

ORDINANCE NO. 27560

An ordinance amending Ordinance No. 19910, passed by the Dallas City Council on March 23, 1988, which established Conservation District No. 1 (the Kings Highway Conservation District); creating a new Subarea 6; amending the creation of subareas in Section 6; adding procedures and regulations for Subarea 6 in Section 14A; providing a new Exhibit B (Subarea Descriptions/Subarea Map); 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; and

WHEREAS, the city council finds that it is in the public interest to amend Conservation District No. 1 (the Kings Highway Conservation District) as specified in this ordinance; Now, Therefore,

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

SECTION 1. That Section 6, "Creation of Subareas," of Ordinance No. 19910, "Conservation District No. 1 (the Kings Highway Conservation District)," is amended to read as follows:

“SECTION 6. Creation of subareas. This district is hereby divided into six [~~five~~] separate subareas, which shall be known as “Subarea 1,” “Subarea 2,” “Subarea 3,” “Subarea 4,” [~~and~~] “Subarea 5,” and Subarea 6. Property descriptions of Subareas 1 through 6 [~~5~~] and a map showing the subarea boundaries are attached to and made a part of this ordinance as Exhibit B.”

SECTION 2. That Ordinance No. 19910, “Conservation District No. 1 (the Kings Highway Conservation District),” is amended by adding a new Section 14A, “Subarea 6-multifamily,” to read as follows:

“SECTION 15. Subarea 6-multifamily.

(a) Density. No more than 20 dwelling units are permitted on each acre.

(b) Height.

(1) Except as provided in this subsection, maximum structure height is 38 feet.

(2) The residential proximity slope in Section 51A-4.412 does not apply to residential uses.

(c) Landscape regulations. Landscaping must be provided in accordance with Article X and the following additional requirements:

(1) At least fifty percent of the area between the street and the building line, excluding driveways and sidewalks, must be landscaped with live plant materials.

(2) For a shared access development or multifamily use, a minimum of 20 percent of the land area of the development must be open space with a combination of landscaping, water features, or sidewalk.

(d) Lot coverage.

(1) For single family and duplex uses, maximum lot coverage is 45 percent.

(2) For single family attached uses, maximum lot coverage is 100 percent, but the maximum cumulative lot coverage of all lots within Subarea 6 is 65 percent.

(3) For multifamily uses, maximum lot coverage is 60 percent.

(4) For all other uses, maximum lot coverage is 25 percent.

(e) Lot size.

(1) For single family attached uses, minimum lot size is 1,000 square feet.

(2) For all other uses, minimum lot size is 7,500 square feet.

(f) Setbacks.

(1) Front yard.

(A) For single family and multifamily uses, minimum front yard is 15 feet.

(B) Except as provided in this subparagraph, for single family attached uses fronting on a public street and multifamily uses adjacent to a public street, maximum front yard is 20 feet. A minimum of 50 percent of the front facade must be located within the area between the minimum and maximum setback. The remaining 50 percent of the front facade is not subject to the maximum front yard setback.

(C) For all other uses, minimum front yard is 25 feet.

(D) Roofed porches, stoops, steps, and railings may project up to five feet into the required front yard and may be a maximum of 15 feet in height.

(2) Side and rear yard.

(A) Except as provided in this paragraph, for single family and duplex uses, minimum side and rear yard is five feet.

(B) For single family attached uses, no minimum interior side yard is required, except that a minimum separation of 10 feet is required between each group of single family attached uses.

(C) For all other uses, minimum side and rear yard is 10 feet.

(D) Transparent windows must be set back a minimum of 20 feet from an abutting side or rear yard property line if any portion of the transparent window is:

(i) facing an abutting side or rear yard that is outside of Subarea 6; and

(ii) located at or above 26 feet in height.

(g) Stories.

(1) For single family attached uses, maximum number of stories is three.

(2) For all other uses, maximum number of stories is two.

(h) Shared access developments.

(1) Except as provided in this subsection, a shared access development must comply with Section 51A-4.411.

(2) A shared access development may be with platted with no more than 60 individual lots. Adjacent shared access developments may not be connected or combined to exceed the 60 individual lots maximum.

(3) A shared access area may serve no more than 20 dwelling units per shared access point.

(i) Parking.

(1) For residential uses, a minimum of two enclosed off-street parking spaces must be provided for each dwelling unit.

(2) For all other uses, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(3) For shared access developments and multifamily uses, a minimum of 0.25 unassigned off-street parking spaces is required for each dwelling unit. Unassigned off-street parking spaces must be located where they will not impede access to any other parking space, dwelling unit, or shared access point.

(4) For shared access developments, single family attached, and multifamily uses, required parking may not be directly accessible from a public street, but must be accessed from a shared access area, internal driveway, or alley.

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

(1) Institutional and community service uses.

-- Church.

(2) Recreation uses.

-- Public park, playground, or golf course.

- (3) Residential uses.
- Duplex.
 - Handicapped group dwelling unit.
 - Multifamily. *[Limited to attached dwellings units with common walls and no dwelling unit located above another dwelling unit.]*
 - Single family.
- (4) Transportation uses.
- Transit passenger shelter.
- (5) Utility and public service uses.
- Local utilities.”

SECTION 3. That the Exhibit B (Subarea Descriptions/Subarea Map) attached to Ordinance No. 19910, “Conservation District No. 1 (the Kings Highway Conservation District),” is replaced by the Exhibit B attached to this ordinance.

SECTION 4. That the director of development services shall correct Zoning District Map Nos. K-6 and L-6 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. 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.

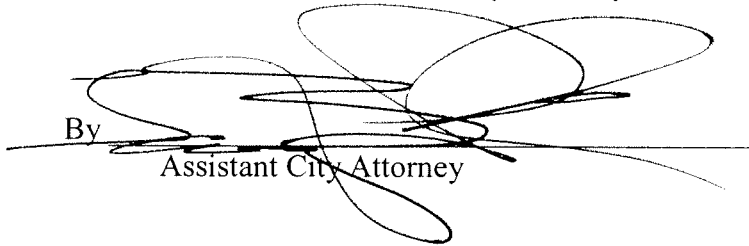
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SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed JUN 10 2009

SUBAREA I

27560

Being all of City Blocks E/3466; 24/3475; A/3552; B/3553; 4/3455; 1/3453; 5/3456; 2/3454; B/3560; A/3559; 20/3473; B/3477; A/3478; 1/4621; 3/4623; 3-A/4623; 19/3468; 23/3470; 22/3469; 18/3467; 15/3466; and Lots 12, 13, and 14 of City Block 5/3838 and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 13/3464; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 21/3474; and Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 17/3472; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of City Block 25/3476; and Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 of City Block 16/3471; and Lot 7 and the parts of Lots 5, 6, 8, 9, 10, 11 and 12, fronting on the northwest side of Polk Street of City Block 3477; and Lots 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of City Block 14/3465; and Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, of City Block 11/3458; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, and 20 of City Block 10/3457; and Lots 9, 10, 11, 12, 13, and 14 of City Block 7/3461; and Lots B, 28, 29, 30, 31, 32, 33, and 34 of City Block 3/3459; and Lots 10, 11, 12, 13, and C of City Block 6/3460; and Lots 10, 11, 12, 13, and 14 of City Block 12/3463; and Lots 6, 9 and 10 of City Block 2/4622 excluding the area of Lot 9 in City Block 2/4622 located in subarea VI.

SUBAREA II

Being all of Lots 1, 2, 3, 4, and part of Lot 5 fronting approximately 50 feet on the west side of Tyler street having a maximum depth of approximately 163 feet, and part of Lot 6 fronting 50 feet on the west side of Tyler Street having a maximum depth of 127.96 feet and part of Lot 12 fronting 80.58 feet on the southeast side of Polk Street having a maximum depth of 97.47 feet, and part of Lot 11 fronting 80.58 feet on the southeast side of Polk street having a maximum depth of approximately 55.0 feet, and part of Lot 10 fronting 22.78 feet on the soueast side of Polk Street with a maximum depth of 13.78 feet of City Block 3477; and Lots 1, 2, 3, and 4 of City Block 3/3459.

SUBAREA III

Being all of Lots 1, 2, 3, 4, 5, 6, 7, and 8 of City Block 16/3471; and Lots 1, 2, 3, 4, 5, 6, 7, and 8 of City Block 11/3458; and Lots 4, 5, 6, 7, 8, and part of Lot 3 fronting 62.95 feet on the west side of Polk of City Block 8/3462; and Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 of City Block 12/3463; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 19, and 20 of City Block 7/3461; and Lots 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27 of City block 3/3459; and Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 of City Block 6/3460.

SUBAREA IV

Being all of Lot 1 of City Block 2/4622, excluding the western 48.57 feet of Lot 1 fronting on Kings Highway to a depth of 100 feet located in subarea VI.

SUBAREA V

Being all of Lots 8, 9 and 10 of City Block 14/3465; and Lots 11, 12, 13, and 14 of City Block 10/3457.

SUBAREA VI

BEGINNING at the southeast intersection of Kings Highway, a 50 foot ROW and Mary Cliff Road, a 50 foot ROW, said point being the northwest corner of Lot 5, Block 2/4622;

THENCE N 89°25'38" E, a distance of 435.39 feet, along the south line of said Kings Highway, to a point for corner;

THENCE S 00°09'10" E, departing the south line of Kings Highway, a distance of 99.79 feet;

THENCE S 89°33'13" W, a distance of 47.52 feet, to a point in the east line of Lot 2, Block 2/4622;

THENCE S 00°05'52" E, along the west line of said Lot 2, Block 2/4622, a distance of 89.63 feet, to a point at the intersection of the northwest corner of Lot 9, Block 2/4622 and the southeast corner of Lot 2, Block 2/4622;

THENCE S 88°36'56" W, along the south line of said Lot 2, Block 2/4622, a distance of 51.70 feet;

THENCE S 00°05'29" W, a distance of 49.90 feet;

THENCE N 88°39'17" E, a distance of 51.90 feet, to a point for corner in the east line of Lot 9, Block 2/4622;

THENCE S 00°42'05" E, along the common line of Lot 9 and Lot 10, Block 2/4622, a distance of 137.97 feet, to a point on the north line of Kyle Avenue a 50 foot ROW;

THENCE S 88°43'09" W, a distance of 291.43 feet, along the north line of Kyle Avenue;

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EXHIBIT B

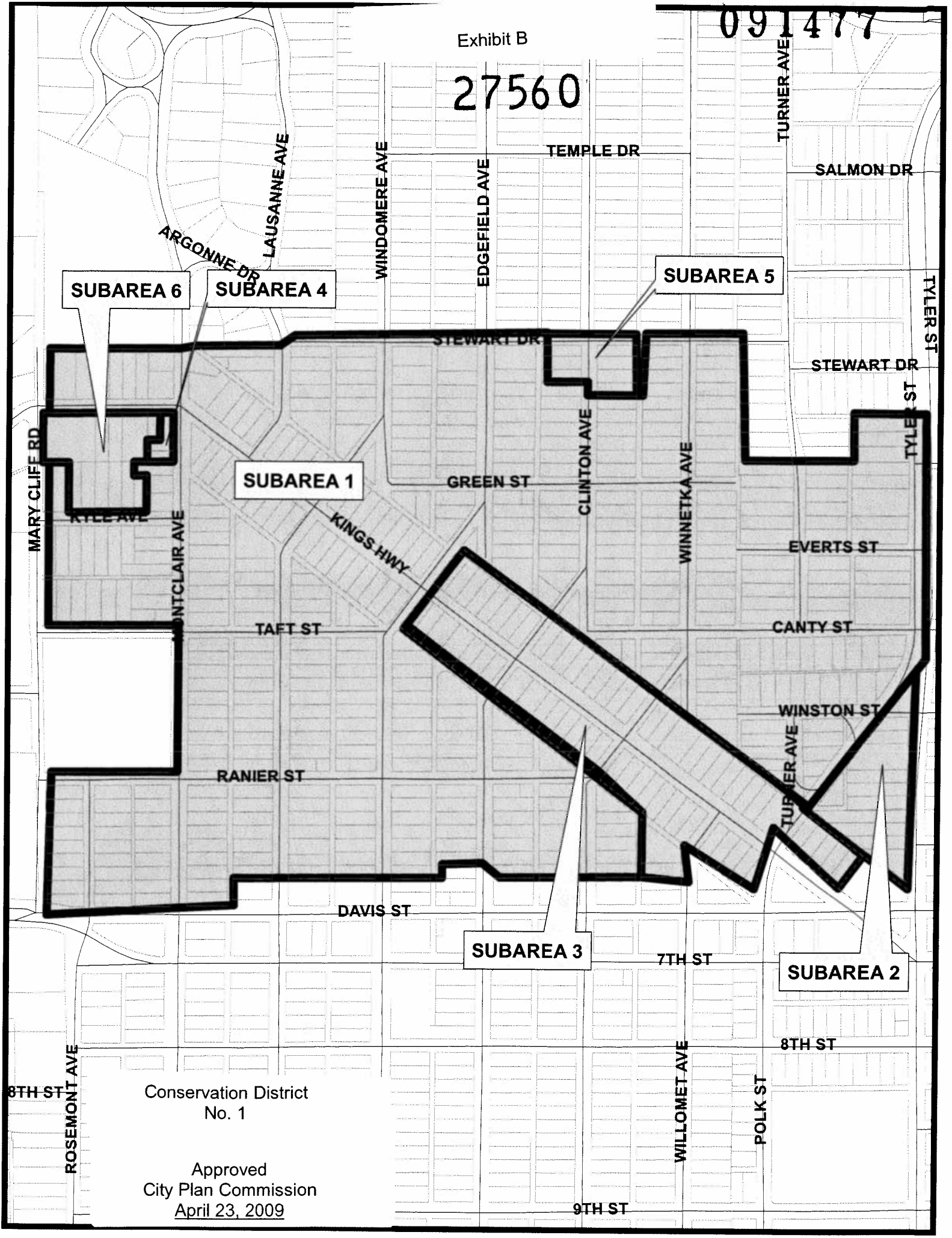
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THENCE N 00°42'05" W, a distance of 187.63 feet, along the common line of Lots 6 and 7 of Block 2/4622;

THENCE S 88°55'36" W, a distance of 95.64 feet along the common line of Lots 5 and 6 of Block 2/4622 to a point on the east line of Mary Cliff Road;

THENCE N 00°14'16" W, a distance of 194.02 feet along the east line of Mary Cliff Road to return to the Point of Beginning and containing 3.013 acres of land.

27560



SUBAREA 6

SUBAREA 4

SUBAREA 5

SUBAREA 1

SUBAREA 3

SUBAREA 2

Conservation District No. 1

Approved City Plan Commission April 23, 2009

9TH ST

