

**FILE NUMBER:** DCA 178-005

**DATE INITIATED:** October 23, 2017

**TOPIC:** Block and blockface

**CITY COUNCIL DISTRICTS:** All

**CENSUS TRACTS:** All

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

**SUMMARY:** The requested amendment proposes to amend Chapter 51A of the Dallas Development Code 1) to amend the definition of block, 2) to create a definition of blockface, and 3) to clarify the methodology for determining continuity of setback related to certain uses. Additionally, staff recommends 1) amendments to clarify additional references to block and blockface in Chapter 51A and 2) parallel amendments to Chapter 51 of the Dallas Development Code.

**ZOAC RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval

## **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. The final section of this case report reviews the additional amendments recommended by staff.

## **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 on all sides.;~~and as a measurement term,~~

(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) In this paragraph: BLOCKFACE means:

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

(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.

(A) Except as provided in this paragraph, if street frontage within a block if 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.

(B) If the greatest front yard is in a district with one or more of the following uses being conducted as a main use, the greatest front yard without one of these uses shall control:

(i) Utility and public service uses listed in Section 51A-4.212.<sup>1</sup>

(ii) A railroad right-of-way.

(iii) A cemetery or mausoleum.

(iv) Recreation uses listed in Section 51A-4.208.<sup>2</sup>

## **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.”

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<sup>1</sup>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.

<sup>2</sup> 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.

- 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.”

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) – “Minimum setbacks for parking and maneuvering. 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 as defined in Section 51A-4.401, 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 blockface ~~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.”

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.”

## Chapter 51

Staff recommends parallel changes to the language in Chapter 51. See the attached ordinance for details.

**Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes**

January 18, 2018

**Motion to approve the changes to block and blockface as presented by staff.**

**Motion:** Chad Benedict

**2<sup>nd</sup>:** Garry Brown

**Result:** Passed: 5-0

For: Shidid, Murphy, Benedict, Gomez and Brown

Against: None

Absent: Mack

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 \_\_\_\_; providing (description of amendment); 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 Paragraph (9), Block,” of Section 51-2.102, “Definitions,” of Article II, “Interpretations and Definitions,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(9) 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.]”~~

SECTION 2. That Section 51-2.102, “Definitions,” of Article II, “Interpretations and Definitions,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended by adding a new Paragraph (9.1), “Blockface,” to read as follows:

“(9.1) BLOCKFACE means:

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

(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 3. That Paragraph (6) of Subsection (a), “General Provisions,” of Section 51-4.401, “Minimum Front Yard,” 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:

“(6) In this paragraph BLOCKFACE means:

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

(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.

(A) Except as provided in this paragraph, i[If] [~~street frontage within~~] 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.

(B) If the greatest front yard is in a district with one or more of the following uses being conducted as a main use, the greatest front yard without one of these uses shall control:

(i) Utility and public service uses listed in Section 51-4.202.

- (ii) A railroad team track or railroad yard, round house, or shops.
- (iii) A cemetery or mausoleum.
- (iv) Recreation uses listed in Section 51-4.208(1) through (5)."

SECTION 4. That Paragraph (3) of Subsection (b), "Front Yard Provisions for Residential Districts," of Section 51-4.401, Minimum Front Yard," 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:

"(3) If a TH or TH(A) district abuts another residential district, as defined both in this chapter and in Chapter 51A, in the same blockface [~~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."

SECTION 5. That Romanette (i) of Subparagraph (A) of Paragraph (4) of Subsection (c), "Front Yard Provisions for Nonresidential Districts," of Section 51-4.401, "Minimum Front Yard," of Division 51-400, "Yard, Lot, and Space Regulations," 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) Each frontage on each blockface must contain the required average sidewalk width."

SECTION 6. That Paragraph (10), Block," of Section 51A-2.102, "Definitions," of Article II, "Interpretations and Definitions," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

(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.]"~~

SECTION 7. That Section 51A-2.102, “Definitions,” of Article II, “Interpretations and Definitions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Paragraph (10.1), “Blockface,” to read as follows:

“(10.1) BLOCKFACE means:

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

(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 8. That Item (aa) of Romanette (i) of Subparagraph (C), “Sidewalk Regulations,” of Paragraph (8), “Additional Provisions,” of Subsection (a), “CA-1(A) District,” of Section 51A-4.124, “Central Area 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:

“(aa) Each frontage on each blockface must contain the required average sidewalk width.”

SECTION 9. That Romanette (ii) of Subparagraph (J), “Fencing,” of Paragraph (9), “Commercial Parking Garages and Surface Parking Lots.,” of Subsection (a), “CA-1(A) District,” of Section 51A-4.124, “Central Area 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:

“(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.”

SECTION 10. That Romanette (v), “Minimum Setbacks for Parking and Maneuvering,” of Subparagraph (E), “Additional Provisions,” of Paragraph (10), “Transit Passenger Station or Transfer Center,” of Section 51A-4.211, “Transportation 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:

“(v) Minimum setbacks for parking and maneuvering. 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, as defined in Section 51A-4.401, 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 11. That Paragraph (6) of Subsection (a), “General Provisions,” of Section 51A-4.401, “Minimum Front Yard,” of Division 51A-4.400, “Yard, Lot, And Space 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:

“(6) In this paragraph BLOCKFACE means:

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

(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.

(A) Except as provided in this paragraph, i[If] [~~street frontage within~~] 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.

(B) If the greatest front yard is in a district with one or more of the following uses being conducted as a main use, the greatest front yard without one of these uses shall control:

(i) Utility and public service uses listed in Section 51A-4.212.

- (ii) A railroad right-of-way.
- (iii) A cemetery or mausoleum.
- (iv) Recreation uses listed in Section 51A-4.208.”

SECTION 12. That Paragraph (3) of Subsection (b), “Front Yard Provisions for Residential Districts,” of Section 51A-4.401, Minimum Front Yard,” of Division 51A-4.400, “Yard, Lot, and Space 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:

“(3) If a TH or TH(A) district abuts another residential district in the same blockface [~~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.”

SECTION 13. That Paragraph (1) of Section 51A-7.502, “Creation of a Special Provision Sign District,” of Division 51A-7.500, “Special Provision Sign Districts,” of Article VII, “Sign 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 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 14. That adjustments will be made to the section references in this ordinance for codification purposes only. A Dallas Development Code section reference containing the symbol “[A],” for example, “Section 51[A]-7.502,” means that the letter “A” will appear in the Chapter 51A version only, and will not appear in the Chapter 51 version.

SECTION 15. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 16. 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 17. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 18. 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 19. 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:

LARRY E. CASTO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_