

ORDINANCE NO. 29000

An ordinance amending Ordinance No. 19910, passed by the Dallas City Council on March 23, 1988, as amended by Ordinance No. 27560, passed by the Dallas City Council on June 10, 2009, as amended by Ordinance No. 27945, passed by the Dallas City Council on August 11, 2010, which established Conservation District No. 1 (the Kings Highway Conservation District); amending procedures and regulations for Subarea 6 in Section 14A; 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 as specified in this ordinance; Now, Therefore,

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

SECTION 1. That Section 14A, "Subarea 6-multifamily," of Ordinance No. 19910, as amended, is amended to read as follows:

"SECTION 14A[15]. Subarea 6-single family [~~multifamily~~].

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

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(b) Height.

(1) Except as provided in this subsection, maximum structure height is 28 [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) Lots in a shared access development must have a minimum of one large canopy street tree for every 25 feet of street frontage, excluding the shared access points, and with a minimum of two street trees per lot. [~~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.~~]

(3) Single family lots that are not in a shared access development must have at least two trees with a minimum of two caliper inches per tree, with at least one of the trees in the front yard.

(d) Lot coverage.

(1) For single family [~~and duplex~~] uses, maximum lot coverage is 60 [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 2,500 [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.

~~(C[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 three ~~[five]~~ feet.

(B) The minimum side and rear yard for the easternmost lot that fronts on Kings Highway is five feet. ~~[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. Maximum number of stories is two.

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

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

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(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 32 [60] individual lots. Adjacent shared access developments may not be connected or combined to exceed the 32 [60] individual lots maximum.

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

(4) Except as provided in Subparagraph (f)(2)(B), shared access development lots do not have minimum front, side, or rear setbacks.

(i) Parking.

(1) Except as provided in this subsection, f[F]or residential uses, a minimum of two [encloused] off-street parking spaces must be provided for each dwelling unit.

(2) For single family [all-other] uses that are not in a shared access development, parking may be accessed from a public street [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, no unassigned off-street parking spaces are required [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].

(4) Carports.

(A) Minimum front yard setback for carports is 20 feet.

(B) Carports attached to a single family structure must:

(i) be the same architectural style as the single family structure;

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(ii) use the same exterior materials; and

(iii) have the same roofline, type, and pitch as the architectural style of the single family structure contained in Table 1, "Architectural Feature Summary," of the Kings Highway Conservation Plan.

(C) Attached carports may not be enclosed.

(5) No attached enclosed parking will be permitted for units with driveways on Kings Highway or Kyle Avenue.

(j) Porches.

(1) For single family residential uses, all homes must provide a front porch of a minimum 40 square feet in size.

(k) 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.

(l) Additional provisions.

(1) The architectural styles for Subarea 1 described in the Kings Highway Conservation Plan apply to this subarea."

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

SECTION 3. 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 4. 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 5. 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

MAY 22 2013

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SUP
235

TIMBERGROVE CIR

NYLL AVE

N MONTCLAIR AVE

PD 690
(Subarea 1)

KINGS HWY LAUSANNE AVE

TAFT ST

N WINDOMERE AVE



1:2,400

ZONING AND LAND USE

Case no: Z123-179

Date: 2/20/2013