Residential Proximity Slope   **Planner: Nathan Warren**

Request:

Consideration of amending Chapter 51A-4.702(a)(8)(A) of the Dallas Development Code with consideration to be given to clarifying the application of Residential Proximity Slope in Planned Development Districts.

General Information/Staff Analysis:

Currently, Section 51A-4.702(a)(8)(A) of the Dallas Development Code states the Residential Proximity Slope must be "expressly incorporated into the height regulations of the Planned Development District ordinance".

The "standard language" in a Planned Development District providing for Residential Proximity Slope (RPS) reads as follows:
"If any portion of a structure is over 26 feet in height, that portion of the structure may not be located above a residential proximity slope."

To clarify and make clear that the "standard language" currently incorporated in PDs is sufficient, an amendment to the language in the Development Code, Sec.51A-4.702(a)(8)(A) is proposed.

This "standard language" is not necessary in a PD if the conditions refer to height per a base zoning district that initiates RPS. The "standard language" is only written in a PD when height is specified in the conditions.

Proposal:

Amend Section 51A-4.702(a)(8)(A) of the Dallas Development Code as follows:

(8)   Residential proximity slope.

        (A)   The residential proximity slope defined in Section 51A-4.412 governs development in a PD only to the extent <u>set forth in</u> ~~that it is expressly incorporated into~~ the height regulations of the PD ordinance.

This change makes it clear that Residential Proximity Slope is applicable in Planned Development Districts when written into the height regulations of the PD.