Memorandum

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
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 18 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.

[Signature]
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 Librio, 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

“Dallas-Together, we do it better”
ORDINANCE NO. __________


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:

“(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.]


“(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].”


“(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.”

“(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.”


“(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.”


“(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.”

“(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.”


“(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.”


“(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.”


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

“(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.”


“(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.”


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


“(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.”

“(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.”


“(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.]”


“(C) [Off-street parking:]

(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 for any floor area in excess of 20,000 square feet.”


“(C) Required off-street parking:

(i) Except as provided in this section, one 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.”


“(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]

“(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]"

“(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]”

“(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.”


“(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.”


“(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.”

“(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.”


“(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 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.”


“(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 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.”


“(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.”
“(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.”


“(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.”


“(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.

(ce) 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.


“(C) Required off-street parking: One 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.”


“(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.”

“(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.”


“(C) Required off-street parking: Single unit-type car washes: 1. Tunnel-type car washes must have three spaces. See the additional provisions [Subparagraph (E)] for off-street stacking requirements. No handicapped parking is required.”


“(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.”


“(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.”

“(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.”


“(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.”


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

“(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.”


“(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.


“(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.”


“(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.]”

“(C) Required off-street parking:

(i) Except as provided in this section, one 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.”


“(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.”

“(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.”


“SEC[S]. 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:

<table>
<thead>
<tr>
<th>Use</th>
<th>Maximum Administrative Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business school</td>
<td>25 percent</td>
</tr>
<tr>
<td>Technical school</td>
<td>25 percent</td>
</tr>
<tr>
<td>Industrial (inside)</td>
<td>50 percent</td>
</tr>
<tr>
<td>Industrial (outside)</td>
<td>50 percent</td>
</tr>
<tr>
<td>Office uses</td>
<td>20 percent</td>
</tr>
<tr>
<td>Country club with private membership</td>
<td>25 percent</td>
</tr>
<tr>
<td>Private recreation center, club, or area</td>
<td>25 percent</td>
</tr>
<tr>
<td>Public or private school not granted by SUP</td>
<td>35 percent</td>
</tr>
<tr>
<td>Commercial amusement (outside)</td>
<td>50 percent</td>
</tr>
<tr>
<td>Commercial amusement (outside)</td>
<td>50 percent</td>
</tr>
<tr>
<td>Retail and personal-service uses (except for restaurant or alcoholic beverage establishment for on premise consumption)</td>
<td>20 percent</td>
</tr>
</tbody>
</table>
use) within a 1,200 feet walking distance of a platform of a rail transit station
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

<table>
<thead>
<tr>
<th>Trade center</th>
<th>5 percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse greater than 100,000 square feet</td>
<td>25 percent</td>
</tr>
<tr>
<td>Museum/art gallery</td>
<td>50 percent</td>
</tr>
</tbody>
</table>

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.”

“(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__________________________________________