

ARTICLE 225.

PD 225.

State-Thomas Special Purpose District

SEC. 51P-225.101. LEGISLATIVE HISTORY.

PD 225 was established by Ordinance No. 19084, passed by the Dallas City Council on March 19, 1986. Ordinance No. 19084 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 19084 was amended by Ordinance No. 19382, passed by the Dallas City Council on November 19, 1986; Ordinance No. 20429, passed by the Dallas City Council on September 13, 1989; and Ordinance No. 21018, passed by the Dallas City Council on August 14, 1991. (Ord. Nos. 10962; 19084; 19382; 20429; 21018; 25711)

SEC. 51P-225.102. PROPERTY LOCATION AND SIZE.

PD 225 is established on property generally bounded by the southerly line of properties fronting McKinney Avenue, the southerly lines of the Greenwood, Calvary, and the Emanuel Cemeteries, and Freedmen's Cemetery/Park, North Central Expressway, Woodall Rodgers Freeway, the Routh-Maple connector and Fairmont Avenue, and also including blocks bounded by Fairmont Avenue, Thomas Avenue, and the Routh-Maple Connector. The size of PD 225 is approximately 115.73 acres. (Ord. Nos. 19084; 25711)

SEC. 51P-225.103. DISTRICTS AND SUBDISTRICTS IN PD 225.

(a) Historic District. The Historic District consists of three subdistricts. The following districts and subdistricts are located within the State-Thomas Special Purpose District:

(1) the Core Subdistrict on property more particularly described in Exhibit B of Ordinance No. 19084;

(2) the Neighborhood Service Subdistrict on property more particularly described in Exhibit C of Ordinance No. 19084; and

(3) the Transition Subdistricts on property more particularly described in Exhibits D and E of Ordinance No. 19084.

(b) Interior Neighborhood District. The Interior Neighborhood District consists of six subdistricts:

(1) the Mid-Rise Residential Subdistrict on property more particularly described in Exhibit F of Ordinance No. 19084;

(2) the Hi-Rise Office/Residential Subdistrict on property more particularly described in Exhibit G of Ordinance No. 19084;

(3) the Mid-Rise Office/Residential Subdistrict on property more particularly described in Exhibit H of Ordinance No. 19084;

(4) the Mid-Rise Mix Subdistrict on property more particularly described in Exhibit I of Ordinance No. 19084;

(5) the Transition Subdistrict on property more particularly described in Exhibit J of Ordinance No. 19084; and

(6) the Allen Street Special Retail Subdistrict on property more particularly described in Exhibit K of Ordinance No. 19084.

(c) Freeway Frontage District. The Freeway Frontage District consists of six subdistricts:

(1) the Woodall/Guillet Hi-Rise Subdistrict on property more particularly described in Exhibit L of Ordinance No. 19084;

(2) the Woodall Hi-Rise Subdistrict on property more particularly described in Exhibit M of Ordinance No. 19084;

(3) the Woodall Mid-Rise Mix Subdistrict on property more particularly described in Exhibit N of Ordinance No. 19084;

(4) the Woodall Transition Subdistrict on property more particularly described in Exhibit O of Ordinance No. 19084;

(5) the Central Hi-Rise Office Subdistrict on property more particularly described in Exhibit P of Ordinance No. 19084; and

(6) the Central Hi-Rise Mix Subdistrict on property more particularly described in Exhibit Q of Ordinance No. 19084.

(d) Fringe Transition District. The Fringe Transition District consists of one subdistrict, the Lo-Rise Office Subdistrict on property more particularly described in Exhibit R of Ordinance No. 19084. (Ord. Nos. 19084; 25711)

SEC. 51P-225.104. RECONCILIATION WITH OTHER ORDINANCES.

(a) The Dallas Development Code applies to the State-Thomas Special Purpose District unless expressly modified by this article.

(b) Previous ordinances establishing zoning districts within the boundaries of the property described in Exhibits B through R are hereby repealed unless otherwise stated in this article.

(c) The provisions of Section 51-4.702, "Planned Development (PD) District Regulations," do not apply to this SPD. (Ord. Nos. 19084; 25711)

SEC. 51P-225.105. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51.

(c) Unless the context clearly indicates otherwise, in this article:

- (1) BASEMENT means any floor level below the ground floor.
- (2) BLOCK means an area bounded by streets on all sides.
- (3) BLOCKFACE means all of the lots on one side of a block.
- (4) CALIPER means the diameter of the trunk measured six inches above ground level up to and including four-inch-caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.
- (5) CANOPY TREE means a species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.
- (6) CERTIFICATE OF APPROPRIATENESS means a certificate issued by the city to authorize the alteration of the physical character of real property in this district, or any portion of the exterior of a structure on the Property, or the placement, construction, maintenance, expansion, or removal of any structure on or from the property.
- (7) COLUMN means the entire column including the base and capital, if any.
- (8) COMMISSION means the city plan commission.
- (9) COMMITTEE means the landmark committee created under Section 51-3.103.
- (10) CONTRIBUTING STRUCTURE means a structure designated in accordance with Section 51P-225.113.
- (11) CORNER LOT means a lot that has frontage on two different streets.
- (12) CORNER SIDE FACADE means the main building facade facing the side street.
- (13) CORNER SIDE YARD means a side yard that abuts a street.
- (14) DIRECTOR means the director of development services or the director's representative.
- (15) ENHANCED PAVEMENT means any permeable or nonpermeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.
- (16) EVERGREEN TREE OR SHRUB means a tree or shrub of a species which normally retains its leaves throughout the year.
- (17) FENCE means a structure or hedgerow that provides a physical barrier.
- (18) FLOOR AREA RATIO ("FAR") means the ratio of floor area of a structure other than a parking structure, to lot area, unless otherwise indicated. If a structure contains both parking and other uses, the area used for parking is not included in the computation of the FAR.

(19) FLORESCENT COLOR means any color defined by the Munsell Book of Color as having a minimum value of eight and a minimum chroma of ten.

(20) FRONT YARD means the portion of a lot that abuts a street (other than streets listed in Section 51P-225.123) and extends across the width of the lot between the street and the main building and lines parallel to and extending outward from the front facade of the main building. Portions of lots abutting streets listed in Section 51P-225.123 are rear yards for the purposes of this article.

(21) HEIGHT means the vertical distance measured from grade to:

(A) for a structure with a gable, hip, or gambrel roof, the midpoint of the vertical dimension between the lowest eaves and the highest ridge of the structure;

(B) for a structure with a dome roof, the midpoint of the vertical dimension of the dome; and

(C) for any other structure, the highest point of the structure.

(22) GROUND COVER means natural mulch or plants of species which normally reach a height of less than three feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

(23) GROUND FLOOR means an interior floor level that is no more than five feet above-grade, and that has an interior ceiling that is no more than 24 feet above-grade.

(24) LANDSCAPE ARCHITECT means a person licensed to practice or teach landscape architecture in the state of Texas pursuant to state law.

(25) LARGE SHRUB means a shrub which normally reaches a height of six feet or more upon maturity.

(26) LARGE TREE means a tree of a species which normally reaches a height of 30 feet or more upon maturity.

(27) LOT means a building site.

(28) MASONRY PAVER means a solid brick or block of masonry material used as a paving material.

(29) METALLIC COLOR means a paint color which has pigments that incorporate fine flakes of bronze, aluminum, or copper metal.

(30) MODERATE INCOME HOUSING means dwelling units built for rent or sale to persons or families earning yearly incomes of no more than 80 percent of the median income for the Dallas Primary Metropolitan Statistical Area (PMSA).

(31) MOVE-IN BUILDING means a building that has been moved onto an existing lot.

(32) NONRESIDENTIAL BUILDING means any building that is not a residential building.

(33) NONPERMEABLE COVERAGE means coverage with nonpermeable pavement.

(34) NONPERMEABLE PAVEMENT means any pavement that is not "permeable pavement" as defined in this section.

(35) PERMEABLE PAVEMENT means a paving material that permits water penetration to a soil depth of 18 inches or more. Permeable pavement may consist of nonporous surface materials poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area.

(36) PRESERVATION CRITERIA means the standards considered by the director, committee, and commission in determining whether a certificate of appropriateness should be granted or denied.

(37) REAR YARD means:

(A) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between the main building and lines parallel to and extending outward from the rear facade of the main building and the rear lot line;

(B) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the corner side facade, and between the rear lot line and the main building and a line parallel to and extending outward from the interior side corner of the rear facade; and

(C) on a lot abutting a street listed in Section 51P-224.123, that portion of the lot abutting the listed street.

(38) RESIDENTIAL BUILDING means a building that contains only residential uses.

(39) SCREENING means screening that complies with the construction and maintenance regulations in Section 51-4.602, except as those regulations may be expressly modified in this article.

(40) SECOND FLOOR means the first floor level above the ground floor. The interior ceiling of a second floor may not exceed a height of 30 feet above-grade.

(41) SERVICE AREA means all off-street occupancy support service areas, including but not limited to areas for delivery, loading, and trash removal.

(42) SIDE YARD means any portion of a lot not occupied by a main building that is not a front or rear yard. "Side yard" includes "corner side yard."

(43) SMALL TREE means a tree of a species which normally reaches a height of less than 30 feet upon maturity.

(44) SOIL means a medium that plants will grow in.

(45) TOTAL POTENTIAL RESIDENTIAL FLOOR AREA ("TPR") means the total floor area of all residential uses in the subdistrict that is in existence or for which a building permit has issued, plus:

(A) the amount of residential floor area, if any, requested in the permit application; and

(B) the amount of privately owned land surface area in the subdistrict (excluding the land that is the subject of the permit application) multiplied times four.

(46) TOTAL NONRESIDENTIAL FLOOR AREA ("TNR") means the total nonresidential floor area in the subdistrict that is currently in existence or for which a building permit has issued plus the amount of nonresidential floor area requested in the permit application.

(47) TRIM COLOR means a paint color other than the dominant color. Stain is not a trim color. Trim color does not include the color of screen and storm doors and windows, gutters, downspouts, porch floors, and ceilings.

(48) VISIBILITY TRIANGLE means the term "visibility triangle" as defined in Section 51-4.602(c). (Ord. Nos. 19084; 25711)

SEC. 51P-225.106. USE REGULATIONS FOR THE STATE-THOMAS SPECIAL PURPOSE DISTRICT.

(a) Generally. The following uses are the only permitted uses in the State-Thomas Special Purpose District. A use chart is attached as Exhibit 225A. This chart is for ease of reference only. In the case of any conflict between the chart and the text of this article, the text controls. Uses listed as "limited uses" must comply with Section 51-4.218. Uses listed as "restricted¹ uses" are permitted subject to the restriction in Subsection (q)(1), uses listed as "restricted² uses" are permitted subject to the restrictions of Subsection (q)(2), and uses listed as "restricted³ uses" are permitted subject to the restrictions of Subsection (q)(3). If a use is permitted both as a limited and as a restricted use, it may be operated as a limited use subject to the limited use regulations or as a restricted use subject to the restricted use regulations. Each listed use is permitted only in the subdistricts indicated and is subject to all restrictions listed.

(b) Residential uses.

(1) Single-family. Permitted in all subdistricts.

(2) Duplex. Permitted in all subdistricts.

(3) Multiple-family. Permitted in all subdistricts.

(4) Lodging or boarding house. Permitted in all subdistricts.

(5) Hotel and motel. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail Subdistricts; all Freeway Frontage Subdistricts; and by specific use permit in all Historic Subdistricts; Interior Mid-Rise Residential; Interior Mid-Rise Mix; Interior Transition; and all Fringe Transition Subdistricts.

(c) Utility and service uses.

(1) Utility or governmental installation, other than listed. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(2) Local utilities. Permitted in Woodall/Guillett Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(3) Electrical substation. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(4) Electrical energy generating plant. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(5) Radio, television, or microwave tower. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(6) Commercial radio or television transmitting station. Permitted in Interior Hi-Rise Office/Residential and all Freeway Frontage Subdistricts.

(7) Telephone exchange, switching, and transmitting equipment. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(8) Water reservoir, well, or pumping station. Permitted by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(9) Water treatment plant. Permitted by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(d) Transportation uses.

(1) Passenger bus station and terminal. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(2) Bus passenger shelter. Permitted in all Interior Neighborhood Subdistricts except Allen Street Special Retail; all Freeway Frontage Subdistricts; as a restricted¹ use in the Allen Street Special Retail Subdistrict; and by specific use permit in all Historic Subdistricts and all Fringe Transition Subdistricts.

(3) Helistop. Permitted by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(4) Railroad passenger station. Permitted by specific use permit in all Historic Subdistricts.

(e) Community service uses.

(1) Post office. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; and as a restricted¹ use in Interior Mid-Rise Residential and Allen Street Special Retail Subdistricts.

(2) Community, welfare, or health center. Permitted by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail; and all Freeway Frontage Subdistricts.

(3) Day care center. Permitted in all Freeway Frontage Subdistricts; and by specific use permit in all Historic Subdistricts; Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential;

Interior Mid-Rise Office/Residential; Interior Transition; Allen Street Special Retail; and all Fringe Transition Subdistricts.

(f) Medical uses.

(1) Hospital. Permitted in Central Hi-Rise Mix Subdistrict and by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; and Central Hi-Rise Office Subdistricts.

(2) Nursing home. Permitted in Central Hi-Rise Mix Subdistrict; and by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; and Central Hi-Rise Office Subdistricts.

(3) Residence home for the aged. Permitted in Central Hi-Rise Mix Subdistrict; and by specific use permit in all Interior Neighborhood Subdistricts except Interior Transition; and all Freeway Frontage Subdistricts except Central Hi-Rise Mix.

(4) Medical clinic. Permitted in Historic Transition; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; all Freeway Frontage and Fringe Transition Subdistricts; by specific use permit in Historic Core; Historic Neighborhood Service; Interior Mid-Rise Mix and Interior Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(5) Medical or scientific laboratory. Permitted in all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(6) Optical shop. Permitted in all Historic Subdistricts; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Transition; all Freeway Frontage and Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(7) Medical appliance fitting and sales. Permitted in Historic Transition; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; all Freeway Frontage and Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(8) Ambulance service. Permitted in Central Hi-Rise Mix Subdistrict.

(g) Religious uses.

(1) Church. Permitted in Woodall Hi-Rise; Woodall Mid-Rise Mix; and by specific use permit in all other subdistricts in the State-Thomas SPD.

(2) Rectory. Permitted in all subdistricts.

(3) Convent or monastery. Permitted in the Central Hi-Rise Mix Subdistrict; and by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Woodall Mid-Rise Mix; and Central Hi-Rise Office Subdistricts.

(4) Establishment of a religious, charitable, or philanthropic nature. Permitted in Central Hi-Rise Mix Subdistrict; and by specific use permit in all Interior Neighborhood Subdistricts except Interior Transition; and all Freeway Frontage Subdistricts.

(h) Educational uses.

(1) Public and private school. Permitted in Woodall Hi-Rise and Woodall Mid-Rise Mix Subdistricts; and by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise

Office/Residential; Interior Mid-Rise Mix; Allen Street Special Retail; Woodall/Guillet Hi-Rise; Woodall Transition; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(2) Institute for special education. Permitted by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Mid-Rise Mix; Allen Street Special Retail; and all Freeway Frontage Subdistricts.

(3) Business school. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Woodall Mid-Rise Mix; and Woodall Transition Subdistricts.

(4) College, university, or seminary. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and by specific use permit in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Woodall Mid-Rise Mix; and Woodall Transition Subdistricts.

(5) College fraternity or sorority house. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Mid-Rise Mix; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition Subdistricts.

(6) College dormitory. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Interior Mid-Rise Mix; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition Subdistricts.

(7) Library, art gallery, or museum. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted¹ use; in the Interior Mid-Rise Mix Subdistrict as a restricted³ use; and in the Allen Street Special Retail Subdistrict as a restricted² use.

(i) Recreation and entertainment uses.

(1) Public park or playground. Permitted in all Interior Neighborhood Subdistricts except Interior Transition; and all Freeway Frontage Subdistricts.

(2) Game court center. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition Subdistricts.

(3) Private recreation club or area. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Allen Street Special Retail; Woodall Mid-Rise Mix; and Woodall Transition Subdistricts.

(4) Inside commercial amusement. Permitted in all Freeway Frontage Subdistricts; by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential and Interior Mid-Rise Office/Residential Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(5) Outside commercial amusement. Permitted by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(6) Theatre. Permitted in all Historic Subdistricts, all Freeway Frontage Subdistricts; all Fringe Transition Subdistricts; and the Interior Transition Subdistrict; by specific use permit in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; and Interior Mid-Rise Office/Residential Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(7) Wax museum. Permitted by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(j) Bar and restaurant uses.

(1) Bar, lounge, or tavern. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted² use in the Allen Street Special Retail Subdistrict.

(2) Restaurant without drive-in service. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; as a limited or restricted¹ use in the Interior Mid-Rise Residential; and as a limited or restricted² use in the Allen Street Special Retail Subdistrict.

(3) Restaurant with alcoholic beverages and/or entertainment. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted² use in the Allen Street Special Retail Subdistrict.

(4) Private club. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted² use in the Allen Street Special Retail Subdistrict.

(5) Catering service. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(k) Professional, personal service, and custom crafts uses.

(1) Office. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as restricted¹ use; in the Interior Mid-Rise Mix Subdistrict, as a restricted³ use; and in the Allen Street Special Retail Subdistrict, as a restricted use² use.

(2) Temporary construction or sales office. Permitted in all subdistricts.

(3) Bank or savings and loan office (without drive-in). Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; by specific use permit in all Historic; Interior Transition; and all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(4) Bank or savings and loan office (with drive-in). Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(5) Barber and Beauty Shop. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a limited or restricted¹ use; and in the Allen Street Special Retail Subdistrict as a limited or restricted² use.

(6) Health studio. Permitted in all Freeway Frontage Subdistricts; as a limited or restricted¹ use in Interior Mid-Rise Residential; Interior Hi-Rise Office/Residential; and Interior Mid-Rise Office/Residential Subdistricts; and as a limited or restricted² use in the Allen Street Special Retail Subdistrict.

(7) Self service laundry or dry cleaning. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; as a restricted² use in the Allen Street Special Retail Subdistrict; and as a limited use in the Interior Mid-Rise Residential Subdistrict.

(8) Laundry or cleaning pickup and receiving station. Permitted in Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; all Freeway Frontage and Fringe Transition Subdistricts; as a restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(9) Key shop. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(10) Shoe repair. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(11) Tailor, custom sewing, and millinery. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted¹ use; and in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(12) Travel bureau. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted¹ use; and in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(13) Broadcasting or recording studio. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(14) Instructional arts studio. Permitted in all Historic Subdistricts; the Interior Transition Subdistrict; all Freeway Frontage Subdistricts; all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(15) Handcrafted art work studio. Permitted in all Historic Subdistricts; the Interior Transition Subdistrict; all Freeway Frontage Subdistricts; all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(16) Handcrafted bookbinding. Permitted in all Historic Subdistricts; the Interior Transition Subdistrict; all Freeway Frontage Subdistricts; all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(17) Photography studio. Permitted in all Historic Subdistricts; the Interior Transition Subdistrict; all Freeway Frontage Subdistricts; all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(18) Safe deposit boxes. Permitted in all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(19) Wedding chapel. Permitted in all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(1) Retail uses.

(1) Retail stores other than listed. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(2) Antique shop. Permitted in all Historic Subdistricts; the Interior Transition Subdistrict; all Freeway Frontage Subdistricts; and all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(3) Retail food store. Permitted in Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted² use in the Allen Street Special Retail Subdistrict.

(4) Bakery or confectionery shop. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted¹ use; in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(5) Book and stationery store. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted¹ use; in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(6) Camera store. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted¹ use; in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(7) Cigar, tobacco, and candy store. Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a limited or restricted¹ use; in the Allen Street Special Retail Subdistrict, this use is permitted as a limited or restricted² use.

(8) Clothing store. Permitted in all Historic Subdistricts; the Interior Transition Subdistrict; all Freeway Frontage Subdistricts; all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(9) Drug store. Permitted in Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted² use in the Allen Street Special Retail Subdistrict.

(10) Beverage store. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a limited or restricted² use in the Allen Special Retail Subdistrict.

(11) Florist store. Permitted in all subdistricts; except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail Subdistricts. This use is permitted as a restricted¹ use in the Interior Mid-Rise Residential Subdistrict; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(12) Pet shop. Permitted in Historic Neighborhood Service; Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(13) Furniture store. Permitted in all Historic Subdistricts; Interior Transition; Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; Central Hi-Rise Mix; and all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(14) Hardware or sporting goods store. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(15) Hobby and art supplies store. Permitted in all subdistricts except Interior Mid-Rise Residential, Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(16) Paint and wallpaper store. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(17) Swimming pool sales and supply. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(m) Motor vehicle related uses.

(1) Automobile or motorcycle display, sales, and service (inside display). Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(2) Auto parts sales (inside only). Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(3) Auto repair garage (inside). Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(4) Car wash. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(5) Service station. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(6) Commercial parking lot or garage. Permitted in all Freeway Frontage Subdistricts; and by specific use permit in all Interior Neighborhood Subdistricts except Interior Transition.

(n) Commercial uses.

(1) Appliance fix-it shop. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(2) Building repair and maintenance shop. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(3) Plumbing, electrical, air conditioning, and heating shops. Permitted in Central Hi-Rise Mix.

(4) Job printing, lithographer, printing, or blueprinting plant. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(5) Duplication shop. Permitted in all Historic Subdistricts; the Interior Transition Subdistrict; all Freeway Frontage Subdistricts; and all Fringe Transition Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(6) Custom print shop. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(7) Gummed label printing. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(8) Venetian blind or window shade repair, assembly, and sales. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(9) Computer service center. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(10) Garden shop, plant sales, or greenhouse. Permitted in all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(11) Diamond and precious stone sales (wholesale only). Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Interior Mid-Rise Residential Subdistrict, this use is permitted as a restricted¹ use; and in the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(12) Design or decorative center. Permitted in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(o) Animal related uses.

(1) Veterinarian's office. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential and all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(2) Animal clinic without outside runs. Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential and all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(p) Accessory uses. The listed accessory uses are permitted in the subdistricts indicated, subject to the provisions of Section 51-4.217.

(1) Game court (private). Permitted in all Interior Neighborhood Subdistricts, except Interior Transition; and all Freeway Frontage Subdistricts; and by specific use permit in Historic Transition and Fringe Transition Subdistricts.

(2) Swimming pool (private). Permitted in all subdistricts.

(3) Home occupation. Permitted in all subdistricts.

(4) Occasional sales (garage sales). Permitted in all subdistricts.

(5) Community center. Permitted in all Interior Neighborhood Subdistricts, except Interior Transition; all Freeway Frontage Subdistricts.

(q) Special Uses. Special uses are nonresidential uses not defined in the Dallas Development Code.

(1) Art or drama studio.

(A) This use is defined as a facility for instructing, coaching, or counselling in art, ceramics, drama, speech, or similar personal skills or arts.

(B) Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(2) Art or frame shop.

(A) This use is defined as a facility for the retail sale of art, art supplies, framing, framing materials, and related accessories.

(B) Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(3) Community center.

(A) This use is defined as a community service facility where social, recreational, or child care service is provided by a public, quasi-public, tax-exempt, church, or municipal agency.

(B) Permitted in Interior Hi-Rise Office/Residential; Interior Mid-Rise Office/Residential; and all Freeway Frontage Subdistricts; and as a restricted² use in the Allen Street Special Retail Subdistrict.

(4) Gift shop.

(A) This use is defined as a facility for the retail sale of novelties such as greeting cards, jewelry, and other small manufactured articles intended mainly for personal or household adornment.

(B) Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. In the Allen Street Special Retail Subdistrict, this use is permitted as a restricted² use.

(5) Ice cream shop.

(A) This use is defined as a facility for the retail sale of ice cream, frozen yogurt, or other frozen goods not requiring any cooking facilities.

(B) Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. This use is permitted as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict, and as a restricted² use in the Allen Street Special Retail Subdistrict.

(6) Drive-thru restaurant.

(A) This use is defined as any restaurant with direct window service allowing customers in motor vehicles to pick up food for off premise consumption.

(B) Permitted by specific use permit in Woodall/Guillet Hi-Rise; Woodall Hi-Rise; Central Hi-Rise Office; and Central Hi-Rise Mix Subdistricts.

(7) Coffee shop.

(A) This use is defined as an establishment with limited food preparation on site, where only non-alcoholic beverages are served, and having a seating capacity of less than 31 persons.

(B) Permitted in all subdistricts except Interior Mid-Rise Residential; Interior Mid-Rise Mix; and Allen Street Special Retail. This use is permitted as a limited or restricted¹ use in the Interior Mid-Rise Residential Subdistrict, and as a restricted² use in the Allen Street Special Retail Subdistrict.

(C) The only food preparation permitted in a coffee shop is the preparation of cakes, cookies, pies, sandwiches, and hot beverages.

(r) Restricted use regulations.

(1) Restricted¹ uses.

(A) Floor area. No restricted¹ use may have a floor area greater than 2,000 square feet.

(B) Location in structure. Restricted¹ uses are permitted only on basement and ground floor levels of a structure.

(2) Restricted² uses.

(A) Floor area. No minimum or maximum floor area requirements.

(B) Location in structure. Restricted² uses are permitted only on basement, ground, and second floor levels of a structure.

(3) Restricted³ uses.

(A) Floor area. No minimum or maximum floor area requirements.

(B) Location in structure. Restricted³ uses are permitted only on basement, ground, and second floor levels of a structure. Restricted³ uses are also permitted on the third floor level, if any, and only if the third floor has an interior floor level that is at or above the eaveline of the primary roof structure. (Ord. Nos. 19084; 25711)

SEC. 51P-225.107. DEVELOPMENT STANDARDS FOR THE HISTORIC DISTRICT.

(a) Density.

(1) Limitation on dwelling units.

(A) Core and Neighborhood Service Subdistricts. Residential buildings in these subdistricts are limited to three dwelling units per story and six dwelling units overall. Nonresidential buildings are limited to two dwelling units per story and four dwelling units overall. Residential uses are limited to six dwelling units per lot.

(B) Transition Subdistricts. No dwelling unit limitations in the Transition Subdistricts.

(2) Floor area ratio ("FAR").

(A) Core and Neighborhood Service Subdistricts.

(i) Nonresidential buildings that contain no residential uses are limited to a maximum FAR of 1.25:1.

(ii) All other buildings and structures are limited to a maximum FAR of 1.5:1.

(B) Transition Subdistricts. All buildings and structures are limited to a maximum FAR of 2:1.

(b) Lot coverage.

(1) Core and Neighborhood Service Subdistricts. Maximum permitted lot coverages are:

(A) 60 percent for a structure containing a residential use; and

(B) 50 percent for a structure that does not contain a residential use.

(2) Transition Subdistricts. Maximum permitted lot coverages are:

- (A) 70 percent for a structure containing a residential use; and
- (B) 60 percent for a structure that does not contain a residential use.

(c) Height.

(1) Core and Neighborhood Service Subdistricts. Maximum permitted heights for all buildings and structures are:

- (A) 36 feet for a main building or structure; and
- (B) 14 feet for an accessory building or structure.

(2) Transition Subdistrict. Maximum permitted height for all buildings and structures is determined by the slope beginning at a line parallel to and 36 feet above the boundary line of the Historic Core Subdistrict and extending perpendicularly from that line over the transition subdistricts two feet horizontally for every one floor of vertical rise, to a maximum height of 48 feet.

(d) Story limitation. For purposes of this subsection, story is not a term of measurement, and one-half of a story means the interior floor level that is at or above the eave line of the primary roof structure.

(1) Core and Neighborhood Service Subdistricts. Maximum permitted number of stores is two and one-half.

(2) Transition Subdistricts. Maximum permitted number of stories is three and one-half.

(e) Lot size.

(1) Core and Neighborhood Service Subdistricts. Lots must conform to the following standards:

(A) Each lot must have an area no less than 3,000 and no more than 9,000 square feet.

(B) Each corner lot must have a width no less than 40 feet and no more than 65 feet.

(C) Each interior lot must have a width:

(i) no less than 35 and no more than 55 feet; or

(ii) that is within five percent of the average width of all interior lots on the same blockface.

(D) Special exception. Lots platted on or before March 19, 1986 are legal building sites even though they may not conform to the requirements of this section.

(2) Transition Subdistricts. No lot size requirements.

(f) Setbacks.

(1) Core and Neighborhood Service Subdistricts.

(A) Minimum front yard. A main building on an interior or corner lot must have a front yard setback that is within five percent of the average setback of all main buildings in the same blockface.

(B) Minimum side and rear yards. Minimum permitted rear and side yard setback for any building or structure is five feet.

(2) Transition Subdistricts.

(A) Front yard.

(i) All structures except as provided in Subparagraph (A)(ii) below must have a minimum front yard setback of eight feet and a maximum front yard setback of 18 feet.

(ii) All structures on a corner lot in a blockface that includes lots in the Core Subdistrict must have a front yard (or where applicable, a corner side yard) setback that is within five percent of the average setback of all main buildings on the same blockface.

(B) Rear yard. All structures must have a minimum rear yard setback of five feet.

(C) Side yard. No minimum side yard requirement, unless a corner side yard occurs on a blockface that includes lots in the Core Subdistrict, when a corner side yard setback is required in accordance with Subparagraph (A)(ii) above.

(g) Off-street parking.

(1) Minimum number of spaces required.

(A) Residential uses. Residential uses must provide one off-street parking space for each dwelling unit.

(B) Nonresidential uses.

(i) In general. Nonresidential uses must provide one off-street parking space for each 500 square feet of floor area.

(ii) Special exception. Any nonresidential use in a contributing structure must provide a minimum of one off-street parking space for each 1,000 square feet of floor area.

(2) Location of off-street parking.

(A) In general. All off-street parking, whether used to fulfill minimum parking requirements or as excess parking, must be set back no less than the required front yard. Required off-street parking must be provided on the lot occupied by the main use, or on the rear 50 percent of a separate lot that is:

(i) dedicated to parking use by an instrument approved by the city attorney, filed with the building official and in the deed records of the county in which the property is located, and consolidated with the main use under one certificate of occupancy with the main use;

(ii) located in the same subdistrict as the main use or in another district that allows a commercial parking lot or garage as a main use; and

(iii) located within 600 feet of the lot occupied by the main use. The distance measured includes streets and alleys and is the shortest distance between the lots.

(B) Parking on vacant lots.

(i) On vacant lots, no off-street surface parking may be located within 75 feet of Hibernia Street, State Street, Thomas Avenue, or Colby Street.

(ii) In City Block 564, the only setback requirement for off-street surface parking on vacant lots is that it may not be located within 75 feet of Boll Street.

(C) Parking in the State-Thomas Historic District. Off-street parking (whether required or not) for a use outside the State-Thomas Historic District may not be located in that district.

(3) Access to off-street parking.

(A) Generally. A public alley, access easement, or private driveway may be used for two-way access to and from off-street parking, and for maneuvering space, without the approval of the director of public works and transportation. Driveways providing access to off-street parking must be at least eight feet wide.

(B) Structured parking. In all Historic Subdistricts, vehicular access to parking structures is not permitted to or from the street on which the main building fronts, unless the lot abuts no other street or alley.

(4) Screening. All off-street parking must be screened from the street and from adjacent lots containing residential uses. Screening from the street must be at least three and one-half feet in height. Screening from adjacent lots containing residential uses must be at least six feet in height. Screening on vacant lots must be located within three feet of the parking spaces screened. A landscape hedge may be used to screen off-street parking. No screening must be solid, however, it may not have more than 70 square inches of open area for each square foot of surface area.

(5) Surface materials. The only permitted off-street parking surface materials are brushed or aggregate concrete, hot mix asphalt, masonry pavers, and gravel that is at least three inches thick.

(h) Signs.

(1) In general. Except as otherwise provided in this article, signs are governed by the provisions for non-business zoning districts contained in Article VII, "Sign Regulations."

(2) Detached signs.

(A) Core and Neighborhood Service Subdistricts. Only one detached sign is permitted on each lot. The sign must:

(i) be located at least 15 feet from the public right-of-way, or at the building line if this requires a lesser setback;

- (ii) be five feet or less in height;
- (iii) not be illuminated; and
- (iv) not exceed four square feet in effective area.

(B) Transition Subdistricts. Only one detached sign is permitted for each 50 lineal feet of street frontage. Each sign must:

- (i) be located at least eight feet from the public right-of-way, or at the building line if this requires a lesser setback;
- (ii) be five feet or less in height;
- (iii) not be illuminated; and
- (iv) not exceed four square feet in effective area.

(3) Attached signs.

(A) Core and Neighborhood Service Subdistricts. No more than two attached signs are permitted on each building. Each sign must:

- (i) not be illuminated, except by one external spotlight not to exceed 75 watts in power; and
- (ii) not exceed one square foot in effective area.

(B) Transitions Subdistricts. No more than two attached signs are permitted for each 50 lineal feet of street frontage. Each sign must:

- (i) not be illuminated except by one external spotlight not to exceed 75 watts in power; and
- (ii) not exceed one square foot in effective area.

(i) Special landscaping requirements. All lots with nonresidential uses on the ground floor must have at least two trees planted in parkway areas that are over two feet in width. The trees must be:

- (1) of at least three-inch caliper;
- (2) placed a uniform distance apart; and
- (3) planted along a line parallel to the street. (Ord. Nos. 19084; 21018; 25711)

SEC. 51P-225.108. REVIEW PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS IN THE HISTORIC DISTRICT.

(a) In general. The review procedure for routine maintenance and replacement and the standard review procedure outlined in Section 51-4.501 apply to the Historic District except as expressly modified by this section.

(b) Review by the director.

(1) Routine maintenance and replacement. Routine maintenance and replacement includes, but is not limited to the process of cleaning (including water blasting and stripping); repainting an item the same color; and replacing, duplicating, or stabilizing deteriorated or damaged architectural features. (For more information regarding routine maintenance and replacement, see Section 51-4.501.)

(2) Minor exterior alterations. In addition to approving or denying applications for certificates of appropriateness for routine maintenance and replacement, the director shall approve or deny an application for a certificate of appropriateness for one or more of the following minor exterior alterations as if the work were routine maintenance and replacement:

(A) The application, installation, maintenance, or replacement of:

- (i) storm windows and doors;
- (ii) window and door screens;
- (iii) gutters and downspouts;
- (iv) skylights and solar panels;
- (v) fences;
- (vi) a chimney or awning located on an accessory building, or located on the rear 50 percent of a main building and not part of the corner side facade;
- (vii) lights located at ground level, in a tree or shrub, along eaves and soffits, or on accessory buildings;
- (viii) paint of any color;
- (ix) signs;
- (x) pavement; and
- (xi) landscaping.

(B) The restoration of original architectural elements.

(C) The demolition of an accessory structure.

(c) Review by the committee and commission.

(1) The standards contained in this section should be used by the committee in making its recommendation to the commission.

(2) The commission shall review all applications for certificates of appropriateness forwarded to it by the director and committee. In reviewing an application, the commission shall determine whether the proposed work complies with the preservation criteria and regulations contained in this article and all other applicable ordinances. If the proposed work complies, the commission shall grant the certificate.

(3) Except as otherwise provided in this section, if the proposed work does not comply with or is not addressed by the preservation criteria and regulations contained in this article or any other applicable ordinance, the commission shall deny the certificate.

(4) If the proposed work is the restoration of original architectural elements and will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of a structure or blockface in the Historic District, or of the Historic District as a whole, the commission shall grant the certificate. In determining whether the proposed work constitutes the restoration of original architectural elements, the commission shall consider all available materials, including but not limited to photographs and drawings showing the original appearance of the building and its surrounding property at the time of construction.

(5) If the proposed work is not addressed by the preservation criteria and regulations contained in this article and all other applicable ordinances, and will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of a structure or blockface in the Historic District, or of the Historic District as a whole, the commission shall grant the certificate.

(d) Who may appeal. Only the applicant may appeal a decision by the director or the commission to deny a certificate of appropriateness. (Ord. Nos. 19084; 25711)

SEC. 51P-225.109. PRESERVATION CRITERIA FOR THE HISTORIC DISTRICT.

(a) Building placement, form, and treatment.

(1) Accessory buildings. Accessory buildings are only permitted in the rear yard and the interior side yard and must be compatible with the scale, shape, roof form, materials, detailing, and color of the main building. All accessory buildings must have pitched roofs.

(2) Additions. Additions to a main building are only permitted on the side and rear facades, except that a porch may be added to the front facade. All additions to a building must be compatible with the dominant horizontal or vertical characteristics, scale, shape, roof form, materials, detailing, and color of the building.

(3) Architectural detail. Materials, colors, structural and decorative elements, and the manner in which they are used, applied, or joined together must be typical of the style and period of the other buildings, if any, on the blockface and compatible with the contributing structures in the Historic Core Subdistrict.

(4) Awnings. Awnings on the front and corner side facade must be made of fabric and complement the main building in style and color. Metal and corrugated plastic awnings are only permitted on an accessory building or the rear facade of a main building. Other awnings must be typical of the style and period of the main building, and compatible with the contributing structures of a similar style in the Historic Core Subdistrict.

(5) Building eaves. The eave or soffit height of a main building must be within 10 percent of the eave or soffit height of the closest main building in the Historic District of a similar style and having the same number of stories.

(6) Building placement. All buildings must be placed so as not to adversely affect the rhythm of spaces between buildings on the blockface.

(7) Building widths.

(A) Core and Neighborhood Service Subdistricts.

(i) Main buildings on interior lots. A main building on an interior lot must have a width no less than 25 feet and no more than 80 percent of the lot width.

(ii) Main buildings on corner lots. A main building on a corner lot must have a width no less than 35 feet and no more than 60 feet.

(B) Transition Subdistricts. No building width requirements.

(8) Chimneys. All chimneys must be compatible with the style and period of the main building and the contributing structures of a similar style in the Historic Core Subdistrict. Chimneys on the front 50 percent of a main building or on a corner side facade must be:

(A) constructed of brick or other materials that look typical of the style and period of the main building; and

(B) of a style and proportion that is typical of the style and period of the main building and the other buildings on the same blockface.

(9) Color.

(A) In general. Permitted exterior colors and color combinations are limited to those typically used in the 19th century. The director shall keep publications that illustrate permitted exterior colors and color combinations in a permanent file that is made available for public inspection.

(B) Brick surfaces. Brick surfaces not previously painted may not be painted unless the applicant establishes that the painting is necessary to restore or preserve the brick itself.

(C) Certain colors prohibited. Fluorescent and metallic colors are not permitted on the exterior of any structure in the Historic District.

(D) Dominant and trim colors. All structures must have a dominant color and no more than five trim colors. The colors of a structure must be complementary of each other and the overall character of the Historic District.

(E) Gutters and downspouts. Gutters and downspouts must be painted or colored to match the trim color or the roof color of the structure.

(F) Roof colors. Roof colors must complement the style and overall color scheme of the structure.

(G) Stain. The use and color of stain must be typical of the style and period of the building.

(10) Columns.

(A) Function. Columns are only permitted as vertical supports near the front entrance of the main building or as vertical supports for porches.

(B) Materials. Columns must be constructed of brick, wood, or other materials that look typical of the style and period of the main building.

(C) Style. Columns must be of a style typical of the style and period of the main building.

(11) Facade materials.

(A) In general. The only permitted facade materials are brick, wood siding, and wood products that look like wood siding. All facade treatments and materials must be typical of the style and period of the main building.

(B) Wood facades. Existing wood facades must be preserved as wood facades (no existing wood facade may be bricked). Wood shingles are not permitted as a primary facade material.

(12) Front entrances and porches.

(A) In general.

(i) Core and Neighborhood Service Subdistricts. Each main building must have a covered front porch that extends across at least 50 percent of the front facade.

(ii) Transition Subdistricts. Each front facade of a main building must be interrupted at intervals no greater than 50 feet by a porch, a bay window, or a change of plane. If a change of plane is used, the inset or jutting portion must be generally parallel to the street and must be inset or set out a minimum of two feet from the typical plane of the facade. These elements must occupy no less than 30 percent and no more than 60 percent of the front facade.

(B) Detailing. Railings, moulding, tilework, carvings, and other detailing and architectural decorations on front entrances and front porches must be typical of the style and period of the main building and the contributing structures of a similar style in the Historic Core Subdistrict.

(C) Enclosures. A front entrance or front porch may not be enclosed with any material, including iron bars, glass, or mesh screening.

(D) Facade openings. Front porches must not obscure or conceal any facade openings in the main building.

(E) Floor coverings. Carpeting is not permitted as a front porch floor or step covering.

(F) Style. Each front porch and entry treatment must have a shape, roof form, materials, and colors that are typical of the style and period of the building, and must reflect the dominant horizontal or vertical characteristics of the main building and the contributing structures of a similar style in the Historic Core Subdistrict.

(13) Porte cocheres. Porte cocheres must be preserved as architectural features and not be enclosed by fences, gates, or any other materials.

(14) Roof forms.

(A) Materials and colors. Roof materials and colors must complement the style and overall scheme of the building or structure. On residential structures, tar and gravel (built-up) is only permitted as a roof material on covered porches and porte cocheres with flat roofs. Carpet is not

permitted as a roof material. Composition shingle, cedar shingle, and metal roofing materials may be permitted.

(B) Overhang. The minimum permitted roof overhang for a new or move-in main building is 12 inches. A replacement roof on an existing building must have an overhang that is equal to or greater than the overhang of the roof it replaces.

(C) Patterns. Roof patterns of a main building must be typical of the style and period of the architecture of the building and the contributing structures of a similar style in the Historic Core Subdistrict.

(D) Skylights and solar panels.

(i) Except as otherwise provided in this subsection, skylights and solar panels are only permitted on:

(aa) the rear 50 percent of the roof of a main building on an interior lot;

(bb) the rear inside quadrant of the roof of a main building on a corner lot; and

(cc) the roof of an accessory building in the rear yard.

(ii) The commission may allow skylights and solar panels at another location on a building if their placement does not have an adverse effect on the architecture of the building, blockface, or the Historic District as a whole.

(E) Slope and pitch. The degree and direction of roof slope and pitch must be typical of the style and period of the main building and compatible with existing building forms in the Historic Core Subdistrict. In no case is a roof permitted with a pitch less than a six-inch rise in any 12-inch horizontal distance. Flat or Mansard roof designs are not permitted on main or accessory buildings or structures, except that a covered porch or porte cochere may have a flat roof that is typical of the style and period of the main building.

(15) Signs. Signs must not obscure significant architectural features of the building. The shape, materials, color, design, and letter style of signs must be typical of and compatible with the style and period of the architecture of the building and complement the district. [See Section 51P-225.107(h) for additional standards applicable to signs.]

(16) Windows and doors.

(A) Front facade openings.

(i) Historic Core and Neighborhood Subdistricts. The total number of window and door openings (combined) in the front facade of a main building must be equal to or greater than the total number of original window and door openings (combined) in that facade. The number of door openings in the front facade of a main building must not be increased. Each story of a front facade of a main building must contain at least two windows or one window with a door.

(ii) Transition Subdistricts. For every 45 feet of building width, at least two windows or one window and a door must be provided in each story of the front facade.

(B) Glass. Clear, decorative stained, beveled, etched, and clear leaded glass may be permitted in any window opening. Reflective, tinted, opaque, and mirrored glass and plastic are not permitted in any opening. Translucent glass is not permitted, except in a bathroom window. No glass pane may exceed 16 square feet in area.

(C) Screens, storm doors, and storm windows. A screen, storm door, or storm window on a front or side facade of a main building may be permitted only if:

(i) its frame is painted or colored to match or complement the color scheme of the main building; and

(ii) it does not obscure significant features of the windows and doors it covers.

(D) Security and ornamental bars. Security and ornamental bars are not permitted on the exterior of the front and corner side facade of a main building.

(E) Shutters. Shutters must be typical of the style and period of the building and appear to be installed in a manner to perform their intended function.

(F) Style.

(i) All windows and doors in the front or side facade of a main building must be proportionally balanced in a manner typical of the style and period of the building.

(ii) No single, fixed plate glass is allowed except as part of an original period design. The size and proportion of window and door openings located on the front and side facades of a main building must be typical of the style and period of the building.

(iii) All windows, doors, and lights in the front and side facades of a main building must be typical of the style and period of the building. Windows must contain at least two lights (window panes). Front doors must contain at least one light. Sidelights must be compatible with the door.

(iv) The frames of windows must be trimmed in a manner typical of the style and period of the building and compatible with the contributing structures of a similar style in the Historic Core Subdistrict.

(b) Landscaping.

(1) Certain items prohibited in front and corner side yards. The following items are not permitted in the front and corner side yards:

(A) Aboveground meters.

(B) Berms.

(C) Cacti.

(D) Pylons and similar structures.

(E) Rock or sculpture gardens.

(2) Fences.

(A) Form.

(i) Fences must be constructed and maintained in a vertical position.

(ii) The top edge of a fence must be along a line that is either horizontal or parallel to grade. Except in the case of a picket, chain link, or wrought iron fence, the top edge of a fence must be flat. The director may approve a fence that does not comply with this paragraph if the applicant establishes that the fence is Victorian in character.

(B) Height. A fence in a front or corner side yard may not exceed three feet in height, unless a taller fence is needed to satisfy screening requirements for off-street parking. Maximum permitted height of any fence is nine feet.

(C) Location.

(i) A fence in an interior side yard must be located in the rear 50 percent of the side yard and behind the rearmost side projection of the main building, except that the commission may allow a fence to be located anywhere in an interior side yard if it determines that the fence does not screen all or any portion of a significant architectural feature of the main building on the same or an adjacent lot.

(ii) A fence in a corner side yard must not be directly in front of the corner side facade, except that the commission may allow a fence that is directly in front of all or any portion of the rear 50 percent of the corner side facade if:

(aa) more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and

(bb) the fence does not screen all or any portion of a significant architectural feature of the main building.

(iii) A fence in the corner side yard must be set back a minimum of two feet from a public sidewalk.

(iv) A fence must run either parallel or perpendicular to a building wall or lot line.

(v) A fence on a vacant lot must be set back a distance that is equal to or greater than the setback of the front facade of the closest main building, if any, in the same blockface. If no main building exists on the blockface, this setback is equal to or greater than the setback of the closest main building in the Historic Core Subdistrict. In the case of a single interior vacant lot, the setback must be equal to or greater than the setback of the main building, if any, on the adjacent lots with the greater setback. If no main building exists on either adjacent lot, this setback is equal to or greater than the setback of the closest main building in the Historic Core Subdistrict.

(D) Materials. A fence in a front or corner side yard must be constructed of wrought iron, wood, or brick. The use of brick in a fence is not permitted except as part of a structural column, or a base that is two feet or less in height. Concrete blocks are not permitted.

(E) Masonry columns and bases.

(i) The color, texture, pattern, and dimensions of masonry and the color, width, type, and elevation of mortar joints in a fence column or base must match the masonry and mortar joints of the main building as nearly as practicable.

(ii) All exposed brick in a fence column or base must be fired brick as defined by the American Standard Testing Materials Designation C-126-75A, Type Grade FBS-SW.

(F) Metal fences. Wrought iron and metal fences must be compatible with the style and period of the main building.

(G) Wooden fences.

(i) All wooden structural posts must be at least four inches in diameter (nominal size).

(ii) The side of a wooden fence facing a public street must be the finished side.

(iii) Wooden fences may be painted or stained a color that is complementary to the main building.

(3) Foundation plantings. Foundation plantings must not screen significant architectural features of the main building.

(4) Outdoor lighting. Outdoor light fixtures must be compatible with the style and period of the main building and not obscure or conflict with significant architectural details. Overhead and exposed wiring and conduit for outdoor lighting is not permitted. Except for mercury halogen vapor lights, colored outdoor lighting is not permitted in a front or side yard.

(5) Parkway plantings. All trees in the parkway must be placed a uniform distance apart and planted along a line parallel to the street.

(6) Pavement, filler, and edging materials. Pavement and filler and edging materials, such as landscape timbers, gravel, stone, brick, and bark, used in landscape beds in the front and corner side yards must be approved by the commission as part of an overall landscape plan if the landscape beds collectively comprise more than 25 percent of the combined areas of the front and corner side yards. No more than 25 percent of the front yard of a residential use may be covered by pavement or filler materials.

(7) Retaining walls. Retaining walls are not permitted in the front and side yards, except to preserve a natural or existing slope, or to make a slope similar to that of an adjacent lot. The height of a retaining wall must not exceed the height of the slope it retains. A retaining wall must be constructed of unpainted natural stone or brick that is compatible in texture, color, and style with the main building.

(8) Sidewalks, driveways, and curbing.

(A) Materials. All sidewalks and front yard driveways must be constructed of brushed or exposed aggregate concrete, masonry pavers, or red brick that matches or is compatible in texture, color, and style with the main building.

(B) Width, style, and spacing.

(i) Maximum permitted width of a driveway in a front yard is 10 feet. The driveway width may be expanded to 20 feet at any point behind the front facade.

(ii) Ribbon driveways are permitted, but only if the ribbons are at least one foot wide.

(iii) Circular driveways are not permitted in the front yard.

(iv) a driveway constructed in the front yard adjacent to an existing driveway on an adjacent lot must be spaced a minimum of one foot from the existing driveway pavement.

(v) Prior to the issuance of a certificate of occupancy (or prior to a final inspection if no certificate of occupancy is required for the use), each property owner is required to construct and maintain a four-foot-wide sidewalk in an area parallel to and within zero to eight feet of the back of the projected street curb. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of CHAPTER 43, "STREETS AND SIDEWALKS," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD. (Ord. Nos. 19084; 19382; 25711)

SEC. 51P-225.110. PUBLIC RIGHT-OF-WAY IMPROVEMENTS IN THE HISTORIC DISTRICT.

(a) Review of plans required. The director of public works and transportation shall submit plans for any proposed changes to the public right-of-way in the Historic District to the director, who shall forward the plans to the committee and commission for review to determine the impact of the change on historically significant properties, and its compatibility with preservation policy and the provisions of this article and all other applicable ordinances. The following preservation criteria apply specifically to public rights-of-way in this district.

(b) Lighting. Lighting in the public right-of-way must be uniform, and all light fixtures must be Victorian in character.

(c) Pavement and right-of-way widths. Neither existing street pavement widths nor existing street right-of-way widths in the State-Thomas Historic District may be increased except along Colby Street (between Fairmont Avenue and Boll Street) and the Routh-Maple connector. (Ord. Nos. 19084; 25711)

SEC. 51P-225.111. NONCONFORMING USES AND STRUCTURES.

(a) In general. Except as otherwise provided in this article, Section 51-4.704 relating to nonconforming uses and structures applies to all uses and structures in the State-Thomas Special Purpose District.

(b) Rebuilding damaged or destroyed structures. If a nonconforming structure in the Historic District is damaged or destroyed, the structure may be rebuilt at the same location without the approval of the board of adjustment. (Ord. Nos. 19084; 25711)

SEC. 51P-225.112.

TAX FREEZE REGULATIONS.

(a) State-Thomas SPD tax freeze. The owner of a qualifying historic landmark in the Historic District may apply for a tax freeze on city property taxes for both the land and structure on the building site. The qualifying historic landmark will have an annual assessed value equal to the assessed value of the tax year immediately before the restoration was completed, for eight years following completion of the restoration. The tax freeze will begin the first day of the first tax year after verification of the restoration. For purposes of this section, "restoration" means work performed in accordance with certificates of appropriateness granted by the commission and the construction codes of the city.

(b) Eligibility for tax freeze. To be eligible for a city property tax freeze, the property must be a city designated historic landmark located in the State-Thomas Historic District and must meet all of the following conditions:

(1) The historic landmark must not have been granted a previous property tax freeze under Section 51-4.501 or this article.

(2) At the time of application for the tax freeze, the exterior and interior of the historic landmark must be in need of restoration that exceeds 50 percent of the assessed value of the structure for the year the restoration is to begin. Only that restoration for which a building permit, electrical permit, plumbing permit, or other project permit has been issued may be counted in determining whether the work exceeds 50 percent of the assessed value.

(3) The structure must be a contributing structure in accordance with Section 51P-225.113.

(c) Application for tax freeze. An application for a historic landmark tax freeze must be filed with the director of development services. Each application must be signed and sworn to by the owner of the property and must include the following information:

(1) The legal description of the property.

(2) Detailed plans and documents related to the proposed work showing how the exterior of the historic landmark is to be restored in accordance with the preservation criteria.

(3) A statement and documentation of the costs for the restoration of the exterior and interior of the historic landmark to show that the costs exceed 50 percent of the assessed value of the structure.

(4) A projection of the construction time and completion date of the restoration.

(5) The proposed use of the property.

(6) Any other information which is necessary to the city in determining eligibility.

(d) Certification of eligibility. The owner of the historic landmark shall comply with the certificate of appropriateness procedure, and the contributing structure procedure in order to have the proposed alterations to the exterior of the historic landmark approved and to obtain a certificate of eligibility indicating that the historic landmark is eligible for the tax freeze.

(e) Qualification for tax freeze.

(1) Upon completion of the restoration of the historic landmark in accordance with the certificate of appropriateness and the certificate of eligibility, the owner shall submit to the director a sworn statement certifying that the restoration has been completed.

(2) The owner shall obtain a certificate of qualification for a tax freeze by following the same procedure as required for certificate of appropriateness review.

(3) If a certificate of qualification is approved, the director shall send written notice to the county appraisal district which shall appraise the property in accordance with Subsection (a) of this section. The director shall also send a copy of the certificate of qualification to the city finance department.

(4) A certificate of qualification shall not be approved until the applicant files a commitment to immediately repay to the city all tax revenues not paid because of the tax freeze if the owner is required to repay the taxes under Subsection (f) below. The commitment must be approved as to form by the city attorney and filed in the county deed records. The commitment shall run with the land and bind the owner and his heirs and assigns. Any unpaid repayment required under Subsection (f) below shall be a lien against the property.

(f) Historic landmark destruction or alteration.

(1) If the city manager has reason to believe that a historic landmark has been totally or partially destroyed or altered by the willful act or negligence of the owner or his representative in violation of the preservation criteria contained in this article, the city manager shall immediately cause the matter to be scheduled for the earliest possible consideration by the city council. If, after giving notice and hearing to the owner, the city council determines that the historic landmark has been totally or partially destroyed or altered by the willful act or negligence of the owner or his representative, the owner shall immediately repay to the city all of the tax revenues that were not paid because of the tax freeze.

(2) Where a historic landmark is totally or partially destroyed or altered other than by the willful act or negligence of the owner or his representative, the owner shall, within 30 days, request a building permit to reconstruct the historic landmark in accordance with the preservation criteria. The determination as to whether restoration is feasible shall be made by the commission, upon the advice of the landmark committee, as part of the certificate of appropriateness review procedure required to be followed in obtaining a demolition or building permit. In cases where a demolition permit is issued by the city because restoration is not feasible, repayment of the tax revenue is not required.

(g) Extension of tax freeze beyond Historic District. If a structure not currently located in the Historic District is designated as an historic landmark and a contributing structure, the ordinance designating the structure may extend this tax freeze to that structure. (Ord. Nos. 19084; 25711)

SEC. 51P-225.113.

DESIGNATION AS A CONTRIBUTING STRUCTURE.

(a) Designation procedure. For the purpose of this article, a property owner may wish to have a structure in the State-Thomas SPD designated as a contributing structure. To obtain this designation, a property owner must follow the procedure set forth below.

(b) Application to the director. A person wishing to have a structure designated as a contributing structure shall submit an application to the director. The application must contain the following:

(1) a document stating when the structure was built, and its contribution to the Historic District;

(2) photographs of the structure; and

(3) any other relevant information needed by the city in making its determination.

(c) Review by the committee and the commission.

(1) Once a completed application is submitted, the director shall forward it to the committee and commission.

(2) The committee and the commission shall use the following standard in making the determination. Any building built prior to 1920 or whose location, design, setting, materials, workmanship, feeling, and association adds to the Historic District's sense of time and place and historical development is a contributing structure. A building is not considered contributory if the proceeding elements have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.

(d) Appeal. An applicant whose request for designation is rejected by the commission may appeal the rejection to the city council upon filing a written request with the city manager. This request must be filed within 15 days of the commission's decision. (Ord. Nos. 19084; 25711)

SEC. 51P-225.114. GRAPHICS AND DESIGN GUIDELINES FOR THE HISTORIC DISTRICT.

Graphics that illustrate the requirements of the Historic District are provided as Exhibit 225B. In the event of a conflict, the text of this article controls over any graphic display. Nonmandatory design guidelines are also provided as Exhibit 225C. (Ord. Nos. 19084; 25711)

SEC. 51P-225.115. ENFORCEMENT.

(a) Certificate of appropriateness required. A person commits an offense if he is criminally responsible for an alteration of the physical character of any real property located in the Historic District, or any portion of the exterior of a structure on the property, or the placement, construction, maintenance, expansion, or removal of any structure on or from the property, unless the act is expressly authorized by a certificate of appropriateness obtained in accordance with this article and Section 51-4.501.

(b) Defenses to prosecution. It is a defense to prosecution under Subsection (a) of this section that the alteration is:

(1) in a rear yard and six feet or less in height;

(2) in a side yard, six feet or less in height, and totally screened by a fence or hedge that is at least six feet in height;

(3) the installation, maintenance, or replacement of plant materials not prohibited;

(4) the installation, maintenance, or replacement of:

(A) a sprinkler system; or

- (B) an air conditioning unit in the side or rear yard;
 - (5) the installation or maintenance of a special purpose sign; or
 - (6) temporary in nature. An alteration is temporary in nature if it occurs no more than two time periods per calendar year for a maximum of five days per time period.
- (c) Additional offenses. A person commits an offense if he is criminally responsible for a violation of the use regulations or development standards of this article.
- (d) Criminal responsibility. A person is criminally responsible for a violation if he:
- (1) commits or assists in the commission of an act in violation; or
 - (2) owns part or all of the land or a structure on the land where a violation exists.
- (Ord. Nos. 19084; 25711)

SEC. 51P-225.116. DEVELOPMENT STANDARDS FOR THE INTERIOR NEIGHBORHOOD DISTRICT.

- (a) Density (stated in floor area ratio "FAR").
- (1) Mid-Rise Residential Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Main buildings containing no residential uses are not permitted. Non-residential uses may not exceed the lesser of:
 - (A) an FAR of .25:1; or
 - (B) 20 percent of the total floor area of a structure.
 - (2) Hi-Rise Office/Residential Subdistrict. Buildings and structures may not exceed an FAR of 4:1 on any individual lot. The total floor area of nonresidential uses in the subdistrict may not exceed two times the total privately owned land surface area in the subdivision. Any application for a building permit for nonresidential uses must include a calculation showing that the TPR in the subdistrict is equal to or greater than the TNR.
 - (3) Mid-Rise Office/Residential Subdistrict. Buildings and structures may not exceed an FAR of 4:1 on any individual lot. The total floor area of nonresidential uses in the subdistrict may not exceed two times the total privately owned land surface area in the subdivision. Any application for a building permit for nonresidential uses must include a calculation showing that the TPR in the subdistrict is equal to or greater than the TNR.
 - (4) Mid-Rise Mix Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Nonresidential uses may not exceed an FAR of 1:1.
 - (5) Interior Transition Subdistrict. Buildings and structures may not exceed an FAR of 1.5:1.
 - (6) Allen Street Special Retail Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Nonresidential uses may not exceed an FAR of 1:1.
 - (7) Special bonus for moderate income housing.

(A) In all subdistricts except the Interior Transition Subdistrict, an additional one square foot of residential floor area may be constructed on a lot for each square foot of floor area of moderate income residential housing provided on that lot, up to a maximum FAR of 5:1 for all uses combined. The housing must meet the standard set forth below.

(B) Prior to the issuance of a building permit that takes advantage of the FAR bonus, the director of housing shall verify that the moderate income housing units meet the definition of this article. The director shall further verify that the purchase price for these units does not exceed 80 percent of the average PMSA purchase price of new or existing residences as reported annually by the United States Department of Housing and Urban Development (HUD) or that the rental rates do not exceed the annually updated Fair Market Rental Rates as reported by HUD. The director of housing shall develop a method for ensuring this housing remains available at the specified maximum rates.

(b) Lot coverage.

(1) In general. There are no lot coverage regulations in the Interior Neighborhood District with the exception of Paragraph (2) below.

(2) Interior Transition Subdistrict. Maximum permitted lot coverages, including parking structures that exceed a height of five feet above-grade, are:

(A) 70 percent for a structure containing a residential use; and

(B) 60 percent for a structure that does not contain a residential use.

(c) Height. For purposes of this subsection, maximum permitted heights do not include those structures specified in Section 51-4.408(a)(2)(A), except in the Interior Transition Subdistrict. These additional structures may project a maximum of 12 feet above the height limits set forth below.

(1) Interior Mid-Rise Residential Subdistrict. No building or structure may exceed a height of 100 feet.

(2) Interior Hi-Rise Office/Residential Subdistrict. No building or structure may exceed a height of 250 feet.

(3) Interior Mid-Rise Office/Residential Subdistrict. No building or structure may exceed a height of 150 feet.

(4) Interior Mid-Rise Mix Subdistrict. No building or structure may exceed a height of 100 feet. No building or structure containing no residential uses may exceed a height of 36 feet.

(5) Interior Transition Subdistrict. No building or structure may exceed a height of 36 feet. Nothing other than chimneys is permitted to project above the midpoint of the main roof structure.

(6) Allen Street Special Retail Subdistrict. No building or structure may exceed a height of 100 feet. No building or structure containing no residential uses may exceed a height of 30 feet.

(d) Story limitation. With the exception of Paragraphs (1) and (2) below, there are no story limitations in the Interior Neighborhood Subdistrict. For the purposes of this subsection, story is not a term of measurement, and one-half of a story means the interior floor level that is at or above the eave line of the primary roof structure.

(1) No building or structure in the Interior Transition Subdistrict may exceed two and one-half stories.

(2) No building or structure containing no residential uses in the Interior Mid-Rise Mix Subdistrict may exceed two and one-half stories.

(e) Lot size. There are no lot size requirements in the Interior Neighborhood District.

(f) Setbacks.

(1) In general. Except as provided in Paragraphs (2) and (3) below, the following setbacks apply to all subdistricts in the Interior Neighborhood District:

(A) Front yard. All structures must have a minimum setback of eight feet. Trellises, screens, awnings, and canopies may intrude into the required minimum front yard a distance of up to five feet.

(B) Side yard. There are no side yard requirements.

(C) Rear yard. There are no rear yard requirements.

(2) Interior Transition Subdistrict.

(A) Front yard. All structures on lots having frontage on Hibernia Street must have an average setback from Hibernia Street of 21 feet, and a minimum setback from Hibernia Street of 19 feet. All other lots in this subdistrict must have a minimum setback of eight feet. Trellises, screens, awnings, and canopies may intrude into the required minimum front yard a distance of up to five feet.

(B) Side yard. All structures on lots adjacent to the Historic District must have a minimum side yard setback of five feet on the side of the lot adjacent to the Historic District.

(3) Special setbacks required. All buildings and structures in the Interior Neighborhood District must provide the following special setbacks in addition to any other setbacks required in this section. If any of these setbacks conflict, the more restrictive setback applies.

(A) Additional front yard setback.

(i) An additional front yard setback that is equal to one foot of setback for each two feet of building height in excess of 76 feet, to a maximum total setback of 50 feet, is required whenever a building or portion of a building exceeds 76 feet in height. The additional setback is required only for that portion of a building that exceeds 76 feet in height.

(ii) An additional front yard setback that is equal to one foot of setback for each two feet of building height in excess of 64 feet, to a maximum total setback of 50 feet, is required whenever a building or portion of a building exceeds 64 feet in height any only portion of the building provides less than a 13-foot front yard setback. The additional setback is required only for that portion of a building that exceeds 64 feet in height.

(B) Additional side and rear yard setback. An additional side and rear yard setback that is equal to one foot of setback for each two feet of building height in excess of 76 feet, to a maximum total setback of 50 feet, is required whenever a building or portion of a building exceeds 76

feet in height. The additional setback is required only for that portion of a building that exceeds 76 feet in height.

(C) Additional setback for Historic Core Subdistrict adjacency. An additional setback that is equal to two feet of setback for every one foot of building height in excess of 36 feet, to a maximum total setback of 75 feet, is required whenever a building or portion of a building exceeds 36 feet in height and the building is either perpendicularly contiguous to or perpendicularly across an adjoining street or alley from the Historic Core Subdistrict. This additional setback is measured perpendicularly from a line parallel to and 36 feet above the lot line of the nearest lot in the Historic Core Subdistrict. The additional setback is required only for that portion of a building that exceeds 36 feet in height.

(g) Minimum building width.

(1) This requirement applies only to the Interior Mid-Rise Residential, the Interior Hi-Rise Office/Residential, the Interior Mid-Rise Office/Residential, the Interior Transition, and the Allen Street Special Retail Subdistricts.

(2) All buildings and structures must have a front building wall that extends through the "setback corridor" along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the length of the minimum front yard setback line minus any required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is: $.70 \times (\text{length of front yard setback line} - \text{required setback lines at either end})$. The setback corridor is a 10-foot-wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to 24 feet in height.

(h) Special facade design standards for Lots 1 and 2, Block B/562. Because the character of the Historic District could be damaged by incompatible structures located on Lots 1 and 2, Block B/562, the following design standards apply to the facades of buildings facing Hibernia Street and located on these lots.

(1) Each front facade of a main building must be interrupted at intervals no greater than 50 feet by a porch, a bay window, or a change of plane. If a change of plane is used, the inset or jutting portion must be generally parallel to the street, and must be inset or set out a minimum of two feet from the typical plane of the facade. These elements must occupy no less than 30 percent and no more than 60 percent of the front facade.

(2) If Lots 1 and 2, Block B/562 are developed together as one building site, the front facade facing Hibernia Street of any main building must be interrupted at least once by a change of plane that is a minimum width of 10 feet and a minimum depth of 35 feet from the property line abutting Hibernia Street.

(i) Off-street parking. The following requirements apply to all subdistricts in the Interior Neighborhood District.

(1) Minimum number of spaces required generally.

(A) Residential uses. Residential uses must provide one off-street parking space for each dwelling unit.

(B) Nonresidential uses other than bar and restaurant. All nonresidential uses with the exception of bar and restaurant uses must provide one off-street parking space for each 500 square feet.

(C) Bar and restaurant uses. Bar and restaurant uses must provide one off-street parking space for each 250 square feet.

(2) Special exception from minimum number of spaces required for certain uses on the basement and ground floors in the Allen Street Special Retail Subdistrict. Bar and restaurant; professional, personal service, and custom crafts; retail; and special uses that are permitted as restricted² uses and that have direct pedestrian access from and to a public sidewalk must provide the following minimum off-street parking spaces:

(A) no off-street parking spaces for the first 2,500 square feet of floor area;
and

(B) one space for each 1,500 square feet of floor area over 2,500 square feet.

(3) Location of off-street parking.

(A) Generally. All off-street parking (other than parking completely below-grade), whether used to fulfill minimum parking requirements or as excess parking, must be set back no less than the required front yard. Required off-street parking must be provided on the lot occupied by the main use, or on a separate lot that is:

(i) dedicated to parking use by an instrument approved by the city attorney, filed with the building official and in the deed records of the county in which the property is located, and consolidated with the main use under one certificate of occupancy with the main use;

(ii) located in this subdistrict or in another district that allows a commercial parking lot or garage as a main use; and

(iii) located within 600 feet of the lot occupied by the main use. The distance measured includes streets and alleys and is the shortest distance between the lots.

(B) Special setback for Allen Street Special Retail Subdistrict. No off-street parking is permitted within 30 feet horizontally of the Allen Street right-of-way line closest to the parking. This setback extends only 12 feet vertically.

(C) Access to off-street parking. A public alley, access easement, or private driveway may be used for two-way access to and from off-street parking. Vehicular access is not permitted to or from Hibernia Street to or from any lot within the Interior Transition Subdistrict, except that, if Lot 2 Block B/652 is developed as a single building site, access is permitted to and from that lot.

(D) Concealment of off-street parking. All permanent parking structures must be either underground or concealed in a building with a facade that is similar in appearance to the facade of the main non-parking building for which the parking is accessory. The parking structure facade is not required to be built of the same material, however. At least 12 percent of the parking structure facade (including openings, if any) must be covered with the same material used predominately on the first 24 feet of height of the main non-parking building. Openings in the parking structure facade may not exceed 52 percent of the total facade area.

(j) Signs.

(1) Interior Mid-Rise Residential Subdistrict.

(A) Attached signs are permitted in accordance with the provisions for non-business zoning districts contained in the Dallas Development Code, except that no sign may be located so that, at its highest point, it exceeds a height of 24 feet.

(B) Detached signs are not permitted.

(2) Interior Hi-Rise Office/Residential Subdistrict. Attached and detached signs are permitted in accordance with the provisions for business zoning districts contained in the Dallas Development Code.

(3) Interior Mid-Rise Office/Residential Subdistrict. Attached and detached signs are permitted in accordance with the provisions for business zoning districts contained in the Dallas Development Code.

(4) Interior Mid-Rise Mix Subdistrict. Attached and detached signs are permitted in accordance with the provisions for non-business zoning districts contained in the Dallas Development Code, except that no sign may be located so that, at its highest point, it exceeds a height of 30 feet.

(5) Allen Street Special Retail Subdistrict. Except as provided below, the provisions for business zoning districts contained in Article VII, "Sign Regulations," apply to this subdistrict.

(A) Definitions. In this subdistrict:

(i) BUILDING CORNICE AREA means that portion of a building facade above the highest story but below the actual roof structure.

(ii) CANOPY SIGN means a sign attached to, applied on, or supported by a canopy or awning.

(iii) FLAT ATTACHED SIGN means an attached sign projecting from a building and parallel to the building facade.

(iv) LOWER LEVEL SIGN means a sign partially or wholly situated below the top of the first floor windows or, if there are no first floor windows, below a point 12 feet above-grade.

(v) MARQUEE means a permanent canopy projecting over the main entrance of a building. A marquee is considered to be part of the building.

(vi) MARQUE SIGN means a sign attached to, applied on, or supported by a marquee.

(vii) PROJECTING ATTACHED SIGN means an attached sign projecting from a building.

(viii) THIS SUBDISTRICT means the Allen Street Special Retail Sign Subdistrict.

(ix) TYPE A FACADE means a facade with a total window area comprising between 30 to 50 percent (inclusive) of the total facade area.

(x) TYPE B FACADE means a facade with a total window area comprising less than 30 or more than 50 percent of the total facade area.

(xi) UPPER LEVEL SIGN means a sign wholly situated above the top of the first floor windows or, if there are no first floor windows, above a point 12 feet above-grade.

(xii) WINDOW SIGN means a sign painted or affixed onto a window.

(B) Provisions for all signs.

(i) The use of plastic on the exterior face of a sign is prohibited. Plastic may be used as a backing for routed letters in a sign can or as decorative ornaments.

(ii) The use of a fluorescent color on a sign is prohibited.

(iii) The use of fiberglass as a sign material is permitted.

(iv) The use of bare bulbs on a sign is permitted.

(v) Non-premise signs are prohibited.

(vi) The following typestyles are suggested, but not required, for all signs in this subdistrict:

(aa) Americana Extra Bold.

(bb) Aster Bold.

(cc) Avanta Garde.

(dd) Baskerville Bold.

(ee) Bookman Bold.

(ff) Caslon No. 3.

(gg) Century Bold Condensed.

(hh) Cheltenham Bold.

(ii) Univers 67.

(vii) Section 51-7.209, "Signs Displaying Noncommercial Messages," and Section 51-7.705, "Determination of Noncommercial Messages," apply in this subdistrict.

(C) Provisions for attached signs.

(i) Attached signs in general.

(aa) Except as provided below, the maximum height for all attached signs is 30 feet.

(bb) A sign which identifies a residential structure may be located on the building cornice area of the structure if the sign does not exceed 40 square feet in effective area.

(cc) Maximum effective area of an attached sign is 10 percent of the first 30 feet in height of the front facade of the building. (See Exhibit 225D.)

(ii) Canopy signs.

(aa) Maximum effective area of a canopy sign is 25 square feet.

(bb) Total effective area permitted for all canopy signs combined on a premise is the product obtained by multiplying 20 square feet times the number of street entrances to the premise.

(iii) Flat attached signs on Type A facades.

(aa) Maximum number of lower level flat attached signs is the sum obtained by counting all of the street entrances on that facade.

(bb) Maximum effective area of a lower level flat attached sign is eight square feet.

(cc) No character on a lower level flat attached sign may exceed a height of eight inches.

(dd) Maximum number of upper level flat attached signs is the sum obtained by counting all of the street entrances on that facade.

(ee) Maximum effective area of an upper level flat attached sign is 25 square feet.

(iv) Flat attached signs on Type B facades.

(aa) No premise may have more than one flat attached sign on each Type B facade.

(bb) Maximum effective area of a flat attached sign is 25 square feet.

(v) Marquee signs.

(aa) No premise may have more than one marquee sign on each facade.

(bb) Maximum effective area of a marquee sign is 90 square feet.

(cc) No marquee sign may have flashing lights.

(vi) Projecting attached signs.

(aa) Maximum number of projecting attached signs is the sum obtained by counting all of the street entrances on a facade.

(bb) Maximum effective area of a projecting attached sign is 20 square feet.

(cc) No projecting attached sign may be lower than 10 feet above-grade.

(vii) Window signs.

(aa) Maximum effective area of a window sign is 25 percent of the window area.

(bb) No character on a window sign may exceed a height of eight inches.

(D) Provisions for detached signs. No detached sign may:

(i) have an effective area greater than 150 square feet;

(ii) have a total height greater than 30 feet; or

(iii) be located less than 15 feet from a public right-of-way.

(6) Interior Neighborhood Transition Subdistrict. Attached and detached signs are permitted in accordance with the provisions for non-business zoning districts contained in the Dallas Development Code, except that no sign may be located so that, at its highest point, it exceeds a height of 24 feet.

(k) Sidewalks.

(1) Generally. With the exception of Paragraphs (2) and (3) below, all property owners in the Interior Neighborhood District are required to construct, prior to the issuance of a certificate of occupancy, and maintain an unobstructed six-foot-wide sidewalk in an area parallel to and within zero to 10 feet of the back of the projected street curb. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD.

(2) Allen Street Special Retail Subdistrict. All property owners in the Allen Street Special Retail Subdistrict are required to construct, prior to the issuance of a certificate of occupancy, and maintain an unobstructed eight-foot-wide sidewalk in an area parallel to and within zero to 12 feet of the back of the projected street curb. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD.

(3) Interior Transition Subdistrict. Owners of lots having frontage on Hibernia Street are required to construct, prior to the issuance of a certificate of occupancy, and maintain an unobstructed four-foot sidewalk in an area parallel to and within eight feet of the back of the projected street curb of

Hibernia Street. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD.

(l) Facade materials.

(1) Highly reflective glass may not be used as an exterior building material on any building or structure in the Interior Neighborhood District. For purposes of this subsection, highly reflective glass means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflective is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more mirror-like the surface will appear.)

(2) Nonresidential uses on the ground floor of any structure in the Interior Neighborhood District must use clear glass for all external windows. For purposes of this subsection, clear glass means glass with a minimum exterior visible transmittance of 80 percent.

(3) In the Interior Transition Subdistrict, the following special facade standards also apply:

(A) The only permitted facade materials are wood, brick, and stone.

(B) The only permitted facade trim materials are wood, brick, stone, iron work, ceramic tile, terra cotta, and cast stone.

(C) A maximum of 50 percent of any facade may consist of glass openings. (Ord. Nos. 19084; 20429; 25711)

SEC. 51P-225.117. DEVELOPMENT STANDARDS FOR THE FREEWAY FRONTAGE DISTRICT.

(a) Density (stated in floor area ratio "FAR").

(1) Woodall/Guillet Hi-Rise Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Nonresidential uses may not exceed an FAR of 2.5:1.

(2) Woodall Hi-Rise Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Nonresidential uses may not exceed an FAR of 2.5:1.

(3) Woodall Mid-Rise Mix Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Nonresidential uses may not exceed an FAR of 1:1.

(4) Woodall Transition Subdistrict. Buildings and structures may not exceed an FAR of 2.5:1.

(5) Central Hi-Rise Office Subdistrict. Buildings and structures may not exceed an FAR of 4:1.

(6) Central Hi-Rise Mix Subdistrict. Buildings and structures may not exceed an FAR of 4:1. Nonresidential uses may not exceed an FAR of 2.5:1.

(7) Special bonus for moderate income housing.

(A) In all subdistricts except the Woodall Transition Subdistrict, an additional square foot of residential floor area may be constructed on a lot for each square foot of floor area of moderate income residential housing provided on that lot, up to a maximum FAR of 5:1 for all uses combined. The housing must meet the standard set forth below.

(B) Prior to the issuance of a building permit that takes advantage of the FAR bonus, the director of housing shall verify that the moderate income housing units meet the definition of this article. The director shall further verify that the purchase price for these units does not exceed 80 percent of the average PMSA purchase price of new or existing residences as reported annually by the United States Department of Housing and Urban Development (HUD), or that the rental rates do not exceed the annually updated Fair Market Rental Rates as reported by HUD. The director of housing shall develop a method for ensuring this housing remains available at the specified maximum rates.

(b) Lot coverage.

(1) All subdistricts except Central Hi-Rise Mix. Maximum permitted lot coverage for all buildings and structures is 75 percent.

(2) Central Hi-Rise Mix. Maximum permitted lot coverage for all buildings and structures is 80 percent.

(c) Height. For purposes of this subsection, the maximum permitted heights do not include those structures specified in Section 51-4.408 (a)(2)(A). These additional structures may project a maximum of 12 feet above the height limits set forth below.

(1) Woodall/Guillet Hi-Rise. Maximum permitted height for buildings and structures is 200 feet, except that an additional 50 feet of height is permitted if no uses other than residential and those professional, personal service and custom crafts uses, retail uses, and accessory uses that are permitted as limited uses in the Interior Mid-Rise Residential Subdistrict are permitted above 200 feet.

(2) Woodall Hi-Rise. Maximum permitted height for buildings and structures is 175 feet, except that an additional 75 feet of height is permitted if no uses other than residential and those professional, personal service and custom crafts uses, retail uses, and accessory uses that are permitted as limited uses in the Interior Mid-Rise Residential Subdistrict are permitted above 175 feet.

(3) Woodall Mid-Rise Mix. Maximum permitted height for buildings and structures is 30 feet, except that an additional 70 feet of height is permitted if no uses other than residential and those professional, personal service and custom crafts uses, retail uses, and accessory uses that are permitted as limited uses in the Interior Mid-Rise Residential Subdistrict are permitted above 30 feet.

(4) Woodall Transition. Maximum permitted height for all buildings and structures is 75 feet.

(5) Central Hi-Rise Office. Maximum permitted height for all buildings and structures is 250 feet.

(6) Central Hi-Rise Mix. Maximum permitted height for all buildings and structures is 175 feet, except that an additional 75 feet of height is permitted if no uses other than residential and those professional, personal service, and custom crafts uses, retail uses, and accessory uses that are permitted as limited uses in the Interior Mid-Rise Residential Subdistrict are permitted above 175 feet.

- (d) Story limitations. There are no story limitations in the Freeway Frontage District.
- (e) Lot size. There are no lot size requirements in the Freeway Frontage District.
- (f) Setbacks.

- (1) Front yard for all subdistricts in the Freeway Frontage District. All buildings and structures in the Freeway Frontage District must have a minimum front yard setback of eight feet.

- (2) Side yard. There are no side yard requirements in the Freeway Frontage District.

- (3) Rear yard. There are no rear yard setback requirements in any subdistrict in the Freeway Frontage District.

- (4) Special setback required in the Woodall Mid-Rise Mix Subdistrict. All buildings and structures in the Woodall Mid-Rise Mix Subdistrict must provide the following special setbacks in addition to any other setbacks required in this section. If any of those setbacks conflict, the more restrictive setback applies.

- (A) Additional front yard setback.

- (i) An additional front yard setback that is equal to one foot of setback for each two feet of building height in excess of 76 feet, to a maximum total setback of 50 feet, is required whenever a building or portion of a building exceeds 76 feet in height. The additional setback is required only for that portion of a building that exceeds 76 feet in height.

- (ii) An additional front yard setback that is equal to one foot of setback for each two feet of building height in excess of 64 feet, to a maximum total setback of 50 feet, is required whenever a building or portion of a building exceeds 64 feet in height and any portion of the building provides less than a 13-foot front yard setback. The additional setback is required only for that portion of a building that exceeds 64 feet in height.

- (B) Additional side and rear yard setbacks. An additional side and rear yard setback that is equal to one foot of setback for each two feet of building height in excess of 76 feet, to a maximum total setback of 50 feet, is required whenever a building or portion of a building exceeds 76 feet in height. The additional setback is required only for that portion of a building that exceeds 76 feet in height.

- (g) Minimum building width.

- (1) Except as otherwise provided in this subsection, there are no minimum building width requirements in the Freeway Frontage District.

- (2) In the Woodall Mid-Rise Mix and the Woodall Transition Subdistricts, all buildings and structures must have a front building wall that extends through the "setback corridor" along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the length of the minimum front yard setback line minus any required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is: $.70 \times (\text{length of front yard setback line} - \text{required setback lines at either end})$. The setback corridor is a 10-foot- wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to 24 feet in height.

(h) Off-street parking. The following requirements apply to all subdistricts in the Freeway Frontage District.

(1) Minimum number of spaces required.

(A) Residential uses. Residential uses must provide one off-street parking space for each dwelling unit.

(B) Nonresidential uses other than bar and restaurant. All nonresidential uses with the exception of bar and restaurant uses must provide one off-street parking space for each 500 square feet.

(C) Bar and restaurant uses. Bar and restaurant uses must provide one off-street parking space for each 250 square feet.

(2) Location of off-street parking. All off-street parking (other than parking completely below-grade), whether used to fulfill minimum parking requirements or as excess parking, must be set back no less than the required front yard. Required off-street parking must be provided on the lot occupied by the main use, or on a separate lot that is:

(A) dedicated to parking use by an instrument approved by the city attorney, filed with the building official and in the deed records of the county in which the property is located, and consolidated with the main use under one certificate of occupancy with the main use;

(B) located in this subdistrict or in another district that allows a commercial parking lot or garage as a main use; and

(C) located within 600 feet of the lot occupied by the main use. The distance measured includes streets and alleys and is the shortest distance between the lots.

(3) Concealment of off-street parking. All permanent parking structures must be either underground or concealed in a building with a facade that is similar in appearance to the facade of the main non-parking building for which the parking is accessory. The parking structure facade is not required to be built of the same material, however. At least 12 percent of the parking structure facade (including openings, if any) must be covered with the same material used predominately on the first 24 feet of height of the main non-parking building. Openings in the parking structure facade may not exceed 52 percent of the total facade area.

(i) Signs.

(1) With the exception of the subdistricts listed below, attached and detached signs are permitted in all subdistricts in the Freeway Frontage District in accordance with the provisions for business zoning districts contained in the Dallas Development Code.

(2) In that portion of the Woodall Mid-Rise Mix Subdistrict described in Exhibit W of Ordinance No. 20429, the sign provisions of the Allen Street Special Retail Subdistrict contained in Section 51P-225.116 apply.

(3) In the Woodall Transition Subdistrict and that portion of the Woodall Mid-Rise Mix Subdistrict not described above, attached and detached signs are permitted in accordance with the provisions for non-business zoning districts contained in the Dallas Development Code.

(j) Sidewalks.

(1) Generally. With the exception of Paragraph (2) below, all property owners are required to construct, prior to the issuance of a certificate of occupancy, and maintain an unobstructed eight-foot-wide sidewalk in an area parallel to and within zero to 12 feet of the back of the projected street curb. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD.

(2) Woodall Mid-Rise Mix and Woodall Transition Subdistricts. Each property owner is required to construct, prior to the issuance of a certificate of occupancy, and maintain an unobstructed six-foot-wide sidewalk in an area parallel to and within zero to 10 feet of the back of the projected street curb. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD.

(k) Facade materials.

(1) Highly reflective glass may not be used as an exterior building material on any building or structure in the Freeway Frontage District. For purposes of this subsection, highly reflective glass means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflective is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more mirror-like the surface will appear.)

(2) Nonresidential uses on the ground floor of any structure in the Freeway Frontage District must use clear glass for all external windows. For purposes of this subsection, clear glass means glass with a minimum exterior visible transmittance of 80 percent. (Ord. Nos. 19084; 20429; 25711)

SEC. 51P-225.118. DEVELOPMENT STANDARDS FOR THE FRINGE TRANSITION DISTRICT.

(a) Density/floor area ratio ("FAR"). All buildings and structures are limited to a maximum FAR of 2:1.

(b) Lot coverage. Maximum permitted lot coverages are:

(1) 70 percent for a structure containing a residential use; and

(2) 60 percent for a structure that does not contain a residential use.

(c) Height. Maximum permitted height for all buildings and structures is 48 feet.

(d) Story limitations. For purposes of this subsection, story is not a term of measurement and one-half of a story means the interior floor level that is at or above the eave line of the primary roof structure. Maximum permitted number of stories is three and one-half.

(e) Lot size. There are no lot size requirements.

(f) Setbacks.

(A) Front yard. All structures must have a minimum front yard setback of eight feet.

(B) Rear yard. All structures must have a minimum rear yard setback of five feet.

(C) Side yard. There is no minimum side yard requirement.

(g) Off-street parking.

(1) Minimum number of spaces required.

(A) Residential uses. Residential uses must provide one off-street parking space for each dwelling unit.

(B) Nonresidential uses. Nonresidential uses must provide one off-street parking space for each 500 square feet of floor area.

(2) Location of off-street parking.

(A) In general. All off-street parking, whether used to fulfill minimum parking requirements or as excess parking, must be set back no less than the required front yard. Required off-street parking must be provided on the lot occupied by the main use, or on the rear 50 percent of a separate lot that is:

(i) dedicated to parking use by an instrument approved by the city attorney, filed with the building official and in the deed records of the county in which the property is located, and consolidated with the main use under one certificate of occupancy with the main use;

(ii) located in the same subdistrict as the main use or in another district that allows a commercial parking lot or garage as a main use; and

(iii) located within 600 feet of the lot occupied by the main use. The distance measured includes streets and alleys and is the shortest distance between the lots.

(B) Parking on vacant lots. On vacant lots, no off-street surface parking may be located within 75 feet of State Street.

(3) Access to off-street parking.

(A) General. A public alley, access easement, or private driveway may be used for two-way access to and from off-street parking.

(B) Structured parking. Vehicular access to parking structures is not permitted to or from Thomas Avenue, unless the lot has no frontage on any other street or alley.

(4) Concealment. All permanent parking structures must be either underground or concealed in a building with a facade that is similar in appearance to the facade of the main non-parking building for which the parking is accessory. The parking structure facade is not required to be built of the same material, however. At least 12 percent of the parking structure facade (including openings, if any) must be covered with the same material used predominately on the first 24 feet of height of the main non-parking building. Openings in the parking structure facade may not exceed 52 percent of the total facade area.

(5) Surface materials. The only permitted off-street parking surface materials are brushed or aggregate concrete, hot mix asphalt, masonry pavers, and gravel that is at least three inches thick.

(h) Signs.

(1) In general. Except as otherwise provided in this article, signs are governed by the provisions for non-business zoning districts contained in Article VII, "Sign Regulations."

(2) Detached signs. Only one detached sign is permitted for each 50 lineal foot of street frontage. Each sign must:

(A) be located at least eight feet from the public right-of-way, or at the building line if this requires a lesser setback;

(B) be five feet or less in height;

(C) not be illuminated; and

(D) not exceed four square feet in effective area.

(3) Attached signs. No more than two attached signs are permitted for each 50 lineal feet of street frontage. Each sign must:

(A) not be illuminated, except by one external spotlight not to exceed 75 watts in power; and

(B) not exceed one square foot in effective area.

(i) Sidewalks. Each property owner is required to construct prior to the issuance of a certificate of occupancy, and maintain an unobstructed four-foot-wide sidewalk in an area parallel to and within zero to eight feet of the back of the projected street curb. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway. Except as otherwise provided in this article, the standards, provisions, and requirements of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended, apply to all sidewalks and driveways in the State-Thomas SPD.

(j) Facade materials.

(1) Highly reflective glass may not be used as an exterior building material on any building or structure in the Fringe Transition District. For purposes of this subsection, highly reflective glass means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflective is the percentage of available light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more mirror-like the surface will appear.)

(2) Nonresidential uses on the ground floor of any structure in the Fringe Transition District must use clear glass for all external windows. For purposes of this subsection, clear glass means glass with a minimum exterior visible transmittance of 80 percent. (Ord. Nos. 19084; 25711)

SEC. 51P-225.119.

STATE-THOMAS SPD GENERAL PLAN REVIEW.

Prior to applying for a building permit, a person desiring to develop property in the State-Thomas SPD shall consult with the director to discuss whether the project is consistent with the general plan for the area and the requirements of this article. The director shall determine if the project complies with this article generally, and shall advise the applicant of any landscape review, certificate of appropriateness review, development impact review, or any other review which may be necessary prior to the issuance of a building permit. The director shall forward a written copy of his determination to the building official. (Ord. Nos. 19084; 25711)

SEC. 51P-225.120.

DEVELOPMENT IMPACT REVIEW.

Prior to making application for a building permit, a site plan must be submitted in accordance with Division 51-4.800 as established by Ordinance No. 18921, as amended, if:

- (1) the work to be permitted will create a floor area ratio equal to or greater than 1 to 1 on the lot; or
- (2) the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day per acre, as determined by Table 1 in Division 51-4.800. (Ord. Nos. 19084; 25711)

SEC. 51P-225.121.

LANDSCAPING IN THE INTERIOR NEIGHBORHOOD, FREEWAY FRONTAGE, AND FRINGE TRANSITION DISTRICTS.

(a) Purpose. The process of development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the preservation and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this section are to promote and protect the health, safety, and welfare of the public, the city council further declares that this section is adopted for the following specific purposes:

- (1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, ground-water recharge, and storm water runoff retardation, while at the same time aiding in noise, glare, and heat abatement.
- (2) To provide visual buffering between land uses of differing character.
- (3) To enhance the beautification of the city.
- (4) To safeguard and enhance property values and to protect public and private investment.
- (5) To conserve energy.
- (6) To provide habitat for wildlife.

(b) Application of section. This section applies to all districts in the State-Thomas Special Purpose District except the Historic District. This section applies to all uses on a lot when an application for a building permit for work on the lot is made, unless the application is for:

(1) restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind. For purposes of this subsection, "restoration" means the act of putting back into a former or original state; or

(2) construction work that does not increase:

(A) the number of buildings on the lot;

(B) the number of stories in a building on the lot;

(C) the floor area of a building on the lot by more than 10 percent or 10,000 square feet, whichever is less; or

(D) the nonpermeable coverage of the lot by more than 2,000 square feet.

(c) Parks. In city parks over five acres in size, the director of parks and recreation shall designate the boundaries of the lot for purposes of this section. The lot designated by the director must:

(1) wholly include the area on which the work is to be done; and

(2) be clearly delineated on plans submitted to the building official at the time the application for a building permit is made.

(d) Binding effect. When this section becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

(e) Consistency. The city council shall, at a minimum, impose landscaping requirements consistent with the standards and purposes of this section as a part of all ordinances establishing or amending districts other than the Historic District in the State-Thomas Special Purpose District.

(f) Special exception. The board may grant a special exception to the landscaping requirements of this section upon making a special finding from the evidence presented that strict compliance with the requirements of this section will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives and purposes of this section.

(g) Fee waiver. The board may waive the filing fee for a special exception under Subsection (f) when the board finds that payment of the fee would result in financial hardship to the applicant. The applicant may either pay the fee and request reimbursement as part of his appeal or request that the matter be placed on the board's miscellaneous docket for predetermination. If the matter is placed on the miscellaneous docket, the applicant may not file his appeal until the merits of the request for waiver have been determined by the board.

(h) Landscape plan submission.

(1) If this section applies to a lot pursuant to Subsection (b), a landscape plan must be submitted to the building official with the application for a building permit for work on the lot.

(2) If a landscape plan is required under Paragraph (1), the plan must be submitted to and approved by the building official before a building permit is issued for the work. A landscape plan submission must consist of two blueline or blackline prints. The plan must have a scale of one inch equals 50 feet or larger (e.g. one inch equals 40 feet, one inch equals 30 feet, etc.) and be on a standard drawing sheet of a size not to exceed 36 inches by 48 inches. A plan which cannot be drawn in its entirety on a 36 inch by 48 inch sheet must be drawn with appropriate match lines on two or more sheets.

(3) A landscape plan required under this section must contain the following information:

(A) Date, scale, north point, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.

(B) Location of existing boundary lines and dimensions of the lot, the zoning classification of the lot, and the subdistrict classification of adjacent properties. A vicinity map should also be attached to or made a part of the plan.

(C) Approximate centerlines of existing water courses and the location of the 100-year flood plain, the escarpment zone, and geologically similar areas, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot.

(D) Project name, street address, and lot and block description.

(E) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).

(F) Locations and dimensions of proposed landscape buffer strips.

(G) Complete description of plant materials shown on the plan, including names (common and botanical name), locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.

(H) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided internal to parking areas and the number and location of required off-street parking and loading spaces.

(I) An indication of how existing healthy trees proposed to be retained will be protected from damage during construction.

(J) Size, height, location, and material of proposed seating, lighting, planters, sculptures, and water features.

(K) A description of proposed watering methods.

(L) Location of visibility triangles on the lot (if applicable).

(M) Tabulation of "points" earned by the plan [See Subsection (i)].

(i) Landscape plan review.

(1) The building official shall review each landscape plan submitted to determine whether or not it complies with the requirements of this section. All landscape plans must comply with the mandatory provisions in Subsection (j). In addition, all landscape plans must earn a minimum of 20 "points." Points are awarded for specified landscape features and elements based on their relative value or merit.

(2) The alternatives from which an applicant may select to achieve the minimum point score needed for approval are referred to in this section as "design standards" and contained in Subsection (k).

(j) Mandatory provisions.

(1) Trees.

(A) Tree planting zone. For purposes of this section, the "tree planting zone" is that area parallel to and between two and one-half and four feet from the back of the projected street curb. [If the tree planting zone is in the parkway, the property owner must apply for a parkway landscape permit before any required trees may be planted in the parkway. See Subparagraph (H) of this paragraph for more details regarding the parkway landscape permit.]

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within the tree planting zone. The number of required trees is determined by dividing the number of feet of lot frontage by 25. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. All required trees must be recommended for local area use by the director of parks and recreation. If a property owner cannot obtain a parkway landscape permit to locate a required tree in the parkway, he shall locate the tree in the required front yard as near as practicable to the front lot line. If a lot has no front yard requirement and the property owner cannot obtain a parkway landscape permit to locate a required tree in the parkway, the property owner need not provide that required tree.

(C) Minimum tree height and trunk caliper. Required trees must have a minimum height of 14 feet, and a minimum trunk caliper of three and one-half inches measured at a point 12 inches above the root ball.

(D) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within 50 feet of another required tree.

(E) Minimum clearance above pavement. The property owner shall maintain all trees to comply with the following minimum vertical height clearances over street and sidewalk pavements:

(i) Thirteen and one-half feet above street pavement.

(ii) Eight feet above a public sidewalk and any sidewalk required by this article.

(F) Tree grates required near sidewalks. Tree grates conforming to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees whose trunks are within 18 inches of a public sidewalk and any sidewalk required by this article.

(G) Private license granted. The city council hereby grants a private license to the owners of all property in the State-Thomas SPD for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with Subparagraph (H) of this paragraph. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(H) Parkway landscape permit.

(i) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement other than for the sidewalk required under this article in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director of public works and transportation and accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

(ii) Upon receipt of the application and any required fees, the director of public works and transportation shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director of public works and transportation determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.

(iii) A property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director of public works and transportation's denial of a parkway landscape permit.

(iv) A parkway landscape permit issued by the director of public works and transportation is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(v) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way.

(2) Screening of off-street loading spaces and service areas.

(A) Off-street loading spaces and service areas on the lot must be screened from:

- (i) all public streets; and
- (ii) all adjoining property whether abutting or directly across a street or alley.

(B) The screening required under Paragraph (2)(A) must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods for providing screening described in Section 51-4.602(b)(3), except that screening around service areas for trash collection must be screened only by a masonry wall.

(3) Acceptable landscape materials.

(A) No artificial plant materials may be used to satisfy the requirements of this section.

(B) Plant materials used to satisfy the requirements of this section must comply with the following minimum size requirements at the time of installation:

(i) Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.

(ii) Small trees must have a minimum height of six feet.

(iii) Large shrubs must have a minimum height of three feet.

(3) For purposes of Paragraph (3)(B), "height" is measured from the top of the root ball or, if the plant is in a container, from the soil level in the container.

(4) In satisfying the landscaping requirements of this section, the use of high-quality, hardy, and drought-tolerant plant materials is recommended and encouraged.

(4) Soil requirements.

(A) Landscape planting areas in general must have the following soil depths and dimensions:

(i) For each large shrub or small tree installation, a minimum of 24 inches of soil depth and 16 square feet of surface area (total of 32 cubic feet).

(ii) For each large tree installation, a minimum of 36 inches of soil depth and 25 square feet of surface area (total of 75 cubic feet).

(B) Landscape planting areas located above underground buildings or structures must have the following soil depths and dimensions:

(i) For each large shrub or small tree installation, a minimum of 30 inches of soil depth and 25 square feet of surface area (total of 62.5 cubic feet).

(ii) For each large tree installation, a minimum of 40 inches of soil depth and 36 square feet of surface area (total of 120 cubic feet).

(C) The building official may waive the minimum soil requirements if a landscape architect certifies that the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the plant materials affected.

(5) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

(6) Irrigation requirements. Required plant materials must be located within 100 feet of a verifiable water supply. Proposed watering methods (irrigation or otherwise) must be:

(A) indicated on the landscape plan; and

(B) adequate to maintain the plant materials in a healthy, growing condition at all times.

(7) Pedestrian scale lighting. Pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 footcandles along all sidewalks on or adjacent to the lot and adjacent to a public street must be provided. For purposes of this subsection, pedestrian scale lighting means that the light emanates from a source that is no more than 14 feet above the grade of the sidewalk. The design and placement of both the standards and fixtures must be approved by the director of public works and transportation. Each property owner is responsible for the cost of installation, operation, and maintenance of the lighting on his property or in the public right-of-way adjacent to his property.

(k) Design standards. In order to earn points under this subsection, landscape areas must be placed in the front yard of a building site.

(1) Percentage of front yard area. One point is awarded for each three percent of the total front yard area provided as landscape area to a maximum of 15 points if the landscape area:

(A) is at least 50 square feet;

(B) is covered with grass or other plant material as ground cover; and

(C) for every 100 square feet of landscape area, or fraction thereof has a minimum of:

(i) one large canopy tree;

(ii) three small trees;

(iii) two small trees and one large shrub;

(iv) one small tree and two large shrubs; or

(v) three large shrubs.

(2) Parking concealment. Five points are awarded for providing all parking in structures which:

(A) have all facades covered with the same material as the main building; or

(B) are totally underground.

(3) Existing tree credits. Existing healthy trees are categorized in accordance with the definitions of this section and credited toward meeting design standards as follows:

(A) For each tree retained or relocated to the front yard of the building site or to the street parkway, having a caliper equal to or greater than four inches but less than six inches, a credit of one required large tree is allowed.

(B) For each tree retained or relocated to the front yard of the building site or to the street parkway, having a caliper equal to or greater than six inches but less than 12 inches, a credit of two required large trees is allowed.

(C) For each tree retained or relocated to the front yard of the building site or to the street parkway, having a caliper equal to or greater than 12 inches, a credit of three required large trees is allowed.

(4) Special amenities.

(A) Enhanced pavement material.

(i) Three points are awarded when at least 50 percent of all outdoor vehicular pavement area in the front yard(s) of a lot consists of enhanced pavement. (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in the Dallas Development Code.)

(ii) Three points are awarded when at least 50 percent of all outdoor pedestrian pavement area consists of enhanced pavement. (Note: All pedestrian pavement material and design must be approved by the director of public works and transportation.)

(B) Pedestrian facilities. One point is awarded for each one percent increment of lot area covered by publicly accessible special pedestrian facilities and features such as plazas, covered walkways, fountains, lakes and ponds, seating areas, and outdoor recreation facilities, up to a maximum of five points.

(1) When landscaping must be completed.

(1) Except as otherwise provided in Paragraph (2) below, all landscaping must be completed in accordance with the approved landscape plan before a certificate of occupancy may be issued for any building on the lot.

(2) If the property owner provides the building official with documented assurance that the landscaping will be completed within six months, the building official may issue one six-month temporary certificate of occupancy and permit the property owner to complete his landscaping during the six-month period. For purposes of this subsection, "documented assurance" means:

(A) a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period; or

(B) a set of deed restrictions containing a covenant to install the landscaping in accordance with the landscape plan within the six-month period. The deed restrictions must:

(i) expressly provide that they may be enforced by the city;

(ii) be approved as to form by the city attorney; and

(iii) be filed in the deed records of the county in which the land is located.

(3) If a temporary certificate of occupancy is issued under Paragraph (2) and, at the end of the six-month period, no permanent certificate of occupancy has been issued because the landscaping has not been installed in accordance with the landscape plan, the owner of the property is

liable to the city for a civil penalty in the amount of \$200 a day for each calendar day thereafter until the landscaping is properly installed. The building official shall give written notice to the property owner of the amount owed to the city in civil penalties, and shall notify the city attorney of any unpaid civil penalty. The city attorney shall collect unpaid civil penalties in a suit on the city's behalf.

(4) The civil penalty provided for in Subsection (c) is in addition to any other enforcement remedies the city may have under city ordinances and state law.

(m) General maintenance.

(1) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(2) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials. (Ord. Nos. 19084; 25711)

SEC. 51P-225.122. UTILITIES.

All utilities in the State-Thomas SPD should be placed underground, but this underground placement is required only if a special taxing district is established for the area to achieve that purpose. (Ord. Nos. 19084; 25711)

SEC. 51P-225.123. RIGHT-OF-WAY AND PAVEMENT WIDTHS.

(a) Application of section. This section applies to all districts in the State-Thomas SPD except the Historic District. This section does not affect right-of-way or pavement widths along Colby Street between Fairmount Street and Boll Street or the Routh-Maple connector which may be increased in the city's discretion.

(b) Right-of-way widths. The city may not require any additional right-of-way for street purposes unless a street right-of-way is less than 45 feet. If a street right-of-way is less than 45 feet, the city may require no more than 45 feet of right-of-way.

(c) Pavement widths. The city may not increase the pavement widths of any street covered by this section unless:

(1) on-street parking is permitted along one side of a street having a pavement width of less than 30 feet (in which case the city may require widening to 30 feet);

(2) on-street parking is permitted among both sides of a street having a pavement width of less than 36 feet (in which case the city may require widening to 36 feet);

(3) the increased pavement width is in accordance with standard department of public works and transportation requirements for:

- (A) intersection alignment;
- (B) corner clips;
- (C) stacking lanes;
- (D) left-turn lanes;
- (E) bus turnouts;
- (F) other site-specific traffic or street engineering requirements; and
- (G) mass transit alternatives.

(d) Exceptions. Notwithstanding the foregoing, the city may not require increased right-of-way or pavements widths along the following streets:

- (1) Calvary Avenue, between Woodall Rodgers Freeway and Campbell Street;
- (2) Campbell Street, between Duff Street and Calvary Avenue;
- (3) Cedar Lane, between State Street and the Greenwood Cemetery;
- (4) Clyde Lane, between State Street and Howell Avenue;
- (5) Clyde Lane, between Thomas Avenue and Woodall Rodgers Freeway;
- (6) Connor Court, between Worthington Street and the Historic District boundary;
- (7) Duff Street, between Hall Street and Campbell Street;
- (8) Hibernia Street, between Worthington Street and the Historic District boundary;
- (9) Hibernia Court, between Worthington Street and Clay Alley;
- (10) Harlem Court, between Worthington Street and Clay Alley;
- (11) Ellis Street, between Thomas Avenue and Griggs Park; and
- (12) Woodside Street, between Clark Street and Allen Street. (Ord. Nos. 19084;

25711)

SEC. 51P-225.124.

ZONING MAP.

PD 225 is located on Zoning Map Nos. I-7 and J-7. (Ord. Nos. 19084; 25711)