

5-12-21

ORDINANCE NO. 31859

An ordinance changing the zoning classification on the following property:

BEING all of City Blocks A/7674, B/7674, C/7674, 2/7676, 3/7677, 4/7677, 1/7678, 2/7678, 3/7678, 5/7679, 6/7679 and portions of City Blocks 1/7675, 2/7675, 3/7675, 6621, 1/7676, and 8000; east of Denley Drive; south of the Trinity River Greenbelt; west of Corinth Street Road; north of Canyon Street; north of Hutchins Avenue; and along both sides of Canyon Street; and containing approximately 44.05 acres,

from an R-5(A) Single Family District and a TH-1(A) Townhouse District to Planned Development District No. 1052; amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 1052; establishing use regulations and development standards for this planned development district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from an R-5(A) Single Family District and a TH-1(A) Townhouse District to Planned Development District No. 1052 on the

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property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”).

SECTION 2. That Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended by adding a new Article 1052 to read as follows:

“ARTICLE 1052.

PD 1052.

SEC. 51P-1052.101. LEGISLATIVE HISTORY.

PD 1052 was established by Ordinance No._____, passed by the Dallas City Council on May 12, 2021.

SEC. 51P-1052.102. PROPERTY LOCATION AND SIZE.

PD 1052 is established on property located south of the Trinity River Greenbelt and west of Corinth Street Road. The size of PD 1052 is approximately 44.05 acres.

SEC. 51P-1052.103. CREATION OF SUBDISTRICTS.

This district is divided into two subdistricts: Subdistrict 1 and Subdistrict 2, as shown on the subdistrict map (Exhibit 1052B).

SEC. 51P-1052.104. DEFINITIONS AND INTERPRETATIONS.

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

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

(2) **CORNER LOT** means a lot located at the intersection of two streets, with two street frontages, with the longer frontage length considered the side of the lot and matching the existing block face.

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

(4) NEW CONSTRUCTION means construction of a main structure that did not exist as of May 12, 2021.

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

(6) STOOP means a small porch leading to the entrance of a residence.

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

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

SEC. 51P-1052.105. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 1052A: district and subdistrict property descriptions.
- (2) Exhibit 1052B: subdistrict map.

SEC. 51P-1052.106. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-1052.107. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

- (1) Agricultural uses.
 - Crop production.
- (2) Institutional and community service uses.
 - Church.

- Public school other than an open enrolment charter school.
- Open enrolment charter school.

(3) Miscellaneous uses.

- Temporary construction or sales office. *[May be located anywhere in the district for sales of homes within the district.]*

(4) Recreation uses.

- Public park, playground, or golf course.

(5) Residential uses.

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
- Single family.

(6) Utility and public service uses.

- Local utilities.

SEC. 51P-1052.108. ACCESSORY USES.

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

SEC. 51P-1052.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-5(A) Single Family District apply.

(b) Front yard.

- (1) Except as provided in this subsection, minimum front yard is 25 feet.
- (2) In Subdistrict 1, minimum front yard is 20 feet.

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- (3) Maximum front yard width is 60 feet.
- (4) Stoops, bay windows, and balconies may encroach a maximum of four feet in the required front yard. Front porches must comply with Section 51P-1052.114(b)(1).
- (5) Retaining walls, steps, and stairs may encroach in the required setback to meet building code and engineering requirements.

(b) Side and rear yard.

(1) Except as provided in this subsection, minimum side and rear yard is five feet.

(2) Subdistrict 1.

(A) Except as provided in this paragraph, for lots less than 33 feet in width, minimum side yard is five feet on one side with no side yard required on the other side.

(B) For corner lots, minimum side yard is five feet.

(3) For lots with an area less than 2,500 square feet, no minimum side or rear yard is required for an accessory structure less than 15 feet in height.

(4) For lots with an area of 2,500 square feet or more, minimum side and rear yard is three feet for an accessory structure less than 15 feet in height.

(c) Height.

(1) In Subdistrict 1, maximum structure height is 36 feet.

(2) Private property within this district is considered a site of origination for residential proximity slope (RPS).

(d) Lot size.

(1) In Subdistrict 1, minimum lot size is 2,000 square feet for a residential use.

(2) In Subdistrict 2, minimum lot size is 2,500 square feet for a residential use.

(3) Minimum lot size is 4,000 square feet for all other uses.

SEC. 51P- 1052.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Surface parking for a temporary construction or sales office may be located on the same lot as the use or a lot adjacent to the use.

SEC. 51P- 1052.111. VISUAL OBSTRUCTION REGULATIONS.

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

(b) In this article, VISIBILITY TRIANGLE means, where two streets not designated on the city's thoroughfare plan intersect, the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, of 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.

SEC. 51P- 1052.112. ENVIRONMENT PERFORMANCE STANDARDS.

See article VI.

SEC. 51P-1052.113. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- 1052.114. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- 1052.115. DESIGN STANDARDS FOR RESIDENTIAL USES.

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

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

(1) Front porches.

(A) A front porch is not required but encouraged. Front porches may encroach a maximum of eight feet into the required front yard.

(B) Front porches must be unenclosed on at least two sides. Front porches must be a minimum depth of six feet and have a minimum area of 80 square feet.

(2) Roofs. Flat and shed roofs must not be visible from the street. Mansard, gambrel, and barrel vault roofs are prohibited.

(3) Driveways.

(A) Types and placement.

(i) Both flat surface and ribbon driveways are permitted. Ribbon style driveways are a recommended option, but not required.

(ii) Ribbon driveways must consist of two parallel paved surfaces between two and three feet wide and placed at least three feet apart.

(iii) Driveways must be co-located or spaced to maximize the distance between curb cuts. Co-located driveways must be eight to 10 feet wide, adjacent to the side property line, and meet the edge of an eight to 10-foot-wide driveway on the adjacent lot.

(iv) New driveways must be located within 13 feet of the side property line.

(v) Existing driveways on a lot containing an existing use are not required to be relocated.

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

(B) Width.

(i) Except as provided in this subparagraph, driveways must be 10 feet wide.

(ii) The maximum width of a co-located driveway is eight feet for the portion of the driveway between the front property line and the main street-facing facade.

(iii) For lots with a street frontage of 40 feet or less, maximum driveway width is 10 feet.

(iv) For lots with a street frontage greater than 40 feet, maximum driveway width is 16 feet.

(C) Driveway curb cuts. The minimum allowable curb radius is five feet. The maximum allowable curb cut radius is 10 feet. Driveway radius may not intrude onto the frontage of adjacent lots. Only one driveway curb cut is allowed per lot. No circular or horseshoe driveways are permitted.

(4) Garages. An attached garage must be recessed a minimum of two feet behind the front facade, excluding the front porch. If the main structure does not include a porch, the garage must be placed a minimum of eight feet behind the street-facing facade. Detached garages are permitted but must be located behind the back facade of the main structure.

SEC. 51P- 1052.116. FENCES AND SCREENING.

(a) Except as provided in this section, the fence and screening regulations in 51A-4.602 apply.

(b) No fence or screening is permitted between co-located driveways.

SEC. 51P- 1052.117. ADDITIONAL PROVISIONS.

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

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

SEC. 51P-1052.118. COMPLIANCE WITH CONDITIONS.

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

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

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale version of Exhibit 1052B (subdistrict map) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 5. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 1052 in Chapter 51P.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. 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.

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SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By Casey Byers
Assistant City Attorney

Passed MAY 12 2021

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GIS_Approved

EXHIBIT A

Rezoning R-5(A) and TH-2(A) to new PD 1052 with Subdistrict 1 and Subdistrict 2

BEING an area within the following: All of City Blocks: A/7674, B/7674, C/7674, 2/7676, 3/7677, 4/7677, 1/7678, 2/7678, 3/7678, 5/7679, 6/7679 and portions of the following City Blocks 1/7675, 2/7675, 3/7675, 6621, 1/7676, and 8000 within Dallas County, Texas and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of Corinth Street with the centerline of Canyon Street; (*North (Y) = 6960230.95, East (X) = 2491591.15*);

THENCE South 21° 9' 6" West, a distance of 133.34 feet;

THENCE North 77° 33' 14" West, a distance of 551.3 feet;

THENCE North 21° 52' 27" East, a distance of 131.87 feet;

THENCE North 77° 4' 58" West, a distance of 197.82 feet;

THENCE North 76° 48' 21" West, a distance of 247.53 feet;

THENCE North 76° 17' 9" West, a distance of 208.8 feet;

THENCE South 10° 58' 39" West, a distance of 109.8 feet;

THENCE North 76° 47' 13" West, a distance of 252.5 feet;

THENCE North 17° 21' 21" West, a distance of 138.9 feet;

THENCE South 70° 55' 1" East, a distance of 48.94 feet;

THENCE North 1° 55' 12" West, a distance of 179.1 feet;

THENCE South 89° 11' 47" West, a distance of 115.71 feet;

THENCE North 1° 37' 32" West, a distance of 49.99 feet;

THENCE South 89° 35' 27" West, a distance of 141.5 feet;

THENCE South 0° 25' 45" West, a distance of 51.83 feet;

THENCE North 51° 42' 21" West, a distance of 146.85 feet;

THENCE North 1° 27' 56" West, a distance of 117.63 feet;

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THENCE South 88° 19' 22" West, a distance of 120.52 feet;

THENCE North 0° 0' 0" East, a distance of 122 feet;

THENCE South 89° 4' 16" West, a distance of 119.24 feet;

THENCE North 1° 31' 23" West, a distance of 146.02 feet;

THENCE South 88° 37' 45" West, a distance of 125.8 feet;

THENCE North 1° 26' 45" West, a distance of 435.06 feet;

THENCE North 1° 38' 33" West, a distance of 404.91 feet;

THENCE North 89° 46' 34" East, a distance of 255.31 feet;

THENCE South 51° 56' 28" East, a distance of 471.49 feet;

THENCE South 53° 48' 23" East, a distance of 2098.32 feet;

THENCE South 20° 46' 3" West, a distance of 307 feet to the POINT OF BEGINNING and CONTAINING 1,924,704.182 square feet or 44.185 acres of land more or less.

DISCLAIMER

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

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EXHIBIT 1052A
"The Bottoms"

PERIMETER

(created under Z178-307)

BEING an area within the following: All of City Blocks: A/7674, B/7674, C/7674, 2/7676, 3/7677, 4/7677, 1/7678, 2/7678, 3/7678, 5/7679, 6/7679 and portions of the following City Blocks 1/7675, 2/7675, 3/7675, 6621, 1/7676, and 8000 within Dallas County, Texas and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of Corinth Street with the centerline of Canyon Street; (*North (Y) = 6960230.95, East (X) = 2491591.15*);

THENCE South 21° 9' 6" West, a distance of 133.34 feet;

THENCE North 77° 33' 14" West, a distance of 551.3 feet;

THENCE North 21° 52' 27" East, a distance of 131.87 feet;

THENCE North 77° 4' 58" West, a distance of 197.82 feet;

THENCE North 76° 48' 21" West, a distance of 247.53 feet;

THENCE North 76° 17' 9" West, a distance of 208.8 feet;

THENCE South 10° 58' 39" West, a distance of 109.8 feet;

THENCE North 76° 47' 13" West, a distance of 252.5 feet;

THENCE North 17° 21' 21" West, a distance of 138.9 feet;

THENCE South 70° 55' 1" East, a distance of 48.94 feet;

THENCE North 1° 55' 12" West, a distance of 179.1 feet;

THENCE South 89° 11' 47" West, a distance of 115.71 feet;

THENCE North 1° 37' 32" West, a distance of 49.99 feet;

THENCE South 89° 35' 27" West, a distance of 141.5 feet;

THENCE South 0° 25' 45" West, a distance of 51.83 feet;

Z178-307(MK)(R-7.5(A), TH-1(A) to new PD 1052 with Subdistricts 1 and 2)

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THENCE North 51° 42' 21" West, a distance of 146.85 feet;
THENCE North 1° 27' 56" West, a distance of 117.63 feet;
THENCE South 88° 19' 22" West, a distance of 120.52 feet;
THENCE North 0° 0' 0" East, a distance of 122 feet;
THENCE South 89° 4' 16" West, a distance of 119.24 feet;
THENCE North 1° 31' 23" West, a distance of 146.02 feet;
THENCE South 88° 37' 45" West, a distance of 125.8 feet;
THENCE North 1° 26' 45" West, a distance of 435.06 feet;
THENCE North 1° 38' 33" West, a distance of 404.91 feet;
THENCE North 89° 46' 34" East, a distance of 255.31 feet;
THENCE South 51° 56' 28" East, a distance of 471.49 feet;
THENCE South 53° 48' 23" East, a distance of 2098.32 feet;
THENCE South 20° 46' 3" West, a distance of 307 feet to the POINT OF BEGINNING and CONTAINING 1,924,704.182 square feet or 44.185 acres of land more or less.

SUBDISTRICT 1

(created under Z178-307)

BEING an area within the following: All of City Block: A/7674, B/7674, C/7674 and portions of the following City Blocks 1/7675, 2/7675, and 3/7675, within Dallas County, Texas and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of Moore Street with the centerline of Hutchins Avenue; (*North (Y) = 6960739.03, East (X) = 2489890.27*);

THENCE North 51° 42' 21" West, a distance of 146.85 feet;
THENCE North 1° 27' 56" West, a distance of 117.63 feet;
THENCE South 88° 19' 22" West, a distance of 120.52 feet;
THENCE North 0° 0' 0" East, a distance of 122 feet;
THENCE South 89° 4' 16" West, a distance of 119.24 feet;

Z178-307(MK)(R-7.5(A), TH-1(A) to new PD 1052 with Subdistricts 1 and 2)

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THENCE North 1° 26' 45" West, a distance of 435.06 feet;
THENCE North 1° 38' 33" West, a distance of 404.91 feet;
THENCE North 89° 46' 34" East, a distance of 255.31 feet;
THENCE South 51° 56' 28" East, a distance of 471.49 feet;
THENCE South 1° 10' 45" East, a distance of 238.47 feet;
THENCE South 1° 37' 32" East, a distance of 727.12 feet;
THENCE South 89° 35' 27" West, a distance of 141.49 feet;
THENCE South 0° 25' 45" West, a distance of 51.83 feet to the POINT OF BEGINNING and
CONTAINING 621,051.851 square feet or 14.257 acres of land more or less.

SUBDISTRICT 2

(created under Z178-307)

BEING an area within the following: All of City Blocks: 2/7676, 3/7677, 4/7677, 1/7678, 2/7678, 3/7678, 5/7679, 6/7679 and portions of the following City Blocks 6621, 1/7676, and 8000, within Dallas County, Texas and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of Corinth Street with the centerline of Canyon Street; (*North (Y) = 6960230.95, East (X) = 2491591.14*);

THENCE South 21° 9' 6" West, a distance of 133.34 feet;
THENCE North 77° 33' 14" West, a distance of 551.3 feet;
THENCE North 21° 52' 27" East, a distance of 131.87 feet;
THENCE North 77° 4' 58" West, a distance of 197.82 feet;
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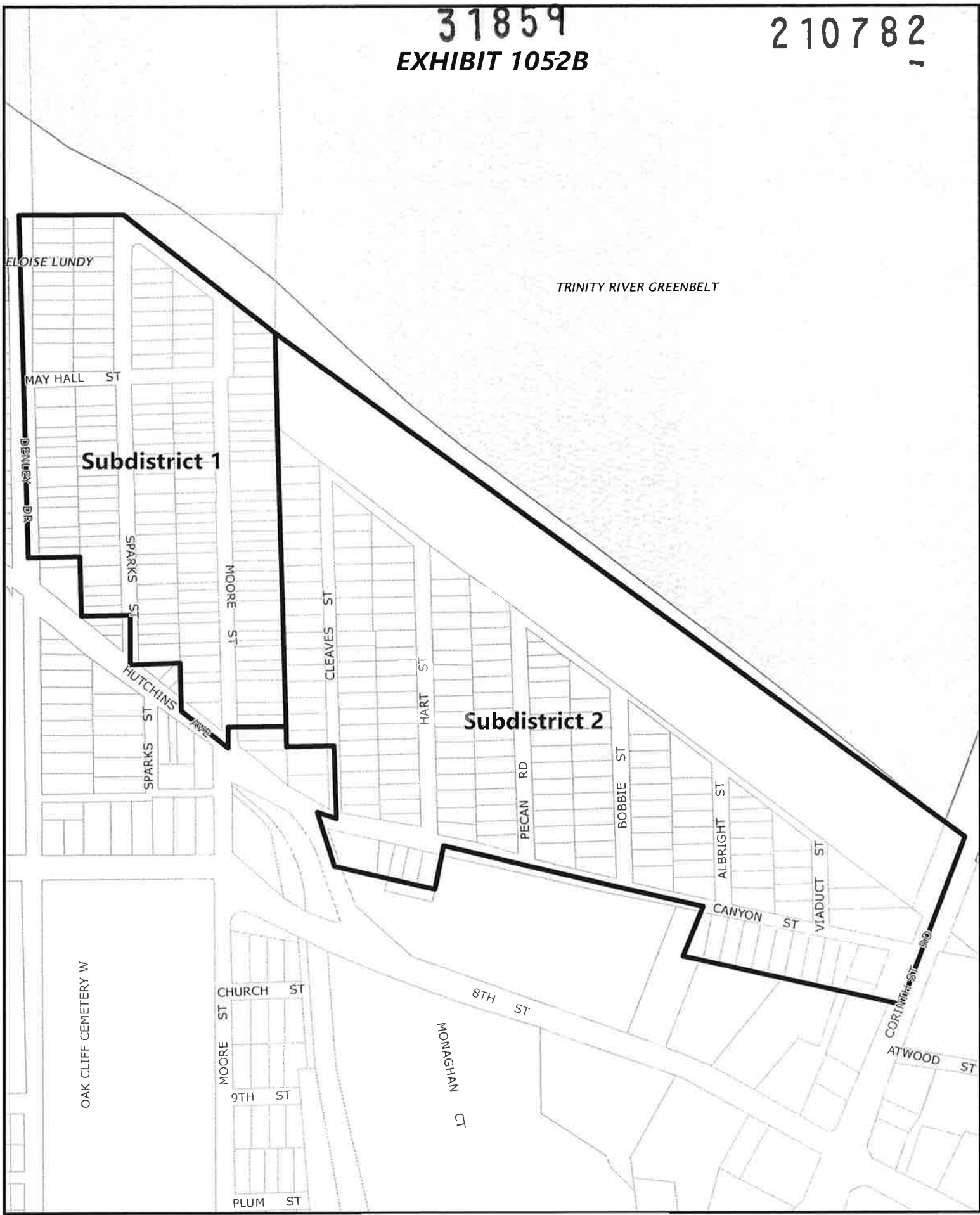
THENCE North 1° 10' 45" West, a distance of 238.47 feet;

THENCE South 53° 48' 23" East, a distance of 2098.32 feet;

THENCE South 20° 46' 3" West, a distance of 307 feet to the POINT OF BEGINNING and CONTAINING 1,303,629.0351 square feet or 29.927 acres of land more or less.

DISCLAIMER

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



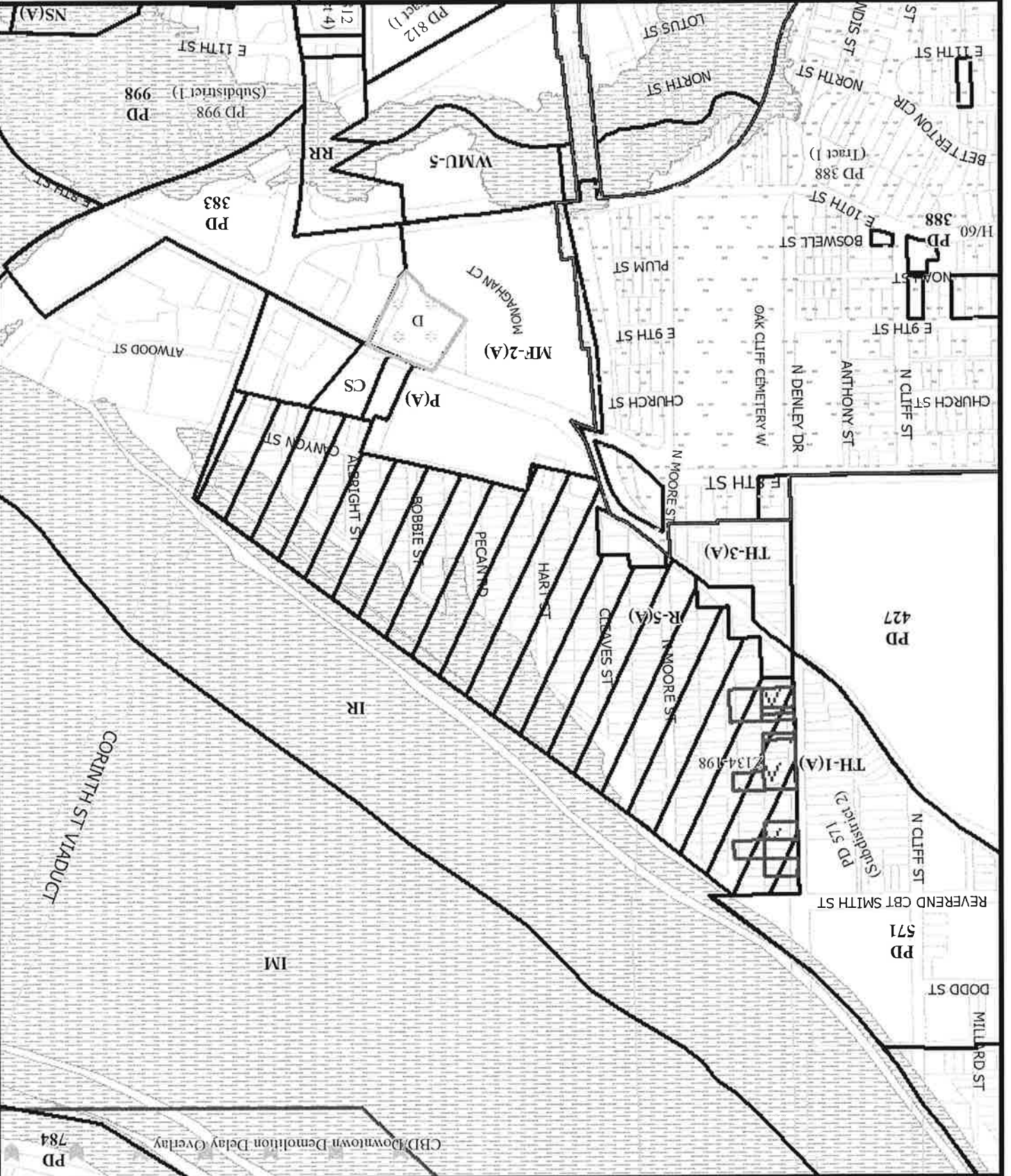
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ZONING MAP

Case no: **Z178-307**

Date: **2/2/2021**



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PROOF OF PUBLICATION – LEGAL ADVERTISING

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

DATE ADOPTED BY CITY COUNCIL MAY 12 2021

ORDINANCE NUMBER 31859

DATE PUBLISHED MAY 15 2021

ATTESTED BY: