

# Memorandum



CITY OF DALLAS

DATE May 11, 2018

TO Honorable Members of the Mobility Solutions, Infrastructure and Sustainability Committee

SUBJECT **Proposed Amendments to the Dallas Development Code**

On Monday, May 14, 2018, you will be briefed on proposed amendments to the Dallas Development Code. The proposed amendments include:

- Definitions of Block and Blockface and Continuity of Setback
- Sidewalk Waivers

The City Plan Commission has recommended approval of the proposed amendments. The briefing material is attached for your review.

Please feel free to contact David Cossum or myself if you have any questions or need additional information.

A handwritten signature in blue ink, appearing to read 'Majed A. Al-Ghafry'.

Majed A. Al-Ghafry  
Assistant City Manager

[Attachment]

c: Honorable Mayor and Members of City Council  
T.C. Broadnax, City Manager  
Larry Casto, City Attorney  
Craig D. Kinton, City Auditor  
Biliera Johnson, City Secretary  
Daniel F. Solis, Administrative Judge  
Kimberly Bizer Tolbert, Chief of Staff to the City Manager  
Jo M. (Jody) Puckett, Assistant City Manager (Interim)

Jon Fortune, Assistant City Manager  
Joey Zapata, Assistant City Manager  
M. Elizabeth Reich, Chief Financial Officer  
Nadia Chandler Hardy, Chief of Community Services  
Raquel Favela, Chief of Economic Development & Neighborhood Services  
Theresa O'Donnell, Chief of Resilience  
Directors and Assistant Directors

# Proposed Amendments to the Dallas Development Code

(Block and Blockface Definitions, Continuity of Setback, and  
Sidewalk Waivers)

**Mobility Solutions,  
Infrastructure, & Sustainability  
Committee**

**May 14, 2018**

**David Cossum, Director  
Sustainable Development  
and Construction**



# Presentation Overview

- Purpose
- Block and blockface definitions and continuity of setback
- Sidewalk waivers
- Next steps

# Purpose

- Brief the Committee on proposed amendments to the Dallas Development Code
  - *Block* and *blockface* definitions and continuity of setback
  - Sidewalk waivers
- Seek Committee approval to forward amendments for Council consideration

# Block and Blockface Definitions and Continuity of Setback

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# Block/Blockface Definitions and Continuity of Setback - Background

- On October 23, 2017, the City received an application for an amendment to the Dallas Development Code, Chapters 51 and 51A, amending regulations regarding block and blockface.
- On January 18, 2018, the Zoning Ordinance Advisory Committee (ZOAC) considered this request and recommended approval.
- On February 15, 2018, City Plan Commission (CPC) considered this request and recommended approval.



# Block/Blockface Definitions and Continuity of Setback - Background

- The applicant proposes to amend Chapter 51A of the Dallas Development Code:
  - to amend the definition of ***block***,
  - to create a definition for ***blockface***, and
  - to determine requirements for front yard setbacks to maintain continuity along a blockface.
- Additionally, staff recommends:
  - amendments to clarify additional references to *block* and *blockface* in Chapter 51A, and
  - parallel amendments to Chapter 51 of the Dallas Development Code.



# Block Definition - Current

- Dallas Development Code Section 51A-2.102 defines *block* as:
  - (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 dead-ends, the distance along one side of a street between the nearest intersecting street and the end of the dead-end street.



# Block Definition - Issues

- The existing definition presents two issues:
  - It is a two-dimensional area **and**
  - It is a linear distance



# Block/Blockface Definitions - Proposal

- Proposed definition of *block* leaves *block* as *an area bounded by streets*, but it moves the second half of the definition to *blockface* and adds a third determining factor:

Section 51A-4.102

(10) BLOCK means an area bounded by streets on all sides.

(10.1) BLOCKFACE means:

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

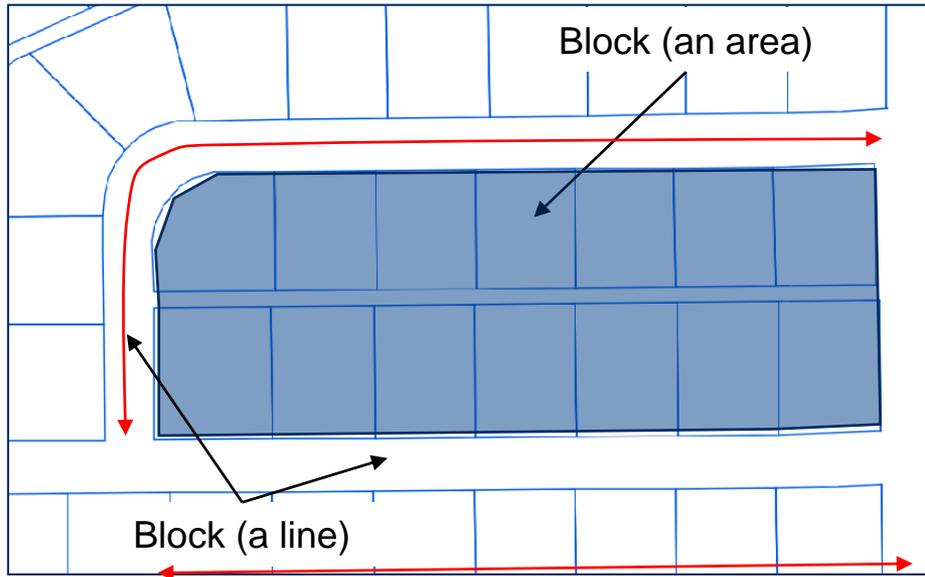
2) where a street deadends, the distance along one side of a street between the nearest intersecting street and the end of the deadend street;  
or

3) 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.

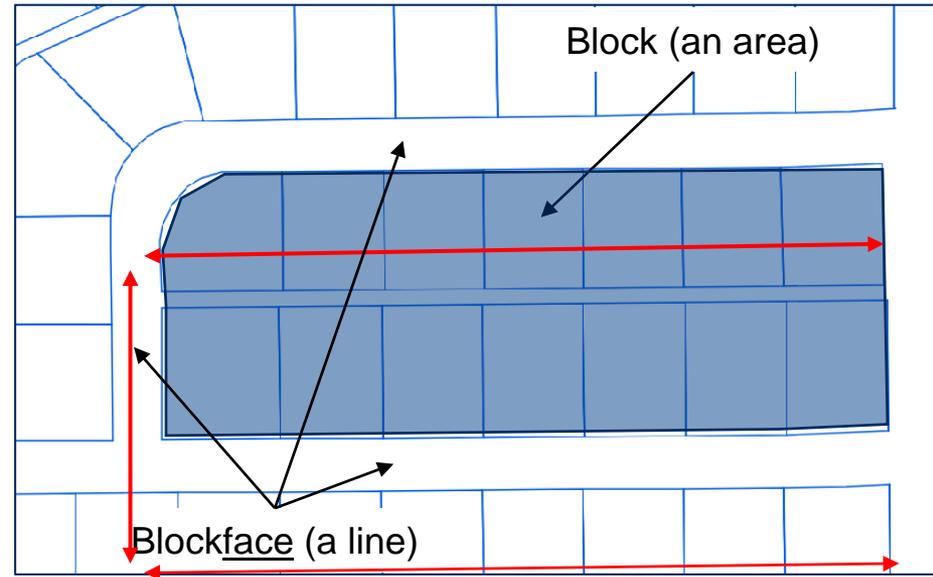
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# Block/Blockface Definitions - Example

Current



Proposed





# Continuity of Setback - Current

- The development code requires continuity of front yard setbacks in order to maintain a uniform street wall along a block:
  - SEC. 51A-4.401(a)(6): 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.



# Continuity of Setback - Issues

- Properties with different zoning districts in the same block must comply with the requirements of the district with the largest front yard.
- The continuity requirement currently applies to all properties, regardless of breaks in a block due to:
  - USES - whether the properties contain uses that have structures (cemeteries, railroads, transmission line corridors), or
  - CURVATURE - whether there is significant curvature to the street.

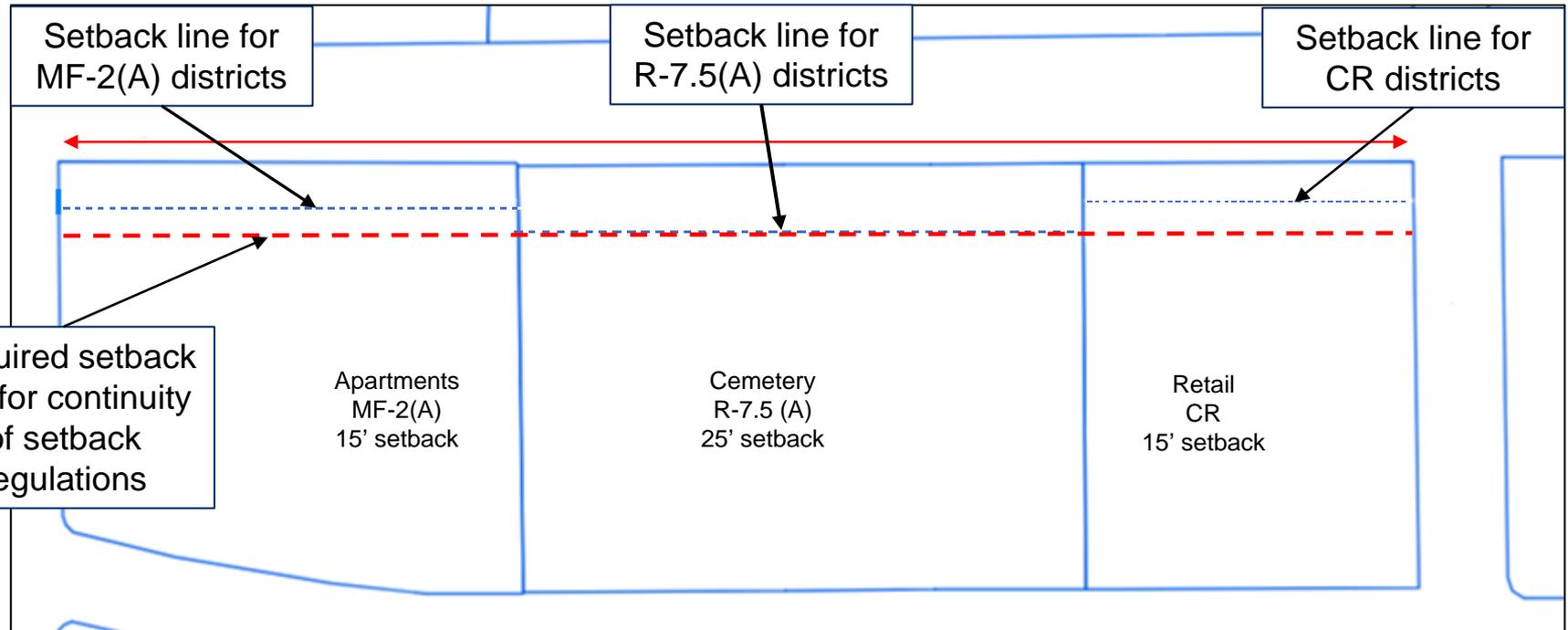
# Continuity of Setback - Uses Issues

- Continuity of setback currently applies regardless of use.
- Cemeteries, parks, and utilities:
  - Blockface already disrupted by open space.
  - Permitted in most zoning districts either by right or by specific use permit.



# Continuity of Setback - Uses Example

- Current regulations require the setback to match the greatest setback in the block, regardless of use.





# Continuity of Setback - Uses Proposal

- Proposed changes:

Section 51A-4.401(a)(6):

(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 blockface shall terminate at the boundary of that use, provided the use has a minimum of 80 feet of frontage:

(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.

- Proposed language includes the proposed amended definitions for block and blockface.



# Continuity of Setback - Curvature

## Issues

- If a street curves more than 45 degrees the visual continuity is interrupted. If a change in zoning occurs at this point with a different required setback, the continuity of setback is not an issue and the zoning district setback of the development site should apply.



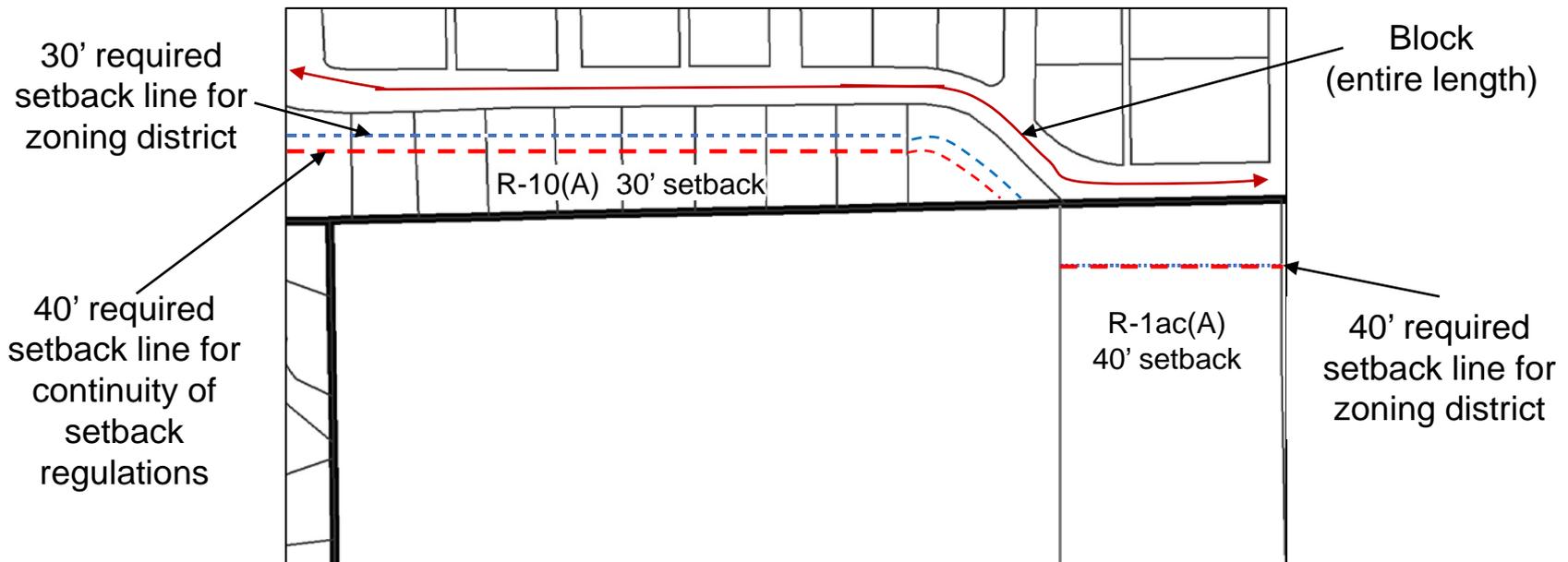
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# Continuity of Setback - Curvature

## Example

- Currently, the setback for the entire block is determined by the district with the largest requirement, regardless of use.





# Continuity of Setback - Curvature Proposal

In this section of the code regulating minimum front yard setback, the proposed definition uses 45 degrees.

SEC. 51A-4.401 Minimum Front Yard

(a) General provisions.

(6) In this section: 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.



# Block/Blockface Definitions – Additional Amendments

- Additional amendments proposed to be made throughout the Development Code to be consistent with proposed amendments to the definition of block and blockface.
  - Update *block* to be *blockface*:
    - CA-1(A) districts – sidewalk widths and fencing for commercial parking lots and garages
    - TH setbacks when abutting residential
    - General provisions for sign regulations – frontage for an entire blockface
  - Use the blockface definition proposed for Section 51A-4.401:
    - Transit passenger station parking
  - Specific language in appendix

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## Next Steps

Consideration of the application for the amendments is tentatively scheduled for City Council on June 27, 2018.

# Sidewalk Waivers

# Sidewalk Waivers - Background

- The City requires sidewalks along all public and private streets unless waived by the Director of Sustainable Development and Construction (SDC) and the Chief Planning Officer of Planning and Urban Design (PUD).
- On April 5, and April 19, 2018, the Subdivision Review Committee (SRC) considered amendments to the sidewalk waiver process and recommended approval.
- On April 19, 2018, City Plan Commission (CPC) considered amendments to the sidewalk waiver process and recommended approval.

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# Sidewalk Waivers - Purpose

- The intent of the proposed amendment is:
  - To ensure sidewalks are provided wherever feasible and appropriate
  - Improve process efficiency through single department review
  - Improve process predictability and consistency
  - Clarify waiver requisites and definitions

# Sidewalk Waivers - Issues

- Current process requires approval by two separate departments, requiring a longer process than necessary.
- Current wording of waiver conditions allows for differing interpretations that can vary with staff and applicants.

# Sidewalk Waivers - Proposal

- Designate one department to provide final waiver determination.
- Clarify the conditions necessary for a sidewalk waiver to be considered and to limit the instances when sidewalk construction may be waived.
- Require staff to clearly state specific reasons why waiver conditions were not satisfied when denying a waiver.

# Sidewalk Waivers - Process

- Applicant submits request and fee to Building Inspection Permit Center (OCMC Rm 118) at time the building permit is applied for.
- Request is routed to Sustainable Development & Construction - Engineering Division for review (one week or less review period).
- Determination of request is entered into City permitting software and formal response letter is provided to applicant.

# Next Steps

Staff recommends committee approval to advance the amendments to sidewalk waiver provisions for City Council consideration on June 27, 2018.

# Proposed Amendments to the Dallas Development Code

(Block and Blockface Definitions, Continuity of Setback, and  
Sidewalk Waivers)

**Mobility Solutions,  
Infrastructure, & Sustainability  
Committee**

**May 14, 2018**

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Sustainable Development  
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# Appendix

# Appendix

## Block/Blockface Definitions - Additional Amendments

- Additional amendments
  - CA-1(A) districts
  - Transit passenger station parking
  - TH setbacks when abutting residential
  - Sign regulations

# Appendix

## Block/Blockface Definitions - Additional Amendments

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

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

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

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# Appendix

## Block/Blockface Definitions - Additional Amendments

- 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.”

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# Appendix

## Block/Blockface Definitions - Additional Amendments

- Section 51A-4.401(b) regulates minimum front yard requirements for **townhomes** adjacent to other residential districts.

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.”

# Appendix

## Block/Blockface Definitions - Additional Amendments

- 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.”

# Appendix

## Sidewalk Waivers - Illustrations



Typical Denial



Typical Approval

# Appendix

## Sidewalk Waivers - Proposal

Designate one department to provide final waiver condition.

### SEC. 51A-8.606 Sidewalks

- (a) Required. Sidewalk construction is required along all public and private streets unless waived by the director [~~and the chief planning officer~~].
- (d) Waiver of sidewalks. A person desiring a waiver of a sidewalk requirement shall make application to the director [~~and the chief planning officer~~].

# Appendix

## Sidewalk Waivers - Proposal

Allow flexibility for future City approved plans.

51A-8.606(b) Design. All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the requirements contained in the Paving Design Manual, the Standard Construction Details, and any other council approved plan [~~in the central business district, the Dallas Central Business District Pedestrian Facilities Plan~~], as amended. When poles, standards, and fire hydrants must be placed in the proposed sidewalk alignment, the sidewalk must be widened as delineated in the Standard Construction Details to provide a three-foot-wide clear distance between the edge of the obstruction or overhang projection and the edge of the sidewalk. [~~All sidewalks must be constructed of Portland cement concrete having a minimum compressive strength of 3000 pounds per square inch.~~]

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# Appendix

## Sidewalk Waivers - Proposal

Provide definition of block face, mid-block lot, and corner lot for clarification in determining conditions.

51A-8.606(d)(1) In this subsection:

(A) BLOCK FACE 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 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.

(B) MID-BLOCK LOT means a lot that is located between corner lots.

(C) CORNER LOT means a lot that is located at the intersection of two or more streets.

# Appendix

## Sidewalk Waivers - Proposal

Clarify the conditions necessary for a sidewalk waiver to be considered and to limit the instances when sidewalk construction may be waived.

51A-8.606(d)(2) –The director may grant a waiver under these conditions:

(A) In general.

(i) If sidewalk construction would cause drainage, safety or other engineering issues that cannot be feasibly addressed as determined by the director.

ii) If a City approved and funded sidewalk construction project is within one year of commencing construction.

(B) Mid-block lot. Except as provided in this subsection, if sidewalks do not exist on the adjacent lots and on more than 80 percent of the developed lots on the same block face.

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# Appendix

## Sidewalk Waivers - Proposal

51A-8.606(d)(2) –The director may grant a waiver under these conditions:  
(cont.)

(C) Corner lot. Except as provided in this subsection, if sidewalks do not exist on any of the mid-block lots on the same block face and the lot is not located within one-quarter mile, as measured along street frontages, from a transit stop, school, park, playground, or other pedestrian accessible destination. Waivers for corner lots shall be determined independently for each block face, but will require only one fee.

(D) For commercial and industrial zoned properties in addition to Paragraphs (A) and (B) lots will be further evaluated by the director to determine if the waiver will have an adverse effect on the subject site or surrounding properties.

# Appendix

## Sidewalk Waivers - Proposal

- Require staff to clearly state specific reason why waiver conditions were not satisfied when denying a waiver.

51A-8.606(d)(3) – A denied waiver application must clearly state the specific reasons why the waiver conditions were not satisfied. Granting a waiver does not preclude the City from installing sidewalks at some later time and assessing the abutting owners for the cost of the installation.