	H-6
12	Shopping center	10198	O-7
13	Apartment development	9807	F-8, G-8
14	Motel and apartment development	8905, 10862	H-6
15	Apartment development	4040	F-7

PLANNED DEVELOPMENT NUMBER	USE	ORDINANCE NUMBER	MAP LOCATION
16	Retail	10660	D-7
17	Retail	9148, 10290	C-7

SECTION 35
PENALTY FOR VIOLATION

35-100 Any person or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building or use in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than two hundred dollars ($200.00) and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof, where anything in violation of this ordinance shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction shall be fined as herein provided. The City likewise shall have the power to enforce the provisions of this ordinance through civil court action as provided by State Law.

SECTION 36
VALIDITY

36-100 If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provisions thereof other than the part so decided to be invalid or unconstitutional.

SECTION 37
WHEN EFFECTIVE

37-100 This Zoning Ordinance shall become effective immediately on and after its passage by the City Council, subject to the following qualifications:

a. Section 34 reserves the rights granted under Special Permits therein enumerated, adopted prior to the enactment of this Ordinance;

b. Any construction now in progress and construction for which building permits have been issued in accordance with the prior ordinance, shall be unaffected by this Ordinance;

c. Pending applications for zoning change or amendments of any Use District made under the prior ordinance, shall be processed, and if the City Council is of the opinion that a zoning change is justified and should be made, then such change or amendment shall be classified and placed into the proper Use District where such use and occupancy is permitted as contained in this Ordinance.

d. In the event construction drawings are presented to the Chief Building Inspector of the City of Dallas showing development proposed under the terms of the prior Zoning Ordinance within thirty (30) days from the passage of this Ordinance, and in the event the denial of a building permit for such construction would cause a loss or hardship, the City Council may consider the case on the facts and if it is of the opinion that the general zoning scheme and public interest will not be adversely affected thereby, it may grant a permit for development and construction.

SECTION 38
TABLE OF CONTENTS

38-100 There is attached hereto as an appendix, a Table of Contents of this Ordinance, together with the names of the Zoning Revision Committee, heretofore appointed by the City Council to aid and assist the City Plan Commission and the City Council in drafting the foregoing Zoning Ordinance and maps.

SECTION 39
EMERGENCY CLAUSE

39-100 The fact that the City of Dallas has not generally revised its Basic Zoning Ordinance since 1951 and since that time the territorial limits of the City of Dallas and its population have greatly increased; general economical conditions of the City of Dallas have materially changed; construction, land use and techniques have been modernized and up-dated; the traffic patterns in the development of freeway, expressway, and major arterial throughways with the consequence increase in traffic, have brought about the need for a change of land use from residential to business or otherwise and the expansion of the areas for residential development in areas annexed to the City of Dallas, creates an urgency and an emergency for the proper safeguard of the public welfare, health, peace and safety and requires that this Ordinance shall become effective immediately upon its passage, and it is accordingly so ordained.

PASSED: MAR 29 1965

CORRECTLY ENROLLED: MAR 29 1965

H. P. Kucera
City Attorney

ATTEST:
Harold G. Shank
City Secretary

APPROVED AS TO FORM:

H. P. KUCERA, City Attorney

APPENDIX A
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The City Council wishes to express its appreciation to the Zoning Revision Committee for its help and assistance to the City Planning and Zoning Commission and City Council in revising and modernizing this Comprehensive Zoning Ordinance and Maps showing the Use Districts.

The Zoning Revision Committee was composed of:

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William M. Gaynier, Vice-Chairman
Howard Adleta
LaVere Brooks
Herschel Brown
William L. Cobb
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2/4/87

ORDINANCE NO. 19455

An ordinance amending the Dallas City Code, as amended, by establishing a new CHAPTER 51A, to be known as "PART II OF THE DALLAS DEVELOPMENT CODE"; redesignating CHAPTER 51 as "PART I OF THE DALLAS DEVELOPMENT CODE"; making cross-referencing and other technical modifications to the balance of the Dallas City Code to allow the new CHAPTER 51A to function smoothly as a component of the Code; providing a penalty clause; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the Dallas City Council adopted planning policies in July of 1984 and therein expressed its desire to update the existing zoning ordinance for rezoning requests by creating new less cumulative districts and other new districts to enhance flexibility (Section 3 of the Planning Policies, Objective 1.6); and

WHEREAS, this ordinance provides for the creation of new less cumulative zoning districts by establishing a new CHAPTER 51A, to be known as "PART II OF THE DALLAS DEVELOPMENT CODE"; and

WHEREAS, the new less cumulative districts created in the new CHAPTER 51A were approved in concept by the city council

EXHIBIT C

in September, 1986, to be used for rezoning requests; and

WHEREAS, it is the intent of the city council that the new CHAPTER 51A shall apply to all requests for a change in zoning district classification or boundary that are formally initiated on or after March 1, 1987; and

WHEREAS, it is the further intent of the city council that CHAPTER 51 shall continue to apply to all property in the city that is not rezoned; and

WHEREAS, the passage of this ordinance, in and of itself, shall not change the zoning classification or boundary of any property in the city; and

WHEREAS, the city plan commission and the city council, in accordance with the provisions of the Charter of the City of Dallas, the state law, and the applicable ordinances of the city, have given the required notices and have held the required public hearings regarding the amendments to the Dallas City Code contained in this ordinance; Now, Therefore,

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

SECTION 1. That Section 1-5, "Rules of Construction," of CHAPTER 1, "GENERAL PROVISIONS," of the Dallas City Code, as amended, is amended by adding a new rule of construction, to be placed in alphabetical order in the list of rules of construction, to read as follows:

"DALLAS DEVELOPMENT CODE. The words "Dallas Development Code" shall mean both Chapters 51 and 51A. Chapter 51 is Part I of the Dallas Development Code. Chapter 51A is Part II of the Dallas Development Code."

SECTION 2. That Subsection (c) of Section 1-6, "Amendments or Additions to Code; Printing," of CHAPTER 1, "GENERAL PROVISIONS," of the Dallas City Code, as amended, is amended to read as follows:

"(c) Chapters 1 through 51A of the Code shall be maintained by the city attorney on a word processing system so that the Code, as it exists on the system, is continuously updated as amendments to the Code are adopted by the city council. The city attorney shall periodically cause supplements to the Code to be printed, but not less than once each year. When the supply of Code books becomes short or when supplements become so numerous as to make handling and selling of the Code difficult, the city attorney may cause the entire Code to be reprinted in an up-to-date form with all amendments included."

SECTION 3. That Paragraph (3) of Subsection (g), "Other Abandonment Regulations," of Section 2-26.2, "Abandonment of Public Rights-of-Way," of Article III, "Management and Sale of City-Owned Real Property," of CHAPTER 2, "ADMINISTRATION," of the Dallas City Code, as amended, is amended to read as follows:

"(3) An applicant will not be allowed a credit against the proposed abandonment for conversion of a right-of-way to a private street or private drive; except, that an applicant will be allowed a credit against the proposed abandonment of rights-of-way in residential developments, if the applicant has acquired an area for development and agrees to construct:

(A) private streets in an R, R(A), D, D(A), TH, TH(A), or CH [~~A SINGLE-FAMILY/ DUPLEX/ OR TH~~] district adequate to serve the area's development; or

(B) private drives in an MF or MF(A) [~~A MULTIFAMILY~~] district if:

(i) the private drives are built to the same specifications as a street dedicated to public use; with a minimum width of 24 feet, no curb requirement, when adjacent to parking, and a minimum width of 20 feet with a curb requirement when not adjacent to parking; and

(ii) the private drives contain private service easements including, but not limited to utilities, firelane, street lighting, government vehicle access, mail collection and delivery access, and utility meter reading access."

SECTION 4. That Subsection (c) of Section 7-15, "Pigeons," of Article I, "General," of CHAPTER 7, "ANIMALS," of the Dallas City Code, as amended, is amended to read as follows:

"(c) A person commits an offense, without regard to his mental state, if he feeds a pigeon on public property within the area defined by the Comprehensive General Zoning Ordinance as a CA-1 or CA-1(A) zoning district [~~CENTRAL AREA DISTRICT~~]."

SECTION 5. That Section 15A-8, "Definition," of Article II, "Temporary Political Campaign Signs," of CHAPTER 15A, "ELECTIONS," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 15A-8. DEFINITION.

In this article TEMPORARY POLITICAL CAMPAIGN SIGN means a sign that:

(1) is displayed in addition to other signs authorized under Article VII, Chapter 51 or Article VII, Chapter 51A of this code; and

(2) refers only to the issues or candidates involved in an election that is called by a governmental entity."

SECTION 6. That Subsection (c) of Section 15A-9, "Purpose and Findings," of Article II, "Temporary Political Campaign Signs," of CHAPTER 15A, "ELECTIONS," of the Dallas City Code, as amended, is amended to read as follows:

"(c) Chapters 51 and 51A of this code offer[$] ample opportunity for citizens to display signs that convey noncommercial messages, including political campaign messages; therefore, the time restrictions in this article do not constitute a ban on political campaign messages during other times. On the contrary, political campaign messages, as well as other noncommercial messages, may be displayed at any time on signs regulated by Article VII, Chapter 51 or Article VII, Chapter 51A."

SECTION 7. That Section 15A-10, "Temporary Political Campaign Signs Permitted," of Article II, "Temporary Political Campaign Signs," of CHAPTER 15A, "ELECTIONS," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 15A-10. TEMPORARY POLITICAL CAMPAIGN SIGNS PERMITTED.

(a) In addition to signs authorized and regulated by Article VII, Chapter 51 or Article VII, Chapter 51A of this code, temporary political campaign signs may be erected in accordance with this article at any occupancy or upon any premise without limit as to number.

(b) The regulations of this article do not affect messages displayed on signs regulated by Article VII, Chapter 51 or Article VII, Chapter 51A of this code. Those signs may display political campaign messages and are not regulated by this article."

SECTION 8. That Subsection (b) of Section 15A-13, "Permit Required," of Article II, "Temporary Political Campaign Signs," of CHAPTER 15A, "ELECTIONS," of the Dallas City Code, as amended, is amended to read as follows:

"(b) A sign erected pursuant to this article must comply with the requirements of Chapters 51 and 51A of this code that do not pertain to the content of the message displayed and do not pertain to the number of signs displayed."

SECTION 9. That Section 20-30, "Zoning Restrictions," of Article II, "Hospitals and Convalescent Homes," of CHAPTER 20, "HOSPITALS AND MATERNITY, INFANT, AND CONVALESCENT HOMES," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 20-30. ZONING RESTRICTIONS.

The zoning restrictions applicable to hospitals and convalescent homes are contained in the Dallas Development Code. [The housing of two/ inside/ fenced/ yard/ or nursery shall be performed in all districts except that less restricted districts as set up in the zoning laws of the city/ and shall not permit a child/ family/ within the family dwelling/ nor shall it permit the housing of dependents of a family within the family/]"

SECTION 10. That Section 28-81, "Same - With Capacity of More Than One and One-Half Tons in Certain Districts," of Division 1, "Generally," of Article XI, "Stopping, Standing, and Parking Generally," of CHAPTER 28, "MOTOR VEHICLES AND TRAFFIC," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 28-81. SAME - WITH CAPACITY OF MORE THAN ONE AND ONE-HALF TONS IN CERTAIN DISTRICTS.

A person commits an offense if he stops, parks, or stands a truck-tractor, road tractor, semitrailer, bus, or trailer or truck with a rated capacity in excess of one and one-half tons according to the manufacturer's classification, upon property within an area zoned as an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) zoning district as defined in the Dallas Development Code [*single family dwelling district/ duplex dwelling district/ townhouse dwelling district or multiple family dwelling district/ according to the zoning ordinances of the city*]. This section shall not apply to the parking or standing of vehicles for the purpose of expeditiously loading or unloading passengers, freight, or merchandise."

SECTION 11. That Subsection (a)(1) of Section 30-4, "Loudspeakers and Amplifiers," of CHAPTER 30, "NOISE," of the Dallas City Code, as amended, is amended to read as follows:

"(1) Such loudspeaker or sound amplifier shall be limited in operation that is within 150 feet of a single-family, duplex, or multiple family (multifamily) use, [dwelling ()]as defined in the Dallas Development Code, [)] to times between the hours of 8:00 a.m. and sunset as designated by publication in a local newspaper of general circulation."

SECTION 12. That Subsection (b) of Section 31-22, "Regulations for Public Speeches in Stone Place, Four-Way Place, and Bullington Street Mall," of CHAPTER 31, "OFFENSES - MISCELLANEOUS," of the Dallas City Code, as amended, is amended to read as follows:

"(b) A person commits an offense if he:

(1) uses a portion of Stone Place, Four-Way Place or the Bullington Street Mall for the purpose of a demonstration, entertainment, or speech between the hours of 7:00 A.M. and 7:00 P.M. on any day except Sunday and legal holidays, without first obtaining a permit from the chief of police;

(2) uses an area outside of, but within 100 feet of, an entrance to Stone Place, Four-Way Place or the Bullington Street Mall for the purpose of a demonstration, entertainment, or speech, between the hours of 7:00 A.M. and 7:00 P.M. of any day except Sunday and legal holidays; or

(3) while using Stone Place, Four-Way Place, or the Bullington Street Mall, for the purpose of a demonstration, entertainment, or speech creates a sound pressure level equal to or in excess of the following decibel limits specified in the designated octave bands:

Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)	80	68	61	55	51	48	45	43	56

NOTE: A Scale levels are provided for monitoring purposes only. Noise measurements are made in the same manner as provided in the Environmental Performance Standards of the Dallas Development Code. [Measurements will be made in accordance with Section 10-421 of Chapter 51 of this code.]"

SECTION 13. That Subsection (b) of Section 31-22.1, "Regulations for Public Speeches in Public Areas Surrounding Thanks-Giving Square," of CHAPTER 31, "OFFENSES - MISCELLEANOUS," of the Dallas City Code, as amended, is amended to read as follows:

"(b) A person commits an offense if he:

(1) uses a portion of the public area surrounding Thanks-Giving Square for the purpose of a demonstration, entertainment, or speech between the hours of 7:00 A.M. and 9:00 P.M. on any day, without first obtaining a permit from the chief of police; or

(2) while using the public area surrounding Thanks-Giving Square for the purpose of a demonstration, entertainment, or speech creates a sound pressure level equal to or in excess of the following decibel limits specified in the designated octave bands:

Octave Band (cps)	37 75	75 150	150 300	300 600	600 1200	1200 2400	2400 4800	4800 9600	A Scale
Decibel Band Limit (db re 0.0002 Microbar)	80	68	61	55	51	48	45	43	56

NOTE: A Scale levels are provided for monitoring purposes only. Noise measurements are made in the same manner as provided in the Environmental Performance Standards of the Dallas Development Code. [Measurements will be made in accordance with Section 10-121 of Chapter 51 of this code/]"

SECTION 14. That Subsection (b) of Section 43-125, "Location of a Bicycle Parking Device," of Division 2, "Bicycle Parking Devices," of Article VI, "Licenses for Other Than Bicycle Parking Devices," of CHAPTER 43, "LICENSE FOR THE USE OF PUBLIC RIGHT-OF-WAY," of the Dallas City Code, as amended, is amended to read as follows:

"(b) A bicycle parking device may not be installed or operated on public right-of-way not open to motor vehicle traffic if, measured with bicycles parked in it, the device would:

(1) be within five feet of a marked crosswalk;

(2) be within 12 feet of the curb return of an unmarked crosswalk;

(3) be within 10 feet of a fire hydrant, fire call box, police call box or other emergency facility;

(4) be within five feet of a driveway;

(5) be within three feet in front of or 15 feet behind a sign marking a designated bus stop;

(6) be within three feet of a bus bench;

(7) reduce the unobstructed space for the passage of pedestrians to less than:

(A) the minimum unobstructed sidewalk widths [¶ø∂¶ª∂ø¢] required by [$¢¢¶Ïø¤ §Ï¼/4Ø1(¢)(4)(B)/ (C)/ ∂¤¢ (D) ø¶] the Dallas Development Code for core and secondary pedestrian precinct overlay districts and fringe areas located within CA-1 and CA-1(A) zoning districts [¶H¢ ¢e¤¶ª¼I ∂ï¢¤¼I ∂ï$¶Ï¢¶/ ¤$ ∂e¶Ïn¢d Ïn §¢¢¶Ïø¤ §Ï¼/1Ø2(Þ)(7) ø¶ ¶H¢ D¢ª¢Ïø¤n¢n¶ Ø∂∂¢];

(B) four feet in all other areas of the city;

(8) be within three feet of property improved with lawn, flowers, shrubs, trees, or other landscaping; or

(9) be within 10 feet of an exit door of a building."

SECTION 15. That Subsection (a) of Section 43-126.11, "Location of a Valet Parking Service," of Division 3, "Valet Parking Services," of Article VI, "License for the Use of Public Right-of-Way," of the Dallas City Code, as amended, is amended to read as follows:

"(a) Spaces and stands for a valet parking service may not:

(1) be within 10 feet of a crosswalk;

(2) be within 10 feet of a fire hydrant, fire call box, police or other emergency facility;

(3) be within five feet of a driveway;

(4) be within three feet in front of or 15 feet behind a sign marking a designated bus stop;

(5) be within three feet of a bus bench; or

(6) reduce the unobstructed space for the passage of pedestrians to less than:

(A) the minimum unobstructed sidewalk widths required by [*illegible*] the Dallas Development Code for core and secondary pedestrian precinct overlay districts located within CA-1 and CA-1(A) zoning districts; or

(B) four feet in all other areas of the city."

SECTION 16. That Section 44-17, "Historic Landmark Tax Freeze," of Article I, "In General," of CHAPTER 44, "TAXATION," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 44-17. HISTORIC LANDMARK TAX FREEZE.

A limited property tax freeze for designated historic landmarks may be granted the owner of the property upon completion of the restoration. The tax freeze is governed by the process established in [~~SECTION 51A-4.501(d)~~] the Dallas Development Code."

SECTION 17. That Subsection (c) of Section 50-168, "Certificate of Occupancy," of Division 3, "Vending on Private Property," of Article XII, "Street Vendors," of CHAPTER 50, "CONSUMER AFFAIRS," of the Dallas City Code, as amended, is amended to read as follows:

"(c) It is a defense to prosecution under this section that the person:

(1) is conducting an occasional sale, commonly known as a garage sale, as defined in the Dallas Development Code [¢Ð¥¤ø¢¢ƒ ƷÍ ø¢ ¢Ð¥Ì¤ ¢øø¢];

(2) possesses a mobile food unit permit issued under Chapter 17 of this code or a vendor's permit for dairy food products in compliance with Chapter 26 of this code, and

(A) the vendor has the written permission of an owner of the private property on which the business is conducted;

(B) the vendor's business operation does not or will not violate any applicable laws or regulations; and

(C) the vendor does not use in the conduct of his business any structure affixed to the ground which violates any code of the city, including, but not limited to, the building or plumbing code of the city; or

(3) possesses a CBD concession license, as provided for in this chapter, and:

(A) the vendor has the written permission of an owner of the private property on which the business is conducted;

(B) the vendor's business operation does not or will not violate any applicable laws or regulations; and

(C) the vendor does not use in the conduct of his business any structure affixed to the ground which violates any code of the city, including, but not limited to, the building or plumbing code of the city."

SECTION 18. That Section 51-1.101, "Title," of Article I, "Title, Purpose, Enforcement, Certificate of Occupancy, Fees, Notification Signs," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 51-1.101. TITLE.

This chapter is known as Part I of the Dallas Development Code."

SECTION 19. That Section 51-1.102, "Purpose," of Article I, "Title, Purpose, Enforcement, Certificate of Occupancy, Fees, Notification Signs," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 51-1.102. APPLICABILITY AND PURPOSE.

(a) Applicability.

(1) At any time prior to March 1, 1987, an applicant for a change in zoning district classification or boundary may voluntarily elect to proceed under either this chapter or Chapter 51A. Any request for a change in zoning district classification or boundary that is formally initiated on or after March 1, 1987 must be made under Chapter 51A.

(2) This chapter continues to apply to all property in the city that retains one of the base zoning classifications listed in Section 51-4.101.

(3) Chapter 51A (and not this chapter) automatically applies to all property that is annexed into the city on or after March 1, 1987.

(b) Purpose. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city in order to:

(1) lessen the congestion in the streets;

(2) secure safety from fire, flooding, and other dangers;

(3) provide adequate light and air;

(4) prevent the overcrowding of land;

(5) avoid undue concentration of population;

(6) facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements;

(7) promote the character of areas of the city;

(8) limit the uses in areas of the city that are peculiarly suitable for particular uses;

(9) conserve the value of buildings; and

(10) encourage the most appropriate use of land throughout the city."

SECTION 19A. That the title of Article I of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"ARTICLE I
TITLE, APPLICABILITY AND PURPOSE, ENFORCEMENT, CERTIFICATE OF OCCUPANCY, FEES, NOTIFICATION SIGNS."

SECTION 20. That Section 51-2.102, "Definitions," of Article II, "Interpretations and Definitions," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 51-2.102. DEFINITIONS.

In this chapter, unless the context requires otherwise:

(1) "A" DISTRICT means the agricultural district established under this chapter.

(2) "A(A)" DISTRICT means the agricultural district established under Chapter 51A.

(3) ACCESSORY USES means those uses defined in Section 51-4.217.

(4) AGRICULTURAL DISTRICT means the A district established under this chapter.

(5) [(1)] AIRPORT HAZARD means any structure, tree, sign, vehicle or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport, or is otherwise hazardous to the landing or taking off of aircraft.

(6) [(2)] ALLEY means a right-of-way which provides secondary access to adjacent property.

(7) [(3)] BASEMENT means any level of a building where more than one half of the vertical distance between floor and ceiling is below grade.

(8) [(4)] BEDROOM means any room in a dwelling unit other than a kitchen, dining room, living room, bathroom, or closet. Additional dining rooms and living rooms, and all dens, game rooms, sun rooms, and other similar rooms are considered bedrooms.

(9) [(5)] BLOCK means

(A) an area bounded by streets on all sides; and

(B) as a measurement term, the distance along one side of a street between the two nearest intersecting streets, or where a street deadends, the distance along one side of a street between the nearest intersecting street and the end of the deadend street.

(10) [(6)] BOARD means the board of adjustment.

(11) [(7)] BUILDING means a structure for the support or shelter of any use or occupancy.

(12) [(8)] BUILDING LINE means a line marking the minimum distance a building may be erected from a street, alley, or lot line. (Also called the "setback line.")

(13) [(9)] BUILDING OFFICIAL means the person designated by the city manager as the building official of the city or the building official's authorized representative.

(14) [(10)] BUILDING SITE means property that meets the requirements of Section 51-4.601.

(15) "CA-1" DISTRICT means the CA-1 district established under this chapter.

(16) "CA-1(A)" DISTRICT means the CA-1(A) district established under Chapter 51A.

(17) "CA-2" DISTRICT means the CA-2 district established under this chapter.

(18) "CA-2(A)" DISTRICT means the CA-2(A) district established under Chapter 51A.

(19) [(11)] CENTER LINE means a line running midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the center line shall be determined by the director of public works.

(20) [(12)] CENTRAL AREA DISTRICTS means the CA-1 and CA-2 districts established under this chapter.

(21) [(12.1)] CENTRAL BUSINESS DISTRICT means the area of the city within Woodall Rodgers Freeway, Central Expressway (elevated bypass), R. L. Thorton Freeway, and Stemmons Freeway.

(22) "CH" DISTRICT means the clustered housing (CH) district established under Chapter 51A.

(23) [(13)] CITY COUNCIL means the governing body of the city.

(24) [(14)] COMMERCIAL DISTRICTS means the NS, SC, GR, LC and HC districts established under this chapter.

(25) [(15)] COMMISSION or CITY PLAN COMMISSION means the

city plan and zoning commission.

(26) [~~(16)~~] COVERAGE means the percentage of lot area covered by a roof, floor, or other structure, except that roof eaves up to 24 inches and other ordinary building projections up to 12 inches are excluded.

(27) "CR" DISTRICT means the community retail (CR) district established under Chapter 51A.

(28) "CS" DISTRICT means the commercial service (CS) district established under Chapter 51A.

(29) "D" DISTRICT means the duplex district established under this chapter.

(30) "D(A)" DISTRICT means the duplex district established under Chapter 51A.

(31) [~~(17)~~] DENSITY means the ratio of dwelling units to lot area.

(32) [~~(18)~~] DEPARTMENT means department of planning and development.

(33) [~~(19)~~] DIRECTOR means the director of the department of planning and development or his representative.

(34) DUPLEX DISTRICT means the D district established under this chapter.

(35) [~~(20)~~] DWELLING UNIT means one or more rooms designed to accommodate one family and containing only one kitchen plus living, sanitary, and sleeping facilities.

(36) [~~(20.1)~~] EAVES means the lowest border of a roof, including any overhang.

(37) [~~(21)~~] FAMILY means individuals living together as a single housekeeping unit in which not more than four individuals are unrelated by blood, marriage, or adoption.

(38) [~~(22)~~] FENCE means a structure that provides a physical barrier.

(39) [~~(23)~~] FLOOR AREA means the total square feet of floor space in a building measured to the outside faces of exterior walls or to the omitted wall lines, whichever produces the larger area.

(40) [(24)] FLOOR AREA RATIO means the ratio of floor area to lot area.

(41) [(25)] FRONTAGE means the length of property along one side of a street between property or lease boundary lines.

(42) [(26)] FRONT YARD means that portion of a lot which abuts a street and extends across the width of the lot between the street and the setback line.

(43) "GO" DISTRICTS means the general office (GO) matrix districts established under this chapter.

(44) "GO(A)" DISTRICT means the general office [GO(A)] district established under Chapter 51A.

(45) [(27)] GRADE means the average of the finished ground surface elevations measured at the highest and lowest exterior corners of a structure.

(46) [(28)] 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.

(47) [(29)] HISTORIC LANDMARK means any building, land, area, or district of historical, architectural, archaeological, or cultural importance or value, which the city council determines shall be protected, enhanced, and preserved in the interest of the culture, prosperity, education and welfare of the people.

(48) "IM" DISTRICT means the industrial/manufacturing (IM) district established under Chapter 51A.

(49) [(30)] INDUSTRIAL DISTRICTS means I-1, I-2, and I-3 districts.

(50) [(31)] INNER COURT means an open space bounded on all sides by the walls of a building.

(51) [(32)] INSTITUTIONAL USES means community service

uses, religious uses, educational uses and medical uses except the medical clinic, medical or scientific laboratory, optical shop, medical appliance fitting and sales, and ambulance service uses.

(52) [~~(33)~~] INTERIOR LOT LINE means a lot line not adjacent to a street or alley.

(53) "IR" DISTRICT means the industrial/research (IR) district established under Chapter 51A.

(54) [~~(34)~~] LANDING AREA means the area of an airport used for the landing, take off or taxiing of aircraft.

(55) [~~(34.1)~~] LANDSCAPE AUTHORITY means:

(A) a landscape architect licensed or registered by the state; or

(B) a professional horticulturist or nurseryman.

(56) [~~(35)~~] LEGAL HEIGHT means the maximum building height allowed under the airport flight overlay district regulations or any other ordinance or regulation in effect.

(57) LIMITED USE means a use restricted under Section 51-4.218.

(58) "LO" DISTRICTS means the limited office (LO) matrix districts established under this chapter.

(59) "LO-1" DISTRICT means the LO-1 district established under Chapter 51A.

(60) "LO-2" DISTRICT means the LO-2 district established under Chapter 51A.

(61) [~~(36)~~] LOT means a building site that fronts on a public or private street.

(62) [~~(37)~~] LOT AREA means the total square feet contained within lot lines.

(63) [~~(38)~~] LOT DEPTH means the average distance between the front and rear lot lines.

(64) [~~(39)~~] LOT LINE means a property line bounding a lot, excluding any street or alley dedicated in fee simple.

(65) [~~(40)~~] LOT WIDTH means the distance between side

lot lines measured along the front setback line.

(66) [(41)] MAIN BUILDING means a building on a lot intended for occupancy by the main use.

(67) [(42)] MAIN USE means any use listed in Sections 51-4.201 through 51-4.216.

(68) "MF" DISTRICTS means the MF-1, MF-2, MF-3, and MF-4 districts established under this chapter (also called multiple-family districts).

(69) "MF(A)" DISTRICTS means the MF-1(A), MF-2(A), MF-3(A), and MF-4(A) districts established under Chapter 51A.

(70) "MH" DISTRICT means the mobile home (MH) district established under this chapter.

(71) "MH(A)" DISTRICT means the mobile home [MH(A)] district established under Chapter 51A.

(72) "MO" DISTRICTS means the mid-range office (MO) matrix districts established under this chapter.

(73) "MO-1" DISTRICT means the MO-1 district established under Chapter 51A.

(74) "MO-2" DISTRICT means the MO-2 district established under Chapter 51A.

(75) MOBILE HOME DISTRICT means the MH district established under this chapter.

(76) [(43)] MULTIPLE-FAMILY DISTRICTS means the MF-1, MF-2, MF-3, and MF-4 districts established under this chapter (also called "MF" districts).

(77) "NO" DISTRICTS means the neighborhood office (NO) matrix districts established under this chapter.

(78) "NO(A)" DISTRICT mean the NO(A) district established under Chapter 51A.

(79) [(44)] NONCONFORMING STRUCTURE means a structure which does not conform to the regulations (other than the use regulations) of this chapter, but which was lawfully constructed under the regulations in force at the time of construction.

(80) [(45)] NONCONFORMING USE means a use that does not conform to the use regulations of this chapter, but was

lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time.

(81) [~~(46)~~] NONRESIDENTIAL DISTRICTS means the O-1, O-2, NO, LO, MO, GO, NS, SC, GR, LC, HC, CA-1, CA-2, I-1, I-2, and I-3 districts established under this chapter.

(82) [~~(47)~~] NONRESIDENTIAL USE means any use listed in Section 51-4.202 through 51-4.216.

(83) "NS" DISTRICT means the neighborhood service (NS) district established under this chapter.

(84) "NS(A)" DISTRICT means the neighborhood service [NS(A)] district established under Chapter 51A.

(85) [~~(48)~~] OCCUPANCY means the purpose for which a building or land is used.

(86) [~~(49)~~] OFFICE DISTRICTS means the O-1, O-2, NO, LO, MO, and GO districts established under this chapter.

(87) [~~(50)~~] OMITTED WALL LINE means a line on the ground determined by a vertical plane from:

(A) the overhang or outermost projection of a structure; or

(B) the outer edge of the roof of a structure without walls; or

(C) two feet inside the eave line of a structure with roof eaves.

(88) [~~(51)~~] OPEN SPACE means an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves.

(89) [~~(52)~~] OPENINGS FOR LIGHT OR AIR means any windows, window walls, or glass panels in an exterior wall of a building, excluding doors used for access.

(90) [~~(53)~~] OUTER COURT means an open space bounded on all sides except one by the walls of a building, and opening upon a street, alley or a permanent open space.

(91) [~~(54)~~] OUTSIDE DISPLAY means the placement of a commodity outside for a period of time less than 24 hours.

(92) "P" DISTRICT means the parking (P) district established under this chapter.

(93) "P(A)" DISTRICT means the parking [P(A)] district established under Chapter 51A.

(94) [(93)] PARKING means the standing of a vehicle, whether occupied or not. Parking does not include the temporary standing of a vehicle when commodities or passengers are being loaded or unloaded.

(95) [(94)] PARKING BAY WIDTH means the width of one or two rows of parking stalls and the access aisle between them.

(96) PARKING DISTRICT means the P district established under this chapter.

(97) [(97)] PARTY WALL means a wall built on an interior lot line used as a common support for buildings on both lots.

(98) [(98)] PERSON means any individual, firm, partnership, corporation, association, or political subdivision.

(99) [(99)] PRIVATE STREET means a private street as defined in [THAT DOES NOT MEET THE REQUIREMENTS OF] Section 51-4.217[(6)(8)].

(100) [(60)] QUASI-PUBLIC AGENCY means an institution obtaining more than 51 percent of its funds from tax revenue.

(101) "R" DISTRICTS means the R-1ac, R-1/2ac, R-16, R-13, R-10, R-7.5, and R-5 districts established under this chapter (also called "single-family districts").

(102) "R(A)" DISTRICTS means the R-1ac(A), R-1/2ac(A), R-16(A), R-13(A), R-10(A), R-7.5(A), and R-5(A) districts established under Chapter 51A.

(103) [(61)] REAR YARD means that portion of a lot between two side lot lines that does not abut a street and that extends across the width of the lot between the rear setback line and the rear lot line.

(104) [(62)] RESIDENTIAL DISTRICTS means the R-1, R-1/2, R-16, R-13, R-10, R-7.5, R-5, TH-1, TH-2, TH-3, TH-4, D, MF-1, MF-2, MF-3, MF-4, MH, and A districts established under this chapter.

(105) [(62/1)] RIDGE means the line of intersection at the top between the opposite slopes or sides of a roof.

(106) [(63)] RIGHT-OF-WAY means an area dedicated to public use for pedestrian and vehicular movement.

(107) [(64)] RIGHT-OF-WAY LINE means the dividing line between a right-of-way and an adjacent lot.

(108) "RR" DISTRICT means the regional retail (RR) district established under Chapter 51A.

(109) [(65)] SCREENING means a structure that provides a visual barrier.

(110) [(66)] SETBACK LINE means a line marking the minimum distance a building may be erected from a street, alley, or lot line. (Also called the "building line.")

(111) [(67)] SIDE YARD means:

(A) that portion of a lot extending from the front setback line to the rear setback line between the side setback line and the side lot line; or

(B) that portion of a lot which is between a lot line and a setback line but is not a front or rear yard.

(112) [(68)] SINGLE-FAMILY DISTRICTS means the R-1ac, R-1/2ac, R-16, R-13, R-10, R-7.5, and R-5 districts established under this chapter (also called "R" districts).

(113) [(69)] SITE AREA means that portion of a building site occupied by a use and not covered by a building or structure.

(114) [(70)] STACK SPACE means an area for motor vehicles to line up in while waiting to go through a drive-through facility.

(115) [(71)] STORY means:

(A) that portion of a building between any two successive floors or between the top floor and the ceiling above it; and

(B) as a measurement term, a maximum vertical distance of 12 feet between any two successive floors or between the top floor and the ceiling above it.

(116) [(72)] STREET means a right-of-way not less than 30 feet in width which provides primary access to adjacent property.

(117) [(73)] STRUCTURE means that which is built or constructed, an edifice or building of any kind, or any piece of work artifically built up or composed of parts joined together in some definite manner.

(118) SUP means "specific use permit" (See Section 51-4.219).

(119) "TH" DISTRICTS means the TH-1, TH-2, TH-3, and TH-4 districts established under this chapter (also called "townhouse districts").

(120) "TH(A)" DISTRICTS means the TH-1(A), TH-2(A), and TH-3(A) districts established under Chapter 51A.

(121) [(74)] TOWNHOUSE [(A) TH] DISTRICTS means the TH-1, TH-2, TH-3, and TH-4 districts established under this chapter.

(122) [(75)] TRANSIENT STAND means a site for the placing and use of a mobile home, recreational vehicle or tent.

(123) [(76)] ZONING DISTRICT means a classification assigned to a particular area of the city within which zoning regulations are uniform.

(124) [(77)] ZONING DISTRICT MAP means the official map upon which the zoning districts of the city are delineated."

SECTION 21. That Subsection (c) of Section 51-3.102, "Board of Adjustment," of Article III, "Decisionmaking and Administrative Bodies," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(c) Powers and Duties. The board has the following powers and duties which must be exercised in accordance with this chapter:

(1) to hear and decide appeals from decisions of the building official made in the enforcement of this chapter;

(2) to interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply;

(3) to hear and decide special exceptions that are expressly provided for in this chapter;

(4) to bring about the discontinuance of a nonconforming use under a plan whereby the owner's actual investment in the structure(s) prior to the time that the use became nonconforming [FULL VALUE OF THE STRUCTURE] can be amortized within a definite time period;

(5) to hear and decide requests for change of occupancy of a nonconforming use to another nonconforming use;

(6) to hear and decide requests for the enlargement of a nonconforming use;

(7) to hear and decide requests for reconstruction of a nonconforming structure on the land occupied by the structure when the reconstruction will not permanently prevent the return of the property to a conforming use and will not increase the nonconformity;

(8) to require the vacation and demolition of a nonconforming structure that is determined to be obsolete, dangerous, dilapidated, or substandard;

(9) to consider on its own motion or upon the request of interested property owners, the operation or alteration of any use which is a nonconforming use because of its noncompliance with the environmental performance standards set

forth in this chapter, and to specify the conditions and standards which must be complied with for continuance of the nonconforming use;

(10) to grant variances from the front yard, side yard, rear yard, lot width, lot depth, coverage, floor area ratios, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations that will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done. The variance must be necessary to permit development of a specific parcel of land which differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same zoning classification. A variance may not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor may a variance be granted to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land in districts with the same zoning classification."

SECTION 22. That Subparagraph (E)(i) of Subsection (5), "Halfway House," of Section 51-4.204, "Community Service Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(i) For purposes of this subparagraph, the term "residential district" means a residential district as defined both in this chapter and in Chapter 51A. This use is not permitted within 150 feet of a residential district. The number of residents under this use may not exceed 25 persons when the use is between 150 and 500 feet from a residential district. The number of residents under this use may not exceed 50 persons when the use is over 500 feet from a residential district."

SECTION 23. That Subparagraph (C)(iv) of Paragraph (1), "Church," of Section 51-4.206, "Religious Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(iv) Remote and shared parking. A church may use remote and/or shared parking to satisfy up to 50 percent of its off-street parking requirements, provided that the remote and/or shared parking is on a lot that is:

(aa) dedicated to parking use by an instrument filed with the building official and approved by the city attorney's office;

(bb) located in a nonresidential or parking district, as these districts are defined both in this chapter and in Chapter 51A; and

(cc) located within 600 feet (including streets and alleys) of the lot occupied by the church. The distance measured is the shortest distance between the lots."

SECTION 24. That Subparagraph (E)(iv) of Subsection (17), "Surface Parking," of Section 51-4.212, "Motor Vehicle Related Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(iv) The owner of surface parking must maintain a minimum front yard of 10 feet when the surface parking is contiguous to a residential district, as defined both in this chapter and in Chapter 51A."

SECTION 25. That Subparagraph (E)(iv) of Subsection (5), "Outside Salvage or Reclamation," of Section 51-4.214, "Storage and Waste Disposal Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(iv) A minimum distance of 500 feet is required between an outside salvage or reclamation use and a residential district, as defined both in this chapter and in Chapter 51A."

SECTION 26. That Subparagraph (E)(iii) of Subsection (6), "Metal Processing Facility," of Section 51-4.214, "Storage and Waste Disposal Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(iii) A minimum distance of 500 feet is required between a metal processing facility and a residential district, as defined both in this chapter and in Chapter 51A."

SECTION 27. That Subparagraph (E)(i) of Subsection (14), "Rendering Plant," of Section 51-4.216, "Industrial and Manufacturing Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(i) This use must be located a minimum distance of 1,000 feet from a residential district, as defined both in this chapter and in Chapter 51A."

SECTION 28. That Subsections (b)(3) and (b)(4) of Section 51-4.219, "Specific Use Permit," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(3) The applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to amend a site plan for an SUP [A SUBSEQUENT REQUEST TO AMEND AN SUP IS A SEPARATE APPLICATION], except the director may authorize minor changes in the site plan that do not:

(A) alter the basic relationship of the proposed development to adjacent property;

(B) change the uses permitted;

(C) increase the maximum density, floor area ratio, or height;

(D) decrease the amount of required off-street parking; or

(E) reduce the minimum yards required at the boundary of the site. An applicant may appeal the decision of the director to the commission.

(4) A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. The applicant shall go through the procedures outlined above in Paragraphs (1) and (2) [SUBSECTIONS (B)(1) AND (B)(2)] to renew an SUP."

SECTION 29. That Subsection (a)(12) of Section 51-4.301, "Off-Street Parking Regulations," of Division 51-4.300, "Off-Street Parking and Loading Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(12) The board of adjustment may not authorize the placement of required off-street parking in a residential district, as defined both in this chapter and in Chapter 51A, if the parking is to serve a nonresidential use which is located in a nonresidential district unless the nonresidential use is a permitted use in the residential district."

SECTION 30. That Subsection (a)(14) of Section 51-4.301, "Off-Street Parking Regulations," of Division 51-4.300, "Off-Street Parking and Loading Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(14) In a multiple-family, MH, A, office, commercial, central area, or industrial district, a person shall not construct or maintain a parking lot or garage that has access to a public alley or access easement that abuts or is in an R, R(A), D, D(A), TH, TH(A), or CH [~~single family, duplex, or TH~~] district unless the director of public works approves the means of access."

SECTION 31. That Subsection (e)(1)(E) of Section 51-4.301, "Off-Street Parking Regulations," of Division 51-4.300, "Off-Street Parking and Loading Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(E) A commercial parking lot contiguous to or directly across the street or alley from a residential district, as defined both in this chapter and in Chapter 51A, must comply with Subsection (e)(2) instead of this subsection."

SECTION 32. That Subsection (f)(1) of Section 51-4.301, "Off-Street Parking Regulations," of Division 51-4.300, "Off-Street Parking and Loading Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(1) The owner of off-street parking must provide screening to separate the parking area from:

(A) a contiguous residential use or vacant lot if either is in a residential district, as defined both in this chapter and in Chapter 51A, and the parking area serves a nonresidential use; or

(B) a contiguous single-family or duplex use or a vacant lot if any of these are in an R, R(A), D, D(A), TH, TH(A), or CH [~~a single-family, duplex, or TH~~] district and the parking area serves a multiple-family use."

SECTION 33. That Subsection (a)(2) of Section 51-4.302, "Parking District Regulations," of Division 51-4.300, "Off-Street Parking and Loading Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(2) The owner of a lot in a parking district contiguous to a residential district, as defined both in this chapter and in Chapter 51A, shall provide and maintain a minimum front yard of ten feet."

SECTION 34. That Subsection (b)(10) of Section 51-4.303, "Off-Street Loading Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(10) If a publicly owned off-street truck terminal presently exists, is under construction, or is funded for construction, the required off-street loading for a use that is located on a lot contiguous to or perpendicular across the street from the terminal must be provided in the publicly owned off-street truck terminal if the truck terminal is designed to accommodate the loading needs of the use, as determined by the director of public works [~~building services~~]."

SECTION 35. That Subsection (a)(7) of Section 51-4.401, "Minimum Front Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(7) If a building is erected or altered to exceed 36 feet in height, and if the building site is either perpendicularly contiguous to or perpendicularly across an adjoining street from an R, R(A), D, D(A), TH, TH(A), or CH [~~a single-family/ duplex/ or TH~~] district, an additional setback must be provided that is equal to twice the height of that portion of the building that exceeds 36 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height."

SECTION 36. That Subsection (b)(3) of Section 51-4.401, "Minimum Front Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(3) If a TH district abuts another residential district, as defined both in this chapter and in Chapter 51A, in the same block and fronts on the same side of the street, the residential district with the greater front yard requirement determines the minimum front yard. The minimum front yard for the residential district with the greater front yard requirement must extend at least 150 feet into the TH district."

SECTION 37. That Subsection (c)(1) of Section 51-4.401, "Minimum Front Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(1) In a nonresidential district if a building is erected or altered to exceed 36 feet in height and if the building site is either perpendicularly contiguous to or perpendicularly across an adjoining street from a MF-1, MF-1(A), [~~ø~~] MF-2, or MF-2(A) district, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height."

SECTION 38. That Subsection (a)(3) of Section 51-4.402, "Minimum Side Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(3) If a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or, if a front yard is treated as a side yard, perpendicularly across an adjoining street or alley from an R, R(A), D, D(A), TH, TH(A), or CH [~~a single family, duplex, or TH~~] district, an additional setback must be provided that is equal to twice the total height of the building. The additional setback is only required for that portion of a building that exceeds 36 feet in height."

SECTION 39. That Subsection (c) of Section 51-4.402, "Minimum Side Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(c) Side yard provisions for nonresidential districts.

(1) In a nonresidential district, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or, if a front yard is treated as a side yard, perpendicularly across an adjoining street or alley from an MF-1, MF-1(A), [ø‡] MF-2, or MF-2(A) district, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(2) Reserved.

(Repealed by Ord. 17859)

(3) In an SC district, if a building site is adjacent to an R, R(A), D, D(A), TH, TH(A), or CH [á ŝíđģĺĕŕĝĥíŷ/ đúþĺëx ø‡ TH] district, a minimum side yard of 20 feet must be provided.

(4) In an SC district, a minimum side yard of 20 feet must be provided for the side yard of a building site with a nonresidential use that abuts a residential district, as defined both in this chapter and in Chapter 51A, and that side yard must comply with Subsections (a)(3) and (c)(1).

(5) In an LC, HC, I-2, or I-3 district, a minimum side yard of 10 feet must be provided for the side yard of a building site with a nonresidential use that abuts a residential district, as defined both in this chapter and in Chapter 51A, and that side yard must comply with Subsections (a)(3) and (c)(1).

(6) In an O-1 district, one side yard may be reduced to zero if the other side yard is increased to a minimum of 15 feet. When an O-1 district abuts a residential district, as defined both in this chapter and in Chapter 51A, the side yards abutting the residential district must be:

(A) a minimum of 10 feet, if two side yards are provided; or

(B) a minimum of 15 feet, if only one side yard is provided.

(7) In an O-2, LO, MO, or GO district, if a nonresidential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between this provision and Subsections (a)(3) and (c)(1), Subsections (a)(3) and (c)(1) apply.

(8) In an NS or GR district, a minimum setback of 20 feet must be provided for that portion of a side yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH [~~district; duplex; or MH~~] district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(9) In an NS or GR district, a minimum setback of 10 feet must be provided for that portion of a side yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH [~~multiple-family; MH; or A~~] district; or

(B) that portion of a planned development district restricted to multiple-family and/or mobile home uses.

(10) The minimum side yards required under Subsections (c)(8) and (c)(9) must also comply with Subsections (a)(3) and (c)(1).

(11) In an NO, LO, MO, or GO district, a minimum

setback of 20 feet must be provided for that portion of a side yard of a building site which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH [~~§ 51-4.1(f)(11)(A) of Ordinance No. 79-1~~] district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(12) In an NO, LO, MO, or GO district, a minimum setback of 10 feet must be provided for that portion of a side yard of a building site which abuts or is directly across an alley from:

(A) an A, A(A), MF, MF(A), MH, or MH(A) [~~§ 51-4.1(f)(11)(B) of Ordinance No. 79-1~~] district; or

(B) that portion of a planned development district restricted to multiple-family and/or mobile home uses.

(13) The minimum side yards required under Subsections (c)(11) and (c)(12) must also comply with Subsections (a)(3) and (c)(1).

(14) In an NO, LO, MO, or GO district, garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH [~~§ 51-4.1(f)(11)(A) of Ordinance No. 79-1~~] district, or that portion of a planned development district restricted to single-family and/or duplex uses."

SECTION 40. That Subsection (a)(3) of Section 51-4.403, "Minimum Rear Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(3) If a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or perpendicularly across from an adjoining alley from an R, R(A), D, D(A), TH, TH(A), or CH [~~a single-family/duplex/ or TH~~] district, an additional setback must be provided that is equal to twice the total height of the building. The additional setback is only required for that portion of a building that exceeds 36 feet in height."

SECTION 41. That Subsection (b)(3) of Section 51-4.403, "Minimum Rear Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(3) In an MF-1 or MF-2 district, a minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), [a multifamily] or nonresidential district, as defined both in this chapter and in Chapter 51A, whether the two districts are separated by an alley or not. The rear yard is subject to Subsection (a)(3)."

SECTION 42. That Subsection (c) of Section 51-4.403, "Minimum Rear Yard," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(c) Rear yard provisions for nonresidential districts.

(1) In a nonresidential district, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or perpendicularly across from an adjoining alley from an MF-1, MF-1(A), [~~O~~] MF-2, or MF-2(A) district, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(2) Reserved.

(Repealed by Ord. 17859)

(3) In an O-2, LO, MO, or GO district, if a nonresidential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between this provision and Subsections (a)(3) and (c)(1), Subsections (a)(3) and (c)(1) apply.

(4) In an SC district, a minimum rear yard of 20 feet must be provided when a building site with a nonresidential use backs upon a residential district, as defined both in this chapter and in Chapter 51A, whether the two districts are separated by an alley or not. The rear yard is subject to Subsections (a)(3) and (c)(1).

(5) In an NS, GR, LC, HC, or industrial district, a minimum rear yard of 10 feet must be provided when a building site with a nonresidential use backs upon a residential district, as defined both in this chapter and in Chapter 51A, whether the two districts are separated by an alley or not. The rear yard is subject to Subsections (a)(3) and (c)(1).

(6) In an NS or GR district, a minimum setback of 20 feet must be provided for that portion of the rear yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH [¢ ¢ï¢dÏ¢+Ï¢mÏÏ¥/ ¢u¢Ï¢x/ ¢Ï Ï¢¢¢¢¢¢u¢¢] district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(7) In an NS or GR district, a minimum setback of 10 feet must be provided for that portion of the rear yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an A, A(A), MF, MF(A), MH, or MH(A) [¢ ¢uÏÏï¢Ï¢+Ï¢mÏÏ¥/ M¢/ ¢Ï ¢] district; or

(B) that portion of a planned development district restricted to multiple-family and/or mobile home uses.

(8) The minimum rear yards required under Subsections (c)(6) and (c)(7) must also comply with Subsections (a)(3) and (c)(1).

(9) In an NO, LO, MO, or GO district, a minimum setback of 20 feet must be provided for that portion of the rear yard of a building site which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH [¢ ¢ï¢dÏ¢+Ï¢mÏÏ¥/ ¢u¢Ï¢x/ ¢Ï Ï¢¢¢¢¢¢u¢¢] district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(10) In an NO, LO, MO, or GO district, a minimum setback of 10 feet must be provided for that portion of the rear yard of a building site which abuts or is directly across an alley from:

(A) an A, A(A), MF, MF(A), MH, or MH(A) [¢ ¢uÏÏï¢Ï¢+Ï¢mÏÏ¥/ M¢/ ¢Ï ¢] district; or

(B) that portion of a planned development district restricted to multiple-family and/or mobile home uses.

(11) The minimum rear yards required under Subsections (c)(9) and (c)(10) must also comply with Subsections (a)(3) and (c)(1).

(12) In an NO, LO, MO, or GO district, garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH [~~district, or that portion of a planned development district restricted to single-family and/or duplex uses.~~] district, or that portion of a planned development district restricted to single-family and/or duplex uses."

SECTION 43. That Subsection (a)(4) of Section 51-4.407, "Maximum Lot Coverage," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(4) The board may grant a special exception to increase the lot coverage on a building site in an NO, LO, MO, or GO district by no more than 10 percent if:

(A) the building site is more than 100 feet from an R, R(A), D, D(A), TH, TH(A), or CH [~~district, or that portion of a planned development district restricted to single-family and/or duplex uses~~] district, or that portion of a planned development district restricted to single-family and/or duplex uses;

(B) the increase will not adversely affect neighboring property; and

(C) the building site is landscaped in accordance with a landscape plan submitted to and approved by the board. The board may also impose appropriate facade standards for off-street parking structures on the building site as a condition to the granting of this special exception."

SECTION 44. That Subsection (a)(5) of Section 51-4.408, "Maximum Building Height," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(5) In an SC district, the following additional height regulations apply:

(A) The maximum building height in an SC district is 120 feet unless the SC district boundary line does not touch at any point the boundary line of a zoning district in which building height is limited to less than 240 feet, in which case the maximum building height in the SC district is 240 feet.

(B) All portions of a building within 330 feet of private property in an R, R(A), D, D(A), TH, TH(A), or CH [~~a single-family/ duplex/ or townhouse~~] district, or within 330 feet of that portion of a planned development district restricted to single-family and/or duplex uses, are limited to 60 feet in height. The distance measured is the shortest distance between the building and the private property.

(C) For purposes of this subsection, "private property" means any property not dedicated to public use, except that "private property" does not include:

(i) a private street or alley;

(ii) property on which a utility and service use, as defined in Section 51-4.202, is being conducted as a main use; and

(iii) a railroad right-of-way."

SECTION 45. That Subsection (b)(2) of Section 51-4.411, "Maximum Densities For Residential Uses," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(2) In an NS district that abuts an R, R(A), D, D(A), TH, TH(A), or CH [~~single family, duplex, or townhouse~~] district, or that abuts that portion of a planned development district restricted to single-family and/or duplex uses, no more than 15 dwelling units for each acre are allowed."

SECTION 46. That Subsection (d), "Transfer of Development Rights," of Section 51-4.501, "Historic Overlay District," of Division 51-4.500, "Overlay and Conservation District Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(d) Transfer of development rights.

(1) Development rights of a building site may be transferred in accordance with this section. For purposes of this section, "development rights" means the difference between the actual floor area of structures on a building site and the maximum permissible floor area as determined by the floor area ratio of the building site. The maximum floor area permitted in the West End Historic District [~~(CA-1-W/2 District)~~] is eight times the lot area. The minimum amount of development rights which may be transferred under this section is 20,000 square feet.

(2) Development rights in a building may not be transferred unless:

(A) the building is a designated historic landmark in the central business district;

(B) the building is a contributing structure listed in the National Register of Historic Places, if it is located in the West End Historic District [~~(CA-1-W/2)~~]; and

(C) the building has been restored within the past five years, and the total value of the building improvements exceeds 50 percent of the assessed value of the structure immediately prior to the restoration.

(3) 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.

(4) Development rights may only be transferred to building sites in the CA-1-CP, CA-1(A)-CP, [~~MU~~] CA-1-SP, and CA-1(A)-SP districts.

(5) The maximum floor area ratio may be increased by no more than 4:1 through the transfer of development rights."

SECTION 47. That Subsection (e)(2)(A) of Section 51-4.501, "Historic Overlay District," of Division 51-4.500, "Overlay and Conservation District Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(A) If the property is in the West End Historic District [~~(CA-1-A/2 D1SHRICT)~~], the historic landmark must be a contributing structure listed in the National Register of Historic Places."

SECTION 48. That Subsection (b)(1)(B) of Section 51-4.502, "Institutional Overlay District," of Division 51-4.500, "Overlay and Conservation District Regulations," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(B) If a building is erected or altered to exceed 36 feet in height, and if the building is adjacent to an R, R(A), D, D(A), TH, TH(A), or CH [*illegible*] district, an additional setback must be provided that is equal to the height of that portion of the building that exceeds 36 feet in height. The additional setback is only required for that portion of the building that exceeds 36 feet in height."

SECTION 49. That Subsection (b)(7) of Section 51-4.602, "Fence, Screening, and Visual Obstruction Regulations," of Division 51-4.600, "District Regulations of Special Applicability," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(7) An owner shall provide screening in accordance with this section for the rear or service side of a nonresidential building if:

(A) the nonresidential building is in a residential district and is exposed to a residential use; or

(B) the nonresidential building is in an office, NS, SC, GR, or LC district and is exposed to and closer than 150 feet to the [~~a residential district~~] boundary line of an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district."

SECTION 50. That Subsections (c)(1) through (c)(4) of Section 51-4.602, "Fence, Screening, and Visual Obstruction Regulations," of Division 51-4.600, "District Regulations of Special Applicability," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, are amended to read as follows:

"(1) In an NO, LO, MO, or GO district, if a building or a parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from a residential district, as defined both in this chapter and in Chapter 51A, any portion of the building site that is directly across from the residential district must be screened from that district.

(2) In an NO, LO, MO, or GO district, if a portion of a building or parking structure wall faces and is less than 100 feet from the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH [*a single-family, duplex, or TH*] district:

(A) balconies are not permitted on that portion of the wall; and

(B) an opening 12 feet or more above grade in that portion of the wall must be set back a minimum distance equal to two times the vertical distance measured from grade to the top of the opening. Required setbacks for openings under this subsection are measured horizontally from the opening to the vertical plane of the lot line of the same building site. The measurement is taken from the glass (or other transparent material) in the opening or, if there is no glass (or other transparent material) in the opening, from the plane of the omitted wall at the exterior of the opening. For purposes of this section, "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door. [*See illustration No. 1.*]

(3) The setback requirement for openings in Subsection (c)(2)(B) does not apply to vents, ducts, or other openings from which there can be no visual surveillance into the yard of a residential use in the R, R(A), D, D(A), TH, TH(A), or CH [*single-family, duplex, or TH*] district.

(4) Subsections (c)(1) and (c)(2) do not apply if no residential use can be legally occupied in the residential district within 200 feet of the building site in the NO, LO, MO, or GO district. [*See illustration No. 1.*]"

SECTION 50A. That Figures 1 and 2 in Section 51-4.602, "Fence, Screening, and Visual Obstruction Regulations," of Division 51-4.600, "District Regulations of Special Applicability," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," are repealed. Figures 1 and 2 may remain in the code as illustrations, however they shall no longer be considered part of the ordinance. If Figures 1 and 2 remain in the code, the director of planning and development shall revise them as necessary to accurately reflect current ordinance provisions.

SECTION 51. That Subsection (a)(1) of Section 51-4.704, "Nonconforming Uses and Structures," of Division 51-4.700, "Zoning Procedures," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(1) The board shall provide a termination date for nonconforming uses under a plan whereby the owner's actual investment in the structure(s) prior to the time that the use became nonconforming can be amortized within a definite time period [having due regard for the investment in the nonconforming use]."

SECTION 52. That Subsection (d)(3) of Section 51-4.803, "Site Plan Review," of Division 51-4.800, "Development Impact Review," of Article IV, "Zoning Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(3) For purposes of this section, a lot has a residential adjacency when:

(A) the lot is adjacent to an R, R(A), D, D(A), TH, TH(A), or CH [~~a single family, duplex, or townhouse~~] district; or

(B) an existing or proposed building or structure on the lot is within 330 feet of a lot in an R, R(A), D, D(A), TH, TH(A), or CH [~~a single family, duplex, or townhouse~~] zoning district."

SECTION 53. That Subsection (c)(2) of Section 51-6.102, "Noise Regulations," of Article VI, "Environmental Performance Standards," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(2) The sound pressure level at the boundary line between a residential district, as defined both in this chapter and in Chapter 51A, and an office or retail district must not exceed the decibel limits specified in Subsection (b)(1)."

SECTION 54. That Subsections (d)(2) and (d)(3) of Section 51-6.102, "Noise Regulations," of Article VI, "Environmental Performance Standards," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, are amended to read as follows:

"(2) Sound pressure level at the boundary line between a residential district, as defined both in this chapter and in Chapter 51A, and a I-1 or I-2 district must not exceed the decibel limits specified in Subsection (b)(1).

(3) The sound pressure level at the boundary line between an O-1, O-2, NO, NO(A), LO, LO-1, LO-2, MO, MO-1, MO-2, GO, GO(A), NS, NS(A), GR, SC, CR, RR, LC, HC, or CS [*illegible*] district and an I-1 or I-2 district must not exceed the decibel limits specified in Subsection (c)(1)."

SECTION 55. That Subsections (e)(2) and (e)(3) of Section 51-6.102, "Noise Regulations," of Article VI, "Environmental Performance Standards," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, are amended to read as follows:

"(2) Sound pressure level at the boundary line between a residential district, as defined both in this chapter and in Chapter 51A, and an I-3 district must not exceed the decibel limits specified in Subsection (b)(1).

(3) The sound pressure level at the boundary line between an O-1, O-2, NO, NO(A), LO, LO-1, LO-2, MO, MO-1, MO-2, GO, GO(A), NS, NS(A), GR, SC, CR, RR, LC, HC, or CS [~~ϕℓℓiϕϕ ϕi ϕϕmmϕiϕiiI~~] district and an I-3 district must not exceed the decibel limits specified in Subsection (c)(1)."

SECTION 56. That Subsection (a)(2) of Section 51-7.306, "Special Provisions for Non-Premise Signs," of Division 51-7.300, "Provisions for Business Zoning Districts," of Article VII, "Sign Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(2) "Residential zoning district" means:

(A) an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district [~~any non-business zoned district except MS and office districts~~]; and

(B) a planned development district that provides for single-family, duplex, or multiple-family uses as a component."

SECTION 57. That Subsection (f) of Section 51-7.306, "Special Provisions for Non-Premise Signs," of Division 51-7.300, "Provisions for Business Zoning Districts," of Article VII, "Sign Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(f) Other areas of the city. In all areas of the city that are not described in Subsections (c) or (e) where non-premise signs are permitted:

(1) a non-premise sign that exceeds 72 square feet in effective area may not:

(A) exceed 400 square feet in effective area;

(B) be located within 100 feet of a MH, MH(A), [~~D~~] MF, or MF(A) zoning district or a planned development district that provides for mobile home or multiple family uses as a component;

(C) be located within 300 feet of a R, R(A), TH, TH(A), CH, [~~D~~] D, or D(A) zoning district or a planned development district that provides for single-family or duplex uses as a component;

(D) be located within:

(i) 500 feet of another non-premise sign on the same side of the street that exceeds 72 square feet in effective area measured along-the-way; or

(ii) 150 feet of another non-premise sign that exceeds 72 square feet in effective area;

(iii) 75 feet of another non-premise sign that does not exceed 72 square feet in effective area; or

(E) exceed 30 feet in height.

(2) a non-premise sign that does not exceed 72 square feet in effective area may not:

(A) be illuminated unless the illumination is internal to the sign and the sign is located at least 100 feet

from any residential zoning district boundary;

(B) be located within:

(i) 250 feet of another non-premise sign that does not exceed 72 square feet in effective area, measured along-the-way;

(ii) 75 feet of another non-premise sign;

(iii) 30 feet of any residential zoning district boundary; or

(C) exceed 20 feet in height."

SECTION 58. That Subsection (14), "Lot With Residential Adjacency," of Section 51-10.101, "Definitions," of Article X, "Landscape Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(14) LOT WITH RESIDENTIAL ADJACENCY means any of the following:

(A) A building site in a residential zoning district, if the site abuts or is directly across a public street or alley from an R, R(A), TH, TH(A), CH, D, or D(A) [~~single family, duplex~~] zoning district. For purposes of this subparagraph, the term "street" does not include a freeway.

(B) A building site in a nonresidential or parking zoning district, if the site abuts or is directly across a public street or alley from a residential zoning district, as defined both in this chapter and in Chapter 51A. For purposes of this subparagraph, the term "street" does not include a freeway.

(C) An artificial lot in a residential district, if the lot is less than 200 feet from an R, R(A), TH, TH(A), CH, D, or D(A) [~~single family, duplex~~] zoning district.

(D) An artificial lot in a nonresidential or parking zoning district, if the lot is less than 200 feet from a residential zoning district, as defined both in this chapter and in Chapter 51A."

SECTION 59. That Subsection (g) of Section 51A-10.103, "Application of Article," of Article X, "Landscape Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(f) [(g)] The board may waive the filing fee for a special exception under Subsection (e) [(f)] when the board finds that payment of the fee would result in financial hardship to the applicant. The applicant may either pay the fee and request reimbursement as part of his appeal or request that the matter be placed on the board's miscellaneous docket for predetermination. If the matter is placed on the miscellaneous docket, the applicant may not file his appeal until the merits of the request for waiver have been determined by the board."

SECTION 60. That Subsection (b) of Section 51-10.104, "Landscape Plan Submission," of Article X, "Landscape Regulations," of CHAPTER 51, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended to read as follows:

"(b) Any person may prepare the landscape plan required under this article [~~section~~]. There is no requirement that the plan be prepared by a landscape architect or by a person engaged in the landscape business."

SECTION 61. That the Dallas City Code, as amended, is amended by adding a new CHAPTER 51A to read as follows:

"ARTICLE I

TITLE, APPLICABILITY AND PURPOSE, ENFORCEMENT, CERTIFICATE OF OCCUPANCY, FEES, NOTIFICATION SIGNS

SEC. 51A-1.101. TITLE.

This chapter is known as Part II of the Dallas Development Code.

SEC. 51A-1.102. APPLICABILITY AND PURPOSE.

(a) Applicability.

(1) At any time prior to March 1, 1987, an applicant for a change in zoning district classification or boundary may voluntarily elect to proceed under either this chapter or Chapter 51. The zoning procedures in this chapter automatically apply to any request for a change in zoning district classification or boundary that is formally initiated on or after March 1, 1987.

(2) This chapter (and not Chapter 51) automatically applies to:

(A) all property that is annexed into the city on or after March 1, 1987; and

(B) all property that is rezoned on or after March 1, 1987, if the request for the change in zoning district classification or boundary was formally initiated on or after that date.

(3) The passage of an ordinance granting or amending a specific use permit is not considered to be "rezoning" for purposes of this section.

(b) Purpose. Regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city in order to:

(1) lessen the congestion in the streets;

(2) secure safety from fire, flooding, and other dangers;

(3) provide adequate light and air;

(4) prevent the overcrowding of land;

(5) avoid undue concentration of population;

(6) facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements;

(7) promote the character of areas of the city;

(8) limit the uses in areas of the city that are peculiarly suitable for particular uses;

(9) conserve the value of buildings; and

(10) encourage the most appropriate use of land throughout the city.

SEC. 51A-1.103. ENFORCEMENT.

(a) Criminal prosecution.

(1) A person who violates any provision of this chapter is guilty of a separate offense for each day or portion of a day during which the violation is continued. Each offense is punishable by a fine not to exceed $1,000.

(2) A person is criminally responsible for a violation of this chapter if:

(A) the person commits the violation or assists in the commission of the violation; or

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

(3) A person may not use land or a structure on land located in the city for other than those uses designated as permitted uses in accordance with the provisions of this chapter.

(4) It is a defense to prosecution under this chapter that a person is in compliance with an order of the board of adjustment that specifically authorizes otherwise unlawful conduct.

(b) Civil action. This chapter may be enforced through civil court action as provided by state law.

(c) Utility disconnection. The building official may order city or private utilities to be disconnected upon failure to comply with this chapter or the building laws.

(d) Enforcement authority. This chapter may be enforced by the building official or any other representative of the city.

SEC. 51A-1.104. CERTIFICATE OF OCCUPANCY.

(a) Certificate of occupancy required.

(1) Except for the single family and duplex uses, a person shall not use or change the use of a building, a portion of a building, or land without obtaining a certificate of occupancy from the building official.

(2) A person shall submit an application for a certificate of occupancy on a form approved by the building official either:

(A) at the time of application for a building permit if there is new construction; or

(B) before occupancy and connection of utilities if there is a change of use.

(3) The building official shall not issue a certificate of occupancy until all applicable codes and ordinances have been complied with.

(b) Record of certificates of occupancy.

(1) The building official shall maintain a record of all certificates of occupancy.

(2) Upon request and payment of the fee, a person may obtain copies of the certificate of occupancy issued for a building or land.

SEC. 51A-1.105. FEES.

(a) Fees for zoning amendments.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) The refund of all or part of an application fee is controlled by Section 51A-4.701(f).

(4) Fee schedule.

Type of Application	Application fee	Area of Notification for Hearing
Amendment to planned development district site plan and/or conditions only	$850.00	500 feet
All other applications relating to planned development districts:		
0-5 acres	$2,500.00	500 feet
over 5 acres	$2,500.00 + $50.00 per each acre over 5	500 feet
Maximum fee	$20,000.00	
All applications relating to conservation districts:		
0-1 acre	$400.00	200 feet
over 1 acre to 5 acres	$1,000.00	300 feet
over 5 acres to 25 acres	$2,000.00	400 feet
over 25 acres	$2,000.00	500 feet
Amendment to specific use permit site plan and/or conditions only:		
0 to 1 acre	$450.00	200 feet
over 1 acre to 5 acres	$450.00	300 feet
over 5 acres to 25 acres	$450.00	400 feet
over 25 acres	$450.00	500 feet

All other zoning applications:		
0 to 1 acre	$500.00	200 feet
over 1 acre to 5 acres	$1,250.00	300 feet
over 5 acres to 25 acres	$2,500.00	400 feet
over 15 acres to 25 acres	$4,000.00	400 feet
over 25 acres	$4,000.00 + $50 per each acre over 25	500 feet
Maximum fee	$25,000.00	

(b) Fees for board of adjustment appeals.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the building official. The building official shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) The city controller shall refund 75 percent of the filing fee to the applicant if the applicant withdraws the appeal prior to the case being advertised for hearing. After the case is advertised, no refund of the filing fee may be made.

(4) Fee schedule.

Type of Application	Application fee
The value of the proposed improvement is $1,000 or less	$225.00
The value of the proposed improvement is from $1,001 to $5,000	$350.00
The value of the proposed improvement is from $5,001 to $20,000	$500.00
The value of the proposed improvement is from $20,001 to $50,000	$1,000.00
The value of the proposed improvement is from $50,001 to $200,000	$1,800.00

The value of the proposed improvement is $200,001 or more	$3,000.00
Variance to off-street parking requirments	$300.00 + $50.00 per parking space variance requested
All other appeals	$450.00

(5) The applicant shall pay a separate filing fee for each type of variance requested. The maximum fee for all variances on one building site heard at one public hearing is $10,000.00.

(c) Fees for fill permits for removal of a flood plain designation.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director of public works. The director of public works shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) Fee schedule.

Type of Application	Application fee
Fill permit for land within the Trinity River or Elm Fork flood plains	$750.00
Fill permit in all other applications	$1,400.00

(d) Fees for landmark sign designation.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) Fee schedule.

Type of Application	Application fee
Designation of an existing sign as a landmark sign	$500.00

(e) Fees for an amendment to a voluntary deed restriction.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) The controller shall refund 35 percent of the filing fee to the applicant if the application is not forwarded to council after a public hearing by the commission.

(4) If a deed restriction amendment is submitted as part of an application for a change in a zoning district classification or boundary, the fee outlined in this subsection is not required.

(5) Fee schedule.

Type of Application	Application fee
Amendment to a voluntary deed restriction where the city is a party	$450.00

(f) Fees for notification signs.

(1) An application will not be processed until the fee for notification signs has been paid.

(2) The applicant shall pay the fee to the director. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) The fee for notification signs required under Section 51A-1.106 is $10 for each sign.

(g) Fees for sign control board of adjustment appeals.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the building official. The building official shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) The city controller shall refund 75 percent of the filing fee to the applicant if the applicant withdraws the appeal prior to the case being advertised for hearing. After the case is advertised, no refund of the filing fee may be made.

(4) Fee schedule.

Type of Application	Application fee
The value of the proposed sign is $1,000 or less	$175.00
The value of the proposed sign is from $1,001 to $5,000	$300.00
The value of the proposed sign is from $5,001 to $20,000	$500.00
The value of the proposed sign is from $20,001 to $50,000	$900.00
The value of the proposed sign is from $50,001 to $200,000	$1,300.00
The value of the proposed sign is $200,001 or more	$2,000.00
All other appeals	$375.00

(h) Fees for letters of zoning verification.

(1) A letter of zoning verification will not be processed until the fee for the letter has been paid.

(2) The applicant shall pay the fee to the director. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) The standard fee for a letter of zoning verification is $60 per letter. A minimum processing time of seven days is required after payment of the standard fee. If expedited processing is requested, a surcharge must be paid in accordance with the following schedule:

Processing Time	Surcharge
1 day	$25.00
2-3 days	$20.00
4-5 days	$15.00
6 days	$10.00

(5) A request for a letter of zoning verification must be made in writing. The maximum area for which a letter of zoning verification may be requested is one city block. If the area for which zoning verification is requested cannot be clearly defined by lot and block number, the applicant must furnish a plat with the request.

(i) Fees for development impact review.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) Fee schedule for site plan review required under Section 51A-4.803:

Total Floor Area	Application Fee
100,000 sq. ft. or less	$.0027 per sq. ft.
Over 100,000 up to and including 500,000 sq. ft.	$50 plus $.0022 per sq. ft.
Over 500,000 sq. ft.	$150 plus $.002 per sq. ft.

(j) Fees for thoroughfare plan amendments.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director of transportation. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) Fee schedule for thoroughfare plan amendment:

Length of Roadway	Application Fee
0-.25 miles	$924.00
Longer than .25 miles	$924.00 plus $.70 per linear foot

(k) Fees for miscellaneous items.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deliver fees received to the controller on the next business day following receipt of the fees.

(3) Fee schedule.

Type of Application	Application fee
Minor plan amendment	$250.00

Detailed development plan when submitted after passage of an ordinance establishing a planned development district	$250.00 for each submission
Waiver of the two year waiting period under Section 51A-4.701(d)(3)	$100.00
Extension of the development schedule under Section 51A-4.702(g)(3)	$50.00

(l) Fee exemption. No fee is required for applications filed under this chapter by the U.S. Government, the state of Texas, the county of Dallas, the city of Dallas, or a political subdivision of the state if the property that is the subject of the application is devoted exclusively to governmental use.

SEC. 51A-1.106. NOTIFICATION SIGNS REQUIRED TO BE OBTAINED AND POSTED BY APPLICANT.

(a) Signs required to be obtained from the city. An applicant for a change in a zoning classification or boundary or an applicant appealing to the board of adjustment is responsible for obtaining the required number of notification signs to be posted on the property that is the subject of the application or appeal. Notification signs must be obtained from the director or the building official at the time the application or appeal is made. An application or appeal will not be processed until the fee for the signs has been paid.

(b) Number of signs required. For tracts of five acres or less, only one notification sign is required. An additional notification sign is required for each additional five acres or less, except that no applicant is required to obtain and post more than five notification signs on the property, regardless of its size.

(c) Posting of signs. The applicant shall post the required number of notification signs on the property at least 10 days before the date of the scheduled public hearing before the commission or board. The signs must be posted at a prominent location adjacent to a public street and be easily visible from the street.

(d) Failure to comply. If the commission or board determines that the applicant has failed to comply with the provisions of this section, it shall take no action on the application other than to postpone the public hearing or deny the applicant's request, with or without prejudice.

ARTICLE II

INTERPRETATIONS AND DEFINITIONS

SEC. 51A-2.101. INTERPRETATIONS.

Unless the context clearly indicates otherwise, the following rules apply in interpreting this chapter:

(1) Words used in the present tense include the future tense.

(2) Words in the singular include the plural, and words in the plural include the singular.

(3) The word "building" includes the word "structure", and the word "structure" includes the word "building."

(4) The word "lot" includes the words "building site," "site," "plot" or "tract."

(5) The word "shall" is mandatory and not discretionary.

(6) If there is a conflict:

(A) the text of this chapter controls over the charts or any other graphic display in this chapter; and

(B) the use regulations (Division 51A-4.200) control over the district regulations (Division 51A-4.100, et seq.) in this chapter.

SEC. 51A-2.102. DEFINITIONS.

In this chapter, unless the context requires otherwise:

(1) "A" DISTRICT means the agricultural district established under Chapter 51.

(2) "A(A)" DISTRICT means the agricultural district established under this chapter.

(3) ACCESSORY USES means those uses defined in Section 51A-4.217.

(4) AGRICULTURAL DISTRICT means the A(A) district established under this chapter.

(5) AGRICULTURAL USES means those uses defined in Section 51A-4.201.

(6) AIRPORT HAZARD means any structure, tree, sign, vehicle or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport, or is otherwise hazardous to the landing or taking off of aircraft.

(7) ALLEY means a right-of-way which provides secondary access to adjacent property.

(8) BASEMENT means any level of a building where more than one half of the vertical distance between floor and ceiling is below grade.

(9) BEDROOM means any room in a dwelling unit other than a kitchen, dining room, living room, bathroom, or closet. Additional dining rooms and living rooms, and all dens, game rooms, sun rooms, and other similar rooms are considered bedrooms.

(10) BLOCK means:

(A) an area bounded by streets on all sides; and

(B) as a measurement term, the distance along one side of a street between the two nearest intersecting streets, or where a street deadends, the distance along one side of a street between the nearest intersecting street and the end of the deadend street.

(11) BOARD means the board of adjustment.

(12) BUILDING means a structure for the support or shelter of any use or occupancy.

(13) BUILDING LINE means a line marking the minimum distance a building may be erected from a street, alley, or lot line. (Also called the "setback line.")

(14) BUILDING OFFICIAL means the person designated by the city manager as the building official of the city, or the building official's authorized representative.

(15) BUILDING SITE means property that meets the requirements of Section 51A-4.601.

(16) "CA-1" DISTRICT means the CA-1 district established under Chapter 51.

(17) "CA-1(A)" DISTRICT means the CA-1(A) district established under this chapter.

(18) "CA-2" DISTRICT means the CA-2 district established under Chapter 51.

(19) "CA-2(A)" DISTRICT means the CA-2(A) district established under this chapter.

(20) CENTER LINE means a line running midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the center line shall be determined by the director of public works.

(21) CENTRAL AREA DISTRICTS means the CA-1(A) and CA-2(A) districts established under this chapter.

(22) CENTRAL BUSINESS DISTRICT means the area of the city within Woodall Rodgers Freeway, Central Expressway (elevated bypass), R. L. Thornton Freeway, and Stemmons Freeway.

(23) CITY COUNCIL means the governing body of the city.

(24) COMMERCIAL AND BUSINESS SERVICE USES means those uses defined in Section 51A-4.202.

(25) COMMISSION or CITY PLAN COMMISSION means the city plan and zoning commission.

(26) COVERAGE means the percentage of lot area covered by a roof, floor, or other structure, except that roof eaves up to 24 inches and other ordinary building projections up to 12 inches are excluded.

(27) DENSITY means the ratio of dwelling units to lot area.

(28) DEPARTMENT means the department of planning and development.

(29) "D" DISTRICT means the duplex district established under Chapter 51.

(30) "D(A)" DISTRICT means the duplex district established under this chapter.

(31) DIR means "development impact review" (See Division 51A-4.800).

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

(33) DUPLEX DISTRICT means the D(A) district established under this chapter.

(34) DWELLING UNIT means one or more rooms designed to accommodate one family and containing only one kitchen plus living, sanitary, and sleeping facilities.

(35) EAVES means the lowest border of a roof, including any overhang.

(36) FAMILY means individuals living together as a single housekeeping unit in which not more than four individuals are unrelated by blood, marriage, or adoption.

(37) FENCE means a structure that provides a physical barrier.

(38) FLOOR AREA means the total square feet of floor space in a building measured to the outside faces of exterior walls or to the omitted wall lines, whichever produces the larger area.

(39) FLOOR AREA RATIO means the ratio of floor area to lot area.

(40) FRONTAGE means the length of property along one side of a street between property or lease boundary lines.

(41) FRONT YARD means that portion of a lot which abuts a street and extends across the width of the lot between the street and the setback line.

(42) "GO" DISTRICTS means the general office matrix districts established under Chapter 51.

(43) "GO(A)" DISTRICT means the general office district established under this chapter.

(44) "GR" DISTRICT means the general retail district established under Chapter 51.

(45) GRADE means the average of the finished ground surface elevations measured at the highest and lowest exterior corners of a structure.

(46) "HC" DISTRICT means the heavy commercial district established under Chapter 51.

(47) 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.

(48) HISTORIC LANDMARK means any building, land, area, or district of historical, architectural, archaeological, or cultural importance or value, which the city council determines shall be protected, enhanced, and preserved in the interest of the culture, prosperity, education and welfare of the people.

(49) "I-1" DISTRICT means the I-1 district established under Chapter 51.

(50) "I-2" DISTRICT means the I-2 district established under Chapter 51.

(51) "I-3" DISTRICT means the I-3 district established under Chapter 51.

(52) INDUSTRIAL DISTRICTS means IR and IM districts.

(53) INDUSTRIAL USES means those uses defined in Section 51A-4.203.

(54) INNER COURT means an open space bounded on all sides by the walls of a building.

(55) INSTITUTIONAL USES means the post office; community, welfare, or health center; foster home; day care center; halfway house; family home; day home; church; rectory; convent or monastery; cemetery or mausoleum; establishment of a religious, charitable, or philanthropic nature; public or private school; institution for special education; business school; technical school; college, university, or seminary; college fraternity or sorority house; college dormitory; library, art gallery, or museum; hospital; establishment for care of alcoholic, narcotic, or psychiatric patients; nursing home; residence home for the aged; and ambulatory surgical center uses.

(56) INSTITUTIONAL AND COMMUNITY SERVICE USES means those uses defined in Section 51A-4.204.

(57) INTERIOR LOT LINE means a lot line not adjacent to a street or alley.

(58) LANDING AREA means the area of an airport used for the landing, take off or taxiing of aircraft.

(59) LANDSCAPE AUTHORITY means:

(A) a landscape architect licensed or registered by the state; or

(B) a professional horticulturist or nurseryman.

(60) "LC" DISTRICT means the light commercial district established under Chapter 51.

(61) LEGAL HEIGHT means the maximum building height allowed under the airport flight overlay district regulations or any other ordinance or regulation in effect.

(62) LIMITED USE means a use restricted under Section 51A-4.218.

(63) "LO" DISTRICTS means the limited office matrix districts established under Chapter 51.

(64) "LO-1" DISTRICT means the LO-1 district established under this chapter.

(65) "LO-2" DISTRICT means the LO-2 district established under this chapter.

(66) LODGING USES means those uses defined in Section 51A-4.205.

(67) LOT means a building site that fronts on a public or private street.

(68) LOT AREA means the total square feet contained within lot lines.

(69) LOT DEPTH means the average distance between the front and rear lot lines.

(70) LOT LINE means a property line bounding a lot, excluding any street or alley dedicated in fee simple.

(71) LOT WIDTH means the distance between side lot lines measured along the front setback line.

(72) MAIN BUILDING means a building on a lot intended for occupancy by the main use.

(73) MAIN USE means those uses defined in Sections 51A-4.201 through 51A-4.216.

(74) "MF" DISTRICTS means the MF-1, MF-2, MF-3, and MF-4 districts established under Chapter 51.

(75) "MF(A)" DISTRICTS means the MF-1(A), MF-2(A), MF-3(A), and MF-4(A) districts established under this chapter (also called "multifamily districts").

(76) "MH" DISTRICT means the mobile home district established under Chapter 51.

(77) "MH(A)" DISTRICT means the mobile home district established under this chapter.

(78) MISCELLANEOUS USES means those uses defined in Section 51A-4.206.

(79) MIXED USE DISTRICTS means the MU-1, MU-2, and MU-3 districts established under this chapter (also called "MU" districts).

(80) "MO" DISTRICTS means the mid-range office matrix districts established under Chapter 51.

(81) "MO-1" DISTRICT means the MO-1 district established under this chapter.

(82) "MO-2" DISTRICT means the MO-2 district established under this chapter.

(83) MOBILE HOME DISTRICT means the MH(A) district established under this chapter.

(84) "MU" DISTRICTS means the MU-1, MU-2, and MU-3 districts established under this chapter (also called "mixed use districts").

(85) MULTIFAMILY DISTRICTS means the MF-1(A), MF-2(A), MF-3(A), and MF-4(A) districts established under this chapter [also called "MF(A)" districts].

(86) NET ACRE means an acre of land that does not include public rights-of-way.

(87) "NO" DISTRICTS means the neighborhood office matrix districts established under Chapter 51.

(88) "NO(A)" DISTRICT mean the neighborhood office district established under this chapter.

(89) NONCONFORMING STRUCTURE means a structure which does not conform to the regulations (other than the use regulations) of this chapter, but which was lawfully constructed under the regulations in force at the time of construction.

(90) NONCONFORMING USE means a use that does not conform to the use regulations of this chapter, but was lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time.

(91) NONRESIDENTIAL DISTRICTS means the office, retail, CS, IR, IM, central area, mixed use, and P(A) districts.

(92) NONRESIDENTIAL USE means any main use that is not listed in Section 51A-4.209.

(93) "NS" DISTRICT means the neighborhood service district established under Chapter 51.

(94) "NS(A)" DISTRICT means the neighborhood service district established under this chapter.

(95) "O-1" DISTRICT means the O-1 district established under Chapter 51.

(96) "O-2" DISTRICT means the O-2 district established under Chapter 51.

(97) OCCUPANCY means the purpose for which a building or land is used.

(98) OFFICE DISTRICTS means the NO(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts established under this chapter.

(99) OFFICE USES means those uses defined in Section 51A-4.207.

(100) OMITTED WALL LINE means a line on the ground determined by a vertical plane from:

(A) the overhang or outermost projection of a structure; or

(B) the outer edge of the roof of a structure without walls; or

(C) two feet inside the eave line of a structure with roof eaves.

(101) OPEN SPACE means an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves.

(102) OPENINGS FOR LIGHT OR AIR means any windows, window walls, or glass panels in an exterior wall of a building, excluding doors used for access.

(103) OUTER COURT means an open space bounded on all sides except one by the walls of a building, and opening upon a street, alley or a permanent open space.

(104) OUTSIDE DISPLAY means the placement of a commodity outside for a period of time less than 24 hours.

(105) "P" DISTRICT means the parking district established under Chapter 51.

(106) "P(A)" DISTRICT means the parking district established under this chapter.

(107) PARKING means the standing of a vehicle, whether occupied or not. Parking does not include the temporary standing of a vehicle when commodities or passengers are being loaded or unloaded.

(108) PARKING DISTRICT means the "P(A)" district established under this chapter.

(109) PARKING BAY WIDTH means the width of one or two rows of parking stalls and the access aisle between them.

(110) PARTY WALL means a wall built on an interior lot line used as a common support for buildings on both lots.

(111) PERSON means any individual, firm, partnership, corporation, association, or political subdivision.

(112) PRIVATE STREET means a "private street" as defined in Section 51A-4.217.

(113) QUASI-PUBLIC AGENCY means an institution obtaining more than 51 percent of its funds from tax revenue.

(114) RAR means "residential adjacency review" (See Division 51A-4.800).

(115) "R" DISTRICTS means the R-1ac, R-1/2ac, R-16, R-13, R-10, R-7.5, and R-5 districts established under Chapter 51.

(116) "R(A)" DISTRICTS means the R-1ac(A), R-1/2ac(A), R-16(A), R-13(A), R-10(A), R-7.5(A), and R-5(A) districts established under this chapter (also called "single family districts").

(117) REAR YARD means that portion of a lot between two side lot lines that does not abut a street and that extends across the width of the lot between the rear setback line and the rear lot line.

(118) RECREATION USES means those uses defined in Section 51A-4.208.

(119) RESIDENTIAL DISTRICTS means the A(A), R-1ac(A), R-1/2ac(A), R-16(A), R-13(A), R-10(A), R-7.5(A), R-5(A), D(A), TH-1(A), TH-2(A), TH-3(A), CH, MF-1(A), MF-2(A), MF-3(A), MF-4(A), and MH(A) districts established under this chapter.

(120) RESIDENTIAL PROXIMITY SLOPE means "residential proximity slope" as defined in Section 51A-4.412.

(121) RESIDENTIAL USES means those uses defined in Section 51A-4.209.

(122) RETAIL AND PERSONAL SERVICE USES means those uses defined in Section 51A-4.210.

(123) RIDGE means the line of intersection at the top between the opposite slopes or sides of a roof.

(124) RIGHT-OF-WAY means an area dedicated to public use for pedestrian and vehicular movement.

(125) RIGHT-OF-WAY LINE means the dividing line between a right-of-way and an adjacent lot.

(126) "SC" DISTRICT means the shopping center district established under Chapter 51.

(127) SCREENING means a structure that provides a visual barrier.

(128) SETBACK LINE means a line marking the minimum distance a building may be erected from a street, alley, or lot line (also called the "building line").

(129) SIDE YARD means:

(A) that portion of a lot extending from the front setback line to the rear setback line between the side setback line and the side lot line; or

(B) that portion of a lot which is between a lot line and a setback line but is not a front or rear yard.

(130) SINGLE FAMILY DISTRICTS means the R-1ac(A), R-1/2ac(A), R-16(A), R-13(A), R-10(A), R-7.5(A), and R-5(A) districts established under this chapter (also called "R(A)" districts).

(131) SITE AREA means that portion of a building site occupied by a use and not covered by a building or structure.

(132) STACK SPACE means an area for motor vehicles to line up in while waiting to go through a drive-through facility.

(133) STORY means that portion of a building between any two successive floors or between the top floor and the ceiling above it.

(134) STREET means a right-of-way not less than 30 feet in width which provides primary access to adjacent property.

(135) STRUCTURE means that which is built or constructed, an edifice or building of any kind, or any piece of work artifically built up or composed of parts joined together in some definite manner.

(136) SUP means "specific use permit" (See Section 51A-4.219).

(137) "TH" DISTRICTS means the TH-1, TH-2, TH-3, and TH-4 districts established under Chapter 51.

(138) "TH(A)" DISTRICTS means the TH-1(A), TH-2(A), and TH-3(A) districts established under this chapter (also called townhouse districts).

(139) TOWNHOUSE DISTRICTS means the TH-1(A), TH-2(A), and TH-3(A) districts established under this chapter [also called "TH(A)" districts].

(140) TRANSIENT STAND means a site for the placing and use of a mobile home, recreational vehicle, or tent.

(141) TRANSPORTATION USES means those uses defined in Section 51A-4.211.

(142) UTILITY AND PUBLIC SERVICE USES means those uses defined in Section 51A-4.212.

(143) WHOLESALE, DISTRIBUTION, AND STORAGE USES means those uses defined in Section 51A-4.213.

(144) ZONING DISTRICT means a classification assigned to a particular area of the city within which zoning regulations are uniform.

(145) ZONING DISTRICT MAP means the official map upon which the zoning districts of the city are delineated.

ARTICLE III

DECISIONMAKING AND ADMINISTRATIVE BODIES

SEC. 51A-3.101. CITY PLAN AND ZONING COMMISSION.

(a) Creation; Membership; Appointment. There is hereby created the city plan and zoning commission which consists of 15 members, including a chairman and vice-chairman, appointed by the city council. Members serve for two-year terms ending on September 1 of odd-numbered years and serve until their successors are appointed and qualified. Members must possess the same qualifications and are subject to the same disqualifications as members of the city council. A vacancy occurring during the unexpired term of a member will be filled in the same manner as the original appointment was made.

(b) Quorum and Voting. All cases heard by the commission must be heard by a minimum number equal to a quorum of the membership. A simple majority of the membership of the commission, less any unfilled vacancies, constitutes a quorum. Except as otherwise required by Article 1011e, Vernon's Texas Civil Statutes, the number of votes necessary to decide a matter is a simple majority of those members present and required to vote. Each member of the commission who is present is required to vote unless, by reason of either a direct interest in property located within the area of notification, or a financial interest in the outcome of the case, he is required to abstain from voting.

(c) Powers and Duties. The commission has the following powers and duties:

(1) To serve as an advisory body to the city council concerning amendments to the zoning ordinance and the granting or denial of specific use permits.

(2) To administer the provisions of Article 974a, Vernon's Texas Civil Statutes, regarding the platting and recording of subdivisions and additions, and to require the owners and developers of land who desire to plat or replat land for urban development to:

(A) dedicate streets, alleys, parks, easements or other public places of adequate dimensions;

(B) coordinate street layouts and street planning with the city and with the county, state and federally designated highways; and

(C) provide for building setback lines.

(3) To consider the character of development or land use contemplated by proposed platting and zoning of property, and to require off-street parking and streets and alleys of adequate dimensions.

(4) To advise and make recommendations on the comprehensive plan and its implementation as may be requested by the city council or city manager.

(5) To advertise and hold public hearings on zoning or changes in zoning.

(6) To exercise all other responsibilities as may be provided by applicable law.

(d) Meetings, Records and Rules.

(1) All meetings and hearings of the commission must be open to the public in accordance with the Texas Open Meetings Act, Article 6252-17, Vernon's Texas Civil Statutes.

(2) All records of the commission are public records open to inspection at reasonable times and upon reasonable notice in accordance with the Texas Open Records Act, Article 6252-17a, Vernon's Texas Civil Statutes.

(3) The commission shall adopt, subject to approval of city council, rules, not inconsistent with state law or city ordinances, governing its proceedings.

(e) Effect of Decisions. Actions taken or recommendations made by the commission are not binding upon the city council and the city council may decide a matter contrary to the recommendations or actions of the commission.

SEC. 51A-3.102. BOARD OF ADJUSTMENT.

(a) Creation; Membership; Appointment. There is hereby created the board of adjustment which shall consist of five members who are residents of the city. Members are appointed by the city council for two-year terms ending on September 1 of odd-numbered years and shall serve until their successors are appointed and qualified. A vacancy for the unexpired term of any member will be filled in the same manner as the original appointment was made. The city council may appoint four alternate members to the board who serve in the absence of one or more regular members when requested to do so by the chairman or by the city manager. The alternate members serve for the

same period and are subject to removal the same as regular members. The city council shall fill vacancies occuring in the alternate membership the same as in the regular membership.

(b) Quorum and Voting. Cases must be heard by a minimum number of five members of the board. The concurring vote of four members is necessary to decide any matter. Each member who is present and entitled to vote shall vote in accordance with Chapter 8 of the Dallas City Code.

(c) Powers and Duties. The board has the following powers and duties which must be exercised in accordance with this chapter:

(1) To hear and decide appeals from decisions of the building official made in the enforcement of this chapter.

(2) To interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.

(3) To hear and decide special exceptions that are expressly provided for in this chapter.

(4) To bring about the discontinuance of a nonconforming use under a plan whereby the owner's actual investment in the structure(s) prior to the time that the use became nonconforming can be amortized within a definite time period.

(5) To hear and decide requests for change of occupancy of a nonconforming use to another nonconforming use.

(6) To hear and decide requests for the enlargement of a nonconforming use.

(7) To hear and decide requests for reconstruction of a nonconforming structure on the land occupied by the structure when the reconstruction will not permanently prevent the return of the property to a conforming use and will not increase the nonconformity.

(8) To require the vacation and demolition of a nonconforming structure that is determined to be obsolete, dangerous, dilapidated, or substandard.

(9) To consider on its own motion or upon the request of interested property owners, the operation or alteration of any use which is a nonconforming use because of its noncompliance with the environmental performance standards set

forth in this chapter, and to specify the conditions and standards which must be complied with for continuance of the nonconforming use.

(10) To grant variances from the front yard, side yard, rear yard, lot width, lot depth, coverage, floor area ratios, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations that will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done. The variance must be necessary to permit development of a specific parcel of land which differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same zoning classification. A variance may not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor may a variance be granted to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land in districts with the same zoning classification.

(d) Meetings, Records and Rules.

(1) All meetings and hearings of the board must be open to the public in accordance with the Texas Open Meetings Act, Article 6252-17, Vernon's Texas Civil Statutes.

(2) All records of the board are public records open to inspection at reasonable times and upon reasonable notice in accordance with the Texas Open Records Act, Article 6252-17a, Vernon's Texas Civil Statutes.

(3) The board shall adopt rules not inconsistent with this code or state law to govern its proceedings.

(e) Effect of Decisions.

The board's decision is final unless appealed to the district court within 10 days in accordance with Article 1011g, Vernon's Texas Civil Statutes.

SEC. 51A-3.103. LANDMARK COMMITTEE.

(a) Creation; Membership; Appointment.

(1) There is hereby created a landmark committee composed of 15 members appointed by the commission. The membership must include at least: one architect, one

historian, one planner, one landscape architect, and one real estate appraiser. All members must have knowledge and experience in the field of history, art, or architecture.

(2) Members shall be appointed from a list of nominees solicited from: the Dallas County Historical Survey Committee; the Dallas County Heritage Society; the Dallas chapter of the American Institute of Architects; the Dallas Local History and Genealogy Society; the Dallas chapter of the American Planners Association; the Dallas chapter of the American Society of Landscape Architects; the Dallas Bar Association; the Dallas Chamber of American Society of Real Estate Appraisers; the city plan commission; the Historic Preservation League, Inc.; and such other individuals and organizations as the commission may in its discretion wish to consult or consider.

(3) Appointments to the committee are for a term of two years ending on September 1 of each odd-numbered year, or a period concurrent with the term of the commission. The members shall serve without compensation. The commission shall designate a chairman and a vice-chairman from the membership of the committee.

(4) In addition to the 15 regular members, representatives from the department of planning and development, the building inspection division of the department of public works, and the park and recreation department shall sit on the committee as ex officio members. The ex officio members are not entitled to vote but assist the committee in various functions.

(b) Quorum and Voting. Eight members present shall constitute a quorum, and issues are decided by a simple majority of the members present. Each member who is present and entitled to vote must vote in accordance with Chapter 8 of the Dallas City Code.

(c) Powers and Duties. The committee has the following powers and duties:

(1) To thoroughly familiarize itself with the structures, land, areas, and districts within the city that may be eligible for designation as historic landmarks.

(2) To prepare and present a historic landmark preservation plan to the commission for inclusion in a comprehensive plan of the city. The historic landmark preservation plan must:

(A) identify and catalog structures, land, areas, and districts of historical, architectural,

archeological, or cultural value along with factual verification of their significance;

(B) identify criteria to be used in determining the designation of a historical landmark;

(C) identify guidelines to be used in determining whether to grant or deny certificates of appropriateness;

(D) formulate a program for private and public action to promote the preservation of historic landmarks;

(E) suggest sources of funds, including federal, state, municipal, private, and foundation sources, for preservation and restoration activities and for acquisitions; and

(F) recommend incentives for preservation;

(3) To recommend to the commission that certain structures, land, areas, and districts be designated as historic landmarks.

(4) To recommend to the commission that certain structures, land, areas, or districts, which cannot be preserved without acquisition, be acquired in fee simple or in some lesser degree by gift or purchase.

(5) To recommend changes in use where conditions exist under which the required preservation of a historic landmark would cause undue hardship to the owner of the property.

(6) To review the application for a building permit for proposed work to the exterior of a designated historic landmark and recommend to the commission whether a certificate of appropriateness should be issued.

(7) To recommend, when appropriate, the amendment to or removal of a historic landmark designation.

(8) To review applications for the demolition or removal of a designated historic landmark and make recommendations concerning the applications to the commission.

(9) To periodically review the status of designated historic landmark districts and include a report of the review in the committee minutes.

(d) Meetings, Records and Rules.

(1) The committee must meet at least once each month, with additional meetings upon the call of the chairman or upon petition of a simple majority of the committee members.

(2) All meetings and hearings of the committee must be open to the public in accordance with the Texas Open Meetings Act, Article 6252-17, Vernon's Texas Civil Statutes.

(3) All records of the committee are public records open to inspection at reasonable times and upon reasonable notice in accordance with the Texas Open Records Act, Article 6252-17a, Vernon's Texas Civil Statutes.

(4) The committee may adopt rules to govern its proceedings that are not inconsistent with Chapter 8 of the Dallas City Code or state law.

(e) Effect of Decisions. Actions taken or recommendations made by the committee are not binding upon the commission, and the commission may decide a matter contrary to recommendations or action of the committee.

SEC. 51A-3.104. DEPARTMENT OF PLANNING AND DEVELOPMENT.

(a) Creation; Membership; Appointment. There is hereby created the department of planning and development consisting of the director of planning and development and such assistants and employees as the city council may provide for upon the recommendation of the city manager. The director shall be appointed by the city manager.

(b) Powers and Duties. The director shall perform the following duties and have the following powers:

(1) Advise the city manager on matters affecting the urban design and physical development of the city.

(2) Develop and recommend to the city manager a comprehensive plan for the city.

(3) Review and make recommendations regarding proposed actions implementing the comprehensive plan.

(4) Participate in the preparation and revision of the capital improvement program.

(5) Administer the regulations governing the subdivision and platting of land in accordance with state and local laws.

(6) Coordinate all planning relating to urban redevelopment, urban rehabilitation, and conservation intended to alleviate or prevent slums, obsolescence, blight, or other conditions of urban deterioration.

(7) Give advice and provide staff assistance to the board of adjustment and the plan and zoning commission in the exercise of their responsibilities.

(8) Serve as secretary to the landmark committee.

(9) Perform all other duties required of him by the city manager or by ordinance.

SEC. 51A-3.105. BUILDING OFFICIAL.

(a) Powers and Duties.

(1) The building official shall issue permits in accordance with this chapter.

(2) The building official shall issue certificates of occupancy in accordance with this chapter.

(3) The building official has the authority to enforce the provisions of this chapter.

Division 51A-4.100

Establishment of Zoning Districts

SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED.

(1) Residential districts.

(A)	A(A)	Agricultural district.
(B)	R-1ac(A)	Single family district 1 acre.
(C)	R-1/2ac(A)	Single family district 1/2 acre.
(D)	R-16(A)	Single family district 16,000 square feet.
(E)	R-13(A)	Single family district 13,000 square feet.
(F)	R-10(A)	Single family district 10,000 square feet.
(G)	R-7.5(A)	Single family district 7,500 square feet.
(H)	R-5(A)	Single family district 5,000 square feet.
(I)	D(A)	Duplex district.
(J)	TH-1(A)	Townhouse district 1.
(K)	TH-2(A)	Townhouse district 2.
(L)	TH-3(A)	Townhouse district 3.
(M)	CH	Clustered housing district.
(N)	MF-1(A)	Multifamily district 1.
(O)	MF-2(A)	Multifamily district 2.
(P)	MF-3(A)	Multifamily district 3.
(Q)	MF-4(A)	Multifamily district 4.
(R)	MH(A)	Mobile home district.

(2) Office districts.

(A)	NO(A)	Neighborhood office district.
(B)	LO-1	Limited office district 1.
(C)	LO-2	Limited office district 2.
(D)	MO-1	Mid-range office district 1.
(E)	MO-2	Mid-range office district 2.
(F)	GO(A)	General office district.

(3) Retail districts.

(A)	NS(A)	Neighborhood service district.
(B)	CR	Community retail district.
(C)	RR	Regional retail district.

(4) Commercial service and industrial districts.

(A)	CS	Commercial service district.
(B)	IR	Industrial/research district.
(C)	IM	Industrial/manufacturing district.

(5) Central area districts.

(A)	CA-1(A)	Central area district 1.
(B)	CA-2(A)	Central area district 2.

(6) Mixed use districts.

(A)	MU-1	Mixed use district 1.
(B)	MU-2	Mixed use district 2.
(C)	MU-3	Mixed use district 3.

(7) Special purpose districts.

(A)	C	Conservation district.
(B)	PD	Planned development district.
(C)	P(A)	Parking district.

(8) Overlay districts.

(A)	AF suffix	Airport flight path overlay district
(B)	CP suffix	Core pedestrian precinct overlay district.
(C)	H suffix	Historic landmark overlay district.
(D)	ID suffix	Institutional overlay district.
(E)	D suffix	"D" liquor control overlay district.
(F)	D-1 suffix	"D-1" liquor control overlay district.
(G)	SP suffix	Secondary pedestrian precinct overlay district.

SEC. 51A-4.102. RESERVED.

SEC. 51A-4.103. ZONING DISTRICT MAP.

(a) The boundaries of zoning districts are recorded on a set of separately numbered, sectional zoning district maps of the city. The original set of zoning district maps, bearing the signature of the director and the attestation of the city secretary, is the official zoning district map of the city and may not be changed in any manner. The offical zoning district map is made a part of and incorporated into this chapter.

(b) The director shall file the official zoning district maps in the office of the city secretary. The director shall place additional copies of the original set of zoning district maps in the offices of the city secretary, the director, and the building official. The director shall keep the additional copies up to date by posting or causing to be posted to the maps any subsequent zoning district amendment and the ordinance number of the amendment.

(c) An ordinance that changes a zoning district must state the map number where the district is located.

(d) In case of any question involving a district designation within the city, the updated copy of the official zoning district map on file in the office of the city secretary is presumed correct, and the person challenging the accuracy of that copy has the burden of presenting the official zoning map, together with the ordinances amending the map, to prove the inaccuracy of the updated copy.

SEC. 51A-4.104. ZONING DISTRICT BOUNDARIES.

(a) When uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules apply:

(1) Boundaries indicated as approximately following the center lines of streets, highways, or alleys are construed to follow those center lines.

(2) Boundaries indicated as approximately following platted lot lines are construed as following those lot lines.

(3) Boundaries indicated as approximately following city limits are construed as following city limits.

(4) Boundaries indicated as following railroad lines are construed as following the established center line of a railroad right-of-way. If no center line is established, the boundary is midway between the railroad right-of-way lines.

(5) Boundaries indicated as following shore lines are construed to follow shore lines. If the shore line changes, the boundaries are construed as moving with the actual shore line.

(6) Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water are construed to follow those center lines. The center line is interpreted as being midway between the shore lines of the body of water. If the center line changes, the boundaries are construed as moving with the center line.

(7) Boundaries indicated as parallel to or extensions of the features described in Subsections (a)(1) through (a)(6) are construed as being parallel to or extensions of the features.

(8) Boundaries indicated as dividing a lot or tract are construed to be located as shown on the zoning district map.

(b) Distances not specifically indicated on a zoning district map are determined by the scale of the map.

(c) Whenever a street, alley, or other public way is vacated by official action of the city council, the zoning district line adjoining each side of the street, alley, or other public way automatically extends to the center line of the vacated street, alley, or public way.

(d) When there is a question as to the boundary of a tract and that question cannot be resolved by the application of Subsections (a) through (c), the board of adjustment shall determine the boundary by interpreting the official zoning district map and ordinances amending the map.

(e) When there is a question as to whether or how a tract is zoned and that question cannot be resolved by the application of this section, the tract is temporarily classified as an agricultural district, and the tract is subject to the same regulations as provided for annexed territory temporarily zoned.

SEC. 51A-4.105. INTERPRETATION OF DISTRICT REGULATIONS.

(a) The following rules apply in interpreting the district regulations:

(1) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.

(2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) The symbols *[L]* and *[SUP]* appearing together after a listed use mean that the use is permitted by right as a limited use; otherwise it is permitted by specific use permit only.

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(b) If there is a conflict between the text of the district regulations and the charts or any other graphic display in this chapter, the text of the district regulations controls.

(c) If there is a conflict between the text of the district regulations and the text of the use regulations (Division 51A-4.100, et seq.), the text of the use regulations controls.

SECS. 51A-4.106 THROUGH 51A-4.109 RESERVED FOR FUTURE USE.

Division 51A-4.110

Residential District Regulations

SEC. 51A-4.111. AGRICULTURAL [A(A)] DISTRICT.

(1) Purpose. There exists in certain fringe areas of the city, land which is presently used for agricultural purposes and to which urban services are not yet available. These lands should appropriately continue to be used for agricultural purposes until needed for urban purposes in conformity with the orderly growth of the city. The uses permitted in the A(A) district are intended to accommodate normal farming, ranching, and gardening activities. It is anticipated that all of the A(A) district area will be changed to other urban zoning categories as the area within the corporate limits of Dallas becomes fully developed. Newly annexed territory will be temporarily zoned as an A(A) district until permanent zoning is established.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Stone, sand, or gravel mining. *[SUP]*

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Fairgrounds. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Drag strip, go-cart track, or commercial racing. *[SUP]*
-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.
-- Drive-in theatre. *[SUP]*
-- Inside commercial amusement. *[SUP]*
-- Outside commercial amusement. *[SUP]*
-- Rodeo. *[SUP]*

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter.
-- Helicopter base. *[SUP]*
-- Heliport. *[SUP]*
-- Helistop. *[SUP]*
-- STOL (short take off or landing) port. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[SUP]*
-- Electrical energy generating plant. *[SUP]*
-- Electrical substation. *[SUP]*
-- Local utilities.
-- Radio, television, or microwave tower. *[SUP]*
-- Sanitary landfill. *[SUP]*
-- Sewage pumping station.
-- Sewage treatment plant. *[SUP]*
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.
-- Water treatment plant. *[SUP]*

(M) Wholesale, distribution, and storage uses.

-- Sand, gravel, or earth sales and storage. *[SUP]*

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 50 feet.

(B) Side and rear yard.

(i) Minimum side yard is 20 feet.

(ii) Minimum rear yard is:

(aa) 50 feet for single family structures; and

(bb) 10 feet for other permitted structures.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 24 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 10 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot area for residential use is three acres.

(ii) Minimum lot width and depth for residential use is 200 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions. None.

SEC. 51A-4.112. SINGLE FAMILY DISTRICTS.

(a) R-1ac(A) district.

(1) Purpose. There exists in certain parts of the city large areas of single family residential development on estate type lots of one acre or more in area. This development has been supplied with utilities and other public services based upon an estate type density. To conserve the character and value of buildings and building sites existing in these areas and to provide for the gradual expansion of this residential development in accordance with the need and a comprehensive plan for various types of residential districts, the R-1ac(A) district is provided. This district is intended to be composed of single family dwellings together with public and private schools, churches, and public park areas to serve the area. The sections designated in the R-1ac(A) districts are limited in area and are not intended to be subject to major alteration by future amendment except at the fringe of the districts where minor adjustments may become appropriate to permit the reasonable development of vacant tracts or gradual transition from other districts.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 40 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 10 feet for single family structures; and

(ii) 20 feet for other permitted structures.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 40 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is

one acre.

(ii) Minimum lot width for residential use is 125 feet.

(iii) Minimum lot depth for residential use is 130 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(b) R-1/2ac(A) district.

(1) Purpose. There exists in certain parts of the city large areas of single family residential development on estate type lots of one-half acre or more in area. This development has been supplied with utilities and other public services based upon an estate type density. To conserve the character and value of buildings and building sites existing in these areas and to provide for the gradual expansion of this residential development in accordance with the need and a comprehensive plan for various types of residential districts, the R-1/2ac(A) district is provided. This district is intended to be composed of single family dwellings together with public and private schools, churches, and public park areas to serve the area. The sections designated in the R-1/2ac(A) districts are limited in area and are not intended to be subject to major alteration by future amendment except at the fringe of the districts where minor adjustments may become appropriate to permit the reasonable development of vacant tracts or gradual transition from other districts.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

-- None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, an the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 40 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 10 feet for single family structures; and

(ii) 20 feet for other permitted structures.

(C) Dwelling unit density. .No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 40 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is

one-half acre.

(ii) Minimum lot width for residential use is 110 feet.

(iii) Minimum lot depth for residential use is 130 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(c) R-16(A) district.

(1) Purpose. Single family residential development has taken place on intermediate sized lots in portions of the city in recent years. In order to protect and encourage the continued development of intermediate density with single family residences in appropriate areas of the city, the R-16(A) district is provided. In addition to single family residences, it is intended that churches, public and private schools, and public parks necessary to serve and complement the intermediate density development be permitted. The areas placed in the R-16(A) district are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

-- None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, an the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 35 feet.

(B) Side and rear yard.

(i) Minimum side and rear yard for single family structures is 10 feet.

(ii) Minimum side yard for other permitted structures is 15 feet.

(iii) Minimum rear yard for other permitted structures is 20 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 40 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is 16,000 square feet.

(ii) Minimum lot width for residential use is 100 feet.

(iii) Minimum lot depth for residential use is 130 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(d) R-13(A) district.

(1) Purpose. Single family residential development has taken place on intermediate sized lots in portions of the city in recent years. In order to protect and encourage the continued development of intermediate density with single family residences in appropriate areas of the city, the R-13(A) district is provided. In addition to single family residences, it is intended that churches, public and private schools, and public parks necessary to serve and complement the intermediate density development be permitted. The areas placed in the R-13(A) district are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, an the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 30 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 8 feet for single family structures; and

(ii) 15 feet for other permitted structures.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 45 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is 13,000 square feet.

(ii) Minimum lot width for residential use is 85 feet.

(iii) Minimum lot depth for residential use is 100 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(e) R-10(A) district.

(1) Purpose. Single family residential development has taken place on intermediate sized lots in portions of the city in recent years. In order to protect and encourage the continued development of intermediate density with single family residences in appropriate areas of the city, the R-10(A) district is provided. In addition to single family residences, it is intended that churches, public and private schools, and public parks necessary to serve and complement the intermediate density development be permitted. The areas placed in the R-10(A) district are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, an the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 30 feet.

(B) Side and rear yard.

(i) Minimum side and rear yard for single family structures is six feet.

(ii) Minimum side yard for other permitted structures is 10 feet.

(iii) Minimum rear yard for other permitted structures is 15 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 45 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is 10,000 square feet.

(ii) Minimum lot width for residential use is 70 feet.

(iii) Minimum lot depth for residential use is 100 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(f) R-7.5(A) district.

(1) Purpose. This district comprises a major portion of the existing single family dwelling development of the city and is considered to be the proper zoning classification for large areas of the undeveloped land remaining in the city appropriate for single family dwelling use. This district is intended to be composed of single family dwellings together with public and private schools, churches, and public parks essential to create basic neighborhood units. Limited portions of these neighborhood units may consist of denser residential zoning classifications which are shown on the zoning district map or which later may be created by amendments to the map.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due

to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, an the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 25 feet.

(B) Side and rear yard.

(i) Minimum side and rear yard for single family structures is five feet.

(ii) Minimum side yard for other permitted structures is 10 feet.

(iii) Minimum rear yard for other permitted structures is 15 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 45 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is 7,500 square feet.

(ii) Minimum lot width for residential use is 55 feet.

(iii) Minimum lot depth for residential use is 100 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(g) R-5(A) district.

(1) Purpose. This classification creates a single family dwelling district which is appropriate in area requirements for moderate value single family housing development and which, at the same time, provides a reasonable standard of light, air, and similar living amenities. It is intended that the R-5(A) classification be added by amendment in specific areas where higher density single family residence development is shown to be appropriate because of existing development and the adequacy of utilities and where redevelopment of substandard areas at increased single family density is appropriate.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due

to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 20 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) five feet for single family structures; and

(ii) 10 feet for other permitted structures.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 45 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is 5,000 square feet.

(ii) Minimum lot width for residential use is 50 feet.

(iii) Minimum lot depth for residential use is 100 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

SEC. 51A-4.113. DUPLEX [D(A)] DISTRICT.

(1) Purpose. Duplex dwellings have long been a recognized form of housing in the city. In order to provide standards which will protect and encourage the various types of duplex dwellings existing in the city, a duplex dwelling district with minimum area requirements is provided.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*

-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Duplex.
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter. *[SUP]*

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 25 feet.

(B) Side and rear yard.

(i) Minimum side and rear yard for single family structures is five feet.

(ii) Minimum side yard for duplex structures is five feet.

(iii) Minimum rear yard for duplex structures is 10 feet.

(iv) Minimum side and rear yard for other permitted structures is 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is 6,000 square feet.

(ii) Minimum lot width for residential use is 60 feet.

(iii) Minimum lot depth for residential use is 100 feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for duplex uses. In this district, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than two electrical meters on a lot for a duplex use in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(B) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

SEC. 51A-4.114. TOWNHOUSE [TH-1(A), TH-2(A), and TH-3(A)] DISTRICTS.

(1) Purpose. These classifications create districts that are being recognized as a form of housing in the city, and provide standards which will protect and encourage various types of single family dwellings in the city. The townhouse districts are also established in an effort to provide a more dense single family residential character by providing minimum standards for lot area, yards, lot coverage, and lot frontage.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Duplex.
-- Family home.
-- Foster home. *[SUP]*
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In these districts,

the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. No minimum front yard.

(B) Side and rear yard.

(i) No minimum side and rear yard for single family structures.

(ii) Minimum side yard for duplex structures is five feet.

(iii) Minimum rear yard for duplex structures is 10 feet.

(iv) Minimum side and rear yard for other permitted structures is 10 feet.

(v) If a townhouse district abuts a district that requires a greater side yard, the side yard requirements of the more restrictive district apply to the abutting side yard in the townhouse district.

(C) Dwelling unit density.

(i) In a TH-1(A) district, no more than six dwelling units for each acre are allowed.

(ii) In a TH-2(A) district, no more than nine dwelling units for each acre are allowed.

(iii) In a TH-3(A) district, no more than 12 dwelling units for each acre are allowed.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(iii) In these districts, 80 percent of an individual lot may be covered by structures if the coverage for the total project does not exceed 60 percent and at least 40 percent is reserved for open space.

(G) Lot size.

(i) Minimum lot area for residential use is:

(aa) 2,000 square feet for single family structures; and

(bb) 6,000 square feet for duplex structures.

(ii) Minimum lot width for residential use is:

(aa) 10 feet for single family structures; and

(bb) 50 feet for duplex structures.

(iii) No minimum lot depth.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

(B) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

(C) Electrical service for duplex uses. In this district, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than two electrical meters on a lot for a duplex use in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

SEC. 51A-4.115. CLUSTERED HOUSING (CH) DISTRICT.

(1) Purpose. To provide for the development and protection of areas of moderate density housing with flexibility to allow for common open space.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction/sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- Duplex.
-- Family home.
-- Foster home.
-- Multifamily.
-- Rectory.
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*

(K) Transportation uses.

-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, transmitting equipment.
-- Utility or governmental installation other than listed. *[SUP]*
-- Water reservoir, well, pump station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, the following accessory uses are permitted by SUP only:

-- Community center (private).
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is:

(i) 15 feet where adjacent to an expressway, or a major or secondary thoroughfare; and

(ii) no minimum in all other cases.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 10 feet where adjacent to or directly across an alley from a zoning district other than a TH or TH(A) district; and

(ii) no minimum in all other cases.

(C) Dwelling unit density. Maximum dwelling unit density is 18 dwelling units per net acre.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.

(F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. Minimum lot size is 2,000 square feet for each dwelling unit.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Minimum district size. A minimum of one-half acre is required for the establishment of this district unless the city council determines that a smaller district is justified in a transitional circumstance separating a residential district from a higher density district.

(B) Limit on attached units. No more than eight dwelling units may be attached in this district.

SEC. 51A-4.116. MULTIFAMILY DISTRICTS.

(a) MF-1(A) district.

(1) Purpose. The MF-1(A) district is composed mainly of areas containing mixtures of single family, duplex, and multifamily dwellings and certain uniformly developed multifamily dwelling sections. The MF-1(A) district is a medium density district and is located in certain areas close into the center of the city and at various outlying locations. The area regulations are designed to protect the residential character and to prevent the overcrowding of the land in the MF-1(A) district by providing minimum standards for building spacing, yards, off-street parking, and coverage. All commercial and office uses are prohibited in the MF-1(A) district. It is anticipated that additional areas may be designated in the MF-1(A) district from time to time in the future where the change is appropriate and access and utility services can reasonably accommodate these medium density dwellings.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary.
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery.
-- Establishment for the care of alcoholic, narcotic, or psychiatric patients. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Hospital. *[SUP]*

-- Institution for special education. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory.
-- College fraternity or sorority.
-- Duplex.
-- Family home.
-- Foster home. *[SUP]*
-- Multifamily.
-- Nursing home. *[SUP]*
-- Rectory.
-- Residence home for the aged. *[SUP]*
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory use is not permitted in this district:

-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) No minimum side and rear yard for single family structures.

(ii) Minimum side yard for duplex structures is five feet.

(iii) Minimum side yard for other permitted structures is 10 feet.

(iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO-1, LO-2, MO, MO-1, MO-2, GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, IR, IM, or mixed use district.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Single family	3,000 sq. ft.
Duplex	3,000 sq. ft.
Multifamily:	
No separate bedroom	1,000 sq. ft.
One bedroom	1,400 sq. ft.
Two bedrooms	1,800 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	200 sq. ft.

(ii) Minimum lot width for residential use is:

(aa) 25 feet for single family structures;

(bb) 50 feet for duplex structures; and

(cc) 60 feet for multifamily structures.

(iii) No minimum lot depth for residential use.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district a minimum of 15 feet between each group of eight single family structures must be provided by plat.

(b) MF-2(A) district.

(1) Purpose. The MF-2(A) district is composed mainly of areas containing mixtures of single family, duplex, and multifamily dwellings and certain uniformly developed multifamily dwelling sections. The MF-2(A) district is a medium density district and is located in certain areas close into the center of the city and at various outlying locations. The area regulations are designed to protect the residential character and to prevent the overcrowding of the land in the MF-2(A) district by providing minimum standards for building spacing, yards, off-street parking, and coverage. All commercial and office uses are prohibited in the MF-2(A) district. It is anticipated that additional areas may be designated in the MF-2(A) district from time to time in the future where the change is appropriate and access and utility services can reasonably accommodate these medium density dwellings.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary.
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery.
-- Establishment for the care of alcoholic, narcotic, or psychiatric patients. *[SUP]*
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[SUP]*

(E) Lodging uses.

-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- College dormitory.
-- College fraternity or sorority.
-- Duplex.
-- Family home.
-- Foster home. *[SUP]*
-- Multifamily.
-- Nursing home. *[SUP]*
-- Rectory.
-- Residence home for the aged. *[SUP]*
-- Single family.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.

-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory use is not permitted in this district:

-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) No minimum side and rear yard for single family structures.

(ii) Minimum side yard for duplex structures is five feet.

(iii) Minimum side yard for other permitted structures is 10 feet.

(iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO-1, LO-2, MO, MO-1, MO-2, GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, IR, IM, or mixed use district.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A) TH, or TH(A) district. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 50 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Single family	1,000 sq. ft.
Duplex	3,000 sq. ft.
Multifamily:	
No separate bedroom	800 sq. ft.
One bedroom	1,000 sq. ft.
Two bedrooms	1,200 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	150 sq. ft.

(ii) Minimum lot width for residential use is:

(aa) 18 feet for single family structures; and

(bb) 50 feet for duplex and multifamily structures.

(iii) No minimum lot depth for residential use.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

(c) MF-3(A) district.

(1) Purpose. To provide for the development and protection of midrise, medium density multifamily residential dwellings built on one lot. This district is not intended to be located in areas of low density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery.
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Institution for special education. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

-- Lodging or boarding house. *[SUP]*

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*

-- Game court center. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[DIR]*
-- College fraternity or sorority. *[DIR]*
-- Family home.
-- Foster home.
-- Multifamily.
-- Nursing home. *[SUP]*
-- Rectory.
-- Residence home of the aged. *[SUP]*

(J) Retail and personal service uses.

-- Barber/beauty shop. *[L]*
-- Book and stationery store. *[L]*
-- Cigar, tobacco, and candy store. *[L]*
-- Day care center. *[L]* or *[SUP]*
-- Day home.
-- Drug store. *[L]*
-- Florist store. *[L]*
-- Health studio *[L]*
-- Key shop. *[L]*
-- Laundry or cleaning pickup and receiving station. *[L]*
-- Restaurant without drive-in service. *[L]*
-- Retail food store. *[L]* *[RAR]*
-- Self service laundry or dry cleaning. *[L]*
-- Shoe repair. *[L]*
-- Tailor, custom sewing, and millinery. *[L]*

(K) Transportation uses.

-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*

-- Water reservoir, well or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

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

(A) The following accessory uses are not permitted in this district:

-- Private stable.
-- Private street or alley.

(B) In this district, the following accessory use is permitted by SUP only:

-- Amateur communication tower.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district; and

(bb) 10 feet in all other cases.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density is 90 dwelling units per net acre.

(D) Floor area ratio. Not applicable.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 90 feet.

(F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot size for residential use is 6,000 square feet.

(ii) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Multifamily:	
No separate bedroom	450 sq. ft.
One bedroom	500 sq. ft.
Two bedrooms	550 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	50 sq. ft.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street

parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions. None.

(d) MF-4(A) district.

(1) Purpose. To provide for the development and protection of highrise, high density multifamily residential dwellings built on one lot. This district is not intended to be located in areas of low and medium density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university, or seminary. *[SUP]*
-- Community, welfare, or health center. *[SUP]*
-- Convent or monastery.
-- Establishment of religious, charitable, or philanthropic nature. *[SUP]*
-- Institution for special education. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[DIR]*
-- College fraternity or sorority. *[DIR]*
-- Family home.
-- Foster home.
-- Multifamily.
-- Nursing home. *[SUP]*
-- Rectory.
-- Residence home for the aged. *[SUP]*

(J) Retail and personal service uses.

-- Barber and beauty shop. *[L]*
-- Book and stationery store. *[L]*
-- Cigar, tobacco, and candy store. *[L]*
-- Day care center. *[L]* or *[SUP]*
-- Day home.
-- Drug store. *[L]*
-- Florist store. *[L]*
-- Health studio *[L]*
-- Key shop. *[L]*
-- Laundry or cleaning pickup and receiving station. *[L]*
-- Post office. *[L]*
-- Private club. *[L]*
-- Restaurant with alcoholic beverages and/or entertainment. *[L] [RAR]*
-- Restaurant without drive-in service. *[L]*
-- Retail food store. *[L] [RAR]*
-- Self service laundry or dry cleaning. *[L]*
-- Shoe repair. *[L]*
-- Tailor, custom sewing and millinery. *[L]*
-- Theatre. *[SUP]*

(K) Transportation uses.

-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Radio, television, or microwave tower. *[SUP]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

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

(A) The following accessory uses are not permitted in this district:

-- Private stable.
-- Private street or alley.

(B) In this district, the following accessory use is permitted by SUP only:

-- Amateur communication tower.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district; and

(bb) 10 feet in all other cases.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density is 160 dwelling units per net acre.

(D) Floor area ratio. Not applicable.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 240 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot size is 6,000 square feet.

(ii) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Multifamily:	
No separate bedroom	225 sq. ft.
One bedroom	275 sq. ft.
Two bedrooms	325 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	50 sq. ft.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions. None.

SEC. 51A-4.117. MOBILE HOME [MH(A)] DISTRICT.

(1) Purpose. The mobile home is recognized as a specific form of housing for which accommodations should be provided. To provide appropriate standards for density, spacing, and use, a separate district is created and designated for the specific purpose of providing at appropriate locations, area for the development of mobile home parks, courts, or subdivisions. In certain commercial and industrial districts, a mobile home development may be provided for by amending the zoning district map where these projects are appropriate by approval of a specific use permit. The standards for commercial mobile home development for transient occupancy differ from those of a mobile home subdivision where more or less permanent occupancy is anticipated.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Stone, sand, or gravel mining. *[SUP]*

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- Institution for special education. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course. *[SUP]*
-- Public park or playground.

(I) Residential uses.

-- Family home.
-- Foster home. *[SUP]*
-- Mobile home park, mobile home subdivision, and campground.
-- Rectory.

(J) Retail and personal service uses.

-- Day care center. *[SUP]*
-- Day home.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Radio, television, or microwave tower. *[SUP]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

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

are not permitted in this district:

-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 20 feet.

(ii) In this district, a mobile home may not be located closer than 20 feet to a public street right-of-way or a private drive used for access, circulation, or service to a lot or stand where a mobile home is located.

(B) Side and rear yard. Minimum side and rear yard is ten feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 24 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 20 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) In this district, a mobile home must have the following minimum lot area:

(aa) 1,500 square feet for a mobile home on a transient stand; or

(bb) 4,000 square feet for a mobile home on a subdivided lot.

(ii) In this district, a mobile home must have the following minimum lot width:

(aa) 30 feet for a mobile home on a transient stand; or

(bb) 40 feet for a mobile home on a subdivided lot.

(iii) In this district, a mobile home must have the following minimum lot depth:

(aa) 50 feet for a mobile home on a transient stand; or

(bb) 80 feet for a mobile home on a subdivided lot.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) In this district, no person may locate a mobile home nearer than 10 feet to the side line of any lot or stand, and the minimum space between adjacent mobile homes must be 20 feet.

SECS. 51-4.118 AND 51-4.119 RESERVED FOR FUTURE USE.

Division 51A-4.120

Nonresidential District Regulations

SEC. 51A-4.121. OFFICE DISTRICTS.

(a) Neighborhood office [NO(A)] district.

(1) Purpose. This district represents a group of uses that is restricted to office uses which predominantly serve neighborhood or community needs. They are, therefore, compatible with and are intended for location adjacent to single family, duplex, and townhouse neighborhoods. This district is designed to preserve the environmental quality of neighborhood areas.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- Community, welfare, or health center. *[SUP]*
-- Convent or monastery.
-- Institution for special education. *[SUP]*
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Bank, savings and loan office (without drive-in window).
-- Medical clinic.
-- Office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

None permitted.

(J) Retail and personal service uses.

-- Business school. *[SUP]*
-- Day care center. *[L]*
-- Post office. *[SUP]*

(K) Transportation uses.

-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Amateur communication tower.
-- Community center (private).
-- Private stable.
-- Private street.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is 0.5.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 35 feet for a structure with a gable, hip, or gambrel roof; and

(bb) 30 feet for any other structure.

(F) Lot coverage. Maximum lot coverage is 50 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is two.

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In this district, off-street loading spaces may not be located in the required front yard.

(ii) In this district, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this

paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In this district, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In this district, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

(b) LO-1 and LO-2 districts.

(1) Purpose. These districts represent a group of uses that is restricted to office uses which predominantly serve neighborhood or community needs. In addition, certain limited service uses are allowed where they are contained primarily within the building and primarily serve the occupants of the building and not the general public.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Medical or scientific laboratory. *[SUP]*

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, or health center. *[SUP]*
-- Convent or monastery.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Institution for special education. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank, savings and loan office (without drive-in window).
-- Bank, savings and loan office (with drive-in window). *[SUP]*
-- Broadcasting or recording studio. *[L]*
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority house. *[SUP]*

(J) Retail and personal service uses.

-- Bakery or confectionary shop. *[L]*
-- Barber and beauty shop. *[L]*
-- Book and stationery store. *[L]*
-- Business school.
-- Cigar, tobacco and candy store. *[L]*
-- Day care center. *[L]*
-- Drug store. *[L]*
-- Duplication shop. *[L]*
-- Florist store. *[L]*
-- Health studio. *[L]*
-- Laundry or cleaning pick-up and receiving station. *[L]*
-- Optical shop. *[L]*
-- Photography studio. *[L]*
-- Post office.
-- Private club. *[L]*
-- Restaurant with alcoholic beverages and/or entertainment. *[L] [RAR]*
-- Restaurant without drive-in service. *[L]*
-- Travel bureau. *[L]*

(K) Transportation uses.

-- Bus passenger shelter.
-- Railroad passenger station. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[SUP]*
-- Electrical substation.
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in these districts:

-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A),

CH, MF, or MF(A) district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 1.0 in the LO-1 district; and

(ii) 1.5 in the LO-2 district.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 70 feet in the LO-1 district; and

(bb) 95 feet in the LO-2 district.

(F) Lot coverage: Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is:

(aa) five stories in the LO-1 district; and

(bb) seven stories in the LO-2 district.

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In these districts, off-street loading spaces may not be located in the required front yard.

(ii) In these districts, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in these districts if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that

portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In these districts, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In these districts, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

(c) MO-1 and MO-2 districts.

(1) Purpose. These districts represent a group of uses that is restricted to office and limited service uses, which serve the building occupants. These districts are intended to serve both community and city-wide needs, and should be located adjacent to higher density residential, and low and medium density office, retail, commercial, and light industrial districts. In addition to office uses, certain complementary retail uses are permitted in these districts in order to meet the day-to-day retail needs of area residents and office patrons.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Computer service center. *[L]*
-- Medical or scientific laboratory.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[SUP]*
-- Convent or monastery.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Establishment for the care of alcoholic, narcotic, or psychiatric patients. *[SUP]*
-- Institution for special education.
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

-- Hotel and motel. *[RAR]*

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank, savings and loan office (without drive-in window).
-- Bank, savings and loan office (with drive-in window). *[DIR]*
-- Broadcasting or recording studio.
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Game court center.
-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*

(J) Retail and personal service uses.

-- Bakery or confectionary shop. *[L]*
-- Bar, lounge, or tavern. *[L]* *[RAR]*
-- Barber and beauty shop. *[L]*
-- Book and stationery store. *[L]*
-- Business school.
-- Cigar, tobacco, and candy store. *[L]*
-- Day care center. *[L]*
-- Drug store. *[L]*
-- Duplication shop. *[L]*
-- Florist store. *[L]*
-- Health studio. *[L]*
-- Hobby and art supply store. *[L]*
-- Key shop. *[L]*
-- Laundry or cleaning pickup and receiving station. *[L]*

-- Medical appliance fitting and sales. *[L]*
-- Optical shop. *[L]*
-- Photography studio. *[L]*
-- Post office.
-- Private club. *[L]*
-- Restaurant with alcoholic beverages and/or entertainment. *[L] [RAR]*
-- Restaurant without drive-in service. *[L]*
-- Retail food store. *[L] [RAR]*
-- Safe deposit box. *[L]*
-- Shoe repair. *[L]*
-- Tailor, custom sewing, and millinery. *[L]*
-- Theatre. *[SUP]*
-- Travel bureau. *[L]*

(K) Transportation uses.

-- Bus passenger shelter.
-- Helistop. *[SUP]*
-- Passenger bus station and terminal. *[RAR]*
-- Railroad passenger station. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[SUP]*
-- Electrical substation.
-- Local utilities.
-- Radio, television, or microwave tower. *[SUP]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

-- Diamond and precious stone sales (wholesale only). *[L]*

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due

to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in these districts:

-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 2.0 in the MO-1 district; and

(ii) 3.0 in the MO-2 district.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion

may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 135 feet in the MO-1 district; and

(bb) 160 feet in the MO-2 district.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is:

(i) 10 stories in the MO-1 district; and

(ii) 12 stories in the MO-2 district.

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In these districts, off-street loading spaces may not be located in the required front yard.

(ii) In these districts, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in these districts if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In these districts, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In these districts, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

(d) General office [GO(A)] district.

(1) Purpose. This district represents a group of uses which would accommodate sophisticated office developments and may include certain complementary retail and residential uses as a minor component of such developments. This district is intended to serve city-wide needs and should be located near higher density zoning districts, especially where the potential trip generation allowed by this group will have a minimal effect on low density communities.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Computer service center. *[L]*
-- Medical or scientific laboratory.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College university or seminary. *[SUP]*
-- Community, welfare, or health center.
-- Convent or monastery.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Establishment for the care of alcoholic, narcotic, or psychiatric patients. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education.
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

-- Hotel or motel. *[RAR]*

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank or savings and loan office (without drive-in window).
-- Bank or savings and loan office (with drive-in window). *[DIR]*
-- Broadcasting or recording studio.
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- Five percent residential permitted as component of office building (See the "additional provisions" [Paragraph (8)] in this subsection.)
-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*

(J) Retail and personal service uses.

-- Bakery or confectionary shop. *[L]*
-- Bar, lounge, or tavern. *[L] [RAR]*
-- Barber and beauty shop. *[L]*
-- Beverage store. *[L]*
-- Book and stationery store. *[L]*
-- Business school.
-- Camera shop. *[L]*
-- Cigar, tobacco, and candy store. *[L]*
-- Clothing store. *[L]*
-- Day care center. *[L]*
-- Drug store. *[L]*
-- Duplication shop. *[L]*
-- Florist store. *[L]*

-- Health studio. *[L]*
-- Hobby and art supply store. *[L]*
-- Instructional arts studio. *[L]*
-- Key shop. *[L]*
-- Laundry or cleaning pick-up and receiving station. *[L]*
-- Medical appliance fitting and sales. *[L]*
-- Optical shop. *[L]*
-- Photography studio. *[L]*
-- Post office.
-- Private club. *[L]*
-- Restaurant with alcoholic beverages and/or entertainment. *[L] [RAR]*
-- Restaurant without drive-in service. *[L]*
-- Retail food store. *[L] [RAR]*
-- Safe deposit box. *[L]*
-- Service station. *[L] [RAR]*
-- Shoe repair. *[L]*
-- Tailor, custom sewing, and millinery. *[L]*
-- Theatre. *[SUP]*
-- Travel bureau. *[L]*

(K) Transportation uses.

-- Bus passenger shelter.
-- Helistop. *[SUP]*
-- Passenger bus station and terminal. *[RAR]*
-- Railroad passenger station. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Radio, television, or microwave tower. *[RAR]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

-- Diamond and precious stone sales (wholesale only). *[L]*

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is 4.0.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 270 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is 20.

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In this district, off-street loading spaces may not be located in the required front yard.

(ii) In this district, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In this district, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In this district, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

(F) Residential uses in office buildings. In this district, single family, duplex, and multifamily uses are permitted as a component of an office building if they collectively comprise no more than five percent of the total floor area of the building.

SEC. 51A-4.122. RETAIL DISTRICTS.

(a) Neighborhood service [NS(A)] district.

(1) Purpose. To accommodate convenience retail shopping, services, and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Computer service center.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- Community, welfare, or health center. *[SUP]*
-- Convent or monastery.
-- Institution for special education. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Medical clinic.
-- Office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Private recreation club or area. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

None permitted.

(J) Retail and personal service uses.

-- Auto parts sales (inside).
-- Bakery or confectionary shop.
-- Barber and beauty shop.
-- Beverage store.
-- Book and stationery store.
-- Camera shop.
-- Cigar, tobacco and candy store.
-- Day care center.
-- Drug store.
-- Duplication shop.
-- Florist store.
-- Health studio.
-- Hobby and art supply store.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Optical shop.
-- Paint and wallpaper store.
-- Private club. *[SUP]*
-- Restaurant with alcoholic beverages and/or entertainment. *[SUP]*
-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Self service laundry or dry cleaning.
-- Service station. *[SUP]*
-- Shoe repair.
-- Tailor, custom sewing and millinery.
-- Travel bureau.

(K) Transportation uses.

-- Bus passenger shelter.

(L) Utility and public service uses.

-- Electrical substation.
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Amateur communication tower.
-- Community center (private).
-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is 0.5.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 35 feet for a structure with a gable, hip, or gambrel roof; and

(bb) 30 feet for any other structure.

(F) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is two.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed

space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(b) Community retail (CR) district.

(1) Purpose. To provide for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Catering service.
-- Computer service center.
-- Custom commercial engraving.
-- Handcraft bookbinding.
-- Medical or scientific laboratory. *[SUP]*
-- Plumbing, electrical, air conditioning, and heating shops. *[RAR]*
-- Venetian blind or window shade repair, assembly, and sales.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university, or seminary. *[SUP]*
-- Community, welfare, or health center.
-- Convent or monastery.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Establishment for the care of alcoholic, narcotic, or psychiatric patients. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education.
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

-- Hotel and motel. *[SUP]*
-- Lodging or boarding house. *[SUP]*

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank or savings and loan office (without drive-in window).
-- Bank or savings and loan office (with drive-in window). *[D/R]*
-- Broadcast or recording studio.
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority house. *[SUP]*
-- Halfway house. *[SUP]*
-- Nursing home. *[SUP]*
-- Residence home for the aged. *[SUP]*

(J) Retail and personal service uses.

-- Ambulance service. *[RAR]*
-- Animal clinic without outside runs. *[RAR]*
-- Antique shop.
-- Appliance fix-it shop.
-- Auto glass, muffler, or seat cover shop. *[RAR]*

-- Auto or motorcycle display, sales and service (inside). *[RAR]*
-- Auto parts sales (inside).
-- Auto repair garage (inside). *[DIR]*
-- Bakery or confectionary shop.
-- Bar, lounge, or tavern. *[RAR]*
-- Barber or beauty shop.
-- Beverage store.
-- Book and stationery store.
-- Business school.
-- Camera shop.
-- Car wash. *[DIR]*
-- Cigar, tobacco, and candy store.
-- Clothing store.
-- Commercial parking lot or garage. *[RAR]*
-- Commercial wedding chapel.
-- Custom cleaning shop.
-- Day care center.
-- Drive-in restaurant. *[DIR]*
-- Drug store.
-- Duplication shop.
-- Feed store.
-- Florist store.
-- Furniture store.
-- Garden shop, plant sales, or greenhouse.
-- Handcrafted art work studio.
-- Hardware or sporting goods.
-- Health studio.
-- Hobby and art supplies store.
-- Home improvement center. *[RAR]*
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Medical appliance fitting and sales.
-- Monument sales yard.
-- Mortuary or funeral home.
-- Optical shop.
-- Outside commercial amusement. *[SUP]*
-- Paint and wallpaper store.
-- Pawn shop.
-- Pet shop.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment. *[RAR]*

-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Retail and personal service uses similar to those listed.
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station. *[RAR]*
-- Shoe repair.
-- Swimming pool sales and supply.
-- Tailor, custom sewing, and millinery.
-- Theatre.
-- Tool and equipment rental (inside).
-- Travel bureau.
-- Wax museum.

(K) Transportation uses.

-- Railroad passenger station. *[SUP]*
-- Bus passenger shelter.
-- Passenger bus station and terminal. *[DIR]*

(L) Utility and public service uses.

-- Commercial radio and television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Radio, television or microwave tower. *[SUP]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[SUP]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

-- Aluminum collection center. *[DIR]*
-- Diamond and precious stones sales (wholesale only).
-- Mini-warehouse. *[SUP]*

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations

contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Community center (private).
-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for office uses; and

(ii) 0.75 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 54 feet.

(F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is four.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(c) Regional retail (RR) district.

(1) Purpose. To provide for the development of regional-serving retail, personal service, and office uses. This district is not intended to be located in areas of low density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Catering service.
-- Computer service center.
-- Custom commercial engraving.
-- Handcraft bookbinding.
-- Medical or scientific laboratory. *[SUP]*
-- Plumbing, electrical, air conditioning, and heating shops. *[RAR]*
-- Venetian blind or window shade, repair, assembly, and sales.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university, or seminary. *[SUP]*
-- Community, welfare, or health center.
-- Convent or monastery.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Establishment for the care of alcoholic, narcotic, and psychiatric patients. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education.
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

-- Hotel or motel. *[RAR]*
-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank or savings and loan office (without drive-in window).
-- Bank or savings and loan office (with drive-in window). *[DIR]*
-- Broadcasting or recording studio.
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority. *[SUP]*
-- Halfway house. *[SUP]*
-- Nursing home. *[SUP]*
-- Residence home for the aged. *[SUP]*

(J) Retail and personal service uses.

-- Ambulance service. *[RAR]*
-- Animal clinic without outside runs. *[RAR]*
-- Antique shop.
-- Appliance fix-it shop.
-- Auto glass, muffler, and seat cover shop. *[RAR]*
-- Auto parts sales (inside).
-- Auto repair garage (inside). *[DIR]*
-- Auto or motorcycle display, sales, and service (inside). *[RAR]*
-- Auto or motorcycle display, sales, and service (outside). *[RAR]*
-- Bakery or confectionary shop.
-- Bar, lounge, or tavern. *[RAR]*
-- Barber and beauty shop.
-- Beverage store.

-- Book and stationery store.
-- Business school.
-- Camera shop.
-- Car wash. *[RAR]*
-- Cigar, tobacco and candy shop.
-- Clothing store.
-- Commercial parking lot or garage. *[RAR]*
-- Commercial wedding chapel.
-- Custom cleaning shop.
-- Custom print shop.
-- Day care center.
-- Drive-in restaurant. *[DIR]*
-- Drug store.
-- Duplication shop.
-- Feed store.
-- Florist store.
-- Furniture store.
-- Garden shop, plant sales, or greenhouse.
-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Hobby and art supplies store.
-- Home improvement center. *[RAR]*
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Medical appliance fitting and sales.
-- Monument sales yard.
-- Mortuary or funeral home.
-- Optical shop.
-- Outside commercial amusement. *[SUP]*
-- Paint and wallpaper store.
-- Pawn shop.
-- Pet shop.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment. *[RAR]*
-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Retail and personal service uses similar to those listed.
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station. *[RAR]*
-- Shoe repair.
-- Swimming pool sales and supply.
-- Tailor, custom sewing, and millinery.

-- Theatre.
-- Tool and equipment rental (inside).
-- Travel bureau.
-- Wax museum.

(K) Transportation uses.

-- Railroad passenger station. *[SUP]*
-- Bus passenger shelter.
-- Passenger bus station and terminal. *[DIR]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Radio, television, or microwave tower. *[SUP]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[RAR]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

-- Aluminum collection center. *[DIR]*
-- Diamond and precious stones sales (wholesale only.)
-- Mini-warehouse. *[SUP]*

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Community center (private).
-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for office uses; and

(ii) 1.5 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 70 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is five.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

SEC. 51A-4.123. COMMERCIAL SERVICE AND INDUSTRIAL DISTRICTS.

(a) Commercial service (CS) district.

(1) Purpose. To provide for the development of commercial and business serving uses that may involve outside storage, service, or display. This district is not intended to be located in areas of low and medium density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Auto painting or body rebuilding shop (inside). *[RAR]*
-- Auto painting or body rebuilding shop (outside). *[RAR]*
-- Building repair and maintenance shop. *[RAR]*
-- Bus or truck repair/parking garage. *[RAR]*
-- Catering service.

-- Commercial cleaning shop. *[RAR]*
-- Commercial laundry or dry cleaning. *[RAR]*
-- Computer service center.
-- Custom commercial engraving.
-- Custom furniture construction, repair, or upholstery shop.
-- Handcraft bookbinding.
-- Machine or welding shop. *[RAR]*
-- Machinery sales and services. *[RAR]*
-- Medical or scientific laboratory.
-- Plumbing, electrical, air conditioning, and heating shops. *[RAR]*
-- Steam cleaning of vehicles and machinery. *[RAR]*
-- Technical school.
-- Venetian blind or window shade repair, assembly, and sales.

(C) Industrial uses.

-- Bedspread, drapes, and headboard manufacturing. *[RAR]*
-- Clothing manufacturing. *[RAR]*
-- Engine or motor repair shop. *[RAR]*
-- Gummed label printing. *[RAR]*
-- Inside salvage and reclamation. *[SUP]*
-- Job printing, lithographer, printing, or blueprinting plant. *[RAR]*
-- Light fabrication and assembly. *[RAR]*
-- U-cart concrete system. *[SUP]*

(D) Institutional and community service uses.

-- Animal pound. *[SUP]*
-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Convent or monastery.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Establishment for the care of alcoholic, narcotic, and psychiatric patients. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education.
-- Public or private school. *[RAR]*

(E) Lodging uses.

-- Hotel or motel. *[RAR]*
-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Drag strip, go-cart track, or commercial racing. *[SUP]*
-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank or savings and loan office (without drive-in window).
-- Bank or savings and loan office (with drive-in window). *[RAR]*
-- Broadcasting or recording studio.
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- College fraternity or sorority house. *[SUP]*
-- Halfway house. *[SUP]*
-- Nursing home. *[SUP]*
-- Residence home for the aged. *[SUP]*

(J) Retail and personal service uses.

-- Ambulance service. *[RAR]*
-- Animal clinic without outside runs. *[RAR]*
-- Animal clinic with outside runs. *[SUP]*
-- Antique shop.
-- Appliance fix-it shop.
-- Auto glass, muffler, and seat cover shop. *[RAR]*
-- Auto parts sales (inside only).
-- Auto parts sales (outside display). *[SUP]*
-- Auto repair garage (inside). *[RAR]*
-- Auto repair garage (outside). *[RAR]*

-- Auto or motorcycle display sales, and service (inside). *[RAR]*
-- Auto or motorcycle display sales, and service (outside). *[RAR]*
-- Bakery or confectionary shop.
-- Bar, lounge, or tavern. *[RAR]*
-- Barber and beauty shop.
-- Beverage store.
-- Business school.
-- Car wash. *[RAR]*
-- Commercial parking lot or garage. *[RAR]*
-- Commercial wedding chapel.
-- Custom cleaning shop.
-- Custom print shop.
-- Day care center.
-- Drive-in restaurant. *[DIR]*
-- Drive-in theatre. *[SUP]*
-- Drug store.
-- Duplication shop.
-- Feed store.
-- Flea market. *[SUP]*
-- Florist store.
-- Furniture store.
-- Garden shop, plant sales, or greenhouse.
-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Home improvement center. *[RAR]*
-- Inside commercial amusement.
-- Instructional arts studio.
-- Kennel with outside run. *[SUP]*
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Lumber, brick, or building materials sales yard. *[RAR]*
-- Medical appliance fitting and sales.
-- Monument sales yard.
-- Mortuary or funeral home.
-- Outside commercial amusement. *[DIR]*
-- Paint and wallpaper store.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment. *[RAR]*
-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Retail and personal uses similar to those listed.
-- Rodeo. *[SUP]*

-- Second hand store.
-- Service station. *[RAR]*
-- Shoe repair.
-- Swimming pool sales and supply.
-- Tailor, custom sewing, and millinery.
-- Taxidermist.
-- Theatre.
-- Tool and equipment rental (inside).
-- Tool and equipment rental (outside). *[RAR]*
-- Wax museum.

(K) Transportation uses.

-- Bus passenger shelter.
-- Heliport. *[SUP]*
-- Helistop. *[SUP]*
-- Passenger bus station and terminal. *[RAR]*
-- Railroad passenger station. *[RAR]*
-- Railroad team track. *[RAR]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Radio, television, or microwave tower. *[RAR]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[RAR]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

-- Aluminum collection center. *[RAR]*
-- Auto auction. *[SUP]*
-- Building mover, temporary storage yard. *[SUP]*
-- Contractor's maintenance yard. *[RAR]*
-- Design or decorative center.
-- Diamond and precious stone sales. (wholesale only)
-- Mini-warehouse.
-- Motor freight hauling and storage. *[RAR]*
-- Open storage (with visual screening). *[RAR]*

-- Petroleum products storage and wholesale. *[SUP]*
-- Railroad freight terminal. *[RAR]*
-- Sand, gravel, or earth sales and storage. *[SUP]*
-- Trade center.
-- Warehouse. *[RAR]*

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Community center (private).
-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is:

(i) 15 feet where adjacent to an expressway or a major or secondary thoroughfare; and

(ii) no minimum in all other cases.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for any combination of lodging, office, and retail and personal service uses; and

(ii) 1.0 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 45 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is three.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(b) Industrial/research (IR) district.

(1) Purpose. To provide for research and development, light industrial, office, and supporting commercial uses in an industrial research park setting. This district is not intended to be located in areas of low and medium density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Building repair and maintenance shop. *[RAR]*
-- Catering service.
-- Commercial cleaning shop. *[RAR]*
-- Commercial laundry or dry cleaning. *[RAR]*
-- Computer service center.
-- Custom commercial engraving.
-- Custom furniture construction, repair, or upholstery shop.
-- Handcraft bookbinding.
-- Machine or welding shop. *[RAR]*
-- Machinery sales and services. *[RAR]*
-- Medical or scientific laboratory.
-- Plumbing, electrical, air conditioning, and heating shops. *[RAR]*
-- Technical school.
-- Venetian blind or window, shade repair, assembly, and sales.

(C) Industrial uses.

-- Artificial marble manufacturing. *[RAR]*
-- Bedspreads, drapes, headboard manufacturing. *[RAR]*
-- Clothing manufacturing. *[RAR]*
-- Corrugated cardboard box fabrication. *[RAR]*
-- Fiberglass swimming pool fabricator. *[RAR]*
-- Gummed label printing. *[RAR]*
-- Industrial uses other than those listed. *[SUP]*

-- Job printing, lithographer, printing, or blueprinting plant. *[RAR]*
-- Light fabrication and assembly. *[RAR]*
-- Manufacturing laboratory. *[RAR]*
-- U-cart concrete system. *[RAR]*

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Public or private school. *[SUP]*

(E) Lodging uses.

-- Hotel or motel. *[RAR]*
-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Bank or savings and loan office (without drive-in window).
-- Bank or savings and loan office (with drive-in window). *[RAR]*
-- Broadcasting or recording studio.
-- Medical clinic.
-- Office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- Halfway house. *[SUP]*

(J) Retail and personal service uses.

-- Animal clinic without outside run. *[RAR]*

-- Animal clinic with outside run. *[SUP]*
-- Appliance fix-it shop.
-- Auto or motorcycle display, sales, and service (inside display). *[RAR]*
-- Auto parts sales (inside only).
-- Bar, lounge, or tavern. *[RAR]*
-- Barber and beauty shop.
-- Car wash. *[RAR]*
-- Commercial parking lot or garage. *[RAR]*
-- Custom print shop.
-- Day care center.
-- Drive-in restaurant. *[RAR]*
-- Duplication shop.
-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Lumber, brick, or building materials sales yard. *[RAR]*
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment. *[RAR]*
-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Retail uses similar to those listed.
-- Service station. *[RAR]*
-- Shoe repair.
-- Tool and equipment rental (inside).
-- Tool and equipment rental (outside). *[RAR]*

(K) Transportation uses.

-- Airport or landing field. *[SUP]*
-- Bus passenger shelter.
-- Helicopter base. *[SUP]*
-- Heliport. *[SUP]*
-- Helistop. *[SUP]*
-- Passenger bus station and terminal. *[RAR]*
-- Railroad passenger station. *[RAR]*
-- Railroad team track. *[RAR]*
-- STOL (short take off or landing) port. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Radio, television, or microwave tower. *[RAR]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[RAR]*
-- Water reservoir, well, or pumping station.
-- Water treatment plant. *[SUP]*

(M) Wholesale, distribution, and storage uses.

-- Aluminum collection center. *[RAR]*
-- Design or decorative center.
-- Diamond and precious stone sales. (wholesale only)
-- Mini-warehouse.
-- Motor freight hauling and storage. *[RAR]*
-- Open storage (with visual screening). *[RAR]*
-- Railroad freight terminal. *[RAR]*
-- Trade center.
-- Warehouse. *[RAR]*

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Community center (private).
-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear

yard is:

(i) 30 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for retail/personal service uses;

(ii) 0.75 for any combination of lodging, office, and retail and personal service uses; and

(iii) 2.0 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 200 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is 15.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(c) Industrial manufacturing (IM) district.

(1) Purpose. To provide for heavy industrial manufacturing uses with accompanying open storage and supporting commercial uses. This district is not intended to be located in or near areas of residential development.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Auto painting or body rebuilding shop. (inside) *[RAR]*
-- Auto painting or body rebuilding shop. (outside) *[RAR]*
-- Building repair and maintenance shop. *[RAR]*
-- Bus or truck repair/parking garage. *[RAR]*
-- Catering service.
-- Commercial cleaning shop. *[RAR]*
-- Commercial laundry or dry cleaning. *[RAR]*
-- Computer service center.
-- Custom commercial engraving.
-- Custom furniture construction/ repair, or upholstery shop.
-- Handcraft bookbinding.
-- Machine or welding shop. *[RAR]*
-- Machinery sales and services. *[RAR]*
-- Medical or scientific laboratory.
-- Plumbing, electric, air conditioning, and heating shops. *[RAR]*
-- Steam cleaning of vehicles and machinery. *[RAR]*
-- Technical school.
-- Venetian blind or window shade repair, assembly, and sales.

(C) Industrial uses.

-- Artificial marble manufacturing. *[RAR]*
-- Bedspreads, drapes, and headboard manufacturing. *[RAR]*
-- Clothing manufacturing. *[RAR]*

-- Corrugated cardboard box fabrication. *[RAR]*
-- Engine or motor repair shop. *[RAR]*
-- Fiberglass swimming pool fabricator. *[RAR]*
-- Gummed label printing. *[RAR]*
-- Industrial uses other than those listed. *[SUP]*
-- Inside salvage and reclamation. *[SUP]*
-- Job printing, lithographer, printing, or blueprinting plant. *[RAR]*
-- Light fabrication and assembly. *[RAR]*
-- Manufacturing laboratory. *[RAR]*
-- Metal processing facility. *[SUP]*
-- Metal smelting and plating. *[SUP]*
-- Outside salvage or reclamation. *[SUP]*
-- Permanent concrete or asphalt batching or recycling plant. *[SUP]*
-- Rendering plant. *[SUP]*
-- Slaughterhouse. *[SUP]*
-- Stone, sand, or gravel mining. *[SUP]*
-- Tread rubber manufacturing plant. *[SUP]*
-- U-cart concrete system. *[RAR]*

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- Establishment of a religious, charitable, or philanthropic nature. *[SUP]*
-- Fairgrounds. *[SUP]*
-- Public or private school. *[SUP]*
-- Zoo. *[SUP]*

(E) Lodging uses.

-- Hotel or motel. *[RAR]*
-- Lodging or boarding house. *[SUP]*

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

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

-- Bank or savings and loan office (with drive-in window). *[RAR]*
-- Medical clinic.
-- Office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- Halfway house. *[SUP]*

(J) Retail and personal service uses.

-- Animal clinic without outside run. *[RAR]*
-- Animal clinic with outside run. *[SUP]*
-- Appliance fix-it shop.
-- Auto or motorcycle display, sales, and service. (inside and outside) *[RAR]*
-- Auto parts sales (inside).
-- Auto parts sales (outside). *[SUP]*
-- Auto repair garage (inside and outside). *[RAR]*
-- Car wash. *[RAR]*
-- Commercial parking lot or garage. *[RAR]*
-- Custom print shop.
-- Day care center.
-- Drive-in restaurant. *[RAR]*
-- Drive-in theatre. *[SUP]*
-- Duplication shop.
-- Feed store.
-- Hardware or sporting goods store.
-- Key shop.
-- Lumber, brick, or building materials sales yard. *[RAR]*
-- Monument sales yard.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment. *[RAR]*
-- Restaurant without drive-in service.
-- Retail uses similar to those listed.
-- Rodeo. *[SUP]*
-- Service station. *[RAR]*

-- Tool and equipment rental (inside).
-- Tool and equipment rental (outside). *[RAR]*

(K) Transportation uses.

-- Airport or landing field. *[SUP]*
-- Bus passenger shelter.
-- Helicopter base. *[RAR]*
-- Heliport. *[RAR]*
-- Helistop. *[RAR]*
-- Passenger bus station and terminal. *[RAR]*
-- Railroad yard, roundhouse, or shops. *[RAR]*
-- STOL (short takeoff or landing) port. *[SUP]*
-- Railroad team track. *[RAR]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical generating plant. *[SUP]*
-- Electrical substation.
-- Local utilities.
-- Radio, television, or microwave tower. *[RAR]*
-- Refuse transfer station. *[SUP]*
-- Sanitary landfill. *[SUP]*
-- Sewage pumping station.
-- Sewage treatment plant. *[SUP]*
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[RAR]*
-- Water reservoir, well, or pumping station.
-- Water treatment plant. *[RAR]*

(M) Wholesale, distribution, and storage uses.

-- Aluminum collection center. *[RAR]*
-- Auto auction. *[SUP]*
-- Building mover, temporary storage yard. *[SUP]*
-- Contractor's maintenance yard. *[RAR]*
-- Design or decorative center.
-- Livestock auction pens or sheds. *[SUP]*
-- Mini-warehouse.

-- Motor freight hauling and storage. *[RAR]*
-- Open storage. *[RAR]*
-- Petroleum products storage and wholesale. *[RAR]*
-- Railroad freight terminal. *[RAR]*
-- Sand, gravel, or earth sales and storage. *[RAR]*
-- Trade center.
-- Warehouse. *[RAR]*

(3) Accessory uses. Generally speaking, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Community center (private).
-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. Minimum front yard is:

(i) 15 feet where adjacent to an expressway or a major or secondary thoroughfare; and

(ii) no minimum in all other cases.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 30 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for retail and personal service uses;

(ii) 0.75 for any combination of lodging, office, and retail and personal service uses; and

(iii) 2.0 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 110 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is eight.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony

or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

SEC. 51A-4.124. CENTRAL AREA DISTRICTS.

(a) CA-1(A) district.

(1) Purpose. This district is provided to accommodate existing development in the central area of the city, to encourage the most appropriate future use of land, and to prevent the increase of street congestion.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business services uses.

-- Auto painting or body rebuilding shop (inside).
-- Auto painting or body rebuilding shop (outside).
-- Building repair and maintenance shop.
-- Bus or truck repair/parking garage.
-- Catering service.
-- Commercial cleaning shop.
-- Commercial laundry or dry cleaning.
-- Computer service center.
-- Custom commercial engraving.
-- Custom furniture construction, repair, or upholstery shop.
-- Handcraft bookbinding.
-- Machine or welding shop.
-- Machinery sales and services.
-- Medical or scientific laboratory.
-- Plumbing, electrical, air conditioning, and heating shops.
-- Steam cleaning of vehicles and machinery.
-- Technical school.
-- Venetian blind or window shade repair, assembly, and sales.

(C) Industrial uses.

-- Clothing manufacturing.

-- Engine or motor repair shop.
-- Gummed label printing.
-- Job printing, lithographer, printing or blueprinting plant.
-- Light fabrication and assembly.
-- Manufacturing laboratory.
-- Stone, sand, or gravel mining. *[SUP]*

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university, or seminary.
-- Community, welfare, or health center.
-- Convent or monastery.
-- Establishment of a religious, charitable or philathropic nature.
-- Establishment for care of alcoholic, narcotic, or psychiatric patients. *[SUP]*
-- Fairgrounds.
-- Hospital.
-- Institution for special education.
-- Library, art gallery, or museum.
-- Public or private school.

(E) Lodging uses.

-- Hotel and motel.
-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Drag strip, go-cart track, or commercial racing.
-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank or savings and loan office (without drive-in windows).
-- Bank or savings and loan office (with drive-in windows).
-- Broadcasting or recording studio.
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership.
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory.
-- College fraternity or sorority house.
-- Duplex.
-- Family home.
-- Foster home.
-- Halfway house. *[SUP]*
-- Multifamily.
-- Nursing home.
-- Rectory.
-- Residence home for the aged.
-- Single family.

(J) Retail and personal service uses.

-- Ambulance service.
-- Animal clinic without outside run.
-- Antique shop.
-- Appliance fix-it shop.
-- Auto glass, muffler, or seat cover shop.
-- Auto parts sales (inside).
-- Auto repair garage (inside).
-- Auto repair garage (outside).
-- Automobile or motorcycle display, sales, and service (inside display).
-- Automobile or motorcycle display, sales, and service (outside display).
-- Bakery or confectionery shop.
-- Bar, lounge, or tavern.
-- Barber and beauty shop.
-- Beverage store.
-- Book and stationery store.
-- Business school.
-- Camera shop.
-- Car wash.
-- Cigar, tobacco, and candy store.
-- Clothing store.
-- Commercial parking lot or garage.
-- Commercial wedding chapel.
-- Custom cleaning shop.
-- Custom print shop.

-- Day care center.
-- Day home.
-- Drive-in restaurant.
-- Drive-in theatre.
-- Drug store.
-- Duplication shop.
-- Feed store.
-- Florist store.
-- Furniture store.
-- Garden shop, plant sales, or greenhouse.
-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Hobby and art supplies store.
-- Home improvement center.
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pick-up and receiving station.
-- Lumber, brick, or building materials sales yard.
-- Medical appliance fitting and sales.
-- Mortuary or funeral home.
-- Optical shop.
-- Outside commercial amusement.
-- Paint and wallpaper store.
-- Pawn shop.
-- Pet shop.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment.
-- Restaurant without drive-in service.
-- Retail food store.
-- Retail and personal service uses other than those listed.
-- Rodeo.
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station.
-- Shoe repair.
-- Swimming pool sales and supply.
-- Tailor, custom sewing, and millinery.
-- Taxidermist.
-- Theatre.
-- Tool and equipment rental (inside).
-- Tool and equipment rental (outside).

-- Travel bureau.
-- Wax museum.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter.
-- Heliport. *[SUP]*
-- Helistop. *[SUP]*
-- Passenger bus station and terminal.
-- Railroad passenger station.
-- Railroad team track.
-- STOL (short takeoff or landing) port.

(L) Utility uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Radio, television or microwave tower.
-- Sewage pumping station.
-- Sewage treatment plant. *[SUP]*
-- Telephone exchange, switching and transmitting equipment.
-- Utility or governmental installation, other than listed.
-- Water reservoir, well, or pumping station.
-- Water treatment plant.

(M) Wholesale, distribution, and storage uses.

-- Aluminum collection center.
-- Auto auction. *[SUP]*
-- Design or decorative center.
-- Diamond and precious stone sales (wholesale only).
-- Mini-warehouse.
-- Motor freight hauling and storage.
-- Open storage (with visual screening).
-- Railroad freight terminal.
-- Trade center.
-- Warehouse.

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

accessory uses, consult Section 51A-4.217. The following accessory use is not permitted in this district:

-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. No minimum front yard.

(B) Side and rear yard.

(i) Minimum side yard is:

(aa) five feet for duplex structures;

(bb) 10 feet for multifamily structures 36 feet or less in height; and

(cc) no minimum in all other cases.

(ii) Minimum rear yard is:

(aa) 10 feet for duplex structures;

(bb) 15 feet for multifamily structures 36 feet or less in height; and

(cc) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio.

(i) Maximum floor area ratio is 20.0.

(ii) In this district, the floor area on the ground floor between an omitted wall line and the structural wall is excluded in the computation of floor area ratio when it is used for pedestrian traffic.

(iii) The maximum floor area ratio in the CA-1(A)-CP and CA-1(A)-SP districts may be increased to 24 to 1 by the use of the building setback bonus provisions in the "additional provisions" [Paragraph (8)] in this subsection.

(E) Height. Maximum structure height is any legal height.

(F) Lot coverage. Maximum lot coverage is 100

percent.

(G) Lot size. No minimum lot size.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for single family, duplex, or multifamily uses. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(B) Special off-street parking provisions. In this district, off-street parking is required for a new building or an addition to an existing building at a ratio of one parking space for each 2,000 square feet of floor area. The required off-street parking must be:

(i) on the same lot as the main use; or

(ii) on a separate lot that is:

(aa) dedicated to parking use by an instrument filed with the building official and consolidated with the main use under one certificate of occupancy;

(bb) in the same district as the main use or a district which allows a commercial parking lot or garage; and

(cc) located within 600 feet (including streets and alleys) of the main use. The distance measured is the shortest distance between the lots.

(C) Exception for single family, duplex, and multifamily uses. Paragraph (5)(B) above does not apply to a single family, duplex, or multifamily use in this district. The parking requirements in Section 51A-4.209 apply to these uses.

(D) Special off-street loading provisions.

(i) In this district, off-street loading spaces must be provided in accordance with Section 51A-4.303(a) for only new structures or additions to an existing structure.

(ii) In this district, once the required off-street loading has been established for a structure, no additional off-street loading is required if the use of the structure changes.

(iii) In this district, once an off-street loading space has been provided, the off-street loading space may not be reduced, eliminated, or made unusable in any manner during the life of the structure.

(iv) In this district, on-street loading spaces may satisfy the off-street loading space requirement subject to the following standards:

(aa) Any on-street loading spaces must be approved by the traffic engineer.

(bb) Required off-street loading spaces furnished on-street must be provided at curbside contiguous to the building site.

(cc) If no adjacent curb space is available due to traffic or transit needs, indented curb space may be provided if the required sidewalk width is maintained.

(dd) All required medium and large loading spaces must be provided off-street.

(ee) Structures meeting Subparagraphs (aa) through (dd) above and requiring seven or more off-street loading spaces may satisfy the off-street loading requirement as follows:

REQUIRED SPACES	MINIMUM OFF-STREET	NUMBER ON STREET
7	6	1
8	6	2
9	6	3
10 or more	60%	40%

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight

single family structures must be provided by plat.

(B) Minimum 10-foot setback in CA-1(A) and CA-1(A)-SP districts. In the CA-1(A)-CP and CA-1(A)-SP districts, a 10 foot setback is required that is measured from the street curb as established by the Dallas Central Business District Streets and Vehicular Circulation Plan, Ordinance No. 13262, as amended. When an owner establishes a setback on his property greater than the 10 foot requirement, a floor area bonus of six times the additional setback area is allowed. The maximum permitted floor area ratio with a bonus is 24 to one.

(C) Sidewalk regulations. In this district, a sidewalk must be provided between the back of the street curb and the face of a building at grade in accordance with this subsection. The face of a building is behind the columns for a building with exterior columns.

(i) Average sidewalk width equals the total sidewalk surface area divided by the lineal feet of frontage.

(aa) Each frontage on each block must contain the required average sidewalk width.

(bb) The computation of average sidewalk width excludes the area occupied by structural walls or columns.

(cc) In computing average sidewalk width, the surface area at a corner is counted only once.

(ii) In a CA-1(A)-CP district, sidewalks must be constructed and maintained in accordance with the following regulations:

(aa) An average sidewalk width of 18 feet is required.

(bb) A minimum sidewalk width of 12 feet that is unobstructed by any structure or planting is required. The 12 foot minimum sidewalk width may be divided into seven and five foot minimum segments.

(iii) In the CA-1(A)-SP district, sidewalks must be constructed and maintained in accordance with the following regulations:

(aa) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1(A)-CP district in Subparagraph (ii).

(bb) A building with a floor area ratio of 15 to one or less must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure or planting.

(iv) In a CA-1(A) district without a CP or SP overlay district designation, sidewalks must be constructed and maintained in accordance with the following regulations:

(aa) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1(A)-CP district in Subparagraph (ii).

(bb) A building with a floor area ratio of 10 to one through 15 to one must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure.

(cc) All other buildings must provide a minimum sidewalk width of 10 feet with seven feet unobstructed by any structure or planting.

(b) CA-2(A) district.

(1) Purpose. This district is provided to accommodate existing development in the central area of the city, to encourage the most appropriate future use of land, and to prevent the increase of street congestion.

(2) Main uses permitted.

(A) Agricultural uses.

-- Farm or ranch.

(B) Commercial and business services uses.

-- Auto painting or body rebuilding shop (inside).
-- Auto painting or body rebuilding shop (outside).
-- Building repair and maintenance shop.
-- Bus or truck repair/parking garage.
-- Catering service.
-- Commercial cleaning shop.
-- Commercial laundry or dry cleaning.
-- Computer service center.
-- Custom commercial engraving.
-- Custom furniture construction, repair, or upholstery shop.
-- Handcraft bookbinding.
-- Machine or welding shop.
-- Machinery sales and services.
-- Medical or scientific laboratory.
-- Plumbing, electrical, air conditioning, and heating shops.
-- Steam cleaning of vehicles and machinery.
-- Technical school.
-- Venetian blind or window shade repair, assembly, and sales.

(C) Industrial uses.

-- Clothing manufacturing.
-- Engine or motor repair shop.
-- Gummed label printing.
-- Job printing, lithographer, printing or blueprinting plant.
-- Light fabrication and assembly.

-- Manufacturing laboratory.
-- Stone, sand, or gravel mining. *[SUP]*

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university, or seminary.
-- Community, welfare, or health center.
-- Convent or monastery.
-- Establishment of a religious, charitable or philathropic nature.
-- Establishment for care of alcoholic, narcotic, or psychiatric patients. *[SUP]*
-- Fairgrounds.
-- Hospital.
-- Institution for special education.
-- Library, art gallery, or museum.
-- Public or private school.

(E) Lodging uses.

-- Hotel and motel.
-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Drag strip, go-cart track, or commercial racing.
-- Temporary construction or sales office.

(G) Office uses.

-- Ambulatory surgical center.
-- Bank or savings and loan office (without drive-in windows).
-- Bank or savings and loan office (with drive-in windows).
-- Broadcasting or recording studio.
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership.
-- Game court center.
-- Private recreation club or area.
-- Public golf course.

-- Public park or playground.

(I) Residential uses.

-- College dormitory.
-- College fraternity or sorority house.
-- Duplex.
-- Family home.
-- Foster home.
-- Halfway house. *[SUP]*
-- Multifamily.
-- Nursing home.
-- Rectory.
-- Residence home for the aged.
-- Single family.

(J) Retail and personal service uses.

-- Ambulance service.
-- Animal clinic without outside run.
-- Antique shop.
-- Appliance fix-it shop.
-- Auto glass, muffler, or seat cover shop.
-- Auto parts sales (inside).
-- Auto repair garage (inside).
-- Auto repair garage (outside).
-- Automobile or motorcycle display, sales, and service (inside display).
-- Automobile or motorcycle display, sales, and service (outside display).
-- Bakery or confectionery shop.
-- Bar, lounge, or tavern.
-- Barber and beauty shop.
-- Beverage store.
-- Book and stationery store.
-- Business school.
-- Camera shop.
-- Car wash.
-- Cigar, tobacco, and candy store.
-- Clothing store.
-- Commercial parking lot or garage.
-- Commercial wedding chapel.
-- Custom cleaning shop.
-- Custom print shop.
-- Day care center.
-- Day home.
-- Drive-in restaurant.
-- Drive-in theatre.
-- Drug store.
-- Duplication shop.

-- Feed store.
-- Florist store.
-- Furniture store.
-- Garden shop, plant sales, or greenhouse.
-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Hobby and art supplies store.
-- Home improvement center.
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pick-up and receiving station.
-- Lumber, brick, or building materials sales yard.
-- Medical appliance fitting and sales.
-- Monument sales yard.
-- Mortuary or funeral home.
-- Optical shop.
-- Outside commercial amusement.
-- Paint and wallpaper store.
-- Pawn shop.
-- Pet shop.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment.
-- Restaurant without drive-in service.
-- Retail food store.
-- Retail and personal service uses similar to those listed.
-- Rodeo.
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station.
-- Shoe repair.
-- Swimming pool sales and supply.
-- Tailor, custom sewing, and millinery.
-- Taxidermist.
-- Theatre.
-- Tool and equipment rental (inside).
-- Tool and equipment rental (outside).
-- Travel bureau.
-- Wax museum.

(K) Transportation uses.

-- Airport or landing field.
-- Bus passenger shelter.
-- Heliport. *[SUP]*
-- Helistop. *[SUP]*
-- Passenger bus station and terminal.
-- Railroad passenger station.
-- Railroad team track.
-- STOL (short takeoff or landing) port.

(L) Utility uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Radio, television or microwave tower.
-- Sewage pumping station.
-- Sewage treatment plant. *[SUP]*
-- Telephone exchange, switching and transmitting equipment.
-- Utility or governmental installation, other than listed.
-- Water reservoir, well, or pumping station.
-- Water treatment plant.

(M) Wholesale, distribution, and storage uses.

-- Aluminum collection center.
-- Auto auction. *[SUP]*
-- Contractor's maintenance yard.
-- Design or decorative center.
-- Diamond and precious stone sales (wholesale only).
-- Mini-warehouse.
-- Motor freight hauling and storage.
-- Open storage (with visual screening).
-- Railroad freight terminal.
-- Trade center.
-- Warehouse.

(3) Accessory uses. Generally speaking, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory use is not permitted in this district:

-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard. There is no minimum front yard.

(B) Side and rear yard.

(i) Minimum side yard is:

(aa) five feet for duplex structures;

(bb) 10 feet for multifamily structures 36 feet or less in height; and

(cc) no minimum in all other cases.

(ii) Minimum rear yard is:

(aa) 10 feet for duplex structures;

(bb) 15 feet for multifamily structures 36 feet or less in height; and

(cc) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is 20.0.

(E) Height. Maximum structure height is any legal height.

(F) Lot coverage. Maximum lot coverage is 100 percent.

(G) Lot size. Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Single family	1000 sq. ft.
Duplex	2500 sq. ft.
Multifamily:	
No separate bedroom	50 sq. ft.
One bedroom	65 sq. ft.
Two bedrooms	75 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	10 sq. ft.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading.

(A) In general. In this district, off-street parking is required for a new building or an addition to an existing building at a ratio of one parking space for each 2,000 square feet of floor area which exceeds 5,000 square feet. No off-street parking is required for a building with 5,000 square feet or less of floor area. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(B) Single family, duplex, and multifamily uses. Paragraph (5)(A) above does not apply to a single family, duplex, or multifamily use in this district. The parking requirements in Section 51A-4.209 apply to these uses.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

SEC. 51A-4.125. MIXED USE DISTRICTS.

(a) In general. Single or multiple uses may be developed on one site in a mixed use district as in any other district; however, in order to encourage a mixture of uses and promote innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel, density bonuses are awarded to developments that qualify as "mixed use projects" as defined in Subsection (b). If a development does not qualify as an MUP, it is limited to a "base" dwelling unit density and floor area ratio. When a development qualifies as an MUP, it earns a higher maximum dwelling unit density and floor area ratio. Additional FAR bonuses are incrementally awarded to encourage the inclusion of "residential" as part of an MUP. The exact increments of increase vary depending on the actual use categories mixed and whether the project is in an MU-2 or MU-3 district ("Residential" is a mandatory use category for an MUP in an MU-1 district). For more information regarding the exact increments of increase, consult the yard, lot, and space regulations in this section governing the particular district of interest.

(b) Qualifying as a mixed use project. To qualify as a MIXED USE PROJECT (MUP) for purposes of this section, a development must contain uses in two or more of the following categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

MU-1 DISTRICTS

Use Category	% of Total Floor Area
Office	20%
Residential*	20%
Retail and personal service	20%

*Residential is a MANDATORY use category for an MUP in an MU-1 district.

MU-2 DISTRICTS

Use Category	% of Total Floor Area
Lodging	15% or 75 units, whichever is greater
Office	15%
Residential	15% or 20 dwelling units, whichever is greater
Retail and personal service	10%

MU-3 DISTRICTS

Use Category	% of Total Floor Area
Lodging	10% or 150 units, whichever is greater
Office	15%
Residential	10% or 40 dwelling units, whichever is greater
Retail and personal service	5%
Wholesale, distribution, and storage	15%

(c) Mixed use project (MUP) regulations.

(1) If an MUP is proposed, a project plan must be submitted to and approved by the building official.

(2) If an MUP is constructed in phases:

(A) the first phase must independently qualify as an MUP under Subsection (b); and

(B) each subsequent phase combined with all previous phases already completed or under construction must

also qualify as an MUP under Subsection (b).

(3) An MUP may consist of two or more building sites if they are developed under a unified development plan. The plan must be:

(A) signed by or on behalf of all of the owners of the property involved;

(B) approved by the building official; and

(C) filed in the deed records of the county where the property is located.

(5) When an MUP consists of multiple building sites, its development standards are calculated by combining the sites and treating them as a single building site.

(d) MU-1 district.

(1) Purpose. To provide for the development of moderate density retail, office, and/or multifamily residential uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[L]*
-- Convent or monastery. *[L]*
-- Establishment for the care of alcoholic, narcotic, and psychiatric patients. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

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

-- Bank or savings and loan office (with drive-in windows). *[DIR]*
-- Broadcasting or recording studio. *[L]*
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center. *[L]*
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- Duplex.
-- Family home.
-- Multifamily.
-- Nursing home. *[SUP]*
-- Rectory.
-- Residence home for the aged. *[L]*
-- Single family.

(J) Retail and personal service uses.

-- Antique shop.
-- Auto parts sales (inside).
-- Auto repair garage (inside). *[RAR]*
-- Bakery or confectionary shop.
-- Bar, lounge, or tavern. *[L] [RAR]*
-- Barber and beauty shop.
-- Beverage store.
-- Book and stationery store.
-- Business school.
-- Camera shop.
-- Cigar, tobacco, and candy store.
-- Clothing store.
-- Commercial parking lot or garage. *[RAR]*
-- Custom cleaning shop.
-- Custom print shop.
-- Day care center.
-- Day home.
-- Drug store.
-- Duplication shop.
-- Florist store.
-- Furniture store.

-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Hobby and art supplies store.
-- Home improvement center. *[RAR]*
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Optical shop.
-- Paint and wallpaper store.
-- Pawn shop.
-- Pet shop.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Retail uses similar to those listed.
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station. *[DIR]*
-- Shoe repair.
-- Tailor, custom sewing, and millinery.
-- Theatre.
-- Travel bureau.

(K) Transportation uses.

-- Bus passenger shelter.

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[L]*
-- Electrical substation.
-- Local utilities.
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[RAR]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. Generally speaking, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density varies depending on whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY
(dwelling units per net acre)

Base (No MUP)	MUP with Mix of 2 Categories	MUP with Mix of 3 or More Categories
15	20	25

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

MAXIMUM FLOOR AREA RATIO

Use Categories	Base (No MUP)	MUP with Mix of 2 Categories	MUP with Mix of 3 or More Categories
Office	0.5	0.6	0.6
Residential	0.4	0.5	0.6
Retail and personal service	0.25	0.35	0.4
TOTAL DEVELOPMENT	0.5	0.85	1.0

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 90 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is six.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for

information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(e) MU-2 district.

(1) Purpose. To provide for the development of medium density retail, office, hotel, and/or multifamily residential uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Medical or scientific laboratory. *[L]*

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university, or seminary. *[SUP]*
-- Community, welfare, or health center. *[L]*
-- Convent or monastery.
-- Establishment for the care of alcoholic, narcotic, and psychiatric patients. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(E) Lodging uses.

-- Hotel or motel. *[RAR]*

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Bank or savings and loan office (without drive-in window).
-- Bank or savings and loan office (with drive-in window). *[DIR]*
-- Broadcasting or recording studio. *[L]*
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- Family home.
-- Multifamily.
-- Nursing home. *[SUP]*
-- Rectory.
-- Residence home for the aged. *[L]*

(J) Retail and personal service uses.

-- Antique shop.
-- Auto parts sales (inside).
-- Auto repair garage (inside). *[RAR]*
-- Bakery or confectionary shop.
-- Bar, lounge, or tavern. *[RAR]*
-- Barber and beauty shop.
-- Beverage store.
-- Book and stationery store.
-- Business school.
-- Camera shop.
-- Cigar, tobacco, and candy store.

-- Clothing store.
-- Commercial parking lot or garage. *[RAR]*
-- Custom cleaning shop.
-- Custom print shop.
-- Day care center.
-- Day home.
-- Drug store.
-- Duplication shop.
-- Florist store.
-- Furniture store.
-- Handcrafted art work studio.
-- Hardware or sporting goods store.
-- Health studio.
-- Hobby and art supplies store.
-- Home improvement center. *[RAR]*
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Optical shop.
-- Paint and wallpaper store.
-- Pawn shop.
-- Pet shop.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment. *[RAR]*
-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Retail uses similar to those listed.
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station. *[RAR]*
-- Shoe repair.
-- Tailor, custom sewing, and millinery.
-- Theatre.
-- Travel bureau.

(K) Transportation uses.

-- Bus passenger shelter.
-- Helistop. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[L]*
-- Electrical substation.
-- Local utilities.

-- Radio, television, or microwave tower. *[SUP]*
-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[RAR]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

None permitted.

(3) Accessory uses. Generally speaking, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is

required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density varies depending on whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY
(dwelling units per net acre)

Base (No MUP)	MUP with Mix of 2 Categories	MUP with Mix of 3 or More Categories
40	50	60

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO

Use Categories	Base (no MUP)	MUP=2 (no Res)	MUP=2 (with Res)	MUP=3 (no Res)	MUP=3 (with Res)
Lodging	0.5	0.7	0.8	0.9	1.0
Office	1.0	1.25	1.5	1.5	1.75
Residential	1.0	---	1.25	---	1.5
Retail and personal service	0.3	0.4	0.5	0.5	0.7
TOTAL DEVELOPMENT	1.0	1.7	2.0	2.0	2.25

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section

51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 200 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is 15.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(f) MU-3 district.

(1) Purpose. To provide for the development of high density retail, office, hotel, and/or multifamily residential uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Medical or scientific laboratory. *[L]*

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Cemetery or mausoleum. *[SUP]*
-- Church.
-- College, university or seminary. *[SUP]*
-- Community, welfare, health center. *[L]*
-- Convent or monastery.
-- Establishment for the care of alcoholic, narcotic, and psychiatric patients. *[SUP]*
-- Hospital. *[SUP]*
-- Institution for special education. *[SUP]*
-- Library, art gallery, museum.
-- Public or private school. *[SUP]*

(E) Lodging uses.

-- Hotel or motel. *[RAR]*

(F) Miscellaneous uses.

-- Temporary construction or sales office.

(G) Office uses.

-- Bank or savings and loan office (without drive-in window).
-- Bank or savings and loan office (with drive-in window). *[DIR]*
-- Broadcasting or recording studio. *[L]*
-- Medical clinic.
-- Office.
-- Veterinarian's office.

(H) Recreation uses.

-- Country club with private membership. *[SUP]*
-- Game court center.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.

(I) Residential uses.

-- College dormitory. *[SUP]*
-- Family home.
-- Multifamily.
-- Nursing home. *[SUP]*
-- Rectory.
-- Residence home for the aged. *[L]*

(J) Retail and personal service uses.

-- Antique shop.
-- Auto parts sales (inside).
-- Auto repair garage (inside). *[RAR]*
-- Bakery or confectionary shop.
-- Bar, lounge, or tavern. *[RAR]*
-- Barber and beauty shop.
-- Beverage store.
-- Book and stationery store.
-- Business school.
-- Camera shop.
-- Cigar, tobacco and candy store.
-- Clothing store.
-- Commercial parking lot or garage. *[RAR]*

-- Custom cleaning shop.
-- Custom print shop.
-- Day care center.
-- Day home.
-- Drug store.
-- Duplication shop.
-- Florist store.
-- Furniture store.
-- Handcrafted art work studio.
-- Hardware or sporting goods.
-- Health studio.
-- Hobby and art supply store.
-- Home improvement center. *[RAR]*
-- Inside commercial amusement.
-- Instructional arts studio.
-- Key shop.
-- Laundry or cleaning pickup and receiving station.
-- Optical shop.
-- Paint and wallpaper store.
-- Pawn shop.
-- Pet shop.
-- Photography studio.
-- Post office.
-- Private club.
-- Restaurant with alcoholic beverages and/or entertainment. *[RAR]*
-- Restaurant without drive-in service.
-- Retail food store. *[RAR]*
-- Retail uses similar to those listed.
-- Safe deposit boxes.
-- Second hand store.
-- Self service laundry or dry cleaning.
-- Service station. *[RAR]*
-- Shoe repair.
-- Tailor, custom sewing, and millinery.
-- Theatre.
-- Travel bureau.

(K) Transportation uses.

-- Bus passenger shelter.
-- Helistop. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[L]*
-- Electrical substation.
-- Local utilities.
-- Radio, television, or microwave tower. *[SUP]*

-- Sewage pumping station.
-- Telephone exchange, switching, and transmitting equipment.
-- Utility or governmental installation, other than listed. *[RAR]*
-- Water reservoir, well, or pumping station.

(M) Wholesale, distribution, and storage uses.

-- Design or decorative center.
-- Trade center.

(3) Accessory uses. Generally speaking, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

-- Private stable.
-- Private street or alley.

(4) Yard, lot, and space regulations.

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no side and rear yard required in all other cases; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) Tower spacing. An additional setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in

height up to a total setback of 30 feet. This subparagraph does not require a total setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density varies depending on whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY
(dwelling units per net acre)

Base (No MUP)	MUP with Mix of 2 Categories	MUP with Mix of 3 or More Categories
85	100	120

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO

Use Categories	Base (no MUP)	MUP=2 (no Res)	MUP=2 (with Res)	MUP=3 (no Res)	MUP=3 (with Res)
Lodging	0.7	1.0	1.2	1.3	1.6
Office	2.0	2.6	3.0	3.2	3.75
Residential	2.0	---	2.6	---	3.2
Retail and personal service	0.5	0.7	0.9	0.9	1.1
Wholesale, distribution, and storage	2.0	2.6	3.0	3.2	3.75
TOTAL DEVELOPMENT	2.0	3.4	4.0	4.0	4.5

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 270 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is 20.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

Division 51A-4.200
Use Regulations

[Use charts to be inserted here. The use charts are not part of this ordinance. The director of planning and development shall provide these charts for publication in the code, and shall revise them as necessary to accurately reflect the text of the use regulations.]

SEC. 51A-4.201. AGRICULTURAL USES.

(1) Commercial stable.

(A) Definition: a facility for the business of boarding horses or renting horses to the public.

(B) Districts permitted: none.

(C) Required off-street parking: one space for each two stalls.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include sales, auction, or similar trading activity.

(2) Farm or ranch.

(A) Definition: an area which is used for growing farm products or keeping farm poultry and farm livestock.

(B) Districts permitted:

(i) By right in agricultural, single family, duplex, townhouse, MF-1(A), MF-2(A), and central area districts.

(C) Required off-street parking: a minimum of two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A person shall not operate a farm or ranch upon an area less than three acres.

(ii) Farm products include vegetables, fruits, trees, and grain.

(iii) Farm poultry and farm livestock include but are not limited to pigs, chickens, turkeys, cows, sheep, goats, and horses.

(iv) A structure may be erected for a private stable, pen, barn, shed, or silo for raising, treating, and storing products raised on the premises. This structure may not include a dwelling unit.

(v) Standings under roofed stables must be made of a material that provides for proper drainage so as not to create offensive odors, fly breeding, or other nuisances.

(vi) The keeping of horses is subject to the requirements under the private stable use.

(vii) Fences for pens, corrals, or similar enclosures must be of sufficient height and strength to retain the animals. No pen, corral, fence or similar enclosure may be closer than 20 feet to an adjacent property line. The widths of alleys, street rights-of-way, or other public rights-of-way may be used to calculate the 20 foot requirement.

(viii) Manure must be collected at least once a day and placed in concrete or metal flyproof containers. Manure must be removed from the premises at least once a week.

(ix) The regulations under this use do not apply to government agencies, governmentally supported organizations, or educational agencies that keep and maintain animals for health research or similar purposes, nor do these regulations apply to special events such as circuses and livestock exhibitions which are otherwise regulated by the city.

(3) Hatchery and breeding operation.

(A) Definition: a facility for hatching eggs or breeding of animals.

(B) Districts permitted: None.

(C) Required off-street parking: one space for each 600 square feet of site area; a minimum of five spaces

required.

(D) Required off-street loading: see Section 51A-4.303.

SEC. 51A-4.202. COMMERCIAL AND BUSINESS SERVICE USES.

(1) Auto painting or body rebuilding shop (inside).

(A) Definition: a facility for restoring, painting, or refinishing auto bodies.

(B) Districts permitted:

(i) By right in CS, IM, and central area districts.

(ii) RAR required in CS and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area; a minimum of five spaces required.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(2) Auto painting or body rebuilding shop (outside).

(A) Definition: a facility for restoring, painting, or refinishing auto bodies, with outside display and repair permitted.

(B) Districts permitted:

(i) By right in CS, IM, and central area districts.

(ii) RAR required in CS and IM districts.

(C) Required off-street parking: one space for each 500 square feet of site area; a minimum of five spaces required.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in

determining the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(3) Building repair and maintenance shop.

(A) Definition: a facility providing general building repair and maintenance service.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(4) Bus or truck repair/parking garage.

(A) Definition: a facility in which currently licensed buses or trucks are stored or repaired.

(B) Districts permitted:

(i) By right in CS, IM, and central area districts.

(ii) RAR required in CS and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area of repair garage with a minimum of five spaces required; no parking required for a parking garage.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(5) Catering service.

(A) Definition: an establishment that serves and supplies food to be consumed off premises.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, and central area districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(6) Commercial cleaning shop.

(A) Definition: a plant for cleaning garments, fabrics, rugs, draperies, or other similar items on a commercial or bulk basis.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(7) Commercial laundry or dry cleaning.

(A) Definition: a facility for laundering or dry cleaning garments and similar items on a bulk basis.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(8) Computer service center.

(A) Definition: a facility for the service and repair of computers.

(B) Districts permitted:

(i) By right in retail, CS, IR, IM, and central area districts.

(ii) By right as a limited use only in MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(9) Custom commercial engraving.

(A) Definition: a facility for the engraving or etching of items, including, but not limited to trophies and name plates, or the laminating of paper or other items in protective or decorative plastics.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, and central area districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(10) Custom furniture construction, repair, or upholstery shop.

(A) Definition: facility for making, repairing or reupholstering furniture on a single item basis.

(B) Districts permitted: By right in CS, IR, IM, and central area districts.

(C) Required off-street parking: one space for each 500 square feet of floor area; a minimum of two spaces is required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Specialized equipment for custom making, repairing and reupholstering furniture is permitted under this use.

(11) Handcraft bookbinding.

(A) Definition: a facility for custom hand binding of books and similar documents.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, and central area districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(12) Machine or welding shop.

(A) Definition: a facility in which material is processed by machining, cutting, grinding, welding, or similar processes.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this

use unless the use is in a district where open storage is permitted as a main use.

(13) Machinery sales and services.

(A) Definition: a facility for selling, servicing, and repairing machinery.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 300 square feet of floor area, or one space for each 1,000 square feet of site area including the floor area, whichever is greater.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside welding is permitted under this use.

(ii) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(14) Medical or scientific laboratory.

(A) Definition: a facility for testing and analyzing medical or scientific problems.

(B) Districts permitted:

(i) By right in MO-1, MO-2, GO(A), CS, IR, IM, and central area districts.

(ii) By right as a limited use only in MU-2 and MU-3 districts.

(iii) By SUP only in LO-1, LO-2, CR, and RR districts.

(C) Required off-street parking: one space for

each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

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

(A) Definition: a facility providing supplies, repair, and installation of plumbing, electrical, air conditioning, and heating equipment.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, and central area districts.

(ii) RAR required in CR, RR, CS, IR, and IM districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(16) Steam cleaning of vehicles and machinery.

(A) Definition: a facility for steam cleaning of vehicles and their parts or other items of machinery.

(B) Districts permitted:

(i) By right in CS, IM, and central area districts.

(ii) RAR required in CS and IM districts.

(C) Required off-street parking: two stack spaces for each single unit area, plus two additional spaces.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(17) Technical school.

(A) Definition: a business enterprise offering instruction and training in a trade such as welding, bricklaying, machinery operation, and other similar trades or crafts.

(B) Districts permitted: By right in CS, IR, IM, and central area districts.

(C) Required off-street parking: 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom.

(D) Required off-street loading: see Section 51A-4.303.

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

(A) Definition: a facility for the repair, assembly, or sale of venetian blinds and window shades.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, and central area districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

SEC. 51A-4.203. INDUSTRIAL USES.

(a) General provisions. All uses in this section may devote an area not exceeding 10 percent of the floor area of the use to the retail sale of any goods actually manufactured on the site.

(b) Specific uses.

(1) Artificial marble manufacturing.

(A) Definition: a facility for the manufacturing of artificial marble.

(B) Districts permitted:

(i) By right in IR and IM districts.

(ii) RAR required in IR and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(2) Bedspread, drapes, and headboard manufacturing.

(A) Definition: a facility for the manufacturing of bedspreads, drapes, headboards, and similar bedding materials.

(B) Districts permitted:

(i) By right in CS, IR, and IM districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(3) Clothing manufacturing.

(A) Definition: an operation involving cutting, sewing, forming, and packing of garments and similar items

including the making of millinery and clothing accessories.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(4) Corrugated cardboard box fabrication.

(A) Definition: a facility for the fabrication and storage of corrugated cardboard boxes.

(B) Districts permitted:

(i) By right in IR and IM districts.

(ii) RAR required in IR and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The manufacturing of the materials used to construct the corrugated cardboard boxes is not permitted under this use.

(5) Engine or motor repair shop.

(A) Definition: a facility for the disassembly, rebuilding, and repair of motor vehicle engines, electrical motors, vehicle transmissions, or other major machinery components.

(B) Districts permitted:

(i) By right in CS, IM, and central area districts.

(ii) RAR required in CS and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area; a minimum of four spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) General vehicle repair is not a part of this use.

(ii) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(6) Fiberglass swimming pool fabricator.

(A) Definition: a facility for the fabrication of swimming pools from fiberglass and other similar materials.

(B) Districts permitted:

(i) By right in IR and IM districts.

(ii) RAR required in IR and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The manufacturing of fiberglass or similar material used to fabricate the swimming pools is not a part of this use.

(7) Gummed label printing.

(A) Definition: a facility for the cutting, printing, and binding of labels made from gummed paper.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central

area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(8) Industrial uses other than those listed.

(A) Definition: a facility for processing or industrial uses that has not been listed as a separate use.

(B) Districts permitted: By SUP only in IR and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(9) Inside salvage and reclamation.

(A) Definition: a business which stores, keeps, dismantles, or salvages scrap or discarded material or equipment wholly inside a building. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, or appliances.

(B) Districts permitted: By SUP only in CS and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

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

(A) Definition: a facility for the commercial reproduction of written material or drawings on a bulk basis using lithography, offset printing, blueprinting, and similar methods.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(11) Light fabrication and assembly.

(A) Definition: a facility for the manufacturing of jewelry, trimming, decorations, and any similar items.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(12) Manufacturing laboratory.

(A) Definition: an operation involving compounding of products such as perfumes, pharmaceuticals, and the development and assembly of instruments and similar items.

(B) Districts permitted:

(i) By right in IR, IM, and central area districts.

(ii) RAR required in IR and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(13) Metal processing facility.

(A) Definition: a facility that collects, separates, and processes scrap metal in bulk form for reuse and manufacturing.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 500 square feet of floor area; a minimum of five spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use must have a visual screen of at least nine feet in height which consists of a solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links.

(ii) The owner of a metal processing facility shall not stack objects higher than eight feet within

40 feet of the visual screen. The owner of a metal processing facility may stack objects one foot higher than eight feet for each five feet of setback from the 40 foot point.

(iii) A minimum distance of 500 feet is required between a metal processing facility and an R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(14) Metal smelting and plating.

(A) Definition: a facility for the smelting and plating of metals.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(15) Outside salvage or reclamation.

(A) Definition: a facility which stores, keeps, dismantles, or salvages scrap or discarded material or equipment outside. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, or appliances.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 500 square feet of floor area; a minimum of five spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use must have a visual screen of at least nine feet in height which consists of a solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links.

(ii) The owner of an outside salvage or reclamation use shall not stack objects higher than eight feet

within 40 feet of the visual screen. The owner of an outside salvage or reclamation use may stack objects one foot higher than eight feet for each five feet of setback from the 40 foot point.

(iii) If an inoperable or wrecked motor vehicle remains outside on the premises for more than 24 hours, the premises is an outside salvage or reclamation use. However, a premise is not an outside salvage or reclamation use if the premise stores not more than four inoperable or wrecked motor vehicles each of which having a valid state registration, current safety inspection certificate, and documentary record of pending repairs or other disposition, and if the premise has a current certificate of occupancy for a motor vehicle related use.

(iv) A minimum distance of 500 feet is required between an outside salvage or reclamation use and an R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(16) Permanent concrete or asphalt batching or recycling plant.

(A) Definition: a permanent facility for mixing, batching, and recycling concrete or asphalt.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: five spaces.

(D) Required off-street loading: see Section 51A-4.303.

(17) Rendering plant.

(A) Definition: a facility for the rendering of parts of animals into marketable products.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 500 square feet of floor area; a minimum of five spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use must be located a minimum distance of 1,000 feet from an R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(18) Slaughterhouse.

(A) Definition: a facility for butchering animals or poultry.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 1,000 square feet of site area if the use is conducted outdoors; one space for each 500 square feet of floor area with a minimum of five spaces required if the use is conducted inside.

(D) Required off-street loading: see Section 51A-4.303.

(19) Stone, sand, or gravel mining.

(A) Definition: the extraction and removal of stone, sand, or gravel from the site as defined by the specific use permit. The removal of these materials incidental to an approved plat or construction with a building permit is not considered mining.

(B) Districts permitted: By SUP only in A(A), MH(A), IM, and central area districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The applicant shall submit a site plan of existing conditions, operations plan, reclamation plan and the proposed bond to the director of planning and development for review and recommendation by the departments of planning and development, park and recreation and public works, and the environmental quality committee of the city plan commission.

(ii) If a specific use permit is granted for the mining use, the directors of public works and planning and

development shall inspect and monitor the mining and reclamation operation at least once annually. The site will also be monitored annually by the department of health and human services to determine if toxic elements are present. A person conducting a mining operation shall meet the standards of the Texas Water Quality Act.

(iii) A specific use permit may not be issued for mining on city park land.

(F) Site plan of existing conditions. The applicant shall submit a site plan of existing conditions which includes:

(i) a site location map on a small scale showing major circulation routes and other landmarks which would aid in the location of the site;

(ii) contours shown at no greater than five foot intervals;

(iii) connections to roads outside the site;

(iv) location, identification, and dimensions of all public and private easements;

(v) location of flood plain, water bodies, natural and man-made channels (wet and dry), and subsurface channels;

(vi) tree and other vegetation groupings, rock outcroppings, and any other significant natural features;

(vii) location and depth of any known former or current mines or landfills in or within 500 feet of the boundaries of the excavation and an indication of the type of fill used;

(viii) analyzed core samples if the director of health and human services determines that toxic elements may be present;

(ix) any other information the director of public works determines is reasonably necessary for a complete review of the proposed operations.

(G) Operations plan. The applicant shall submit an operations plan which includes:

(i) storage of reclamation topsoil and

methods of disposing of all material not to be sold or reclaimed;

(ii) hours of operation;

(iii) location and depth of excavation;

(iv) drainage and erosion control measures;

(v) method for the disposal of toxic elements, if present;

(vi) roads to be used for transportation of stone, sand, or gravel;

(vii) fences or any other barriers necessary for safety;

(viii) noise and dust control measures;

(ix) the length of time necessary to complete the mining and reclamation of the site;

(x) any other information the director of public works determines is reasonably necessary for a complete review of the proposed operations.

(H) Reclamation plan. The applicant shall submit a reclamation plan which is verified by a registered surveyor. The reclamation plan must show the reclamation of the entire site upon completion of operation and phases of reclamation to be completed at no greater than five year intervals. The reclamation plan must include the following information:

(i) contours shown at no greater than five foot intervals with slopes not steeper than a three to one (horizontal to vertical) ratio;

(ii) circulation routes which include roadways, any internal circulation, rights-of-way, and connections to roads outside the site;

(iii) location, identification, and dimensions of all public and private easements;

(iv) location of flood plain, water bodies, natural and man-made channels (wet and dry), subsurface dams, dikes or channels;

(v) location of any areas to be filled with water including a description of the source of the water, the means of water retention, and the prevention of stagnation and pollution;

(vi) location and type of vegetation;

(vii) structures (including height), utilities, and proposed land uses, if any;

(viii) the amount of the performance bond that will be posted in accordance with Subsection (I) below;

(ix) any other information the director of public works determines is reasonably necessary for a complete review of the proposed operation.

(I) Performance bond.

(i) The applicant shall post a performance bond with the city controller once the application has been approved by the city council, but prior to the passage of the ordinance granting the specific use permit. The performance bond must be approved as to form by the city attorney.

(ii) The bond must be twice the estimated cost to the city of restoring the premises in a manner shown on the reclamation plan. The amount of the bond shall be determined by the director of public works on the basis of relevant factors including but not limited to expected changes in the price index, topography of the site, project methods being employed, depth and composition of overburden, and data provided in the reclamation plan.

(iii) The bond must be issued by a surety company licensed to do business in Texas. The applicant may deposit cash, certificates of deposit, or government securities in lieu of a bond. Interest received on deposits and securities must be returned to the applicant upon the approval of reclamation of the site.

(iv) The directors of public works and planning and development shall conduct a final inspection to determine whether the site has been reclaimed in accordance with the specific use permit. Final inspection must be made not more than two years after the expiration of the specific use permit. A registered surveyor provided by applicant shall verify the final topography of the site.

(v) The director of planning and

development shall report to the city council on the completion of the project. The city council shall determine by resolution whether the reclamation has been completed in accordance with the specific use permit and whether the specific use permit should be eliminated from the zoning map.

(vi) The city controller shall release the bond or deposit if the city council finds that the applicant has completed reclamation of the site in accordance with the specific use permit. If the site is not restored in accordance with the reclamation plan, the director of public works shall use the bond or deposit to restore the site in accordance with the plan.

(20) Temporary concrete or asphalt batching plant.

(A) Definition: a temporary facility for mixing concrete or asphalt.

(B) Districts permitted: special authorization by the building official is required in accordance with the additional provisions for this use.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A temporary certificate of occupancy is required for this use. The building official may issue a temporary certificate of occupancy in any zoning district for a temporary batching plant to mix, compound, and batch concrete, asphalt, or both, for a public or private project. The certificate is valid for six months. If the project is not completed within six months, the building official may extend the certificate to complete the project.

(ii) A person to whom a temporary certificate of occupancy is issued shall:

(aa) comply with city, state and federal laws at the batching plant site;

(bb) clear the site of equipment, material and debris upon completion of the project;

(cc) repair or replace any public improvement that is damaged during the operation of the

temporary batching plant; and

(dd) operate the temporary plant in a manner which eliminates unnecessary dust, noise, and odor (as illustrated by, but not limited to covering trucks, hoppers, chutes, loading: see Section 51A-4.303.

(iii) A person shall only furnish concrete, asphalt, or both, to the specific project for which the temporary certificate of occupancy is issued. The placement of a temporary batching plant for a private project is restricted to the site of the project.

(21) Tread rubber manufacturing plant.

(A) Definition: a facility for the manufacturing, processing, and storage of tread rubber.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(22) U-cart concrete system.

(A) Definition: a facility for the batching of concrete on an individual order basis for general household uses.

(B) Districts permitted:

(i) By right in IR and IM districts.

(ii) By SUP only in the CS district.

(iii) RAR required in IR and IM districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

SEC. 51A-4.204. INSTITUTIONAL AND COMMUNITY SERVICE USES.

(1) Animal pound.

(A) Definition: a facility for the keeping of animals, especially stray or unlicensed pets.

(B) Districts permitted: By SUP only in the CS district.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) An animal pound may have outside enclosures for the animals.

(2) Cemetery or mausoleum.

(A) Definition:

(i) A cemetery is a place designated for burial of the dead.

(ii) A mausoleum is a building with places for the entombment of the dead.

(B) Districts permitted: By SUP only in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Cemeteries are subject to Chapter 11 of this code.

(3) Church.

(A) Definition: a facility principally used for people to gather together for public worship, religious training, or other religious activities. This use does not

include home study meetings or other religious activities conducted in a privately occupied residence.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking:

(i) Number of spaces required. One space for each four fixed seats in the sanctuary or auditorium. If fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat for purposes of this paragraph. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 28 square feet of floor area.

(ii) Definitions. For purposes of this subsection, "remote parking" means required off-street parking provided on a lot not occupied by the main use. "Shared parking" means the use of the same off-street parking stall to satisfy the off-street parking requirements for two or more uses.

(iii) Reconciliation with Section 51A-4.301. Except as otherwise expressly provided in this subsection, the off-street parking regulations in Section 51A-4.301 apply to this use. In the event of a conflict between this subsection and Section 51A-4.301, this subsection controls.

(iv) Remote and shared parking. A church may use remote and/or shared parking to satisfy up to 50 percent of its off-street parking requirements, provided that the remote and/or shared parking is on a lot that is:

(aa) dedicated to parking use by an instrument filed with the building official and approved by the city attorney's office;

(bb) located in a nonresidential or parking district; and

(cc) located within 600 feet (including streets and alleys) of the lot occupied by the church. The distance measured is the shortest distance between the lots.

(v) Distance extension with shuttle service. A remote parking lot for a church may be located up

to one and one-half miles (including streets and alleys) from the lot occupied by the church if a shuttle service is provided to transport persons between the church and the remote parking lot. The shuttle service must be approved by the director of transportation.

(vi) Remote parking agreement. An agreement authorizing a church to use remote parking may be based on a lease of the remote parking spaces if:

(aa) the lease is for a minimum term of three years; and

(bb) the agreement provides that both the owner of the lot occupied by the church and the owner of the remote lot shall notify the city of Dallas in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A church may permit passengers of mass transportation and car pools to park on the church parking lot.

(ii) The following structures, when located on top of a church building, are excluded from the height measurement of the church building:

(aa) Belfries.

(bb) Bell towers.

(cc) Campaniles.

(dd) Carillons.

(ee) Crosses.

(ff) Cupolas.

(gg) Spires.

(hh) Steeples.

(4) College, university, or seminary.

(A) Definition:

(i) A college or university is an accredited academic institution of higher learning beyond the level of secondary school.

(ii) A seminary is an institution for the training of candidates for the priesthood, ministery, or rabbinate.

(B) Districts permitted:

(i) By right in MF-1(A), MF-2(A), and central area districts.

(ii) By SUP only in agricultural, single family, duplex, townhouse, CH, MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, CS, and mixed use districts.

(C) Required off-street parking: 0.4 spaces for each fixed seat. If no fixed seats, then 0.4 spaces for each seven square feet of seating area.

(D) Required off-street loading: see Section 51A-4.303.

(5) Community, welfare, or health center.

(A) Definition: a community service facility where social, recreational, welfare, health, or child care service is provided by a public, quasi-public, tax-exempt, church, or municipal agency.

(B) Districts permitted:

(i) By right in GO(A), CR, RR, and central area districts.

(ii) By right as a limited use only in mixed use districts.

(iii) By SUP only in all residential districts except the MH(A) district, and in NO(A), LO-1, LO-2, MO-1, MO-2, and NS(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area, or the ratio of an equivalent use, whichever is greater.

(D) Required off-street loading: see Section 51A-4.303.

(6) Convent or monastery.

(A) Definition: the living quarters or dwelling units for a religious order or for the congregation of persons under religious vows.

(B) Districts permitted:

(i) By right in multifamily, office, retail, CS, central area, MU-2, and MU-3 districts.

(ii) By right as a limited use only in the MU-1 district.

(iii) By SUP only in agricultural, single family, duplex, townhouse, and CH districts.

(C) Required off-street parking: one space for each three residents; a minimum of two spaces required.

(D) Required off-street loading: see Section 51A-4.303.

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

(A) Definition: a facility sponsored or operated by an organization established for religious or philanthropic purposes, including, but not limited to residences for the indigent or handicapped and training and educational facilities.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in agricultural, single family, duplex, townhouse, multifamily, office, CR, RR, CS, IR, and IM districts.

(C) Required off-street parking: The ratio of the use that the building official determines is the most equivalent to the proposed use in terms of function. If a specific use permit is required, the off-street parking regulations may be established in the ordinance granting the permit. In such cases the city council shall consider the degree to which allowing the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of

public transit and the likelihood of its use, and the feasibility of traffic mitigation measures.

(D) Required off-street loading: see Section 51A-4.303.

(8) Establishment for the care of alcoholic, narcotic, or psychiatric patients.

(A) Definition: an establishment offering resident or outpatient treatment to alcoholic, narcotic, or psychiatric patients.

(B) Districts permitted: By SUP only in MF-1(A), MF-2(A), MO-1, MO-2, GO(A), CR, RR, CS, central area, and mixed use districts.

(C) Required off-street parking: determined by the specific use permit.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A minimum site of ten acres is required for this use in a residential district.

(9) Fairgrounds.

(A) Definition: an outside area where a fair, circus, or exhibition is held.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in agricultural and IM districts.

(C) Required off-street parking: 25 spaces for each acre.

(D) Required off-street loading: see Section 51A-4.303.

(10) Hospital.

(A) Definition: an institution licensed by the state as a hospital where sick or injured patients are given

medical treatment.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in agricultural, MF-1(A), MF-2(A), GO(A), CR, RR, CS, and mixed use districts.

(C) Required off-street parking: one space for each bed.

(D) Required off-street loading: see Section 51A-4.303.

(11) Institution for special education.

(A) Definition: a privately operated facility licensed by the state that provides special training or care for persons with above average intelligence or for defective, delinquent, or dependent persons such as retarded, dyslexia, autistic, or brain-damaged persons.

(B) Districts permitted:

(i) By right in MO-1, MO-2, GO(A), CR, RR, CS, and central area districts.

(ii) By SUP only in agricultural, multifamily, MH(A), NO(A), LO-1, LO-2, NS(A), and mixed use districts.

(C) Required off-street parking:

(i) 1-1/2 spaces for each kindergarten/elementary school classroom;

(ii) 3-1/2 spaces for each junior high/middle school classroom;

(iii) 9-1/2 spaces for each senior high school classroom.

(D) Required off-street loading: see Section 51A-4.303.

(12) Library, art gallery, or museum.

(A) Definition: an establishment for the loan or display of books or objects of art or science.

(B) Districts permitted:

(i) By right in MF-1(A), MF-2(A), office, retail, central area, and mixed use districts.

(ii) By SUP only in agricultural, single family, duplex, and townhouse districts.

(C) Required off-street parking:

(i) One space for each 500 square feet of floor area for a library or art gallery;

(ii) One space for each 100 square feet of floor area for a museum.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use applies only to a library, art gallery, or museum that is sponsored by a public or quasi-public agency and open and available to the general public.

(13) Public or private school.

(A) Definition: an educational institution that has a curriculum for kindergarten, elementary, or secondary education.

(B) Districts permitted:

(i) By right in office, retail, CS, central area, MU-1, and MU-2 districts.

(ii) By SUP only in residential, IR, IM, and MU-3 districts.

(iii) RAR required in office, retail, CS, MU-1, and MU-2 districts.

(C) Required off-street parking:

(i) 1-1/2 spaces for each kindergarten/elementary school classroom;

(ii) 3-1/2 spaces for each junior high/middle school classroom;

(iii) 9-1/2 spaces for each senior high school classroom.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include business, commercial, trade, or craft schools.

(14) Zoo.

(A) Definition: a facility consisting of a zoological garden or a collection of animals for display to the public.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 600 square feet of site area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The city council must specially approve a public zoo.

SEC. 51A-4.205. LODGING USES.

(1) Hotel or motel.

(A) Definition: a building containing six or more guest rooms, and furnishing customary hotel services such as linen, maid service, and the use and upkeep of furniture.

(B) Districts permitted:

(i) By right in MO-1, MO-2, GO(A), RR, CS, IR, IM, central area, MU-2, and MU-3 districts.

(ii) By SUP only in the CR district.

(iii) RAR required in MO-1, MO-2, GO(A), RR, CS, IR, IM, MU-2, and MU-3 districts.

(C) Required off-street parking: one space for each unit for units 1 to 250; 3/4 space for each unit for units 251 to 500; 1/2 space for all units over 500.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use is subject to the nonresidential use regulations in this chapter.

(2) Lodging or boarding house.

(A) Definition: a structure that is rented to occupants for 30 consecutive days or more and contains more than five units with living and sleeping accommodations, but no kitchen.

(B) Districts permitted:

(i) By right in MF-2(A), MF-4(A), RR, CS, IR, and central area districts.

(ii) By SUP only in MF-3(A), CR, and IM districts.

(C) Required off-street parking: one space for each dwelling unit or guest room.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Lodging or boarding houses are subject to the regulations in Chapter 27, Article V of this code.

(ii) The operator of a lodging or boarding house may serve meals to the occupants.

(iii) This use is subject to the nonresidential use regulations in this chapter.

SEC. 51A-4.206. MISCELLANEOUS USES.

(1) Carnival or circus (temporary).

(A) Definition: a temporary traveling show or exhibition that has no permanent structure or installation.

(B) Districts permitted: special authorization by the building offical as approved in Resolution No. 65-1854.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(2) Drag strip, go-cart track, or commercial racing.

(A) Definition: a facility for motor vehicle races, including closed course, straightaway, or acceleration runs.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in agricultural and CS districts.

(C) Required off-street parking: one space for each two grandstand seats; a minimum of twenty spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(3) Temporary construction or sales office.

(A) Definition: a residential structure or other facility temporarily used as a construction office, a model home for display purposes, or a sales office in a residential subdivision.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A temporary construction or sales office must be located on a platted lot within the subdivision or a site approved by the commission within an area with an approved preliminary plat.

(ii) The building official shall issue a temporary certificate of occupancy for a period of one year for a temporary construction or sales office. The building official may grant up to four extensions of six months each to the certificate of occupancy for a construction office if the builder maintains active or continuous construction within the subdivision, and for a sales office or model home for display purposes if a minimum of ten lots in the subdivision are unsold.

(iii) A temporary construction or sales office may not be located in another subdivision or used for construction or sales in another subdivision.

SEC. 51A-4.207. OFFICE USES.

(1) Ambulatory surgical center.

(A) Definition: a facility providing elective surgical service to patients with medical or dental problems.

(B) Districts permitted: By right in LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, CS, and central area districts.

(C) Required off-street parking: one space for each 275 square feet of floor area, or nine spaces for each operating room, whichever is greater.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Offices and laboratories for use by the surgical center are permitted as accessory uses.

(ii) Overnight care or treatment is not permitted under this use.

(iii) This use must comply with all applicable requirements imposed by federal and state law.

(iv) This use may not be conducted within or be attached to a hospital or medical clinic use.

(2)(A) Bank or savings and loan office (without drive-in window).

(A) Definition: a facility for the extension of credit and the custody, loan, or exchange of money.

(B) Districts permitted: By right in office, CR, RR, CS, IR, IM, central area, and mixed use districts.

(C) Required off-street parking: one space for each 333 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Drive-in window service for customers in motor vehicles is not permitted under this use.

(2)(B) Bank or savings and loan office (with drive-in window).

(A) Definition: a facility for the extension of credit and the custody, loan, or exchange of money which provides drive-in window service for customers in motor vehicles.

(B) Districts permitted:

(i) By right in MO-1, MO-2, GO(A), CR, RR, CS, IR, IM, central area, and mixed use districts.

(ii) By SUP only in LO-1 and LO-2 districts.

(iii) DIR required in MO-1, MO-2, GO(A), CR, RR, and mixed use districts.

(iv) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 333 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(3) Broadcasting or recording studio.

(A) Definition:

(i) A broadcasting studio is a facility for broadcasting live or prerecorded programs by radio or television.

(ii) A recording studio is a facility for recording on records, tapes, video tapes, or other suitable recording media.

(B) Districts permitted:

(i) By right in MO-1, MO-2, GO(A), CR, RR, CS, IR, and central area districts.

(ii) By right as a limited use only in LO-1, LO-2, and mixed use districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A broadcasting or recording studio may perform activities necessary for the recording, programming, and receiving of radio or television signals.

(ii) A broadcasting or recording studio may not engage in the mass production of records, tapes, video tapes, or other recorded media.

(4) Medical clinic.

(A) Definition: a facility for examining, consulting with, and treating patients with medical, dental, or optical problems on an out-patient basis.

(B) Districts permitted: By right in all nonresidential districts except the P(A) district.

(C) Required off-street parking: one space for each 150 square feet of gross floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Offices and laboratories for use by the clinic are permitted as accessory uses.

(ii) Hospital beds for overnight care or treatment are not permitted under this use.

(5) Office.

(A) Definition: a place for the regular transaction of business.

(B) Districts permitted: By right in all nonresidential districts except the P(A) district.

(C) Required off-street parking: one space for each 333 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Retail sales, transfer of manufactured goods, or the storage of commodities is not permitted under this use.

(6) Veterinarian's office.

(A) Definition: a facility for the prevention, treatment, cure, or alleviation of disease and injury in animals.

(B) Districts permitted: By right in LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, CS, central area, and mixed use districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use includes outpatient treatment only, and no boarding is permitted.

SEC. 51A-4.208. RECREATION USES.

(1) Country club with private membership.

(A) Definition: a private recreational club containing a golf course and a club house that is available only to the country club membership and their guests.

(B) Districts permitted: By SUP only in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: one space for each 150 square feet of floor area plus five spaces for each golf course green.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use may contain a private bar, dining room, a swimming pool, and tennis courts and similar services and recreational facilities.

(2) Game court center.

(A) Definition: a facility that contains a court for engaging in tennis, handball, racquetball, or similar physical activities.

(B) Districts permitted:

(i) By right in MO-1, MO-2, GO(A), CR, RR, CS, IR, central area, MU-2, and MU-3 districts.

(ii) By right as a limited use only in the MU-1 district.

(iii) By SUP only in agricultural, CH, MF-3(A), MF-4(A), LO-1, and LO-2 districts.

(C) Required off-street parking: four spaces for each game court, plus one space for each additional 200 square feet of floor area, not including 400 square feet if it is used for exercise or observation rooms and also not including areas used for showers, steam, sauna, laundry, whirlpool, lockers, and lavatory rooms.

(D) Required off-street loading: see Section

51A-4.303.

(E) Additional provisions:

(i) This use is limited to game courts with a maximum of four participants.

(3) Private recreation club or area.

(A) Definition: an area providing private recreational facilities such as playgrounds, parks, swimming pools, and playing fields.

(B) Districts permitted:

(i) By right in GO(A), CR, RR, CS, IR, central area, and mixed use districts.

(ii) By SUP only in residential, NO(A), LO-1, LO-2, MO-1, MO-2, and NS(A) districts.

(C) Required off-street parking: one space for each 100 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The serving or consumption of alcoholic beverages is not permitted under this use.

(4) Public golf course.

(A) Definition: a golf course open to the public.

(B) Districts permitted:

(i) By right in CH, MF-3(A), MF-4(A), and all nonresidential districts except the P(A) district.

(ii) By SUP only in agricultural, single family, duplex, townhouse, MF-1(A), MF-2(A), and MH(A) districts.

(C) Required off-street parking: five spaces for each green.

(D) Required off-street loading: see Section 51A-4.303.

(5) Public park or playground.

(A) Definition: a recreation facility or park including stadiums, field houses, and accessory uses owned or operated by a public agency and available to the general public.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

SEC. 51A-4.209. RESIDENTIAL USES.

(1) College dormitory.

(A) Definition: a college residence hall providing sleeping rooms.

(B) Districts permitted:

(i) By right in multifamily and central area districts.

(ii) By SUP only in agricultural, single family, duplex, townhouse, LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, CS, and mixed use districts.

(iii) DIR required in MF-3(A) and MF-4(A) districts.

(C) Required off-street parking: one space for every two beds.

(D) Required off-street loading: see Section 51A-4.303.

(2) College fraternity or sorority house.

(A) Definition: a facility for housing a social or service organization of college students.

(B) Districts permitted:

(i) By right in multifamily and central area districts.

(ii) By SUP only in agricultural, single family, duplex, townhouse, LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, and CS districts.

(iii) DIR required in MF-3(A) and MF-4(A) districts.

(C) Required off-street parking: one space for every two beds, plus one space for each 100 square feet of floor area exclusive of sleeping area.

(D) Required off-street loading: see Section 51A-4.303.

(3) Duplex.

(A) Definition: two dwelling units located on a lot.

(B) Districts permitted:

(i) By right in duplex, townhouse, CH, MF-1(A), MF-2(A), central area, and MU-1 districts.

(ii) By right as a restricted component of an office building in the GO(A) district. [See Section 51A-4.121(d).]

(C) Required off-street parking: two spaces for each dwelling unit.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Only one main building may be placed on a building site under this use.

(ii) In a duplex district, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than two electrical meters on a lot for a duplex use in a duplex district when, in the opinion of the board, the special exception will:

(aa) not be contrary to the public interest;

(bb) not adversely affect neighboring properties; and

(cc) not be used to conduct a use not permitted in the district where the building site is located.

(4) Family home.

(A) Definition: a residential home for disabled persons operated by one of the following entities:

(i) The Texas Department of Mental Health and Mental Retardation.

(ii) A community center organized under Section 3.01 of the Texas Mental Health and Mental Retardation Act (Article 5547-203, Vernon's Texas Civil Statutes), which provides services for disabled persons.

(iii) A "non-profit corporation" subject to the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes).

(iv) An entity certified by the Texas Department of Human Resources as a provider under the intermediate care facilities for the mentally retarded program.

(B) Districts permitted: By right in residential, central area, and mixed use districts.

(C) Required off-street parking: a minimum of two spaces, or one space for each bedroom, whichever is greater.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) In these use regulations:

(aa) DISABLED PERSON means a person who has a physical or mental impairment, or both, that substantially limits one or more major life activities.

(bb) PHYSICAL OR MENTAL IMPAIRMENT means orthopedic, visual, speech, or hearing impairments, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.

(cc) MAJOR LIFE ACTIVITY means caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working.

(ii) The number of persons residing in a family home at the same time may not exceed:

(aa) six disabled persons, regardless of their legal relationship to one another; and

(bb) two supervisory personnel.

(iii) A family home must provide to the disabled residents the following services:

(aa) food and shelter;

(bb) personal guidance;

(cc) care;

(dd) habilitation services; or

(ee) supervision.

(iv) A family home must meet all applicable licensing requirements.

(v) A family home may not be established within one-half mile of a previously existing family home.

(vi) The residents of a family home may not keep, on the premise of the home or on the public rights-of-way adjacent to the home, more than one motor vehicle per bedroom for the use of the residents of the home.

(vii) The board may grant a special exception to the off-street parking requirements in Subsection (C) above if the board makes a specific finding from evidence presented that not all of the off-street parking spaces are necessary to serve the use, taking into consideration the nature of the facility, the disabilities of its clients, and any other relevant information that would significantly impact the number of vehicles likely to be parked on the premises.

(viii) This use is established to comply with the requirements of state law. In the event of a conflict between these regulations and the state law, the state law controls.

(5) Foster home.

(A) Definition: a facility licensed by the state as a foster home that provides room, board, ordinary care, and supervision to individuals under 18 years of age, who are not related to the owner.

(B) Districts permitted:

(i) By right in CH, MF-3(A), MF-4(A), and central area districts.

(ii) By SUP only in agricultural, single family, duplex, townhouse, MF-1(A), MF-2(A), and MH(A) districts.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(6) Halfway house.

(A) Definition: a facility for the housing, rehabilitation and training of persons on probation or parole from correctional institutions or other persons found guilty of criminal offenses.

(B) Districts permitted: By SUP only in CR, RR, CS, IR, IM, and central area districts.

(C) Required off-street parking: determined by the specific use permit.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use is not permitted within 150 feet of an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district. The number of residents under this use may not exceed 25 persons when the use is between 150 and 500 feet from one of the districts listed in this subparagraph. The number of residents under this use may not exceed 50 persons when the use is over 500 feet from one of the districts listed in this subparagraph.

(ii) Not more than two halfway houses are permitted within a census tract.

(iii) A specific use permit for a halfway house shall be issued for a two year time period, but may be extended for additional time periods after recommendation by the commission and approval by the city council.

(iv) The treatment of alcoholic, narcotic, or psychiatric problems is allowed under this use if expressly permitted by the specific use permit.

(v) This use shall comply with all applicable city, state, and federal codes and regulations.

(7) Mobile home park, mobile home subdivision, and campground.

(A) Definition:

(i) A mobile home park is a unified development of transient stands arranged on a lot under single ownership.

(ii) A mobile home subdivision is a plat designed specifically for mobile home development.

(iii) A campground is a lot used to accommodate recreation vehicles, tents, or mobile homes on a rental basis for temporary camping purposes.

(B) Districts permitted: By right in the MH(A) district.

(C) Required off-street parking: 1.5 spaces for each transient stand for a mobile home park or campground; 1.5 spaces for each lot in a mobile home subdivision.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The owner of a mobile home park must have a site plan approved by the commission before the building official may issue a building permit for the mobile home park. The site plan must include the dimensions, bearings, and street frontage of the property; the location of buildings, structures, lots, stands, and uses; the method of ingress and egress; off-street parking and loading arrangements; screening, lighting, and landscaping, if appropriate; and any other information the director determines necessary for a complete review of the proposed development.

(ii) The owner of a mobile home subdivision must have a plat approved by the commission and filed in the county records before the building official may issue a building permit for the mobile home subdivision.

(iii) One caretaker's dwelling unit and one office is permitted under this use.

(iv) No carport, garage, storage building, office, or caretaker's dwelling, laundry house, or other

permitted structure under this use may be located closer than 50 feet to a mobile home district boundary line.

(v) The owner under this use must provide and maintain a permanent steel chain link fence or its equivalent. The fence must be at least five feet in height and must completely surround the rear and all sides of this use that are not exposed to a dedicated street.

(vi) Open playground space must be provided under this use at a ratio of 500 square feet of open space for each of the first 20 lots or transient stands provided, and at a ratio of 250 square feet for all additional lots or transient stands.

(vii) This use must comply with the requirements of Chapter 47 of this code.

(8) Multifamily.

(A) Definition: three or more dwelling units located on a lot.

(B) Districts permitted:

(i) By right in CR, multifamily, central area, and mixed use districts.

(ii) By right as a restricted component of an office building in the GO(A) district. [See Section 51A-4.121(d).]

(C) Required off-street parking: one space for each 500 square feet of dwelling unit floor area within the building site except in CA-1(A) and CA-2(A) districts, only one space per dwelling unit is required.

(i) Only the floor area within a dwelling unit (excluding balconies) is included in the calculation of required off-street parking.

(ii) Not less than one space nor more than two and one-half spaces are required for each dwelling unit in a multifamily structure 36 feet or less in height.

(iii) Not less than one space nor more than two spaces are required for each dwelling unit in a multifamily structure over 36 feet in height.

(D) Required off-street loading: see Section

51A-4.303.

(E) Additional provisions:

(i) Uses that are customarily incidental to the multifamily use and that include an employee's washroom, a manager's office, laundry room, swimming pool, and game courts are permitted. The game courts, laundry room, and swimming pool must be for the exclusive use of the residents and their guests. No exterior advertising of the accessory uses is permitted.

(ii) The minimum space between exterior walls of a multifamily dwelling must be 10 feet between the walls if only one wall has an opening for light and air and 20 feet if both walls have an opening for light and air. This provision applies to multifamily buildings with a common roof or free standing multifamily buildings. This provision does not apply to walls located entirely within a dwelling unit.

(iii) For multifamily dwellings over 36 feet in height, an outer court that has on its perimeter exterior walls that have openings for access, light, or air, must have a minimum width equal to the depth of the court, up to a maximum required width of 100 feet.

(iv) For multifamily dwellings over 36 feet in height, an inner court that has one or more walls with openings for access, light, or air must have a minimum dimension in length and in width equal to the height of the building enclosing the inner court, up to a maximum required width and length of 100 feet.

(9) Nursing home.

(A) Definition: a facility licensed by the state as a nursing or convalescent home providing care and minor medical treatment for patients so that they may recover from a medical infirmity.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in multifamily, CR, RR, CS, and mixed use districts.

(C) Required off-street parking: one space for each six beds not in dwelling units, plus one space for each dwelling unit, plus one space for each employee position.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A nursing home must be under the direction of a physician.

(ii) A nursing home may furnish food and laundry service to the patients.

(10) Rectory.

(A) Definition: a dwelling unit for a minister, priest, or rabbi.

(B) Districts permitted: By right in all residential and nonresidential districts in which a dwelling unit is permitted.

(C) Required off-street parking: same as that required for an equivalent dwelling unit in the district in which the rectory is located.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A rectory located on a church site is part of the church and is included in the calculations of all zoning requirements for the church.

(ii) A rectory not on the church site must comply with the residential requirements of the district in which it is located.

(11) Residence home for the aged.

(A) Definition: a facility for the prolonged or permanent care of persons over 65 years old suffering from illnesses or infirmities of age.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By right as a limited use only in mixed use districts.

(iii) By SUP only in multifamily, CR, RR, and CS districts.

(C) Required off-street parking: one space for each six beds, plus one space for each employee position.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include an establishment of a religious, charitable, or philanthropic nature.

(12) Single family.

(A) Definition: one dwelling unit located on a lot.

(B) Districts permitted:

(i) By right in agricultural, single family, duplex, townhouse, CH, MF-1(A), MF-2(A), central area, and MU-1 districts.

(ii) By right as a restricted component of an office building in the GO(A) district. [See Section 51A-4.121(d).]

(C) Required off-street parking: two spaces for each dwelling unit, except one space for each dwelling unit in R-7.5(A) and R-5(A) districts.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The board of adjustment may grant a special exception to authorize the use of a structure or a portion of a structure for servants' or caretakers' quarters in any district when, in the opinion of the board, the structure or portion of the structure will be used by bona fide servants or caretakers and will not be rental accommodations.

(ii) Fire separations are required between each attached dwelling unit. A required fire separation may be two separate one-hour fire resistive walls or a single masonry

party wall having a two-hour fire resistive rating. A fire wall must have no penetrations.

(iii) A dwelling unit must be physically separable from contiguous dwelling units in the event of removal of a dwelling unit.

(iv) Each dwelling unit must have separate utility services; however, general utility services on land owned and maintained by a homeowner's association is allowed.

(v) Each party wall must be governed by a set of deed restrictions, stipulating that if a dwelling unit is removed, the party wall stays with the remaining dwelling unit.

(vi) Only one main building may be placed on a building site under this use.

(vii) In a single family, duplex, or townhouse district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in a single family, duplex, or townhouse district when, in the opinion of the board, the special exception will:

(aa) not be contrary to the public interest;

(bb) not adversely affect neighboring properties; and

(cc) not be used to conduct a use not permitted in the district where the building site is located.

SEC. 51A-4.210. RETAIL AND PERSONAL SERVICE USES.

(a) General provisions.

(1) All uses in this section must be retail or service establishments dealing directly with consumers. No person may produce goods or perform services on the premises unless those goods and services are sold on the premises to a consumer at retail.

(b) Specific uses.

(1) Ambulance service.

(A) Definition: a commercial facility for the housing, maintenance, and dispatch of vehicles designed to transport sick or injured persons to medical facilities.

(B) Districts permitted:

(i) By right in CR, RR, CS, and central area districts.

(ii) RAR required in CR, RR, and CS districts.

(C) Required off-street parking: one space for each 300 square feet of floor area, plus one space for each 500 square feet of site area excluding structures.

(D) Required off-street loading: see Section 51A-4.303.

(2) Animal clinic without outside runs.

(A) Definition: a facility for the diagnosis, treatment, or hospitalization of household pets including but not limited to dogs, cats, birds, and horses.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, and central area districts.

(ii) RAR required in CR, RR, CS, IR, and IM districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Outside runs are not permitted under this use.

(3) Animal clinic with outside run.

(A) Definition: an animal clinic as defined in Paragraph (2) above that has outside enclosures for the animals.

(B) Districts permitted: By SUP only in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(4) Antique shop.

(A) Definition: an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

(B) Districts permitted: By right in CR, RR, CS, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(5) Appliance fix-it shop.

(A) Definition: facility for the repair of household and home equipment such as radios, televisions, electrical appliances, lawn mowers, tools, and similar items.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, and central area districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(6) Auto glass, muffler, or seat cover shop.

(A) Definition: a facility for the retail sale, installation or replacement of auto glass, mufflers, or seat covers.

(B) Districts permitted:

(i) By right in CR, RR, CS, and central area districts.

(ii) RAR required in CR, RR, and CS districts.

(C) Required off-street parking: one space for each 200 square feet of retail floor area, plus one space for each 500 square feet of service floor area; a minimum of two spaces required.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(7) Auto parts sales (inside only).

(A) Definition: a facility for the retail sale of auto parts, tools, and related items.

(B) Districts permitted: By right in retail, CS, IR, IM, central area, and mixed use districts.

(C) Required off-street parking: one space for

each 200 square feet of sales floor area plus one space for each 500 square feet of storage floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(8) Auto parts sales (outside display).

(A) Definition: a facility for the retail sale of auto parts, tools, and related items with outside display permitted.

(B) Districts permitted: By SUP only in CS and IM districts.

(C) Required off-street parking: one space for each 500 square feet of site area exclusive of building; minimum of four spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(9) Auto repair garage (inside).

(A) Definition: a facility for the repair of motor vehicles.

(B) Districts permitted:

(i) By right in CR, RR, CS, IM, central area, and mixed use districts.

(ii) DIR required in CR and RR districts.

(iii) RAR required in CS, IM, and mixed use districts.

(C) Required off-street parking: one space for

each 500 square feet of floor area; a minimum of five spaces required.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in satisfying the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(10) Auto repair garage (outside).

(A) Definition: a facility for the repair of motor vehicles with outside repair or display permitted.

(B) Districts permitted:

(i) By right in CS, IM, and central area districts.

(ii) RAR required in CS and IM districts.

(C) Required off-street parking: one space for each 500 square feet of site area; a minimum of five spaces required.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

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

(A) Definition: a facility for the display, service, and retail sale of new or used automobiles,

motorcycles, motor scooters, recreational vehicles, and trailers.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, and central area districts.

(ii) RAR required in CR, RR, CS, IR, and IM districts.

(C) Required off-street parking: one space for each 200 square feet of site area; a minimum of four spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(12) Automobile or motorcycle display, sales, and service (outside display).

(A) Definition: a facility for the display, service, and retail sale of new or used automobiles, motorcycles, motor scooters, recreational vehicles, and trailers, with outside display permitted.

(B) Districts permitted:

(i) By right in RR, CS, IM, and central area districts.

(ii) RAR required in RR, CS, and IM districts.

(C) Required off-street parking: one space for each 500 square feet of site area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Outside display and open storage of new or used vehicles for sale are permitted under this use without

visual screening.

(ii) New or used vehicles for sale may be displayed or stored in the required front yard under this use. The weight of each vehicle displayed under this provision may not exceed 6,000 pounds.

(13) Bakery or confectionery shop.

(A) Definition: a facility for preparing, cooking, baking, and the retail sale of candy, baked goods, or other sweets.

(B) Districts permitted:

(i) By right in retail, CS, central area, and mixed use districts.

(ii) By right as a limited use only in LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Under this use, all goods baked or cooked on the premises must be retailed on the same premises.

(14) Bar, lounge, or tavern.

(A) Definition: an establishment for the sale and consumption of alcoholic beverages on the premises.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, central area, MU-2, and MU-3 districts.

(ii) By right as a limited use only in MO-1, MO-2, GO(A), and MU-1 districts.

(iii) RAR required in MO-1, MO-2, GO(A), CR, RR, CS, IR, and mixed use districts.

(C) Required off-street parking: one space for each 100 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Food may be prepared and served under this use.

(ii) Music, entertainment, or facilities for dancing may be provided under this use.

(15) Barber and beauty shop.

(A) Definition: a facility licensed by the state where haircutting, hairdressing, shaving, trimming beards, facials, manicures, or related services are performed.

(B) Districts permitted:

(i) By right in retail, CS, IR, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(16) Beverage store.

(A) Definition: a facility for the retail sale of soft drinks, beer, wine, or liquor that is not to be consumed on the premises.

(B) Districts permitted:

(i) By right in retail, CS, central area, and mixed use districts.

(ii) By right as a limited use only in the GO(A) district.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section

51A-4.303.

(17) Book and stationery store.

(A) Definition: a facility for the retail sale of books, pamphlets, papers, pens, ink, and associated items.

(B) Districts permitted:

(i) By right in retail, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(18) Business school.

(A) Definition: a business enterprise offering instruction and training in a service or the arts such as secretarial, barber, commercial artist, computer software, and similar training.

(B) Districts permitted:

(i) By right in LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, CS, central area, and mixed use districts.

(ii) By SUP only in the NO(A) district.

(C) Required off-street parking: 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include schools teaching trades or crafts.

(19) Camera shop.

(A) Definition: a facility for the retail sale

of cameras, film, photographic paper, auxiliary lenses, photofinishing, photofinishing material, projection equipment, and other photography related items.

(B) Districts permitted:

(i) By right in retail, central area, and mixed use districts.

(ii) By right as a limited use only in the GO(A) district.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(20) Car wash.

(A) Definition: a facility for the washing or steam cleaning of passenger vehicles. A car wash may be:

(i) a single unit type which has a single bay or a group of single bays with each bay to accommodate one vehicle only; or

(ii) a tunnel unit type which allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, and central area districts.

(ii) DIR required in the CR district.

(iii) RAR required in RR, CS, IR, and IM districts.

(C) Required off-street parking: five stack spaces for each single unit; twenty-five stack spaces for each tunnel unit.

(i) Parking spaces used to wash motor vehicles and located in a structure are not counted in determining the required parking.

(D) Required off-street loading: see Section

51A-4.303.

(21) Cigar, tobacco, and candy store.

(A) Definition: a facility for the retail sale of cigars, cigarettes, pipe tobacco, candies, and other related items.

(B) Districts permitted:

(i) By right in retail, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(22) Clothing store.

(A) Definition: a facility for the retail sale of apparel.

(B) Districts permitted:

(i) By right in CR, RR, central area, and mixed use districts.

(ii) By right as a limited use only in the GO(A) district.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(23) Commercial parking lot or garage.

(A) Definition: a vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, central

area, and mixed use districts.

(ii) RAR required in CR, RR, CS, IR, IM, and mixed use districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The parking of trucks and buses is not permitted under this use.

(ii) This use must comply with the off-street parking regulations.

(24) Commercial wedding chapel.

(A) Definition: A facility, not associated with a church, where a wedding is performed for a profit.

(B) Districts permitted: By right in CR, RR, CS, and central area districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use may provide reception areas, but no alcoholic beverages may be sold.

(25) Custom cleaning shop.

(A) Definition: an establishment for the custom cleaning of individual garments, fabrics, rugs, draperies, or other similar items.

(B) Districts permitted: By right in CR, RR, CS, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section

51A-4.303.

(26) Custom print shop.

(A) Definition: a facility which performs custom printing.

(B) Districts permitted: By right in RR, CS, IR, IM, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No more than two printing presses with a maximum weight of 1,000 pounds each are permitted under this use.

(ii) The floor area for the printing presses may not exceed 400 square feet.

(iii) The noise level under this use may not exceed 63 decibels as measured at the exterior walls of the print shop.

(27) Day care center.

(A) Definition: a facility that provides care or supervision for more than four children under 18 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility, for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers is licensed by the state as a day care center that cares for more than four children under 18 years of age who are not related to the owner, and that operates only a part of the day.

(B) Districts permitted:

(i) By right in retail, CS, IR, IM, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), and office districts.

(iii) By SUP only in residential districts. [No SUP required for limited use in MF-3(A) and MF-4(A) districts.]

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The limited use regulations in this chapter are modified for this use to allow an outdoor play area and separate access from the main building to the play area.

(ii) This use must comply with all applicable requirements imposed by state law.

(28) Day home.

(A) Definition: a facility that provides care or supervision for four or less children under 18 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility, for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

(B) Districts permitted: By right in residential, central area, and mixed use districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use must be operated by a resident of the premises and comply with all applicable requirements imposed by state law.

(ii) The additional provisions for a home occupation apply to this use, except that a person may operate a day home during the following hours: From 8:00 a.m. to 6:00 p.m. for outdoor activities, and 24 hours a day for indoor activities.

(29) Drive-in restaurant.

(A) Definition: an establishment offering food services to customers in automobiles for consumption on the premises.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, and central area districts.

(ii) DIR required in CR, RR, and CS districts.

(iii) RAR required in IR and IM districts.

(C) Required off-street parking: one space for each 50 square feet of floor area; a minimum of 12 spaces is required.

(D) Required off-street loading: see Section 51A-4.303.

(30) Drive-in theatre.

(A) Definition: a facility for showing motion pictures outdoors where the audience views the motion picture from automobiles or while seated outside.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in agricultural, CS, and IM districts.

(C) Required off-street parking: A minimum of six parking spaces is required. The number of stacking spaces must equal ten percent of the theatre's stall capacity.

(D) Required off-street loading: see Section 51A-4.303.

(31) Drug store.

(A) Definition: a facility for the preparing, preserving, compounding, and the retail sale of drugs and medicines.

(B) Districts permitted:

(i) By right in retail, CS, central area, and mixed use districts.

(ii) By right as a limited use in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use may include the display and sale of other merchandise such as cosmetics, notions, fountain sodas, nonalcoholic beverages, and other similar items.

(32) Duplication shop.

(A) Definition: a facility for the reproduction on standard or legal sized paper of material by office type photocopiers.

(B) Districts permitted:

(i) By right in retail, CS, IR, IM, central area, and mixed use districts.

(ii) By right as a limited use only in LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(33) Feed store.

(A) Definition: a facility for the retail sale of grain, prepared feed, and forage for pets, livestock, and fowl.

(B) Districts permitted: By right in CR, RR, CS, IM, and central area districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) The grinding, mixing, or commercial compounding of livestock feed is not permitted under this use.

(34) Flea market.

(A) Definition: a site where space inside or outside a building is rented to vendors on a short term basis for the sale of merchandise.

(B) Districts permitted: By SUP only in the CS district.

(C) Required off-street parking: one space for each 500 square feet of floor area, plus one space for each 1,000 square feet of site area exclusive of buildings.

(D) Required off-street loading: see Section 51A-4.303.

(35) Florist store.

(A) Definition: a facility for the retail sale of cut or uncut flowers and ornamental plants and associated items.

(B) Districts permitted:

(i) By right in retail, CS, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(36) Furniture store.

(A) Definition: a facility for the display and retail sale of new furniture and appliances.

(B) Districts permitted: By right in CR, RR, CS, central area, and mixed use districts.

(C) Required off-street parking: one space for each 500 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

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

(A) Definition: a facility for the growing, display, and sale of garden or flower seeds, plants, nursery stock, and related items.

(B) Districts permitted: By right in CR, RR, CS, and central area districts.

(C) Required off-street parking: one space for each 200 square feet of floor area, plus one space for each 2000 square feet of site area exclusive of buildings.

(D) Required off-street loading: see Section 51A-4.303.

(38) Handcrafted art work studio.

(A) Definition: a facility for individuals to create art objects such as needlework, hand weaving, leather goods, jewelry, ceramics, sculptures, or other works of art.

(B) Districts permitted: By right in CR, RR, CS, IR, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include a factory for the production of art products.

(39) Hardware or sporting goods store.

(A) Definition:

(i) A hardware store is a facility for the

retail sale of items such as cutlery, tools, utensils, screws, nails, and similar items.

(ii) A sporting goods store is a facility for the retail sale of athletic equipment, clothing, and other sports related items.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(40) Health studio.

(A) Definition: a facility operated to promote physical fitness or weight control and where manipulated massage or exercises are practiced upon the human body with or without the use of mechanical, therapeutic, or bathing devices.

(B) Districts permitted:

(i) By right in retail, CS, IR, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 150 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use includes massage establishments and Turkish bath houses.

(ii) This use does not include a facility operated under a physician's direction or where registered physical therapists treat only patients recommended by a licensed physician.

(41) Hobby and art supplies store.

(A) Definition: a facility for the retail sale

of model kits, art equipment and materials, and similar art, and hobby supplies.

(B) Districts permitted:

(i) By right in retail, central area, and mixed use districts.

(ii) By right as a limited use only in MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(42) Home improvement center.

(A) Definition: a facility for the retail sale of home, lawn and garden supplies.

(B) Districts permitted:

(i) By right in CR, RR, CS, central area, and mixed use districts.

(ii) RAR required in CR, RR, CS, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(43) Inside commercial amusement.

(A) Definition: a facility that offers entertainment or games of skill to the general public for a fee and that is wholly enclosed in a building, including but not limited to a bowling alley or billiard parlor.

(B) Districts permitted:

(i) By right in CR, RR, CS, central area, and mixed use districts.

(ii) By SUP only in the A(A) district.

(C) Required off-street parking: one space for each 100 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(44) Instructional arts studio.

(A) Definition: a facility for the instructing, coaching, or counselling in art, music, ceramics, drama, speech, dance, or similar personal skills or arts.

(B) Districts permitted:

(i) By right in retail, CS, central area, and mixed use districts.

(ii) By right as a limited use only in the GO(A) district.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(45) Kennel with outside run.

(A) Definition: a facility for the breeding or boarding of animals that has outside enclosures for the animals.

(B) Districts permitted: By SUP only in the CS district.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(46) Key shop.

(A) Definition: a facility for the sale and duplication of keys.

(B) Districts permitted:

(i) By right in retail, CS, IR, IM, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(47) Laundry or cleaning pickup and receiving station.

(A) Definition: a facility that receives and dispenses laundry and dry cleaning that is processed in bulk by a commercial laundry or dry cleaning shop located elsewhere.

(B) Districts permitted:

(i) By right in retail, CS, IR, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(48) Lumber, brick, or building materials sales yard.

(A) Definition: a facility where brick, lumber, and other similar building materials are sold and stored.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 200 square feet of retail floor area, plus one space for each 1,000 square feet of site area exclusive of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(49) Medical appliance fitting and sales.

(A) Definition: a facility specializing in the retail sale or rental of special purpose devices related to medical treatment.

(B) Districts permitted:

(i) By right in CR, RR, CS, and central area districts.

(ii) By right as a limited use only in MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(50) Monument sales yard.

(A) Definition: a facility for stocking and selling memorial stones and gravestones.

(B) Districts permitted: By right in CR, RR, CS, IM, and CA-2(A) districts.

(C) Required off-street parking: one space for each 200 square feet of retail floor area, plus one space for each 1,000 square feet of site area, exclusive of buildings.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(51) Mortuary or funeral home.

(A) Definition: a facility in which dead bodies are prepared for burial or cremation or funeral services are

conducted.

(B) Districts permitted: By right in CR, RR, CS, and central area districts.

(C) Required off-street parking:

(i) One space for each 300 square feet of floor area other than the chapel, plus one space for each two seats in the chapel. Up to 50 percent of the required off-street parking for this use may be tandem spaces.

(ii) If all spaces provided are non-tandem, the off-street parking requirement for this use is one space for each 500 feet of floor area other than the chapel, plus one space for each two seats in the chapel.

(D) Required off-street loading: see Section 51A-4.303.

(52) Optical shop.

(A) Definition: a facility providing optical items for the correction of vision.

(B) Districts permitted:

(i) By right in retail, central area, and mixed use districts.

(ii) By right as a limited use only in LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(53) Outside commercial amusement.

(A) Definition: a facility offering entertainment or games of skill to the general public for a fee where any portion of the activity takes place outside, including, but not limited to a golf driving range, archery range, or miniature golf course.

(B) Districts permitted:

(i) By right in CS and central area

districts.

(ii) By SUP only in agricultural, CR, and RR districts.

(iii) DIR required in the CS district.

(C) Required off-street parking: one space for each 200 square feet of floor area plus one space for each 400 square feet of site area exclusive of floor area and parking area.

(D) Required off-street loading: see Section 51A-4.303.

(54) Paint and wallpaper store.

(A) Definition: a facility for the retail sale of paints, painting equipment, and wallpaper.

(B) Districts permitted: By right in retail, CS, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(55) Pawn shop.

(A) Definition: a facility for loaning money on the security of personal property and the sale of unclaimed property.

(B) Districts permitted: By right in CR, RR, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(56) Pet shop.

(A) Definition: a facility for the display and retail sale of small animals, fish, and birds as pets.

(B) Districts permitted: By right in CR, RR, central area and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include commercial boarding or medical treatment of any animal, fish, or bird.

(57) Photography studio.

(A) Definition: a facility for taking and processing pictures.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, central area, and mixed use districts.

(ii) By right as a limited use only in LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include a bulk photography processing plant.

(58) Post office.

(A) Definition: a government facility for the transmission, sorting, and local distribution of mail.

(B) Districts permitted:

(i) By right in LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, CS, IR, IM, central area, and mixed use districts.

(ii) By right as a limited use only in the MF-4(A) district.

(iii) By SUP only in the NO(A) district.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use includes main branches, substation branches, and neighborhood coin-operated self-service stations.

(59) Private club.

(A) Definition: an establishment for the association of a group of people for common purpose, interest, or pleasure.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, central area, and mixed use districts.

(ii) By right as a limited use only in MF-4(A), LO-1, LO-2, MO-1, MO-2 and GO(A) districts.

(iii) By SUP only in the NS(A) district.

(C) Required off-street parking: one space for each guest room, plus one space for each 100 square feet of floor area exclusive of guest rooms; a minimum of 10 parking spaces is required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Private club facilities must be available only to members and their guests.

(ii) The private club may include a restaurant or bar, and tennis courts, swimming pool, or similar recreational facilities.

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

(A) Definition: an establishment for the sale and service of food to customers.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, central area, MU-2, and MU-3 districts.

(ii) By right as a limited use only in MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(iii) By SUP only in the NS(A) district.

(iv) RAR required in MF-4(A), LO-1, LO-2, MO-1, MO-2, GO(A), CR, RR, CS, IR, IM, MU-2, and MU-3 districts.

(C) Required off-street parking: one space for each 100 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Alcoholic beverages may be served under this use.

(ii) Music, entertainment, or facilities for dancing may be provided under this use.

(61) Restaurant without drive-in service.

(A) Definition: an establishment for the sale and service of food to customers on the premises, but not in automobiles.

(B) Districts permitted:

(i) By right in retail, CS, IR, IM, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 100 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(62) Retail food store.

(A) Definition: an establishment for the display and retail sale of foods and associated items.

(B) Districts permitted:

(i) By right in retail, CS, IR, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), MO-1, MO-2, and GO(A) districts.

(iii) RAR required in MF-3(A), MF-4(A), MO-1, MO-2, GO(A), retail, CS, IR, and mixed use disticts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(63) Retail and personal service uses similar to those listed.

(A) Definition: any use that is not listed as a separate use in this division and that, for any given district, is determined by the building official to be similar to one of the retail and personal service uses permitted by right in that district.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(64) Rodeo.

(A) Definition: a facility for public

performances of rodeo events, including, but not limited to bronco riding, calf roping, steer wrestling, and brahma bull riding.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in the agricultural, CS, and IM districts.

(C) Required off-street parking: one space for each three seats.

(D) Required off-street loading: see Section 51A-4.303.

(65) Safe deposit boxes.

(A) Definition: an establishment offering storage areas which may be used for the keeping of personal items, including but not limited to jewelry, silverware, valuable metals and stones.

(B) Districts permitted:

(i) By right in CR, RR, central area, and mixed use districts.

(ii) By right as a limited use only in MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Each storage area must not exceed 10 cubic feet in size.

(66) Second hand store.

(A) Definition: a facility for the retail sale of used merchandise.

(B) Districts permitted: By right in CR, RR, CS, central area, and mixed use districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(67) Self service laundry or dry cleaning.

(A) Definition: a facility for washing or dry cleaning garments and similar items where customers clean their own clothes.

(B) Districts permitted:

(i) By right in retail, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A) and MF-4(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(68) Service station.

(A) Definition: a facility for the retail sale of motor vehicle fuel, lubricating oils, and parts for use in motor vehicles.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, central area, and mixed use districts.

(ii) By right as a limited use only in the GO(A) district.

(iii) By SUP only in the NS(A) district.

(iv) DIR required in the MU-1 district.

(v) RAR required in GO(A), CR, RR, CS, IR, IM, MU-2 and MU-3 districts.

(C) Required off-street parking: one space for each 500 square feet of floor area; minimum of four spaces required.

(i) Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking.

(D) Required off-street loading: see Section 51A-4.303.

(E) Limited use regulations. This use is subject to the following limited use regulations instead of the regulations contained in Section 51A-4.218:

(i) The service station use as a limited use must be secondary to a main use, and may be available only to the owner and tenant of the main building and not available to the general public.

(ii) The dispensing of motor vehicle fuel must be limited to one pump for each main building.

(iii) The motor vehicle fuel pump and any sign relating to this use must not be visible from the public street. No sign may be erected indicating the availability of gasoline.

(iv) All storage tanks for motor vehicle fuel must be located underground.

(F) Additional provisions:

(i) A gasoline service station pump island or station canopies may be located 18 feet or more from a property line.

(ii) The rental of trailers that can be pulled by passenger automobiles is permitted as an accessory use.

(iii) A gasoline pump island must be constructed in a manner that allows vehicular access adjacent to the gasoline pump island without interference with or obstruction to off-street parking. Determination of the proper placement of gasoline pump islands must be based on the

dimensions in the City of Dallas Manual "Layout and Design Standards for Parking Lots", which is expressly adopted as part of this subsection. A person shall obtain approval from the director of public works for the placement of a gasoline pump island before the building official may issue a building permit for the construction.

(69) Shoe repair.

(A) Definition: a facility for the repair or reconditioning of footwear, handbags, and other similar articles.

(B) Districts permitted:

(i) By right in retail, CS, IR, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(70) Surface parking.

(A) Definition: a passenger vehicle parking facility.

(B) Districts permitted: By right in the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) All parking must be at grade level.

(ii) A commercial parking lot or garage is not permitted under this use.

(iii) No structure is permitted under this use except signs and required screening.

(iv) The owner of surface parking must maintain a minimum front yard of ten feet when the surface parking is contiguous to an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(71) Swimming pool sales and supply.

(A) Definition: a facility for the display, retail sale, and service of swimming pools and related supplies.

(B) Districts permitted: By right in CR, RR, CS, and central area districts.

(C) Required off-street parking: one space for each 200 square feet of floor area, plus one space for each 1,000 square feet of outside sales area.

(D) Required off-street loading: see Section 51A-4.303.

(72) Tailor, custom sewing, and millinery.

(A) Definition: a facility to alter, repair, custom make, and fashion apparel and millinery.

(B) Districts permitted:

(i) By right in retail, CS, central area, and mixed use districts.

(ii) By right as a limited use only in MF-3(A), MF-4(A), MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use does not include a factory for the production or repair of apparel.

(73) Taxidermist.

(A) Definition: a facility for preparing, stuffing, and mounting the skins of animals, birds,and fish.

(B) Districts permitted: By right in CS and

central area districts.

(C) Required off-street parking: one space for each 300 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(74) Theatre.

(A) Definition: a facility for showing motion pictures or theatrical performances to an audience inside an enclosed structure.

(B) Districts permitted:

(i) By right in CR, RR, CS, central area, and mixed use districts.

(ii) By SUP only in MF-4(A), MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each four seats.

(D) Required off-street loading: see Section 51A-4.303.

(75) Tool and equipment rental (inside display only).

(A) Definition: a facility for renting tools and equipment with no outside display.

(B) Districts permitted: By right in CR, RR, CS, IR, IM, and central area districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(76) Tool and equipment rental (with outside display).

(A) Definition: a facility for renting tools and equipment with outside display permitted.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 200 square feet of floor area, plus one space for each 1,000 square feet of site area exclusive of buildings.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(77) Travel bureau.

(A) Definition: an agency engaging in the selling or arranging of transportation, trips, or tours for individuals or groups.

(B) Districts permitted:

(i) By right in retail, central area, and mixed use districts.

(ii) By right as a limited use only in LO-1, LO-2, MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 200 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(78) Wax museum.

(A) Definition: a commercial enterprise that displays wax figures of famous individuals and events for entertainment.

(B) Districts permitted: By right in CR, RR, CS, and central area districts.

(C) Required off-street parking: one space for each 100 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

SEC. 51A-4.211. TRANSPORTATION USES.

(1) Airport or landing field.

(A) Definition: a facility for the landing of fixed or rotary wing aircraft.

(B) Districts permitted:

(i) By right in agricultural, single family, duplex, townhouse, MF-1(A), MF-2(A), MH(A), and central area districts.

(ii) By SUP only in IM and IR districts.

(C) Required off-street parking: one space for each 200 square feet of terminal building floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A minimum of 60 acres is required for this use.

(ii) This use must be approved by the city aviation department.

(iii) This use is subject to the Federal Aviation Administration's rules and regulations.

(2) Bus passenger shelter.

(A) Definition: a structure which affords protection from the weather to persons who are waiting to board a publicly owned or franchised transit bus.

(B) Districts permitted:

(i) By right in agricultural, townhouse, CH, multifamily, MH(A), and in all nonresidential districts

except the P(A) district.

(ii) By SUP only in single family and duplex districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A bus passenger shelter may be installed only by public agencies.

(ii) A bus passenger shelter may not exceed 100 square feet.

(iii) A bus passenger shelter is exempt from the front, side, and rear yard requirements in this chapter.

(iv) A person may not place a sign on a bus passenger shelter except a transit system logo, schedule, and route information.

(3) Helicopter base.

(A) Definition: a landing and terminal facility for rotary wing aircraft.

(B) Districts permitted:

(i) By right in the IM district.

(ii) By SUP only in agricultural and IR districts.

(iii) RAR required in the IM district.

(C) Required off-street parking: one space for each 300 square feet of terminal building floor area exclusive of hangers; a minimum of five spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use may include facilities for servicing and repairing rotary wing aircraft and must meet all requirements for those uses.

(ii) This use must be approved by the city aviation department.

(iii) This use is subject to the Federal Aviation Administration's rules and regulations.

(4) Heliport.

(A) Definition: a facility for the regularly scheduled landing of rotary wing aircraft.

(B) Districts permitted:

(i) By right in the IM district.

(ii) By SUP only in agricultural, CS, IR, and central area districts.

(iii) RAR required in the IM district.

(C) Required off-street parking: one space for each 600 square feet of site area; a minimum of four spaces is required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use is limited to helicopters with a gross weight of less than 12,500 pounds.

(ii) This use may not include fueling or servicing facilities.

(iii) This use must be approved by the city aviation department.

(iv) This use is subject to the Federal Aviation Administration's rules and regulations.

(5) Helistop.

(A) Definition: a landing pad for the occasional and infrequent use by rotary wing aircraft.

(B) Districts permitted:

(i) By right in the IM district.

(ii) By SUP only in agricultural, MO-1, MO-2, GO(A), CS, IR, central area, MU-2, and MU-3 districts.

(iii) RAR required in the IM district.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use is limited to helicopters with a gross weight of less than 6,000 pounds.

(ii) Regularly scheduled stops are not permitted under this use.

(iii) This use must be approved by the city aviation department.

(6) Passenger bus station and terminal.

(A) Definition: a facility for passenger bus docking, passenger loading, and unloading.

(B) Districts permitted:

(i) By right in MO-1, MO-2, GO(A), CR, RR, CS, IR, IM, and central area districts.

(ii) DIR required in CR and RR districts.

(iii) RAR required in MO-1, MO-2, GO(A), CS, IR, and IM districts.

(C) Required off-street parking: one space for each four seats in lobby; one space for each 100 square feet of cafe; one space for each 200 square feet of floor area excluding bus unloading area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(7) Railroad passenger station.

(A) Definition: a facility for the loading and discharging of train passengers.

(B) Districts permitted:

(i) By right in CS, IR, and central area districts.

(ii) By SUP only in LO-1, LO-2, MO-1, MO-2, GO(A), CR, and RR districts.

(iii) RAR required in CS and IR districts.

(C) Required off-street parking: one space for each 4 seats in lobby; one space for each 200 square feet of floor area excluding train unloading area; one space for each 100 square feet for a restaurant.

(D) Required off-street loading: see Section 51A-4.303.

(8) Railroad team track.

(A) Definition: a siding for the spotting, unloading, and loading of railroad cars.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A railroad team track must be accessible from a public street.

(9) Railroad yard, roundhouse, or shops.

(A) Definition: a facility for storing, repairing, and making up trains and railroad equipment.

(B) Districts permitted:

(i) By right in the IM district.

(ii) RAR required in the IM district.

(C) Required off-street parking: one space for each 500 square feet of floor area of roundhouse and shops.

(D) Required off-street loading: see Section 51A-4.303.

(10) STOL (short takeoff or landing) port.

(A) Definition: a facility for takeoff and landing operations of fixed wing aircraft designed to land on runways of 1000 feet or less.

(B) Districts permitted:

(i) By right in central area districts.

(ii) By SUP only in agricultural, IR, and IM districts.

(C) Required off-street parking: one space for each 200 square feet of terminal building floor area; a minimum of five spaces is required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use may include refueling equipment and passenger shelters but may not include maintenance facilities.

(ii) This use must be approved by the city aviation department.

(iii) This use is subject to the Federal Aviation Administration's rules and regulations.

SEC. 51A-4.212. UTILITY AND PUBLIC SERVICE USES.

(1) Commercial radio or television transmitting station.

(A) Definition: a facility for transmission of commercial programming by radio or television within the commercial band of the electromagnetic spectrum.

(B) Districts permitted:

(i) By right in GO(A), CR, RR, CS, IR, IM, and central area districts.

(ii) By right as a limited use only in mixed use districts.

(iii) By SUP only in agricultural, LO-1, LO-2, MO-1, and MO-2 districts.

(C) Required off-street parking: one space for each 1,000 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(2) Electrical energy generating plant.

(A) Definition: a facility franchised by the city that generates electricity from mechanical power produced by gas, coal or nuclear fission.

(B) Districts permitted: By SUP only in agricultural and IM districts.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(3) Electrical substation.

(A) Definition: a facility for transforming electricity for distribution to individual customers.

(B) Districts permitted:

(i) By right in LO-1, LO-2, MO-1, MO-2, GO(A), retail, CS, IR, IM, central area, and mixed use districts.

(ii) By SUP only in all residential and NO(A) districts.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(4) Local utilities.

(A) Definition: electric power, telephone, gas, water, and sewer drainage lines, air pollution monitoring stations, inline facilities such as gas regulating stations and water pumping stations, and electrical transmission lines operated by a municipality or by a franchised utility company.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Above-ground storage tanks are not permitted under this use.

(5) Radio, television, or microwave tower.

(A) Definition: a structure supporting antennae that transmit or receive any portion of the electromagnetic spectrum.

(B) Districts permitted:

(i) By right in GO(A), CS, IR, IM, and central area districts.

(ii) By SUP only in agricultural, MF-4(A), MH(A), MO-1, MO-2, CR, RR, MU-2, and MU-3 districts.

(iii) RAR required in GO(A), CS, IR, and IM districts.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(6) Refuse transfer station.

(A) Definition: a privately owned facility for the transfer and packing of solid waste materials from smaller collecting vehicles to larger transport vehicles.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: one space for each 1,000 square feet of site area.

(D) Required off-street loading: see Section 51A-4.303.

(7) Sanitary landfill.

(A) Definition: a site for collection, handling, storage, and disposal of solid wastes.

(B) Districts permitted: By SUP only in agricultural and IM districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use is subject to the Solid Waste Disposal Act, Article 4477-7, Vernon's Texas Civil Statutes.

(8) Sewage pumping station.

(A) Definition: a facility for pumping sewage.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(9) Sewage treatment plant.

(A) Definition: a facility for receiving and treating sewage from the city sanitary sewer system.

(B) Districts permitted: By SUP only in agricultural, IM, and central area districts.

(C) Required off-street parking: one space for each million gallons of capacity.

(D) Required off-street loading: see Section 51A-4.303.

(10) Telephone exchange, switching, and transmitting equipment.

(A) Definition: nonattended telephone switching or transmitting service.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: one space for each 1,000 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Business office facilities, storage, or repair shops or yards are not permitted under this use.

(11) Utility or governmental installation other than listed.

(A) Definition:

(i) A utility not elsewhere listed is a use by a public or private utility facility franchised or operated by the city such as closed circuit television or steam distribution or any other utility not specifically covered by the use regulations in this chapter.

(ii) A government installation, not elsewhere listed is an installation owned or leased by a governmental agency such as a local transit station, local transit terminal, fire station, police station, court house,

elevated water storage reservoir, or any municipal or other governmental facility not specifically covered by the use regulations in this chapter.

(B) Districts permitted:

(i) By right in RR, CS, IR, IM, central area, and mixed use districts.

(ii) By SUP only in residential, office, NS(A), and CR districts.

(iii) RAR required in RR, CS, IR, IM, and mixed use districts.

(C) Required off-street parking: determined by requirements for an equivalent use or as required by specific use permit; a minimum of one space is required.

(D) Required off-street loading: see Section 51A-4.303.

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

(A) Definition:

(i) A water reservoir is a facility for the ground storage and transmission of water for use by the city water system.

(ii) A well is a facility for the ground storage and transmission of water.

(iii) A pumping station is a facility for transporting water, including pumps, piping, valves and controls.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Elevated water storage reservoirs are not permitted under this use.

(13) Water treatment plant.

(A) Definition: a facility for purifying, supplying, and distributing city water, including a system of reservoirs, channels, mains and purifying equipment.

(B) Districts permitted:

(i) By right in IM and central area districts.

(ii) By SUP only in agricultural and IR districts.

(iii) RAR required in the IM district.

(C) Required off-street parking: two spaces.

(D) Required off-street loading: see Section 51A-4.303.

SEC. 51A-4.213. WHOLESALE, DISTRIBUTION, AND STORAGE USES.

(1) Aluminum collection center.

(A) Definition: A facility used for the temporary storage of empty aluminum beverage cans and other discarded aluminum products.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, IM, and central area districts.

(ii) DIR required in CR and RR districts.

(iii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use may only be located on a parking lot in an enclosed vehicle not less than 40 feet in length or in an automatic aluminum collection machine, or within a retail food store building as an accessory use.

(ii) Aluminum collection centers in a vehicle may only be placed on the parking lot of a building site containing 50,000 square feet or more of floor area. An aluminum collection machine may be placed on the parking lot of a building site containing 50,000 square feet or more of floor area, or on the parking lot of a building site containing a retail food store with 20,000 square feet or more of floor area. Not more than one aluminum collection center in a vehicle or automatic aluminum collection center machine is permitted on a building site.

(iii) An aluminum collection center located on a parking lot may not occupy required off-street parking spaces. An aluminum collection center must be arranged so as to not impede free traffic flow.

(iv) Receipt of and payment for aluminum at an aluminum collection center located on a parking lot may take place outside the collection center but at a point no more than 20 feet from the opening of the enclosed vehicle where the aluminum is stored.

(v) The owner of the property and the owner and operator of the aluminum collection center shall not process or flatten aluminum on the site. It is a defense to prosecution that the flattening of aluminum is being conducted wholly within an automatic aluminum collection machine.

(vi) The owner of the property and the owner and operator of the aluminum collection center shall remove aluminum stored at the collection center at least once a week.

(vii) The owner of the property and the owner and operator of the aluminum collection center shall keep the aluminum collection center in proper repair and the exterior must have a neat and clean appearance.

(viii) The owner of the property and the owner and operator of the aluminum collection center shall keep the building site clean and in a neat appearance and shall dispose of aluminum cans and other litter from the building site where the aluminum collection center is located.

(2) Auto auction.

(A) Definition: a facility for the sale of automobiles to the highest bidder.

(B) Districts permitted: By SUP only in CS, IM, and central area districts.

(C) Required off-street parking: one space for each 500 square feet of site area.

(D) Required off-street loading: see Section 51A-4.303.

(3) Building mover, temporary storage yard.

(A) Definition: a site where a building or structure which has been removed from its original construction site is temporarily stored.

(B) Districts permitted: By SUP only in CS and IM districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use must be surrounded by a solid visual screen of at least 9 feet in height and constructed of solid masonry, solid concrete, corrugated sheet metal, or a chain link fence with strips of metal through all links.

(ii) This use must be landscaped with plants meeting the requirements of the specific use permit.

(iii) Buildings temporarily stored under this use may not be placed upon a foundation.

(iv) This use does not include bona fide sales lots on which new buildings or structures are located displaying examples of workmanship or appearance of the buildings or structures to be constructed on other sites and sold.

(4) Contractor's maintenance yard.

(A) Definition: a site visually screened for the storage and maintenance of contractor's supplies and operational equipment.

(B) Districts permitted:

(i) By right in CS, IM, and CA-2(A) districts.

(ii) RAR required in CS and IM districts.

(C) Required off-street parking: one space for each 2,000 square feet of site area; a minimum of four spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Screening is required around this use.

(5) Design or decorative center.

(A) Definition: a facility for the display of furniture and relative decorator items.

(B) Districts permitted: By right in CS, IR, IM, central area, and MU-3 districts.

(C) Required off-street parking: one space for each 700 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No retail sales are permitted under this use.

(ii) This use must have at least 150,000 square feet of floor area use for merchandise display and accessory office use.

(iii) Accessory office use must not exceed 20 percent of the total floor area.

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

(A) Definition: a facility for the sale of diamonds and precious metals or gems at wholesale only and the occasional mounting of diamonds, precious gems and jewelry.

(B) Districts permitted:

(i) By right in CR, RR, CS, IR, and central area districts.

(ii) By right as a limited use only in MO-1, MO-2, and GO(A) districts.

(C) Required off-street parking: one space for each 333 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Retail sales, factories and showrooms are not permitted under this use.

(7) Livestock auction pens or sheds.

(A) Definition: a facility for the public sale of animals to the highest bidder.

(B) Districts permitted: By SUP only in the IM

district.

(C) Required off-street parking: one space for each four seats plus one space for each 600 square feet of sales area.

(D) Required off-street loading: see Section 51A-4.303.

(8) Mini-warehouse.

(A) Definition: a building or group of buildings containing one or more individual compartmentalized storage units for the inside storage of customers' goods or wares, where no unit exceeds 500 square feet in floor area.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) By SUP only in CR and RR districts.

(C) Required off-street parking: one space for each 3,000 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(ii) Caretaker's quarters are permitted as an accessory use to the mini-warehouse use. One parking space must be provided for each 500 square feet of caretaker's quarters; however, no more than two spaces are required for each caretaker's quarters.

(9) Motor freight hauling and storage.

(A) Definition: a facility for warehousing, transferring, or keeping goods.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 1,000 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(10) Open storage.

(A) Definition: a lot used for the outside placement, for a period in excess of 24 hours, of an item which is:

(i) customarily used or stored outside; and

(ii) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) Visual screening required in CS, IR, and central area districts.

(iii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 2,000 square feet of site area; a minimum of one space is required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A person shall not place, store, or maintain outside for a period in excess of 24 hours, an item which is not:

(aa) customarily used or stored outside; or

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(ii) The required screening for open storage must comply with the screening requirements in this article.

(11) Petroleum products storage and wholesale.

(A) Definition: a facility for the storage and sale of petroleum products.

(B) Districts permitted:

(i) By right in the IM district.

(ii) By SUP only in the CS district.

(iii) RAR required in the IM district.

(C) Required off-street parking: one space for each 2,000 square feet of site area; a minimum of four spaces required.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(12) Railroad freight terminal.

(A) Definition: a facility on railroad premises for freight classifying, docking, lighterage, and storage.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 1,000 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(13) Sand, gravel, or earth sales and storage.

(A) Definition: a facility for storing and selling sand, gravel, and earth.

(B) Districts permitted:

(i) By right in the IM district.

(ii) By SUP only in agricultural and CS districts.

(iii) RAR required in the IM district.

(C) Required off-street parking: a minimum of five spaces.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No mining is permitted under this use.

(14) Trade center.

(A) Definition: a facility for exhibitions, trade shows, and conventions.

(B) Districts permitted: By right in CS, IR, IM, central area, and MU-3 districts.

(C) Required off-street parking: one space for each 700 square feet of floor area, exclusive of atriums, mechanical rooms, stairwells, and hallways.

(i) Parking must be provided on the site area within 500 feet of a public entrance to the trade center.

However, parking may be located at a distance greater than 500 feet if a satisfactory system of transportation between the parking area is established and maintained by the owner of the use.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) This use must have a minimum floor area of 2,000,000 square feet.

(ii) This use must have a site area of at least 100 acres. The site area may be divided by streets other than a freeway. The area of the dividing streets is not included in the computation of the site area.

(iii) No more than 40 percent of the floor area may be used for retail sales.

(15) Warehouse.

(A) Definition: a facility for the inside storage of commodities.

(B) Districts permitted:

(i) By right in CS, IR, IM, and central area districts.

(ii) RAR required in CS, IR, and IM districts.

(C) Required off-street parking: one space for each 1,000 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No outside display or open storage is permitted under this use unless the use is in a district where open storage is permitted as a main use.

(SECTIONS 51A-4.214 THROUGH 51A-4.216 RESERVED.)

SEC. 51A-4.217. ACCESSORY USES.

(a) General provisions.

(1) An accessory use must be a use customarily incidental to a main use. An accessory use not listed in Subsection (b) is permitted if the accessory use complies with Subsection (a).

(2) Except as specifically permitted in this article, no use listed in Sections 51-4.201 through 51-4.216 may be an accessory use.

(3) An accessory use is permitted in any district in which the main use is permitted.

(4) An accessory use must be located on the same lot as the main use, and must not be across a street or alley from the main use.

(5) Unless otherwise specifically required in this article, an accessory use must comply with all regulations applicable to the main use.

(b) Specific accessory uses. The following accessory uses are subject to the general provisions in Subsection (a) and the regulations below:

(1) Amateur communication tower.

(A) Definition: a tower with an antenna that transmits amateur radio, citizen band, or both spectrums, or that receives any portion of a radio spectrum.

(B) District restrictions:

(i) This accessory use is not permitted in NO(A), NS(A), and P(A) districts.

(ii) An SUP is required for this accessory use in MF-3(A) and MF-4(A) districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) In all residential and nonresidential districts except MF-3(A), MF-4(A), NO(A), and NS(A), a person may erect one amateur communication tower that exceeds the maximum height specified in Section 51A-4.408 if the amateur communication tower:

(aa) does not exceed 60 feet in height;

(bb) is setback an additional 12 inches from the required front, side, and rear yards for each additional eighteen inches of height above the maximum height specified in Section 51A-4.408;

(cc) has a maximum horizontal cross-sectional area of three square feet;

(dd) has no more than two antennae above the maximum height specified in Section 51A-4.408 with a maximum volume of 900 cubic feet for a single antenna and 1400 cubic feet for two antennae. In this provision, antenna volume is the space within an imaginary rectangular prism which contains all extremities of the antenna;

(ee) does not encroach into the required front, side, or rear yard. A guy wire and anchor point for a tower is prohibited in the required front yard and is also prohibited in the required side and rear yards unless the guy wire and anchor point is attached to the top of a structural support that is no less than six feet in height. If a structural support for a guy wire and anchor point is used, the structural support may project into the required side and rear yards no more than two feet, measured from the setback line. In this provision, a structural support for an anchor point is any pole, post, strut, or other fixture or framework necessary to hold and secure an anchor point or within three feet of the side or rear property line. If an alley abuts a rear property line, a guy wire and anchor point may extend to the rear property line; and

(ff) has a minimum space between antennae above the maximum height specified in Section 51-4.408 of eight feet or more as measured vertically between the highest point of the lower antenna and the lowest point of the higher antenna.

(ii) The board of adjustment may allow a special exception from the requirements of Subsection (E)(i) with the exception of Subsection (E)(i)(aa), if the board finds that the special exception would not adversely affect neighboring property and would be in harmony with the general

purpose and intent of this section.

(iii) In all residential districts except MF-3(A) and MF-4(A), a person may erect an amateur communication tower over 60 feet and not above 100 feet in height if authorized by a specific use permit.

(2) Community center (private).

(A) Definition: an integral part of a residential project or community unit development that is under the management and unified control of the operators of the project, and that is used by the tenants of the project for a place of meeting, recreation, or social activity.

(B) District restrictions:

(i) This accessory use is not permitted in agricultural, NO(A), retail, CS, IR, IM, and P(A) districts.

(ii) An SUP is required for this accessory use in single family, duplex, townhouse, and CH districts.

(C) Required off-street parking: one space for each 100 square feet of floor area.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A private community center may not be operated as a place of public meetings or as a business.

(ii) The operation of a private community center must not create noise, odor or similar conditions beyond the property line of the project site.

(iii) A liquor permit may not be issued for a private community center.

(3) Game court (private).

(A) Definition: court for engaging in tennis, handball, racquetball, or similar physical activities.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: five spaces

for each game court.

(i) No off-street parking is required for a game court accessory to a single family or duplex use.

(D) Required off-street loading: see Section 51A-4.303.

(4) Home occupation.

(A) Definition: an occupation, that is incidental to the primary use of the premises as a residence, conducted on the residential premises by an occupant of the residence.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions: A person who engages in a home occupation shall not:

(i) use an advertisement, sign, or display on or off the premises;

(ii) advertise in the yellow pages of the telephone directory;

(iii) employ a person other than the occupants of the residence;

(iv) use equipment other than ordinary household equipment;

(v) operate during hours other than 8 a.m. to 6 p.m. for outdoor activities and 8 a.m. to 10 p.m. for indoor activities;

(vi) involve more than 10 patrons on the premises at one time;

(vii) conduct outdoor activities unless the activities are screened from the neighboring property by a solid fence of at least 6 feet in height;

(viii) generate loud and raucous noise, that

renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort; or

(ix) sell products on the premises.

(5) Occasional sales (garage sales).

(A) Definition: the sale of tangible personal property at retail by a person who is not in the business of selling tangible personal property at retail.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A person shall sell tangible personal property only on the premises of the owner or lessee of the premises where the sale is conducted, and the owner or lessee must be the legal owner of the tangible personal property at the time of the sale.

(ii) The sale must be inside the building or garage, or on the patio of the premises.

(iii) A person shall not sell merchandise acquired solely for the purpose of resale at an occasional sale.

(iv) A person shall not conduct an occasional sale for a duration of more than three consecutive calendar days.

(v) A person shall not conduct more than two occasional sales at a premises during any 12 month period.

(vi) A person shall not place more than one sign, not to exceed two square feet, upon the lot where the sale is taking place. Any other signs at any locations remote from the sale property are not permitted.

(6) Open storage.

(A) Definition: the outside placement, for a continuous period in excess of 24 hours, of an item which is:

(i) customarily used or stored outside; and

(ii) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A person shall not place, store, or maintain outside, for a continuous period in excess of 24 hours, an item which is not:

(aa) customarily used or stored outside; or

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(ii) For purposes of this subsection, an item located on a porch of a building is considered to be outside if the porch is not enclosed.

(iii) Except as otherwise provided in this subsection, accessory open storage is not permitted in the front yard or on a front porch of a residential building. For purposes of this subsection, "front yard" means the portion of a lot or tract which abuts a street and extends across the width of the lot or tract between the street and the main building.

(iv) It is a defense to prosecution under Subsection (E)(iii) that the item is:

(aa) an operable motor vehicle with valid state registration parked on a surface that meets the standards for parking surfaces contained in the off-street parking regulations of this chapter, except that this defense is not available if the vehicle is a truck tractor, truck, bus, or recreational vehicle and it has a rated capacity in excess of one and one-half tons according to the manufacturer's classification, or if the vehicle is over 32 feet in length;

(bb) a boat, trailer, or recreational vehicle parked on a surface that meets the standards for parking surfaces contained in the off-street parking regulations of this chapter, and the item cannot reasonably be placed in an area behind the front yard;

(cc) landscaping, or an ornamental structure, including, but not limited to a birdbath, plant container, or statuette, placed in the front yard or on the front porch for landscaping purposes;

(dd) lawn furniture made of a material that is resistant to damage or deterioration from exposure to the outside environment;

(ee) located on a front porch and not visible from the street; or

(ff) a vehicle displaying a registration insignia or identification card issued by the state to a permanently or temporarily disabled person for purposes of Article 6675a-5e.1, Vernon's Texas Civil Statutes.

(v) A person shall not use more than five percent of the lot area of a premise for accessory open storage. The area occupied by an operable motor vehicle with valid state registration is not counted when calculating the area occupied by accessory open storage.

(vi) The board may grant a special exception to the additional provisions of this subsection relating to accessory open storage in the front yard or on a front porch of a residential building when, in the opinion of the board, the special exception will not adversely affect neighboring property.

(7) Private stable.

(A) Definition: an area for the keeping of horses for the private use of the property owner.

(B) District restrictions: This accessory use is not permitted in MF-3(A), MF-4(A), MH(A), office, retail, CS, IR, IM, mixed use, and P(A) districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) A private stable is permitted only on a lot that has at least 15,000 square feet and a person may keep only the number of horses permitted for the lot area as described in the following chart:

Lot Area	Number of Horses
At least 15,000 sq. ft. but less than 21,780 sq. ft.	1
At least 21,780 sq. ft. but less than 43,560 sq. ft.	2
At least 43,560 sq. ft. but less than 87,120 sq. ft.	3
At least 21,780 sq. ft. per animal	4 or more

(ii) A private stable must include a pen or corral containing at least 800 square feet for each animal with a stable under a roof containing at least 100 square feet for each animal.

(iii) A stable must have proper drainage so as not to create offensive odors, fly breeding, or other nuisances.

(iv) The owner of a private stable shall collect manure at least once a day and place it in a concrete or metal flyproof container, and cause the manure to be removed from the premises at least once a week.

(v) A pen, corral, fences, or similar enclosures may not be closer than 20 feet to an adjacent property line. The widths of alleys, street rights-of-way, or other public rights-of-way may be used in establishing the 20 feet distance to the adjacent property line.

(vi) Fences for pens, corrals, or similar enclosures must be of a sufficient height and strength to retain the horses.

(8) Private street or alley.

(A) Definition: a thoroughfare or an alley built to the same specifications as a street or alley dedicated

to the public use, whose ownership has been retained privately.

(B) District restrictions:

(i) This accessory use is not permitted in agricultural, multifamily, MH(A), and nonresidential districts.

(ii) An SUP is required for this accessory use in single family, duplex, townhouse, and CH districts.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) Private streets and alleys must be constructed and maintained to the standards for public rights-of-way and must be approved by the director of public works. Sidewalks are required and must be constructed and maintained to the standards for sidewalks in the public right-of-way. Water and sanitary sewer mains must be installed in accordance with the applicable ordinances.

(ii) A legal entity must be created that is responsible for street lighting, street maintenance and cleaning, and the installation and maintenance of interior traffic control devices. The legal instruments establishing the responsibility for a private street or alley must be submitted to the city plan commission for approval, be approved as to legal form by the city attorney, and recorded in the appropriate county.

(iii) Private streets and alleys must contain private service easements including, but not limited to, the following easements: utilities; firelane; street lighting; government vehicle access; mail collection and delivery access; and utility meter reading access.

(iv) Street lights comparable with those required on public rights-of-way must be provided. Street lighting design plans must be approved by the director of public works.

(v) Design plans and location of all traffic control devices must be approved by the traffic engineer. The design, size, color, and construction of all traffic control devices must comply with those required in public rights-of-way.

(vi) The fire protection standards in Article XIII of the Dallas fire code must be followed.

(vii) A public school, park or other public facility must be accessible from public rights-of-way in accordance with this code.

(viii) Private streets must comply with the thoroughfare plan and may not interrupt public through streets.

(ix) Private street names and numbers must be approved by the city plan commission.

(x) Private streets and the area they serve must be platted.

(xi) Guard houses may be constructed at any entrance to a private street. All guard houses must be at least 25 feet from a public right-of-way.

(xii) Any structure that restricts access to a private street must provide a passageway 20 feet wide and 14 feet high.

(xiii) One private street entrance must remain open at all times. If an additional private street entrance is closed at any time, it must be constructed to permit opening of the passageway in emergencies by boltcutters or breakaway panels.

(xiv) A private street serving an area containing over 150 dwelling units must have a minimum of two access points to a public street.

(xv) A private street may serve no more than 300 dwelling units.

(xvi) The city has no obligation to maintain a private street. If a private street is not maintained in compliance with the requirements of this chapter, the city, after a public hearing before the city plan commission, shall have the right, but not the obligation, to take those actions necessary to put the private street in compliance. The legal entity responsible for maintaining the private street shall pay the city for the work performed within a period of 180 days from the presentation of the bill, or the private street will become a public street of the city.

(xvii) A court or plaza may be considered a

private street for the purpose of creating a building site if a specific use permit for a private street or alley use is obtained.

(9) Swimming pool (private).

(A) Definition: a swimming pool constructed for the exclusive use of the residents of a residential use.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: none.

(D) Required off-street loading: see Section 51A-4.303.

(E) Additional provisions:

(i) No private swimming pool may be operated as a business, except that private swimming lessons may be given under the home occupation use.

(ii) No private swimming pool may be maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.

(iii) No private swimming pool may be constructed in the required front yard. However, a private swimming pool may be located within the required side or rear yard if it meets the requirements of Section 51A-4.217(a).

(iv) A private swimming pool must be surrounded by a fence.

SEC. 51A-4.218. LIMITED USES.

(a) A limited use must be contained entirely within a building and be primarily for the service of the occupants of the building.

(b) A limited use may not have a floor area that in combination with the floor areas of other limited uses in the building exceeds 10 percent of the floor area of the building.

(c) A limited use must:

(1) have no exterior public entrance except through the general building entrances; and

(2) have no exterior advertising signs on the same lot.

SEC. 51A-4.219. SPECIFIC USE PERMIT (SUP).

(a) General provisions.

(1) The SUP provides a means for developing certain uses in a manner in which the specific use will be compatible with adjacent property and consistent with the character of the neighborhood.

(2) The use regulations for each use in Division 51A-4.200 state whether an SUP is required for a use to be permitted in a zoning district. The SUP requirement for a use in a district does not constitute an authorization or an assurance that the use will be permitted. Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate. Each SUP must be granted by the city council by separate ordinance.

(3) The city council shall not grant an SUP for a use except upon a finding that the use will:

(A) complement or be compatible with the surrounding uses and community facilities;

(B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;

(C) not be detrimental to the public health, safety, or general welfare; and

(D) conform in all other respects to all applicable zoning regulations and standards.

(4) The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.

(5) The city council may impose reasonable conditions upon the granting of an SUP consistent with the purposes stated in this chapter.

(b) Specific use permit procedure.

(1) An applicant for an SUP shall comply with the zoning amendment procedure for a change in zoning district classification. Each SUP ordinance is incorporated by reference into this chapter.

(2) At the time of applying for an SUP, the applicant shall submit:

(A) a site plan that includes:

(i) the dimensions, bearings, and street frontage of the property;

(ii) the location of buildings, structures, and uses;

(iii) the method of ingress and egress;

(iv) off-street parking and loading arrangements;

(v) screening, lighting, and landscaping, if appropriate; and

(vi) any other information the director determines necessary for a complete review of the proposed development; and

(B) a traffic impact analysis if the director determines that the analysis is necessary for a complete review of the impacts of the proposed development.

(3) The applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to amend a site plan for an SUP, except that the director may authorize minor changes in the site plan that do not:

(A) alter the basic relationship of the proposed development to adjacent property;

(B) change the uses permitted;

(C) increase the maximum density, floor area ratio, or height;

(D) decrease the amount of required off-street parking; or

(E) reduce the minimum yards required at the boundary of the site. An applicant may appeal the decision of the director to the commission.

(4) A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. The applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to renew an SUP.

(5) As a further condition to the granting of an SUP, the city council may require the property owner to participate in cost-sharing for infrastructure improvements that are in part necessitated by the proposed development. In no case, however, shall the property owner be required to pay for more than 50 percent of the cost of improvements located more than 250 feet from the lot.

SEC. 51A-4.220. CLASSIFICATION OF NEW USES.

(a) Initiation.

(1) A person, the commission, or the city council may propose zoning amendments to regulate new and previously unlisted uses.

(2) A person requesting the addition of a new use shall submit to the director all information necessary for the classification of the use, including, but not limited to:

(A) the nature of the use and whether the use involves dwelling activity, sales, or processing;

(B) the type of product sold or produced under the use;

(C) whether the use has enclosed or open storage and the amount and nature of the storage;

(D) anticipated employment;

(E) transportation requirements;

(F) the nature and time of occupancy and operation of the premises;

(G) the off-street parking and loading demands;

(H) the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated; and

(I) the requirements for public utilities such as sanitary sewer and water.

(b) Use regulations. New use regulations must contain the following information:

(1) The definition of the use.

(2) The zoning districts within which the use is permitted.

(3) The required off-street parking.

(4) The required off-street loading.

(5) Any additional provisions reasonably necessary to regulate the use.

Division 51A-4.300

Off-Street Parking and Loading Regulations

SEC. 51A-4.301. OFF-STREET PARKING REGULATIONS.

(a) General provisions.

(1) Off-street parking is an accessory use and is subject to Section 51A-4.217(a).

(2) In any district except a central area district, the off-street parking requirements for each use are listed by use in Sections 51A-4.201 through 51A-4.217.

(3) When a lot is used for a combination of uses, the off-street parking requirements are the sum of the requirements for each use, and no off-street parking space for one use is included in the calculation of off-street parking requirements for any other use, except as provided in Subsection (c)(6).

(4) The following floor areas are excluded in the computation of required off-street parking requirements:

(A) Floor area devoted to off-street parking.

(B) Floor area on the ground floor between an omitted wall line and the structural wall when the area is used solely for foot or vehicular traffic, off-street parking, or landscaping.

(C) Floor area of a private balcony that is not accessible to the public and does not provide a means of ingress or egress.

(5) In determining the required number of parking spaces, fractional spaces are counted to the nearest whole number, with one-half counted as an additional space.

(6) No parking space located on a public street or alley may be included in the calculation of off-street parking requirements.

(7) Except for residential uses, head-in parking adjacent to a public street where the maneuvering of the vehicle in parking or leaving the parking space is done on a

public street is excluded in computing off-street parking requirements.

(8) In all districts except a central area district, required off-street parking must be available as free parking or contract parking on other than an hourly or daily fee basis. This requirement does not apply to institutional uses.

(9) A parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in enclosed structure and if the space faces upon or can be entered directly from the street or alley. This provision controls over any building line platted to a lesser setback and any other provision of this article.

(10) Except as specifically permitted in this article, all off-street parking must be provided on the lot occupied by the main use.

(11) In MF-3(A), MF-4(A), and nonresidential districts except CA-1(A), off-street parking may be provided on a separate lot that is:

(A) dedicated to parking use by an instrument filed with the building official and consolidated with the main use under one certificate of occupancy with the main use;

(B) located in the same district as the main use or in a district which allows a commercial parking lot or garage; and

(C) located within 300 feet (including streets and alleys) of the property upon which the main use is located The distance measured is the shortest distance between the lots.

(12) The board of adjustment may not authorize the placement of required off-street parking in a residential district if the parking is to serve a nonresidential use which is located in a nonresidential district unless the nonresidential use is a permitted use in the residential district.

(13) Off-street parking may be provided in a parking district in accordance with Section 51A-4.302.

(14) In an agricultural, multifamily, MH(A), or nonresidential district, a person shall not construct or maintain a parking lot or garage that has access to a public alley or access easement that abuts or is in an R, R(A), D, D(A), TH, TH(A), or CH district unless the director of public works approves the means of access.

(15) Off-street parking is not permitted in a visibility triangle as defined in Section 51A-4.602.

(b) Off-street parking provisions for residential districts.

(1) In residential districts, any off-street parking for nonresidential uses must comply with the minimum front yard requirements of Section 51A-4.401.

(2) In residential districts except an MF-3(A) or MF-4(A) district, required off-street parking for residential uses must be located behind a required front building line, except a required off-street parking space for a single family use may be in front of a required front building line if:

(A) a modification of a structure eliminates a required off-street parking space; and

(B) there is no vehicular access to an area behind the required front building line that would accommodate a parking space.

(3) In an MF-1(A) or MF-2(A) district, no required or excess parking may be placed in the required front yard.

(4) In an MF-3(A) or MF-4(A) district, any off-street parking for residential uses may extend to the front property line.

(5) In single family, duplex, townhouse, and CH districts, off-street parking must be provided at or below ground level.

(c) Off-street parking provisions for nonresidential districts.

(1) In nonresidential districts, any off-street parking may extend to the front property line.

(2) through (5) Reserved.

(6) In order to provide adequate off-street parking for large scale mixed use development projects, the following are excluded in the calculation of off-street parking requirements:

(A) Ten percent of the required parking for the office use when that use totals in excess of 250,000 square feet in floor area and is developed on the same lot with a use qualifying for an exception under Subsections (c)(6)(B) or (C) of this section.

(B) Ten percent of the required parking for the hotel and motel use when that use totals in excess of 250 guest rooms and is developed on the same lot with a use qualifying for an exception under Subsections (c)(6)(A) or (C) of this section.

(C) Ten percent of the required parking for the retail uses, when those uses total in excess of 40,000 square feet in floor area and are developed on the same lot with a use qualifying for an exception under Subsections (c)(6)(A) or (B) of this section.

(D) Fifty percent of the required parking for the following uses when developed on the same lot with an office use with more than 250,000 square feet of floor area or a hotel or motel use with more than 250 guest rooms:

-- Bar, lounge, or tavern.
-- Carnival or circus (temporary)
-- Catering service.
-- Country club with private membership.
-- Drive-in restaurant.
-- Drive-in theatre.
-- Fairgrounds.
-- Game court center.
-- Inside commercial amusement.
-- Outside commercial amusement.
-- Private club.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.
-- Restaurant with alcoholic beverages and/or entertainment.
-- Restaurant without drive-in service.
-- Rodeo.
-- Theatre.
-- Wax museum.

(7) Retail mall parking.

(A) For purposes of this subsection:

(i) a "retail mall" is a building containing retail uses that occupy at least 400,000 square feet

of gross floor area (excluding the pedestrian way). A retail mall may have additional uses; and

(ii) the term "recreation and entertainment uses" means the following uses:

-- Carnival or circus (temporary).
-- Country club with private membership.
-- Drive-in theatre.
-- Fairgrounds.
-- Game court center.
-- Inside commercial amusement.
-- Outside commercial amusement.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.
-- Rodeo.
-- Theatre.
-- Wax museum.

(B) A retail mall is eligible for the parking requirement reduction in this subsection only if:

(i) all uses in the retail mall are physically attached to and have public access to an environmentally controlled pedestrian way; and

(ii) the floor area of the pedestrian way is at least seven percent of the gross floor area of the retail mall.

(C) The number of required off-street parking spaces for a retail mall is reduced as follows:

(i) 10 percent for all uses (including the pedestrian way), other than recreation and entertainment uses;

(ii) 50 percent for recreation and entertainment uses, other than theatre uses, for floor area up to 10 percent of the gross floor area of the retail mall (including the pedestrian way); and

(iii) 50 percent for a theatre use when the theatre use is on the same building site as the retail mall and utilizes the same parking area as the retail mall.

(D) No reduction in required off-street parking spaces is allowed for that part of the gross floor area devoted to recreation and entertainment uses, other than theatre uses, that is in excess of 10 percent of the gross floor area of the

retail mall (including the pedestrian way).

(E) This subsection may not be used in conjunction with Section 51A-4.301(c)(6) to calculate a further reduction in the number of required off-street parking spaces for large scale mixed use development projects.

(8) Shared parking agreements.

(A) For purposes of this section, "shared parking" means the use of the same off-street parking stall to satisfy the off-street parking requirements for two or more uses.

(B) Shared parking is permitted by agreement only. The agreement must:

(i) be in writing and executed by all owners of the properties affected;

(ii) specify the parking being shared and the hours of operation of the uses involved; and

(iii) be approved by both the building official and the city attorney.

(C) A true and correct copy of the approved shared parking agreement must be filed in the deed records of the county in which the properties affected are located. The agreement shall not be effective until it is filed in the deed records in accordance with this section.

(D) Up to 50 percent of the required off-street parking for a use may be supplied by shared parking agreement if the other uses have mutually exclusive hours of operation. No more than 50 percent of the required off-street parking for any use may be shared parking. Nonresidential uses in residential districts may not use shared parking.

(E) All shared parking must:

(i) be on lots located within 300 feet (including streets and alleys) of the lots upon which the uses sharing the parking are located. The distance measured is the shortest distance between the lots;

(ii) be located in a parking district or a district which permits all uses sharing the parking; and

(iii) fully comply with the off-street

parking regulations contained in this chapter.

(F) A shared parking agreement may be amended or terminated only by an instrument approved by both the building official and the city attorney. A true and correct copy of the approved instrument must be filed in the deed records of the county in which the properties affected are located. The instrument shall not be effective until it is filed in the deed records in accordance with this section. The building official shall not sign an instrument terminating a shared parking agreement until all of the uses sharing the parking fully comply with the off-street parking regulations contained in this chapter.

(G) A person commits an offense if he operates a use sharing parking at a time other than during the hours of operation specified in the shared parking agreement.

(H) The building official shall revoke the certificate of occupancy for any use being operated in violation of a shared parking agreement.

(d) Construction and maintenance provisions for off-street parking.

(1) Each off-street parking space must be provided in accordance with the following dimensional standards:

(A) A parking space parallel with the access lane must be 22 feet long and 8 feet wide. A one-way access lane must be at least 10 feet wide; a two-way access lane must be at least 20 feet wide.

(B) All other parking spaces must be provided in accordance with this section and the chart entitled "Parking Bay Widths" on the following page.

(C) The following restrictions apply to the use of 7.5 foot stalls to satisfy off-street parking requirements:

(i) 7.5-foot wide stalls must be double-striped and identified by pavement markings which indicate that the stalls are for small car parking.

(ii) 7.5-foot wide stalls may constitute no more than 25 percent of the required parking spaces for any use.

PARKING BAY WIDTH

PARKING ANGLE	7.5' STALL						8.5' STALL						9.0' STALL						10.0' STALL					
	AISLE		ONE ROW		TWO ROWS		AISLE		ONE ROW		TWO ROWS		AISLE		ONE ROW		TWO ROWS		AISLE		ONE ROW		TWO ROWS	
	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY	ONE WAY	TWO WAY
30	12.0'	18.0'	26.5'	32.5'	41.0'	47.0'	11.1'	20.0'	27.5'	36.4'	43.9'	52.8'	10.7'	20.0'	27.5'	36.8'	44.3'	53.6'	9.3'	20.0'	27.0'	37.7'	44.7'	55.4'
40	12.0'	18.0'	28.0'	34.0'	44.0'	50.0'	11.4'	20.0'	29.5'	38.1'	47.6'	56.2'	11.0'	20.0'	29.5'	38.1'	47.6'	56.9'	9.3'	20.0'	28.5'	39.2'	47.7'	58.4'
50	12.0'	18.0'	29.1'	35.1'	46.2'	52.2'	12.7'	20.0'	32.0'	39.3'	51.3'	58.6'	11.4'	20.0'	31.0'	39.6'	50.6'	59.2'	9.9'	20.0'	30.1'	40.2'	50.3'	60.4'
60	14.0'	18.0'	31.6'	35.6'	49.2'	53.2'	15.2'	20.0'	35.0'	39.8'	54.8'	59.6'	14.0'	20.0'	34.0'	40.0'	54.0'	60.0'	10.4'	20.0'	31.0'	40.6'	51.6'	61.2'
70	15.0'	18.0'	32.6'	35.6'	50.2'	53.2'	18.2'	20.0'	38.0'	39.8'	57.8'	59.6'	17.0'	20.0'	37.0'	40.0'	57.0'	60.0'	13.7'	20.0'	34.0'	40.3'	54.3'	60.6'
80	18.0'	18.0'	35.1'	35.1'	52.2'	52.2'	21.8'	21.8'	41.0'	41.0'	60.2'	60.2'	19.7'	20.0'	39.0'	39.3'	58.3'	58.6'	17.5'	20.0'	37.0'	39.5'	56.5'	59.0'
90	18.0'	18.0'	34.0'	34.0'	50.0'	50.0'	24.0'	24.0'	42.0'	42.0'	60.0'	60.0'	22.0'	22.0'	40.0'	40.0'	58.0'	58.0'	20.0'	20.0'	38.0'	38.0'	56.0'	56.0'

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(2) For a use other than a single family or duplex use, each off-street parking space must be clearly and permanently identified by stripes, buttons, tiles, curbs, barriers, or another method approved by the building official.

(3) For a single family or duplex use, the surface of a parking space, maneuvering area for parking, or driveway must consist of an all-weather and drainable material which is approved by the building official, or a material specified in Subsection (d)(4).

(4) For a use other than a single family or duplex use, the surface of an enclosed or unenclosed parking space, maneuvering area for parking, or a driveway which connects to a street or alley must be on a compacted sub-grade, and must consist of:

(A) concrete paving;

(B) hot mix asphalt paving which consists of a binder and surface course; or

(C) a material which has equivalent characteristics of Subsections (d)(4)(A) or (d)(4)(B) and has the approval of the building official.

(5) A person commits an offense if he stops, stands, or parks a motor vehicle on a lot, unless the vehicle is on a surface as required in Subsections (d)(3) and (d)(4). The registered owner of an unattended or unoccupied vehicle is presumed to be the person who illegally parked the motor vehicle. The records of the State Highway Department or the County Highway License Department showing the name of the person to whom the state highway license was issued is prima facie evidence of ownership by the named individual.

(6) The owner of off-street parking for a use other than single family or duplex use shall:

(A) keep the parking surface free of potholes; and

(B) maintain wheelguards and barriers; and

(C) maintain non-permanent parking space markings such as paint, so that clear identification of each parking space is apparent.

(7) Off-street parking spaces for nonresidential uses and parking spaces along the perimeter of a commercial parking

lot or garage must have wheel guards not less than 6 inches in height or other barriers approved by the building official. The wheel guard or barrier must be at least three feet from the screening and must be placed so that:

(A) no part of the automobile extends into the public sidewalk or adjoining property; and

(B) no part of the automobile contacts screening.

(8) All off-street parking spaces and areas must comply with the guidelines established in the Off-Street Parking Handbook. The director of public works shall keep a true and correct copy of the Off-Street Parking Handbook on file in his office for public inspection and/or copying upon request.

(e) Lighting provisions for off-street parking.

(1) Commercial parking lot. A commercial parking lot which offers service and collects revenue for use after dark (including attended, self-park, coin-actuated gated lots, and rentals on any basis) must be lighted beginning one-half hour after sunset and continuing throughout the hours of use or until midnight, whichever is earlier. If only a portion of the parking lot is offered for use after dark, only that part must be lighted. However, the portion offered for use must be clearly designated. The lighting of a commercial parking lot must meet the following minimum requirements:

(A) The intensity of lighting on the parking surface must be:

(i) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(ii) a minimum at any point of at least 0.6 footcandle initial, and at least 0.3 footcandle maintained or one-third of the average for the lighted area, whichever is greater.

(B) The light sources must be indirect, diffused, or shielded type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(C) Fixtures must be attached to buildings or mounted on metal poles.

(D) The mounting heights for fixtures for parking lots must be not less than 20 feet above the lot surface.

(E) A commercial parking lot contiguous to or directly across the street or alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district must comply with Subsection (e)(2) instead of this subsection.

(2) Other off-street parking. Off-street parking for a use other than single family, duplex, or the commercial parking lot use that offers service after dark must be lighted beginning one-half hour after sunset and continuing throughout the hours of use or until 10 o'clock p.m., whichever is earlier. If only a portion of a parking area is offered for use after dark, only that part must be lighted. However, the portion offered for use must be clearly designated. The lighting of the off-street parking area must meet the following minimum requirements:

(A) The intensity of light on the parking surface must be:

(i) an average of at least one footcandle, initial measurement, and at least one-half footcandle on a maintained basis; and

(ii) a minimum at any point of at least 0.3 footcandle initial, and at least 0.2 footcandle maintained or one-third of the average for the lighted area, whichever is greater.

(B) The light sources must be indirect, diffused, or shielded type fixtures, and installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(C) Fixtures must be attached to buildings or mounted on metal poles; and

(D) The mounting heights for fixtures must be not more than 10 feet above the parking surface.

(f) Screening provisions for off-street parking.

(1) The owner of off-street parking must provide screening to separate the parking area from:

(A) a contiguous residential use or vacant lot if either is in an A, A(A), R, R(A), D, D(A), TH, TH(A), CH,

MF, MF(A), MH, or MH(A) district and the parking area serves a nonresidential use; or

(B) a contiguous single family or duplex use or a vacant lot if any of these are in an R, R(A), D, D(A), TH, TH(A), or CH district and the parking area serves a multifamily use.

(2) If an alley separates a parking area from another use, the use is considered contiguous to the parking area. If a street separates a parking area from another use, the use is not considered contiguous to the parking area.

(3) Screening for off-street parking required under Subsection (f)(1) must be a brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence that is not less than six feet in height. The wall or fence may not have more than ten square inches of open area for each square foot of surface area, and may not contain any openings or gates for vehicular access. The owner of off-street parking must maintain the screening in compliance with these standards.

(4) The board may not grant a special exception to the height requirements for screening around off-street parking.

(5) In an office district, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:

(i) Brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence.

(ii) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.

(iii) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(6) For purposes of Subsection (f)(5):

(A) the height of screening is measured from the horizontal plane passing through the nearest point of the surface of the parking lot; and

(B) screening may be placed in a visibility triangle as defined in the visual obstruction regulations in Section 51A-4.602(c) of this chapter. Any screening placed in a visibility triangle must be two and one-half feet in height measured from the top of the adjacent street curb. If there is no adjacent street curb, the measurement is taken from the grade of the portion of the street adjacent to the visibility triangle.

(g) Reserved.

(h) Residential alley access restrictions for nonresidential uses.

(1) The following residential alley access restrictions are established in order to promote safety and protect the public from disturbances that interfere with the quiet enjoyment of residential properties. Between the hours of 10 p.m. and 7 a.m., no person may use a public alley or access easement that abuts or is in an R, R(A), D, D(A), TH, TH(A), or CH district for the purpose of delivering or receiving any goods or services to or from a nonresidential use in a nonresidential district. It is a defense to prosecution under this paragraph that the person is:

(A) a governmental entity;

(B) a communications or utility company, whether publicly or privately owned; or

(C) the operator of an authorized emergency vehicle as defined in Article 6701d, Vernon's Annotated Texas Statutes.

(2) The board of adjustment may grant a special exception to the alley access restriction in Paragraph (1) if the board finds, based on evidence presented at a public hearing, that strict compliance with the restriction would result in the material and substantial impairment of access to the property as a whole. In determining whether access would be materially and substantially impaired, the board shall consider the following factors:

(A) The extent to which access to the restricted alley between the hours of 10 p.m. and 7 a.m. is essential to the normal operation of the use or uses to which the special exception would apply.

(B) The extent to which the property as a whole has reasonable access to other public streets, alleys, or access easements in addition to the restricted alley.

(C) The extent to which strict compliance with the alley access restriction will necessarily have the effect of substantially reducing the market value of the property.

(3) In granting a special exception under this subsection, the board shall:

(A) specify the use or uses to which the special exception applies; and

(B) establish a termination date for the special exception, which may not be later than five years after the date of the board's decision.

(4) In granting a special exception under this subsection, the board may:

(A) authorize alley access only during certain hours; or

(B) impose any other reasonable condition that would further the purpose and intent of the alley access restriction.

(5) Notwithstanding any of the above, a special exception granted by the board under this subsection for a particular use automatically and immediately terminates if and when that use is changed or discontinued.

SEC. 51A-4.302. PARKING [P(A)] DISTRICT REGULATIONS.

(a) General provisions.

(1) The parking district must be either contiguous to or perpendicularly across an adjoining street or alley from a main use.

(2) The owner of a lot in a parking district contiguous to an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district shall provide and maintain a minimum front yard of ten feet.

(b) Procedures for establishing a parking district.

(1) The applicant for a parking district shall comply with the zoning amendment procedure for a change in a zoning district classification.

(2) At the time of applying for a change in zoning district classification, the applicant shall submit a site plan that includes:

(A) the dimensions, bearings, and street frontage of the property;

(B) the location of the parking spaces and the use the parking district serves;

(C) the method of ingress and egress;

(D) screening, lighting, and landscaping; and

(E) any other information the director determines necessary for a complete review of the proposed development.

SEC. 51A-4.303. OFF-STREET LOADING REGULATIONS.

(a) Required off-street loading standards.

(1) The owner and lessee of a lot shall provide required off-street loading spaces in accordance with the following schedules:

(A) Office uses:

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 50,000	NONE
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(B) Retail and personal service uses:

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(C) Commercial and business service; industrial; and wholesale, distribution, and storage uses:

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(D) Lodging uses:

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 50,000	NONE
50,000 to 100,000	1
100,000 to 300,000	2
Each additional 200,000 or fraction thereof	1 additional

(E) Bar, restaurant and similar uses:

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 5,000	NONE
5,000 to 25,000	1
25,000 to 50,000	2
Each additional 50,000 or fraction thereof	1 additional

(2) The building official shall determine the off-street loading requirements for a use not specified, based on the most similar use listed above.

(3) A structure containing more than one use must meet the loading requirements for the sum of the requirements for each use except:

(A) If one use occupies 90 percent or more of the floor area of the structure, the off-street loading requirement is calculated as if the use occupied the entire structure.

(b) Location and design standards.

(1) Except as specifically provided in this section, required off-street loading spaces must be provided on the same lot as the use served.

(2) The first required off-street loading space must be of the medium or large size and at least 40 percent of the required off-street loading spaces must be of the medium or large size except:

(A) for a single retail use over 60,000 square feet, the first 25 percent of the loading spaces must be of the large size, then 25 percent must be of the medium or large size; and

(B) for hotels and motels, one required off-street loading space must be of the large size, and at least 75 percent of the required spaces must be of the large or medium size.

(3) In determining the size of the required number of loading spaces in Subsection (b)(2) above, fractional spaces are counted to the nearest whole number, with one-half counted as an additional space.

(4) Each large size off-street loading space must have a width of not less than 11 feet, a length of not less than 55 feet, and a height of not less than 14 feet.

(5) Each medium size off-street loading space must have a width of not less than 11 feet, a length of not less than 35 feet, and a height of not less than 13 feet.

(6) Each small size off-street loading space must have a height of not less than 7.5 feet, and either a length of not less than 25 feet with a width of not less than 8 feet, or a length of not less than 20 feet with a width of not less than 10 feet.

(7) Ingress to and egress from required off-street loading spaces must have at least the same vertical height clearance as the off-street loading space.

(8) Each required off-street loading space must be designed with a reasonable means of vehicular access from the street or alley in a manner which will least interfere with traffic movement. Each off-street loading space must be independently accessible so that no loading space blocks another loading space. Trash removal facilities and other structures must not block a required loading space. The design of the ingress, egress, and maneuvering area must be approved by the director of public works.

(9) Off-street loading facilities for more than one building site may be provided in a common terminal if connections between the building and terminal are off-street.

(10) If a publicly owned off-street truck terminal presently exists, is under construction, or is funded for construction, the required off-street loading for a use that is located on a lot contiguous to or perpendicular across the street from the terminal must be provided in the publicly owned off-street truck terminal if the truck terminal is designed to accommodate the loading needs of the use, as determined by the director of building services.

(11) If a use is served by a publicly owned off-street truck terminal, the owner of that use shall provide an off-street connection to the truck terminal, and shall pay a rental fee, as determined by city council.

(12) In an office district, off-street loading spaces may not be located in the required front yard.

(c) and (d) Reserved.

Division 51A-4.400

Yard, Lot, and Space Regulations

SEC. 51A-4.401. MINIMUM FRONT YARD.

(a) General provisions.

(1) Required front yards must be open and unobstructed except for fences. 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.

(2) The front yard setback is measured from the front lot line of the building site or the required right-of-way as determined by the thoroughfare plan for all thoroughfares except minor streets, whichever creates the greater setback. On minor streets, the front yard setback is measured from the front lot line of the building site or the existing right-of-way, whichever creates the greater setback.

(A) When the city council by ordinance establishes a specific right-of-way line for a street, the front yard setback is measured from that right-of-way line.

(3) If a building line that is established by ordinance requires a greater or lesser front yard than prescribed by this section, the building line established by ordinance determines the minimum required front yard.

(4) A uniform or staggered building line may establish a front yard less than prescribed by this section if the building line:

(A) provides a front yard of ten feet or more;

(B) is established by a plat approved by the commission and recorded with the county clerk; and

(C) is part of a plan for the orderly development of the subdivision.

(5) If a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets.

(6) If street frontage within a block is divided by two or more zoning districts, the front yard for the entire block must comply with the requirements of the district with the greatest front yard requirement.

(7) Reserved.

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

(9) In an A(A), multifamily, MH(A), office, retail, CS, IR, IM, central area, or mixed use district, the board of adjustment may allow a special exception from the front yard requirements of this section to permit the erection of a permanently constructed porte-cochere, covered walkway or canopy if the structure is rectilinear in shape and does not exceed 25 feet in width at the building line, and if the board finds that the structure will not adversely affect neighboring property.

(b) Front yard provisions for residential districts.

(1) If a corner lot in a single family, duplex, or agricultural district has two street frontages of equal distance, one frontage is governed by the front yard regulations of this section, and the other frontage is governed by the side yard regulations in Section 51A-4.402. If the corner lot has two street frontages of unequal distance, the shorter frontage is governed by this section, and the longer frontage is governed by side yard regulations in Section 51A-4.402. Notwithstanding this provision, the continuity of the established setback along street frontage must be maintained.

(2) Reserved.

(3) If a TH or TH(A) district abuts another residential district in the same block and fronts on the same side of the street, the residential district with the greater front yard requirement determines the minimum front yard. The minimum front yard for the residential district with the greater front yard requirement must extend at least 150 feet into the TH or TH(A) district.

(4) through (7) Reserved.

(c) Reserved.

(d) Schedule of minimum front yards.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to have a smaller front yard than is allowed in the district regulations (Divisions 51A-4.100 et seq.). A schedule of minimum front yards is contained in Section 51A-4.410.

SEC. 51A-4.402. MINIMUM SIDE YARD.

(a) General provisions.

(1) Required side yards must be open and unobstructed except for fences. 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) The side yard setback is measured from the side lot line of the building site, except when a front yard is treated as a side yard, the setback is measured from the lot line or the required right-of-way as determined by the thoroughfare plan, for all thoroughfares except for minor streets, whichever creates the greater setback. On minor streets, the setback is measured from the lot line or the existing right-of-way, whichever creates the greater setback.

(A) When city council by ordinance establishes a specific right-of-way line for a street, the required setback is measured from that right-of-way line.

(3) Reserved.

(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 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.

(b) Side yard provisions for residential districts.

(1) In a single family district, one required side yard may be reduced below the setback required in this section, if the other side yard is increased to at least double the side yard required in this section, subject to the following conditions:

(A) The minimum side yard between structures on contiguous lots must not be less than the minimum side yard required in this section.

(B) To reduce the required side yard, a subdivision plat must be approved by the commission and filed with the county clerk showing the location of all building lines, and showing the proposed distances between the building lines and property lines, streets lines and alley lines.

(C) A person may not erect an accessory structure except for a swimming pool and its appurtenances in the double side yard.

(2) through (6) Reserved.

(c) Reserved.

(d) Schedule of minimum side yards.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to have a smaller side yard than is allowed in the district regulations (Divisions 51A-4.100 et seq.). A schedule of minimum side yards is contained in Section 51A-4.410.

SEC. 51A-4.403. MINIMUM REAR YARD.

(a) General provisions.

(1) Required rear yards must be open and unobstructed except for fences. 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 rear yard. A fireplace chimney may project up to two feet into the required rear yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required rear yard. Balconies may not project into the required rear yard.

(2) The rear yard setback is measured from the rear lot line of the building site.

(3) Reserved.

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

(b) and (c) Reserved.

(d) Schedule of minimum rear yards.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to have a smaller rear yard than is allowed in the district regulations (Divisions 51A-4.100 et seq.). A schedule of minimum rear yards is contained in Section 51A-4.410.

SEC. 51A-4.404. MINIMUM LOT AREA FOR RESIDENTIAL USE.

(a) General provisions.

(1) A person shall not reduce a lot below the minimum area requirements of this section, unless:

(A) the lot is replatted for a community unit development; or

(B) the city or other governmental agency reduces the lot size by widening an abutting street. In this situation the minimum lot area is computed on the basis of the original lot size before the street widening.

(2) The area requirements in a planned development district are controlled by the planned development district

regulations.

(b) Reserved.

(c) Schedule of minimum lot area for residential use.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any residential structure or part of a structure to have a smaller lot area than is allowed in the district regulations (Divisions 51A-4.100 et seq.). A schedule of minimum lot area for residential use is contained in Section 51A-4.410.

SEC. 51A-4.405. MINIMUM LOT WIDTH FOR RESIDENTIAL USE.

(a) General provisions.

(1) A person may not reduce a lot below the minimum width requirements of this section, unless:

(A) the lot is platted for a community unit development; or

(B) the city or other governmental agency reduces the lot size by widening an abutting street. In this situation the minimum lot width is computed on the basis of the original lot size before widening.

(2) The lot width requirements in a planned development district are controlled by the planned development district regulations.

(b) Reserved.

(c) Schedule of minimum lot width for residential use.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any residential structure or part of a structure to have a smaller lot width than is allowed in the district regulations (Divisions 51A-4.100 et seq.). A schedule of minimum lot with for residential use is contained in Section 51A-4.410.

SEC. 51A-4.406. MINIMUM LOT DEPTH FOR RESIDENTIAL USE.

(a) General provisions.

(1) A person may not reduce a lot below the minimum depth requirements of this section, unless:

(A) the lot is platted for a community unit

development; or

(B) the city or other governmental agency reduces the lot size by widening an abutting street. In this situation the minimum lot depth is computed by the original lot size before the street widening.

(2) The depth requirements in a planned development district are controlled by the planned development district regulations.

(b) Reserved.

(c) Schedule of minimum lot depth for residential use.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any residential structure or part of a structure to have a smaller lot depth than is allowed in the district regulations (Divisions 51A-4.100 et seq.). A schedule of minimum lot depth for residential use is contained in Section 51A-4.410.

SEC. 51A-4.407. MAXIMUM LOT COVERAGE.

(a) General provisions.

(1) In single family, duplex, townhouse, MF-1(A), MF-2(A), MF-3(A), MH(A), NO(A), and NS(A) districts, institutional buildings may cover a maximum of 60 percent of the lot.

(2) Reserved.

(3) The maximum lot coverage requirements in a planned development district are controlled by the planned development district regulations.

(4) Reserved.

(b) Reserved.

(c) Schedule of maximum lot coverage.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to cover a greater percentage of a lot than is allowed in the district regulations (Divisions 51A-4.100 et seq.). A schedule of maximum lot coverage is contained in Section 51A-4.410.

SEC. 51A-4.408. MAXIMUM BUILDING HEIGHT.

(a) Special height provisions.

(1) Structures for utility and public service uses and institutional uses may be erected to any height consistent with the Federal Aviation Administration air space limitations, airport flight overlay district regulations, residential proximity slope height restrictions, and the building code.

(2) In a district in which building height is limited to 36 feet or less, the following structures may project a maximum of 12 feet above the maximum structure height specified in the district regulations (Divisions 51A-4.100 et seq.):

(A) Structures on top of a building:

(i) Elevator penthouse or bulkhead.

(ii) Mechanical equipment room.

(iii) Cooling tower.

(iv) Tank designed to hold liquids.

(v) Ornamental cupola or dome.

(vi) Skylights.

(vii) Clerestory.

(viii) Visual screens which surround roof mounted mechanical equipment.

(ix) Chimney and vent stacks.

(x) Amateur communications tower.

(xi) Parapet wall, limited to a height of four feet.

(B) Structures at grade level:

(i) Amateur communications tower.

Note: The heights allowed in Subsection (a)(2) are subject to any residential proximity slope height restrictions that may be contained in the district regulations for a particular district. (See Divisions 51A-4.100 et seq.).

(3) The maximum building height requirements in a planned development district are controlled by the planned development district regulations.

(4) In single family, duplex, townhouse, MF-1(A), and MF-2(A) districts:

(A) no dormer eaves may project above the maximum structure height specified in the district regulations (Divisions 51A-4.100 et seq.); and

(B) the highest point of a structure with a gable, hip, gambrel, or dome roof may not project more than 12 feet above the maximum height specified in the district regulations (Divisions 51A-4.100 et seq.).

(5) and (6) Reserved.

(b) Schedule of maximum building heights.

(1) Except as otherwise provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to exceed the maximum height standards in the district regulations (Divisions 51A-4.100 et seq.). A schedule of maximum building heights is contained in Section 51A-4.410.

SEC. 51A-4.409. MAXIMUM FLOOR AREA RATIO.

(a) General provisions.

(1) The floor area of a structure used for off-street parking is excluded in computing the floor area ratio of the structure.

(2) A basement is not counted in the computation of floor area ratio.

(3) The maximum floor area ratio requirements in a planned development district are controlled by the planned development district regulations.

(4) through (7) Reserved.

(b) Schedule of maximum floor area ratio.

(1) Except as otherwise provided in this section, a person shall not erect or alter any structure or part of a structure to exceed the maximum floor area ratio in the district regulations (Divisions 51A-4.100 et seq.). A schedule of maximum floor area is contained in Section 51A-4.410.

SEC. 51A-4.410. SCHEDULE OF YARD, LOT, AND SPACE REGULATIONS.

The following charts comprise the schedule of yard, lot, and space regulations for purposes of this division. In the event of a conflict between this schedule and the text of the district regulations (Divisions 51A-4.100 et seq.), the text of the district regulations controls.

[Yard, lot, and space charts to be inserted here. The yard, lot, and space charts are not part of this ordinance. The director of planning and development shall provide these charts for publication in the code, and shall revise them as necessary to accurately reflect the text of the yard, lot, and space provisions in the district regulations.]

SEC. 51A-4.411. RESERVED.

SEC. 51A-4.412. RESIDENTIAL PROXIMITY SLOPE.

(a) Definitions of general terms. In this section:

(1) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include:

(A) a private street or alley;

(B) property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use; and

(C) a railroad right-of-way.

(2) RESTRICTED BUILDING OR STRUCTURE means the building or structure whose height is restricted by a residential proximity slope.

(3) SITE OF ORIGINATION means any private property in an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district.

(b) Residential proximity slope defined. The residential proximity slope is a plane projected upward and outward from every site of origination as defined in Subsection (a). Specifically, the slope is projected from the line formed by the intersection of:

(1) the vertical plane extending through the lot line of the site of origination; and

(2) the grade of the restricted building or structure.

(c) Angle of projection. The angle of projection of the residential proximity slope depends on the zoning category of the site of origination as follows:

ZONING CATEGORY	ANGLE OF PROJECTION
R, R(A), D, D(A), TH, and TH(A)	18.4° (1 to 3 slope)
CH, MF-1, MF-1(A), MF-2, and MF-2(A)	45° (1 to 1 slope)

Division 51A-4.500
Overlay and Conservation District Regulations

SEC. 51A-4.501. HISTORIC OVERLAY DISTRICT.

(a) General provisions.

(1) A historic overlay district may be established to preserve landmarks and areas exemplary of architectural, archaelogical, cultural, economic, social, or historical value if the landmark or area has one or more of the following characteristics:

(A) character, interest or value as part of the development, heritage or cultural characteristics of the city, state, or country;

(B) location as the site of a significant historic event;

(C) identification with a person or persons who significantly contributed to the culture and development of the city;

(D) exemplification of the cultural, economic, social, or historical heritage of the city;

(E) portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;

(F) embodiment of distinguishing characteristics of an architectural type or specimen;

(G) identification as the work of an architect or master builder whose individual work has influenced the development of the city;

(H) embodiment of elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation;

(I) relationship to other distinctive buildings,

sites, or areas which are eligible for preservation according to a plan based on historic, cultural, or architectural motif;

(J) unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city;

(K) archaeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest;

(L) value as an aspect of community sentiment or public pride.

(2) The applicant for a historic overlay district shall comply with the zoning amendment procedure for a change in the zoning district classification.

(3) A historic overlay district is subject to the regulations of the underlying zoning district except the ordinance establishing the overlay district may permit additional uses and provide additional regulations for the historic overlay district.

(4) Upon passage of a historic overlay district ordinance, the director shall send a notice to the owner or owners of property within the historic overlay district stating the effect of the designation. The director shall also file a copy of the ordinance in the county deed records to give notice of the historic regulations.

(b) Certificate of appropriateness.

(1) When required. A person shall not alter a historic landmark site, or any portion of the exterior of a structure on the site, or place, construct, maintain, expand, or remove any structure on the site without first obtaining a certificate of appropriateness in accordance with this section and the regulations contained in all applicable ordinances.

(2) Penalty. A person who violates Subsection (b)(1) is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

(3) Application. An application for a certificate of appropriateness must be submitted to the director. The application must include two copies of all plans and other

documents related to the work. The applicant may consult with the department and the landmark committee before and after the submission of an application.

(4) Director's determination of procedure. Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the application is to be reviewed under the routine maintenance and replacement review procedure or the standard certificate of appropriateness review procedure.

(5) Routine maintenance and replacement review procedure.

(A) Routine maintenance and replacement is the process of cleaning (including but not limited to water blasting, and stripping), painting, replacing, duplicating, or stabilizing deteriorated or damaged architectural features (including but not limited to roofing, windows, columns, and siding) in order to maintain the landmark and to slow deterioration.

(B) If the director determines that the applicant is seeking a certificate of appropriateness to authorize only routine maintenance and replacement, he shall review the application to determine whether the proposed work complies with the regulations contained in this section and all applicable ordinances and approve or deny the application within 10 days of its receipt. Any interested person may appeal the director's decision by submitting to the director a written request for appeal within 10 days of the decision. The written request for appeal starts the standard certificate of appropriateness review procedure by the committee and the commission.

(6) Standard certificate of appropriateness review procedure.

(A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize work that is not routine maintenance and replacement, he shall forward the application to the landmark committee for review. Within 35 days of receipt of the application by the director, the committee shall determine whether the proposed work is consistent with the regulations contained in this section and the preservation criteria and regulations contained in all applicable ordinances and recommend in writing approval or denial of the certificate to the commission. If the recommendation is for denial of the certificate, the recommendation must state the reasons why the certificate

should be denied.

(B) Within 10 days of the receipt of the committee's recommendation, the commission shall approve, deny with prejudice, or deny without prejudice the certificate of appropriateness and forward its decision to the director. The director shall immediately notify the applicant of the commission's action. The commission's decision must be in writing and, if the decision is to deny the certificate, with or without prejudice, the writing must state the reasons why the certificate is denied.

(C) If a certificate of appropriateness has been approved by the commission:

(i) the director shall issue the certificate to the applicant; and

(ii) if all requirements of the construction codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(D) A certificate of appropriateness must be denied if there is a final decision that the proposed work will have an adverse effect on:

(i) the external architectural features of the historic landmark;

(ii) the external architectural features of the properties in the block or in the historic district as a whole; or

(iii) the future preservation, maintenance and use of the historic landmark and the historic district.

(E) If a certificate of appropriateness has been denied, the applicant may appeal the decision to the city council by filing a written notice with the director within 10 days of receiving notice of the denial.

(F) After a final decision is reached denying a certificate of appropriateness, no further applications may be considered for the subject matter of the denied certificate for one year from the date of the final decision unless:

(i) the certificate has been denied without prejudice; or

(ii) the commission waives the time limitation because the commission finds that there are changed circumstances regarding the property sufficient to warrant a new hearing. A simple majority vote by the commission is required to grant the request for waiver of the time limitation. If the commission denies the request, the applicant may appeal in writing to the city council by filing a written notice with the director within 10 days of receiving notice of the denial.

(G) If final action has not been taken by the committee and the commission within 45 days of the director's receipt of the application:

(i) the director shall issue a certificate of appropriateness to the applicant for the proposed work; and

(ii) if all requirements of the construction codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(7) Amendments to a certificate of appropriateness. A certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard certificate of appropriateness review procedure.

(8) Emergency procedure. If a landmark is damaged and the building official determines that the landmark will suffer additional damage without immediate repair, the building official may allow the property owner to temporarily protect the landmark. In such a case, the property owner shall apply for a certificate of appropriateness within 10 days of the occurrence which caused the damage. The protection authorized under this subsection must not permanently alter the architectural features of the landmark.

(c) Demolition or removal.

(1) Any owner seeking demolition or removal of a designated historic landmark shall submit an application to the building official. The building official shall immediately forward the application to the landmark committee.

(2) The applicant may consult with the committee before submitting an application and during the review process.

(3) Upon the committee's recommendation and within 30 days of the date of application, the commission shall conduct a

public hearing and issue its recommendation based on the following factors:

(A) the character of the neighborhood;

(B) the condition of the building;

(C) the reasonableness of the cost of restoration or repair;

(D) the purpose of preserving the designated historic landmark; and

(E) any other factors it finds appropriate.

(4) If the commission recommends that the structure be demolished or removed and no appeal to city council is made within 10 days, the building official shall issue a demolition permit if all other requirements of the codes are met.

(5) If the commission recommends that the structure not be demolished, the application shall be suspended for a period not to exceed 90 days from the date it was filed. Upon the advice of the committee, the commission may request the city council to extend the suspension period. If, after notice to the applicant and a public hearing, the city council determines that there are reasonable grounds for preservation, it may extend the suspension period for an additional period not to exceed 240 days from the date of application. During any period of suspension, no action may be taken to demolish the structure. If the city council takes no action within 240 days from the date of application, the building official shall issue a demolition permit.

(6) Special central business district provisions. In addition to other applicable requirements, the following special provisions apply to historic landmarks within the central business district that are designated after December 20, 1982.

(A) Any ordinance designating a historic landmark must include a section repealing the ordinance upon issuance of a demolition permit.

(B) Any owner seeking demolition of a historic landmark within the central business district shall submit an application to the building official. As soon as the application is complete, the building official shall immediately forward the application to the landmark committee. The following information must be supplied by the applicant

before the application is complete:

(i) The character of the neighborhood.

(ii) The condition of the building.

(iii) The cost of restoration or repair.

(iv) Feasibility studies, including architectural and engineering analyses, regarding the adaptive reuse or restoration of the building.

(v) Records depicting the original landmark construction, and the current state of the structure including drawings, pictures or written descriptions.

(vi) Architectural drawings for the proposed new construction which is intended to replace the landmark structure.

(vii) Any conditions proposed to be voluntarily placed on new development that would mitigate the loss of the landmark structure.

(viii) Any other information that the applicant, the landmark committee, or the commission finds appropriate.

(C) This paragraph is applicable to designated historic landmarks in the central business district that received their designation after December 20, 1982, and applies in lieu of Section 51A-4.501(c)(5). If the commission recommends that the structure not be demolished, it shall order suspension of the issuance of the demolition permit for a period of 60 days or less from the date the application was complete. Upon the advice of the committee, the commission may request the city council to extend or shorten the suspension period. If, after notice to the applicant and a public hearing, the city council determines that there are reasonable grounds for preservation, it may extend the suspension period not to exceed 120 days from the date the application was complete. During the period of suspension, no action may be taken to demolish the structure. If the city council takes no action within 120 days from the date of filing of the application, the building official shall issue a demolition permit. The delay imposed by the commission may be shortened on a motion of the commission. The delay imposed by the city council may be shortened on a motion of the city council.

(d) Transfer of Development Rights.

(1) Development rights of a building site may be transferred in accordance with this section. For purposes of this section, "development rights" means the difference between the actual floor area of structures on a building site and the maximum permissible floor area as determined by the floor area ratio of the building site. The maximum floor area permitted in the West End Historic District is eight times the lot area. The minimum amount of development rights which may be transferred under this section is 20,000 square feet.

(2) Development rights in a building may not be transferred unless:

(A) the building is a designated historic landmark in the central business district;

(B) the building is a contributing structure listed in the National Register of Historic Places, if it is located in the West End Historic District; and

(C) the building has been restored within the past five years, and the total value of the building improvements exceeds 50 percent of the assessed value of the structure immediately prior to the restoration.

(3) 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.

(4) Development rights may only be transferred to building sites in the CA-1-CP, CA-1(A)-CP, CA-1-SP, and CA-1(A)-SP districts.

(5) The maximum floor area ratio may be increased by no more than 4:1 through the transfer of development rights.

(6) Transfer process.

(A) An owner who wishes to transfer development rights shall submit to the director the following information in a form approved by the director and suitable for filing in the county deed records:

(i) Names and addresses of the owners of the development rights.

(ii) Street address, lot and block number, and legal description of the historic landmark property from which the development rights are to be transferred.

(iii) Street address, lot and block number, and legal description of the property to which the development rights are to be transferred.

(iv) The floor area of the historic landmark structure and the lot area of the building site where the historic landmark is located.

(v) The amount of development rights to be transferred.

(B) The director shall check the information supplied on the form and sign the form if the applicant has complied with the requirements of this section.

(C) When the director has signed the form, the applicant shall file the form in the county deed records, and shall supply the director and the building official with a copy of the filed document.

(D) When a person applies for a building permit to use the transferred development rights, the building official shall forward the building permit application and the form transferring the development rights to the director. The director shall review the application and verify that the development rights have been properly transferred and may be used.

(E) The recipient of the transferred development rights may transfer all of those rights received by following the same process described in this subsection.

(e) Central business district historic landmark tax freeze.

(1) The owner of a qualifying historic landmark in the central business 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.

(2) 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 central business district and must meet all of the following conditions:

(A) If the property is in the West End Historic District, the historic landmark must be a contributing structure listed in the National Register of Historic Places.

(B) The historic landmark must not have been granted a previous property tax freeze under this section.

(C) 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, 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) 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:

(A) The legal description of the property.

(B) 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.

(C) 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.

(D) A projection of the construction time and completion date of the restoration.

(E) The proposed use of the property.

(F) Any other information which is necessary to the city in determining eligibility.

(4) Certification of eligibility. The owner of the historic landmark shall comply with the certificate of appropriateness 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.

(5) Qualification for tax freeze.

(A) 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.

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

(C) 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 Section 51A-4.501(e)(1). The director shall also send a copy of the certificate of qualification to the city finance department.

(D) 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 Section 51A-4.501(e)(6). 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 Section 51A-4.501(e)(6) shall be a lien against the property.

(6) Historic landmark destruction or alteration.

(A) 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 the ordinance designating the historic landmark, 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.

(B) 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 demolition permit when restoration is not feasible, or 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.

SEC. 51A-4.502. INSTITUTIONAL OVERLAY DISTRICT.

(a) General provisions.

(1) The institutional overlay district promotes cultural, educational, and medical institutions, and enhances their benefit to the community while protecting adjacent property.

(2) The following main uses may be permitted in an institutional overlay district:

-- Ambulance service.
-- Ambulatory surgical center.
-- Cemetery or mausoleum.
-- Church.
-- College dormitory.
-- College fraternity or sorority house.
-- College, university or seminary.
-- Community, welfare, or health center.
-- Convent or monastery.
-- Day care center.
-- Day home.
-- Establishment for care of alcoholic, narcotic, or psychiatric patients.
-- Establishment of religious, charitable, or philanthropic nature.
-- Family home.
-- Foster home.
-- Halfway house.

-- Hospital.
-- Institution for special education.
-- Library, art gallery, or museum.
-- Medical appliance fitting and sales.
-- Medical clinic.
-- Medical or scientific laboratory.
-- Nursing home.
-- Optical shop.
-- Post office.
-- Public or private school.
-- Rectory.
-- Residence home for the aged.

(3) All uses permitted in the underlying zoning district are allowed in an institutional overlay district.

(4) The zoning regulations of the underlying zoning district are applicable to an institutional overlay district unless otherwise provided in this section.

(b) Special yard, lot, and space regulations.

(1) In an institutional overlay district, additional setbacks, if any, for institutional buildings greater than 36 feet in height may be established by the site plan process.

(2) Buildings in an institutional overlay district must comply with applicable height regulations.

(3) If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(c) Special parking regulations.

(1) Required off-street parking for institutional uses may be located anywhere within the boundaries of the institutional overlay district or outside the district if the parking meets the requirements of Section 51A-4.301(a)(11).

(2) Not more than 20 percent of the required off-street parking spaces for institutional uses may be located outside the institutional overlay district if the remote off-street parking spaces are:

(A) within one-half mile of the facility to be served;

(B) consolidated under one certificate of occupancy with the facility to be served;

(C) located in a district zoned for a commercial parking lot or garage use; and

(D) supplied with adequate transportation access for the users of the institutional facilities. The means of transportation access must be other than walking, private automobile, or public transportation if the parking is farther than 300 feet from the facility to be served.

(3) The applicant for remote parking must submit a legal document that guarantees the availability of the remote spaces and the modes of transportation other than walking, private automobile, or public transportation, that are available to the users of the remote parking.

(d) Procedures for establishing an institutional overlay district.

(1) The applicant for an institutional overlay district shall comply with the zoning amendment procedure for a change in the zoning district classification.

(2) A site plan must be submitted after the institutional district is established and before a building permit or certificate of occupancy is issued.

(e) Site plan process.

(1) The building official shall not issue a building permit for additions to existing structures or for new structures except in accordance with an approved site plan and all applicable regulations.

(2) Preapplication conference. An applicant for site plan approval shall request, by letter, a preapplication conference with the director. The letter must contain a brief, general description of the nature, location, extent of the proposed institutional use and the list of any professional consultants advising the applicant concerning the proposed site plan.

(3) Upon receipt of a request, the director shall schedule a preapplication conference to discuss the proposed site plan. Based on the information provided by the applicant,

the director shall:

(A) provide initial comments concerning the merits of the proposed development;

(B) state what information must be provided in the site plan application for a complete review of the proposed development; and

(C) provide any other information necessary to aid the applicant in the preparation of the site plan application.

(4) Application for site plan approval. An applicant for site plan approval shall submit to the director:

(A) a site plan application in the form prescribed by the director that contains at least the following information:

(i) The applicant's name and address and his ownership interest in the property proposed for development.

(ii) The signatures of all owners of the property proposed for development.

(iii) The size of the parcel proposed for development, its street address, and a legal description of the property.

(iv) A statement setting forth the current uses of the property and plans for future development;

(B) ten copies of the site plan and one 8-1/2 x 11 inch clear transparency of the site plan;

(C) copies of legal instruments guaranteeing the availibility of remote off-street parking and the mode of transportation to serve that parking, and copies of any restrictive covenants that are to be recorded with respect to the institutional uses; and

(D) a site plan fee.

(5) Site plan. The applicant shall provide a site plan drawn to a scale not less than 100 feet to the inch or to a scale specified by the director, on a sheet of paper no larger than two feet by three feet. The site plan must depict the following for a complete review of the proposed development:

(A) The boundary lines and dimensions of the property, existing subdivision lots, available utilities, easements, roadways, rail lines, and public rights-of-way that cross or are adjacent to the property.

(B) Topography of the property proposed for development in contours of not less than five feet, together with any proposed grade elevations, if different from existing elevations.

(C) Flood plains, water courses, marshes, drainage areas, and other significant environmental features including, but not limited to, rock outcroppings and major tree groupings.

(D) The location and use of all existing and proposed buildings or structures.

(E) Total number and location of off-street parking and loading spaces.

(F) All points of vehicular ingress and egress and circulation within the property.

(G) Setbacks, lot coverage, and when relevant, the relationship of the setbacks provided and the height of any existing or proposed building or structure.

(H) The location, size, and arrangement of all outdoor signs and lighting.

(I) The type, location, and quantity of all plant material used for landscaping, and the type, location, and height of fences or screening and the plantings around them.

(J) Location, designation, and total area of all usable open space and any proposed improvements to the open space.

(K) Land uses and zoning districts contiguous to the property.

(L) Any other information the director determines necessary for a complete review of the proposed development.

(6) Departmental review. The director shall forward the information to the departments of planning and development, transportation, public works, streets and sanitation, housing and neighborhood services, and any other appropriate

departments. Within thirty (30) days following receipt of a completed application for site plan approval, or for a longer time agreed to by the applicant, the departments shall review the proposed development and forward their comments, if any, in writing to the director. Upon conclusion of the departmental review, the director shall forward to the commission the application for site plan approval and the written information provided by the departments.

(A) The directors of the departments of public works and water utilities shall prepare a written statement evaluating the impact of the proposed insitutional uses on public facilities including sewers, water utilities, and streets.

(B) The director of public works shall prepare a written statement describing any known drainage or topography problems.

(7) Conferences and modifications during review. If the application for site plan approval meets one or more of the standards for site plan disapproval, and the director and the applicant meet to discuss the application for site plan approval, the director may accept an amended application for site plan approval.

(8) City plan commission review. The commission shall review the application for site plan approval and render its decision within 21 days from the date of referral by the director, or for a longer time that has been agreed to by the applicant. The commission shall review the application for site plan approval and may approve the application, disapprove the application, or approve the application subject to specified conditions and modifications that are permanently marked on the site plan or made a part of the site plan conditions.

(9) Standards for site plan disapproval. The commission may disapprove an application for site plan approval upon findings of fact based on one or more of the following standards:

(A) The application for site plan approval is incomplete or contains violations of this chapter or other applicable regulations, and the applicant, after written request from the director, has failed to supply the additional information or correct the violation.

(B) The proposed site plan interferes with or is in conflict with a right-of-way, easement, or any approved plan

such as a thoroughfare plan or transit plan.

(C) The proposed site plan destroys, damages, or interferes with significant natural, topographic, or physical features of the site that are determined significant by the commission.

(D) The proposed site plan is incompatible with adjacent land use and detrimental to the enjoyment of surrounding property in that the proposed development would create noise above the ambient level, substantially increase traffic, or fail to provide adequate buffers.

(E) The points of egress and ingress or the internal circulation of traffic within the site creates a traffic hazard, either on or off the site.

(F) The proposed site plan creates drainage or erosion problems to the site or adjacent property.

(10) City council appeal. An applicant may appeal to city council the decision of the commission concerning an application for site plan approval by filing a written request with the director within ten days of the action of the commission.

(11) Amendment. A site plan may be amended by following the same procedure as required in this section.

SEC. 51A-4.503. D AND D-1 LIQUOR CONTROL OVERLAY DISTRICTS.

(a) General provisions.

(1) A D or D-1 liquor control overlay district is designated as "dry" by the suffix "D" or "D-1" on the zoning district map.

(2) In a "D" liquor control overlay district, a person shall not sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises.

(3) In a "D-1" liquor control overlay district, a person shall not sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises, unless the sale or service is part of the operation of a use for which a specific use permit has been granted by the city council.

(4) It is a defense to prosecution under Subsections

(a)(2) and (a)(3) that the alcoholic beverage or setup for alcoholic beverage is served, but not sold, at a private residence for consumption at the residence. For purposes of this subsection, a private residence must be a permitted residential or lodging use listed in the use regulations of this article. If the use is a lodging use, the term "private residence" means the guest room only.

(b) Liquor control overlay district procedures. An applicant for the "D" or "D-1" liquor control overlay district shall comply with the zoning amendment procedure for a change in the zoning district classification.

SEC. 51A-4.504. AIRPORT FLIGHT OVERLAY DISTRICT.

(a) General provisions.

(1) Every airport flight overlay district must show the maximum permitted height as measured in feet from mean sea level. Maps separate from the zoning district maps may be used to illustrate the airport flight overlay districts, but these maps are subject to the same rules as the zoning district maps.

(2) A person shall not erect, place or maintain an object, structure or plant in an airport flight overlay district at a height that violates the height restrictions of the airport flight overlay district.

(3) A person shall not conduct a use or erect, place or maintain an object, structure or plant that causes interference with radio communications or transmission of electronic signals between airport and aircraft, impairs the visibility of the airport or the lights of the airport, or endangers the landing, take off or maneuvering of aircraft in any manner.

(b) Airport flight overlay district procedures.

(1) The applicant for the airport flight overlay district shall comply with the zoning amendment procedure for a change in the zoning district classification. The applicant shall pay the notification costs.

(2) The board of adjustment may allow a special exception from the use or height requirements in an airport flight overlay district if the board finds the public convenience will be served, the appropriate use of neighboring property will not be substantially injured, and the safety of aircraft will not be jeopardized.

SEC. 51A-4.505. CONSERVATION DISTRICTS.

(a) Definitions. In this section:

(1) ARCHITECTURAL ATTRIBUTES means those physical features of buildings and structures that are generally identified and described as being important products of human thought and action characteristic of a population or community.

(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) CD means conservation district.

(5) CD FEASIBILITY STUDY means a study conducted by the director to determine whether or not a particular area of the city is eligible for conservation district classification.

(6) CD ORDINANCE means the ordinance establishing a particular conservation district.

(7) CULTURAL ATTRIBUTES means all of those physical features of an area that, either independently or by virtue of their interrelationship, are generally identified and described as being important products of human thought and action characteristic of a population or community. Accordingly, the term "cultural attributes" necessarily includes "architectural attributes" as that term is defined in this section. The term "cultural attributes" does not refer to the characteristics or beliefs of people who may reside in or frequent a particular area.

(8) STABLE means that the area is expected to remain substantially the same over the next 20 years with continued maintenance of the property. While some changes in structures, land uses, and densities may occur, all such changes are expected to be compatible with surrounding development.

(9) STABILIZING means that the area is expected to become stable over the next 20-year period through continued reinvestment, maintenance, or remodeling.

(b) Purpose. Article 1011a, Vernon's Texas Civil Statutes, authorizes the city of Dallas to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures in "designated places and areas of historic, cultural, or architectural importance

and significance." Whereas the city has historic districts containing such regulations and restrictions for historic places and areas, the conservation district is established to provide a means of conserving an area's distinctive atmosphere or character by protecting or enhancing its significant architectural or cultural attributes.

(c) General provisions.

(1) Each conservation district must be established by a separate CD ordinance. Before adopting a CD ordinance, the city council shall approve a conceptual plan for the district in accordance with this section. Each CD ordinance must be consistent with the conceptual plan approved for the district by the city council.

(2) If the director determines that, due to the sensitivity of the area, or due to the nature of the proposed regulations for the area, a special administrative procedure should be established for the review of proposed work in a conservation district, he may recommend that such a procedure be incorporated into the conceptual plan for the district. Unless such a procedure is considered by the commission and approved by the city council as part of the conceptual plan for the district, there shall be no administrative review of proposed work in a conservation district other than the customary review for compliance with all applicable city codes, ordinances, rules, and regulations which occurs at the time a person makes application for a building permit.

(d) Initiation.

(1) A CD feasibility study may be initiated by a group of persons who collectively own:

(A) more than 50 percent of the land, excluding streets and alleys, within the area of request; and

(B) more than 50 percent of the platted lots, if any, within the area of request.

(2) An agent of a group that satisfies the requirements of Subsection (d)(1) may file an application for a CD feasibility study with the director on a form furnished by the department. Each person in the group must sign the application.

(3) An application for a CD feasibility study must include the following:

(A) The application fee.

(B) Map(s) showing the existing zoning and land uses on all of the land in the area of request, and on all of the land within 200 feet, including streets and alleys, measured from the boundary of the area of request.

(C) A list of the names and addresses of all property owners and residents in the area of request.

(D) A list of all neighborhood associations or other organizations representing the interests of property owners in the area of request. This list should include information as to the number of members and the officers' names, mailing addresses, and phone numbers.

(E) A statement of justification. This statement should:

(i) point out the factors which render the area of request eligible for CD classification; and

(ii) explain in detail how and why such a classification would be in the best interest of the city as a whole.

(F) A description of the prevalent architectural and cultural attributes of the area.

(G) Any additional information that the director determines to be necessary for the study.

(4) A CD feasibility study may also be initiated by the commission or the city council.

(e) Determination of eligibility.

(1) When a CD feasibility study is initiated under Subsection (d), the director shall determine the eligibility of the area for CD classification in accordance with this subsection.

(2) The director's determination of eligibility must be based on a consideration of the standards in this subsection. An area is not eligible for CD classification unless it satisfies all of the following criteria:

(A) The area must contain at least one blockface.

(B) The area must be either "stable" or

"stabilizing" as those terms are defined in this section.

(C) The area must contain significant architectural or cultural attributes as those terms are defined in this section.

(D) The area must have a distinctive atmosphere or character which can be conserved by protecting or enhancing its architectural or cultural attributes.

(3) If the director determines that the area is not eligible for CD classification, he shall notify the applicant of this fact in writing. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice must be sent to the address shown on the application. The decision of the director that an area is not eligible for CD classification may be appealed to the commission by the applicant.

(4) An appeal under Subsection (e)(3) is made by filing a written request with the director. The request must be filed within 30 days of the date written notice is given to the applicant of the director's decision. In considering the appeal, the sole issue shall be whether or not the director erred in his determination of eligibility, and, in this connection, the commission shall consider the same standards that were required to be considered by the director in making his determination.

(5) The commission's determination of eligibility on appeal is final. If the commission determines that the area is not eligible for CD classification, no further applications for CD classification may be considered for the area of request for two years from the date of its decision. A property owner in the area of request may apply for a waiver of the two-year limitation pursuant to Section 51A-4.701(d)(3).

(6) If the director determines that the area is eligible for CD classification, he shall proceed to formulate a conceptual plan for the area in accordance with Subsection (f). The decision of the director that an area is eligible for CD classification may not be appealed.

(f) Conceptual plan formulation and review.

(1) If the area is determined to be eligible for CD classification pursuant to Subsection (e), the director shall schedule a public meeting for the purpose of informing property owners in the proposed district of the nature of the pending request. The director shall send notice of the time and place

of the meeting by mail to all addresses of property owners and residents shown on the application, and to any additional addresses of properties in the proposed district shown on the last approved city tax roll.

(2) The director shall prepare a conceptual plan for the proposed district and schedule a public hearing before the commission to receive public comment regarding the plan. The director shall send written notice of the public hearing to all owners of real property in the proposed district and within 200 feet of its boundaries. The measurement of the 200 feet includes streets and alleys. The notice must be given not less than 10 days before the date set for the hearing. Notice is given by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(3) After the public hearing, the commission shall make a recommendation regarding the plan and forward it to the city council for further action.

(4) The city council shall hold a public hearing before it makes a decision regarding the plan. The city secretary shall give notice of the public hearing in the official newspaper of the city at least 15 days before the hearing.

(5) After the city council holds the public hearing, it shall make a decision regarding the plan. The council may make minor changes in the plan without sending it back to the commission; however, if the changes are substantial, the council shall send the plan back to the commission for another public hearing.

(6) If the council approves the plan, it shall forward the plan to the director for development of a CD ordinance in accordance with Subsection (g).

(7) No conservation district may be established in the city unless the city council first approves a conceptual plan for the district in accordance with this subsection.

(g) CD ordinance preparation and review.

(1) If the city council approves a conceptual plan for the proposed district, the director shall hold public meetings as necessary for the purpose of receiving input from property owners regarding the content of the CD ordinance.

(2) The city attorney shall prepare a CD ordinance

based on the approved conceptual plan, the reports and recommendations of the city staff, and input received from property owners at the public meetings held by the director. The ordinance must contain regulations governing permitted uses, heights of buildings and structures, lot size, floor area ratio, density, setbacks, off-street parking and loading, environmental performance, signs, landscaping, and nonconforming uses and structures, and may further contain any additional regulations, special exceptions, or procedures that the city council considers necessary to conserve the distinctive atmosphere or character of the area, or to minimize potential adverse impacts which could result from creation of the district.

(3) After preparation of the ordinance by the city attorney, the commission shall hold a public hearing to allow all citizens to present their views regarding the proposed ordinance. Notice of this public hearing must be given as required by law for a change in zoning district classification.

(4) After the public hearing, the commission shall make a recommendation regarding the proposed ordinance. The commission shall not recommend approval of the ordinance unless it determines that the ordinance is consistent with the conceptual plan.

(5) After the commission makes its recommendation on the proposed ordinance, the director shall forward the recommendation and ordinance to the city council for further action. The city council shall hold a public hearing before taking any action on the ordinance. Notice of the public hearing must be given as required by law for a change in zoning district classification.

(6) Each CD ordinance must be approved by the favorable vote of a majority of all members of the city council; except, the favorable vote of three-fourths of all members of the city council is required if:

(A) the commission recommends against adoption of the ordinance; or

(B) a written protest against adoption of the ordinance has been signed by the owners of 20 percent or more of either the land in the area of request or land within 200 feet, including streets and alleys, measured from the boundary of the area of request and the protest has been filed with the director.

(h) Board of adjustment fee waiver. The board of

adjustment may waive any filing fee for an appeal from a decision of the building official interpreting a CD ordinance, or for a variance or special exception to a CD ordinance requirement when the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement as part of his appeal or request that the matter be placed on the board's miscellaneous docket for predetermination. If the matter is placed on the miscellaneous docket, the applicant may not file his appeal until the merits of the request for waiver have been determined by the board.

Division 51A-4.600

Regulations of Special Applicability

SEC. 51A-4.601. CREATION OF A BUILDING SITE.

(a) The building official shall not issue a certificate of occupancy or a building permit until a building site is established in one of the following ways:

(1) A lot is part of a plat that is approved by the commission and filed in the plat records of the appropriate county. All platted lots must contact, through fee simple ownership, a dedicated street or a private street.

(2) A lot was separately owned prior to September 11, 1929 or prior to annexation and the lot has contact, through fee simple ownership, with a dedicated street. Under this subsection, the building official may issue a building permit for only one main building on each lot.

(3) A lot is part of an industrial subdivision in which only streets, easements, and blocks are delineated. The industrial subdivision must be approved by the commission and filed in the plat records of the appropriate county. No specific lot delineation is required, but yard, lot and space requirements will be determined by property lines or lease lines.

(4) Any area in a CA-1(A) district that is bound on all sides by public streets or alleys constitutes a legal building site.

(b) Land used in meeting the requirements of this article with respect to a particular use or building may not be used to meet the requirements for any other use or building.

(c) Except as provided in the regulations for the single family and duplex uses, more than one main building may be erected on a building site when there is compliance with all applicable regulations in this chapter.

(d) A lot with less lot area, lot width, or lot depth than required in this chapter that was lawfully established under the regulations in force at the time of the creation of the building site may be used for a single family use.

SEC. 51A-4.602. FENCE, SCREENING AND VISUAL OBSTRUCTION REGULATIONS.

(a) Fence standards. Unless otherwise specifically provided for in this chapter, fences must be constructed and maintained in accordance with the following regulations.

(1) A person shall not erect or maintain a fence more than nine feet above grade. In residential districts, a fence may not exceed four feet above grade when located in the required front yard.

(2) The board may grant a special exception to the height requirement for fences when in the opinion of the board, the special exception will not adversely affect neighboring property.

(3) A fence may not be located within an easement without the prior written approval by the agencies having interest in the easement.

(4) A person shall not use barbed wire for fencing unless:

(A) the barbed wire is six feet or more above grade; and

(B) the barbed wire does not project beyond the property line.

(5) All fences must provide firefighting access to the side and rear yard.

(b) Required screening. Unless otherwise specifically provided for in this chapter, screening must be constructed and maintained in accordance with the following regulations.

(1) Screening required in this article must be not less than six feet in height.

(2) The board may grant a special exception to the height requirement for screening when, in the opinion of the board, the special exception will not adversely affect neighboring property, except that the board may not grant a special exception to the height requirements for screening around off-street parking.

(3) Required screening must be constructed of:

(A) brick, stone, or concrete masonry, stucco, concrete, or wood;

(B) earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width;

(C) evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years; or

(D) any combination of the above.

(4) A required screening wall or fence may not have more than 10 square inches of openings in any given square foot of surface. Plant materials used for required screening must obtain a solid appearance and provide a visual barrier of the required height within three years of their initial planting.

(5) Access through required screening may be provided only by a solid gate equaling the height of the screening. The gate must remain closed:

(A) between the hours of 10 p.m. and 7 a.m.; and

(B) at all other times except when in actual use.

(6) Garbage storage areas must be visually screened on all sides by a brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence. Screening is not required on a side adjacent to an alley or easement used for garbage pick-up service.

(7) An owner shall provide screening in accordance with this section for the rear or service side of a nonresidential building if:

(A) the nonresidential building is in a residential district and is exposed to a residential use; or

(B) the nonresidential building is in an office, retail, CS, IR, or IM district and is exposed to and closer than 150 feet to the boundary line of an A, A(A), R, R(A), D D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(8) When all service, storage, and loading facilities are contained within a nonresidential building, the screening requirement in Subsection (b)(6) does not apply.

(9) Plant materials used for required screening must be maintained in a healthy growing condition at all times. The property owner is responsible for the regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with screening requirements within 90 days after notification by the city.

(10) All required screening with plant materials must be irrigated by an automatic irrigation system installed to comply with industry standards.

(c) Special screening and visual intrusion provisions.

(1) In an office district, if a building or a parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

(2) through (5) Reserved.

(6) In all nonresidential districts except central area districts, no portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may be located above a residential proximity slope originating in that district.

(d) Visual obstruction regulations.

(1) A person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is:

(A) in a visibility triangle, as defined in Paragraph (2); and

(B) between two and one-half feet and eight feet in height measured from the top of the adjacent street curb. If there is no adjacent street curb, the measurement is taken from the grade of the portion of the street adjacent to the visibility triangle.

(2) For purposes of Paragraph (1), the term "visibility triangle" means:

(A) in all zoning districts except central area districts and the Near Eastside District (Planned Development District Nos. 178 and 178-H/3), the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 45 feet from the intersection;

(B) in central area districts and the Near Eastside District (Planned Development District Nos. 178 and 178-H/3), the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection; and

(C) in all zoning districts, the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and an adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on the driveway or alley edge and the street curb line 20 feet from the intersection.

(3) The board shall grant a special exception to the requirements of this section when, in the opinion of the board, the item will not constitute a traffic hazard.

SEC. 51A-4.603. USE OF CONVEYANCE AS A BUILDING.

(a) For the purposes of this section, conveyance means a railway coach or car, streetcar, bus, airplane, trailer, or similar structure, vehicle, or device originally intended for transporting people or goods.

(b) A person shall not place or use a conveyance as a building for the operation of a use. It is a defense to prosecution that the use of a conveyance is permitted under this section.

(c) A person may obtain permission to use a conveyance as a building for the operation of a use at a location properly zoned for the use if the device contributes to a theme or period development. The person shall submit an application to the director requesting approval of the proposal. Within 60 days of receipt of the application, the commission shall submit its recommendation of approval or disapproval to the city council which may approve or reject a resolution authorizing the use. The conveyance must comply with all applicable ordinances and regulations.

(d) A person may use a conveyance as a temporary office, but not as a residence, in connection with the sale of real estate within a specific development project, after obtaining a building permit and certificate of occupancy from the building official. The following measures to assure sanitary conditions must be taken:

(1) If sanitary sewer facilities are available, temporary plumbing connections must be made as prescribed by the Dallas plumbing code. No permanent plumbing connection is permitted.

(2) If sanitary sewer facilities are not available, sanitation facilities must be provided in accordance with the rules and regulations of the health department. No building permit or certificate of occupancy may be issued by the building official without the approval of the health department.

(3) Electrical service in connection with the use described in this subsection must be limited to temporary pole service.

(e) Governmental agencies and civic organizations may conduct a use in a conveyance in accordance with this subsection.

(1) The use must be sponsored by and under the direct control of a governmental agency or civic organization.

(2) The use must be a function relating to the public health, safety, and welfare such as driver training, consumer and homemaking education, dental hygiene, mobile library, mobile x-ray unit, or other similar public service use that due to the equipment involved, logistics of scheduling locations and the times needed in a specific community, the use is not appropriate for a permanent location.

(3) The conveyance must be self-contained requiring only electrical service. Only one electrical hook-up station served by a separate electrical service accommodating not more than two conveyances is permitted on any premise. The hook-up station must be a permanent installation installed under permit. Temporary electrical or plumbing connections to existing facilities are not permitted.

(4) The conveyance may be located in any zoning district; however, in residential districts, the location is restricted to properties owned and operated by sponsoring agencies. A sponsoring agency may by agreement reciprocate with other sponsoring agencies to use their premises.

(5) The conveyance must comply with setback requirements of this chapter and the building code.

(6) One sign that does not exceed 30 square feet in size may be attached to each side of the conveyance.

(f) A person shall not place or use a conveyance as a dwelling unit. It is a defense to prosecution under this subsection that:

(1) the person uses a railroad work car, caboose, or converted freight car as a dwelling unit when it is confined to rails and located on the right-of-way of a railway doing business as a common carrier; or

(2) the person uses a mobile home or self-propelled recreational vehicle as a dwelling unit in a properly zoned district.

(g) A person may use a conveyance as a building for the operation of an aluminum collection center.

SEC. 51A-4.604. RESERVED.

Division 51A-4.700:

Zoning Procedures

SEC. 51A-4.701. ZONING AMENDMENTS.

(a) Initiation.

(1) The city council or the commission may propose amendments to this article and make requests for a change in a zoning district classification or boundary. The city council or commission shall deliver or cause to be delivered a proposed amendment to this article and request for a change in a zoning district classification or boundary to the director for study and recommendation.

(2) A person may request a change in the zoning district classification or boundary by filing an application with the director.

(A) The application must be on a form approved by the commission and furnished by the department.

(B) Each owner of property within the area of request must sign the application.

(C) The applicant must pay an application fee.

(D) If the area of request is adjacent to a public street or alley, the director shall extend its boundaries to the centerline of the adjacent street or alley.

(b) Commission report and recommendation required.

(1) The commission shall make a report and recommendation to the city council on all proposed amendments to this article or requests for a change in a zoning district classification or boundary.

(2) The director shall conduct those studies necessary for the commission to make its recommendation and report to city council.

(3) The commission or a committee of the commission shall hold a public hearing to allow proponents and opponents

of an amendment to this article or request for a change in a zoning district classification or boundary to present their views.

(4) Before the commission holds the public hearing on an amendment to this article or on a request for a change in a zoning district classification or boundary, the director shall give notice of the public hearing in the official newspaper of the city at least 10 days before the hearing.

(5) The director shall send written notice of a public hearing on a request for a change in a zoning district classification or boundary to all owners of real property lying within 200 feet of the boundary of the area of request. The measurement of the 200 feet includes streets and alleys. The notice must be given not less than 10 days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll. The applicant may not alter, change, amend, enlarge, or withdraw a portion of an application after notices have been mailed for the public hearing.

(6) The commission shall make its recommendation on a proposed amendment to this article or request for a change in a zoning district classification or boundary from staff reports of the director, field inspections and the evidence presented at the public hearing.

(7) The director shall forward to the city council the commission's recommendation and report on all amendments to this article and requests for a change in a zoning district classification or boundary except that when the request for a change in a zoning district classification or boundary is denied by the commission, the director shall not forward that recommendation and report to the city council unless the applicant within 10 days of the denial files with the director a request in writing that the city council review the commission's findings.

(8) A request for a change in a zoning district classification or boundary that has been forwarded to the city council may not be held for longer than six months from the date of the commission's action without being scheduled for a city council hearing. The commission shall review a request for a change in a zoning district classification or boundary that has not been scheduled within six months of the commission's action to determine whether a time extension should be granted for a specified period or whether the application should be terminated and declared null and void.

(c) City council action.

(1) Before the city council holds the public hearing on an amendment to this article or on a request for a change in a zoning district classification or boundary, the city secretary shall give notice of the public hearing in the official newspaper of the city at least 15 days before the hearing.

(2) An amendment to this article and requests for a change in a zoning district classification or boundary must be approved by the favorable vote of a majority of all members of the city council; except, the favorable vote of three-fourths of all members of the city council is required if:

(A) the request for a change in a zoning district classification or boundary has been recommended for denial by the commission; or

(B) a written protest against a change in a zoning district boundary or classification has been signed by the owners of 20 percent or more of either the land in the area of request or land within 200 feet, including streets and alleys, measured from the boundary of the area of request and the protest has been filed with the director.

(3) When city council passes an amending ordinance, the city secretary shall file the amending ordinance in the official city records. Unless the amending ordinance expressly indicates otherwise, the area of request is presumed to include the area to the centerline of an adjacent street or alley.

(d) Two year limitation.

(1) Except as provided in Subsections (d)(2) and (d)(3), after a final decision is reached by the commission or city council either granting or denying a request for a change in a zoning district classification or boundary, no further applications may be considered for that property for two years from the date of the final decision.

(2) If the commission or the city council renders a final decision of denial without prejudice, the two year limitation is waived.

(3) A property owner may apply for a waiver of the two year limitation in the following manner:

(A) The applicant shall submit his request in

SEC. 51A-4.702. PLANNED DEVELOPMENT (PD) DISTRICT REGULATIONS.

(a) General provisions.

(1) The purpose of the PD is to provide flexibility in the planning and construction of development projects by allowing a combination of land uses developed under a uniform plan that protects contiguous land uses and preserves significant natural features.

(2) A PD may contain any use or combination of uses listed in Division 51A-4.200. The uses permitted in a PD must be listed in the ordinance establishing the district.

(3) Reserved.

(4) The ordinance establishing a PD must specify regulations governing building height, lot width, lot depth, floor area ratio, lot area, density, yards, off-street parking and loading, signs, and streets and alleys. The following table may be used as a general guide in establishing these regulations:

General Guidelines for Establishing PD Regulations

GENERAL USE CATEGORY	ZONING DISTRICT
Single family	TH-3(A)*
Multifamily	MF-3(A)
Retail	CR
Office	MO-1
Commercial	CS
Industrial	IR

*If platted lots for a single family use have a minimum width of 30 feet at the front property line, then one parking space is required.

(5) Each PD ordinance is incorporated by reference into this chapter. The conditions in the PD ordinance and the site plan are conditions that must be complied with before a certificate of occupancy may be granted.

(6) The regulations in this chapter control unless they are expressly altered by a PD ordinance in accordance with this section. The general guidelines in Subsection (a)(4) control if the PD ordinance does not enumerate the regulations governing building height, lot width, lot depth, floor area ratio, lot area, density, yards, off-street parking and

writing to the director. The director shall inform the applicant of the date on which the commission shall consider his request and shall advise the applicant of his right to appear before the commission.

(B) The commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing. A simple majority vote by the commission is required to grant the request. If a rehearing is granted, the applicant shall follow the procedure for an amendment to this article or a request for a change in a zoning district classification or boundary.

(C) If the commission denies the request, the applicant may appeal in writing to the city council by filing an appeal with the director.

(e) Postponements.

(1) The applicant and the opponents shall each be allowed to postpone one hearing date before the commission and one hearing date before the city council.

(2) A request for postponement must be in writing and must be submitted to the director no later than 5:00 P.M. of the day that will leave five full working days (excluding Saturdays, Sundays and official city holidays) before the date of the hearing.

(3) Before a hearing to be held by the City Plan Commission may be postponed, the person requesting postponement shall pay a fee of $75.00 to the director. Before a hearing to be held by the City Council may be postponed, the person requesting postponement shall pay a fee of $100.00 to the director.

(4) Only the applicant or his representative may postpone the hearing date prior to the mailing of the hearing notices. A hearing postponed by the applicant or his representative whether prior to the mailing of required notices or after the mailing of required notices may be postponed for no longer than 60 days from the date of the scheduled or advertised hearing. If the applicant fails to request in writing within 60 days a new hearing date, the application is automatically withdrawn, and the director shall return the application to the applicant and the filing fee, less that amount necessary for administrative cost as determined by the director.

(5) Only a property owner within the area of

notification may request a postponement for the opposition. The request for postponement must set forth the grounds for the postponement and must be signed by the party making the request. A postponement granted for the opposition may not exceed four weeks or a period equal to the time that the case would normally be scheduled for a hearing in the following month, whichever is longer.

(f) Withdrawals.

(1) If an applicant desires to withdraw his application, the applicant shall request in writing to withdraw an entire application for a change in a zoning district classification or boundary.

(2) If the applicant withdraws the application prior to the mailing of notice, the director shall return the application to the applicant. The director shall determine the administrative cost of processing the application, and shall return the filing fee less the administrative cost to the applicant.

(3) If the applicant withdraws the application after the mailing of notices for a public hearing before the commission, the applicant shall forfeit 65 percent of the filing fee to cover the administrative cost.

(A) If the application is withdrawn before 5:00 P.M. of the day that will leave five full working days (excluding Saturdays, Sundays and official city holidays) before the date of the hearing, the applicant shall not be subject to the two year waiting period required in Subsection (d).

(B) If an applicant requests withdrawal after 5:00 P.M. of the day that will leave five full working days (excluding Saturdays, Sundays and official city holidays) before the date of the hearing, the commission shall hold the public hearing and make a formal recommendation on the application. The applicant shall be subject to the two year waiting period required in Subsection (d).

(4) Once the commission has acted on a request for a change in a zoning district classification or boundary, the applicant may withdraw his application, but the entire application fee shall be retained by the city to cover administrative cost if:

(A) the commission approved the request; or

loading, environmental performance standards, signs, and streets and alleys.

(7) For purposes of determining the applicability of regulations in this chapter triggered by adjacency or proximity to another zoning district, any identifiable portion of a planned development (PD) district governed by a distinct set of use regulations is treated as though it were a separate zoning district. If the PD district or a portion of the district is limited to uses permitted in a specific zoning district, the PD district or portion of the district is treated as if it were that specific zoning district; otherwise it is treated as if it were:

(A) a duplex zoning district if it is restricted to single family detached and/or duplex uses;

(B) an MF-2(A) zoning district if it is restricted to residential uses but allows single family attached or multifamily uses not exceeding 36 feet in height;

(C) an MF-3(A) zoning district if it is restricted to residential uses but allows multifamily uses exceeding 36 feet in height; or

(D) a nonresidential zoning district if it allows a nonresidential use.

(b) PD preapplication conference.

(1) An applicant for a PD shall request a preapplication conference with the director.

(2) At the preapplication conference, the applicant shall provide a sketch plan that includes, but is not limited to, the following information: proposed land uses, density, approximate gross square footage of nonresidential uses, access, projected height, topography, and significant environmental features.

(3) Based on the information provided by the applicant, the director shall:

(A) provide initial comments concerning the merits of the proposed development;

(B) state what information must be provided in the site plan application for a complete review of the proposed development; and

(f) Development plan.

(1) The development plan may be on a single drawing and must clearly indicate:

(A) any proposed public or private streets and alleys;

(B) building sites;

(C) areas proposed for dedication or reserved as parks, open space, parkways, playgrounds, utility and garbage easements, school sites, street widenings, or street changes;

(D) the points of ingress and egress from existing public streets;

(E) an accurate survey of the boundaries of the site;

(F) topography of the site with contour intervals of not less than five feet, or spot grades where relief is limited;

(G) location of proposed land uses;

(H) the location of buildings and the minimum distance between buildings and between buildings and property lines, street and alley rights-of-way, and private streets;

(I) the arrangement of off-street parking and loading. This may be indicated as a ratio of off-street parking and loading area to building area if all off-street parking and loading areas are indicated for the site and there is an example that demonstrates a common feasible method of providing the off-street parking and loading;

(J) indication of any special traffic regulation facilities proposed or required;

(K) screening, landscaping, and major tree groupings to be retained if this information is essential to the proper arrangement of the development in relation to adjacent property and internal land uses; and

(L) indication of each phase of development if separate phases are proposed.

(2) The commission may require elevations and

perspective drawings for buildings more than 12 feet in height that are not used for single family or duplex uses.

(3) The applicant shall submit a preliminary plat with the development plan. The commission shall process the preliminary plat with the development plan.

(4) The applicant shall submit a legal instrument establishing a plan for the use and permanent care and maintenance of any common area before the development plan may be approved. The legal instrument must be approved by the city attorney as to legal form, and by the commission as to the suitability for the proposed use of the common area.

(g) Development schedule.

(1) The applicant for a PD shall, if the applicant desires or the commission or city council requires, submit a development schedule indicating the date on which construction is to begin and the rate of development until completion. A city council approved development schedule must be included in the ordinance establishing the PD.

(2) If the applicant fails to meet the development schedule, the commission may call a public hearing to determine the proper zoning district classification for all or part of the PD.

(3) The applicant may apply to the commission for an extension of the development schedule. If the commission denies the extension, the applicant may appeal the decision to the city council.

(4) When a development schedule extends for more than one year, the building official shall annually report to the commission the actual development in the PD compared with the development schedule.

(h) Amendments to the development plan.

(1) An amendment to a development plan is a change in zoning district classification and must follow the same procedures set out in this section, except the director may authorize minor changes in the development plan that do not:

(A) alter the basic relationship of the proposed development to adjacent property;

(B) change the uses permitted;

(C) increase the maximum density, floor area ratio, or height;

(D) decrease the amount of required off-street parking; or

(E) reduce the minimum yards required at the boundary of the site.

(2) An applicant may appeal the decision of the director to the commission.

SEC. 51A-4.703. APPEALS TO THE BOARD OF ADJUSTMENT.

(a) Initiation.

(1) The board may initiate a public hearing on issues within the board's jurisdiction. A board initiated public hearing must comply with the appeal procedure in this section.

(2) Any aggrieved person, or an officer, department, or board of the city may appeal a decision of the building official to the board.

(A) An appeal to the board must be made within 15 days after notice of the decision of the building official.

(B) The appellant shall file with the building official a written notice of appeal on a form approved by the board.

(C) The building official shall forward the notice of appeal and the record upon which the appeal is based to the director of planning and development.

(b) Appeal stays all proceedings.

(1) An appeal to the board stays all enforcement proceedings involving the action appealed from unless the building official files a written statement with the board stating that in his opinion, a stay would cause imminent peril to the life or property.

(2) If the building official makes a finding that there is imminent peril to life or property, proceedings to remove the danger will be stayed only if the board or a court of record gives notice to the building official, finds the building official in error, and issues a restraining order.

(c) Notice of hearing.

(1) The board shall hold a public hearing on all appeals.

(2) The director shall send written notice of the public hearing on the appeal to the board to the appellant and all owners of real property located within 200 feet, including streets and alleys, from the boundary of the area upon which the appeal is made. The notice must be given not less than 10 days before the day set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(3) The director shall give notice of the time and place of the public hearing in the official newspaper of the city at least 10 days before the hearing.

(d) Board action.

(1) The appellant has the burden of proof to establish the necessary facts to warrant favorable action of the board.

(2) The concurring vote of four members of the board is necessary to overrule a decision of the building official or to decide in favor of an appeal.

(3) The board shall have all the powers of the building official on the action appealed from. The board may in whole or in part affirm, reverse, or amend the decision of the building official.

(4) The board may impose reasonable conditions in its order to be complied with by the appellant in order to further the purpose and intent of this chapter.

(5) The decision of the board does not set a precedent. The decision of the board must be made on the particular facts of each case.

(6) The appellant shall file an application for a building permit or certificate of occupancy within 90 days from the date of the favorable action of the board or an extended period specifically granted by the board at the time of the hearing. If the appellant fails to file an application within the time period, the appeal is automatically denied without prejudice, and the appellant must begin the appeal process to have his appeal heard again.

(e) Two year limitation.

(1) Except as provided below, after a final decision is reached by the board, no further appeal on the same or related issues may be considered for that property for two years from the date of the final decision.

(2) If the board renders a final decision of denial without prejudice, the two year limitation is waived.

(3) The appellant may apply for a waiver of the two year limitation in the following manner:

(A) The appellant shall submit his request in writing to the director. The director shall inform the appellant of the date on which the board will consider the request and shall advise the appellant of his right to appear before the board.

(B) The board may waive the two year time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing. A simple majority vote by the board is required to grant the waiver. If a rehearing is granted, the appellant shall follow the appeal process outlined in this section.

(f) Appeal to district court.

(1) Any aggrieved person, or an officer, department, or board of the city may appeal the decision of the board to district court.

(2) The petition to district court must be verified, and must specify the grounds upon which the decision of the board is illegal.

(3) The petition must be filed with the district court within 10 days after the filing of the decision in the office of the board.

SEC. 51A-4.704. NONCONFORMING USES AND STRUCTURES.

(a) Termination of nonconforming uses.

(1) The board shall provide a termination date for nonconforming uses under a plan whereby the owner's actual investment in the structure(s) prior to the time that the use became nonconforming can be amortized within a definite time period.

(2) The right to operate a nonconforming use terminates if the nonconforming use is discontinued or remains vacant for six months or more.

(A) The board may grant a special exception to this provision only if the owner can state an extreme circumstance that demonstrates that there was not an intent to abandon the use even though the use was discontinued for six months or more.

(3) The violation of any ordinance in the operation of a nonconforming use immediately terminates the right to operate the nonconforming use.

(4) A nonconforming use terminates when it is changed to a conforming use.

(5) Unless the board approves the reconstruction of the structure, the right to operate a nonconforming use terminates when the structure in which the nonconforming use is located is destroyed or damaged by fire or other causes to an extent of more than 60 percent of the replacement cost of the structure on the date of the damage.

(b) Changing nonconforming uses.

(1) The board may allow a change from one nonconforming use to another nonconforming use when:

(A) the change of use does not prolong the life of the nonconforming use; and

(B) the change is to a use that would have been permitted in the zoning district where the current nonconforming use was first permitted by right.

(2) The board may approve the remodeling or enlargement of a nonconforming use when the remodeling or enlargement does not prolong the life of the nonconforming use. A person shall comply with all applicable codes and

ordinances in the remodeling or enlargement of a nonconforming use.

(3) A person shall not add a room or a dwelling unit to increase the nonconformity of a residential use except:

(A) A nonconforming residential use in an IR or IM district may be enlarged or remodeled without board approval; and

(B) An accessory structure for a nonconforming residential use in an IR or IM district may be constructed, enlarged, or remodeled in accordance with the requirements in Section 51A-4.217(a) without board approval.

(4) A person shall not change a use that is nonconforming as to parking or loading to another use requiring more off-street parking or loading unless the additional required off-street parking and loading spaces are provided.

(A) Delta Theory. In calculating required off-street parking or loading, the number of nonconforming parking or loading spaces for a use may be carried forward when the use is converted or expanded. Nonconforming rights as to parking or loading are defined in the following manner:

Required parking or loading for existing use
- Number of existing parking or loading spaces for existing use

Nonconforming rights as to parking or loading.

(B) When a use is converted to a new use having a lesser parking or loading requirement, the rights to any portion of the nonconforming parking or loading that are not needed to meet the new requirements are lost.

(5) A person shall not expand a nonconforming use beyond the lot on which the use is located except the board may permit the person to provide off-street parking or loading spaces on another lot.

(c) Nonconforming structures.

(1) If a nonconforming structure is damaged to the extent of more than 60 percent of the replacement cost of the nonconforming structure on the date of the damage, the owner may rebuild the nonconforming structure only after a hearing and approval of the board.

(2) A nonconforming structure may be enlarged or

remodeled, but a person shall not enlarge or remodel a nonconforming structure so as to increase the nonconformity.

(3) Except as provided in Subsection (c)(4), a person may, without board approval cause a structure to become nonconforming as to the yard, lot and space regulations by converting the use of the structure.

(4) A person shall not create a nonconforming structure by converting the use of a residential structure to one of the uses listed below:

-- Airport or landing field.
-- Barber and beauty shop.
-- Book and stationery store.
-- Bus passenger shelter.
-- Cigar, tobacco, and candy store.
-- Country club with private membership.
-- Drag strip, go-cart track, or commercial racing.
-- Drive-in theatre.
-- Drug store.
-- Fairgrounds.
-- Farm or ranch.
-- Florist store.
-- Game court center.
-- Health studio.
-- Helicopter base.
-- Heliport.
-- Helistop.
-- Inside commercial amusement.
-- Key shop.
-- Laundry or cleaning pick up and receiving station.
-- Outside commercial amusement.
-- Private club.
-- Private recreation club or area.
-- Public golf course.
-- Public park or playground.
-- Restaurant with alcoholic beverages and/or entertainment.
-- Restaurant without drive-in service.
-- Retail food store.
-- Rodeo.
-- Sand, gravel, or earth sales and storage.
-- Sanitary landfill.
-- Self service laundry or dry cleaning.
-- Shoe repair.
-- Stone, sand, or gravel mining.
-- STOL (short take off or landing) port.

-- Tailor, custom sewing and millinary.
-- Temp construction or sales office.
-- Theatre.

The board may grant a special exception to this provision if the board finds that the use of conversion would not adversely affect the surrounding properties. The board may impose reasonable conditions on the use conversion.

SEC. 51A-4.705. ANNEXED TERRITORY TEMPORARILY ZONED.

(a) All territory annexed to the city is temporarily classified as an agricultural district until permanent zoning district designations are given to the area by the city council.

(b) The procedure for establishing the permanent zoning for annexed territory is the same as provided for zoning amendments.

(c) In an area temporarily classified as an agricultural district, the building official may issue building permits and certificate of occupancy for any use permitted in an agricultural district.

(d) Before permanent zoning is adopted, the building official may issue a building permit and certificate of occupancy for a use other than those permitted in the agricultural district in annexed territory upon approval of the city council in accordance with the following procedure:

(1) The applicant must submit to the building official an application including:

(A) a statement of the use contemplated;

(B) a plat showing the location and size of the lot or tract of land proposed to be used; and

(C) a description of the location, size, and type of buildings proposed to be constructed.

(2) The building official shall forward this application to the city plan commission.

(3) The city plan commission shall make its recommendation concerning the application to the city council after considering the land use plan for the area in question. The recommendation of the commission is advisory only, and the city council may grant or deny the application as the facts may justify.

(4) Upon approving an application for a use other than permitted in an agricultural district, the city council shall by ordinance instruct the building official to issue building permits and certificates of occupancy for those uses authorized.

SEC. 51A-4.706. RESERVED.

Division 51A-4.800

Development Impact Review

SEC. 51A-4.801. PURPOSE.

The general objectives of this division are to promote and protect the health, safety, and general welfare of the public through the establishment of an administrative review procedure for certain proposed development considered likely to significantly impact surrounding land uses and infrastructure needs and demands. Development impact review should occur before the developer has completed a full set of working drawings for submission as part of an application for a building permit. As part of the review procedure, the developer may be required to submit a site plan indicating building siting and layout, buffering, landscaping, usable open space, access, lighting, loading, and other specific data. Site plan review is not intended to mandate aesthetics of design, nor is it intended to alter basic development standards such as floor area ratio, density requirements, height, setbacks, and coverage.

SEC. 51A-4.802. DEFINITIONS.

In this article:

(1) BUILDING ENVELOPE means the three dimensional form within which the horizontal and vertical elements of a building are contained.

(2) 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.

(3) DIR means development impact review.

(4) ESTIMATED TRIP GENERATION means the total number of vehicle trips generated by one or more uses on the lot derived from calculations based exclusively on trip generation assumptions contained in Table 1 in Section 51A-4.803.

(5) RAR means residential adjacency review.

(6) RESTORATION means the act of putting back into a former or original state.

SEC. 51A-4.803. SITE PLAN REVIEW.

(a) When a site plan is required.

(1) Except as otherwise provided in Subsections (a)(3) and (a)(4), a site plan must be submitted in accordance with the requirements of this section before an application is made for a permit for work on an individual lot if the lot is in a district or subdistrict listed in Subsection (a)(2) and:

(A) the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per day per acre (See Table 1 to calculate estimated trip generation);

(B) the lot contains a use for which DIR is required in the use regulations (See Division 51A-4.200); or

(C) the lot has a residential adjacency as defined in Subsection (d)(3) and contains a use for which RAR is required in the use regulations (See Division 51A-4.200).

(2) The districts and subdistricts listed for purposes of Subsection (a)(1) are:

(A) all nonresidential zoning districts except central area districts; and

(B) SC, GR, LC, HC, O-2, and industrial subdistricts in the Oak Lawn Special Purpose District (Planned Development District No. 193).

TABLE 1

TRIP GENERATION ASSUMPTIONS

TYPE OF USE	# OF TRIPS PER DAY
Commercial and business service	6 per 1,000 sq. ft. of floor area
Industrial	5 per 1,000 sq. ft. of floor area
Institutional and community service	20 per 1,000 sq. ft. of floor area
Lodging	10.5 per guest room
Office	14 per 1,000 sq. ft. of floor area
Recreation	60 per net acre
Residential	6 per dwelling unit
Retail and personal service	60 per 1,000 sq. ft. of floor area
Wholesale, distribution, and storage	5 per 1,000 sq. ft. of floor area

(3) A site plan is not required under Subsection (a)(1) if the permit is only needed for:

(A) restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind; or

(B) construction work that does not change the use or increase the existing building height, floor area ratio, or nonpermeable coverage of the lot.

(4) If a site plan is included as part of an ordinance establishing the zoning classification of a lot, or if a site plan is approved by official action of the board of adjustment as a condition to the granting of a variance or special exception on the lot, then no site plan is required to be submitted or approved under this section if the record also reflects that:

(A) traffic signals, turn lanes, additional lanes, or other public infrastructure improvements were, or are required to be, constructed or paid for by the owner in

connection with the passage of the ordinance or the granting of the variance or special exception; and

(B) if the lot would otherwise be subject to the neighborhood protection standards of this section, the approving body considered the impact of the development on surrounding land uses.

(5) The building official shall not issue a permit authorizing work for which a site plan is required under Subsection (a)(1) unless the site plan has been approved by:

(A) the director of planning and development; or

(B) the city plan commission as part of the appeal process.

(b) Application for review. An application for review of a site plan required under this section must be filed with the director on a form furnished by the city for that purpose. The application must contain the following:

(1) The name, address, telephone number, and signature of the applicant. If the applicant is not the owner of the lot, he must submit a letter from the owner authorizing him to act on the owner's behalf.

(2) The name, address, and telephone number of the owner of the lot. If there is more than one owner, the names, addresses, and telephone numbers of all owners must be provided.

(3) The street address and complete legal description of the lot.

(4) A brief description of all existing and proposed uses on the lot.

(5) Any other reasonable and pertinent information that the director determines to be necessary for site plan review.

(c) Site plan submission. A site plan submission under this section must include one reproducible print (blackline polyester film or equal) with five folded blueline or blackline copies, and one 8-1/2 inch by 11 inch clear film positive. The print and copies must have a scale of one inch equals 100 feet or larger (e.g. one inch equals 50 feet, one inch equals 40 feet, etc.) and be on a standard drawing sheet of a size not to exceed 36 inches by 48 inches.

(d) Site plan requisites.

(1) In general. If the site plan is required due to estimated trip generation or a requirement for DIR in the use regulations, it must:

(A) include a location diagram showing the position of the lot in relation to surrounding streets in the city's major street network;

(B) contain title block and reference information pertaining to the lot and plan, including the name of the project, the names of the persons responsible for preparing the plan, the zoning classification of the lot, the scale of the plan (both numeric and graphic), and the date of submission, with provision for dating revisions;

(C) show the dimensions of the lot, and indicate lot area in both square feet and acres;

(D) show or describe the building envelope for each existing and proposed building on the lot;

(E) show the location of all existing streets, alleys, easements for street purposes, utility and other easements, floodway management areas, and the 100-year flood plain, if applicable;

(F) show all areas proposed for dedication or reservation;

(G) show zoning setback and building lines for each existing and proposed building on the lot;

(H) show all existing and proposed points of ingress and egress and estimated peak hour turning movements to and from existing and proposed public and private streets and alleys;

(I) show all existing and proposed median cuts and driveways located within 250 feet of the lot;

(J) show all existing and proposed off-street parking and loading areas, indicating the general dimensions of parking bays, aisles, and driveways, and the number of cars to be accommodated in each row of parking spaces;

(K) show all existing and proposed provisions for pedestrian circulation on the lot, including sidewalks,

walkways, crosswalks, and pedestrian plazas;

(L) indicate average daily traffic counts on adjacent streets and illustrate estimated peak hour turning movements at intersections located within 250 feet of the lot;

(M) show the location and indicate the type of any special traffic regulation facilities proposed or required;

(N) show the existing and proposed topography of the lot using contours at intervals of two feet or less. Existing contours must be shown with dashed lines; proposed contours must be shown with solid lines;

(O) show the existing and proposed locations for municipal solid waste containers and receptacles;

(P) show surrounding properties and the approximate location of buildings within a distance of 250 feet of the lot, indicating their zoning district classification. Surrounding properties may be drawn at a smaller scale than that required under Subsection (c); and

(Q) contain any other reasonable and pertinent information that the director determines to be necessary for site plan review.

(2) Residential adjacency items. If the lot has a residential adjacency as defined in Subsection (d)(3) and is not in the Oak Lawn Special Purpose District (Planned Development District No. 193), the site plan must:

(A) satisfy the requirements of Subparagraphs (A) through (G), (J), and (N) through (P) in Subsection (d)(1);

(B) show all existing and proposed points of ingress and egress;

(C) show the existing and proposed locations for all building entrances, exits, service areas, and windows;

(D) show the location and indicate the type, size, and height of perimeter fencing, screening, and buffering elements proposed or required;

(E) show all provisions to be made to direct and detain storm water and to mitigate erosion both during and following the completion of construction;

(F) show the location and indicate the type,

orientation, size, and height of light standards which will illuminate any portion of a required yard;

(G) show and describe all existing trees on the lot over six inches in caliper, indicating which are to remain and which are to be removed;

(H) show the location of existing and proposed signs;

(I) show the existing and proposed locations of all exterior loudspeakers and sound amplifiers;

(J) show the existing and proposed locations for all mechanical equipment capable of producing high levels of noise; and

(K) contain any other reasonable and pertinent information that the director determines to be necessary for site plan review.

(3) For purposes of this section, a lot has a residential adjacency when:

(A) the lot is adjacent to or directly across:

(i) a street 64 feet or less in width; or

(ii) an alley;

from an R, R(A), D, D(A), TH, TH(A), or CH district; or

(B) an existing or proposed building or structure on the lot is within 330 feet of a lot in an R, R(A), D, D(A), TH, TH(A), or CH district.

(4) Reserved.

(5) The following information, in addition to being shown graphically, must be separately tabulated in a conspicuous place on the plan for quick and easy reference:

(A) Lot area in square feet and acres.

(B) Total building floor area and floor area for each use on the lot in square feet.

(C) Floor area ratio of the lot.

(D) Square footage and percentages of building

coverage and nonpermeable coverage of the lot.

(E) Number of parking spaces required and number of parking spaces provided.

(F) Zoning classification of the lot.

(e) Review by the director.

(1) Upon the filing of a complete application for review of a site plan and a complete site plan submission, the director of planning and development shall promptly forward one copy of each to the directors of transportation and public works for their review and comments. The directors of transportation and public works shall review the application and submission and return written recommendations to the director of planning and development within 15 calendar days of the filing date.

(2) The director of planning and development shall make a decision regarding the application and submission within 30 calendar days of the filing date. That decision must take one of three forms:

(A) Approval, no conditions.

(B) Approval, subject to conditions noted.

(C) Denial.

(3) If the director fails to make a decision regarding the application and submission within 30 calendar days of the filing date, the application and submission are considered to be approved subject to compliance with all applicable city codes, ordinances, rules, and regulations.

(4) The time periods in Subsections (e)(1), (e)(2), and (e)(3) do not begin to run until the applicant provides all of the information required in Subsections (b), (c), and (d). In cases where the director requests additional information within 10 calendar days of the filing date, the time periods in Subsections (e)(1), (e)(2), and (e)(3) do not begin to run until the applicant provides the additional information.

(5) If the director denies an application or submission, he shall state in writing the specific reasons for denial. If he approves an application or submission subject to conditions, he shall state in writing the specific requirements to be met before issuance of a permit to authorize work on the lot.

(f) Grounds for denial.

(1) In general. The director shall deny a site plan application or submission under this section if:

(A) it does not contain sufficient information to allow for site plan review; or

(B) the site plan does not comply with all applicable city codes, ordinances, rules, or regulations.

(2) Vehicular circulation and infrastructure standards.

(A) Except as otherwise provided in Subsection (g), the director shall deny a site plan under this section if:

(i) the provisions for vehicular loading and unloading or parking, or for vehicular or pedestrian circulation, will create hazards to safety or will impose a significant burden upon public facilities which can be avoided or substantially mitigated by reasonable modifications in the plan; or

(ii) the site plan is required due to estimated trip generation and the owner of the lot refuses to comply with one or more of the following development-related infrastructure cost-sharing requirements:

(aa) The owner shall pay for a proportion of the cost of traffic signal upgrade for an intersection within a distance of 250 feet of the lot according to the following ratio:

$$\frac{A}{A + B}$$

where A represents projected traffic using the intersection generated by the owner's development, and B represents current traffic counts at the intersection. Values for both A and B are determined by the director of transportation.

(bb) The owner shall pay for a proportion of the cost of constructing right and left turn lanes and bus turnouts that are in part necessitated by his development according to the following ratio:

$$\frac{C}{C + D}$$

where C represents projected demand for the lanes and turnouts generated by the development, and D represents current demand for the lanes and turnouts. Values for both C and D are determined by the director of transportation.

(cc) The owner shall pay the entire construction cost of those stacking lanes which the director of transportation determines are necessitated by his development.

(dd) The owner shall grant to the city easements for those right and left turn lanes, stacking lanes, and bus turnouts which the director of transportation determines are necessitated by his development.

(B) In cases where the owner is responsible for the entire cost of an infrastructure improvement, the director may allow the owner to construct the improvement upon entering into a private development contract satisfactory to the city. The contract must contain terms and conditions stated on forms provided by the director and approved by the city attorney. The contract must include performance and payment bonds acceptable as to form by the city attorney, and be executed by the owner and at least one corporate surety authorized to do business in the state of Texas. In addition, the owner shall provide adequate financial assurance that funds will be available to construct the improvement, which may consist of a letter of credit or other instrument payable to the city of Dallas.

(C) In cases where the owner is responsible for a proportion of the cost of an infrastructure improvement, the owner shall submit payment in the form of cash or a letter of credit to the building official before issuance of a permit to authorize work on the lot. Cash payments must be credited to separate interest-bearing accounts and used only for financing construction of the specified improvements. If none of the funds collected are spent on the specified improvements within five years after the date of collection, the funds must be returned to the present owner of the lot together with interest accrued at the city's investment rate during the five year period, less administrative costs.

(3) Residential adjacency standards. If the lot has a residential adjacency as defined in Subsection (d)(3) and is not in the Oak Lawn Special Purpose District (Planned Development District No. 193), the director shall review the site plan for compliance with this paragraph and, except as otherwise provided in Subsection (g), shall deny the site plan if:

(A) the location of existing or proposed buildings, structures, or equipment on the lot will be detrimental or injurious to each other or to surrounding development, or will impose an undue burden on public facilities, and the detrimental or injurious results or undue burden can be avoided or substantially mitigated by reasonable modifications in the plan;

(B) development of the lot will create a soil or drainage problem which can be avoided or substantially mitigated by reasonable modifications in the plan;

(C) the proposed on-site fencing, screening, or buffering elements do not provide adequate protection to adjacent property, and adequate protection can be provided by reasonable modifications in the plan; or

(D) the exterior lighting to be provided on the lot will create a hazard to motorists on an adjacent public or private street or alley, or will damage or diminish the value or usability of adjacent property.

(4) If the director denies a site plan under this section, he shall state in writing the specific reasons for denial.

(g) Approval subject to conditions noted. As an alternative to denial of a site plan under Subsection (f), the director may approve the site plan subject to conditions noted if compliance with all conditions will eliminate what would otherwise constitute grounds for denial. If the director approves the site plan subject to conditions noted, he shall state in writing the specific requirements to be met before issuance of a permit to authorize work on the lot.

(h) Approval, no conditions. If there are no grounds for denial of a site plan under Subsection (f), the director shall approve the site plan with no conditions.

(i) Appeals.

(1) The applicant may appeal the following decisions made by the director:

(A) Denial of an application or site plan submission.

(B) Approval of an application or site plan submission subject to conditions noted.

(2) An appeal must be made within 10 days after notice is given to the applicant of the director's decision.

(3) An appeal is made by filing a written request with the director for review by the city plan commission.

(4) Decisions of the commission are final as to available administrative remedies and are binding on all parties.

(5) If the commission fails to make a decision on the appeal within 30 calendar days of the date that the written request is filed with the director, the application and submission are considered to be approved subject to compliance with all other applicable city codes, ordinances, rules, and regulations.

(j) Validity of approved site plan. An approved site plan is valid for a period of two years. If a permit to authorize work on the lot has not been obtained upon expiration of the two-year period, a new site plan submission is required.

(k) Effect of approved site plan. The approval of a site plan by the director or commission does not result in the vesting of development rights, nor does it permit the violation of any city ordinance or state law, nor does it preclude the building official from refusing to issue a permit if he determines that plans and specifications do not comply with applicable laws and ordinances (including ordinance amendments made after site plan approval), or that the work described in the application for the permit does not conform to the requirements of the construction codes.

ARTICLE V

FLOOD PLAIN AND ESCARPMENT ZONE REGULATIONS.

Division 51A-5.100
Flood Plain Regulations

SEC. 51A-5.101. DEFINITIONS APPLICABLE TO THE FLOOD PLAIN REGULATIONS.

The following definitions are applicable to the flood plain regulations in this article:

(1) DESIGN FLOOD means the maximum recorded flood or the hundred year frequency flood, whichever results in the highest flood elevations.

(2) FLOOD PLAIN means any land area susceptible to inundation by the design flood.

(3) HUNDRED YEAR FREQUENCY FLOOD means the flood having a one percent chance of being equalled or exceeded in any given year.

(4) POOL-RIFFLE SEQUENCES are the alternating deep and shallow flow conditions caused by a moving, non-uniform channel grade.

(5) SEEPS are locations where natural groundwater makes its way in a non-continuous flow to the surface creating a wet soil condition.

(6) SWALES are low lying areas in the flood plain that convey flood waters when flow exceeds channel capacity.

SEC. 51A-5.102. DESIGNATION OR REMOVAL OF FP AREAS.

(a) Initiation. A flood plain designation is not a zoning classification, but refers to a specific area subject to flooding. When this designation is noted by an "FP" prefix on the official zoning district map, the area designated is referred to in this article as an FP area. FP areas include the areas that have been identified as special flood hazards by

the Federal Insurance Administration in their flood insurance study for Dallas, Texas and that have been officially designated as FP areas by the city council. The addition to or removal from the official zoning district map of an FP prefix may be initiated in the following ways:

(1) The director of public works may recommend to the city council that an FP prefix be added to or removed from the official zoning district map based on continuing hydraulic and hydrologic engineering studies.

(2) An owner of property located within a FP area may apply to the city council through the director of public works for removal of the FP prefix from his property based on engineering evidence that the property is not subject to flooding. The director of public works shall investigate the application and recommend to the city council whether the application for removal of the FP prefix should be approved or denied. The director may require core borings as part of his investigation under this subsection.

(3) An owner of property located within an FP area may apply for a fill permit and removal of the FP prefix by following the procedure outlined in Section 51A-5.105.

(4) The director of public works may cause an FP prefix for an area to be removed from the official zoning district map without a public hearing and without the approval of the city council if he determines, based on engineering studies or a field survey, that the area is not subject to flooding. To accomplish a removal under this subsection, the director of public works must notify the director of urban planning in writing that the FP prefix is to be removed from the official zoning district map. The written notification must contain a description of the property affected and the reasons why the FP prefix should be removed. The director of public works shall keep a copy of the notification in a permanent file and send a copy of the notification to the city secretary, who shall keep the copy in a permanent file. Upon receiving the copy, the city secretary shall give notice of the removal of the FP prefix in the official newspaper of the city. Removal of the FP prefix shall become effective immediately upon publication of the notice in the official newspaper.

(b) Public notice. At least 15 days before any public hearing held by the city council on the addition to or removal from the official zoning district map of a designated FP area, the city secretary shall give notice of the hearing in the official newspaper of the city.

(c) City council action. After a public hearing, the city council shall determine, based on engineering studies, whether the FP prefix should be added to or removed from the official zoning district map and shall by ordinance add or remove the FP designation, or shall deny the request.

SEC. 51A-5.103. COMPLIANCE IN UNDESIGNATED FLOOD PLAIN AREAS.

(a) A person shall comply with the requirements of this article for FP areas before developing land within the design flood line of a creek or stream having a contributing drainage area of 130 acres or more, whether or not the land has been formally designated as an FP area.

(b) Alterations of the natural flood plain in areas with less than 130 acres must be approved by the director of public works for compliance with the Dallas Development Code and city drainage standards.

SEC. 51A-5.103.1. VEGETATION ALTERATION IN FLOOD PLAIN PROHIBITED.

(a) A person commits an offense if, within a flood plain he removes or injures any vegetation.

(b) It is a defense to prosecution under Subsection (a) if the act is:

(1) authorized in advance in writing by the director of public works;

(2) in conformance with a landscape plan approved by the director of public works;

(3) routine maintenance of vegetation such as trimming or cutting designed to maintain the healthy or attractive growth of the vegetation; or

(4) routine maintenance of the flood plain to maintain the floodwater conveyance capacity of the flood plain performed, required, or authorized by the city. (Ord. 19280)

SEC. 51A-5.104. USES AND STRUCTURES PERMITTED.

(a) Uses permitted. To allow for the appropriate development of land which is subject to flooding without unduly

endangering life and property, the following uses are permitted in an FP area provided they are permitted in the underlying zoning district and comply with the requirements of Section 51A-5.105(g):

(1) Farm or ranch.

(2) Local utilities; electrical substation; water reservoir or pumping station; and water treatment plant.

(3) Sanitary landfill, and refuse transfer station.

(4) Public park or playground; private recreation club or area; private community center; and golf course.

(5) Outside commercial amusement approved by a specific use permit.

(6) Helistop approved by a specific use permit.

(7) Radio, television, or microwave tower; and amateur communications tower.

(b) Development permitted.

(1) A structure customarily associated with a use listed in Subsection (a) may be constructed within an FP area only if the director of public works determines that the proposed structure meets the same engineering requirements applicable to filling in Section 51A-5.105(g) and issues a fill permit.

(2) The owner of an existing nonconforming structure in an FP area shall not add any improvements to the structure without first obtaining approval from the director of public works for any repairs, additions or improvements to a structure, that, within any one year period is 50 percent or less of the assessed value of improvements on the property as determined by the last official city tax roll. No improvements of greater than 50 percent of the assessed value of the improvements on the property as determined by the last official city tax rolls are permitted. Any improvement must comply with the requirements of Section 51A-5.105(g).

(3) The board of adjustment may grant a special exception to allow the reconstruction of an existing nonconforming structure in an FP area upon a showing of good and sufficient cause, a determination that failure to allow the reconstruction would result in exceptional hardship to the property owner, and a determination that the reconstruction

will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with other local laws. The reconstruction of an existing nonconforming structure in an FP area may not increase the lot coverage of the structure.

(A) The director of public works shall notify in writing the owner of an existing nonconforming structure in an FP area that the issuance of the special exception to reconstruct the structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25.00 for $100.00 of insurance coverage and that the construction below the base flood level increases risks to life and property. The notification letter must be maintained with the record of the board's action.

(4) All parking spaces must be a minimum of two feet above the design flood elevation.

(c) Construction standards. All improvements and construction permitted in an FP area must comply with the following requirements:

(1) Structures must be:

(A) designed and securely anchored to the foundation to prevent flotation and collapse during inundation; and

(B) designed to prevent damage to nonstructural elements during inundation.

(2) Thermal insulation used below the first floor level must be of a type that does not absorb water.

(3) Adhesives must have a bonding strength that is unaffected by inundation.

(4) Doors and all wood trim must be sealed with a water-proof paint or similar product.

(5) Water heaters, furnaces, electrical distribution panels, and other critical mechanical or electrical installations must not be placed in basements. Separate electrical circuits must serve lower levels and must be dropped from above.

(6) Basements are permitted only if they are designed to preclude inundation by the 100-year flood level, either by:

(A) the elimination of exterior openings below the 100-year flood level; or

(B) the use of water-tight closures, such as bulkheads and flood shields. However, no basements are permitted in soils whose permeability meets or exceeds the minimum local standards of permeability established for the installation of individual sewage disposal systems.

(7) Plywood used at or below the first floor level must be of an "exterior" or "marine" grade and of a water-resistant or waterproof variety.

(8) Wood flooring used at or below the first floor level must be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without incurring structural damage to the building.

(9) Basement ceilings must be of sufficient wet strength and be so installed as to survive inundation.

(10) Paints or other finishes used at or below the first floor level must be capable of surviving inundation.

(11) All air ducts, large pipes and storage tanks located at or below the first floor level must be firmly anchored to prevent flotation.

(12) Tanks must be vented at a location above the 100-year flood level.

SEC. 51A-5.105. FILLING IN THE FLOOD PLAIN.

(a) Permit required.

(1) A person shall not deposit or store fill, place a structure or excavate in an FP area until he has obtained from the director of public works a fill permit allowing the property to be developed at a specified elevation in compliance with this section, and he obtains all required state and federal permits.

(2) The director of public works shall maintain a record of all fill permits.

(b) Initiation. An applicant for a fill permit shall submit an application to the director of public works. The application must be on a form approved by the director, and

must be signed by the owner of the property to be filled.

(c) Preapplication conference.

(1) An applicant for a fill permit shall request a preapplication conference with representatives from the department of public works.

(2) At the preapplication conference the director of public works shall determine what information is necessary for a complete evaluation of the proposed fill project, and may require the applicant to submit the necessary information, including, but not limited to the following:

(A) A vicinity map.

(B) The acreage figures for the entire tract, the area located in the flood plain, and the area proposed to be filled.

(C) A description of hydrologic and hydraulic analyses conducted.

(D) A landscape and erosion control plan.

(E) A table of values for analysis of the first three engineering criteria listed in Subsection (e).

(F) A water surface profile.

(G) A plan view.

(H) Plotted cross-sections.

(I) An overall map of the project area.

(d) Filling that does not remove an FP designation. The director of public works may issue a fill permit without city council action if he determines that:

(1) the filling does not remove an FP designation; and

(2) the filling complies with the engineering requirements for filling in Subsection (g).

(e) Filling to remove an FP designation.

(1) If the application is to remove an FP designation, the director of public works shall forward copies of the application to the director of planning and development

and director of parks and recreation.

(2) If the director of public works determines that the application complies with all of the requirements of Subsection (f), he shall recommend approval of the application; otherwise he shall recommend denial.

(3) The director of planning and development and the director of parks and recreation shall determine whether the applicant's property is appropriate to be considered for public acquisition, based on ecological, scenic, and recreational value of the property.

(4) After notice and hearing in compliance with Section 51A-5.102, the city council shall approve or deny the application for a fill permit. If the permit is approved, the city council shall by ordinance authorize the removal of the FP designation for the filled area upon compliance by the applicant with the specifications for filling.

(5) Upon compliance by the applicant, the director of public works shall inform the director of planning and development, and the director of planning and development shall remove the FP designation for the filled area from the official zoning district map.

(f) Filling operations. If the city council authorizes issuance of a fill permit by the director of public works and removal of the FP prefix from the official zoning district map, the filling operations must comply with the following standards:

(1) If the FP area is governed by a city council adopted management plan, filling operations and subsequent development must meet the standards outlined in that management plan.

(2) If the FP area is not governed by a city council adopted management plan, filling operations and subsequent development must meet the following standards:

(A) Any excavation required by the specifications of the approved application must be conducted before or at the same time as placing fill.

(B) Fill must be placed to at least two feet above the design flood line.

(C) The lowest floor of any structure must be constructed at least three feet above the design flood line.

(3) After filling operations have been completed, the director of public works shall inspect the area to verify proper fill elevations and compliance with the specifications of the approved application. Upon compliance by the applicant, the director of public works shall inform the director of planning and development, and the director of planning and development shall remove the FP designation for the filled area from the official zoning district map.

(g) Engineering requirements for filling.

(1) If the FP area is governed by a city council adopted management plan, the director of public works shall determine whether the proposed fill project meets the engineering requirements outlined in that management plan.

(2) If the FP area is not governed by a city council adopted management plan, the director of public works shall determine whether the proposed fill project meets the following engineering requirements:

(A) Alterations of the FP area may not increase the water surface elevation of the design flood of the creek.

(B) Alterations of the FP area may not create an erosive water velocity on or off-site. The mean velocity of stream flow at the downstream end of the site after fill may not exceed the mean velocity of the stream flow under existing conditions.

(C) The effects of the existing or proposed public and private improvements will be used in determining water surface elevations and velocities.

(D) The FP area may be altered only to the extent permitted by equal conveyance on both sides of the natural channel.

(E) An environmental impact study and a complete stream rehabilitation program must be approved prior to any relocation or alteration of the natural channel. The environmental impact study must contain the following items:

(i) A description of the existing conditions of the existing site, adjacent properties, upstream and downstream creek sections for approximately 1,000 feet (unless conditions require additional information in the opinion of the director of public works), and creek and overbank areas. The description of these conditions must include:

(aa) the characterization of creek features such as bed quality and material, pool-riffle sequences, natural ground water, springs, seeps, magnitude and continuity of flow, water quality (including biological oxygen demand, dissolved oxygen, and nutrient loadings), bank quality and material, vegetative cover and patterns, bank erosion, topographic relief, disturbances to the natural character of the creek, animal and aquatic life, and the extent and character of wetland areas; and

(bb) soil types and land uses of the site and surrounding area.

(ii) A description of the proposed project. This description must include:

(aa) the intended ultimate use of the site, or if that is not known, a description of the interim site plan, including construction access, etc;

(bb) reasons why the creek or flood plain alteration is necessary; and

(cc) a site plan including the flood plain and all construction access necessary to perform the work.

(iii) A description of at least three possible ways of handling the creek and flood plain, including:

(aa) an alternative that assumes the creek and flood plain are left as is;

(bb) the applicant's desired course of action; and

(cc) an alternative considered but not chosen by the applicant, and any additional alternatives required by the director of public works.

(iv) An identification of the impacts created by each alternative, describing in detail all of the positive and negative impacts upon the existing conditions described in Subparagraph (i), that would be created by each alternative.

(v) A recommended course of action based on the alternatives.

(vi) Proposed strategies to mitigate adverse

impacts. Example strategies include tree wells, temporary construction and permanent erosion and sedimentation controls, vegetative buffers, replacement planting, etc.

(F) The toe of any fill slope must parallel the natural channel to prevent an unbalanced stream flow in the altered FP area.

(G) To insure maximum accessibility to the FP area for maintenance and other purposes and to lessen the probability of slope erosion during periods of high water, maximum slopes of the filled area shall not exceed three to one for 50 percent of the length of the fill and six to one for the remaining length of the fill. The slope of any excavated area not in rock may not exceed four to one. Vertical walls, terracing, and other slope treatments may be considered provided no unbalancing of stream flow results and only as a part of a landscaping plan submission.

(H) The elevation of excavated areas in the FP area may not be lower than 1/3 of the depth of the natural channel, as measured from the adjacent bank or the one-year frequency flood elevation, whichever is lower, except for excavation of lakes. No excavation shall be closer than 50 feet to the bank of the natural channel except as necessary to drain.

(I) A landscape and erosion control plan must be submitted and approved. Landscaping must incorporate natural materials (earth, stone, wood) on cut and filled slopes wherever possible. The definitions of Section 51-10.101 of this Chapter apply to this subsection. Each landscape and erosion control plan must comply with the following criteria:

(i) The size, type, and location of all trees within the existing flood plain that are six-inch caliper and larger must be shown. The plans must indicate which of the trees are to be preserved and which will be lost due to development activities in the flood plain.

(ii) All trees greater than six-inch caliper in sloped areas of flood plain fill of four feet or less must be protected. If trees are protected by tree wells, the well must be at or beyond the dripline of the tree. A well may not exceed four feet in depth unless designed and certified by a registered landscape architect. Tree wells are required if either of the following conditions occur at the base of a tree to be protected:

(aa) a fill of greater than one and one-half feet; or

(bb) a cut greater than eight inches.

(iii) The size, type, and location of all proposed replacement trees to mitigate the loss of existing trees must be shown. The tree types must be approved by the department of park and recreation as suitable for use under local climate and soil conditions.

(iv) Where a swale is proposed, of the existing trees with a six-inch caliper or greater located within the proposed swale, the applicant must indicate replacement of either 35 percent, or the minimum number necessary to provide a spacing equivalent to 50 feet on center, whichever is less. At least 50 percent of the replacement trees must have a caliper no smaller than six inches. The remainder of the trees must have a caliper no smaller than three inches.

(v) The specific plant materials proposed to protect fill and excavated slopes must be indicated. Plant materials must be suitable for use under local climate and soil conditions. In general, hydroseeding or sodding bermuda grass is acceptable during the summer months (May 1 to August 30). Winter rye or fescue grass may be planted during times other than the summer months as a temporary measure until such time as the permanent planting can be made.

(vi) The proposed methods of erosion and sedimentation control such as hay bales, sedimentation basins, etc., to be used during construction must be shown in detail.

(vii) The fill case applicant, the current owners, and subsequent owners are responsible for maintaining and assuring survival of all planted material until the property is developed and a permanent maintenance plan of record is established. This responsibility must be reflected in the submitted plans or supporting documents.

(J) Any alteration of the FP area necessary to obtain removal of an FP prefix may not cause any additional expense in any current or projected public improvements.

Division 51A-5.200.
Escarpment Regulations

SEC. 51A-5.201. DEFINITIONS.

In this division, unless the context clearly indicates otherwise:

(1) CHALK ZONE means the lower chalk member of the Austin chalk formation overlying the Eagle Ford shale formation. The chalk zone consists primarily of a chalk limestone with minor seams of shale and bentonite clays.

(2) CREST means that line above the escarpment line where the slope becomes less than 4:1.

(3) DIRECTOR means the director of public works or his designated representative.

(4) ESCARPMENT AREA REVIEW COMMITTEE means the committee described in Section 51A-5.209 of this chapter.

(5) ESCARPMENT FACE means that portion of the escarpment zone between the crest and the toe.

(6) ESCARPMENT LINE means that line formed by the intersection of the plane of the stratigraphic contact between the Austin chalk and the Eagle Ford shale formations and the surface of the land.

(7) ESCARPMENT ZONE means that corridor of real property south of Interstate Highway 30 between the following described vertical planes:

(A) On the crest side of the escarpment line and measuring horizontally from that line, the vertical plane that is 125 feet from that line, or 35 feet beyond the crest, whichever is farther from that line.

(B) On the toe side of the escarpment line and measuring horizontally from that line, the vertical plane that is 85 feet from that line, or 10 feet beyond the toe, whichever is farther from that line.

(8) FACTOR OF SAFETY means a combination of factors which, when considered together, indicates whether the slope is stable at a slip surface location. The factor of safety (Fs) is determined using the equation:

$$Fs = \frac{Cr\ L + N \tan Or}{T}$$

when Cr is the residual cohesive strength, L is the length of the slip surface, N is the total normal force acting perpendicularly to the slip surface, tan is tangent, or is the residual angle of the internal friction, and T is the total driving force tending to cause the slope failure.

(9) GEOLOGICALLY SIMILAR AREAS means:

(A) areas adjacent to and similar to the escarpment zone by virtue of their slopes, soils, and geology; and

(B) the drainage basins containing the escarpment zone, excluding those portions of the basins which are:

(i) downstream from the areas described in Subparagraph (A) above; or

(ii) north of Interstate Highway 30.

(10) GRADING means excavation or filling or any combination thereof.

(11) REGISTERED PROFESSIONAL ENGINEER means a person who is duly licensed and registered to engage in the practice of engineering in the State of Texas in accordance with state law.

(12) SHALE ZONE means the Arcadia Park/Kamp Ranch members of the Eagle Ford shale formation which lie below the Austin chalk formation. The shale zone consists primarily of clays and shale with minor layers of limestone or sand.

(13) SLOPE, 4:1 means a slope with an angle described by four feet horizontal to one foot vertical.

(14) TOE means that line below the escarpment line where the slope becomes less than 4:1.

SEC. 51A-5.202. DEVELOPMENT IN ESCARPMENT ZONE PROHIBITED.

(a) A person commits an offense if, within the escarpment zone, he:

(1) removes or injures any tree or vegetation; or

(2) alters the physical condition of the land in any way. Examples of alterations to the physical condition of the

land include, but are not limited to dumping, excavation, storage, and filling.

(b) It is a defense to prosecution under Subsection (a) that the act was:

(1) the construction of a public improvement authorized by the city and performed in accordance with the requirements of this division; or

(2) the modification of a single family or duplex structure existing on the date of passage of this ordinance, and the modification did not:

(A) change the use of the structure;

(B) cause the size of the structure to exceed by 50 percent or more the size of the structure as it existed on the date of passage of this ordinance; or

(C) cause the market value of the structure to exceed by 50 percent or more the market value of the structure as it existed on the date of passage of this ordinance.

(c) The construction of public improvements in the escarpment zone requires an escarpment permit. The performance standards for development in a geologically similar area apply to the construction of public improvements in the escarpment zone.

SEC. 51A-5.203. PERMIT REQUIRED FOR DEVELOPMENT IN GEOLOGICALLY SIMILAR AREAS.

(a) A person commits an offense if, in a geologically similar area and without first obtaining an escarpment permit from the city expressly authorizing the act, he:

(1) removes or injures any trees or vegetation; or

(2) alters the physical condition of the land in any way. Examples of alterations to the physical condition of the land include, but are not limited to dumping, excavation, storage, and filling.

(b) It is a defense to prosecution under Subsection (a) that the act was the modification of a single family or duplex structure existing on the date of passage of this ordinance, and the modification did not:

(1) change the use of the structure;

(2) cause the size of the structure to exceed by 50 percent or more the size of the structure as it existed on the date of passage of this ordinance; or

(3) cause the market value of the structure to exceed by 50 percent or more the market value of the structure as it existed on the date of passage of this ordinance.

SEC. 51A-5.204. ESCARPMENT PERMIT APPLICATION AND REVIEW.

(a) An applicant for an escarpment permit shall request a preapplication conference with the escarpment area review committee. The purpose of the conference is to determine what information must be submitted with the permit application to allow a complete evaluation of the proposed project. After the conference, the committee shall advise the director of its findings and recommendations.

(b) After the preapplication conference, the applicant shall submit an application for an escarpment permit to the director. The application must be on a form approved by the director and be signed by the owner of the property. Except as otherwise provided in this division, the following items must be provided as part of the application:

(1) The name and address of:

(A) the owner(s) of the property; and

(B) the person(s) who prepared the plans and drawings submitted.

(2) A general vicinity map of the proposed development site.

(3) A one inch = 100 feet scale site plan showing details of the terrain and area drainage. This site plan must be a contour map with two-foot contour intervals.

(4) A one inch = 50 feet scale cross section and plan review of any proposed structures.

(5) Results of the slope stability analysis required under Section 51A-5.205.

(6) The soil erosion control plan required under Section 51A-5.206.

(7) The grading plan required under Section 51A-5.207.

(8) The vegetation plan required under Section 51A-5.208.

(9) Financial assurance in the form of a letter of credit, a performance bond, or other instrument payable to the city of Dallas for all improvements related to the required soil erosion control, grading, and vegetation plans to insure that funds are available to the city to implement those plans if the developer fails to implement them.

(10) A performance and maintenance bond for each three-way contract for the construction of public infrastructure improvements.

(11) One inch = 100 feet scale transparent overlay drawings of the required soil erosion control, grading, and vegetation plans such that a composite map can be created by combining the overlay drawings and the site plan required under Subsection (b)(3).

(12) Cost estimates and timetables for implementation and completion of work specified in the required soil erosion control, grading, and vegetation plans.

(13) Any other information that the director determines to be necessary to allow for a complete evaluation of the proposed project.

(c) If the director determines that one or more of the items listed in Subsection (b) is not necessary to allow for a complete review of the proposed project, he shall waive the requirement that the item or items be provided.

(d) All plans, drawings, and specifications submitted as part of an application for an escarpment permit must comply with the requirements of this chapter and all applicable ordinances, rules, and regulations of the city of Dallas.

(e) Upon submission by the applicant of a complete application for an escarpment permit, the director shall forward copies of all materials submitted to the escarpment area review committee for consideration. Upon review of all materials submitted, the committee shall furnish the director a written report containing its recommendations and comments concerning the proposed project. The director shall consider the committee's report before making a decision to grant or deny the escarpment permit.

(f) If the application and other materials submitted show that the proposed project complies with the requirements of this chapter and all applicable ordinances, rules, and regulations of the city of Dallas, the director shall issue an escarpment permit and forward the application to the building official for further action. Otherwise, the director shall deny the escarpment permit.

(g) The building official shall not issue a building permit for any project for which an escarpment permit is required unless the director has first issued an escarpment permit authorizing the work.

(h) The director may not authorize any disturbance of the land for development purposes until both the required soil erosion control and grading plans have been submitted and approved. After the approval of both of these plans, the director may issue a limited permit to authorize clearing and grubbing.

(i) A decision made by the director to grant or deny an escarpment permit may be appealed to the board of adjustment in the same manner that appeals are made from decisions of the building official.

(j) An inspector from the department of public works shall monitor all development for which an escarpment permit is required to insure compliance with the approved plans, the requirements of this chapter, and all applicable ordinances, rules, and regulations of the city of Dallas.

SEC. 51A-5.205. SLOPE STABILITY ANALYSIS.

(a) For all proposed development within a geologically similar area, field and laboratory tests must be performed on samples taken from representative locations within the development site to ascertain the existing geotechnical conditions.

(b) A slope stability analysis must be performed for each new structure to be erected within a geologically similar area. No structure may be erected where the slope stability factor of safety is less than 1.5.

(c) Except for items that are expressly waived by the director, the slope stability analysis data submitted must include the following:

(1) A description of the boring location(s).

(2) Drillers logs of borings delineating the stratigraphy of the soil and bedrock.

(3) The locations and methods used to determine groundwater conditions and elevations.

(4) A table of field and laboratory engineering tests including, but not limited to shear strength tests, atterberg limits, and shrink/swell tests.

(5) Calculations for the slope stability analysis, including the criteria and parameters used, indicating the slope and location of slip surfaces and corresponding factors of safety.

(d) All analyses, designs, tests, and calculations for new development within a geologically similar area must be certified by a registered professional engineer. A registered professional engineer must also certify that structural foundations for all new development are designed to meet the requirements of the building code and all other applicable codes.

SEC. 51A-5.206. SOIL EROSION CONTROL PLAN.

(a) A soil erosion control plan must be submitted for all proposed development within a geologically similar area. Except for items that are expressly waived by the director, the plan must:

(1) show the type of soil cover as mapped by the Soil Conservation Service and confirmed by representative field tests and samples;

(2) indicate the susceptibility to erosion of the mapped soils as confirmed by representative field tests and samples;

(3) show the location of existing and proposed development;

(4) include a timing schedule indicating starting and completion dates of the development activities sequence and the time of exposure of each area prior to completion of control measures;

(5) contain a complete description of all measures to

be taken to prevent or control erosion and sedimentation of soils during and after construction;

(6) comply with local soil conservation standards and specifications; and

(7) be certified by a registered professional engineer.

(b) Development within a geologically similar area must conform to the following performance standards:

(1) Development must be fitted to the topography and soils to minimize cut and fill sections.

(2) Grading is not permitted within the 100 year flood plain boundaries of watercourses unless it is:

(A) in conjunction with the construction of approved drainage facilities; or

(B) authorized by a city council approved fill permit. All grading must comply with Section 51A-5.207 of this division.

(3) Indigenous vegetation must be retained and protected except in immediate areas of development so that a minimal amount of vegetation is removed or replaced. If vegetation is removed, it must be replaced with new vegetation of the same variety unless the director of parks and recreation approves an alternative variety as being less susceptible to disease or better suited for urban development.

(4) Development must be accomplished in a manner which assures that as small an area as possible is exposed to erosion at any one time. When land is exposed during development, the exposure must be kept to the shortest practical period of time not to exceed six months. In extraordinary cases, an extension of the six month time period may be granted in writing by the director. In such cases the director shall seek and consider the recommendation of the escarpment area review committee before making his decision.

(5) Sediment basins or other installations approved by the director must be installed and maintained to remove sediment from runoff waters accumulating on land undergoing development. These installations should be returned to natural conditions upon the substantial completion of improvements or when the director determines that the installations are no longer needed. In any event, the owner shall cause these

installations to be returned to natural conditions within 90 days after written notice to do so is given by the director.

(6) Runoff caused by changed soil and surface conditions during and after development, both above and below the escarpment zone, must be controlled on each development site within approved drainage facilities so that the runoff leaving the site is maintained at or below predevelopment rates. Site-specific erosion control is required below the escarpment zone where the erosion control plan shows detrimental erosion caused by runoff velocities.

(7) Stormwater drainage may not be discharged over the escarpment face at eroding velocities as those velocities are defined in the soil evaluation reports. In no event may the discharge exceed a velocity greater than three feet per second. Stormwater drainage discharge must comply with Section 51A-5.207 of this division.

(8) Temporary vegetation and mulching must be used to protect areas exposed during development. Permanent vegetation must be established on disturbed areas following development in accordance with the vegetation plan required under Section 51A-5.208 of this division.

(9) Channel velocities may not exceed five feet per second, except that velocities higher than five feet per second may be maintained at up to predevelopment rates in the escarpment and chalk zones if the developer establishes to the satisfaction of the director that these velocities do not produce detrimental erosion. If damaging erosion is occurring, site-specific erosion control measures are required. Energy dissipators, if required, must be approved by the director to maintain channel velocities at acceptable levels.

SEC. 51A-5.207. GRADING PLAN.

(a) A grading plan must be submitted for all proposed development within a geologically similar area. Except for items that are expressly waived by the director, the following items must be included as part of the plan:

(1) A soil engineering report. This report must include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of the site to be developed. The report must be signed by a registered professional engineer.

(2) An engineering geology report. This report must include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of the site to be developed. The report must be signed by a registered professional engineer.

(3) Limiting dimensions, elevations or finish contours to be achieved by grading, and proposed drainage channels and related construction.

(4) Detailed plans for all surface and subsurface drainage devices, walls, cribbing, dams, and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and the estimated runoff of the area.

(b) Development within a geologically similar area must conform to the following performance standards:

(1) Grading must be planned so as to have the least disturbance on the area's natural topography, watercourses, vegetation, and wildlife. This may preclude all development in certain areas. No cleared, graded, or otherwise disturbed land may be left without temporary protective stabilizing cover. (See Section 51A-5.206.)

(2) The maximum slopes permitted in geologically similar areas shall be determined by the director based on the results of the geotechnical investigations of the site materials and other factors analyzed in this division.

(3) Topsoil must be stockpiled and redistributed on areas where vegetation will be grown after the grading is completed. Methods to insure maintenance of these areas until vegetation is established must be detailed.

SEC. 51A-5.208. VEGETATION PLAN.

(a) A vegetation plan must be submitted for all proposed development in a geologically similar area. Except for items that are expressly waived by the director, the plan must:

(1) show the location and type of landscape features and plant materials in the areas of proposed development; and

(2) specify all proposed vegetation removal and replacement.

(b) Development in a geologically similar area must conform to the following performance standards:

(1) Indigenous vegetation must be retained and protected except in immediate areas of development so that a minimal amount of vegetation is removed or replaced. If vegetation is removed, it must be replaced with new vegetation of the same variety unless the director of parks and recreation approves an alternative variety as being less susceptible to disease or better suited for urban development.

(2) Shrub borders must be maintained around woodlands where practicable.

(3) Landscaping must consist of ecologically suitable plant species.

SEC. 51A-5.209. ESCARPMENT AREA REVIEW COMMITTEE.

(a) In order to assist the director and the board of adjustment in the administration and interpretation of these escarpment regulations, and to establish an efficient forum for departmental input and review of proposed developments in geologically similar areas, an escarpment area review committee ("the committee") shall be established. The committee shall be advisory in nature and be comprised of at least one representative from the city departments of public works, planning and development, parks and recreation, and water utilities. Members of the committee shall be appointed by the directors of the departments they represent. At least one representative from each listed city department must be present to constitute a quorum.

(b) The committee shall have the following powers and duties:

(1) To thoroughly familiarize itself with the structures, land, areas, geology, hydrology, and indigenous plant life in the escarpment zone and in geologically similar areas.

(2) To thoroughly familiarize itself with the escarpment regulations.

(3) To identify criteria to be used in evaluating proposed development in the escarpment zone and in geologically similar areas.

(4) To identify guidelines to be used in determining whether a proposed development complies with the spirit and intent of the escarpment regulations.

(5) To meet with each prospective developer of a project for which an escarpment permit is required and make recommendations to the director as to what information may be waived or what additional information is required to allow a complete evaluation of the proposed project.

(6) To review applications for escarpment permits for compliance with the escarpment regulations, and to make recommendations to the director as to whether the applications should be approved or denied.

(7) To give advice and provide staff assistance to the board of adjustment and the city plan commission in the exercise of their responsibilities.

(8) To initiate amendments to the escarpment regulations when, in the opinion of the committee, the amendments are necessary to further the spirit and intent of the escarpment regulations.

(c) The committee shall meet at least once each month, with additional meetings to be held upon the call of the director, or upon petition of a simple majority of the members of the committee.

(d) The provisions of CHAPTER 8, "BOARDS AND COMMISSIONS," of the Dallas City Code, as amended, do not apply to the committee.

(e) Actions taken or recommendations made by the committee are not binding upon the director, the board of adjustment, the city plan commission, and the city council, and these persons and public bodies may decide a matter contrary to the recommendations of the committee.

ARTICLE VI

ENVIRONMENTAL PERFORMANCE STANDARDS

SEC. 51A-6.101. DEFINITIONS APPLICABLE TO THE ENVIRONMENTAL PERFORMANCE STANDARDS.

The following definitions are applicable to the environmental performance standards in this article:

(1) A-WEIGHTED SOUND LEVEL means the sound pressure level in decibels as measured on a sound level meter using the A-weighing network. The level so read is designated dB(A) or dBA.

(2) BACKGROUND NOISE means noise from all sources other than that under specific consideration including traffic operating on public thoroughfares.

(3) BOUNDING PROPERTY LINE means the far side of any street, alley, stream or other permanently dedicated open space from the noise source when such open space exists between the property line of the noise source and adjacent property. When no such open space exists the common line between two parcels of property shall be interpreted as the bounding property line.

(4) DAYTIME means the hours between 7:00 A.M. and 10:00 P.M. on any given day.

(5) DECIBEL (dB) means a unit for measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 Micronewtons per square meter).

(6) NOISE means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

(7) NOISE DISTURBANCE means any sound which (a) endangers or injures the safety or health of humans or animals, or (b) annoys or disturbs a reasonable person of normal sensitivities, or (c) endangers or injures personal or real property.

(8) PERSON means any individual, association, partnership, or corporation, and includes any officer, employee, department, agency or instrumentality of a State or any political subdivision of a State.

(9) Reserved.

(10) Reserved.

(11) SOUND means the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B, or C as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971, or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.

(12) SOUND LEVEL METER means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighting networks used to measure sound pressure levels.

(13) SOUND PRESSURE means the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound energy.

(14) SOUND PRESSURE LEVEL means 20 times the logarithm to the base 10 of the ratio of the RMS sound pressure to the reference pressure of 20 micropascals (20×10^{-6} N/m^2). The sound pressure level is denoted L_p or SPL and is expressed in decibels.

SEC. 51A-6.102. NOISE REGULATIONS.

(a) General provisions.

(1) A person shall not conduct a use that creates a noise level that violates the provisions of this section.

(2) A sound level meter and that meets the standards of the American Standards Association must be used to determine whether the level of noise violates this section. The instrument must be maintained in calibration and good working order. A calibration check must be made of the system at the time of any noise measurement.

(3) Traffic, aircraft, and other background noises must not be considered in measuring noise levels except when the background noise constitutes a part of the noise being measured.

(4) The requirements of this section do not apply to the side yard placement of a unitary air conditioning unit

which complies with the requirements in Section 51A-4.402(a)(4).

(b) Permissible noise level in residential districts.

(1) In a residential district, a person shall not conduct a use so as to create a sound pressure level on the bounding property line that exceeds the decibel limits contained in the following table:

Maximum Permissible Daytime Decibel Limits at the Bounding Property Line of a Residential District

	A Scale
Decibel Limit (dBA re 0.0002 Microbar)	56

(c) Permissible noise level in office, retail, CS, and mixed use districts.

(1) In an office, retail, CS, or mixed use district, a person shall not conduct a use so as to create a sound pressure level on the bounding property line that exceeds the decibel limits contained in the following table:

Maximum Permissible Daytime Decibel Units at the Bounding Property Line of an Office, Retail, CS, or Mixed Use District

	A Scale
Decibel Limit (dBA re 0.0002 Microbar)	63

(2) The sound pressure level at the boundary line between an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district and an office or retail district must not

exceed the decibel limits specified in Subsection (b)(1).

(d) Permissible noise level in IR, IM, and PD districts (industrial).

(1) In an IR, IM, or PD district, a person shall not conduct a use so as to create a sound pressure level on the bounding property line that exceeds the decibel limits contained in the following table:

Maximum Permissible Daytime Decibel Limits at the Bounding Property Line of a Use in an IR, IM, or PD (industrial) District

	A Scale
Decibel Limit (dBA re 0.0002 Microbar)	65

(2) Sound pressure level at the boundary line between an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district and a IR or IM district must not exceed the decibel limits specified in Subsection (b)(1).

(3) The sound pressure level at the boundary line between an O-1, O-2, NO, NO(A), LO, LO-1, LO-2, MO, MO-1, MO-2, GO, GO(A), NS, NS(A), GR, SC, CR, RR, LC, HC, or CS district and an IR or IM district must not exceed the decibel limits specified in Subsection (c)(1).

(e) Reserved.

(f) Noise level adjustments.

(1) The maximum permissible noise levels contained in Subsections (b)(1), (c)(1), and (d)(1) are subject to the following adjustments:

- -

Noise is present at nighttime. . . . . Subtract 7db

Noise is impulsive (meter reading changes at
a rate greater than 10 decibels per second. . . . Subtract 7db

- -

Noise Has An "On Time" Of No More Than:	And an "Off Time" Between Successive "On Times" Of At Least:	
0.5 Minutes	1/2 Hour /	
5.0 Minutes	1 Hour /	Add 10 Decibels
10.0 Minutes	2 Hours /	to permitted level
20.0 Minutes	4 Hours /	

(2) "Off-time" is when the level of the primary noise being measured does not exceed that of the background noise in any octave bands.

SEC. 51A-6.103. TOXIC AND NOXIOUS MATTER.

(a) A person shall not conduct a use that emits toxic or noxious matter across a property line that exceeds 10 percent of the threshold limit of concentration for an industrial worker.

(b) The threshold limit is determined by the Texas Department of Health, and is contained in "Threshold Limit Values, Occupational Health Regulation No. 3," as amended, a copy of which is incorporated by reference and is on file in the office of the city secretary.

SEC. 51A-6.104. GLARE.

(a) A person shall not conduct a use that has a visible source of illumination that produces glare or direct illumination across a property line of an intensity that creates a nuisance or detracts from the use or enjoyment of adjacent property.

(b) Outside lights must be made up of a light source and reflector so that acting together, the light beam is controlled and not directed across a property line.

SEC. 51A-6.105. VIBRATION.

(a) In an IR or IM district, a person shall not shall conduct a use so as to create earthborn vibrations on the bounding property line that exceed the displacement contained in the following table:

Allowable Displacement Earthborne
Vibrations IR, IM, and PD Districts

Frequency in Cycles per Second	Displacement In Inches
0 to 10	0.0010
10 to 20	0.0008
20 to 30	0.0005
30 to 40	0.0004
40 and over	0.0003

(b) Reserved.

SEC. 51A-6.106. ODORS, SMOKE, PARTICULATE MATTER AND OTHER AIR CONTAMINANTS.

These regulations are contained in Chapter 5A of the Dallas City Code.

SEC. 51A-6.107. NONCONFORMANCE WITH THE ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) A use that is nonconforming with applicable environmental performance standards may continue if it complies with any conditions imposed by the board or the city health officer for the protection of the use and enjoyment of adjacent property or the public health.

(b) A use that is nonconforming with applicable environmental performance standards may not be enlarged or remodeled if the enlargement or remodeling would cause greater noncompliance with the environmental performance standards than existed at the time the use became nonconforming.

ARTICLE VII

SIGN REGULATIONS

Division 51A-7.100

Purposes and Definitions

SEC. 51A-7.101. PURPOSE.

Signs use private land and the sight lines created by the public rights-of-way to inform and persuade the general public by publishing a message. This article provides standards for the erection and maintenance of private signs. All private signs not exempted as provided below shall be erected and maintained in accordance with these standards. The general objectives of these standards are to promote health, safety, welfare, convenience and enjoyment of the public, and, in part to achieve the following:

(a) SAFETY: To promote the safety of persons and property by providing that signs:

(1) do not create a hazard due to collapse, fire, collision, decay or abandonment;

(2) do not obstruct fire fighting or police surveillance; and

(3) do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to ready traffic signs.

(b) COMMUNICATIONS EFFICIENCY: To promote the efficient transfer of information in sign messages by providing that:

(1) businesses and services may identify themselves;

(2) customers and other persons may locate a business or service;

(3) no person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purposes; and

(4) persons exposed to signs are not so overwhelmed by the number of messages presented that they cannot find the information they seek, and are able to observe or ignore messages, according to the observer's purpose.

(c) LANDSCAPE QUALITY AND PRESERVATION: To protect the public welfare and to enhance the appearance and economic value of the landscape, by providing that signs:

(1) do not interfere with scenic views;

(2) do not create a nuisance to persons using the public rights-of-way;

(3) do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height, or movement;

(4) are not detrimental to land or property values; and

(5) contribute to the special character of particular areas or districts within the city, helping the observer to understand the city and orient himself with it.

SEC. 51A-7.102. DEFINITIONS.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) BUILDING means a structure which has a roof supported by columns, walls or air for the shelter, support, or enclosure of persons, animals or chattel.

(2) CHARACTER means any letter of the alphabet or numeral.

(3) CITY means the city of Dallas, Texas.

(4) COMMERCIAL MESSAGE means a message placed or caused to be placed before the public by a person or business enterprise directly involved in the manufacture or sale of the products, property, accommodations, services, attractions, or activities or possible substitutes for those things which are the subject of the message and that:

(A) refers to the offer for sale or existence for

sale of products, property, accommodations, services, attractions, or activities; or

(8) attracts attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire.

(5) COMMISSION means the city plan commission of the city of Dallas.

(6) EFFECTIVE AREA, for detached signs, means the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains all extremities of the sign, exclusive of its supports. This rectangle is to be calculated from an orthographic projection of the sign viewed horizontally. A viewpoint for this projection is to be taken which gives the largest rectangle of that kind, as the viewpoint is rotated horizontally around the sign. If elements of the sign are movable or flexible, as a flag or a string of lights, the measurement shall be taken when the elements are fully extended and parallel to the plane of view. The effective area for attached signs shall mean the sum of the areas of the minimum imaginary rectangles enclosing each word attached to any particular facade. This definition shall also apply to signs which are composed solely of words which identify a premise and which are attached to free-standing walls not over 6 feet in height.

(7) EXPRESSWAY means any public right-of-way designated as an expressway or freeway by the ordinances of the city of Dallas, as amended.

(8) FACADE means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within 45° of one another, they are to be considered as part of a single facade.

(9) HEIGHT, as applied to a sign, shall be measured as the vertical distance betweem the highest part of the sign or its supporting structure, whichever is higher, and a level plane going through the nearest point of the vehicular traffic surface of the adjacent improved public right-of-way, other than an alley. In the event a sign is equidistant from more than one improved public right-of-way, none of which are alleys, the highest point shall be used.

(10) INTERSECTION means the junctions of the centerlines of any two public rights-of-way, other than alleyways, crossing at

grade, or, where the crossing is separated at grade, the intersection shall be the point at which expressway travel pavements converge or diverge, or the point at which any expressway interchange ramp intersects the expressway travel pavement.

(11) LUMINANCE means the brightness of a sign or a portion thereof expressed in terms of footlamberts. For the purposes of this article, luminance shall be determined by the use of an exposure meter calibrated to standards established by the National Bureau of Standards and equipped with a footlambert scale.

(12) NONCOMMERCIAL MESSAGE means any message that is not a commercial message.

(13) MAJOR THOROUGHFARE means any public right-of-way designated as a major thoroughfare by the ordinances of the city of Dallas, as amended.

(14) OCCUPANCY is the purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

(15) PREMISE means a lot or unplatted tract that is reflected in the plat books of the building inspection division of the city. Refer to Section 51A-7.208 of this article.

(16) SETBACK means the required distance between any point on private land and the nearest point at the edge of the nearest public right-of-way, other than an alley. Where a public way crosses a railroad right-of-way, the setback distance is to be measured from the public right-of-way line extended across the railroad right-of-way.

(17) SIGN means any device, flag, light, figure, picture, letter, word, message, symbol, plaque, or poster visible from outside the premise on which it is located and which informs persons or attracts the attention of persons not on that premise, but does not include:

(A) searchlights and landscape features which display no words or symbols; or

(B) works of art; or

(C) temporary holiday decorations.

(18) SIGN, ATTACHED means any sign attached to, applied on,

or supported by, any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) which encloses or covers usable space.

(19) SIGN, DETACHED means any sign connected to the ground which is not an attached, portable, or vehicular sign.

(20) SIGN, ILLUMINATED, means any sign which is directly lighted by any electrical light source, internal or external. This definition shall not include signs which are illuminated by street lights or other light sources owned by any public agency or light sources which are specifically operated for the purpose of lighting the area in which the sign is located rather than the sign itself.

(21) SIGN, MOVEMENT CONTROL, means a sign which directs vehicular or pedestrian movement within or onto the premise on which the movement control sign is located.

(22) SIGN, NON-PREMISE, means any sign which is not a premise sign.

(23) SIGN, ONE, means any number of detached signs structurally connected above grade.

(24) SIGN, PORTABLE, means any sign which is not securely connected to the ground in such a way that it cannot easily be moved from one location to another and which is not an attached sign, vehicular sign, or a sign which refers solely to the sale or lease of the premises.

(25) SIGN, PREMISE, means any sign the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services or activities of or on those premises, or the sale, lease, or construction of those premises.

(26) SIGN, PROTECTIVE, means any sign which is commonly associated with safeguarding the permitted uses of the occupancy, including, but not limited to "bad dog," "no trespassing," and "no solicitors."

(27) SIGN, SPECIAL PURPOSE, means a sign temporarily supplementing the permanent signs on a premise.

(28) SIGN SUPPORT, means any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one inch in height, nor is internally or decoratively illuminated.

(29) SIGN, VEHICULAR, means any sign on a vehicle moving along the ground or on any vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include signs which are being transported to a site of permanent erection.

(30) WIND DEVICE means any flag, banner, pennant, streamer, or similar device that moves freely in the wind. All wind devices are considered to be signs, and are regulated and classified as attached or detached, by the same rules as other signs.

(31) WORD: For the purpose of this article, one word shall be deemed to be any of the following:

(A) Any word in any language found in any standard unabridged dictionary or dictionary of slang.

(B) Any proper noun or any initial.

(C) Any separate symbol or abbreviation, such as "&", "$", "%", and "Inc.".

(D) Any telephone number, street number, or commonly used, combination of numerals and/or symbols such as "$5.00", or "50%".

(E) Any symbol or logo which is a registered trademark, but which itself contains no word or character.

(F) Otherwise, each separate character is considered to be a word.

(32) ZONING DISTRICT, BUSINESS, means any zoning district designated by this chapter as CR, RR, CS, IR, IM, central area, MU-2, or MU-3. Any P(A) district is also included in this list, unless specifically excluded by its provisions.

(33) ZONING DISTRICT, NON-BUSINESS, means any zoning district not designated as a business district in accordance with the above definition. Any P district may be specifically designated a business zoning district for the purposes of this article.

Division 51A-7.200

Provisions For All Zoning Districts

SEC. 51A-7.201. APPLICATION OF DIVISION.

The provisions of Sections 51A-7.201 through 51A-7.207 shall apply to all signs in the city, without regard to zoning.

SEC. 51A-7.202. IMITATION OF TRAFFIC AND EMERGENCY SIGNS PROHIBITED.

No person shall cause to be erected or maintained any sign using any combination of forms, words, colors, or lights, which imitate standard public traffic regulatory, emergency signs, or signals.

SEC. 51A-7.203. SIGNS OVER RIGHT-OF-WAY OR ROOF.

(a) No sign shall be located on or project over a building, except as provided in Section 51A-7.305.

(b) No sign shall be located within or project over any public right-of-way, or across the public right-of-way line extended across a railroad right-of-way, except when attached to and projecting no more than 18 inches from a building wall legally located at or near the right-of-way line or except as provided in Section 51A-7.203(c).

(c) Reserved.

SEC. 51A-7.204. OTHER CODES NOT IN CONFLICT, APPLICABLE.

All signs erected or maintained pursuant to the provisions of this article shall be erected and maintained in compliance with all applicable state laws and with the building code, electrical code, and other applicable ordinances of the city. In the event of conflict between this article and other laws, the most restrictive standard applies.

SEC. 51A-7.205. PORTABLE SIGNS, SPECIAL PURPOSE SIGNS, MOVEMENT CONTROL SIGNS AND PROTECTIVE SIGNS.

(a) Reserved.

(b) Portable signs, as that term is defined in Section 51A-7.102, are prohibited.

(c) Special purpose signs affixed to the inside of the windows of nonresidential occupants may be displayed for a maximum of 12 time periods in each calendar year with a maximum of 30 days per time period, as long as they conform to all other regulations for attached signs.

(d) All other special purpose signs may be erected at any occupancy or upon any premise no more than once each calendar year for a maximum of 30 consecutive days.

(e) Movement control signs may be erected at any occupancy or on any premise, other than a single-family or duplex premise, may be attached or detached, and may be erected without limit as to number, provided, that such signs shall comply with all other applicable requirements of this article. The occupant of a premise who erects a movement control sign shall comply with the following requirements, unless granted a variance under the provisions of Section 51A-7.703:

(1) Each sign must not exceed two square feet in effective area.

(2) If a sign is an attached sign, the words must not exceed four inches in height.

(3) Each sign must convey a message which directs vehicular or pedestrian movement within or onto the premise on which the sign is located.

(4) The signs must contain no advertising or identification message.

(f) The occupant of a premise may erect not more than two protective signs, in accordance with the following provisions:

(1) Each sign must not exceed 100 square inches in effective area.

(2) Detached signs must not exceed two feet in height.

(3) Letters must not exceed four inches in height.

SEC. 51A-7.206. VEHICULAR SIGNS.

Vehicular signs shall conform to the following restrictions:

(a) Vehicular signs shall contain no flashing or moving elements.

(b) Vehicular signs shall have no element with a luminance greater 200 footlamberts.

(c) Vehicular signs shall not project beyond the surface of a vehicle for a distance in excess of 8 inches.

(d) Vehicular signs shall not be attached to a vehicle so that the driver's vision is obstructed from any angle.

(e) Signs, lights and signals used by authorized emergency vehicles shall not be restricted.

(f) Vehicular signs shall conform to all the regulations for detached signs if:

(1) the vehicular sign is so placed as to constitute a "sign" as defined in Section 51A-7.102; and

(2) the vehicle upon which the sign is located is parked on other than a temporary basis.

(g) The owner of the vehicle upon which a vehicular sign is placed is responsible for ensuring that the provisions of this section are adhered to and commits an offense if any vehicular sign on his vehicle violates this section. If such a vehicle is found unattended or unoccupied, the registered owner of the vehicle shall be presumed to be the actual owner. The records of the state highway department or the county highway license department showing the name of the registered owner of such vehicle shall constitute prima facie evidence of actual ownership by the named individual.

SEC. 51A-7.207. GOVERNMENT SIGNS.

Nothing in this article shall be construed to prevent the display of the flag of a governmental entity; or to limit flags, insignia, legal notices, or informational, directional, or traffic signs which are legally required or necessary to the essential functions of government agencies.

SEC. 51A-7.208. CREATION OF SITE.

The building official shall not issue a permit for construction, erection, placement, or maintenance of a sign

until a site is established under one of the following conditions:

(a) A lot or tract is part of a plat which is approved by the city plan commission and filed in the plat records of Dallas County, Texas and the lot or tract has contact, through fee simple ownership, with a dedicated street.

(b) A lot or tract was separately owned prior to September 11, 1929 or prior to annexation by the city whichever applies, and the lot or tract has contact, through fee simple ownership, with a dedicated street.

(c) A lot or tract is part of a plat that is platted as an industrial subdivision in which only streets, easements, and blocks are delineated and the plat is approved by the city plan commission and filed in the plat records of Dallas County, Texas. In which case, no specific lot delineation is required.

SEC. 51A-7.209. SIGNS DISPLAYING NONCOMMERCIAL MESSAGES.

(a) Notwithstanding any other provision of this article, any sign that may display a commercial message may also display a noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with other requirements of this article or other ordinances that do not pertain to the content of the message displayed.

(b) Notwithstanding any other provision of this article, or other ordinance, any sign that may display one type of noncommercial message may also display any other type of noncommercial message, so long as the sign complies with other requirements of this article or other ordinances that do not pertain to the content of the message displayed.

Division 51A-7.300

Provisions For Business Zoning Districts

SEC. 51A-7.301. APPLICATION OF DIVISION.

The provisions of this division apply to all signs in

business zoning districts unless the sign is within 25 feet of either a non-business zoning district boundary or a public park of more than one acre.

SEC. 51A-7.302. OTHER PROVISIONS GOVERN EXCEPTIONS.

Signs within 25 feet of either a non-business zoning district boundary or a public park of more than one acre shall be governed by the provisions of Division 51A-7.400 of this article.

SEC. 51A-7.303. GENERAL PROVISIONS APPLICABLE TO SIGNS IN BUSINESS ZONING DISTRICTS.

(a) No illuminated sign which has an effective area of 400 square feet or less shall have a luminance greater than 300 footlamberts, nor shall any such sign have a luminance greater than 300 footlamberts for any portion of the sign within a circle two feet in diameter. No illuminated sign which has an effective area greater than 400 square feet shall have a luminance greater than 200 footlamberts, nor shall any such sign have a luminance greater than 200 footlamberts for any portion of the sign within a circle of two feet in diameter. The restrictions of luminance in this section shall be determined from any other premise or from any public right-of-way other than an alley.

(b) Any illuminated sign or any illuminated element of any sign, may turn on or off, or change its brightness, provided that:

(1) change of illumination does not produce any apparent motion of the visual image, including but not limited to illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation or any similar effect of animation;

(2) no change of message or picture occurs more often than once each 3 seconds for those portions of a sign which convey time or temperature and once each 20 seconds for all other portions of a sign; and

(3) no portion of the sign, within a circle of two feet in diameter, has a luminance greater than 200 footlamberts when all elements of the sign are fully and steadily illuminated.

(c) No sign or any part of any sign may move or rotate at

a rate more often than once each 10 seconds, or change its message at a rate more often than once each 20 seconds, with the exception of wind devices, the motion of which is not restricted. No sign may move, rotate or change its message at any rate if any of its elements or any illuminated portion within a two-foot circle has a luminance greater than 200 footlamberts.

SEC. 51A-7.304. DETACHED SIGNS.

Detached signs are permitted in business zoning districts as follows:

(a) Detached signs may be either premise or non-premise signs.

(b) Only one detached sign of any type may be erected on any premise except that:

(1) premises which have more than 450 feet of frontage along the public way other than an alley, may have not more than one additional detached sign for each additional 450 feet of frontage or fraction thereof;

(2) premises with frontage along both an expressway and a major thoroughfare, an expressway and a secondary thoroughfare, and a major thoroughfare and a major thoroughfare, may have two detached premise signs. In the event a second detached sign is permitted by the application of Section 51A-7.304(b)(1), this rule shall not be construed to permit any additional detached sign; and

(3) any premise or any non-residential occupancy may be granted a temporary permit for no more than one detached special purpose sign, provided that said sign conforms to all other provisions governing detached signs.

(c) Detached signs of an effective area of 50 square feet or less may be located as near as five feet to the public right-of-way or at the building line if this requires a lesser setback provided that said sign does not exceed 20 feet in height and does not occupy the space between two feet and 10 feet above grade within 15 feet of the public right-of-way except for supports, which may not exceed a total cross-sectional area of two square feet.

(d) A detached sign of an effective area of 150 square feet or less may be located as near as 15 feet to the

right-of-way, provided that said sign does not exceed 30 feet in height.

(e) A detached sign of an effective area of 400 square feet or less may be located as near as 25 feet to the right-of-way or as near as the building setback line specified by the other provisions of this chapter, whichever is further, provided that it does not exceed a height of 40 feet.

(f) No detached signs shall exceed 400 square feet in effective area or 40 feet in height except as hereinafter provided in Subsection (h) for certain detached signs.

(g) Detached non-premise signs shall be located not less than 200 feet from any intersection involving two or more major thoroughfares, or expressway travel lanes or ramps, or expressway service roads intersecting major thoroughfares.

(h) Where a detached sign is wholly within 100 feet of an expressway right-of-way, and is oriented to be visible from that expressway, then the following exceptions apply:

(1) The height of that sign may be extended to 50 feet, or to 30 feet above the nearest point on the nearest travel surface of that nearest expressway, whichever is higher, provided that the total height of the sign, as defined for this article, does not exceed 60 feet.

(2) The maximum effective area of premise signs set back 40 feet may be increased from 400 to 1,000 square feet.

(3) The maximum effective area of non-premise signs set back 40 feet may be 675 square feet. The effective area of these non-premise signs does not include:

(A) the sign skirting if no part of the sign message appears on the skirting other than the name of the sign company; and

(B) a temporary extension that does not exceed 20 percent of the size of the face of the sign.

(4) The minimum setbacks are to be measured from the edge of the nearest expressway travel lane, except that no sign shall occupy the space between two feet and 14 feet from grade within 15 feet of the right-of-way except for supports. No sign shall be nearer than five feet to the public right-of-way or to the right-of-way line extended across a railroad right-of-way.

SEC. 51A-7.305. ATTACHED SIGNS.

Attached signs are permitted in business areas in accordance with the following provisions:

(a) All attached signs must be premise signs or must convey a noncommercial message.

(b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below.

(c) On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.

(d) Any premise or any non-residential occupancy may temporarily display one special purpose sign on each facade, limited to eight words with characters equal to or exceeding a height of four inches.

(e) Attached signs may project more than 18 inches from building surfaces as follows:

(1) Any premise or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building surface, but not above the roof, provided that the premise or occupancy maintains no detached sign on the premise, and that the sign does not exceed 20 square feet in effective area, and that no part of the sign descends closer to grade than 10 feet, nor projects into or over any public right-of-way.

(2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the facade, and does not project more than four feet above the surface to which it is attached.

(f) Words may be attached to machinery or equipment which is necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice machines, etc., provided that words so attached refer exclusively to products or services dispensed by the device, and project no more than one inch from the surface of the device.

SEC. 51A-7.306. SPECIAL PROVISIONS FOR NON-PREMISE SIGNS.

(a) Definitions. In this section:

(1) "Expressway" means the Dallas North Tollway and those public streets listed in Section 28-156 of the Dallas City Code.

(2) "Residential zoning district" means:

(A) an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) zoning district; or

(B) a planned development district that provides for single family, duplex, or multifamily uses as a component.

(b) Measurements.

(1) Measurements of distance under this section are taken radially unless otherwise specified in the provision.

(2) Measurement "along-the-way" is a measurement taken along the centerline of one or more public streets. The measurement must be taken from the point on the centerline of the street that is nearest to the sign or proposed sign location, to the point on the centerline that is nearest to the other sign or proposed sign location.

(3) "Radial" measurement is a measurement taken along the shortest distance between a sign or proposed sign location and the nearest point on another sign or on a zoning district boundary.

(c) CR, RR, MU-2, and MU-3 zoning districts. A non-premise sign in a CR, RR, MU-2, or MU-3 zoning district may not:

(1) exceed 72 square feet in effective area;

(2) be illuminated unless the illumination is internal to the sign and the sign is located at least 100 feet from any residential zoning district boundary;

(3) be located within:

(A) 250 feet of another non-premise sign that does not exceed 72 square feet in effective area, measured along-the-way; or

(B) 75 feet of another non-premise sign;

(C) 30 feet of any residential zoning district boundary; or

(4) exceed 20 feet in height.

(d) Former GR zoning districts. If a non-premise sign that exceeds 72 square feet in effective area and that is located on property not within 100 feet of an expressway right-of-way and that was zoned GR on May 1, 1984, is removed for any reason pursuant to a demolition permit, that sign may be replaced in accordance with the following rules:

(1) The sign may be replaced by another non-premise sign on property within the same zoning district if:

(A) it was zoned GR on May 1, 1984; and

(B) the zoning was changed from GR to CR, RR, or MU-2.

(2) The replacement sign may not be located within:

(A) 300 feet of a residential zoning district boundary measured along-the-way on the same side of the street;

(B) 150 feet of a residential zoning district boundary on the opposite side of the street measured along-the-way;

(C) 100 feet of a residential zoning district;

(3) The replacement sign may be illuminated if the replaced sign was illuminated.

(4) The replacement sign may be no larger than 400 square feet in effective area or the size of the sign being replaced, whichever is smaller.

(5) The replacement sign may be no higher than 30 feet or the height of the sign being replaced, whichever is less.

(6) The applicant for a replacement sign must submit the demolition permit for the removed sign with the application for a replacement sign permit.

(e) Expressways.

(1) A non-premise sign adjacent to an expressway in any business zoning district, including but not limited to a CR, RR, MU-2, or MU-3 zoning district, may be illuminated and exceed the effective area established in Subsection (c)(1) if the sign is:

(A) wholly within 100 feet of the expressway right-of-way; and

(B) at least 100 feet from any residential zoning district.

(2) A non-premise sign adjacent to an expressway may not be located within:

(A) 500 feet of another non-premise sign on the same side of the street, measured along-the-way; or

(B) 150 feet of another non-premise sign.

(f) Other areas of the city. In all areas of the city that are not described in Subsections (c) or (e) where non-premise signs are permitted:

(1) a non-premise sign that exceeds 72 square feet in effective area may not:

(A) exceed 400 square feet in effective area;

(B) be located within 100 feet of a MH, MH(A), MF, or MF(A) zoning district or a planned development district that provides for mobile home or multifamily uses as a component;

(C) be located within 300 feet of a R, R(A), D, D(A), TH, TH(A), or CH zoning district or a planned development district that provides for single family or duplex uses as a component;

(D) be located within:

(i) 500 feet of another non-premise sign on the same side of the street that exceeds 72 square feet in effective area measured along-the-way;

(ii) 150 feet of another non-premise sign that exceeds 72 square feet in effective area;

(iii) 75 feet of another non-premise sign that does not exceed 72 square feet in effective area; or

(E) exceed 30 feet in height; and

(2) a non-premise sign that does not exceed 72 square feet in effective area may not:

(A) be illuminated unless the illumination is internal to the sign and the sign is located at least 100 feet from any residential zoning district boundary;

(B) be located within:

(i) 250 feet of another non-premise sign that does not exceed 72 square feet in effective area, measured along-the-way;

(ii) 75 feet of another non-premise sign;

(iii) 30 feet of any residential zoning district boundary; or

(C) exceed 20 feet in height.

Division 51A-7.400

Provisions for Non-Business Zoning Districts

SEC. 51A-7.401. APPLICATION OF DIVISION.

The provisions of this division apply to all signs located:

(1) in any non-business zoning district;

(2) within 25 feet of a non-business zoning district boundary; or

(3) within 25 feet of a public park of more than one acre.

SEC. 51A-7.402. GENERAL PROVISIONS APPLICABLE TO SIGNS IN NON-BUSINESS ZONING DISTRICTS.

(a) No portion of an illuminated sign shall have a luminance greater than 200 foot lamberts.

(b) No sign nor part of any sign in a non-business zoning district shall move, flash, rotate, or change its illumination more than once an hour.

(c) An occupant in non-business zoning districts may erect only signs that convey a noncommercial message, special purpose signs, and premise signs, which include movement control signs and protective signs.

(d) In approving any single family, duplex, or townhouse residential subdivision plat, the city plan commission may permit the erection of signs that contain only the identification of a residential neighborhood subdivision on any legally erected structure. Such signs are exempt from compliance with the provisions of Section 51A-7.403 of this article. The maximum effective area of such signs shall not exceed 40 square feet each as measured by the rule for effective area of attached signs in Section 51A-7.102. The maximum number of signs permitted for each subdivision shall be two signs per street entrance into the platted subdivision area. The sign height, maximum effective area, location on the plat, words, setbacks, a graphic presentation of the sign, and number of signs per subdivision shall be prominently indicated on the plat. Prior to the issuance of a sign permit authorized by this section, an applicant must present an instrument approved by the city plan commission and the city attorney as to form, and filed for record in the deed record of Dallas County, Texas which identifies the lot or specific property on which any sign is to be located in the subdivision.

SEC. 51A-7.403. DETACHED SIGNS.

(a) Multifamily and non-residential premises may display detached signs subject to the following restrictions:

(1) TYPE OF SIGNS: A sign permitted by this subsection must:

(A) be a premise sign; or

(B) convey a noncommercial message.

(2) NUMBER OF SIGNS: Each premise may have no more than one detached sign; provided, however, that premises with more than 750 feet of frontage along a public way, other than an alley, may have not more than one additional detached sign for each 500 feet of additional frontage or fraction thereof. Each premise may display not more than one detached special purpose sign.

(3) SETBACK: A sign permitted by this subsection must comply with the following setback requirements:

(A) A minimum setback of five feet is required of all detached signs.

(B) A minimum setback of 10 feet is required for signs exceeding 10 square feet in effective area or 15 feet in height.

(C) A minimum setback of 20 feet is required for all signs exceeding 20 square feet in effective area or 20 feet in height.

(D) A minimum setback of 15 feet is required if any part of the sign, other than supports that do not exceed a total cross-sectional area of one square foot, occupies the space between two feet and 10 feet above grade.

(4) EFFECTIVE AREA AND HEIGHT: A detached sign may not exceed 50 square feet in effective area or 25 feet in height.

(b) A single family or duplex residential premise may display detached signs subject to the following restrictions:

(1) TYPE OF SIGNS: A sign permitted by this subsection must:

(A) refer to the sale or lease of the premises;

(B) refer to an occasional sale authorized in Section 51A-4.217(b)(5) of this code; or

(C) convey a noncommercial message.

(2) NUMBER OF SIGNS: Each premise may have no more than one detached sign; provided, however, that premises with more than 750 feet of frontage along a public way, other than an alley, may have not more than one additional detached sign for each 500 feet of additional frontage or fraction thereof.

(3) SETBACK: A sign permitted by this subsection must comply with the following setback requirements:

(A) A minimum setback of five feet is required for all detached signs unless the premise has a yard that is less than five feet, in which case the sign must be set back the maximum possible distance.

(B) A minimum setback of 10 feet is required for signs exceeding 10 square feet in effective area.

(C) A minimum setback of 15 feet is required if any part of the effective area of the sign occupies the space above two feet above grade.

(4) EFFECTIVE AREA AND HEIGHT: A detached sign may not exceed 20 square feet in effective area or eight feet in height.

SEC. 51A-7.404. ATTACHED SIGNS.

(a) Attached signs are permitted for multifamily premises, non-residential premises, and non-residential occupancies in non-business zoning districts, subject to the following restrictions:

(1) All attached signs must be premise signs or must convey a noncommercial message.

(2) All signs erected pursuant to this section shall be limited to one per facade per occupant of premise.

(3) Words consisting of characters all of which are less than four inches in height may be used without limit as to number, and shall not be considered in computing the effective area.

(4) No occupant shall be permitted to have more than one special purpose sign per facade. A special purpose sign attached to a facade shall have no more than eight words which contain any character equal to or exceeding four inches in height. Words consisting of characters all of which are less than four inches in height may be used without limit as to number.

(5) No attached sign erected pursuant to this section shall be permitted to have more than eight words consisting of characters in excess of four inches in height and such sign shall not exceed 40 square feet in effective area. As an exception to this rule a building in an LO-1, LO-2, MO-1, MO-2, or GO(A) zoning district may be permitted to have additional attached signs with larger effective areas above the first 24 feet of building height when the following conditions are met:

(A) If an election is made to erect a sign greater than 40 square feet only one sign on that facade will be permitted above the first 24 feet of building height. Nothing herein shall prohibit each occupant or premise otherwise authorized an attached sign pursuant to this section to have such a sign below the first 24 feet of building height.

(B) Only two attached signs per building may have an effective area larger than 40 square feet and each shall be on a separate facade.

(C) Each attached sign erected pursuant to this exception may have an additional 40 square feet of effective area for each additional 12 feet of building height above the first 24 feet of building height.

(6) All signs and their words shall be mounted parallel to the building surface to which they are attached and shall project no more than 18 inches from the surface to which they are attached except as provided in Paragraph (7) below. Signs shall not be mounted on roofs and shall not project above roofs.

(7) A non-residential premise may erect one attached sign that projects no further than 4 feet from the vertical building surface provided that the sign may not be illuminated, exceed 20 square feet in effective area, extend above the roof or over any public right-of-way, be located within the space 10 feet above the grade, or be on a premise with a detached sign.

(b) A single family or duplex residential premise may not display an attached sign except a protective sign.

Division 51A-7.500

Special Provision Sign Districts

SEC. 51A-7.501. PURPOSE OF SPECIAL PROVISION SIGN DISTRICTS.

For the purpose of establishing, enhancing, preserving, and developing the character, quality, and property values of areas of unique character and special development potential, and to protect public welfare, districts whose signs are regulated by special provisions may be established from time to time, as provided below.

SEC. 51A-7.502. CREATION OF A SPECIAL PROVISION SIGN DISTRICT.

By amendment to this article, the city council may designate an area as a special provision sign district subject to the following conditions:

(a) The district must include frontage on both sides of the street, either for an entire block or for not less than 500 feet measured along the way or continuous set of intersecting ways.

(b) The designation of an area as a special provision sign district must have been recommended to the city council by the city plan commission as an area requiring modifications of the sign regulations, due to characteristics not existing elsewhere in the city. Prior to making such a recommendation, the commission must hold a public hearing on the designation of the special district and its proposed regulations. All owners of property within the affected area, and all owners of property lying within 200 feet of the affected area, shall be given written notice of such hearing at least 10 days prior to said hearing.

(c) As a prerequisite to the establishment of such a special provision sign district, the council must determine that the modified rules established for said districts shall:

(1) preserve and enhance the special character of the particular area;

(2) cause no disturbance to neighboring property lying outside the proposed district;

(3) create no hazard or annoyance to motorists or pedestrians; and

(4) not contravene the intent of this chapter.

SEC. 51A-7.503. MODIFICATIONS ALLOWED IN SPECIAL PROVISION SIGN DISTRICTS.

Without changing the definition of this article, or altering its basic structure, the modified rules for special provision sign districts may:

(a) impose sign restrictions which are in addition to, or more stringent than those provided for elsewhere in this article.

(b) waive certain restrictions, or establish restrictions more lenient than those provided for elsewhere in this article, but only as follows:

(1) The allowable rapidity of motion, rotation, or change of message may be varied.

(2) The allowable brightness or change of illumination of illuminated signs may be varied. The restrictions contained in Section 51A-7.303(b)(1) may be modified.

(3) The allowable number of special purpose signs may be varied, and their allowable duration modified.

(4) The allowable area or number of words for attached signs may be varied.

(5) Variations may be made in the allowable effective area, number, height, or setback of detached signs.

(6) Signs may be permitted in or overhanging the public way subject to the franchise requirements of Chapter 45 of the building code.

SEC. 51A-7.504. SPECIAL SIGN DISTRICT ADVISORY COMMITTEE CREATED.

(a) There is hereby created a committee to be known as the special sign district advisory committee, hereinafter called the "committee", composed of five members appointed by the city plan commission. The committee shall be appointed within 15 days following the effective date of the establishment of the first special provision sign district created pursuant to the provisions of Division 51A-7.500 of this article. The members of the committee shall include one architect, one graphic designer, and one businessman associated with the sign industry. The city plan commission is authorized to solicit a list of nominees from any trade or professional association the membership of which has special knowledge of or interest in the design, construction, and placement of signs or urban planning and design. Appointments to the committee shall be for a term of two years ending on September 1 of each odd-numbered year and the members shall serve without compensation. The commission shall designate a chairman and vice-chairman from the members.

(b) The committee shall meet at least once each month with additional meeting upon call by the committee chairman or a simple majority of the committee members. A simple majority of members present shall constitute a quorum and issues shall be decided by a simple majority vote of the members present. The department of planning and urban development shall furnish staff support to the committee.

(c) The function of the committee shall be to familiarize itself thoroughly with the character, special conditions, and economics of all special provision sign districts as provided in Section 51A-7.503 of this article. In addition, the committee shall, upon request, provide guidance, advice and assistance to any applicant for a sign permit in a special provision sign district. The committee shall review all applications for sign permits in each special provision sign district and shall make recommendations to the city plan commission in accordance with the procedures established in Section 51A-7.505.

(d) Nothing in this article shall be construed to affect or modify the authority of any committee or commission whose duty it is to review permits for changes to the exterior of buildings in a special purpose district. Such committee or commission shall continue to review said permits using the standards and procedures established for that special purpose district.

SEC. 51A-7.505. PERMIT PROCEDURES FOR SPECIAL PROVISION SIGN DISTRICTS ONLY.

(a) No sign permit shall be issued in a special provision sign district to any applicant by the division of building inspection unless the application has first been reviewed by the committee and a "certificate of appropriateness" has been issued by the city plan commission.

(b) When applying for a sign permit in a special provision sign district, the applicant shall submit his application in duplicate to the division of building inspection, which shall forward a copy of the application to the committee chairman within five working days of receipt thereof. The applicant shall provide the committee with specific information in the form of perspectives, renderings, photographs, models, or other representations sufficient to show the nature of the proposed sign and its effect on the immediate premises. Any applicant may request a meeting with the committee before submitting an application and may consult with the committee during the review of the permit application. Every applicant is entitled to appear before the committee and to be present when any vote is taken.

(c) If the committee finds the proposed sign to be consistent with special character of the special provision sign district, the committee shall make a recommendation of approval to the city plan commission. The committee shall consider the proposed sign in terms of its appropriateness to the special provision sign district with particular attention to the effect of the proposed sign upon the economic structure of the special provision sign district and the effect of the sign upon adjacent and surrounding premises without regard to any consideration of the message conveyed by the sign. Upon receipt of a recommendation of approval, the commission may indicate its concurrence by forwarding a "certificate of appropriateness" to the building inspection division within 15 days. In the event of denial, the commission shall so inform the building inspection division in writing. Upon receipt thereof the building inspection division shall so advise the applicant within five working days. Nothing herein shall be construed to affect or modify the authority of the building official to refuse to grant a sign permit in any case in which

the proposed sign does not conform to specific provisions of height, effective area, setback or similar restrictions established in this article or the modified restrictions applicable to the special provision sign district, or to the structural requirements of the building code or other codes which the building inspection division is required by law to enforce.

(d) If no action has been taken by the committee and the city plan commission within 60 days of the receipt of the application by the division of building inspection, a certificate of appropriateness shall be deemed issued by the commission and the building inspection division shall so advise the applicant.

(e) No change shall be made in any permit application subsequent to action by the commission without resubmittal to the committee and approval thereof as hereinabove provided.

(f) An applicant may appeal a denial of a certificate of appropriateness by the commission to the city council within 60 days.

SEC. 51A-7.506. EXPIRATION OF SPECIAL PROVISION SIGN DISTRICTS.

The city council may establish a special provision sign district for a limited time. At the end of this period, the special provision sign district, and its provisions regulating signs, shall be discontinued, unless renewed for another limited period in accordance with the procedure established in 51A-7.502.

Division 51A-7.600

Permit Procedures

SEC. 51A-7.601. ADMINISTRATION OF ARTICLE BY DIVISION OF BUILDING INSPECTION.

The provisions of this article shall be administered and enforced by the division of building inspection.

SEC. 51A-7.602. PERMITS.

(a) While all signs not explicitly exempted are subject to the provisions of this article, and while a permit to erect any

sign not so exempted may be applied for if desired, a permit is required only for the following signs:

(1) All signs having an effective area greater than 20 square feet.

(2) All signs having a height in excess of eight feet.

(3) All illuminated signs.

(4) All signs with moving elements.

(5) All signs erected or to be erected in or over any public way.

(6) All signs projecting more than 18 inches from any wall, roof, parapet or eve.

(b) Any sign for which a permit is issued shall be inspected after its erection for conformity to the provisions of this article by the division of building inspection.

SEC. 51A-7.603. APPLICATIONS.

All applications for permits shall include a drawing to scale of the proposed sign and all existing signs maintained on the premises and visible from the right-of-way, a drawing of the lot plan or building facade indicating the proposed location of the sign, and specifications for its construction, lighting, motion and wiring, if any. All drawings shall be of sufficient clarity to show the extent of the work.

SEC. 51A-7.604. SIGN IDENTIFICATION.

Any sign for which a permit is required shall bear a seal of compliance. This information shall be affixed to the sign.

SEC. 51A-7.605. LANDMARK SIGNS.

(a) Any person may apply to the city plan commission for designation of an existing sign as a landmark sign. If a sign is designated as a landmark sign, it is exempted from the provisions of Division 51A-7.700 of this article. An owner of a landmark sign must ensure that the sign is not structurally dangerous nor a fire hazard, and does not cause electrical shocks nor other hazardous conditions.

(b) When application is made to the city plan commission, the commission shall review the application in accordance with Subsection (c) of this section in a public hearing and shall

submit its recommendation to the city council. The city council may act upon the recommendation of the city plan commission by granting or denying the application subject to the voting requirement in Section 51A-7.803 of this article.

(c) To qualify for designation as a landmark sign, the sign must:

(1) be at least 15 years of age;

(2) be visible from a distance of one-half mile or more from a major thoroughfare or expressway;

(3) possess unique physical design characteristics such as configuration, color, texture, or other unique characteristics; and

(4) be of extraordinary significance to the city.

(d) In the consideration of Subsection (c)(4) of this section, the city plan commission shall evaluate:

(1) the landmark status of the sign on the basis of historical significance of the physical composition or structure of the sign without regard to the historical significance of the company or other entity which is identified by the sign; and

(2) the importance of the sign in identifying a particular area of the city and the attitude and sentiment of the community concerning the historical significance of the sign without regard to the historical significance of the company or other entity which is identified by the sign.

Division 51A-7.700

Non-Conformance

SEC. 51A-7.701. PURPOSE OF DIVISION.

It is the declared purpose of this division that, in time, all privately owned signs shall either conform to the provisions of this article or be removed. By the passage of this ordinance and its amendments, no presently illegal sign shall be deemed to have been legalized unless such sign complies with all current standards under the terms of this ordinance and all other ordinances of the city of Dallas. Any

sign which does not conform to all provisions of this ordinance shall be a non-conforming sign if it legally existed as a conforming or non-conforming sign under prior ordinances; or an illegal sign if it did not exist as a conforming or non-conforming sign, as the case may be. It is further the intent and declared purpose of this ordinance that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time this ordinance was adopted shall be discharged or affected by such passage, but prosecutions and suits for such offenses, liabilities, penalties or forfeitures may be instituted, and causes presently pending may proceed.

SEC. 51A-7.702. REMOVAL OF CERTAIN NON-CONFORMING SIGNS.

(a) Signs erected without a permit, either prior to or after the adoption of this article, are illegal signs if a permit was required for its erection according to the law in effect at the time the sign was erected. It shall be unlawful to maintain any illegal sign. It is a defense to prosecution under this subsection if the sign has been made to comply with the provisions of this article so that a permit may be issued.

(b) All signs which were legally erected pursuant to a valid permit or legally maintained and which do not conform to the provisions of this article shall be removed or modified so as to conform with the requirements of this article before May 14, 1983, or within 10 years of the date the sign became non-conforming, whichever is later, with the following exceptions:

(1) A detached non-premise sign made non-conforming by the creation of the CBD Freeway Loop Sign District is exempt from the above conformity dates.

(2) The conformity dates for the removal or modification of those signs for which financial compensation is required under state or federal law shall be extended for only so long as compensation continues to be required by state or federal law.

(3) All legally erected signs made non-conforming by Section 51A-7.304(h)(3) or Section 51A-7.306 may remain in place subject to the provisions of Subsection (c) and are exempt from the above conformity provisions.

(c) No non-conforming sign shall be repaired or renovated at a cost in excess of 35 percent of the replacement cost of the total sign structure, unless said sign is brought into conformity with this chapter. No non-conforming sign shall be repaired or renovated where the effect of such repair or

renovation shall be to enlarge or increase the structure of the non-conforming sign. For the purposes of this section, normal maintenance shall not be considered to be repair or renovation.

(d) The building official shall notify in writing the owner or person in control of any non-conforming sign as to the fact of its non-conformity.

(e) All signs in the West End Historic Sign District which were legally erected pursuant to a valid permit or legally maintained and which do not conform with the requirements of Division 51A-7.1000 of this article must be removed or modified so as to conform with the requirements of that division before June 1, 1992, or within seven years of the date the sign became non-conforming as to the requirements of that division, whichever is later, except that the conformity dates for the removal or modification of those signs for which financial compensation is required under state or federal law shall be extended for only so long as compensation continues to be required by state or federal law.

SEC. 51A-7.703. BOARD OF ADJUSTMENT.

(a) Except as provided in Section 51A-7.704 of this article the board of adjustment created by Article III of this chapter may, in specific cases, take the following actions and authorize the following special variances and exceptions with respect to the provisions of this article.

(b) The board of adjustment may waive any filing fee for an appeal under this article when the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement as part of his appeal or request the matter be placed on the board's miscellaneous docket for predetermination. If the matter is placed on the miscellaneous docket, the applicant may not file his appeal until the merits of the request for waiver have been determined by the board.

(c) When in its judgment the public convenience and welfare will be substantially served and appropriate use of the neighboring area will not be substantially and permanently injured, the board of adjustment may, in specific cases and subject to appropriate conditions, authorize only the following special variances and exceptions to the regulations established in this article for non-conforming signs legally erected or maintained prior to April 30, 1973:

(1) Extend the period of time allowed by this article for the owner of a sign to recoup his investment when from the evidence presented the board finds that a 10 year period is insufficient for the owner of a sign to fully recover his

investment in the sign.

(2) Permit a variance for detached non-premise signs of up to 20 percent of the setback, effective area, and height requirements of this article.

(3) Permit a variance for detached premise signs of up to 25 percent of the setback, effective area, and height requirements of this article.

(4) Authorize one additional detached sign on a premise in excess of the number permitted by this article.

(5) Authorize up to two additional large letter words on an attached sign in excess of the number permitted by this article.

(6) Permit the following special variances and exceptions for movement control signs when from the evidence presented the board finds them to be necessary to give directions to a business:

(A) Authorize an identification message to be placed on the sign.

(B) Authorize an effective area of up to 4 square feet.

(C) Authorize a height of up to 2-1/2 feet.

(7) Authorize the remodeling, renovation, or alteration of a sign when some non-conforming aspect of the sign is thereby reduced and when the period of time allowed for the owner of the sign to recoup his investment is not thereby extended.

(8) The board of adjustment may also vary any or all other provisions of this article not specified above with respect to premise signs only when the board has made a specific finding from evidence presented that strict compliance will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article.

(d) Except as provided in Section 51A-7.703(c) the board of adjustment may, in specific cases and subject to appropriate conditions, authorize only the following special variances and exceptions to the regulations established in this article when the board has made a special finding from the evidence presented that strict compliance with the requirement of this article will result in substantial financial hardship or

inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article:

(1) Permit a variance for detached premise signs of up to 10 percent (10%) of the setback, effective area, and height requirements of this article.

(2) Authorize one additional detached premise sign on a premise in excess of the number permitted by this article.

(3) Authorize up to two additional large letter words on an attached sign in excess of the number permitted by this article.

(4) Permit the following special variances and exceptions for movement control signs when from the evidence presented the board finds them to be necessary to give directions to a business:

(A) Authorize an identification message to be placed on the sign.

(B) Authorize an effective area of up to 4 square feet.

(C) Authorize a height of up to 2-1/2 feet.

(e) The board of adjustment may hear and decide appeals which allege error in any order, requirement, decision, or determination made by the building inspection division in the enforcement of this article.

(f) The board of adjustment may require a non-conforming sign to be brought into immediate conformity with all current standards of all ordinances of the city of Dallas, or to be removed when from the evidence presented the board finds the sign to be hazardous to the public or to have been abandoned by its owners.

(g) Where a permit was required for a sign's erection according to the law in effect at the time the sign was erected and where building inspection division finds no record of a permit being issued, the board of adjustment may authorize the issuance of a replacement permit when from the evidence presented the board finds either that a permit was issued or that arrangements were made with a sign company to obtain said permit. The period of time allowed by Section 51A-7.702(b) for the owner to recoup his investment will not be extended by issuance of a replacement permit.

SEC. 51A-7.704. SIGN CONTROL BOARD OF ADJUSTMENT.

There is hereby created a sign control board of adjustment which shall be organized, appointed, and function as follows:

(1) The jurisdiction of the sign control board of adjustment shall take effect immediately from the date of passage of this section and continue thereafter until the 31st day of August, 1987, on which date the tenure of this board will expire unless extended or sooner terminated by the city council. When the tenure of the sign control board of adjustment expires, its jurisdiction and functions will revert to the board of adjustment.

(2) During its tenure the sign control board of adjustment will exercise exclusive jurisdiction over the provisions of Section 51A-7.703 of this article.

(3) The provisions for organization, appointment of members and alternate members, quorum, voting, public notice, public hearing, and other procedural requirements found in Sections 51A-3.102 and 51A-7.703 of this article for the board of adjustment will be the same for the sign control board of adjustment.

(4) It is the intent of the city council of the city of Dallas that the sign control board of adjustment shall be a quasi-judicial body whose decisions may be challenged under the substantial evidence rule. To that end, all procedural requirements for challenging the legality of decisions of the board of adjustment shall apply to decisions of the sign control board of adjustment.

SEC. 51A-7.705. DETERMINATION OF NONCOMMERCIAL MESSAGES.

(a) Findings. The city council finds that it may be necessary in the enforcement of this article to determine whether the message displayed upon a sign is a commercial message or a noncommercial message.

(b) Hearing. If a person receives a notice of violation or is cited for maintaining an illegal sign, and the person notifies the city attorney in writing within 10 days of receiving the notice or citation that he believes the sign displays a noncommercial message and is, therefore, not in violation of this article, the city attorney shall postpone prosecution of the case and shall have the matter placed on the agenda of the sign control board of adjustment for appeal under Section 51A-7.703(e) of this article. The board shall give the person maintaining the sign 10 days written notice of a public hearing on the matter. After hearing the evidence, the board shall decide whether the message displayed on the sign is

commercial or noncommercial. No fee may be charged for this appeal.

(c) Judicial Review. If the board decides that the message is commercial and that the sign is illegal, the person maintaining the sign may within 10 days of the board's decision file a notice of nonacceptance of the decision with the city attorney. Within three days after receiving notice of nonacceptance, the city attorney shall initiate suit in the district court for determination that the sign is commercial and for an injunction to prohibit display of the sign in violation of this article. The city shall bear the burden of showing that the sign is commercial. In computing the three-day time period, Saturdays, Sundays, and legal holidays are excluded.

(d) When the tenure of the sign control board of adjustment expires, hearings under Subsection (b) will be before the board of adjustment.

Division 51A-7.800

Procedure For Changes and Amendments

SEC. 51A-7.801. AUTHORITY TO AMEND; SUBMISSION OF PROPOSED AMENDMENTS TO CITY PLAN COMMISSION.

The city council may from time to time amend, supplement or change this article. The amendment, supplement, or change may be petitioned for by any person, corporation, or group of persons by filing an application and paying a nonrefundable fee of $1,100 to the department of urban planning. Proposals for amending, supplementing, or changing this article in the public interest may also be initiated by motion of the city council or the city plan commission. Before taking any action on a proposed amendment, supplement or change, the city council shall submit the same to the city plan commission for its recommendation and report.

SEC. 51A-7.802. PUBLIC HEARINGS PROVIDED.

The city plan commission shall hold a public hearing on any amendment, supplement or change prior to making its recommendation and report to the city council. At least 15 days notice of the time and place of such hearing shall be published in the official newspaper of the city of Dallas.

SEC. 51A-7.803. THREE-FOURTHS VOTE OF CITY COUNCIL IN CERTAIN CASES.

If the proposed amendment, supplement or change gets an unfavorable recommendation from the city plan commission, such

amendment, supplement or change shall not become effective except by a three-fourths vote of the members of the city council of the city of Dallas.

Division 51A-7.900

Provisions For CBD-Freeway Loop Sign District

SEC. 51A-7.901. DESIGNATION OF CBD-FREEWAY LOOP SIGN DISTRICT.

The CBD-Freeway Loop Sign District created under Chapter 51 is hereby recognized as that area bounded by the following lines:

BEGINNING at a point being the intersection of the SE line of Thomas Avenue with the SW line of Hall Street, said point being the most northerly corner of Lot 1, Block T/587;

THENCE with said SW line of Hall Street proceeding southeasterly, crossing North Central Expressway, Cochran Street, and Jewett Street and continuing to the NW line of Flora Street, a point for a corner;

THENCE southwesterly with said NW line of Flora Street, approximately 187 feet to a point on a common tract line in Block 1/594;

THENCE crossing Flora Street to a point in a common tract line in Block 595, being approximately 197 feet SW from Hall Street;

THENCE along common tract lines in Block 595 southeasterly to a point for a corner on the NW line of Ross Avenue, being approximately 181 feet SW from Hall Street;

THENCE southwesterly with said NW line of Ross Avenue to a point for a corner on the northwesterly extension of the SW line of Pavillion Street;

THENCE southeasterly along said extension line and with the SW lines of Pavillion Street, crossing Van Court Street and continuing to a point for a corner on the NW line of San Jacinto Street;

THENCE southwesterly with the NW line of San Jacinto Street to a point for a corner on the common line of Blocks 4/505 and 504;

THENCE southerly, crossing San Jacinto Street to a point on a common tract line in Block 1/503, being approximately 205 feet from the NE line of Liberty Street and continuing

southeasterly along common tract lines in Block 1/503 to a point for a corner on the NW line of Adolph Street, being approximately 203 feet NE from Liberty Street;

THENCE southwesterly with said NW line of Adolph Street and extending same to a point for a corner on the SW line of Liberty Street;

THENCE southeasterly with the SW line of Liberty Street to a point for a corner on the NW line of Bryan Street;

THENCE southwesterly, along the NW line of Bryan Street to a point for a corner, being on the northwesterly extension line of the SW line of approximately 25 feet wide Allen Street;

THENCE southeasterly with said extension line and the SW line of Allen Street and continuing southeasterly along a common tract line in Block 289 to a point for a corner on the NW line of Live Oak Street, said point being approximately 252 feet SW from Liberty Street;

THENCE southwesterly with the NW line of Live Oak Street and extending same to the SW line of Cantegral Street, a point for a corner;

THENCE southeasterly along the SW lines of Cantegral Street, crossing Live Oak Street and Florence Street to a point for a corner on the NW line of 15 feet wide Lodge Street;

THENCE southeasterly thru Block 271 with the NW line of Lodge Street to a point for a corner on the NE line of Good-Latimer Expressway;

THENCE southeasterly with said NE lines of Good-Latimer Expressway, crossing Swiss Avenue, Floyd Street, Gaston Avenue and the T.& P.R.R. right of way and extending to a point for a corner on the southwesterly extension of the SE line of 25 feet wide Monument Street;

THENCE northeasterly with said extension line and the SE line of Monument Street to a point for a corner on the SW line of an alley in Block 286;

THENCE southeasterly and southerly with the westerly lines of said alley in Block 286 and extending same to a point for a corner on the South line of Elm Street;

THENCE easterly with the south line of Elm Street to a point for a corner on the common block line of Blocks 182 and A/480;

THENCE southerly with said common line of blocks 182 and A/480 and with the common line of Blocks 182 and 2/480 and crossing Main Street to a point for corner on the common line of Blocks 183 and 3/183;

THENCE easterly along the south line of Main Street, crossing Prior Street and continuing to a point for a corner on the West line of Crowdus Street;

THENCE southerly along the west lines of Crowdus Street, crossing Commerce Street to a point for a corner, same being the northeast corner of Block 4/186;

THENCE easterly along the south lines of Commerce Street, crossing Crowdus Street and continuing to a point for a corner on the common line of Lots 4 and 3, Block 13/191;

THENCE southerly along the common line of Lots 4 and 3 Block 13/191, crossing 25 feet wide Clover Street and continuing along the common line of Lots 11 and 12, Block 13/191, and crossing Canton Street to a point for a corner on the common line of Lots 4 and 3, Block 12/192;

THENCE easterly along the south line of Canton Street to the west line of Oakland Avenue, a point for a corner;

THENCE southerly with said west line of Oakland Avenue and extending same to a point for a corner on the south line of 25 feet wide Virgil Street;

THENCE easterly along the south lines of Virgil Street crossing Oakland Avenue and Walton Street and continuing to a point for a corner on the west line of Hall Street;

THENCE easterly with the extension of the south line of 30 feet wide Virgil Street, crossing Hall Street, Block 850 and part of Block 851 to a point for a corner, being the northwesterly extension of a common block line of Blocks 851 and 7/851;

THENCE southwesterly along said northwesterly extension line and common block line of Blocks 851 and 7/851 to a common block corner and continuing northeasterly with said common block line and with the common block line of Blocks 851 and 6/851 and extending same through part of Block 851 to a point for a corner on the southwest right of way line of the T.& P.R.R.;

THENCE southeasterly with said SW right of way line of the T.& P.R.R. to a point for a corner, being on the southwesterly extension of a common tract line in Block

6/828, same being approximately 177.5 feet northwesterly from and parallel to Hickory Street;

THENCE northeasterly, crossing the T.& P.R.R. right of way and 20 feet wide Truck Avenue and continuing along said common tract line in Block 6/828 to a point for a corner on the southwest line of Second Avenue;

THENCE southeasterly with said southwest line of Second Avenue and extending same to a point for a corner on the southeast line of Hickory Street;

THENCE northeasterly, crossing Second Avenue and continuing along the southeast line of Hickory Street to a point for a corner on the southwest line of First Avenue;

THENCE southeasterly along said southwest line of First Avenue, crossing the G.C.&.S.F.R.R. right of way to a point for a corner on the northeasterly line of Block 2/812;

THENCE easterly with the southerly line of First Avenue, crossing R. L. Thornton Freeway to the easterly right of way line of said freeway, same being the northwest cornerpoint of Block 6/812;

THENCE southerly along the west line of said Block 6/812 to its southwest cornerpoint;

THENCE southwesterly, crossing a portion of R. L. Thornton Freeway right of way, including an underpass portion of Second Avenue, to a point for a corner on the southeast right of way line of R. L. Thornton Freeway and the west line of Oak Lane, same being the present northeast corner of Block 3/812;

THENCE southerly with the west lines of Oak Lane, crossing Third Avenue and continuing to the most southerly cornerpoint of Block 4/812;

THENCE westerly, crossing Block 853 and the G.C.&S.F.R.R. right of way with the shortest line connecting to a point on the northeast line of said G.C.&S.F.R.R. right of way and being on the southwest line of Chestnut Street extended;

THENCE southwesterly with the northeast line of said railroad right of way to a point on the southwest line of Jeffries Street extended;

THENCE northwesterly with said extension line and the southwest line of Jeffries Street to the southeast line of Hickory Street, a point for a corner;

THENCE southwesterly with said southeast line of Hickory Street and extending same to a point for a corner on the centerline of Oakland Avenue;

THENCE southeasterly along the centerline of Oakland Avenue to a point for a corner on the northwest right of way line of the G.C.& S.F.R.R.;

THENCE southwesterly with said northwest right of way line of the G.C.& S.F.R.R. to a point for a corner on the southeasterly extension of the southwest line of Lot 17, Block 14/865;

THENCE crossing Central Expressway (Interstate Highway 45) to a point for a corner, being on the westerly right of way line of said Central Expressway (Interstate Highway 45) and the northwest line of Corinth Street;

THENCE southwesterly with said northwest line of Corinth Street to the northeast line of Good-Latimer Expressway, a point for a corner;

THENCE westerly, crossing Good-Latimer Expressway to a point for a corner on the northwest line of a 12 feet wide tract in Block 869-1/4, the same being approximately 142 feet from and parallel to Corinth Street;

THENCE southwesterly with the northwest line of said 12 feet wide tract in Block 869 1/4 to a point for a corner on the northeast right of way line of the (T.&N.O.R.R.) H.& T.C.R.R.;

THENCE westerly, crossing said (T.&N.O.R.R.) H.&T.C.R.R. right of way to a point for a corner on the northwest line of Corinth Street;

THENCE southwesterly with the northwest lines of Corinth Street, crossing South Central Expressway and Harwood Street and continuing to the northeast line of Park Avenue to a point for a corner;

THENCE northwesterly with said northeast lines of Park Avenue, crossing Hickory Street and continuing to a point for a corner on the northeasterly extension of the northwest line of Beaumont Street, same being the southeast line of Block 454 extended;

THENCE southwesterly with said northwest line of Beaumont Street to a point for a corner on the northeast line of an alley in Block 454;

THENCE northwesterly with said northeast line of an alley in Block 454 to a point for a corner on the common line of Lots 16 and 17 extended;

THENCE southwesterly along said extension line and common lot line to the northeast line of St. Paul Street, a point for a corner;

THENCE northwesterly with said northeast line of St. Paul Street and extending same to a point for a corner on the northwest line of Gano Street;

THENCE southwesterly with said northwest line of Gano Street to a point for a corner on the northeast line of Ervay Street;

THENCE crossing Ervay Street to a point for a corner on the northwest line of Gano Street;

THENCE northwesterly with the southwest line of Ervay Street and extending same to a point for a corner on the northwest line of approximately 35 feet wide Sullivan Avenue;

THENCE southwesterly along said northwest line of Sullivan Avenue to the northeast line of Orr Street, a point for a corner;

THENCE northwesterly with said northeast line of Orr Street and extending same to a point for a corner, being on the northeasterly extension of the common line of Blocks 448 1/2 and Block B/93;

THENCE southwesterly along said common block line to a point for a corner on the northeast line of Browder Street;

THENCE with said northeast line of Browder Street northwesterly and extending to the northwest line of Blakeney Street, a point for a corner;

THENCE southwesterly crossing Browder Street and continuing along the northwest line of approximately 25 feet wide Blakeney Street to the northeast line of Akard Street, a point for a corner;

THENCE westerly, crossing Akard Street to a point for a corner on the southwest line of Akard Street and the northwest line of Powhattan Street;

THENCE southwesterly along the northwest line of Powhattan Street, crossing Peters Street, Wall Street, and a C.R.& P.R.R. right of way and continuing with said northwest line

of Powhattan Street and extending to a point for a corner on the southwest line of Lamar Street;

THENCE northwesterly with said southwest line of Lamar Street to a point for a corner being approximately 660 feet southeasterly from the southeast line of Cadiz Street;

THENCE southwesterly crossing Block 1082, Austin Street, Block 1082, the M.K.T.R.R. and C.R. & P.R.R. right of ways and Block 1081 and across an old channel of the Trinity River with the shortest line connecting to the common northeast corner point of Lots 10 and 11, Block 69/7338;

THENCE southwesterly with the common line of Lots 10 and 11, Block 69/7338 and crossing Industrial Blvd. to a point for a corner on the common line of Lots 4 and 5, Block 71/340;

THENCE southwesterly with said common line of Lots 4 and 5 and with the common line of Lots 24 and 25 through Block 71/340 to a point for a corner on the northeast line of Rock Island Street;

THENCE southwesterly, crossing Rock Island Street and through part of Block 8000 to a point for a corner on the approximate centerline of the Trinity River East Levee (of the City and County of Dallas Levee Improvement District), said point being approximately 660 feet southeasterly from the southeast right of way line of Cadiz Street Viaduct;

THENCE northwesterly and northerly with said approximate centerline of the Trinity River East Levee and crossing Cadiz Street Viaduct right of way, R. L. Thornton Freeway right of way, the North Texas Traction Company right of way, Houston Street Viaduct right of way, Texas Turnpike Authority right of way and continuing to a point for a corner on the southerly right of way line of West Commerce Street;

THENCE easterly with said southerly line of West Commerce Street to a point for a corner on the east line of said Trinity River East Levee;

THENCE crossing West Commerce Street and continuing northwesterly with said east line of the Trinity River East Levee to a point for a corner on the original 230 feet wide Texas and Pacific R.R. southerly right of way line;

THENCE easterly along said original Texas and Pacific R.R. southerly right of way line to a point for a corner on same, being approximately 660 feet westerly from the westerly line of Stemmons Freeway;

THENCE northerly, crossing the Texas and Pacific R.R. right of way and part of Block 6828 to a point for a corner on the westerly line of Industrial Blvd. and on the common line of Block 6828 and 409;

THENCE with the westerly line of Industrial Blvd. northwesterly and extending same to a point for a corner, being on the westerly extension of the north line of Continental Avenue;

THENCE easterly along said extension line and the north line of Continental Avenue and extending same to a point for a corner on the northeast line of Dragon Street, same being the southwest corner of Block 2/409;

THENCE northwesterly with the northeast lines of Dragon Street, crossing Wichita Street and continuing to a point for a corner in Block 409 on a common tract line, being approximately 369 feet northwest of the northwest line of Wichita Street;

THENCE northeasterly with common tract lines to a point for a corner on the southwest line of Slocum Street;

THENCE northeasterly, crossing Slocum Street, Block 401, Stemmons Freeway, the C.R.I.& P.R.R. and S.L. & S. W. R. R. right of ways, a Dallas Power and Light Company tract in Blocks 392 and 393 and the MKT R.R. right of way and crossing part of Blocks I/389, J/384 and a closed portion of Griffin and Ashland Streets, with the shortest line connecting to a point on the southeast line of Ashland Street and the northeast line of an alley in Block G/385;

THENCE northeasterly with said southeast lines of Ashland Street, crossing Summer Street and extending to a point for a corner on the NE line of Wesley Alley;

THENCE southeasterly along said NE line of Wesley Alley to the SE line of Block I/354, a point for a corner;

THENCE northeasterly along the southeast line of Block I/354 and along the northwest line of Cedar Springs Road to a point for a corner on the southwest line of 24 feet wide Yates Alley;

THENCE northeasterly with the northwest lines of Cedar Springs Road, crossing Yates Alley, old Field Street, Alamo Street, right of way for new extension of Field Street, and Caroline Street and extending said northwest line of Cedar Springs Road across Akard Street to a point for a corner on the east line of Cedar Springs Road;

THENCE with the east line of Cedar Springs Road northerly to the south line of Harwood Street, a point for a corner;

THENCE easterly with said south line of Harwood Street and extending same to a point for a corner on the easterly line of McKinney Avenue extended;

THENCE northeasterly along said extension line and the easterly line of McKinney Avenue to a point for a corner on the southwest line of Olive Street;

THENCE crossing Olive Street to a point for a corner on the southeast line of Thomas Street;

THENCE northeasterly along the southeast lines of Thomas Street, crossing Pearl Street, Crockett Court, Leonard Street, Fairmount Street, Routh Street, Boll Street, Worthington Street, Clay Alley, Allen Street, Clyde Alley, Clark Street, Ellis Street and Hugo Street and continuing to the southwest line of Hall Street and the point of beginning.

SEC. 51A-7.902. SPECIAL PROVISIONS FOR NON-PREMISE SIGNS.

Pursuant to the authority of Section 51A-7.503(a) of this article, the rules relating to the erection of detached non-premise signs, are hereby expressly modified as follows:

(a) No person may erect a detached non-premise sign in the CBD-Freeway Loop Sign District.

(b) Reserved.

SEC. 51A-7.903. SPECIAL PROVISION FOR SIGNS ON CONSTRUCTION BARRICADES.

(a) Pursuant to the authority of Section 51A-7.503, the rules relating to the erection of signs in that portion of the CBD Freeway Loop Sign District contained within the boundaries described by the centerlines of Woodall Rogers Freeway, North Central Expressway, Thornton Freeway, and Stemmons Freeway are expressly modified as follows:

(1) The director of planning and development shall review all signs to be placed on a construction barricade for consistency with the construction fence requirements of the Dallas Central Business District Streetscape plan. Upon approval of the signs by the director, a sign permit for the

signs may be issued. This review is a condition on any permit issued for a construction barricade. No additional sign permits for the barricade may be issued after the barricade permit is issued.

(2) A sign that is affixed to a construction barricade must not project more than two inches from the construction barricade.

(3) A sign that is affixed to a construction barricade must neither be lighted nor contain any moving parts.

(4) A sign that is affixed to a construction barricade must be removed when the construction barricade is removed.

(5) The information contained on a sign placed on a construction barricade may only convey information regarding what is being constructed on the site and who is conducting the construction. The sign must not advertise a product.

Division 51A-7.1000

Provisions For West End Historic Sign District.

SEC. 51A-7.1001. DESIGNATION OF WEST END HISTORIC SIGN DISTRICT.

The West End Historic Sign District created under Chapter 51 is hereby recognized as that area of the city within the following described boundaries:

Beginning at the center of the intersection of Main Street and Lamar Street; then north along the center line of Lamar Street to the southern boundary of the Woodall Rodgers Freeway right-of-way; then southwest along the southern boundary of the Woodall Rodgers Freeway right-of-way to its intersection with Railroad Track ICC-158; then south along Track ICC-158 to its merger with Track ICC-15; then south along Track ICC-15 to its merger with Main Line 2; then south along Main Line 2 to its intersection with the center line of Commerce Street; then east along the center line of Commerce Street to its intersection with the center line of Austin Street; then north along the center line of Austin Street to its intersection with the center line of Main Street; then east along the center line of Main Street to the point of beginning.

SEC. 51A-7.1002. PURPOSE.

The purpose of this division is to regulate the construction of new signage and alterations made to existing signage with a view towards preserving the historic nature of this district. The general objectives of this division include those listed in Section 51A-7.101 as well as aesthetic considerations to insure that new signage is of appropriate historical design and does not visually obscure significant architectural features of a building or the district in general.

SEC. 51A-7.1003. DEFINITIONS.

In this division:

(1) BANNER means a sign attached to or applied on a strip of cloth and temporarily attached to a building or structure. Canopy signs and political flags are not banners.

(2) CANOPY SIGN means a sign attached to, applied on, or supported by a canopy or awning.

(3) FLAT ATTACHED SIGN means an attached sign projecting four or less inches from a building.

(4) LOWER LEVEL SIGN means a sign partially or wholly situated below the top of the first floor windows or, if there are no first floor windows, below a point 12 feet above grade.

(5) MARQUEE means a permanent canopy projecting over the main entrance of a building. A marquee is considered to be part of the building.

(6) MARQUEE SIGN means a sign attached to, applied on, or supported by a marquee.

(7) NIGHT means the time period from one-half hour after sunset to one-half hour before sunrise.

(8) PAINTED APPLIED SIGN means a sign painted directly on to the exterior facade of a building, not including doors and windows.

(9) PROJECTING ATTACHED SIGN means an attached sign projecting 18 or more inches from a building.

(10) THIS DISTRICT means the West End Historic Sign District.

(11) TYPE A FACADE means a facade with a total window area comprising between 30 and 50 percent (inclusive) of the total

facade area.

(12) TYPE B FACADE means a facade with a total window area comprising less than 30 or more than 50 percent of the total facade area.

(13) UPPER LEVEL SIGN means a sign wholly situated above the top of the first floor windows or, if there are no first floor windows, above a point 12 feet above grade.

(14) WINDOW SIGN means a sign painted directly onto a window.

SEC. 51A-7.1004. SPECIAL PROVISIONS FOR ALL SIGNS.

(a) Pursuant to the authority of Section 51A-7.503 of this article, the rules relating to the erection of all signs in the West End Historic Sign District are expressly modified as follows:

(1) No illuminated sign may contain flashing or moving elements or change its brightness, except as otherwise provided in this division.

(2) No sign may be illuminated by fluorescent or back lighting. The use of indirect lighting is allowed.

(3) The use of neon and/or single incandescent bulbs is allowed.

(4) The use of plastic on the exterior of a sign is prohibited.

(5) The use of a fluorescent color on a sign is prohibited.

(6) No sign or part of a sign may move or rotate, with the exception of a wind device, the motion of which is not restricted.

(7) All signs must be premise signs or convey a noncommercial message.

(b) The following typestyles are suggested, but not required, for signs in this district: Americana Extra Bold, Aster Bold, Baskerville Bold, Bodoni Bold, Bookman Bold, Caslon No. 3, Cheltenham Bold, Copperplate Gothic 31, Craw Modern, Egyptian 505 Bold, Garamond Bold, Gothic 13, Goudy Extra Bold, Times Roman Bold.

SEC. 51A-7.1005. SPECIAL PROVISIONS FOR ATTACHED SIGNS.

Pursuant to the authority of Section 51A-7.503 of this article, the rules relating to the erection of attached signs in the West End Historic Sign District are expressly modified as follows:

(a) Attached signs in general.

(1) Attached signs must be securely attached.

(2) Attached signs overhanging the public way are permitted, except that no sign may project closer than two feet to the vertical plane extending through the back of a street curb.

(3) Attached signs projecting horizontally more than four but less than 18 inches from a vertical building surface are prohibited.

(4) No attached sign other than a painted applied sign or a marquee sign may exceed 30 square feet in effective area.

(b) Canopy signs.

(1) No canopy sign may:

(A) project horizontally more than two inches from the surface of the canopy or awning;

(B) be lower than 10 feet above grade; or

(C) project vertically above the surface of the canopy or awning.

(2) The total effective area permitted for all canopy signs combined on a premise is the product obtained by multiplying 20 square feet times the number of street entrances to the premise.

(c) Flat attached signs on Type A facades.

(1) The maximum number of lower level flat attached signs permitted on a Type A facade is the sum obtained by counting all of the street entrances and first floor windows on that facade.

(2) No lower level flat attached sign on a Type A facade may exceed six feet in effective area.

(3) The maximum permitted effective area for all upper level flat attached signs combined on each Type A facade is 30 square feet.

(4) No upper level flat attached sign on a Type A facade may contain more than eight words. All words must:

(A) consist of characters eight inches or more in height; and

(B) read horizontally from left to right.

(d) Flat attached signs on Type B facades.

(1) No premise may have more than one flat attached sign on each Type B facade.

(2) No flat attached sign on a Type B facade may contain more than eight words with characters four or more inches in height. Words consisting of characters less than four inches in height may be used without limit.

(e) Marquee signs.

(1) No marquee sign may exceed 90 square feet in effective area.

(2) Marquee signs must:

(A) be parallel to the surface to which they are attached; and

(B) have a minimum height dimension of two feet.

(3) All words on a marquee sign must consist of changeable individual characters.

(4) Marquee signs may have flashing lights.

(f) Painted applied signs on Type A facades.

(1) No lower level painted applied signs on a Type A facade may contain words consisting of characters more than eight inches in height.

(2) No upper level painted applied sign on a Type A facade may contain more than eight words. All words must:

(A) consist of characters eight or more inches in height; and

(B) read horizontally from left to right.

(g) Painted applied signs on Type B facades.

(1) No painted applied sign on a Type B facade may contain more than eight words consisting of characters exceeding four inches in height. Words consisting of characters four or less inches in height may be used without limit.

(2) No more than 60 percent of a Type B facade may be covered by painted applied signs.

(h) Projecting attached signs.

(1) No premise may have more than one projecting attached sign per street entrance.

(2) No projecting attached sign may:

(A) exceed 20 square feet in effective area;

(B) be lower than 10 feet above grade; or

(C) project vertically above the second story or the roof of the building, whichever is lower.

(i) Window signs. No window sign may:

(1) contain words consisting of characters eight or more inches in height;

(2) have a painted background; or

(3) cover more than 25 percent of the window surface area.

SEC. 51A-7.1006. SPECIAL PROVISIONS FOR DETACHED SIGNS.

Pursuant to the authority of Section 51A-7.503 of this article, the rules relating to the erection of detached signs in the West End Historic Sign District are expressly modified as follows:

(1) No premise which maintains an attached sign of any type may have a detached sign.

(2) No detached sign may:

(A) have an effective area greater than 12 square feet;

(B) have a total height greater than 15 feet; or

(C) be located less than five feet from a public right-of-way.

SEC. 51A-7.1007. SPECIAL PROVISIONS FOR SPECIAL PURPOSE SIGNS.

Pursuant to the authority of Section 51A-7.503 of this article, the rules relating to the erection of special purpose signs in the West End Historic Sign District are expressly modified as follows:

(a) Attached special purpose signs.

(1) Attached special purpose signs may be displayed on a premise a maximum of ten time periods in each calendar year for a maximum of 15 days per time period. No more than one attached special purpose sign may be displayed on a premise at any given time.

(2) Special purpose signs attached to a window may not cover more than 25 percent of the window surface area.

(3) No more than one banner may be displayed on a premise in each calendar year. The maximum permitted period of display is 30 consecutive days.

(b) Detached special purpose signs.

(1) No detached special purpose sign is permitted on a sidewalk less than seven feet wide. All detached special purpose signs must be placed so that a minimum seven-foot wide clear passageway is maintained for pedestrian traffic.

(2) No detached special purpose sign may:

(A) be displayed at night;

(B) be more than 30 inches from a building; or

(C) exceed a height of four feet.

(3) No more than one detached special purpose sign may be displayed on a premise at any given time.

SEC. 51A-7.1008. SIGN PERMIT REQUIREMENT.

Pursuant to the authority of Section 51A-7.503 of this

article, the sign permit requirements for signs in the West End Historic Sign District are expressly modified as follows:

(1) A person shall not alter, place, maintain, expand, or remove a sign in the West End Historic Sign District without first obtaining a sign permit from the city.

(2) The procedure for obtaining a sign permit is outlined in Section 51A-7.505 of this article. Section 51A-7.602 of this article does not apply to signs in the West End Historic Sign District.

(3) A person who violates Paragraph (1) above is guilty of a separate offense for each day or portion of a day during which the violation is continued.

ARTICLE VIII

PLAT REGULATIONS.

SEC. 51A-8.101. PLATTING SO AS TO CONFORM TO ABUTTING STREETS AND LOTS.

No property lying within the city shall be platted into blocks and lots without the owner thereof, or the agent or representative of the owner, laying the same off so as to conform to the streets and lots abutting on the same, and it shall be the duty of any such owner, agent or representative to file with the director of public works a correct map of the same, and the director of public works shall examine the map and ascertain if the streets and lots abutting on such map conform to the streets and lots abutting in the territory and the same shall be certified by the director of public works to the city plan commission, and if the commission determines that the streets and lots are in accordance with the terms of the city Charter, then the commission shall approve the same; provided, however, that in no case shall the city be required to pay for any of such streets, at whatever date opened, but when opened by reason of the platting of such property, at whatever date platted, they shall become by such act the property of the city for use as public highways and may be cared for as such. The commission shall also determine if the provisions of this code and other ordinances of the city relative to building and maintaining proper sewerage and laying and building waterworks facilities are fully complied with.

SEC. 51A-8.102. REPLATTING.

After any property is originally platted into lots and blocks, showing streets and alleys thereon, it shall be unlawful for the owner of any such property, his agent or representative, to replat any such property or to change the same without first filing with the director of public works a map or plat showing the replatting of the same, and if it shall be determined upon examination of the map that the replatting changes the streets and alleys as originally platted, or so changes the abutting lots and the manner in which the original plat provided for their fronting as to change the fronting of the lots or the streets and alleys so as to not conform to the already platted streets and alleys, or so as not to conform to the already platted lots abutting on the streets or alleys, or those in adjacent or contiguous territory, so as to materially injure abutting property or property lying adjacent or

contiguous to the proposed platted property, the director of public works shall certify to the city plan commission his full examination of the plat, as well as the conditions upon the ground and adjacent and contiguous territory and fully report all such facts to the commission. The commission shall thereupon examine into such conditions, and for such purpose may issue notice to abutting property owners or persons owning property adjacent or contiguous to the proposed replatted territory, and ascertain the conditions that may be affected by reason of the replatting of the territory, as well as ascertain what changes may be necessary in the city sanitary sewer system or water works or in other public utilities for the purpose of making such replatting. If it should appear to the commission upon a hearing that the replatting of the territory will generally injure abutting property or change the condition of the streets or alleys or otherwise affect the frontage of abutting property already platted, or should it appear that the property so proposed to be platted may work a great injury to property already platted and used, abutting upon the land proposed to be platted and lying adjacent to or contiguous thereto, then the commission, after an examination of such facts, may refuse permission to replat the property.

SEC. 51A-8.103. DUTY OF BUILDING INSPECTOR.

In addition to the examination of the original plats or any replatting of any land showing thereon the streets, alleys, public ways or lots as provided in this article, the same shall also be examined by the building inspector, who shall be careful to observe that in case of any replatting of land or platting of any land the frontage of the lots shall conform to the provisions of the code as well as to the abutting platted lots on the street. He shall also report to the city plan commission the result of his investigation showing the actual conditions on the ground and the effect that such replatting may have on the other property abutting thereon.

SEC. 51A-8.104. APPROVAL OF REPLATTING REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT.

No permit shall be issued by the building inspector for the construction of any building on any replatted territory now lying within the city or that hereafter may be annexed to the city, unless the map or plat so replatting the land shall be first approved by the city plan commission as provided in this article.

SEC. 51A-8.105. PENALTY FOR VIOLATION OF ARTICLE; CIVIL RELIEF FOR PERSON ADVERSELY AFFECTED.

Any person violating any of the provisions of this article shall be punished as provided in Section 13-1; in addition thereto any abutting owner or lessee or other person prejudicially affected by the violation of the terms of this article may resort to any court of competent jurisdiction for any writ or writs, or to obtain such relief, either in law or equity, as may be deemed advisable in the premises.

SEC. 51A-8.106. PREREQUISITES TO ISSUANCE OF BUILDING PERMIT AND CONSTRUCTION GENERALLY.

No permit shall be issued for, and no person shall construct or place any dwelling, structure or edifice designated for or usable as a dwelling place, unless the lot, tract or parcel of land upon which each such structure is located or is to be located has been defined, delineated or described by a map or plat now or hereafter filed for record in the map records of the county clerk; provided, however, that this section shall not prohibit the construction of any single structure designed or usable as a dwelling, located on any tract of land set apart, delineated and defined by metes and bounds description and situated wholly within an unplatted area and in such manner rendered for taxation, and in such manner appearing upon the tax assessor's records of the city prior to the thirtieth day of April, 1941, when the only structure (with its permitted appurtenances) is located or to be located thereon faces or fronts upon a legally dedicated public thoroughfare which has been established, delineated or defined by some map or plat of record in the map records of the county clerk, or has been established with the consent or by the authority of the city, or was legally established or delineated by legal authority prior to the time of annexation of the area to the city.

The city council shall have authority to permit the establishment and construction of multiple buildings in any unplatted area coming within the provisions of the foregoing paragraph when public health, peace, comfort and safety permit or require such construction, having due regard to public health and safety from fires.

SEC. 51A-8.106.1. PLATTING IN THE ESCARPMENT ZONE AND IN GEOLOGICALLY SIMILAR AREAS.

The commission shall refuse permission to plat or replat property in the escarpment zone or in geologically similar

areas, as defined in the escarpment regulations in this chapter, unless the director of public works has first issued an escarpment permit authorizing the development proposed.

SEC. 51A-8.107. SCHEDULE OF PLAT FEES AND OTHER RELATED FEES.

(a) In this section:

(1) ACRE includes fraction of an acre.

(2) ENGINEERING PLANS means a group of drawings and specifications, including paving, water, sewer, or other required plans, submitted to the department of public works for review in conjunction with a major subdivision.

(3) INITIAL SUBMISSION means the original engineering plans submitted.

(4) MAJOR SUBDIVISION means a plat which requires paving, drainage, water, sewer, or other engineering plans or which exceeds the lot or acreage limits of a minor subdivision.

(5) MINOR SUBDIVISION means a plat which does not require engineering plans and which has 10 lots or less or five acres or less.

(6) SECOND SUBMISSION means the first modification of the initial submission. This includes only those modifications which are in response to comments and requirements made by the department of public works for reviewing the initial submission.

(7) SUBSEQUENT SUBMISSION means any modified initial submission, other than a second submission.

(b) An applicant who submits a plat to the city plan commission shall pay to the director of urban planning:

(1) $600 and $10 for each lot for a preliminary plat of a major subdivision of 20 lots or less;

(2) $600 and $10 for each lot for a final plat of a major subdivision of 20 lots or less after approval of the preliminary plat by the city plan commission;

(3) $850 and $10 for each lot for a preliminary plat of a major subdivision in excess of 20 lots;

(4) $850 and $10 for each lot for a final plat of a major subdivision in excess of 20 lots after approval of the preliminary plat by the city plan commission;

(5) $800 and $15 for each lot for a preliminary and final plat of a minor subdivision;

(6) $600 and $40 each acre for a preliminary plat of a major subdivision;

(7) $600 and $40 each acre for a final plat of a major subdivision after approval of the preliminary plat by the city plan commission;

(8) $800 and $80 each acre for a preliminary and final plat of a minor subdivision; or

(9) $500 for a certificate of correction, plat adjustment in boundaries, building lines, or other minor features.

(c) When a plat does not contain a lot which is more than three acres, the plat fee is based upon Subsection (b)(1) and (b)(2), (b)(3) and (b)(4), or (b)(5) of this section. When a plat contains at least one lot which is more than three acres, the plat fee is based upon Subsection (b)(6) and (b)(7) or (b)(8) of this section. The maximum charge, not including fees charged under Subsection (f), is $7,500 for a preliminary plat and $7,500 for a final plat.

(d) Upon payment of the fee required in Subsection (b) by the applicant, the director of urban planning shall verify payment to the city plan commission. The director shall forward fees to the city controller.

(e) The city plan commission shall conduct a hearing on a preliminary plat for a major subdivision, a hearing on a final plat for a major subdivision, and one hearing for a minor subdivision.

(f) An applicant who submits engineering plans shall pay to the director of public works:

(1) $200 for the initial submission;

(2) no fee for the second submission; and

(3) $100 for each subsequent submission.

(g) The director of public works shall waive the fee required in Subsection (f)(3) for a subsequent submission if he determines that the subsequent submission was necessitated by an error of the department of public works in the review of an

earlier submission.

(h) The fees required in Subsection (f) must be paid to the director of public works at the time of each submission. After the department of public works has approved all engineering plans and received payment of all required fees, the director of public works shall notify the city plan commission of such approval and payment.

(i) No fee is required for applications filed under this chapter by the U.S. Government, the state of Texas, the county of Dallas, the city of Dallas, or a political subdivision of the state if the property that is the subject of the application is devoted exclusively to governmental use.

SEC. 51A-8.108. PLATTING REGULATIONS GENERALLY.

The following platting rules will be observed in the approval of plans and the subdivision of lots intended to be utilized for residential purposes:

(1) In general, lots shall conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the neighborhood, its particular suitability for development for residential purposes, and, also, taking into consideration the natural topography of the ground, drainage, sanitary sewerage facilities, and the proposed lay-out of streets.

(2) In locations where sanitary sewers are not presently available, and where there is no immediate prospect for installation of sanitary sewers, then septic tanks of approved type may be installed in conformity with the provisions of this code and other rules, regulations and ordinances of the city pertaining to public health; provided, however, that in no case shall septic tanks be installed on lots having a frontage of less than 50 feet, and a depth of less than 150 feet. In this connection, if the soil texture in the area is such as will not lend itself to the utilization of a septic tank, then the proposed size of lots must be increased to provide for the safe absorption of the effluent, as determined by the health department of the city.

(3) Where the dedication permits the reduction of the size of a lot, as evidenced by the instrument of dedication, no reduction shall be made so as to plot lots with a frontage of less than 50 feet. A building permit for residential construction may be issued by the building inspector on a lot the frontage of which has been decreased from the frontage as originally platted or replatted, where such decrease has been expressly permitted by either the instrument of dedication or

by the property restrictions established for the addition prior to the passage of this section; provided, that the original direction of frontage is maintained; and provided further, that no such permit shall issue as to any lot with a frontage of less than 50 feet.

(4) It shall be lawful to increase the size of lots from that originally platted. In this connection, parts of lots as platted may be built on; provided, that any lot for which a building permit is desired, when composed of the parts of two or more lots, shall have a frontage of not less than the original platted lots in the block.

(5) It shall be unlawful for the building inspector to issue a permit for any residence, in a zoned residential area, utilizing as a building site the rear portion of any corner lot, or the rear portion of any corner lot merged with a portion of any adjoining lot, to produce a plottage of sufficient size to meet the minimum requirements for a permissible residential use.

(6) In a townhouse or CH district, if a lot is platted for the development of single family dwellings, alleys are required only if specifically recommended by the director of public works and required by the commission.

SEC. 51A-8.109. COMMUNITY UNIT DEVELOPMENT.

To encourage reasonable flexibility of design and arrangement in the organization and development of residential communities and neighborhoods, provisions are made herein for the approval of community unit developments in accordance with the following standards:

(1) A community unit development will be submitted for approval to the city plan commission as a subdivision.

(2) A community unit development must comply with the maximum lot coverage requirements for the district in which it is located. For purposes of calculating maximum lot coverage in a community unit development, lot area shall be deemed to be either the actual size of the lot or the minimum lot area specified for the zoning district in which the lot is located, whichever is greater.

(3) The minimum lot area, lot depth, lot width, front yard, side yard, and rear yard may be reduced by an amount not to exceed 25 percent of the standards prescribed for the district in which the community unit development is located. Any reduction in minimum lot area shall be compensated for by permanent community open space.

(4) The nature and method of establishing and maintaining permanent public parks, private parks, playgrounds, or other permanent open space provided in a community unit development shall be subject to the approval of the city council after recommendation by the city plan commission. This method may be by home owners association or any other method.

(5) The open space provided in a community unit development shall be subject to the following requirements:

(A) If open space is to be left in a natural state with no development whatsoever, the area of open space shall be so indicated on the subdivision plat approving the community unit development.

(B) If open space is to provide any structures or improvements whatsoever, these improvements shall be indicated on the site plan to be submitted to the city plan commission for approval prior to the final subdivision plat for the community unit development. Approval of such site plan by the city plan commission is necessary prior to the issuance of a building permit in the open space area.

(6) Parking requirements are the same as those established by the base zoning or the use.

ARTICLE IX

THOROUGHFARES

Division 51-9.100

Thoroughfare Plan Amendments

SEC. 51A-9.101. THOROUGHFARE PLAN DEFINED.

For the purposes of Section 8, Chapter XV, Dallas City Charter, as approved by the citizens of Dallas at an election held on January 17, 1981, the thoroughfare plan of the City consists of Ordinance No. 15277, as amended, THOROUGHFARE PLAN - CITY OF DALLAS, TEXAS and Ordinance 13262, as amended, CBD STREETS AND VEHICULAR CIRCULATION PLAN. These two ordinances are hereby designated and will be referred to as the "thoroughfare plan." (Ord. 16950)

SEC. 51-9.102. THOROUGHFARE PLAN AMENDMENT PROCESS.

(a) Initiation of Thoroughfare Plan Amendments.

(1) Proposed changes in the thoroughfare plan may be initiated by the city staff, city plan commission, thoroughfare committee, or the city council by referring the proposed change to the city manager for study and recommendation.

(2) Proposed changes in the thoroughfare plan may also be initiated by any person who submits the following to the department of transportation:

(A) An application, on a form provided for that purpose, with all required information completed.

B) The required fee.

(3) For the purpose of this article "city manager" means the city manager or his designee.

(b) Commission report and recommendation required.

(1) The commission shall make a report and recommendation to the city council on all proposed amendments to the thoroughfare plan. The commission may appoint a

thoroughfare committee to study proposed amendments to the thoroughfare plan.

(2) The city manager shall conduct those studies necessary for the commission to make its recommendation and report to city council.

(3) The commission shall hold a public hearing to allow proponents and opponents of an amendment to the thoroughfare plan to present their views.

(4) Before the commission holds the public hearing on an amendment to the thoroughfare plan the city manager shall give notice of the public hearing in the official newspaper of the city at least 10 days before the hearing.

(5) In addition to notice by publication, if the amendment to the thoroughfare plan is a change in a thoroughfare classification or route description, the city manager shall send written notice of a public hearing on the proposed change to all owners of real property in the area of change lying within 200 feet of the existing right-of-way line if the proposed change will narrow the right-of-way, or within 200 feet of the proposed right-of-way line if the proposed changes will widen the right-of-way. The measurement of the 200 feet includes streets and alleys. The notice must be given not less than 10 days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidence by the last approved city tax roll.

(6) The commission shall make its recommendation on a proposed amendment to the thoroughfare plan from staff reports of the city manager, field inspections and the evidence presented at the public hearing.

(7) The city manager shall forward to the city council the commission's recommendation and report as well as the staff recommendation on amendments to the thoroughfare plan.

(c) City council action.

(1) Before the city council holds the public hearing on an amendment to the thoroughfare plan, the city manager shall give notice of the public hearing in the official newspaper of the city at least 15 days before the hearing.

(2) In addition to notice by publication, if the amendment to the thoroughfare plan is a change in a thoroughfare classification or route description, the city manager shall send written notice of a public hearing on the proposed change to all owners of real property in the area of

change lying within 200 feet of the existing right-of-way line if the proposed change will narrow the right-of-way, or within 200 feet of the proposed right-of-way line if the proposed change will widen the right-of-way. The measurement of the 200 feet includes streets and alleys. The notice must be given not less than 10 days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidence by the last approved city tax roll.

(3) The written notice of a hearing before the city council may be combined with the written notice of a hearing before the commission if the date of the city council hearing is known at the time of sending commission hearing notices.

(4) An amendment to the thoroughfare plan requires the favorable vote of a majority of the members of the city council present. (Ord. 16950)

Division 51-9.200

Approval of Alignment of Thoroughfares

SEC. 51-9.201. PROCEDURES FOR ESTABLISHMENT OF THOROUGHFARE ALIGNMENT.

(a) In cases where the city must purchase right-of-way to construct a freeway, major thoroughfare, secondary thoroughfare, or a street in the CBD, before initiating purchasing procedures, the city manager shall present to the city council, the city staff recommendation for alignment of the roadway and its appurtenant facilities based on engineering criteria.

(b) If the city council determines that the nature of the proposed alignment does not warrant a public hearing, the city council may approve the alignment by majority vote of city council members present.

(c) If the city council determines that the nature of the proposed alignment requires notification of affected property owners and a public hearing, the city manager shall send written notice of a public hearing on the proposed alignment to all owners of real property lying within 200 feet of the proposed right-of-way line. The measurement of the 200 feet includes streets and alleys. The notice must be given not less than 10 days before the date set for the hearing by depositing the notice properly addressed and postage paid, in the United States mail to the property owners as evidenced by the last approved city tax roll.

(d) After a public hearing the city council may approve an alignment by a majority vote of the city council members present.

(e) After an alignment has been approved by the city council, the alignment may not be change in a way that will require the purchase of additional right-of-way unless the change is approved by the city council following the same procedures for approval of an original alignment in accordance with Subsections (b) and (c).

(f) For the purpose of this article "alignment" means the location of right-of-way lines, curb lines, and roadway placement of a freeway, major thoroughfare, secondary thoroughfare, or a street in the CBD. (Ord. 16950)

SEC. 51-9.202. PROCEDURE FOR APPROVAL OF STATE OR COUNTY THOROUGHFARE IMPROVEMENTS.

(a) Before the city gives its approval of a construction plan for a freeway, major thoroughfare, secondary thoroughfare, or a street in the CBD by the state or county, the city manager shall present the proposed construction plan to the city council for review.

(b) If the city council determines that the nature of the proposed construction plan does not warrant a public hearing, the city council may approve the construction plan by majority vote of the city council members present.

(c) If the city council determines that the nature of the proposed construction plan requires notification of affected property owners and a public hearing, the city manager shall send written notice of a public hearing on the proposed construction to all owners of real property lying within 200 feet of the proposed right-of-way line. The measurement of the 200 feet includes streets and alleys. The notice must be given not less than 10 days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(d) After a public hearing the city council may approve a construction plan by the state or county by a majority vote of the city council members present.

(e) The public hearing on a construction plan of the state or county may be held jointly with the state or county. (Ord. 16950)

ARTICLE X
LANDSCAPE REGULATIONS

SEC. 51A-10.101. DEFINITIONS.

In this article:

(1) ARTIFICIAL LOT means an area within the building site that is delineated by the building official or the director of parks and recreation for the sole purpose of satisfying the requirements of this article (see Section 51A-10.103.1).

(2) 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.

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

(4) 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.

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

(6) 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.

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

(8) LANDSCAPE AREA means an area at least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

(9) LANDSCAPE BUFFER STRIP means a landscape area that serves a buffer function on the perimeter of the building site or artificial lot, whichever is applicable.

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

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

(12) NONPERMEABLE COVERAGE means coverage with nonpermeable pavement. "Nonpermeable pavement" means any pavement that is not "permeable pavement" as defined in this section.

(13) LOT means:

(A) a "lot" as defined in Section 51A-2.102; and

(B) an "artificial lot" as defined in this section.

(14) LOT WITH RESIDENTIAL ADJACENCY means any of the following:

(A) A building site in a residential zoning district, if the site abuts or is directly across a public street or alley from an R, R(A), D, D(A), TH, TH(A), or CH zoning district. For purposes of this subparagraph, the term "street" does not include a freeway.

(B) A building site in a nonresidential zoning district, if the site abuts or is directly across a public street or alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) zoning district. For purposes of this subparagraph, the term "street" does not include a freeway.

(C) An artificial lot in a residential district, if the lot is less than 200 feet from an R, R(A), D, D(A), TH, TH(A), or CH zoning district.

(D) An artificial lot in a nonresidential zoning district, if the lot is less than 200 feet from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) zoning district.

(15) 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.

(16) SCREENING means screening that complies with the construction and maintenance regulations in Section 51A-4.602, except as those regulations may be expressly modified in this article.

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

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

(19) VISIBILITY TRIANGLE means the term "visibility triangle" as defined in Section 51A-4.602.

SEC. 51A-10.102. PURPOSE.

The process of development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the preservation and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this article are to promote and protect the health, safety, and welfare of the public, the city council further declares that this article is adopted for the following specific purposes:

(1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, ground-water recharge, and storm water runoff retardation, while at the same time aiding in noise, glare, and heat abatement.

(2) To provide visual buffering between land uses of differing character.

(3) To enhance the beautification of the city.

(4) To safeguard and enhance property values and to protect public and private investment.

(5) To conserve energy.

(6) To provide habitat for wildlife.

SEC. 51A-10.103. APPLICATION OF ARTICLE.

(a) This article does not apply to the following:

(1) Property governed by a landscape plan approved by the city council or the city plan commission.

(2) Lots containing only single family and/or duplex uses.

(3) Lots in the following districts:

(A) The Dallas Arts District (Planned Development District Nos. 145 and 145-H/18).

(B) The Near Eastside District (Planned Development District Nos. 178 and 178-H/3).

(C) The Oak Lawn Special Purpose District (Planned Development District No. 193).

(D) Central area districts.

(4) Restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind. For purposes of this paragraph, "restoration" means the act of putting back into a former or original state.

(b) This article only becomes applicable to a lot when an application is made for a building permit for construction work that:

(1) increases the number of stories in a building on the lot;

(2) increases by more than 10 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot; or

(3) increases the nonpermeable coverage on the lot by more than 2,000 square feet.

(c) When this article becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

(d) The city council shall, as a minimum, impose

landscaping requirements that are reasonably consistent with the standards and purposes of this article as a part of any ordinance establishing or amending a planned development district, or granting or amending a specific use permit. (Note: This subsection does not apply to ordinances that merely renew a specific use permit when no substantive changes are made other than to extend the time limit of the permit.) All landscaping requirements imposed by the city council must be reflected in a landscape plan that complies in form and content with the requirements of Section 51A-10.104.

(e) The board may grant a special exception to the landscaping requirements of this article upon making a special finding from the evidence presented that strict compliance with the requirements of this article will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives and purposes of this article.

(f) The board may waive the filing fee for a special exception under Subsection (f) when the board finds that payment of the fee would result in financial hardship to the applicant. The applicant may either pay the fee and request reimbursement as part of his appeal or request that the matter be placed on the board's miscellaneous docket for predetermination. If the matter is placed on the miscellaneous docket, the applicant may not file his appeal until the merits of the request for waiver have been determined by the board.

SEC. 10.103.1. ARTIFICIAL LOT DELINEATION.

(a) In general. If the building site is over two acres in size, the applicant may request that the building official create an artificial lot to satisfy the requirements of this article. The building official shall not create an artificial lot which would, in his opinion, violate the spirit of the landscape regulations. Any artificial lot created by the building official must:

(1) wholly include the area on which the construction work is to be done; and

(2) have an area that does not exceed 50 percent of the area of the building site.

(b) In city parks over five acres. In city parks over five acres in size, the director of parks and recreation may create an artificial lot to satisfy the requirements of this article. Any artificial lot created by the director of parks

and recreation must wholly include the area on which the construction work is to be done.

(c) Platting not required. An artificial lot need not be platted; however, it must be delineated on plans approved by the building official prior to the issuance of a building permit.

SEC. 51A-10.104. LANDSCAPE PLAN SUBMISSION.

(a) If this article applies to a lot pursuant to Section 51A-10.103, a landscape plan must be submitted to the building official with the application for a building permit for work on the lot. A landscape plan submission must consist of two blueline or blackline prints. The plan must have a scale of one inch equals 50 feet or larger (e.g. one inch equals 40 feet, one inch equals 30 feet, etc.) and be on a standard drawing sheet of a size not to exceed 36 inches by 48 inches. A plan which cannot be drawn in its entirety on a 36 inch by 48 inch sheet must be drawn with appropriate match lines on two or more sheets.

(b) Any person may prepare the landscape plan required under this article. There is no requirement that the plan be prepared by a landscape architect or by a person engaged in the landscape business.

(c) A landscape plan required under this article must contain the following information:

(1) Date, scale, north point, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.

(2) Location of existing boundary lines and dimensions of the lot, the zoning classification of the lot, and the zoning classification of adjacent properties. A vicinity map should also be attached to or made a part of the plan.

(3) Approximate centerlines of existing water courses and the location of the 100-year flood plain, the escarpment zone, and geologically similar areas, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot.

(4) Project name, street address, and lot and block description.

(5) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).

(6) Locations and dimensions of proposed landscape buffer strips.

(7) Complete description of plant materials shown on the plan, including names (common and botanical name), locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.

(8) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided internal to parking areas and the number and location of required off-street parking and loading spaces.

(9) An indication of how existing healthy trees proposed to be retained will be protected from damage during construction.

(10) Size, height, location, and material of proposed seating, lighting, planters, sculptures, and water features.

(11) A description of proposed watering methods.

(12) Location of visibility triangles on the lot (if applicable).

(13) Tabulation of "points" earned by the plan (See Section 51A-10.105).

SEC. 51A-10.105. LANDSCAPE PLAN REVIEW.

(a) The building official shall review each landscape plan submitted to determine whether or not it complies with the requirements of this article. All landscape plans must comply with the mandatory provisions in Section 51A-10.106. In addition, all landscape plans must earn a minimum number of "points." Points are awarded for specified landscape features and elements based on their relative value or merit. The minimum number of points needed for landscape plan approval varies depending on the zoning district classification of the lot and adjacent properties as follows:

ZONING DISTRICT	LOT WITH RESIDENTIAL ADJACENCY*	LOT WITHOUT RESIDENTIAL ADJACENCY
All zoning districts except office districts	30 points	20 points
Office districts	25 points	15 points

*As defined in Section 51A-10.101 (Definitions).

(b) and (c) Reserved.

(d) The alternatives from which an applicant may select to achieve the minimum point score needed for approval are referred to in this article as "design standards" and contained in Section 51A-10.107.

SEC. 51A-10.106. MANDATORY PROVISIONS.

(a) Mandatory landscape buffer strip.

(1) A landscape buffer strip must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists, exclusive of driveways and accessways at points of ingress and egress to and from the lot. The buffer strip must be at least 10 feet wide, except that:

(A) any portion of the buffer strip adjacent to public street frontage need not exceed 10 percent of the lot depth; and

(B) any portion of the buffer strip in the front yard and adjacent to the side lot line need not exceed 10 percent of the lot width.

(2) In the side and rear yards of the lot only, screening as defined in this article may be substituted for the landscape buffer strip required under Subsection (a)(1). Such screening must be at least six feet in height. [Note: When screening is substituted under this paragraph, no points are awarded for landscape buffer strip enhancement. See Section 51A-10.107(a).]

(b) Screening of off-street loading spaces.

(1) All off-street loading spaces on a lot with residential adjacency must be screened from that residential adjacency.

(2) In all districts except CS, IR, and IM districts, all off-street loading spaces on a lot must be screened from all public streets adjacent to that lot.

(3) The screening required under Paragraphs (1) and (2) must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods for providing screening described in Section 51A-4.602(b)(3).

(c) Acceptable landscape materials.

(1) No artificial plant materials may be used to satisfy the requirements of this article.

(2) Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:

(A) Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.

(B) Small trees must have a minimum height of six feet.

(C) Large evergreen shrubs must have a minimum height of three feet.

(3) For purposes of Subsection (c)(2), "height" is measured from the top of the root ball or, if the plant is in a container, from the soil level in the container.

(4) In satisfying the landscaping requirements of this article, the use of high-quality, hardy, and drought-tolerant plant materials is recommended and encouraged.

(d) Soil requirements.

(1) Landscape planting areas in general must have the following soil depths and dimensions:

(A) For each large shrub or small tree

installation, a minimum of 24 inches of soil depth and 16 square feet of surface area (total of 32 cubic feet).

(B) For each large tree installation, a minimum of 36 inches of soil depth and 25 square feet of surface area (total of 75 cubic feet).

(2) Landscape planting areas located above underground buildings or structures must have the following soil depths and dimensions:

(A) For each large shrub or small tree installation, a minimum of 30 inches of soil depth and 25 square feet of surface area (total of 62.5 cubic feet).

(B) For each large tree installation, a minimum of 40 inches of soil depth and 36 square feet of surface area (total of 120 cubic feet).

(3) The building official may waive the minimum soil requirements if a landscape architect certifies that the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the plant materials affected.

(e) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

(f) Irrigation requirements. All plant materials used as required screening must be irrigated by an automatic irrigation system installed to comply with industry standards. Other plant materials used to comply with this article must be located within 100 feet of a verifiable water supply. Proposed watering methods (irrigation or otherwise) must be:

(1) indicated on the landscape plan; and

(2) adequate to maintain the plant materials in a healthy, growing condition at all times.

(g) Required use of trees. In achieving the points required for approval, all landscape plans must comply with at least one of the design standards in Section 51A-10.107 that requires the use of one or more trees.

SEC. 51A-10.107. DESIGN STANDARDS.

(a) Landscape buffer strip enhancement.

(1) Enhancing mandatory buffers. An applicant may

earn points under this subsection by enhancing a mandatory landscape buffer strip that is provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists.

(2) Enhancing voluntary street buffers. In a CS, IR, or IM district, if no mandatory buffer strip is required, an applicant may earn points under this subsection by enhancing a voluntary landscape buffer strip along public street frontage. The voluntary landscape buffer strip must:

(A) be provided along the entire adjacent public street frontage, exclusive of driveways and accessways at points of ingress and egress to the lot; and

(B) have a minimum width of 10 feet or 10 percent of the lot depth, whichever is less.

(3) Points for minimum average width. Three points are awarded when the landscape buffer strip has a minimum average width equal to or greater than 15 but less than 20 feet. Five points are awarded if the minimum average width is 20 feet or more.

(4) Points for including certain plant groups. Fifteen points are awarded when the landscape buffer strip contains the following groups of plant materials at a minimum average density of one group for each 50 linear feet of the buffer strip:

(A) One large canopy tree and one large non-canopy tree.

(B) One large canopy tree and three small trees.

(C) One large canopy tree and three large evergreen shrubs.

(D) One large canopy tree, two small trees, and one large evergreen shrub.

(E) One large canopy tree, one small tree, and two large evergreen shrubs.

(F) Two large non-canopy trees.

(5) Points for providing screening. In the case of a lot with residential adjacency only, ten points are awarded for providing screening in the landscape buffer strip in accordance with the following subparagraphs:

(A) The screening must be at least six feet in height.

(B) The screening must extend along the entire length of the portion of the buffer strip where a residential adjacency exists, exclusive of:

(aa) public street frontage;

(bb) driveways and accessways at points of ingress and egress to the lot; and

(cc) visibility triangles.

(C) No points are awarded for required screening unless:

(i) a portion of that screening may legally be constructed of earthen berm or evergreen plant materials; and

(ii) all of the required screening that may legally be constructed of earthen berm or evergreen plant materials is in fact constructed entirely of earthen berm and/or evergreen plant materials.

(D) Voluntary screening (not required by ordinance) may be provided by using any of the methods for providing screening described in Section 51A-4.602(b)(3).

(E) If screening is provided by earthen berm or evergreen plant materials, the following additional regulations apply:

(i) An earthen berm must be planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.

(ii) Evergreen plant materials must be recommended for local area use by the director of parks and recreation. In addition, the plant materials must:

(aa) be located in a bed that is at least three feet wide;

(bb) be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a

landscape authority certifies as being capable of providing a solid appearance within three years; and

(cc) provide a visual barrier of the required height within three years of their initial planting.

(b) Surface parking screening.

(1) Ten points are awarded for screening all surface parking lots on the building site or artificial lot, whichever is applicable, from all adjacent public streets in accordance with the following paragraphs.

(2) The screening must be voluntary (not required by ordinance).

(3) The screening must extend along the entire street frontage of the surface parking lot, exclusive of:

(A) driveways and accessways at points of ingress and egress to and from the lot; and

(B) visibility triangles.

(4) The screening must be at least three feet in height.

(c) Parking lot landscaping.

(1) Ten points are awarded when all surface parking lots on the building site or artificial lot, whichever is applicable, are landscaped in accordance with the following paragraphs.

(2) For purposes of this subsection, the term "parking lot" means:

(A) the paved portion of the parking lot; and

(B) the 20-foot-wide strip of land surrounding and immediately adjacent to the paved portion of the parking lot, excluding buildings and public rights-of-way.

(3) A minimum of 25 square feet of landscape area must be provided in the parking lot for each required off-street parking space in the lot.

(4) Large canopy trees must be provided in each parking lot at a minimum average density of one tree for each 10 required parking spaces in the lot.

(5) No required parking space may be located more than 80 feet from the trunk of a large canopy tree.

(6) No tree may be planted closer than two and one-half feet to the paved portion of the parking lot.

(d) Landscaping adjacent to required screening walls. Five points are awarded when the area between a required screening wall or fence and the perimeter of the lot is landscaped with a minimum average of:

(1) one large evergreen shrub or small tree for each 10 linear feet; or

(2) one large non-canopy tree for each 30 linear feet.

(e) Tree credits.

(1) An applicant may receive credits for retaining existing healthy trees on the lot as provided in this subsection.

(2) For each tree retained having a caliper equal to or greater than four inches but less than six inches, a credit of one required tree is allowed.

(3) For each tree retained having a caliper equal to or greater than six inches but less than 12 inches, a credit of two required trees is allowed.

(4) For each tree retained having a caliper equal to or greater than 12 inches, a credit of three required trees is allowed.

(5) Credits allowed for a tree under this subsection may be claimed even though the tree is not otherwise relied upon to satisfy the requirements of this article.

(6) Credits claimed under this subsection may not be used outside of the lot where the tree is located.

(7) If credits are claimed under this subsection, the landscape plan must:

(A) identify all trees for which credits are claimed, indicating their calipers and the number of credits claimed for each tree; and

(B) specify the locations where required trees

are not being planted by reason of the credits claimed.

(8) Credits claimed under this subsection are automatically lost when the tree dies or is replaced. When credits are lost, all required trees not planted by reason of the credits must be planted at the locations specified on the landscape plan within 90 days after notification by the city.

(f) Special amenities.

(1) Enhanced pavement material.

(A) Five points are awarded when at least 25 percent of all outdoor vehicular pavement area on the lot consists of enhanced pavement. An additional five points are awarded when at least 25 percent of all outdoor vehicular pavement area on the lot consists of permeable enhanced pavement. (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in this chapter.)

(B) Three points are awarded when at least 50 percent of all outdoor pedestrian pavement area on the lot consists of enhanced pavement.

(2) Pedestrian facilities. One point is awarded for each one percent increment of lot area covered by publicly accessible special pedestrian facilities and features such as plazas, covered walkways, fountains, lakes and ponds, seating areas, and outdoor recreation facilities, up to a maximum of five points.

(3) Street trees. Five points are awarded for the installation of large trees which:

(A) extend along a minimum of 75 percent of the total street frontage of the lot, exclusive of:

(i) driveways and accessways at points of ingress and egress to and from the lot; and

(ii) visibility triangles;

(B) are spaced no more than 50 feet apart measured from trunk to trunk; and

(C) are located no more than 30 feet from the projected street curb. For purposes of this subsection, "projected street curb" means the future location of the street curb consistent with the city thoroughfare plan as determined by the director of public works.

SEC. 51A-10.108. WHEN LANDSCAPING MUST BE COMPLETED.

(a) Except as otherwise provided in Subsection (b), all landscaping must be completed in accordance with the approved landscape plan before a certificate of occupancy may be issued for any building on the lot.

(b) If the property owner provides the building official with documented assurance that the landscaping will be completed within six months, the building official may issue one six-month temporary certificate of occupancy and permit the property owner to complete his landscaping during the six-month period. For purposes of this subsection, "documented assurance" means:

(1) a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period; or

(2) a set of deed restrictions containing a covenant to install the landscaping in accordance with the landscape plan within the six-month period. The deed restrictions must:

(A) expressly provide that they may be enforced by the city of Dallas;

(B) be approved as to form by the city attorney; and

(C) be filed in the deed records of the county in which the land is located.

(c) If a temporary certificate of occupancy is issued under Subsection (b) and, at the end of the six-month period, no permanent certificate of occupancy has been issued because the landscaping has not been installed in accordance with the landscape plan, the owner of the property is liable to the city for a civil penalty in the amount of $200 a day for each calendar day thereafter until the landscaping is properly installed. The building official shall give written notice to the property owner of the amount owed to the city in civil penalties, and shall notify the city attorney of any unpaid civil penalty. The city attorney shall collect unpaid civil penalties in a suit on the city's behalf.

(d) The civil penalty provided for in Subsection (c) is in addition to any other enforcement remedies the city may have under city ordinances and state law.

SEC. 51A-10.109. GENERAL MAINTENANCE.

(a) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(b) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials."

SECTION 62. That a person violating a provision of this ordinance governing fire safety, zoning, or public health and sanitation, excluding vegetation and litter violations, is, upon conviction, punishable by a fine not to exceed $1,000, and that a person violating any other provision of this ordinance, is, upon conviction, punishable by a fine not to exceed $200.

SECTION 63. That the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 64. 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 65. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

ANALESLIE MUNCY, City Attorney

By _____
MARK L. BRYZA
Assistant City Attorney

Passed and correctly enrolled FEB 4 1987

0703I/1-120
0882I/121-240
0891I/241-360
0893I/361-466
0895I/467-586
0896I/587-622

FILE NUMBER: BDA234-130 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Alma Rocio Davalos represented by Douglas Lemus for **(1)** a variance to the front-yard setback regulations at 9820 Royce Dr. This property is more fully described as Block B/8486, Lot 4, and is zoned R-10(A), which requires a front-yard setback of 30-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 25-foot front-yard setback, which will require **(1)** a 5-foot variance to the front-yard setback regulations.

LOCATION: 9820 Royce Drive

APPLICANT: Alma Rocio Davalos

REQUEST:

(1) A request for a variance to the front yard setback regulations.

STANDARDS OF REVIEW FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the **front yard**, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

(A) **not contrary to the public interest** when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.

(B) **necessary to permit development of a specific parcel of land** that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE:

Dallas Development Code § 51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

1. Variance to the front yard setback regulations

   Denial

   Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
B. The subject site is 14,810.4 sq ft. which is larger than the minimum lot size for a residential use in the R-10(A) zoning district (10,000 sq ft.), and is not sloped or irregularly shaped; therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Is a self-created or personal hardship. The construction of the existing single-family home was approved under building permit #2312111179 on 3/15/2024 with a site plan showing the required 30 foot front yard setback; per the applicant, the developer mistakenly constructed the single-family home with a 25 foot front yard setback in error making this a self-created hardship.

BACKGROUND INFORMATION:

BDA History:
No BDA history found at 9820 Royce Drive within the last 5 years.

Square Footage:
This lot contains 14,810.4 of square feet.
This lot is zoned R10(A) which has a minimum lot size of 10,000 square feet.

Site: R-10(A) (Single Family District)
North: R-10(A) (Single Family District)
East: R-10(A) (Single Family District)
South: R-10(A) (Single Family District)
West: R-10(A) (Single Family District)

Land Use:
The subject site and areas to the north, south, east, and west are zoned R-10(A).

GENERAL FACTS/STAFF ANALYSIS:

- The application for the Alma Rocio Davalos property located at 9820 Royce Drive focuses on 1 request relating to the front yard setback regulations.

- A request for a variance to the front yard setback regulations of 5-feet is made to construct and/or maintain a single-family residential structure.

- The subject site is a mid-block lot and has single street frontage on Royce Drive.

- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.

- The subject site is currently developed with a single-family structure and located within an established neighborhood.

- It is imperative to note that the construction of the existing single-family home was approved under building permit #2312111179 on 3/15/2024 with a site plan showing the required 30 foot front yard setback; per the applicant, the developer mistakenly assumed a 25 foot front yard setback was required.

The applicant has the burden of proof in establishing the following:

- That granting the variance will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§ 51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed variance below, with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
    - 5-foot variance to the front yard setback regulations.

- 200' Radius Video: BDA234-130 at 9820 Royce Dr.

Timeline:

September 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

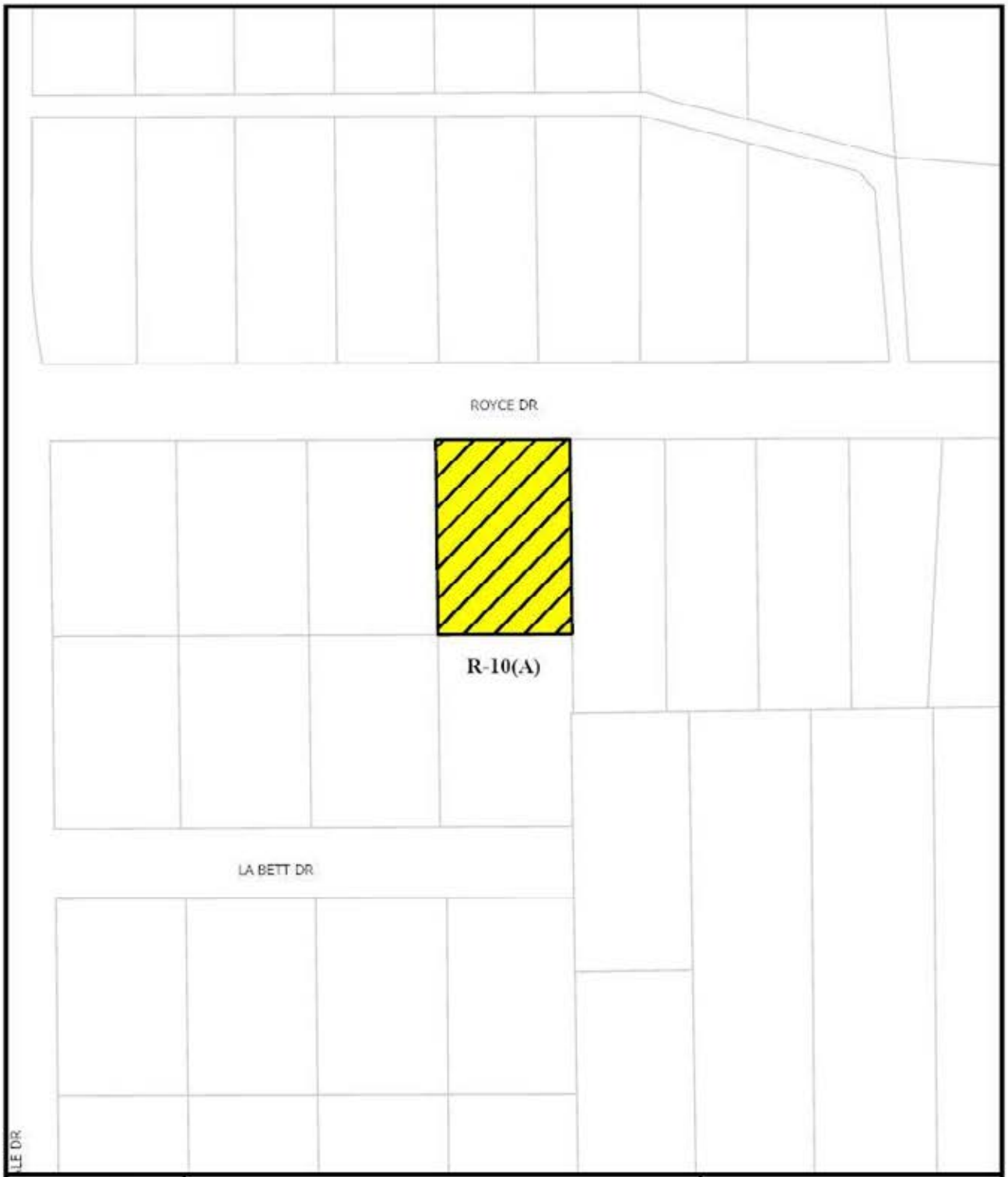
October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 16, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.


Royce Dr
Royce Dr
Royce Dr
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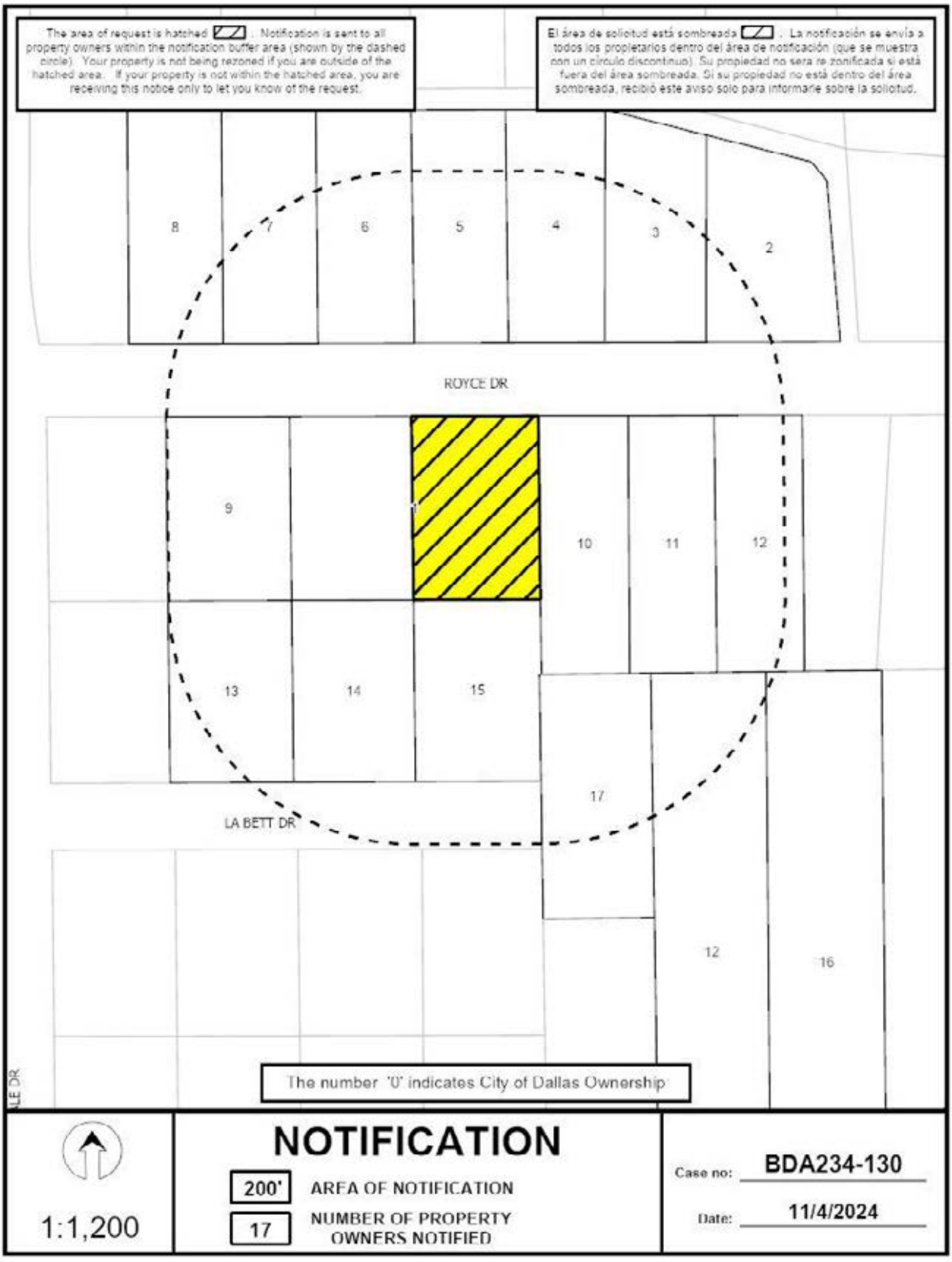


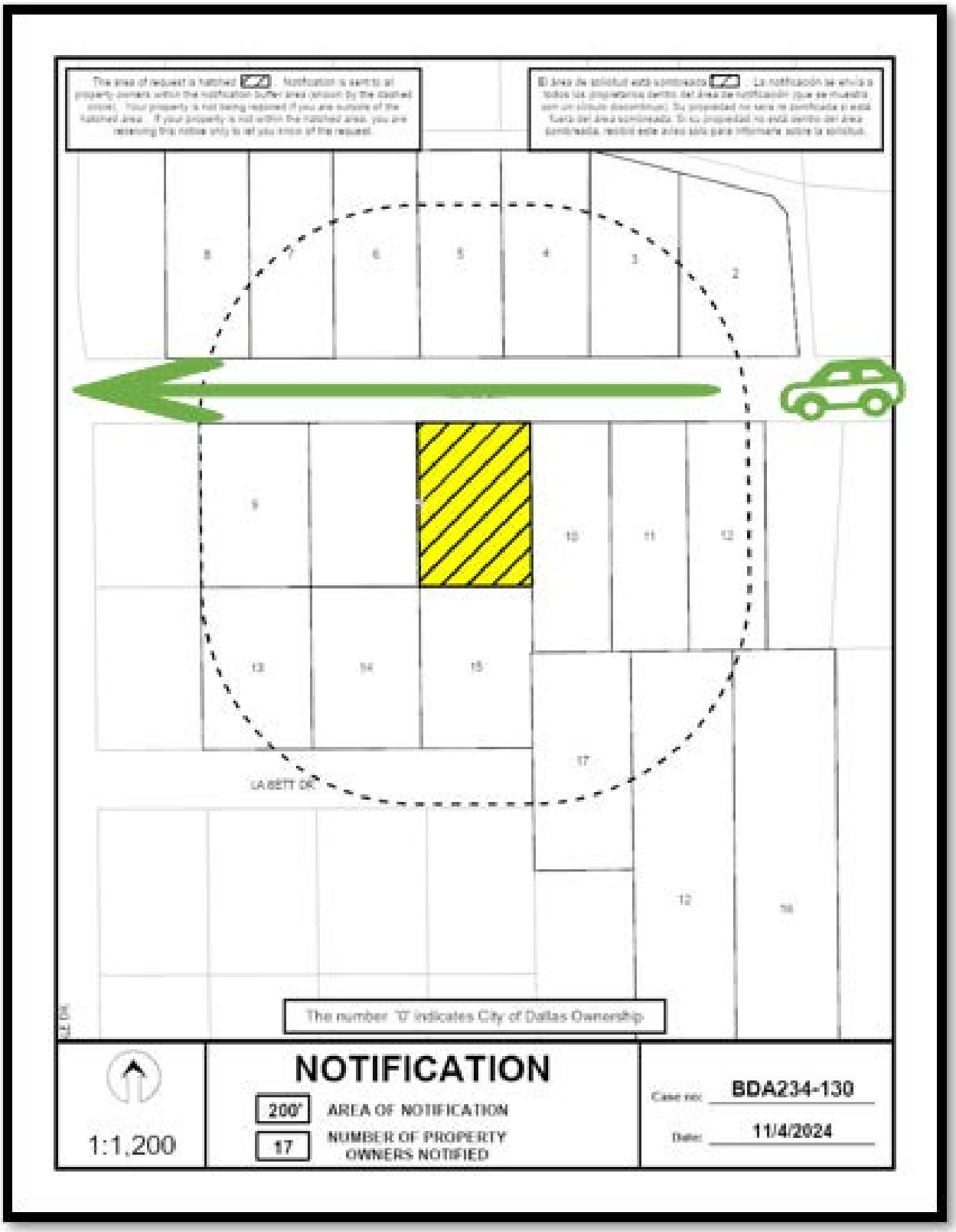
1:1,200

ZONING MAP

Case no: BDA234-130

Date: 11/04/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
8
7
6
5
4
3
2
ROYCE DR
9
1
10
11
12
13
14
15
17
LA BETT DR
12
16
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
17
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-130
Date: 11/4/2024


The area of request is hatched
Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada
La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibirá este aviso solo para informarle sobre la solicitud.
LA BETT DR
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
17
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: BDA234-130
Date: 11/4/2024

/
11/04/2024

Notification List of Property Owners

BDA234-130

17 Property Owners Notified

Label #	Address		Owner
1	9816	ROYCE DR	LIMON ALMA ROCIO DAVALOS &
2	9833	ROYCE DR	VARELA RAUL
3	9829	ROYCE DR	BENITEZ GERARDO
4	9825	ROYCE DR	VALENZUELA GRACIELA
5	9821	ROYCE DR	VEGA JUAN JOSE &
6	9817	ROYCE DR	MONTENEGRO GLORIA PARAMO
7	9813	ROYCE DR	SOTO ANDRES
8	9809	ROYCE DR	LEIJA LORENZO &
9	9810	ROYCE DR	RIOS JOSE IGNACIO
10	9922	ROYCE DR	BRADLEY PATSY A
11	9926	ROYCE DR	COLCHADO DAVID PEREZ
12	9930	ROYCE DR	MENDOZA CARLOS &
13	13	LA BETT DR	VASQUEZ RAFAEL CONTRERAS
14	9819	LA BETT DR	LEIJA JOSE A
15	9827	LA BETT DR	Taxpayer at
16	9925	TEAGARDEN RD	GUERRERO BRIDGET ESQUIVEL
17	9835	LA BETT DR	HORTON PAULA DEAN

1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

17 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-130

Date: 11/4/2024

NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)

NOTICE IS HEREBY GIVEN that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)** will hold a hearing as follows:

DATE: **WEDNESDAY, NOVEMBER 20th, 2024**

BRIEFING: **10:30 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment.

BDA234-130(CJ) Application of Alma Rocio Davalos represented by Douglas Lemus for **(1)** a variance to the front-yard setback regulations at **9820 ROYCE DRIVE**. This property is more fully described as Block B/8486, Lot 4, and is zoned R-10(A), which requires a front-yard setback of 30-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 25-foot front-yard setback, which will require **(1)** a 5-foot variance to the front-yard setback regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAreply@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing, if you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-B-Register **by the close of business Tuesday, November 19th, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register

Board of Adjustment,
Planning & Development Department
1500 Marilla Street 5CN Dallas TX 75201

AVISO DE AUDIENCIA PÚBLICA

JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL B)

POR LA PRESENTE SE NOTIFICA que la **JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL B)** celebrará una audiencia de la siguiente manera:

FECHA: **MIÉRCOLES, 20 DE NOVIEMBRE DE 2024**

SESIÓN INFORMATIVA: **10:30 a.m.** Vía **Videoconferencia y** en **6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. **https://bit.ly/boa1120B**

AUIENCIA: **1:00 p.m.** Vía **Videoconferencia y** en **6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. **https://bit.ly/boa1120B**

El propósito de la audiencia es considerar las siguientes apelaciones actualmente pendientes ante la Junta de Ajuste.

BDA234-130 (CJ) Solicitud de Alma Rocío Dávalos representada por Douglas Lemus por **(1)** una variación a las regulaciones de retroceso del patio delantero en **9820 ROYCE DRIVE.** Esta propiedad se describe más detalladamente como Bloque B / 8486, Lote 4, y está zonificada R-10 (A), que requiere un retroceso de 30 pies en el patio delantero. El solicitante propone construir y/o mantener una estructura residencial unifamiliar y proporcionar un retranqueo de 25 pies en el patio delantero, lo que requerirá **(1)** una variación de 5 pies a las regulaciones de retranqueo del patio delantero.

Usted ha recibido este aviso porque posee una propiedad dentro de los 200 pies de la propiedad anterior. Es posible que le interese asistir a la audiencia de la Junta de Ajuste para expresar su apoyo u oposición a la solicitud. También puede comunicarse con la Junta de Ajuste por correo electrónico a BDAreply@dallas.gov Se aceptarán cartas hasta las 9:00 a.m. del día de la audiencia, si no puede asistir a la audiencia. Si decide responder, es importante que informe a la Junta sus razones para estar a favor o en contra de la solicitud. Los miembros de la Junta están muy interesados en su opinión.

Nota: Cualquier material (como planos, elevaciones, etc.) incluido en este aviso puede estar sujeto a cambios.

La audiencia de la Junta de Ajuste se llevará a cabo por videoconferencia y en 6ES en el Ayuntamiento. Las personas que deseen hablar de acuerdo con las Reglas de Procedimiento de la Junta de Ajuste **uniéndose a la reunión virtualmente**, deben registrarse en línea en https://bit.ly/BDA-B-Register **antes del cierre de las operaciones el martes 19 de noviembre de 2024. Todos los oradores virtuales deberán mostrar su video para dirigirse a la junta. Los oradores presenciales pueden registrarse en la audiencia.** El Departamento de Asuntos Públicos y Divulgación también transmitirá la audiencia pública en el canal 96 o 99 de Spectrum Cable; y bit.ly/cityofdallastv o YouTube.com/CityofDallasCityHall

Los oradores en la reunión tienen un máximo de tres minutos para dirigirse a la Junta.

Se puede obtener información adicional sobre la solicitud llamando a Cambria Jordan, Planificadora Senior al (214) 948-4476, o Mary Williams, Secretaria de la Junta al (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

POR FAVOR, ENVÍE SUS RESPUESTAS A:
BDAreply@dallas.gov
Las cartas se recibirán hasta las 9:00 a.m. del día de la audiencia.

POR FAVOR REGÍSTRESE EN:

Junta de Ajuste,
Departamento de Planificación y Desarrollo
1500 Marilla Street, 5CN, Dallas, TX 75201



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

RECEIVED
SEP 29 2024
BY:

Case No.: BDA 234-130 Date:

Data Relative to Subject Property:

Location address: 9820 Royce Dr, Dallas TX 75217 Zoning District:

Lot No.: 4 Block No.: B8486 Acreage: .34 Census Tract:

Street Frontage (in Feet): 1) 99.89 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): ~~DCH~~ luxury realty llc (Douglas Lemus Alma Rocio Davalos)

Applicant: Douglas Lemus Telephone: 214 289 8798

Mailing Address: 10316 bel Aire Dr, Dallas TX Zip Code: 75218

E-mail Address: dcihomessignature77@gmail.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance X or Special Exception __, of

Set back

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

The project manager made a mistake of the set back, he thaugh the set back was 25 ft since that's what snowes on the approved plans. Zoning never stopped the project ether.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Douglas Lemus

(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted:

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 31 day of October, 2024

Yesenia Delgado

Notary Public in and for Dallas County, Texas

YESENIA DELGADO
My Notary ID # 130798207
Expires October 13, 2026



REFERRAL FORM FOR BOARD OF ADJUSTMENT

APPLICANT:		OWNER: Alma Davalos
ADDRESS: 9820 Royce Dr.	STATE: TX	ZIP: 75217
LOT: 4	BLOCK: B/8486	ZONING: R-10(A)

☐ **Variance**	☐ **Special Exception**
☑ Yard setback	☐ Fence height and standards
☐ Lot width	☐ Visibility triangle obstructions
☐ Lot Depth	☐ Parking demand
☐ Lot Coverage	☐ Landscaping
☐ Floor area for accessory structures for single family uses	☐ Additional dwelling unit for a single-family
☐ Height	☐ Carport
☐ Minimum width of sidewalk	☐ Non-conforming use
☐ Off-street parking	☐ Other
☐ Off-street loading	
☐ Landscape regulations	
☐ Other	

Please list the City of Dallas Development Code(s) this project is non-compliant with:
51A-4.112 (e)(4)(A)

Description: 30' front yard setback required. Plan reviewer noted on site plan and was missed in the field

Alternative resolutions discussed/offered:

Structure is framed and complete - Red Tagged. Variance

Referred by: Lou Lewis Contact: 214-948-4327 Date: 09/09/2024

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-130

I, Douglas Lemus, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 9816 Royce Dr Dallas TX 75217
(Address of property as stated on application)

Authorize: Alma Rose Davalos
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

_____ Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Project manager made a mistake on the set back lines, the city inspectors never caught the mistake either. The set back line needs to be 30ft but we did it at 25.ft like the plans state

Douglas Lemus
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 09-20-24

Before me, the undersigned, on this day personally appeared

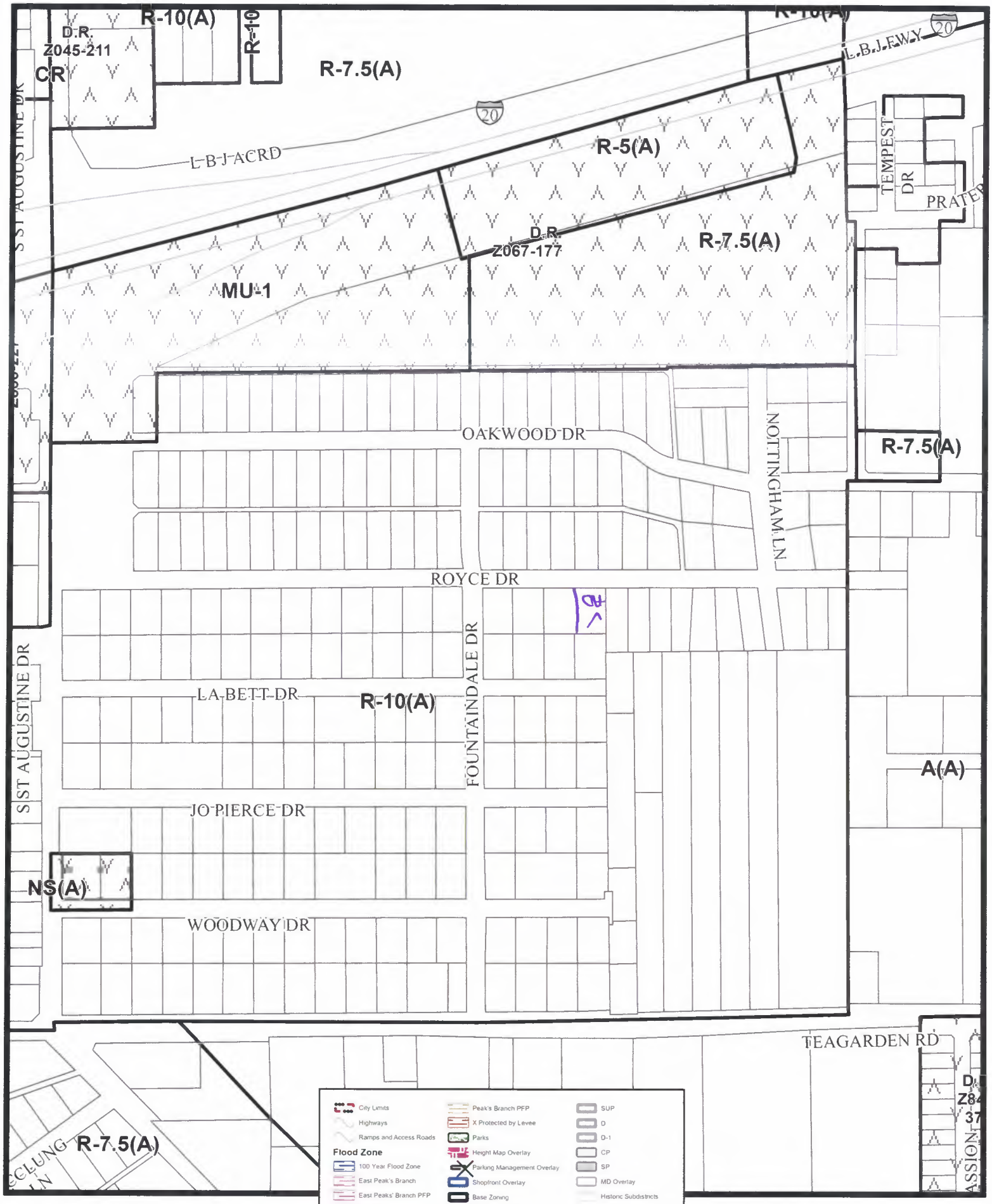
_____

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 20 day of September, 2024

KAREN G. MUNOZ
Notary Public, State of Texas
Comm. Expires 07-15-2028
Notary ID 134991213

Karen Munoz
Notary Public for Dallas County, Texas

Commission expires on
7-15-2028



1:4,800

Case ID:

Printed: 9/13/2024



FRONT ELEVATION

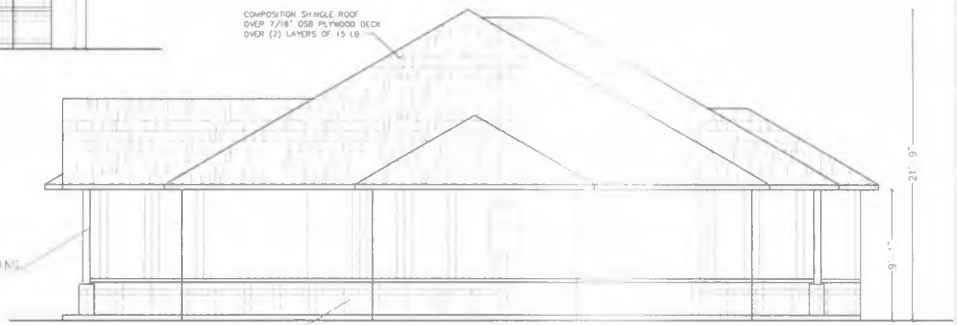
SUBJECT TO FIELD INSPECTOR'S APPROVAL

City of Dallas
APPROVED
Building Inspection
03/15/24

MIDPOIN 5' 5"

51A-2.102
(47) 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.

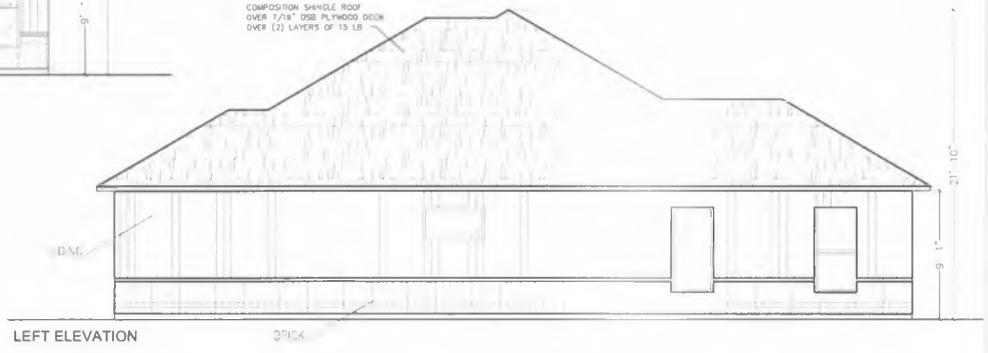
R404.1.6 Height above finished grade Concrete and masonry foundation walls shall extend above the finished grade adjacent to the foundation at all points a minimum of 4 inches (102 mm) where masonry veneer is used and a minimum of 6 inches (152 mm) elsewhere.



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

A2 ELEVATIONS
00 Scale: 1/4"=1'-0"

ALMA DAVALOS
9820 ROYCE DR
DALLAS, TX.

GENERAL NOTES

1. IF DIFFERENCES EXIST BETWEEN CONTRACT DRAWINGS AND FIELD CONDITIONS, NOTIFY ARCHITECT FOR CLARIFICATION BEFORE PROCEEDING WITH WORK.
2. THESE PLANS ARE NOT TO BE USED FOR ANY PURPOSE OTHER THAN CONSTRUCTION OF THE PROJECT DESCRIBED HEREIN.
3. GENERAL CONTRACTOR SHALL SUPERVISE, DIRECT AND BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES.
4. ALL WORK PERFORMED SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES AND REGULATIONS.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.

PROJECT No
138-2023

DRAWN
C C

ISSUED

No	DATE	SUBMISSION
1	08.25.2023	ISSUE FOR B PERMIT

CONSTRUCTION CONSULTANTS

ELEVATIONS

SHEET
A2.00

SUBJECT TO FIELD INSPECTOR'S APPROVAL

R303 Light, Ventilation and Heating
Apply ICC IRC code as it applies

R310.1 EMERGENCY ESCAPE AND RESCUE OPENINGS
Basements, habitable attics and every sleeping room shall have not less than one operable emergency escape and rescue opening

Means of Egress R311 IRC
Dwellings shall be provided with a means of egress in accordance with this section

Smoke Alarms shall comply with NFPA 72 and Section R314

R-314.3 Smoke Alarm locations
1) Sleeping rooms
2) Outside separate sleeping area
3) On each additional story
see IRC 2015 full explanation

Carbon Monoxide Al... comply with Section ...

City of Dallas
APPROVED
Building Inspection
03/15/24



DOOR SC... DU...

AG	SIZ...	QTY
D-01	3' 0" X 7' 0"	2
D-02	2' 6" X 7' 0"	4
D-03	2' 0" X 7' 0"	6
D-04	22 5" X 55"	1
D-05	7' 6" X 7' 0"	4
D-06	6' 0" X 7' 0"	1

WINDOW SC... DU...

AG	SIZ...	QTY
A	3' 0" X 5' 0"	11
B	2' 0" X 3' 0"	2
C	4' 0" X 2' 0"	1

eg... GR...SS WINDOW, MINIMUM ... AR OPENING

NO...
1 A... CONDITIONS ON THE JOB SITE
2 BUILDER TO APPROV... & V... CONSTRUCTION
3 VERIFY ALL PLANS W/ LOCA...
4 W... & HVAC TO BE IN A...
5 PROVID... SUITABLE VA... R... RING IRC SECTION G2...
6 A... GLASS LOCATED WITHIN ... OF A DOOR OR LOCATED WITHIN 60" O... WHIRLPOOLS, SAUNAS, ... TUBS SHALL BE IMPERVIOUS ... R308.4.8.

Green Building Program

average flow rate for all lavatory faucets must be 2.0 g.p.m.
average flow rate for all showerheads must be 2.0 g.p.m.
average flow rate for all toilets must be 1.3 gallons per flush.
utilize energy star labeled dish washers
that use 6.0 gallons or less per cycle

ALL BEDROOMS GR...SS ... ARE TO MEET A MINIMUM ... MINIMUM CLEAR OP... SECTION R310.

ALMA DAVALOS
9820 ROYCE DR
DALLAS, TX.

GENERAL NOTES

1 GENERAL CONTRACTOR/BUILDER SHALL CHECK AND VERIFY ALL PLANS, DIMENSIONS AND CONDITIONS ON THE JOB SITE. THESE PLANS/DOCUMENTS AND SPECIFICATIONS ARE NOT TO BE USED FOR ANY OTHER PROJECTS AND FOR CONSTRUCTION PURPOSES ONLY.

2 THESE PLANS ARE SUBJECT TO ORIGINAL CONSTRUCTION PURPOSES ONLY AND ARE NOT TO BE USED FOR ANY OTHER PROJECTS.

3 GENERAL CONTRACTOR SHALL SUPERVISE CONSTRUCTION AND SHALL BE RESPONSIBLE TO VERIFY, RESOLVE, AND INSURE ALL DIMENSIONS AND MATERIALS AND CONDITIONS.

4 ALL WORK PERFORMED ON THIS PROJECT SHALL MEET OR EXCEED CURRENT LOCAL BUILDING CODES AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODES AND REGULATIONS.

5 THIS FIRM IS RESPONSIBLE ONLY FOR GENERAL CONTRACTOR TO PROVIDE ANY INFORMATION NECESSARY TO SATISFY THE CONSTRUCTION(S) OF THE PROJECT WITHIN THE PLANS. ALL COMMENTS AND THESE PLANS SHALL BE REVIEWED BY A QUALIFIED

PROJECT No.
138-2023

DRAWN
CC

ISSUED

No	DATE	SUBMISSION
1	10-20-2023	ISSUE FOR B PERMIT

CONSTRUCTION CONSULTANTS

FLOOR PLAN

SHEET
A1.00

A1 00 FLOOR PLAN
Scale: 1/4"= 1'-0"

CITY OF DALLAS, TX

REMODELING/ADDITION
SINGLE FAMILY RESIDENCE

CLIENT:

ALMA DAVALOS
9820 ROYCE DR.
DALLAS, TX.

LEGAL INFORMATION:

1: FOREST HEIGHTS
2: BLK B/8486 LT 4 ACS 0.6887
3: 14X50 72 MH S#FR211451492MC
4: INT202000325691 DD11132020 CO-DC
5: 8486 00B 00400 3DA8486 00B

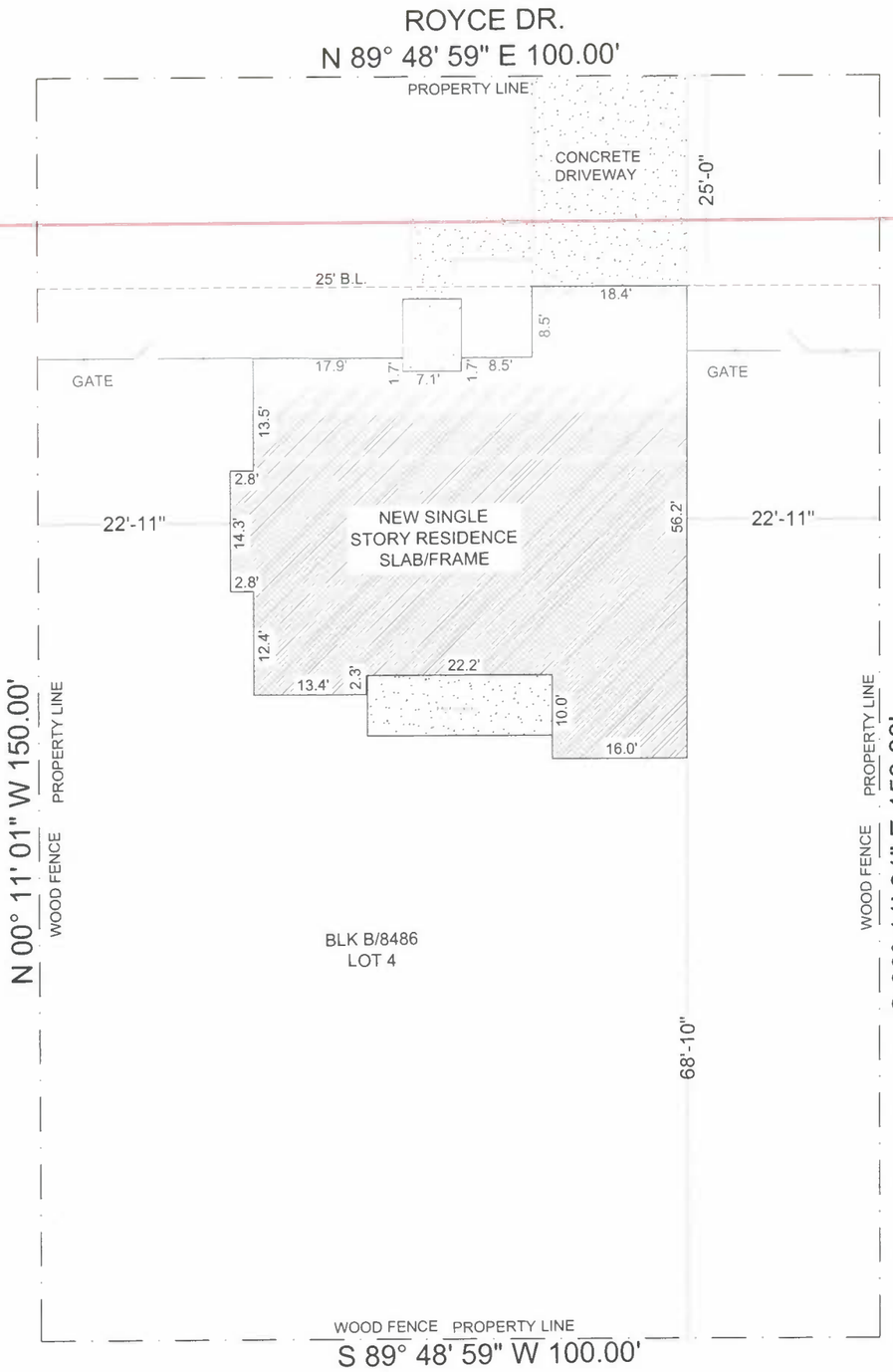
SQUARE FOOTAGE:

Land:	15,000 SQ.FT.
New Living Area:	1,816 SQ.FT.
New Garage:	393 SQ.FT.
NEW TOTAL:	2,209 SQ.FT.



VICINITY MAP N.T.S.





C1 / 00 SITE PLAN
Scale: 1/8"=1'-0"

ALMA DAVALOS
9820 ROYCE DR
DALLAS, TX.

GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL EXAMINE AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANS. COMMENCEMENT SHALL NOTIFY OWNER OF ANY DISCREPANCIES AND/OR MISSING ITEMS PRIOR TO THE START OF CONSTRUCTION.

2. THESE PLANS ARE INTENDED FOR THE GENERAL CONSTRUCTION PURPOSES ONLY AND ARE NOT ENGINEERED FOR DETAILS OR PERFORMANCE.

3. THE GENERAL CONTRACTOR SHALL SUPERVISE CONSTRUCTION AND SHALL BE RESPONSIBLE TO DIRECT, VERIFY, RESOLVE AND INSTALL ALL EQUIPMENT AND MATERIALS AND TO CONTROL THE QUALITY OF WORK.

4. ALL WORK PERFORMED ON THE PROJECT SHALL MEET OR EXCEED THE CURRENT EDITION OF THE APPLICABLE BUILDING CODE AND ALL APPLICABLE STATE AND LOCAL CODES, LAWS, RULES, AND REGULATIONS.

5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY FOR THE STABILITY OF THE STRUCTURE(S) DURING THE PROJECT. FURTHERMORE IT RECOMMENDS THAT THESE PLANS SHALL BE REVIEWED BY A QUALIFIED PROFESSIONAL ENGINEER.

PROJECT No.
085-2023

DRAWN:
C.C.

ISSUED:

No.	DATE	SUBMISSION
1	04-01-2023	ISSUE FOR B PERMIT

CONSTRUCTION CONSULTANTS
9720 COIT RD. SUITE 220-180
PLANO, TX 75025
M 214.394.5787
E.VINTRACC@GMAIL.COM
www.vintracc.com

SITE PLAN
SHEET:
C1.00

FILE NUMBER: BDA234-137 (BT)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for **(1)** a special exception to the fence height regulations at **12464 BRECKENRIDGE DR.** This property is more fully described as Block A/7463, Lot 9, and is zoned R-1/2ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence regulations.

LOCATION: 12464 Breckenridge Dr.

APPLICANT: Baldwin Associates - Rob Baldwin

REQUEST:

(1) A request for a special exception to the fence height regulations

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	R-1/2ac(A)
North:	TH-1(A), D(A) and PD-47
East:	PD-381
South:	R-1/2ac(A)
West:	R-1ac(A)

Land Use:

The subject site is developed with single family use.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Rob Baldwin for the property located at 12464 Breckenridge Dr. focuses on one request relating to the fence height.
- A request for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high fence with 8-foot high gate in a required front-yard, which will require a 4-foot special exception to the fence height regulations.
- The subject site along with surroundings properties to south, and east are all developed with single-family homes.
- The surrounding properties to the north are developed with mostly townhomes and duplexes uses.
- The surroundings properties to west a recreational use, public park.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a 6-foot high fence and 8-foot high gate, located near the front property line.
- The exiting fence will be removed and replaced with per the submitted site plan and elevation in addition to relocating the existing driveway.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video:

Timeline:

September 30, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

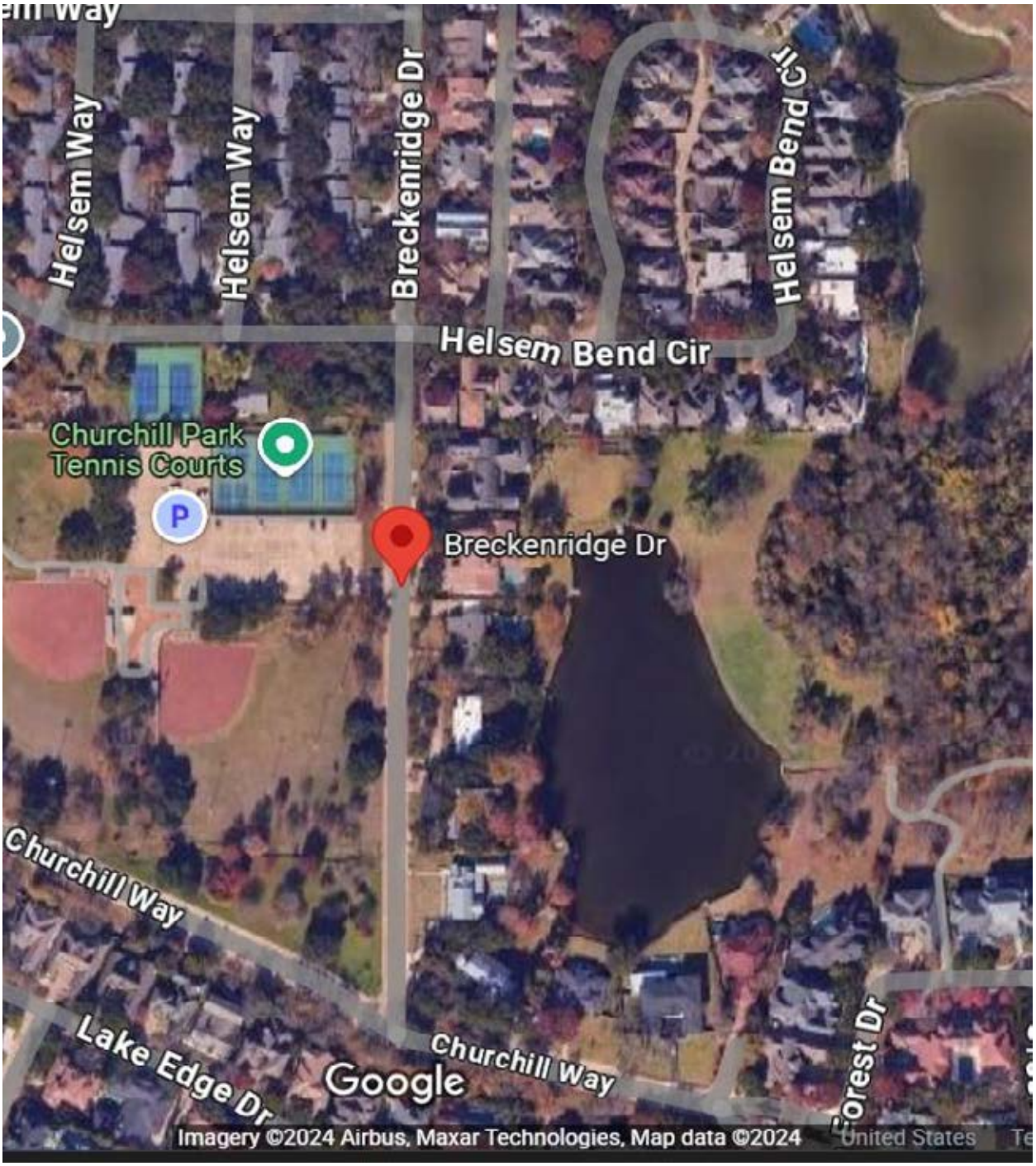
October 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis;

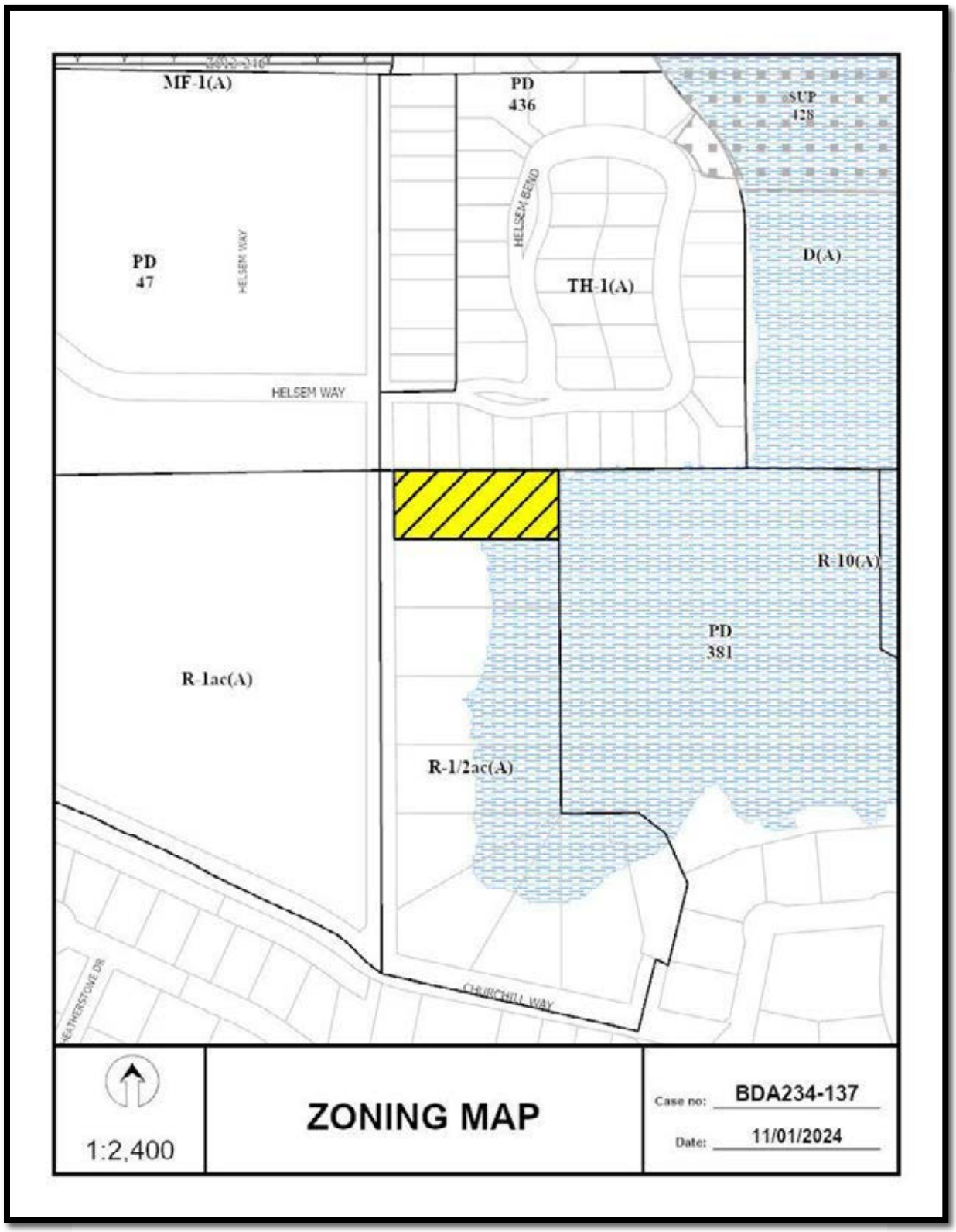
and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.

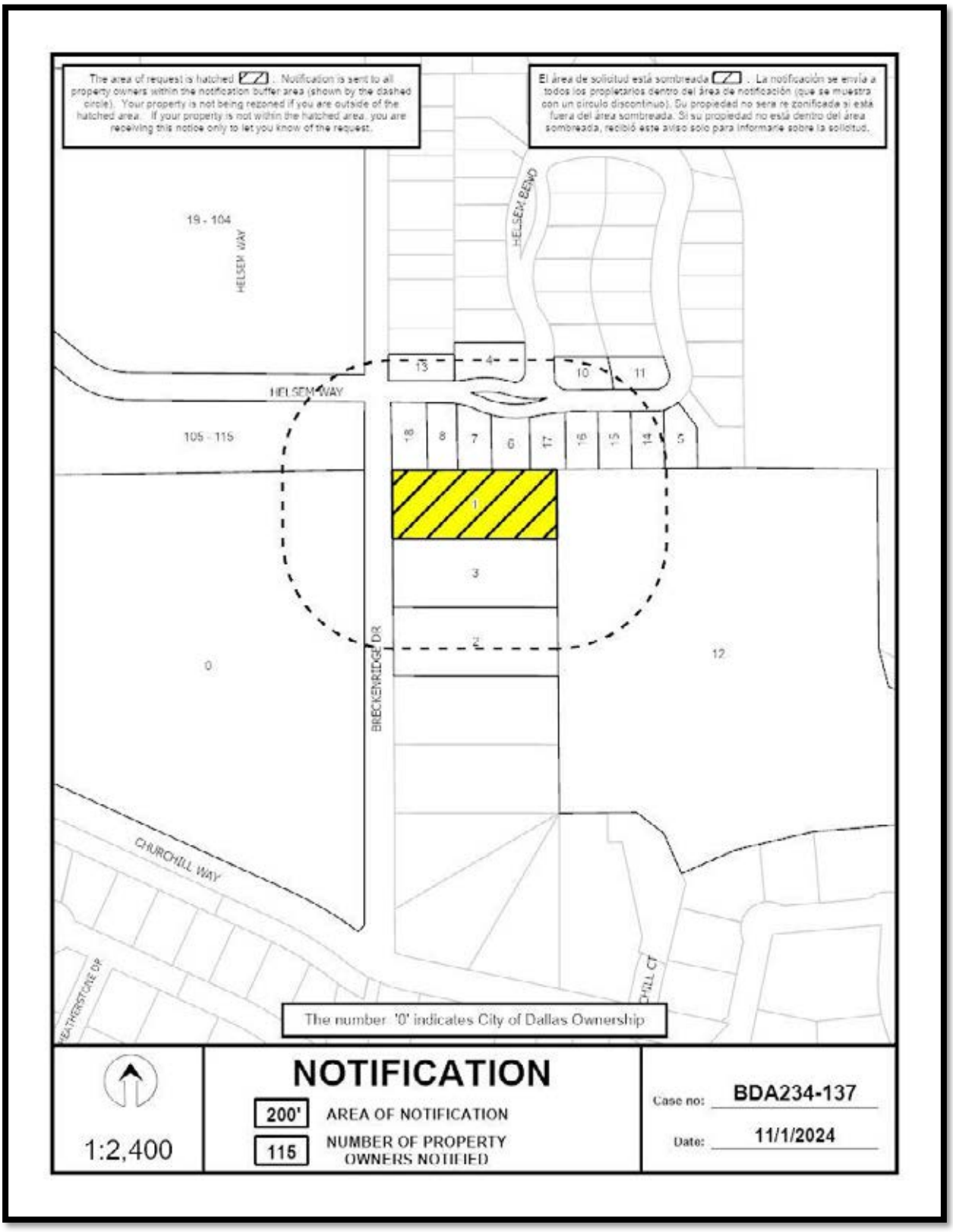
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.



1:2,400	**AERIAL MAP**	Case no: BDA234-137 Date: 11/01/2024


MF-1(A)
PD
436
SUP
428
PD
47
HELSEM WAY
HELSEM BEND
TH-1(A)
D(A)
HELSEM WAY
R-10(A)
PD
381
R-1ac(A)
R-1/2ac(A)
CHURCHILL WAY
1:2,400
ZONING MAP
Case no: BDA234-137
Date: 11/01/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
19 - 104
HELSEM WAY
HELSEM BEND
HELSEM WAY
105 - 115
13
4
10
11
18
8
7
6
17
16
15
14
5
1
3
2
0
12
BRECKENRIDGE DR
CHURCHILL WAY
HEATHERSTONE DR
CHILL CT
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
115
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: BDA234-137
Date: 11/1/2024

11/01/2024

Notification List of Property Owners

BDA234-137

115 Property Owners Notified

Label #	Address		Owner
1	12464	BRECKENRIDGE DR	ORION US TRUST
2	12444	BRECKENRIDGE DR	VIROSLAV JOSE
3	12454	BRECKENRIDGE DR	CHEN YIH SHII & YU CHIN
4	7248	HELSEM BEND	GUMP HARRY ALLEN JR &
5	7136	HELSEM BEND	FINCHER RICHARD L & NANCY K
6	7116	HELSEM BEND	YANT MCKEE D
7	7112	HELSEM BEND	LARKIN LIVING TRUST THE
8	7108	HELSEM BEND	DEGRAFF AMANDA EDDINGS
9	7100	HELSEM BEND	WATERFORD PK HOMEOWNERS
10	7249	HELSEM BEND	KOORENNY NOBLES FAMILY TRUST
11	7147	HELSEM BEND	LAB 2019 TRUST THE
12	12279	PECAN FOREST DR	LAKE FOREST COMMUNITY
13	12606	BRECKENRIDGE DR	SABIN PATRICIA N
14	7132	HELSEM BEND	WILLARD CAROLYN S
15	7128	HELSEM BEND	KAHN DAN & JANE
16	7124	HELSEM BEND	HULL RONALD J HULL &
17	7120	HELSEM BEND	QUILLING MICHAEL J &
18	7104	HELSEM BEND	MEIER GERRY
19	6901	HELSEM WAY	SIMPSON HEATHER CROCKETT
20	6903	HELSEM WAY	TAYLOR RONALD W & ELIZABETH W
21	6905	HELSEM WAY	HARALSON HEATHER TRUST THE
22	6907	HELSEM WAY	BILLINGS LINDA
23	6909	HELSEM WAY	WARD LINDA A
24	6911	HELSEM WAY	2023 CARL B SCHIEFFER TRUST THE
25	6933	HELSEM WAY	CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
26	6935	HELSEM WAY	TUCKER ANDREA MARIE &

11/01/2024

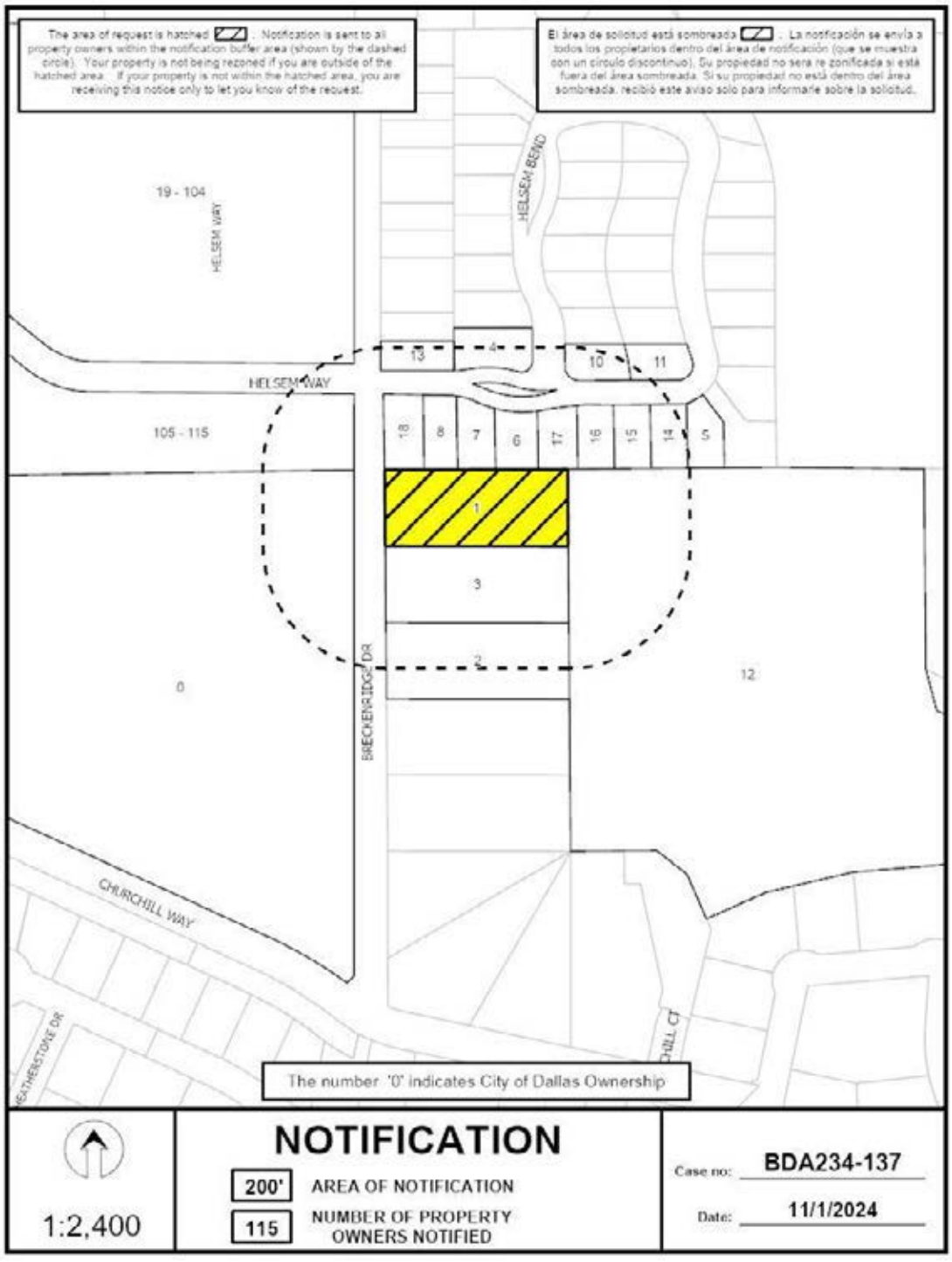
Label #	*Address*		*Owner*
27	6937	HELSEM WAY	BEST BARBARA
28	6939	HELSEM WAY	BOGGS ROBERT L
29	6941	HELSEM WAY	KIER KATHY R
30	6943	HELSEM WAY	BUCKNER J H
31	6931	HELSEM WAY	THOMA CINDA PHARES
32	6945	HELSEM WAY	OTTO KAREN MARTIN
33	6929	HELSEM WAY	MAGEE CHARLES BAXTER
34	6947	HELSEM WAY	KIMBERLIN MARISSA R
35	6927	HELSEM WAY	JORDAN AMANDA JANE
36	6949	HELSEM WAY	WERNICK STUART & SHERYL
37	6925	HELSEM WAY	VINCENT SUSAN P REVOCABLE
38	6951	HELSEM WAY	COOK R ANN
39	6953	HELSEM WAY	RAWLINS ROBERT S & NORA A
40	6921	HELSEM WAY	GROSS WILLIAM S & BARBARA
41	6955	HELSEM WAY	SHIVER ARLENE R
42	6959	HELSEM WAY	DUNN STEPHEN D & BEAU K BLACK
43	6961	HELSEM WAY	STILES JUDY A
44	6963	HELSEM WAY	DENGEL JOSEPH A & MARTHA B
45	6979	HELSEM WAY	LICHTEN SUSAN R
46	6965	HELSEM WAY	MARTIN THOMAS P & DOLLY M
47	6981	HELSEM WAY	BIRES ANDRE G & SUZANN E
48	6967	HELSEM WAY	PRUDE JULIA D EST OF
49	6983	HELSEM WAY	LAIDLAW FAMILY REVOCABLE
50	6969	HELSEM WAY	THOMPSON RICHARD C & SUSAN N
51	7053	HELSEM WAY	BAEZA LEROY &
52	7055	HELSEM WAY	HOBSON MARY LIVINGSTON & ROBERT
53	7057	HELSEM WAY	STEINMARK MICHAEL &
54	7059	HELSEM WAY	TAYLOR BETTY JANE
55	7061	HELSEM WAY	PINKERTON DANA &
56	7063	HELSEM WAY	THIESFELD STEVEN L & SUSAN M
57	7065	HELSEM WAY	CHAUVIN BETTY

11/01/2024

Label #	*Address*		*Owner*
58	7067	HELSEM WAY	MACDOWELL HAROLD FRANK III &
59	6915	HELSEM WAY	SPIEGEL MARK ALAN
60	6971	HELSEM WAY	WEBER PHILIP A
61	6917	HELSEM WAY	VOLLE DAPHNE M
62	6973	HELSEM WAY	KITCHEN LAQUITA ANN
63	6919	HELSEM WAY	MECOM LYNNE HILL
64	6975	HELSEM WAY	CHERRY BRUCE & CYNTHIA J
65	6977	HELSEM WAY	LIVELY ELESHEA
66	7001	HELSEM WAY	STOFFEL EVELYN NEEDHAM
67	6995	HELSEM WAY	BLAKE TERRENCE GW
68	7003	HELSEM WAY	KEENE MADISON
69	6993	HELSEM WAY	SHELBY CHARLES P & PATRICE F
70	7005	HELSEM WAY	MILLER FRANK RAYMON
71	6991	HELSEM WAY	DOLL SANDRA KAY
72	7009	HELSEM WAY	DECILLIS GLORIA P
73	6989	HELSEM WAY	RIBELIN TERESA L
74	7011	HELSEM WAY	BARRACO ANTHONY M SR &
75	6987	HELSEM WAY	MARINO DONNA WILSON
76	7013	HELSEM WAY	POWER SUSAN LIVING TRUST THE
77	6985	HELSEM WAY	REHWINKEL ANDREW S
78	7015	HELSEM WAY	BAAB GEORGE W & VICKI
79	7017	HELSEM WAY	MCGINN ROSEMARY &
80	7051	HELSEM WAY	EDWARDS ANN KATHRYN &
81	7035	HELSEM WAY	DAVENPORT ROBERT
82	7049	HELSEM WAY	COGAN CELIA
83	7033	HELSEM WAY	ERETS LLC
84	7047	HELSEM WAY	POWELL FAMILY TRUST
85	7031	HELSEM WAY	PERROUX LYNN
86	7045	HELSEM WAY	MURPHY SUZANNE
87	7029	HELSEM WAY	KEOUGHANPARKER KRISTY ELIZABETH
88	7043	HELSEM WAY	BUCY CYNTHIA REID & DAVID L

Label #	Address		Owner
89	7027	HELSEM WAY	DENSMORE LESLIE A
90	7041	HELSEM WAY	BROWN MICHELLE M & JEFFREY V
91	7025	HELSEM WAY	HARTFELDER CLEOTA A 2011 TRUST
92	7039	HELSEM WAY	HARRELL SAM & AMBER
93	7023	HELSEM WAY	PARR HAYDEN K
94	7037	HELSEM WAY	CARNELL THOMAS A & SUSAN
95	7021	HELSEM WAY	VINEYARD FRANCES E
96	7019	HELSEM WAY	TAYLOR CARL J & NELL A
97	12615	BRECKENRIDGE DR	ASEL ROGER STEVEN & JERRYE YVONNE
98	12617	BRECKENRIDGE DR	SPEIER ANITA
99	12619	BRECKENRIDGE DR	MOORE D BRADFORD & W SUE
100	12621	BRECKENRIDGE DR	HARTER BILL & SHIRLEY
101	12623	BRECKENRIDGE DR	SHOUP BRADLEY C
102	12625	BRECKENRIDGE DR	HITT MICHAEL & FRANKIE
103	12627	BRECKENRIDGE DR	GRAY SUSANNE & ANDREW
104	12629	BRECKENRIDGE DR	CORN IDA JANICE TR
105	6902	HELSEM WAY	HARRIS SAVANNAH ROSE
106	6904	HELSEM WAY	DELNEGRO LOIS
107	6906	HELSEM WAY	MERTZ LESLIE A
108	6908	HELSEM WAY	ST CLAIR JOHN
109	6910	HELSEM WAY	CASE AMY STOWE & RANDALL L
110	6912	HELSEM WAY	BICKERS MICHAEL GEORGE
111	6916	HELSEM WAY	FAIRCHILD JAMES C &
112	6922	HELSEM WAY	WILLIAMSON JENNY L
113	6936	HELSEM WAY	LENTZ RICHARD V & ANNETTE C
114	7054	HELSEM WAY	NYE JOAN
115	7060	HELSEM WAY	BULGER KYLE STANFORD &

200’ Radius Route Map



NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)

NOTICE IS HEREBY GIVEN that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)** will hold a hearing as follows:

DATE:	**WEDNESDAY, NOVEMBER 20th, 2024**
BRIEFING:	**10:30 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1120B**
HEARING:	**1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa1120B

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment.

BDA234-137(BT) Application of Baldwin Associates for **(1)** a special exception to the fence height regulations at **12464 BRECKENRIDGE DRIVE**. This property is more fully described as Block A/7463, Lot 9, and is zoned PD-381, R-1/2ac(A), and TH-1(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAreply@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing, if you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-B-Register **by the close of business Tuesday, November 19th, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning & Development Department
1500 Marilla Street 5CN Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-137

RECEIVED
SEP 30 2024
BY

Data Relative to Subject Property: Date: FOR OFFICE USE ONLY

Location address: 12464 Breckenridge Drive Zoning District: PD 381 R-1/2 ac (A), TH-1(A)

Lot No.: 9 Block No.: A/7463 Acreage: 0.87 Census Tract: 48113013202

Street Frontage (in Feet): 1) 127' 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Xuzhong Wang (aka Richard Wang) and Yajuan Qiao, Trustees, Orion U.S. Trust

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B - Dallas Zip Code: 75226

E-mail Address: rob@baldwinplanning.com michele@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B - Dallas Zip Code: 75226

E-mail Address: rob@baldwinplanning.com michele@baldwinplanning.com

Affirm that an appeal has been made for a Variance , or Special Exception X, of 4' to the fence regulations to allow a 6' fence and 8' gate in the front yard.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

The property is located across the street from a public park and pickleball courts. This request is to provide additional security and privacy for the homeowners.

We feel this request is reasonable and will not negatively affect surrounding properties.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Rob Baldwin, Baldwin Associates

(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 12 day of September, 2024

MICHELE ELIZABETH STOY
NOTARY PUBLIC
STATE OF TEXAS
ID 130747076
EXP 07-20-2026

Michele Stoy

Notary Public in and for Dallas County, Texas

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-137

I, Yajuan Qiao. Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 12464 Breckenridge Drive
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

_____Variance (specify below)

X Special Exception (specify below)

_____Other Appeal (specify below)

Specify: Special exception to the fence regulations

YAJUAN QIAO
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 9/6/2024

Before me, the undersigned, on this day personally appeared YAJUAN QIAO

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

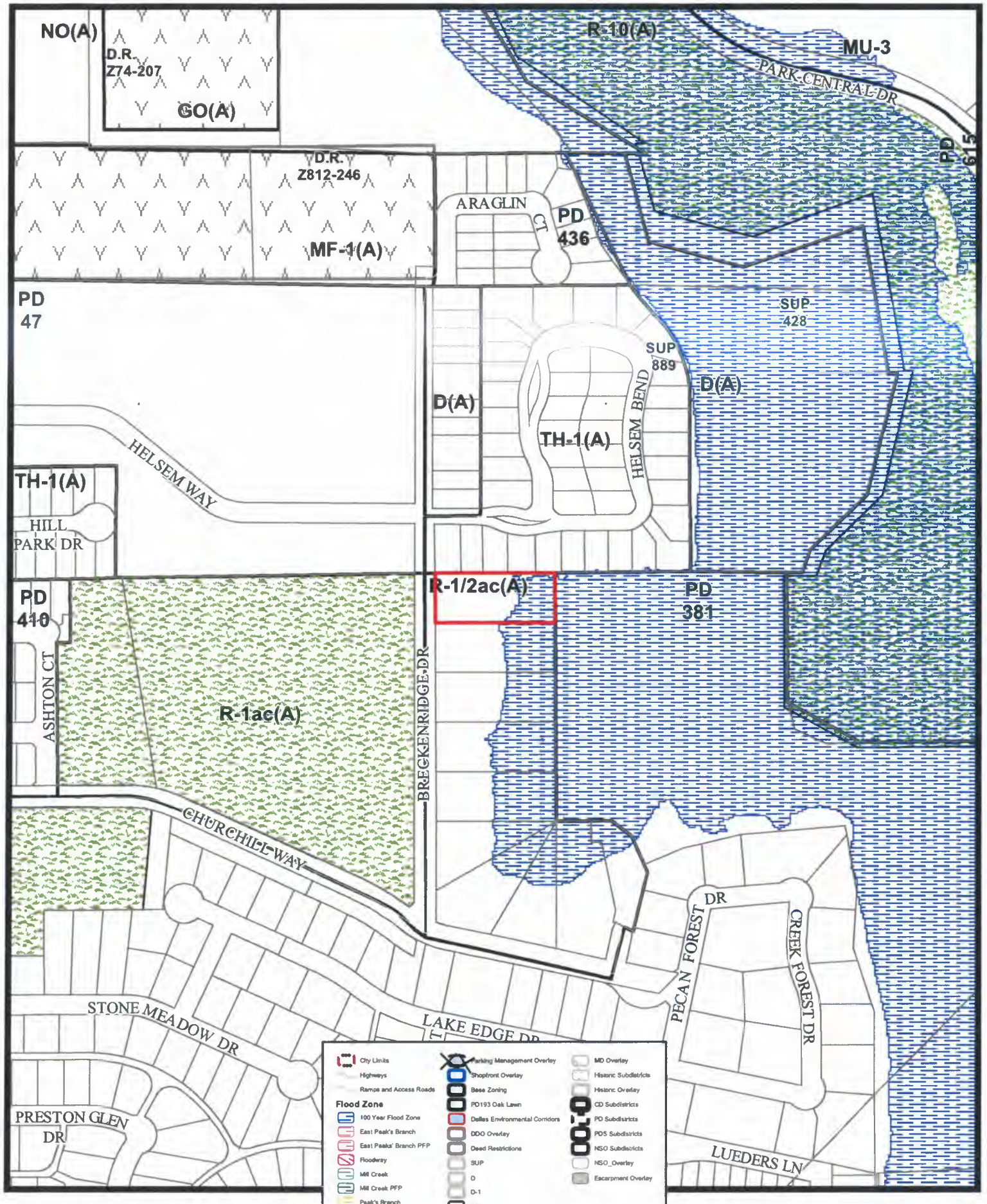
Subscribed and sworn to before me this 6th day of September, 2024

JAIDEN D. RUBIO
Notary Public, State of Texas
Comm. Expires 08-21-2027
Notary ID 134518459

Notary Public for Dallas County, Texas

Commission expires on 08-21-2027

12



1:3,600

Case ID:

Printed: 8/9/2024

CITY OF DALLAS PLAT BOOKS

ANNEXED APRIL 26. 1954 ORD NO. 6183 ADDITION

SURVEY HIRAM WILBURN ABST. 1568 SCALE 100 FT. EQUALS 1 INCH

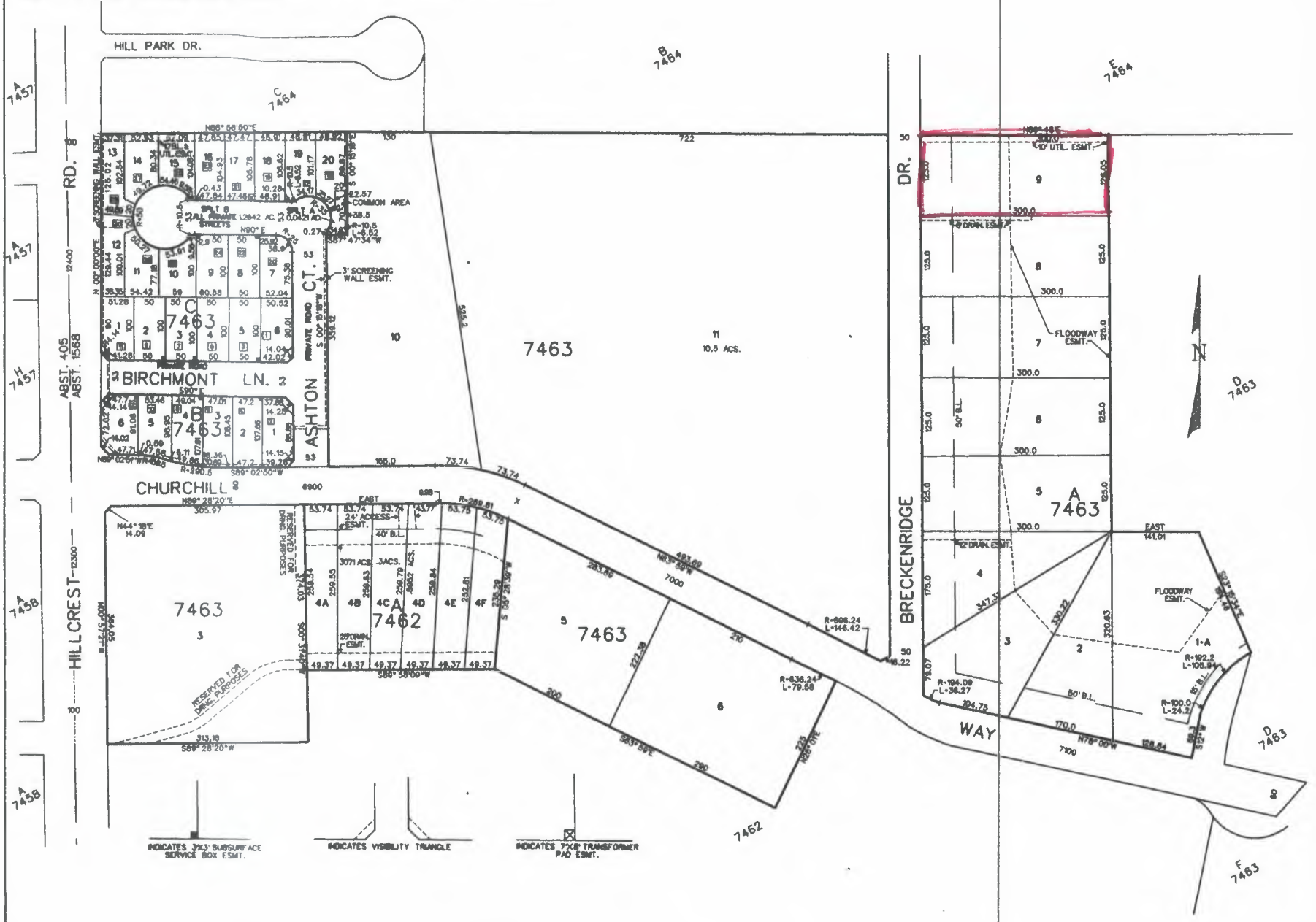
BLOCKS A A,B,C 7462. 7463, 7463

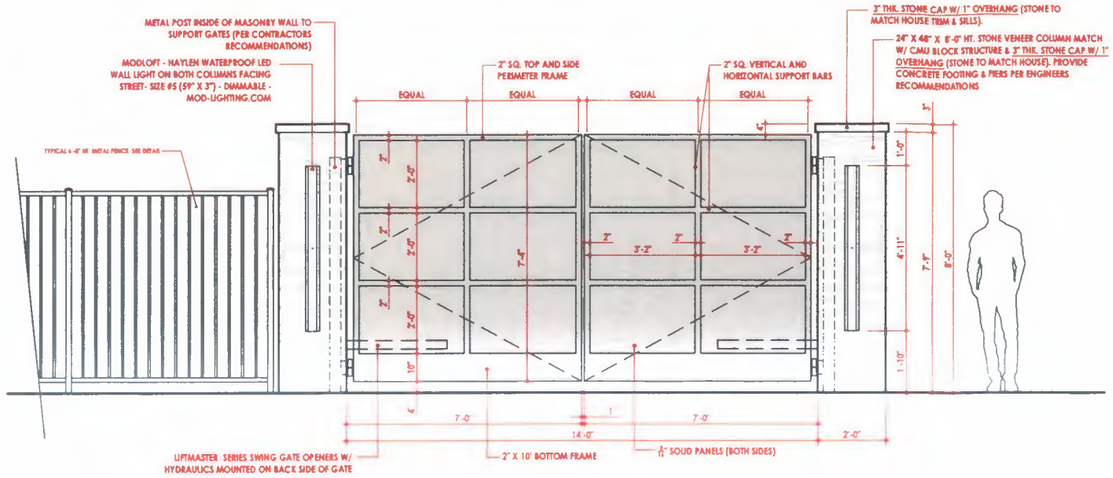
SCHOOL DISTRICT DALLAS

BRS 4-28-98

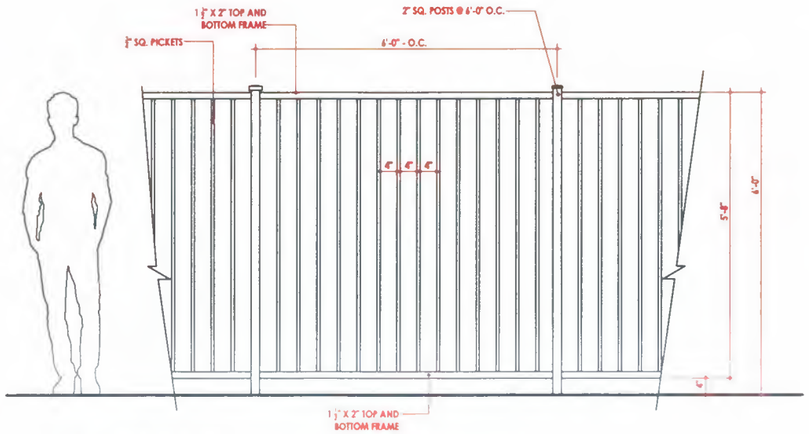
FILED:8-27-48 BLK. 7463 RIVERSIDE ESTATES 1 & 2
FILED:11-20-62 BLK. A/7463 RIVERSIDE ESTATES No.2
FILED:8-25-70 BLK. A/7463 RIVERSIDE ESTATES REV.
FILED:1-11-94 BLK. A/7462 LT.4A-4F DAVID D. BULLER ESTATES

FILED:3-24-98 BLK. B,C/7463 CHURCHILL POINTE
FILED: 6-5-98 BLK. B,C/7463 CHURCHILL POINTE Corr. Plat
FILED: 11-5-97 BLK. 7463 LOT 3 CHURCHILL RECREATION CENTER

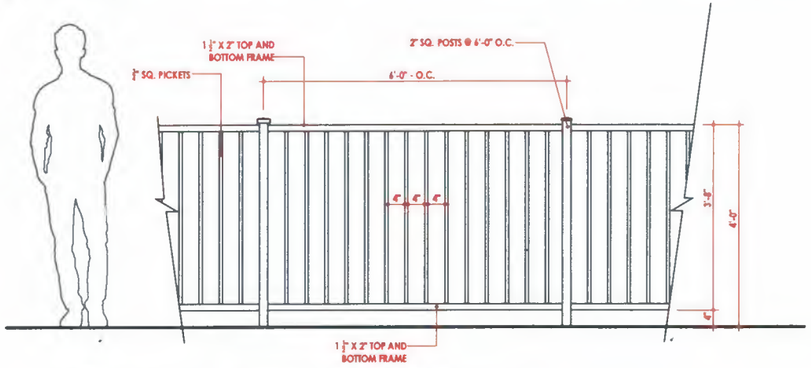




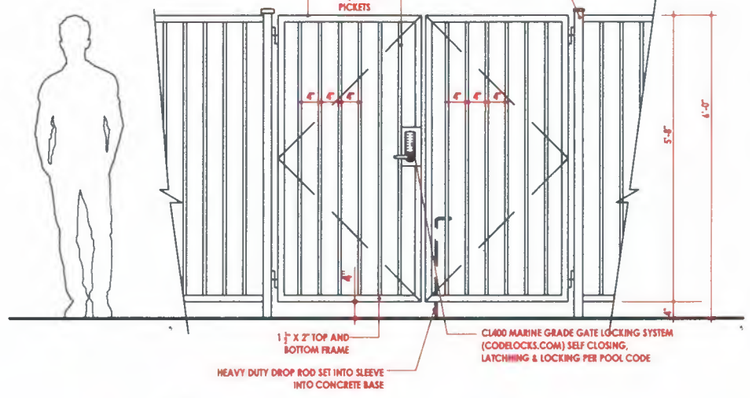
01 ELEVATION - DECORATIVE 8'-0" HT. METAL FRONT ENTRY GATE W/ STONE COLUMNS
SCALE: 1/2"=1'-0"



02 ELEVATION - TYPICAL 6'-0" HT. METAL FENCE
SCALE: 3/4"=1'-0"



03 ELEVATION - TYPICAL 4'-0" HT. METAL FENCE
SCALE: 3/4"=1'-0"



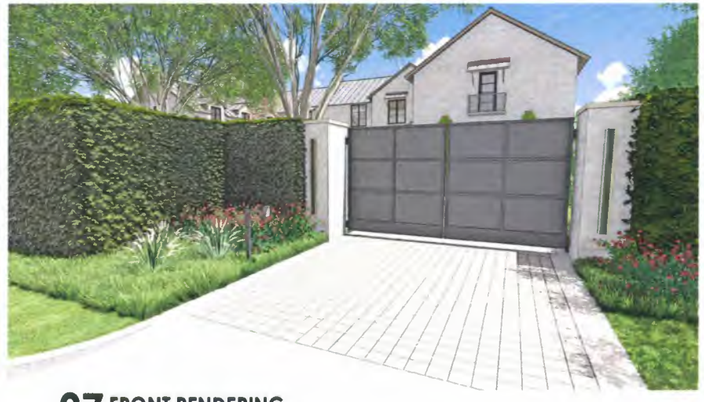
04 ELEVATION - DOUBLE 3'-0" WIDE GATE (6' TOTAL)
SCALE: 3/4"=1'-0"



05 FRONT RENDERING
SCALE: N.T.S.



06 FRONT RENDERING
SCALE: N.T.S.



07 FRONT RENDERING
SCALE: N.T.S.

DDLA DESIGN
LANDSCAPE ARCHITECTURE
214.600.1415
DDLADESIGN.COM

QIAO RESIDENCE
12464 BRECKENRIDGE DRIVE
DALLAS, TEXAS

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SCALE: SEE PLANS

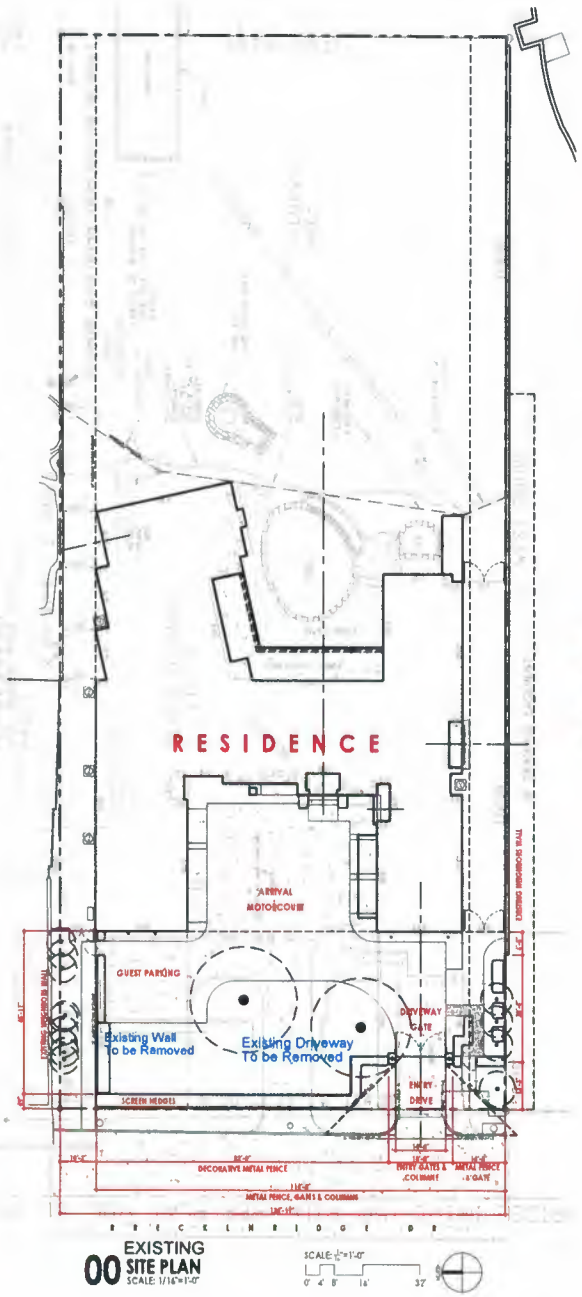
DATE:

REVISIONS:

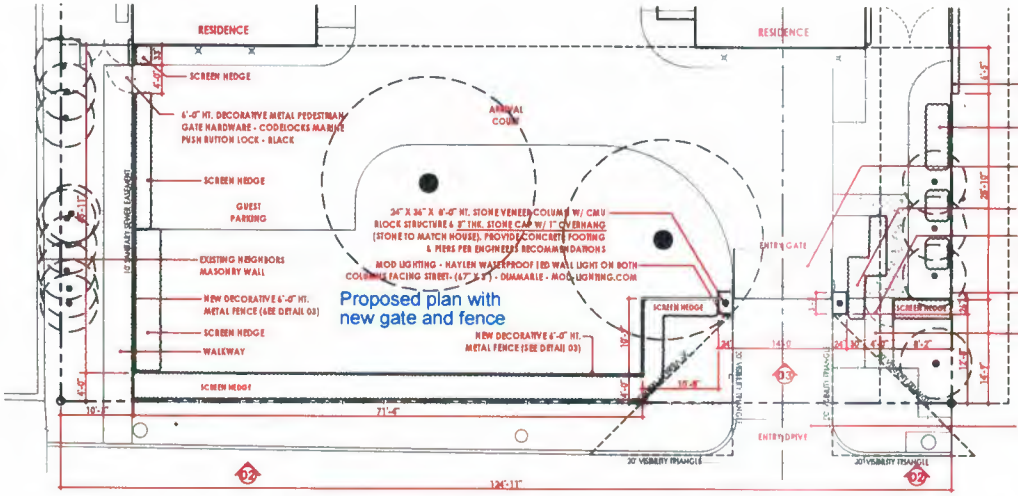
DETAILS 01

FOR REVIEW ONLY

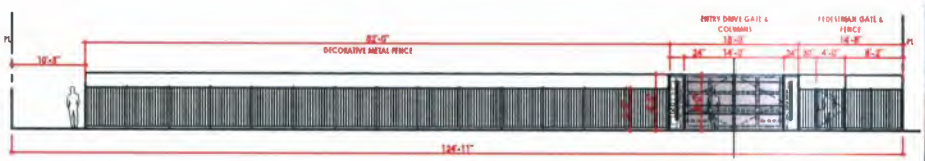
L4.0



00 EXISTING SITE PLAN
SCALE: 1/16"=1'-0"



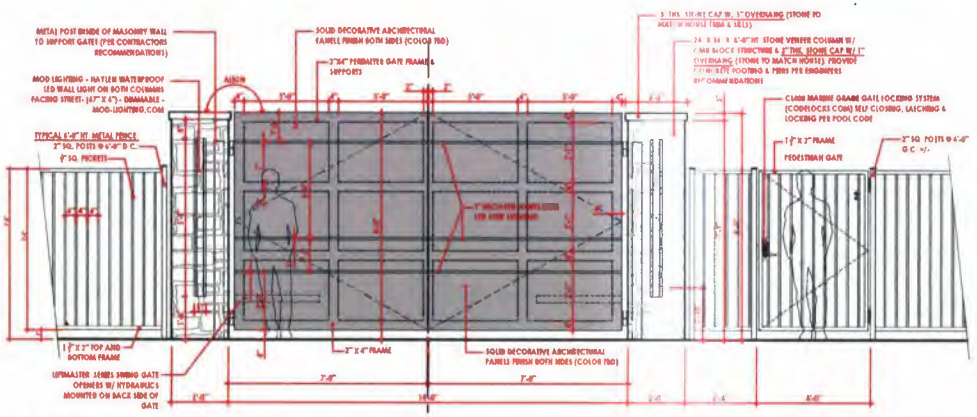
01 ENLARGEMENT PLAN - FRONT ENTRY GATES, COLUMNS & FENCE
SCALE: 1/8"=1'-0"



02 ELEVATION - FRONT ENTRY GATES, COLUMNS & FENCE
SCALE: 1/8"=1'-0"



GATE INSPIRATION IDEA



03 ELEVATION - ENLARGEMENT DECORATIVE 8'-0" HT. ARCHITECTURAL PANEL FRONT ENTRY GATE W/ STONE COLUMNS
SCALE: 1/2"=1'-0"

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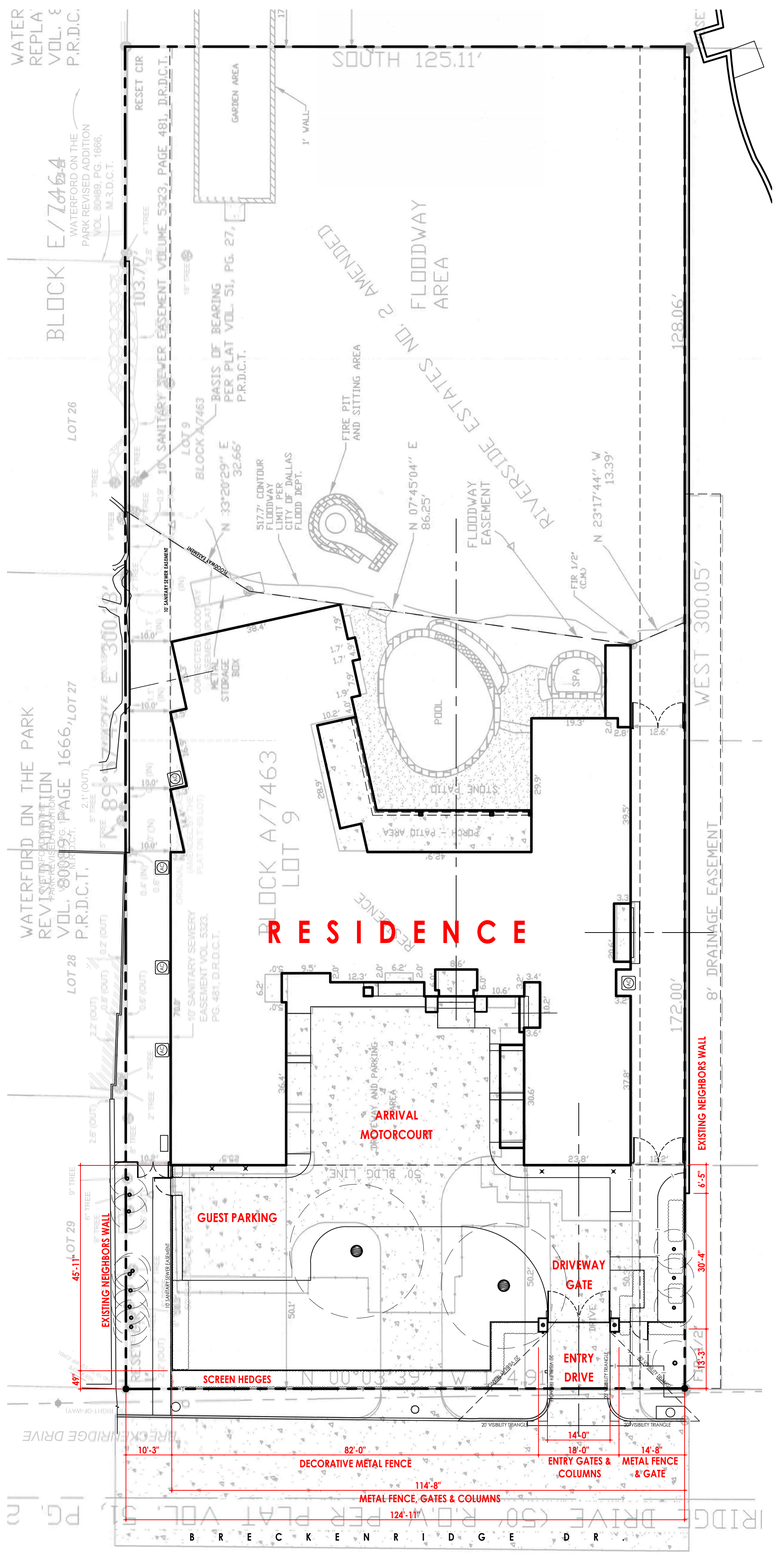
QIAO RESIDENCE
12444 BRECKENRIDGE DRIVE
DALLAS, TEXAS

SCALE: SEE PLANS

DATE
8.23.2024

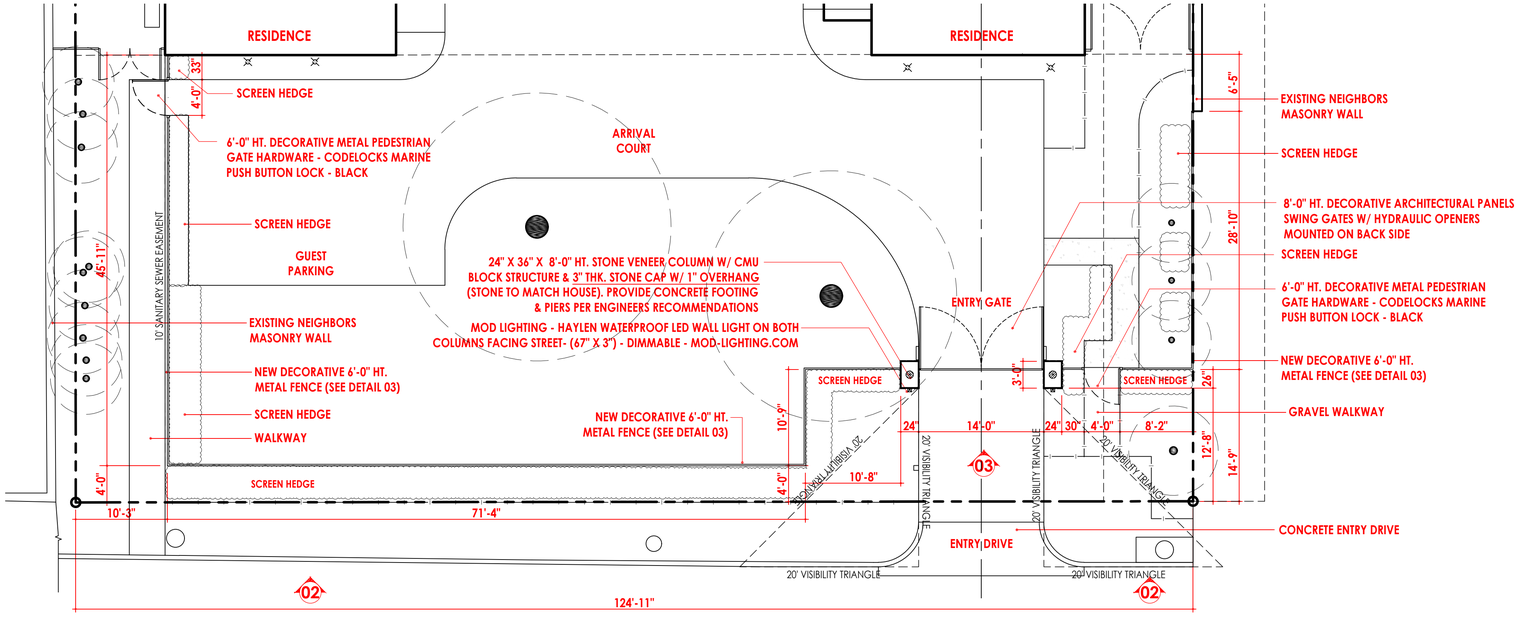
FRONT ENTRY GATES, FENCE & COLUMNS VARIANCE PLANS

L1.3



00 SITE PLAN
SCALE: 1/16"=1'-0"

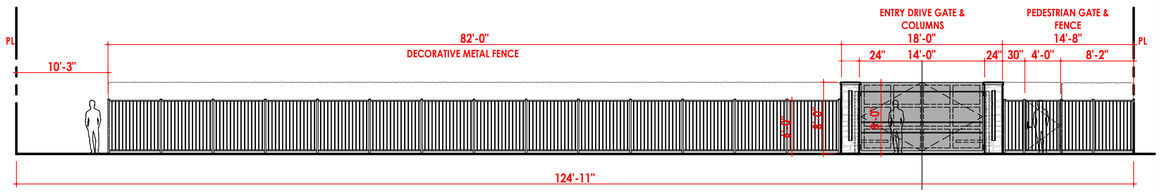
SCALE: 1/16"=1'-0"
0' 4' 8' 16' 32' NORTH



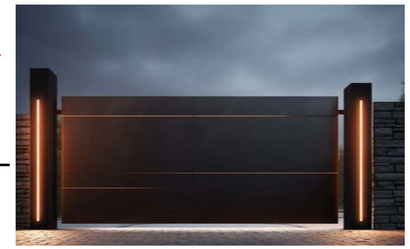
B R E C K E N R I D G E D R

01 ENLARGEMENT PLAN - FRONT ENTRY GATES, COLUMNS & FENCE
SCALE: 1/8"=1'-0"

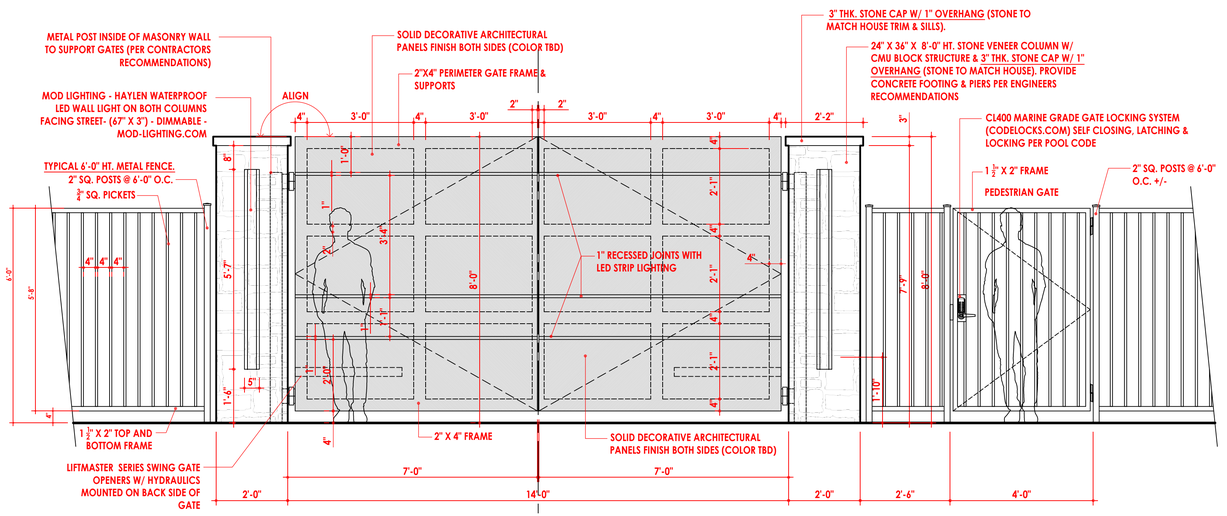
SCALE: 1/8"=1'-0"
0' 2' 4' 8' 16' NORTH



02 ELEVATION - FRONT ENTRY GATES, COLUMNS & FENCE
SCALE: 1/8"=1'-0"



GATE INSPIRATION IDEA



03 ELEVATION - ENLARGEMENT DECORATIVE 8'-0" HT. ARCHITECTURAL PANEL FRONT ENTRY GATE W/ STONE COLUMNS
SCALE: 1/2"=1'-0"

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QIAO RESIDENCE
12464 BRECKENRIDGE DRIVE
DALLAS, TEXAS

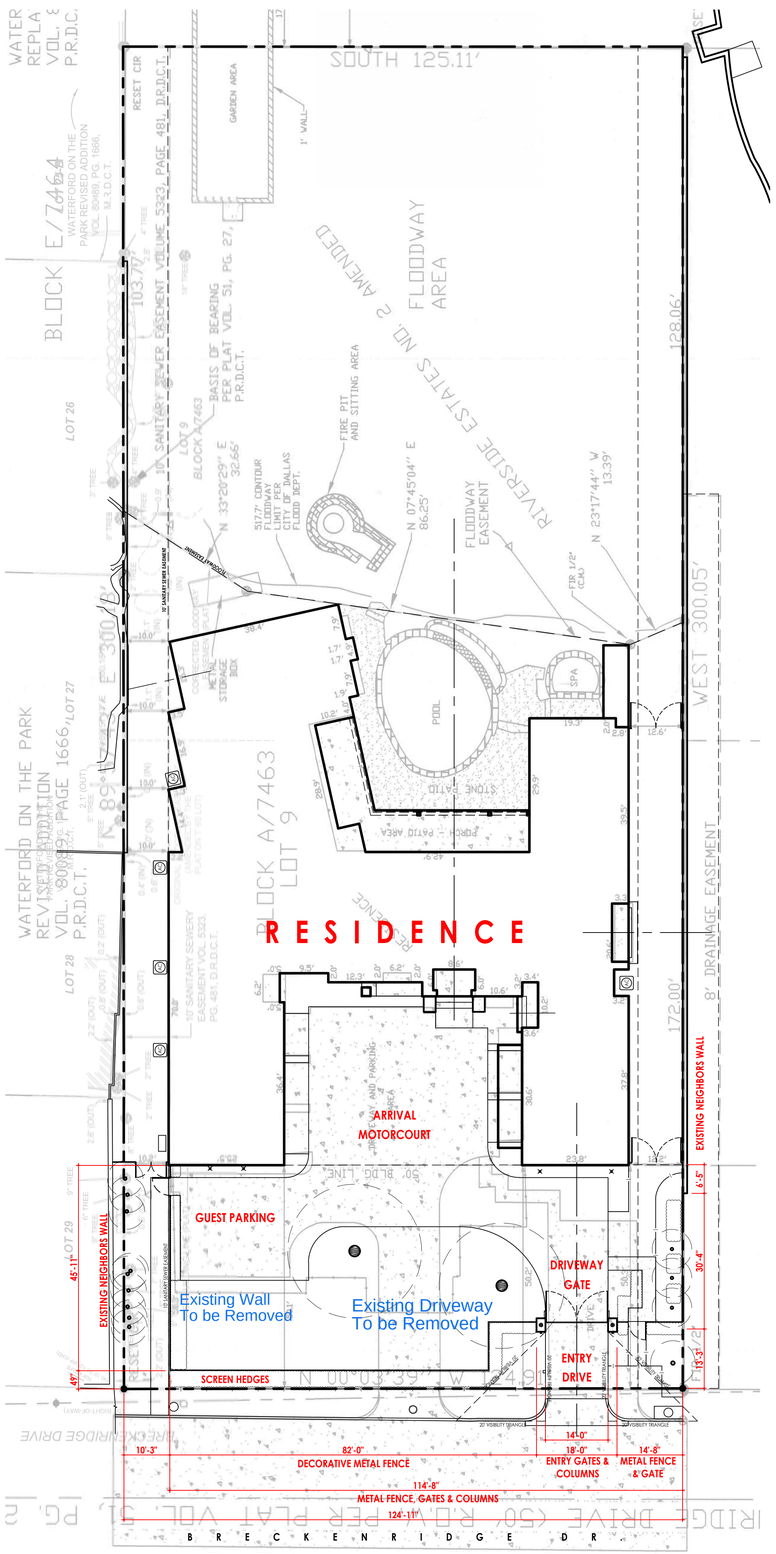
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DATE:
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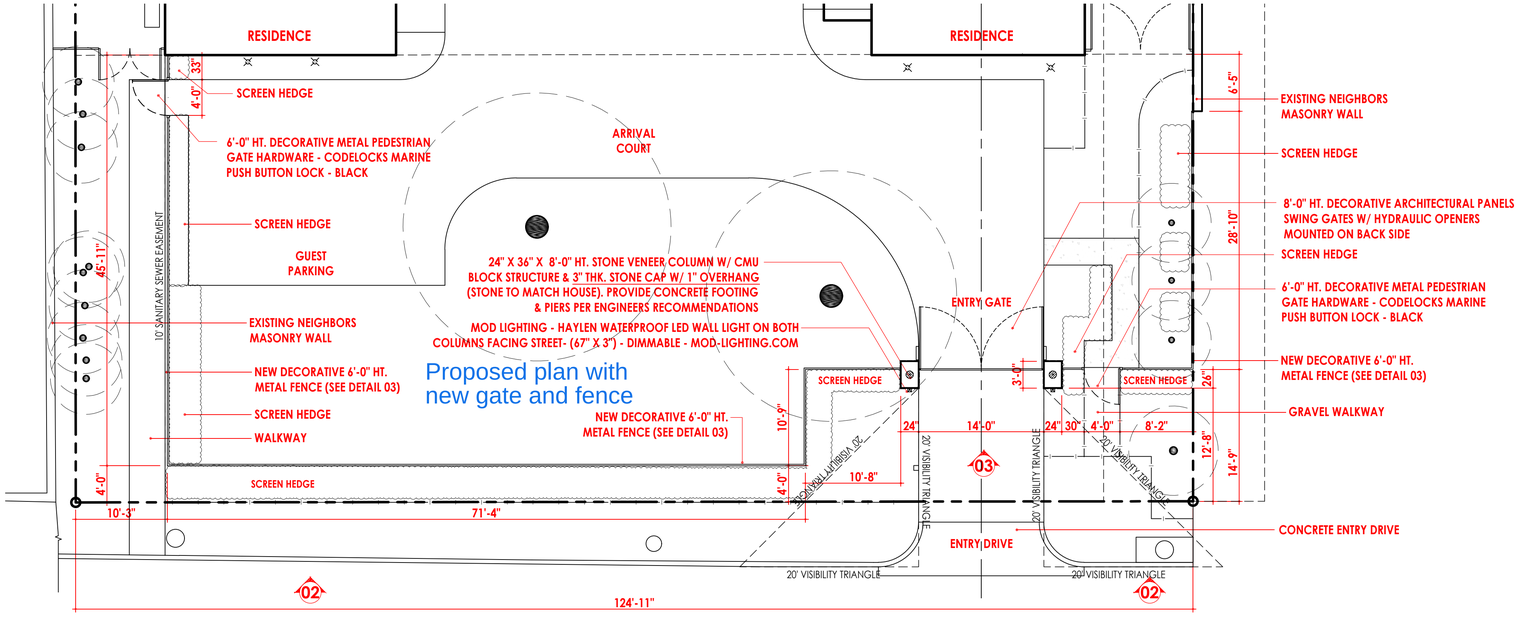
FRONT ENTRY GATES, FENCE & COLUMNS VARIANCE PLANS

L1.3



00 EXISTING SITE PLAN
SCALE: 1/16"=1'-0"

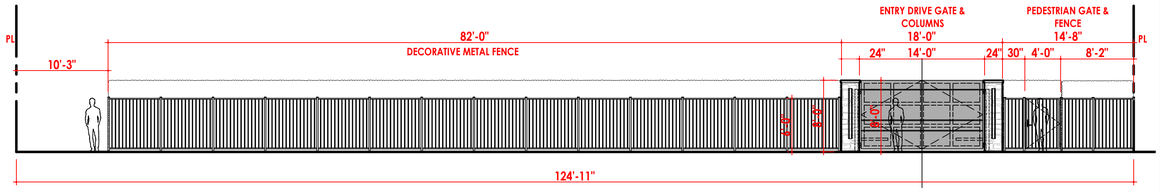
SCALE: 1/16"=1'-0"
0' 4' 8' 16' 32' NORTH



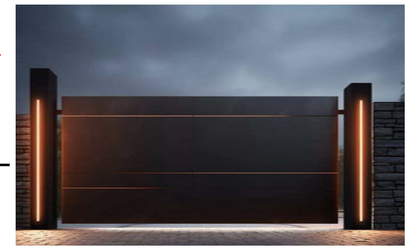
BRECKENRIDGE DR

SCALE: 3/16"=1'-0"
0' 2' 4'8' 16' NORTH

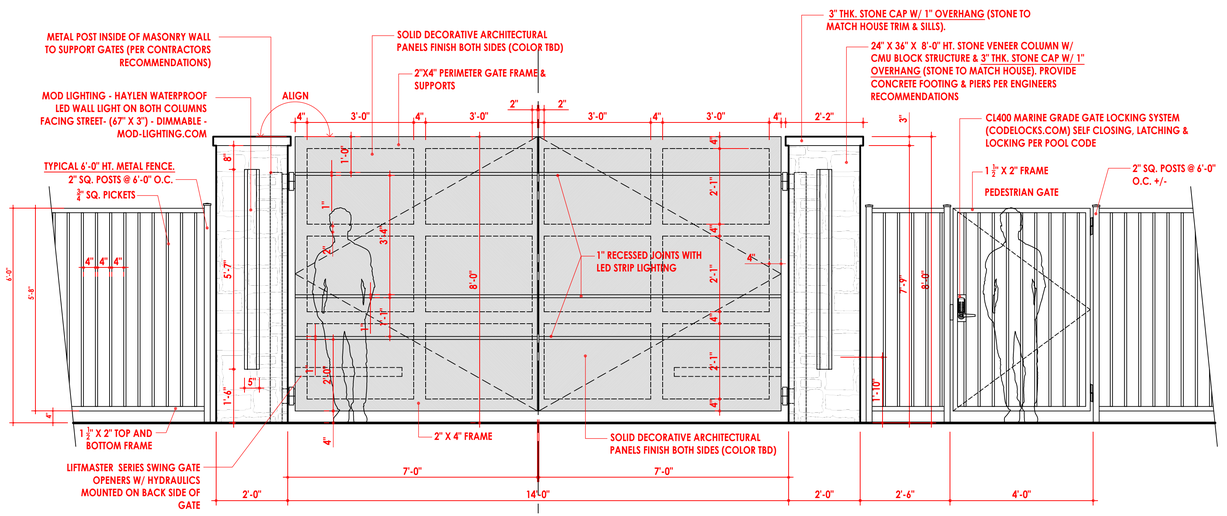
01 ENLARGEMENT PLAN - FRONT ENTRY GATES, COLUMNS & FENCE
SCALE: 1/8"=1'-0"



02 ELEVATION - FRONT ENTRY GATES, COLUMNS & FENCE
SCALE: 1/8"=1'-0"



GATE INSPIRATION IDEA



03 ELEVATION - ENLARGEMENT DECORATIVE 8'-0" HT. ARCHITECTURAL PANEL FRONT ENTRY GATE W/ STONE COLUMNS
SCALE: 1/2"=1'-0"

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QIAO RESIDENCE
12464 BRECKENRIDGE DRIVE
DALLAS, TEXAS

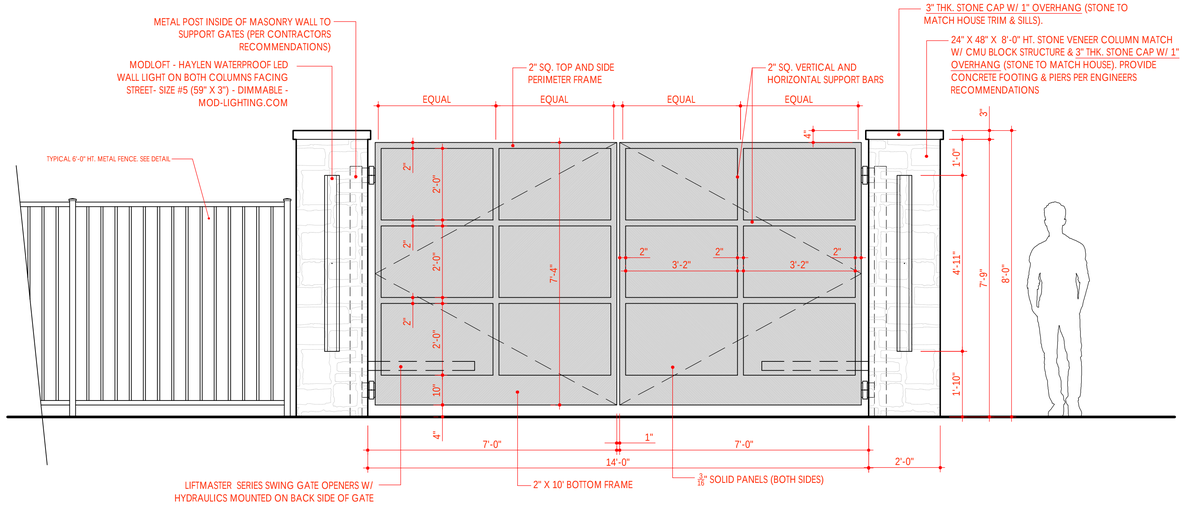
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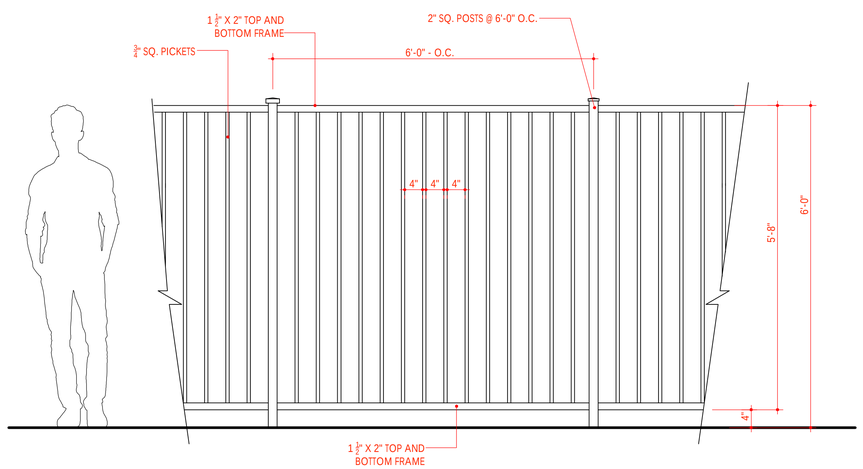
DATE:
8.23.2024
REVISIONS:

FRONT ENTRY GATES, FENCE & COLUMNS VARIANCE PLANS

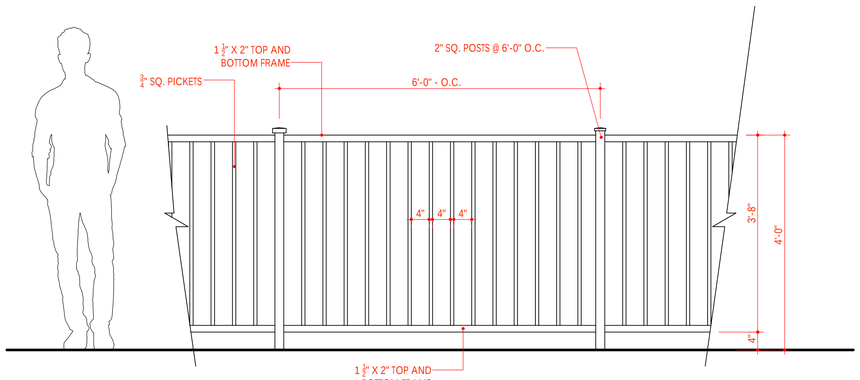
L1.3



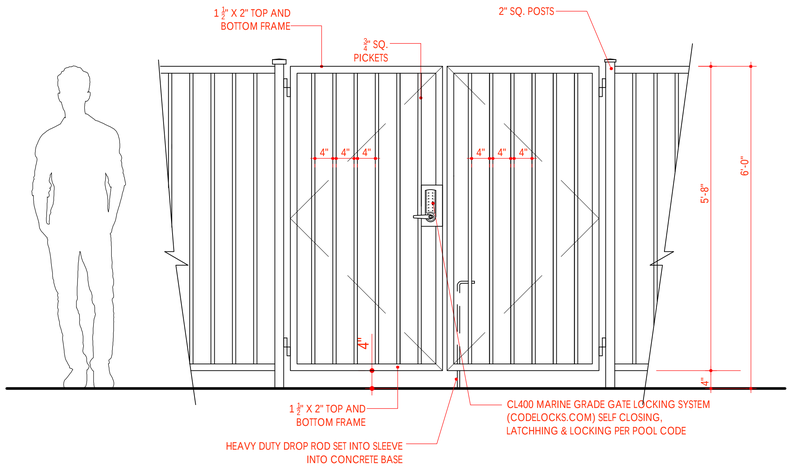
01 ELEVATION - DECORATIVE 8'-0" HT. METAL FRONT ENTRY GATE W/ STONE COLUMNS
SCALE: 1/2"=1'-0"



02 ELEVATION - TYPICAL 6'-0" HT. METAL FENCE
SCALE: 3/4"=1'-0"



03 ELEVATION - TYPICAL 4'-0" HT. METAL FENCE
SCALE: 3/4"=1'-0"



04 ELEVATION - DOUBLE 3'-0" WIDE GATE (6' TOTAL)
SCALE: 3/4"=1'-0"



05 FRONT RENDERING
SCALE: N.T.S.



06 FRONT RENDERING
SCALE: N.T.S.



07 FRONT RENDERING
SCALE: N.T.S.

DDLA DESIGN
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QIAO RESIDENCE
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DALLAS, TEXAS

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SCALE: SEE PLANS

DATE:

REVISIONS:

DETAILS 01

FOR REVIEW ONLY

L4.0

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