

2-22-24

ORDINANCE NO. 32659

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.204, 51-4.217, 51-4.402, 51-4.403, 51-4.407, 51-4.408, 51A-2.102, 51A-4.111, 51A-4.112, 51A-4.113, 51A-4.114, 51A-4.115, 51A-4.116, 51A-4.117, 51A-4.121, 51A-4.122, 51A-4.123, 51A-4.124, 51A-4.125, 51A-4.126, 51A-4.127, 51A-4.217, 51A-4.204, 51A-4.402, 51A-4.403, 51A-4.407, 51A-4.408, 51A-13.306, and 51A-13.402; amending the child-care facility and adult day care facility use regulations; amending the minimum side yard, minimum rear yard, amending the maximum lot coverage, and maximum building height in the yard, lot, and space regulations; amending the definition section; amending the residential and nonresidential district regulations; 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 Paragraph (4), “Child-Care Facility,” of Section 51-4.204, “Community Service Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(4) Child or adult[-]care facility.

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

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

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

(iii) an educational facility accredited by the Texas [~~Central~~] Education Agency or the Southern Association of Colleges and Schools, or their successor agencies, and that operates primarily for educational purposes in grades kindergarten and above;

(iv) an educational facility that operates solely for educational purposes in grades kindergarten through at least grade two, that does not provide custodial care for more than one hour during the hours before or after the customary school day, and that is a member of an organization that promulgates, publishes, and requires compliance with health, safety, fire, and sanitation standards equal to standards required by state, municipal, and county codes;

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

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

(vii) a day home as defined in Section 51-4.217; or

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

(B) Districts permitted:

(i) By right in agricultural c[~~C~~]ommercial, multiple-family, MH, office, industrial, general retail, and central area districts;

(ii) Except as provided in this romanette, by right in R, D, and TH districts when the child or adult care facility is operated on property that is operated, or was previously operated, by a religious organization, public or private school, or recreation center. Otherwise, a specific use permit required in R, D, and TH [~~residential, office, and industrial~~] districts[; limited use in NO, LO, MO, and GO districts (specific use permit not required)].

(C) Required off-street parking: Except in R, D, and TH districts, none required. In an R, D, or TH district, i[~~f~~]f an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP, otherwise one space per 500 square feet of floor area. In an R, D, or TH district, if this use is allowed by right, none required.

(D) Required off-street loading:

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

(E) Additional provisions:

(i) When this use is located within a residential district, outdoor activities are limited to the hours between 7 a.m. and 10 p.m. [~~The limited use regulations in this chapter are modified for this use to allow an outdoor play area and separate access from the main building to the play area.~~]

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

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

(iii) For property zoned as agricultural and multiple-family, the board of adjustment may grant a special exception to the off-street parking requirements contained in Section 51-4.301 when, in the opinion of the board, the special exception will not adversely affect neighboring properties.”

SECTION 2. That Paragraph (6), “Adult Day Care Facility,” of Section 51-4.204, “Community Service Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(6) Reserved [Adult day care facility].

~~[(A) Definition: A facility that provides care or supervision for five or more persons 18 years of age or older who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers.~~

~~(B) Districts permitted: By right in commercial and central area districts; specific use permit required in residential, office, and industrial districts; limited use in NO, LO, MO, and GO districts (specific use permit not required).~~

~~(C) Required off-street parking: One space per 500 square feet of floor area.~~

~~(D) Required off-street loading:~~

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

~~(E) Additional provisions:~~

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

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

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

SECTION 3. That Paragraph (10), “Day Home,” of Subsection (b), “Specific Accessory Uses,” of Section 51-4.217, “Accessory Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(10) Day home.

(A) Definition: A facility that provides care or supervision for more than three persons of any age not [~~“day home attendees,” whether or not the facility is operated for profit or charges for the services it offers. For the purposes of this paragraph, “day home attendees” means persons under 14 years of age,~~] including persons in foster care or those related to the owner of the residence or the head of the household by blood, marriage, or adoption. A day home is incidental to the primary use of the premises as a residence and conducted on the premises by a resident of the premises who is on the premises during hours of operation.

(B) Districts restrictions: This accessory use is not permitted in the P district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(~~E~~) Additional provisions:

(i) No more than 12 [~~10~~] day home attendees, including persons in foster care and those related to the owner of the residence or the head of the household by blood, marriage, or adoption, are permitted at any time in the operation of this use.

(ii) A person who conducts a day home use shall not:

(aa) use an advertisement, sign, or display on or off the premises;

(bb) advertise in the yellow pages of the telephone directory;

(cc) employ more than two persons on the premises, other than the residents of the premises;

(dd) conduct outdoor activities between the hours of 10 p.m. and 7 a.m.;

(ee) conduct outdoor activities unless the activities are screened from the neighboring property by a fence at least four feet in height; or

(ff) generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

~~[(iii) This use does not include individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption.]~~

~~(iv) This use must comply with all applicable requirements imposed by city ordinances, rules, and regulations, and by state law.]”~~

SECTION 4. That Section 51-4.402, “Maximum Side Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“SEC. 51-4.402. MINIMUM SIDE YARD.

(a) General provisions.

(1) Required side yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required side yard. A fireplace chimney may project up to two feet into the required side yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required side yard. Balconies may not project into the required side yard.

(2) The side yard setback is measured from the side lot line of the building site, except when a front yard is treated as a side yard, the setback is measured from the lot line or the existing right-of-way, as determined by the thoroughfare plan, for all thoroughfares except for minor streets, whichever creates the greater setback. On minor streets, the setback is measured from the lot line or the existing right-of-way, whichever creates the greater setback.

(A) When city council by ordinance establishes a specific right-of-way line for a street, the required setback is measured from that right-of-way line.

(3) If a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or, if a front yard is treated as a side yard, perpendicularly across an adjoining street or alley from an R, R(A), D, D(A), TH, TH(A), or CH district, an additional setback must be provided that is equal to twice the total height of the building. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(4) A unitary air conditioning unit may be located in the required side yard, but not nearer than three feet to the property line.[-]

(5) The building official may approve a ramp that projects into the required side yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp must be completed in 10 days.

(b) Side yard provisions for residential districts.

(1) In a single-family district, one required side yard may be reduced below the setback required in Section 51-4.410, if the other side yard is increased to at least double the side yard required in Section 51-4.410, subject to the following conditions:

(A) The minimum side yard between structures on contiguous lots must not be less than the minimum side yard required in Section 51-4.410.

(B) To reduce the required side yard, a subdivision plat must be approved by the commission and filed with the county clerk showing the location of all building lines, and showing the proposed distances between the building lines and property lines, streets lines, and alley lines.

(C) A person may not erect an accessory structure except for a swimming pool and its appurtenances in the double side yard.

(2) In a residential district, if a structure specified in Section 51-4.408(a)(1) is erected or altered to exceed the maximum height allowed in Section 51-4.410, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(3) In a residential district, a person need not provide a side yard setback for a structure accessory to a residential use, including a generator, if the structure:

(A) does not exceed 15 feet in height; and

(B) is located in the rear 30 percent of the lot.

Note: This paragraph does not apply to a front yard governed by the side yard regulations in Section 51-4.402 (such as a front yard treated as a side yard on a corner lot).

(4) In a TH, multiple-family, O-1, O-2, commercial, or central area district, a minimum of 15 feet between each group of eight single-family structures must be provided by plat.

(5) If a TH district abuts a district that requires a greater side yard, the side yard requirements of the more restrictive district apply to the abutting side yard in the TH district.

(6) In a manufactured home district, no person may locate a manufactured home nearer than 10 feet to the side line of any lot or stand, and the minimum space between adjacent manufactured homes must be 20 feet.

(7) In an MF-3 or MF-4 district, if a building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum setback of 50 feet. In providing the additional setback, one side yard may be reduced up to 20 percent from the dimension required, if the other side yard setback is increased by a distance equal to the reduction. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(c) Side yard provisions for nonresidential districts.

(1) In a nonresidential district, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or, if a front yard is treated as side yard, perpendicularly across an adjoining street or alley from an MF-1, MF-1(A), MF-2, or MF-2(A) district, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(2) Reserved.

(3) In an SC district, if a building site is adjacent to an R, R(A), D, D(A), TH, TH(A), or CH district, a minimum side yard of 20 feet must be provided.

(4) In an SC district, a minimum side yard of 20 feet must be provided for the side yard of a building site with a nonresidential use that abuts a residential district, as defined both in this chapter and in Chapter 51A, and that side yard must comply with Subsections (a)(3) and (c)(1).

(5) In an LC, HC, I-2, or I-3 district, a minimum side yard of 10 feet must be provided for the side yard of a building site with a nonresidential use that abuts a residential district, as defined both in this chapter and in Chapter 51A, and that side yard must comply with Subsections (a)(3) and (c)(1).

(6) In an O-1 district, one side yard may be reduced to zero if the other side yard is increased to a minimum of 15 feet. When an O-1 district abuts a residential district, as defined both in this chapter and in Chapter 51A, the side yards abutting the residential district must be:

(A) a minimum of 10 feet, if two side yards are provided; or

(B) a minimum of 15 feet, if only one side yard is provided.

(7) In an O-2, LO, MO, or GO district, if a nonresidential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of a conflict between this provision and Subsections (a)(3) and (c)(1), Subsections (a)(3) and (c)(1) apply.

(8) In an NS or GR district, a minimum setback of 20 feet must be provided for that portion of a side yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(9) In an NS or GR district, a minimum setback of 10 feet must be provided for that portion of a side yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH district; or

(B) that portion of a planned development district restricted to multiple-family and/or manufactured home uses.

(10) The minimum side yards required under Subsections (c)(8) and (c)(9) must also comply with Subsections (a)(3) and (c)(1).

(11) In an NO, LO, MO, or GO district, a minimum setback of 20 feet must be provided for that portion of a side yard of a building site which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(12) In an NO, LO, MO, or GO district, a minimum setback of 10 feet must be provided for that portion of a side yard of a building site which abuts or is directly across an alley from:

(A) an A, A(A), MF, MF(A), MH, or MH(A) district; or

(B) that portion of a planned development district restricted to multiple-family and/or manufactured home uses.

(13) The minimum side yards required under Subsections (c)(11) and (c)(12) must also comply with Subsections (a)(3) and (c)(1).

(14) In an NO, LO, MO, or GO district, garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single-family and/or duplex uses.

(d) Special exception for child or adult care facilities. The board may grant a special exception to the minimum side yard requirements in this section for an accessory structure used for outdoor recreation, when in the opinion of the board, the special exception will not adversely affect neighboring properties.

(e) Special exception for tree preservation.

(1) The board may grant a special exception to the minimum side yard requirements in this section to preserve an existing tree.

(2) In determining whether to grant this special exception, the board shall consider the following factors:

(A) Whether the requested special exception is compatible with the character of the neighborhood.

(B) Whether the value of surrounding properties will be adversely affected.

(C) Whether the tree is worthy of preservation.

(f[e]) Schedule of minimum side yards.

~~(f)~~ Except as provided in this section, a person shall not erect, alter, convert, or maintain a structure or part of a structure in violation of the minimum side yard requirements of Section 51-4.410.”

SECTION 6. That Section 51-4.403, “Minimum Rear Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“SEC. 51-4.403. MINIMUM REAR YARD.

(a) General provisions.

(1) Required rear yards must be open and unobstructed except for fences. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required rear yard. A fireplace chimney may project up to two feet into the required rear yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required rear yard. Balconies may not project into the required rear yard.

(2) The rear yard setback is measured from the rear lot line of the building site.

(3) If a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or perpendicularly across from an adjoining alley from an R, R(A), D, D(A), TH, TH(A), or CH district, an additional setback must be provided that is equal to twice the total height of the building. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(4) The building official may approve a ramp that projects into the required rear yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp must be completed in 10 days.

(b) Rear yard provisions for residential districts.

(1) In a residential district, if a structure specified in Section 51-4.408(a)(1) is erected or altered to exceed the maximum height allowed in Section 51-4.410, an additional setback must be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of a conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(2) In a residential district, a person need not provide a rear yard setback for a structure accessory to a residential use, including a generator, if:

(A) the structure does not exceed 15 feet in height; and

(B) the rear yard is not adjacent to an alley.

(3) In an MF-3 or MF-4 district, if a building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum total setback of 50 feet. In providing the additional setback, the rear yard may be reduced up to 20 percent from the dimension required if the front yard is increased a distance equal to the reduction. The additional setback is only required for that portion of a

building that exceeds 36 feet in height. In case of a conflict between Subsection (a)(3) and this provision, Subsection (a)(3) applies.

(4) In an MF-1 or MF-2 district, a minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), or nonresidential district, as defined both in this chapter and in Chapter 51A, whether the two districts are separated by an alley or not. The rear yard is subject to Subsection (a)(3).

(c) Rear yard provisions for nonresidential districts.

(1) In a nonresidential district, if a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or perpendicularly across from an adjoining alley from an MF-1, MF-1(A), MF-2, or MF-2(A) district, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(2) Reserved.

(3) In an O-2, LO, MO, or GO district, if a nonresidential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height. In case of a conflict between this provision and Subsections (a)(3) and (c)(1), Subsections (a)(3) and (c)(1) apply.

(4) In an SC district, a minimum rear yard of 20 feet must be provided when a building site with a nonresidential use backs upon a residential district, as defined both in this chapter and in Chapter 51A, whether the two districts are separated by an alley or not. The rear yard is subject to Subsections (a)(3) and (c)(1).

(5) In an NS, GR, LC, HC, or industrial district, a minimum rear yard of 10 feet must be provided when a building site with a nonresidential use backs upon a residential district, as defined both in this chapter and in Chapter 51A, whether the two districts are separated by an alley or not. The rear yard is subject to Subsections (a)(3) and (c)(1).

(6) In an NS or GR district, a minimum setback of 20 feet must be provided for that portion of the rear yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(7) In an NS or GR district, a minimum setback of 10 feet must be provided for that portion of the rear yard of a building site with a nonresidential use which abuts or is directly across an alley from:

(A) an A, A(A), MF, MF(A), MH, or MH(A) district; or

(B) that portion of a planned development district restricted to multiple-family and/or manufactured home uses.

(8) The minimum rear yards required under Subsections (c)(6) and (c)(7) must also comply with Subsections (a)(3) and (c)(1).

(9) In an NO, LO, MO, or GO district, a minimum setback of 20 feet must be provided for that portion of the rear yard of a building site which abuts or is directly across an alley from:

(A) an R, R(A), D, D(A), TH, TH(A), or CH district; or

(B) that portion of a planned development district restricted to single-family and/or duplex uses.

(10) In an NO, LO, MO, or GO district, a minimum setback of 10 feet must be provided for that portion of the rear yard of a building site which abuts or is directly across an alley from:

(A) an A, A(A), MF, MF(A), MH, or MH(A) district; or

(B) that portion of a planned development district restricted to multiple-family and/or manufactured home uses.

(11) The minimum rear yards required under Subsections (c)(9) and (c)(10) must also comply with Subsections (a)(3) and (c)(1).

(12) In an NO, LO, MO, or GO district, garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single-family and/or duplex uses.

(d) Special exception for child or adult care facilities. The board may grant a special exception to the minimum rear yard requirements in this section for an accessory structure used for outdoor recreation, when in the opinion of the board, the special exception will not adversely affect neighboring properties.

(e) Special exception for tree preservation.

(1) The board may grant a special exception to the minimum rear yard requirements in this section to preserve an existing tree.

(2) In determining whether to grant this special exception, the board shall consider the following factors:

(A) Whether the requested special exception is compatible with the character of the neighborhood.

(B) Whether the value of surrounding properties will be adversely affected.

(C) Whether the tree is worthy of preservation.

(f[e]) Schedule of minimum rear yards.

[(1)] Except as provided in this section, a person shall not erect, alter, convert, or maintain a structure or part of a structure in violation of the minimum rear yard requirements of Section 51-4.410.”

SECTION 7. That Subsection (a), “General Provisions,” of Section 51-4.407, “Maximum Lot Coverage,” of Division 51-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(a) General provisions.

(1) Except as provided in Paragraph (2), i[H]n a residential, office, NS, SC, GR, or LC district, institutional buildings may cover a maximum of 60 percent of the lot.

(2) In single family and MH districts, structures used solely for child or adult care facility uses are limited to the maximum lot coverage applicable to residential structures in each district [Reserved].

(3) The maximum lot coverage requirements in a planned development district are controlled by the planned development district regulations.

(4) The board may grant a special exception to increase the lot coverage on a building site in an NO, LO, MO, or GO district by no more than 10 percent if:

(A) the building site is more than 100 feet from an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single-family and/or duplex uses;

(B) the increase will not adversely affect neighboring property; and

(C) the building site is landscaped in accordance with a landscape plan submitted to and approved by the board. The board may also impose appropriate facade standards for off-street parking structures on the building site as a condition to the granting of this special exception.”

SECTION 8. That Paragraph (1) of Subsection (a), “Special Height Provisions,” of Section 51-4.408, “Maximum Building Height,” of Division 51-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(1) Except as provided in this paragraph, s[S]tructures for utility and service uses and institutional uses may be erected to any height consistent with the Federal Aviation Administration air space limitations and the building code, if setbacks are provided as required by Sections 51-4.401, 51-4.402, and 51-4.403. However, local utility transmission and distribution lines and supporting structures, and, as specified in this paragraph, mounted cellular antennae are exempt from the setbacks required by Sections 51-4.401, 51-4.402, and 51-4.403. A mounted cellular antenna, as defined in Section 51-4.202(12), attached to a utility structure is exempt from the setbacks required by Sections 51-4.401, 51-4.402, and 51-4.403 if the utility structure is greater than 65 feet in height. For purposes of this subparagraph, a utility structure means an electrical transmission distribution tower, an elevated water storage tank, and any other structure operated by a municipality, a transit authority, or a certificated, franchised, or licensed utility company in connection with provision of the utility. In single family, duplex, townhouse, MF-1, and MF-2 districts, structures used solely for child or adult care facility uses are limited to the maximum structure height applicable in each district.”

SECTION 9. That Paragraph (55) of Section 51A-2.102, “Definitions,” of Article II, “Interpretations and Definitions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(55) INSTITUTIONAL USES means the post office; community service center; foster home; child or adult [-] care facility; halfway house; church; convent or monastery; cemetery or mausoleum; overnight general purpose shelter; public or private school; business school; technical school; college, university, or seminary; college dormitory, fraternity, or sorority house; library, art gallery, or museum; hospital; and convalescent and nursing homes, hospice care, and related institutions uses.”

SECTION 10. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Section 51A-4.111, “Agricultural [A(A)] District,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. [SUP]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [~~SUP~~]
- Church.
- College, university or seminary.
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [SUP]
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum. [SUP]
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]”

SECTION 11. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (a), “R-1ac(A) District,” of Section 51A-4.112, “Single Family Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. [SUP]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [See Section 51A-4.204(3)]
[SUP]
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- Convent or monastery. [SUP]

- Foster home. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]"

SECTION 12. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (b), "R-1/2ac(A) District," of Section 51A-4.112, "Single Family Districts," of Division 51A-4.110, "Residential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility. [SUP]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [See Section 51A-4.204(3)]
[SUP]
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- Convent or monastery. [SUP]
- ~~-- Foster home. [SUP]~~
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]"

SECTION 13. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (c), "R-16(A) District," of Section 51A-4.112, "Single Family Districts," of Division 51A-4.110, "Residential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility. [SUP]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [See Section 51A-4.204(3)]
[SUP]
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- Convent or monastery. [SUP]
- ~~-- Foster home. [SUP]~~

- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 14. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “R-13(A) District,” of Section 51A-4.112, “Single Family Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[SUP]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[See Section 51A-4.204(3)]*
[SUP]
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convent or monastery. *[SUP]*
- Foster home. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 15. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (e), “R-10(A) District,” of Section 51A-4.112, “Single Family Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[SUP]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[See Section 51A-4.204(3)]*
[SUP]
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convent or monastery. *[SUP]*
- Foster home. *[SUP]*
- Library, art gallery, or museum. *[SUP]*

-- Public or private school. *[SUP]*”

SECTION 16. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (f), “R-7.5(A) District,” of Section 51A-4.112, “Single Family Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- [– ~~Adult day care facility.~~ *[SUP]*
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[See Section 51A-4.204(3)]*
[SUP]
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convent or monastery. *[SUP]*
- Foster home. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*”

SECTION 17. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (g), “R-5(A) District,” of Section 51A-4.112, “Single Family Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- [– ~~Adult day care facility.~~ *[SUP]*
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[See Section 51A-4.204(3)]*
[SUP]
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convent or monastery. *[SUP]*
- Foster home. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*”

SECTION 18. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Section 51A-4.113, “Duplex [D(A)] District,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- [– ~~Adult day care facility. [SUP]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [See Section 51A-4.204(3)]
[SUP]
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- Convent or monastery. [SUP]
- Foster home. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]”

SECTION 19. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Section 51A-4.114, “Townhouse [TH-1(A), TH-2(A), and TH-3(A)] Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- [– ~~Adult day care facility. [SUP]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [See Section 51A-4.204(3)]
[SUP]
- Church.
- College, university or seminary. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [SUP]
- Community service center. [SUP]
- Convent or monastery. [SUP]
- Foster home. [SUP]

- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 20. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Section 51A-4.115, "Clustered Housing (CH) District," of Division 51A-4.110, "Residential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[SUP]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[See Section 51A-4.204(3)]*
[SUP]
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
- Convent or monastery. *[SUP]*
- Foster home. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 21. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (a), "MF-1(A) and MF-1(SAH) Districts," of Section 51A-4.116, "Multifamily Districts," of Division 51A-4.110, "Residential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[SUP]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. ~~*[SUP]*~~
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*

- Convent or monastery.
- Foster home.
- Hospital. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 22. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (b), “MF-2(A) and MF-2(SAH) Districts,” of Section 51A-4.116, “Multifamily Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[SUP]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[SUP]*
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
- Convent or monastery.
- Foster home.
- Hospital. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 23. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (c), “MF-3(A) District,” of Section 51A-4.116, “Multifamily Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[L]* *[SUP]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. ~~*[L]* *[SUP]*~~
- Church.
- College, university or seminary. *[SUP]*

- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
- Convent or monastery.
- Foster home.
- Hospital. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 24. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “MF-4(A) District,” of Section 51A-4.116, “Multifamily Districts,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[-] Adult day care facility. *[L] [SUP]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. ~~*[L] [SUP]*~~
- Church.
- College, university or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
- Convent or monastery.
- Foster home.
- Hospital. *[SUP]*
- Library, art gallery, or museum. *[SUP]*
- Public or private school. *[SUP]*

SECTION 25. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Section 51A-4.117, “Manufactured Home [MH(A)] District,” of Division 51A-4.110, “Residential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[-] Adult day care facility. *[SUP]*~~
- Cemetery or mausoleum. *[SUP]*

- Child or adult [-] care facility. [~~SUP~~]
- Church.
- Community service center. [SUP]
- Foster home. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]"

SECTION 26. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (a), "Neighborhood Office [NO(A)] District," Section 51A-4.121, "Office Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- [~~-~~ ~~Adult day care facility.~~ [~~L~~]
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [~~L~~]
- Church.
- Community service center. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]"

SECTION 27. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (b), "LO(A) Districts (LO-1, LO-2, and LO-3)," of Section 51A-4.121, "Office Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- [~~-~~ ~~Adult day care facility.~~ [~~L~~]
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility. [~~L~~]
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convent or monastery.
- Library, art gallery, or museum.

- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*”

SECTION 28. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (c), “MO(A) Districts (MO-1 and MO-2),” of Section 51A-4.121, “Office Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[L]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. ~~*[L]*~~
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convent or monastery.
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*”

SECTION 29. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “General Office [GO(A)] District,” of Section 51A-4.121, “Office Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility. *[L]*~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. ~~*[L]*~~
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convent or monastery.
- Hospital. *[RAR]*

- Library, art gallery, or museum.
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*

SECTION 30. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (a), “Neighborhood Service [NS(A)] District,” of Section 51A-4.122, “Retail Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility.
- Church.
- College, university, or seminary. *[SUP]*
- Community service center. *[SUP]*
- Convent or monastery.
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*

SECTION 31. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (b), “Community Retail (CR) District,” of Section 51A-4.122, “Retail Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convent or monastery.
- Hospital *[SUP]*

- Library, art gallery, or museum.
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*”

SECTION 32. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (c), “Regional Retail (RR) District,” of Section 51A-4.122, “Retail Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convent or monastery.
- Halfway house *[SUP]*
- Hospital *[SUP]*
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*”

SECTION 33. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (a), “Commercial Service (CS) District,” of Section 51A-4.123, “Commercial Service and Industrial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[DIR]*
- Church.

- College, university, or seminary.
- Community service center. *[SUP]*
- Convent or monastery.
- Halfway house *[SUP]*
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*"

SECTION 34. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (b), "Light Industrial (LI) District," of Section 51A-4.123, "Commercial Service and Industrial Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[DIR]*
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Halfway house *[SUP]*
- Hospital *[SUP]*
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*"

SECTION 35. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (c), "Industrial/Research (IR) District," of Section 51A-4.123, "Commercial Service and Industrial Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*

- Child or adult [-] care facility. *[DIR]*
- Church.
- College, university, or seminary.
- Community service center.
- Hospital *[SUP]*
- Public or private school. *[SUP]*

SECTION 36. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “Industrial Manufacturing (IM) District,” of Section 51A-4.123, “Commercial Service and Industrial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility. *[DIR]*
- Church.
- College, university, or seminary.
- Hospital *[SUP]*
- Public or private school. *[SUP]*

SECTION 37. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (a), “CA-1(A) District,” of Section 51A-4.124, “Central Area Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions.

- Convent or monastery.
- Foster home. [SUP]
- Halfway house. [SUP]
- Hospital.
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school."

SECTION 38. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (b), "CA-2(A) District," of Section 51A-4.124, "Central Area Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home.
- Halfway house. [SUP]
- Hospital.
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school."

SECTION 39. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (d), "MU-1 and MU-1 (SAH) Districts," of Section 51A-4.125, "Mixed Use Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~

- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*
- Convent or monastery.
- Foster home.
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*”

SECTION 40. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (e), “MU-2 and MU-3 (SAH) Districts,” of Section 51A-4.125, “Mixed Use Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. *[SUP]*
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions.*[RAR]*
- Convent or monastery.
- Foster home.
- Halfway house *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. *[SUP]*
- Public school other than an open-enrollment charter school. *[RAR]*”

SECTION 41. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (f), “MU-3 and MU-3 (SAH) Districts,” of Section 51A-4.125, “Mixed Use Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- [– ~~Adult day care facility.~~]
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [RAR]
- Convent or monastery.
- Foster home.
- Halfway house [SUP]
- Hospital. [RAR]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]”

SECTION 42. That Subparagraph (D), “Institutional and Community Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “MC-1 District,” of Section 51A-4.126, “Multiple Commercial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(D) Institutional and community service uses.

- [– ~~Adult day care facility.~~]
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convent or monastery.

- Hospital. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]"

SECTION 43. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (e), "MC-2 District," of Section 51A-4.126, "Multiple Commercial Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convent or monastery.
- Hospital. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]"

SECTION 44. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (f), "MC-3 and MC-4 Districts," of Section 51A-4.126, "Multiple Commercial Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Cemetery or mausoleum. [SUP]
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]

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- Convent or monastery.
- Hospital. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]"

SECTION 45. That Subparagraph (D), "Institutional and Community Service Uses," of Paragraph (2), "Main Uses Permitted," of Subsection (c), "UC Districts," of Section 51A-4.127, "Urban Corridor Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(D) Institutional and community service uses.

- ~~[- Adult day care facility.]~~
- Child or adult [-] care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Hospital. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]"

SECTION 46. That Paragraph (1), "Adult Day Care Facility," of Section 51A-4.204, "Institutional and Community Service Uses," of Division 51A-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(1) Reserved [~~Adult day care facility~~].

~~[(A) Definition: A facility that provides care or supervision for five or more persons 18 years of age or older who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers.~~

(B) Districts permitted: By right in retail, CS, industrial, central area, mixed use, multiple commercial, and urban corridor districts. By right as a limited use in MF-3(A), MF-4(A), and office districts. By SUP in residential districts. *[No SUP required for a limited use in MF-3(A) and MF-4(A) districts.]*

(C) Required off-street parking: One space per 500 square feet of floor area.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

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

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

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

SECTION 47. That Paragraph (3), “Child-Care Facility,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(3) Child or adult [-]care facility.

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

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

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

(iii) an educational facility accredited by the Texas [Central] Education Agency or the Southern Association of Colleges and Schools, or their successor agencies, and which [that] operates primarily for educational purposes in grades kindergarten and above;

(iv) an educational facility that operates solely for educational purposes in grades kindergarten through at least grade two, that does not provide custodial care for more than one hour during the hours before or after the customary school day, and that is a member of an organization that promulgates, publishes, and requires compliance with health, safety, fire, and sanitation standards equal to standards required by state, municipal, and county codes;

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

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

(vii) a day home as defined in Section 51A-4.217; or

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

(B) Districts permitted:

(i) By right in A(A), multifamily, MH(A), retail, CS, industrial, central area, mixed use, multiple commercial, office and urban corridor districts. [~~By right as a limited use in MF 3(A), MF 4(A), and office districts.~~]

(ii) Except as provided in this romanette, by right in R(A), D(A), TH(A), and CH districts when the child or adult care facility is operated on property that is operated or was previously operated by a religious organization, public or private school, or recreation center. Otherwise, b[B]y SUP in R(A), D(A), TH(A), and CH [residential] districts. [No SUP required for a limited use in MF 3(A) and MF 4(A) districts.]

(iii) DIR required in CS and industrial districts.

(C) Required off-street parking: Except in R(A), D(A), TH(A), and CH districts, none required. In an R(A), D(A), TH(A), or CH district, if an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP, otherwise one space per 500 square feet of floor area. In an R(A), D(A), TH(A), or CH district, if this use is allowed by right, none required.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) When this use is located within a residential district, outdoor activities are limited to the hours between 7 a.m. and 10 p.m. [The limited use regulations in this chapter are modified for this use to allow an outdoor play area and separate access from the main building to the play area.]

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

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

(iii) For property zoned as A(A) and multifamily, the board of adjustment may grant a special exception to the off-street parking requirements contained in Section 51A-4.301 when, in the opinion of the board, the special exception will not adversely affect neighboring properties.”

SECTION 48. That Paragraph (7.1), “Day Home,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(7.1) Day home.

(A) Definition: A facility that provides care or supervision for more than three persons of any age not [~~“day home attendees,” whether or not the facility is operated for profit or charges for the services it offers. For the purposes of this paragraph, “day home attendees” means persons under 14 years of age,~~] including persons in foster care or those related to the owner of the residence or the head of the household by blood, marriage, or adoption. A day home is incidental to the primary use of the premises as a residence and conducted on the premises by a resident of the premises who is on the premises during hours of operation.

(B) Districts restrictions: This accessory use is not permitted in P(A) and urban corridor districts.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) No more than 12 [~~10~~] day home attendees, including persons in foster care and those related to the owner of the residence or the head of the household by blood, marriage, or adoption, are permitted at any time in the operation of this use.

(ii) A person who conducts a day home use shall not:

(aa) use an advertisement, sign, or display on or off the premises;

(bb) advertise in the yellow pages of the telephone directory;

(cc) employ more than two persons on the premises, other than the residents of the premises;

(dd) conduct outdoor activities between the hours of 10 p.m. and 7 a.m.;

(ee) conduct outdoor activities unless the activities are screened from the neighboring property by a fence at least four feet in height; or

(ff) generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(iii) [~~This use does not include individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption.~~]

(iv)] The area restrictions in Subsection (a)(3) do not apply to this use.

~~[(v) This use must comply with all applicable requirements imposed by city ordinances, rules, and regulations, and by state law.]”~~

SECTION 49. That Section 51A-4.402, “Maximum Side Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“SEC. 51A-4.402. MINIMUM SIDE YARD.

(a) General provisions.

(1) Required side yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required side yard. A fireplace chimney may project up to two feet into the required side yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required side yard. Balconies may not project into the required side yard.

(2) The side yard setback is measured from the side lot line of the building site, except when a front yard is treated as a side yard, the setback is measured from the lot line or the required right-of-way as determined by the thoroughfare plan for all thoroughfares, whichever creates the greater setback. On minor streets, the setback is measured from the lot line or the existing right-of-way, whichever creates the greater setback.

(A) When city council by ordinance establishes a specific right-of-way line for a street, the required setback is measured from that right-of-way line.

(3) Reserved.

(4) A unitary air conditioning unit may be located in the required side yard, but not nearer than three feet to the property line.

(5) The building official may approve a ramp that projects into the required side yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp must be completed in 10 days.

(b) Side yard provisions for residential districts.

(1) In a single family district, one required side yard may be reduced below the setback required in this section, if the other side yard is increased to at least double the side yard required in this section, subject to the following conditions:

(A) The minimum side yard between structures on contiguous lots must not be less than the minimum side yard required in this section.

(B) To reduce the required side yard, a subdivision plat must be approved by the commission and filed with the county clerk showing the location of all building lines, and showing the proposed distances between the building lines and property lines, streets lines and alley lines.

(C) A person may not erect an accessory structure except for a swimming pool and its appurtenances in the double side yard.

(2) Reserved.

(3) In a residential district, a person need not provide a side yard setback for a structure accessory to a residential use, including a generator, if the structure:

(A) does not exceed 15 feet in height; and

(B) is located in the rear 30 percent of the lot.

Note: This paragraph does not apply to a front yard governed by the side yard regulations in Section 51A-4.402 (such as a front yard treated as a side yard on a corner lot).

~~[(4) through (6) Reserved.]~~

(c) Special exception for carports.

(1) The board may grant a special exception to the minimum side yard requirements in this section for a carport for a single family or duplex use when, in the opinion of the board, the carport will not have a detrimental impact on surrounding properties.

(2) In determining whether to grant this special exception, the board shall consider the following factors:

(A) Whether the requested special exception is compatible with the character of the neighborhood.

(B) Whether the value of surrounding properties will be adversely affected.

- (C) The suitability of the size and location of the carport.
- (D) The materials to be used in construction of the carport.

(3) Storage of items other than motor vehicles is prohibited in a carport for which a special exception has been granted under this subsection.

(d) Special exception for child or adult care facilities. The board may grant a special exception to the minimum side yard requirements in this section for an accessory structure used for outdoor recreation, when in the opinion of the board, the special exception will not adversely affect neighboring properties.

(e) Special exception for tree preservation.

(1) The board may grant a special exception to the minimum side yard requirements in this section to preserve an existing tree.

(2) In determining whether to grant this special exception, the board shall consider the following factors:

(A) Whether the requested special exception is compatible with the character of the neighborhood.

(B) Whether the value of surrounding properties will be adversely affected.

(C) Whether the tree is worthy of preservation.

(f[e]) Schedule of minimum side yards.

~~(f)~~ Except as provided in this section, a person shall not erect, alter, convert, or maintain a structure or part of a structure in violation of the minimum side yard requirements in the district regulations (Divisions 51A-4.100 et seq.). A schedule of minimum side yards is provided in Section 51A-4.410.”

SECTION 50. That Subsection (c) of Section 51A-4.403, “Minimum Rear Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(c) Special exception for child or adult care facilities. The board may grant a special exception to the minimum rear yard requirements in this section for an accessory structure used for outdoor recreation, when in the opinion of the board, the special exception will not adversely affect neighboring properties [Reserved].”

SECTION 51. That Subsection (a), “General Provisions,” of Section 51A-4.407, “Maximum Lot Coverage,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(a) General provisions.

(1) Except as provided in Paragraph (2), i[I]n single family, duplex, townhouse, MF-1(A), MF-1(SAH), MF-2(A), MF-2(SAH), MF-3(A), MH(A), NO(A), and NS(A) districts, institutional buildings may cover a maximum of 60 percent of the lot.

(2) In single family and MH(A) districts, structures used solely for child or adult care facility uses are limited to the maximum lot coverage applicable to residential structures in each district [~~Reserved~~].

(3) The maximum lot coverage requirements in a planned development district are controlled by the planned development district regulations.

~~[(4) —Reserved.]”~~

SECTION 52. That Paragraph (1) of Subsection (a), “Special Height Provisions,” of Section 51A-4.408, “Maximum Building Height,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Subparagraph (E) to read as follows:

“(E) In single family, duplex, townhouse, MF-1(A), MF-1(SAH), MF-2(A), and MF-2(SAH) districts, structures used solely for child or adult care facility uses are limited to the maximum structure height applicable in each district.”

SECTION 53. That Subsection (b), “Use Chart,” of Section 51A-13.306, “Uses,” 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 to read as follows:

“(b) **Use Chart.**

The use chart identifies the uses allowed by right, the uses requiring a specific use permit, and uses that are not allowed. The use chart key is set forth below.

(A) Permitted. (•)

Indicates that the use is allowed by right in that development type.

(B) S[s]pecific U[u]se Permit. ([])

Indicates that a use is permitted in that development type only in accordance with Section 51A-4.219, "Specific Use Permit (SUP)."

(C) Blank Cell.

A blank cell indicates that a use is not permitted in that development type.

Use Chart

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Key: · = Permitted [] = Specific Use Permit Blank Cell = Not Permitted”

		Mixed Shopfront	Use Single-Shopfront	Story General Commercial	Apartment	Townhouse Stacked	Townhouse	Manor House	Single-family House	Civic Building	Open Space Lot	Additional Regulations	
		Mu	Ss	Gc	Apt	Sts	Th	Mh	Sf	Civ	O		
Principal Use	Use Category	Ground Story	Upper Stories	All Stories	All Stories	Ground Story	All Stories	All Stories	All Stories	All Stories	---		
Residential	Single-family living	.	.			.	.	.	.			(c)(1), (c)(2)
	Multifamily living	.	.		.	.	.	.	.			(c)(1)
Civic	Group living	.	.		.	.	.	.	.
	Community service, except as listed below:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>			
	Museum, library	.	.	.	.	.	.	.	.	.		(c)(3)
	Day care	.	.	.	.	.	.	.	.	.		(c)(3)
	Educational	.	.	.	.	.	.	.	.	.		(c)(3)
	Government service, except as listed below:	.	.	.	.	.	.	.	.	.		(c)(3)
	Detention center, jail, or prison			<input type="checkbox"/>						<input type="checkbox"/>			
	Park or Open space										.		
	Social service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									(c)(8)
	Transit station			(c)(4)
Utilities													
Place of Worship		.	.	.					.
Office	Medical	.	.	.									
	Office	.	.	.		.		
Retail	Drive-thru facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								(c)(9)	
	Restaurant or Bar	.	.									(c)(5)	
	Retail sales	.	.									(c)(5)	
	Vehicle sales	.	.										
Service and Entertainment	Commercial amusement (inside)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									
	Indoor recreation	.	.	.									
	Personal service, except as listed below:	.	.	.									
	Animal care	.	.	.								(c)(6)	
Commerce	Commercial parking	.	.	.							<input type="checkbox"/>		
	Passenger terminal limited to a Helistop		<input type="checkbox"/>	<input type="checkbox"/>									
	Overnight lodging	.	.	.								(c)(7)	
Fabrication	Self-service storage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									
	Light manufacturing	.	.	.									
	Research and development	.	.	.									
	Vehicle service			.									

SECTION 54. That Subparagraph (B), “Day Care,” of Paragraph (2), “Civic Use Categories,” of Subsection (d), “Use Categories,” of Section 51A-13.306, “Uses,” 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 to read as follows:

“(B) Day care.

(i) Definition. Uses providing care, protection, and supervision of children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day when the additional provisions of this use are met.

(ii) Examples of Permitted Uses.

~~[Adult day care facility.]~~

Child or adult day care facility.

Nursery school or preschool.”

SECTION 55. That Paragraph (2), “WMU and WR District Required Spaces,” of Subsection (a), “Spaces Required,” of Section 51A-13.402, “Required Parking,” of Division 51A-13.400, “Parking Regulations,” 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:

“(2) WMU and WR District Required Spaces.

The following spaces are required in the WMU or WR districts.

Required Parking in WMU and WR Districts

	Use Category	Number of Spaces Required
Residential	Household living	1.50 per single-family living unit 1.15 per one-bedroom or smaller multifamily living unit 1.65 per two-bedroom multifamily living unit

		2.00 per three-bedroom or larger multifamily living unit 0.70 per retirement housing living unit	
	Group living	0.25 per bed PLUS 1 per 200 SF office, minimum 4	
Civic	Community service	1 per 200 SF	
	Day care	None [1 per 500 SF]	
	Educational		1.50 per elementary classroom 3.50 per junior high or middle classroom 9.50 per senior high classroom
			1 per 25 SF seats in any other classroom type
		Government service	1 per 200 SF
	Park/open space	None	
	Place of worship	1.00 per 4 fixed seats or per 18" length of bench OR 1 per 28.00 SF floor area without seating	
Social service	see Group Living		
Office	Medical	1 per 222 SF	
	Office, except:	1 per 333 SF	
	Art studio, gallery Financial services, Bank Call center	1 per 500 SF 1 per 222 SF 1 per 167 SF	
Retail	Restaurants, except: Bar, private club	1 per 100 SF 1 per 83 SF	
	Retail sales	1 per 250 SF	
	Vehicle sales	1 per 200 SF sales area	
Service and Entertainment	Commercial amusement (inside), except: Dance hall	1 per 200 SF 1 per 25 SF	
	Indoor recreation, except: Health club or spa Movie theater Performing arts theater	1 per 150 SF	
		1 per 143 SF 0.27 per seat 0.40 per seat	
	Personal service	1 per 250 SF	
Commerce	Overnight lodging	1.25 per room PLUS 1 per 200 SF of meeting room	
	Self-service storage	minimum 6	
Fabrication	Light manufacturing	1 per 600 SF	
	Research & development	1 per 300 SF	
	Vehicle service	1 per 500 SF, minimum 5"	

SECTION 56. That the director of planning and urban design shall revise the use charts to reflect the change in use regulations made by this ordinance, and shall provide these charts for publication in the Dallas Development Code.

SECTION 57. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 58. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 59. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 60. 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 61. 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:

TAMMY L. PALOMINO, City Attorney

By 
Assistant City Attorney

Passed **FEB 14 2024**



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 FEB 14 2024

ORDINANCE NUMBER 32659

DATE PUBLISHED FEB 17 2024

ATTESTED BY: