ARTICLE 193.

PD 193.

Oak Lawn Special Purpose District

PART I.

GENERAL REGULATIONS.

SEC. 51P-193.101. LEGISLATIVE HISTORY.

PD 193 was established by Ordinance No. 18580, passed by the Dallas City Council on February 8, 1985. Ordinance No. 18580 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. On September 9, 1992, Ordinance No. 18580 was repealed, and PD 193 was re-established by Ordinance No. 21416. Ordinance No. 21416 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. On October 27, 1993, Ordinance No. 21416 was repealed, and PD 193 was re-established by Ordinance No. 21859. Ordinance No. 21859 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Subsequently, Ordinance No. 21859 was amended by Ordinance No. 22721, passed by the Dallas City Council on April 10, 1996; Ordinance No. 22724, passed by the Dallas City Council on April 10, 1996; Ordinance No. 23254, passed by the Dallas City Council on September 10, 1997; Ordinance No. 23642, passed by the Dallas City Council on September 9, 1998; Ordinance No. 23644, passed by the Dallas City Council on September 9, 1998; Ordinance No. 24346, passed by the Dallas City Council on August 23, 2000; Ordinance No. 24347, passed by the Dallas City Council on August 23, 2000; Ordinance No. 24728, passed by the Dallas City Council on September 26, 2001; Ordinance No. 24896, passed by the Dallas City Council on April 10, 2002; and Ordinance No. 25243, passed by the Dallas City Council on May 14, 2003. Ordinance No. 22721 rezoned property located along Cole Avenue, between Hall and Lemmon Avenue, from PD 213 to PD 193. Ordinance No. 22724 rezoned property located south of Oak Lawn Avenue, between the Dallas North Tollway and Maple Avenue, from PD 193 to PD 77. Ordinance No. 23254 rezoned property located at the south corner of Wycliff Avenue and Cedar Springs Road from PD 172 to PD 193. Ordinance No. 23642 rezoned property located south of Oak Lawn Avenue and west of Maple Avenue from PD 193 and PD 77 to PD 518. Ordinance No. 23644 replaced Exhibit A attached to Ordinance No. 21859, as amended. Ordinance No. 24346 rezoned property located east of Stemmons Freeway and north of Woodall Rodgers Freeway from PD 193 to PD 582. Ordinance No. 24347 replaced Exhibit A attached to Ordinance No. 21859, as amended. Ordinance No. 24896 rezoned property located on the northwest corner of Buena Vista Street and North Haskell Street from PD 193 to PD 305. (Ord. Nos. 10962; 18580; 21416; 21859; 22721; 22724; 23254; 23642; 23644; 24346; 24347; 24728; 24896; 25243; 25267)

SEC. 51P-193.102. PROPERTY LOCATION AND SIZE.

PD 193 is established on property generally bounded by Woodall Rodgers Freeway, North Central Expressway, the Missouri, Kansas, and Texas Railroad, the city limits of the City of Highland Park, Bordeaux Avenue, Inwood Road, Denton Drive Cut-off, Maple Avenue, Cedar Springs Branch Creek, Harry Hines Boulevard, Oak Lawn Avenue, and Stemmons Freeway but excluding existing PD's within those boundaries. The size of PD 193 is approximately 2619.92 acres. (Ord. Nos. 21859; 22721; 22724; 23254; 23642; 24346; 24896; 25267)

SEC. 51P-193.103. PURPOSE.

(a) In general. This ordinance provides standards specifically tailored to meet the needs of the Oak Lawn area of the city of Dallas, which is currently recognized as an area of 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) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas, or would fail to comply with the overall objectives of the Oak Lawn Plan accepted and endorsed by the city council on December 14, 1983, by Resolution No. 83-4034.

(7) To promote landscape/streetscape quality and appearance.

(8) To aid the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and storm water runoff retardation, while at the same time aiding in noise, glare, and heat abatement.

(9) To provide visual buffering and enhance the beautification of the city.

(10) To safeguard and enhance property values and to protect public and private investment.

(11) To conserve energy.

(b) Compliance with FHAA. The city council intends that this ordinance fully comply with the Federal Fair Housing Amendments Act of 1988 ("FHAA") and all other applicable state and federal legislation. Residential use and subdistrict regulations in this article are based on the family unit as defined in Section 51-2.102. It is the express intent of the city council that all families as defined herein be treated alike without regard to the handicapped or non-handicapped status of individual family members, and that this article be construed in a manner consistent with the FHAA and all other applicable state and federal legislation at all times. (Ord. Nos. 21859; 25267)

SEC. 51P-193.104. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions. Except as otherwise provided in this subsection, the definitions contained in Chapter 51 apply to this article. Unless the context clearly indicates otherwise, in this article:

(1) BAR AND RESTAURANT USE means any use listed in Section 51P-193.107(i) as having an off-street parking requirement of one space for each 100 square feet.

(2) BLOCKFACE means all of the lots on one side of a block. For purposes of this definition, the term "block" means an area bounded by streets on all sides.

(3) BOARD means the board of adjustment.

(4) CENTRAL AREA SUBDISTRICTS means the CA-1 and CA-2 subdistricts.

(5) COMMERCIAL SUBDISTRICTS means the NS, SC, GR, LC, and HC subdistricts.

(6) COMMISSION means the city plan and zoning commission.

(7) DIRECTOR means the director of the department of development services, or that person's representative.

(8) FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

(9) FERROUS METAL means a metal that contains significant quantities of iron or steel.

(10) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and the main building. "Required" front yard means the portion of a lot that abuts a street and extends across the width of the lot between the street and the setback line.

(11) GARBAGE STORAGE AREA means a place outdoors where a container, such as a dumpster or a grease collector, for the deposit of garbage and other waste is regularly kept.

(12) HAZARDOUS WASTE means solid waste, as defined by state law, identified or listed as hazardous waste by the administrator of the United States Environmental Protection Agency under the Federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901 et seq.).

(13) INDUSTRIAL SUBDISTRICTS means the I-1, I-2, and I-3 subdistricts.

(14) LANDSCAPE ARCHITECT means a person licensed to use the title of "landscape architect" in the state of Texas pursuant to state law.

(14.1) LARGE CANOPY TREE means one of the following trees:

Scientific name	**Common name**
Fraxinus texensis	**Texas Ash**
Fraxinus americana	**White Ash**
Bumelia Lanuginosa (Chittamwood)	**Gum Bumelia**
Ulmus crassifolia	**Cedar Elm**
Ulmus parvifolia	**Lacebark Elm**
Juniperus ashei	**Ashe Juniper**
Gymnocladus dioicus	**Kentucky Coffeetree**
Acer barbatum var. "Caddo"	**Caddo Maple**
Acer grandidentatum	**Bigtooth Maple**

Acer buergerianum	**Trident Maple**
Quercus virginiana	**Live Oak**
Quercus durandii	**Durrand Oak**
Quercus fusiformis	**Escarpment Live Oak**
Quercus macrocarpa	**Bur Oak**
Quercus muhlenbergii	**Chinkapin Oak**
Quercus shumardii	**Shumard Oak**
Carya illinoensis	**Pecan**
Diospyros virginiana [male only]	**Common Persimmon**
Pistacia chinensis	**Chinese Pistachio**
Sapindus drummondii	**Western Soapberry**
Liquidambar styraciflua	**Sweetgum**
Juglans microcarpa	**Texas Black Walnut**

(15) LIGHT SOURCE means a flame or bulb, mantle, or other device that produces light. The term "light source" does not include a device or fixture that serves to cover, direct, or control the distribution of light.

(16) LOT means a building site, as defined in the Dallas Development Code, as amended.

(17) MINOR STREET means a street not designated in the city's thoroughfare plan.

(18) MIXED USE DEVELOPMENT means more than one main use on a lot.

(19) MULTIPLE-FAMILY SUBDISTRICTS means the MF-1, MF-2, MF-3, and MF-4 subdistricts (also called "MF" subdistricts).

(20) NONFERROUS METAL means a metal that does not contain significant quantities of iron or steel, including, but not limited to, copper, brass, aluminum, bronze, lead, zinc, nickel, and their alloys.

(21) NONPERMEABLE PAVEMENT means any pavement that is not permeable pavement as defined in this section.

(22) NONRESIDENTIAL SUBDISTRICTS means the O-1, O-2, NS, SC, GR, LC, HC, CA-1, CA-2, I-1, I-2, and I-3 subdistricts.

(23) NONRESIDENTIAL USE means a use that is not a residential use as defined in this section.

(24) OAK LAWN SPD means the Oak Lawn Special Purpose District.

(25) OFFICE-RELATED USE means any use listed in Section 51P-193.107(j) as having an off-street parking requirement of one space for each 366 square feet of floor area.

(26) OFFICE SUBDISTRICTS means the O-1 and O-2 subdistricts.

(27) OPENING means an open and unobstructed space or a transparent panel in an exterior wall or door.

(28) PARKING SUBDISTRICT means the P subdistrict.

(29) PARKWAY means the portion of a street right-of-way between the projected street curb and the front lot line.

(29.1) PART I means Part I of Article 193.

(30) PERMEABLE PAVEMENT means a paving material that permits water penetration to a soil depth of 18 inches or more. Examples of permeable pavement are:

(A) nonporous surface materials poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area; and

(B) loosely laid materials such as crushed stone or gravel.

(31) PROJECTED STREET CURB means the future location of the street curb consistent with the city thoroughfare plan as determined by the director of public works and transportation.

(32) RAR means "residential adjacency review" (See Division 51-4.800).

(32.1) RESIDENTIAL DEVELOPMENT TRACT means a development of three or more individually platted lots in an MF-1, MF-2, or MF-3 subdistrict in which the dwelling units, whether attached or detached, are accessed from a shared driveway, and the dwelling units do not have any other dwelling units above or below them.

(33) RESIDENTIAL SUBDISTRICTS means the A, R-1ac, R-1/2ac, R-16, R-13, R-10, R-7.5, R-5, D, TH-1, TH-2, TH-3, TH-4, MF-1, MF-2, MF-3, MF-4, and MH subdistricts.

(34) RESIDENTIAL USE means a single-family, duplex, multiple-family, or handicapped group dwelling unit use as defined in Section 51P-193.107(a).

(35) RETAIL-RELATED USE means any use listed in Sections 51P-193.107(j) or 51P-193.107(k) as having an off-street parking requirement of one space for each 220 square feet of floor area.

(36) SCREENING means a structure or planting that provides a visual barrier.

(37) SETBACK AVERAGING is an alternative method of calculating the front yard setbacks for a building. Under setback averaging, a portion of the required front yard may be covered by a building if an equal or greater front yard area is provided behind the setback line. If a lot has more than one building, a separate calculation must be made for each building.

(38) SINGLE-FAMILY SUBDISTRICTS means the R-1ac, R-1/2ac, R-16, R-13, R-10, R-7.5, and R-5 subdistricts.

(39) SOIL means a medium that plants will grow in.

(40) SPD means "special purpose district."

(41) SPECIAL RETAIL STREET means:

(A) Cedar Springs Road, between Oak Lawn Avenue and Douglas Avenue;

(B) Knox Street, between Central Expressway and the MK&T railroad right-of-way;

(C) Maple Avenue, between Oak Lawn Avenue and Cedar Springs Branch (Creek);

(D) McKinney Avenue, between Maple Avenue and Haskell Avenue; and

(E) Oak Lawn Avenue, between Maple Avenue and the city limits of the City of Highland Park.

(42) STORY means the portion of a building between any two successive floors, or between the top floor and the ceiling above it.

(43) SUP means "specific use permit" (see Section 51P-193.111).

(44) THOROUGHFARE means a street designated as an arterial or collector in the city's thoroughfare plan.

(45) TOWNHOUSE SUBDISTRICTS means the TH-1, TH-2, TH-3, and TH-4 subdistricts (also called "TH" subdistricts).

(46) VISIBILITY TRIANGLE means:

(A) where a street designated on the city's thoroughfare plan intersects with another street, the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 45 feet from the intersection;

(B) where two streets not designated on the city's thoroughfare plan intersect, the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection; and

(C) where an alley or driveway intersects with a street, the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on the driveway or alley edge and the street curb line 20 feet from the intersection.

(b) Interpretations.

(1) The term "district" in this article includes, where applicable in an adjacency context, zoning districts outside the SPD. The term "district" in Chapters 51 and 51A of the Dallas City Code means "subdistrict" when determining the applicable regulations for the Oak Lawn SPD unless expressly indicated otherwise in Chapters 51 and 51A. The term "subdistrict" in this article includes zoning districts outside the Oak Lawn SPD where applicable in an adjacency context.

(2) For purposes of determining development standards for property in the Oak Lawn SPD that is adjacent to or across a street or alley from a PD district, any identifiable portion of the PD district governed by a distinct set of use regulations is considered to be a separate zoning district. If the PD district or a portion of the district is limited to uses permitted in a specific zoning district, the PD district or portion of the district is considered to be that specific zoning district; otherwise it is considered to be:

(A) a duplex zoning district if it is restricted to single-family detached and/or duplex uses;

(B) an MF-2 zoning district if it is restricted to residential uses but allows single-family attached or multiple-family uses not exceeding 36 feet in height;

(C) an MF-3 zoning district if it is restricted to residential uses but allows single-family attached or multiple-family uses exceeding 36 feet in height; or

(D) a nonresidential zoning district if it allows a nonresidential use.

(3) Statements in this article such as, "This subsection modifies Section _____," are for information and reference purposes only.

(4) References to divisions or sections in this article beginning with the prefix "51" or "51A" refer respectively to divisions or sections in Chapter 51 or Chapter 51A. Unless the context indicates otherwise, all other references to sections refer to sections within Part I of this article. Unless the context indicates otherwise, references to chapters refer to chapters of the Dallas City Code.

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

(c) Additional exhibits. In addition to the exhibits referenced in the body of this article, the use charts attached as Exhibit C to Ordinance No. 21859 are provided in this article as Exhibit 193A, and the approved list of plant materials attached as Exhibit E to Ordinance No. 21859 is provided in this article as Exhibit 193B. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.105. ZONING CLASSIFICATION AND BOUNDARY MAP.

Chapter 51 is amended by re-establishing the zoning classification on the property described in Exhibit A of Ordinance No. 21859 as Planned Development District No. 193, to be known as “the Oak Lawn SPD.” A map showing the boundaries of the SPD and its subdistricts as it existed on October 27, 1993, the date of passage of Ordinance No. 21859, is provided as Exhibit 193C. (Ord. Nos. 21859; 25267)

SEC. 51P-193.106. USE REGULATIONS AND DEVELOPMENT STANDARDS IN GENERAL.

(a) The use regulations and development standards in this article apply to all property in the Oak Lawn SPD.

(b) Except as otherwise provided in this article, all portions of Chapter 51 apply to the Oak Lawn SPD as they exist on the date of passage of Ordinance No. 21859 and as they may be amended in the future by the city council. In the event of a conflict, however, between this article and Chapter 51, this article controls.

(c) The provisions of Section 51-4.702, "Planned Development (PD) District Regulations," do not apply to the establishment of the Oak Lawn SPD. A planned development subdistrict may be established as a subdistrict of the Oak Lawn SPD in accordance with Section 51-4.702. In the event of a conflict between an ordinance establishing or amending a planned development subdistrict and any other ordinance, the ordinance that established or amended that subdistrict controls. (Ord. Nos. 21859; 25267)

SEC. 51P-193.107. USE REGULATIONS.

(a) Residential uses. Residential uses are subject to the following regulations:

(1) Single-family.

(A) Definition. One dwelling unit located on a lot.

(B) Subdistricts permitted. By right in all residential and nonresidential subdistricts except MH and industrial subdistricts.

(C) Required off-street parking.

(i) Two spaces for each dwelling unit, except one space for each dwelling unit in R-7.5 and R-5 subdistricts.

(ii) No handicapped parking is required.

(iii) The following modifications apply to residential development tracts:

(aa) Private parking. Two spaces for each dwelling unit are required.

(bb) Guest parking. In addition to the private parking, .25 unassigned spaces available for use by visitors and residents are required for each dwelling unit. Spaces adjacent to the residential development tract and on a public street may be counted toward this guest parking requirement if one additional two-inch caliper tree is planted on the residential development tract for each on-street guest space. (These on-street spaces remain subject to the city's authority to regulate public streets.) The parking surface for guest parking within the residential development tract (not on-street) may be permeable pavement for motor vehicles.

(cc) Tandem parking. Private parking may be tandem (one parking space in front of another parking space); guest parking may not be tandem.

(dd) Parking in the required front yard. Parking may not be located in the required front yard.

(iv) The following modifications apply to single-family uses in MF-1, MF-2, and MF-3 subdistricts:

(aa) Private parking. Two spaces for each dwelling unit are required.

(bb) Guest parking. In addition to the private parking, .25 unassigned spaces available for use by visitors and residents are required for each dwelling unit. Spaces adjacent to the lot and on a public street may be counted toward this guest parking requirement if one additional two-inch caliper tree is planted on the lot for each on-street guest space. (These on-street spaces remain subject to the city's authority to regulate public streets.) The parking surface for guest parking within the lot (not on-street) may be permeable pavement for motor vehicles.

(cc) Tandem parking. Private parking may be tandem (one parking space in front of another parking space); guest parking may not be tandem.

(dd) Parking in the required front yard. Parking may not be located in the required front yard.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) The board of adjustment may grant a special exception to authorize the use of a structure or a portion of a structure for servants' or caretakers' quarters in any subdistrict when, in the opinion of the board, the structure or portion of the structure will be used by bonafide servants or caretakers and will not be rental accommodations.

(ii) Fire separations are required between each attached dwelling unit. A required fire separation may be two separate one-hour fire resistive walls or a single masonry party wall having a two-hour fire resistive rating. A fire wall must have no penetrations.

(iii) A dwelling unit may be physically separable from contiguous dwelling units in the event of removal of a dwelling unit.

(iv) Each dwelling unit must have separate utility services; however, general utility services on land owned and maintained by a homeowner's association is allowed.

(v) Each party wall must be governed by a set of deed restrictions stipulating that if a dwelling unit is removed, the party wall stays with the remaining dwelling unit.

(vi) Only one main building may be placed on a building site under this use, except that a residential development tract may contain three or more main buildings. Residential development tracts may be platted as shared access developments. See Section 51A-4.411 regarding shared access developments.

(vii) In a single-family, duplex, or townhouse subdistrict, a lot for a single-family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in a single-family, duplex, or townhouse subdistrict when, in the opinion of the board, the special exception will:

(aa) not be contrary to the public interest;

(bb) not adversely affect neighboring properties; and

(cc) not be used to conduct a use not permitted in the subdistrict where the building site is located.

(viii) In a residential development tract, if a separation between dwelling units is provided, it must be a minimum of three feet.

(2) Duplex.

(A) Definition. Two dwelling units located on a lot.

(B) Subdistricts permitted. By right in residential subdistricts, except single-family, MH, and A subdistricts, and nonresidential subdistricts except industrial subdistricts.

(C) Required off-street parking. Two spaces for each dwelling unit. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) Only one main building may be placed on a building site under this use.

(ii) In a duplex subdistrict, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than two electrical meters on a lot for a duplex use in a duplex subdistrict when, in the opinion of the board, the special exception will:

(aa) not be contrary to the public interest;

(bb) not adversely affect neighboring properties; and

(cc) not be used to conduct a use not permitted in the subdistrict where the building site is located.

(3) Multiple-family.

(A) Definition. Three or more dwelling units located on a lot.

(B) Subdistricts permitted. By right in multiple-family, office, commercial, and central area subdistricts. By SUP only in I-1 and I-2 subdistricts.

(C) Off-street parking.

(i) Required off-street parking: one space for each 500 square feet of dwelling unit floor area within the building site except in CA-1 and CA-2 districts, only one space per dwelling unit is required.

(ii) Only the floor area within a dwelling unit (excluding balconies) is included in the calculation of required off-street parking.

(iii) A minimum of one space and a maximum of two spaces are required for each dwelling unit in a multiple-family structure 36 feet or less in height.

(iv) A minimum of one space and a maximum of one and one-half spaces are required for each dwelling in a multiple-family structure over 36 feet in height.

(v) Guest parking: .25 unassigned spaces available for use by visitors and residents are required for each dwelling unit. Spaces adjacent to the lot and on a public street may be counted toward this guest parking requirement if one additional two-inch caliper tree is planted on the lot for each on-street guest space. (These on-street spaces remain subject to the city's authority to regulate public streets.) The parking surface for guest parking within the lot (not on-street) may be permeable pavement for motor vehicles.

(vi) If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(vii) Private parking (parking reserved for specific dwelling units) may be tandem (one parking space in front of another parking space); guest parking may not be tandem.

(viii) Parking may not be located in the required front yard.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(E) Additional provisions.

(i) Uses that are customarily incidental to the multiple-family use and that include an employee's washroom, a manager's office, laundry room, swimming pool, and game courts are permitted. The game courts, laundry room, and swimming pool must be for the exclusive use of the residents and their guests. No exterior advertising of the accessory uses is permitted.

(ii) The minimum space between exterior walls of a multiple-family dwelling must be 10 feet between the walls if only one wall has an opening for light and air and 20 feet if both walls have an opening for light and air. This provision applies to multiple-family buildings with a common roof or free standing multiple-family buildings. This provision does not apply to walls located entirely within a dwelling unit.

(iii) For multiple-family dwellings over 36 feet in height, an outer court that has on its perimeter exterior walls that have openings for access, light, or air, must have a minimum width equal to the depth of the court, up to a maximum required width of 100 feet.

(iv) For multiple-family dwellings over 36 feet in height, an inner court that has one or more walls with openings for access, light, or air must have a minimum dimension in length and in width equal to the height of the building enclosing the inner court, up to a maximum required width and length of 100 feet.

(4) Lodging or boarding house.

(A) Definition. A structure that is rented to occupants for 30 consecutive days or more and contains more than five units with living and sleeping accommodations, but no kitchen.

(B) Subdistricts permitted. By right in GR, LC, HC, and central area subdistricts. By SUP only in MF-2, MF-3, MF-4, I-1, and I-2 subdistricts.

(C) Required off-street parking. One space for each dwelling unit or guest room. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(E) Additional provisions.

(i) Lodging or boarding houses are subject to the regulations in Chapter 27, Article V of the Dallas City Code.

(ii) The operator of a lodging or boarding house may serve meals to the occupants.

(iii) This use is subject to the nonresidential use regulations in Chapter 51.

(5) Hotel and motel.

(A) Definition. A building containing one or more guest rooms, and furnishing customary hotel services such as linen, maid service, and the use and upkeep of furniture.

(B) Subdistricts permitted. By right in O-2, SC*, GR*, LC*, HC*, central area, and industrial* subdistricts. *SUP required in SC, GR, LC, HC, and industrial subdistricts if the hotel or motel has fewer than 80 guest rooms.

(C) Required off-street parking. One space for each unit for units 1 to 250; 3/4 space for each unit for units 251 to 500; 1/2 space for all units over 500. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(E) Additional provisions. This use is subject to the nonresidential use regulations in Chapter 51.

(6) Mobile home park, mobile home subdivision, and campground.

(A) Definition.

(i) A mobile home park is a unified development of transient stands arranged on a lot under single ownership.

(ii) A mobile home subdivision is a plat designed specifically for mobile home development.

(iii) A campground is a lot used to accommodate recreation vehicles, tents, or mobile homes on a rental basis for temporary camping purposes.

(B) Subdistricts permitted. By right in an MH subdistrict.

(C) Required off-street parking. 1.5 spaces for each transient stand for a mobile home park or campground; 1.5 spaces for each lot in a mobile home subdivision. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) The owner of a mobile home park must have a site plan approved by the commission before the building official may issue a building permit for the mobile home park. The site plan must include the dimensions, bearings, and street frontage of the property; the location of buildings, structures, lots, stands, and uses; the method of ingress and egress; off-street parking and loading arrangements; screening, lighting, and landscaping, if appropriate; and any other information the director determines necessary for a complete review of the proposed development.

(ii) The owner of a mobile home subdivision must have a plat approved by the commission and filed in the county records before the building official may issue a building permit for the mobile home subdivision.

(iii) One caretaker's dwelling unit and one office is permitted under this use.

(iv) No carport, garage, storage building, office, or caretaker's dwelling, laundry house, or other permitted structure under this use may be located closer than 50 feet to a mobile home subdistrict boundary line.

(v) The owner under this use must provide and maintain a permanent steel chain link fence or its equivalent. The fence must be at least five feet in height and must completely surround the rear and all sides of this use that are not exposed to a dedicated street.

(vi) Open playground space must be provided under this use at a ratio of 500 square feet of open space for each of the first 20 lots or transient stands provided, and at a ratio of 250 square feet for all additional lots or transient stands.

(vii) This use must comply with the requirements of Chapter 47 of the Dallas City Code.

(7) Group residential facility.

(A) Definition. An interim or permanent residential facility (as opposed to a lodging or medical treatment facility) that provides room and board to a group of persons who are not a "family" as that term is defined in Chapter 51, whether or not the facility is operated for profit or charges for the services it offers. This use does not include:

(i) facilities that negotiate sleeping arrangements on a daily basis;

(ii) dwelling units occupied exclusively by families (Note: Dwelling units occupied exclusively by families are considered to be single-family, duplex, or multiple-family uses, as the case may be); or

(iii) any other use specifically defined in Chapter 51.

(B) Subdistricts permitted. When the total number of residents of the use does not exceed eight, the use is only for disabled persons, and it is located at least 1,000 feet from all other group residential facilities (as defined in this article), by right in single-family, duplex, multiple-family, townhouse, commercial, and industrial subdistricts; otherwise, by SUP only in multiple-family, commercial, and industrial subdistricts. For purposes of this provision, the distance between uses is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the uses are located. (Note: The spacing component of these use regulations is based, not on the handicapped status of the residents, but on the non-family status of the groups. [See Section 51P-193.103(b).])

(C) Required off-street parking. 0.25 spaces per bed, plus one space per 200 square feet of office area; a minimum of four spaces is required. No handicapped parking is required. The off-street parking requirement may be established in the ordinance granting the SUP. In determining this requirement, the city council shall consider the nature of the proposed use and the degree to which the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation

characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) This use is subject to the following density restrictions:

ZONING DISTRICT CLASSIFICATION	MAXIMUM NO. OF DWELLING UNITS OR SUITES* PER NET ACRE	MAXIMUM NO. OF BEDS* PER NET ACRE
MF-1	50	100
MF-2	60	120
MF-3	90	180
MF-4	160	320
Commercial	160	320
Industrial	160	320
GR	160	320

*For purposes of this subparagraph, the term "suite" means one or more rooms designed to accommodate one family, containing living, sanitary, and sleeping facilities, but not containing a kitchen; and the term "bed" means a piece of furniture, mat, cushion, or other device on or in which one may lie and sleep.

(ii) This use must comply with statutory licensing requirements, if any.

(iii) This use may include dwelling units or suites that are exclusively restricted to visitors or members of the staff.

(8) Handicapped group dwelling unit.

(A) Definition. A single dwelling unit that is the domicile of eight or less residents who are not a "family" as that term is defined in Chapter 51, and who are all handicapped persons living together as a single housekeeping unit. Exception: Up to two supervisory personnel may reside on the premises, provided that the total number of residents, including supervisory personnel, does not exceed eight. For purposes of this definition, the term "domicile" means the legal, established, fixed, and permanent place of residence of a person, as distinguished from a temporary and transient, though actual, place of residence; and the term "handicapped person" means a handicapped person as defined in the federal Fair Housing Amendments Act of 1988, as amended.

(B) Subdistricts permitted. When located at least 1,000 feet from all other handicapped group dwelling units and group residential facilities (as defined in this article), by right in all residential and nonresidential subdistricts, except MH and industrial subdistricts; otherwise, by SUP only in multiple-family, commercial, and industrial subdistricts. For purposes of this provision, the distance between uses is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the uses are located. (Note: The spacing component of these use regulations is based, not on the handicapped status of the residents, but on the non-family status of the groups. [See Section 51P-193.103(b).])

(C) Required off-street parking. One space in R-7.5 and R-5 subdistricts; two spaces in all other subdistricts. No handicapped parking is required. If an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP. In determining this requirement, the city council shall consider the nature of the proposed use and the degree to which the

use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) No certificate of occupancy is required for this use.

(ii) This use liberalizes current restrictions on the number of unrelated persons who may reside together in a dwelling unit in the city for the exclusive benefit of handicapped persons seeking to permanently reside together as a single housekeeping unit. Its purpose is to comply with the substance and spirit of the federal Fair Housing Amendments Act of 1988, as amended, which requires that reasonable accommodations be made in rules, policies, and practices to permit persons with handicaps equal opportunity to use and enjoy a dwelling. [See Section 51P-193.103(b).]

(iii) The board of adjustment may not establish a compliance date for this use under Section 51-4.704(a)(1).

(9) Retirement housing.

(A) Definition. A residential facility principally designed for persons 55 years of age or older. This use does not include a nursing home use, which is defined as a separate main use in this article.

(B) Subdistricts permitted. By right in multiple-family, office, and commercial subdistricts. SUP required for accessory common dining facility in multiple-family and office subdistricts.

(C) Required off-street parking. 0.7 spaces per dwelling unit or suite, plus one space per 300 square feet of floor area not in a dwelling unit or suite. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided in accordance with Section 51P-193.116.

(D) Required off-street loading.

SQUARE FEET OF FLOOR AREA IN STRUCTURE	**TOTAL REQUIRED SPACES OR BERTHS**
0 to 50,000	**NONE**
50,000 to 100,000	**1**
100,000 to 300,000	**2**
Each additional 200,000	**1 additional**

(E) Additional provisions.

(i) In these regulations:

(aa) ELDERLY RESIDENT means a resident that is 55 years of age or older.

(bb) SUITE means one or more rooms designed to accommodate one family containing living, sanitary, and sleeping facilities, but not containing a kitchen.

(ii) In multiple-family subdistricts, this use is subject to the following density restrictions:

ZONING SUBDISTRICT CLASSIFICATION	**MAXIMUM NO. OF DWELLING UNITS OR SUITES PER NET ACRE**
MF-1	**45**
MF-2	**55**
MF-3	**90**
MF-4	**160**

(iii) Except as otherwise provided in Subparagraphs (iv) and (v), each occupied dwelling unit or suite must have at least one elderly resident. Failure to comply with this provision shall result in the facility being reclassified as another residential or lodging use.

(iv) One dwelling unit or suite may be designated as a caretaker unit whose occupants are not subject to the age restriction in Subparagraph (iii).

(v) Those persons legally residing with an elderly resident at the facility may continue to reside at the facility for a period not to exceed one year if the elderly resident dies or moves out for medical reasons. The board may grant a special exception to authorize an extension of the length of time a person may continue to reside at the facility if the board finds, after a public hearing, that literal enforcement of this provision would result in an unnecessary personal hardship. In determining whether an unnecessary personal hardship would result, the board shall consider the following factors:

(aa) The physical limitations of the resident, if any.

(bb) Any economic constraints which would make it difficult for the resident to relocate.

(cc) Whether the resident is dependent on support services or special amenities provided by the retirement housing project.

(dd) Whether there are any alternative housing or market constraints which would impair the ability to relocate.

(vi) No use with exterior advertising or signs may be considered accessory to this use.

(vii) A common dining facility is considered to be an accessory use.

(viii) The operator of this use may serve meals to residents, employees, and their guests.

(10) Overnight general purpose shelter.

(A) Definitions. In this paragraph:

(i) BED means a piece of furniture, mat, cushion, or other device on or in which a person may lie and sleep.

(ii) OVERNIGHT GENERAL PURPOSE SHELTER means an emergency lodging facility (as opposed to a residential or medical treatment facility) that provides room and board to more than four persons who are not related by blood, marriage, or adoption to the head of the household or the owner or operator of the facility, and that negotiates sleeping arrangements on a daily basis, whether or not the facility is operated for profit or charges for the service it offers. This definition does not include:

(aa) dwelling units occupied exclusively by families (Note: Dwelling units occupied exclusively by families are considered to be single- family, duplex, or multiple-family uses, as the case may be); or

(bb) any other use specifically defined in this article.

(iii) THIS USE means an overnight general purpose shelter as defined in this paragraph.

(B) Subdistricts permitted.

(i) If this use provides shelter for 20 or less overnight guests, it is permitted by SUP only in O-2, SC, GR, LC, HC, industrial, and central area subdistricts.

(ii) If this use provides shelter for more than 20 overnight guests, it is permitted by SUP only in O-2, LC, HC, industrial, and central area subdistricts.

(C) Required off-street parking. 0.0025 spaces per bed, plus one space per 200 square feet of office or program service floor area; a minimum of four spaces is required. No handicapped parking is required.

(D) Required off-street loading.

SQUARE FEET OF FLOOR AREA IN STRUCTURE	**TOTAL REQUIRED SPACES OR BERTHS**
0 to 50,000	**None**
50,000 to 150,000	**1**
Each additional 100,000 or fraction thereof	**1 additional**

(E) Additional provisions.

(i) The maximum number of overnight guests permitted under this use is:

(aa) 20 in O-2, SC, and GR subdistricts; and

(bb) 200 in all other cases.

(ii) The cumulative maximum number of beds permitted for all of these uses combined on building sites located wholly or partially in the central business district is 250.

(iii) The cumulative maximum number of beds permitted for all of these uses combined on building sites located wholly or partially in the area including and within one-third of a mile of the central business district is 1100.

(iv) In the event of a conflict between Subparagraphs (ii) and (iii) and the provisions of any special purpose, planned development, or conservation subdistrict ordinances, Subparagraphs (ii) and (iii) control.

(v) This use must be spaced at least 1,000 feet away from:

(aa) a church;

(bb) a public or private elementary or secondary school;

(cc) any residential use;

(dd) any residential subdistrict or district, historic overlay district, or public park; and

(ee) any other overnight general purpose shelter.

If this use provides shelter for more than 50 overnight guests, it must be spaced at least one-half mile from any other overnight general purpose shelter. For purposes of these use regulations, measurement is made in a straight line, without regard to intervening structures or objects, from the nearest boundary of the building site containing the overnight general purpose shelter to the nearest boundary of the building site containing the church, public or private elementary or secondary school, or residential use, or to the nearest boundary of the residential subdistrict, historic overlay district, or public park, whichever is applicable. The distance between overnight general purpose shelters is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the shelters are located.

(vi) This use must be located within one-half mile of public transit.

(vii) This use must comply with all applicable licensing requirements.

(viii) The board of adjustment shall not establish a compliance date for this use under Section 51-4.704(a)(1).

(ix) Whenever an overnight general purpose shelter operating on city-owned land in full compliance with all applicable laws is, through no fault of its own, forced to vacate its current location as a result of the direct, positive, and affirmative action of the city, and if the requirements of this subparagraph are met, the shelter shall be permitted to relocate in any nonresidential district for a period of time of one year without applying for an SUP. The SUP requirement shall be suspended only if the proposed new building site is located a minimum of 1,000 feet from any building site containing any residential use and a minimum of 1,000 feet from any building site containing another shelter. All measurements shall be taken radially between the building sites in question. In addition, the shelter must obtain a certificate of occupancy and any other required licenses and approvals before it may begin operating. A shelter that relocates in accordance with this subparagraph shall not acquire any nonconforming rights during the period of suspension, and any investment made in land, buildings, or structures during that period shall be at the complete risk of the shelter that an SUP may not ultimately be granted. At or before the end of the one-year period, the shelter shall either file an application for an SUP or cease operations. A shelter that files an application for an SUP in accordance with this subparagraph may remain operating while the application is pending before the city plan commission or city council; however, if the application is denied or withdrawn, the shelter shall cease operations no later than 60 days after the date the final decision is made to deny the application, or the date the application is withdrawn, whichever is applicable.

(10) Notwithstanding any other provision in this article, a facility that meets all of the requirements of Chapter 123 of the Texas Human Resources Code may locate in any residential subdistrict in this district as a matter of right. Unless otherwise directed by the city attorney, the building official and any other city officer or employee charged with enforcement of this article shall construe Chapter 123 by substituting Congress' definition of a handicapped person in the Fair Housing Amendments Act of 1988, as amended, for the state's definition of "person with a disability" in that chapter.

(b) Utility and service uses. Utility and service uses are subject to the following regulations:

(1) Utility or governmental installation other than listed.

(A) Definition.

(i) A utility not elsewhere listed is a use by a public or private utility facility franchised or operated by the city such as closed circuit television or steam distribution or any other utility not specifically covered by the use regulations in this article.

(ii) A government installation not elsewhere listed is an installation owned or leased by a governmental agency such as a local transit station, local transit terminal, fire station, police station, court house, elevated water storage reservoir, or any municipal or other governmental facility not specifically covered by the use regulations in this article.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By SUP only in residential, NS, and office subdistricts.

(C) Required off-street parking. Determined by requirements for an equivalent use or as required by SUP; a minimum of one space is required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C) or determined by requirements for equivalent use.

(2) Local utilities.

(A) Definition. Electric power, telephone, gas, water, and sewer drainage lines, air pollution monitoring stations, inline facilities such as gas regulating stations and water pumping stations, and electrical transmission lines operated by a municipality or by a franchised utility company.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions. Aboveground storage tanks are not permitted under this use.

(3) Electrical substation.

(A) Definition. A facility for transforming electricity for distribution to individual customers.

(B) Subdistricts permitted. By right in nonresidential subdistricts except O-1. By SUP only in residential and O-l subdistricts.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. None.

(4) Electrical energy generating plant.

(A) Definition. A facility franchised by the city that generates electricity from mechanical power produced by gas, coal, or nuclear fission.

(B) Subdistricts permitted. By right in HC and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(5) Radio, television, or microwave tower.

(A) Definition. A structure supporting antennae that transmit or receive any portion of the electromagnetic spectrum.

(B) Subdistricts permitted. By right in O-2, SC, GR, LC, HC, central area, and industrial subdistricts. By SUP only in residential, O-1, and NS subdistricts.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. None.

(6) Commercial radio or television transmitting station.

(A) Definition. A facility for transmission of commercial programming by radio or television within the commercial band of the electromagnetic spectrum.

(B) Subdistricts permitted. By right in O-2, commercial, central area, and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. One space for each 1,000 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(7) Sewage pumping station.

(A) Definition. A facility for pumping sewage.

(B) Subdistricts permitted. By right in residential subdistricts and nonresidential subdistricts except O-1.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(8) Sewage treatment plant.

(A) Definition. A facility for receiving and treating sewage from the city sanitary sewer system.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in A, O-2, commercial, central area, I -1, and I-2 subdistricts.

(C) Required off-street parking. One space for each million gallons of capacity. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(9) Telephone exchange, switching, and transmitting requirement.

(A) Definition. Nonattended telephone switching or transmitting service.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. One space for each 1,000 square feet of floor area. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions. Business office facilities, storage, or repair shops or yards are not permitted under this use.

(10) Water reservoir, well, or pumping station.

(A) Definition.

(i) A water reservoir is a facility for the ground storage and transmission of water for use by the city water system.

(ii) A well is a facility for the ground storage and transmission of water.

(iii) A pumping station is a facility for transporting water, including pumps, piping, valves, and controls.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions. Elevated water storage reservoirs are not permitted under this use.

(11) Water treatment plant.

(A) Definition. A facility for purifying, supplying, and distributing city water, including a system of reservoirs, channels, mains, and purifying equipment.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By SUP only in A, O-1, O-2, and NS subdistricts.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(c) Transportation uses. Transportation uses are subject to the following regulations:

(1) Airport or landing field.

(A) Definition. A facility for the landing of fixed or rotary wing aircraft.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. One space for each 200 square feet of terminal building floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) A minimum of 60 acres is required for this use.

(ii) This use must be approved by the city aviation department.

(iii) This use is subject to the Federal Aviation Administration's rules and regulations.

(2) STOL (short takeoff or landing) port.

(A) Definition. A facility for takeoff and landing operations of fixed wing aircraft designed to land on runways of 1,000 feet or less.

(B) Subdistricts permitted. By right in SC, LC, HC, central area, and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. One space for each 200 square feet of terminal building floor area; a minimum of five spaces is required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) This use may include refueling equipment and passenger shelters but may not include maintenance facilities.

(ii) This use must be approved by the city aviation department.

(iii) This use is subject to the Federal Aviation Administration's rules and regulations.

(3) Passenger bus station and terminal.

(A) Definition. A facility for passenger bus docking, passenger loading, and unloading.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each four seats in lobby; one space for each 100 square feet of cafe; one space for each 200 square feet of floor area excluding bus unloading area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(4) Bus passenger shelter.

(A) Definition. A structure which affords protection from the weather to persons who are waiting to board a publicly owned or franchised transit vehicle.

(B) Subdistricts permitted. By right in TH, multiple-family, mobile home, agricultural, and nonresidential subdistricts. By SUP only in single-family and duplex subdistricts.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A bus passenger shelter may be installed only by public agencies.

(ii) A bus passenger shelter may not exceed 100 square feet.

(iii) A bus passenger shelter is exempt from the front, side, and rear yard requirements in Chapter 51.

(iv) A person may not place a sign on a bus passenger shelter except a transit system logo, schedule, and route information.

(5) Helicopter base.

(A) Definition. A landing and terminal facility for rotary wing aircraft.

(B) Subdistricts permitted. By right in I-2 and I-3 subdistricts. By SUP only in A, HC, and I-1 subdistricts.

(C) Required off-street parking. One space for each 300 square feet of terminal building floor area exclusive of hangers; a minimum of five spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(l)(C).

(E) Additional provisions.

(i) This use may include facilities for servicing and repairing rotary wing aircraft and must meet all requirements for those uses.

(ii) This use must be approved by the city aviation department.

(iii) This use is subject to the Federal Aviation Administration's rules and regulations.

(6) Heliport.

(A) Definition. A facility for the regularly scheduled landing of rotary wing aircraft.

(B) Subdistricts permitted. By right in I-2 and I-3 subdistricts. By SUP only in A, LC, HC, central area, and I-l subdistricts.

(C) Required off-street parking. One space for each 600 square feet of site area; a minimum of four spaces is required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) This use is limited to helicopters with a gross weight of less than 12,500 pounds.

(ii) This use may not include fueling or servicing facilities.

(iii) This use must be approved by the city aviation department.

(iv) This use is subject to the Federal Aviation Administration's rules and regulations.

(7) Helistop.

(A) Definition. A landing pad for the occasional and infrequent use by rotary wing aircraft.

(B) Subdistricts permitted. By right in I-2 and I-3 subdistricts. By SUP only in MF-3, MF-4, A, O-2, SC, GR, LC, HC, central area, and I-1 subdistricts.

(C) Required off-street parking. Two spaces. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) This use is limited to helicopters with a gross weight of less than 6,000 pounds.

(ii) Regularly scheduled stops are not permitted under this use.

(iii) This use must be approved by the city aviation department.

(8) Motor freight hauling and storage.

(A) Definition. A facility for warehousing, transferring, or keeping goods.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 1,000 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(9) Railroad freight terminal.

(A) Definition. A facility on railroad premises for freight classifying, docking, lighterage, and storage.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 1,000 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(10) Railroad passenger station.

(A) Definition. A facility for loading and discharging of train passengers.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each four seats in lobby; one space for each 200 square feet of floor area excluding train unloading area; one space for each 100 square feet for a restaurant. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(11) Railroad team track.

(A) Definition. A siding for the spotting, unloading, and loading of railroad cars.

(B) Subdistricts permitted. By right in HC, central area, and industrial subdistricts.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. A railroad team track must be accessible from a public street.

(12) Railroad yard, roundhouse, or shops.

(A) Definition. A facility for storing, repairing, and making up trains and railroad equipment.

(B) Subdistricts permitted. By right in industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area of roundhouse and shops. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(d) Community service uses. Community service uses are subject to the following regulations:

(1) Adult day care facility.

(A) Definition. A facility that provides care or supervision for five or more persons 18 years of age or older who are not related by blood, marriage, or adoption to the owner or

operator of the facility, whether or not the facility is operated for profit or charges for the services it offers.

(B) Subdistricts permitted. By right in commercial, industrial, and central area subdistricts. By right as a limited use in MF-3, MF-4, and office subdistricts. By SUP in residential subdistricts. [No SUP required for a limited use in MF-3 and MF-4 subdistricts.]

(C) Required off-street parking. One space per 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading.

SQUARE FEET OF FLOOR SPACE 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**

(E) Additional provisions.

(i) The limited use regulations in this article are modified for this use to allow an outdoor recreation area and separate access from the main building to the recreation area.

(ii) This use must comply with statutory licensing requirements.

(iii) The persons being cared for or supervised under this use may not use the facility as a residence.

(2) Post office.

(A) Definition. A government facility for the transmission, sorting, and local distribution of mail.

(B) Subdistricts permitted. By right in nonresidential subdistricts except O-1. By SUP only in MF-3, MF-4, and O-1 subdistricts.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. This use includes main branches, substation branches, and neighborhood coin-operated self-service stations.

(3) Community service center.

(A) Definition. A multi-functional facility where a combination of social, recreational, welfare, health, habilitation, and rehabilitation services are provided to the public. For purposes of this definition, a facility where only business transactions or administrative, educational, school support, counseling, informational, referral, or out-patient medical, dental, or optical treatment

services (or any combination of these activities) take place is not considered to be a community service center.

(B) Subdistricts permitted. By right in HC, CA-2, and industrial subdistricts. By SUP only in multiple-family, office, and commercial subdistricts.

(C) Required off-street parking. One space per 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. None.

(4) Foster home.

(A) Definition. A facility that provides room, board, and supervision to five or more persons under 18 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility.

(B) Subdistricts permitted. By right in commercial and central area subdistricts. By SUP only in residential, O-1, O-2, and industrial subdistricts.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(l)(D).

(E) Additional provisions. This use must comply with statutory licensing requirements.

(5) Child-care facility.

(A) Definition. A facility that provides care, training, education, custody, treatment, or supervision for persons under 14 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers. This use does not include:

(i) a facility that is operated in connection with a shopping center, business, religious organization, or establishment where children are cared for during short periods while parents or persons responsible for the children are attending religious services, shopping, or engaging in other activities on or near the premises, including but not limited to retreats or classes for religious instruction;

(ii) a school or class for religious instruction that does not last longer than two weeks and is conducted by a religious organization during the summer months;

(iii) an educational facility accredited by the Central Education Agency or the Southern Association of Colleges and Schools that operates primarily for educational purposes in grades kindergarten and above;

(iv) an educational facility that operates solely for educational purposes in grades kindergarten through at least grade two, that does not provide custodial care for more than one hour during the hours before or after the customary school day, and that is a member of an

organization that promulgates, publishes, and requires compliance with health, safety, fire, and sanitation standards equal to standards required by state, municipal, and county codes;

(v) a kindergarten or preschool educational program that is operated as part of a public school or a private school accredited by the Central Education Agency, that offers educational programs through grade six, and does not provide custodial care during the hours before or after the customary school day;

(vi) an educational facility that is integral to and inseparable from its sponsoring religious organization or an educational facility both of which do not provide custodial care for more than two hours maximum per day, and that offers educational programs for children age five and above in one or more of the following: kindergarten through at least grade three, elementary, or secondary grades;

(vii) individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption.

(B) Subdistricts permitted. By right in commercial and central area subdistricts. By right as a limited use in MF-3, MF-4, and office subdistricts. By SUP in residential, office, and industrial subdistricts. [No SUP required for a limited use in MF-3 and MF-4 subdistricts.]

(C) Required off-street parking. One space per 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading.

SQUARE FEET OF FLOOR SPACE 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**

(E) Additional provisions.

(i) The limited use regulations in this chapter are modified for this use to allow an outdoor area and separate access from the main building to the play area.

(ii) This use must comply with all applicable requirements imposed by state law.

(iii) The persons being cared for, trained, kept, treated, or supervised under this use may not use the facility as a residence.

(6) Halfway house.

(A) Definition. A facility for the housing, rehabilitation, and training of persons on probation, parole, or early release from correctional institutions, or other persons found guilty of criminal offenses.

(B) Subdistricts permitted. By SUP only in office, commercial, central area, and industrial subdistricts.

(C) Required off-street parking. Determined by the SUP.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) No more than 50 residents are permitted in a halfway house. Halfway houses must be located at least 1,000 feet from residential subdistricts, single-family, duplex, and multiple-family uses, public parks and recreational facilities, child-care facilities, and public or private schools.

(ii) An SUP for a halfway house shall be issued for a two-year time period, but may be extended for additional time periods after recommendation by the commission and approval by the city council.

(iii) This use shall comply with all applicable city, state, and federal codes and regulations.

(iv) A halfway house may not be located within one mile from another halfway house.

(v) Measurements of distance under this subparagraph are taken radially. "Radial" measurement means a measurement taken along the shortest distance between the nearest point of the building site of the halfway house and the nearest point of the building site of another use, or of a zoning district or subdistrict boundary.

(e) Medical uses. Medical uses are subject to the following regulations:

(1) Hospital.

(A) Definition. An institution where sick or injured patients are given medical treatment.

(B) Subdistricts permitted. By SUP only in commercial and office subdistricts.

(C) Required off-street parking. One space for each bed. Handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(l)(C).

(E) Additional provisions. This use must be licensed by the state as a hospital.

(2) Convalescent and nursing homes, hospice care, and related institutions.

(A) Definition.

(i) This use includes both:

(aa) an establishment which furnishes (in single or multiple facilities) food and shelter to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment and, in addition, provides minor treatment under the direction and supervision of a physician, or services which meet some need beyond the basic provision of food, shelter, and laundry; and

(bb) an establishment conducted by or for the adherence of any well-recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who depend exclusively upon prayer or spiritual means for healing, without the use of any drug or material remedy, provided safety, sanitary, and quarantine laws and regulations are complied with.

(ii) This use does not include:

(aa) a hotel or similar place that furnishes only food and lodging, or either, to its guests;

(bb) a hospital; or

(cc) an establishment that furnishes only baths and massages in addition to food, shelter, and laundry.

(B) Subdistricts permitted. By right in GR, LC, HC, and central area subdistricts. By SUP only in MF, O-2, NS, SC, and industrial subdistricts.

(C) Required off-street parking. 0.3 spaces per bed. Handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. One space.

(E) Additional provisions.

(i) In multiple-family districts, this use is subject to the following density restrictions:

ZONING SUBDISTRICT CLASSIFICATION	MAXIMUM NO. OF DWELLING UNITS OR SUITES* PER NET ACRE	MAXIMUM NO. OF BEDS PER NET ACRE
MF-1	50	100
MF-2	60	120
MF-3	90	180
MF-4	160	320

*For purposes of this subparagraph, the term “suite” means one or more rooms designed to accommodate one family, containing living, sanitary, and sleeping facilities, but not containing a kitchen.

(ii) This use must comply with statutory licensing requirements, if any.

(iii) This use may include dwelling units that are exclusively restricted to visitors, patients, or members of the staff.

(3) Medical clinic.

(A) Definition. A facility for examining, consulting with, and treating patients with medical, dental, or optical problems on an out-patient basis.

(B) Subdistricts permitted. By right in office, commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 150 square feet of floor area. Handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) Offices and laboratories are permitted as accessory uses.

(ii) Hospital beds for overnight care or treatment are not permitted under this use.

(4) Medical or scientific laboratory.

(A) Definition. A facility for testing and analyzing medical or scientific problems.

(B) Subdistricts permitted. By right in O-2, SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. Handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(5) Optical shop.

(A) Definition. A facility providing optical items for the correction of vision.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(6) Medical appliance fitting and sales.

(A) Definition. A facility specializing in the retail sale or rental of special purpose devices related to medical treatment.

(B) Subdistricts permitted. By right in O-2, SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of floor area. Handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(7) Ambulance service.

(A) Definition. A commercial facility for the housing, maintenance, and dispatch of vehicles designed to transport sick or injured persons to medical facilities.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area, plus one space for each 500 square feet of site area excluding structures. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(f) Religious uses. Religious uses are subject to the following regulations:

(1) Church.

(A) Definition. A facility for worship and religious training.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. One space for each four fixed seats in the sanctuary or auditorium or one space for each 28 square feet in the sanctuary or auditorium if fixed seats are not provided. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. None.

(E) Additional provisions. A church may permit passengers of mass transportation and car pools to park on the church parking lot.

(2) Rectory.

(A) Definition. A dwelling unit for a minister, priest, or rabbi.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. Same as that required for an equivalent dwelling unit in the subdistrict in which the rectory is located.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A rectory located on a church site is part of the church and is included in the calculations of all zoning requirements for the church.

(ii) A rectory not on the church site must comply with the residential requirements of the subdistrict in which it is located.

(3) Convent or monastery.

(A) Definition. The living quarters or dwelling units for a religious order or for the congregation of persons under religious vows.

(B) Subdistricts permitted. By right in multiple-family, office, commercial, and central area subdistricts. By SUP only in single-family, duplex, TH, agricultural, and industrial subdistricts.

(C) Required off-street parking. One space for each three residents; a minimum of two spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(4) Cemetery or mausoleum.

(A) Definition.

(i) A cemetery is a place designated for burial of the dead.

(ii) A mausoleum is a building with places for the entombment of the dead.

(B) Subdistricts permitted. By SUP only in residential and nonresidential subdistricts except the O-1 subdistrict.

(C) Required off-street parking. Two spaces. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(E) Additional provisions. Cemeteries are subject to Chapter 11 of the Dallas City Code.

(g) Educational uses. Educational uses are subject to the following regulations:

(1) Public or private school.

(A) Definition. An educational institution that has a curriculum for kindergarten, elementary, or secondary education.

(B) Subdistricts permitted. By right in nonresidential subdistricts. By SUP only in residential subdistricts.

(C) Off-street parking.

(i) Required off-street parking:

(aa) One and one-half spaces for each kindergarten/elementary school classroom;

(bb) Three and one-half spaces for each junior high/middle school classroom; and

(cc) Nine and one-half spaces for each senior high school classroom.

(ii) If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. This use does not include business, commercial, trade, or craft schools.

(2) Business school.

(A) Definition. A business enterprise offering instruction and training in a service or the arts such as secretarial, barber, commercial artist, computer software, and similar training.

(B) Subdistricts permitted. By right in nonresidential subdistricts.

(C) Required off-street parking. 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. This use does not include schools teaching trades or crafts.

(3) Technical school.

(A) Definition. A business enterprise offering instruction and training in a trade such as welding, bricklaying, machinery operation, and other similar trades or crafts.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(4) College, university, or seminary.

(A) Definition.

(i) A college or university is an accredited academic institution of higher learning beyond the level of secondary school.

(ii) A seminary is an institution for the training of candidates for the priesthood, ministry, or rabbinate.

(B) Subdistricts permitted. By right in multiple-family, office, commercial, and central area subdistricts. By SUP only in single-family, duplex, TH, agricultural, and industrial subdistricts.

(C) Required off-street parking. 0.4 spaces for each fixed seat. If no fixed seats, then 0.4 spaces for each seven square feet of seating area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(5) College fraternity or sorority house.

(A) Definition. A facility for housing a social or service organization of college students.

(B) Subdistricts permitted. By right in multiple-family, office, commercial, and central area subdistricts. By SUP only in single-family, duplex, TH, agricultural, and industrial subdistricts.

(C) Required off-street parking. One space for every two beds, plus one space for each 100 square feet of floor area exclusive of sleeping area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(6) College dormitory.

(A) Definition. A college residence hall providing sleeping rooms.

(B) Subdistricts permitted. By right in multiple-family, office, commercial, and central area subdistricts. By SUP only in single-family, duplex, TH, agricultural, and industrial subdistricts.

(C) Required off-street parking. One space for every two beds. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(7) Library, art gallery, or museum.

(A) Definition. An establishment for the loan or display of books or objects of art or science.

(B) Subdistricts permitted. By right in multiple-family, office, commercial, central area, and industrial subdistricts. By SUP only in single-family, duplex, TH, and agricultural subdistricts.

(C) Off-street parking.

(i) Required off-street parking:

(aa) One space for each 500 square feet of floor area for a library or art gallery.

(bb) One space for each 100 square feet of floor area for a museum.

(ii) If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use applies only to a library, art gallery, or museum that is sponsored by a public or quasi-public agency and open and available to the general public.

(h) Recreation and entertainment uses. Recreation and entertainment uses are subject to the following regulations:

(1) Public park or playground.

(A) Definition. A recreation facility or park including stadiums, field houses, and accessory uses owned or operated by a public agency and available to the general public.

(B) Subdistricts permitted. By right in all residential subdistricts and nonresidential subdistricts except O-1.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(2) Game court center.

(A) Definition. A facility that contains a court for engaging in tennis, handball, racquetball, or similar physical activities.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. Four spaces for each game court, plus one space for each additional 200 square feet of floor area, not including 400 square feet if it is used for exercise or observation rooms and also not including areas used for showers, steam, sauna, laundry, whirlpool, lockers, and lavatory rooms. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. This use is limited to game courts with a maximum of four participants.

(3) Private recreation club or area.

(A) Definition. An area providing private recreational facilities such as playgrounds, parks, swimming pools, and playing fields.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By SUP only in residential, office, and NS subdistricts. By right in an O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 100 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. The serving or consumption of alcoholic beverages is not permitted under this use.

(4) Public golf course.

(A) Definition. A golf course open to the public.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts. By SUP only in residential subdistricts.

(C) Required off-street parking. Five spaces for each green. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(l)(B).

(5) Country club with private membership.

(A) Definition. A private recreational club containing a golf course and a club house that is available only to the country club membership and their guests.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts. By SUP only in residential subdistricts.

(C) Required off-street parking. One space for each 150 square feet of floor area plus five spaces for each golf course green. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. None, except see Section 51P-193.115(a)(1)(E) if the country club has a restaurant.

(E) Additional provisions. This use may contain a private bar, dining room, swimming pool, and tennis courts and similar services and recreational facilities.

(6) Inside commercial amusement.

(A) Definition. A facility that offers entertainment or games of skill to the general public for a fee and that is wholly enclosed in a building, including but not limited to a bowling alley or billiard parlor.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. One space for each 100 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(7) Outside commercial amusement.

(A) Definition. A facility offering entertainment or games of skill to the general public for a fee where any portion of the activity takes place outside, including, but not limited to a golf driving range, archery range, or miniature golf course.

(B) Subdistricts permitted. By right in central area and industrial subdistricts. By SUP only in A, SC, and GR subdistricts.

(C) Required off-street parking. One space for each 200 square feet of floor area plus one space for each 400 square feet of site area exclusive of floor area and parking area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(8) Theatre.

(A) Definition. A facility for showing motion pictures or theatrical performances to an audience inside an enclosed structure.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By SUP only in MF-3 and MF-4 subdistricts.

(C) Required off-street parking. One space for each four seats. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(9) Drive-in theatre.

(A) Definition. A facility for showing motion pictures outdoors where the audience views the motion picture from automobiles or while seated outside.

(B) Subdistricts permitted. By right in central area and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. A minimum of six parking spaces is required. The number of stacking spaces must equal ten percent of the theatre's stall capacity. No handicapped parking is required.

(D) Required off-street loading. None.

(10) Rodeo.

(A) Definition. A facility for public performances of rodeo events, including, but not limited to bronco riding, calf roping, steer wrestling, and brahma bull riding.

(B) Subdistricts permitted. By right in central area and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. One space for each three seats. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(11) Fairgrounds.

(A) Definition. An outside area where a fair, circus, or exhibition is held.

(B) Subdistricts permitted. By right in central area and industrial subdistricts. By SUP only in the agricultural subdistrict.

(C) Required off-street parking. Twenty-five spaces for each acre. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. None.

(12) Carnival or circus (temporary).

(A) Definition. A temporary traveling show or exhibition that has no permanent structure or installation.

(B) Subdistricts permitted. Special authorization by the building official as approved in Resolution No. 65-1854.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(13) Wax museum.

(A) Definition. A commercial enterprise that displays wax figures of famous individuals and events for entertainment.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By SUP only in the O-2 subdistrict.

(C) Required off-street parking. One space for each 100 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(i) Bar and restaurant uses. Bar and restaurant uses are subject to the following regulations:

(1) Bar, lounge, or tavern.

(A) Definition. An establishment for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on an annual basis from the on-premise sale of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code. This use does not include a dance hall, which is defined as a separate main use in this subsection.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By right as a limited use only in MF-3 and MF-4 subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 100 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(E) Additional provisions.

(i) Food may be prepared and served under this use.

(ii) Music and other entertainment may be provided under this use.

(iii) The person owning or operating the use shall, upon request, supply the building official with any records to document the percentage of gross revenue for the previous 12-month-period derived from the on-premise sale of alcoholic beverages.

(2) Drive-in restaurant.

(A) Definition. An establishment offering food services to customers in automobiles for consumption on the premises.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 50 square feet of floor area; a minimum of 12 spaces is required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(3) Drive-through restaurant.

(A) Definition. A restaurant with direct window service allowing customers in motor vehicles to pick up food for off-premise consumption.

(B) Subdistricts permitted. By right in SC, central area, and industrial subdistricts. By SUP only in GR, LC, and HC subdistricts.

(C) Required off-street parking. One space for each 100 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(4) Restaurant without drive-in or drive-through service.

(A) Definition. An establishment for the sale and service of food to customers on the premises, but not in automobiles for consumption on or off the premises.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3, MF-4, and O-2 subdistricts.

(C) Required off-street parking. One space for each 100 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(5) Private club.

(A) Definition. An establishment for the association of a group of people for common purpose, interest, or pleasure.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By right as a limited use only in MF-3, MF-4, and O-2 subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each guest room, plus one space for each 100 square feet of floor area exclusive of guest rooms; a minimum of 10 parking spaces is required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(E) Additional provisions.

(i) Private club facilities must be available only to members and their guests.

(ii) The private club may include a restaurant or bar, and tennis courts, swimming pool, or similar recreational facilities.

(iii) An establishment that derives more than 75 percent or more of its gross revenue on an annual basis from the on-premise sale of alcoholic beverages may not be classified as a private club.

(6) Catering service.

(A) Definition. An establishment that serves and supplies food to be consumed off premises.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(7) Dance hall.

(A) Definition. An establishment for which a license is required by Chapter 14 of the Dallas City Code, as amended, to operate.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts if the dance hall is located more than 300 feet from a residential subdistrict; otherwise, by SUP only in those subdistricts. By SUP only as a limited use in MF-3 and MF-4 subdistricts. By right in the O-2 subdistrict as a limited use and as a street level use in accordance with Section 51P-193.110 if the dance hall is located more than 300 feet from a residential subdistrict; otherwise, by SUP only in that subdistrict.

(C) Required off-street parking. One space for each 100 square feet of floor area exclusive of dance floor area; one space for each 25 square feet of floor area designed, intended, or used for dancing. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(E).

(E) Performance standards. Dance halls located in this district are subject to the following conditions and performance standards:

(i) All trash on the lot containing the use and on lots used for required off-street parking for the use must be removed daily.

(ii) Parking lots must comply with the parking lot lighting provisions contained in Section 51P-193.113(e). It is a defense to prosecution that a parking lot is in compliance with Section 51P-193.113(e) within 90 days of the date the citation was issued.

(iii) Outdoor loudspeakers must comply with the outdoor loudspeaker provisions contained in Section 51P-193.129; however, loudspeakers existing on September 13, 1992, are not required to comply with Subsections (d) and (e) of Section 51P-193.129.

(iv) The use must comply with the noise regulations contained in Section 51-6.102.

(v) Vehicular access to required off-street parking may not be located on a street within a residential subdistrict or abutting a residential subdistrict within that block unless vehicular access to another street is not available.

(vi) Off-street parking must be provided as required by Subparagraph (C) of this paragraph by June 13, 1993, for uses existing on or before September 13, 1992. It is a defense to prosecution that the use is in compliance with an order of the board of adjustment granting a special exception pursuant to Subparagraph (H). It is also a defense to prosecution that no off-street parking or special parking, as defined in this article, is available to satisfy the parking requirement.

(vii) This use must comply with the requirement of a license pursuant to Chapter 14 of the Dallas City Code, as amended.

(F) Authority of board limited. The board of adjustment may not establish a compliance date under Section 51-4.704(a)(1) for a nonconforming dance hall located in this district on

September 13, 1992, unless Subparagraph (E) of this paragraph is violated three or more times in a 12-month-period. Subparagraph (E) is considered violated on any date an offense occurs. The board of adjustment may not accept an application to establish a compliance date under Section 51-4.704(a)(1) until the person(s) criminally responsible for those violations pursuant to Section 51-1.103(a)(2) are convicted, singularly or collectively, of three or more violations of Subparagraph (E) that occurred in a 12-month-period and all opportunities to appeal those convictions have been exhausted.

(G) Automatic postponement of board action. An application for an SUP for a dance hall automatically postpones the board of adjustment's consideration of a request to establish a compliance date for that nonconforming use under Section 51-4.704(a)(1). If the application is withdrawn by the applicant or denied by the city council, the postponement shall end and the request shall be placed on the board's agenda in its appropriate chronological sequence according to the date the request was originally filed. The board's consideration of a request may be postponed only once in the manner described in this subparagraph.

(H) Additional provisions.

(i) No SUP for a dance hall may be granted for more than a five-year-period. An SUP for a dance hall is not eligible for automatic renewal. When applying for an SUP or for a renewal of an SUP for a dance hall, an applicant must submit a report addressing the items in Subparagraph (E) to the director of development services. Provisions addressing the items in Subparagraph (E) may be included in any ordinance granting an SUP for a dance hall.

(ii) The board of adjustment may grant a special exception to the requirements of Subparagraph (C) and (E)(vi) of this paragraph to authorize a lesser number of required off-street parking spaces for this use if the board finds, after a public hearing, that the operator of the use has used best efforts to obtain the required off-street parking spaces.

(iii) Food may be prepared and served under this use.

(iv) Music, entertainment, and facilities for dancing may be provided under this use.

(j) Professional, personal service, and custom crafts uses. Professional, personal service, and custom crafts uses are subject to the following regulations:

(1) Office.

(A) Definition. A place for the regular transaction of business.

(B) Subdistricts permitted. By right in office, commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 366 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(A).

(E) Additional provisions. Retail sales, transfer of manufactured goods, or the storage of commodities is not permitted under this use.

(2) Temporary construction or sales office.

(A) Definition. A residential structure or other facility temporarily used as a construction office, a model home for display purposes, or a sales office in a residential subdivision.

(B) Subdistricts permitted. By right in residential and non-residential subdistricts.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A temporary construction or sales office must be located on a platted lot within the subdivision or a site approved by the commission within an area with an approved preliminary plat.

(ii) The building official shall issue a temporary certificate of occupancy for a period of one year for a temporary construction or sales office. The building official may grant up to four extensions of six months each to the certificate of occupancy for a construction office if the builder maintains active or continuous construction within the subdivision, and for a sales office or model home for display purposes if a minimum of ten lots in the subdivision are unsold.

(iii) A temporary construction or sales office may not be located in another subdivision or used for construction or sales in another subdivision.

(3) Bank or savings and loan office.

(A) Definition. A facility for the extension of credit and the custody, loan, or exchange of money.

(B) Subdistricts permitted. By right in office, commercial, central area, and industrial subdistricts. By SUP only in O-1, O-2, GR, LC, HC, and NS subdistricts when the bank or savings and loan has drive-in window service for customers in motor vehicles.

(C) Required off-street parking. One space for each 366 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(A).

(4) Trade center.

(A) Definition. A facility for exhibitions, trade shows, and conventions.

(B) Subdistricts permitted. By right in HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 700 square feet of floor area, exclusive of atriums, mechanical rooms, stairwells, and hallways. Handicapped parking must be provided pursuant to Section 51P-193.116. Parking must be provided on the site area within 500 feet of a public entrance to the trade center. However, parking may be located at a distance greater than 500 feet if a satisfactory system of transportation between the parking area is established and maintained by the owner of the use.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) This use must have a minimum floor area of 2,000,000 square feet.

(ii) This use must have a site area of at least 100 acres. The site area may be divided by streets other than a freeway. The area of the dividing streets is not included in the computation of the site area.

(iii) No more than 40 percent of the floor area may be used for retail sales.

(5) Barber and beauty shop.

(A) Definition. A facility licensed by the state where haircutting, hairdressing, shaving, trimming beards, facials, manicures, or related services are performed.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3, MF-4, and O-2 subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(6) Mortuary or funeral home.

(A) Definition. A facility in which dead bodies are prepared for burial or cremation or funeral services are conducted.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area other than the chapel, plus one space for each two seats in the chapel. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(7) Health studio.

(A) Definition. A facility operated to promote physical fitness or weight control and where manipulated massage or exercises are practiced upon the human body with or without the use of mechanical, therapeutic, or bathing devices.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By right as a limited use only in MF-3, MF-4, and O-2 subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 150 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions.

(i) This use includes massage establishments and Turkish bath houses.

(ii) This use does not include a facility operated under a physician's direction or where registered physical therapists treat only patients recommended by a licensed physician.

(8) Custom cleaning shop.

(A) Definition. An establishment for the custom cleaning of individual garments, fabrics, rugs, draperies, or other similar items.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(9) Commercial cleaning shop.

(A) Definition. A plant for cleaning garments, fabrics, rugs, draperies, or other similar items on a commercial or bulk basis.

(B) Subdistricts permitted. By right in LC, HC, central area, I-2, and I-3 subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(10) Self service laundry or dry cleaning.

(A) Definition. A facility for washing or dry cleaning garments and similar items where customers clean their own clothes.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3 and MF-4 subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(11) Commercial laundry or dry cleaning.

(A) Definition. A facility for laundering or dry cleaning garments and similar items on a bulk basis.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(12) Laundry or cleaning pickup and receiving station.

(A) Definition. A facility that receives and dispenses laundry and dry cleaning that is processed in bulk by a commercial laundry or dry cleaning shop located elsewhere.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3 and MF-4 subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(13) Key shop.

(A) Definition. A facility for the sale and duplication of keys.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(14) Shoe Repair.

(A) Definition. A facility for the repair or reconditioning of footwear, handbags, and other similar articles.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(15) Tailor, custom sewing, and millinery.

(A) Definition. A facility to alter, repair, custom-make, and fashion apparel and millinery.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use does not include a factory for the production of repair or apparel.

(16) Taxidermist.

(A) Definition. A facility for preparing, stuffing, and mounting the skins of animals, birds, and fish.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.110(a)(1)(B).

(17) Travel bureau.

(A) Definition. An agency engaging in the selling or arranging of transportation, trips, or tours for individuals or groups.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in the O-2 subdistrict. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(18) Broadcasting or recording studio.

(A) Definition.

(i) A broadcasting studio is a facility for broadcasting live or prerecorded programs by radio or television.

(ii) A recording studio is a facility for recording on records, tapes, video tapes, or other suitable recording media.

(B) Subdistricts permitted. By right in O-2, SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) A broadcasting or recording studio may perform activities necessary for the recording, programming, and receiving of radio or television signals.

(ii) A broadcasting or recording studio may not engage in the mass production of records, tapes, video tapes, or other recorded media.

(19) Instructional arts studio.

(A) Definition. A facility for the instructing, coaching, or counselling in art, music, ceramics, drama, speech, dance, or similar personal skills or arts.

(B) Subdistricts permitted. By right in O-2, commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(20) Handcrafted art work studio.

(A) Definition. A facility for individuals to create art objects such as needlework, hand weaving, leather goods, jewelry, ceramics, sculptures, or other works of art.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use does not include a factory for the production of art products.

(21) Handcraft bookbinding.

(A) Definition. A facility for custom hand binding of books and similar documents.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(22) Photography studio.

(A) Definition. A facility for taking and processing pictures.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in the O-2 subdistrict. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use does not include a bulk photography processing plant.

(23) Safe deposit boxes.

(A) Definition. An establishment offering storage areas which may be used for the keeping of personal items, including but not limited to jewelry, silverware, valuable metals, and stones.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. Each storage area must not exceed 10 cubic feet in size.

(24) Commercial wedding chapel.

(A) Definition. A facility, not associated with a church, where a wedding is performed for a profit.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial districts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use may provide reception areas, but no alcoholic beverages may be sold.

(k) Retail uses. Retail uses are subject to the following regulations:

(1) Retail stores other than listed.

(A) Definition. Any use not listed in this chapter that offers consumer goods for inside retail sale.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(2) Antique Shop.

(A) Definition. 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.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-

193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(3) Retail food store.

(A) Definition. An establishment for the display and retail sale of foods and associated items.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3 and MF-4 subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(4) Bakery or confectionery shop.

(A) Definition. A facility for preparing, cooking, baking, and the retail sale of candy, baked goods, or other sweets.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3 and MF-4 subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. Under this use, all goods baked or cooked on the premises must be retailed on the same premises.

(5) Book and stationery store.

(A) Definition. A facility for the retail sale of books, pamphlets, papers, pens, ink, and associated items.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in the MF-3 subdistrict. By right in the O-2

subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(6) Camera shop.

(A) Definition. A facility for the retail sale of cameras, film, photographic paper, auxiliary lenses, photofinishing, photofinishing material, projection equipment, and other photography related items.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(7) Cigar, tobacco, and candy store.

(A) Definition. A facility for the retail sale of cigars, cigarettes, pipe tobacco, candies, and other related items.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3, MF-4, and O-2 subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(8) Clothing store.

(A) Definition. A facility for the retail sale of apparel.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(9) Drug store.

(A) Definition. A facility for the preparing, preserving, compounding, and the retail sale of drugs and medicines.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in the MF-3, MF-4, and O-2 subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use may include the display and sale of other merchandise such as cosmetics, notions, fountain sodas, nonalcoholic beverages, and other similar items.

(10) Liquor store.

(A) Definition. An establishment for the retail sale of alcoholic beverages for off-premise consumption that derives 75 percent or more of its gross revenue on an annual basis from the on-premise sale of alcoholic beverages as defined in the Texas Alcoholic Beverage Code.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in MF-3 and MF-4 subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. The person owning or operating the use shall, upon request, supply the building official with any records needed to document the percentage of gross revenue for the previous 12-month period derived from the on-premise sale of alcoholic beverages.

(11) Florist store.

(A) Definition. A facility for the retail sale of cut or uncut flowers and ornamental plants and associated items.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(12) Feed store.

(A) Definition. A facility for the retail sale of grain, prepared feed, and forage for pets, livestock, and fowl.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. The grinding, mixing, or commercial compounding of livestock feed is not permitted under this use.

(13) Pet shop.

(A) Definition. A facility for the display and retail sale of small animals, fish, and birds as pets.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use does not include commercial boarding or medical treatment of any animal, fish, or bird.

(14) Furniture store.

(A) Definition. A facility for the display and retail sale of new furniture and appliances.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 550 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(15) Second hand store.

(A) Definition. A facility for the retail sale of used merchandise.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, I-2, and I-3 subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(16) Pawn shop.

(A) Definition. A facility for loaning money on the security of personal property and the sale of unclaimed property.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, I-2, and I-3 subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(17) Hardware or sporting goods store.

(A) Definition.

(i) A hardware store is a facility for the retail sale of items such as cutlery, tools, utensils, screws, nails, and similar items.

(ii) A sporting goods store is a facility for the retail sale of athletic equipment, clothing, and other sports related items.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(18) Home improvement center.

(A) Definition. A facility for the retail sale of home, lawn, and garden supplies.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(19) Hobby and art supplies store.

(A) Definition. A facility for the retail sale of model kits, art equipment and materials, and similar art, and hobby supplies.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110. By SUP only in the MF-3 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(20) Paint and wallpaper store.

(A) Definition. A facility for the retail sale of paints, painting equipment, and wallpaper.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(21) Swimming pool sales and supply.

(A) Definition. A facility for the display, retail sale, and service of swimming pools and related supplies.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 220 square feet of floor area, plus one space for each 1,000 square feet of outside sales area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(l) Motor vehicle related uses. Motor vehicle related uses are subject to the following regulations:

(1) Automobile or motorcycle display, sales, and service (inside display).

(A) Definition. A facility for the display, service, and retail sale of new or used automobiles, motorcycles, motor scooters, recreational vehicles, and trailers.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of site area; a minimum of four spaces required. In addition, a number of parking spaces equal to or greater than 20 percent of the standard off-street parking requirement for the use must be provided and designated as parking for employees of the use. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(ii) The following regulations only apply when this use is located in a HC or LC subdistrict:

(aa) If the use is on a lot that is contiguous to or perpendicularly across an adjoining alley or street from a residential subdistrict, a screening wall not less than six feet in height must be constructed of solid wood or masonry and maintained within 18 inches of the lot line that is contiguous to or perpendicularly across an adjoining alley or street from the residential subdistrict. If a screening wall is required, no outdoor lighting fixture that is located on or within 30 feet of the required screening wall may be placed higher than two feet above the top of the wall. All outdoor lighting must be controlled and directed away from property in the residential subdistrict.

(bb) A security fence not less than four feet in height must be constructed and maintained along the side street frontage of a corner lot. The required security fence need not serve a screening function. If a screening wall is provided along the side street frontage pursuant to Subsection (aa) above, a security fence need not be provided.

(cc) The use of an outdoor public address or paging system is prohibited between the hours of 6:30 p.m. and 8 a.m.

(dd) All ingress and egress and maneuvering areas for sales and service must be kept open and unobstructed to prevent the backup of vehicles onto a public sidewalk or street. The loading and unloading of freight (including motor vehicles) must occur on the premises and

is not permitted on a public street or sidewalk. Test driving and customer demonstration of vehicles is prohibited on minor streets in residential subdistricts.

(2) Automobile or motorcycle display, sales, and service (outside display).

(A) Definition. A facility for the display, service, and retail sale of new or used automobiles, motorcycles, motor scooters, recreational vehicles, and trailers, with outside display permitted.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of site area. In addition, a number of parking spaces equal to or greater than 20 percent of the standard off-street parking requirement for the use must be provided and designated as parking for employees of the use. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(D).

(E) Additional provisions.

(i) New or used vehicles for sale may be displayed or stored in the required front yard under this use. The weight of each vehicle displayed under this provision may not exceed 6,000 pounds.

(ii) Outside display and open storage of new or used vehicles for sale are permitted under this use without visual screening unless Subparagraph (iii) applies.

(iii) The following regulations only apply when this use is located in a HC or LC subdistrict:

(aa) If the use is on a lot that is contiguous to or perpendicularly across an adjoining alley or street from a residential subdistrict, a screening wall not less than six feet in height must be constructed of solid wood or masonry and maintained within 18 inches of the lot line that is contiguous to or perpendicularly across an adjoining alley or street from the residential subdistrict. If a screening wall is required, no outdoor lighting fixture that is located on or within 30 feet of the required screening wall may be placed higher than two feet above the top of the wall. All outdoor lighting must be controlled and directed away from property in the residential subdistrict.

(bb) A security fence not less than four feet in height must be constructed and maintained along the side street frontage of a corner lot. The required security fence need not serve a screening function. If a screening wall is provided along the side street frontage pursuant to Subsection (aa) above, a security fence need not be provided.

(cc) The use of an outdoor public address or paging system is prohibited between the hours of 6:30 p.m. and 8 a.m.

(dd) All ingress and egress and maneuvering areas for sales and service must be kept open and unobstructed to prevent the backup of vehicles onto a public sidewalk or street. The loading and unloading of freight (including motor vehicles) must occur on the premises and is not permitted on a public street or sidewalk. Test driving and customer demonstration of vehicles is prohibited on minor streets in residential subdistricts.

(3) Auto auction.

(A) Definition. A facility for the sale of automobiles to the highest bidder.

(B) Subdistricts permitted. By SUP only in HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of site area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(4) Auto glass, muffler, or seat cover shop.

(A) Definition. A facility for the retail sale, installation, or replacement of auto glass, mufflers, or seat covers.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of retail floor area, plus one space for each 500 square feet of service floor area; a minimum of two spaces required. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(5) Auto parts sales (inside only).

(A) Definition. A facility for the retail sale of auto parts, tools, and related items.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of sales floor area, plus one space for each 500 square feet of storage floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(6) Auto parts sales (outside display).

(A) Definition. A facility for the retail sale of auto parts, tools, and related items with outside display permitted.

(B) Subdistricts permitted. By SUP only in HC and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of site area exclusive of building; minimum of four spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(7) Auto repair garage (inside).

(A) Definition. A facility for the repair of motor vehicles.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area, a minimum of five spaces required. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in satisfying the required parking. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(8) Auto repair garage (outside).

(A) Definition. A facility for the repair of motor vehicles with outside repair or display permitted.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of site area; a minimum of five spaces required. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(9) Auto painting or body rebuilding shop (inside).

(A) Definition. A facility for restoring, painting, or refinishing auto bodies.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area; a minimum of five spaces required. In addition, a number of parking spaces equal to or greater than 20 percent of the standard off-street parking requirement for the use must be provided and designated as

parking for employees of the use. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions.

(i) No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(ii) The following regulations only apply when this use is located in a HC or LC subdistrict:

(aa) If the use is on a lot that is contiguous to or perpendicularly across an adjoining alley or street from a residential subdistrict, a screening wall not less than six feet in height must be constructed of solid wood or masonry and maintained within 18 inches of the lot line that is contiguous to or perpendicularly across an adjoining alley or street from the residential subdistrict. If a screening wall is required, no outdoor lighting fixture that is located on or within 30 feet of the required screening wall may be placed higher than two feet above the top of the wall. All outdoor lighting must be controlled and directed away from property in the residential subdistrict.

(bb) A security fence not less than four feet in height must be constructed and maintained along the side street frontage of a corner lot. The required security fence need not serve a screening function. If a screening wall is provided along the side street frontage pursuant to Subsection (aa) above, a security fence need not be provided.

(cc) The use of an outdoor public address or paging system is prohibited between the hours of 6:30 p.m. and 8 a.m.

(dd) All ingress and egress and maneuvering areas for sales and service must be kept open and unobstructed to prevent the backup of vehicles onto a public sidewalk or street. The loading and unloading of freight (including motor vehicles) must occur on the premises and is not permitted on a public street or sidewalk. Test driving and customer demonstration of vehicles is prohibited on minor streets in residential subdistricts.

(10) Auto painting or body rebuilding shop (outside).

(A) Definition. A facility for restoring, painting, or refinishing auto bodies, with outside display and repair permitted.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of site area; a minimum of five spaces required. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(11) Car wash.

(A) Definition. A facility for the washing or steam cleaning of passenger vehicles. A car wash may be:

(i) a single unit type which has a single bay or group of single bays with each bay to accommodate one vehicle only; or

(ii) a tunnel unit type which allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. Five stack spaces for each single unit; 25 stack spaces for each tunnel unit. Parking spaces used to wash motor vehicles and located in a structure are not counted in determining the required parking. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(12) Steam cleaning of vehicles and machinery.

(A) Definition. A facility for steam cleaning of vehicles and their parts or other items of machinery.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. Two stack spaces for each single unit area, plus two additional spaces. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(13) Service station.

(A) Definition. A facility for the retail sale of motor vehicle fuel, lubricating oils, and parts for use in motor vehicles.

(B) Districts permitted. By right in SC, GR, LC, HC, central area and industrial districts. By right as a limited use only in the O-2 subdistrict. By SUP only in the NS subdistrict.

(C) Required off-street parking. One space for each 500 square feet of floor area; minimum of four spaces required. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Limited use regulations. This use is subject to the following limited use regulations instead of the regulations contained in Section 51P-193.109:

(i) The service station use as a limited use must be secondary to a main use, and may be available only to the owner and tenant of the main building and not available to the general public.

(ii) The dispensing of motor vehicle fuel must be limited to one pump for each main building.

(iii) The motor vehicle fuel pump and any sign relating to this use must not be visible from the public street. No sign may be erected indicating the availability of gasoline.

(iv) All storage tanks for motor vehicle fuel must be located underground.

(F) Additional provisions.

(i) A gasoline service station pump island or station canopies may be located 18 feet or more from a property line.

(ii) The rental of trailers that can be pulled by passenger automobiles is permitted as an accessory use.

(iii) A gasoline pump island must be constructed in a manner that allows vehicular access adjacent to the gasoline pump island without interference with or obstruction to off-street parking. Determination of the proper placement of gasoline pump islands must be based on the dimensions in the City of Dallas Manual "Layout and Design Standards for Parking Lots," which is expressly adopted as part of this subsection. A person shall obtain approval from the director of public works and transportation for the placement of a gasoline pump island before the building official may issue a building permit for the construction.

(14) Engine or motor repair shop.

(A) Definition. A facility for the disassembly, rebuilding, and repair of motor vehicle engines, electrical motors, vehicle transmissions, or other major machinery components.

(B) Subdistricts permitted. By right in HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area; a minimum of four spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions.

(i) General vehicle repair is not a part of this use.

(ii) No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(15) Bus or truck repair/parking garage.

(A) Definition. A facility in which currently licensed buses or trucks are stored or repaired.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area of repair garage with a minimum of five spaces required; no parking required for a parking garage. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. None.

(16) Drag strip, go-cart track, or commercial racing.

(A) Definition. A facility for motor vehicle races, including closed course, straightaway, or acceleration runs.

(B) Subdistricts permitted. By right in central area and industrial subdistricts. By SUP only in the agricultural district.

(C) Required off-street parking. One space for each two grandstand seats; a minimum of 20 spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. None.

(17) Surface parking.

(A) Definition. A passenger vehicle parking facility.

(B) Subdistricts permitted. By right in the parking subdistrict.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) All parking must be at grade level.

(ii) A commercial parking lot or garage is not permitted under this use.

(iii) No structure is permitted under this use except signs and required screening.

(iv) The owner of surface parking must maintain a minimum front yard of 10 feet when the surface parking is contiguous to a residential subdistrict.

(18) Commercial parking lot or garage.

(A) Definition. A vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts. By SUP only in an area designated as CA-1-RP.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) The parking of trucks and buses is not permitted under this use.

(ii) This use must comply with the off-street parking regulations in Sections 51P-193.113 through 51P-193.117.

(m) Commercial uses. Commercial uses are subject to the following regulations:

(1) Appliance fix-it shop.

(A) Definition. A facility for the repair of household and home equipment such as radios, televisions, electrical appliances, lawn mowers, tools, and similar items.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts. By SUP only in the NS subdistrict.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(2) Custom furniture construction, repair, or upholstery shop.

(A) Definition. A facility for making, repairing, or reupholstering furniture on a single item basis.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area; a minimum of two spaces is required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. Specialized equipment for custom making, repairing, and reupholstering furniture is permitted under this use.

(3) Building repair and maintenance shop.

(A) Definition. A facility providing general building repair and maintenance service.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(4) Plumbing, electrical, air conditioning, and heating shops.

(A) Definition. A facility providing supplies, repair, and installation of plumbing, electrical, air conditioning, and heating equipment.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(5) Lumber, brick, or building materials sales yard.

(A) Definition. A facility where brick, lumber, and other similar building materials are sold and stored.

(B) Subdistricts permitted. By right in HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of retail floor area, plus one space for each 1,000 square feet of site area exclusive of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(6) Machinery sales and services.

(A) Definition. A facility for selling, servicing, and repairing machinery.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area, or one space for each 1,000 square feet of site area including the floor area, whichever is greater. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) No outside welding is permitted under this use.

(ii) No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(7) Machine or welding shop.

(A) Definition. A facility in which material is processed by machining, cutting, grinding, welding, or similar processes.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(8) Tool and equipment rental (inside display only).

(A) Definition. A facility for renting tools and equipment with no outside display.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(9) Tool and equipment rental (with outside display).

(A) Definition. A facility for renting tools and equipment with outside display permitted.

(B) Subdistricts permitted. By right in central area and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of floor area, plus one space for each 1,000 square feet of site area exclusive of buildings. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(10) Petroleum products storage and wholesale.

(A) Definition. A facility for the storage and sale of petroleum products.

(B) Subdistricts permitted. By right in industrial subdistricts.

(C) Required off-street parking. One space for each 2,000 square feet of site area; a minimum of four spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(11) Monument sales yard.

(A) Definition. A facility for stocking and selling memorial stones and gravestones.

(B) Subdistricts permitted. By right in CA-2, I-2, and I-3 subdistricts.

(C) Required off-street parking. One space for each 200 square feet of retail floor area, plus one space for each 1,000 square feet of site area, exclusive of buildings. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(12) Stone, sand, or gravel mining.

(A) Definition. The extraction and removal of stone, sand, or gravel from the site as defined by the SUP. The removal of these materials incidental to an approved plat or construction with a building permit is not considered mining.

(B) Subdistricts permitted. By SUP only in MH, A, O-2, commercial, central area, and industrial subdistricts.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) The applicant shall submit a site plan of existing conditions, operations plan, reclamation plan, and the proposed bond to the director of development services for review and recommendation by the departments of development services, park and recreation, and public works and transportation, and the environmental quality committee of the city plan commission.

(ii) If an SUP is granted for the mining use, the directors of public works and transportation and development services shall inspect and monitor the mining and reclamation operation at least once annually. The site will also be monitored annually by the department of health and human services to determine if toxic elements are present. A person conducting a mining operation shall meet the standards of the Texas Water Quality Act.

(iii) An SUP may not be issued for mining on city park land.

(F) Site plan of existing conditions. The applicant shall submit a site plan of existing conditions which includes:

(i) a site location map on a small scale showing major circulation routes and other landmarks which would aid in the location of the site;

(ii) contours shown at no greater than five-foot intervals;

(iii) connections to roads outside the site;

(iv) location, identification, and dimensions of all public and private easements;

(v) location of flood plain, water bodies, natural and man-made channels (wet and dry), and subsurface channels;

(vi) tree and other vegetation groupings, rock outcroppings, and any other significant natural features;

(vii) location and depth of any known former or current mines or landfills in or within 500 feet of the boundaries of the excavation and an indication of the type of fill used;

(viii) analyzed core samples if the director of health and human services determines that toxic elements may be present; and

(ix) any other information the director of public works and transportation determines is reasonably necessary for a complete review of the proposed operations.

(G) Operations plan. The applicant shall submit an operations plan which includes:

(i) storage of reclamation topsoil and methods of disposing of all material not to be sold or reclaimed;

(ii) hours of operation;

(iii) location and depth of excavation;

(iv) drainage and erosion control measures;

(v) method for the disposal of toxic elements, if present;

(vi) roads to be used for transportation of stone, sand, or gravel;

(vii) fences or any other barriers necessary for safety;

(viii) noise and dust control measures;

(ix) the length of time necessary to complete the mining and reclamation of the site; and

(x) any other information the director of public works and transportation determines is reasonably necessary for a complete review of the proposed operations.

(H) Reclamation plan. The applicant shall submit a reclamation plan which is verified by a registered surveyor. The reclamation plan must show the reclamation of the entire site upon completion of operation and phases of reclamation to be completed at no greater than five-year intervals. The reclamation plan must include the following information:

(i) contours shown at no greater than five-foot intervals with slopes not steeper than a three to one (horizontal to vertical) ratio;

(ii) circulation routes which include roadways, any internal circulation, rights-of-way, and connections to roads outside the site;

(iii) location, identification, and dimensions of all public and private easements;

(iv) location of flood plain, water bodies, natural and man-made channels (wet and dry), subsurface dams, dikes, or channels;

(v) location of any areas to be filled with water including a description of the source of the water, the means of water retention, and the prevention of stagnation and pollution;

(vi) location and type of vegetation;

(vii) structures (including height), utilities, and proposed land uses, if any;

(viii) the amount of the performance bond that will be posted in accordance with Subsection (I) below; and

(ix) any other information the director of public works and transportation determines is reasonably necessary for a complete review of the proposed operation.

(I) Performance bond.

(i) The applicant shall post a performance bond with the city controller once the application has been approved by the city council, but prior to the passage of the ordinance granting the SUP. The performance bond must be approved as to form by the city attorney.

(ii) The bond must be twice the estimated cost to the city of restoring the premises in a manner shown on the reclamation plan. The amount of the bond shall be determined by the director of public works and transportation on the basis of relevant factors including but not limited to expected changes in the price index, topography of the site, project methods being employed, depth and composition of overburden, and data provided in the reclamation plan.

(iii) The bond must be issued by a surety company licensed to do business in Texas. The applicant may deposit cash, certificates of deposit, or government securities in lieu of a bond. Interest received on deposits and securities must be returned to the applicant upon the approval of reclamation of the site.

(iv) The directors of public works and transportation and development services shall conduct a final inspection to determine whether the site has been reclaimed in accordance with the SUP. Final inspection must be made not more than two years after the expiration of the SUP. A registered surveyor provided by the applicant shall verify the final topography of the site.

(v) The director of development services shall report to the city council on the completion of the project. The city council shall determine by resolution whether the reclamation has been completed in accordance with the SUP and whether the SUP should be eliminated from the zoning map.

(vi) The city controller shall release the bond or deposit if the city council finds that the applicant has completed reclamation of the site in accordance with the SUP. If the site is not restored in accordance with the reclamation plan, the director of public works and transportation shall use the bond or deposit to restore the site in accordance with the plan.

(13) Sand, gravel, or earth sales and storage.

(A) Definition. A facility for storing and selling sand, gravel, and earth.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in A, HC, and I-2 subdistricts.

(C) Required off-street parking. A minimum of five spaces. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No mining is permitted under this use.

(14) Job printing, lithographer, printing, or blueprinting plant.

(A) Definition. A facility for the commercial reproduction of written material or drawings on a bulk basis using lithography, offset printing, blueprinting, and similar methods.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(15) Duplication shop.

(A) Definition. A facility for the reproduction on standard or legal sized paper of material by office-type photocopiers.

(B) Subdistricts permitted. By right in commercial, central area, and industrial subdistricts. By right as a limited use only in the O-2 subdistrict. By right in the O-2 subdistrict as a street level use in accordance with Section 51P-193.110.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(16) Custom print shop.

(A) Definition. A facility which performs custom printing.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts. By SUP only in the GR subdistrict.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions.

(i) No more than two printing presses with a maximum weight of 1,000 pounds each are permitted under this use.

(ii) The floor area for the printing presses may not exceed 400 square feet.

(iii) The noise level under this use may not exceed 63 decibels as measured at the exterior walls of the print shop.

(17) Gummed label printing.

(A) Definition. A facility for the cutting, printing, and binding of labels made from gummed paper.

(B) Subdistricts permitted. By right in GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 200 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(18) Venetian blind or window shade repair, assembly, and sales.

(A) Definition. A facility for the repair, assembly, or sale of venetian blinds and window shades.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(l)(B).

(19) Flea market.

(A) Definition. A site where space inside or outside a building is rented to vendors on a short term basis for the sale of merchandise.

(B) Districts permitted. By SUP only in industrial districts.

(C) Required off-street parking. One space for each 500 square feet of floor area, plus one space for each l,000 square feet of site area exclusive of buildings. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(20) Computer service center.

(A) Definition. A facility for the service and repair of computers.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(l)(B).

(21) Custom commercial engraving.

(A) Definition. A facility for the engraving or etching of items, including, but not limited to trophies and name plates, or the laminating of paper or other items in protective or decorative plastics.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of outside sales area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(22) Garden shop, plant sales, or greenhouse.

(A) Definition. A facility for the growing, display, and sale of garden or flower seeds, plants, nursery stock, and related items.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area, plus one space for each 2,000 square feet of outside sales area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(23) Diamond and precious stone sales (wholesale only).

(A) Definition. A facility for the sale of diamonds and precious metals or gems at wholesale only and the occasional mounting of diamonds, precious gems, and jewelry.

(B) Subdistricts permitted. By right in O-2, commercial, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 333 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. Retail sales, factories, and showrooms are not permitted under this use.

(24) Design or decorative center.

(A) Definition. A facility for the display of furniture and relative decorator items.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 700 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) No retail sales are permitted under this use.

(ii) This use must have at least 150,000 square feet of floor area use for merchandise display and accessory office use.

(iii) Accessory office use must not exceed 20 percent of the total floor area.

(25) Labor hall.

(A) Definitions. In this paragraph:

(i) LABOR HALL means any profit or non-profit public or private entity, whether a corporation, partnership, natural person, or any other legal entity, whose business involves securing temporary unskilled or agricultural employment for a client through the use of a hiring hall or facility where unskilled workers gather to await employment.

(ii) UNSKILLED WORKER means an individual who performs labor involving physical toil that does not require persons engaged in a particular occupation, craft, or trade, or practical or familiar knowledge of the principles or processes of an art, science, craft, or trade.

(B) Subdistricts permitted. By SUP only in industrial and central area subdistricts.

(C) Required off-street parking. One space per 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading.

SQUARE FEET OF FLOOR AREA IN STRUCTURE	**TOTAL REQUIRED SPACES OR BERTHS**
0 to 50,000	**NONE**
50,000 to 150,000	**1**
Each additional 100,000 or fraction thereof	**1 Additional**

(E) Additional provisions.

(i) This use must have a lobby or waiting room with a floor area of not less than the greater of 500 square feet or 50 percent of the total floor area of the premises.

(ii) Food may be prepared and served as an accessory use.

(iii) No SUP for a labor hall may be granted for more than a two-year time period. An SUP for a labor hall is not eligible for automatic renewal.

(iv) This use must comply with all applicable licensing provisions.

(n) Storage and waste disposal uses. Storage and waste disposal uses are subject to the following regulations:

(1) Warehouse.

(A) Definition. A facility for the inside storage of commodities.

(B) Subdistricts permitted. By right in LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 1,000 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(2) Contractor's maintenance yard.

(A) Definition. A site visually screened for the storage and maintenance of contractor's supplies and operational equipment.

(B) Subdistricts permitted. By right in CA-2, I-2, and I-3 subdistricts.

(C) Required off-street parking. One space for each 2,000 square feet of site area; a minimum of four spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. Screening is required around this use.

(3) Building mover, temporary storage yard.

(A) Definition. A site where a building or structure which has been removed from its original construction site is temporarily stored.

(B) Subdistricts permitted. By SUP only in the I-3 subdistrict.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) This use must be surrounded by a solid visual screen of at least nine feet in height and constructed of solid masonry, solid concrete, corrugated sheet metal, or a chain link fence with strips of metal through all links.

(ii) This use must be landscaped with plants meeting the requirements of the SUP.

(iii) Buildings temporarily stored under this use may not be placed upon a foundation.

(iv) This use does not include bona fide sales lots on which new buildings or structures are located displaying examples of workmanship or appearance of the buildings or structures to be constructed on other sites and sold.

(4) Open storage.

(A) Definition. A lot used for the outside placement, for a period in excess of 24 hours, of an item which is:

(i) customarily used or stored outside; and

(ii) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(B) Subdistricts permitted.

(i) Open storage with visual screening: By right in central area and industrial subdistricts. By SUP only in the LC subdistrict.

(ii) Open storage without visual screening: By right in I-2 and I-3 subdistricts.

(C) Required off-street parking. One space for each 2,000 square feet of site area; a minimum of one space is required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) A person shall not place, store, or maintain outside for a period in excess of 24 hours, an item which is not:

(aa) customarily used or stored outside; or

(bb) made of a material that is resistent to damage or deterioration from exposure to the outside environment.

(ii) The required screening for open storage must comply with the screening requirements in this article and Chapter 51.

(5) Outside salvage or reclamation.

(A) Definition. A facility which stores, keeps, dismantles, or salvages scrap or discarded material or equipment outside. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, or appliances.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in the I-2 subdistrict.

(C) Required off-street parking. One space for each 500 square feet of floor area; a minimum of five spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) This use must have a visual screen of at least nine feet in height which consists of a solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links.

(ii) The owner of an outside salvage or reclamation use shall not stack objects higher than eight feet within 40 feet of the visual screen. The owner of an outside salvage or reclamation use may stack objects one foot higher than eight feet for each five feet of setback from the 40-foot-point.

(iii) If an inoperable or wrecked motor vehicle remains outside on the premises for more than 24 hours, the premise is an outside salvage or reclamation use. However, a premise is not an outside salvage or reclamation use if the premise stores not more than four inoperable or wrecked motor vehicles each of which having a valid state registration, current safety inspection certificate, and documentary record of pending repairs or other disposition, and if the premise has a current certificate of occupancy for a motor vehicle related use.

(iv) A minimum distance of 500 feet is required between an outside salvage or reclamation use and a residential subdistrict.

(6) Metal processing facility.

(A) Definition. A facility that collects, separates, and processes scrap metal in bulk form for reuse and manufacturing.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in the I-2 subdistrict.

(C) Required off-street parking. One space for each 500 square feet of floor area; a minimum of five spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions.

(i) This use must have a visual screen of at least nine feet in height which consists of a solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links.

(ii) The owner of a metal processing facility shall not stack objects higher than eight feet within 40 feet of the visual screen. The owner of a metal processing facility may stack objects one foot higher than eight feet for each five feet of setback from the 40 foot point.

(iii) A minimum distance of 500 feet is required between a metal processing facility and a residential subdistrict.

(7) Inside salvage and reclamation.

(A) Definition. A business which stores, keeps, dismantles, or salvages scrap or discarded material or equipment wholly inside a building. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, or appliances.

(B) Subdistricts permitted. By right in I-2 and I-3 subdistricts. By SUP only in the HC subdistrict.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No outside display or open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(8) Refuse transfer station.

(A) Definition. A privately owned facility for the transfer and packing of solid waste materials from smaller collecting vehicles to larger transport vehicles.

(B) Subdistricts permitted. By SUP only in industrial subdistricts.

(C) Required off-street parking. One space for each 1,000 square feet of site area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(9) Sanitary landfill.

(A) Definition. A site for collection, handling, storage, and disposal of solid wastes.

(B) Subdistricts permitted. By SUP only in agricultural and industrial subdistricts.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions. This use is subject to Chapter 361 of the Texas Health and Safety Code (Solid Waste Disposal Act), as amended.

(10) Recycling buy-back center.

(A) Definitions. In these use regulations:

(i) HOUSEHOLD METALS means items that are:

(aa) customarily used in a residential dwelling;

(bb) comprised of any quantity of ferrous or nonferrous metal; and

(cc) not included in the definition of industrial metals. Examples of household metals include, but are not limited to kitchen pots and pans, cooking and serving tools, barbecue equipment, window screens, gardening tools, and aluminum foil.

(ii) INDUSTRIAL METALS means pipes, wires, coils, condensers, guard rails, automotive parts, bulky appliances, and similar industrial or construction materials which are comprised of any quantity of ferrous or nonferrous metal.

(iii) RECYCLABLE MATERIALS means clothing, aluminum cans, steel cans, glass, paper, plastics, and household and industrial metals.

(iv) RECYCLING BUY-BACK CENTER means a facility wholly enclosed within a building, or an automatic collection machine, used for the collection and temporary storage of recyclable materials as provided in Subparagraph (B).

(v) RECYCLING USE means any use listed in Paragraphs (10) through (13) of this subsection.

(B) Subdistricts permitted.

(i) If this use is located on property controlled, managed, or maintained by the park and recreation board: By right in all subdistricts.

(ii) For the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics: By right with RAR required in industrial, central area, and HC subdistricts. By SUP only in SC, GR, and LC subdistricts.

(iii) For the collection of household metals: By SUP only in SC, GR, LC, HC, industrial, and central area subdistricts.

(iv) For the collection of industrial metals: By SUP only in industrial subdistricts.

(C) Required off-street parking. One space per 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) The floor area of this use may not exceed 10,000 square feet.

(ii) Mechanical processing of recyclable materials is limited to crushing, bailing, and shredding.

(iii) Materials stored at this use must be removed at least once a week or before reaching capacity. The facilities must be maintained in proper repair and the exterior must have a neat and clean appearance.

(iv) In the industrial subdistricts, openings providing vehicle access to the building may remain open at all times. In all other subdistricts, vehicle access openings must remain closed except when receiving or removing recyclable materials.

(v) No more than one recycling use is permitted on a building site.

(vi) This use must be located at least 1,000 feet from another recycling use. Measurements of distance under this paragraph are taken radially. "Radial" measurement means a distance taken along the shortest distance between the nearest point of the building sites where recycling uses are located.

(vii) The collection of industrial metals is prohibited in all subdistricts except the industrial subdistricts as provided in Subparagraph (B).

(viii) If this use is located on property controlled, managed, or maintained by the park and recreation board, the requirements of Subparagraphs (C), (D), and (E) do not apply.

(ix) The collection of hazardous waste is prohibited.

(x) No SUP for this use may be granted for more than a two-year time period.

(xi) This use may not be located within a required front yard.

(11) Recycling collection center.

(A) Definitions.

(i) HOUSEHOLD METALS means items that are:

(aa) customarily used in a residential dwelling;

(bb) comprised of any quantity of ferrous or nonferrous metal; and

(cc) not included in the definition of industrial metals. Examples of household metals include, but are not limited to kitchen pots and pans, cooking and serving tools, barbecue equipment, window screens, gardening tools, and aluminum foil.

(ii) INDUSTRIAL METALS means pipes, wires, coils, condensers, guard rails, automotive parts, bulky appliances, and similar industrial or construction materials which are comprised of any quantity of ferrous or nonferrous metal.

(iii) RECYCLABLE MATERIALS means aluminum cans, steel cans, glass, paper, plastics, and household and industrial metals.

(iv) RECYCLING BUY-BACK CENTER means a facility for the collection and temporary storage of recyclable materials as provided in Subparagraph (B).

(v) RECYCLING USE means any use listed in Paragraphs (10) through (13) of this subsection.

(B) Subdistricts permitted.

(i) If this use is located on property controlled, managed, or maintained by the park and recreation board: By right in all subdistricts.

(ii) For the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics: By right with RAR required in industrial, central area, and HC subdistricts. By SUP only in SC, GR, and LC subdistricts.

(iii) For the collection of household metals: By SUP only in SC, GR, LC, industrial, and central area subdistricts.

(iv) For the collection of industrial metals: By SUP only in industrial subdistricts.

(C) Required off-street parking. A minimum of one space is required. If the use is operated by an attendant, one additional space is required. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) This use may only be located on an improved surface in an enclosed container or a trailer that is not more than 45 feet in length.

(ii) A trailer may only be placed on an improved surface of a building site containing a minimum of 30,000 square feet of land area, and a minimum of 10,000 square feet of building area. The area occupied by this use may not exceed 2,000 contiguous square feet, excluding area for required parking and maneuvering.

(iii) No more than one recycling use is permitted on a building site. A collection center is limited to one trailer and two containers of no more than 40 cubic yards each. An additional 40-cubic-yard container may be substituted for the permitted trailer.

(iv) A collection center located on a parking lot may not occupy required off-street parking spaces. A collection center must be arranged so as to not impede free traffic flow. This use may not be located in a required yard.

(v) Mechanical processing of recyclable materials is prohibited on site.

(vi) Materials stored at the collection center must be removed at least once a week or before reaching capacity.

(vii) The collection center must be maintained in proper repair and the exterior must have a neat and clean appearance. All containers must be constructed of solid materials.

(viii) Collection centers must be attended at all times or closed.

(ix) A sign must be provided for each trailer and container. Each sign must identify the use, the operator responsible for the use, and the telephone number of the operator. A trailer may have one sign on each side, not exceeding 125 square feet in effective area. No sign on a container may exceed 30 square feet in effective area. No other sign is permitted for this use.

(x) No SUP for this use may be granted for more than a two-year time period.

(xi) Operation of this use between the hours of 9:00 p.m. and 7:00 a.m. is prohibited.

(xii) This use must be located at least 1,000 feet from another recycling use. Measurements of distance under this paragraph are taken radially. "Radial" measurement means a measurement taken along the shortest distance between the nearest point of the building sites where recycling uses are located.

(xiii) If this use is located on property controlled, managed, or maintained by the park and recreation board, the requirements of Subparagraphs (C), (D), and (E) do not apply.

(xiv) The collection of hazardous waste is prohibited.

(12) Recycling drop-off container.

(A) Definitions. In these use regulations:

(i) RECYCLABLE MATERIALS means aluminum cans, steel cans, glass, paper, and plastics.

(ii) RECYCLING DROP-OFF CONTAINER means a facility for the collection and temporary storage of recyclable materials that are limited to aluminum cans, steel cans, glass, paper, and plastics.

(B) Subdistricts permitted.

(i) By right in all subdistricts if this use is located on property controlled, managed, or maintained by the park and recreation board.

(ii) By right in all subdistricts except the P subdistrict if the requirements of Subparagraph (E) are satisfied. Except as otherwise provided in Subparagraph (B)(i) and except for the P subdistrict, by SUP only in any subdistrict if any requirement of Subparagraph (E) is not satisfied.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A multiple-family or nonresidential use must be located on the same building site as this use.

(ii) This use may not be located within a visibility triangle.

(iii) No more than six containers are permitted on a building site. Five of the containers may have no more than 3.5 cubic yards of storage capacity. One container for paper collection may have 20 cubic yards of storage capacity. No container may exceed six feet in height. All deposit openings must be designed to prevent dispersion of the container's contents, or the container must be staffed at all times when collection may occur. Containers must be constructed of solid materials.

(iv) Containers may not occupy required off-street parking spaces or impede free traffic flow.

(v) Trailers and automatic collection machines are prohibited.

(vi) Mechanical processing of the recyclable materials is prohibited on site.

(vii) Materials stored at this use must be removed at least once a week or before reaching capacity. The facilities must be maintained in proper repair and the exterior must have a neat and clean appearance.

(viii) A sign must be provided for each container. Each sign must identify the use, the operator responsible for the use, and the telephone number of the operator. No sign may exceed 30 square feet.

(ix) No more than one recycling use is permitted on a building site.

(x) This use must be located at least 1,000 feet from another recycling use. Measurements of distance under this paragraph are taken radially. "Radial" measurement means a measurement taken along the shortest distance between the nearest point of the building sites where recycling uses are located.

(xi) Nonprofit organizations are exempt from payment of SUP application fees for this use. For purposes of this paragraph, nonprofit organization means an organization eligible for an exemption from taxation pursuant to Sections 501(c)(3) and 501(c)(4) of the Internal Revenue Code. At the time of application, a nonprofit applicant must submit an affidavit, acknowledged before a notary public, stating the organization's eligibility for a fee exemption under this paragraph.

(xii) No SUP for this use may be granted for more than a two-year time period.

(xiii) If this use is located on property controlled, managed, or maintained by the park and recreation board, the requirements of Subparagraphs (C), (D), and (E) do not apply.

(xiv) The collection of hazardous waste is prohibited.

(13) Recycling drop-off for special occasion collection.

(A) Definitions. In these use regulations:

(i) HOUSEHOLD METALS means items that are:

(aa) customarily used in a residential dwelling;

(bb) comprised of any quantity of ferrous or nonferrous metal; and

(cc) not included in the definition of industrial metals. Examples of household metals include, but are not limited to kitchen pots and pans, cooking and serving tools, barbecue equipment, window screens, gardening tolls, and aluminum foil.

(ii) INDUSTRIAL METALS means pipes, wires, coils, condensers, guard rails, automotive parts, bulky appliances, and similar industrial or construction materials which are comprised of any quantity of ferrous or nonferrous metal.

(iii) RECYCLABLE MATERIALS means clothing, aluminum cans, steel cans, glass, paper, plastics, and household and industrial metals.

(iv) RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION means a facility for the collection and temporary storage of recyclable materials that are limited to metals, glass, paper, and plastics.

(B) Subdistricts permitted.

(i) By right in all subdistricts if this use is located on property controlled, managed, or maintained by the park and recreation board.

(ii) By right in all subdistricts except the P subdistrict if the requirements of Subparagraph (E) are satisfied. Except as otherwise provided in Subparagraph (B)(i) and except for the P subdistrict, by SUP only in any subdistrict if any requirement of Subparagraph (E) is not satisfied.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) No more than one event each calendar month is permitted, and no event may exceed three days in duration.

(ii) A church, school, or community center use with no less than two acres of land area must be located on the same building site as this use.

(iii) Trailers and containers may not be located within a required yard.

(iv) This use is limited to one trailer and two containers of no more than 40 cubic yards each. An additional 40-cubic-yard container may be substituted for the permitted trailer.

(v) This use must be attended at all times or closed.

(vi) This use may not occupy required off-street parking spaces or impede free traffic flow.

(vii) Mechanical processing of recyclable materials is prohibited.

(viii) All containers, conveyances, and materials must be removed from the property after each three-day event. The facilities must be maintained in proper repair and the exterior must have a neat and clean appearance. All containers must be constructed of solid materials.

(ix) A sign must be provided for each trailer and container. Each sign must identify the use, the operator responsible for the use, and the telephone number of the operator. A trailer may have one sign on each side, not exceeding 125 square feet in effective area. No sign may exceed 30 square feet in effective area.

(x) Sales transactions are prohibited on site.

(xi) No more than one recycling use is permitted on a building site.

(xii) This use must be located at least 1,000 feet from another recycling use. Measurements of distance under this paragraph are taken radially. "Radial" measurement means a distance taken along the shortest distance between the nearest point of the building sites where recycling uses are located.

(xiii) Nonprofit organizations are exempt from payment of SUP application fees for this use. For purposes of this paragraph, nonprofit organization means an organization eligible for an exemption from taxation pursuant to Sections 501(c)(3) and 501(c)(4) of the Internal Revenue Code. At the time of application, a nonprofit applicant must submit an affidavit, acknowledged before a notary public stating the organization's eligibility for a fee exemption under this paragraph.

(xiv) No SUP for this use may be granted for more than a two-year time period.

(xv) If this use is located on property controlled, managed, or maintained by the park and recreation board, the requirements of Subparagraphs (C), (D), and (E) do not apply.

(xvi) The collection of hazardous waste is prohibited.

(o) Animal related uses. Animal related uses are subject to the following regulations:

(1) Farm or ranch.

(A) Definition. An area which is used for growing farm products or keeping farm poultry and farm livestock.

(B) Subdistricts permitted. By right in all residential and nonresidential subdistricts except the MH subdistrict.

(C) Required off-street parking. A minimum of two spaces. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A person shall not operate a farm or ranch upon an area less than three acres.

(ii) Farm products include vegetables, fruits, trees, and grain.

(iii) Farm poultry and farm livestock include but are not limited to pigs, chickens, turkeys, cows, sheep, goats, and horses.

(iv) A structure may be erected for a private stable, pen, barn, shed, or silo for raising, treating, and storing products raised on the premises. This structure may not include a dwelling unit.

(v) Standings under roofed stables must be made of a material that provides for proper drainage so as not to create offensive odors, fly breeding, or other nuisances.

(vi) The keeping of horses is subject to the requirements under the private stable use.

(vii) Fences for pens, corrals, or similar enclosures must be of sufficient height and strength to retain the animals. No pen, corral, fence, or similar enclosure may be closer than 20 feet to an adjacent property line. The widths of alleys, street rights-of-way, or other public rights-of-way may be used to calculate the 20-foot requirement.

(viii) Manure must be collected at least once a day and placed in concrete or metal flyproof containers. Manure must be removed from the premises at least once a week.

(ix) The regulations under this use do not apply to government agencies, governmentally supported organizations, or educational agencies that keep and maintain animals for health research or similar purposes, nor do these regulations apply to special events such as circuses and livestock exhibitions which are otherwise regulated by the city.

(2) Veterinarian's office.

(A) Definition. A facility for the prevention, treatment, cure, or alleviation of disease and injury in animals.

(B) Subdistricts permitted. By right in O-2, SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. This use includes outpatient treatment only, and no boarding is permitted.

(3) Animal clinic without outside runs.

(A) Definition. A facility for the diagnosis, treatment, or hospitalization of household pets including but not limited to dogs, cats, birds, and horses.

(B) Subdistricts permitted. By right in SC, GR, LC, HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(E) Additional provisions. Outside runs are not permitted under this use.

(4) Animal clinic with outside run.

(A) Definition. An animal clinic as defined in Paragraph (3) above that has outside enclosures for the animals.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in HC, I-1, and I-2 subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(5) Kennel with outside run.

(A) Definition. A facility for the breeding or boarding of animals that has outside enclosures for the animals.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in I-1 and I-2 subdistricts.

(C) Required off-street parking. One space for each 300 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(B).

(6) Animal pound.

(A) Definition. A facility for the keeping of animals, especially stray or unlicensed pets.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in HC, I-1, and I-2 subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. An animal pound may have outside enclosures for the animals.

(7) Commercial stable.

(A) Definition. A facility for the business of boarding horses or renting horses to the public.

(B) Subdistricts permitted. By right in I-2 and I-3 subdistricts.

(C) Required off-street parking. One space for each two stalls. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. This use does not include sales, auction, or similar trading activity.

(8) Zoo.

(A) Definition. A facility consisting of a zoological garden or a collection of animals for display to the public.

(B) Subdistricts permitted. By SUP only in I-2 and I-3 subdistricts.

(C) Required off-street parking. One space for each 600 square feet of site area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. The city council must specially approved a public zoo.

(9) Hatchery and breeding operation.

(A) Definition. A facility for hatching eggs or breeding of animals.

(B) Subdistricts permitted. By right in I-2 and I-3 subdistricts.

(C) Required off-street parking. One space for each 600 square feet of site area; a minimum of five spaces required. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(10) Livestock auction pens or sheds.

(A) Definition. A facility for the public sale of animals to the highest bidder.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in the I-2 subdistrict.

(C) Required off-street parking. One space for each four seats plus one space for each 600 square feet of sales area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(11) Slaughterhouse.

(A) Definition. A facility for butchering animals or poultry.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in the I-2 subdistrict.

(C) Required off-street parking. One space for each 1,000 square feet of site area if the use is conducted outdoors; one space for each 500 square feet of floor area with a minimum of five spaces required if the use is conducted inside. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(p) Industrial and manufacturing uses. Industrial and manufacturing uses are subject to the following regulations:

(1) Industrial uses other than listed.

(A) Definition. A facility for processing or industrial uses that has not been listed as a separate use.

(B) Subdistricts permitted. By right in industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(2) Permanent concrete or asphalt batching or recycling plant.

(A) Definition. A permanent facility for mixing, batching, and recycling concrete or asphalt.

(B) Subdistricts permitted. By right in the I-3 subdistrict. By SUP only in the I-2 subdistrict.

(C) Required off-street parking. Five spaces. No handicapped parking is required.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(3) Temporary concrete or asphalt batching plant.

(A) Definition. A temporary facility for mixing concrete or asphalt.

(B) Subdistricts permitted. Special authorization by the building official is required in accordance with the additional provisions for this use.

(C) Required off-street parking. None. No handicapped parking is required.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A temporary certificate of occupancy is required for this use. The building official may issue a temporary certificate of occupancy in any zoning subdistrict for a temporary batching plant to mix, compound, and batch concrete, asphalt, or both, for a public or private project. The certificate is valid for six months. If the project is not completed within six months, the building official may extend the certificate to complete the project.

(ii) A person to whom a temporary certificate of occupancy is issued shall:

(aa) comply with city, state, and federal laws at the batching plant site;

(bb) clear the site of equipment, material, and debris upon completion of the project;

(cc) repair or replace any public improvement that is damaged during the operation of the temporary batching plant; and

(dd) operate the temporary plant in a manner which eliminates unnecessary dust, noise, and odor (as illustrated by, but not limited to covering trucks, hoppers, chutes, loading and unloading devices, and mixing operations, and maintaining driveways and parking areas free of dust).

(iii) A person shall only furnish concrete, asphalt, or both, to the specific project for which the temporary certificate of occupancy is issued. The placement of a temporary batching plant for a private project is restricted to the site of the project.

(4) U-cart concrete system.

(A) Definition. A facility for the batching of concrete on an individual order basis for general household uses.

(B) Subdistricts permitted. By right in industrial subdistricts. By SUP only in the HC subdistrict.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(5) Fiberglass swimming pool fabricator.

(A) Definition. A facility for the fabrication of swimming pools from fiberglass and other similar materials.

(B) Subdistricts permitted. By right in industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. The manufacturing of fiberglass or similar material used to fabricate the swimming pools is not a part of this use.

(6) Light fabrication and assembly.

(A) Definition. A facility for the manufacturing of jewelry, trimming, decorations, and any similar items.

(B) Subdistricts permitted. By right in HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(7) Clothing manufacturing.

(A) Definition. An operation involving cutting, sewing, forming, and packing of garments and similar items including the making of millinery and clothing accessories.

(B) Subdistricts permitted. By right in HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(8) Bedspread, drapes, and headboard manufacturing.

(A) Definition. A facility for the manufacturing of bedspreads, drapes, headboards, and similar bedding materials.

(B) Subdistricts permitted. By right in HC and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(9) Manufacturing laboratory.

(A) Definition. An operation involving compounding of products such as perfumes, pharmaceuticals, and the development and assembly of instruments and similar items.

(B) Subdistricts permitted. By right in HC, central area, and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. No open storage is permitted under this use unless the use is in a subdistrict where open storage is permitted as a main use.

(10) Artificial marble manufacturing.

(A) Definition. A facility for the manufacturing of artificial marble.

(B) Subdistricts permitted. By right in industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(11) Corrugated cardboard box fabrication.

(A) Definition. A facility for the fabrication and storage of corrugated cardboard boxes.

(B) Subdistricts permitted. By right in HC and industrial subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. The manufacturing of the materials used to construct the corrugated cardboard boxes is not permitted under this use.

(12) Tread rubber manufacturing plant.

(A) Definition. A facility for the manufacturing, processing, and storage of tread rubber.

(B) Subdistricts permitted. By right in the I-3 subdistrict.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(13) Metal smelting and plating.

(A) Definition. A facility for the smelting and plating of metals.

(B) Subdistricts permitted. By SUP only in the I-3 subdistrict.

(C) Required off-street parking. One space for each 500 square feet of floor area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(14) Rendering plant.

(A) Definition. A facility for the rendering of parts of animals into marketable products.

(B) Subdistricts permitted. By SUP only in I-2 and I-3 subdistricts.

(C) Required off-street parking. One space for each 500 square feet of floor area; a minimum of five spaces required. If more than ten off-street parking spaces are required for this use, a handicapped parking must be provided pursuant to Section 51P-193.116.

(D) Required off-street loading. See Section 51P-193.115(a)(1)(C).

(E) Additional provisions. This use must be located a minimum distance of 1,000 feet from a residential subdistrict. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.108. ACCESSORY USES.

(a) General provisions.

(1) An accessory use must be a use customarily incidental to a main use. An accessory use not listed in Subsection (b) is permitted if the accessory use complies with Subsection (a).

(2) Except as specifically permitted in this article, no use listed in Section 51P-193.107 may be an accessory use.

(3) An accessory use is permitted in any subdistrict in which the main use is permitted.

(4) An accessory use must be located on the same lot as the main use, and must not be across a street or alley from the main use.

(5) Unless otherwise specifically required in this article, an accessory use must comply with all regulations applicable to the main use.

(6) An alcohol related establishment that is customarily incidental to a main use, such as an alcohol related establishment within a hotel, restaurant, or general merchandise store, will be considered as part of the main use when determining the gross revenue derived by the establishment from the on-premise sale of alcoholic beverages.

(b) Specific accessory uses. The following accessory uses are subject to the general provisions in Subsection (a) and the regulations below:

(1) Game court (private).

(A) Definition. A court for engaging in tennis, handball, racquetball, or similar physical activities.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. Five spaces for each game court; however, no off-street parking is required for a game court accessory to a single-family or duplex use.

(D) Required off-street loading. None.

(2) Swimming pool (private).

(A) Definition. A swimming pool constructed for the exclusive use of the residents of a residential use.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts.

(C) Required off-street parking. None.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) No private swimming pool may be operated as a business, except that private swimming lessons may be given under the home occupation use.

(ii) No private swimming pool may be maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.

(iii) No private swimming pool may be constructed in the required front yard. However, a private swimming pool may be located within the required side or rear yard if it meets the requirements of Subsection (a).

(iv) A private swimming pool must be surrounded by a fence.

(3) Private stable.

(A) Definition. An area for the keeping of horses for the private use of the property owner.

(B) Subdistricts permitted. By right in residential and nonresidential subdistricts except MH.

(C) Required off-street parking. None.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A private stable is permitted only on a lot that has at least 15,000 square feet and a person may keep only the number of horses permitted for the lot area as described in the following chart:

LOT AREA	**NUMBER OF HORSES**
At least 15,000 sq. ft. but less than 21,780 sq. ft.	**1**
At least 21,780 sq. ft. but less than 43,560 sq. ft.	**2**
At least 43,560 sq. ft. but less than 87,120 sq. ft.	**3**
At least 21,780 sq. ft. per animal	**4 or more**

(ii) A private stable must include a pen or corral containing at least 800 square feet for each animal with a stable under a roof containing at least 100 square feet for each animal.

(iii) A stable must have proper drainage so as not to create offensive odors, fly breeding, or other nuisances.

(iv) The owner of a private stable shall collect manure at least once a day and place it in a concrete or metal flyproof container, and cause the manure to be removed from the premises at least once a week.

(v) A pen, corral, fence, or similar enclosure may not be closer than 20 feet to an adjacent property line. The widths of alleys, street rights-of-way, or other public rights-of-way may be

used in establishing the 20 feet distance to the adjacent property line.

(vi) Fences for pens, corrals, or similar enclosures must be of a sufficient height and strength to retain the horses.

(4) Home occupation.

(A) Definition. An occupation, that is incidental to the primary use of the premises as a residence, conducted on the residential premises by an occupant of the residence.

(B) Subdistricts permitted. By right in all residential and nonresidential subdistricts except I-3.

(C) Required off-street parking. None.

(D) Required off-street loading. None.

(E) Additional provisions. A person who engages in a home occupation shall not:

(i) use an advertisement, sign, or display on the premises;

(ii) use a street address on an advertisement, sign, or display off the premises;

(iii) employ a person other than the occupants of the residence;

(iv) use equipment other than ordinary household equipment;

(v) operate during hours other than 8 a.m. to 6 p.m. for outdoor activities and 8 a.m. to 10 p.m. for indoor activities;

(vi) involve more than 10 patrons on the premises at one time;

(vii) conduct outdoor activities unless the activities are screened from the neighboring property by a solid fence of at least six feet in height;

(viii) generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort; or

(ix) sell products on the premises.

(5) Occasional sales (garage sales).

(A) Definition. The sale of tangible personal property at retail by a person who is not in the business of selling tangible personal property at retail.

(B) Subdistricts permitted. By right in all residential and nonresidential subdistricts except I-3.

(C) Required off-street parking. None.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A person shall sell tangible personal property only on the premises of the owner or lessee of the premises where the sale is conducted, and the owner or lessee must be the legal owner of the tangible personal property at the time of the sale.

(ii) The sale must be inside the building or garage, or on the patio of the premises.

(iii) A person shall not sell merchandise acquired solely for the purpose of resale at an occasional sale.

(iv) A person shall not conduct an occasional sale for a duration of more than three consecutive calendar days.

(v) A person shall not conduct more than two occasional sales at a premises during any 12-month period.

(vi) A person shall not place more than one sign, not to exceed two square feet in effective area, upon the lot where the sale is taking place. Any other signs at any locations remote from the sale property are not permitted.

(6) Community center (private).

(A) Definition. An integral part of a residential project or community unit development that is under the management and unified control of the operators of the project, and that is used by the tenants of the project for a place of meeting, recreation, or social activity.

(B) Subdistricts permitted. By right in multiple-family, MH, office, commercial, and central area subdistricts. By SUP only in all single-family, duplex, TH, I-1, and I-2 subdistricts.

(C) Required off-street parking. One space for each 100 square feet of floor area.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A private community center may not be operated as a place of public meetings or as a business.

(ii) The operation of a private community center must not create noise, odor, or similar conditions beyond the property line of the project site.

(iii) A liquor permit may not be issued for a private community center.

(7) Amateur communication tower.

(A) Definition. A tower with an antenna that transmits amateur radio, citizen band, or both spectrums, or that receives any portion of a radio spectrum.

(B) Subdistricts permitted. By right in all residential and nonresidential subdistricts.

(C) Required off-street parking. None.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) In all residential subdistricts except MF-3 and MF-4, a person may erect one amateur communication tower that exceeds the maximum height specified in Section 51P-193.123, if the amateur communication tower:

(aa) does not exceed 60 feet in height;

(bb) is setback an additional 12 inches from the required front, side, and rear yards for each additional 18 inches of height above the maximum height specified in Section 51P-193.123;

(cc) has a maximum horizontal cross-sectional area of three square feet;

(dd) has no more than two antennae above the maximum height specified in Section 51P-193.123 with a maximum volume of 900 cubic feet for a single antenna and 1400 cubic feet for two antennae. In this provision, antenna volume is the space within an imaginary rectangular prism which contains all extremities of the antenna;

(ee) does not encroach into the required front, side, or rear yard. A guy wire and anchor point for a tower is prohibited in the required front yard or within three feet of the side or rear property line. If an alley abuts a rear property line, a guy wire and anchor point may extend to the rear property line; and

(ff) has a minimum space between antennae above the maximum height specified in Section 51P-193.123 of eight feet or more as measured vertically between the highest point of the lower antenna and the lowest point of the higher antenna.

(ii) The board of adjustment may allow a special exception from the requirements of Subsection (E)(i) with the exception of Subsection (E)(i)(aa), if the board finds that the special exception would not adversely affect neighboring property and would be in harmony with the general purpose and intent of this section.

(iii) In an NS, O-1, and all residential subdistricts except MF-3 and MF-4, a person may erect an amateur communication tower over 60 feet and not above 100 feet in height if authorized by an SUP.

(8) Private street or alley.

(A) Definition. A thoroughfare or an alley built to the same specifications as a street or alley dedicated to the public use, whose ownership has been retained privately.

(B) Subdistricts permitted. By SUP only in single-family, duplex, and TH subdistricts.

(C) Required off-street parking. None.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) Private streets and alleys must be constructed and maintained to the standards for public rights-of-way and must be approved by the director of public works and transportation. Sidewalks are required and must be constructed and maintained to the standards for sidewalks in the public right-of-way. Water and sanitary sewer mains must be installed in accordance with the applicable ordinances.

(ii) A legal entity must be created that is responsible for street lighting, street maintenance and clearing, and the installation and maintenance of interior traffic control devices. The legal instruments establishing the responsibility for a private street or alley must be submitted to the city plan commission for approval, be approved as to legal form by the city attorney, and recorded in the appropriate county.

(iii) Private streets and alleys must contain private service easements including, but not limited to, the following easements: utilities; fire lane; street lighting; government vehicle access; mail collection and delivery access; and utility meter reading access.

(iv) Street lights comparable with those required on public rights-of-way must be provided. Street lighting design plans must be approved by the director of public works and transportation.

(v) Design plans and location of all traffic control devices must be approved by the traffic engineer. The design, size, color, and construction of all traffic control devices must comply with those required in public rights-of-way.

(vi) The fire protection standards in Article X of the Dallas Fire Code must be followed.

(vii) A public school, park, or other public facility must be accessible from public rights-of-way in accordance with this code.

(viii) Private streets must comply with the City's thoroughfare plan and may not interrupt public through streets.

(ix) Private street names and numbers must be approved by the city plan commission.

(x) Private streets and the area they serve must be platted.

(xi) Guard houses may be constructed at any entrance to a private street. All guard houses must be at least 25 feet from a public right-of-way.

(xii) Any structure that restricts access to a private street must provide a passageway 20 feet wide and 14 feet high.

(xiii) One private street entrance must remain open at all times. If an additional private street entrance is closed at any time, it must be constructed to permit opening of the passageway in emergencies by boltcutters or breakaway panels.

(xiv) A private street serving an area containing over 150 dwelling units must have a minimum of two access points to a public street.

(xv) A private street may serve no more than 300 dwelling units.

(xvi) The city has no obligation to maintain a private street. If a private street is not maintained in compliance with the requirements of Chapter 51, the city, after a public hearing before the city plan commission, shall have the right, but not the obligation, to take those actions necessary to put the private street in compliance. The legal entity responsible for maintaining the private street shall pay the city for the work performed within a period of 180 days from the presentation of the bill, or the private street will become a public street of the city.

(xvii) A court or plaza may be considered a private street for the purpose of creating a building site if an SUP for a private street or alley use is obtained.

(9) Open storage.

(A) Definition. The outside placement, for a continuous period in excess of 24 hours, of an item which is:

(i) customarily used or stored outside; and

(ii) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(B) Subdistricts permitted. By right in any subdistrict if it satisfies the requirements of Subsection (a) of this section and if it is not prohibited by the additional provisions of the main use and this section.

(C) Required off-street parking. None.

(D) Required off-street loading. None.

(E) Additional provisions.

(i) A person shall not place, store, or maintain outside, for a continuous period in excess of 24 hours, an item which is not:

(aa) customarily used or stored outside; or

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(ii) For purposes of this subsection, an item located on a porch of a building is considered to be outside if the porch is not enclosed.

(iii) Except as otherwise provided in this subsection, accessory open storage is not permitted in the front yard or on a front porch of a residential building. For purposes of this subsection, "front yard" means the portion of a lot or tract which abuts a street and extends across the width of the lot or tract between the street and the main building.

(iv) It is a defense to prosecution under Subsection (E)(iii) that the item is:

(aa) an operable motor vehicle with valid state registration parked on a surface that meets the standards for parking surfaces contained in Section 51P-193.113, except that this defense is not available if the vehicle is a truck tractor, truck, bus, or recreational vehicle

and it has a rated capacity in excess of one and one-half tons according to the manufacturer's classification, or if the vehicle is over 32 feet in length;

(bb) a boat, trailer, or recreational vehicle parked on a surface that meets the standards for parking surfaces contained in Section 51P-193.113, and the item cannot reasonably be placed in an area behind the front yard;

(cc) landscaping, or an ornamental structure, including, but not limited to a birdbath, plant container, or statuette, placed in the front yard or on the front porch for landscaping purposes;

(dd) lawn furniture made of a material that is resistant to damage or deterioration from exposure to the outside environment;

(ee) located on a front porch and not visible from the street; or

(ff) a vehicle displaying a registration insignia or identification card issued by the state to a permanently or temporarily disabled person for purposes of Article 6675a-5e.1, Vernon's Texas Civil Statutes, as amended.

(v) A person shall not use more than five percent of the lot area of a premise for accessory open storage. The area occupied by an operable motor vehicle with valid state registration is not counted when calculating the area occupied by accessory open storage.

(vi) The board may grant a special exception to the additional provisions of this subsection relating to accessory open storage in the front yard or on a front porch of a residential building when, in the opinion of the board, the special exception will not adversely affect neighboring property. (Ord. Nos. 21859; 25267)

SEC. 51P-193.109. LIMITED USES.

A limited use must:

(1) be primarily for the service of the occupants of a building;

(2) be contained entirely within the main building;

(3) have no exterior public entrance except through the general building entrances; and

(4) have no exterior advertising or signs. (Ord. Nos. 21859; 25267)

SEC. 51P-193.110. STREET LEVEL USES.

(a) New uses created. In this section, new uses are created and the subdistricts within which they may locate are specified. For purposes of determining required off-street parking, required off-street loading, and other requirements, these uses are considered to be "retail stores other than listed," as described in Section 51P-193.107(k)(1). The following new uses are defined:

(1) "Art gallery/art work sales" is a privately-owned facility for the display or retail sale of art.

(2) "Electronics store" is a facility for the retail sale of electronic equipment, including but not limited to computers, business machines, and audio/visual equipment and accessories.

(3) "Gift shop" is a facility for the retail sale of novelties such as greeting cards, jewelry, and other small manufactured articles intended mainly for personal or household adornment.

(4) "Private mailing and messenger pick-up and delivery service" is a privately owned facility for the pick-up and delivery of mail.

(b) MF-3 subdistricts. The following modifications only apply to property in MF-3 subdistricts:

(1) Additional uses permitted on a street level with SUP. The additional uses listed in Subsection (b)(2) of this section, as defined in this section and Section 51P-193.107, are permitted on a street level of a building with an SUP. Some of those uses are already permitted as limited uses. This subsection does not affect the ability of a property owner to operate a limited use on a street level of a building without a specific use permit if that limited use is permitted in Section 51P-193.107.

(2) Additional street-level uses listed. The following are the additional uses for purposes of Subsection (b)(1) of this section:

(A) Antique shop.

(B) Art gallery/art work sales.

(C) Bakery or confectionery shop.

(D) Barber and beauty shop.

(E) Book and stationery store.

(F) Camera shop.

(G) Cigar, tobacco, and candy store.

(H) Clothing store.

(I) Florist store.

(J) Gift shop.

(K) Handcraft bookbinding.

(L) Hobby and art supplies store.

(M) Photography studio.

(N) Tailor, custom sewing, and millinery.

(O) Travel bureau.

(3) Standards for granting SUP. The commission and city council shall consider the following factors when determining whether or not to grant an SUP for an additional use on a street level of a building under Subsection (b)(1) of this section:

(A) The floor area of the use. As a general rule, it is contemplated that the floor area of each additional use on the street level of a building should be limited to 2,000 square feet.

(B) The percentage of floor area of retail uses and the additional uses on a street level of the building. As a general rule, it is contemplated that the aggregate floor area of retail uses and the additional uses listed in Subsection (b)(2) of this section on a street level of a building should not exceed 50 percent of the aggregate floor area of all uses on the street level.

(C) The degree to which allowing the use would create a traffic hazard. This factor involves a consideration of a number of subfactors, including but not limited to the capacity of nearby streets to handle additional traffic generated, the availability of public transmit and the likelihood of its use, and the feasibility of traffic mitigation measures.

(c) O-2 subdistricts. The following modifications only apply to property in O-2 subdistricts:

(1) Additional uses permitted on a street level. The additional uses in Subsection (c)(2) of this section, as defined in this section and Section 51P-193.107, are permitted on a street level of a building subject to the following restrictions:

(A) No additional use may have a floor area greater than 2,000 square feet.

(B) The aggregate floor area of retail uses and the additional uses listed in Subsection (c)(2) of this section on a street level of a building may not exceed 50 percent of the aggregate floor area of all uses on the street level. Some of the additional uses in Subsection (c)(2) of this section are already permitted as limited uses. This subsection does not affect the

(2) Additional street-level uses listed. The following are the additional uses for purposes of Subsection (c)(1) of this section:

(A) Antique shop.

(B) Art gallery/art work sales.

(C) Bakery or confectionery shop.

(D) Bar, lounge, or tavern.

(E) Barber and beauty shop.

(F) Book and stationery store.

(G) Camera shop.

(H) Cigar, tobacco, and candy store.

(I) Clothing store.

(J) Drugstore.

(K) Duplication shop.

(L) Electronics store.

(M) Florist store.

(N) Gift shop.

(O) Handcraft bookbinding.

(P) Health studio.

(Q) Hobby and art supplies store.

(R) Key shop.

(S) Optical shop.

(T) Photography studio.

(U) Private club.

(V) Private mailing and messenger pick-up and delivery service.

(W) Private recreation club or area.

(X) Restaurant with alcoholic beverages and/or entertainment.

(Y) Shoe repair.

(Z) Tailor, custom sewing, and millinery.

(AA) Travel bureau. (Ord. Nos. 21859; 25267)

SEC. 51P-193.111. SPECIFIC USE PERMIT (SUP).

(a) General provisions.

(1) The SUP provides a means for developing certain uses in a manner in which the specific use will be compatible with adjacent property and consistent with the character of the neighborhood.

(2) The use regulations for each use in Sections 51P-193.107 through 51P-193.110 state whether an SUP is required for a use to be permitted in a zoning subdistrict. The SUP requirement for a use in a subdistrict does not constitute an authorization or an assurance that the use will be permitted. Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate. Each SUP must be granted by the city council by separate ordinance.

(3) The city council shall not grant an SUP for a use except upon a finding that the use will:

(A) complement or be compatible with the surrounding uses and community facilities;

(B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;

(C) not be detrimental to the public health, safety, or general welfare; and

(D) conform in all other respects to all applicable zoning regulations and standards.

(4) The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning subdistrict.

(5) The city council may impose reasonable conditions upon the granting of an SUP consistent with the purposes stated in Chapter 51 and this article.

(b) Specific use permit procedure.

(1) An applicant for an SUP shall comply with the zoning amendment procedure for a change in zoning district classification. Each SUP ordinance is incorporated by reference into Chapter 51.

(2) At the time of applying for an SUP, the applicant shall submit:

(A) a site plan that includes:

(i) the dimensions, bearings, and street frontage of the property;

(ii) the location of buildings, structures, and uses;

(iii) the method of ingress and egress;

(iv) off-street parking and loading arrangements;

(v) screening, lighting, and landscaping, if appropriate; and

(vi) any other information the director determines necessary for a complete review of the proposed development; and

(B) a traffic impact analysis if the director determines that the analysis is necessary for a complete review of the impacts of the proposed development.

(3) If the director determines that one or more of the items listed in Paragraph (2) is not necessary to allow for a complete review of the proposed development, he shall waive the requirement that the item(s) be provided.

(4) The applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to amend a site plan for an SUP, except that the director may authorize minor changes in the site plan that do not:

(A) alter the basic relationship of the proposed development to adjacent property;

(B) change the uses permitted;

(C) increase the maximum number of dwelling units per net acre;

(D) increase the maximum floor area ratio beyond the limits described in Paragraph (5);

(E) increase the maximum height;

(F) decrease the amount or ratio of required off-street parking; or

(G) reduce the minimum yards required at the boundary of the site. An applicant may appeal the decision of the director to the commission.

(5) Floor area ratio increases which may be authorized by the director under Paragraph (4) are subject to the following limitations:

(A) No building or structure may have its floor area increased by more than five percent or 1,000 square feet, whichever is less.

(B) No additional main buildings or structures are allowed, however the director may authorize additional accessory buildings and structures that do not exceed 500 square feet in floor area.

(C) The cumulative additional floor area authorized under Subparagraphs (A) and (B) may not exceed the total floor area authorized in the last version of the site plan that was approved by the city council by more than five percent, or 1,000 square feet, whichever is less.

(6) A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection (c), the applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to renew an SUP.

(7) As a further condition to the granting of an SUP, the city council may require the property owner to participate in cost-sharing for infrastructure improvements that are in part necessitated by the proposed development. In no case, however, shall the property owner be required to pay for more than 50 percent of the cost of improvements located more than 250 feet from the lot.

(8) The applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to amend a landscape plan that is part of an SUP ordinance, except that the director may authorize minor changes in the landscape plan that do not:

(A) reduce the mandatory landscape buffer strip;

(B) reduce the number of points earned by the plan;

(C) alter the design standards selected to achieve the point score needed for approval; or

(D) detrimentally affect the plan's screening or buffering function. The applicant may appeal the decision of the director to the commission.

(c) Automatic renewals.

(1) As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is eligible for automatic renewal pursuant to this subsection. Automatic renewal is an alternative to the standard method of renewing an SUP by amending the SUP ordinance. In order for automatic renewal to occur, the property owner or his representative must file a complete application for automatic renewal with the director after the 180th day but before the 120th day before the expiration of the current SUP time period. If a fee is required, the application is not considered "filed" until the fee is paid. For more information regarding fees, see Section 51A-1.105.

(2) Automatic renewal does not result in an amendment to the SUP ordinance. An applicant seeking to change the SUP conditions or to otherwise amend the SUP ordinance must go through the procedures outlined in Subsection (b).

(3) An application for automatic renewal must be filed with the director on a form furnished by the city for that purpose. As part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested.

(4) Failure to timely file a complete application required under Paragraph (1) renders the SUP ineligible for automatic renewal. The city council may, however, reinstate an SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.

(5) Upon the filing of a complete application for automatic renewal, the director shall send written notice to all owners of real property lying within 200 feet of the area governed by the SUP. The notice must state that the SUP is eligible for automatic renewal and may be automatically renewed without further notice.

(6) If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with this paragraph, the director shall forward the application to the city plan commission and city council for further action. Written protests against an automatic renewal must be filed with the director before 5:00 p.m. of the 21st calendar day after the date the notice is mailed. A protest sent through the mail must be received by the director before the deadline. If the deadline falls on a Saturday, Sunday, or official city holiday, then the protests must be filed before noon of the following working day. To the extent that they do not conflict with this subsection, the provisions of Section 51A-4.701 governing written protests in zoning cases apply to protests filed under this subsection.

(7) After the deadline for filing written protests has passed, the director shall review the conditions have been met. If the director determines that the conditions have not been met, he shall forward the application to the city plan commission and city council for further action.

(8) "Further action" as that term is used in Paragraphs (6) and (7) means that the director shall schedule the application for public hearings before both the city plan commission and the city council. Notice of the public hearings must be given as would be required by law for a change in zoning district classification. The city plan commission shall make a recommendation to the city council regarding the proposed renewal based on staff reports, field inspections, and the evidence presented at its public hearing.

(9) In connection with an application that has been forwarded to it by the director pursuant to Paragraph (6) or (7), the city council may:

(A) pass an amending ordinance to repeal the SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in the SUP ordinance; or

(B) take no action and thereby allow the SUP to automatically renew as a matter of law.

(10) No renewal or expiration of an SUP may occur while the application is pending before the city plan commission or city council. If the application is pending at the end of the current time period stated in the SUP ordinance, the time period shall be extended as a matter of law until:

(A) the day following the next succeeding official agenda meeting of the city council after the council makes its final decision on the application; or

(B) if the council votes to pass an amending ordinance, until the effective date of the amending ordinance.

(11) The renewal of an SUP eligible for automatic renewal occurs as a matter of law at the end of the current time period as stated in the SUP ordinance, or as extended pursuant to Paragraph (10). Unless otherwise specified in the SUP ordinance, an automatic renewal is for the same time period as the immediately preceding time period [excluding, if applicable, extensions pursuant to Paragraph (10)].

(12) An SUP that is automatically renewed pursuant to this subsection may continue to be automatically renewed in perpetuity so long as the owner or his representative continues to timely file the applications for automatic renewal required under Paragraph (1). Failure to timely file this application during any renewal period renders the SUP ineligible for further automatic renewal. The city council may, however, reinstate the SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.

(13) This subsection does not impair the ability of the city plan commission or city council to call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance. (Ord. Nos. 21859; 25267)

SEC. 51P-193.112. CLASSIFICATION OF NEW USES.

(a) Initiation.

(1) A person, the commission, or the city council may propose zoning amendments to regulate new and previously unlisted uses.

(2) A person requesting the addition of a new use shall submit to the director all information necessary for the classification of the use, including, but not limited to:

(A) the nature of the use and whether the use involves dwelling activity, sales, or processing;

(B) the type of product sold or produced under the use;

(C) whether the use has enclosed or open storage and the amount and nature of the storage;

(D) anticipated employment;

(E) transportation requirements;

(F) the nature and time of occupancy and operation of the premises;

(G) the off-street parking and loading demands;

(H) the amount of noise, odor, fumes, dust, toxic material, and vibration likely to be generated; and

(I) the requirements for public utilities such as sanitary sewer and water.

(b) Use regulations. New use regulations must contain the following information:

(1) the definition of the use;

(2) the zoning subdistricts within which the use is permitted;

(3) the required off-street parking;

(4) the required off-street loading; and

(5) any additional conditions reasonably necessary to regulate the use. (Ord. Nos. 21859; 25267)

SEC. 51P-193.113. OFF-STREET PARKING REGULATIONS.

(a) General provisions.

(1) Off-street parking is an accessory use and is subject to Section 51P-193.108(a). However, a person must obtain an SUP for off-street parking in a CA-1-RP subdistrict.

(2) In any subdistrict except a central area subdistrict, the off-street parking requirements for each use are listed by use in Sections 51P-193.107 through 51P-193.110.

(3) When a lot is used for a combination of uses, the off-street parking requirements are the sum of the requirements for each use, and no off-street parking space for one use is included in the calculation of off-street parking requirements for any other use, except as provided in Subsection (c)(6).

(4) The following floor areas are excluded in the computation of required off-street parking requirements:

(A) floor area devoted to off-street parking;

(B) floor area on the ground floor between an omitted wall line and the structural wall when the area is used solely for foot or vehicular traffic, off-street parking, or landscaping; and

(C) floor area of a private balcony that is not accessible to the public and does not provide a means of ingress or egress.

(5) In determining the required number of parking spaces, fractional spaces are counted to the nearest whole number, with one-half counted as an additional space.

(6) No parking space located on a public street or alley may be included in the calculation of off-street parking requirements, except as provided in Section 51P-193.107(a)(1)(C)(iii)(bb), Section 51P-193.107(a)(1)(C)(iv)(bb), and Section 51P-193.107(a)(3)(v) (these sections provide that certain spaces on a public street may be counted toward the guest parking requirement if one additional two-inch caliper tree is planted for each on-street guest space, but that these on-street spaces remain subject to the city's authority to regulate public streets.)

(7) Except for residential uses, head-in parking adjacent to a public street where the maneuvering of the vehicle in parking or leaving the parking space is done on a public street is excluded in computing off-street parking requirements.

(8) Required off-street parking must be available as free parking or contract parking on other than an hourly or daily fee basis. This requirement does not apply to institutional uses, and nonresidential uses having frontage on a special retail street.

(9) Except as provided in this paragraph, a parking space in an enclosed structure must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space faces upon or can be entered directly from the street or alley. This provision controls over any building line platted to a lesser setback and any other provision of Sections 51P-193.107 through 51P-193.125. A parking space in an enclosed structure may be within 20 feet of the right-of-way line adjacent to a street or alley if:

(A) the parking space can be entered directly only from a street or alley that is not designated as a thoroughfare in the city's thoroughfare plan;

(B) the parking space is in a side or rear yard of a lot in a residential subdistrict;

(C) the garage door has a remote automatic control installed that is maintained in working condition; and

(D) no portion of the garage door encroaches into the public right-of-way when it opens or closes.

This paragraph does not authorize the erection of a garage within a required side or rear yard setback. (See Exhibit 193D-1.)

(10) Except as specifically permitted in Sections 51P-193.107 through 51P-193.125, all off-street parking must be provided on the lot occupied by the main use.

(11) Reserved.

(12) The board of adjustment may not authorize the placement of required off-street parking in a residential subdistrict if the parking is to serve a nonresidential use which is located in a nonresidential subdistrict unless the nonresidential use is a permitted use in the residential subdistrict.

(13) Off-street parking may be provided in a parking subdistrict in accordance with Section 51P-193.114.

(14) In a multiple-family, MH, A, office, commercial, central area, or industrial subdistrict, a person shall not construct or maintain a parking lot or garage that has access to a public alley

or access easement that abuts or is in a single-family, D, or TH subdistrict unless the director of public works and transportation and transportation approves the means of access.

(15) For each dumpster located in a garbage storage area, the number of off-street parking spaces required for a use is decreased by one when the garbage storage area setback and landscaping requirements in this article are met. The off-street parking requirement may not be reduced by more than two spaces in the manner described in this paragraph unless the board of adjustment grants a special exception to authorize a lesser parking requirement, which the board may grant in cases when the landscaping and screening required by this article could not otherwise be provided.

(16) In multiple-family and nonresidential subdistricts, a parking maneuvering area to turn around a motor vehicle on private property is not required for a single-family use when all drives for the lot do not access a street designated on the city's thoroughfare plan.

(b) Off-street parking provisions for residential districts.

(1) In residential subdistricts, any off-street parking for nonresidential uses must comply with the minimum front yard requirements of Section 51P-193.118.

(2) In residential subdistricts except the MF-3 or MF-4 subdistrict, required off-street parking for residential uses must be located behind a required front building line, except a required off-street parking space for a single-family use may be in front of a required front building line if:

(A) a modification of a structure eliminates a required off-street parking space; and

(B) there is no vehicular access to an area behind the required front building line that would accommodate a parking space.

(3) In an MF-l or MF-2 subdistrict, no required or excess parking may be placed in the required front yard.

(4) In the MF-3 or MF-4 subdistrict, any off-street parking for residential uses may extend to the front property line.

(5) The following modifications apply to residential development tracts:

(A) Private parking may be tandem (one parking space in front of another parking space); guest parking may not be tandem.

(B) Parking may not be located in the required front yard.

(C) The parking surface for guest parking within the residential development tract (not on-street) may be permeable pavement for motor vehicles.

(6) The following modifications apply to single-family uses in MF-1, MF-2, and MF-3 subdistricts:

(A) Private parking may be tandem (one parking space in front of another parking space); guest parking may not be tandem.

(B) Parking may not be located in the required front yard.

(C) The parking surface for guest parking within the lot (not on-street) may be permeable pavement for motor vehicles.

(7) The following modifications apply to multiple-family uses:

(A) Private parking (parking reserved for a specific dwelling unit) may be tandem (one parking space in front of another parking space); guest parking may not be tandem.

(B) Parking may not be located in the required front yard.

(C) The parking surface for guest parking within the lot (not on-street) may be permeable pavement for motor vehicles.

(c) Off-street parking provisions for nonresidential subdistricts.

(1) Except as provided in this paragraph, in nonresidential subdistricts any off-street parking may extend to the front property line. In the GR or LC subdistrict, if a lot containing off-street parking or a building fronts upon a special retail street, off-street parking and maneuvering areas are prohibited within 30 feet of the front lot line between grade and 12 feet above grade. If a corner lot fronts on two special retail streets, the minimum setback for off-street parking and maneuvering areas from the side street frontage at any given point is 50 percent of the lot width at that point, or 30 feet, whichever is less. (See Exhibit 193D-2.)

(2) through (5) Reserved.

(6) In order to provide adequate off-street parking for large scale mixed use development projects, the following are excluded in the calculation of off-street parking requirements:

(A) Ten percent of the required parking for the office use when that use totals in excess of 250,000 square feet in floor area and is developed on the same lot with a use qualifying for an exception under Subsections (c)(6)(B) or (C) of this section.

(B) Ten percent of the required parking for the hotel and motel use when that use totals in excess of 250 guest rooms and is developed on the same lot with a use qualifying for an exception under Subsections (c)(6)(A) or (C) of this section.

(C) Ten percent of the required parking for all retail uses, when those uses total in excess of 40,000 square feet in floor area and are developed on the same lot with a use qualifying for an exception under Subsections (c)(6)(A) or (B) of this section.

(D) Fifty percent of the required parking for all recreation and entertainment uses and bar and restaurant uses when developed on the same lot with an office use with more than 250,000 square feet of floor area or a hotel or motel use with more than 250 guest rooms.

(7) Retail mall parking.

(A) For purposes of this subsection, a "retail mall" is a building containing retail uses that occupy at least 400,000 square feet of gross floor area (excluding the pedestrian way). A retail mall may have additional uses.

(B) A retail mall is eligible for the parking requirement reduction in this subsection only if:

(i) all uses in the retail mall are physically attached to and have public access to an environmentally controlled pedestrian way; and

(ii) the floor area of the pedestrian way is at least seven percent of the gross floor area of the retail mall.

(C) The number of required off-street parking spaces for a retail mall is reduced as follows:

(i) 10 percent for all uses (including the pedestrian way), other than recreation and entertainment uses;

(ii) 50 percent for recreation and entertainment uses, other than theater uses, for floor area up to 10 percent of the gross floor area of the retail mall (including the pedestrian way); and

(iii) 50 percent for a theater use when the theater use is on the same building site as the retail mall and utilizes the same parking area as the retail mall.

(D) No reduction in required off-street parking spaces is allowed for that part of the gross floor area devoted to recreation and entertainment uses, other than theater uses, that is in excess of 10 percent of the gross floor area of the retail mall (including the pedestrian way).

(E) This subsection may not be used in conjunction with Subsection (c)(6) to calculate a further reduction in the number of required off-street parking spaces for large scale mixed use development projects.

(d) Construction and maintenance provisions for off-street parking.

(1) Each off-street parking space must be provided in accordance with the following dimensional standards:

(A) A parking space parallel with the access lane must be 22 feet long and 8 feet wide. A one-way access lane must be at least 10 feet wide; a two-way access lane must be at least 20 feet wide.

(B) All other parking spaces must be provided in accordance with this section and the chart entitled "Parking Bay Widths" (Exhibit 193E).

(C) The following restrictions apply to the use of 7.5 foot stalls to satisfy off-street parking requirements:

(i) 7.5-foot wide stalls must be double-striped and identified by pavement markings which indicate that the stalls are for small car parking.

(ii) 7.5-foot wide stalls may constitute no more than 35 percent of the required parking spaces for any use.

(2) For a use other than a single-family or duplex use, each off-street parking space must be clearly and permanently identified by stripes, buttons, tiles, curbs, barriers, or another method approved by the building official.

(3) For a single-family or duplex use, the surface of a parking space, maneuvering area for parking, or driveway must consist of an all-weather and drainable material which is approved by the building official, or a material specified in Subsection (d)(4).

(4) For a use other than a single-family or duplex use, the surface of an enclosed or unenclosed parking space, maneuvering area for parking, or a driveway which connects to a street or alley must be on a compacted sub-grade, and must consist of:

(A) concrete paving;

(B) hot mix asphalt paving which consists of a binder and surface course; or

(C) a material which has equivalent characteristics of Subsections (d)(4)(A) or (d)(4)(B) and has the approval of the building official.

(5) A person commits an offense if he stops, stands, or parks a motor vehicle on a lot, unless the vehicle is on a surface as required in Subsections (d)(3) and (d)(4). The registered owner of an unattended or unoccupied vehicle is presumed to be the person who illegally parked the motor vehicle. The records of the Texas Department of Public Safety or the Dallas County Tax Assessor/Collector showing the name of the person having title to the vehicle is prima facie evidence of ownership by the named individual.

(6) The owner of off-street parking for a use other than a single-family or duplex use shall:

(A) keep the parking surface free of potholes;

(B) maintain wheelguards and barriers; and

(C) maintain non-permanent parking space markings such as paint, so that clear identification of each parking space is apparent.

(7) Off-street parking spaces for nonresidential uses and parking spaces along the perimeter of a commercial parking lot or garage must have wheel guards not less than six inches in height or other barriers approved by the building official. The wheel guard or barrier must be at least three feet from the screening and must be placed so that:

(A) no part of the automobile extends into the public sidewalk or adjoining property; and

(B) no part of the automobile contacts screening.

(8) All off-street parking spaces and areas must comply with the guidelines established in the Off-Street Parking Handbook. The director of public works and transportation shall keep a true and correct copy of the Off-Street Parking Handbook on file in his office for public inspection and/or copying upon request.

(e) Lighting provisions for off-street parking.

(1) Commercial parking lot. A commercial parking lot which offers service and collects revenue for use after dark (including attended, self-park, coin-actuated gated lots, and rentals on any basis) must be lighted beginning one-half hour after sunset and continuing throughout the hours of use or until midnight, whichever is earlier. If only a portion of the parking lot is offered for use after dark,

only that part must be lighted. However, the portion offered for use must be clearly designated. The lighting of a commercial parking lot must meet the following minimum requirements:

(A) The intensity of lighting on the parking surface must be:

(i) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(ii) a minimum at any point of at least 0.6 footcandle initial, and at least 0.3 footcandle maintained or one-third of the average for the lighted area, whichever is greater.

(B) The light sources must be:

(i) indirect, diffused, or covered by shielded type fixtures; and

(ii) installed to reduce glare and the consequent interference with boundary streets.

(C) Fixtures must be attached to buildings or mounted on metal poles at a height of no less than 20 feet above the parking surface.

(D) Strings of lamps or bare bulbs are prohibited.

(E) A commercial parking lot contiguous to or directly across the street or alley from a residential subdistrict must comply with Subsection (e)(2) instead of this subsection.

(2) Other off-street parking. Off-street parking for a use other than single-family, duplex, or the commercial parking lot use that offers service after dark must be lighted beginning one-half hour after sunset and continuing throughout the hours of use or until 10 p.m., whichever is earlier. If only a portion of a parking area is offered for use after dark, only that part must be lighted. However, the portion offered for use must be clearly designated. The lighting of the off-street parking area must meet the following minimum requirements:

(A) The intensity of light on the parking surface must be:

(i) an average of at least one footcandle, initial measurement, and at least one-half footcandle on a maintained basis; and

(ii) a minimum at any point of at least 0.3 footcandle initial, and at least 0.2 footcandle maintained or one-third of the average for the lighted area, whichever is greater.

(B) The intensity of spillover light on neighboring residential lots, measured at a point five feet inside the residential lot line and five feet above the ground surface, may not exceed 0.1 footcandle.

(C) The light sources must:

(i) be indirect, diffused, or covered by shielded type fixtures;

(ii) be installed to reduce glare and the consequent interference with boundary streets; and

(iii) not be visible from property that is:

(aa) occupied by a residential use; and

(bb) located within 600 feet of the light source.

(D) Fixtures must be attached to buildings or mounted on metal poles. If any portion of a fixture is over 20 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.)

(E) Strings of lamps or bare bulbs are prohibited.

(3) Special exception. The board of adjustment may grant a special exception to the height restrictions in this subsection if the board determines, after a public hearing, that the special exception will not adversely affect neighboring property. In determining whether to grant a special exception, the board shall consider the following factors:

(A) Hours of use for the parking area.

(B) Size and configuration of the lot on which the parking area is located.

(C) Distances between the parking area and surrounding uses.

(f) Screening provisions for off-street parking.

(1) The owner of off-street parking must provide screening to separate the parking area from:

(A) a contiguous residential use or vacant lot if either is in a residential district and the parking area serves a nonresidential use; or

(B) a contiguous single-family or duplex use or a vacant lot if any of these are in a single-family, duplex, or TH subdistrict and the parking area serves a multiple-family use.

(2) If an alley separates a parking area from another use, the use is considered contiguous to the parking area. If a street separates a parking area from another use, the use is not considered contiguous to the parking area.

(3) Screening for off-street parking must be a solid barrier that is not less than six feet in height. The solid barrier may not have more than ten square inches of open area for each square foot of surface area. The owner of off-street parking must maintain the screening in compliance with these standards.

(4) The board may not vary the height for screening around off-street parking.

(g) Off-street parking reduction options.

(1) In general.

(A) A property owner may reduce the standard off-street parking requirement for certain uses in the SPD by exercising one or more of the following reduction options:

(i) Making a payment into the Oak Lawn Transit Fund in accordance with Subsection (g)(2) of this section.

(ii) Filing an approved traffic management plan (TMP) agreement in accordance with Subsection (g)(3) of this section.

(iii) Calculating an adjusted standard off-street parking requirement for a mixed use development in accordance with Subsection (g)(4) of this section.

(B) The reduction options in Subsection (g)(l)(A) of this section may be used in any combination subject to the restrictions in Subsections (g)(2), (g)(3), and (g)(4) of this section.

(2) Payment into Oak Lawn Transit Fund.

(A) In general. A property owner may reduce the standard off-street parking requirement for an office-related or retail-related use up to 10 percent by making a payment into a special city account, to be known as the Oak Lawn Transit Fund, for development and operation of a shuttle transit system for the Oak Lawn SPD. The amount of the payment required is calculated by taking 30 percent of the cost of constructing a parking garage space [See Subsection (B) below] and multiplying that cost by the number of parking spaces that will not be required by reason of the payment. In order for the reduction to be considered in cases involving work for which a permit is required, the entire payment must be made to the building official before issuance of the permit. The city council may transfer moneys from the Oak Lawn Transit Fund to the Oak Lawn Parking Fund provided for in Subsection (g)(3) of this section when, in the opinion of the council, such a transfer would be in the best interest of the city.

(B) Cost of constructing a parking garage space. Until January 2, 1995, the cost of constructing a parking garage space for purposes of this section is $6,619.28. On January 2, 1995, and on January 2 of each odd-numbered year thereafter, the director of development services shall determine a new cost of constructing a parking garage space by using the following formula:

National Median Cost Sq. Ft.	**x**	**320 sq. ft.**	**x**	**Dallas Cost Index**	**=**	**Cost of Constructing a Parking Garage Space**

For purposes of the formula, "National Median Cost/Sq. Ft." is the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another publication is designated by the director.

(3) Traffic management plan (TMP) agreement.

(A) In general. A property owner may reduce the standard off-street parking requirement for an office-related or retail-related use up to 10 percent by entering into a written traffic management plan (TMP) agreement for the implementation of traffic mitigation measures to reduce the total number of vehicle trips and, thus, the need for a specified number of required off-street parking spaces. The agreement must be approved by the director of public works and transportation, approved as to form by the city attorney, and filed in the deed records of the county where the property is located. In order for the reduction to be considered in cases for which a permit is required, the agreement must be signed, approved, and filed pursuant to this subsection before issuance of the permit.

(B) TMP agreement requisites. All TMP agreements must satisfy the following minimum requirements:

(i) The agreement must adequately set forth the name of the owners of the property involved, the location of the property, and the number of off-street parking spaces currently required for the property by this article.

(ii) The agreement must contain a detailed plan for the mitigation of traffic. This plan must spell out the specific traffic mitigation measures proposed, e.g. car and van pooling, bus pass subsidy, subscription transit, and bicycling programs.

(iii) The agreement must state the number and percentage of required off-street parking spaces that should no longer be needed as a result of implementation of the plan. All data and evidence relied on in reaching this conclusion must be attached to the agreement.

(iv) As part of the agreement, the property owner must commit to achievement of the proposed vehicle trip reduction within two years of the date of issuance shown on a certificate of occupancy for any buildings for which the parking is required. If the director of public works and transportation determines that the property owner has failed to achieve the proposed vehicle trip reduction at the end of the two-year period or at any time thereafter, the agreement must require the property owner to make cash in lieu payments for any off-street parking spaces required under this article still needed but not provided. The amount of the payment must be equal to two times the full cost of constructing a parking garage space multiplied by the number of required parking spaces still needed but not provided. The cost of a parking garage space for purposes of this subsection is that cost stated in or determined pursuant to Subsection (g)(2)(B) of this section.

(v) The agreement must require the property owner to make periodic reports on the effectiveness of the proposed traffic management plan. All data and evidence relied on in reaching conclusions or findings as to the effectiveness of the plan must be attached to the reports.

(vi) All payments in lieu of required parking made pursuant to the terms of the agreement must be kept in a special city account, to be known as the Oak Lawn Parking Fund, for financing the acquisition of sites for and the construction and operation of parking facilities in the Oak Lawn SPD; however, the city council may transfer moneys from the Oak Lawn Parking Fund to the Oak Lawn Transit Fund when, in the opinion of the council, such a transfer would be in the best interest of the city.

(vii) The agreement must be signed by or on behalf of all of the owners of the property involved. In addition, the agreement must be approved by the director of public works and transportation and approved as to form by the city attorney.

(viii) A true and correct copy of the approved agreement must be filed in the deed records of the county where the property involved is located. No agreement shall be effective until it is properly filed in the deed records in accordance with this subsection.

(ix) The requirements in this section for execution, approval, and filing of a TMP agreement also apply to amending and terminating instruments.

(C) <u>TMP agreement review procedure</u>. All proposed TMP agreements must be submitted to the director of public works and transportation for review. In reviewing a proposed TMP agreement, the director of public works and transportation shall carefully evaluate the proposed traffic mitigation measures to be employed and verify to his or her satisfaction that the measures will reduce the total number of vehicle trips so that the specified number of required off-street parking spaces will no longer be needed. In reviewing the proposed agreement, the director may require the property owner to submit additional evidence to support conclusions or assumptions made by the property owner. If the director is not satisfied that the proposed traffic mitigation measures will eliminate the need for the specified number of required off-street parking spaces for the property when the plan is fully implemented, the director shall not sign the agreement. The refusal by the director of public works and transportation to sign a proposed TMP agreement submitted pursuant to this subsection may be appealed to the board in the same manner that appeals are made from decisions of the building official.

(4) Mixed use development option.

(A) In general. A property owner may reduce the standard off-street parking requirement for a mixed use development by using the mixed use development (MUD) parking chart (Exhibit 193F), to calculate an "adjusted" standard off-street parking requirement for the development. This reduction option may be used in combination with the other reduction options available under Subsections (g)(2) and (g)(3) of this section to reduce the standard requirement for the development up to 30 percent. In no event may the standard requirement for a mixed use development be reduced by more than 30 percent.

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

(i) First, the standard parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to that category of use. If a use in the development does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(iii) Finally, 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 five sums is the adjusted standard off-street parking requirement for the development.

(C) Minimum parking requirement. If one or more of the main uses in a mixed use development is a retail-related use, the minimum parking requirement for the development under this reduction option is the sum of the standard parking requirements for each of the retail-related uses in the development.

(D) Visitor parking required. If a property owner uses the mixed use development reduction option, a number of parking spaces equal to or greater than the difference between the aggregate standard and aggregate adjusted standard off-street parking requirement for the development must be available for use by visitors.

(h) Residential alley access restrictions for nonresidential uses.

(1) The following residential alley access restrictions are established in order to promote safety and protect the public from disturbances that interfere with the quiet enjoyment of residential properties. Between the hours of 10 p.m. and 7 a.m., no person may use a public alley or access easement that abuts or is in a R, D, or TH subdistrict for the purpose of delivering or receiving any goods or services to or from a nonresidential use in a nonresidential district or subdistrict. It is a defense to prosecution under this paragraph that the person is:

(A) a governmental entity;

(B) a communications or utility company, whether publicly or privately owned; or

(C) the operator of an authorized emergency vehicle as defined in Article 6701d, Vernon's Annotated Texas Statutes, as amended.

(2) The board of adjustment may grant a special exception to the alley access restriction in Paragraph (1) if the board finds, based on evidence presented at a public hearing, that strict compliance with the restriction would result in the material and substantial impairment of access to the property as a whole. In determining whether access would be materially and substantially impaired, the board shall consider the following factors:

(A) The extent to which access to the restricted alley between the hours of 10 p.m. and 7 a.m. is essential to the normal operation of the use or uses to which the special exception would apply.

(B) The extent to which the property as a whole has reasonable access to other public streets, alleys, or access easements in addition to the restricted alley.

(C) The extent to which strict compliance with the alley access restriction will necessarily have the effect of substantially reducing the market value of the property.

(3) In granting a special exception under this subsection, the board shall:

(A) specify the use or uses to which the special exception applies; and

(B) establish a termination date for the special exception, which must not be later than five years after the date of the board's decision.

(4) In granting a special exception under this subsection, the board may:

(A) authorize alley access only during certain hours; or

(B) impose any other reasonable condition that would further the purpose and intent of the alley access restriction.

(5) Notwithstanding any of the above, a special exception granted by the board under this subsection for a particular use automatically and immediately terminates if and when that use is changed or discontinued. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.114. PARKING [P] SUBDISTRICT REGULATIONS.

(a) General provisions.

(1) The parking subdistrict must be either contiguous to or perpendicularly across an adjoining street or alley from a main use.

(2) The owner of a lot in a parking subdistrict contiguous to a residential subdistrict shall provide and maintain a minimum front yard of ten feet.

(b) Procedures for establishing a parking subdistrict.

(1) The applicant for a parking subdistrict shall comply with the zoning amendment procedure for a change in a zoning subdistrict classification.

(2) At the time of applying for a change in zoning subdistrict classification, the applicant shall submit a site plan that includes:

(A) the dimensions, bearings, and street frontage of the property;

(B) the location of the parking spaces and the use the parking subdistrict serves;

(C) the method of ingress and egress;

(D) screening, lighting, and landscaping; and

(E) any other information the director determines necessary for a complete review of the proposed development.

(c) Special provisions for applicants holding dance hall licenses. When a person who has a license to operate a dance hall applies to change the zoning classification of a property to a parking subdistrict, the city council shall consider whether the property:

(1) is in a subdistrict other than a single-family, duplex, or townhouse subdistrict;

(2) is contiguous to, or directly across an alley from, a property in a nonresidential subdistrict;

(3) has landscaping (including screening) that meets the requirements of this article;

(4) has lighting that meets the parking lot lighting standards of this article;

(5) has responsible security personnel patrolling it during the hours of its use;

(6) is providing required off-street parking only for dance halls in operation on September 13, 1992; and

(7) has curb cuts for vehicular access designed to direct traffic to the nearest thoroughfare. (Ord. Nos. 21859; 25267)

SEC. 51P-193.115. OFF-STREET LOADING REGULATIONS.

(a) Required off-street loading standards.

(1) The owner and lessee of a lot shall provide required off-street loading spaces in accordance with the following schedules:

(A) Office and similar uses.

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 50,000	NONE
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(B) Retail, personal services, custom craft, and similar uses.

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

(C) Commercial, industrial, and similar uses.

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	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**

(D) Hotel, motel, and similar uses.

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 50,000	**NONE**
50,000 to 100,000	**1**
100,000 to 300,000	**2**
Each additional 200,000 or fraction thereof	**1 additional**

(E) Bar, restaurant, and similar uses.

SQUARE FEET OF TOTAL REQUIRED FLOOR AREA IN STRUCTURE	SPACES OR BERTHS
0 to 5,000	**NONE**
5,000 to 25,000	**1**
25,000 to 50,000	**2**
Each additional 50,000 or fraction thereof	**1 additional**

(2) The building official shall determine the off-street loading requirements for a use not specified, based on the most similar use listed above.

(3) A structure containing more than one use must meet the loading requirements for the sum of the requirements for each use except:

(A) If one use occupies 90 percent or more of the floor area of the structure, the off-street loading requirement is calculated as if the use occupied the entire structure.

(b) Location and design standards.

(1) Except as specifically provided in this section, required off-street loading spaces must be provided on the same lot as the use served.

(2) The first required off-street loading space must be of the medium or large size and at least 40 percent of the required off-street loading spaces must be of the medium or large size except:

(A) for a single retail use over 60,000 square feet, the first 25 percent of the loading spaces must be of the large size, then 25 percent must be of the medium or large size; and

(B) for hotels and motels, one required off-street loading space must be of the large size, and at least 75 percent of the required spaces must be of the large or medium size.

(3) In determining the size of the required number of loading spaces in Subsection (b)(2) above, fractional spaces are counted to the nearest whole number, with one-half counted as an additional space.

(4) Each large size off-street loading space must have a width of not less than 11 feet, a length of not less that 55 feet, and a height of not less than 14 feet.

(5) Each medium size off-street loading space must have a width of not less than 11 feet, a length of not less than 35 feet, and a height of not less than 13 feet.

(6) Each small size off-street loading space must have a height of not less than 7.5 feet, and either a length of not less than 25 feet with a width of not less than eight feet, or a length of not less than 20 feet with a width of not less than 10 feet.

(7) Ingress to and egress from required off-street loading spaces must have at least the same vertical height clearance as the off-street loading space.

(8) Each required off-street loading space must be designed with a reasonable means of vehicular access from the street or alley in a manner which will least interfere with traffic movement. Each off-street loading space must be independently accessible so that no loading space blocks another loading space. Trash removal facilities and other structures must not block a required loading space. The design of the ingress, egress, and maneuvering area must be approved by the director of public works and transportation.

(9) Off-street loading facilities for more than one building site may be provided in a common terminal if connections between the building and terminal are off-street.

(10) If a publicly owned off-street truck terminal presently exits, is under construction, or is funded for construction, the required off-street loading for a use that is located on a lot contiguous to or perpendicular across the street from the terminal must be provided in the publicly owned off-street truck terminal if the truck terminal is designed to accommodate the loading needs of the use, as determined by the director of building services.

(11) If a use is served by a publicly owned off-street truck terminal, the owner of that use shall provide an off-street connection to the truck terminal, and shall pay a rental fee, as determined by the city council.

(c) <u>Special regulations for the CA-1 subdistrict</u>.

(1) In the CA-1 subdistrict, off-street loading spaces must be provided in accordance with Subsection (a) for only new structures or additions to an existing structure.

(2) In the CA-1 subdistrict, once the required off-street loading has been established for a structure, no additional off-street loading is required if the use of the structure changes.

(3) In the CA-1 subdistrict, once an off-street loading space has been provided, the off-street loading space may not be reduced, eliminated, or made unusable in any manner during the life of the structure.

(4) In the CA-1 subdistrict, on-street loading spaces may satisfy the off-street loading requirement subject to the following standards:

(A) Any on-street loading spaces must be approved by the traffic engineer.

(B) Required off-street loading spaces furnished on-street must be provided at curbside contiguous to the building site.

(C) If no adjacent curb space is available due to traffic or transit needs, indented curb space may be provided if the required sidewalk width is maintained.

(D) All required medium and large loading spaces must be provided off-street.

(E) Structures meeting Subsections (A) through (D) above and requiring seven or more off-street loading spaces may satisfy the off-street loading requirement as follows:

(d) Residential alley access. Refer to Section 51P-193.113(h) for residential alley access restrictions for nonresidential uses.

REQUIRED SPACES	MINIMUM OFF-STREET	NUMBER ON STREET
7	**6**	**1**
8	**6**	**2**
9	**3**	**3**
10 or more	**60%**	**40%**

(Ord. Nos. 21859; 25267)

SEC. 51P-193.116. HANDICAPPED PARKING REGULATIONS.

(a) Definitions. In this section:

(1) ACCESS AISLE means an accessible space between elements such as parking spaces that provides clearances appropriate for use of the elements.

(2) ACCESSIBLE ROUTE means a continuous unobstructed path having a smooth and firm surface sufficient in width and configuration to permit a person in a standard-sized wheelchair to obtain free access to buildings and facilities. Accessible routes may include but are not limited to walks, halls, aisles, corridors, elevators, ramps, curb ramps, and clear floor spaces at fixtures.

(3) CIRCULATION ROUTE means an exterior or interior way of passage from one place to another for pedestrians, including but not limited to walks, hallways, and courtyards.

(4) LEVEL means any surface or part of a surface not having a slope in excess of 1:50 (2.0%) at any point, in any direction. Slopes expressed in terms of 1/4 inch per foot are considered 2.0% and are acceptable.

(5) PRIMARY ENTRANCE means an entrance intended to be used by the occupants and visitors to enter or leave a building or facility. This may include but is not limited to the main entrance.

(b) Purpose. The provisions of this section are to further the policy of the city of Dallas and the state of Texas to encourage and promote the rehabilitation of handicapped or disabled citizens and to eliminate, insofar as possible, unnecessary barriers encountered by aged, handicapped, or disabled persons, whose ability to engage in gainful occupations or to achieve maximum personal independence is needlessly restricted when such persons cannot readily use buildings accessible to the public.

(c) Application of section.

(1) This section only becomes applicable to a lot when a use is expanded or converted so that additional off-street parking is required. In this event, the number of handicapped parking spaces is based on the total number of off-street parking spaces required for the use.

(2) When a lot is used for a combination of uses and one use is converted or expanded, only the off-street parking spaces required for that use are taken into account in calculating the handicapped parking requirement for the lot.

(d) Calculation of handicapped parking requirements.

(1) The handicapped parking requirement for a lot containing a single use is calculated as follows:

(A) First, refer to the use regulations listed in Sections 51P-193.107 through 51P-193.110 to determine whether handicapped parking must be provided for the use.

(B) Next, ascertain the number of off-street parking spaces required for the use.

(C) Finally, refer to the table in Subsection (e) to determine the number of handicapped parking spaces required to be provided on the lot.

(2) The handicapped parking requirement for a lot used for a combination of uses is calculated as follows:

(A) First, refer to the use regulations listed in Sections 51P-193.107 through 51P-193.110 to determine which uses must provide handicapped parking.

(B) Next, determine the number of off-street parking spaces required for each of those uses. For purposes of this section, the off-street parking requirement for the lot is the sum of the off-street parking spaces required for those uses.

(C) Finally, refer to the table in Subsection (e) to determine the number of handicapped parking spaces required to be provided on the lot.

(e) Minimum number of handicapped spaces required.

(1) Handicapped parking must be provided in accordance with the following table:

Total Number of Required Off-street Parking Spaces	Minimum Number of Handicapped Spaces Required
1-50	**1**
51-100	**2**
101-300	**3**
301-500	**5**
Over 500	**1% of Total**

(2) For purposes of satisfying the off-street parking requirement for any use, a handicapped parking space is the equivalent of an off-street parking space.

(f) Location and construction standards.

(1) All handicapped parking spaces must comply with the following location and construction standards, regardless of whether the spaces are required by this section or provided voluntarily.

(2) Parking spaces for handicapped persons must be located on an accessible circulation route and as near as reasonably possible to the accessible primary entrance of the building or facility housing the use. In multi-level parking garages, underground lots, and remote lots, parking spaces must be located on the shortest possible circulation route.

(3) Head-in or diagonal handicapped parking spaces must be at least 96 inches wide with an adjacent aisle or clear space at least 60 inches wide. A common aisle between two 96-inch-wide spaces may be shared. In order to better accommodate handicapped persons using vans with side lifts, an aisle at least 72 inches wide is preferred.

(4) Handicapped parking spaces must be open on at least one side and allow room for individuals in wheelchairs, crutches, or braces to safely get in and out of a vehicle onto a level surface suitable for wheeling and walking. No handicapped parking spaces may be located in such a place that would cause persons to wheel or walk behind parked vehicles.

(5) Parallel parking is discouraged except when it can be situated in such a manner that persons entering and exiting vehicles will be out of the flow of traffic. If parallel parking is located on a street, driveway, or any other area where vehicular traffic exists, the space must be designed and placed in such a manner that persons are out of the flow of traffic.

(6) No parked vehicle overhangs may intrude into or reduce the clearance of accessible routes.

(7) No parking surfaces and accessible aisles may have a slope in any direction in excess of 1:50 (2.0%).

(8) Handicapped parking spaces must be identified and reserved for the handicapped by a sign incorporating the symbol of accessibility placed so that it will not be obscured by parked vehicles. The sign must be legible from a distance that is reasonable for the condition. Where conditions exist that preclude the use of vertical signage, suitable phrases or symbols sufficient in size, permanency, meaning, and location so to adequately serve the intent of this section are permitted.

(g) Required parking in multi-level parking garages, underground lots, and remote lots.

(1) In instances where multi-level parking garages, underground lots, or remote lots are used to serve a particular building or facility, required parking spaces and conditions must conform to the following criteria in addition to the other specifications contained in this section:

(A) There must be an accessible route from the parking spaces to the nearest accessible primary entrance to the use.

(B) Elevators must be provided as part of the accessible route when the parking spaces are located:

(i) in multi-level parking garages or underground lots; and

(ii) on a different story from the nearest accessible primary entrance to the use.

NOTE: If elevators are a part of the accessible route, the elevators must comply with the standards and specifications contained in state law on accessibility to the handicapped.

(C) If overhead walkways are provided and are a part of the accessible route, one overhead walkway must be accessible by conforming to applicable standards and specifications required for an accessible route.

(h) Handicapped parking special exception.

(1) The board of adjustment may grant a special exception to authorize the elimination of or a reduction in the number of handicapped parking spaces required under this section if the board finds, after a public hearing, that strict compliance with the requirements of this article will unreasonably burden the use of the property.

(2) In determining whether to grant a special exception under Paragraph (1), the board shall consider the following factors:

(A) The demand for handicapped parking generated by the use or uses involved.

(B) The days and hours of operation of the use or uses involved.

(C) Existing conditions and improvements of the subject property, including, but not limited to, size, shape, or slope of the land, and location and dimensions of off-street parking, aisles, and driveways.

(3) In granting a special exception under Paragraph (1), the board shall specify the use or uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.

(4) In granting the special exception under Paragraph (1), the board may establish a termination date for the special exception or otherwise provide for the reassessment of conditions after a specified period of time.

(5) A special exception granted under Paragraph (1) does not exempt a use from satisfying more restrictive requirements for handicapped parking which may be imposed by the state of Texas. (Ord. Nos. 21859; 25267)

SEC. 51P-193.117. SPECIAL PARKING REGULATIONS.

(a) Definitions. In this section:

(1) DIRECTOR OF PUBLIC WORKS AND TRANSPORTATION means the director of public works and transportation or that person's designated representative.

(2) LICENSEE means a person in whose name a license has been issued under this section, as well as the individual listed as an applicant on the application for a license. The term includes any employee, agent, or independent contractor of the person in whose name the license is issued.

(3) PACKED PARKING means off-street parking that is governed by special dimensional standards for parking spaces, allowing maximal parking on the lot when an attendant is used.

(4) PERSON means an individual, assumed name entity, partnership, joint-venture, association, corporation, or other legal entity.

(5) REMOTE PARKING means off-street parking provided on a lot not occupied by the main use.

(6) SHARED PARKING means the use of the same off-street parking stall to satisfy the off-street parking requirements for two or more uses.

(7) SHUTTLE means a vehicle used to transport patrons between the drop-off point at the main use and the remote parking lot serving the use.

(8) SPECIAL PARKING means packed parking, remote parking, and shared parking as those terms are defined in this subsection.

(9) WALKING DISTANCE means the distance from the nearest point of the special parking lot to the nearest public entrance of the main use, measured along the most convenient pedestrian walkway.

(b) Purpose. This section provides alternatives to the general parking regulations in Section 51P-193.113. Packed parking provides alternative dimensional requirements for parking spaces to allow maximal parking on a lot when an attendant is used to park vehicles. Remote parking allows an exception to the requirement that all off-street parking be provided on the lot occupied by the main use. Shared parking allows an exception to the requirement that no off-street parking space for one use be included in the calculation of the parking required for any other use.

(c) Procedures for special parking approval.

(1) In general. All special parking must be approved by the director of public works and transportation in accordance with this section. A person seeking approval of special parking shall submit an application to the director of public works and transportation pursuant to Paragraph (2).

(2) Application. An application for special parking approval and five duplicates must be filed with the director of public works and transportation. An application form may be obtained from the department of public works and transportation. The application must include the following:

(A) The application fee.

(B) A site plan illustrating the applicable items listed in Paragraph (3).

(C) For packed parking, a statement describing the operational plan, including:

(i) the days and hours of operation of the main use;

(ii) staffing required to park the vehicles; and

(iii) the location of any parking service stand.

(D) For remote parking:

(i) a map illustrating the walking distance from the special parking to the use requiring the parking; and

(ii) if applicable, a statement pointing out the factors justifying an extension of walking distance including discussion of the following factors:

(aa) The type of use involved.

(bb) The parking demand generated by the use involved.

(cc) The percentage of required off-street parking that will be provided as remote parking.

(dd) The availability and condition of sidewalks.

(ee) The availability and frequency of a local shuttle or transit service.

(ff) The availability of or proposal for shelters for users of any local shuttle or transit service.

(gg) Any other factors that may have the effect of encouraging patrons of the use to use or discouraging patrons of the use from using the remote parking.

(E) For shared parking, a study of parking demand and accumulation during all days and hours of operation for all uses sharing parking.

(F) Any other reasonable and pertinent information that the director of public works and transportation determines to be necessary for special parking review.

(3) Site plan requisites.

(A) The following information must be illustrated on the site plan:

(i) The number of parking spaces required for each use.

(ii) The location and dimensions of the special parking lot.

(iii) The location and dimensions of all existing and proposed off-street parking and loading areas, parking bays, aisles, and driveways.

(iv) The location and dimensions of any dumpster on the special parking lot.

(v) The number of cars to be accommodated in each row of parking spaces.

(vi) The location and dimensions of all existing streets and alleys adjacent to the special parking lot and between the special parking lot and the main use.

(vii) The location of all existing easements for street purposes on the special parking lot.

(viii) Existing and proposed provisions for pedestrian circulation in the area of request, including sidewalks, walkways, crosswalks, and pedestrian plazas.

(ix) Existing and proposed median cuts and driveways located within 250 feet of the special parking lot.

(x) The location and the type of any special traffic regulation facilities proposed or required.

(xi) A proposed landscape plan, if required by this article or Chapter 51.

(4) For special parking consisting of more than 50 parking spaces, the following additional information must be illustrated on the site plan:

(A) Existing and proposed points of ingress and egress and estimated peak hour turning movements to and from existing and proposed public and private streets and alleys adjacent to the special parking lot.

(B) Average daily traffic counts on streets adjacent to the special parking lot.

(C) Estimated peak hour turning movements at intersections located within 250 feet of the special parking lot.

(d) Review by the director.

(1) Conformity with standards required. The director of public works and transportation shall deny an application for special parking unless it meets all of the applicable standards in this section.

(2) General standards.

(A) Special parking may not be located in a residential subdistrict. Nonresidential uses in residential subdistricts may use special parking if the special parking is not located in a residential subdistrict.

(B) At least 50 percent of the off-street parking required for a main use that fronts a special retail street must be located within a walking distance of 300 feet of that use. (See Exhibit 193D-3.) At least 50 percent of the off-street parking required for any other main use must be located on the same lot as that use or on a lot directly adjacent to or across an alley from that use. (See Exhibit 193D-4.)

(C) Special parking must comply with all codes, ordinances, rules, and regulations of the city.

(D) Special parking may not create safety hazards.

(3) Packed parking standards. Packed parking may not be used unless a license is obtained pursuant to Subsection (i).

(4) Remote parking standards.

(A) Walking distance. Unless an extension of walking distance is approved by the director of public works and transportation, remote parking must be located within the walking distance specified below of the use served by the remote parking:

(i) 1,500 feet from a dance hall existing on September 13, 1992;

(ii) 900 feet from a main use, other than a dance hall existing on September 13, 1992, that fronts a special retail street (see Exhibit 193D-3); or

(iii) 450 feet from any other main use. (See Exhibit 193D-4.)

(B) Extension of walking distance.

(i) For uses other than dance halls existing on September 13, 1992, and main uses that front special retail streets, the director of public works and transportation may extend the walking distance for remote parking to no more than 900 feet unless the extension would:

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

(bb) unreasonably endanger the safety of persons or property; or

(cc) not otherwise be in the public interest.

(ii) A license is required to authorize an extension of walking distance beyond 1,500 feet for a dance hall existing on September 13, 1992, or 900 feet for any other main use. [See Subsection (i).]

(C) Residential prohibition. A parking lot may not be used for remote parking if the measurement of walking distance goes through a residential district or subdistrict.

(D) Signs required at main use and at parking lot. A sign must be prominently displayed at all entrances of a remote parking lot and at all entrances of a parking lot providing on-site parking for the main use. Each sign must:

(i) illustrate or describe the location of the remote parking in relation to the main use;

(ii) be constructed of weather resistant material;

(iii) be no less than 30 inches wide and 24 inches long; and

(iv) contain clearly legible letters in a color that contrasts with the background material of the sign.

(5) Shared parking standards. Uses sharing parking must have either mutually exclusive or compatibly overlapping normal hours of operation. The director of public works and transportation shall determine whether hours of operation are compatibly overlapping on a case-by-case basis.

(e) Decision of the director.

(1) Form of decision. The decision of the director of public works and transportation must take one of three forms:

(A) Approval, no conditions.

(B) Approval, subject to conditions noted.

(C) Denial.

(2) Statement of reasons. If the director of public works and transportation denies an application for special parking, the director shall state in writing the specific reasons for denial.

(3) Approval subject to conditions noted. As an alternative to denial of an application for special parking under Subsection (d)(l), the director of public works and transportation may approve the special parking subject to conditions noted if compliance with all conditions will eliminate what would otherwise constitute grounds for denial. If the director of public works and transportation approves the special parking subject to conditions noted, the director shall state in writing the specific requirements to be met before the special parking shall be considered approved.

(4) Approval with no conditions. If there are no grounds for denial under Subsection (d)(1), the director of public works and transportation shall approve the application for special parking with no conditions.

(f) Notice. The director of public works and transportation shall give written notice to the applicant of his decision regarding the application for special parking. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice must be sent to the address shown on the application.

(g) Appeals.

(1) An appeal from a decision of the director of public works and transportation under Subsection (e) may be made to the board of adjustment in the same manner that appeals are made from decisions of the building official.

(2) In considering the appeal, the sole issue before the board of adjustment shall be whether or not the director of public works and transportation erred and, in this connection, the board shall consider the same standards that were required to be considered by the director of public works and transportation in making the decision.

(h) Agreement required.

(1) Requisites of agreement. Except for dance halls existing on September 13, 1992, which may satisfy this requirement in accordance with Paragraph (4), if the application for special

parking is approved, a special parking agreement must be executed and filed in accordance with this subsection. A standard agreement form may be obtained from the department of public works and transportation. The agreement must:

(A) be in writing and be signed by all owners of the properties affected;

(B) specify the special parking being provided and the hours of operation of any use involved;

(C) be a covenant running with the land;

(D) be approved by the building official and approved as to form by the city attorney; and

(E) contain a provision stating that it may be amended or terminated only by an instrument approved by the building official and approved as to form by the city attorney, and further stating that, if the building official determines that an amendment or termination of the agreement will result in less than the required number of off-street parking spaces being provided for the main use, the building official shall not approve the amending or terminating instrument unless a payment has been made for all required off-street parking spaces that will still be needed but not provided as a result of the proposed amendment or termination of the agreement. The amount and disposition of the payment must be the same as that required upon failure to achieve a proposed vehicle trip reduction under a TMP agreement pursuant to Section 51P-193.113(g)(3).

(2) Agreement must be filed. A true and correct copy of the approved special parking agreement must be filed in the deed records of Dallas County before it shall be considered effective. After the special parking agreement is filed in the deed records, two file-marked copies of the agreement must be filed with the building official.

(3) Amendment or termination of agreement. A special parking agreement may only be amended or terminated by an instrument approved by the building official and approved as to form by the city attorney. A true and correct copy of the approved instrument must be filed in the deed records of Dallas County before it shall be considered effective. After the instrument is filed in the deed records, two file-marked copies of the instrument must be filed with the building official. The building official shall approve an instrument amending or terminating a special parking agreement if:

(A) the special parking is no longer needed to comply with the off-street parking regulations in this article; or

(B) a payment has been made for all required off-street parking spaces that will still be needed but not provided as a result of the amendment or termination of the agreement. The amount and disposition of the payment must be the same as that required upon failure to achieve a proposed vehicle trip reduction under a TMP agreement pursuant to Section 51P-193.113(g)(3).

(4) Special provisions governing parking amendments for dance halls existing on the effective date of Ordinance No. 21859.

(A) Lease. An agreement authorizing a dance hall existing as of September 13, 1992, to use special parking may be based on a lease of the special parking spaces if:

(i) the lease is for a minimum term of either two years or until the SUP for the dance hall expires, whichever is shorter; and

(ii) the parking agreement provides that both the owner of the dance hall and the owner of the lot containing the special parking shall notify the director in writing within 14 days of any breach, modification, or termination of the lease.

(B) Requisites of lease. If the application for special parking for a dance hall existing on September 13, 1992, is approved, a special parking lease agreement may be executed and filed in accordance with this subparagraph instead of complying with Subsection (h)(1). A standard agreement form may be obtained from the department of public works and transportation. The agreement must:

(i) be in writing and be signed by all owners of the properties affected;

(ii) specify the special parking being provided and the hours of operation of any use involved;

(iii) be approved by both the building official and the city attorney; and

(iv) dedicate the portion of the property containing the special parking to parking use.

(C) Agreement must be filed. A true and correct copy of the approved special parking lease agreement must be considered effective until it is filed with the director of public works and transportation in accordance with this subparagraph.

(D) Breach, modification, or termination. If the lease is breached, modified, or terminated such that the dance hall no longer complies with the required off-street parking regulations, within 45 days of the noncompliance the holder of the dance hall license must:

(i) obtain other parking agreement(s) in accordance with this section that provide the required off-street parking spaces;

(ii) apply to the board of adjustment for a special exception to the parking requirements to authorize a lesser number of required off-street parking spaces in accordance with Subsection 51P-193.107(i)(7)(E);

(iii) apply to change the zoning classification of one or more lots to a parking subdistrict in accordance with Section 51P-193.114(c) if those lots may be used to provide the necessary number of required off-street parking spaces for the dance hall; or

(iv) cease to operate and terminate the certificate of occupancy for the dance hall.

If the applications filed pursuant to Subparagraphs (D)(iii) and (D)(iv) are denied, then the applicant must pursue one of the other alternatives within 45 days of the denial.

(i) Special parking license.

(1) When a special parking license is required.

(A) A special parking license is required to authorize:

(i) packed parking; or

(ii) an extension of the walking distance for remote parking beyond 1,500 feet for a dance hall existing on September 13, 1992, or 900 feet for any other main use [See Subsection (d)(4)].

(B) Special parking licenses are issued by the director of public works and transportation. An application for special parking under Subsection (c) serves as an application for a license under this subsection.

(2) Conformity with standards required. The director of public works and transportation shall deny a special parking license unless it meets all of the applicable standards in Subsection (d) and this subsection.

(3) Packed parking standards.

(A) The passenger loading and unloading area for packed parking must have adequate means of ingress to and egress from a street or an alley. The director of public works and transportation shall only consider alley access in satisfaction of this requirement when alley access is permitted by this article and Chapter 51.

(B) All maneuvering, parking, and loading for packed parking must be accomplished on private property.

(C) The area of each packed parking space must be no less than 145 square feet.

(D) An access lane that is no less than 24 feet wide must be provided through the packed parking area.

(E) An attendant must be provided to park vehicles during all business hours of the main use.

(F) A sign must be prominently displayed at all entrances of a packed parking lot. Each sign must:

(i) state:

(aa) that all or a portion of the lot is restricted to packed parking serving the main use;

(bb) that an attendant must be provided during all business hours of the main use;

(cc) the business hours of the main use;

(dd) a phone number specified by the director of public works and transportation to be used for reporting violations of this divisions, including the requirement of an attendant during all business hours of the main use;

(ee) the phone number of the licensee; and

(ff) the issuance number of the licensee;

(ii) be constructed of weather resistant material;

(iii) be no less than 30 inches wide and 24 inches long; and

(iv) contain clearly legible letters in a color that contrasts with the background material of the sign.

(4) Standards for extension of walking distance.

(A) The director of public works and transportation shall require that either a shuttle or an attendant be provided by the applicant as a condition to approval of an extension of the walking distance for remote parking beyond 1,500 feet for a dance hall existing on September 13, 1992, or 900 feet for any other main use.

(B) If a shuttle is required, it must:

(i) transport patrons between the main use and the remote parking lot;

(ii) be adequately staffed during all hours of operation of the main use; and

(iii) have adequate seating capacity to accommodate patrons expected to use the remote parking.

(C) If an attendant is required, the attendant shall drive vehicles of patrons between the main use and the remote parking lot.

(D) In no event may the director of public works and transportation authorize remote parking to be located beyond a walking distance of one-half mile from the main use.

(5) Revocation of license by director of public works and transportation. The director of public works and transportation shall revoke a license issued under this subsection if:

(A) the licensee fails to comply with the requirements of the license, this section, or other applicable law;

(B) the licensee made a false statement of material fact on the application for a license; or

(C) the director at any time determines that the special parking authorized by the license unreasonably endangers the safety of persons or property.

(6) Suspension of license by director of public works and transportation. If the director of public works and transportation determines that a licensee has failed to comply with any regulation established under this section, the director may suspend the special parking license for a definite period of time not to exceed 60 days. A licensee whose special parking license is suspended shall not use the special parking involved during the period of suspension. If the licensee fails to comply within the suspension period, the director shall revoke the license.

(7) Expiration of license. A special parking license expires three years from the date of issuance, unless sooner revoked by the director of public works and transportation or by the city council.

(8) Renewal. A special parking license may be renewed by making an application for renewal at least 30 days before expiration of the license. If the license renewal involves changes to the original application, a new application for special parking approval must be submitted pursuant to Subsection (c). If the license renewal does not involve changes, the request for renewal must be filed with the director of public works and transportation on a form furnished by the city for that purpose.

(9) Appeal of denial, suspension, or revocation of license. If the director of public works and transportation refuses to issue, suspends, or revokes a license, that action is final unless the licensee files an appeal with the permit and license appeal board in accordance with Section 2-96 of the Dallas City Code.

(j) Offenses. A person commits an offense if he operates a use:

(1) in violation of a special parking agreement executed and filed pursuant to Subsection (h); or

(2) without a valid license required under Subsection (i).

(k) Revocation of certificate of occupancy. The building official shall revoke the certificate of occupancy for any use being operated:

(1) in violation of a special parking agreement executed and filed pursuant to Subsection (h); or

(2) without a valid license required under Subsection (i). (Ord. Nos. 21859; 25267)

SEC. 51P-193.118. MINIMUM FRONT YARD.

(a) General provisions.

(1) In general. Required front yards must be open and unobstructed except for fences. In a multiple-family subdistrict, trellises, screens, awnings, and canopies may project up to five feet into the required front yard. Otherwise, ordinary projections of window sills, belt courses, cornices, or other architectural features may not project more than 12 inches into the required front yard. Cantilevered roof eaves and balconies may not project more than five feet into the required front yard.

(2) Measurement.

(A) The front yard setback is measured from the front lot line of the building site or the required right-of-way as determined by the city's thoroughfare plan for all thoroughfares except minor streets, whichever creates the greater setback. On minor streets, the front yard setback is measured from the front lot line of the building site or the existing right-of-way, whichever creates the greater setback. When the city council by ordinance establishes a specific right-of-way line for a street, the front yard setback is measured from that right-of-way line.

(B) For purposes of front yard setback, a residential development tract is treated as a single lot. For residential development tracts, the front yard setback is measured from the front line of the residential development tract or the required right-of-way as determined by the city’s thoroughfare plan for all thoroughfares except minor streets, whichever creates the greater setback. On minor streets, the front yard setback is measured from the front line of the residential development tract or the existing right-of-way, whichever creates the greater setback. When the city council by ordinance

establishes a specific right-of-way line for a street, the front yard setback is measured from that right-of-way line.

(3) Building lines established by ordinance. If a building line that is established by ordinance requires a greater or lesser front yard than prescribed by Section 51P-193.125, the building line established by ordinance determines the minimum required front yard.

(4) Uniform or staggered building lines. A uniform or staggered building line may establish a front yard less than prescribed by Section 51P-193.125 if the building line:

(A) provides a front yard of ten feet or more;

(B) is established by a plat approved by the commission and recorded with the county clerk; and

(C) is part of a plan for the orderly development of the subdivision.

(5) Double frontage lots. If a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets. If a residential development tract runs from one street to another and has double frontage, a required front yard must be provided on both streets.

(6) Blocks divided by zoning subdistricts. If street frontage within a block is divided by two or more zoning subdistricts, the front yard for the entire block must comply with the requirements of the subdistrict with the greatest front yard requirement. However, if street frontage within a block is divided between a multiple-family subdistrict and a nonresidential subdistrict, any development on the portion of the block in the multiple-family subdistrict need not comply with the front yard setback requirements of the nonresidential subdistrict.

(7) Additional setbacks required. In the MF-3, O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 36 feet in height and the building site has a front yard that is either perpendicularly contiguous to or perpendicularly across an adjoining street from a single-family or duplex subdistrict, an additional setback must be provided that is equal to twice the height of the portion of the building that exceeds 36 feet in height. The additional setback is only required for the portion of the building that:

(A) is perpendicularly across from the single-family or duplex subdistrict; and

(B) exceeds 36 feet in height.

In all other subdistricts, if a building is erected or altered to exceed 36 feet in height, and if the building site is either perpendicularly contiguous to or perpendicularly across an adjoining street from the single-family, duplex, or TH subdistrict, an additional setback must be provided that is equal to twice the height of the portion of the building that exceeds 36 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(8) PD subdistricts. The minimum front yard requirements in a planned development subdistrict are controlled by the planned development subdistrict regulations.

(9) Board of adjustment special exception. In the multiple-family, MH, A, office, commercial, central area, and industrial subdistricts, the board of adjustment may allow a special exception from the front yard requirements of Section 51P-193.125 to permit the erection of a permanently constructed porte-cochere, covered walkway, or canopy if the structure is rectilinear in shape

and does not exceed 25 feet in width at the building line, and if the board finds that the structure will not adversely affect neighboring property.

(10) Front yard setbacks for garbage storage areas.

(A) A minimum front yard setback of three feet must be provided for a garbage storage area in all subdistricts except single-family, duplex, and townhouse subdistricts.

(B) No new garbage storage area may be established in violation of this subsection. All garbage storage areas in the Oak Lawn SPD must be in full compliance with this subsection by September 13, 1994. No person shall have a nonconforming right to maintain a garbage storage area in the required front yard after September 13, 1994. (See Exhibit 193D-5.)

(b) Front yard provisions for residential subdistricts.

(1) If a corner lot in a single-family, duplex, multiple-family, or agricultural subdistrict has two street frontages of equal distance, one frontage is governed by the front yard regulations of this section, and the other frontage is governed by the side yard regulations in Section 51P-193.119. If the corner lot has two street frontages of unequal distance, the shorter frontage is governed by this section, and the longer frontage is governed by the side yard regulations in Section 51P-193.119. Notwithstanding this provision, the continuity of the established setback along street frontage must be maintained.

(2) In a residential subdistrict, if a structure specified in Section 51P-193.123(a)(1) is erected or altered to exceed the maximum height allowed in Section 51P-193.125, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of a conflict between Subsection (a)(7) and this provision, Subsection (a)(7) applies.

(3) If the TH subdistrict abuts another residential subdistrict in the same block and fronts on the same side of the street, the residential subdistrict with the greater front yard requirement determines the minimum front yard. The minimum front yard for the residential subdistrict with the greater front yard requirement must extend at least 150 feet into the TH subdistrict.

(4) In the mobile home subdistrict, a mobile home may not be located closer that 20 feet to a public street right-of-way or a private drive used for access, circulation, or service to a lot or stand where a mobile home is located.

(5) In the MF-2 and MF-3 subdistricts, front yard setback averaging is permitted for a building 36 feet or less in height if the building site has no front street curb cuts and the following minimum front yard setbacks are provided:

(A) A minimum setback of 13 feet from the back of the projected street curb (to allow for parkway landscape and sidewalk construction).

(B) A minimum setback of three feet from the lot line (to allow for private property landscaping).

(6) In the MF-3 subdistrict, the following minimum front yard setbacks must be provided for all buildings and structures:

(A) 10 feet for the first 36 feet in height.

(B) 25 feet for all portions of a building above 36 feet in height. (See Exhibit 193D-6.)

(7) In the MF-4 subdistrict, if a building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of a conflict between Subsection (a)(7) and this provision, Subsection (a)(7) applies.

(8) The following modifications only apply to property in single-family and duplex subdistricts:

(A) In this subsection, the term:

(i) "corner side yard" means the portion of the front yard on a corner lot that is governed by side yard regulations pursuant to Section 51P-193.118(b)(1); and

(ii) "front yard" does not include the "corner side yard" as defined above.

(B) Where two or more main buildings exist in a blockface, any new building must have a minimum front yard setback that is the average of the front yard setbacks of the two main buildings that are closest to the lot in the same blockface; however, in no case is a new building required to have a front yard setback greater than 40 feet. (See Exhibit 193D-7.)

(9) The following modification applies to residential development tracts and single-family uses in MF-1, MF-2, and MF-3 subdistricts. In case of a conflict between this paragraph and the other provisions of this section, this paragraph controls. A minimum front yard setback of 20 feet is required.

(c) <u>Front yard provisions for nonresidential subdistricts</u>.

(1) In the O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 36 feet in height and the building site has a front yard that is either perpendicularly contiguous to or perpendicularly across an adjoining street from the TH, MF-1, or MF-2 subdistrict, an additional front yard setback must be provided that is equal to one-half the height of the portion of the building that exceeds 36 feet in height, up to a maximum total setback of 50 feet. The additional setback is only required for the portion of the building that:

(A) is perpendicularly across from the TH, MF-l, or MF-2 subdistrict; and

(B) exceeds 36 feet in height.

In all other nonresidential subdistricts, if a building is erected or altered to exceed 36 feet in height and if the building site is either perpendicularly contiguous to or perpendicularly across an adjoining street from the MF-l or MF-2 subdistrict, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(2) Reserved.

(3) In the CA-l-CP and CA-l-SP subdistricts, a 10-foot setback is required that is measured from the street curb as established by the Dallas Central Business District Streets and Vehicular

Circulation Plan, Ordinance No. 13262, as amended. When an owner establishes a setback on his property greater than the 10- foot requirement, a floor area bonus of six times the additional setback area is allowed. The maximum permitted floor area ratio with a bonus is 24 to one.

(4) In the CA-l subdistrict, a sidewalk must be provided between the back of the street curb and the face of a building at grade in accordance with this subsection. The face of a building is behind the columns for a building with exterior columns.

(A) Average sidewalk width equals the total sidewalk surface area divided by the linear feet of frontage.

(i) Each frontage on each block must contain the required average sidewalk width.

(ii) The computation of average sidewalk width excludes the area occupied by structural walls or columns.

(iii) In computing average sidewalk width, the surface area at a corner is counted only once.

(B) In the CA-l-CP subdistrict, sidewalks must be constructed and maintained in accordance with the following regulations:

(i) An average sidewalk width of 18 feet is required.

(ii) A minimum sidewalk width of 12 feet that is unobstructed by any structure or planting is required. The 12-foot minimum sidewalk width may be divided into seven- and five-foot minimum segments.

(C) In the CA-l-SP subdistrict, sidewalks must be constructed and maintained in accordance with the following regulations:

(i) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-l-CP subdistrict in Subsection (c)(4)(B).

(ii) A building with a floor area ratio of 15 to one or less must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure or planting.

(D) In the CA-l subdistrict without a CP or SP overlay district designation, sidewalks must be constructed and maintained in accordance with the following regulations:

(i) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-l-CP subdistrict in Subsection (c)(4)(B).

(ii) A building with a floor area of 10 to one through 15 to one must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure.

(iii) All other buildings must provide a minimum sidewalk width of 10 feet with seven feet unobstructed by any structure or planting.

(5) In the GR and LC subdistricts, the following minimum front yard setbacks must be provided for all buildings and structures:

(A) 10 feet for the first 36 feet in height.

(B) 25 feet for all portions of a building above 36 feet in height.

(d) Schedule of minimum front yards. Except as provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to have a smaller front yard than is allowed in Section 51P-193.125. (Ord. Nos. 21859; 24728; 25267; 26102)

SEC. 51P-193.119. MINIMUM SIDE YARD.

(a) General provisions.

(1) In general. Required side yards must be open and unobstructed except for fences and accessory structures. In a multiple-family subdistrict, trellises, screens, awnings, and canopies may project up to three feet into the required side yard. Otherwise, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required side yard. Roof eaves may not project more than three feet into the required side yard. Balconies may not project into the required side yard.

(2) Measurement.

(A) The side yard setback is measured from the side lot line of the building site, except when a front yard is treated as a side yard, the setback is measured from the lot line or the required right-of-way as determined by the city's thoroughfare plan, for all thoroughfares except for minor streets, whichever creates the greater setback. On minor streets, the setback is measured from the lot line or the existing right-of-way, whichever creates the greater setback. When the city council by ordinance establishes a specific right-of-way line for a street, the required setback is measured from that right-of-way line.

(B) For purposes of side yard setback, a residential development tract is treated as a single lot. For residential development tracts, the side yard setback is measured from the side line of the residential development tract, except when a front yard is treated as a side yard, the setback is measured from the side line of the residential development tract or the required right-of-way as determined by the city’s thoroughfare plan, for all thoroughfares except minor streets, whichever creates the greater setback. On minor streets, the setback is measured from the side line of the residential development tract or the existing right-of-way, whichever creates the greater setback. When the city council by ordinance establishes a specific right-of-way line for a street, the required setback is measured from that right-of-way line.

(3) Additional setbacks required. In all subdistricts except MF-3, O-2, GR, and LC, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to, or if a front yard is treated as a side yard, perpendicularly across an adjoining street or alley from the single-family, duplex, or TH subdistrict, an additional setback must be provided that is equal to twice the total height of the building. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In the MF-3 subdistrict, if a building is erected or altered to exceed 36 feet in height and the building site has a side yard that is either perpendicularly contiguous to or perpendicularly across an adjoining alley from the single-family or duplex subdistrict, an additional setback must be provided for that side yard that is equal to twice the total height of the building. The

additional setback is measured from the nearest lot line of the nearest building site in the single-family or duplex subdistrict and is only required for the portion of the building that:

(A) is perpendicularly across from the single-family or duplex subdistrict; and

(B) exceeds 36 feet in height.

In the O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 24 feet in height and the building site has a side yard that is either perpendicularly contiguous to or perpendicularly across an adjoining alley from the single-family or duplex subdistrict, an additional setback must be provided for that side yard that is equal to twice the total height of the building. The additional setback is measured from the nearest lot line of the nearest building site in the single-family or duplex subdistrict and is only required for the portion of the building that:

(A) is perpendicularly across from the single-family or duplex subdistrict; and

(B) exceeds 24 feet in height.

(4) Unitary air conditioning unit in the side yard. A unitary air conditioning unit which has a standard sound rating number (SRN) designation of 20 or less according to the Air Conditioning and Refrigeration Institute may be located in the required side yard, but not nearer than three feet to the property line as follows:

(A) No more than three units with a SRN designation of 18 or less with a minimum separation of 10 feet between units;

(B) No more than two units with a SRN designation of 19 or less with a minimum separation of 10 feet between units; or

(C) No more than one unit with a SRN designation of 20.

(5) PD subdistricts. The minimum side yard requirements in a planned development subdistrict are controlled by the planned development subdistrict regulations.

(b) Side yard provisions for residential subdistricts.

(1) In single-family subdistricts, one required side yard may be reduced below the setback required in Section 51P-193.125, if the other side yard is increased to at least double the side yard required in Section 51P-193.125, subject to the following conditions:

(A) The minimum side yard between structures on contiguous lots must not be less than the minimum side yard required in Section 51P-193.125.

(B) To reduce the required side yard, a subdivision plat must be approved by the commission and filed with the county clerk showing the location of all building lines, and showing the proposed distances between the building lines and property lines, streets lines and alley lines.

(C) A person may not erect an accessory structure except for a swimming pool and its appurtenances in the double side yard.

(2) In a residential subdistrict, if a structure specified in Section 51P-193.123(a)(1) is erected or altered to exceed the maximum height allowed in Section 51P-193.125, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(3) In the TH, multiple-family, office, commercial, and central area subdistricts, a minimum of 15 feet between each group of eight single-family structures must be provided by plat.

(4) If the TH subdistrict abuts a subdistrict that requires a greater side yard, the side yard requirements of the more restrictive district apply to the abutting side yard in the TH subdistrict.

(5) In the mobile home subdistrict, no person may locate a mobile home nearer than 10 feet to the side line of any lot or stand, and the minimum space between adjacent mobile homes must be 20 feet.

(6) In the MF-3 and MF-4 subdistricts, if a building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum setback of 50 feet. In providing the additional setback, one side yard may be reduced up to 20 percent from the dimension required, if the other side yard setback is increased by a distance equal to the reduction. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(7) In a multiple-family subdistrict, one required side yard may be reduced to zero if the other side yard is increased to at least double the side yard required in Section 51P-193.125 subject to the following conditions:

(A) The minimum spacing between structures on contiguous lots must not be less than the minimum side yard required in Section 51P-193.125.

(B) To reduce the required side yard, a subdivision plat must be approved by the commission and filed with the county clerk showing the location of all building lines and the proposed distances between building lines, property lines, streets lines, and alley lines.

(C) A person may not erect an accessory structure except for a swimming pool and its appurtenances in the double side yard.

(8) In the MF-2 and MF-3 subdistricts, a side yard setback of either zero or five feet (but not between zero and five feet) may be provided for a side or rear building wall if:

(A) the building is 36 feet or less in height;

(B) the wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a nonresidential subdistrict;

(C) the wall has no openings; and

(D) the requirements of the building and fire codes and all other applicable ordinances and laws are met.

(9) The following modifications apply only to property in single-family and duplex subdistricts:

(A) In this paragraph, the term:

(i) "corner side yard" means the portion of the front yard on a corner lot that is governed by side yard regulations pursuant to Section 51P-193.118(b)(1); and

(ii) "front yard" does not include the "corner side yard" as defined above.

(B) Any new accessory building or portion of a main building used for accessory purposes on a corner lot must have a corner side yard setback that is equal to or greater than the corner side yard setback of:

(i) any building on the rear-abutting corner lot, if any, or

(ii) the main building on the lot, whichever is less.

This subparagraph authorizes a lesser corner side yard setback than would otherwise be required for a new accessory building or portion of a main building used for accessory purposes in cases where an existing building on the rear-abutting corner lot or the main building on the same lot is legally nonconforming as to its corner side yard setback. (See Exhibit 193D-8.)

(10) No setback or visibility triangle is required for a one-story garage that is accessory to a single-family or duplex use in a residential subdistrict if:

(A) the part of the garage in the setback required for a main structure in the subdistrict is no more than 15 feet in height and 22 feet in width; and

(B) no other garage on lot was authorized under this paragraph; and

(C) the garage is located on the rear half of the lot and in a corner side yard. For purposes of this paragraph, “corner side yard” means the portion of the front yard on a corner lot that is governed by side yard regulations pursuant to Section 51P-193.118(b)(1).

(11) The following modifications apply to residential development tracts and single-family uses in MF-1, MF-2, and MF-3 subdistricts. In case of a conflict between this paragraph and the other provisions of this section, this paragraph controls. In this paragraph: “translucent” means not transparent, but clear enough to allow light to pass through; “interior side yard” means any side yard other than a corner side yard; and “corner side yard” means the portion of the front yard on a corner residential development tract or lot governed by side yard regulations pursuant to Section 51P-193.118(b)(1). The following minimum side yard setback is required:

(A) for interior side yards:

(i) 10 feet, or

(ii) five feet with an additional one foot of setback required for every four feet in height above 24 feet. If this five-foot side yard with sloping setback is provided, translucent glass must be used in that part of a window from the finished floor to six feet above the finished floor if any portion of the window is 10 feet or more above grade, except that transparent glass may be used in any window that is perpendicular to the side yard line; and

(B) for corner-side yards: 10 feet, except that any parking garage door facing the public street must be set back 20 feet.

(c) Side yard provisions for nonresidential subdistricts.

(1) In all nonresidential subdistricts except for O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or if a front yard is treated as a side yard, perpendicularly across an adjoining street or alley from the MF-1 or MF-2 subdistrict, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In the O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 36 feet in height and the building site has a side yard that is either perpendicularly contiguous to or perpendicularly across an adjoining alley from the TH, MF-1, or MF-2 subdistrict, an additional setback must be provided for that side yard that is equal to the height of the portion of the building that exceeds 36 feet in height, up to a maximum total setback of 85 feet; except the maximum total setback is only 50 feet if the floor area in the "encroachment bonus" does not exceed the total floor area on the building site devoted to residential uses. For purposes of this paragraph, "encroachment bonus" means the portion of the building over 36 feet in height that would violate the additional setback requirements of this paragraph but for this exception. The additional and maximum total setbacks are measured from the nearest lot line of the nearest building site in the TH, MF-1, or MF-2 subdistrict and are only required for the portion of the building that:

(A) is perpendicularly across from the TH, MF-1, or MF-2 subdistrict; and

(B) exceeds 36 feet in height.

(2) Reserved.

(3) In the SC subdistrict, if a building site is adjacent to a single-family, duplex, or TH subdistrict, a minimum side yard of 20 feet must be provided.

(4) In the SC subdistrict, a minimum side yard of 20 feet must be provided for the side yard of a building site with a nonresidential use that abuts a residential subdistrict, and that side yard must comply with Subsections (a)(3) and (c)(l).

(5) Except as provided in this paragraph, in the NS, GR, LC, HC, I-2, and I-3 subdistricts, a minimum side yard of 10 feet must be provided for the side yard of a building site with a nonresidential use that abuts a residential subdistrict, and that side yard must comply with Subsections (a)(3) and (c)(1). In the O-2, GR, and LC subdistricts, a side yard setback of zero may be provided for a side or rear building wall if:

(A) the building is 36 feet or less in height;

(B) the wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a residential subdistrict;

(C) the wall has no openings; and

(D) the requirements of the building and fire codes and all other applicable ordinances and laws are met.

(6) In the O-1 subdistrict, one side yard may be reduced to zero if the other side yard is increased to a minimum of 15 feet. When the O-1 subdistrict abuts a residential subdistrict, the side yards abutting the residential subdistrict must be:

(A) a minimum of 10 feet, if two side yards are provided; or

(B) a minimum of 15 feet, if only one side yard is provided.

(7) In the O-2 subdistrict, if a nonresidential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between this provision and Subsections (a)(3) and (c)(1), Subsections (a)(3) and (c)(1) apply.

(8) In the O-1, O-2, GR, and LC subdistricts, if a side nonresidential building wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a single-family, duplex, TH, MF-1, or MF-2 subdistrict, the following additional regulations apply:

(A) If an opening in the building wall is less than 20 feet from the lot line, a screening wall not less than six feet in height must be constructed and maintained within 18 inches of the lot line to protect property in the residential subdistrict from visual intrusion.

(B) In the O-1 subdistrict, if an opening in the building wall is 12 feet or more above grade, the opening must have a setback that is equal to the vertical distance measured from grade to the top of the opening.

(C) In the O-2, GR, and LC subdistricts, if an opening in the building wall is 12 feet or more above grade, a minimum setback of 25 feet must be provided for the opening.

(D) If an opening in one of the other side or rear nonresidential building walls (not facing the lot line) is 12 feet or more above grade, a minimum setback of 10 feet must be provided for the opening.

(E) Required setbacks for openings under this subsection are measured perpendicularly from the opening to the vertical plane of the lot line of the same building site. The measurement is taken from the glass (or other transparent material) in the opening, or if there is no glass (or other transparent material) in the opening, the plane of the omitted wall at the exterior of the opening.

(d) Schedule of minimum side yards. Except as provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to have a smaller side yard than is allowed in Section 51P-193.125. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.120. MINIMUM REAR YARD.

(a) General provisions.

(1) In general. Required rear yards must be open and unobstructed except for accessory structures and fences. In a multiple-family subdistrict, trellises, screens, awnings, and canopies may project up to three feet into the required rear yard. Otherwise, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the

required rear yard. Roof eaves may not project more than three feet into the required rear yard. Balconies may not project into the required rear yard.

(2) Measurement.

(A) The rear yard setback is measured from the rear lot line of the building site.

(B) For purposes of rear yard setback, a residential development tract is treated as a single lot. For residential development tracts, the rear yard setback is measured from the rear line of the residential development tract.

(3) Additional setbacks required. In all subdistricts except MF-3, O-2, GR, and LC, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or perpendicularly across from an adjoining alley from the single-family, duplex, or TH subdistrict, an additional setback must be provided that is equal to twice the total height of the building. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In the MF-3 subdistrict, if a building is erected or altered to exceed 36 feet in height and the building site has a rear yard that is either perpendicularly contiguous to or perpendicularly across an adjoining alley from the single-family or duplex subdistrict, an additional setback must be provided for that rear yard that is equal to twice the total height of the building. The additional setback is measured from the nearest lot line of the nearest building site in the single-family or duplex subdistrict and is only required for the portion of the building that:

(A) is perpendicularly across from the single-family or duplex subdistrict; and

(B) exceeds 36 feet in height.

In the O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 24 feet in height and the building site has a rear yard that is either perpendicularly contiguous to or perpendicularly across an adjoining alley from a single-family or duplex subdistrict, an additional setback must be provided for that rear yard that is equal to twice the total height of the building. The additional setback is measured from the nearest lot line of the nearest building site in the single-family or duplex subdistrict and is only required for the portion of the building that:

(i) is perpendicularly across from the single-family or duplex subdistrict; and

(ii) exceeds 24 feet in height.

(4) PD subdistricts. The minimum rear yard requirements in a planned development subdistrict are controlled by the planned development subdistrict regulations.

(b) Rear yard provisions for residential subdistricts.

(1) In a residential subdistrict, if a structure specified in Section 51P-193.123(a)(1) is erected or altered to exceed the maximum height allowed in Section 51P-193.125, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(2) In the MF-3 and MF-4 subdistricts, if a building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum total setback of 50 feet. In providing the additional setback, the rear yard may be reduced up to 20 percent from the dimension required if the front yard is increased a distance equal to the reduction. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(3) In the MF-1 and MF-2 subdistricts, a minimum rear yard of 10 feet may be provided when a building site backs up to a multiple-family or subdistrict, whether the two subdistricts are separated by an alley or not. The rear yard is subject to Subsection (a)(3).

(4) In the MF-2 and MF-3 subdistricts, a rear yard setback of either zero or five feet (but not between zero and five feet) may be provided for a side or rear building wall if:

(A) the building is 36 feet or less in height;

(B) the wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a nonresidential subdistrict;

(C) the wall has no openings; and

(D) the requirements of the building and fire codes and all other applicable ordinances and laws are met.

(5) In the single-family and duplex subdistricts, if an accessory structure does not exceed 15 feet in height, the minimum rear yard setback for that structure is three feet from any portion of the rear lot line adjacent to an alley. No setback is required from any portion of a rear lot line not adjacent to an alley. (See Exhibit 193D-9.)

(6) The following modifications apply to residential development tracts and single-family uses in MF-1, MF-2, and MF-3 subdistricts. In case of a conflict between this paragraph and the other provisions of this section, this paragraph controls. The rear yard requirements are as follows:

(A) If the rear yard is adjacent to an alley:

(i) a minimum five-foot rear yard setback must be provided; or

(ii) a rear yard setback is not required if a 15-foot by 15-foot square planting area is provided adjacent to the rear line of the residential development tract or lot.

(B) If the rear yard is not adjacent to an alley, a minimum five-foot rear yard setback must be provided.

(c) <u>Rear yard provisions for nonresidential subdistricts</u>.

(1) In all nonresidential subdistricts except for the O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or perpendicularly across from an adjoining alley from the MF-1 or MF-2 subdistrict, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In the O-2, GR, and LC subdistricts, if a building is erected or altered to exceed 36 feet in height and the building has a rear yard that is either perpendicularly contiguous to or perpendicularly across an adjoining alley from the TH, MF-1, or MF-2 subdistrict, an additional setback

must be provided for that rear yard that is equal to the height of the building that exceeds 36 feet in height, up to a maximum total setback of 85 feet; except the maximum total setback is only 50 feet if the floor area in the "encroachment bonus" does not exceed the total floor area on the building site devoted to residential uses. For purposes of this paragraph, "encroachment bonus" means the portion of the building over 36 feet in height that would violate the additional setback requirements of this paragraph but for this exception. The additional and maximum total setbacks are measured from the nearest lot line of the nearest building site in the TH, MF-1, or MF-2 subdistrict and are only required for the portion of the building that:

(A) is perpendicularly across from the TH, MF-1, or MF-2 subdistrict; and

(B) exceeds 36 feet in height.

(2) Reserved.

(3) In the O-2 subdistrict, if a nonresidential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between this provision and Subsections (a)(3) and (c)(1), Subsections (a)(3) and (c)(1) apply.

(4) In the SC subdistrict, a minimum rear yard of 20 feet must be provided when a building site with a nonresidential use backs upon a residential district, whether the two subdistricts are separated by an alley or not. The rear yard is subject to Subsections (a)(3) and (c)(1).

(5) Except as provided in this paragraph, in the NS, GR, LC, HC, and industrial subdistricts, a minimum rear yard of 10 feet must be provided when a building site with a nonresidential use backs upon a residential subdistrict, whether the two subdistricts are separated by an alley or not. The rear yard is subject to Subsections (a)(3) and (c)(1). In the O-2, GR, and LC subdistricts, a rear yard setback of zero may be provided for a side or rear building wall if:

(A) the building is 36 feet or less in height;

(B) the wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a residential subdistrict;

(C) the wall has no openings; and

(D) the requirements of the building and fire codes and all other applicable ordinances and laws are met.

(6) In the O-1, O-2, GR, and LC subdistricts, if a rear nonresidential building wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a single-family, duplex, TH, MF-1, or MF-2 subdistrict, the following additional regulations apply:

(A) If an opening in the building wall is less than 20 feet from the lot line, a screening wall not less than six feet in height must be constructed and maintained within 18 inches of the lot line to protect property in the residential subdistrict from visual intrusion.

(B) In the O-1 subdistrict, if an opening in the building wall is 12 feet or more above grade, the opening must have a setback that is equal to the vertical distance measured from grade to the top of the opening.

(C) In the O-2, GR, and LC subdistricts, if an opening in the building wall is 12 feet or more above grade, a minimum setback of 25 feet must be provided for the opening.

(D) If an opening in one of the other side or rear nonresidential building walls (not facing the lot line) is 12 feet or more above grade, a minimum setback of 10 feet must be provided for the opening.

(E) Required setbacks for openings under this subsection are measured perpendicularly from the opening to the vertical plane of the lot line of the same building site. The measurement is taken from the glass (or other transparent material) in the opening, or if there is no glass (or other transparent material) in the opening, the plane of the omitted wall at the exterior of the opening.

(d) Schedule of minimum rear yards. Except as provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to have a smaller rear yard than is allowed in Section 51P-193.125. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.121. MINIMUM LOT AREA FOR RESIDENTIAL USE.

(a) General provisions.

(1) A person shall not reduce a lot below the minimum area requirements of this section, unless:

(A) the lot is replatted for a community unit development; or

(B) the city or other governmental agency reduces the lot size by widening an abutting street. In this situation, the minimum lot area is computed on the basis of the original lot size before the street widening.

(2) The area requirements in a planned development subdistrict are controlled by the planned development subdistrict regulations.

(b) Lot area provisions for residential subdistricts.

(1) In the TH subdistrict, if a lot is platted for the development of single-family dwellings, alleys are required only if specifically recommended by the director of public works and transportation and required by the commission

(2) In the TH-1 subdistrict, no more than six dwelling units for each acre are allowed.

(3) In the TH-2 subdistrict, no more than nine dwelling units for each acre are allowed.

(4) In the TH-3 subdistrict, no more than 12 dwelling units for each acre are allowed.

(5) In the TH-4 subdistrict, no more than 15 dwelling units for each acre are allowed.

(6) In the MH subdistrict, a mobile home must have the following minimum lot area:

(A) 1,500 square feet for a mobile home on a transient stand; or

(B) 4,000 square feet for a mobile home on a subdivided lot.

(7) There is no minimum lot area for lots within a residential development tract, however, the average area of the lots within a residential development tract must equal or exceed 1,900 square feet.

(c) Schedule of minimum lot area for residential use. Except as otherwise provided in this section, a person shall not erect, alter, or convert any residential structure or part of a structure to have a smaller lot area than is allowed in the minimum regulations of Section 51P-193.125. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.122. MAXIMUM LOT COVERAGE.

(a) General provisions.

(1) In the residential, office, NS, SC, GR, and LC subdistricts, institutional buildings may cover a maximum of 60 percent of the lot.

(2) In the MF-4, SC, HC, I-1, and I-2 subdistricts, a structure used for off-street parking may be excluded in determining the percentage of lot coverage.

(3) The maximum lot coverage requirements in a planned development subdistrict are controlled by the planned development subdistrict regulations.

(4) In the TH subdistrict, 80 percent of an individual lot may be covered by structures, if the coverage for the total project does not exceed 60 percent and at least 40 percent is reserved for open space.

(5) The following modifications apply to residential development tracts. In case of a conflict between this paragraph and the other provisions of this section, this paragraph controls.

(A) Maximum lot coverage is 60 percent. For purposes of this paragraph, the residential development tract is treated as a single lot.

(B) Twenty-five percent of the residential development tract must be permeable surface.

(C) Up to five percent of the residential development tract may be permeable pavement for motor vehicles.

(6) The following modifications apply to single-family uses in MF-1, MF-2, and MF-3 subdistricts. In case of a conflict between this paragraph and the other provisions of this section, this paragraph controls.

(A) Maximum lot coverage is 60 percent.

(B) Twenty-five percent of the lot must be permeable surface.

(C) Up to five percent of the lot may be permeable pavement for motor vehicles.

(b) Schedule of maximum lot coverage. Except as provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to cover a greater percentage of a lot than is allowed in Section 51P-193.125. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.123. MAXIMUM BUILDING HEIGHT.

(a) Special height provisions.

(1) Structures for utility and service uses and institutional uses may be erected to any height consistent with the Federal Aviation Administration air space limitations, airport flight overlay district regulations, and the building code, if setbacks are provided as required by Sections 51P-193.118, 51P-193.119, and 51P-193.120.

(2) In a subdistrict in which building height is limited to 36 feet or less, the following structures may project a maximum of 12 feet above the height specified in Section 51P-193.125:

(A) Structures on top of a building:

(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 which surround roof mounted mechanical equipment.

(ix) Chimney and vent stacks.

(x) Amateur communications tower.

(xi) Parapet wall, limited to a height of four feet.

(B) Structures at grade level:

(i) Amateur communications tower.

(3) The maximum building height requirements in a planned development subdistrict are controlled by the planned development subdistrict regulations.

(4) In single-family, duplex, townhouse, MF-1, and MF-2 subdistricts:

(A) no dormer eaves may project above the height specified in Section 51P-193.125; and

(B) the highest point of a structure with a gable, hip, gambrel, or dome roof may not project more than 12 feet above the height specified in Section 51P-193.125. (See Exhibit 193D-10.)

(5) The following modification applies to residential development tracts and single-family uses in MF-1, MF-2, and MF-3 subdistricts: the maximum building height is 36 feet. In case of a conflict between this paragraph and the other provisions of this section, this paragraph controls.

(b) Schedule of maximum building heights. Except as provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to exceed the maximum height standards in Section 51P-193.125. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.124. MAXIMUM FLOOR AREA RATIO.

(a) General provisions.

(1) The floor area of a structure used for off-street parking is excluded in computing the floor area ratio of the structure.

(2) A basement is not counted in the computation of floor area ratio.

(3) The maximum floor area ratio requirements in a planned development subdistrict are controlled by the planned development subdistrict regulations.

(4) In the CA-1 subdistrict, the floor area on the ground floor between an omitted wall line and the structural wall is excluded in the computation of floor area ratio when it is used for pedestrian traffic.

(5) The maximum floor area ratio in the CA-1-CP and CA-1-SP districts may be increased to 24 to 1 by the use of the building setback bonus provisions in the front yard regulations.

(6) If the total floor area of residential uses on a lot is equal to or greater than the lot area, the maximum floor area ratio is:

(A) 4.5 to 1 in O-2, LC, and HC subdistricts; and

(B) 2.5 to 1 in a GR subdistrict.

(b) Schedule of maximum floor area ratio. Except as provided in this section, a person shall not erect or alter any structure or part of a structure to exceed the maximum floor area ratio in Section 51P-193.125. (Ord. Nos. 21859; 25267)

SEC. 51P-193.125. SCHEDULE OF YARD, LOT, AND SPACE REGULATIONS.

The following charts comprise the schedule of yard, lot, and space regulations for this article; however, it is necessary to see the text of Sections 51P-193.118 through 51P-193.124 for specific regulations. In the event of a conflict between these charts and the text of this article, the text controls. (Ord. Nos. 21859; 25243; 25267)

SEC. 51P-193.126. LANDSCAPE, STREETSCAPE, SCREENING, AND FENCING STANDARDS.

(a) Application of section.

(1) Except as provided, this section does not apply to single-family and duplex uses in detached structures. This section applies to residential development tracts. This section applies to attached or detached single-family uses in MF-1, MF-2, and MF-3 subdistricts. This section shall become applicable to all other uses on an individual lot when work on the lot is performed that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot, unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.

(2) Once this section becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

(3) If a specific site plan containing landscaping requirements was approved by the city plan commission or city council prior to February 9, 1985, and if the site plan is made part of an ordinance or a deed restriction running with the land to which the city is a party, the landscaping requirements of this section do not apply to the property that is the subject of the approved site plan as long as the site plan remains in effect.

(4) The board may grant a special exception to the landscaping requirements of this section if, in the opinion of the board, the special exception will not compromise the spirit and intent of this section. When feasible, the board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting a special exception under this subsection.

(b) Landscaping requirements in general.

(1) Designated landscape areas.

(A) In general.

(i) Each property owner is required to designate portions of the lot and parkway in the front, side, or rear yard for landscaping purposes. These designations must be shown on the landscape plan required by this section. The first required designation is that of the "landscape site area." The exact size requirements for the landscape site area vary depending on the zoning classification of the property. The landscape site area may consist of one large contiguous area or several smaller non-contiguous areas.

(ii) The second required designation is that of the "general planting area." The general planting area is a subarea of the landscape site area. Like the landscape site area, it may consist of one large contiguous area or several smaller non-contiguous areas.

(iii) The third required designation is that of the "special planting area." The special planting area is a subarea of the general planting area. Again, the special planting area may consist of one contiguous area or several non-contiguous areas.

(iv) The fourth required designation is that of the "parkway planting area," which, like the other areas, may consist of one contiguous area or several non-contiguous areas.

(v) The requirements for the landscape site area, general planting area, special planting area, and parkway planting area are different and vary depending on the zoning classification of the property. Among those things regulated are the amount and type of pavement allowed, the soil depth, and the type and density of plant materials. Specific requirements applicable to these designated areas are outlined in the subsections that follow.

(B) Pavement restrictions. No pavement other than pavement for pedestrians and non-motorized vehicles is permitted in the designated landscape site area, except that permeable pavement for motor vehicles is allowed in multiple-family subdistricts only. No pavement of any kind is allowed in the designated general planting, special planting, and parkway planting areas.

(C) Soil depth requirements. There are no minimum soil depth requirements for portions of the landscape site area that are outside of the general planting area. The minimum soil depth requirement for the parkway planting area and portions of the general planting area that are outside of the special planting area is 18 inches. The minimum soil depth requirement for the special planting area is 24 inches.

(D) Minimum planting requirements. The minimum planting requirements for designated landscape areas are as follows:

(i) Landscape site area. There are no minimum planting requirements for portions of the landscape site area that are outside of the general planting area.

(ii) General planting area. The general planting area must contain living trees, shrubs, vines, flowers, or ground cover vegetation. All plants in this area must be recommended for local area use by the director of park and recreation.

(iii) Special planting area. The special planting area must contain living trees, shrubs, or vines that are recommended for local area use by the director of park and recreation. Turf grass and ground cover are not counted toward meeting these minimum planting requirements. Initial plantings must be calculated to cover a minimum of 75 percent of this area at a minimum height of 24 inches within a three-year period. There must be at least one plant for each four square feet of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for this area.

(iv) Parkway planting area. The parkway planting area must contain living trees, turf grass, flowers, or ground cover vegetation that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 75 percent of this area within a three year period.

(2) Irrigation and drainage systems. All landscaping required under this section must be irrigated and drained by automatic irrigation and permanent drainage systems installed to comply with industry standards.

(3) Off-street parking and screening requirements.

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

(i) 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 of height for each three feet of width.

(ii) Solid wood or masonry fence or wall.

(iii) 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. This subsection supplements Section 51P-193.113(f).

(B) Surface parking screening with single-family or duplex adjacency. The three methods of providing screening listed above in Subsection (b)(3)(A) of this section may be used to provide screening to separate a surface parking area from an adjacent single-family or duplex subdistrict if the screening barrier is at least six feet in height. This subsection supplements Section 51P-193.113(f)(3).

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

(i) Off-street loading spaces and garbage storage areas in all subdistricts except single-family, duplex, and townhouse subdistricts must be screened from:

(aa) a public street that is adjacent to the lot; and

(bb) property in a residential district that is adjacent to or directly across an alley from the lot. This subparagraph modifies Section 51-4.602(b)(6).

(ii) Screening required by this subparagraph 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.

(iii) Required screening must be constructed of:

(aa) for off-street loading spaces, any of the materials described in Paragraph (3)(A) to separately or collectively attain the minimum height of six feet; and

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

(iv) 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 actual use.

(v) No loading spaces or garbage storage areas may be erected or established in this district in violation of this subparagraph. All existing loading spaces and garbage storage areas in this district must be in full compliance with this subparagraph by September 13, 1994. No person shall have a nonconforming right to maintain a loading space or garbage storage area that does not fully comply with this subparagraph after September 13, 1994. (See Exhibit 193D-11.)

(D) Garage screening and landscaping. Aboveground parking structures must have a 10-foot landscaping buffer on any side facing a public right-of-way, residential district, residential subdistrict, or residential use. This landscape buffer must contain one tree for every 25 feet of frontage and evergreen shrubs planted three feet on center. Initial plantings must be capable of obtaining a solid appearance within three years.

(4) Sidewalks.

(A) In general. Each property owner is required to construct and maintain a sidewalk in an area parallel to and a certain distance from the projected street curb. The exact location and width requirements for the sidewalk vary depending on the zoning classification of the property. [See Subsection (B) below.] If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the City to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the SPD.

(B) Location. Required sidewalks must be constructed and maintained in the following described areas, except that a required sidewalk may be located farther from the projected street curb where necessary to avoid or preserve existing trees or structures, or to allow compliance with other landscaping requirements in this section:

(i) In residential subdistricts, in that area parallel to and between 5 and 10 feet from the back of the projected street curb.

(ii) In nonresidential subdistricts, in that area parallel to and between 5 and 12 feet from the back of the projected street curb.

(C) Minimum width. Required sidewalks must have the following minimum widths that are unobstructed by structures or plantings:

(i) In residential subdistricts, a minimum width of four feet.

(ii) In nonresidential subdistricts, a minimum width of six feet.

(5) Trees.

(A) Tree planting zone. For purposes of this section, the "tree planting zone" is that area parallel to and between two and one-half and five feet from the back of the projected street curb. [If the tree planting zone is in the parkway, the property owner must apply for a landscape permit before any required trees may be planted in the parkway. See Subsection (d) of this section for more details regarding parkway landscaping.]

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within the tree planting zone. The number of required trees is determined by dividing the number of feet of lot frontage by 25. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. All required trees must be recommended for local area use by the director of park and recreation. If a property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner shall locate the tree in the required front yard as near as practicable to the front lot line. If a lot has no front yard requirement and the property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner need not provide that required tree.

(C) Minimum tree height and trunk caliper. Required trees must have a minimum height of 14 feet, and a minimum trunk caliper of three and one-half inches measured at a point 12 inches above the root ball.

(D) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within the following distance of another required tree:

(i) In residential subdistricts, 40 feet.

(ii) In nonresidential subdistricts, 60 feet.

(E) Minimum clearance above pavement. The property owner shall maintain all trees to comply with the following minimum vertical height clearances over street and sidewalk pavements:

(i) Thirteen and one-half feet above street pavement.

(ii) Eight feet above a public sidewalk or the sidewalk required under Subsection (b)(4) of this section.

(F) Tree grates required near sidewalks. Tree grates conforming to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees whose trunks are within 18 inches of the sidewalk required under Subsection (b)(4) of this section.

(G) Tree preservation and mitigation for residential development tracts. The tree preservation requirements of Division 51A-10.130, "Tree Preservation," of Article X, "Landscape and Tree Preservation Regulations," of Chapter 51A apply to residential development tracts with the following modifications:

(i) Alternate methods of compliance. If a property owner cannot plant a replacement tree on the residential development tract from which the protected tree was removed, the property owner shall comply with one of the following two requirements:

(aa) Plant the tree on other property within the Oak Lawn SPD, including public parks, with the written permission of the building official and the property owner of the lot where the tree is to be located.

(bb) Make a payment into the Oak Lawn Open Space Fund.

(ii) Additional payment for removal of majestic trees. For purposes of this paragraph, a "majestic tree" is defined as a protected tree with a caliper of 15 inches or more. If a majestic tree is removed from a residential development tract, in addition to mitigation or an alternate method of compliance, a payment must be made into the Oak Lawn Open Space Fund.

(H) Tree preservation and mitigation for single-family uses in residential subdistricts. The tree preservation requirements of Division 51A-10.130, "Tree Preservation," of Article X, "Landscape and Tree Preservation Regulations," of Chapter 51A apply to single-family uses in residential subdistricts with the following modifications:

Alternate methods of compliance. If a property owner cannot plant a replacement tree on the lot from which the protected tree was removed, the property owner shall comply with one of the following two requirements:

(aa) Plant the tree on other property within the Oak Lawn SPD, including public parks, with the written permission of the building official and the property owner of the lot where the tree is to be located.

(bb) Make a payment into the Oak Lawn Open Space Fund.

(ii) Additional payment for removal of majestic trees. For purposes of this paragraph, a "majestic tree" is defined as a protected tree with a caliper of 15 inches or more. If a majestic tree is removed from a lot, in addition to mitigation or an alternate method of compliance, a payment must be made into the Oak Lawn Open Space Fund.

(I) Oak Lawn Open Space Fund. The department of development services shall administer a city account to be known as the Oak Lawn Open Space Fund. Funds from the Oak Lawn Open Space Fund must be used only for acquiring park and open-space property within the Oak Lawn SPD. The amount of the payment required is calculated by using the formula for appraising the value of a tree, as derived from the most recent edition of the Guide for Establishing Values of Trees and Other Plants published by the Council of Tree & Landscape Appraisers, unless another publication is designated by the building official. Payments made into the Oak Lawn Open Space Fund must be spent within 10 years of the date of payment.

(6) Landscape permit required. Unless an exemption in Subsection (a) of this section applies, an application for a landscape permit must be submitted to and approved by the building official before performing any work that will increase the existing building height, floor area ratio, or nonpermeable coverage of the lot. To obtain a landscape permit, a landscape plan must be submitted. Landscape plans required under this section must contain the following information:

(A) The date, scale, north point, and the names and addresses of both the property owner and the person preparing the plan.

(B) The location of existing boundary lines and dimensions of the lot, and the zoning classification of the property.

(C) The approximate center line of existing water courses; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, and sidewalks in the parkway and on or adjacent to the lot.

(D) The location and size of landscape and planting areas required to be designated under this section and the location, size, and species (common or botanical name) of proposed landscaping in these areas.

(E) Information necessary for verifying whether the required minimum percentages of landscape and planting areas have been designated pursuant to this section.

(F) An indication of how the property owner plans to protect existing trees, which are proposed to be retained, from damage during construction.

(G) The location of the required irrigation system.

(H) The location of all existing and proposed loading and garbage storage areas.

(7) Reserved.

(8) When landscaping must be completed. If a landscape plan is required under this section, all landscaping must be completed in accordance with the approved landscape plan before the final inspection of any structure on the lot or, if no final inspection is required, within 120 days of the date of issuance of the landscape permit.

(9) General maintenance.

(A) All required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for the regular weeding, mowing of grass, irrigating, fertilizing, pruning, or 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 six months after notification by the City. A required tree that dies after its original planting must be replaced by another living tree having a minimum height of 14 feet and a minimum trunk caliper of four inches measured at a point 12 inches above the root ball.

(B) Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in the public right-of-way is the responsibility of the property owner. If a public utility disturbs a landscaped area in the public right-of-way, 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.

(10) Reserved.

(11) Garbage storage area landscaping. Where a garbage storage area is in the required front yard, a landscape planting area must be established and maintained between the required screening wall for the garbage storage area and the front lot line. The landscape planting must be at least three feet wide and have a minimum soil depth of 24 inches. No pavement of any kind is allowed in this area. This area must contain living evergreen shrubs or vines that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 30 percent of the total wall area facing the street within a three-year period. Shrubs or vines must be planted 24 inches on center over the entire length of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the 30 percent minimum coverage requirement. All landscaping required by this paragraph must be in place by September 13, 1994. (See Exhibit 193D-12.)

(c) Private license granted. The city council hereby grants a private license to the owners of all property in the Oak Lawn SPD for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. A 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 the Dallas Building Code. 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.

(d) Parkway landscaping.

(1) Reserved.

(2) Upon receipt of an application to locate trees, landscaping, or pavement [other than for the sidewalk required under Subsection (b)(4) of this section] in the parkway and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's denial of a landscape permit.

(4) A landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a landscape permit.

(5) The issuance of a landscape permit under this section 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.

(e) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that they conflict with the visual obstruction regulations in Section 51-4.602(c). In the event of a conflict between this section and the visual obstruction regulations, the visual obstruction regulations control.

(f) MF-1, MF-2, and MF-3 subdistricts. The following specific requirements only apply to property in MF-1, MF-2, and MF-3 subdistricts:

(1) Landscape site area designation. At least 20 percent of a lot, including at least one-half of the required front yard, must be designated by the property owner as landscape site area. Permeable pavement for motor vehicles does not count as part of the landscape site area.

(2) General planting area designation. At least one-half of the landscape site area, including at least 25 percent of the required front yard, must be designated by the property owner as general planting area.

(3) Special planting area designation. At least 20 percent of the general planting area, including at least five percent of the required front yard, must be designated by the property owner as special planting area.

(4) Parkway planting area designation. At least 20 percent of the parkway must be designated by the property owner as parkway planting area.

(5) Front yard privacy fencing. In MF-2 and MF-3 subdistricts only, a fence or wall with an average height of seven feet and a maximum height of nine feet above the top of the nearest street curb may be located in the required front yard if:

(A) the main building does not exceed 36 feet in height;

(B) there are no front street curb cuts, front yard driveways, or front entryways to garages or parking;

(C) a minimum setback of 12 feet is provided between the fence and the projected street curb; and

(D) all portions of the fence exceeding four feet in height are set back at least two feet from the lot line.

(6) Privacy fencing planting area designation. If a front yard privacy fence or wall is constructed or maintained in accordance with Subsection (f)(5) of this section, at least 80 percent of the required two-foot setback area from the lot line must be designated by the property owner as privacy fencing planting area. This area may consist of one contiguous area or several smaller noncontiguous areas. No pavement of any kind is allowed in this area. The minimum soil depth requirement for this area is 24 inches. This area must contain living evergreen shrubs or vines that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 30 percent of the total fence or wall area facing the street within a three-year period. Shrubs or vines must be planted 24 inches on center over the entire length of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for the fence or wall. (See Exhibit 193D-13.)

(g) O-1 and O-2 subdistricts. The following specific requirements only apply to property in O-1 and O-2 subdistricts:

(1) Landscape site area designation. At least 20 percent of a lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area.

(2) General planting area designation. At least one-half of the designated landscape site area, including at least 30 percent of the required front yard, must be designated by the property owner as general planting area.

(3) Special planting area designation. At least 20 percent of the general planting area, including at least six percent of the required front yard, must be designated by the property owner as special planting area.

(h) GR and LC subdistricts. The following specific requirements only apply to property in GR and LC subdistricts:

(1) Landscape site area designation. At least 10 percent of a lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area.

(2) General planting area designation. At least 12 percent of the required front yard must be designated by the property owner as general planting area.

(3) Special planting area designation. At least six percent of the required front yard must be designated by the property owner as special planting area.

(i) Residential development tracts. The following modifications apply to residential development tracts. In case of a conflict between this subsection and the other provisions of this section, this subsection controls.

(1) Treatment as a single lot. For purposes of landscape regulations, a residential development tract is treated as a single lot.

(2) Landscape site area designation. A minimum of 20 percent of the residential development tract must be designated as landscape site area. Permeable pavement for motor vehicles does not count as a part of the landscape site area.

(3) Fences. Fences in front yards and corner side yards may not exceed four feet in height if the fence is solid. Fences in front yards and corner side yards may not exceed six feet in height if the fence is a minimum of 50 percent open. In all other cases, fences may not exceed nine feet in height. In this paragraph, the term "corner side yard" means the portion of the front yard on a corner residential development tract governed by side yard regulations pursuant to Section 51P-193.018(b)(1).

(4) Trees.

(A) Site trees. One tree must be provided for every 4,000 square feet within the residential development tract. A minimum of 50 percent of these site trees must be planted within the rear 50 percent of the residential development tract. Every site tree must have a planting area of at least 25 square feet. The trunk of any site tree must be located more than two-and-one-half feet from any pavement.

(B) Street trees. One large canopy tree must be provided for every 25 feet of frontage, with a minimum of two trees required. These trees must be located within the parkway.

(j) Single-family uses in MF-1, MF-2, and MF-3 subdistricts. The following modifications apply to single-family uses in MF-1, MF-2, and MF-3 subdistricts. In case of a conflict between this subsection and the other provisions of this section, this subsection controls.

(1) Landscape site area designation. A minimum of 20 percent of the lot must be designated as landscape site area. Permeable pavement for motor vehicles does not count as part of the landscape site area.

(2) Fences. Fences in front yards and corner side yards may not exceed four feet in height if the fence is solid. Fences in front yards and corner side yards may not exceed six feet in height if the fence is a minimum of 50 percent open. In all other cases, fences may not exceed nine feet in height. In this paragraph, the term "corner side yard" means the portion of the front yard on a corner lot governed by side yard regulations pursuant to Section 51P-193.018(b)(1).

(3) Trees.

(A) Site trees. One tree must be provided for every 4,000 square feet within the lot. A minimum of 50 percent of these site trees must be planted within the rear 50 percent of the lot. Every site tree must have a planting area of at least 25 square feet. The trunk of any site tree must be located more than two-and-one-half feet from any pavement.

(B) Street trees. One large canopy tree must be provided for every 25 feet of frontage, with a minimum of two trees required. These trees must be located within the parkway.

(k) Single-family uses. The following modifications apply to single-family uses in single-family subdistricts. In case of a conflict between this subsection and the other provisions of this section, this subsection controls. Each single-family lot must contain three trees. Two of these trees must be located within the required front yard. One of the two trees in the required front yard must be planted within the parkway and must be a large canopy tree. (Ord. Nos. 21859; 24728; 25267)

SEC. 51P-193.127. STRUCTURE FACADE STANDARDS.

(a) Off-street parking structures. All permanent parking structures must be either underground or concealed in a building with a facade that is similar in appearance to the facade of the main non-parking building for which the parking is accessory. At least 12 percent of the parking structure facade (including openings, if any) must be covered with the same material used predominantly on the first 24 feet of height of the main non-parking building. Openings in the parking structure facade may not exceed 52 percent of the total facade area.

(b) Highly reflective glass prohibited. Highly reflective glass may not be used as an exterior building material on any building or structure in the SPD. 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.) (Ord. Nos. 21859; 25267)

SEC. 51P-193.128. NONCONFORMING USES AND STRUCTURES.

(a) In general. Except as otherwise provided in this article, Section 51-4.704 relating to nonconforming uses and structures applies to all uses and structures in the Oak Lawn SPD.

(b) Original nonconforming uses.

(1) Original nonconforming uses are defined as those uses made nonconforming by the passage of Ordinance No. 18580. Original nonconforming uses do not include uses made nonconforming by amendments to that ordinance.

(2) Section 51-4.704(a)(1), which specifies the procedures for establishing compliance dates for nonconforming uses, does not apply to original nonconforming uses in the Oak Lawn SPD. The board shall not provide a compliance date for original nonconforming uses in the Oak Lawn SPD.

(c) Rebuilding damaged or destroyed nonconforming structures.

(1) If a structure made nonconforming by Ordinance No. 21859 is damaged or destroyed, the structure may be rebuilt at the same location without the approval of the board.

(2) In a single-family or a duplex subdistrict, a structure may not be rebuilt or reconstructed so as to have a greater height or floor area within the nonconforming area of the structure. (See Exhibit 193D-14.) (Ord. Nos. 21859; 25267)

SEC. 51P-193.129. OUTDOOR LOUDSPEAKERS.

(a) Definitions and interpretations. In this section:

(1) BACKGROUND NOISE means noise from all sources other than that made by an outdoor loudspeaker including traffic operating on public thoroughfares, and is established by measuring that noise over an eight-minute period of time.

(2) CONTINUOUS LOUDSPEAKER means any loudspeaker that is neither a non-continuous loudspeaker nor a drive-through loudspeaker. An example of such a loudspeaker is one that produces only musical sounds.

(3) DRIVE-THROUGH LOUDSPEAKER means a loudspeaker that is used to communicate to persons in motor vehicles, including loudspeakers used by the drive-in restaurant, the drive-through restaurant, the drive-in theatre, and the bank or savings and loan office with a drive-through.

(4) LOUDSPEAKER means a device that converts electrical signals to audible sound.

(5) NON-CONTINUOUS LOUD-SPEAKER means a loudspeaker that is used to communicate to persons not in motor vehicles. Examples of such loudspeakers include pagers and intercoms.

(6) SOURCE means the point of origin of sound from a loudspeaker.

(7) All definitions in Article VI, "Environmental Performance Standards," of Chapter 51A apply.

(8) These regulations apply to any loudspeaker that can be heard outdoors.

(b) Non-continuous loudspeaker regulations. After September 13, 1994, no person may operate, or cause to be operated, a non-continuous loudspeaker outdoors at a sound pressure level of more than 5 dB(A) above the background noise measured instantaneously at a bounding lot line.

(c) Continuous loudspeaker regulations. A person who operates, or causes to be operated, a continuous loudspeaker outdoors shall comply with the noise regulations contained in Chapters 30 and 51 of the Dallas City Code, as amended.

(d) Drive-through loudspeaker regulations.

(1) Production of noise. After September 13, 1994, no person may operate, or cause to be operated, a drive-through loudspeaker outdoors at a sound pressure level of more than 75 dB(A) measured instantaneously at a distance of four feet from the source if the source is:

(A) within 150 feet of a lot containing a residential use; or

(B) on a lot that is contiguous to or directly across a street or alley from a lot containing a residential use.

(2) Loudspeaker certification. No drive-through loudspeaker may be erected unless a member of the National Council of Acoustical Consultants certifies in writing that:

(A) the loudspeaker is calibrated to emit sound equal to or less than 75 DB(A) measured instantaneously at a distance of four feet from the source;

(B) the volume level of the loudspeaker cannot be adjusted by any person other than a certified installer using a calibration meter; and

(C) the volume control of the loudspeaker is sealed or otherwise constructed so as to be inaccessible to any person other than a certified installer.

(3) Loudspeaker impact review.

(A) Purpose. The general objectives of this subsection are to promote and protect the health, safety, and general welfare of the citizens in Oak Lawn through the establishment of regulations and an administrative review procedure for drive-through loudspeakers, which are considered likely to significantly impact nearby residential uses. The review should occur before a person has completed a full set of working drawings for submission as part of an application for a building permit. As part of the review procedure, the person may be required to submit a site plan indicating loudspeaker siting and layout, screening, buffering, landscaping, and other specific data. Site plan review is not intended to mandate aesthetics or types of loudspeakers, nor is it intended to alter basic development standards.

(B) When a site plan is required.

(i) Except as otherwise provided in Subparagraph (B)(ii), a person who wants to erect a drive-through loudspeaker must submit site plans in accordance with the requirements of this section before an application is made for a permit for work on a lot if the proposed source would be:

(aa) within 150 feet of a lot containing a residential use; or

(bb) on a lot that is contiguous to, or directly across a street or alley from, a lot containing a residential use.

(ii) A site plan is not required if:

(aa) an SUP is required for the use;

(bb) the permit is only needed for restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind; or

(cc) a site plan is approved by official action of the board of adjustment in accordance with Subsection (e) as a condition to the granting of a special exception on the lot, if the record also reflects that:

[1] loudspeakers, screening, buffering, landscaping, or other related infrastructure improvements were, or are required to be, constructed or paid for by the owner in connection with the granting of the special exception; and

[2] the board considered the impact of the loudspeaker on surrounding residential uses.

(iii) The building official shall not issue a permit authorizing work for which a site plan is required under Subparagraph (B) unless the site plan has been approved by:

(aa) the director of development services; or

(bb) the board of adjustment as part of the appeal process.

(C) Application for review. An application for review of a site plan required under this section must be filed with the director on a form furnished by the city for that purpose. The application must contain the following:

(i) The name, address, telephone number, and signature of the applicant. If the applicant is not the owner of the lot, he must submit a letter from the owner authorizing him to act on the owner's behalf.

(ii) The name, address, and telephone number of the owner of the lot. If there is more than one owner, the names, addresses, and telephone numbers of all owners must be provided.

(iii) The street address and complete legal description of the lot.

(iv) A brief description of all existing and proposed uses on the lot.

(v) Any other reasonable and pertinent information that the director determines to be necessary for site plan review.

(D) Site plan submission. A site plan submission under this section must include one reproducible print (blackline polyester film or equal) with five folded blueline or blackline copies, and one 8-1/2 inch by 11 inch clear film positive. The print and copies must have a scale of one inch equals 100 feet or larger (e.g., one inch equals 50 feet, one inch equals 40 feet, etc.) and be on a standard drawing sheet of a size not to exceed 36 inches by 48 inches.

(E) Site plan requisites.

(i) In general. A site plan must:

(aa) include a location diagram showing the position of the lot in relation to surrounding streets in the city's major street network;

(bb) contain title block and reference information pertaining to the lot and plan, including the name of the project, the names of the persons responsible for preparing the plan, the zoning classification of the lot, the scale of the plan (both numeric and graphic), and the date of submission, with provision for dating revisions;

(cc) show the dimensions of the lot, and indicate lot area in both square feet and acres;

(dd) show or describe the building envelope for each existing and proposed building on the lot;

(ee) show the location of all existing streets, alleys, easements for street purposes, utility and other easements, floodway management areas, and the 100-year flood plain, if applicable;

(ff) show zoning setback and building lines for each existing and proposed building on the lot;

(gg) show all existing and proposed points of ingress and egress and estimated peak hour turning movements to and from existing and proposed public and private streets and alleys;

(hh) show all existing and proposed median cuts and driveways on the lot;

(ii) show all existing and proposed off-street parking and loading areas, indicating the general dimensions of parking bays, aisles, and driveways, and the number of cars to be accommodated in each row of parking spaces;

(jj) show all existing and proposed provisions for pedestrian circulation on the lot, including sidewalks, walkways, crosswalks, and pedestrian plazas;

(kk) show the existing and proposed topography of the lot using contours at intervals of two feet or less. Existing contours must be shown with dashed lines; proposed contours must be shown with solid lines;

(ll) show the existing and proposed locations for municipal solid waste containers and receptacles;

(mm) show surrounding properties and the approximate location of buildings within a distance of 250 feet of the lot, indicating the use(s) on each lot. Surrounding properties may be drawn at a smaller scale than that required under Subparagraph (D);

(nn) show the existing and proposed locations for all building entrances, exits, service areas, and windows;

(oo) show the location and indicate the type, size, and height of perimeter fencing, screening, and buffering elements proposed or required;

(pp) show the existing and proposed locations of all outdoor loudspeakers;

(qq) show the existing and proposed locations for all mechanical equipment capable of producing high levels of noise; and

(rr) contain any other reasonable and pertinent information that the director determines to be necessary for site plan review.

(F) Review by the director.

(i) Upon the filing of a complete application for review of a site plan and a complete site plan submission, the director of development services shall promptly forward one copy of each to the directors of public works and transportation and health and human services for their review and comments. The directors of public works and transportation and health and human services shall review the application and submission and return written recommendations to the director of development services within 15 calendar days of the filing date.

(ii) The director shall make a decision regarding the application and submission within 30 calendar days of the filing date. That decision must take one of three forms:

(aa) Approval, no conditions.

(bb) Approval, subject to conditions noted.

(cc) Denial.

(iii) If the director fails to make a decision regarding the application and submission within 30 calendar days of the filing date, the application and submission are considered to be approved subject to compliance with all applicable city codes, ordinances, rules, and regulations.

(iv) The time periods in Subparagraphs (F)(i), (F)(ii), and (F)(iii) do not begin to run until the applicant provides all of the information required in Subparagraphs (C), (D), and (E). In cases where the director requests additional information within 10 calendar days of the filing date, the time periods in Subparagraphs (F)(i), (F)(ii), and (F)(iii) do not begin to run until the applicant provides the additional information.

(v) If the director denies an application or submission, he shall state in writing the specific reasons for denial. If he approves an application or submission subject to conditions, he shall state in writing the specific requirements to be met before issuance of a permit to authorize work on the lot.

(G) Grounds for denial.

(i) In general. The director shall deny a site plan application or submission under this section if:

(aa) it does not contain sufficient information to allow for site plan review;

(bb) the site plan does not comply with all applicable city codes, ordinances, rules, or regulations;

(cc) the location of existing or proposed buildings, structures, or loudspeakers on the lot will be detrimental or injurious to surrounding residential uses and the detrimental or injurious results can be avoided or substantially mitigated by reasonable modifications in the plan; or

(dd) the proposed on-site screening, landscaping, or buffering elements do not provide adequate protection to other adjacent residential uses, and adequate protection can be provided by reasonable modifications in the plan.

(ii) Written reasons(s). If the director denies a site plan under this section, he shall state in writing the specific reasons for denial.

(H) Approval subject to conditions noted. As an alternative to denial of a site plan under Subparagraph (G), the director may approve the site plan subject to conditions noted if compliance with all conditions will eliminate what would otherwise constitute grounds for denial. If the director approves the site plan subject to conditions noted, he shall state in writing the specific requirements to be met before issuance of a permit to authorize work on the lot.

(I) Approval, no conditions. If there are no grounds for denial of a site plan under Subparagraph (G), the director shall approve the site plan with no conditions.

(J) Appeals.

(i) The applicant may appeal the following decisions made by the director:

(aa) Denial of an application or site plan submission.

(bb) Approval of an application or site plan submission subject to conditions noted.

(ii) An appeal must be made within 10 days after notice is given to the applicant of the director's decision.

(iii) An appeal is made by filing a written request with the director for review by the board of adjustment.

(iv) Decisions of the board are final as to available administrative remedies and are binding on all parties.

(v) If the board fails to make a decision on the appeal within 30 calendar days of the date that the written request is filed with the director, the application and submission are considered to be approved subject to compliance with all other applicable city codes, ordinances, rules, and regulations.

(K) Validity of approved site plan. An approved site plan is valid for a period of two years. If a permit to authorize work on the lot has not been obtained upon expiration of the two-year period, a new site plan submission is required.

(L) Effect of approved site plan. The approval of a site plan by the director or board does not result in the vesting of development rights, nor does it permit the violation of any city ordinance or state law, nor does it preclude the building official from refusing to issue a permit if he determines that plans and specifications do not comply with applicable laws and ordinances, or that the work described in the application for the permit does not conform to the requirements of the construction codes.

(e) Special exception. The board of adjustment may grant a special exception to authorize the placement or operation of a loudspeaker at a higher volume than permitted by this section if the board finds, after a public hearing, that:

(1) the special exception will not adversely affect neighboring properties; and

(2) failure to grant the special exception will result in hardship to the property owner.

In granting a special exception to the loudspeaker restrictions, the board may impose any other reasonable condition that would further the purpose and intent of the loudspeaker restrictions. In no case may the board grant a special exception to authorize the placement or operation of a loudspeaker that would emit sound exceeding the background noise level by five dB(A) when measured at a bounding lot line.

(f) No nonconforming right to produce noise. No person has a nonconforming right to operate, or to cause to be operated, a loudspeaker in violation of this section.

(g) Construction of section.

(1) In the event of a conflict between this section and Chapter 42A, "Special Events," of the Dallas City Code, Chapter 42A controls.

(2) The provisions of this section are cumulative of all other noise regulations of the city. (Ord. Nos. 21859; 25267)

SEC. 51P-193.130. GARBAGE STORAGE AREAS.

(a) Pavement around garbage storage areas. Garbage storage areas and driveways leading to garbage storage areas must have pavement consisting of reinforced Portland Cement Concrete that:

(1) is at least six inches in depth;

(2) is capable of withstanding 3,000 pounds per square inch;

(3) has No. 3 transverse bars spaced on 24-inch centers and No. 4 longitudinal bars spaced on 24-inch centers; and

(4) is on a compacted subgrade that has at least a 95 percent proctor density.

(b) Garbage removal. No person may remove, cause to be removed, or permit the removal of garbage from a garbage storage area located on a lot containing a nonresidential use between the hours of 10 p.m. and 7 a.m. to a motor vehicle if the garbage storage area is within 150 feet of a residential subdistrict. For purposes of this section, property dedicated to a public use (such as a street or park) is not considered to be in a residential subdistrict.

(c) Other regulations. Refer to the following sections for other regulations concerning garbage storage areas: Section 51P-193.113(a)(15) [off-street parking reduction]; Section 51P-193.113(h) [residential alley access]; Section 51P-193.118(a)(10) [front yard setback]; Section 51P-193.126(b)(3)(C) [screening]; and Section 51P-193.126(b)(11) [landscaping]. (Ord. Nos. 21859; 25267)

SEC. 51P-193.131. MINOR STREET RIGHT-OF-WAY AND ROADWAY WIDTHS.

(a) MF-3 and all nonresidential subdistricts. The following dimensional standards apply to all minor streets in MF-3 and nonresidential subdistricts:

(1) Minimum right-of-way width is 50 feet.

(2) Minimum pavement width is 30 feet.

(b) MF-1, MF-2, townhouse, and duplex subdistricts. The following dimensional standards apply to all minor streets in MF-1, MF-2, townhouse, and duplex subdistricts:

(1) Minimum right-of-way width is 46 feet.

(2) Minimum pavement width is 26 feet.

(c) All R subdistricts. The following dimensional standards apply to all minor streets in all R subdistricts:

(1) Minimum right-of-way width is the existing width.

(2) Minimum pavement width is 26 feet.

(d) Minor streets on a subdistrict boundary line. Where the center line of a minor street is also the boundary line between two subdistricts, the minimum right-of-way and pavement widths of that street are those of the subdistricts with the lesser dimensional standards.

(e) Dedications. The city may not require, but may accept, any dedication of an interest in property that exceeds the minimum dimensional standards specified in this section. (See Exhibit 193D-15.) (Ord. Nos. 21859; 25267)

SEC. 51P-193.132. HISTORIC LANDMARK RENOVATION TAX FREEZE.

An owner of property in a historic overlay district within the SPD may apply for and obtain a tax freeze on city property taxes for both the land and structure on the property in accordance with the procedure outlined in Section 51A-4.501(e). (Ord. Nos. 21859; 25267)

SEC. 51P-193.133. TREES IN VISIBILITY TRIANGLES.

(a) At the intersection of a one-way street and another street, one tree may be planted in each visibility triangle on the "downstream" side of the one-way street if neither street is designated as an arterial on the city's thoroughfare plan.

(b) At the intersection of two two-way streets, one tree may be planted in each visibility triangle if:

(1) the director of public works and transportation determines the tree would not constitute a traffic hazard; and

(2) neither street is designated as an arterial on the city's thoroughfare plan. (Ord. Nos. 21859; 25267)

SEC. 51P-193.134. BED AND BREAKFAST PROHIBITION.

The rental of five or fewer guest rooms or suites that are separately rented to persons who are unrelated to the primary occupants of the dwelling unit for 14 or less consecutive days is prohibited in single-family and duplex subdistricts. (Ord. Nos. 21859; 25267)