

Memorandum



CITY OF DALLAS

DATE April 20, 2012

TO Members of the Transportation and Environment Committee:
Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Sandy Greyson, Delia Jasso, Vonciel Jones Hill, Pauline Medrano

SUBJECT **Proposed Development Code Amendments to Parking Requirements for Certain Uses**

On Monday, April 23, 2012, the Transportation and Environment Council Committee will consider a draft ordinance on a development code amendment amending parking requirements for certain uses and amending exception provisions to parking requirements for certain uses. This is a follow up to the briefing the Committee received on Monday, March 26, 2012. Staff has prepared alternatives to the CPC recommendation for the Committee to consider based on input from the Committee. The alternatives include amending the administrative exception process to limit it to industrial, trade center, warehouse, and museum and library uses. In lieu of an administrative exception process, the Board of Adjustments authority to consider exceptions has been expanded for commercial amusements, industrial, public or private school, and warehouse uses. These alternatives can be found on pages 17, 18 and 19 of the attached ordinance. The City Plan Commission recommended approval of the proposed amendments on January 19, 2012.

Please feel free to contact me if you need additional information.

A handwritten signature in black ink, appearing to read 'Ryan S. Evans'.

Ryan S. Evans
Assistant City Manager

c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr. City Attorney
Rosa Rios, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
A.C. Gonzalez, First Assistant City Manager
Jill Jordan, P.E., Assistant City Manager
Forest Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Edward Scott, Director, Controller's Office
Frank Libro, Public Information Office
Theresa O'Donnell, Director, Sustainable Development and Construction
Rick Galceran, Director, Public Works
Stephanie Cooper -Thompson, Assistant to the City Manager – Council Office

ORDINANCE NO. _____

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.201, 51-4.204, 51-4.206, 51-4.207, 51-4.208, 51-4.210, 51-4.211, 51-4.212, 51-4.214, 51-4.217, 51A-1.123, 51A-4.202, 51A-4.203, 51A-4.204, 51A-4.209, 51A-4.210, 51A-4.213, 51A-4.217, 51A-4.311, and 51A-10.125 to amend the off-street parking requirements for certain uses, amend the parking special exception requirement, amend the parking lot tree requirement, and allow taxidermist uses in industrial districts; providing a new Section 51A-4.313 to provide for administrative parking reductions; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subparagraph (C) of Paragraph (3), “Multiple-Family,” of Subsection (b), “Specific Residential Uses,” of Section 51-4.201, “Residential Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

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

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

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

SECTION 2. That Subparagraph (C) of Paragraph (7), “Retirement Housing,” of Subsection (b), “Specific Residential Uses,” of Section 51-4.201, “Residential Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

~~“(C) Required off-street parking: One [0.7] space[s] per dwelling unit or suite[, plus one space per 300 square feet of floor area not in a dwelling unit or suite].”~~

SECTION 3. That Subparagraph (C) of Paragraph (4), “Child-Care Facility,” of Section 51-4.204, “Community Service Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 4. That Item (i), “Number of Spaces Required,” of Subparagraph (C) of Paragraph (1), “Church,” of Section 51-4.206, “Religious Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(i) Number of spaces required. Except as provided in this paragraph, one space for each four fixed seats in the sanctuary or auditorium. If fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat for purposes of this paragraph. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 28 square feet of floor area. For churches with less than 5,000 square feet of floor area located in a shopping center with greater than 20,000 square feet in floor area, one space per 333 square feet in floor area is required.”

SECTION 5. That Subparagraph (C) of Paragraph (1), “Public or Private School,” of Section 51-4.207, “Educational Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking:

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

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

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

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

SECTION 6. That Subparagraph (C) of Paragraph (3), “Business School,” of Section 51-4.207, “Educational Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom. Any professional, personal service, or custom crafts uses accessory to a business school must be parked to the appropriate professional, personal service, and custom crafts use parking requirement.”

SECTION 7. That Subparagraph (C) of Paragraph (4), “Technical School,” of Section 51-4.207, “Educational Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: 0.3 spaces for each fixed seat. If no fixed seats, then 0.3 spaces for each seven square feet of classroom. Any professional, personal service, or custom crafts uses accessory to a technical school must be parked to the appropriate professional, personal service, and custom crafts use parking requirement.”

SECTION 8. That Subparagraph (C) of Paragraph (8), “Library, Art Gallery, or Museum,” of Section 51-4.207, “Educational Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: For a library, o[0]ne space per 500 square feet of floor area. For an art gallery or museum, one space per 600 square feet of floor area.”

SECTION 9. That Subparagraph (C) of Paragraph (6), “Inside Commercial Amusement,” of Section 51-4.208, “Recreation and Entertainment Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 10. That Subparagraph (C) of Paragraph (16), “Taxidermist,” of Section 51-4.210, “Professional, Personal Service, and Custom Craft Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 11. That Subparagraph (C) of Paragraph (14), “Furniture Store,” of Section 51-4.211, “Retail Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 12. That Subparagraph (C) of Paragraph (18), “Home Improvement Center,” of Section 51-4.211, “Retail Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 13. That Subparagraph (C) of Paragraph (11), “Car Wash,” of Section 51-4.212, “Motor Vehicle Related Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 14. That Subparagraph (C) of Paragraph (4), “Open Storage,” of Section 51-4.214, “Storage and Waste Disposal Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 15. That Subparagraph (C) of Paragraph (5), “Outside Salvage or Reclamation,” of Section 51-4.214, “Storage and Waste Disposal Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 16. That Subparagraph (C) of Paragraph (11), “Mini-Warehouse,” of Section 51-4.214, “Storage and Waste Disposal Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 17. That Subparagraph (C) of Paragraph (12), “Office/Showroom Warehouse,” of Section 51-4.214, “Storage and Waste Disposal Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) [~~Off-street parking:~~

(~~†~~) Required off-street parking:

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

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

SECTION 18. That Subparagraph (C) of Paragraph (6), “Community Center (Private),” of Subsection (b), “Specific Accessory Uses,” of Section 51-4.217, “Accessory Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking:

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

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

SECTION 19. That Subparagraph (J), “Retail and Personal Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (b), “Light Industrial (LI) District,” of Section 51A-4.123, “Commercial Service and Industrial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(J) Retail and personal service uses.

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

-- Vehicle display, sales, and service. [RAR]”

SECTION 20. That Subparagraph (J), “Retail and Personal Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (c), “Industrial/Research (IR) District,” of Section 51A-4.123, “Commercial Service and Industrial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(J) Retail and personal service uses.

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

SECTION 21. That Subparagraph (J), “Retail and Personal Service Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “Industrial Manufacturing (IM) District,” of Section 51A-4.123, “Commercial Service and Industrial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(J) Retail and personal service uses.

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

SECTION 22. That Subparagraph (C) of Paragraph (8), “Job or Lithographic Printing,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 23. That Subparagraph (C) of Paragraph (12), “Technical School,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 24. That Subparagraph (C) of Paragraph (3), “Metal Salvage Facility,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 25. That Subparagraph (C) of Paragraph (5), “Outside Salvage or Reclamation,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 26. That Subparagraph (C) of Paragraph (3), “Child-Care Facility,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 27. That Item (i), “Number of Spaces Required,” of Subparagraph (C) of Paragraph (4), “Church,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 28. That Subparagraph (C) of Paragraph (16), “Library, Art Gallery, or Museum,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 29. That Subparagraph (C) of Paragraph (17), “Public or Private School,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking:

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

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

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

SECTION 30. That Item (i) of Subparagraph (C) of Paragraph (5), “Multifamily,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

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

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

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

SECTION 31. That Subparagraph (C) of Paragraph (5.2), “Retirement Housing,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 32. That Subparagraph (C) of Paragraph (7), “Business School,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 33. That Item (iv) of Subparagraph (C) of Paragraph (7), “Commercial Amusement (Inside),” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 34. That Subparagraph (C) of Paragraph (6), “Car Wash,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Single unit-type car washes: n[N]one. Tunnel-type car washes must have three spaces. See the additional provisions [Subparagraph (E)] for off-street stacking requirements. No handicapped parking is required.”

SECTION 35. That Subparagraph (C) of Paragraph (12), “Furniture Store,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 36. That Subparagraph (C) of Paragraph (14), “General Merchandise or Food Store Greater Than 3,500 Square Feet,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 37. That Subparagraph (C) of Paragraph (14.1), “General Merchandise or Food Store 100,000 Square Feet or More,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 38. That Subparagraph (C) of Paragraph (15), “Home Improvement Center, Lumber, Brick or Building Materials Sales Yard,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 39. That Subparagraph (B) of Paragraph (28), “Taxidermist,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 40. That Subparagraph (C) of Paragraph (28), “Taxidermist,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 41. That Subparagraph (C) of Paragraph (7), “Mini-Warehouse,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 42. That Item (i) of Subparagraph (C) of Paragraph (8), “Office Showroom/Warehouse,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(i) Required off-street parking:

(aa) Office: One space per 333 square feet of floor area.

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

SECTION 43. That Subparagraph (C) of Paragraph (9), “Outside Storage,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 44. That Subparagraph (C) of Paragraph (1), “Accessory Community Center (Private),” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking:

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

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

SECTION 45. That Paragraph (1) of Subsection (a), “Special Exception: Parking Demand,” of Section 51A-4.311, “Special Exceptions,” of Division 51A-4.310, “Off-Street Parking Reductions,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(1) The board may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets. Except as otherwise provided in this paragraph, the maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to already existing nonconforming rights. For the commercial amusement (inside) use, commercial amusement outside use, [and] the industrial (inside) use, the industrial (outside use), and a warehouse use greater than 100,000 square feet, the maximum reduction authorized by this section is 75 [50] percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to already existing nonconforming rights. For the public or private school use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to already existing nonconforming rights. Applicants may seek a special exception to parking requirements under this section or an administrative parking reduction under Section 51A-4.313. The greater reduction will apply. Reductions may not be combined.”

SECTION 46. That Subsection (a), “Special Exception: Parking Demand,” of Section 51A-4.311, “Special Exceptions,” of Division 51A-4.310, “Off-Street Parking Reductions,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Paragraph (7) to read as follows:

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

SECTION 47. That Sections 51A-4.313 through 51A-4.319 of Division 51A-4.310, “Off-Street Parking Reductions,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding Section 51A-4.313, “Administrative Parking Reduction,” to read as follows:

“SEC[§]. 51A-4.313. ADMINISTRATIVE PARKING REDUCTION.

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

<u>Use</u>	<u>Maximum Administrative Reduction</u>
<u>Business school</u>	<u>25 percent</u>
<u>Technical school</u>	<u>25 percent</u>
<u>Industrial (inside)</u>	<u>50 percent</u>
<u>Industrial (outside)</u>	<u>50 percent</u>
<u>Office uses</u>	<u>20 percent</u>
<u>Country club with private membership</u>	<u>25 percent</u>
<u>Private recreation center, club, or area</u>	<u>25 percent</u>
<u>Public or private school not granted by SUP</u>	<u>35 percent</u>
<u>Commercial amusement (outside)</u>	<u>50 percent</u>
<u>Commercial amusement (outside)</u>	<u>50 percent</u>
<u>Retail and personal service uses (except for Restaurant or alcoholic beverage establishment for on premise consumption</u>	<u>20 percent</u>

<u>use) within a 1,200 feet walking distance of a platform of a rail transit station</u>	
<u>Retail and personal service uses (except for Restaurant or alcoholic beverage establishment for on premise consumption use) within a 600 feet walking distance of a transit trolley stop</u>	<u>5 percent</u>
<u>Trade center</u>	<u>25 percent</u>
<u>Warehouse greater than 100,000 square feet</u>	<u>50 percent (up to 75 percent if the requirement of Subsection (d)(3) is complied with)</u>
<u>Museum/art gallery</u>	<u>50 percent</u>

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

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

- (1) The extent to which the parking spaces provided will be assigned, compact, remote, shared, or packed parking.
- (2) The parking demand and trip generation characteristics for the occupancy for which the reduction is requested.
- (3) The number of individuals employed on the site of the occupancy for which the reduction is requested.
- (4) The number of company vehicles parked on the site of the occupancy for which the reduction is requested.
- (5) Whether or not the subject property or the surrounding properties are part of a modified delta overlay district.
- (6) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
- (7) The availability of alternative transportation modes and availability, access, and distance to public transit and the likelihood of their use.
- (8) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- (9) The impact on adjacent residential uses.

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

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

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

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

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

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

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

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

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

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

SECS. 51A-4.314
THRU 51A-4.319. RESERVED.”

SECTION 48. That Subparagraph (A) of Paragraph (5), “Parking Lot Trees,” of Subsection (b), “Other Uses,” of Section 51A-10.125, “Mandatory Landscaping Requirements,” of Division 51A-10.120, “Landscaping,” of Article X, “Landscape and Tree Preservation Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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

SECTION 49. That the director of sustainable development and construction shall revise the use charts to reflect the change in use regulations made by this ordinance, and shall provide these charts for publication in the Dallas Development Code

SECTION 50. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 51. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 52. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 53. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed _____