

ARTICLE IV.

ZONING REGULATIONS.

Division 51-4.100.

Establishment of Zoning Districts.

SEC. 51-4.101.

ZONING DISTRICTS ESTABLISHED.

In order to carry out the purposes of this chapter, the city is divided into the following districts:

- (1) Residential districts.
 - (A) R-1 Single-family district 1 acre.
 - (B) R-1/2 Single-family district 1/2 acre.
 - (C) R-16 Single-family district 16,000 square feet.
 - (D) R-13 Single-family district 13,000 square feet.
 - (E) R-10 Single-family district 10,000 square feet.
 - (F) R-7.5 Single-family district 7,500 square feet.
 - (G) R-5 Single-family district 5,000 square feet.
 - (H) D Duplex district.
 - (I) TH-1 Townhouse district 1.
 - (J) TH-2 Townhouse district 2.
 - (K) TH-3 Townhouse district 3.
 - (L) TH-4 Townhouse district 4.
 - (M) MF-1 Multiple-family district 1.
 - (N) MF-2 Multiple-family district 2.
 - (O) MF-3 Multiple-family district 3.

- (P) MF-4 Multiple-family district 4.
- (Q) MH Manufactured home district.
- (R) A Agricultural district.

(2) Nonresidential districts.

- (A) O-1 Office district 1.
- (B) O-2 Office district 2.
- (C) NO Neighborhood office matrix districts.
- (D) LO Limited office matrix districts.
- (E) MO Mid-range office matrix districts.
- (F) GO General office matrix districts.
- (G) NS Neighborhood service district.
- (H) SC Shopping center district.
- (I) GR General retail district.
- (J) LC Light commercial district.
- (K) HC Heavy commercial district.
- (L) CA-1 Central area district 1.
- (M) CA-2 Central area district 2.
- (N) I-1 Industrial district 1.
- (O) I-2 Industrial district 2.
- (P) I-3 Industrial district 3.

(3) Special purpose districts.

- (A) PD Planned development districts.
- (B) P Parking district.

(4) Overlay districts.

- (A) H suffix Historic landmark overlay district.
- (B) ID suffix Institutional overlay district.
- (C) D suffix D liquor control overlay district.
- (D) D-1 suffix D-1 liquor control overlay district.
- (E) CP suffix Core pedestrian precinct overlay district.
- (F) SP suffix Secondary pedestrian precinct overlay district.
- (G) AF suffix Airport flight path overlay district.
- (H) MD suffix Modified delta overlay district.
- (I) NSO suffix Neighborhood stabilization overlay district.
- (J) TC suffix Turtle Creek environmental corridor overlay district. (Ord. Nos. 16959; 18849; 19063; 20360; 27404)

SEC. 51-4.102.

PURPOSE OF ZONING DISTRICTS.

(a) Residential districts.

(1) R-1 and R-1/2 Single-Family Districts. There exists in certain parts of the city large areas of single-family residential development on estate type lots of one-half acre to 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-1 and R-1/2 districts are provided. These districts are intended to be composed of single-family dwellings together with public, denominational, and private 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 the districts where minor adjustments may become appropriate to permit the reasonable development of vacant tracts or gradual transition from other districts.

(2) R-16, R-13, and R-10 Single-Family Districts. 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, R-13, and R-10 districts are provided. In addition to single-family residences, it is intended that churches, public, denominational, and private schools, and public parks necessary to serve and complement the intermediate density development be permitted. The areas placed in the R-16, R-13, or R-10 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 the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

(3) R-7.5 Single-Family 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 public, denominational, 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.

(4) R-5 Single-Family District. This classification creates a single-family dwelling district which is appropriate in area requirements of 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 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.

(5) D Duplex District. 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.

(6) TH-1, TH-2, TH-3, and TH-4 Townhouse Districts. This classification creates 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 TH 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.

(7) MF-1 and MF-2 Multiple-Family Districts. These districts are composed mainly of areas containing mixtures of single-family, duplex, 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 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 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 the change is appropriate and access and utility services can reasonably accommodate these medium density dwellings.

(8) MF-3 and MF-4 Multiple-Family Districts. There has been constructed in several parts of the city in recent years, a number of multiple story apartment buildings. To provide 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 or barber or beauty shop are permitted in the MF-3 district when they 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 are compatible with adjacent lower buildings and to prevent the overcrowding of land. It is anticipated and intended that the MF-3 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 designated 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 district.

(9) MH Manufactured Home District. The manufactured 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 manufactured home parks, courts, or subdivisions. In certain commercial and industrial districts, a manufactured 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 manufactured home development for transient occupancy differ from those of a manufactured home subdivision where more or less permanent occupancy is anticipated.

(10) A Agricultural District. 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 district are intended to accommodate normal farming, ranching, and gardening activities. It is anticipated that all of the 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 A district until permanent zoning is established.

(b) Nonresidential districts.

(1) O-1 and O-2 Office Districts. 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 office districts are included as separate zoning classifications. The area standards provided in the O-1 and O-2 districts anticipate that office uses will be located in close proximity to apartments and other residential uses. Yards, signs, 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 36 feet 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 an office building such as a tobacco shop, barber shop, or restaurant are permitted in the O-2 district, but only when such uses are contained within the main building and are arranged to serve the building occupants and not the general public.

(2) NO Neighborhood Office Matrix Districts. These districts represent 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. These districts are designed to preserve the environmental quality of neighborhood areas. Site development regulations include maximum heights consistent with low density residential areas, site coverage, and “overlook” controls above the first story, which minimize residential privacy intrusion.

(3) LO Limited Office Matrix Districts. 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. These districts are designed to be located in the area of low and medium density residential development or area where traffic generation is an issue.

(4) MO Mid-Range Office Matrix Districts. 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 complimentary retail uses are permitted in these districts in order to meet the day-to-day retail needs of area residents and office patrons. A specific use permit is required for most retail uses in these districts.

(5) GO General Office Matrix Districts. These districts represent 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. These districts are 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.

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

(7) SC Shopping Center District. The SC district provides a uniform set of standards for modern shopping center development including requirements for screening, off-street parking, and building setbacks. Inasmuch as the SC district is found 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 are intended to be served. It is anticipated that from time to time, additional SC districts will be applied to the district map where retail service is required to serve developing residential communities.

(8) GR General Retail District. The GR district is applied to the strip retail areas which, because of the nature of development, are not appropriate for inclusion in the SC district. The uses specified in the GR 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 district. It is not anticipated that the strip retail area zoned as GR districts will be subject to any major expansion. It is 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.

(9) 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, warehouses, and repair and service uses such as custom woodworking shops, upholstery shops, commercial amusements, and plumbing shops. These uses are generally not compatible with retail shopping areas and tend to obstruct and interfere with the shopping function. To accommodate these uses, the LC district is provided. Generally, this district is located along major arteries where strip business development exists.

(10) 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 these heavy sales, service, display, and storage uses could be located, the HC district is provided.

(11) CA-1 and CA-2 Central Area Districts. These districts are 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. The requirements of both districts are similar except for the requirements for apartment development. Both districts require off-street parking and loading although the construction of parking facilities for 50 cars or less is exempted in CA-1. The CA-1 district covers the area within the central freeway loop and a portion of the business development along Jefferson Boulevard. The CA-2 district is found in several areas outside the central expressway loop and in the border areas of the Jefferson Boulevard business section.

(12) I-1, I-2, and I-3 Industrial Districts. Industrial development represents 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.

(A) 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 applicable to the modern industrial district developments. The district is provided to encourage and protect high standards for industrial district development.

(B) 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 space has been provided. In order to protect existing development and to encourage the most appropriate use of land in the future, the I-1 and I-2 districts are provided.

(C) The I-3 district has more liberal performance standards than the two industrial districts, I-1 and I-2, and is considered a heavy industrial district. Most industrial uses are permitted in the I-3 district. The provision of an adequate site area and a technical operation which meets the standards for noise, smoke and contaminants, odor, fire and explosive 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.

(D) All types of housing development other than 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. This requirement is intended to protect the industrial land of the city from the adverse effects of unregulated residential encroachment, and to facilitate adequate provision of transportation, schools, parks, and other public requirements, provided that all single-family residential dwellings existing in the I-1 and I-2 districts at the time of the passage of the 1965 ordinance, may be used and alterations,

repairs, additions, and accessories thereto may be erected the same as is allowed for a single-family dwelling in a residential district (R-5 or R-7.5) but no new dwellings may be erected therein.

(c) Special purpose districts.

(1) PD Planned Development District. In order to provide flexibility in the planning and development of projects with combinations of uses and 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 and other similar developments, a PD 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 for yards, coverage, and building spacing are to be determined by the design. Specific development conditions and development schedules can be enforced with respect to a PD district and failure to adhere to a development schedule can be the basis of removing all or part of a PD district from the zoning district map. The purposes of the PD 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 surrounding property and that proper protection be given to it in locating and approving any PD district.

(2) 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 do not provide adequate off-street parking space. The P district provides a zoning classification limited to surface parking use and intended for use behind, across the street from, or adjacent and incidental to apartment, 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 district is intended to be applied to the zoning district map by amendment where property ownership, physical arrangement, and proper access make the change appropriate. In many instances, a P district may be less than one acre in area.

(d) Overlay zoning districts.

(1) H Historic Landmark Overlay District. Any zoning district designation appearing on the zoning district map may be followed by the suffix “H” indicating a subdistrict. A historic landmark may be any building, area, land, or district of historical, architectural, archaeological, or cultural importance or value which merits protection, enhancement, and preservation in the interest of the culture, prosperity, education, and welfare of the people. The “H” designation applies to those premises, lots, or tracts designated through procedures set forth in this chapter. Additional uses may be

permitted in any specific “H” overlay district. The “H” suffix does not affect the legal use of the property except as provided in the ordinance establishing the overlay district.

(2) ID Institutional Overlay District. Any zoning district appearing on the zoning district map may be followed by the suffix “ID” indicating an institutional overlay district. The purpose of this overlay district is to promote cultural, educational, medical, and other institutions, enhance their benefit to the community, and protect adjacent property.

(3) D and D-1 Liquor Control Overlay Districts. The purpose of the liquor control overlay district is to protect residential neighborhoods by establishing certain areas of the city where uses that sell or serve alcoholic beverages in the city are either prohibited or permitted by specific use permit only. The D overlay district designates an area where uses that sell or serve alcoholic beverages are prohibited. The D-1 overlay district designates an area where uses that sell or serve alcoholic beverages are permitted by specific use permit only. These districts are established pursuant to the powers conferred upon the city under Articles 1011a et seq., Vernon’s Texas Civil Statutes, to designate areas where uses that sell or serve alcoholic beverages may be located.

(4) MD Modified Delta Overlay District. The purpose of this district is to discontinue the application of the delta theory in areas of the city where there is no need to encourage redevelopment and adoptive reuse of existing structures and where continued application of this theory will create traffic congestion and public safety problems.

(5) CP Core Pedestrian Precinct Overlay District. An area in the CA-1 district with requirements for special sidewalk and pedestrian facilities.

(6) SP Secondary Pedestrian Precinct Overlay District. An area in the CA-1 district with requirements for special sidewalk and pedestrian facilities.

(7) AF Airport Flight Overlay District. The purpose of the airport flight overlay district is to control use of land and the height of structures and plant life within the flight areas of airports in order to protect the lives and property of airport users and of occupants of land in the vicinity of airports, and prevent the impairment of the usefulness of airports.

(8) NSO Neighborhood Stabilization Overlay District. The purpose of the neighborhood stabilization overlay district is to preserve single-family neighborhoods by imposing neighborhood-specific yard, lot, and space regulations that reflect the existing character of the neighborhood. The neighborhood stabilization overlay district does not prevent construction of new single-family structures or the renovation, remodeling, repair, or expansion of existing single-family structures, but, rather, ensures that new single-family structures are compatible with existing single-family structures.

(9) TC Turtle Creek Environmental Corridor Overlay District. Any zoning district appearing on the zoning map may be followed by the suffix “TC” indicating the Turtle Creek environmental corridor overlay district. The purpose of this overlay district is to protect and preserve the environmentally sensitive Turtle Creek area located along Turtle Creek Parkway, Lee Park, and Reverchon Park from Wycliff Avenue to Maple Avenue. This overlay preserves the open space of those lands directly bordering the Turtle Creek Parkway Corridor through the authorization of decreased minimum setbacks and the transfer of development rights. (Ord. Nos. 16959; 18040; 18849; 19063; 20360; 27404)

SEC. 51-4.103. 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 official 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.

(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. (Ord. 20729)

SEC. 51-4.104. 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.

Division 51-4.200.

Use Regulations.

SEC. 51-4.201. RESIDENTIAL USES.

(a) General provisions.

(1) In an GO district, single-family, duplex, and multiple-family uses must be a component of an office building and comprise no more than five percent of the total floor area of the building.

(2) Notwithstanding any other provision in this chapter, a facility that meets all of the requirements of Article 1011n, V.T.C.A., may locate in any residential zone or district in the city as a matter of right. Unless otherwise directed by the city attorney, the building official and any other city officer or employee charged with enforcement of this chapter shall construe Article 1011n by substituting Congress' definition of a handicapped person in the Fair Housing Amendments Act of 1988, as amended, for the state's definition of "disabled person" in that article.

(b) Specific residential uses. The following residential uses are subject to the general provisions in Subsection (a) and the regulations below:

(1) Single-family.

(A) Definition: One dwelling unit located on a lot.

(B) Districts permitted: Residential districts except MH; nonresidential districts except NO, LO, MO, and industrial districts.

(C) Required off-street parking: Two spaces for each dwelling unit, except one space for each dwelling unit in R-7.5 and R-5 districts. No handicapped parking is required.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) The board of adjustment may grant a special exception to authorize an additional dwelling unit in any district when, in the opinion of the board, the additional dwelling unit will not:

(aa) be used as rental accommodations; or

(bb) adversely affect neighboring properties.

(ii) In granting a special exception under Subparagraph (i), the board shall require the applicant to deed restrict the subject property to prevent use of the additional dwelling unit as rental accommodations.

(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) 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 or 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.

(vii) In addition to any other applicable regulations, industrialized housing must comply with the following additional provisions. For purposes of this subparagraph, "industrialized housing" means industrialized housing as defined by Section 1202.002 of the Texas Occupations Code, as amended.

(aa) Industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings.

(bb) Industrialized housing must have a value equal to or greater than the median taxable value of each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll of the appraisal district. For purposes of this subparagraph, the "value" of the industrialized housing means the taxable value of the industrialized housing and the lot after installation of the industrialized housing.

(cc) Industrialized housing must have exterior siding, roofing, roof-pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located. “Compatible” as used in this subparagraph means similar in application, color, materials, pattern, quality, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply proof of compatibility. The property owner or applicant may appeal a decision of the building official to deny a permit due to lack of compatibility to the board of adjustment.

(dd) Industrialized housing must comply with municipal aesthetic standards; yard, lot, and space regulations; subdivision regulations; landscaping; and any other regulations applicable to single-family dwellings.

(ee) Industrialized housing must be securely fixed to a permanent foundation.

(ff) Industrialized housing may not be constructed in a historic overlay district unless the industrialized housing conforms to the preservation criteria of the historic overlay district.

(gg) Industrialized housing may not be constructed in a conservation district unless the industrialized housing conforms to the conservation district regulations.

(hh) Industrialized housing may not be constructed unless it complies with public deed restrictions for the property.

(viii) Except in the agricultural district, accessory structures are subject to the following regulations:

(aa) No person shall rent an accessory structure. For purposes of this section, rent means the payment of any form of consideration for the use of the accessory structure.

(bb) No person shall use an advertisement, display, listing, or sign on or off the premises to advertise the rental of an accessory structure.

(cc) The height of an accessory structure may not exceed the height of the main building.

(dd) The floor area of any individual accessory structure on a lot, excluding floor area used for parking, may not exceed 25 percent of the floor area of the main building.

(ee) The total floor area of all accessory structures on a lot, excluding floor area used for parking, may not exceed 50 percent of the floor area of the main building.

(ff) Accessory structures must have exterior siding, roofing, roof-pitch, foundation fascia, and fenestration compatible with the main building. "Compatible" as used in this provision means similar in application, color, materials, pattern, quality, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply proof of compatibility. This provision does not apply to accessory structures with a floor area of 200 square feet or less.

(1.1) Handicapped group dwelling unit.

(A) Definitions:

(i) DOMICILE means the legal, established, fixed, and permanent place of residence of a person, as distinguished from a temporary and transient, though actual, place of residence.

(ii) HANDICAPPED GROUP DWELLING UNIT means a single dwelling unit that is the domicile of not more than eight handicapped persons who are not a "family" as that term is defined in this chapter, and who are living together as a single housekeeping unit. Up to two supervisory personnel may reside on the premises, provided that the total number of residents, including supervisory personnel, does not exceed eight.

(iii) HANDICAPPED PERSON means a handicapped person as defined in the federal Fair Housing Amendments Act of 1988, as amended.

(iv) LICENSED means licensed by the Texas Department of Human Services, or its successor.

(B) Districts permitted: When located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units, as defined in this chapter, by right in the following districts: Residential districts except MH; non-residential districts except NO, LO, MO, and industrial districts; otherwise, by SUP only in same districts. For purposes of this provision, the distance between uses is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the uses are located. (Note: The spacing component of these use regulations is based, not on the handicapped status of the residents, but on the non-family status of the groups.)

(C) Required off-street parking: Two spaces for each dwelling unit, except one space for each dwelling unit in R-7.5 and R-5 districts. If an SUP is required for this use, the off-street parking requirement may be established in the

ordinance granting the SUP. In determining this requirement, the city council shall consider the nature of the proposed use and the degree to which 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: None.

(E) Additional provisions:

(i) No certificate of occupancy is required for this use.

(ii) This use liberalizes current restrictions on the number of unrelated persons who may reside together in a dwelling unit in the city for the exclusive benefit of handicapped persons seeking to permanently reside together as a single housekeeping unit. Its purpose is to comply with the substance and spirit of the federal Fair Housing Amendments Act of 1988, as amended, which requires that reasonable accommodations be made in rules, policies, and practices to permit persons with handicaps equal opportunity to use and enjoy a dwelling. *[See Section 51-1.102(b)(2).]*

(iii) This use is exempt from payment of SUP application fees.

(iv) Any owner of property on which this use is located or proposed to be located may require a letter from the director confirming that no SUP is required for the use. No fee is required to apply for such a letter. Application must be on a form furnished by the director. The director shall issue the requested letter unless, within 30 days after submission of a complete application, the director gives written notice to the applicant that the use or proposed use will require an SUP. For purposes of this paragraph, notice is given to the applicant by depositing the same properly addressed and postage paid in the United States mail. The proper address for purposes of this notice requirement is the address provided by the applicant on the application. No SUP shall be required for uses that operate in justifiable reliance upon a valid confirmation letter issued by the director.

(v) Any aggrieved person may appeal a decision of the director that an SUP is required for this use. Such appeals shall be heard and decided by the board of adjustment. An appeal to the board must be made within 15 days after the director gives written notice that the SUP is required. Appeal is made by filing a written notice of appeal on a form approved by the board. *[See Section 51A-4.703.]* No fee is required to appeal the decision of the director to the board.

(vi) If two or more facilities are within 1,000 feet of each other and otherwise in permissible locations, the first one lawfully established and continually operating thereafter is the conforming use. For purposes of this subparagraph,

“continually operating” means that the use has not been discontinued for six months or more.

(2) Duplex.

(A) Definition: Two dwelling units located on a lot.

(B) Districts permitted: Residential districts except single-family, MH, and A districts; nonresidential districts except NO, LO, MO, and industrial districts.

(C) Required off-street parking: Two spaces for each dwelling unit.

(D) Required off-street loading: None.

(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 or more than two electrical meters on a lot in 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.

(iii) In addition to any other applicable regulations, industrialized housing must comply with the following additional provisions. For purposes of this subparagraph, “industrialized housing” means industrialized housing as defined by Section 1202.002 of the Texas Occupations Code, as amended.

(aa) Industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings.

(bb) Industrialized housing must have a value equal to or greater than the median taxable value of each single-family dwelling located

within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll of the appraisal district. For purposes of this subparagraph, the “value” of the industrialized housing means the taxable value of the industrialized housing and the lot after installation of the industrialized housing.

(cc) Industrialized housing must have exterior siding, roofing, roof-pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located. “Compatible” as used in this subparagraph means similar in application, color, materials, pattern, quality, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply proof of compatibility. The property owner or applicant may appeal a decision of the building official to deny a permit due to lack of compatibility to the board of adjustment.

(dd) Industrialized housing must comply with municipal aesthetic standards; yard, lot, and space regulations; subdivision regulations; landscaping; and any other regulations applicable to single-family dwellings.

(ee) Industrialized housing must be securely fixed to a permanent foundation.

(ff) Industrialized housing may not be constructed in a historic overlay district unless the industrialized housing conforms to the preservation criteria of the historic overlay district.

(gg) Industrialized housing may not be constructed in a conservation district unless the industrialized housing conforms to the conservation district regulations.

(hh) Industrialized housing may not be constructed unless it complies with public deed restrictions for the property.

(3) Multiple-family.

(A) Definition: Three or more dwelling units located on a lot.

(B) Districts permitted: Multiple-family, O-1, O-2, GO, commercial, and central area districts: specific use permit required in I-1 and I-2 districts.

(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 and CA-2 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 multiple-family 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 multiple-family structure over 36 feet in height.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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) Additional provisions:

(i) Uses that are customarily incidental to the multiple-family 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 multiple-family 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 multiple-family buildings with a common roof or freestanding, multiple-family buildings. This provision does not apply to walls located entirely within a dwelling unit.

(iii) For multiple-family 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 multiple-family 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.

(3.1) Group residential facility.

(A) Definition: An interim or permanent residential facility (as opposed to a lodging or medical treatment facility) that provides room and board to a group of persons who are not a “family” as that term is defined in this chapter, whether or not the facility is operated for profit or charges for the services it offers. This use does not include:

(i) facilities that negotiate sleeping arrangements on a daily basis;

(ii) dwelling units occupied exclusively by families (Note: Dwelling units occupied exclusively by families are considered to be single-family, duplex, or multiple-family uses, as the case may be); or

(iii) any other use specifically defined in this chapter.

(B) Districts permitted: When located at least 1,000 feet from all other group residential facilities and licensed handicapped group dwelling units (as defined in this chapter), by right in multiple-family and central area districts; otherwise by SUP only in the same districts. For purposes of this provision, the term “licensed” means licensed by the Texas Department of Human Services, or its successor, and the distance between uses is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the uses are located. (Note: The spacing component of these use regulations is based, not on the handicapped status of the residents, but on the non-family status of the groups. [See Section 51A-1.102(b)(2).])

(C) Required off-street parking: 0.25 spaces per bed, plus one space per 200 square feet of office area; a minimum of four spaces is required. If an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP. In determining this requirement, the city council shall consider the nature of the proposed use and the degree to which 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: None.

(E) Additional provisions:

(i) The use is subject to the following density restrictions:

<u>ZONING DISTRICT CLASSIFICATION</u>	<u>MAXIMUM NO. OF DWELLING UNITS OR SUITES* PER NET ACRE</u>	<u>MAXIMUM NO. OF BEDS* PER NET ACRE</u>
TH-1	35	70
TH-2 and TH-3	40	80
MF-1	50	100
MF-2	60	120
MF-3	90	180
MF-4	160	320

*For purposes of this subparagraph, the term “suite” means one or more rooms designed to accommodate one family, containing living, sanitary, and sleeping facilities, but not containing a kitchen; and the term “bed” means a piece of furniture, mat, cushion, or other device on or in which one may lie and sleep.

(ii) This use must comply with statutory licensing requirements, if any.

(iii) This use may include dwelling units or suites that are exclusively restricted to visitors or members of the staff.

(4) Reserved.

(5) Reserved.

(6) Manufactured home park, manufactured home subdivision, and campground.

(A) Definition:

(i) A manufactured home park is a unified development of transient stands arranged on a lot under single ownership.

(ii) A manufactured home subdivision is a plat designed specifically for manufactured home development.

(iii) A campground is a lot used to accommodate recreation vehicles, tents, or manufactured homes on a rental basis for temporary camping purposes.

(B) Districts permitted: MH.

(C) Required off-street parking: 1.5 spaces for each transient stand for a manufactured home park or campground; 1.5 spaces for each lot in a manufactured home subdivision.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) The owner of a manufactured home park must have a site plan approved by the commission before the building official may issue a building permit for the manufactured 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 manufactured 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 manufactured 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 manufactured 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.

(7) Retirement housing.

(A) Definition: A residential facility principally designed for persons 55 years of age or older. This use does not include a convalescent or nursing home, which is defined as a separate main use in Section 51-4.205(3).

(B) Districts permitted: Multiple-family and central area districts; specific use permit required in townhouse districts.

(C) Required off-street parking: 0.7 spaces per dwelling unit or suite, plus one space per 300 square feet of floor area not in a dwelling unit or suite.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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) Additional provisions:

(i) In these regulations:

(aa) ELDERLY RESIDENT means a resident that is 55 years of age or older.

(bb) SUITE means one or more rooms designed to accommodate one family containing living, sanitary, and sleeping facilities, but not containing a kitchen.

(ii) In townhouse and multiple-family districts, this use is subject to the following density restrictions:

<u>ZONING DISTRICT CLASSIFICATION</u>	<u>MAXIMUM NO. OF DWELLING UNITS OR SUITES PER NET ACRE</u>
TH-1	25
TH-2 and TH-3	35
TH-4	40
MF-1	45
MF-2	55
MF-3	90
MF-4	160

(iii) Except as otherwise provided in Subparagraphs (iv) and (v), each occupied dwelling unit or suite must have at least one elderly resident. Failure to comply with this provision shall result in the facility being reclassified as another use.

(iv) One dwelling unit or suite may be designated as a caretaker unit whose occupants are not subject to the age restriction in Subparagraph (iii).

(v) Those persons legally residing with an elderly resident at the facility may continue to reside at the facility for a period not to exceed one year if the elderly resident dies or moves out for medical reasons. The board may grant a special exception to authorize an extension of the length of time a person may continue to reside at the facility if the board finds, after a public hearing, that literal enforcement of this provision would result in an unnecessary personal hardship. In determining whether

an unnecessary personal hardship would result, the board shall consider the following factors:

(aa) The physical limitations of the resident, if any.

(bb) Any economic constraints which would make it difficult for the resident to relocate.

(cc) Whether the resident is dependent on support services or special amenities provided by the retirement housing project.

(dd) Whether there are any alternative housing or market constraints which would impair the ability to relocate.

(vi) No use with exterior advertising or signs may be considered accessory to this use. (Ord. Nos. 16801; 16806; 16913; 17552; 17811; 18849; 19700; 19912; 20038; 20360; 21044; 25435; 25486; 25977; 26140; 27404)

SEC. 51-4.202. UTILITY AND SERVICE USES.

Utility and service uses are subject to the following regulations:

(1) Utility or government installation other than listed.

(A) Definition:

(i) A “utility other than listed” is a public or private facility certificated, franchised, licensed, or operated by the city as a utility and that is not specifically covered by the use regulations in this chapter.

(ii) A “government installation other than listed” is an installation owned or leased by a governmental agency and that is not specifically covered by the use regulations in this chapter. Typical such government installations include city hall, a courthouse, or an elevated storage reservoir.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts; specific use permit required in residential, NS, and office 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 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: None.

(E) Additional provisions:

(i) The specific use permit requirement for this use does not apply to a building, other structure, or land under the control, administration, or jurisdiction of a state or federal agency.

(2) Local utilities.

(A) Definitions:

(i) **UTILITY SERVICES** means air pollution monitoring stations, antennas, cables, dishes, distribution lines, drainage lines, generating facilities, nodes and hubs, pipes, poles, pumping stations, receivers and senders, repeating or regenerating devices, storm water facilities, switching stations, substations, tanks, transmission lines, water wells, wires, or similar equipment operated by a municipality, a transit authority, or a certificated, franchised, or licensed utility company providing cable television, electrical, gas, internet, storm sewer, telecommunications, telegraph, telephone, water, or wastewater service to the public.

(ii) **COMMUNICATIONS EXCHANGE FACILITY** means a facility for the centralized placement of communications equipment used to store, house, and route voice and data transmissions among communications companies.

(B) Districts permitted:

(i) Utility services: Residential and nonresidential districts; specific use permit (SUP) required in residential districts if the above-grade facilities exceed 300 square feet in floor area or structure footprint per lot, except that no SUP is required for below-grade facilities, distribution lines, transmission lines, and supporting structures; RAR is required if this use is more than 150 square feet in floor area or more than 10 feet in height, except that no RAR is required for below-grade facilities, distribution lines, transmission lines, and supporting structures. In this subparagraph, “structure footprint” means the ground area defined by vertical planes extending downward from the outermost projection of the structure.

(ii) Communications exchange facility: O-2, LO, MO, GO, GR, LC, HC, central area, and industrial districts; SC if this use does not exceed 50,000 square feet of floor area, otherwise prohibited in SC; nonresidential planned development districts that allow local utilities; and residential planned development districts only if specifically listed as a permitted use, otherwise prohibited in residential planned development districts.

(C) Required off-street parking:

(i) Utility services: None.

(ii) Communications exchange facility: One space for each 5,000 square feet of floor area, except that one space for each 333 square feet is required for any floor area used for office space.

(D) Required off-street loading:

(i) Utility services: None.

(ii) Communications exchange facility:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	None
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Utility services:

(aa) Aboveground storage tanks are not permitted under this use, except accessory aboveground storage tanks to emergency generators. The capacity of accessory aboveground storage tanks may not exceed 11,000 gallons in nonresidential districts and 3,500 gallons in residential districts.

(bb) Except as otherwise provided in Subparagraph (E)(i)(dd), in residential districts, if this use is over seven feet in height, screening that complies with Section 51-4.602(b) must be constructed and maintained along the side and rear of the use.

(cc) Except as otherwise provided in Subparagraph (E)(i)(dd), if this use is over seven feet in height, a perimeter landscape buffer strip that complies with Section 51A-10.125 must be provided.

(dd) Distribution lines, transmission lines, and supporting structures are exempt from the requirements of Subparagraphs (E)(i)(bb) and (E)(i)(cc).

(ee) No landscape regulations apply to this use except as expressly provided in these additional provisions.

(ff) This use is not subject to compliance proceedings under Section 51-4.704.

(ii) Communications exchange facility:

(aa) Section 51-4.408(a)(1), which exempts structures for utility uses from certain height restrictions, does not apply to this use.

(bb) Aboveground storage tanks are not permitted under this use, except accessory aboveground storage tanks to emergency generators. Unless located within an enclosed structure or completely screened from adjacent street right-of-way and all other properties by solid screening, the capacity of accessory aboveground storage tanks may not exceed 11,000 gallons in nonresidential districts and 3,500 gallons in residential districts.

(3) Electrical substation.

(A) Definition: A facility for transforming electricity for distribution to individual customers.

(B) Districts permitted: Nonresidential districts except O-1; specific use permit required in residential, O-1, and NO districts.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading: None.

(4) 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: HC and industrial districts; specific use permit required in an agricultural district.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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: O-2, NO, LO, MO, GO, SC, GR, LC, HC, central area, and industrial districts; specific use permit required in residential, O-1, and NS districts; specific use permit required in NO districts if this use exceeds 30 feet in height and in LO and MO districts if this use exceeds 60 feet in height.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading: None.

(6) 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: O-2, MO, GO, commercial, central area, and industrial districts; specific use permit required in LO and agricultural districts.

(C) Required off-street parking: One space for each 1,000 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(7) Sewage pumping station.

(A) Definitions: A facility for pumping sewage.

(B) Districts permitted: Residential districts and nonresidential districts except O-1.

(C) Required off-street parking: None.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(8) Sewage treatment plant.

(A) Definition: A facility for receiving and treating sewage from the city sanitary sewer system.

(B) Districts permitted: I-3 district; specific use permit required in A, O-2, commercial, central area, I-1, and I-2 districts.

(C) Required off-street parking: One space for each million gallons of capacity.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(9) Telephone exchange, switching, and transmitting equipment.

(A) Definition: Non-attended telephone switching or transmitting service.

(B) Districts permitted: Residential and nonresidential districts.

(C) Required off-street parking: One space for each 1,000 square feet of floor area.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) Business office facilities, storage, or repair shops or yards are not permitted under this use.

(10) 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: Residential and nonresidential districts.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) Elevated water storage reservoirs are not permitted under this use.

(11) 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) District permitted: SC, GR, LC, HC, central area, and industrial districts; specific use permit required in A, O-1, O-2, and NS districts.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(12) Tower/antenna for cellular communication.

(A) Definitions:

(i) Mounted cellular antenna means a cellular antenna that is attached to an existing structure, that complies with the requirements of Subparagraph (E)(i), and that is part of a cellular system authorized by the Federal Communications Commission. An auxiliary building housing electronic and communication equipment is permitted as part of this use.

(ii) Monopole cellular tower means a single pole structure that supports a platform and cellular antennas, that complies with the requirements of Subparagraphs (E)(ii) and (iii), and that is part of a cellular system authorized by the Federal Communications Commission. An auxiliary building housing electronic and communication equipment is permitted as part of this use.

(iii) Other cellular communication tower/antenna means any cellular communication tower or antenna that is part of a cellular system authorized by the Federal Communications Commission, but that is not covered by the definitions contained in Subparagraphs (A)(i) and (A)(ii).

(iv) Platform means that portion of a monopole cellular tower that is located on top of the pole and that supports directional, transmitting, and receiving antennas.

(B) Districts permitted:

(i) Mounted cellular antennas: By right in A, single-family, duplex, townhouse, MF-1, MF-2, and MH districts when attached to an existing structure that is currently occupied or was last occupied by a nonresidential use.

(ii) Mounted cellular antennas: By right in MF-3, MF-4, and all nonresidential districts when attached to any existing structure.

(iii) Monopole cellular towers: By right in LC, HC, industrial, and central area districts with RAR required in LC, HC, and industrial districts. By right in O-2, LO, MO, and GO districts if the height of the tower does not exceed the maximum height for structures in that district as provided in the height regulations of Section 51-4.408, with RAR required in the same districts; otherwise by SUP only. By right in the GR district if the height of the tower does not exceed 65 feet, with RAR required; otherwise by SUP only. By right in the SC district if the height of the tower does not exceed 80 feet, with RAR required; otherwise by SUP only. By SUP only in all residential, NO, O-2, and NS districts. The impact of the tower height on an adjacent residential district must be considered in the SUP process.

(iv) Other cellular communication towers/antennas are permitted as follows: O-2, NO, LO, MO, GO, SC, GR, LC, HC, central area, and industrial districts; SUP required in residential, O-1, and NS districts; specific use permit in NO districts if this use exceeds 30 feet in height and in LO and MO districts if this use exceeds 60 feet in height.

(C) Required off-street parking: One space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment (“auxiliary building”) greater than 120 square feet. Physically separate auxiliary buildings will not be aggregated to determine the area of an auxiliary building for the purpose of determining required off-street parking requirements. No handicapped parking is required.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) Mounted cellular antennas may not exceed 12 feet above the structure to which they are attached. Whip antennas are excluded from this calculation.

(ii) The pole portion of a monopole cellular tower may not exceed 42 inches in diameter. Microwave dishes or similar devices up to three feet in diameter may be mounted on the pole portion of a monopole cellular tower. No more than two dishes or similar devices may be placed on a monopole cellular tower.

(iii) The platform portion of a monopole cellular tower may not have a horizontal cross sectional area greater than 196 square feet. The depth of the platform may not exceed four feet, excluding any whip antenna. Only antennas that are part of a cellular system authorized by the Federal Communications Commissions are permitted on a platform.

(iv) The owner of a monopole or other tower for cellular communication shall notify the building official when the tower is no longer operating as part of a cellular system authorized by the Federal Communications Commission. Within 12 months of the date the tower ceases to operate as part of an authorized cellular system, the tower must either be removed from the site, or a certificate of occupancy must be obtained to allow another permitted use of the tower. If within 12 months the owner fails to remove the tower or obtain proper authorization for use of the tower, the building official shall revoke the certificate of occupancy for the tower and notify the city attorney to pursue enforcement remedies. (Ord. Nos. 17444; 18849; 19808; 21000; 24543; 27404)

SEC. 51-4.203.

TRANSPORTATION USES.

Transportation uses are subject to the following regulations:

(1) Airport or landing field.

(A) Definition: A facility for the landing of fixed or rotary wing aircraft.

(B) Districts permitted: Residential districts and nonresidential districts except NO, LO, MO, and GO districts.

(C) Required off-street parking: One space for each 200 square feet of terminal building floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) 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 1,000 feet or less.

(B) Districts permitted: SC, LC, HC, central area, and industrial districts; specific use permit required in an agricultural district.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(3) Passenger bus station and terminal.

(A) Definition: A facility for passenger bus docking, passenger loading, and unloading.

(B) Districts permitted: GR, LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(4) Transit 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 vehicle.

(B) Districts permitted: Residential and nonresidential districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) A site plan must be submitted to and approved by the director if the location of the proposed shelter structure will be on or within 20 feet of a lot that is located in a single-family or duplex district and occupied by a residential use. The site plan must show the area within a 50-foot radius of the proposed shelter structure. No site plan is required if the lot is vacant or exclusively occupied by one or more nonresidential uses.

(ii) The submission and review procedures for a site plan required under Subparagraph (i) are the same as those required under Section 51-4.803 for a lot that has residential adjacency. For purposes of these provisions, the term “lot” in Section 51-4.803 is construed to mean only that area for which a site plan is required.

(iii) In addition to the requirements of Section 51-4.803(e), upon the filing of a complete application for review of a site plan required under Subparagraph (i), the director shall send written notice to all owners of real property lying within 200 feet of the area for which the site plan is required.

(iv) A litter container of adequate size must be provided on the site at all times.

(v) This use must be installed by public agencies.

(vi) In single-family and duplex districts, the shelter structure must not occupy an area greater than 100 square feet.

(vii) This use is exempt from the front, side, and rear yard requirements in this chapter, except that the shelter structure must be set back at least five feet from the edge of the roadway.

(viii) No signs are permitted on the transit passenger shelter site except for governmental signs, transit system logos, schedules, and route information.

(5) Helicopter base.

(A) Definition: A landing and terminal facility for rotary wing aircraft.

(B) Districts permitted: I-2 and I-3 districts; specific use permit required in A, HC, and I-1 districts.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) This use may include facilities for serving 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.

(6) Heliport.

(A) Definition: A facility for the regularly scheduled landing of rotary wing aircraft.

(B) Districts permitted: I-2 and I-3 districts; specific use permit required in A, LC, HC, central area, and I-1 districts.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(7) Helistop.

(A) Definition: A landing pad for the occasional and infrequent use by rotary wing aircraft.

(B) Districts permitted: I-2 and I-3 districts; specific use permit required in MF-3, MF-4, A, O-2, MO, GO, SC, GR, LC, HC, central area, and I-1 districts.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(8) Motor freight hauling and storage.

(A) Definition: A facility for warehousing, transferring, or keeping goods.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 1,000 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) Railroad freight terminal.

(A) Definition: A facility on railroad premises for freight classifying, docking, lighterage, and storage.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 1,000 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) Railroad passenger station.

(A) Definition: A facility for the loading and discharging of train passengers.

(B) Districts permitted: LC, HC, central area, and industrial districts; specific use permit required in LO, MO, and GO districts.

(C) Required off-street parking: One space for each four seats in the 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(11) Railroad team track.

(A) Definition: A siding for the spotting, unloading, and loading of railroad cars.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) A railroad team track must be accessible from a public street.

(12) Railroad yard, roundhouse, or shops.

(A) Definition: A facility for storing, repairing, and making up trains and railroad equipment.

(B) District permitted: Industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area of roundhouse and shops.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(Ord. Nos. 18849; 20122; 27404)

SEC. 51-4.204. COMMUNITY SERVICE USES.

Community service uses are subject to the following regulations:

(1) Post office.

(A) Definition: A government facility for the transmission, sorting, and local distribution of mail.

(B) Districts permitted: Nonresidential districts except O-1 and NO; specific use permit required in MF-3, MF-4, O-1, and LO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) This use includes main branches, substation branches, and neighborhood coin-operated self-service stations.

(2) 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: MO, GO, commercial, central area, and industrial districts; specific use permit required in O-2 and residential districts except MH.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(3) Foster home.

(A) Definition: A facility licensed by the state as a foster home that provides room, board, ordinary care, and supervision to five or more individuals under 18 years of age, who are not related by blood, marriage, or adoption to the owner or operator of the facility.

(B) Districts permitted: Commercial and central area; specific use permit required in residential, O-1, O-2, and industrial districts.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(4) Child-care facility.

(A) Definition: A facility that provides care, training, education, custody, treatment, or supervision for persons under 14 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers. This use does not include:

(i) a facility that is operated in connection with a shopping center, business, religious organization, or establishment where children are cared for during short periods while parents or persons responsible for the children are attending religious services, shopping, or engaging in other activities on or near the premises, including but not limited to retreats or classes for religious instruction;

(ii) a school or class for religious instruction that does not last longer than two weeks and is conducted by a religious organization during the summer months;

(iii) an educational facility accredited by the Central Education Agency or the Southern Association of Colleges and Schools that operates primarily for educational purposes in grades kindergarten and above;

(iv) an educational facility that operates solely for educational purposes in grades kindergarten through at least grade two, that does not provide custodial care for more than one hour during the hours before or after the customary school day, and that is a member of an organization that promulgates, publishes, and requires compliance with health, safety, fire, and sanitation standards equal to standards required by state, municipal, and county codes;

(v) a kindergarten or preschool educational program that is operated as part of a public school or a private school accredited by the Central Education Agency, that offers educational programs through grade six, and does not provide custodial care during the hours before or after the customary school day;

(vi) an educational facility that is integral to and inseparable from its sponsoring religious organization or an educational facility both of which do not provide custodial care for more than two hours maximum per day, and that offers educational programs for children age five and above in one or more of the following: kindergarten through at least grade three, elementary, or secondary grades;

(vii) a day home as defined in Section 51-4.217; or

(viii) individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption.

(B) Districts permitted: Commercial and central area districts; specific use permit required in residential, office, and industrial districts; limited use in NO, LO, MO, and GO districts (specific use permit not required).

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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) 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.

(iii) The persons being cared for, trained, kept, treated, or supervised under this use may not use the facility as a residence.

(5) Halfway house.

(A) Definition: A facility for the housing, rehabilitation, and training of persons on probation, parole, or early release from correctional institutions, or other persons found guilty of criminal offenses.

(B) Districts permitted: Specific use permit required in GR, LC, HC, I-1, and central area districts. A halfway house may not be located in a planned development district unless all of the requirements of this paragraph are met.

(C) Required off-street parking: Determined by the specific use permit. This requirement must include provision of adequate off-street parking for

residents, staff, and visitors. In determining an adequate number of off-street parking spaces, 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) No more than 50 residents are permitted in a halfway house. Halfway houses must be located at least 1000 feet from residential districts, single-family, duplex, and multiple-family uses, public parks and recreational facilities, child-care facilities, and public or private schools.

(ii) A halfway house may not be located within one mile from another halfway house.

(iii) A specific use permit for a halfway house shall be issued for a two year time period. Periodic review periods may be established as part of the specific use permit.

(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.

(vi) Halfway houses must be located within 1200 feet of mass transit service.

(vii) A halfway house specific use permit application must include evidence of meetings between the applicant and property owners within the notification area. Evidence of meetings must include records reflecting the dates of the meetings, the individuals or organizations involved, and the issues discussed and resolved.

(viii) Signs identifying a use as a halfway house are not permitted.

(ix) Halfway house premises must be properly maintained in good condition at all times.

(x) A security plan must be submitted with an application for a specific use permit for a halfway house. The security plan must demonstrate compliance with the security requirements of state law. The director shall furnish a copy of security plans for halfway houses to appropriate city, county, and state agencies for their review before the commission's consideration of an application. Provisions addressing security must be included in any ordinance granting a specific use permit for a halfway house. A compliance report must be submitted to the director every two years after the date of passage of an ordinance granting a specific use permit and with each application for renewal of a specific use permit for a halfway house.

(xi) Measurements of distance under this paragraph are taken radially. "Radial" measurement means a measurement taken along the shortest distance between the nearest point of the building site of the halfway house and the nearest point of the building site of another use, or of a zoning district boundary.

(6) Adult day care facility.

(A) Definition: A facility that provides care or supervision for five or more persons 18 years of age or older who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers.

(B) Districts permitted: By right in commercial and central area districts; specific use permit required in residential, office, and industrial districts; limited use in NO, LO, MO, and GO districts (specific use permit not required).

(C) Required off-street parking: One space per 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The limited use regulations in this chapter are modified for this use to allow an outdoor recreation area and separate access from the main building to the recreation area.

(ii) This use must comply with statutory licensing requirements.

(iii) The persons being cared for or supervised under this use may not use the facility as a residence.

(7) Reserved. (Ord. Nos. 16802; 17329; 18014; 18849; 19059; 19064; 19455; 19931; 20845; 21044; 27404)

SEC. 51-4.205. MEDICAL USES.

Medical uses are subject to the following regulations:

(1) Hospital.

(A) Definition: An institution licensed by the state as a hospital where sick or injured patients are given medical treatment.

(B) Districts permitted: SC, GR, LC, HC, and central area districts; specific use permit required in multiple-family, agricultural, O-1, O-2, MO, GO, NS, and industrial districts.

(C) Required off-street parking: One space for each bed.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(2) Reserved.

(3) Convalescent and nursing homes, hospice care, and related institutions.

(A) Definition:

(i) This use includes both:

(aa) an establishment which furnishes (in single or multiple facilities) food and shelter to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment and, in

addition, provides minor treatment under the direction and supervision of a physician, or services which meet some need beyond the basic provision of food, shelter, and laundry; and

(bb) an establishment conducted by or for the adherence of any well-recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who depend exclusively upon prayer or spiritual means for healing, without the use of any drug or material remedy, provided safety, sanitary, and quarantine laws and regulations are complied with.

(ii) This use does not include:

(aa) a hotel or similar place that furnishes only food and lodging, or either, to its guests;

(bb) a hospital; or

(cc) an establishment that furnishes only baths and massages in addition to food, shelter, and laundry.

(B) Districts permitted: Multiple-family and central area districts; specific use permit required in agricultural and townhouse districts. In multiple-family districts, a site plan must be submitted in accordance with the requirements of Section 51-4.803, and the director shall review the plan for compliance with the neighborhood protection standards in Subsection (f)(3) of that section.

(C) Required off-street parking: 0.3 spaces per bed.

(D) Required off-street loading: One space.

(E) Additional provisions:

(i) In townhouse and multiple-family districts, this use is subject to the following density restrictions:

<u>ZONING DISTRICT CLASSIFICATION</u>	<u>MAXIMUM NO. OF DWELLING UNITS OR SUITES* PER NET ACRE</u>	<u>MAXIMUM NO. OF BEDS PER NET ACRE</u>
TH-1	35	70
TH-2 and TH-3	40	80
TH-4	45	90
MF-1	50	100
MF-2	60	120
MF-3	90	180
MF-4	160	320

*For purposes of this subparagraph, the term "suite" means one or more rooms designed to accommodate one family, containing living, sanitary, and sleeping facilities, but not containing a kitchen.

(ii) This use must comply with statutory licensing requirements, if any.

(iii) This use may include dwelling units that are exclusively restricted to visitors, patients, or members of the staff.

(4) Reserved.

(5) Medical clinic or ambulatory surgical center.

(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: Office, commercial, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) Offices and laboratories are permitted as accessory uses.

(6) Medical or scientific laboratory.

(A) Definition: A facility for testing and analyzing medical or scientific problems.

(B) Districts permitted: O-2, MO, GO, SC, GR, LC, HC, central area, and industrial districts; specific use permit required in LO districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(7) Optical shop.

(A) Definition: A facility providing optical items for the correction of vision.

(B) Districts permitted:

(i) In general: O-2, commercial, central area, and industrial districts; limited use in LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(8) 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: O-2, GO, SC, GR, LC, HC, central area, and industrial districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(9) 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: GR, LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(Ord. Nos. 18849; 19065; 19806; 19912; 19913; 21044; 27404)

SEC. 51-4.206. RELIGIOUS USES.

Religious uses are subject to the following regulations:

(1) 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: Residential and nonresidential districts.

(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 51-4.301. Except as otherwise expressly provided in this subsection, the off-street parking regulations in Section 51-4.301 apply to this use. In the event of a conflict between this subsection and Section 51-4.301, 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, 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.

(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 public works and 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: None.

(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.

(2) Rectory.

(A) Definition: A dwelling unit for a minister, priest, or rabbi.

(B) Districts permitted: Residential and nonresidential districts.

(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: None.

(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.

(3) 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: Multiple-family, office, commercial, and central area districts; specific use permit required in single-family, duplex, TH, agricultural, and industrial districts.

(C) Required off-street parking: One space for each three residents; a minimum of two spaces required.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(4) 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: Specific use permit required in residential and nonresidential districts except O-1, NO, LO, MO, and GO districts where use is not permitted.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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) Additional provisions:

(i) Cemeteries are subject to Chapter 11 of this code.

(5) Reserved. (Ord. Nos. 18849; 19058; 19305; 19455; 27404)

SEC. 51-4.207. EDUCATIONAL USES.

Educational uses are subject to the following regulations:

(1) Public or private school.

(A) Definitions:

(i) OPEN-ENROLLMENT CHARTER SCHOOL means a public school that is operated under a charter granted under Subchapter D of Chapter 12 of the Texas Education Code.

(ii) PRIVATE SCHOOL means a school that a student may attend and thereby be exempt from state law requirements of compulsory attendance at a public school, and that exists apart from the student's home.

(iii) PUBLIC SCHOOL means a kindergarten, elementary, or secondary educational institution that is owned or operated by a local independent school district, or operated under a charter granted under Chapter 12 of the Texas Education Code.

(B) Districts permitted:

(i) Public school other than an open-enrollment charter school: Nonresidential districts; specific use permit required in residential districts.

(ii) Open-enrollment charter school or private school: Specific use permit required in residential and nonresidential districts.

(C) Required off-street parking:

(i) One and one-half spaces for each kindergarten/elementary school classroom.

(ii) Three and one-half spaces for each junior high/middle school classroom.

(iii) Nine and one-half spaces for each senior high school classroom.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) This use does not include business, commercial, trade, or craft schools.

(ii) This use must comply with all applicable licensing requirements.

(iii) If this use is nonconforming, the board of adjustment shall not establish a compliance date for the use under Section 51-4.704(a)(1) unless the owners of more than 50 percent of the land within 200 feet of the lot containing the school file a written petition with the board requesting that a compliance date be established. In computing the percentage of land area under this subparagraph, the area of public right-of-way and city-owned property is excluded. The area of the lots used or owned by the school or by an entity affiliated with the school is also excluded from the computation.

(iv) This use, if nonconforming, may expand its total floor area by up to 10 percent or 2,000 square feet, whichever is less, without obtaining an SUP.

(v) This use is exempt from payment of SUP application fees.

(2) Reserved.

(3) 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: Nonresidential districts except NO districts; specific use permit required in NO 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) This use does not include schools teaching trades or crafts.

(4) 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: LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(5) 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, ministry, or rabbinate.

(B) Districts permitted: Multiple-family, O-1, O-2, commercial, and central area districts; specific use permit required in single-family, duplex, TH, agricultural, NO, LO, MO, GO, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(6) College fraternity or sorority house.

(A) Definition: A facility for housing a social or service organization of college students.

(B) Districts permitted: Multiple-family, O-1, O-2, commercial, and central area districts; specific use permit required in single-family, duplex, TH, agricultural, NO, LO, MO, GO, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(7) College dormitory.

(A) Definition: A college residence hall providing sleeping rooms.

(B) Districts permitted: Multiple-family, O-1, O-2, commercial, and central area districts; specific use permit required in single-family, duplex, TH, NO, LO, MO, GO, agricultural, and industrial districts.

(C) Required off-street parking: One space for every two beds.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(8) Library, art gallery, or museum.

(A) Definition: An establishment for the loan or display of books or objects of art, science, or history.

(B) Districts permitted: Multiple-family, O-1, O-2, LO, MO, GO, commercial, central area, and industrial districts; specific use permit required in single-family, duplex, TH, NO, and agricultural districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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. (Ord, Nos. 16802; 17912; 18849; 20159; 20360; 21044; 24271; 27404)

SEC. 51-4.208.

RECREATION AND ENTERTAINMENT USES.

Recreation and entertainment uses are subject to the following regulations:

(1) Public park or playground.

(A) Definition: Land planned, developed, or used for active or passive recreational use by the public that is owned or operated by a public agency for those purposes.

(B) Districts permitted: Residential districts; nonresidential districts except O-1.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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: MO, GO, SC, GR, LC, HC, central area, and industrial districts; specific use permit required in LO and agricultural 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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: GO, SC, GR, LC, HC, central area, and industrial districts; specific use permit required in residential, O-1, O-2, LO, NO, and NS districts.

(C) Required off-street parking: One space for each 100 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(4) Public golf course.

(A) Definition: A golf course open to the public.

(B) Districts permitted: NO, LO, MO, GO, GR, LC, HC, central area, and industrial districts; specific use permit required in residential districts.

(C) Required off-street parking: Five spaces for each green.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(5) 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: GO, GR, LC, HC, central area, and industrial districts; specific use permit required in LO, MO, and residential districts.

(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:

(i) If the country club has a restaurant:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(ii) If no restaurant: None.

(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.

(6) 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: SC, GR, LC, HC, central area, and industrial districts; specific use permit required in GO and agricultural districts.

(C) Required off-street parking: One space for each 100 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(7) 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: LC, HC, central area, and industrial districts; specific use permit required in A, SC, and GR districts.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(8) Theatre.

(A) Definition: A facility for showing motion pictures or theatrical performances to an audience inside an enclosed structure.

(B) Districts permitted: Commercial, central area, and industrial districts; specific use permit required in MF-3, MF-4, MO, and GO districts.

(C) Required off-street parking: One space for each four seats.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(9) 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: HC, central area, and industrial districts; specific use permit required in an agricultural district.

(C) Required off-street parking: A minimum of six parking spaces is required. The number of stacking spaces must equal 10 percent of the theatre's stall capacity.

(D) Required off-street loading: None.

(10) 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: LC, HC, central area, and industrial districts; specific use permit required in an agricultural district.

(C) Required off-street parking: One space for each three seats.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(11) Fairgrounds.

(A) Definition: An outside area where a fair, circus, or exhibition is held.

(B) Districts permitted: LC, HC, central area, and industrial districts; specific use permit required in an agricultural district.

(C) Required off-street parking: 25 spaces for each acre.

(D) Required off-street loading: None.

(12) 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 official as approved in Resolution No. 65-1854.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(13) Wax museum.

(A) Definition: A commercial enterprise that displays wax figures of famous individuals and events for entertainment.

(B) District permitted: Commercial, central area, and industrial districts; specific use permit required in O-2 and GO districts.

(C) Required off-street parking: One space for each 100 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(Ord. Nos. 16802; 18849; 27183; 27404)

SEC. 51-4.209. BAR AND RESTAURANT USES.

Bar and restaurant uses are subject to the following regulations:

(1) Alcoholic beverage establishments.

(A) Definitions:

(i) BAR, LOUNGE, OR TAVERN means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.

(ii) PRIVATE-CLUB BAR means an establishment holding a private club permit under Chapter 32 or 33 of the Texas Alcoholic Beverage Code that derives 35 percent or more of its gross revenue from the sale or service of alcoholic beverages for on-premise consumption and that is located within a dry area as defined in Title 6 (Local Option Elections) of the Texas Alcoholic Beverage Code. PRIVATE -CLUB BAR does not include a fraternal or veterans organization, as defined in the Texas Alcoholic Beverage Code, holding a private club permit under Chapter 32 or 33 of the Texas Alcoholic Beverage Code. PRIVATE-CLUB BAR does not include the

holder of a food and beverage certificate, as defined in the Texas Alcoholic Beverage Code.

(B) Districts permitted: By SUP only in SC, GR, LC, HC, central area, industrial, GO, MO, MF-3, and MF-4 districts.

(C) Required off-street parking:

(i) Except as otherwise provided, one space per 100 square feet of floor area.

(ii) One space per 500 square feet of floor area used for the manufacture of alcoholic beverages as an accessory use to the bar, lounge, or tavern use.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(iii) The person owning or operating the use shall, upon request, supply the building official with any records needed to document the percentage of gross revenue for the previous 12-month period derived from the sale or service of alcoholic beverages for on-premise consumption.

(iv) Unless the person owning or operating the use supplies the building official with records to prove otherwise, an establishment holding a private club permit under Chapter 32 or 33 of the Texas Alcoholic Beverage Code is presumed to derive 35 percent or more of its gross revenue from the sale or service of alcoholic beverages for on-premise consumption.

(2) Drive-in restaurant.

(A) Definition:

(i) An establishment principally for the sale and consumption of food where food service is provided to customers in motor vehicles for consumption on the premises.

(ii) An establishment principally for the sale and consumption of food which has direct window service allowing customers in motor vehicles to pick up food for off-premise consumption.

(B) Districts permitted: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 50 square feet of floor area; a minimum of 12 spaces is required. See additional provisions [Subparagraph (E)] for off-street stacking requirements. See Section 51-4.304 for more information regarding off-street stacking spaces generally.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) The total number of stacking spaces required for this use is as follows:

<u>NO. OF DRIVE-THROUGH WINDOWS</u>	<u>TOTAL NUMBER OF STACKING SPACES REQUIRED</u>
1	6
2	4
Each additional drive-through window	4 additional

(ii) A remote order station, if any, must be set back at least 27 feet from all streets that allow direct access to the station.

(3) 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) In general: Commercial, central area, and industrial districts; limited use in MF-3, MF-4, O-2, LO*, MO, and GO districts; *specific use permit required for a limited use in LO districts if:

(aa) the LO district is contiguous to a residential district; and

(bb) the limited use is open past 9 p.m.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking:

(i) Except as otherwise provided, one space for each 100 square feet of floor area.

(ii) One space per 500 square feet of floor area used for the manufacture of alcoholic beverages as an accessory use to the restaurant without drive-in or drive-through service use.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(4) Reserved.

(5) Private club.

(A) Definition: An establishment for the association of a group of people for common purpose, interest, or pleasure.

(B) Districts permitted:

(i) In general: SC, GR, HC, central area, and industrial districts; limited use in MF-3, MF-4, O-2, LO*, MO, and GO districts; *specific use permit required for a limited use in LO districts if:

(aa) the LO district is contiguous to a residential district; and

(bb) the limited use is open past 9 p.m.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(iii) An establishment that derives 75 percent or more of its gross revenue on an annual basis from the sale of alcoholic beverages for on-premise consumption may not be classified as a private club.

(6) Catering service.

(A) Definition: An establishment that serves and supplies food to be consumed off premises.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(Ord. Nos. 16802; 18849; 21735; 22204; 22531; 22995; 26160; 27404)

SEC. 51-4.210. PROFESSIONAL, PERSONAL SERVICE, AND CUSTOM CRAFTS USES.

Professional, personal service, and custom crafts uses are subject to the following regulations:

(1) Office.

- (A) Definition: A place for the regular transaction of business.
- (B) Districts permitted: Office, commercial, central area, and industrial districts.
- (C) Required off-street parking: One space for each 333 square feet of floor area.
- (D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

- (i) Retail sales, transfer of manufactured goods, or the storage of commodities is not permitted under this use.

(2) 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: Residential and nonresidential districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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 10 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.

(3) Bank or savings and loan office, with or without drive-in window.

(A) Definition: A facility for the extension of credit and the custody, loan, or exchange of money.

(B) Districts permitted: Office, commercial, central area, and industrial districts; when the bank or savings and loan has one or more drive-in windows, then:

(i) it is not permitted in NO districts; and

(ii) a specific use permit is required in O-1, LO, and NS districts.

(C) Required off-street parking: One space for each 333 square feet of floor area. See additional provisions [Subparagraph (E)] for off-street stacking requirements.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Stacking spaces. The following off-street stacking requirements apply to this use (See Section 51-4.304 for more information regarding off-street stacking spaces generally):

(aa) The total number of stacking spaces required for teller windows or stations is as follows:

<u>NO. OF TELLER WINDOWS OR STATIONS</u>	<u>TOTAL NUMBER OF STACKING SPACES REQUIRED</u>
1	5
2	10
3	15
4	18
Each additional teller window or station	3 additional

(bb) For purposes of Subparagraph (aa), the term “teller window or station” means a location where customers in motor vehicles transact business with an employee of the financial institution by deal drawer or through the use of a pneumatic tube system or equivalent.

(cc) Each unmanned transaction station must have a minimum of two stacking spaces. For purposes of this subparagraph, the term “unmanned transaction station” means a location where customers in motor vehicles transact business with a machine.

(4) Trade center.

(A) Definition: A facility for exhibitions, trade shows, and conventions.

(B) Districts permitted: HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(5) 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) In general: commercial, central area, and industrial districts; limited use in MF-3, MF-4, O-2, LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(6) 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: GR, LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(7) 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) In general: SC, GR, LC, HC, central area, and industrial districts; limited use in MF-3, MF-4, O-2, LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 150 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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.

(8) Custom cleaning shop.

(A) Definition: An establishment for the custom cleaning of individual garments, fabrics, rugs, draperies, or other similar items.

(B) Districts permitted: Commercial, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(9) 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: LC, HC, central area, I-2, and I-3 districts.

of floor area. (C) Required off-street parking: One space for 300 square feet

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(10) 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: Commercial, central area, and industrial districts; limited use in MF-3 and MF-4 districts.

of floor area. (C) Required off-street parking: One space for each 200 square

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(11) 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: LC, HC, central area, and industrial districts.

of floor area. (C) Required off-street parking: One space for each 500 square

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(12) 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: O-2, GO, commercial, central area, and industrial districts; limited use in MF-3, MF-4, O-1, NO, LO, and MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) In O-1 and NO districts, this use may not occupy more than 1,000 square feet of floor area.

(13) Key shop.

(A) Definition: A facility for the sale and duplication of keys.

(B) Districts permitted:

(i) In general: commercial, central area, and industrial districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(14) Shoe repair.

(A) Definition: A facility for the repair or reconditioning of footwear, handbags, and other similar articles.

(B) Districts permitted:

(i) In general: commercial, central area, and industrial districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(15) Tailor, custom sewing, and millinery.

(A) Definition: A facility to alter, repair, custom make, and fashion apparel and millinery.

(B) Districts permitted:

(i) In general: commercial, central area, and industrial districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use does not include a factory for the production or repair of apparel.

(16) Taxidermist.

(A) Definition: A facility for preparing, stuffing, and mounting the skins of animals, birds, and fish.

(B) Districts permitted: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(17) 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) In general: commercial, central area, and industrial districts; limited use in O-2, LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(18) 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: O-2, MO, GO, SC, GR, LC, HC, central area, and industrial districts; limited use in LO districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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, video tapes, or other recorded media.

(19) Instructional arts studio.

(A) Definition: A facility for the instructing, coaching, or counseling in art, music, ceramics, drama, speech, dance, or similar personal skills or arts.

(B) Districts permitted:

(i) In general: O-2, GO, commercial, central area, and industrial districts; specific use permit required in MO districts.

(ii) As a limited use: LO and MO districts (no SUP required).

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(20) 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: Commercial, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use does not include a factory for the production of art products.

(21) Handcrafted bookbinding.

(A) Definition: A facility for custom hand binding of books and similar documents.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(22) Photography studio.

(A) Definition: A facility for taking and processing pictures.

(B) Districts permitted:

(i) In general: commercial, central area, and industrial districts; limited use in O-2, LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use does not include a bulk photography processing plant.

(23) 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: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Each storage area must not exceed 10 cubic feet in size.

(24) Commercial wedding chapel.

(A) Definition: A facility, not associated with a church, where a wedding is performed for a profit.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use may provide reception areas, but no alcoholic beverages may be sold. (Ord. Nos. 16802; 16872; 17092; 18849; 19061; 19928; 22995; 24439; 27404)

SEC. 51-4.211. RETAIL USES.

(1) Retail stores other than listed.

(A) Definition: Any use not listed in this chapter that offers consumer goods for inside retail sale.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) See Section 51-4.605 for design standards applicable to uses of 100,000 square feet or more.

(2) 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:
 - (i) In general: SC, GR, LC, HC, central area, and industrial districts.
 - (ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Accessory open storage is permitted under this use only in a district where open storage is permitted as a main use.

(ii) The accessory outside sale and display of furniture is permitted if the furniture is:

(aa) customarily used outside; and

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(iii) The accessory outside sale and display of furniture, other than the furniture described in Section 51-4.211(2)(E)(ii), is permitted only on Saturday and Sunday.

(3) Retail food store.

(A) Definition: An establishment for the display and retail sale of foods and associated items.

(B) Districts permitted:

(i) In general: commercial, central area, and industrial districts; limited use in MF-3 and MF-4 districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) See Section 51-4.605 for design standards applicable to uses of 100,000 square feet or more.

(4) 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) In general: commercial, central area, and industrial districts; limited use in LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Under this use, all goods baked or cooked on the premises must be retailed on the same premises.

(5) 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) In general: commercial, central area, and industrial districts; limited use in MF-3, MF-4, LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(6) 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) In general: commercial, central area, and industrial districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(7) 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) In general: commercial, central area, and industrial districts; limited use in MF-3, MF-4, O-2, LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(8) Clothing store.

(A) Definition: A facility for the retail sale of apparel.

(B) Districts permitted:

(i) In general: commercial, central area, and industrial districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(9) Drug store.

(A) Definition: A facility for the preparing, preserving, compounding, and the retail sale of drugs and medicines.

(B) Districts permitted:

(i) In general: commercial, central area, and industrial districts; limited use in MF-3, MF-4, O-2, LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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.

(10) Liquor store.

(A) Definition: An establishment principally for the retail sale of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for off-premise consumption.

(B) Districts permitted: Commercial, central area, industrial, GO, MO, MF-3, and MF-4 districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(11) 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) In general: commercial, central area, and industrial districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(12) Feed store.

(A) Definition: A facility for the retail sale of grain, prepared feed, and forage for pets, livestock, and fowl.

(B) Districts permitted: GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The grinding, mixing, or commercial compounding of livestock feed is not permitted under this use.

(13) Pet shop.

(A) Definition: A facility for the display and retail sale of small animals, fish, and birds as pets.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use does not include commercial boarding or medical treatment of any animal, fish, or bird.

(14) Furniture store.

(A) Definition: A facility for the display and retail sale of new furniture and appliances.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) See Section 51-4.605 for design standards applicable to uses of 100,000 square feet or more.

(ii) The accessory outside sale and display of furniture is permitted if the furniture is:

(aa) customarily used outside; and

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(iii) The accessory outside sale and display of furniture, other than the furniture described in Section 51-4.211(14)(E)(ii), is permitted only on Saturday and Sunday.

(15) Second hand store.

(A) Definition: A facility for the retail sale of used merchandise.

(B) Districts permitted: SC, GR, LC, HC, central area, I-2, and I-3 districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Accessory open storage is permitted under this use only in a district where open storage is permitted as a main use.

(ii) The accessory outside sale and display of furniture is permitted if the furniture is:

(aa) customarily used outside; and

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(iii) The accessory outside sale and display of furniture, other than the furniture described in Section 51-4.211(15)(E)(ii), is permitted only on Saturday and Sunday.

(16) Pawn shop.

(A) Definition: A facility for loaning money on the security of personal property and the sale of unclaimed property.

(B) Districts permitted: SC, GR, LC, HC, I-2, and I-3 districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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) A pawnshop legally operating as a permitted use or a nonconforming use on March 1, 1989, is entitled to relocate to another site in the same zoning district or classification in which it is located on March 1, 1989, provided the relocation is completed before the first anniversary of the date that the pawnshop ceased doing business at the previous location.

(17) 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: Commercial, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(18) Home improvement center.

(A) Definition: A facility for the retail sale of home, lawn, and garden supplies.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) See Section 51-4.605 for design standards applicable to uses of 100,000 square feet or more.

(ii) In all districts where this use is permitted, accessory outside sales, display of merchandise, or storage may occupy up to 25 percent of the lot.

(19) 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) In general: Commercial, central area, and industrial districts.

(ii) As a retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(20) Paint and wallpaper store.

(A) Definition: A facility for the retail sale of paints, painting equipment, and wallpaper.

(B) Districts permitted: Commercial, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(21) 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: GR, LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(22) Outside sales.

(A) Definition: A site for the outside retail sale of general merchandise or food.

(B) Districts permitted: Central area districts; specific use permit required in industrial districts.

(C) Required off-street parking: One space for each 200 square feet of sales area.

(D) Required off-street loading:

<u>SQUARE FEET OF SALES AREA</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Except as otherwise provided in this article, outside sales is considered to be a separate main use if it occupies more than five percent of the lot. Outside sales on less than five percent of the lot may qualify as an accessory use if it is customarily incidental to a main use. See Section 51-4.217. (Ord. Nos. 16802; 18849; 19581; 20242; 21735; 22204; 25785; 26746; 27404)

SEC. 51-4.212. MOTOR VEHICLE RELATED USES.

(1) Automobile or motorcycle display, sales, and service (inside display).

(A) Definitions: A facility for the display, service, and retail sale of new or used automobiles, motorcycles, motor scooters, recreational vehicles, and trailers.

(B) Districts permitted: LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) 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: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of site area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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) 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.

(3) Auto auction.

(A) Definition: A facility for the sale of automobiles to the highest bidder.

(B) Districts permitted: Specific use permit required in HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of site area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(4) Auto glass, muffler, or seat cover shop.

(A) Definition: A facility for the retail sale, installation, or replacement of auto glass, mufflers, or set covers.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking:

(i) 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.

(ii) 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(5) Auto parts sales (inside only).

(A) Definition: A facility for the retail sale of auto parts, tools, and related items.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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 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: Specific use permit required in HC and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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) Auto repair garage (inside).

(A) Definition: A facility for the repair of motor vehicles.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking:

(i) One space for each 500 square feet of floor area; a minimum of five spaces required.

(ii) 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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 repair garage (outside).

(A) Definition: A facility for the repair of motor vehicles with outside repair or display permitted.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking:

(i) One space for each 500 square feet of site area; a minimum of five spaces required.

(ii) 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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 painting or body rebuilding shop (inside).

(A) Definition: A facility for restoring, painting, or refinishing auto bodies.

(B) Districts permitted: LC, HC, central area, and industrial districts.

(C) Required off-street parking:

(i) One space for each 500 square feet of floor area; a minimum of five spaces required.

(ii) 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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 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: HC, central area, and industrial districts.

(C) Required off-street parking:

(i) One space for each 500 square feet of site area; a minimum of five spaces required.

(ii) 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(11) 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: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: None. See the additional provisions [Subparagraph (E)] for off-street stacking requirements.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Required off-street stacking: Three stacking spaces for each bay in a single unit car wash; 25 spaces for each tunnel unit car wash.

(ii) Spaces used to wash motor vehicles and located in a structure are not counted in determining the required stacking.

(12) 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: HC, central area, and industrial districts.

(C) Required off-street parking:

(i) Two stack spaces for each single unit area, plus two additional spaces.

(ii) 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(13) 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: SC, GR, LC, HC, central area, and industrial districts; limited use in O-2, LO, MO, and GO districts; specific use permit required in an NS district.

(C) Required off-street parking:

(i) One space for each 500 square feet of floor area; minimum of four spaces required.

(ii) 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Limited use regulations:

(i) This use is subject to the following limited use regulations instead of the regulations contained in Section 51-4.218.

(ii) 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.

(iii) The dispensing of motor vehicle fuel must be limited to one pump for each main building.

(iv) 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.

(v) 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 development services for the placement of a gasoline pump island before the building official may issue a building permit for the construction.

(14) 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: HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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.

(15) Bus or truck repair/parking garage.

(A) Definition: A facility in which currently licensed buses or trucks are stored or repaired.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking:

(i) 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.

(ii) 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: None.

(16) 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: HC, central area, and industrial districts; specific use permit required in an agricultural district.

(C) Required off-street parking: One space for each two grandstand seats; a minimum of 20 spaces required.

(D) Required off-street loading: None.

(17) Surface parking.

(A) Definition: A passenger vehicle parking facility.

(B) Districts permitted: Parking district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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 10 feet when the surface parking is contiguous to a residential district, as defined both in this chapter and in Chapter 51A.

(18) 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: GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: None; however, if this use is in the central business district, off-street stack spaces or passenger unloading zones may need to be provided. For more information regarding off-street parking in the central business district, see Section 51-4.306.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) The parking of vehicles that weigh more than 6,000 pounds or that have a manufacturer's rated seating capacity of more than 15 persons is prohibited under this use in all areas of the city except the central business district.

(ii) This use must comply with the off-street parking regulations in Division 51-4.300 et seq. (Ord. Nos. 18268; 18849; 19063; 19455; 20237; 20272; 27404)

SEC. 51-4.213. COMMERCIAL USES.

Commercial uses are subject to the following regulations:

(1) Appliance fix-it shop.

(A) Definition: A facility for the repair of household and home equipment such as radios, televisions, electrical appliances, lawn mowers, tools, and similar items.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts; specific use permit required in a NS district.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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) Custom furniture construction, repair, or upholstery shop.

(A) Definition: A facility for making, repairing, or reupholstering furniture on a single item basis.

(B) Districts permitted: LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Specialized equipment for custom making, repairing, and reupholstering furniture is permitted under this use.

(3) Building repair and maintenance shop.

(A) Definition: A facility providing general building repair and maintenance service.

(B) Districts permitted: GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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) 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: GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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.

(5) 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: HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(ii) In all districts where this use is permitted, accessory outside sales and display of merchandise may occupy up to 100 percent of the lot.

(6) Machinery sales and services.

(A) Definition: A facility for selling, servicing, and repairing machinery.

(B) Districts permitted: LC, HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(7) Machine or welding shop.

(A) Definition: A facility in which material is processed by machining, cutting, grinding, welding, or similar processes.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(8) Tool and equipment rental (inside display only).

(A) Definition: A facility for renting tools and equipment with no outside display.

(B) Districts permitted: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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.

(9) Tool and equipment rental (with outside display).

(A) Definition: A facility for renting tools and equipment with outside display permitted.

(B) Districts permitted: HC, central area, and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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) Petroleum products storage and wholesale.

(A) Definition: A facility for the storage and sale of petroleum products.

(B) Districts permitted: HC and industrial 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) Monument sales yard.

(A) Definition: A facility for stocking and selling memorial stones and gravestones.

(B) Districts permitted: LC, HC, CA-2, I-2, and I-3 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) Mining.

(A) Definition: The extraction, removal, or stockpiling of earth materials, including soil, sand, gravel, oil, or other materials found in the earth. The excavation of earth materials for ponds or lakes, including excavations for fish farming ponds and recreational lakes, are considered mining unless otherwise expressly authorized by another provision of this code. The following are not considered mining:

(i) The extraction, removal, or stockpiling of earth materials incidental to an approved plat or excavation permit, incidental to construction with a building permit, or for governmental or utility construction projects such as streets, alleys, drainage, gas, electrical, water, and telephone facilities and similar projects.

(ii) The extraction, removal, or stockpiling of earth materials incidental to construction of landscaping, retaining walls, fences, and similar activities consistent with the land use allowed at the site of removal.

(iii) Gas drilling and production. See 51-4.213(19).

(B) Districts permitted: Specific use permit required in MH, A, O-2, commercial, central area, and industrial districts.

(C) Required off-street parking: None. No handicapped parking is required.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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 for review and recommendation.

(ii) If a specific use permit is granted, the city shall inspect and monitor the mining and reclamation operation at least once annually.

(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 that 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) connection 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 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 city determines that contaminants may be present; and

(ix) any other information the director determines is reasonably necessary for a complete review of the proposed operations.

(G) Operations plan: The applicant shall submit an operations plan that 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 contaminants, 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; and

(x) any other information the director determines is reasonably necessary for a complete review of the proposed operations.

(H) Reclamation plan: The applicant shall submit a reclamation plan that 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, including 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 Subparagraph (I) below; and

(ix) any other information the director 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 before 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 on the basis of relevant factors including 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 director 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 the applicant shall verify the final topography of the site.

(v) The director 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 performance bond should be released.

(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 shall use the bond or deposit to restore the site in accordance with the plan.

(13) Sand, gravel, or earth sales and storage.

(A) Definition: A facility for storing and selling sand, gravel, and earth.

(B) Districts permitted: I-3 districts; specific use permit required in A, HC, and I-2 districts.

(C) Required off-street parking: A minimum of five spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) No mining is permitted under this use.

(ii) In all districts, where this use is permitted, accessory outside sales, display of merchandise, or storage may occupy up to 100 percent of the lot.

(14) 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: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(15) 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) In general: Commercial, central area, and industrial districts; limited use in O-2, LO, MO, and GO districts.

(ii) A retail-related use: GO districts; specific use permit required in MO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(16) Custom print shop.

(A) Definition: A facility which performs custom printing.

(B) Districts permitted: LC, HC, central area, and industrial districts; specific use permit required in a GR district.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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.

(17) Gummed label printing.

(A) Definition: A facility for the cutting, printing, and binding of labels made from gummed paper.

(B) Districts permitted: GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(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: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(19) Gas drilling and production.

(A) Definitions:

(i) Gas drilling and production means the activities related to the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas.

(ii) See Article XII for definitions that apply to gas drilling and production.

(B) Districts permitted: Specific use permit required in all residential and nonresidential districts.

(C) Required off-street parking: None. No handicapped parking is required.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) See Article XII for additional regulations relating to gas drilling and production. No provision found in Article XII may be waived through the adoption of or amendment to a planned development district.

(ii) City council may require that an operator use a closed-loop system.

(iii) Trailers or mobile homes that are temporarily placed on the operation site and used by gas drilling workers as a residence is a permitted accessory use.

(iv) Gas wells must be spaced at least:

(aa) 300 feet from any community service use, religious use, educational use, recreation and entertainment use (except when the operation site is in a public park), or residential use (except trailers or mobile homes placed on the operation site as temporary residences for workers);

(bb) 200 feet from any fresh-water well;

(cc) 25 feet from any property line;

(dd) 25 feet from any storage tank or source of ignition;

(ee) 75 feet from any right-of-way; and

(ff) 100 feet from any structure that is not used for the everyday operation of the well;

(v) All structures and equipment, including tanks and tank batteries, must be spaced at least 100 feet from any community service use, religious use, educational use, recreation and entertainment use (except when the operation site is in a public park), or residential use (except trailers or mobile homes placed on the operation site as temporary residences for workers).

(vi) Tanks and tank batteries must be spaced at least 100 feet from any combustible structure and spaced at least 25 feet from all right-of-ways and property lines. The Dallas Fire Code may require additional spacing depending on the size of the tank.

(vii) Spacing is measured from the center of the well bore at the surface of the ground or from the closest point of the structure or equipment, in a straight line, without regard to intervening structures or objects, to the closest point of the use, structure, or feature creating the spacing requirement. Spacing requirements may not be waived or decreased through the adoption of a planned development district.

(viii) Once any gas drilling related activity begins on the operation site, the applicant shall limit access to the operation site by erecting an eight-foot-tall temporary chain-link fence or by providing a guard to supervise the operation site 24 hours per day. Within 30 days after the wells on the operation site are completed, an eight-foot-tall permanent fence must be erected and maintained around the perimeter of the operation site. This provision controls over the fence height regulations of the zoning district. The SUP may require a different form of screening, but may not reduce the fence height requirements of this provision.

(ix) Gates must be installed on all fences and must remain locked unless gas drilling personnel are present. Access to the operation site must comply with the Dallas Fire Code. The operation site plan must be reviewed and approved by the fire marshal before an SUP can be granted.

(x) The operation site may not have a slope greater than 10 degrees unless the director determines that all equipment is located and activities occur on a portion of the operation site that does not have a slope greater than 10 degrees, there is adequate erosion control, and the slope of the operation site will not be a threat to the public safety or welfare.

(20) Computer service center.

(A) Definition: A facility for the service and repair of computers.

(B) Districts permitted: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(21) 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: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(22) 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: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area, plus one space for each 2,000 square feet of outside sales and display area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) In all districts where this use is permitted, accessory outside sales, display of merchandise, or storage may occupy up to 100 percent of the lot.

(23) 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) In general: O-2, commercial, central area, and industrial districts; limited use in LO, MO, and GO districts.

(ii) As a retail-related use: GO districts; specific use permit in MO districts.

(C) Required off-street parking: One space for each 333 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Retail sales, factories, and showrooms are not permitted under this use.

(24) Design or decorative center.

(A) Definition: A facility for the display of furniture and relative decorator items.

(B) Districts permitted: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 700 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(25) Attached non-premise sign.

(A) Definition: A “non-premise sign” as defined in Article VII that is also an “attached sign” as defined in that article.

(B) Districts permitted:

(i) By express authorization in special provision sign districts.

(ii) By express authorization and SUP only in planned development districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) This use must be located in or within one mile of the central business district, and be spaced at least 1,000 feet from all other attached non-premise signs.

(ii) The effective area of this use may not exceed 25 percent of the area of the facade to which it is attached, or 672 square feet, whichever is less. No more than 10 percent of the effective area of this use may contain words, and this use may not contain more than eight words.

(iii) An SUP granted for this use must have a time limit of no more than three years, and is not eligible for automatic renewal.

(iv) These use regulations cannot be modified in an ordinance establishing or amending regulations governing a planned development district.

(v) Subparagraphs (i), (ii), and (iii) do not apply when this use is expressly authorized in a special provision sign district.

(vi) No certificate of occupancy is required for this use.

(26) Detached non-premise sign.

(A) Definition: A “non-premise sign” as defined in Article VII that is also a “detached sign” as defined in that article.

(B) Districts permitted: See Section 51A-7.306 in Chapter 51A.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) Legal and non-conforming detached non-premise signs may be relocated under certain circumstances. See Section 51A-7.307 in Chapter 51A.

(ii) No certificate of occupancy is required for this use.

(27) Labor hall.

(A) Definitions: In this paragraph:

(i) LABOR HALL means any profit or non-profit public or private entity, whether a corporation, partnership, natural person, or any other legal entity, whose business involves securing temporary unskilled or agricultural employment for a client through the use of a hiring hall or facility where unskilled workers gather to await employment.

(ii) UNSKILLED WORKER means an individual who performs labor involving physical toil that does not require persons engaged in a particular occupation, craft, or trade, or practical or familiar knowledge of the principles or processes of an art, science, craft, or trade.

(B) Districts permitted: By right in the industrial districts when located at least:

- (i) 1000 feet from all conforming residential uses; and
- (ii) 500 feet from all “public or private school” uses.

Otherwise, by SUP in industrial districts. By SUP only in the LC and HC districts.

(C) Required off-street parking: One space per 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use must have a lobby or waiting room with a floor area of not less than the greater of 500 square feet or 50 percent of the total floor area of the premises.

(ii) Food may be prepared and served as an accessory use.

(iii) No SUP for a labor hall may be granted for more than a two-year time period. An SUP for a labor hall is not eligible for automatic renewal.

(iv) In determining whether to grant a specific use permit for a labor hall, the city council shall consider its proximity to the main uses listed

in Subparagraph (B) of this paragraph, and require that the labor hall meet, as nearly as practicable, the distance requirements set out in that subparagraph.

(v) Measurements of distance under this paragraph are taken radially. “Radial” measurement means a measurement taken along the shortest distance between the nearest point of the building site of the labor hall and the nearest point of the building site of another use.

(vi) This use must comply with all applicable licensing provisions. (Ord. Nos. 16807; 16808; 17258; 17446; 18849; 19581; 19652; 21697; 24232; 26920; 27153; 27404)

SEC. 51-4.214. STORAGE AND WASTE DISPOSAL USES.

Storage and waste disposal uses are subject to the following regulations:

(1) Warehouse.

(A) Definition: A facility for the inside storage of commodities.

(B) Districts permitted: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 1,000 square feet of floor area up to 20,000 square feet, and one space per 4,000 square feet of floor area above 20,000 square feet.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) 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: HC, CA-2, I-2, and I-3 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) Screening is required around this use.

(3) Building mover's, temporary storage yard.

(A) Definition: A site where a building or storage which has been removed from its original construction site is temporarily stored.

(B) Districts permitted: Specific use permit required in an I-3 district.

(C) Required off-street parking: None.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) This use must be surrounded by a solid visual screen of at least nine 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) 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) Open storage with visual screening: HC, central area, and industrial districts; specific use permit required in a LC district.

(ii) Open storage without visual screening: I-2 and I-3 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(5) 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: I-3; specific use permit required in an I-2 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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 a residential district, as defined both in this chapter and in Chapter 51A.

(6) Metal processing facility.

(A) Definition: A facility that collects, separates, and processes scrap metal in bulk form for reuse and manufacturing.

(B) Districts permitted: I-3; specific use permit required in an I-2 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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 a residential district, as defined both in this chapter and in Chapter 51A.

(7) 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: I-2 and I-3 districts; specific use permit required in an HC district.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) 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: Specific use permit required in industrial districts.

(C) Required off-street parking: One space for each 1,000 square feet of site area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(9) Sanitary landfill.

(A) Definition: A site for collection, handling, storage, and disposal of solid wastes.

(B) Districts permitted: Specific use permit required in agricultural and industrial districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Reserved.

(10) 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: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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 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.

(11) Mini-warehouse.

(A) Definition: A building or group of buildings containing one or more individual compartmentalized storage units for the inside storage of customer's goods or wares, where no unit exceeds 500 square feet in floor area.

(B) Districts permitted: LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 3,000 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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.

(12) Office/showroom warehouse.

(A) Definitions. In this paragraph:

(i) OFFICE SHOWROOM/WAREHOUSE means a facility which has the combined uses of office and showroom or warehouse for the primary purpose of wholesale trade, display, and distribution of products.

(ii) OFFICE SHOWROOM COMPONENT means the portion of this use which provides area for the regular transaction of business and for the display of uncontainerized merchandise in a finished building setting.

(B) Districts permitted: By right in HC, industrial, and central area districts.

(C) Off-street parking:

(i) Required off-street parking:

(aa) Office: One space per 333 square feet of floor area.

(bb) Showroom/warehouse: One space per 1,000 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) Retail sales of products which are sold at wholesale on the premises are permitted as a part of this use. (Ord. Nos. 16911; 17034; 17043; 18144; 18188; 18923; 19455; 27404)

SEC. 51-4.215. ANIMAL RELATED USES.

Animal related uses are subject to the following regulations:

(1) Farm or ranch.

(A) Definition: An area which is used for growing farm products or keeping farm poultry and farm livestock.

(B) Districts permitted: Residential districts except MH; nonresidential districts except NO, LO, MO, and GO districts.

(C) Required off-street parking: A minimum of two spaces.

(D) Required off-street loading: None.

(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 fly-proof 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 exhibits which are otherwise regulated by the city.

(2) Veterinarian's office.

(A) Definition: A facility for the prevention, treatment, cure, or alleviation of disease and injury in animals.

(B) Districts permitted: O-2, LO, MO, GO, SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use includes outpatient treatment only, and no boarding is permitted.

(3) 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: SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Outside runs are not permitted under this use.

(4) Animal clinic with outside runs.

(A) Definition: An animal clinic as defined in Subsection (3) above that has outside enclosures for the animals.

(B) Districts permitted: Industrial districts when located at least 1,000 feet from residential districts; otherwise by SUP only in the same districts. Specific use permit required in the HC district.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(5) 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: I-3; specific use permit required in I-1 and I-2 districts.

(C) Required off-street parking: One space for each 300 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(6) Animal pound.

- (A) Definition: A facility for the keeping of animals, especially stray or unlicensed pets.
- (B) Districts permitted: I-3; specific use permit required in HC, I-1, and I-2 districts.
- (C) Required off-street parking: One space for each 500 square feet of floor area.
- (D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

- (E) Additional provisions:
 - (i) An animal pound may have outside enclosures for the animals.

(7) Commercial stable.

- (A) Definition: A facility for the business of boarding horses or renting horses to the public.
- (B) Districts permitted: I-2 and I-3 districts.
- (C) Required off-street parking: One space for each two stalls.
- (D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

- (E) Additional provisions:
 - (i) This use does not include sales, auction, or similar trading activity.

(8) Zoo.

(A) Definition: A facility consisting of a zoological garden or a collection of animals for display to the public.

(B) Districts permitted: Specific use permit required in I-2 and I-3 districts.

(C) Required off-street parking: One space for each 600 square feet of site area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) The city council must specially approve a public zoo.

(9) Hatchery and breeding operation.

(A) Definition: A facility for hatching eggs or breeding of animals.

(B) Districts permitted: I-2 and I-3 districts.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(10) Livestock auction pens or sheds.

(A) Definition: A facility for the public sale of animals to the highest bidder.

(B) Districts permitted: I-3; specific use permit required in I-2 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(11) Slaughterhouse.

(A) Definition: A facility for butchering animals or poultry.

(B) Districts permitted: I-3 district; specific use permit required in I-2 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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(Ord. Nos. 18849; 26269; 27404)

SEC. 51-4.216.

INDUSTRIAL AND MANUFACTURING USES.

(1) Industrial uses other than listed.

(A) Definition: A facility for processing or industrial uses that has not been listed as a separate use.

(B) Districts permitted: Industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(2) Permanent concrete or asphalt batching or recycling plant.

(A) Definition: A permanent facility for mixing, batching, or recycling concrete or asphalt.

(B) Districts permitted: I-3 district; specific use permit required in an I-2 district.

(C) Required off-street parking: Five spaces.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(3) 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 of this use.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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 and unloading devices, and mixing operations, and maintaining driveways and parking areas free of dust).

(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.

(4) 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: Industrial districts; specific use permit required in an HC district.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(5) Fiberglass swimming pool fabricator.

(A) Definition: A facility for the fabrication of swimming pools from fiberglass and other similar materials.

(B) Districts permitted: HC and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) The manufacturing of fiberglass or similar material used to fabricate the swimming pools is not a part of this use.

(6) Light fabrication and assembly.

(A) Definition: A facility for the manufacturing of jewelry, trimming, decorations, and any similar items.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) 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: HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(8) Bedspread, drapes, and headboard manufacturing.

(A) Definition: A facility for the manufacturing of bedspreads, drapes, headboards, and similar bedding materials.

(B) Districts permitted: HC and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(9) Manufacturing laboratory.

(A) Definition: An operation involving compounding of products such as perfumes and pharmaceuticals, and the development and assembly of instruments and similar items.

(B) Districts permitted: HC, central area, and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(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) Artificial marble manufacturing.

(A) Definition: A facility for the manufacturing of artificial marble.

(B) Districts permitted: HC and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(11) Corrugated cardboard box fabrication.

(A) Definition: A facility for the fabrication and storage of corrugated cardboard boxes.

(B) Districts permitted: HC and industrial districts.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) The manufacturing of the materials used to construct the corrugated cardboard boxes is not permitted under this use.

(12) Tread rubber manufacturing plant.

(A) Definition: A facility for the manufacturing, processing, and storage of tread rubber.

(B) Districts permitted: I-3 district.

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(13) Metal smelting and plating.

- (A) Definition: A facility for the smelting and plating of metals.
- (B) Districts permitted: Specific use permit required in an I-3 district.
- (C) Required off-street parking: One space for each 500 square feet of floor area.
- (D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(14) Rendering plant.

- (A) Definition: A facility for the rendering of parts of animals into marketable products.
- (B) Districts permitted: Specific use permit required in I-2 and I-3 districts.
- (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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions.

(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. (Ord. Nos. 16873; 17756; 18142; 18849; 19455; 27404)

SEC. 51-4.216.1. LODGING USES.

(1) Extended stay hotel or motel.

(A) Definition: A lodging facility containing six or more guest rooms, in which:

(i) 25 percent or more of the guest rooms have a kitchen that includes a sink, a full-size stove, and a full-size refrigerator (a cooking area limited to a microwave, mini-refrigerator, or cook-top does not constitute a “kitchen” for purposes of this definition); and

(ii) 10 percent or more of the guest rooms contain a sleeping area that is separated from a sitting area by a wall or partition.

(B) Districts permitted: By SUP in MO, GO, CS, LC, HC, industrial, and central area districts.

(C) Required off-street parking: One space for each unit for units 1 to 250; ¾ space for each unit for units 251 to 500; ½ space for all units over 500; plus one space per 200 square feet of floor area other than guest rooms.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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

(E) Additional provisions:

(i) Amenities such as maids, laundry, concierge, meeting rooms, exercise rooms, pool, and business services (fax, internet, voice mail, courier, etc.) may only be provided to guests.

(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: MF-2, MF-3, MF-4, GR, LC, HC, and central area districts; specific use permit in I-1 and I-2 districts.

(C) Required off-street parking: One space for each dwelling unit or guest room.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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) Additional provisions:

(i) The operator of a lodging or boarding house may serve meals to the occupants.

(ii) This use is subject to the nonresidential use regulations in this chapter.

(3) Hotel and 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: O-2, GO, SC, GR, LC, HC, central area, and industrial districts; specific use permit required if the hotel or motel has 60 or fewer guest rooms.

(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:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
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) Additional provisions:

(i) This use is subject to the nonresidential use regulations in this chapter.

(4) Overnight general purpose shelter.

(A) Definitions: In these use regulations:

(i) BED means a piece of furniture, mat, cushion, or other device on or in which a person may lie and sleep.

(ii) OVERNIGHT GENERAL PURPOSE SHELTER means an emergency lodging facility (as opposed to a residential or medical treatment facility) that provides room and board to more than four persons who are not related by blood, marriage, or adoption to the head of the household or the owner or operator of the facility, and that negotiates sleeping arrangements on a daily basis, whether or not the facility is operated for profit or charges for the services it offers. This definition does not include:

(aa) dwelling units occupied exclusively by families (Note: Dwelling units occupied exclusively by families are considered to be single-family, duplex, or multiple-family uses, as the case may be); or

(bb) any other use specifically defined in this chapter.

(iii) THIS USE means an overnight general purpose shelter as defined in this paragraph.

(B) Districts permitted:

(i) If this use provides shelter for 20 or less overnight guests, it is permitted by SUP only in LO, MO, GO, SC, GR, LC, HC, industrial, and central area districts.

(ii) If this use provides shelter for more than 20 overnight guests, it is permitted by SUP only in GO, LC, HC, industrial, and central area districts.

(C) Required off-street parking: 0.0025 spaces per bed, plus one space per 200 square feet of office or program service floor area; a minimum of four spaces is required.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The maximum number of overnight guests permitted under this use is:

(aa) 20 in LO, MO, SC, and GR districts; and

(bb) 200 in all other cases.

(ii) The cumulative maximum number of beds permitted for all of these uses combined on building sites located wholly or partially in the central business district is 250.

(iii) The cumulative maximum number of beds permitted for all of these uses combined on building sites located wholly or partially in the area including and within one-third of a mile of the central business district is 1100.

(iv) In the event of a conflict between Subparagraphs (ii) and (iii) and the provisions of any special purpose, planned development, or conservation district ordinances, Subparagraphs (ii) and (iii) control.

(v) This use must be spaced at least 1,000 feet away from:

(aa) a church;

(bb) a public or private elementary or secondary school;

(cc) any residential use listed in Section 51-4.201;

(dd) any residential district, historic overlay district, or public park; and

- (ee) any other overnight general purpose shelter.

If this use provides shelter for more than 50 overnight guests, it must be spaced at least one-half mile from any other overnight general purpose shelter. For purposes of these use regulations, measurement is made in a straight line, without regard to intervening structures or objects, from the nearest boundary of the building site containing the overnight general purpose shelter to the nearest boundary of the building site containing the church, public or private elementary or secondary school, or residential use, or to the nearest boundary of the residential or historic overlay district or public park, whichever is applicable. The distance between overnight general purpose shelters is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the shelters are located.

- (vi) This use must be located within one-half mile of public transit.

- (vii) This use must comply with all applicable licensing requirements.

- (viii) The board of adjustment shall not establish a compliance date for this use under Section 51A-4.704(a)(1) of Chapter 51A.

- (ix) Whenever an overnight general purpose shelter operating on city-owned land in full compliance with all applicable laws is, through no fault of its own, forced to vacate its current location as a result of the direct, positive, and affirmative action of the city, and if the requirements of this subparagraph are met, the shelter shall be permitted to relocate in any nonresidential district for a period of time of one year without applying for an SUP. The SUP requirement shall be suspended only if the proposed new building site is located a minimum of 1,000 feet from any building site containing any residential use listed in Section 51-4.201 and a minimum of 1,000 feet from any building site containing another shelter. All measurements shall be taken radially between the building sites in question. In addition, the shelter must obtain a certificate of occupancy and any other required licenses and approvals before it may begin operating. A shelter that relocates in accordance with this subparagraph shall not acquire any nonconforming rights during the period of suspension, and any investment made in land, buildings, or structures during that period shall be at the complete risk of the shelter that an SUP may not ultimately be granted. At or before the end of the one-year period, the shelter shall either file an application for an SUP or cease operations. A shelter that files an application for an SUP in accordance with this subparagraph may remain operating while the application is pending before the city plan commission or city council; however, if the application is denied or withdrawn, the shelter shall cease operations no later than 60 days after the date the final decision is made to deny the application, or the date the application is withdrawn, whichever is applicable. (Ord. 27404)

SEC. 51-4.217.

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 51-4.216.1 may be an accessory use.

(3) Except as otherwise provided in Subsection (b) or in Sections 51-4.201 through 4.216.1, an accessory use is permitted in any district in which the main use is permitted.

(4) Except as otherwise provided in Subsection (b), 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.

(6) An alcohol related establishment that is customarily incidental to a main use, such as an alcohol related establishment within a hotel, restaurant, or general merchandise store, will be considered as part of the main use when determining the gross revenue derived by the establishment from the sale of alcoholic beverages for on-premise consumption.

(b) Specific accessory uses. The following accessory uses are subject to the general provisions in Subsection (a) and the regulations below:

(1) Game court (private).

(A) Definition: Court for engaging in tennis, handball, racquetball, or similar physical activities.

(B) Districts permitted: Residential and nonresidential districts. This accessory use is not permitted in the P district.

(C) Required off-street parking:

(i) Three spaces for each game court.

(ii) No off-street parking is required for a game court accessory to a single-family or duplex use.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) This accessory use may occupy no more than 50 percent of the area of the lot containing the main use.

(2) Swimming pool (private).

(A) Definition: A swimming pool constructed for the exclusive use of the residents of a residential use.

(B) Districts permitted: Residential and nonresidential districts. This accessory use is not permitted in the P district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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 51-4.217(a).

(iv) A private swimming pool must be surrounded by a fence.

(3) Private stable.

(A) Definition: An area for the keeping of horses for the private use of the property owner.

(B) Districts permitted: Residential districts except MH, and nonresidential districts except NO, LO, MO, GO, and P districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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:

<u>Lot Area</u>	<u>Number of Horses</u>
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, fence, or similar enclosure 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-foot 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.

(4) Home occupation.

(A) Definition: An occupation that is incidental to the primary use of the premises as a residence and is conducted on the residential premises by an occupant of the residence.

(B) Districts permitted: All residential districts and nonresidential districts except I-3 and P districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) A person who engages in a home occupation shall not:

(aa) use an advertisement, sign, or display relating to the home occupation on the premises;

(bb) use a street address of the premises on an advertisement, sign, or display off the premises;

(cc) involve more than three people on the premises at one time, other than the residents of the premises;

(dd) employ more than one person other than the occupants of the residence;

(ee) conduct any activities relating to the home occupation, including activities on any porch, deck, patio, garage, or unenclosed or partially enclosed portion of any structure, unless conducted entirely inside the main structure;

(ff) use equipment other than ordinary household equipment;

(gg) generate loud and raucous noise, that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort;

(hh) sell or offer or advertise products of the home occupation at or on the premises;

(ii) generate vehicular traffic that unreasonably reduces the availability of on-street parking spaces on surrounding streets; or

(jj) generate parking congestion that unreasonably reduces the availability of on-street parking spaces on surrounding streets.

(ii) A home occupation may not occupy more than 25 percent or 400 square feet of the total floor area of the main structure, whichever is less.

(5) Occasional sales (garage sales).

(A) Definition: The sale of tangible personal property at retail by a person who is not in the business or does not hold himself or herself out to be in the business of selling tangible personal property at retail.

(B) Districts permitted: Residential districts, and nonresidential districts except I-3 and P districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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, offer, or advertise for sale merchandise made, produced, or 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 premise 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.

(vii) Any advertisement of an occasional sale or of an item being offered for sale at an occasional sale must contain the street address at which the sale will occur and the date(s) on which the sale will occur.

(6) 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 or development, and that is used by the residents of the project or development for a place of meeting, recreation, or social activity.

(B) Districts permitted: Multiple-family, MH, O-1, O-2, GO, commercial, and central area districts; limited use in LO and MO districts; specific use permit required in all single-family, duplex, TH, I-1, and I-2 districts. This use is not permitted in the P district.

(C) Required off-street parking: One space for each 100 square feet of floor area.

(D) Required off-street loading: None.

(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 or development site.

(iii) A liquor permit may not be issued for a private community center.

(iv) This accessory use need not be located on the same lot as the main use.

(7) 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) Districts permitted: All residential and nonresidential districts. This use is not permitted in the P district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) In all residential districts except MF-3 and MF-4, a person may erect one amateur communication tower that exceeds the maximum height specified in Section 51-4.408, 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 18 inches of height above the maximum height specified in Section 51-4.408;

(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 51-4.408 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; 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 an NS, O-1, and all residential districts except MF-3 and MF-4, 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.

(iv) This accessory use may occupy no more than 25 percent of the area of the lot containing the main use.

(v) This accessory use is prohibited in all residential districts in the area between the street and the façade of any main or accessory structure. (This area includes, but may be greater than, the front yard.)

(vi) The owner or operator of an amateur communication tower shall remove the tower within six months of the date that the tower ceases to operate as an amateur radio, citizen band, or radio spectrum authorized by the Federal Communications Commission. Upon failure of the owner or operator to remove the tower within the prescribed period, the building official shall notify the city attorney to pursue enforcement remedies against that owner or operator for failure to remove the tower.

(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) Districts permitted: Specific use permit required in single-family, duplex, and TH districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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 and transportation. 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 and transportation.

(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) Open storage.

(A) Definition: The outside placement of an item for a continuous period in excess of 24 hours. Outside placement includes storage in a structure that is open or not entirely enclosed.

(B) Districts permitted: This accessory use is permitted in any district if it satisfies the requirements of Subsection (a) of this section and if it is not prohibited by the additional provisions of the main use and this section. This accessory use is not permitted in the P district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(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 Section 681.006 of the Texas Transportation Code.

(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. Except as otherwise provided in this article, open storage is considered to be a separate main use if it occupies more than five percent of the lot.

(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.

(10) Day home.

(A) Definition: A facility that provides care or supervision for “day home attendees,” whether or not the facility is operated for profit or charges for the services it offers. For the purposes of this paragraph, “day home attendees” means persons under 14 years of age, including those related to the owner of the residence or the head of the household by blood, marriage, or adoption. A day home is incidental to the primary use of the premises as a residence and conducted on the premises by a resident of the premises who is on the premises during hours of operation.

(B) District restrictions: This accessory use is not permitted in the P district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) No more than 10 day home attendees are permitted at any time in the operation of this use.

(ii) A person who conducts a day home use shall not:

(aa) use an advertisement, sign, or display on or off the premises;

(bb) advertise in the yellow pages of the telephone directory;

(cc) employ more than two persons on the premises, other than the residents of the premises;

(dd) conduct outdoor activities between the hours of 10 p.m. and 7 a.m.;

(ee) conduct outdoor activities unless the activities are screened from the neighboring property by a fence at least four feet in height; or

(ff) generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(iii) This use does not include individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption.

(iv) This use must comply with all applicable requirements imposed by city ordinances, rules, and regulations, and by state law.

(11) Pedestrian skybridges.

(A) Definition: Use of a structure constructed above grade primarily to allow pedestrians to cross a city right-of-way. A pedestrian skybridge use does not include use of a structure constructed primarily for automobiles.

(B) Purpose: The purpose of this section is to promote the health, safety, and general welfare of persons and property within the city by providing for the structural integrity of pedestrian skybridges over public right-of-ways; preventing visual obstruction of public right-of-ways and urban landscapes; facilitating the flow of traffic; encouraging use of public skybridges by pedestrians through well designed additions to the existing pedestrian system; minimizing the negative impact of pedestrian skybridges on adjoining properties, communication and utility company facilities, and

public street lighting and safety facilities; and establishing standards for construction and maintenance of pedestrian skybridges.

(C) Districts permitted: A pedestrian skybridge is permitted in any district by SUP. An SUP is required for pedestrian skybridges in planned development (PD) districts. A license or abandonment from the city of Dallas is also required to cross a city right-of-way. Provisions concerning licenses for use of the public right-of-way are contained in Chapter 43, "Streets and Sidewalks," of the Dallas City Code. Provisions concerning abandonment of the public right-of-way are contained in Chapter 2, "Administration," of the Dallas City Code.

(D) Application: An application for an SUP for a pedestrian skybridge must contain a statement outlining the need for the pedestrian skybridge and how the pedestrian skybridge will enhance the welfare of the area of request and adjacent properties.

(E) Specific use permit procedure: The provisions concerning specific use permits contained in Section 51-4.219 apply except as modified by this subsection.

(i) Notification. The director shall send written notice of a public hearing on an application for an SUP for a pedestrian skybridge to all owners of real property lying within 750 feet of the properties on which the skybridge will be located.

(ii) Protest. For purposes of the protest provisions, the area of request is the properties on which the skybridge will be located.

(iii) Residential adjacency. An SUP for a pedestrian skybridge must be approved by the affirmative vote of three-fourths of all members of the city council if the pedestrian skybridge is within 750 feet of a residential zoning district or planned development district that allows residential uses or is sited within a planned development district that is adjacent to residential districts.

(iv) Term. The term of an SUP for a pedestrian skybridge must coincide with the term of any related license.

(F) Mandatory pedestrian skybridge standards: Additional provisions concerning construction of pedestrian walkways are contained in Chapter 53, "Dallas Building Code," of the Dallas City Code. Pedestrian skybridges must be constructed and maintained in accordance with the following regulations:

(i) Pedestrian skybridges must be properly maintained at all times. If a pedestrian skybridge connects two buildings which are separately owned, an operating agreement assigning maintenance and liability responsibilities is required.

(ii) No more than one pedestrian skybridge may be located within any block or 700 feet of frontage, whichever is less.

(iii) Pedestrian skybridges must have clearance above the public right-of-way of at least 18 feet above grade.

(iv) If the pedestrian skybridge has a length of less than 150 feet, the interior passageway must be no less than 10 feet and no greater than 20 feet in width. If the pedestrian skybridge has a length equal to or greater than 150 feet, the interior passageway must be no less than 12 feet and no greater than 20 feet in width.

(v) The interior height of the passageway must be at least seven and one-half feet. The interior height at the springline of vaulted ceilings must be at least seven and one-half feet.

(vi) Supports must not be located within the public right-of-way.

(vii) A sign must be posted within the adjoining structures indicating whether the skybridge is open to the public, the location of the pedestrian skybridge, and where the pedestrian skybridge leads.

(viii) Pedestrian skybridges must meet state and federal standards for accessibility to and usability by individuals with disabilities.

(ix) Pedestrian skybridges connected to structures with air conditioning must be enclosed and air conditioned.

(x) Any change in slope of the pedestrian skybridge greater than one percent must be over private property or concealed within the pedestrian skybridge.

(xi) Pedestrian skybridges must not diverge from a perpendicular angle to the right-of-way by more than 30 degrees.

(xii) At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than six percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.

(xiii) Minimum artificial lighting of 15 foot candles must be provided. Lighting must not produce glare of an intensity that creates a nuisance for motor vehicles or pedestrians.

(xiv) No exterior signs, other than government signs, may be applied to or suspended from any pedestrian skybridge.

(xv) Pedestrian skybridges must not be located within 300 feet of an historic overlay district.

(xvi) Pedestrian skybridges must be designed to prevent people from jumping or throwing objects from the pedestrian skybridge.

(xvii) Structural materials must be durable and easily maintained. Construction must comply with the City of Dallas Building and Fire Codes.

(xviii) Pedestrian skybridges must not interfere with or impair use of the right-of-way by existing or proposed communication and utility facilities.

(ix) The applicant must post bond for the estimated cost to the city to remove the pedestrian skybridge if it becomes a public nuisance.

(G) Recommended pedestrian skybridge standards: Pedestrian skybridges are recommended to be constructed and maintained in accordance with the following guidelines:

(i) Pedestrian skybridges which are open to the public should penetrate the second story of the adjoining structures, or, if not possible, as close as possible to the street level.

(ii) Pedestrian skybridges should penetrate the adjoining structures as close as possible to escalators or elevators having access to the entire structure and the street.

(iii) Free-standing pedestrian skybridges and pedestrian skybridges connected to structures without air conditioning should have a roof, wind breaks, and adequate ventilation that maximize the comfort and safety of pedestrians. A pedestrian skybridge should be open only when the adjoining structures are open.

(iv) If the length of the pedestrian skybridge exceeds 250 feet, the passageway should be interrupted by interior visual breaks, such as turns, courts, or plazas.

(v) Primary lighting sources should be recessed and indirect. Accent lighting is encouraged. Natural lighting should be used in addition to artificial lighting.

(vi) The pedestrian skybridge should be designed so as to coordinate with the adjoining structures to the extent possible. Where coordination is not possible, the pedestrian skybridge should be of a neutral color, such as brown or grey.

(H) Special exception: The board of adjustment may grant a special exception to the pedestrian skybridge standards contained in this paragraph if the board finds that:

(i) strict compliance with the requirements will unreasonably burden the use of either of the properties;

(ii) the special exception will not adversely affect neighboring property; and

(iii) the special exception will not be contrary to the public interest.

(I) Compliance regulations: Pedestrian skybridge uses are not subject to the compliance regulations contained in Section 51-4.704.

(12) Accessory helistop.

(A) Definition: A landing pad for occasional use by rotary wing aircraft.

(B) Districts permitted:

(i) Office-2, GO, and industrial districts.

(ii) SUP required in A, multiple-family, MO, SC, GR, LC, HC, and central area districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) Regularly scheduled stops are not permitted under this accessory use.

(ii) Fueling or servicing facilities are not permitted under this accessory use.

(iii) This accessory use must be approved by the city aviation department.

(iv) This accessory use is subject to the Federal Aviation Administration's rules, regulations, and approval.

(13) Accessory medical/infectious waste incinerator.

(A) Definition: A facility used to incinerate plastics, special waste, and waste containing pathogens or biologically active material which, because of its type, concentration, and quantity, is capable of transmitting disease to persons exposed to the waste.

(B) Districts permitted:

(i) Agricultural, multiple-family, O-1, O-2, MO, GO, commercial, central area, and industrial districts.

(ii) An SUP is required for this facility if it is used to incinerate more than 225 pounds of waste per hour.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) This accessory use is permitted only in conjunction with a hospital use.

(ii) The facility must be located at least 200 feet from all lots containing residential uses.

(iii) If the facility is used to incinerate more than 225 pounds of waste per hour, it must be located at least 200 feet from all lots containing public or private school uses.

(14) Accessory outside display of merchandise.

(A) Definition: The outside placement of merchandise for sale for a continuous period less than 24 hours.

(B) Districts permitted: Nonresidential districts except NO, LO, MO, and P districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(15) Accessory outside sales.

- (A) Definition: A site for the outside sale of merchandise.
- (B) Districts permitted: Nonresidential districts except NO, LO, MO, and P districts.
- (C) Required off-street parking: None for the first 1,000 square feet of sales area; one space for each additional 500 square feet of sales area.
- (D) Required off-street loading: None.

(16) Accessory pathological waste incinerator.

(A) Definition: A facility used to incinerate organic human or animal waste, including:

(i) Human materials removed during surgery, labor and delivery, autopsy, or biopsy, including body parts, tissues or fetuses, organs, and bulk blood and body fluids.

(ii) Products of spontaneous human abortions, regardless of the period of gestation, including body parts, tissue, fetuses, organs, and bulk blood and body fluids.

(iii) Anatomical remains.

(iv) Bodies for cremation.

(B) Districts permitted: Residential districts only in conjunction with a public park containing a zoo and an aquarium, and the following nonresidential districts: GR, LC, HC, central area, and industrial.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) This accessory use is permitted only in conjunction with a mortuary or funeral home; or a public park containing a zoo and aquarium owned or operated by a public agency, available to the general public year-round, and having a collection of at least 5,000 specimens.

(ii) This accessory use must be located at least 200 feet from all lots containing residential uses.

(iii) When this accessory use is operated in conjunction with a public park containing a zoo and aquarium, no more than one incinerator is permitted, and the incinerator may not burn more than 200 pounds per hour.

(17) General waste incinerator.

(A) Definition: A facility used to incinerate solid waste consisting of combustible rubbish, refuse, and garbage.

(B) Districts permitted: Residential and nonresidential districts. This accessory use is not permitted in the P district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) This accessory use must be located at least 200 feet from all lots containing residential uses. (Ord. Nos. 17046; 17093; 17812; 18188; 18849; 19100; 20845; 21454; 21735; 22004; 22204; 23012; 24843; 24915; 27404)

SEC. 51-4.218. LIMITED USES.

This section incorporates by reference the language of Section 51A-4.218, “Limited Uses,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. 27404)

SEC. 51-4.218.1 RETAIL-RELATED USES.

(a) A retail-related use is indicated by an “R” on the use chart.

(b) A retail-related use:

(1) may not exceed 2,000 square feet in floor area;

(2) is only permitted on a street level of a building;

(3) may not have a floor area that in combination with the floor areas of other retail-related uses on the street level exceeds 50 percent of the aggregate floor area of all uses on the street level; and

(4) may not have a floor area that in combination with the floor areas of other retail-related uses in the building exceeds 10 percent of the floor area of the building.

(c) Some uses permitted as retail-related uses are also permitted as limited uses. This section does not affect the ability of a property owner to operate a permitted limited use on a street level of a building. A use that is operated as a limited use is not

considered to be a retail-related use for purposes of Subsections (b)(3) and (b)(4). (Ord. 18849)

SEC. 51-4.219. SPECIFIC USE PERMIT.

This section incorporates by reference the language of Section 51A-4.219, “Specific Use Permit (SUP),” of CHAPTER 51A, “PART II OF THE DALLAS DEVELOPMENT CODE,” as that section exists today and as it may be amended in the future. (Ord. Nos. 17813; 18920; 19455; 20132; 22053)

SEC. 51-4.220. CLASSIFICATION OF NEW USES.

This section incorporates by reference the language of Section 51A-4.220, “Classification of New Uses,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. 27404)

SEC. 51-4.221. SEXUALLY ORIENTED BUSINESSES.

This section incorporates by reference the language of Section 51A-4.221, “Sexually Oriented Businesses,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 24438; 24696; 26513; 27404)

Division 51-4.300.

Off-street Parking and Loading Regulations.

SEC. 51-4.301. OFF-STREET PARKING REGULATIONS.

This section incorporates by reference the language of Section 51A-4.301, “Off-street Parking Regulations,” of Division 51A-4.300, “Off-street Parking and Loading Regulations,” of Article IV, “Zoning Regulations,” of CHAPTER 51A, “PART II OF THE DALLAS DEVELOPMENT CODE,” of the Dallas City Code, as that section exists today and as it may be amended in the future. (Ord. Nos. 16803; 16805; 16915; 17045; 17839; 17859; 17860; 18849; 18968; 19062; 19063; 19305; 19455; 19460; 20383; 23013; 24020)

SEC. 51-4.302. PARKING DISTRICT REGULATIONS.

This section incorporates by reference the language of Section 51A-4.302, “Parking District Regulations,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 19455; 27404)

SEC. 51-4.303. OFF-STREET LOADING REGULATIONS.

(a) Required off-street loading standards. This subsection incorporates by reference the language of 51A-4.303(a), “Required Off-street Loading Standards,” of Section 51A-4.303, “Off-street Loading Regulations,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future.

(b) Location and design standards. This subsection incorporates by reference the language of 51A-4.303(b), “Location and Design Standards,” of Section 51A-4.303, “Off-street Loading Regulations,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future.

(c) Special regulations for the CA-1 district. This subsection incorporates by reference the language of Subparagraph (C), “Special Off-street Loading Provisions,” of Paragraph (5), “Off-street Parking and Loading,” of Subsection (a), “CA-1(A) District,” of Section 51A-4.124, “Central Area Districts,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future.

(d) Screening provisions for off-street loading. In an NO, LO, MO, or GO 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 Section 51-4.602(b)(3). (Ord. Nos. 19312; 19455; 27404)

SEC. 51-4.304. OFF-STREET STACKING SPACE REGULATIONS.

This section incorporates by reference the language of Section 51A-4.304, “Off-street Stacking Space Regulations,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. 27404)

SEC. 51-4.305. RESERVED.

SEC. 51-4.306. OFF-STREET PARKING IN THE CENTRAL BUSINESS DISTRICT.

This section incorporates by reference the language of Section 51A-4.306, “Off-street Parking in the Central Business District,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 20272; 27404)

SEC. 51-4.307. NONCONFORMITY AS TO PARKING OR UNLOADING REGULATIONS.

Consult Section 51-4.704 for regulations concerning nonconformity as to parking and loading. (Ord. 21553)

SEC. 51-4.308 THRU 51-4.309. RESERVED.

Division 51-4.310.

Off-street Parking Reductions.

This division incorporates by reference the language of Division 51A-4.310, “Off-Street Parking Reductions,” of CHAPTER 51A, “PART II OF THE DALLAS DEVELOPMENT CODE,” as that division exists today and as it may be amended in the future. (Ord. 22053)

Division 51-4.320.

Special Parking Regulations.

This division incorporates by reference the language of Division 51A-4.320, “Special Parking Regulations,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 19460; 27404)

Division 51-4.400.

Yard, Lot, and Space Regulations.

SEC. 51-4.401. 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, 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. 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 Section 51-4.410, the building line established by ordinance determines the minimum required front yard.

(4) Reserved.

(5) If a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets. If access is prohibited on one frontage by plat or by the city, the following structures or portions of structures in the yard along that frontage are governed by the rear yard regulations in Section 51-4.403:

- (A) Swimming pools.
- (B) Game courts.
- (C) Fences.
- (D) Garages.
- (E) Accessory storage buildings.

(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) 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 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.

(8) The minimum front yard requirements in a planned development district are controlled by the planned development district regulations.

(9) In a multiple-family, MH, A, office, commercial, central area, or industrial district, the board of adjustment may allow a special exception from the front yard requirements of Section 51-4.410 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 51-4.402. 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 the side yard regulations in Section 51-4.402. Notwithstanding this provision, the continuity of the established setback along street frontage must be maintained.

(2) In a residential district, if a structure specified in Section 51-4.408(a)(1) is erected or altered to exceed the maximum height allowed in Section 51-4.410, 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. In case of conflict between Subsection (a)(7) and this provision, Subsection (a)(7) applies.

(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.

(4) In a manufactured home district, a manufactured 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 manufactured home is located.

(5) Reserved.

(6) Reserved.

(7) In MF-3 and MF-4 districts, if a building is erected or altered to exceed 36 feet in height, 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. In case of conflict between Subsection (a)(7) and this provision, Subsection (a)(7) applies.

(c) Front yard provisions for nonresidential districts.

(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), 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.

(2) Reserved.

(3) In the CA-1-CP and CA-1-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.

(4) In a CA-1 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.

(A) Average sidewalk width equals the total sidewalk surface area divided by the lineal feet of frontage.

(i) Each frontage on each block must contain the required average sidewalk width.

(ii) The computation of average sidewalk width excludes the area occupied by structural walls or columns.

(iii) In computing average sidewalk width, the surface area at the corner is counted only once.

(B) In a CA-1-CP district, sidewalks must be constructed and maintained in accordance with the following regulations.

(i) An average sidewalk width of 18 feet is required.

(ii) 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.

(C) In a CA-1-SP district, sidewalks must be constructed and maintained in accordance with the following regulations.

(i) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1-CP district in Subsection (c)(4)(B).

(ii) 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.

(D) In a CA-1 district without a CP or SP overlay district designation, sidewalks must be constructed and maintained in accordance with the following regulations:

(i) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1-CP district in Subsection (c)(4)(B).

(ii) 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.

(iii) All other buildings must provide a minimum sidewalk width of 10 feet with seven feet unobstructed by any structure or planting.

(d) Special exception for tree preservation.

(1) The board may grant a special exception to the minimum front yard requirements in this section to preserve an existing tree.

(2) In determining whether to grant this special exception, the board shall consider the following factors:

(A) Whether the requested special exception is compatible with the character of the neighborhood.

(B) Whether the value of surrounding properties will be adversely affected.

(C) Whether the tree is worthy of preservation.

(e) Schedule of minimum front yards.

(1) Except as provided in this section, a person shall not erect, alter, convert, or maintain a structure or part of a structure in violation of the minimum front yard requirements of Section 51-4.410. (Ord. Nos. 16959; 17044; 17442; 17445; 17859; 19060; 19455; 20236; 20360; 22053; 26531)

SEC. 51-4.402.

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 existing 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) 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 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.

(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 Section 51-4.410, if the other side yard is increased to at least double the side yard required in Section 51-4.410, 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 Section 51-4.410.

(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) In a residential district, if a structure specified in Section 51-4.408(a)(1) is erected or altered to exceed the maximum height allowed in Section 51-4.410, 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. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(3) In a residential district, a person need not provide a side yard setback for a structure accessory to a residential use if the structure:

(A) does not exceed 15 feet in height; and

(B) is located in the rear 30 percent of the lot.

Note: This paragraph does not apply to a front yard governed by the side yard regulations in Section 51-4.402 (such as a front yard treated as a side yard on a corner lot).

(4) In a TH, multiple-family, O-1, O-2, commercial, or central area district, a minimum of 15 feet between each group of eight single-family structures must be provided by plat.

(5) If a TH 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 TH district.

(6) In a manufactured home district, no person may locate a manufactured home nearer than 10 feet to the side line of any lot or stand, and the minimum space between adjacent manufactured homes must be 20 feet.

(7) In an MF-3 or MF-4 district, if a building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum setback of 50 feet. In providing the additional setback, one side yard may be reduced up to 20 percent from the dimension required, if the other side yard setback is increased by a distance equal to the reduction. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(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 side yard, perpendicularly across an adjoining street or alley from an MF-1, MF-1(A), 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.

(3) In an SC district, if a building site is adjacent to an R, R(A), D, D(A), TH, TH(A), or CH 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 a 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; 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 district; or
- (B) that portion of a planned development district restricted to multiple-family and/or manufactured 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 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) district; or

(B) that portion of a planned development district restricted to multiple-family and/or manufactured 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 district, or that portion of a planned development district restricted to single-family and/or duplex uses.

(d) Special exception for tree preservation.

(1) The board may grant a special exception to the minimum side yard requirements in this section to preserve an existing tree.

(2) In determining whether to grant this special exception, the board shall consider the following factors:

(A) Whether the requested special exception is compatible with the character of the neighborhood.

(B) Whether the value of surrounding properties will be adversely affected.

(C) Whether the tree is worthy of preservation.

(e) Schedule of minimum side yards.

(1) Except as provided in this section, a person shall not erect, alter, convert, or maintain a structure or part of a structure in violation of the minimum side yard requirements of Section 51-4.410. (Ord. Nos. 17442; 17859; 18597; 18849; 19060; 19455; 20236; 20360; 22053)

SEC. 51-4.403. 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) 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 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.

(4) The minimum rear yard requirements in a planned development district are controlled by the planned development district regulations.

(b) Rear yard provisions for residential districts.

(1) In a residential district, if a structure specified in Section 51-4.408(a)(1) is erected or altered to exceed the maximum height allowed in Section 51-4.410, 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. In case of a conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(2) In a residential district, a person need not provide a rear yard setback for a structure accessory to a residential use if:

- (A) the structure does not exceed 15 feet in height; and
- (B) the rear yard is not adjacent to an alley.

(3) In an MF-3 or MF-4 district, if a building is erected or altered to exceed 36 feet in height, 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. In providing the additional setback, the rear yard may be reduced up to 20 percent from the dimension required if the front yard is increased a distance equal to the reduction. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of a conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(4) 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), 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).

(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), 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.

(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 a 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 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) district; or

(B) that portion of a planned development district restricted to multiple-family and/or manufactured 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 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) district; or

(B) that portion of a planned development district restricted to multiple-family and/or manufactured 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.

(d) Special exception for tree preservation.

(1) The board may grant a special exception to the minimum rear yard requirements in this section to preserve an existing tree.

(2) In determining whether to grant this special exception, the board shall consider the following factors:

(A) Whether the requested special exception is compatible with the character of the neighborhood.

(B) Whether the value of surrounding properties will be adversely affected.

(C) Whether the tree is worthy of preservation.

(e) Schedule of minimum rear yards.

(1) Except as provided in this section, a person shall not erect, alter, convert, or maintain a structure or part of a structure in violation of the minimum rear yard requirements of Section 51-4.410. (Ord. Nos. 17859; 18143; 18597; 18849; 19060; 19455; 20236; 20360; 22053)

SEC. 51-4.404. 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) Lot area provisions for manufactured home districts.

(1) In a MH district, a manufactured home must have the following minimum lot area:

(A) 1,500 square feet for a manufactured home on a transient stand; or

(B) 4,000 square feet for a manufactured home on a subdivided lot.

(c) Schedule of minimum yard area for residential use.

(1) Except as 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 minimum regulations of Section 51-4.410. (Ord. Nos. 18597; 20360)

SEC. 51-4.405.

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.

(3) The minimum lot width for a residential use is 10 feet, unless a larger minimum lot width is specified in Section 51-4.410.

(b) Lot width provisions for MH districts. In an MH district, a manufactured home must have the following minimum lot width:

(1) 30 feet for a manufactured home on a transient stand; or

(2) 40 feet for a manufactured home on a subdivided lot.

(c) Schedule of minimum lot width for residential use. Except as 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 larger of the lot width required in this section or the lot width required by the minimum regulations of Section 51-4.410. (Ord. Nos. 20360; 24731)

SEC. 51-4.406.

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.

(3) The minimum lot depth for a residential use is 10 feet, unless a larger minimum lot depth is specified in Section 51-4.401.

(b) Lot depth provisions for MH districts. In an MH district, a manufactured home must have the following minimum lot depth:

(1) 50 feet for a manufactured home on a transient stand; or

(2) 80 feet for a manufactured home on a subdivided lot.

(c) Schedule of minimum lot depth for residential use. Except as 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 larger of this section or the minimum regulations of Section 51-4.410. (Ord. Nos. 20360; 24731)

SEC. 51-4.407. MAXIMUM LOT COVERAGE.

(a) General provisions.

(1) In a residential, office, NS, SC, GR, or LC district, 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) 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;

(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.

(b) Maximum lot coverage for residential districts.

(1) In a TH district, 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.

(c) Schedule of maximum lot coverage.

(1) Except as 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 Section 51-4.410. (Ord. Nos. 17812; 18849; 19455; 27404)

SEC. 51-4.408. 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, and the building code, if setbacks are provided as required by Sections 51-4.401, 51-4.402, and 51-4.403. However, local utility transmission and distribution lines and supporting structures, and, as specified in this paragraph, mounted cellular antennae are exempt from the setbacks required by Sections 51-4.401, 51-4.402, and 51-4.403. A mounted cellular antenna, as defined in Section 51-4.202(12), attached to a utility structure is exempt from the setbacks required by Sections 51-4.401, 51-4.402, and 51-4.403 if the utility structure is greater than 65 feet in height. For purposes of this subparagraph, a utility structure means an electrical transmission distribution tower, an elevated water storage tank, and any other structure operated by a municipality, a transit authority, or a certificated, franchised, or licensed utility company in connection with provision of the utility.

(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 height specified in Section 51-4.410:

- (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; and
 - (xi) parapet wall, limited to a height of four feet; and
- (B) structures at grade level:
- (i) amateur communications tower.

(3) The maximum building height requirements in a planned development district are controlled by the planned development district regulations. The maximum permitted height in a matrix district is established by the city council at the time the district is created.

(4) In single-family, duplex, townhouse, MF-1, and MF-2 districts:

(A) no dormer eaves may project above the height specified in Section 51-4.410; 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 height specified in Section 51-4.410. (See illustrations in Figure 1.)

FIGURE 1

ILLUSTRATION OF
SECTION 51-4.408(a)(4)

(Insert diagram here)

de = dormer eaves.

e = the lowest eaves of the structure.

g = grade (the average of the finished ground surface elevations measured at the highest and lowest exterior corners of the structure)

g^1 = the lowest finished ground surface elevation at an exterior corner of the structure.

g^2 = the highest finished ground surface elevation at an exterior corner of the structure.

h^1 = the vertical distance measured from grade to the midpoint of the vertical dimension between the lowest eaves and the highest ridge of the structure.

h^2 = the vertical distance measured from grade to the highest point of the structure.

r = the highest ridge and the highest point of the structure.

s = a sloping ground surface.

The height specified in Section 51-4.410 plus 12 feet is the maximum permitted vertical distance measured from grade to the highest point of the structure.

Dormer eaves may not project above the height specified in Section 51-4.410. (Ord. 18481)

(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 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.

(6) In an NO, LO, MO, or GO district in which building height is limited to 35 feet or less, the structures in Subsection (a)(2) may project a maximum of four feet above the maximum permitted height established for the district by the city council.

(b) Schedule of maximum building heights.

(1) Except as 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 Section 51-4.410. (Ord. Nos. 18481; 18597; 18849; 19455; 21000; 27404)

SEC. 51-4.409. MAXIMUM FLOOR AREA RATIO.

(a) General provisions.

(1) Reserved.

(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. The

maximum floor area ratio in a matrix district is established by the city council at the time the district is created.

(4) Reserved.

(5) The maximum floor area ratio in the CA-1-CP and CA-1-SP districts may be increased to 24 to 1 by the use of the building setback bonus provisions in the front yard regulations.

(6) In an SC district, the maximum floor area ratio for office uses, as defined in Section 51-4.210(1), is .75 to 1, and the maximum floor area ratio for all uses combined is 1 to 1.

(7) In an I-2 district, a specific use permit is required to authorize a floor area ratio greater than 4:1.

(b) Schedule of maximum floor area ratio.

(1) Except as 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 Section 51-4.410. (Ord. Nos. 16959; 18597; 18849; 18920; 20361)

SEC. 51-4.410. SCHEDULE OF YARD, LOT, AND SPACE REGULATIONS.

The following charts comprise the schedule of yard, lot, and space regulations for purposes of this division. (Ord. 18920)

YARD, LOT, AND SPACE CHART

SEC. 51-4.411.

MAXIMUM DENSITIES FOR RESIDENTIAL USES.

(a) Density provisions for residential districts.

(1) In a TH-1 district, no more than six dwelling units for each acre are allowed.

(2) In a TH-2 district, no more than nine dwelling units for each acre are allowed.

(3) In a TH-3 district, no more than 12 dwelling units for each acre are allowed.

(4) In a TH-4 district, no more than 15 dwelling units for each acre are allowed.

(b) Density provisions for nonresidential districts.

(1) In an SC district, no more than 15 dwelling units for each acre are allowed.

(2) In an NS district that abuts an R, R(A), D, D(A), TH, TH(A), or CH 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. (Ord. Nos. 18597; 19455)

SEC. 51-4.412.

SHARED ACCESS DEVELOPMENT.

This section incorporates by reference the language of Section 51A-4.411 of Chapter 51A, "DALLAS DEVELOPMENT CODE: ORDINANCE NO. 19455," of the Dallas City Code, as that section exists today and as it may be amended in the future. (Ord. 24731)

Division 51-4.500.

**Overlay and Conservation District Regulations.
(Title, Ord. 19045)**

SEC. 51-4.501. HISTORIC OVERLAY DISTRICT.

This section incorporates by reference the language of Section 4.501 of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as that section exists today and as it may be amended in the future. (Ord. Nos. 17243; 17654; 17655; 17656; 17838; 18211; 19455; 19499; 23506)

SEC. 51-4.502. 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) Institutional uses in this section include community service, religious, medical, and educational (excluding business and technical schools) uses, and may be permitted in an institutional overlay district.

(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, institutional buildings over 36 feet in height are not subject to additional setback requirements except:

(A) Additional setbacks, if any, for institutional buildings greater than 36 feet in height may be established by the site plan process.

(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 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.

(2) Buildings in an institutional overlay district must comply with applicable height regulations.

(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 51-4.301(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. This subsection incorporates by reference the language of Subsection (d), “Procedures for Establishing an Institutional Overlay District,” of Section 51A-4.502, “Institutional Overlay District,” of Chapter 51A of the Dallas City Code, as amended, as that subsection exists today and as it may be amended in the future.

(e) Site plan process. This subsection incorporates by reference the language of Subsection (e), “Site Plan Process,” of Section 51A-4.502, “Institutional Overlay District,” of Chapter 51A of the Dallas City Code, as amended, as that subsection exists today and as it may be amended in the future. (Ord. Nos. 17226; 17393; 19455; 27404)

SEC. 51-4.503. D AND D-1 LIQUOR CONTROL OVERLAY DISTRICTS.

This section incorporates by reference the language of Section 51A-4.503, “D and D-1 Liquor Control Overlay Districts,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 18040; 21735; 27404)

SEC. 51-4.504. AIRPORT FLIGHT OVERLAY DISTRICT.

This section incorporates by reference the language of Section 51A-4.504, “Airport Flight Overlay District,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. 27404)

SEC. 51-4.505. CONSERVATION DISTRICTS.

This section incorporates by reference the language of Section 51A-4.505 of CHAPTER 51A of the Dallas City Code, as that section exists today and as it may be amended in the future. (Ord. Nos. 19045; 19930; 20037; 24843)

SEC. 51-4.506. MODIFIED DELTA OVERLAY DISTRICT.

This section incorporates by reference the language of Section 51A-4.506, “Modified Delta Overlay District,” of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 19453; 27404)

SEC. 51-4.507. NEIGHBORHOOD STABILIZATION OVERLAY.

This section incorporates by reference the language of Section 51A-4.507 of Chapter 51A of the Dallas City Code, as amended. (Ord. 26161)

SEC. 51-4.508. TURTLE CREEK ENVIRONMENTAL CORRIDOR.

This section incorporates by reference the language of Section 51A-4.508 of CHAPTER 51A, “DALLAS DEVELOPMENT CODE: ORDINANCE NO. 19455, AS AMENDED,” of the Dallas City Code, as amended. (Ord. Nos. 26026; 26248)

Division 51-4.600.

District Regulations of Special Applicability.

SEC. 51-4.601. CREATION OF A BUILDING SITE.

This section incorporates by reference the language of Section 51A-4.601 of CHAPTER 51A, "DALLAS DEVELOPMENT CODE; ORDINANCE NO. 19455, AS AMENDED," of the Dallas City Code. (Ord. Nos. 17328; 25809)

SEC. 51-4.602. FENCE, SCREENING, AND VISUAL OBSTRUCTION REGULATIONS.

This section incorporates by reference the language of Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations," of Division 51A-4.600, "Regulations of Special Applicability," of Article IV, "Zoning Regulations," of CHAPTER 51A, "PART II OF DALLAS DEVELOPMENT CODE," of the Dallas City Code, as that section exists today and as it may be amended in the future. (Ord. Nos. 18849; 19062; 19455; 20236; 20362; 20539; 22994; 25831)

SEC. 51-4.603. USE OF A CONVEYANCE AS A BUILDING.

This section incorporates by reference the language of Section 51A-4.603 of CHAPTER 51A, "PART II OF DALLAS DEVELOPMENT CODE," as that section exists today and as it may be amended in the future. (Ord. Nos. 17034; 20360; 22759)

SEC. 51-4.604. RESTRICTIONS ON ACCESS THROUGH A LOT.

This section incorporates by reference the language of Section 51A-4.604, "Restrictions on Access through a Lot," of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 17442; 20238; 27404)

SEC. 51-4.605. DESIGN STANDARDS.

This section incorporates by reference the language of Section 51A-4.604, "Design Standards," of Chapter 51A of the Dallas City Code, as amended, as that section exists today and as it may be amended in the future. (Ord. Nos. 25785; 27404)

Division 51-4.700.

Zoning Procedures.

This division incorporates by reference the language of Division 51A-4.700, "Zoning Procedures," of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," as that division exists today and as it may be amended in the future. (Ord. Nos. 16170; 17048; 17403; 17651; 17652; 17810; 18849; 18934; 19455; 19809; 19872; 19935; 20037; 20307; 20381; 20412; 20926; 21553; 22053; 22389)

Division 51-4.800.

Development Impact Review.

SEC. 51-4.801. 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. (Ord. 18921)

SEC. 51-4.802. 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) 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 51-4.803. (Ord. 18921)

SEC. 51-4.803. 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:

(a)(2); and (A) the lot is in a district or subdistrict listed in Subsection

(B) 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.)

(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

USE	TRIPS PER DAY
INDUSTRIAL USES	6.97 per 1,000 gsf
LODGING USES	10.50 per room
OFFICE USES	
Financial institution without drive-in	140.61 per 1,000 gsf
Financial institution with drive-in	265.21 per 1,000 gsf
Other by floor area:	
10,000 gsf or less	24.60 per 1,000 gsf
over 10,000 to 50,000 gsf	16.58 per 1,000 gsf
over 50,000 to 100,000 gsf	14.03 per 1,000 gsf
over 100,000 to 150,000 gsf	12.71 per 1,000 gsf
over 150,000 to 200,000 gsf	11.85 per 1,000 gsf
RESIDENTIAL USES	
Single Family	9.55
Other	6.59/dwelling unit
RETAIL AND PERSONAL SERVICE USES	
General merchandise over 3,500 sq.ft.	177.59 per 1,000 gsf
General merchandise under 3,500 sq. ft.	737.99 per 1,000 gsf
Restaurant without drive-in	205.36 per 1,000 gsf
Restaurant with drive-in	786.22 per 1,000 gsf
Other:	
10,000 gsf or less	167.59 per 1,000 gsf
over 10,000 to 50,000 gsf	91.65 per 1,000 gsf
over 50,000 to 100,000 gsf	70.67 per 1,000 gsf
over 100,000 to 150,000 gsf	62.59 per 1,000 gsf
over 150,000 to 200,000 gsf	54.50 per 1,000 gsf
WHOLESALE, DISTRIBUTION, AND STORAGE USES	
Mini-warehouse	2.61 per 1,000 gsf
Warehouse	4.88 per 1,000 gsf

"gsf" means gross square feet. These rates are based on the ITE Trip Generation Report, 5th edition, January, 1991. Rates for uses and floor areas not listed shall be based on the ITE Trip Generation Report. Rates for uses and floor areas not listed in the ITE Trip Generation Report shall be determined by the Director of Transportation based on a survey of similar existing uses.

(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. For purposes of this subsection, “restoration” means the act of putting back into a former or original state; 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 residential adjacency 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 (backline 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. A site plan submitted for review under this section 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);

(Q) show locations, calipers, and names (both common and scientific) of all trees near proposed construction activity; and

(R) 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) show the existing and proposed locations for all building entrances, exits, service areas, and windows;

(B) show the location and indicate the type, size, and height of perimeter fencing, screening, and buffering elements proposed or required;

(C) show all provisions to be made to direct and detain storm water and to mitigate erosion both during and following the completion of construction;

(D) show the location and indicate the type, orientation, size, and height of light standards which will illuminate any portion of a required yard;

(E) show the location of existing and proposed signs; and

(F) 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 zoning district.

(4) For purposes of this section, 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 those uses permitted in an expressly stated zoning district, the PD district or portion of the district is treated as if it were that expressly stated zoning district; otherwise it is treated as if it were:

(A) a duplex zoning district if it is restricted to single-family uses in detached structures and/or duplex uses;

(B) an MF-2 zoning district if it is restricted to residential uses and allows single-family uses in attached structures or multiple-family uses not exceeding 36 feet in height;

(C) an MF-3 zoning district if it is restricted to residential uses and allows single-family uses in attached structures or multiple-family uses exceeding 36 feet in height; or

(D) a nonresidential zoning district if it allows a nonresidential use.

(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, public works, and health and human services for their review and comments. The directors of transportation, public works, and health and human services 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) 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 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 also review the site plan for compliance with these neighborhood protection standards 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. (Ord. Nos. 18921; 19455; 19929; 20037; 21760; 22053)
