

3-27-19

ORDINANCE NO. **31152**

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, 51-4.404, 51-4.407, 51-4.408, 51-4.409, 51A-4.116, and 51A-4.125; adding a new Division 51-4.900 and a new Division 51A-4.1100; providing mixed-income development bonuses for certain residential developments; 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 Romanette (ii) of Subparagraph (E), "Additional Provisions," 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," is amended to read as follows:

"(ii) Except as provided in this romanette:

(aa) In townhouse and multiple-family districts, this use is subject to the following density restrictions:

<u>ZONING DISTRICT CLASSIFICATION</u>	<u>MAXIMUM NO. OF DWELLING UNITS OR SUITES PER NET ACRE</u>
TH-1	25
TH-2 and TH-3	35
TH-4	40
MF-1	45
MF-2	55
MF-3	90
MF-4	160

(bb) For developments receiving a mixed-income development bonus under Division 51-4.900, "Mixed-Income Development Bonuses," these density limits do not apply."

SECTION 2. That Subsection (a), "General Provisions," of Section 51-4.404, "Minimum Lot Area for Residential Use," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Paragraph (3) to read as follows:

"(3) The minimum lot area for a residential use does not apply for a development using a mixed-income development bonus in Division 51-4.900."

SECTION 3. That Subsection (c), "Schedule of Maximum Lot Coverage," of Section 51-4.407, "Maximum Lot Coverage," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Paragraph (2) to read as follows:

"(2) The maximum lot coverage for MF-1, MF-2, and MF-3 Multiple-Family Districts may be altered by the use of a mixed-income development bonus in Division 51-4.900 and the following:

(A) In an MF-1 Multiple-Family District, lot coverage may vary as allowed in Section 51A-4.116(a)(4)(I).

(B) In an MF-2 Multiple-Family District, lot coverage may vary as allowed in Section 51A-4.116(b)(4)(I).

(C) In an MF-3 Multiple-Family District, lot coverage may vary as allowed in Section 51A-4.116(c)(4)(I)."

SECTION 4. That Subsection (b), "Schedule of Maximum Building Heights," of Section 51-4.408, "Maximum Building Height," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Paragraph (2) to read as follows:

"(2) The maximum building height for MF-1 and MF-2 Multiple-Family Districts may be altered by the use of a mixed-income development bonus in Division 51-4.900 and the following:

(A) In an MF-1 Multiple-Family District, maximum building height may vary as allowed in Section 51A-4.116(a)(4)(I).

(B) In an MF-2 Multiple-Family District, maximum building height may vary as allowed in Section 51A-4.116(b)(4)(I)."

SECTION 5. That Subsection (a), "General Provisions," of Section 51-4.409, "Maximum Floor Area Ratio," of Division 51-4.400, "Yard, Lot, and Space 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:

"(a) General provisions.

(1) ~~[Reserved.~~

~~(2)]~~ A basement is not counted in the computation of floor area ratio.

~~(2[3])~~ The maximum floor area ratio requirements in a planned development district are controlled by the planned development district regulations. The maximum floor area ratio in a matrix district is established by the city council at the time the district is created.

~~[(4) Reserved.]~~

~~(3[5])~~ The maximum floor area ratio in the CA-1-CP and CA-1-SP districts may be increased to 24 to 1 by the use of the building setback bonus provisions in the front yard regulations.

~~(4[6])~~ In an SC district, the maximum floor area ratio for office uses, as defined in Section 51-4.210(1), is .75 to 1, and the maximum floor area ratio for all uses combined is 1 to 1.

Also available as part of the eCourse

[Incentive Zoning and Affordable Housing](#)

First appeared as part of the conference materials for the
24th Annual Land Use Conference session

"Incentive Zoning and Affordable Housing"