

PREFACE.

PRE. 51P-1.101.

PURPOSE.

This chapter codifies the regulations of planned development districts in the city, and its purpose is to facilitate the understanding and enforcement of those regulations. Although some grammatical and semantical changes were made to the language in the source planned development district ordinances during the codification process, no substantive changes were intended. Any conflicts or omissions in the original source ordinances were carried forward into this chapter verbatim. (Ord. 24637)

PRE. 51P-1.102.

HISTORY OF PLANNED DEVELOPMENT DISTRICTS.

The following chronology of zoning enabling ordinances provides a general framework for historical analysis of planned development district regulation.

By the year 2000, the Dallas City Council had adopted five comprehensive zoning ordinances. Comprehensive zoning ordinances were adopted in 1929, 1947, 1951, 1965, and 1987. The following chart provides a history of comprehensive zoning ordinances.

Comprehensive Zoning History Chart

<u>Chronological Number</u>	<u>Ordinance Number</u>	<u>Date of Passage</u>	<u>Did it repeal its predecessor?</u>
1	2052	9/11/29	Not applicable
2	4047	4/20/47	yes
3	5238	4/28/51	yes
4	10962	3/29/65	yes
5	19455	2/4/87	no

The earliest conditional zoning districts were created as special permits, specialty districts, or deed restrictions. The ordinances creating the first 17 special permits were adopted between 1947 and 1965. These early special districts were converted to planned development districts in 1965, when express authority for planned development districts was created in Ordinance No. 10962. Section 34-200 of Ordinance No. 10962 recognizes the first 17 planned development districts, listing them by planned development district number, source ordinance number, and map number.

To understand a planned development district's regulations, it is important not only to consult the conditions listed for each district in this chapter, but also to determine the relationship between the conditions and the applicable zoning enabling authority. In some cases, more than one zoning enabling authority may govern interpretation of the conditions in a planned development district. The first three comprehensive zoning ordinances were repealed by their successors. Consequently, for interpretation purposes, the regulations of the zoning enabling ordinance adopted most recently replace the previous regulations except for provisions contained only in the earlier ordinance. The use regulations defining a particular use are occasionally not carried forward in a subsequent zoning enabling ordinance. Ordinance No. 5238, for example, may still apply to existing planned development districts, but only to the extent that uses were created by that ordinance and not carried forward in Chapter 51. In this event, the use regulations in Ordinance No. 5238 should be referenced when determining use-related issues. This is so even though the most recently adopted ordinance may provide the regulatory framework for interpretation of all other conditions in the district. To simplify interpretation, Ordinance No. 5238 is provided in Appendix A of this chapter. If uses are governed by Ordinance No. 5238, an internal text reference is

made to Appendix A. Otherwise, the regulations of either Ordinance No. 10962, as amended (Chapter 51) or Ordinance No. 19455, as amended (Chapter 51A) apply.

Chapter 51A replaced Chapter 51 except for the latter's application in planned development districts created under Chapter 51. An interpretation section in each article indicates whether Chapter 51 or Chapter 51A applies in that article.

Even though the regulations contained in Chapter 51 apply in some planned development districts, many of the regulations in Chapters 51 and 51A are identical. Use regulations and district categories differ in the two codes, and some regulations exist in Chapter 51A that do not exist in Chapter 51. (Ord. 24637)

PRE. 51P-1.103. INTERPRETATIONS.

Unless the context clearly indicates otherwise, the following rules apply when interpreting this chapter:

(1) If there is a conflict, the text of this chapter controls over site plans or any other graphic display in this chapter.

(2) Only site and landscape plans approved by the city council are included in the text of this chapter. Other plans may also regulate development of the Property, including plans approved by the city plan commission and minor amendments to plans approved by the director of planning and development. Plans approved by the city plan commission or the director are provided by city staff as an uncodified supplement to this chapter. The codification of plans in this chapter does not affect the validity of minor amendments or other plans approved by the city plan commission or the director.

(3) Reduced-sized conceptual and development plans are provided in this chapter solely for the convenience of the reader. Full-scale versions of the city council approved plans are on file at the city secretary's office. Full-scale versions of other plans are on file at the department of planning and development. Permits shall be issued based on information provided on the full-scale versions of plans.

(4) Information regarding overlay zoning is not provided in this chapter. The official zoning maps must be consulted to verify whether property is regulated by an overlay zoning district.

(5) The section in each article of this chapter indicating location and size of a planned development district is provided solely for the convenience of the reader and is not intended to provide an exact description of the property included in a district. For a precise description of property included in a planned development district, refer to the source ordinance.

(6) Any exhibit referenced in an article and included at the completion of the text of that article is part of that article. (Ord. 24637)

PRE. 51P-1.104. DEFINITIONS.

In this chapter, unless the context requires otherwise:

(1) "CHAPTER 51" means Chapter 51 of the Dallas City Code, as amended.

(2) "CHAPTER 51A" means Chapter 51A of the Dallas City Code, as amended.

(3) "DALLAS DEVELOPMENT CODE" means Chapters 51, 51A, and 51P of the Dallas City Code, as amended.

(4) "PD" means planned development district.

(5) "THE CITY" means the City of Dallas.

(6) "THE PROPERTY" means the entire land area in a particular PD. (Ord. 24637)