

ARTICLE 830.

PD 830.

SEC. 51P-830.101. LEGISLATIVE HISTORY.

PD 830 was established by Ordinance No. 27944, passed by the Dallas City Council on August 11, 2010. (Ord. 27944)

SEC. 51P-830.102. PROPERTY LOCATION AND SIZE.

PD 830 is established on property located along the Bishop Avenue Corridor between Colorado Boulevard and Davis Street; property located along the Davis Street Corridor, bounded by Plymouth Road on the west and Zang Boulevard on the east; and excluding property zoned Planned Development District No. 160, Planned Development No. 340, Planned Development No. 87/Historic District 15, Conservation District No. 1, and Conservation District 7. The size of PD 830 is approximately 290.5 acres. (Ord. 27944)

SEC. 51P-830.103. CREATION OF SUBDISTRICTS.

This district is divided into the following subdistricts:

- (1) Subdistricts 1 and 1A: Bishop Avenue.
- (2) Subdistrict 2: **Subdistrict 2 is not created as part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area.**
- (3) Subdistrict 3: East Garden District and Subdistrict 3A: Bishop Arts Branch Library.
- (4) Subdistrict 4: Kidd Springs Park.
- (5) Subdistrict 5: Kings Highway Gateway.
- (6) Subdistricts 6 and 6A: Davis Corridor.
- (7) Subdistrict 7: Winnetka Heights Village.
- (8) Subdistricts 8 and 8A: West Garden District. (Ord. Nos. 27944; 28733; 28745; 29126)

SEC. 51P-830.104. DEFINITIONS.

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

(1) A-FRAME SIGN means a portable detached premise sign that is hinged at the top and is made of durable, rigid materials such as wood, plastic, or metal.

(2) ANTIQUE SHOP means 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.

(3) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(4) ATTIC STORY means that portion of a building between the top floor and the ceiling above it that is located within a roof structure.

(5) BED AND BREAKFAST means a lodging use that has no more than five guest rooms; provides accommodations for periods not to exceed five nights; serves no meals other than breakfast; and is a member of, or certified by, a recognized bed and breakfast association such as the National Bed and Breakfast Association (NBBA) or Historic and Hospitality Accommodation of Texas.

(6) BLADE SIGN means a sign that projects perpendicularly from a main building facade and is visible from both sides.

(7) BODY PIERCING STUDIO means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(8) BOUTIQUE HOTEL means a lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared on-site; and more than 50 percent of the guest rooms are internal-entry.

(9) DOOR YARD means the area between the edge of the sidewalk furthest from the street and the front building facade.

(10) LEGACY BUILDING means a building that fronts on Davis Street or Bishop Avenue and that is listed on Exhibit "830B" or determined to be a legacy building in accordance with Section 51P-830.118.

(11) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an a single family or duplex structure that exceeds 50 percent of the structure assessed by the Dallas Central Appraisal District or any increase in the floor area of a structure if the expansion is over 50 percent of the floor area of the existing structure.

(12) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(13) MIXED USE DEVELOPMENT means a development that has both main residential and main nonresidential uses on the same building site.

(14) MIXED USE RESIDENTIAL PROJECT (MURP) means a development that has street-level nonresidential uses with hours of operation that are limited to 7:30 a.m. through 6:30 p.m., Monday through Saturday, and that has residential uses only above street level.

(15) OPEN SPACE means an area that is open to the public for at least eight hours each day, limited to pedestrians, is at least 80 percent open to the sky, a contiguous area of not less than 15 feet in width and 25 feet in length, and where a minimum of 25 percent of the open space area is landscaped with turf, ground cover, shrubs, trees, seasonal plantings, or a combination of these plant materials.

(16) PROJECTING SIGN means an attached sign projecting more than 12 inches from a building at an angle other than parallel to the facade.

(17) REMOTE SURFACE PARKING LOT means a nonstructural passenger-vehicle parking facility where at least 30 percent of its parking spaces are subject to remote parking agreements and where the remaining parking spaces may serve as off-site parking for a valet service that may charge a fee.

(18) RETAIL-RELATED USES means any of the following uses:

- (A) Antique shop.
- (B) Art gallery.
- (C) Dry cleaning or laundry store.
- (D) General merchandise or food store.
- (E) Nursery, garden shop, or plant sales.
- (F) Personal service uses.

(19) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(20) TRANSPARENCY means the total area of windows and door openings with glass that is a percentage of the total street-level facade. (Ord. 27944)

SEC. 51P-830.105. INTERPRETATIONS.

- (a) Unless otherwise stated, the interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
- (c) Section 51A-2.101, "Interpretations," applies to this article.
- (d) The following rules apply in interpreting the use regulations in this article:
 - (1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, “Limited Uses.”)

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only. [“SUP” means “specific use permit.” For more information regarding specific use permits, see Section 51A-4.219, “Specific Use Permit (SUP).”]

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, “Site Plan Review.” (“DIR” means “development impact review.” For more information regarding development impact review, see Division 51A-4.800, “Development Impact Review.”)

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, “Site Plan Review,” a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review, see Division 51A-4.800, “Development Impact Review.”)

(e) If there is a conflict, the text of this article controls over any charts, exhibits, graphic displays, or maps.

(f) Subdistricts 1, 1A, 3, 4, and 8 of this district are considered to be residential zoning districts. Subdistricts 3A, 5, 6, 6A, and 7 are considered to be nonresidential zoning districts. (Ord. Nos. 27944; 28733; 28745; 29126)

SEC. 51P-830.106. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 830A: Subdistrict maps.
- (2) Exhibit 830B: Legacy buildings list.
- (3) Exhibit 830C: Mixed use development parking chart.
- (4) Exhibit 830D: Subdistrict 3A building corner marker elevation. (Ord. Nos. 27944; 28745)

SEC. 51P-830.107. CONCEPTUAL PLAN.

- (a) There is no conceptual plan for this district.
- (b) The Bishop/Davis Land Use and Zoning Study should be consulted for goals, objectives, policy statements, and recommendations for development of this district. (Ord. 27944)

SEC. 51P-830.108.

DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 27944)

SEC. 51P-830.109.

**USE REGULATIONS AND DEVELOPMENT STANDARDS IN
SUBDISTRICTS 1 AND 1A: BISHOP AVENUE.**

- (a) Uses. The following uses are the only main uses permitted:
- (1) Agricultural uses.
 - Crop production.
 - (2) Commercial and business service uses.
 - None permitted.
 - (3) Industrial uses.
 - None permitted.
 - (4) Institutional and community service uses.
 - Church.
 - (5) Lodging uses.
 - None permitted.
 - (6) Miscellaneous uses.
 - Temporary construction or sales office.
 - (7) Office uses.
 - Office. *[Permitted only as part of a MURP in Subdistrict 1. Permitted by right in Subdistrict 1A.]*
 - (8) Recreation uses.
 - Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
 - (9) Residential uses.
 - Duplex.
 - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*

- Multifamily. *[Permitted in Subdistrict 1 only.]*
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Antique shop. *[Permitted only as part of a MURP.]*
- Art gallery. *[Permitted only as part of a MURP.]*
- Remote surface parking lot. *[Permitted only on a lot abutting the lot with the use being supplied with the parking under the remote parking agreement.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, “Yard, Lot, and Space Regulations.” If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Except as provided in this paragraph, minimum front yard is 20 feet and maximum front yard is 25 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard.

(A) Except as provided in this paragraph, minimum side yard is 10 feet or 10 percent of the lot width measured at the front yard street frontage, whichever is less.

(B) For lots 50 feet in width or less and adjacent to a detached single family use, minimum side yard is five feet.

(C) No side yard is required between attached single family uses.

(3) Rear yard. Minimum rear yard is 10 feet.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 38 feet. For a MURP, maximum structure height is 42 feet.

(B) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-two rise over run from private property outside of the district that is zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

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

(8) Lot size. No minimum lot size.

(9) Lot width. Maximum lot width is 150 feet.

(10) Stories. Maximum number of stories above grade is three, plus one attic story.

(e) Architectural design standards.

(1) Except as provided in this subsection, see Section 51P-830.122, "Architectural Design Standards."

(2) Structures with street facing facades exceeding 50 feet in length must have changes in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches.

(f) Dumpsters. Dumpsters are prohibited in Subdistrict 1A. (Ord. Nos. 27944; 29126)

SEC. 51P-830.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 2: THE BISHOP ARTS-EIGHTH STREET CONSERVATION DISTRICT.

Subdistrict No. 2 is not part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area. (Ord. 27944)

SEC. 51P-830.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3: EAST GARDEN DISTRICT.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses. [*Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.*]

-- Catering service.

-- Custom business services.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Child-care facility.

-- Church.

(5) Lodging uses. [*Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.*]

- Bed and breakfast.
 - Boutique hotel. *[SUP]*
- (6) Miscellaneous uses.
- Temporary construction or sales office.
- (7) Office uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*
- Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
- Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
- (9) Residential uses.
- Duplex.
 - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
 - Multifamily.
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*
- Alcoholic beverage establishments. *[SUP]*
 - Antique shop.
 - Art gallery.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store. *[By right if 5,000 square feet of floor area or less; otherwise by SUP.]*
 - Nursery, garden shop, or plant sales.
 - Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*
 - Restaurant without drive-in or drive-through service. *[RAR]*
 - Remote surface parking lot.
 - Theater. *[SUP]*
- (11) Transportation uses.
- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Except as provided in this paragraph, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard. Except as provided in this paragraph, no minimum rear yard. Minimum rear yard is 10 feet if the rear yard abuts or is across an alley from a rear yard in Subdistrict 8.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 50 feet.

(B) For lots fronting on Bishop Avenue or Zang Boulevard, maximum structure height is 75 feet, except as provided in Section 51P-830.122(g)(2).

(7) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories.

(A) Except as provided in this paragraph, maximum number of stories above grade is four.

(B) For lots fronting on Bishop Avenue or Zang Boulevard, maximum number of stories above grade is five. (Ord. 27944)

SEC. 51P-830.111.1. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3A: BISHOP ARTS BRANCH LIBRARY.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*

-- Catering service.

-- Custom business services.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Child-care facility.

-- Church.

-- Library.

- (5) Lodging uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*
- Bed and breakfast.
 - Boutique hotel. *[SUP]*
- (6) Miscellaneous uses.
- Temporary construction or sales office.
- (7) Office uses. *[Permitted only on lots fronting on Bishop Avenue or Zang*
- Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
- Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
- (9) Residential uses.
- Duplex.
 - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
 - Multifamily.
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*
- Alcoholic beverage establishments. *[SUP]*
 - Antique shop.
 - Art gallery.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store. *[By right if 5,000 square feet of floor area or less; otherwise by SUP.]*
 - Nursery, garden shop, or plant sales.
 - Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*
 - Restaurant without drive-in or drive-through service. *[RAR]*
 - Remote surface parking lot.
 - Theater. *[SUP]*
- (11) Transportation uses.
- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Except as provided in this paragraph, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 50 percent of the facades facing Bishop Avenue and Tenth Street must be located within the area between the minimum and maximum front yard setback. The remaining facades facing Bishop Avenue and Tenth Street (50 percent) are not required to comply with the maximum front yard setback. The facade facing Madison Avenue is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard. No minimum rear yard.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 50 feet.

(B) For lots fronting on Bishop Avenue, maximum structure height is 75 feet, except as provided in Section 51P-830.122(g)(2).

(7) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories. Except as provided in this paragraph, maximum number of stories above grade is five.

(11) In this subdistrict, the facade fronting Bishop Avenue is considered the primary facade. (Ord. Nos. 28745; 29126)

SEC. 51P-830.112.

**USE REGULATIONS AND DEVELOPMENT STANDARDS IN
SUBDISTRICT 4: KIDD SPRINGS PARK.**

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

None permitted.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Church.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

None permitted.

(8) Recreation uses.

- Private recreation center, club, or area. *[SUP]*
- Public park, playground, or golf course.

(9) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Restaurant without drive-in or drive-through service. *[Permitted only on lots abutting Kidd Springs Park and by SUP only.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

-- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Cedar Hill Avenue, minimum front yard is 15 feet.

(2) Side yard.

(A) Except as provided in this paragraph, no minimum side yard.

(B) For lots abutting Kidd Springs Park, minimum side yard is 15 feet.

(3) Rear yard.

(A) Except as provided in this subsection, no minimum rear yard.

(B) For lots abutting Kidd Springs Park, minimum rear yard is 15 feet.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. Maximum floor area ratio is 2.0.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 36 feet.

(B) If a minimum of 15 percent of a building site is provided as open space, maximum structure height may be increased to 50 feet.

(C) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a two-to-one rise over run from private property that is inside the subdistrict, south of West Cauty Street, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(iii) The residential proximity slope is a plane projected upward and outward at a one-to-two rise over run from private property that is outside the district, east of Cedar Hill Avenue, abuts Subdistrict 4, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(iii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width is required.

(10) Stories. Except as provided in Paragraph (6)(B), maximum number of stories above grade is three. (Ord. 27944)

SEC. 51P-830.113.

**USE REGULATIONS AND DEVELOPMENT STANDARDS IN
SUBDISTRICT 5: KINGS HIGHWAY GATEWAY.**

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Child-care facility.

-- Church.

- (5) Lodging uses.
 - Bed and breakfast.
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
- (9) Residential uses.
 - Duplex.
 - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
 - Multifamily.
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses.
 - Alcoholic beverage establishments. *[SUP]*
 - Antique shop.
 - Art gallery.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store. *[By right if 50,000 square feet of floor area or less; otherwise by SUP.]*
 - Nursery, garden shop, or plant sales.
 - Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*
 - Restaurant without drive-in or drive-through service. *[RAR]*
 - Remote surface parking lot.
 - Theater. *[SUP]*
- (11) Transportation uses.
 - Transit passenger shelter.
- (12) Utility and public service uses.
 - Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Davis Street, minimum front yard is 0 and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard. No minimum rear yard.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. Maximum floor area ratio is 2.0.

- (6) Height. Maximum structure height is 50 feet.
- (7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (8) Lot size. No minimum lot size.
- (9) Lot width. No minimum or maximum lot width.
- (10) Stories. Maximum number of stories above grade is four. (Ord. 27944)

SEC. 51P-830.114. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6: DAVIS CORRIDOR.

(a) Uses. The following uses are the only main uses permitted:

- (1) Agricultural uses.
 - Crop production.
- (2) Commercial and business service uses.
 - Catering service.
 - Custom business services.
- (3) Industrial uses.
 - None permitted.
- (4) Institutional and community service uses.
 - Child-care facility.
 - Church.
 - Community service center. [SUP]
- (5) Lodging uses.
 - Bed and breakfast.
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.

(8) Recreation uses.

- Private recreation center, club, or area. *[SUP]*
- Public park, playground, or golf course.

(9) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[SUP]*
- Antique shop.
- Art gallery.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store. *[By right if 50,000 square feet of floor area or less; otherwise by SUP.]*
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Remote surface parking lot.
- Theater. *[SUP]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

-- Accessory community center (private).

(3) The following accessory uses are not permitted:

-- Accessory helistop.

-- Accessory medical/infectious waste incinerator.

-- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Davis Street, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard.

(A) Except as provided in this paragraph, no minimum rear yard.

(B) If abutting or across the alley from a single family district, minimum rear yard is 10 feet.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height.

(A) Except as provided in this paragraph and Section 51P-830.122(g)(2), maximum structure height is 75 feet.

(B) South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum structure height is 50 feet.

(C) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-one rise over run from private property that is outside the district, abutting Subdistrict 6 with no intervening street, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Except as provided in this paragraph, maximum lot coverage is 100 percent. South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories.

(A) Except as provided in this paragraph, maximum number of stories above grade is five.

(B) South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum number of stories above grade is four. (Ord. 27944)

SEC. 51P-830.114.1

USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6A: DAVIS CORRIDOR.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

- (3) Industrial uses.
None permitted.
- (4) Institutional and community service uses.
-- Child-care facility.
-- Church.
-- Community service center. [SUP]
- (5) Lodging Uses.
None permitted.
- (6) Miscellaneous uses.
-- Temporary construction or sales office.
- (7) Office uses.
-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.
- (8) Recreation uses.
-- Private recreation center, club, or area. [SUP]
-- Public park, playground, or golf course.
- (9) Residential Uses.
None permitted.
- (10) Retail and personal service uses.
-- Antique shop.
-- Art gallery.
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store. [By right if 50,000 square feet of floor area or less: otherwise by SUP.]
-- Motor vehicle fueling station. [SUP]
-- Nursery, garden shop, or plant sales.
-- Personal service uses. [Body piercing studios, massage establishments, and tattoo studios are prohibited.]
-- Restaurant without drive-in or drive-through service. [RAR]
-- Remote surface parking lot.
-- Theater. [SUP]

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.13(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51 A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51 A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 10 feet.

(2) Side yard. Minimum side yard is 3 feet.

(3) Rear yard. No minimum rear yard.

(4) Floor area ratio. No maximum floor area ratio.

(5) Height.

(A) Maximum structure height is 75 feet.

(B) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-one rise over run from private property that is outside the district, abutting Subdistrict 6A with no intervening street, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(6) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Lot width. No minimum or maximum lot width.

(9) Stories. Maximum number of stories above grade is five. (Ord. 28733)

SEC. 51P-830.115.

**USE REGULATIONS AND DEVELOPMENT STANDARDS IN
SUBDISTRICT 7: WINNETKA HEIGHTS VILLAGE.**

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Child-care facility.

-- Church.

- (5) Lodging uses.
- Bed and breakfast.
- (6) Miscellaneous uses.
- Temporary construction or sales office.
- (7) Office uses.
- Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
- Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
- (9) Residential uses.
- Duplex.
 - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
 - Multifamily.
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses.
- Antique shop.
 - Art gallery.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store. *[By right if 5,000 square feet of floor area or less; otherwise by SUP.]*
 - Nursery, garden shop, or plant sales.
 - Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*
 - Restaurant without drive-in or drive-through service. *[RAR]*
 - Remote surface parking lot.
 - Theater. *[SUP]*
- (11) Transportation uses.
- Transit passenger shelter.
- (12) Utility and public service uses.
- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are prohibited.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) In this subdistrict, the following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Davis Street, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback

(2) Side yard. No minimum side yard.

(3) Rear yard. No minimum rear yard.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height. Maximum structure height is 36 feet.

(7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories. Maximum number of stories above grade is three. (Ord. 27944)

SEC. 51P-830.116.

**USE REGULATIONS AND DEVELOPMENT STANDARDS IN
SUBDISTRICTS 8 AND 8A: WEST GARDEN DISTRICT.**

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

None permitted.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Child-care facility. *[Permitted in Subdistrict 8A only.]*

-- Church.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window. *[Permitted in Subdistrict 8A only.]*

-- Medical clinic or ambulatory surgical center. *[Permitted in Subdistrict 8A only.]*

-- Office. *[Permitted in Subdistrict 8A only.]*

(8) Recreation uses.

- Private recreation center, club, or area. *[SUP]*
- Public park, playground, or golf course.

(9) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
- Single family.

(10) Retail and personal service uses.

- Antique shop. *[Permitted in Subdistrict 8A only.]*
- Art gallery. *[Permitted in Subdistrict 8A only.]*
- Dry cleaning or laundry store. *[Permitted in Subdistrict 8A only.]*
- General merchandise or food store. *[Permitted in Subdistrict 8A only and only if 5,000 square feet of floor area or less.]*
- Personal service uses. *[Permitted in Subdistrict 8A only. Body piercing studios, massage establishments, and tattoo studios are prohibited.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are prohibited.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 20 feet.

(2) Side yard. Minimum side yard is five feet.

(3) Rear yard. Minimum rear yard is five feet.

(4) Density. Maximum number of dwelling units per lot is two. A second dwelling unit may be an existing duplex unit. If a second dwelling unit is added to a lot with a single family detached dwelling unit, the second dwelling unit must be on the rear 30 percent of the lot. A second dwelling unit is not an accessory structure; it is a second main structure. A second dwelling unit must have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the existing dwelling unit. "Compatible" as used in this provision means similar in application, color, materials, pattern, quality, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply proof of compatibility.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height. Maximum structure height is 30 feet.

(7) Lot coverage. Maximum lot coverage is 45 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. Minimum lot size is 5,000 square feet.

(9) Lot width. No minimum or maximum lot width.

(10) Stories. Maximum number of stories above grade is two. (Ord. 27944)

SEC. 51P-830.117.

OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For the purpose of this section, Subdistrict 6A shall be considered one lot.

(1) Multifamily use. A minimum of one off-street parking space per bedroom is required with a maximum of two off-street parking spaces per dwelling unit.

(2) Restaurant use.

(A) A minimum of one off-street parking space per 125 square feet of floor area is required.

(B) If an outdoor dining area, whether covered or not, is within 20 feet of, and has direct access to, a street, sidewalk, or publically accessible open space, the outdoor dining area is not included in the parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor dining area in excess of 25 percent of the size of the indoor floor area must be parked in accordance with Section 51P-830.117(a)(2)(A).

(b) Parking reductions.

(1) Bicycle parking. Off-street parking spaces required for a use may be reduced by one space for each four bicycle parking stations provided for that use, up to a maximum of three off-street parking spaces per lot.

(2) Legacy building.

(A) For residential uses within a legacy building, off-street parking requirements may be reduced an additional 25 percent.

(B) For retail-related uses and office uses within a legacy building, off-street parking is not required.

(3) Mixed use development parking.

(A) In general. The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development parking chart (Exhibit 830C).

(B) Calculation of adjusted standard off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(i) The standard parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) The parking demand for each use is determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(iii) 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 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 nonresidential use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the nonresidential uses in the mixed use development.

(4) On-street parking. Except as provided in this subparagraph, any on-street parking spaces that abut the building site may be counted as a reduction in the off-street parking requirement of the use adjacent to the on-street parking space. On-street parking must be striped in accordance with standard city specifications.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement for a mixed use development.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of the parking space ($8 / 24 = 1/3$). The total number of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(5) Tree preservation. Off-street parking spaces required for a use may be reduced by one space for each protected tree (as defined in Article X) retained on site that would otherwise have to be removed to provide the required off-street parking for that use.

(c) Remote parking.

(1) For nonresidential uses and mixed use developments, remote parking is permitted if the requirements of Division 51A-4.320, "Special Parking Regulations," are met, including the landscape requirements, except that the remote parking may be within a walking distance of 1,000 feet from the use served.

(2) An agreement authorizing a nonresidential use or a mixed use development to use remote parking for nonresidential uses may be based on a lease of the remote parking spaces only if the lease:

- (A) is in writing;
- (B) contains legal descriptions of the properties affected;
- (C) specifies the special parking being provided and the hours of operation of any use involved;
- (D) is governed by the laws of the state of Texas;
- (E) is signed by all owners of the properties affected;
- (F) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;
- (G) is for a minimum term of three years; and

(H) provides both the owner of the lot occupied by the nonresidential use or mixed use development use and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(3) The remote parking provisions of this subsection and Division 51A-4.320 shall not affect or cause the reduction of delta credits.

(4) In Subdistrict 3A, remote parking may account for one-hundred percent of the off-street parking requirement during a phased construction period. (Ord. Nos. 27944; 28733; 28745)

SEC. 51P-830.118. LEGACY BUILDING AMENDMENTS.

If the director finds that the following standards apply to a building within this district, the director is authorized to add the building to the legacy building list (Exhibit 830B):

(1) the building was constructed before 1957 if fronting on Davis Street, Tyler Street, Polk Street, or 7th Street east of Madison Avenue and before 1945 if fronting on Bishop Avenue;

(2) for buildings with frontage on Davis Street or Bishop Avenue, the primary street-facing facade of the building is within 10 feet of the right-of-way line of Davis Street or within five feet of the 25-foot front yard setback line on Bishop Avenue;

(3) the building's main entrance faces Davis Street, Tyler Street, Polk Street, 7th Street, or Bishop Avenue;

(4) the building facade with the main entrance must have window and door openings that total at least 20 percent of the facade area; and

(5) off-street parking is not located in the required front yard. (Ord. Nos. 27944; 29210)

SEC. 51P-830.119. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 27944)

SEC. 51P-830.120. LANDSCAPING.

(a) In general.

(1) Except as provided in this section, landscaping must be provided in accordance with Article X.

(2) Required landscaping may be located in the public right-of-way.

(3) Required landscaping and design standards located in adjacent rights-of-way may count toward the site requirements.

(b) Subdistricts 3, 3A, and 6. The following additional landscaping provisions apply:

(1) Street trees.

(A) Except as provided in this paragraph, in Subdistricts 3 and 6, one large canopy tree having a caliper of at least three inches must be provided no closer than 25 feet on center for every 40 feet of street frontage and may be planted within 25 feet of back of curb. Except as provided in this paragraph, in Subdistrict 3A, one large canopy tree having a caliper of at least three inches must be provided no closer than 20 feet on center for every 40 feet of street frontage and may be planted within 25 feet of back of curb.

(B) If the city arborist determines that the planting space for the required tree is inadequate or that utility lines prohibit the planting, two small trees may count toward the street tree requirements.

(2) Surface parking landscaping.

(A) Parking spaces in a surface parking lot may be located no more than 75 feet from the trunk of a large canopy tree in a median or island.

(B) Each large canopy tree must have a caliper of at least two inches, must be located in a median or island that is no closer than four feet to the paved portion of the parking lot.

(C) A median or island that is located in a surface parking lot must be a minimum of 125 square feet in area.

(c) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(d) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application 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, planting, or other amenities 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 parkway 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 article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway 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 parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

(e) Maintenance. Plant materials must be maintained in a healthy, growing condition. (Ord. 27944)

SEC. 51P-830.121. SIGNS.

(a) In general.

(1) Except as provided in this subsection, for lots fronting on Bishop Avenue in Subdistrict 3, Davis Street, Zang Boulevard, Hampton Road, Jefferson Boulevard, or 7th Street east of Madison Avenue, signs must comply with the provisions for business zoning districts in Article VII.

(2) For all other lots, signs must comply with the provisions for the non-business zoning districts in Article VII.

(3) Except for A-frame signs, movement control signs used for parking, and monument signs in Subdistricts 1 and 1A, detached signs are prohibited.

(b) Signs in the right-of-way. All signs located in or intruding into the public right-of-way must have approval by the director of public works and transportation to prevent conflict with government signs. If the director of public works and transportation determines that a previously-approved sign must be removed or relocated because of safety requirements or changing traffic conditions, the relocation or removal must be done at the owner's expense within 30 days.

(c) A-frame signs. The following regulations apply:

- (1) A-frame signs may identify a business use.
- (2) The maximum size of an A-frame sign is 32 inches wide and 36 inches tall.
- (3) An A-frame sign may only be displayed when the business it identifies is open.
- (4) A-frame signs may be located on the sidewalk if a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.
- (5) Only one A-frame sign is permitted for each business use.
- (6) A-frame signs must be separated by a minimum of 50 feet.
- (7) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.

(d) Blade signs. The following regulations apply:

- (1) Blade signs must be attached premise signs.
- (2) Blade signs may not be internally illuminated.
- (3) There is no limit on the number of blade signs.
- (4) The maximum effective area for blade signs is 30 square feet.

(5) The lowest part of a blade sign may be located no lower than 12 feet and no higher than 25 feet above street level.

(6) A blade sign may not project more than three feet into the right-of-way.

(7) A blade sign may not be located closer than 15 feet to another projecting sign.

(e) Monument signs. The following regulations apply:

(1) Monument signs are only permitted in Subdistricts 1, 1A, and 6A. In Subdistrict 6A, the entire property is considered one lot.

(2) Monument signs must be premise signs.

(3) Monument signs may not be internally illuminated.

(4) Except as provided in this paragraph, one monument sign is permitted per premise. In Subdistrict 3A, one monument sign is permitted per street frontage; applied signage on exterior planters is permitted and not considered a monument sign. In Subdistrict 6A, two monument sign are permitted per premise.

(5) Except as provided in this paragraph, monument signs must be setback five feet from the right-of-way. In Subdistrict 3A, there is no setback requirement for monument signs.

(6) The maximum height for a monument signs is four feet.

(7) The maximum effective area for a monument sign is 40 square feet.

(f) Building corner markers with graphic identification in Subdistrict 3A.

(1) “Building corner marker with graphic identification” means “a vertical architectural element on the corner of a project site for graphic identification of a civic project.”

(2) The maximum height for building corner markers with graphic identification is equal to the maximum building height set by the subdistrict regulations.

(3) Building corner markers with graphic identification may be internally illuminated.

(4) Design of the building corner marker with graphic identification must comply with Exhibit 380D. (Ord. Nos. 27944; 28733; 28745; 29126)

SEC. 51P-830.122.

ARCHITECTURAL DESIGN STANDARDS.

(a) Applicability. Except as provided in this subsection, architectural design standards apply only to new construction of buildings with multifamily, mixed-use, or nonresidential uses on a vacant lot in all subdistricts and new construction of single family and duplex uses on a vacant lot in Subdistrict 8 (see Section 51P-830.122(1) for standards for Subdistrict 8). Architectural design standards are not required for a motor vehicle fueling station and general merchandise or food store 3,500 square feet or less located in Subdistrict 6A.

(b) Purpose.

(1) These architectural design standards are intended to preserve the historical, cultural, and architectural importance and significance of the Davis Street and Bishop Avenue corridors. This area has historic and cultural importance as an early major east-west thoroughfare in the Dallas metropolplex and as the earliest neighborhoods developed in Oak Cliff. The corridor reflects turn of the 20th century development, urban expansion, mid-20th century Americana, and post-World War II automobile culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance.

(2) These architectural design standards are intended to:

(A) ensure that new development enhances the character of the corridor and complements adjacent neighborhoods;

(B) ensure that increased density in established neighborhoods makes a positive contribution to the area's character;

(C) ensure the integrity of historic buildings and the compatibility of new development; and

(D) enhance the character and environment for pedestrians.

(c) Plan review. The director shall review any plan submitted to determine whether it complies with the requirements of this section.

(d) Building orientation. The primary facade of new construction on a vacant lot must face the street.

(e) Entrances.

(1) All street-facing entrances must be architecturally prominent and clearly visible from the street.

(2) Primary customer entrances for office uses and retail and personal service uses must face the street or a courtyard, door yard, or plaza area with direct access to the street. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:

(A) Arcade.

- (B) Arch.
- (C) Awning.
- (D) Canopy.
- (E) Decorative elements such as tile work, molding, raised banding or projected banding.
- (F) Display windows.
- (G) Projections.
- (H) Enhanced cornice details.
- (I) Raised parapet.
- (J) Recess.

(f) Facades.

(1) Street-facing facades on a single building site must have similar architectural design.

(2) Street-facing facades exceeding 30 feet in length must have two of the following elements. Street facing facades exceeding 100 feet in length must have four of the following elements (see also Section 51P-830.109(e)):

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches and may include columns, planters, arches and niches.

(B) Architectural details such as raised bands and cornices.

(C) Architecturally prominent public entrance.

(D) Awnings.

(E) Change in color.

(F) Change in material.

(G) Change in texture.

(3) The street level of the primary facade for nonresidential uses or mixed use projects with retail uses on the street level must have at least two of the following elements for at least 60 percent of the width of the facade:

(A) Arcades, canopies, or secondary roofs to provide shade.

(B) Display windows. (In Subdistrict 3A, “display window” means glazing that provides transparency into a non-residential space.)

(C) Awnings associated with windows or doors.

(4) Accessory structures must have similar architectural design elements, materials, and roof design as the primary structure.

(5) If a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. If the building is more than two stories, 100 percent of the first-story street-facing facade, excluding fenestration, must be masonry. This provision does not apply in Subdistrict 3A.

(6) The street level of the primary facade of nonresidential uses or mixed use projects with nonresidential uses on the street level must have a minimum transparency of 40 percent.

(7) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.

(g) Massing and form.

(1) If a building exceeds 150 feet of frontage along any street, and exceeds 36 feet in height, that building must have a minimum of 500 square feet of sloped-roof area. The sloped-roof area must be visible from the street, and the slope must exceed a pitch of two in 12.

(2) To create varied building massing for large scaled buildings, no more than 80 percent of any building footprint may exceed 60 feet in height.

(h) Fences and walls. To prevent visual monotony, at least 20 percent of the length of any fence or wall longer than 200 feet must be alternate materials, alternate textures, gates, offsets, or openings. The alternate materials, alternate textures, gates, offsets, or openings may be spread out over the length of the fence or wall.

(i) Materials.

(1) Glass. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used on stories above the first two stories may not exceed 27 percent. As used in this provision, “reflectance” is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(2) Masonry.

(A) Allowed.

(i) Stone.

(ii) Brick.

(iii) Concrete masonry units that have architectural finish such as split-faced concrete masonry units.

(iv) Job-site cast concrete with an architectural finish.

(v) Cast stone.

(vi) Cultured stone.

(B) Prohibited.

(i) Unfinished concrete masonry units that do not have an architectural finish.

(ii) Precast concrete that does not have an architectural finish.

(3) Metal.

(A) Allowed. No more than 20 percent of a street-facing facade may be flat or corrugated metal panels. In Subdistrict 3A, more than 20 percent of a street facing facade may be permanently-colored stainless steel tiles or panels or weathered steel plate.

(B) Prohibited. Metal siding that imitates wood siding.

(4) Plastic.

(A) Allowed. Fiberglass panels and polycarbonate panels.

(B) Prohibited. Plastic siding and vinyl siding that imitate wood siding.

(5) Stucco.

(A) Allowed. Stucco.

(B) Prohibited. Simulated stucco (EIFS).

(6) Tile. Terra cotta and tile are allowed.

(7) Wood.

(A) Allowed.

(i) Natural wood.

(ii) Composite panels or planks no greater than eight inches in width.

(B) Prohibited. Flake board, particle board, or press board.

(j) Roofs. In addition to the requirements of Section 51P-830.122(g), mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at street level on the opposite side of any adjacent right-of-way. This provision does not apply in Subdistrict 3A.

(k) Windows. Retail and personal service uses must provide windows or display cases in street-level street facing windows along sidewalks.

(l) Architectural standards for residential structures in Subdistrict 8.

(1) Purpose. The purpose of these architectural design standards is to cause new construction and major modifications in the subdistrict to be compatible with the existing Victorian Transitional-style housing stock in the neighborhood.

(2) Applicability. These architectural design standards apply to new construction on a vacant lot and major modifications for single-family or duplex use only.

(3) Standards.

(A) Except as provided in this paragraph, structures in the front 50 percent of a lot may only have hipped-roofed or gable-roofed forms with a minimum roof slope of four (vertical) to 12 (horizontal) and a maximum roof slope of 12 (vertical) to 12 (horizontal). Elements such as porches or roof dormers may have a minimum roof slope of at least two (vertical) to 12 (horizontal).

(B) The primary facade material must be painted horizontal lap siding, composed of wood or cement-fiber board. No more than 15 percent of any facade may be clay-fired brick.

(C) Each residential structure must have a covered porch with a minimum of two open sides and a minimum floor area of 50 square feet; the porch must be visible from the street.

(D) Parking is not permitted in the front yard. This provision applies to required parking and non-required parking.

(E) Front-facing garage doors may not be located in the front 50 percent of any lot. (Ord. Nos. 27944; 28733; 28745)

SEC. 51P-830.123.

STREET AND SIDEWALK STANDARDS.

(a) Davis Street and Bishop Avenue (South of Davis).

(1) A minimum 10-foot-wide sidewalk, with a minimum seven-foot-wide unobstructed sidewalk must be provided.

(2) Where the existing right-of-way width does not allow for the required sidewalk width, an additional sidewalk easement must be provided at the time of platting to achieve a 10-foot-wide sidewalk, unless a building exists as of August 11, 2010 does not allow for the required sidewalk width.

(3) On-street parallel parking with curbed neck-downs is required in accordance with Article XIII, "Form Districts."

(b) All other streets. A minimum six-foot-wide unobstructed sidewalk must be provided.

(c) Pedestrian amenities.

(1) In general.

- (A) Pedestrian amenities must be accessible to the public.
- (B) Pedestrian amenities must be located at least seven feet away from a transit stop.
- (C) Canopies, awning, and street lamps must have a minimum clearance above a sidewalk of eight feet.
- (D) Light fixtures may not exceed 14 feet in height. Light fixtures must be cut-off type luminaires that direct lighting downward.
- (E) Except as provided in this subsection, pedestrian amenities must be provided on each building site with a minimum street frontage of 100 feet and must be located within the curb-to-building area, but may not be located within the unobstructed sidewalk width.

(2) Davis Street and Bishop Avenue.

- (A) The following pedestrian amenities must be provided:
 - (i) At least one bench per 100 feet of street frontage.
 - (ii) At least one trash receptacle per 100 feet of street frontage.
 - (iii) Free-standing or wall-mounted street lamps as specified in Article XIII, "Form Districts."
- (B) At least one of the following pedestrian amenities must be provided on each building site:
 - (i) Awnings or canopies with a minimum overhang of four feet and a minimum length of 25 feet per 100 feet of building facade along the street frontage.
 - (ii) At least one five-bicycle parking unit per 100 feet of street frontage.
 - (iii) Public art, approved in writing by the director of the office of cultural affairs or the cultural affairs commission.

(3) All other streets. The following pedestrian amenities must be provided:

- (A) At least one free-standing street lamp, street light suspended between structures, or wall mounted street lamp per 60 feet of street frontage.
- (B) At least one trash receptacle per 100 feet of street frontage.

(4) Maintenance. Pedestrian amenities must be maintained in a state of good repair and neat appearance.

(5) Driveway design.

(A) Pedestrian crosswalks across ingress and egress driveways must be clearly marked by colored concrete or patterned or stamped concrete and approved by the director of public works and transportation. Pedestrian crosswalk markings on the same block frontage must be consistent.

(B) Curb cuts for driveways must be at least 12 feet but not more than 24 feet in length measured parallel to the frontage.

(C) In Subdistrict 3A, ingress/egress is prohibited on Bishop Avenue. Primary ingress/egress is permitted on Madison Avenue. Secondary ingress/egress is permitted on the alley south of the subdistrict running between Bishop Avenue and Madison Avenue. (Ord. Nos. 27944; 28745)

SEC. 51P-830.124. ADDITIONAL PROVISIONS.

(a) For purposes of platting, structures that exist as of August 11, 2010 that are nonconforming as to the zoning setback regulations or that encroach upon a setback line are not subject to the setback provisions in Sections 51A-8.501(a) or 51A-8.503(e)(1).

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

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 27944)

SEC. 51P-830.125. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27944)