An application for an amendment to the Dallas Development Code, Chapters 51 and 51A, amending regulations regarding block and blockface

Applicant: Audra Buckley - Permitted Development

An application was submitted for an amendment to the Dallas Development Code Section 51A-2.102(10) to amend the definition of *block* to 1) terminate the block when the street contains a 90-degree curve and 2) clarify the methodology for determining continuity of setback related to certain uses.

The applicant submitted an amended application after discussion with staff.

The revised request is for an amendment to the Dallas Development Code Section 51A-2.102(10) to 1) amend the definition of *block* and create a definition of *blockface* and 2) amend Dallas Development Code Section 51A-4.401(a)(6) to clarify the methodology for determining continuity of setback related to certain uses.

Staff also recommends amending additional references to *block* and *blockface* in Section 51A-4.124, Section 51A-7.502, and others as needed.

Background/Staff Analysis:

Dallas Development Code Section 51A-2.102 defines *block.*

>   (10)   BLOCK means:
>   (A)   an area bounded by streets on all sides; and
>   (B)   as a measurement term, the distance along one side of a street between the two nearest intersecting streets, or where a street deadends, the distance along one side of a street between the nearest intersecting street and the end of the deadend street.

This definition presents two issues:

1) The definition above conflates *block*, meaning a two-dimensional area, and *blockface,* meaning a linear side of a block.

2)   Dallas Development Code Section 51A-4.401(a)(6) uses the term *block* when it specifies the requirements for continuity of front yard setbacks. Specifically, this section of the code says:

"If street frontage within a block is divided by two or more zoning districts, the front yard for the entire block must comply with the requirements of the district with the greatest front yard requirement."

This regulation is designed to provide a uniform street wall, such as in a residential district where all of the homes are set back from the street a similar distance, or in a downtown area where the buildings are built to the property line the entire length of the block.

However, this regulation currently applies to all properties, regardless of whether the property is likely to have structures and regardless of the curvature (and associated sight lines) of the block.

- Cemeteries, parks, and utilities, for example, rarely have large structures. The blockface is therefore already disrupted by these uses. Further, these uses are permitted in most zoning districts either by right or by specific use permit.
- Once a street curves a certain amount, the view is of the front of a building rather than the front yard setback.

The applicant's request and staff's recommendation propose to address this issue, particularly when the district with the greatest setback has one of these uses as its main use.

Any potential change to a definition like this requires a determination of where other references to *block* and *blockface* exist in the code and whether or not additional amendments are needed. These references are reviewed in the final section of this case report.

Proposal:

Article II - Definitions

The proposed definition of *block* leaves *block* as an area bounded by streets but moves the second half of the definition to *blockface*. The proposal also adds language to the definition of *blockface* to address significant curves in the street:

SEC. 51A-2.102. Definitions.

(10) BLOCK means an area bounded by streets.

(10.1) BLOCKFACE means:
     (A) the distance along one side of a street between the two nearest intersecting streets; or
     (B) where a street deadends, the distance along one side of a street between the nearest intersecting street and the end of the deadend street; or

(C) where a street centerline contains a change of direction 90 degrees or more, the distance along one side of a street between either the nearest intersecting street or the deadend and the point determining the angle of the change of direction.

Section 51A-4.401 – Minimum Front Yard

Section 51A-4.401(a)(6) addresses continuity of front yard setbacks. Staff recommends disregarding the setbacks of districts with utility, railroad, cemetery/mausoleum, and recreation uses when the setback of that district would otherwise have controlled the setback of other districts in the blockface.

In addition, the proposed changes to this section include provisions to address curves in the street, and staff recommends 45 degrees as the minimum triggering angle. Once a street curves more than 45 degrees, the view is of the front of a building rather than the front yard setback, and the continuity of blockface is broken.

SEC. 51A-4.401 Minimum Front Yard

(a) General provisions.

   (6) Continuity of setback.

      (A) If ~~street frontage within a block~~ a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement, unless the greatest front yard is in a district with one or more of the following uses being conducted as a main use, in which case the greatest front yard without one of these uses shall control:

         (i) Utility and public service uses listed in Section 51A-4.212.[1]
         (ii) A railroad right-of-way.
         (iii) A cemetery or mausoleum.
         (iv) Recreation uses listed in Section 51A-4.208.[2]

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[1] The utility and public service uses listed in Section 51A-4.212 include commercial radio or television transmitting station, electrical generating plant, electrical substation, local utilities, police or fire station, post office, radio, television, or microwave tower, refuse transfer station, sanitary landfill, sewage treatment plant, tower/antenna for cellular communication, utility or government installation other than listed, and water treatment plant.

[2] The recreation uses listed in Section 51A-4.208 include country club with private membership; private recreation center, club, or area; and public park, playground, or golf course.

(B) In this paragraph: BLOCKFACE means:

  (i) the distance along one side of a street between the two nearest intersecting streets; or

  (ii) where a street deadends, the distance along one side of a street between the nearest intersecting street and the end of the deadend street; or

  (iii) where a street centerline contains a change of direction greater than 45 degrees, the distance along one side of a street between either the nearest intersecting street or the deadend and the point determining the angle of the change of direction.

Recommended amendments to additional sections of code

Block and *blockface* are used in other sections of the code. Staff recommends amendments to some of these references and recommends no change to others.

In the **CA-1(A) - Central Area District**, the additional provisions specify sidewalk widths for frontages along blocks and fencing requirements for surface parking lots. Staff recommends the following changes:

- Section 51A-4.124(a)(8)(C) - Sidewalk regulations in CA-1(A) districts – "(i) Average sidewalk width equals the total sidewalk surface area divided by the lineal feet of frontage. (aa) Each frontage on each ~~block~~ blockface must contain the required average sidewalk width."

- Section 51A-4.124(a)(9)(J) – "Fencing for commercial parking garages and surface parking lots: (ii) Surface parking lots in the middle of a blockface with buildings on both adjoining lots and less than 100 feet of frontage and all commercial parking garages must have wrought iron fencing."

Within **Article VII – Sign Regulations**, Section 51A-7.500 regulates special provision sign districts. Section 51A-7.502 uses the lineal (rather than areal) definition of block and must therefore be updated to replace *block* with *blockface*:

- Section 51A-7.502. "Creation of a special provision sign district. By amendment to this article, the city council may designate an area as a special provision sign district subject to the following conditions: (1) The district must include frontage on a street, either for an entire blockface or for not less than 500 feet measured along the way or continuous set of intersecting ways."

Section 51A-4.211(10) regulates **transit passenger station or transfer center uses**. The paragraph for minimum setbacks for parking uses blockface as staff proposes it to be defined. Staff recommends clarifying the intended definition.

- Section 51A-4.211(10)(E)(v) – "<u>Minimum setbacks for parking and maneuvering</u>. In residential districts, all off-street parking spaces and bus bays, including maneuvering areas, must be located behind the required setback lines established in this chapter, or behind the established setbacks for the blockface <u>as defined in Section 51A-4.401</u>, whichever results in the greater setback. A minimum setback of ten feet must be provided for a side or rear yard adjacent to a residential use."

Section 51A-4.401(b) regulates minimum front yard requirements for **townhomes** adjacent to other residential districts and uses *block* as an area, not a length.

- 4.401(b)(3) "If a TH or TH(A) district abuts another residential district in the same block~~face~~ ~~and fronts on the same side of the street~~, the residential district with the greater front yard requirement determines the minimum front yard. The minimum front yard for the residential district with the greater front yard requirement must extend at least 150 feet into the TH or TH(A) district."

No change to additional references to *block* and *blockface*:

Section 51A-4.505 regulates **conservation districts** and Section 51A-4.507 regulates **neighborhood stabilization overlays**, but each has its own definition and subsequent use of *blockface*. Staff recommends no change.

- Section 51A-4.505(a)(2) "BLOCKFACE means the linear distance of lots along one side of a street between the two nearest intersecting streets. If a street deadends, the terminus of the dead end will be treated as an intersecting street."
- Section 51A-4.507(b)(1) "BLOCKFACE means the linear distance of lots along one side of a street between the two nearest intersecting streets. If a street dead-ends, the terminus of the dead-end will be treated as an intersecting street."

Section 51A-4.602(a) regulates **fences and screening in multifamily districts**. Staff recommends no change.

- Section 51A-4.602(a)(4) "In multifamily districts, a fence located in the required front yard may be built to a maximum height of six feet above grade if all conditions in the following subparagraphs are met:
    "(A) No lot in the blockface may be zoned as a single family or duplex district.
    "(B) No gates for vehicular traffic may be located less than 20 feet from the back of the street curb.
    "(C) No fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line."

Section 51A-7.900, the Downtown Special Purpose **Sign District**, Section 51A-7.1200 the Provisions for Arts District Sign District, Section 51A-7.1700 the Provisions for Victory Sign District, and Sec. 51A-7.2101. Designation of the Arts District Extension Area Sign District each use the terms *block* and *blockface*. See examples below. Staff recommends no change to these sections.

- Section 51A-7.909(b)(2) "A maximum of one non-premise district activity videoboard sign is permitted per block face."
- Section 51A-7.1203(a)(5) "BLOCKFACE means all of the lots on one side of a block."
- Section 51A-7.1208(b)(3) "BLOCKFACE means all of the premises on one side of a block."
- Section 51A-7.1722(c)(2)(C)(ii) "A maximum of one enhanced banner sign is allowed per blockface. Enhanced banner signs are limited to the following locations:"
- Section 51A-7.2108(b)(3) "Each premise may have no more than one sign on each blockface."