

8-12-15

ORDINANCE NO. 29827

An ordinance Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51A-13.102, 51A-13.303, 51A-13.501, and 51A-13.502; adding definitions for blockface and buildable envelope; allowing for artificial lots in open space requirements; amending planting zone requirements; amending block perimeter requirements; amending pedestrian passage widths; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 51A-13.102, "Applicability," of Division 51A-13.100, "General Provisions," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding new Romanettes (i), (ii), and (iii) to read as follows:

(i) Except as provided in this subparagraph, additions to nonconforming structures that total 35 percent or less of the floor area existing when the structure became nonconforming must comply with the use and placement requirements and the height and elements requirements in Section 51A-13.304 for each development type.

(ii) Additions to the nonconforming structure that total 35 percent or less of the floor area existing when the structure became nonconforming:

(aa) are not required to comply with maximum setback requirements, minimum story requirements, or minimum story height requirements;

(bb) are not required to have an entrance on a primary street;

(cc) must be constructed within the buildable envelope but are not required to fill the entire buildable envelope; and

(dd) do not trigger compliance with the blocks and street standards in Section 51A-13.502(a)(2).

(iii) An addition to a nonconforming structure that exceeds 35 percent of the floor area existing when the structure became nonconforming must comply with Article XIII regulations.”

SECTION 2. That Section 51A-13.201, “Defined Terms,” of Division 51A-13.200, “Definitions,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding new definitions, “Blockface” and “Buildable Envelope,” to read as follows:

“(5.1) BLOCKFACE means all lots on one side of a street between two consecutive intersections, measured along the inner edges of each street right-of-way or pedestrian passage.

“(5.2) BUILDABLE ENVELOPE means the three dimensional form within which the horizontal and vertical elements of a structure must be built to comply with the use and placement requirements and the height and elements requirements in Section 51A-13.304 for each development type.”

SECTION 3. That Section 51A-13.303, “Open Space,” of Division 51A-13.300, “District Regulations,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Subsection (d), “Artificial Lot,” to read as follows:

**“(d) Artificial Lot.** For building sites over two acres in size, the artificial lot provisions in Section 51A-10.122 may apply.”

SECTION 4. That Paragraph (4), of Subsection (a), “Planting Zone,” of Section 51A-13.501, “General Provisions,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(4) Where [~~overhead~~] utilities exist or are proposed, two small trees may replace a required large canopy tree except where a mixed-use shopfront or single-story shopfront is proposed or required. If t[~~F~~]he replacement small trees conflict with utilities and cannot be planted within the planting zone, the replacement small trees must be planted [~~every 20 feet on center, on average~~] within the door yard, but no closer than 10 feet from the building facade. Replacement small trees must be planted as evenly spaced as possible considering utility conflicts.”

SECTION 5. That Subsection (a), “New Blocks,” of Section 51A-13.502, “New Minor Streets,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(a) **[New] Block[s] and Street Standards.**

(1) Except as provided in this subsection, in WR and WMU districts, no blockface may be greater than 500 feet in length without an alley, street, or pedestrian passage providing through-access to another alley, street, or pedestrian passage. If an alley, street, or pedestrian passage cannot connect to another alley, street, or pedestrian passage because one does not exist, through-access must be provided by an alley, street, or pedestrian passage to the rear property line.

(2) An individual lot with less than 100 feet of street frontage is exempt from the requirements in Paragraph (1) above.

(3) The building official may issue a waiver to the requirement in Paragraph (1) above if building official finds that the spirit and intent of this subsection has been met and:

(A) the property shares a property line with a cemetery, Dallas Area Rapid Transit right-of-way, a railroad, a levee, or a natural feature such as floodplain, escarpment, waterways, or similar features; or

(B) the location and size of an existing building prevents the property from being developed in accordance with Paragraph (1) above.

~~[(1) The following block length standards apply during the subdivision process when the existing parcel of land or block is greater than the block perimeters described in this section.~~

~~(2) Block perimeters may not exceed 1,600 linear feet as measured along the inner edges of each street right of way. The block may be broken by a civic building in accordance with Section 51A-13.304(j), "Civic Building," and an open space lot in accordance with Section 51A-13.304(k), "Open Space Lot," provided the lot containing the civic building or open space lot is at least 50 feet wide and provides perpetual pedestrian access through the block.~~

~~(3) Block perimeters may exceed this limit, up to a maximum of 2,400 linear feet, only if one or more of the following conditions apply:~~

~~(A) the block has at least one block face on a street not considered a minor street;~~

~~(B) the block has a mid-block alley constructed in accordance with Section 51A-13.502(b)(5), "Alley," that connects to another street;~~

~~(C) the block has a pedestrian passage available at all times to the general public, constructed in accordance with Section 51A-13.502(b)(7), "Pedestrian Passage," that connects to another street; or~~

~~(D) the block contains valuable natural features or significant historic resources that should not be crossed by a street.~~

~~(4) Any single blockface longer than 500 feet must include a pedestrian passage available at all times to the general public. The pedestrian passage must be constructed in accordance with Section 51A-13.502(b)(7), "Pedestrian Passage.""]~~

SECTION 6. That Paragraph (7), "Pedestrian Passage," of Subsection (b), "Street Cross-Sections," of Section 51A-13.502, "New Minor Streets," of Division 51A-13.500, "Minor Streets and Streetscapes," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

**"(7) Pedestrian Passage.**

The following requirements apply to the construction of a [~~mid-block~~] pedestrian passage. Except as provided in this paragraph, t[F]he pedestrian passage must connect from a [one] street to a pedestrian passage, an alley, or another street. If a pedestrian passage, alley, or another street does not exist, the pedestrian passage must connect to a rear property line. Required building side setbacks may be used to accommodate the pedestrian passage. If located on private property, a pedestrian passage must be accessible to the public, dedicated as an easement, and must be maintained by the property owner."

SECTION 7. That the graphic in Paragraph (7), “Pedestrian Passage,” of Subsection (b), “Street Cross-Sections,” of Section 51A-13.502, “New Minor Streets,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is replaced with the following graphic:



SECTION 8. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 9. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

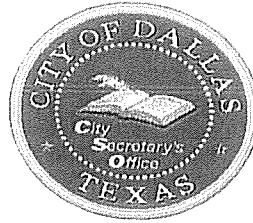
SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By  \_\_\_\_\_  
Assistant City Attorney

Passed           AUG 12 2015



**PROOF OF PUBLICATION – LEGAL ADVERTISING**

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL           AUG 12 2015          

ORDINANCE NUMBER                   29827                  

DATE PUBLISHED                   AUG 15 2015                  

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose G. Liss".