

ORDINANCE NO. 28803

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 51-4.201, 51-4.204, 51-4.206, 51-4.207, 51-4.208, 51-4.210, 51-4.211, 51-4.212, 51-4.214, 51-4.217, 51A-1.105, 51A-1.123, 51A-4.202, 51A-4.203, 51A-4.204, 51A-4.208, 51A-4.209, 51A-4.210, 51A-4.213, 51A-4.217, 51A-4.311, and 51A-10.125 to amend the off-street parking requirements for certain uses, amend the parking special exception requirement, amend the parking lot tree requirement, authorize a fee for administrative parking reductions, and allow taxidermist uses in industrial districts; providing a new Section 51A-4.313 to provide for administrative parking reductions; 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 Subparagraph (C) of Paragraph (3), "Multiple-Family," of Subsection (b), "Specific Residential Uses," of Section 51-4.201, "Residential 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:

28803

~~“(C) Required off-street parking: One space for each bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents. [500 square feet of dwelling unit floor area within the building site except in CA-1 and CA-2 districts, only one space per dwelling unit is required.~~

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

~~(ii) Not less than one space nor more than two and one half spaces are required for each dwelling unit in a multiple family structure 36 feet or less in height.~~

~~(iii) Not less than one space nor more than two spaces are required for each dwelling unit in a multiple family structure over 36 feet in height.]”~~

SECTION 2. That Subparagraph (C) of Paragraph (7), “Retirement Housing,” of Subsection (b), “Specific Residential Uses,” of Section 51-4.201, “Residential 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:

~~“(C) Required off-street parking: One [0-7] space[s] per dwelling unit or suite[, plus one space per 300 square feet of floor area not in a dwelling unit or suite].”~~

SECTION 3. That Subparagraph (C) of 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:

~~“(C) Required off-street parking: If an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP, otherwise 0[0]ne space for each 500 square feet of floor area.”~~

SECTION 4. That Item (i), “Number of Spaces Required,” of Subparagraph (C) of Paragraph (1), “Church,” of Section 51-4.206, “Religious 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:

28803

“(i) Number of spaces required. One space per 333 square feet in floor area if a church has less than 5,000 square feet of floor area and is located in a shopping center with more than 20,000 square feet in floor area, otherwise o[Θ]ne space for each four fixed seats in the sanctuary or auditorium. If fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat for purposes of this paragraph. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 28 square feet of floor area.”

SECTION 5. That Subparagraph (C) of Paragraph (1), “Public or Private School,” of Section 51-4.207, “Educational 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:

“(C) Required off-street parking:

(i) One and one-half spaces for each kindergarten/elementary school classroom.

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

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

(iv) If an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP.”

SECTION 6. That Subparagraph (C) of Paragraph (3), “Business School,” of Section 51-4.207, “Educational 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:

“(C) Required off-street parking: 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom. Any professional, personal service, or custom crafts uses accessory to a business school providing services to patrons who are not students or school employees must be parked to the appropriate professional, personal service, and custom crafts use parking requirement.”

28803

SECTION 7. That Subparagraph (C) of Paragraph (4), “Technical School,” of Section 51-4.207, “Educational 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:

“(C) Required off-street parking: 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom. Any professional, personal service, or custom crafts uses accessory to a technical school providing services to patrons who are not students or school employees must be parked to the appropriate professional, personal service, and custom crafts use parking requirement.”

SECTION 8. That Subparagraph (C) of Paragraph (8), “Library, Art Gallery, or Museum,” of Section 51-4.207, “Educational 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:

“(C) Required off-street parking: For a library, one space per 500 square feet of floor area. For an art gallery or museum, one space per 600 square feet of floor area.”

SECTION 9. That Subparagraph (C) of Paragraph (6), “Inside Commercial Amusement,” of Section 51-4.208, “Recreation and Entertainment 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:

“(C) Required off-street parking: One space for each 100 square feet of floor area. No special exception may be granted to the parking requirements for a dance hall.”

SECTION 10. That Subparagraph (C) of Paragraph (16), “Taxidermist,” of Section 51-4.210, “Professional, Personal Service, and Custom Craft 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:

“(C) Required off-street parking: One space for each 600 [~~300~~] square feet of floor area.”

28803

SECTION 11. That Subparagraph (C) of Paragraph (14), “Furniture Store,” of Section 51-4.211, “Retail 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:

“(C) Required off-street parking: One space for each 500 square feet of floor area open to the public. One space for each 1,000 square feet of floor area for storage or warehouse areas not open to the public.”

SECTION 12. That Subparagraph (C) of Paragraph (18), “Home Improvement Center,” of Section 51-4.211, “Retail 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:

“(C) Required off-street parking: One space for each 275 [200] square feet of retail floor area, plus one space for each 1,000 square feet of site area exclusive of parking area.”

SECTION 13. That Subparagraph (C) of Paragraph (11), “Car Wash,” of Section 51-4.212, “Motor Vehicle Related 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:

“(C) Required off-street parking: Single-unit type car washes: n[N]one. Tunnel-type car washes: three spaces required. See the additional provisions [Subparagraph (E)] for off-street stacking requirements.”

SECTION 14. That Subparagraph (C) of Paragraph (4), “Open Storage,” of Section 51-4.214, “Storage and Waste Disposal 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:

“(C) Required off-street parking: One space for each 5,000 [2,000] square feet of site area up to a maximum of five required spaces; a minimum of one space is required.”

28803

SECTION 15. That Subparagraph (C) of Paragraph (5), “Outside Salvage or Reclamation,” of Section 51-4.214, “Storage and Waste Disposal 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:

“(C) Required off-street parking: 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 for each 500 square feet of floor area;~~] a minimum of five spaces required.”

SECTION 16. That Subparagraph (C) of Paragraph (11), “Mini-Warehouse,” of Section 51-4.214, “Storage and Waste Disposal 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:

“(C) Required off-street parking: Six spaces are required. Spaces may not be used for outside storage, vehicle storage, or parking for vehicles for rent. [~~One space for each 3,000 square feet of floor area;~~]”

SECTION 17. That Subparagraph (C) of Paragraph (12), “Office/Showroom Warehouse,” of Section 51-4.214, “Storage and Waste Disposal 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:

“(C) [~~Off-street parking:~~

(+) Required off-street parking:

(i[~~aa~~]) Office: One space per 333 square feet of floor area.

(ii[~~bb~~]) Showroom/warehouse: One space per 1,000 square feet of floor area for the first 20,000 square feet of floor area. One space per 4,000 square feet of floor area for any floor area in excess of 20,000 square feet.”

28803

SECTION 18. That Subparagraph (C) of Paragraph (6), “Community Center (Private),” 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:

“(C) Required off-street parking:

(i) Except as provided in this subparagraph, one space for each 100 square feet of floor area.

(ii) No off-street parking is required if this use is accessory to a multifamily use and is used primarily by residents.”

SECTION 19. That Paragraph (3) of Subsection (k), “Fees for Miscellaneous Items,” of Section 51A-1.105, “Fees,” of Article I, “General Provisions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(3) Fee schedule.

<u>Type of Application</u>	<u>Application Fee.</u>	<u>Area of Notification for Hearing</u>
Minor plat amendment	\$825.00	[200 feet. See also note below.]
Detailed development plan when submitted after passage of an ordinance establishing a planned development district	\$600.00 for each submission	
Waiver of the two year waiting period under Section 51A-4.701(d)(3)	\$300.00	
Extension of the development schedule under Section 51A-4.702(g)(3)	\$75.00	
Waiver of the requirement of proof that taxes, fees, fines, and penalties are not delinquent under Section 51A-1.104.1	\$200.00	
Appeal to the city council of a moratorium on a zoning or nonzoning matter handled by the department	\$300.00	

28803

Request for a letter from the department explaining the availability of water services for a development site	\$150.00
Request for a letter from the department explaining the availability of wastewater services for a development site.	\$150.00
Request for performance of a wastewater capacity analysis on an existing wastewater line to determine its capacity for a proposed development or land use	\$800.00
Appeal an apportionment determination to the city council	\$600.00
Appeal a decision of the landmark commission on a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal to the city plan commission regarding a single family use or a handicapped group dwelling unit use	\$300.00
Appeal a decision of the landmark commission on a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal to the city plan commission regarding any other use	\$700.00
Request for a sidewalk width waiver under Section 51A-4.124(a)(8)(C)(v)	\$300.00
<u>Request for an administrative parking reduction under Section 51A-4.313</u>	<u>\$375.00 and \$25 per space over 10 spaces</u>

Note: The director shall also send notification of minor plan amendments to the city plan commission members, any known neighborhood associations covering the property, and persons on the early notification list at least 10 days prior to the public hearing.”

SECTION 20. That Subparagraph (J), “Retail and Personal 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:

28803

“(J) Retail and personal service uses.

- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*
- Animal shelter or clinic without outside runs.
- Animal shelter or clinic with outside runs. *[SUP may be required. See Section 51A-4.210(b)(2).]*
- Auto service center. *[RAR]*
- Business school.
- Car wash. *[RAR]*
- Commercial amusement (inside). *[SUP may be required. See Section 51A-4.210(b)(7)(B).]*
- Commercial motor vehicle parking. *[By SUP only if within 500 feet of a residential district.]*
- Commercial parking lot or garage. *[RAR]*
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store 100,000 square feet or more. *[SUP]*
- Home improvement center, lumber, brick or building materials sales yard. *[RAR]*
- Household equipment and appliance repair.
- Liquefied natural gas fueling station. *[By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]*
- Motor vehicle fueling station.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*
- Taxidermist.
- Temporary retail use.
- Theater.
- Truck stop. *[SUP]*
- Vehicle display, sales, and service. *[RAR]”*

28803

SECTION 21. That Subparagraph (J), “Retail and Personal 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:

“(J) Retail and personal service uses.

- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*
- Animal shelter or clinic without outside runs.
- Animal shelter or clinic with outside runs. *[SUP may be required. See Section 51A-4.210(b)(2).]*
- Auto service center. *[RAR]*
- Business school.
- Car wash. *[RAR]*
- Commercial amusement (inside). *[SUP may be required. See Section 51A-4.210(b)(7)(B).]*
- Commercial motor vehicle parking. *[By SUP only if within 500 feet of a residential district.]*
- Commercial parking lot or garage. *[RAR]*
- Convenience store with drive-through. *[SUP]*
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- Home improvement center, lumber, brick or building materials sales yard. *[RAR]*
- Household equipment and appliance repair.
- Liquefied natural gas fueling station. *[By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]*
- Motor vehicle fueling station.
- Pawn shop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*
- Taxidermist.
- Temporary retail use.

- Theater.
- Truck stop. *[SUP]*
- Vehicle display, sales, and service. *[RAR]*

SECTION 22. That Subparagraph (J), “Retail and Personal 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:

“(J) Retail and personal service uses.

- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*
- Animal shelter or clinic without outside runs.
- Animal shelter or clinic with outside runs. *[SUP may be required. See Section 51A-4.210(b)(2).]*
- Auto service center. *[RAR]*
- Business school.
- Car wash. *[RAR]*
- Commercial amusement (inside). *[SUP may be required. See Section 51A-4.210(b)(7)(B).]*
- Commercial motor vehicle parking. *[By SUP only if within 500 feet of a residential district.]*
- Commercial parking lot or garage. *[RAR]*
- Convenience store with drive-through. *[SUP]*
- Drive-in theater. *[SUP]*
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- Home improvement center, lumber, brick or building materials sales yard. *[RAR]*
- Household equipment and appliance repair.
- Liquefied natural gas fueling station. *[By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]*
- Motor vehicle fueling station.
- Pawn shop.
- Personal service uses.

28803

- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Taxidermist.
- Temporary retail use.
- Theater.
- Truck stop. [SUP]
- Vehicle display, sales, and service. [RAR]”

SECTION 23. That Subparagraph (C) of Paragraph (8), “Job or Lithographic Printing,” of Section 51A-4.202, “Commercial and Business 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:

“(C) Required off-street parking: One space per 600 [300] square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 24. That Subparagraph (C) of Paragraph (12), “Technical School,” of Section 51A-4.202, “Commercial and Business 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:

“(C) Required off-street parking: One space per 25 square feet of classroom. Any personal service uses accessory to a technical school must be parked to the personal service use parking requirement. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 25. That Subparagraph (C) of Paragraph (3), “Metal Salvage Facility,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial 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:

“(C) Required off-street parking: The off-street parking requirement may be established in the ordinance granting the SUP, otherwise [~~One space for each 500 square feet of floor area;~~] a minimum of five spaces required. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 26. That Subparagraph (C) of Paragraph (5), “Outside Salvage or Reclamation,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial 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:

“(C) Required off-street parking: The off-street parking requirement may be established in the ordinance granting the SUP, otherwise [One space for each 500 square feet of floor area;] a minimum of five spaces required. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 27. That Subparagraph (C) of 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:

“(C) Required off-street parking: If an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP, otherwise o[Ø]ne space per 500 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 28. That Item (i), “Number of Spaces Required,” of Subparagraph (C) of Paragraph (4), “Church,” 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:

“(i) Number of spaces required. One space per 333 square feet in floor area if a church has less than 5,000 square feet of floor area and is located in a shopping center with more than 20,000 square feet in floor area, otherwise o[Ø]ne space for each four fixed seats in the sanctuary or auditorium. If fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat for purposes of this paragraph. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 28 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 29. That Subparagraph (C) of Paragraph (16), “Library, Art Gallery, or Museum,” 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:

“(C) Required off-street parking: For a library, one space per 500 square feet of floor area. For an art gallery or museum, one space per 600 square feet of floor area. [If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”

SECTION 30. That Subparagraph (C) of Paragraph (17), “Public or Private School,” 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:

“(C) Required off-street parking:

- (i) One and one-half spaces for each kindergarten/elementary school classroom;
- (ii) Three and one-half spaces for each junior high/middle school classroom; and
- (iii) Nine and one-half spaces for each senior high school classroom.

(iv) If an SUP is [more than ten off-street parking spaces are] required for this use, the off-street parking requirement may be established in the ordinance granting the SUP [handicapped parking must be provided pursuant to Section 51A-4.305].”

SECTION 31. That Subparagraph (C) of Paragraph (1), “Country Club With Private Membership,” of Section 51A-4.208, “Recreation 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:

28803

~~“(C) Required off-street parking: If an SUP is required for this use, the off-street parking requirement may be established by the ordinance granting the SUP, otherwise ~~three~~ three spaces for each game court, one space for each additional 150 square feet of floor area, and five spaces for each golf course green. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305].”~~”~~

SECTION 32. That Subparagraph (C) of Paragraph (2), “Private Recreation Center, Club, or Area,” of Section 51A-4.208, “Recreation 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:

~~“(C) Required off-street parking: If an SUP is required for this use, the off-street parking requirement may be established by the ordinance granting the SUP, otherwise ~~three~~ three spaces for each game court and one space for each additional 150 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305].”~~”~~

SECTION 33. That Subparagraph (C) of Paragraph (5), “Multifamily,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential 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:

~~“(C) Off-street parking.~~

~~[(+)] Required off-street parking: One space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents. [for each 500 square feet of dwelling unit floor area within the building site.~~

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

~~(bb) Not less than one space nor more than two and one-half spaces are required for each dwelling unit in a multifamily structure 36 feet or less in height.~~

~~(cc) Not less than one space nor more than two spaces are required for each dwelling unit in a multifamily structure over 36 feet in height.~~

~~(ii) If more than 10 off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

28803

SECTION 34. That Subparagraph (C) of Paragraph (5.2), "Retirement Housing," of Subsection (b), "Specific Uses," of Section 51A-4.209, "Residential 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:

~~“(C) Required off-street parking: One [0.7] space[s] per dwelling unit or suite, plus one space per 300 square feet of floor area not in a dwelling unit or suite. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305].”~~

SECTION 35. That Subparagraph (C) of Paragraph (5), "Business School," of Subsection (b), "Specific Uses," of Section 51A-4.210, "Retail and Personal 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:

~~“(C) Required off-street parking: One space per 25 square feet of classroom. Any personal service uses accessory to a business school must be parked to the personal service use parking requirement. [If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 36. That Subparagraph (C) of Paragraph (6), "Car Wash," of Subsection (b), "Specific Uses," of Section 51A-4.210, "Retail and Personal 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:

~~“(C) Required off-street parking: For single-unit type car washes: n[N]one. For tunnel-type car washes a minimum of three spaces required. See the additional provisions [Subparagraph (E)] for off-street stacking requirements. [No handicapped parking is required.]”~~

SECTION 37. That Item (iv) of Subparagraph (C) of Paragraph (7), “Commercial Amusement (Inside),” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(iv) Dance hall: one space per 25 square feet of dance floor and one space per 100 square feet of floor area for the remainder of the use. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet this off-street parking requirement. No special exception may be granted to the parking requirements.”

SECTION 38. That Item (vii) of Subparagraph (C) of Paragraph (7), “Commercial Amusement (Inside),” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(vii) Other uses: If an SUP is required for this use, the off-street parking requirements may be established in the ordinance granting the SUP, otherwise one space per 100 square feet of floor area.”

SECTION 39. That Item (viii) of Subparagraph (C) of Paragraph (7), “Commercial Amusement (Inside),” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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 deleted as follows:

~~“(viii) Handicapped parking: If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 40. That Subparagraph (C) of Paragraph (8), “Commercial Amusement (Outside),” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(C) Required off-street parking: If an SUP is required for this use, the off-street parking requirement may be established by the ordinance granting the SUP, otherwise ~~o~~ne space per 200 square feet of floor area, plus one space per 400 square feet of site area exclusive of parking area. [If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”

SECTION 41. That Subparagraph (C) of Paragraph (12), “Furniture Store,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(C) Required off-street parking: One space per 500 square feet of floor area open to the public. One space per 1,000 square feet of floor area for storage or warehouse areas not open to the public. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 42. That Subparagraph (C) of Paragraph (14), “General Merchandise or Food Store Greater Than 3,500 Square Feet,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(C) Required off-street parking: One space per 200 square feet of floor area for uses with less than 10,000 square feet of floor area. One space per 220 square feet of floor area for uses with a floor area of 10,000 square feet or greater, but less than 40,000 square feet of floor area. One space per 250 square feet of floor area for uses with a floor area of 40,000 square feet or greater, but less than 100,000 square feet of floor area. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

28803

SECTION 43. That Subparagraph (C) of Paragraph (14.1), “General Merchandise or Food Store 100,000 Square Feet or More,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(C) Required off-street parking: One space per 300 [200] square feet of floor area. [~~If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 44. That Subparagraph (C) of Paragraph (15), “Home Improvement Center, Lumber, Brick or Building Materials Sales Yard,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(C) Required off-street parking: One space per 275 [200] square feet of retail floor area, plus one space per 1,000 square feet of site area exclusive of parking area. [~~If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 45. That Subparagraph (B) of Paragraph (28), “Taxidermist,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

“(B) Districts permitted: By right in CS, industrial, and central area districts.”

SECTION 46. That Subparagraph (C) of Paragraph (28), “Taxidermist,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal 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:

28803

~~“(C) Required off-street parking: One space per 600 [300] square feet of floor area. [If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 47. That Subparagraph (C) of Paragraph (7), “Mini-Warehouse,” of Section 51A-4.213, “Wholesale, Distribution, and Storage 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:

“(C) Required off-street parking: A minimum of six spaces required. Spaces may not be used for outside storage, vehicle storage, or parking for vehicles for rent. [One space per 3,000 square feet of floor area. No handicapped parking is required.]”

SECTION 48. That Subparagraph (C) of Paragraph (8), “Office Showroom/Warehouse,” of Section 51A-4.213, “Wholesale, Distribution, and Storage 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:

“(C) Off-street parking.

[~~(i)~~] Required off-street parking:

(i[~~aa~~]) Office: One space per 333 square feet of floor area.

(ii[~~bb~~]) Showroom/warehouse: One space per 1,000 square feet of floor area for the first 20,000 square feet of floor area. One space per 4,000 square feet of floor area in excess of 20,000 square feet.

[~~(ii) If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 49. That Subparagraph (C) of Paragraph (9), “Outside Storage,” of Section 51A-4.213, “Wholesale, Distribution, and Storage 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:

“(C) Required off-street parking: One space for each 5,000 ~~[2,000]~~ square feet of site area exclusive of parking area up to a maximum of five required spaces; a minimum of one space is required. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 50. That Subparagraph (C) of Paragraph (1), “Accessory Community Center (Private),” 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:

“(C) Required off-street parking:

(i) Except as provided in this subparagraph, o[Ø]ne space for each 100 square feet of floor area.

(ii) No off-street parking is required if this use is accessory to a multifamily use and is used primarily by residents.”

SECTION 51. That Paragraph (1) of Subsection (a), “Special Exception: Parking Demand,” of Section 51A-4.311, “Special Exceptions,” of Division 51A-4.310, “Off-Street Parking Reductions,” 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) The board may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets. Except as otherwise provided in this paragraph, the maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A) ~~[already existing nonconforming rights]~~. For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 75 ~~[50]~~ percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For the office use, the maximum reduction is 35 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). Applicants may seek a special exception to parking requirements under this section and an administrative parking reduction under Section 51A-

4.313. The greater reduction will apply, but the reductions may not be combined [already existing noneonforming rights]. ”

SECTION 52. That Subsection (a), “Special Exception: Parking Demand,” of Section 51A-4.311, “Special Exceptions,” of Division 51A-4.310, “Off-Street Parking Reductions,” 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 Paragraph (7) to read as follows:

“(7) The board shall not grant a special exception under Paragraph (1) to reduce the number of off-street parking spaces required for a commercial amusement (inside) used as a dance hall.”

SECTION 53. That Division 51A-4.310, “Off-Street Parking Reductions,” 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 Section 51A-4.313, “Administrative Parking Reduction,” to read as follows:

“SEC. 51A-4.313. ADMINISTRATIVE PARKING REDUCTION.

(a) The director may grant a reduction in the number of off-street parking spaces required under this article for specific uses if the director finds that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the reduction would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets. The maximum reduction authorized by this section for specific uses is:

<u>Use</u>	<u>Maximum Administrative Reduction</u>
Industrial (inside)	50 percent
Industrial (outside)	50 percent
Office uses and retail and personal service uses (except for restaurants and alcoholic beverage establishments) within a 1,200 feet walking distance of a platform of a rail transit station	20 percent (must not be within 600 feet of a single-family or duplex district and the use must be connected to the rail transit station by a sidewalk with a minimum width of six feet)
Trade center	25 percent
Warehouse greater than 100,000 square feet	50 percent (up to 75 percent if the requirement of Subsection (d)(3) is complied with)
Museum/art gallery	50 percent

28803

Note: Applicants may seek a special exception to parking requirements under Section 51A-4.311 and an administrative parking reduction under this section. The greater reduction will apply, but the reductions may not be combined.

(b) In determining whether to grant a reduction under Subsection (a), the director shall consider the following factors:

(1) The extent to which the parking spaces provided will be assigned, compact, remote, shared, or packed parking.

(2) The parking demand and trip generation characteristics for the occupancy for which the reduction is requested.

(3) The number of individuals employed on the site of the occupancy for which the reduction is requested.

(4) The number of company vehicles parked on the site of the occupancy for which the reduction is requested.

(5) Whether or not the subject property or the surrounding properties are part of a modified delta overlay district.

(6) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.

(7) The availability of alternative transportation modes and availability, access, and distance to public transit and the likelihood of their use.

(8) The feasibility of parking mitigation measures and the likelihood of their effectiveness.

(9) The impact on adjacent residential uses.

(c) In granting a reduction under Subsection (a), the director shall specify the occupancy to which the reduction applies. A reduction granted by the director for a particular occupancy automatically and immediately terminates if and when the certificate of occupancy for the use is revoked or terminated or the existing business stops operating.

(d) In granting a reduction under Subsection (a), the director may:

(1) establish a termination date for the reduction or otherwise provide for the reassessment of conditions after a specified period of time;

(2) impose restrictions on access to or from the subject property;

(3) require that adequate lot area be available to comply with standard parking requirements; or

28803

(4) impose any other reasonable condition that would have the effect of improving traffic safety or lessening congestion on the streets.

(e) The director may not grant a reduction under Subsection (a) to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.

(f) The director may not grant a reduction under Subsection (a) to reduce the number of off-street parking spaces required in the text or development plan of an ordinance establishing or amending a planned development district. This prohibition does not apply when:

(1) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes reference to the existing off-street parking regulations in Chapter 51 or this chapter; and

(2) the regulations governing that planned development district expressly authorize the director to grant the reduction.”

SECTION 54. That Subparagraph (A) of Paragraph (5), “Parking Lot Trees,” of Subsection (b), “Other Uses,” of Section 51A-10.125, “Mandatory Landscaping Requirements,” of Division 51A-10.120, “Landscaping,” of Article X, “Landscape and Tree Preservation Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(A) No required parking space may be located more than 120 feet from the trunk of a large canopy tree. No parking space in excess of required parking may be located more than 100 feet from the trunk of a large canopy tree, and the tree must be located in a landscape area of a minimum of 120 square feet. Each tree required by this subparagraph must have a caliper of at least two inches and may not be planted closer than two and one-half feet to the paved portion of the parking lot.”

SECTION 55. That the director of sustainable development and construction 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 56. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 57. 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.

28803

SECTION 58. 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 59. 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:

THOMAS P. PERKINS, JR., City Attorney

By Casey B. Myers
Assistant City Attorney

Passed SEP 26 2012