

**ARTICLE 468.**

**PD 468.**

**Oak Cliff Gateway Special Purpose District**

**SEC. 51P-468.101. LEGISLATIVE HISTORY.**

PD 468 was established by Ordinance No. 23057, passed by the Dallas City Council on March 12, 1997. Ordinance No. 23057 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23057 was amended by Ordinance No. 23868, passed by the Dallas City Council on April 28, 1999, and Ordinance No. 25866, passed by the Dallas City Council on January 26, 2005. (Ord. Nos. 19455; 23057; 23868; 25866; 26042; 29743)

**SEC. 51P-468.102. PROPERTY LOCATION AND SIZE.**

PD 468 is established on property generally bounded by Interstate 30, the Levee on the east side of the Trinity River, Interstate 35E (South R.L. Thornton Freeway), Marsalis Avenue, Eighth Street, Elsbeth Avenue, Neches Street, Bishop Avenue, Colorado Boulevard, and Beckley Avenue. The size of PD 468 is approximately 842.168 acres. (Ord. Nos. 23057; 26042; 26606; 29743)

**SEC. 51P-468.103. PURPOSE.**

This article provides standards specifically tailored to meet the needs of the Oak Cliff Gateway area of the city, which is hereby designated as an area of historical, cultural, and architectural importance and significance to the citizens of the city. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

- (1) Accommodate the existing mix of uses in the area.
- (2) Protect the internal and adjacent stable residential neighborhoods.
- (3) Preserve and enhance the historical, cultural, and architectural significance of the area while specifically encouraging the future historic designation of the following structures:
  - (A) Polar Bear Ice Cream Stand.
  - (B) Mayor William Sergeant Home.
  - (C) Grace Presbyterian Church.
  - (D) Lee Harvey Oswald Boarding House.
- (4) Strengthen the neighborhood identity.
- (5) Create a more desirable pedestrian environment.

(6) Periodically review proper zoning of the Property. (Ord. Nos. 23057; 26042; 29743)

**SEC. 51P-468.104. DEFINITIONS AND INTERPRETATIONS.**

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

(b) Unless the context clearly indicates otherwise, in this article:

(1) **ACCESSORY DWELLING UNIT** means a dwelling unit accessory to a single family or duplex use that is located in the rear 50 percent of a lot.

(2) **ALTERNATIVE ENERGY PLANT** means equipment used to generate power from alternative energy sources using solar panels, turbines, and other power-creating means that have the ability to return some or all of the newly-created power to the energy grid.

(3) **ANTIQUÉ SHOP** means 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.

(4) **AQUARIUM** means an establishment where aquatic animals and plants are kept and exhibited.

(5) **ART GALLERY** means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(6) **ART OR CRAFT PRODUCTION FACILITY** means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.

(7) **BOUTIQUE HOTEL** means a lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared onsite; and more than 50 percent of the guest rooms are internal-entry.

(8) **BULB-OUT** means the area of the sidewalk or curb line that is extended into the street at sidewalk grade to narrow the street and increase pedestrian space.

(9) **CUSTOM VEHICLE SHOP** means a facility for the restoration, fabrication, modification, display, and sale of customized or modified automobiles, boats, trucks, motorcycles, motor scooters, recreational vehicles, or trailers.

(10) **ENTERTAINMENT COMPLEX** means a public, multi-use sports, entertainment, and convention facility where people view and participate in events and performances, including theatrical, musical, and dramatic performances; professional or amateur sporting events; and meetings and assemblages.

(11) GOURMET MARKETPLACE means a facility that offers prepared meals, catered meals, and retail grocery items that may include the sale of alcoholic beverages for consumption on-premise or off-premise and that may also allow customers in motor vehicles to pick-up food for off-premise consumption. The display area for the sale of alcoholic beverages may not exceed 40 percent of the floor area for this use.

(12) IDENTIFICATION SIGN means an attached premise sign that identifies the name or logo of the district, business, or tenant.

(13) LEGACY BUILDING means:

(A) a building constructed before 1957 that has:

- (i) all original street-facing facades remaining;
- (ii) a primary street-facing facade located within 15 feet of a right-of-way line;
- (iii) a main entrance that faces Colorado Boulevard, Zang Boulevard, Beckley Avenue, Marsalis Avenue, Jefferson Boulevard, Eighth Street, Tenth Street, Lancaster Avenue, Ewing Avenue, or the southbound Interstate 35E service road;
- (iv) window and door openings that total at least 20 percent of the street-facing facades; and
- (v) off-street parking located 100 percent outside of the required front yard; or

(B) the Grace Presbyterian Church sanctuary building located on Zang Boulevard between Fifth Street and Sixth Street.

(14) LEGACY BUILDING MIXED USE DEVELOPMENT means a project containing at least three different uses developed as a single project and must include at least one use in a legacy building.

(15) LINER DEVELOPMENT means a development specifically designed to mask a parking structure from a public street or public space.

(16) LIVE/WORK UNIT means an interior space that combines a single occupancy residential use and an office or retail and personal service use. A live/work unit is considered a nonresidential use.

(17) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Chapter 455 of the Texas Occupation Code, as amended.

(18) MEWS means the public or private right-of-way for pedestrians or low-speed vehicular traffic that provides access to a building, serves as a small street, and may provide access to vehicle parking.

(19) MIXED USE DEVELOPMENT means a combination of any two categories of permitted main uses on a building site.

(20) **MOBILE FOOD ESTABLISHMENT** means a container or vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes mobile food preparation vehicles and pushcarts.

(21) **NEW CONSTRUCTION** means construction of a main structure that did not exist on May 13, 2015 or permitted work that increases floor area of a use or structure, excluding uncovered porches and uncovered patios, if the increase in floor area is more than 50 percent for nonresidential projects, more than 65 percent for mixed use projects, or more than 75 percent for residential projects.

(22) **PROJECT ANNOUNCEMENT SIGN** means an attached premise sign constructed of rigid material, mesh or fabric surface, or a projection of a light image onto a wall face that announces a project, tenant, or activity in the district.

(23) **STREETSCAPE** means the area between the buildings and edge of the vehicular or parking lanes. The principal streetscape components are curbs, sidewalks, street trees, tree planters, bicycle racks, litter containers, benches, and street lights. Treatments may also include paving materials, street/pedestrian wayfinding signs, parking meters, public art, water features, bollards, and other elements.

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

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. (“DIR” means “development impact review.” For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(e) Unless the context ~~clearly~~ indicates otherwise, for purposes of interpreting Chapter 51A, the subdistricts are considered to be residential or nonresidential as indicated:

(1) Subdistrict A: residential.

(2) Subdistrict B: residential.

(3) Subdistrict C: nonresidential.

- (4) Subdistrict D: nonresidential.
- (5) Subdistrict E: nonresidential.
- (6) Subdistrict F: nonresidential.
- (7) Subdistrict G: nonresidential.
- (8) Subdistrict H: nonresidential.
- (9) Subdistrict I: nonresidential.
- (10) Subdistrict J: nonresidential. (Ord. Nos. 23057; 25866; 26042; 26149; 26190; 28880; 29200; 29280; 29743)

**SEC. 51P-468.104.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 468A: Subdistrict map.
- (2) Exhibit 468B: Medical use overlay street hierarchy plan.
- (3) Exhibit 468C: Subdistricts B-G required parking chart.
- (4) Exhibit 468D: Subdistrict H master parking and floor area plan supplement.
- (5) Exhibit 468E: Subdistrict H mixed use development parking chart
- (6) Exhibit 468F: Subdistrict H site plan development table. (Ord. Nos. 28880; 29200; 29743)

**SEC. 51P-468.105. CREATION OF SUBDISTRICTS.**

(a) This district is known as the Oak Cliff Gateway Special Purpose District, and is divided into the following 10 subdistricts, as described in Exhibit A of Ordinance No. 23057, as amended, and as shown on the map labelled Exhibit 468A:

- (1) Subdistrict A – Residential Transition (RTN).
- (2) Subdistrict B – Walkable Urban Residential 3 (WR-3).
- (3) Subdistrict C – Walkable Urban Mixed Use 3 (WMU-3).
- (4) Subdistrict D – Walkable Urban Mixed Use 5 (WMU-5).
- (5) Subdistrict E – Walkable Urban Mixed Use 8 (WMU-8).
- (6) Subdistrict F – Walkable Urban Mixed Use 12.

- (7) Subdistrict G – Walkable Urban Mixed Use 20.
- (8) Subdistrict H.
- (9) Subdistrict I.
- (10) Subdistrict J.

(b) If there is a conflict between Exhibit A of Ordinance No. 23057, as amended, and Exhibit 468A, Exhibit A, as amended, controls.

(c) Use regulations and development standards for each subdistrict are set out below. (Ord. Nos. 23057; 23868; 25866; 26042; 26149; 26190; 27391; 28880; 29200; 29280; 29743)

**SEC. 51P-468.106. SUBDISTRICTS A, B, C, D, E, F, AND G.**

(a) General provisions. Except as provided in this subsection, Division 51A-13.100, “General Provisions,” applies.

(1) Nonconforming structures. See Sections 51A-4.704 and 51A-13.102(4)(S) for details on nonconforming structures. In this district, the only work that causes a structure to become more nonconforming is a major renovation. For purposes of this provision, MAJOR RENOVATION means a building permit or series of building permits for the reconstruction, alteration, or modification of a building that increases the floor area that existed on May 13, 2015 by 50 percent or more.

(A) Additions of up to 50 percent of permitted square footage. Additional floor area, building height, and any new construction must comply with the regulations defined by each development type. The additional floor area, building height, and new construction are not required to fill the buildable envelope, but must be contained wholly within the buildable envelope. BUILDABLE ENVELOPE means the three dimensional form within which the horizontal and vertical elements of a structure must be built to comply with the use and placement requirements and with the height and elements requirements in Section 51A-13.304 for each development type.

(B) Additions of more than 50 percent of permitted square footage. The site must come into complete compliance with Article XIII regulations.

(2) Amortization of nonconforming uses. Uses that become nonconforming on May 13, 2015 may not be brought before the board of adjustment for amortization.

(b) District regulations. Except as provided in this section, Division 51A-13.300, “District Regulations,” applies.

(1) Subdistrict A. Except as provided in this section, Subdistrict A must comply with the RTN regulations and development standards in Article XIII.

(2) Subdistrict B. Except as provided in this section, Subdistrict B must comply with the WR-3 regulations and development standards in Article XIII.

(3) Subdistrict C. Except as provided in this section, Subdistrict C must comply with the WMU-3 regulations and development standards in Article XIII.

(4) Subdistrict D. Except as provided in this section, Subdistrict D must comply with the WMU-5 regulations and development standards in Article XIII.

(5) Subdistrict E. Except as provided in this section, Subdistrict E must comply with the WMU-8 regulations and development standards in Article XIII.

(6) Subdistrict F. Except as provided in this section, Subdistrict F must comply with the WMU-12 regulations and development standards in Article XIII.

(7) Subdistrict G. Except as provided in this section, Subdistrict G must comply with the WMU-20 regulations and development standards in Article XIII.

(8) Accessory dwelling units. In Subdistrict A south of Colorado Boulevard, east of Beckley Avenue, and west of Marsalis Avenue, accessory dwelling units are allowed on a lot containing a single-family use. Single-family garages are not required to have vehicular access from an alley.

(9) Detention center, jail, or prison. Detention center, jail, or prison is prohibited as a main use.

(10) Fences and walls. In a door yard, a fence may not exceed four feet in height. In all other required yards, no fence or wall may exceed six feet in height.

(11) Height. The following structures may project a maximum of 12 feet above the maximum structure height specified in a subdistrict:

- (A) Amateur communications tower.
- (B) Cooling tower.
- (C) Clerestory.
- (D) Chimney and vent stack.
- (E) Elevator penthouse or bulkhead.
- (F) Flagpoles.
- (G) Mechanical equipment room.
- (H) Ornamental cupola or dome.
- (I) Parapet wall, limited to a height of four feet.
- (J) Stairway access to roof.
- (K) Roof top deck.
- (L) Skylights.

- (M) Spires and belfries.
- (N) Solar panels.
- (O) Tank designed to hold liquids.
- (P) Visual screens surrounding roof-mounted mechanical equipment.
- (Q) Wind turbines and other integrated renewable energy systems.

(12) Medical and office uses. Medical and office uses are allowed as additional permitted uses in the following areas:

- (A) Subdistrict A, Tract 3.
- (B) Subdistrict A, Tract 4.

(13) Residential proximity slope. The residential proximity slope defined in Section 51A-4.412 governs development in Subdistricts A-G.

(14) Retail uses over 50,000 square feet. A specific use permit is required for retail uses over 50,000 square feet in floor area.

(c) Parking regulations. Except as otherwise provided in this subsection, Division 51A-13.400, "Parking Regulations," applies.

(1) In general. The "Required Parking in WMU and WR Districts Chart" in Section 51A-13.402(a)(2) is replaced by the Subdistricts B-G required parking chart (Exhibit 468C).

(2) Bicycle parking. Consult Division 51A-4.330, "Bicycle Parking Regulations," for bicycle parking requirements.

(3) Delta credits. The maximum parking reduction authorized by this section and Article XIII is the total reduction minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(B). If delta credits exceed the total reduction, delta credits will be used, and no reduction will apply.

(4) Legacy building parking reduction. If the director finds that a building meets the definition of a legacy building, the director may grant the following off-street parking reductions:

(A) For residential uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(B) For office uses within a legacy building, required off-street parking may be reduced by up to 100 percent.

(C) For retail uses other than restaurant uses within a legacy building, required off-street parking may be reduced by up to 100 percent.

(D) For restaurant uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(5) Mechanized parking. Consult Division 51A-4.340, “Mechanized Parking,” for mechanized parking regulations.

(6) On-street parking.

(A) Except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(i) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed use project.

(ii) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ( $8 \div 24 =$  one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one half counted as an additional space.

(B) All on-street parking must be approved as to design and construction by the director of public works. On-street parking must be striped in accordance with standard city specifications.

(7) Outdoor covered patios.

(A) For restaurant or bar uses, the outdoor covered patio area is not included in parking requirement calculations for up to 25 percent of the size of the indoor floor area.

(B) For a restaurant use, the combined area of covered and uncovered outdoor dining area that is not included in parking requirement calculations may not exceed 50 percent of the indoor dining area. Any portion of the outdoor dining patio area in excess of the 50 percent of the indoor dining area must be parked in accordance with the Subdistricts B-G required parking chart (Exhibit 468C).

(8) Remote parking.

(A) Remote parking for uses in these subdistricts may not be located outside the boundaries of the district.

(B) Remote parking must be located within a walking distance of 500 feet from the use served by the remote parking unless an extension of walking distance is approved by the building official.

(C) The building official shall extend the walking distance for remote parking to no more than 1,000 feet for up to 50 percent of the required off-street parking unless the extension would:

(i) significantly discourage patrons of the use from using the remote parking;

- (ii) unreasonable endanger the safety of persons or property; or
- (iii) not otherwise be in the public interest.

(D) A license is required to authorize the extension of walking distance for remote parking beyond 1,000 feet. The building official must require that either a shuttle or an attendant be provided by the applicant as a condition of approval of an extension of the walking distance for remote parking beyond 1,000 feet.

(E) Remote parking may be based on a lease for the remote parking space in lieu of the remote parking agreement required in Section 51A-4.328. The lease must:

- (i) be in writing on a form obtained from the building official;
- (ii) contain legal descriptions of the properties affected;
- (iii) specify the special parking being provided and the hours of operation of any use involved;
- (iv) be governed by the laws of the state of Texas;
- (v) be signed by all lien holders, other than taxing entities, that have an interest in or an improvement on the properties;
- (vi) be for a minimum of three years; and
- (vii) provide that both the owner of the lot occupied by the use and the owner of the remote parking lot shall notify the building official in writing if any provision of the lease is breached or if the lease is modified or terminated.

(d) Minor streets and streetscapes.

(1) Except as provided in this subsection, Division 51A-13.500, “Minor Streets and Streetscapes,” applies. This subsection applies only to new construction.

(2) The block lengths and perimeters requirements in Section 51A-13.502(a) may be broken by ungated private streets.

(3) In lieu of compliance with Section 51A-13.503, “Existing Streets,” the following street sections must be completed as follows:

(A) West side of Beckley Avenue between Interstate 30 and Colorado Boulevard. The 14-foot parkway in the right-of-way must include a four-foot planting zone adjacent to the vehicular lanes and a 10-foot sidewalk.

(B) East side of Beckley Avenue between Interstate 30 and Colorado Boulevard. The 14-foot parkway in the right-of-way must include a two-foot planting zone adjacent to the vehicular lanes, an eight-foot, two-way cycle track, and a four-foot sidewalk. An additional six-foot sidewalk is required adjacent to the right-of-way.

(C) West side of Beckley Avenue between Colorado Boulevard and Zang Boulevard. The eight-foot parkway in the right-of-way must include a three-foot planting zone next to the vehicular lanes and a five-foot sidewalk. An additional five-foot sidewalk is required adjacent to the right-of-way.

(D) East side of Beckley Avenue between Colorado Boulevard to Zang Boulevard. The 16-foot parkway in the right-of-way must include a three-foot planting zone next to the vehicular lanes, an eight-foot two-way cycle track, and a five-foot sidewalk. An additional five-foot sidewalk is required adjacent to the right-of-way.

(E) Zang Boulevard between the Jefferson/Houston Viaduct and Colorado Boulevard. The 10-foot parkway in the right-of-way must include a six-foot planting zone adjacent to the vehicular lanes and a four-foot sidewalk. An additional two-foot sidewalk is required adjacent to the right-of-way.

(F) West side of Zang Boulevard between Beckley Avenue and Davis Street. The 14-foot parkway in the right-of-way must include a six-foot planting zone adjacent to the vehicular lanes and an eight-foot sidewalk.

(G) East side of Zang Boulevard between Beckley Avenue and Davis Street. The 12-foot indented parking lane and the 14-foot parkway must include a six-foot planting zone adjacent to the vehicular lanes and an eight-foot sidewalk.

(e) Site development regulations. Division 51A-13.600, "Site Development Regulations," applies.

(f) Administration. Division 51A-13.700, "Administration," applies. (Ord. Nos. 25866; 26042; 26149; 26328; 26395; 26750; 27391; 28880; 29200; 29743)

## **SEC. 51P-468.107.**

### **SUBDISTRICT H.**

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

(b) Site plan.

(1) Development and use of the Property must comply with an approved site plan.

(2) A site plan that complies with the requirements of this article must be submitted with an application for a building permit that adds new floor area.

(3) A site plan must comply with the development plan requirements in Sections 51A-4.702(e)(1) and (e)(2), and must include:

(A) a tabulation box that includes the floor area being added, number of dwelling units, if applicable, structure height, lot coverage, and number of required and provided off-street parking spaces;

(B) existing floor area or existing dwelling units, if applicable;

(C) existing floor area for the district; and

(D) cumulative floor area for the district.

(c) Main uses permitted. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production [*Limited to urban garden.*]

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

-- Medical or scientific laboratory.

-- Technical school.

(3) Industrial uses.

-- Alcoholic beverage manufacturing.

-- Temporary concrete or asphalt batching plant. [*By special authorization of the building official.*]

(4) Institutional and community service uses.

-- Adult day care facility.

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center.

-- Convent or monastery.

-- Halfway house. [*SUP*]

-- Hospital. [*RAR*]

-- Library, art gallery, or museum.

-- Public school. [*SUP*]

-- Open-enrollment charter school. [*SUP*]

-- Private school. [*SUP*]

(5) Lodging uses.

-- Extended stay hotel or motel [*SUP. Limited to internal entry guest rooms only, including interior courtyard-entry guest rooms.*]

-- Hotel or motel. [*RAR*]

-- Lodging or boarding house. [*SUP*]

(6) Miscellaneous uses.

-- Carnival or circus (temporary). [*By special authorization of the building official.*]

-- Identification sign. [*SUP*]

- Live/work unit.
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [SUP]
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house. [SUP]
- Duplex.
- Group residential facility. [SUP required if the spacing component of Section 51A-4.209(b)(3) is not met. Treat as if located in an MU-3 Mixed Use District.]
- Handicapped group dwelling unit. [SUP required if the spacing component of Section 51A-4.209(b)(3.1) is not met. Treat as if located in an MU-3 Mixed Use District.]
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [By right for a microbrewery, microdistillery, or winery with a maximum of 10,000 square feet of floor area. By right for all other alcoholic beverage establishments with a maximum floor area of 6,000 square feet. Otherwise, by SUP.]
- Ambulance service. [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- Animal shelter or clinic with outside runs. [SUP]
- Antique shop.
- Aquarium.
- Art gallery. [May include outside display.]
- Art or craft production facility. [May include outside display.]
- Auto service center. [SUP]
- Business school.
- Car wash. [Tunnel-type only.]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Except as otherwise provided, treat as if located in an MU-3 Mixed Use District. Billiard hall by SUP only. Bingo parlor by SUP only. Class E dance halls, as defined in Chapter 14 of the Dallas City Code, are not allowed.]
- Commercial amusement (outside). [SUP]

- Commercial parking lot or garage. *[SUP required for commercial parking lot.]*
- Convenience store with drive-through. *[SUP]*
- Custom vehicle shop.
- Dry cleaning or laundry store.
- Entertainment complex. *[By right up to 500 seats; otherwise, by SUP only.]*
- Furniture store.
- General merchandise or food store 3,500 square feet or less. *[May include outside display.]*
- General merchandise or food store greater than 3,500 square feet.
- Gourmet marketplace.
- Home improvement center, lumber, brick, or building materials sales yard. *[By SUP only if greater than 10,000 square feet; otherwise, by right.]*
- Household equipment and appliance repair.
- Liquor store.
- Massage establishment. *[SUP]*
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. *[SUP]*
- Mobile food establishment.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. *[SUP]*
- Swap or buy shop. *[SUP]*
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. *[SUP]*

(11) Transportation uses.

- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Private street or alley. *[SUP]*
- Railroad passenger station.
- Transit passenger shelter.
- Transit passenger station or transfer center.

(12) Utility and public service uses.

- Alternative energy plant. *[SUP]*
- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[SUP]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Contractor's maintenance yard. [SUP]
- Mini-warehouse. [SUP]
- Office showroom/warehouse.
- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied. Treat as if located in an MU-3 Mixed Use District.]
- Trade center.
- Warehouse. [SUP]

(d) Accessory uses.

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

(2) The following accessory uses are permitted in conjunction with an office use or mixed use development only:

- Alternative energy plant.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [SUP]
- Heliport. [SUP]
- Helistop. [SUP]

(e) Yard, lot, and space regulations.

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

(1) Front yard.

(A) Primary streets. Minimum front yard is five feet, maximum front yard is 15 feet. For a structure housing local utilities, no minimum or maximum front yard is required.

(B) Side streets. Minimum front yard is five feet, no maximum.

(C) Service streets. No required setback.

(D) Surface parking lots. Minimum front yard is 10 feet.

(2) Side yard.

(A) Abutting single family subdistricts. Minimum side yard is 15 feet.

(B) Abutting all other districts. No required setback.

(C) Abutting alleys. Minimum side yard is five feet.

(3) Rear yard.

(A) Abutting single family subdistricts. Minimum rear yard is 15 feet.

(B) Abutting all other districts. Minimum rear yard is five feet.

(C) Abutting alleys. Minimum rear yard is five feet.

(4) Projections.

(A) Belt courses, cornices, window sills, bay windows, awnings, arcades, fireplace chimneys, unenclosed balconies, enclosed and unenclosed porches and patios, unenclosed stairs, unenclosed ingress-egress ladders, unenclosed mechanical access ladders, stoops, and other architectural features may project up to six feet into a required front, side, or rear yard.

(B) Porte cocheres, awnings, canopies, signs, and entryways affixed to the building or part of the foundation may project into the front yard up to the property line. These projections must provide a clearance of eight feet above the sidewalk.

(C) Walls, fences, and railings up to four feet in height may project into the required front yard, subject to minimum sidewalk requirements.

(5) Density. No minimum or maximum density.

(6) Height/stories.

(A) Maximum structure height is 300 feet. Maximum number of stories above grade is 20.

(B) Minimum street-level story height is 15 feet. Maximum street-level story height is 30 feet.

(C) Minimum upper story height is 10 feet. Maximum upper story height is 15 feet.

(D) Except as provided in this paragraph, any portion of a structure over 26 feet in height may not be located above a residential proximity slope.

(E) The following structures may project a maximum of eight feet above the residential proximity slope if combined they do not exceed 25 percent of the roof area:

(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 that surround roof mounted mechanical equipment.
- (ix) chimney and vent stacks.

(7) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size. Minimum lot width is 16 feet.

(9) Street frontage. Along primary streets, minimum required building street frontage is 50 percent. For structures housing local utilities, no minimum street frontage is required.

(10) Blank wall area. Along primary streets, maximum continuous blank wall area is 30 feet. No maximum continuous blank wall area along side streets or service streets. For structures housing local utilities, no maximum blank wall area.

(g) Open space. This subdistrict must comply with the open space regulations in Section 51A-13.303.

(h) Off-street parking and loading.

(1) In general.

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

(B) Except for residential uses other than multifamily uses, this subdistrict is considered one lot for purposes of off-street parking requirements, and required off-street parking may be located anywhere within the subdistrict.

(C) If required off-street parking is not provided within this subdistrict, a parking agreement that complies with Division 51A-4.320 is required.

(2) Off-street parking and loading.

(A) Alternative energy plant. Parking requirement must be established by specific use permit conditions. One off-street loading space is required.

(B) Antique shop. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(C) Aquarium. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(D) Art gallery. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Art or craft production facility. One space per 1,000 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(F) Custom vehicle shop. One space per 500 square feet of floor area and outdoor area is required, excluding parking area. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(G) Entertainment complex. One space for each four seats is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	None
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(H) Gourmet marketplace. One space per 220 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(I) Live/work unit. One space per live/work unit is required. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use. Off-street loading is not required.

(J) Massage establishment. One space per 200 square feet of floor area is required. Off-street loading is not required.

(K) Mobile food establishment. No required off-street parking. A mobile food establishment may not occupy a required parking space at another main use. Off-street loading is not required.

(3) Outdoor dining areas. For restaurant uses, the area of any covered or uncovered outdoor dining area, not to exceed 50 percent of the indoor dining area, is not included in parking requirement calculations.

(4) On-street parking.

(A) Except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(i) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed use project.

(ii) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ( $8 \div 24 = \text{one-third}$ ). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one half counted as an additional space.

(B) All on-street parking must be approved as to design and construction by the director of public works. On-street parking must be striped in accordance with standard city specifications.

(5) Master parking plan and floor area plan.

(A) Purpose. Because required off-street parking may be provided in remote locations within this subdistrict without a parking agreement, the Subdistrict H master parking and floor area plan supplement (Exhibit 468D) is required to calculate the amount of required off-street parking, identify available off-street parking, and ensure that each use within the subdistrict meets the off-street parking requirements.

(B) Master parking plan and floor area plan supplement.

(i) To maintain adequate required off-street parking, a master parking plan and floor area plan supplement must be submitted to and approved by the building official when:

- (aa) a site plan is submitted;
- (bb) required off-street parking spaces are relocated; or
- (cc) required off-street parking spaces are added or removed.

(ii) A master parking plan and floor area plan supplement must include:

- (aa) the number of existing required off-street parking spaces;
- (bb) the number and location of required off-street parking spaces added, removed, or relocated;
- (cc) the number and location of all parking spaces; and
- (dd) a revised master parking plan and floor area plan that shows:

- (1) changes to a site plan; and
- (2) other changes to the master parking plan and floor area plan since the last update, including changes to floor area and revisions to streets, alleys, or private drives.

(iii) The building official shall maintain a copy of each approved master parking plan and floor area supplement.

(iv) The Property owner must deliver a copy of each approved master parking plan and floor area plan supplement to the director within five days after the building official's approval of each supplement.

(6) Public transit parking reduction.

(A) The off-street parking requirements for all uses except office, restaurant, and alcoholic beverage establishments may be reduced by up to 10 percent if the use is within 1,200 feet, measured as a pedestrian would walk, of a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday), or a DART bus stop or trolley stop at which DART bus service or trolley service is available with bus or trolley headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

(B) The off-street parking requirement for an office use may be reduced by three percent if the office use is within 1,200 feet, measured as a pedestrian would walk, from a DART commuter rail station at which DART commuter rail service is available or a DART bus stop or trolley stop where DART bus service or trolley service is available, during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

(7) Mixed use development parking reduction.

(A) In general.

(i) The off-street parking requirement for a mixed use development may be reduced in accordance with the Subdistrict H mixed use development parking chart (Exhibit 468E).

(ii) This reduction may be used in combination with other parking reductions, except that the parking requirement for a mixed use development may not be reduced by more than 30 percent.

(B) Calculation of adjusted off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(i) The off-street parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) The parking demand for each use is determined for each of the six times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all six times of day unless other factors can be demonstrated by a parking study and approved by the building official.

(iii) The “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these six sums is the adjusted off-street parking requirement for the development.

(iv) If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the retail and personal service uses in the mixed use development.

(8) Fees for required parking. Fees may be charged for required off-street parking if the required off-street parking is located within a parking structure.

(9) Below-grade parking structures. Below-grade parking structures may extend to the lot line and across lot lines within this subdistrict subject to compliance with the construction codes.

(10) Special exception. The board of adjustment may grant a special exception to reduce the number of required off-street parking spaces in accordance with Section 51A-4.311.

(i) Site design requirements.

(1) Surface parking screening. All surface parking must be screened from the street using one or more of the following methods to separately or collectively provide a minimum height of three and one-half feet above the parking surface:

(A) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot in height for each three feet of width.

(B) Solid wood or masonry fence or wall.

(C) Hedge-like evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(2) Surface parking screening from single-family or duplex adjacency. One or more of the screening methods listed in Paragraph (1) must be used to provide screening to separate a surface parking area from an adjacent single family or duplex district. The screening must separately or collectively provide a minimum height of six feet above the parking surface.

(3) Off-street loading and garbage storage area screening.

(A) Off-street loading spaces and garbage storage areas for all uses except single family and duplex uses must be visually screened from:

(i) an abutting street; and

(ii) a single family or duplex district that is adjacent to or directly across an alley from the use.

(B) 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 or garbage storage area.

(C) Required screening must be constructed of:

(i) for off-street loading spaces, any of the materials described in Paragraph (1); and

(ii) for garbage storage areas, a solid wood or masonry fence or wall.

(D) Access through required screening may be provided only by a solid gate that equals the height of the screening. The gate must remain closed at all times except when in use.

(4) Screening of outdoor storage areas. Except for retail and personal service uses, all outdoor storage areas must be screened by an eight-foot-high solid screening fence, vegetation consisting of evergreen plant materials, or other alternatives deemed appropriate by the building official.

(5) Aboveground parking structures.

(A) Parking is permitted on any level of a structure. Except the portions of an aboveground parking structure facing a mews or an alley, aboveground parking structures must comply with the following standards:

(i) Parking levels must be screened using vegetation, metal panels, or other architectural elements to obscure sloping ramps from view; or

(ii) Parking levels must be concealed in a structure with facade building materials similar in appearance to the main structure's facade.

(B) When fronting on a primary street, liner development must be provided along the street level of the aboveground parking structure.

(6) Highly reflective glass. Highly reflective glass may not be used as an exterior building material for more than 25 percent of a facade on any building or structure. For purposes of this subsection, highly reflective glass means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

(7) Block standards.

(A) Block standards apply during the platting process if the existing parcel of land or block is greater than the block perimeters described in this section.

(B) Except as provided in this paragraph, block perimeters may not exceed 1,600 linear feet as measured along the inner edges of each street right-of-way, private street, mews, or designated fire lane which is accompanied by a pedestrian sidewalk on at least one side and available at all times to the general public. The block may be broken by a civic building or open space lot provided the lot containing the civic building or open space is at least 50 feet wide and provides perpetual pedestrian access through the block. Block perimeters may exceed 1,600 feet up to a maximum perimeter of 2,400 feet, if one or more of the following conditions apply:

(i) The block has at least one block face on a street not considered a minor street.

(ii) The block has a mid-block mews constructed in accordance with this article that connects to another street.

(iii) The block has a pedestrian passage available at all times to the public. The pedestrian passage must comply with the following conditions:

(aa) The pedestrian passage has a continuous delineated path that is a minimum of 10-feet wide;

(bb) The pedestrian passage contains lighting at an interval to ensure a minimum illumination on the surface of the path of no less than one-half footcandle; and

(cc) The passage may be partially covered by a structure only if the following conditions are met:

(I) the total covered portion of each pedestrian passage is not longer than 70 feet;

(II) the portions of the facade of the structure are treated architecturally the same as the adjoining building through the use of materials, colors, and architectural style;

(III) the portion of the structure covering the pedestrian passage has a minimum setback of 15 feet (the portion of the passage within the setback must comply with the mews cross section as shown in the streetscape standards);

(IV) the portion of the pedestrian passage under the structure has a minimum clearance of 14 feet and contains a clearly demarcated continuous pedestrian passageway; and

(V) the area between the covered portion of the pedestrian passage and the street is treated architecturally like a courtyard through changes in ground surface materials, colors, or textures.

(8) Street standards. Except as otherwise provided in this paragraph, streets and mews must comply with the minor streets and streetscape standards in 51P-468-106(d).

(A) Bulb-outs. Bulb-outs are required at all intersections, except where parking is used as a lane of traffic during peak hours.

(B) Crosswalks. Crosswalks must be delineated through the use of contrasting pavement, texture, material, or color.

(C) Building access. Building access must be provided as shown in the table of development standards. Maximum entrance spacing is 150 feet.

(9) Sidewalk standards for new construction.

(A) In general.

(i) Except as provided in this paragraph, sidewalks must comply with the minor streets and streetscape standards in Section 51P-468.106(d).

(ii) If a sidewalk is located in a front yard, a sidewalk easement must be provided to assure its availability to the public for pedestrian use.

(B) Location.

(i) Sidewalks must be located along the entire length of the street frontage.

(ii) Except for existing buildings that do not have room between the building and the street, sidewalks must be located as show in the streetscape standards. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(C) Width.

(i) Sidewalks must comply with the streetscape standards.

(ii) For any required sidewalks not shown in the street standards, sidewalks must have a minimum width of four feet, unobstructed by any structures or landscaping except tree grates, utility poles, and service boxes.

(j) Landscaping.

(1) In general.

(A) Except as provided in this subsection, landscaping must be provided in accordance with Article X.

(B) All site trees must be a minimum of two caliper inches at the time of planting and may not be located closer than four feet to any paved surface, measured from the center of the tree trunk.

(C) All site tree in-ground planting areas must be a minimum of 100 square feet for a large tree and 50 square feet for a small tree. Planters for large or small trees must be a minimum of 25 square feet.

(D) Small tree species may be substituted at a rate of two small trees for one required large tree.

(E) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.

(F) Site trees must be evenly distributed throughout the Property.

(G) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

(2) Surface parking landscaping.

(A) Parking spaces in a surface parking lot may not be more than 100 feet from a large canopy tree planted in a median or island.

(B) Each tree must have a caliper of at least two inches and may not be planted closer than two feet to the paved portion of the parking lot.

(C) A median or island in a surface parking lot must be a minimum of 25 square feet in area.

(3) Shared access development.

(A) One site tree must be provided for every 4,000 square feet, or portion thereof, within a shared access development, or a minimum of one site tree must be provided for each individual dwelling unit in a shared access development, whichever is greater.

(B) Site trees must be evenly distributed throughout a shared access development.

(k) Signs.

(1) Except as provided in this subsection, signs must comply the provisions for business zoning districts in Article VII.

(2) The following additional attached premise signs are permitted:

(A) Identification signs.

(i) An identification sign is only allowed on a building that is a minimum of 200 feet in height.

(ii) A maximum of two identification signs are allowed.

(iii) An identification sign may project up to 50 feet above the roof.

(iv) Maximum effective area is 5,000 square feet.

(v) An identification sign may contain a changeable message.

(vi) In addition to the provisions in Section 51A-4.219 in determining whether or not to grant a specific use permit, the following factors must be considered:

(aa) Effect on view corridors into and out of the Property.

(bb) Effect on views to and from area parks and landmarks, including the Trinity River Park.

(cc) Effect on public open space and parks.

(dd) Effect on residential uses within the Property.

(B) Project announcement signs.

(i) A maximum of ten project announcement signs are allowed.

- (ii) Maximum effective area is 1,500 square feet.
  - (iii) A project announcement sign may contain a changeable message.
  - (iv) A project announcement sign may not be displayed more than 90 days before the project or activity in the subdistrict commences or the tenant moves in.
  - (v) A project announcement sign must be removed not later than 90 days after the project or activity in the subdistrict is completed or the tenant moves in.
- (3) Neon and internal illumination are permitted.
  - (4) Signs may be illuminated by an independent external light source (such as an external floodlight).
  - (5) Signs may not project beyond the street curb line. (Ord. Nos. 23057; 26042; 29280; 29743)

**SEC. 51P-468.108. SUBDISTRICT I.**

- (a) Main uses permitted. The only main use permitted is surface parking.
- (b) Yard, lot, and space regulations.
  - (1) Front yard. Minimum front yard is 15 feet.
  - (2) Side and rear yard. Minimum side and rear yard is 20 feet.
  - (3) Lot coverage. No maximum lot coverage.
  - (4) Lot size. No minimum lot size.
- (c) Landscaping.
  - (1) Except as provided in this subsection, landscaping must be provided in accordance with Article X.
  - (2) Canopy trees are required in the required front and side yards.
  - (3) Plant materials must be maintained in a healthy, growing condition.
- (d) Screening.
  - (1) All off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street by using one or more of the following methods to separately or collectively attain a minimum height of three feet above the parking surface:

(A) Brick, stone, or concrete masonry; stucco; concrete; or wood wall or fence.

(B) Earthen berm planted with turf grass or ground cover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height for each two feet of width.

(C) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(2) The height of screening is measured from the horizontal plane passing through the nearest point of the surface of the parking lot. Screening may be placed in a visibility triangle as defined in the visual obstruction regulations in Section 51A-4.602(c). Any screening placed in a visibility triangle must be two and one-half feet in height measured from the top of the adjacent street curb. If there is no adjacent street curb, the measurement is taken from the grade of the portion of the street adjacent to the visibility triangle.

(e) Signs. Signs must comply with the provisions for business zoning districts in Article VII. (Ord. Nos. 23057; 26042; 29743)

#### **SEC. 51P-468.109. SUBDISTRICT J.**

(a) Development plan.

(1) A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(2) Each development plan must comply with the requirements for a development plan listed in Section 51A-4.702(e)(1) and (e)(2) and must include:

(A) a tabulation box consisting of the proposed floor area, number of dwelling units, structure height, lot coverage, and number of required and provided off-street parking associated with the building permit;

(B) existing floor area or number of dwelling units, if applicable;

(C) existing floor area for the subdistrict; and

(D) cumulative floor area for the subdistrict.

(b) Main uses permitted. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production [*Limited to urban gardens.*]

(2) Commercial and business service uses.

- Catering service.
- Custom business services.

(3) Industrial uses.

None.

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- Convent or monastery.
- Library, art gallery, or museum.

(5) Lodging uses.

- Boutique hotel
- Extended stay hotel or motel [*SUP. Limited to internal entry guest rooms only. Interior courtyard-entry guest rooms are permitted. Guest rooms with direct access to the street or parking area are prohibited.*]
- Hotel or motel.

(6) Miscellaneous uses.

- Live/work unit.
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Public park, playground, or golf course.

(9) Residential uses.

- Duplex.
- Handicapped group dwelling unit. [*SUP required if the spacing component of Section 51A-4.209(b)(3.1) is not met. Permitted in this district subject to the same requirements as if located in an MU-3 Mixed Use District.*]
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[By right for a microbrewery, microdistillery, or winery with a maximum of 10,000 square feet of floor area. By right for all other uses with a maximum floor area of 6,000 square feet. Otherwise by SUP.]*
- Antique shop.
- Art gallery. *[May include outside display.]*
- Art or craft production facility. *[May include outside display.]*
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Household equipment and appliance repair.
- Liquor store.
- Mobile food establishment.
- Mortuary, funeral home, or commercial wedding chapel.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[Must be located within a legacy building.]*
- Temporary retail use.

(11) Transportation uses.

- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Private street or alley. *[SUP]*
- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[SUP]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

None.

(14) Multifamily and nonresidential uses. Multifamily and nonresidential uses are only allowed as part of a legacy building mixed use development. For purposes of a legacy building mixed use development, this subdistrict may be treated as one lot.

(15) Property abutting Elsbeth Avenue. Residential uses are the only uses allowed on property abutting Elsbeth Avenue and extending 100 feet to the east.

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

(d) Yard, lot, and space regulations.

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

(1) Setbacks.

(A) Zang Boulevard. For the northernmost 100 feet, minimum setback is 20 feet. For the remainder, minimum setback is 5 feet and maximum setback is 15 feet.

(B) Fifth Street. Minimum setback is 15 feet.

(C) Sixth Street. Minimum setback is five feet, and maximum setback is 15 feet.

(D) Elsbeth Street. Minimum setback is 20 feet.

(E) Encroachments. Encroachments that enhance the pedestrian environment, such as stairs, steps, stoops, ADA ramps, railings, unenclosed balconies and porches, awnings, canopies, and ordinary architectural projections, may encroach into the minimum setbacks as long as the structure is set back a minimum of 10 feet.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. Maximum dwelling unit density is 50 units per acre.

(4) Floor area ratio. No maximum floor area ratio.

(5) Height. Maximum structure height is 50 feet. Structures must comply with residential proximity slope requirements in Section 51A-4.412.

(6) Stories. Maximum number of stories above grade is 3.5.

(7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. For purposes of lot coverage, this subdistrict may be treated as one lot.

(8) Lot size. No minimum lot size.

(9) Maximum blank wall area. Maximum contiguous blank wall area along Elsbeth Street is 30 feet. No maximum contiguous blank wall area along any other street.

(e) Off-street parking and loading.

(1) In general. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For purposes of off-street parking and loading requirements, this subdistrict may be treated as one lot.

(2) Antique shop. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(3) Art gallery. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(4) Art or craft production facility. One space per 1,000 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(5) Boutique hotel. One space is required for each unit. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(6) Live/work unit. One space per live/work unit is required. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use. Off-street loading is not required.

(7) Legacy building parking reduction. The legacy building parking reduction described in Section 51P-468.106(c)(4) applies to uses located in a legacy building.

(8) Remote parking. Remote parking may be based on a lease for the remote parking space in lieu of a remote parking agreement required in Section 51A-4.328. The lease must:

- (A) be in writing on a form obtained from the building official;
- (B) contain legal descriptions of the properties affected;
- (C) specify the special parking being provided and the hours of operation of any use involved;
- (D) be governed by the laws of the state of Texas;
- (E) be signed by all lien holders, other than taxing entities, that have an interest in or an improvement on the properties;
- (F) be for a minimum of three years; and
- (G) provide that both the owner of the lot occupied by the use and the owner of the remote parking lot shall notify the building official in writing if any provision of the lease is breached or if the lease is modified or terminated.

(f) Landscaping.

(1) In general. Except as provided in this subsection, landscaping must be provided in accordance with Article X.

- (A) All street trees must meet the requirements of Section 51A-10.125(b)(4).
- (B) All site trees must be a minimum of two inches in caliper at time of planting and may not be located closer than four feet to any paved surface (measured from the center of the tree trunk).
- (C) All site tree in-ground planting areas must be a minimum of 100 square feet for a large tree and 50 square feet for a small tree. Planters for large or small trees must be a minimum of 25 square feet.
- (D) Site trees must be large tree species listed in Section 51A-10.134.
- (E) Small tree species may be substituted at a rate of two small trees for one required large tree.
- (F) Existing healthy site trees may be used to satisfy the site tree requirements in accordance with Section 51A-10.125(b)(3)(B). Whether a site tree is healthy is a determination made by the building official.

(G) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.

(H) For purposes of this paragraph, this subdistrict may be treated as one lot.

(2) Surface parking landscaping.

(A) Parking spaces in a surface parking lot may not be more than 100 feet from a large canopy tree planted in a median or island.

(B) Each tree must have a caliper of at least two inches and may not be planted closer than two feet to the paved portion of the parking lot.

(C) A median or island in a surface parking lot must be a minimum of 25 square feet in area.

(g) Open space. This subdistrict must comply with the open space regulations for the WMU-5 Walkable Mixed Use District in Article XIII, "Form District."

(h) Signs. Signs must comply with the provisions for business zoning districts in Article VII.

(i) Streetscapes. Streets and sidewalks must comply with the minor streets and streetscape standards in Section 51P-468.106(d). (Ord. Nos. 23057; 26042; 29743)

**SEC. 51P-468.110. MEDICAL USE OVERLAY.**

(a) Applicability. The provisions in this section apply only in the medical use overlay as shown on the subdistrict map (Exhibit 468A) and only when occupied by a medical use as defined in Section 51A-13.306(d)(4).

(b) Purpose. The medical use overlay is intended to provide flexibility to meet the unique requirements of medical uses including accessibility, building infrastructure, and structure design standards.

(c) Conflict. If there is a conflict between the text of this section and the text of other sections in this article, this section controls. If there is a conflict between the text of this section and Chapter 51A, the text of this section controls.

(d) Street hierarchy plan. The medical use overlay must comply with the medical use overlay street hierarchy plan (Exhibit 468B). Amendments to the hierarchy plan must follow the procedures for the minor amendment process in Section 51A-4.702(h).

(e) Main uses permitted.

(1) In general. Except as provided in this subsection, the following uses are the only main uses permitted:

- Commercial parking lot.
- Medical uses. [See Section 51A-13.306(d)(4).]

-- Pedestrian sky bridge. [SUP. See Section 51A-4.217(b)(12). Traffic impact analysis is not required.]

(2) Active uses. Along Beckley Avenue and Colorado Boulevard, the only uses permitted on street level and as part of a parking structure are active uses as defined in Article XIII.

(f) Yard, lot, and space regulations.

(1) Front yard. Along secondary streets, maximum front yard is 30 feet. Along service streets, no maximum front yard. Pedestrian skybridges may be located in a required front yard.

(2) Side yard. Maximum side yard is 50 feet.

(3) Parking setback. Along non-primary streets, minimum setback for surface parking is 10 feet.

(4) Height. Except along Beckley Avenue and Colorado Boulevard, no minimum structure height is required. Along Colorado Boulevard and Beckley Avenue, structure height must comply with the WMU-20 regulations in Article XIII.

(5) Story height. No minimum or maximum story height.

(6) Block length. Maximum block lengths required by Article XIII may be measured from intervening fire lanes, driveways, pedestrian or bicycle passages, or alleys that serve to divide blockfaces.

(g) Off-street parking regulations.

(1) In general. Except as provided in this subsection, consult the parking regulations in Section 51A-13.402 for the specific off-street parking and loading requirements for medical uses.

(2) Hospital. One space per bed is required.

(3) Pedestrian sky bridge. No parking spaces required.

(4) Parking lots and parking garages.

(A) Required off-street parking for uses in the medical use overlay may be located on any lot within the medical use overlay.

(B) Any parking lot or parking garage located in the medical use overlay must be accessed from any public street in or adjacent to the medical use overlay. New parking garage access from Beckley Avenue or Colorado Boulevard must comply with this article.

(5) Parking fees. Medical uses may charge a fee for required off-street parking.

(h) Facade transparency. Along Beckley Avenue and Colorado Boulevard, minimum facade transparency at street level is 30 percent. Minimum facade transparency above street level is 20 percent.

(i) Single story shopfront development. Single story shopfront development is allowed for medical uses in buildings that do not front on Beckley Avenue or Colorado Boulevard.

(j) Blank walls. Blank walls may be constructed of spandrel glass. (Ord. Nos. 23057; 26042; 29743)

**SEC. 51P-468.111. TRANSITIONAL USES.**

(a) Application. This section applies to Subdistricts B, C, D, E, F, and G only.

(b) Purpose. When a form district is initiated, it may not be possible to develop and completely transition the entire area at the inception. Transitional uses are intended to provide an opportunity for owners in a form district to make appropriate use of their Property during the interim period as the district develops. Transitional uses are intended to allow underused or vacant properties to have value between the effective date of this article and the time that full implementation of the zoning changes become practical and feasible with strict compliance.

(c) Specific use permit.

(1) The uses listed in Subsection (d) below are allowed as transitional uses by a specific use permit only.

(2) A specific use permit approved for a transitional use must provided a time limit that may not exceed five years. A specific use permit for a transitional use is not subject to automatic renewal. No off-street parking reductions are allowed.

(3) A specific use permit approved for a transitional use may modify the following regulations if the city council determines that no adverse impact on surrounding properties will result:

(A) Section 51A-13.302, "Height."

(B) Section 51A-13.304, "Development Types."

(C) Section 51A-13.305, "Building Elements."

(4) A specific use permit for a transitional use does not create nonconforming rights in the use, structure, or any modifications to the regulations. Upon expiration of the specific use permit, immediate compliance with all regulations of this article is required.

(5) No expiration for a specific use permit may occur while an application for renewal of the specific use permit is pending before the city plan commission or city council. If an application is pending at the end of the current time limit stated in the specific use permit ordinance, the time limit shall be extended:

(A) until the day following the next succeeding official agenda meeting of the city council after the council makes a final decision to deny the application; or

(B) if the city council votes to create a new time limit, until the effective date of the amending ordinance establishing the new time limit.

(d) List of transitional uses.

- (1) All uses permitted in Section 51A-13.306, regardless of the subdistrict in which the use is located.
- (2) Crop production.
- (3) Building repair and maintenance shop.
- (4) Catering service, large scale.
- (5) Electronics service center.
- (6) Tool or equipment rental.
- (7) Lumber, brick, or building materials sales yard.
- (8) Recycling collection center.
- (9) Outdoor recreation, including, but not limited to, country club with private membership, private recreation center, club, or area (outside), public golf course, and commercial amusement (outside).
- (10) Nursery or plant sales on an open lot. (Ord. Nos. 23057; 26042; 26190; 29743)

**SEC. 51P-468.112. HIGH-RISE TOWER CONFIGURATION AND ORIENTATION REQUIREMENTS.**

(a) Applicability. This section applies to building sites in Subdistrict G north of Greenbriar Lane and Subdistrict H that are adjacent to or abutting the Trinity River levee.

(b) Tower separation. A minimum tower separation of 100 feet is required.

(c) Tower floor proportion. To prevent a wall effect along the Trinity River, any portion of a building greater than 75 feet in height must comply with the following:

(1) For a tower with an average floor plate of 12,500 square feet or less, tower dimension or orientation restrictions are not required.

(2) Towers with an average floor plate greater than 12,500 square feet must comply with the following:

(A) The longest floorplate dimension for a tower greater than 75 feet in height must be oriented to be perpendicular to the nearest Trinity River axis. The perpendicular tower orientation is permitted a variation up to 10 degrees from perpendicular axis.

(B) Variations in the building shape and architectural facade are permitted, but the primary mass of the building tower must be as compact as possible to maintain the perpendicular tower orientation.

(C) Floor plate dimensions may not exceed 130 feet in width and 300 feet in length.

(3) Towers may not have floor plates greater than 30,000 square feet. (Ord. Nos. 25866; 26042; 26328; 26750; 27391; 29743)

**SEC. 51P-468.113. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 23057; 26042; 29743)

**SEC. 51P-468.114. ADDITIONAL PROVISIONS.**

(a) Subject to engineering approval, permeable pavement is allowed for surface parking lots, provided that individual parking spaces are clearly marked in accordance with city standards.

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

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 23057; 26042; 29743)

**SEC. 51P-468.115. COMPLIANCE WITH CONDITIONS.**

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

(b) The building official shall not issue a building permit to authorize work, or certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 23057; 26042; 29743)