

**Division S-38. PD Subdistrict 38.**

**SEC. S-38.101. LEGISLATIVE HISTORY.**

PD Subdistrict 38 was established by Ordinance No. 24222, passed by the Dallas City Council on April 12, 2000. Ordinance No. 24222 amended Ordinance No. 21859, PD 193 (the Oak Lawn Special Purpose District), as amended, and Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. (Ord. Nos. 10962; 21859; 24222; 25267)

**SEC. S-38.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict 38 is established on property generally located on the southeast line of Buena Vista Street, southwest of the southwest line of Oliver Street. The size of PD Subdistrict 38 is approximately 1.304 acres. (Ord. Nos. 24222; 25267)

**SEC. S-38.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions contained in Chapter 51 and in Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division, SUBDISTRICT means a subdistrict of PD 193.

(b) Unless otherwise stated, all code references are to Chapter 51.

(c) This subdistrict is considered to be a residential zoning district. (Ord. Nos. 24222; 25267)

**SEC. S-38.104. DEVELOPMENT/LANDSCAPE PLAN.**

(a) For multiple-family uses, development and use of the Property must comply with the development/landscape plan (Exhibit S-38A). In the event of a conflict between the provisions of this division and the development/landscape plan, the provisions of this division control.

(b) For all other uses, no development plan is required and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. Nos. 24222; 25267)

**SEC. S-38.105. MAIN USES PERMITTED.**

The only uses permitted in this subdistrict are all uses permitted in the MF-2 Multiple-family Subdistrict of PD 193, subject to the same conditions applicable in the MF-2 Multiple-family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 subdistrict only by specific use permit (SUP) is permitted by SUP only in this PD subdistrict; a use subject to development impact review (DIR) in the MF-2 subdistrict is subject to DIR in this PD subdistrict, etc. (Ord. Nos. 24222; 25267)

**SEC. S-38.106. ACCESSORY USES.**

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51P-193.108, "Accessory Uses." For more information regarding accessory uses, see Section 51P-193.108. (Ord. Nos. 24222; 25267)

**SEC. S-38.107. YARD, LOT, AND SPACE REGULATIONS.**

(a) Front yard.

(1) For multiple-family uses, minimum front yard is 10 feet as shown on the development/ landscape plan.

(2) For all other uses, minimum front yard is the same as in the MF-2 Multiple-family Subdistrict in PD 193.

(b) Side and rear yard.

(1) For multiple-family uses, minimum side yard is 12 feet as shown on the development/ landscape plan.

(2) For multiple-family uses, minimum rear yard is eight feet as shown on the development/ landscape plan.

(3) For all other uses, minimum side and rear yard is the same as in the MF-2 Multiple-family Subdistrict in PD 193.

(c) Density.

(1) For multiple-family uses, maximum number of dwelling units is 34.

(2) For all other uses, maximum number of dwelling units is the same as in the MF-2 Multiple-family Subdistrict in PD 193.

(d) Floor area ratio.

(1) For multiple-family uses, no maximum floor area ratio.

(2) For all other uses, maximum floor area ratio is the same as in the MF-2 Multiple-family Subdistrict in PD 193.

(e) Height.

(1) For multiple-family uses, maximum structure height is 39 feet.

(2) For all other uses, maximum structure height is the same as in the MF-2 Multiple-family Subdistrict in PD 193.

(f) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size.

(1) For multiple-family uses, no minimum lot size.

(2) For all other uses, minimum lot size is the same as in the MF-2 Multiple-family Subdistrict in PD 193. (Ord. Nos. 24222; 25267)

**SEC. S-38.108. OFF-STREET PARKING AND LOADING.**

(a) For multiple-family uses, two off-street parking spaces must be provided for each dwelling unit and located as shown on the development/landscape plan. A minimum of 10 additional open and unassigned visitor off-street parking spaces must be provided and located as shown on the development/ landscape plan.

(b) For all other uses, consult the use regulations contained in Part I of this article for the specific off-street parking and loading requirements for each use. (Ord. Nos. 24222; 25267)

**SEC. S-38.109. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 24222; 25267)

**SEC. S-38.110. LANDSCAPING.**

(a) For a multiple-family use, landscaping must be provided as shown on the development/landscape plan and installed in accordance with the landscaping requirements contained in Part I of this article prior to the issuance of a certificate of occupancy.

(b) For all other uses, landscaping must be provided as required in Part I of this article.

(c) Trees must be preserved as required in Article X. Mitigation of tree removal must comply with Article X. No building permit may be issued or grading occur until protective fencing has been installed in accordance with Article X and inspected by the building official or his designated representative.

(d) Plant material must be maintained in a healthy, growing condition. (Ord. Nos. 24222; 25267)

**SEC. S-38.111. SIGNS.**

Signs must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 24222; 25267)

**SEC. S-38.112. GENERAL REQUIREMENTS.**

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

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

(c) Except as otherwise specified in this division or shown on the development/landscape plan, development and use of the Property must comply with Part I of this article. (Ord. Nos. 24222; 25267; 26102)

**SEC. S-38.113. PAVING.**

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. (Ord. Nos. 24222; 25267; 26102)

**SEC. S-38.114. COMPLIANCE WITH CONDITIONS.**

The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24222; 25267; 26102)

**SEC. S-38.115. ZONING MAP.**

PD Subdistrict 38 is located on Zoning Map No. H-7. (Ord. Nos. 24222; 25267)