ARTICLE 366.

PD 366.

Buckner Boulevard Special Purpose District

SEC. 51P-366.101. LEGISLATIVE HISTORY.

PD 366 was established by Ordinance No. 21211, passed by the Dallas City Council on February 26, 1992. Ordinance No. 21211 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 21211 was amended by Ordinance No. 21313, passed by the Dallas City Council on June 10, 1992, and Ordinance No. 24159, passed by the Dallas City Council on January 12, 2000. (Ord. Nos. 19455; 21211; 21313; 24159; 25164)

SEC. 51P-366.102. PROPERTY LOCATION AND SIZE.

PD 366 is established on property generally located along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east. The size of PD 366 is approximately 407.945 acres. (Ord. Nos. 21211; 21313; 24159; 25164; 27034; 27902; 28199; 28520; 28547; 28775)

SEC. 51P-366.103. DEFINITIONS AND INTERPRETATIONS.

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

(1) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in floor area of an original building by 50 percent or more.

(2) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barber shops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician’s direction. MASSAGE means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician’s direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.
(3) ORIGINAL BUILDING means a structure existing on August 9, 2017, but does not include a structure that has undergone a major modification.

(4) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PIERCING means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

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

(c) Section 51A-2.101, “Interpretations,” applies to this article.

(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.)

(5) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district.

(e) PD 366 is to be known as the Buckner Boulevard Special Purpose District. (Ord. Nos. 21211; 25164; 27788; 30587)

SEC. 51P-366.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 366A: Subarea descriptions.
(2) Exhibit 366B: Subarea 5 development plan.

(3) Exhibit 366C: Subarea 1A development plan.

(4) Exhibit 366D: Subarea map.

(5) Exhibit 366E: Subarea 7 development and landscape plan. (Ord. Nos. 28547; 29933; 30587)

SEC. 51P-366.104. CREATION OF SUBAREAS AND DEVELOPMENT PLAN.

(a) Creation of subareas. This district is divided into nine subareas as described in Exhibit 366A. Subareas and tracts are shown on Exhibit 366D.

(b) Development plan.

(1) Except as provided in this subsection, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule do not apply.

(2) Development and use of Subarea 1A must comply with the Subarea 1A development plan (Exhibit 366C).

(3) Development and use of Subarea 5 must comply with the Subarea 5 development plan (Exhibit 366B).

(4) Development and use of Subarea 7 must comply with the Subarea 7 development and landscape plan (Exhibit 366E).

(5) If there is a conflict between the text of this article and a development plan, the text of this article controls. (Ord. Nos. 21211; 21313; 24159; 25164; 27034; 27322; 27788; 28547; 29933; 30249)

SEC. 51P-366.104.1. MIXED USE PROJECTS IN SUBAREA 2A.

(a) In general. Single or multiple uses may be developed on one site; however, in order to encourage a mixture of uses and promote innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel, density bonuses and, in some instances, increases to the maximum structure height are awarded to developments that qualify as “mixed use projects” as defined in Subsection (b). If a development does not qualify as an MUP, it is limited to a “base” dwelling unit density, floor area ratio, and maximum structure height. When a development qualifies as an MUP, it earns a higher maximum dwelling unit density and floor area ratio and, in some instances, a greater maximum structure height. Additional FAR bonuses are incrementally awarded to encourage the inclusion of “residential” as part of an MUP. The exact increments of increase vary depending on the actual use categories mixed and the subdistrict that the MUP is in. For more information
regarding the exact increments of increase, consult the yard, lot, and space regulations in Subsection 51P-366.107(a) governing Subarea 2A.

(b) **Qualifying as a mixed use project.** To qualify as a MIXED USE PROJECT (MUP) for purposes of this section, a development must contain uses in two or more of the following use categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>% of Total Floor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>15%</td>
</tr>
<tr>
<td>Residential</td>
<td>15%</td>
</tr>
<tr>
<td>Retail and personal</td>
<td>10%</td>
</tr>
</tbody>
</table>

(c) **Project plan.** If an MUP is proposed, a project plan must be submitted to and approved by the building official.

(d) **Phases.** If an MUP is constructed in phases:

1. the first phase must independently qualify as an MUP under Subsection (b); and

2. each subsequent phase combined with all previous phases already completed or under construction must also qualify as an MUP under Subsection (b).

(e) **Multiple building sites.**

1. An MUP may consist of two or more building sites if they are developed under a unified development plan. The plan must be:

   (A) signed by or on behalf of all of the owners of the property involved;

   (B) approved by the building official; and

   (C) filed in the deed records of the county where the property is located.

2. When an MUP consists of multiple building sites, its development standards and off-street parking and loading requirements are calculated by combining the sites and treating them as one building site. (Ord. 30587)

SEC. 51P-366.105. MAIN USES PERMITTED.
(a) Subareas 1 and 7.

(1) Agricultural uses.
   -- Crop production.

(2) Commercial and business service uses.
   -- Building repair and maintenance shop. [RAR]
   -- Catering service.
   -- Custom business services.
   -- Electronics service center.
   -- Machine or welding shop. [SUP]
   -- Medical or scientific laboratory. [SUP]
   -- Tool or equipment rental.
   -- Vehicle or engine repair or maintenance. [SUP]

(3) Institutional and community service uses.
   -- Adult day care facility.
   -- Cemetery or mausoleum. [SUP]
   -- Child-care facility.
   -- Church.
   -- College, university, or seminary.
   -- Community service center.
   -- Convalescent and nursing homes, hospice care, and related institutions.
   -- Convent or monastery.
   -- Foster home. [SUP]
   -- Hospital. [SUP]
   -- Library, art gallery, or museum.
   -- Public or private school. [RAR]

(4) Lodging uses.
   -- Hotel and motel. [SUP]
   -- Lodging or boarding house. [SUP]

(5) Office uses.
   -- Financial institution without drive-in window.
   -- Financial institution with drive-in window.
   -- Medical clinic or ambulatory surgical center.
   -- Office.

(6) Recreation uses.
   -- Country club with private membership.
   -- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.
-- College dormitory, fraternity, or sorority house.

(8) Retail and personal service uses.
-- Ambulance service. [RAR]
--Animal shelter or clinic without outside run. [RAR]
--Auto service center. [RAR]
--Business school.
--Car wash. [DIR]
--Commercial amusement (inside).
--Commercial amusement (outside). [SUP]
--Commercial parking lot or garage. [RAR]
--Dry cleaning or laundry store.
--Furniture store.
--General merchandise or food store 3,500 square feet or less.
--General merchandise or food store greater than 3,500 square feet.
--Home improvement center, lumber, brick, or building materials sales yard. [DIR]
--Household equipment and appliance repair.
--Mortuary, funeral home, or commercial wedding chapel.
--Motor vehicle fueling station.
--Nursery, garden shop, or plant sales.
--Pawnshop.
--Personal service uses.
--Restaurant without drive-in or drive-through service. [RAR]
--Restaurant with drive-in or drive-through service. [DIR]
--Swap or buy shop. [SUP]
--Taxidermist. [SUP]
--Temporary retail use.
--Theater.
--Vehicle display, sales, and service. [SUP]

(9) Transportation uses.
-- Transit passenger shelter. [See Section 51A-4.211.]
-- Transit passenger station or transfer center. [See Section 51A-4.211.]

(10) Utility and public service uses.
-- Commercial radio or television and 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]

(11) Wholesale, distribution, and storage uses.

-- Mini-warehouse. [SUP]
-- Office showroom/warehouse. [SUP]
-- Outside storage (with visual screening). [SUP]
-- Recycling collection center. [RAR]

(b) Subarea 1A.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. [SUP]
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home. [SUP]
-- Hospital. [SUP]
-- Library, art gallery, or museum.
-- Public or private school. [RAR]

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.
--- Temporary construction or sales office.

(7) **Office uses.**

--- Financial institution without drive-in window.
--- 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.

(10) **Retail and personal service uses.**

--- Animal shelter or clinic without outside run. [*RAR*]
--- Business school.
--- Dry cleaning or laundry store.
--- 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.
--- Mortuary, funeral home, or commercial wedding chapel.
--- Nursery, garden shop, or plant sales.
--- Personal service uses.
--- Restaurant without drive-in or drive-through service. [*RAR*]
--- Taxidermist. [*SUP*]

(11) **Transportation uses.**

--- Transit passenger shelter. [*See Section 51A-4.211.*]
--- Transit passenger station or transfer center. [*See Section 51A-4.211.*]

(12) **Utility and public service uses.**

--- Commercial radio or television and transmitting station.
--- Electrical substation.
--- Local utilities.
--- Police or fire station.
--- Post office.
--- Radio, television, or microwave tower. [*SUP*]
--- Tower/antenna for cellular communication. [*SUP*]
(c) Subareas 2, 2A, and 8.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Building repair and maintenance shop. [RAR]
-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing. [RAR]
-- Medical or scientific laboratory. [Subareas 2 and 8 only.]
-- Technical school.
-- Tool or equipment rental.

(3) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. [SUP]
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home. [SUP]
-- Hospital. [SUP]
-- Library, art gallery, or museum.
-- Public or private school. [RAR]

(4) Lodging uses.

-- Hotel and motel. [SUP]

(5) Office uses.

-- Alternative financial establishment. [By SUP only in Subarea 8.]
-- Financial institution without drive-in window.
-- Financial institution with drive-in window. [RAR]
-- Medical clinic or ambulatory surgical center.
-- Office.

(6) Recreation uses.
-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.

-- College dormitory, fraternity, or sorority house.
-- Multifamily. [Subarea 2A only.]
-- Retirement housing. [Subarea 2A only.]

(8) Retail and personal service uses.

-- Ambulance service. [RAR]
-- Animal shelter or clinic without outside run. [RAR]
-- Animal shelter or clinic with outside run. [SUP]
-- Auto service center. [SUP]
-- Business school.
-- Car wash. [SUP]
-- Commercial amusement (inside).
-- Commercial amusement (outside). [DIR]
-- Commercial parking lot or garage. [RAR]
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Home improvement center, lumber, brick, or building materials
  sales yard. [RAR]
-- Household equipment and appliance repair.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Pawnshop.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service. [RAR]
-- Restaurant with drive-in or drive-through service. [DIR]
-- Swap or buy shop. [SUP] [Subareas 2 and 8 only.]
-- Temporary retail use.
-- Theater.
-- Vehicle display, sales, and service. [SUP]

(9) Transportation uses.

-- Commercial bus station and terminal. [DIR]
-- Heliport. [SUP] [Subareas 2 and 8 only.]
-- Helistop. [SUP][Subareas 2 and 8 only.]
-- Railroad passenger station. [SUP]
-- Transit passenger shelter. [See Section 51A-4.211.]
(10) **Utility and public service uses.**

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Radio, television, or microwave tower. [RAR]
-- Tower/antenna for cell communication. [SUP]
-- Utility or government installation other than listed. [SUP]

(11) **Wholesale, distribution, and storage uses.**

-- Building mover’s temporary storage yard. [SUP][Subareas 2 and 8 only.]
-- Contractor’s maintenance yard. [RAR]
-- Freight terminal. [RAR] [Subareas 2 and 8 only.]
-- Manufactured building sales lot. [RAR]
-- Mini-warehouse.
-- Office showroom/warehouse.
-- Outside storage (with visual screening). [RAR][Subareas 2 and 8 only.]
-- Trade center.
-- Warehouse. [RAR]

(d) **Subarea 3.** The uses permitted in Subarea 3 are all uses permitted in the LI Light Industrial District, as set out in Chapter 51A subject to the same conditions applicable in the LI Light Industrial District. For example, a use only permitted in the LI Light Industrial District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the LI Light Industrial District is subject to DIR in this planned development district; etc. Exception: The vehicle display, sales, and service use is permitted by SUP only.

(e) **Subarea 4.** The uses permitted in Subarea 4 are all uses permitted in the IM Industrial Manufacturing District, as set out in Chapter 51A, subject to the same conditions applicable in the IM Industrial Manufacturing District. For example, a use only permitted in the IM Industrial Manufacturing District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the IM Industrial Manufacturing District is subject to DIR in this planned development district; etc.

(f) **Subarea 5.**

(1) **Agricultural uses.**

-- Crop production.

(2) **Commercial and business service uses.**
-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Medical or scientific laboratory.
-- Technical school.

(3) **Industrial uses.**

None permitted.

(4) **Institutional and community service uses.**

-- Adult day care facility.
-- Cemetery or mausoleum. [SUP]
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home. [SUP]
-- Hospital. [SUP]
-- Library, art gallery, or museum.
-- Public or private school. [RAR]

(5) **Lodging uses.**

None permitted.

(6) **Miscellaneous uses.**

None permitted.

(7) **Office uses.**

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. [RAR]
-- 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.

(10) Retail and personal service uses.
-- Ambulance service. [RAR]
-- Animal shelter or clinic without outside runs. [RAR]
-- Animal shelter or clinic with outside runs. [SUP]
-- Business school.
-- Commercial parking lot or garage. [RAR]
-- Dry cleaning or laundry store.
-- Furniture store.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service. [RAR]
-- Temporary retail use.
-- Theater.

(11) Transportation uses.
-- Commercial bus station and terminal. [DIR]
-- Railroad passenger station. [SUP]
-- Transit passenger shelter. [See Section 51A-4.211.]
-- Transit passenger station or transfer center. [See Section 51A-4.211.]

(12) Utility and public service uses.
-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Radio, television, or microwave tower. [RAR]
-- Tower/antenna for cellular communication. [SUP]
-- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.
None permitted.

(Ord. Nos. 21211; 25164; 27034; 27788; 28547; 29933; 30249; 30587)

SEC. 51P-366.106. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.
(b) Accessory outside display of merchandise is only permitted within five feet of the structure housing the primary use.

(c) The following accessory uses are not permitted:

(1) Subareas 1, 1A, 3, 4, 5, 7, and 8.
   -- Accessory helistop.
   -- Accessory medical/infectious waste incinerator.
   -- Accessory pathological waste incinerator.
   -- Amateur communication tower.
   -- Day home.
   -- General waste incinerator.
   -- Home occupation.
   -- Occasional sales (garage sales).
   -- Private stable.

(2) Subareas 2 and 2A.
   -- Accessory helistop.
   -- Accessory medical/infectious waste incinerator.
   -- Accessory outside display of merchandise. [allowed in Subarea 2 only]
   -- Accessory outside sales.
   -- Accessory outside storage.
   -- Accessory pathological waste incinerator.
   -- Amateur communications tower.
   -- Day home.
   -- General waste incinerator.
   -- Home occupation.
   -- Occasional sales (garage sales).
   -- Private stable. (Ord. Nos. 21211; 25164; 27788; 30587)

SEC. 51P-366.107. 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. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Subareas 1, 1A, 2, 2A, 7, and 8.

(1) Front yard. Minimum front yard is:

   (A) 15 feet where adjacent to an expressway or a thoroughfare; and

   (B) no minimum in all other cases.
(2) **Side and rear yard.** Minimum side and rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district;

(B) in Subarea 7, no minimum side or rear yard; and

(C) no side and rear yard required in all other cases.

(3) **Dwelling unit density.**

(A) Except as provided in this paragraph, no maximum dwelling unit density.

(B) In Subarea 2A maximum dwelling unit density varies depending on whether the development is a mixed use project as follows:

<table>
<thead>
<tr>
<th>MAXIMUM DWELLING UNIT DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>(dwelling units per net acre)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Base (No MUP)</th>
<th>MUP with Mix of 2 Categories</th>
<th>MUP with Mix of 3 Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>20</td>
<td>25</td>
</tr>
</tbody>
</table>

(4) **Floor area ratio.**

(A) Except as provided in this paragraph, maximum floor area ratio is 0.75 for all uses combined.

(B) For office, residential; and retail and personal service uses in Subarea 2A maximum floor area ratio varies as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is “residential.” The third column (MUP=2/with Res) is the FAR for an MUP with a mix of “residential” plus one other use category. The fourth column (MUP=3/with Res) is the FAR for an MUP with a mix of “residential” plus two other use categories.]

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>I</th>
<th>II</th>
<th>III</th>
<th>IV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Base (no MUP)</td>
<td>MUP=2 (no Res)</td>
<td>MUP=2 (with Res)</td>
<td>MUP=3 (with Res)</td>
</tr>
<tr>
<td>Office</td>
<td>0.8</td>
<td>0.85</td>
<td>0.9</td>
<td>0.95</td>
</tr>
<tr>
<td>Residential</td>
<td>0.8</td>
<td>---</td>
<td>0.95</td>
<td>0.95</td>
</tr>
</tbody>
</table>
(5) **Height.**

(A) **Residential proximity slope.** If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) **Maximum height.** Unless further restricted under Subparagraph (A), maximum structure height is 45 feet.

(C) In Subarea 2A the maximum structure height varies depending on whether the development is a mixed use project as follows:

<table>
<thead>
<tr>
<th>MAXIMUM STRUCTURE HEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base (No MUP)</td>
</tr>
<tr>
<td>45 FT</td>
</tr>
</tbody>
</table>

(6) **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.

(7) **Lot size.** No minimum lot size.

(8) **Stories.**

(A) Maximum number of stories above grade is:

(i) three when the maximum structure height is 45 feet;

(ii) four when the maximum structure height is 60 feet; and

(iii) six when the maximum structure height is 80 feet.

(B) No maximum stories for parking structures.
(b) **Subarea 3.** Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the LI Light Industrial District, as set out in Chapter 51A. Minimum side and rear yard is:

1. 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and
2. no side or rear yard required in all other cases.

(c) **Subarea 4.** Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the IM Industrial Manufacturing District, as set out in Chapter 51A. Minimum side and rear yard is:

1. 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and
2. no side or rear yard required in all other cases.

(d) **Subarea 5.**

1. **Front yard.** Minimum front yard is 25 feet.
2. **Side and rear yard.** Minimum side yard is 25 feet. Minimum rear yard is 50 feet.
3. **Dwelling unit density.** No dwelling unit density.
4. **Floor area ratio.** Maximum floor area ratio is:
   - (A) 0.5 for any combination of lodging, office, and retail and personal service uses; and
   - (B) 0.75 for all uses combined.
5. **Height.**
   - (A) **Residential proximity slope.** If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.
   - (B) **Maximum height.** Unless further restricted under Subparagraph (A), maximum structure height is 45 feet.
6. **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.
Lot size. No minimum lot size.

Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5). (Ord. Nos. 21211; 25164; 27034; 27788; 28547; 29933; 30249; 30587)

SEC. 51P-366.108. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, off-street parking and loading must be provided in accordance with the Dallas Development Code, as amended.

(b) Subarea 1A. Except as provided in this subsection, any on-street parking spaces partially located within the street easement adjacent to Buckner Boulevard at Bearden Lane as shown on the development plan may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(1) 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.

(2) 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 that 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 \( \frac{8}{24} = \text{one-third} \). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(c) Subarea 5.

(1) For a college, university, or seminary use, off-street parking must be provided at a ratio of 0.23 parking spaces per student and employee.

(2) Surface parking is permitted in the required side and rear yards. (Ord. Nos. 21211; 25164; 27034; 27788; 28547; 30587)

SEC. 51P-366.108.1. STREETSCAPE AND SIDEWALK STANDARDS.

(a) Sidewalks required. The street and sidewalk standards of this subsection apply only to new construction or a major modification.

(1) All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the construction requirements in the Paving Design Manual and the Standard Construction Details of the City of Dallas.

(2) No certificate of occupancy may be issued for new construction or a major modification until hard surface sidewalks are provided in accordance with this section.
(3) An existing sidewalk may not be used to comply with this subsection unless it meets the construction standards and the minimum unobstructed widths specified below.

(b) Minimum sidewalk widths. Sidewalks with a minimum unobstructed width of five feet must be provided along Buckner Boulevard. (Ord 30587)

SEC. 51P-366.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 21211; 25164)

SEC. 51P-366.110. LANDSCAPING FOR ALL SUBAREAS EXCEPT SUBAREA 7.

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

(b) Application.

(1) For lots fronting Buckner Boulevard, front yard strip landscaping provisions become applicable when an application is made for a building permit for construction work that increases building height, floor area ratio, required parking, or nonpermeable coverage of the lot.

(2) For all lots, site area landscaping, front yard strip landscaping, screening, and sidewalk provisions become applicable when an application is made for a building permit for construction work that increases either the floor area ratio, building height, or nonpermeable coverage of the lot by more than 20 percent.

(3) Front yard strip landscaping and screening provisions may be imposed during required development impact or residential adjacency review procedures.

(c) Parkway landscaping. In this district parkway landscaping must meet the requirements in this subsection. A minimum of one tree at least three and one-half inches in diameter, or two trees at least one and one-half inches in diameter must be provided between the street curb and the sidewalk per 30 feet of frontage, exclusive of driveways, visibility triangles, and accessways at points of ingress and egress. No underground irrigation system is required for parkway landscaping.

(d) Front yard strip landscaping.

(1) The landscape area provided along the entire length of the lot adjacent to Buckner Boulevard and intersecting streets, excluding paved surfaces at points of vehicular and pedestrian ingress and egress, must meet the following requirements:
<table>
<thead>
<tr>
<th>Average depth</th>
<th>Minimum depth</th>
<th>Maximum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.5 feet</td>
<td>5 feet</td>
<td>25 feet</td>
</tr>
</tbody>
</table>

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**All other streets:**

<table>
<thead>
<tr>
<th>Average depth</th>
<th>Minimum depth</th>
<th>Maximum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 feet</td>
<td>3 feet</td>
<td>25 feet</td>
</tr>
</tbody>
</table>

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2. The planting area is measured from the property line.

3. One large tree must be provided for every 30 linear feet of frontage.

4. Two small trees may be substituted for each large tree when existing conditions prohibit planting large trees, subject to approval by the building official. Large trees may not be planted within 15 feet, measured horizontally from the base center of the tree, to the closest point of an overhead utility-line.

5. The parkway adjacent to the Property line may be used to satisfy the street tree requirements of the front yard strip landscaping subject to:

   (A) the minimum depth for front yard strip landscaping being maintained on the Property for planting requirements; and

   (B) compliance with the landscape plan review requirements in this article.

(e) Site area landscaping.

1. Except as provided in this subsection, the remainder of the lot must be landscaped in accordance with the provisions contained in Article X. An underground automatic irrigation system must be provided.

2. A plant group that complies with the provisions of Section 51A-10.125(b)(7)(B) must be provided for every 35 feet of street frontage in the Landscape Enhancement Areas as shown on the development plan for Subarea 1A (Exhibit 366C).

(f) Screening.

1. A six-foot-high solid screening fence must be provided along all rear and side lot lines that are adjacent to residential districts.

2. On-site parking must be screened with:

   (A) a minimum three-foot-high solid fence, with an 18-inch wide planting bed located on its street side; or

   (B) shrubs with the potential to attain a minimum height of 30 inches within a three-year time period.
(3) Manufactured building sales lot and vehicle display, sales, and service uses must be screened with a minimum two and one-half-foot-high fence with a screening factor of less than 66 percent, and an 18-inch-wide planting bed located on its street side.

(4) Required screening of on-site parking may be used for compliance with design standard requirements.

(g) Completion. All landscaping must be completed in accordance with the provisions contained in Article X.

(h) General maintenance.

(1) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(2) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials. (Ord. Nos. 21211; 25164; 28547; 29933; 30587)

SEC. 51P-366.110.1. LANDSCAPING FOR SUBAREA 7.

(a) Landscaping must be provided as shown on the Subarea 7 development and landscape plan.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 29933)

SEC. 51P-366.111. PRIVATE LICENSE GRANTED.

(a) The city council hereby grants a private license to each of the abutting property owners of property in the Buckner Boulevard Special Purpose District for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. An abutting property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with Chapter 52 of the Dallas City Code, as amended. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.
(b) To the extent that the provisions contained in this section conflict with the applicable licensing provisions contained in Chapter 43 of the Dallas City Code, the provisions contained in Chapter 43 are waived.

(c) In no event shall the license granted by this section be construed to grant an easement or real property interest of any kind to the licensees. (Ord. Nos. 21211; 25164)

SEC. 51P-366.112. LANDSCAPE PLANS FOR ALL SUBAREAS EXCEPT SUBAREA 7.

(a) A landscape plan must be submitted to and approved by the director of the department of sustainable development and construction prior to the installation of landscaping required by this article.

(b) Upon the submission of a plan for or including the installation of parkway landscaping, the director shall circulate it to all affected city departments and all utilities and communication companies for review and comment. If, after receiving comments from affected city departments, utilities, and communication companies, the director determines that the construction and planting proposed is in compliance with this article, and will not be inconsistent with and will not impair the public, utility, or communications company use of the right-of-way, the director shall approve the landscape plan; otherwise, the director shall disapprove the plan.

(c) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director’s disapproval of a plan to install parkway landscaping on the basis that the installation of the landscaping will be inconsistent with, or will unreasonably impair the public, utility, or communication company use of the right-of-way. Required front yard strip landscaping must be planted on-site.

(d) The approval of a plan to install parkway landscaping does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 21211; 25164; 29933; 30587)

SEC. 51P-366.113. SIGNS.

(a) Except as provided in this section, all signs must comply with the provisions for business zoning districts in Article VII.

(b) For Subarea 1A, detached premise signs are limited to one two-sided sign on Blossom Lane and one two-sided sign on Buckner Boulevard in the areas shown on the development plan. The detached premise sign on Blossom Lane must be a monument sign and may not exceed six feet in height or 50 square feet in effective area. (Ord. Nos. 21211; 25164; 28547)

SEC. 51P-366.114. RESERVED. (Ord. Nos. 21211; 25164; 27788; 30249; 30587)
SEC. 51P-366.114.1  SUBAREA 1A ROADWAY IMPROVEMENTS.

(a) Before the issuance of a certificate of occupancy for a permitted use, the following must be provided:

(1) Reconstruction of the segment of Bearden Lane west of Buckner Boulevard, retaining the existing driveway connection on the north line of Bearden Lane. Eastbound Bearden Lane must provide separate left-turn and right-turn lanes at Buckner Boulevard.

(2) Signalization at Buckner Boulevard and Blossom Lane, with design and construction approved by the Director of Public Works and Transportation.

(3) Restriping Blossom Lane, providing for separate eastbound and through lanes between Buckner Boulevard and the easternmost drive approach into the Property.

(4) Drive approaches along Blossom Lane, having separate left-turn and right-turn lanes onto Blossom Lane.

(b) On-street parking along Blossom Lane is prohibited. (Ord. 28547)

SEC. 51P-366.115.  GENERAL REQUIREMENTS.

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. 21211; 25164; 26102)

SEC. 51P-366.116.  WAIVER OF CERTAIN SUP FEES IN SUBAREA 1.

The city council waives the application fee for a specific use permit for nonconforming uses located in Subarea 1 in those cases where:

(1) the nonconforming use was existing on February 26, 1992, or made nonconforming by this article; and

(2) upon inspection by the director of the department of code compliance or the director’s designee, it is determined that the nonconforming use and the property on which it is located is in compliance with all applicable ordinances, rules, and regulations of the city other than the requirement of a specific use permit. (Ord. Nos. 21211; 25164; 26102)

SEC. 51P-366.117.  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 director of public works and transportation.

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district 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. 21211; 25164; 26102)