

**ARTICLE 386.**

**PD 386.**

**SEC. 51P-386.101. LEGISLATIVE HISTORY.**

PD 386 was established by Ordinance No. 21787, passed by the Dallas City Council on August 25, 1993. Ordinance No. 21787 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 21787; 25850)

**SEC. 51P-386.102. PROPERTY LOCATION AND SIZE.**

PD 386 is established on property generally located along the northeast line of Harry Hines Boulevard, southeast of the southeast line of Butler Street. The size of PD 386 is approximately 7.332 acres. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Definitions.

(1) CHILD means a person under 18 years of age.

(2) GOVERNING BODY means the entity with ultimate authority and responsibility for the juvenile facility's overall operation.

(3) JUVENILE FACILITY means a facility that provides lodging, treatment, care, detention, supervision, social services, and education for persons subject to the control of the Texas Youth Commission of the Texas Department of Human Services. The term "persons subject to the control of the Texas Youth Commission or the Texas Department of Human Services" is limited to youth who have been determined by the Texas Department of Human Services to require up to Level V care (or its equivalent) under the Level of Care standards adopted by the Texas Health and Human Services Coordinating Council.

(4) SUBAREA means a tract described in Exhibit A attached to Ordinance No. 21787.

(5) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In the event of a conflict, this section controls.

(b) Interpretations.

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

(2) Section 51A-2.101, "Interpretations," applies to this article.

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

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

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

(C) 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.)

(D) 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.)

(4) 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. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.104. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit 386A). *[Note: Exhibit 386A was erroneously stamped with Ordinance No. 21786 rather than Ordinance No. 21787.]* (Ord. Nos. 21787; 25850)

**SEC. 51P-386.105. NOTICE REQUIREMENTS.**

In addition to the notice requirements of state law and Chapter 51A, notice for a change in zoning district classification or boundary on the Property must be sent to all neighborhood associations within one mile of the Property that are registered on the “homeowner association early notification list” maintained by the department of development services of the city. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.106. MAIN USES PERMITTED.**

- (a) Agricultural uses.
  - Crop production.
  
- (b) Commercial and business service uses.
  - Building repair and maintenance shop. *[RAR]*
  - Bus or rail transit vehicle maintenance or storage facility. *[RAR]*
  - Catering service.
  - Commercial cleaning or laundry plant. *[RAR]*
  - Custom business services.
  - Custom woodworking, furniture construction or repair. *[RAR]*
  - Electronics service center.
  - Job or lithographic printing.
  - Labor hall.
  - Machine or welding shop. *[RAR]*
  - Medical or scientific laboratory. *[RAR]*

- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

(c) Industrial uses.

- Industrial (inside) for light manufacturing.
- Industrial (inside) not potentially incompatible. [RAR]
- Industrial (outside) not potentially incompatible. [SUP]
- Medical/infectious waste incinerator. [SUP]
- Municipal waste incinerator. [SUP]
- Pathological waste incinerator. [SUP]
- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]

(d) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Foster home.
- Halfway house. [SUP]
- Hospital.
- Juvenile facility.
- Library, art gallery, or museum.
- Public or private school. [RAR]

(e) Lodging uses.

- Hotel or motel.
- Lodging or boarding house.
- Overnight general purpose shelter.

(f) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(g) Office uses.

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

(h) Recreation uses.

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

(i) Residential uses.

- College dormitory, fraternity, or sorority house.
- Group residential facility.

(j) Retail and personal service uses.

- Ambulance service.
- Animal shelter or clinic without outside run.
- Auto service center.
- Bar, lounge, or tavern. *[SUP]*
- Business school.
- Car wash. *[DIR]*
- Commercial amusement (inside).
- Commercial amusement (outside).
- 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.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Pawn shop.
- 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.
- Taxidermist.
- Theater.

(k) Transportation uses.

- Airport or landing field.
- Commercial bus station and terminal.
- Heliport.
- Helistop.
- Private street or alley.
- Railroad passenger station.
- Railroad yard, roundhouse, or shops.
- STOL (short takeoff or landing) port.
- Transit passenger shelter.
- Transit passenger station or transfer center. *[SUP]*

(l) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.

- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]
- Water treatment plant. [SUP]

(m) Wholesale, distribution, and storage uses.

- Freight terminal. [RAR]
- Mini-warehouse. [SUP]
- Office showroom/warehouse.
- Outside storage (with visual screening). [RAR]
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.
- Trade center.
- Warehouse. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.107. SPACING EXEMPTION.**

An overnight general purpose shelter in this district is not required to comply with the spacing requirements contained in Section 51A-4.205(2.1)(E)(v). (Ord. Nos. 21787; 25850)

**SEC. 51P-386.108. ACCESSORY USES.**

As a general rule, an accessory use is permitted in any district 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 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.109. 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 contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

- (a) Front yard. Minimum front yard is 15 feet.
- (b) Side and rear yard. Minimum side and rear yard is:
  - (1) 30 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; and
  - (2) no minimum in all other cases.
- (c) Dwelling unit density. No maximum dwelling unit density.
- (d) Floor area ratio. Maximum floor area ratio is:

- (1) 0.5 for retail and personal service uses;
  - (2) 0.75 for any combination of lodging, office, and retail and personal service uses;
- and
- (3) 2.0 for all uses combined.

(e) Height.

(1) 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. Exception: Structures listed in Section 51A-4.408(a)(2) may project 12 feet above the slope.

(2) Maximum height. Unless further restricted under Paragraph (1), maximum structure height is 200 feet.

(f) 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.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is 15. Parking garages are exempt from this requirement, but must comply with the height regulations in Subsection (e). (Ord. Nos. 21787; 25850)

**SEC. 51P-386.110. OFF-STREET PARKING AND LOADING.**

Off-street parking must be provided in accordance with the development plan. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.112. LANDSCAPING.**

All landscaping must be provided as shown on the development plan. Unless otherwise stated below, all landscaping must be installed in accordance with Article X. All plant material must be maintained in a healthy, growing condition at all times. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.113. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.114.****COMMUNITY PARTICIPATION COMMITTEE.**

All owners of property within this district shall establish a community participation committee to discuss problems and concerns, and to suggest improvements and changes if needed. This committee must meet by October 1, 1993, and it must meet at least quarterly thereafter. The committee should include all property owners (or their representatives), tenants, city departments, and nearby public institutions, neighborhood associations, and businesses. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.115.****SUBAREA AND JUVENILE FACILITY REGULATIONS.**

- (a) The only use permitted in the subarea is a juvenile facility.
- (b) Except for children related by blood or adoption to the facility's owner or operator, no more than 12 children may reside in the juvenile facility.
- (c) The juvenile facility premises must be properly maintained in good condition at all times.
- (d) Before the juvenile facility begins operation, a license to operate a foster group home must be obtained from the Texas Department of Human Services. If that license is suspended or revoked, the facility must cease operation until that license is re-issued.
- (e) The operator of the juvenile facility shall establish an advisory council to discuss the operation of the juvenile facility, and to suggest improvements and changes if needed. The council shall permit a member of the Oak Lawn Heights Neighborhood Association, as selected by the association, to be a member of the council so long as the person selected meets all of the guidelines for membership in the council established by the governing body of the facility. The council must meet by October 1, 1993, and it must meet at least quarterly thereafter. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.116.****ADDITIONAL PROVISIONS.**

Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.117.****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. 21787; 25850)

**SEC. 51P-386.118.****COMPLIANCE WITH CONDITIONS.**

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 21787; 25850)

**SEC. 51P-386.119.**

**ZONING MAP.**

PD 386 is located on Zoning Map No. I-6. (Ord. Nos. 21787; 25850)