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03/23/88

ORDINANCE NO. 19910

An ordinance amending CHAPTERS 51 and 51A, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended; changing the zoning classification on the following described property to-wit:

Being all of City Blocks E/3466, 24/3475, A/3552, B/3553, 10/3457, 4/3455, 1/3453, 11/3458, 5/3456, 2/3454, 6/3460, 12/3463, B/3560, A/3559, 16/3471, 20/3473, 3477, B/3477, A/3478, 1/4621, 2/4622, 3/4623, 3-A/4623, 19/3468, 23/3470, 22/3469, 18/3467, 14/3465, 15/3466, 11/3844, 5/3838; being all of Lots 1, 2, 3, 4, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and B in City Block 3/3459; being all of Lots 4, 5, 6, 7, 8, and part of Lot 3 in City Block 8/3462; being all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 19, and 20 in City Block 7/3461; being all of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 in City Block 13/3464; being all of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 in City Block 21/3474; being all of Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 in City Block 17/3472; being all of Lots 1, 2, 3, 4, 5, 6, 7, and 8 in City Block 6/3839; being all of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 in City Block 25/3476; said property being generally bounded by Stewart Drive on the north, Tyler Street on the east, Davis Street on the south and Mary Cliff Road on the west.

establishing Conservation District No. 1 (the Kings Highway Conservation District) on the above-described property; terminating Moratorium No. 880262; providing a penalty not to exceed \$2000; 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 provisions of the Charter of the City of Dallas, the state law, and the applicable ordinances of the

city, have given the required notices and have held the required public hearings regarding the rezoning of the property hereinafter described; and

WHEREAS, the city council finds that it is in the public interest to establish this conservation district; Now, Therefore,

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

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SECTION 2. Zoning classification change. That CHAPTERS 51 and 51A, "DALLAS DEVELOPMENT CODE," as amended, are amended by establishing Conservation District No. 1 (the Kings Highway Conservation District) on the following described property, to-wit:

Being all of Lots 1 through 5 in City Block 1/4621 fronting on the north line of Kings Highway between Mary Cliff Road and Montclair Avenue; being all of City Block 2/4622 bounded by Kings Highway on the north, Montclair Avenue on the east, Kyle Street on the south and Mary Cliff Road on the west; being all of City Block 3/4623 and all of City Block 3-A/4623 bounded by Kyle Street on the north, Montclair Avenue on the east, Taft Street on the south and Mary Cliff Road on the west; being all of City Block B/3560 bounded by Ranier Street on the north, Rosemont Avenue on the east, Davis Street on the south and Mary Cliff Road on the west; being all of City Block A/3559 bounded by Ranier Street on the north, Montclair Avenue on the east, Davis Street on the south and Rosemont Avenue on the west; being all of City Block 22/3469 bounded by Lausanne Avenue on

the east, Kings Highway on the southwest, Montclair Avenue on the west and the common line between City Blocks 4/3822 and 22/3469 on the north; being all of City Block 18/3467 bounded by Stewart Drive on the north, Windomere Avenue on the east, Kings Highway on the southwest and Lausanne Avenue on the west; being all of City Block E/3466 bounded by Windomere Avenue on the northwest and east and by a public alley on the southwest; being all of City Block 14/3465 bounded by Stewart Drive on the north, Edgefield Avenue on the east, Green Street on the south and Windomere Avenue on the west; being all of City Block 23/3470 bounded by Kings Highway on the northeast, Windomere Avenue on the east, Taft Street on the south and Montclair Avenue on the west; being all of City Block 15/3466 bounded by Green Street and a public alley on the north, Edgefield Avenue on the east and southeast, Kings Highway on the southwest and Windomere Avenue on the northwest and west; being all of City Block 19/3468 bounded by Kings Highway on the northeast, Edgefield Avenue on the southeast, Taft street on the south and Windomere Avenue on the west and northwest; being all of City Block 24/3475 bounded by Taft Street on the north, Windomere Avenue on the east, Ranier Street on the south and Montclair Avenue on the west; being all of City Block 20/3473 bounded by Taft Street on the north, Edgefield Avenue on the east, Ranier Street on the south and Windomere Avenue on the west; being all of City Block 16/3471, bounded by Kings Highway on the northeast, Clinton Avenue on the southeast and east, Ranier on the south and Edgefield Avenue on the west and northwest; being all of Lots 3 through 18 in City Block 25/3476 bounded by Ranier Street on the north, Windomere Avenue on the east, West Davis Street on the south and Montclair Avenue on the west; being all of Lots 3 through 16 in City Block 21/3474, bounded by Ranier Street on the north, Edgefield Avenue on the east, the southern boundary of Lots 3 and 16 in City Block 21/3474 on the south and Windomere Avenue on the west; being all of Lots 4 through 16 in City Block 17/3472 bounded by Ranier Street on the north, Clinton Avenue on the east, the southern boundary of Lots 4 and 16 in City Block 17/3472 on the south and Edgefield Avenue on the west; being all of City Block 10/3457 bounded by Stewart Drive on the north, Clinton Avenue on the east, Green Street on the south and Edgefield Avenue on the west; being all of City Block 4/3455 bounded by Stewart Drive on the north, Winnetka Avenue on the east, Green Street on the south and Clinton Avenue on the west; being all of City Block 1/3453 bounded by Stewart Drive on the north, a 15 foot wide public alley on the east, Green Street on the south and Winnetka Avenue on the west; being all of City Block 11/3458 bounded by Green Street on the north, Clinton Avenue on the east and southeast, Kings Highway on the southwest and Edgefield Avenue on the northwest and west; being all of City Block 5/3456 bounded by Green Street on the north, Winnetka Avenue on the

east, Carty Street on the south and Clinton Avenue on the west; being all of City Block 2/3454 bounded by Green Street on the north, a 15 foot wide public alley on the east, Carty Street on the south and Winnetka Avenue on the west; being all of City Block 12/3463 bounded by Kings Highway on the northeast, Winnetka Avenue on the southeast, Ranier Street on the south and Clinton Avenue on the west and northwest; being all of Lots 3 through 16 in City Block 13/3464 bounded by Ranier Street on the north, Winnetka Avenue on the east, the southern boundary of Lots 3 and 16 in City Block 13/3464 on the south and Clinton Avenue on the west; being all of Lots 1 through 14 and all of Lots 19 and 20 in City Block 7/3461, bounded by Kings Highway on the northeast, Willmet Avenue on the southeast and east, the southern boundary of Lots 19 and 14 in City Block 7/3461 on the south and Winnetka Avenue on the west and northwest; being part of Lot 3 and all of Lots 4 through 8 in City Block 8/3462 bounded by Kings Highway on the northeast, Polk Street on the east, a 20 foot wide public alley on the southwest and Willmet Avenue on the northwest; being all of Lots 1 through 4 and 9 through 13 in City Block 3/3459 bounded by Tyler Street on the east, 20 foot wide public alley on the southwest, the southeastern boundary of Lot 9 in City Block 3/3459 on the southeast, Kings Highway on the southwest and Polk Street on the northwest; being all of Lots 16 through 34 and all of Lot B in City Block 3/3459 bounded by Polk Street on the southeast, Kings Highway on the southwest, Winnetka Avenue on the northwest and west, Carty Street on the north, a 12 foot wide public alley on the east and a 20 foot wide public alley on the northeast; being all of Lots 1 through 13 and all of Lot C in City Block 6/3460 bounded by Carty Street on the north, Winnetka Avenue on the east and southeast, Kings Highway on the southwest, Clinton Avenue on the northwest and Clinton Avenue on the east; being all of City Blocks 11/3844 and part of City Block A/3552 bounded by Stewart Drive on the north, Turner Avenue on the east, Everts Avenue on the south and a 15 foot wide public alley on the west; being all of Lots 1 through 8 in City Block 6/3839 fronting on the north line of Stewart Drive between Turner Avenue and Tyler Avenue; being all of City Block 5/3838 and part of A/3552 bounded by Stewart Drive on the north, Tyler Avenue on the east, Everts Avenue on the south and Turner Avenue on the west; being all of City Block B/3553 bounded by Everts Avenue on the north, Tyler Avenue on the east, Carty Street on the south and an 18 foot wide public alley on the west; being all of City Block A/3478 bounded by Carty Street on the north, Tyler Avenue on the east, Winston Street on the south and a 12 foot wide public alley on the west; being all of City Block B/3477 bounded by Winston Street on the north, Turner Street on the east, a 20 foot wide public alley on the southwest and a 12 foot wide public alley on the west; and being all of City Block 3477 bounded by Winston

Street on the north, Tyler Avenue on the east, the southern boundary of City Block 3477 on the south and Turner Street on the west.

SECTION 3. Purpose. This district is established to provide a means of conserving the King's Highway neighborhood and to protect and enhance its significant architectural and cultural attributes.

SECTION 4. Interpretations and definitions.

(a) Unless otherwise stated, all references to code sections in this ordinance refer to sections in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended.

(b) Except as otherwise provided in this ordinance, the definitions and provisions contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, apply to this ordinance. In this ordinance:

(1) **AIR CONDITIONING SERVICE AND SUPPLY USE** means a facility for the service and sales of air conditioning equipment.

(2) **BAKERY OR CONFECTIONERY SHOP** means a facility for preparing, cooking, baking, and the retail sale of candy, baked goods, or other sweets.

(3) **BARBER AND BEAUTY SHOP** means a facility licensed by the state where haircutting, hairdressing, shaving, trimming beards, facials, manicures, or related services are performed.

(4) **BEVERAGE STORE** means a facility for the retail sale of soft drinks, beer, wine, or liquor that is not to be consumed on the premises.

(5) **BOOK AND STATIONERY STORE** means a facility for the retail sale of books, pamphlets, papers, pens, ink, and associated items.

(6) **CAMERA SHOP** means a facility for the retail sale of cameras, film, photographic paper, auxiliary lenses, photofinishing, photofinishing material, projection equipment, and other photography related items.

(7) CIGAR, TOBACCO, AND CANDY STORE means a facility for the retail sale of cigars, cigarettes, pipe tobacco, candies, and other related items.

(8) CORNER SIDE YARD means a side yard that abuts a street.

(9) DAY CARE CENTER means a facility that provides care or supervision for more than four children under 18 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility, for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers and whether or not the facility is licensed by the state as a day care center.

(10) DRUG STORE means a facility for the preparing, preserving, compounding, and the retail sale of drugs and medicines.

(11) DUPLICATION SHOP means a facility for the reproduction on standard or legal sized paper of material by office type photocopiers.

(12) FLORIST STORE means a facility for the retail sale of cut or uncut flowers and ornamental plants and associated items.

(13) GROUP HOME FOR THE ABUSED means a facility for the housing or temporary shelter of abused persons.

(14) HEALTH STUDIO means a facility operated to promote physical fitness or weight control and where manipulated massage or exercises are practiced upon the human body with or without the use of mechanical, therapeutic, or bathing devices.

(15) HOBBY AND ART SUPPLIES STORE means a facility for the retail sale of model kits, art equipment and materials, and similar art and hobby supplies.

(16) INSTRUCTIONAL ARTS STUDIO means a facility for the instructing, coaching, or counselling in art, music, ceramics, drama, speech, dance, or similar personal skills or arts.

(17) KEY SHOP means a facility for the sale and duplication of keys.

(18) LAUNDRY OR CLEANING PICKUP AND RECEIVING STATION means a facility that receives and dispenses laundry and dry

cleaning that is processed in bulk by a commercial laundry or dry cleaning shop located elsewhere.

(19) MORTUARY OR FUNERAL HOME means a facility in which dead bodies are prepared for burial or cremation.

(20) OPTICAL SHOP means a facility providing optical items for the correction of vision.

(21) PAINT AND WALLPAPER STORE means a facility for the retail sale of paints, painting equipment, and wallpaper.

(22) RESTAURANT WITHOUT DRIVE-IN SERVICE means an establishment for the sale and service of food to customers on the premises, but not in automobiles.

(23) RETAIL FOOD STORE means an establishment for the display and retail sale of foods and associated items.

(24) ROLL ROOFING means roofing material commonly packaged in rolls.

(25) SHOE REPAIR USE means a facility for the repair or reconditioning of footwear, handbags, and other similar articles.

(26) TAILOR, CUSTOM SEWING, AND MILLINERY USE means a facility to alter, repair, custom make, and fashion apparel and millinery.

(27) TRAVEL BUREAU means an agency engaging in the selling or arranging of transportation, trips, or tours for individuals or groups.

SECTION 5. Kings Highway conservation plan. The Kings Highway Conservation Plan is attached to and made a part of this ordinance as Exhibit A. The Kings Highway Conservation Plan reflects the history of the Kings Highway Conservation District and should be used to aid in the interpretation of this ordinance. In the event of a conflict, the provisions of this ordinance control.

SECTION 6. Creation of subareas. This district is hereby divided into five separate subareas, which shall be known as "Subarea 1," "Subarea 2," "Subarea 3," "Subarea 4," and "Subarea 5." Property descriptions of Subareas 1 through 5 and a map showing the subarea boundaries are attached to and made a part of this ordinance as Exhibit B.

SECTION 7. Review of building permit applications.

(a) Upon receipt of an application for a permit for construction or modification of any new or contributing structure visible from the street, the building official shall refer the permit application and plans to the director to determine whether the project meets the requirements of this ordinance. The review must be conducted so that the decision on issuance of the building permit can be completed no later than 30 days from the date of submission of the completed application to the building official.

(b) Once the director makes his determination in accordance with Subsection (a), he shall refer the permit application, plans, and all other relevant information to the building official, who shall issue the permit if all requirements of the construction codes and other applicable ordinances have been met.

SECTION 8. Appeals.

(a) City plan commission appeal. An applicant may appeal any decision made by the director pursuant to this ordinance to the city plan commission by filing a written request for appeal with the department of planning and development within 10 days after notice is given to the applicant of the director's decision.

(b) City council appeal. An applicant may appeal the decision of the city plan commission to the city council by filing a written request with the department of planning and development within 10 days of the final action taken by the city plan commission.

(c) Building code advisory and appeals board appeal. An applicant may appeal the determination of the building official concerning whether or not a building is structurally unsound to the building code advisory and appeals board.

(d) Board of adjustment appeal. An applicant may appeal any other determination of the building official to the board of adjustment.

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GENERAL PROVISIONS APPLICABLE TO ALL
SUBAREAS EXCEPT SUBAREA 5

SECTION 9. General provisions. The provisions in this section apply to all subareas in this district except for Subarea 5.

(a) Architectural styles. New construction in this district must conform to craftsman, prairie, or tudor styles as described in the attached Kings Highway Conservation Plan.

(b) Conversions or additions. Conversions or additions that increase the number of dwelling units are prohibited.

(c) Nonconforming uses and structures.

(1) Nonconformity provisions listed in CHAPTER 51A "PART II OF THE DALLAS DEVELOPMENT CODE," as amended, apply to the Kings Highway Conservation District except as otherwise provided in this subsection.

(2) If the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.

(3) If a nonconforming structure is damaged to the extent of more than 60 percent of the replacement cost of the nonconforming structure on the date of the damage, the owner may rebuild the nonconforming structure only after a hearing and approval of the board.

(d) Provisions of special applicability. The following provisions apply only to those structural components visible from a street.

(1) Exterior facade materials.

(A) Only those exterior facade materials listed in Table 1 of the Kings Highway Conservation Plan may be used for new construction.

(B) Only brick, wood, or materials similar in appearance to wood may be used for renovations or additions.

(2) Fences. Fences in the front yard may not exceed 36 inches in height.

(3) Paving. Driveways and sidewalks must be paved with smooth-finished concrete, brick, or brick paver material.

(4) Roofing. Roll roofing is not permitted except on existing flat roofs.

(5) Stairwells. Exterior stairwells visible from the street are not permitted. Enclosures for stairwells must conform to the style of the house.

(6) Windows.

(A) Windows must be consistent with the architectural style of the main use.

(B) Fixed windows are not permitted except for:

(i) stained or leaded glass windows; or

(ii) porch enclosures if the enclosure fits their corresponding original openings.

(C) All windows must fit their corresponding wall openings.

(D) Aluminum windows must be painted with non-metallic paint and must be indistinguishable from original windows.

(e) Vending machines and telephone booths. Coin or currency-operated vending machines and telephone booths may not be located in or visible from a front or corner side yard.

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**USE REGULATIONS, DEVELOPMENT STANDARDS,
AND CONSERVATION CRITERIA FOR
SUBAREA 1**

SECTION 10. Subarea 1-single family.

(a) Height. No structure may exceed 30 feet in height.

(b) Landscape regulations. Fifty percent of the area between the street and the building line must be landscaped with live plant materials.

(c) Lot coverage.

(1) The maximum lot coverage for residential uses is 45 percent.

(2) The maximum lot coverage for other permitted uses is 25 percent.

(3) If a residential use is located on the same lot with another permitted use, the maximum lot coverage is 45 percent.

(d) Lot size.

(1) The minimum lot area for residential uses is 7,500 square feet.

(2) The minimum lot width for residential uses is 55 feet.

(3) The minimum lot depth for residential uses is 100 feet.

(e) Setbacks.

(1) The minimum front yard setback is 25 feet. The front yard setback must be within five feet of the average setback of the nearest three main uses within the blockface.

(2) The minimum side and rear yard setback is five feet for residential uses.

(3) The minimum side yard setback for other permitted uses is 10 feet.

(4) The minimum rear yard setback for other permitted uses is 15 feet.

(f) Stories. A maximum of two stories are permitted.

(g) Uses. The following uses are permitted in Subarea 1:

(1) Institutional and community service uses.

(A) Child-care facility (by SUP only).

(B) Church.

(C) Community home for disabled persons.

(2) Recreation uses.

(A) Public park, playground, or golf course.

(3) Residential uses.

(A) Single family.

(4) Transportation uses.

(A) Transit passenger shelter (by SUP only).

(5) Utility and public service uses.

(A) Local utilities.

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USE REGULATIONS, DEVELOPMENT STANDARDS,
AND CONSERVATION CRITERIA FOR
SUBAREA 2

SECTION 11. Subarea 2-duplex.

(a) Density. No more than one dwelling unit is permitted per 3,000 square feet of lot area.

(b) Height. No structure may exceed 30 feet in height.

(c) Landscape regulations. Fifty percent of the area between the street and the building line must be landscaped with live plant materials.

(d) Lot coverage.

(1) The maximum lot coverage for residential uses is 45 percent.

(2) The maximum lot coverage for other permitted uses is 25 percent.

(3) If a residential use is located on the same lot with another permitted use, the maximum lot coverage is 45 percent.

(e) Lot size.

(1) The minimum lot area for residential uses is 6,500 square feet.

(2) The minimum lot width for residential uses is 60 feet.

(3) The minimum lot depth for residential uses is 100 feet.

(f) Setbacks.

(1) The minimum front yard setback is 25 feet.

(2) The minimum side and rear yard setback is five feet for residential uses.

(3) The minimum side yard setback for other permitted uses is 10 feet.

(4) The minimum rear yard setback for other permitted uses is 15 feet.

(g) Stories. A maximum of two stories are permitted.

(h) Uses. The following uses are permitted in Subarea 2:

(1) Institutional and community service uses.

- (A) Child-care facility (by SUP only).
- (B) Church.
- (C) Community home for disabled persons.
- (2) Recreation uses.
 - (A) Public park, playground, or golf course.
- (3) Residential uses.
 - (A) Duplex.
 - (B) Single family.
- (4) Transportation uses.
 - (A) Transit passenger shelter (by SUP only).
- (5) Utility and public service uses.
 - (A) Local utilities.

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USE REGULATIONS, DEVELOPMENT STANDARDS,
AND CONSERVATION CRITERIA FOR
SUBAREA 3

SECTION 12. Subarea 3-mixed residential.

(a) Density. No more than four dwelling units are permitted on each lot.

(b) Height. No structure may exceed 30 feet in height.

(c) Landscape regulations. Fifty percent of the area between the street and the building line must be landscaped with live plant materials.

(d) Lot coverage.

(1) The maximum lot coverage for residential uses is 45 percent.

(2) Maximum lot coverage for other permitted uses is 25 percent.

(3) If a residential use is located on the same lot with another permitted use, the maximum lot coverage is 45 percent.

(e) Lot size.

(1) The minimum lot area for residential use is 7,500 square feet.

(2) The minimum lot width for residential use is 55 feet.

(3) The minimum lot depth for residential use is 100 feet.

(f) Setbacks.

(1) The minimum front yard setback is 25 feet.

(2) The minimum side and rear yard setback is five feet for single family or duplex uses.

(3) The minimum side yard setback for other permitted uses is 10 feet.

(4) Minimum rear yard setback for other permitted uses is 15 feet.

(g) Stories. A maximum of two stories are permitted.

(h) Uses. The following uses are permitted in Subarea 3:

- (1) Institutional and community service uses.
 - (A) Child-care facility (by SUP only).
 - (B) Church.
 - (C) Community home for disabled persons.
 - (D) Foster home (by SUP only).
- (2) Recreation uses.
 - (A) Public park, playground, or golf course.
- (3) Residential uses.
 - (A) Duplex.
 - (B) Multifamily.
 - (C) Single family.
- (4) Transportation uses.
 - (A) Transit passenger shelter (by SUP only).
- (5) Utility and public service uses.
 - (A) Local utilities.

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USE REGULATIONS, DEVELOPMENT STANDARDS,
AND CONSERVATION CRITERIA FOR
SUBAREA 4

SECTION 13. Subarea 4-multifamily.

(a) Density. No more than 25 dwelling units are permitted on each acre.

(b) Height. No structure may exceed 30 feet in height.

(c) Landscape regulations. Fifty percent of the area between the street and the building line must be landscaped with live plant materials.

(d) Lot coverage. The maximum lot coverage is 60 percent.

(e) Lot size.

(1) The minimum lot area for each structure type is 7,500 square feet.

(2) The minimum lot width per structure type is as follows:

<u>Structure Type</u>	<u>Lot Width</u>
Single Family	55 ft.
Duplex, Multifamily	60 ft.

(3) The minimum lot depth for each structure type is 100 feet.

(f) Setbacks.

(1) The minimum front yard setback is 25 feet.

(2) The minimum side and rear yard setback is five feet for single family or duplex structures.

(3) The minimum side yard setback for other permitted structures is 10 feet.

(4) The minimum rear yard setback for other permitted structures is 15 feet.

(g) Stories. A maximum of two stories are permitted.

(h) Uses. The following uses are permitted in Subarea 4:

(1) Institutional and community service uses.

- (A) Child-care facility (by SUP only).
- (B) Church.
- (C) Community home for disabled persons.
- (2) Recreation uses.
 - (A) Public park, playground, or golf course.
- (3) Residential uses.
 - (A) Duplex.
 - (B) Multifamily.
 - (C) Single family.
- (4) Transportation uses.
 - (A) Transit passenger shelter (by SUP only).
- (5) Utility and public service uses.
 - (A) Local utilities.

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USE REGULATIONS, DEVELOPMENT STANDARDS,
AND CONSERVATION CRITERIA FOR
SUBAREA 5

SECTION 14. Subarea 5-neighborhood service.

(a) Floor area ratio. The maximum floor area ratio is 0.5.

(b) Height. No structure may exceed 30 feet in height.

(c) Lot coverage.

(1) The maximum lot coverage is 40 percent.

(2) Above-ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(d) Setbacks.

(1) The minimum front yard setback is 15 feet.

(2) A 20-foot setback must separate a residential use from a nonresidential use.

(3) No other side yard setback is required; however, if provided it must be a minimum of 10 feet.

(e) Stories. A maximum of two stories are permitted.

(f) Uses. The following uses are permitted in Subarea 5:

(1) Commercial and business service uses.

(A) Electronics service center.

(2) Institutional and community service uses.

(A) Child care facility (by SUP only).

(B) Church.

(C) Group home for the abused.

(D) Institution for special education.

(E) Library, art gallery, or museum.

(F) Public or private school.

(3) Miscellaneous uses.

(A) Temporary construction or sales office.

(4) Office uses.

(A) Medical clinic.

(B) Office.

(5) Recreation uses.

(A) Private recreation center, club, or area (by SUP only).

(B) Public park, playground, or golf course.

(6) Residential uses.

(A) Single family.

(7) Retail and personal service uses.

(A) Air conditioning service and supply

(B) Bakery

(C) Barber and beauty shop

(D) Beverage store

(E) Book and stationery store

(F) Camera shop

(G) Cigar, tobacco, and candy store

(H) Day care center (SUP)

(I) Drug store

(J) Duplication shop

(K) Florist shop

(L) Health studio

(M) Hobby and art supply store

(N) Instructional arts studio

(O) Key shop

(P) Laundry or cleaning pickup and receiving station

(Q) Mortuary

(R) Optical shop

(S) Paint and wallpaper store

(T) Restaurant without drive-in service

(U) Retail food store

(V) Shoe repair

(W) Tailor, custom sewing, and milliner

(X) Travel bureau

(8) Transportation uses.

(A) Transit passenger shelter.

(9) Utility and public service uses.

- (A) Electrical substation (by SUP only).
- (B) Local utilities.

SECTION 15. Existing overlays. The establishment of this conservation district shall not affect any existing liquor control overlay district or any other overlay district classification of the above described property.

SECTION 16. Termination of moratorium. Moratorium No. 880262, passed by the Dallas City Council on January 13, 1988, is hereby terminated.

SECTION 17. Zoning district map. The director of the department of planning and development shall correct Zoning District Map Nos. K-6 and Z-6, in the offices of the city secretary, the building official, and the department of planning and development to reflect the changes in zoning made by this ordinance.

SECTION 18. Penalty clause. A person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$2000.

SECTION 19. Saving clause. CHAPTERS 51 and 51A, "DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 20. Severability clause. 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 21. Effective date. 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:

ANALESLIE MUNCY, CITY ATTORNEY

By Cynthia Holder Steiner
Assistant City Attorney

Passed and correctly enrolled MAR 23 1988

Zoning File No. CD878-101/8454-S

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KINGS HIGHWAY CONSERVATION DISTRICT ORDINANCE EXHIBITS

EXHIBIT A: KINGS HIGHWAY CONSERVATION PLAN
EXHIBIT B: SUBAREA DESCRIPTIONS/SUBAREA MAP

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EXHIBIT A

KINGS HIGHWAY CONSERVATION PLAN

INTRODUCTION

The Kings Highway neighborhood is an asset to the City of Dallas because of its collection of important architectural styles. The purpose of this plan is to ensure the conservation of the existing housing stock and to ensure that new housing is compatible with the existing character of the neighborhood.

Inner city neighborhoods typically experience the effects that changing economic and social climates bring—the aging of the housing stock; a decrease in owner-occupancy; and the flight of original owners to the suburbs. This neighborhood, however, has withstood these tests of time and now, through this plan, seeks to conserve the unique character of the area by conserving the styles of homes that were prevalent in the early twentieth century.

The homes in the Kings Highway Neighborhood were built primarily in the 1910s and 1920s. Craftsman, Prairie, Eclectic and Tudor styles common to this era are widely represented throughout. During this period, the apartments along the southeastern portion of Kings Highway provided temporary housing for those awaiting the construction of their homes in the adjoining neighborhood of Winnetka Heights.

The Kings Highway Conservation Plan reflects concerns of the majority of the residents in the neighborhood. It describes the background and existing conditions within the neighborhood, discusses the issues that relate to ensuring a stable neighborhood, and offers recommendations that can be implemented through the Conservation District zoning ordinance.

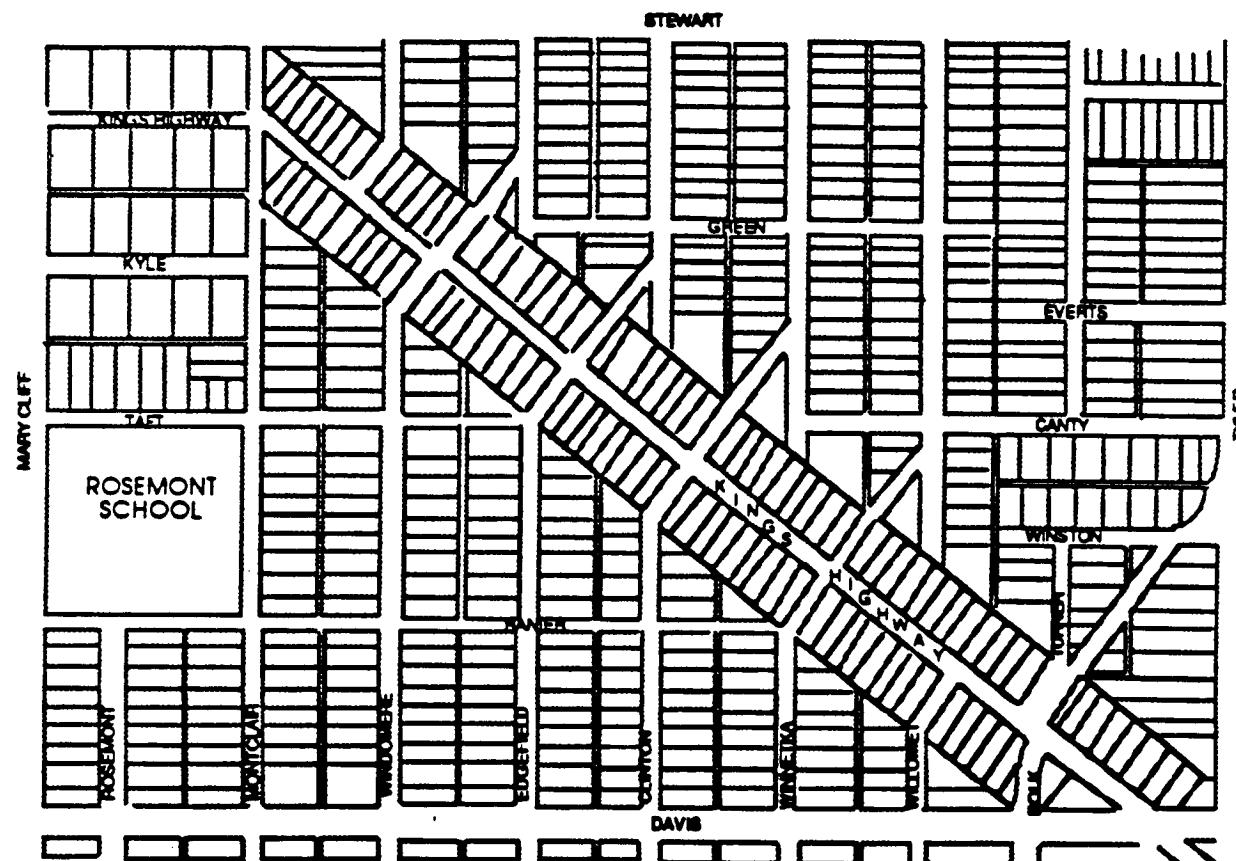
The Conservation District zoning enabling ordinance was passed by the City Council in February of 1986, and its primary purpose is to contribute to the stability or stabilization of areas through conservation of significant architectural or cultural attributes.

I. BACKGROUND AND EXISTING CONDITIONS

BACKGROUND

In May of 1987, the City Plan Commission authorized a public hearing to determine the proper zoning for the Kings Highway neighborhood generally bounded by Tyler, Davis, Montclair and Stewart. Kings Highway is located in north Oak Cliff. See Figure 1.

FIGURE 1: STUDY AREA



In June, the Kings Highway Neighborhood Association filed an application requesting the director of the Department of Planning and Development to initiate a study to investigate the feasibility and appropriateness of rezoning the neighborhood to Conservation District.

Several meetings were held with property owners and representatives of the Kings Highway Neighborhood Association to discuss issues related to the conservation of the neighborhood. The Kings Highway Conservation Plan addresses these neighborhood concerns.

**EXISTING
LAND USE/ZONING**

Within the study area, the land uses are a mixture of multifamily, duplex and single family. See figure 2.

Multifamily uses are concentrated in the 1000 - 1300 blocks of Kings Highway between Davis and Edgefield. Of the 62 lots in this area, 52% are multifamily, 34% are single family, 11% are duplexes, and 3% are vacant. This area is presently zoned Multifamily-2. See figure 3.

Another area zoned Multifamily-2 is located between Kings Highway and Kyle Street. The land use composition of this block is: 5% duplex, 10% vacant, 30% multifamily (two apartment buildings), and 55% single family.

The remainder of the study area is zoned primarily Residential-7,500 (single family detached) with two areas zoned Townhouse-3 (single family attached). The land use composition for this area is: 92% single family detached, 5% duplex, 2% vacant, and 1% multifamily.

Nonresidential uses in the study area are located along Davis and at the intersection of Stewart and Edgefield. Land uses in these areas are primarily neighborhood serving retail or office uses.

Based on a survey conducted in 1985 by city staff, the condition of the housing in the Kings Highway neighborhood is generally good. A few need major repair yet the majority need only minor repair or are in good condition. Overall, the neighborhood has a stable physical appearance.

**ZONING
HISTORY**

In 1929, when Dallas developed its first zoning plan, the portion of Kings Highway between Edgefield and Davis was zoned for apartments. Since then, the area has remained zoned for multifamily uses with no evidence of commercial intrusion. The immediate area surrounding Kings Highway has been primarily zoned for single family uses over the same period. In 1965, duplex areas were converted to townhouse zoning. Davis has long been

FIGURE 2: EXISTING LAND USE

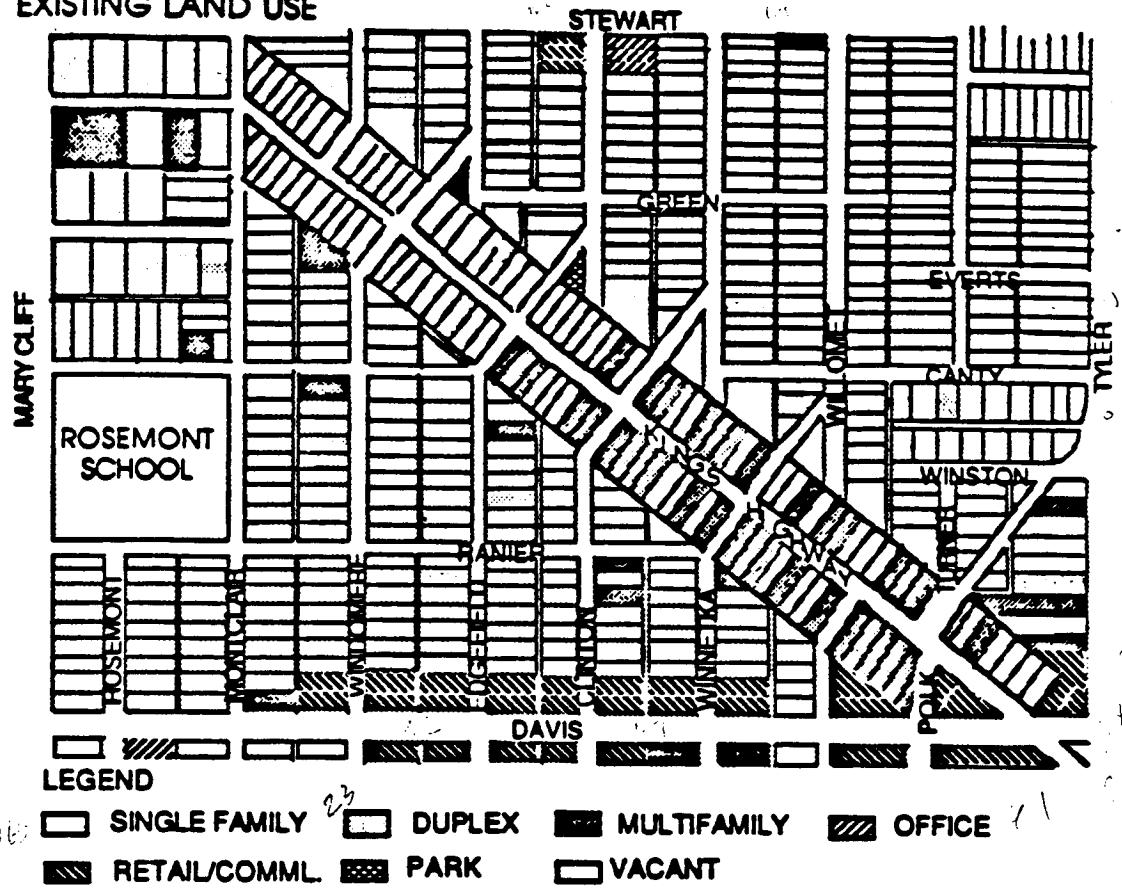
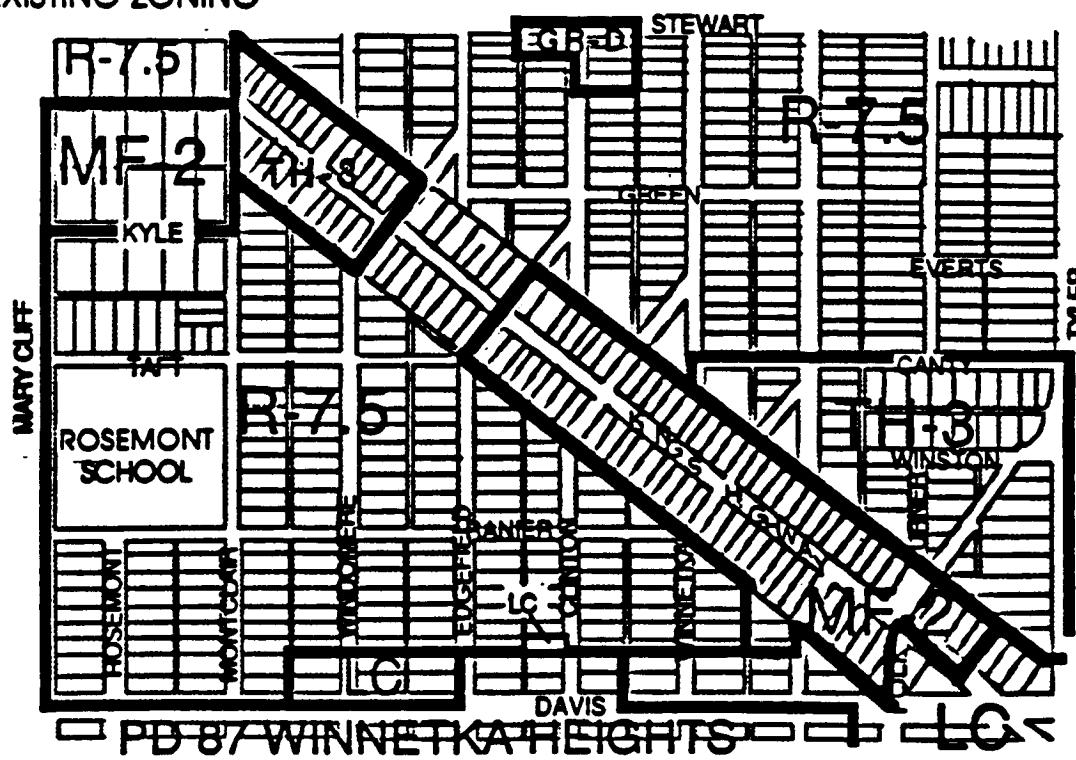


FIGURE 3: EXISTING ZONING



zoned for business uses.

The most recent zoning activity in the study area has been for specific use permits.

A case in 1975 involved a request for a specific use permit to operate a rehabilitation home for alcoholics. The City Plan Commission followed the staff recommendation for denial of the request.

A case in 1982 involved a request for a specific use permit to operate a home for battered women. The residents strongly opposed the additional intrusion of this use in the neighborhood, citing the existence of one home for battered women in the same block. The City Plan Commission recommended approval for a two year period. However, the City Council did not follow the CPC recommendation and denied the request.

NORTH OAK CLIFF PLAN

The North Oak Cliff Land Use and Development Plan was adopted in 1986 by the City Council to give guidance in land use decisions in north Oak Cliff. This plan gives general policy direction for the Kings Highway Neighborhood. The recommended development pattern for this area calls for rehabilitation and conservation of existing housing.

According to the plan, the predominant land use should be single family. Secondary land uses should include low density multifamily along parts of Kings Highway. The plan also recommends that multifamily standards should be consistent with the predominant existing buildout which includes brick materials, 2-2 1/2 stories, and 4 to 12 unit complexes.

ARCHITECTURE

A comprehensive parcel-by-parcel survey of the architectural characteristics of the neighborhood was performed in July of 1987 by city staff. Houses were categorized by architectural style based on criteria listed in the book, A Field Guide to American Houses by Virginia and Lee McAlester.

Three styles of homes have been identified as contributing to the significant architectural attributes and distinctive atmosphere of the Kings Highway Neighborhood: Craftsman, Prairie, and Tudor.

For purposes of this study, the following styles are defined as follows.

- **Craftsman Style** - a style of architecture with the following prevalent characteristics: low pitched, gabled roof with wide, unenclosed eave overhang, roof rafters usually exposed; decorative (false) beams or braces commonly added under gables; porches, either full- or partial width, with roof supported by tapered square columns; columns or pedestals frequently extend to ground level (without a break at level of porch floor).

The Craftsman style makes up 49% of the neighborhood and is illustrated below.

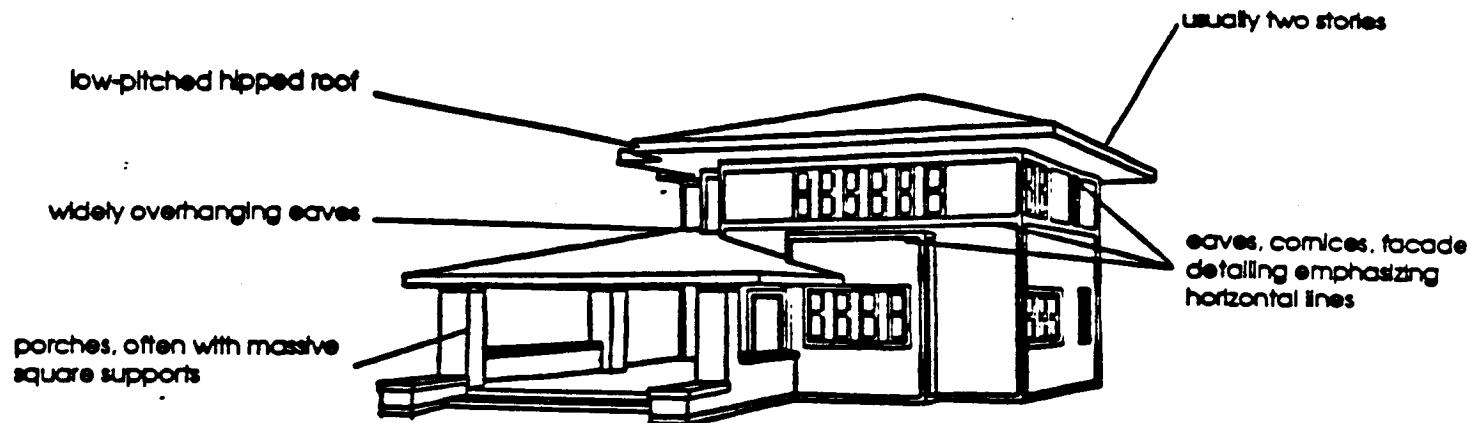
FIGURE 4: CRAFTSMAN STYLE



- **Prairie Style** - a style of architecture that has the following prevalent characteristics: low pitched, hipped roof, with widely overhanging eaves; eaves, cornices, and facade detailing emphasizing horizontal lines; often with massive, square porch supports.

The Prairie Style makes up 15% of the neighborhood and is illustrated below.

FIGURE 5: PRAIRIE STYLE



- Tudor Style architecture is characterized by the following prevalent characteristics: steeply pitched roof (usually side-gabled); facade dominated by one or more prominent cross gables, usually steeply pitched; tall narrow windows, usually in multiple groups and with multipane glazing; massive chimneys, commonly crowned by decorative chimney pots.

The Tudor Style makes up 8% of the neighborhood and is illustrated below.

FIGURE 6: TUDOR STYLE



For purposes of the staff survey, other architectural classifications were made. Each of the following classifications are considered non-contributing for various reasons listed below.

- Contemporary Style - a style of architecture that prevailed during and after the 1940s.

Due to its modern components, the contemporary style is considered non-contributing to the distinctive character of the neighborhood. Contemporary architecture makes up 6% of the neighborhood.

- Eclectic Style means a style of architecture exhibiting a diverse mixture of stylistic components-with none prevailing. Representative stylistic components for the eclectic style in the Kings Highway neighborhood are derived primarily from styles prevalent before 1940.

The Eclectic Style may be considered contributing since the stylistic components are pre-1940. However, due to the diverse mixture of styles, a proper definition is infeasible. The Eclectic Style makes up 13% of the neighborhood.

- Miscellaneous Styles for the purpose of this study means a house is of either Spanish Mission, Colonial Revival, Italian Revival, or Folk Style of architecture.

While each of these styles contributes to the diversity of the neighborhood, their scarcity prohibits designation as contributing styles of architecture. Miscellaneous Styles make up 5% of the neighborhood.

**BUILDING FORM-
HEIGHTS/SETBACKS**

Interestingly, every structure on Kings Highway in the 1000 - 1300 blocks (area zoned MF-2) is 1-1/2 or 2 stories with the exception of the most recently completed apartment house which is 3 stories. The typical building form is characterized by 25-30 ft. front setbacks, small sideyards and a bulky form (wide structures). These characteristics typify single family detached structures that were built in the early 1900s.

These characteristics also describe the remainder of the study area with the exception that most of the houses are 1-story. Statistics on the number of stories for the houses in the neighborhood are listed below.

3 stories 1 (0%)
2 stories 113 (20%)
1-1/2 stories 12 (2%)
1 story 439 (78%)

II. ISSUES

CITIZEN INPUT

The issues that have been identified arose through meetings held with the property owners and representatives of the Kings Highway Neighborhood Association. The key issues that have been identified include:

- conservation of architectural characteristics
- land use/zoning incompatibilities
- building form (heights and setbacks)
- code enforcement

LAND USE/ZONING INCOMPATIBILITY

There are some evident incompatibilities between the existing land uses and the zoning. Two areas are zoned for high density townhouses, yet are stable single family areas. This situation could lead to speculation on future redevelopment of the area and disinvestment in the existing housing stock.

The area zoned GR-D at Stewart and Edgefield will be transitioned to the Community Retail (CR) zoning district through the city-wide Zoning Transition Program. Considering the location of this area, the allowable heights (4 stories) and densities (.75 FAR) of the CR district are not conducive to neighborhood stability.

Therefore, as part of the effort to conserve the Kings Highway Neighborhood, a change in zoning to a neighborhood serving office/retail district (NS-A) is more appropriate in relationship to the neighborhood.

The existing MF-2 standards are not appropriate for new construction as it relates to the existing apartment densities along Kings Highway in the 1000 - 1300 blocks. MF-2 standards allow up to 36 units per acre, while along Kings Highway densities are limited to approximately 25 units per acre. And while these densities are moderate, these apartment buildings appear in many instances to be single family structures from the street.

BUILDING FORM

The existing MF-2 standards are also not appropriate for new construction as it relates to the existing building form along Kings Highway in the 1000 - 1300 blocks. Current Multifamily-2 standards such as a 36 ft. height limit (3 stories) and 15 ft. front yard setbacks pose a serious threat to conserving the character of Kings Highway.

CONSERVATION OF ARCHITECTURE

The Kings Highway Neighborhood represents a collection of important architectural styles that is worthy of conservation. In many ways, the future stability of the neighborhood is related to the maintenance of the unique architectural character that this neighborhood exhibits. Intrusive new residential development that is insensitive to existing architectural character or the goals and ideals of the residents in the Kings Highway should be discouraged.

OTHER PHYSICAL ATTRIBUTES

Issues such as landscaping, fences, building materials, placement of staircases and other physical attributes of houses have also been identified as important in the conservation of the neighborhood.

CODE ENFORCEMENT

The issue of code enforcement and code compliance becomes increasingly important as new development standards for the neighborhood are adopted. Therefore, the following administrative review process should be established to review all construction and additions.

The Department of Public Works/Building Inspection shall maintain their primary function of evaluating basic building code requirements.

The director of the Department of Planning and Development will review all construction plans in relation to adherence to the provisions of the intent of the Kings Highway Conservation Plan in addition to the detailed provisions of the Kings Highway Conservation District ordinance.

Appeals to the planning director's decision shall be made to the city plan commission by filing a written notice with the planning director within 10 days of receiving notice of denial. Appeal to the city plan commission is the final administrative remedy available to the applicant.

III. RECOMMENDATIONS

CONSERVATION- ARCHITECTURE

The primary goal of this plan is ensuring the stability of the Kings Highway Neighborhood through the conservation of the significant architectural attributes.

The significant styles of architecture in this neighborhood include the Craftsman, Prairie, and Tudor styles of homes. These styles are considered contributing to the unique character of the neighborhood and new housing should consist of one of these three styles. See illustrations in Section I.

The following are recommendations regarding architectural guidelines for housing in the neighborhood.

Architectural Provisions

- For purposes of conserving the prevalent architectural and cultural attributes of the Kings Highway Neighborhood, three types of eclectic styles have been identified as significant. All new housing in the District shall conform to one of the following styles:

- 1) Craftsman
- 2) Prairie
- 3) Tudor

Existing houses that are not one of these styles are "non-contributing." Non-contributing houses are not nonconforming and are exempt from the following architectural provisions with the exception of landscaping and exterior stairwells.

Architectural characteristics for these styles follow.
(see Table 1)

Craftsman

- low-pitched, gabled roof
- wide, unenclosed eave overhang
- roof rafters usually exposed
- decorative (false) beams or braces commonly added under gables
- porches with roof supported by tapered square columns; columns or pedestals frequently extend to ground level (without a break at level of porch floor).

Prairie

- low-pitched hipped roof
- widely overhanging eaves
- eaves, cornices, facade detail emphasizing horizontal lines
- porches often with massive, square supports
- usually two stories

Tudor

- steeply pitched roof, usually side-gabled
- facade dominated by one or more prominent cross gables, usually steeply pitched
- decorative half-timbering present on about half of examples

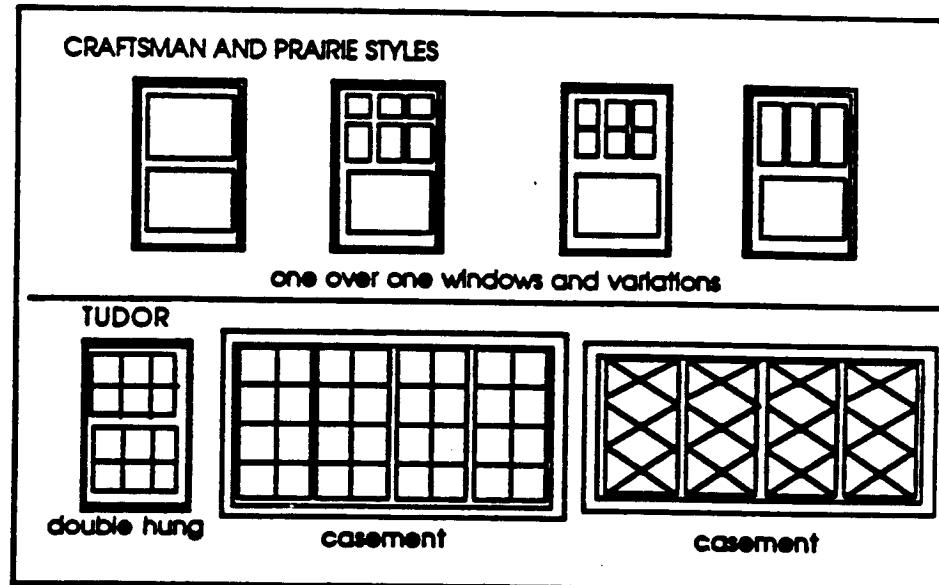
- tall, narrow windows, usually in multiple groups with multi-pane glazing
- massive chimneys

General Physical Attributes

The following provisions apply only to those structural components visible from the street. For corner lots, these provisions will apply to the visible side of the yard or structure.

- In general, windows should be consistent with window treatments common to the architectural style of the house and are illustrated in figure 7.
 - Fixed windows are not allowed except for stained or leaded glass; storm windows; and for porch enclosures if porch enclosure fits the corresponding original openings.
 - All windows must fit their corresponding wall opening.

FIGURE 7: WINDOWS



- aluminum windows must be painted with non-metallic appearing paint and be indistinguishable from original windows.
- driveways and sidewalks should be paved with smooth-finished concrete, brick or brick paver materials.
- front-yard fences shall not exceed 36 inches in height
- exterior facade materials for new construction shall be those materials common to each style (see Table 1)
- exterior facade materials for renovations or additions shall be limited to brick, and wood or materials similar in appearance to wood
- roll roofing is not allowed except on existing flat roofs
- exterior stairwells visible from the street are not allowed. Enclosures for stairwells shall conform to the style of the house.

TABLE 1: ARCHITECTURAL FEATURE SUMMARY

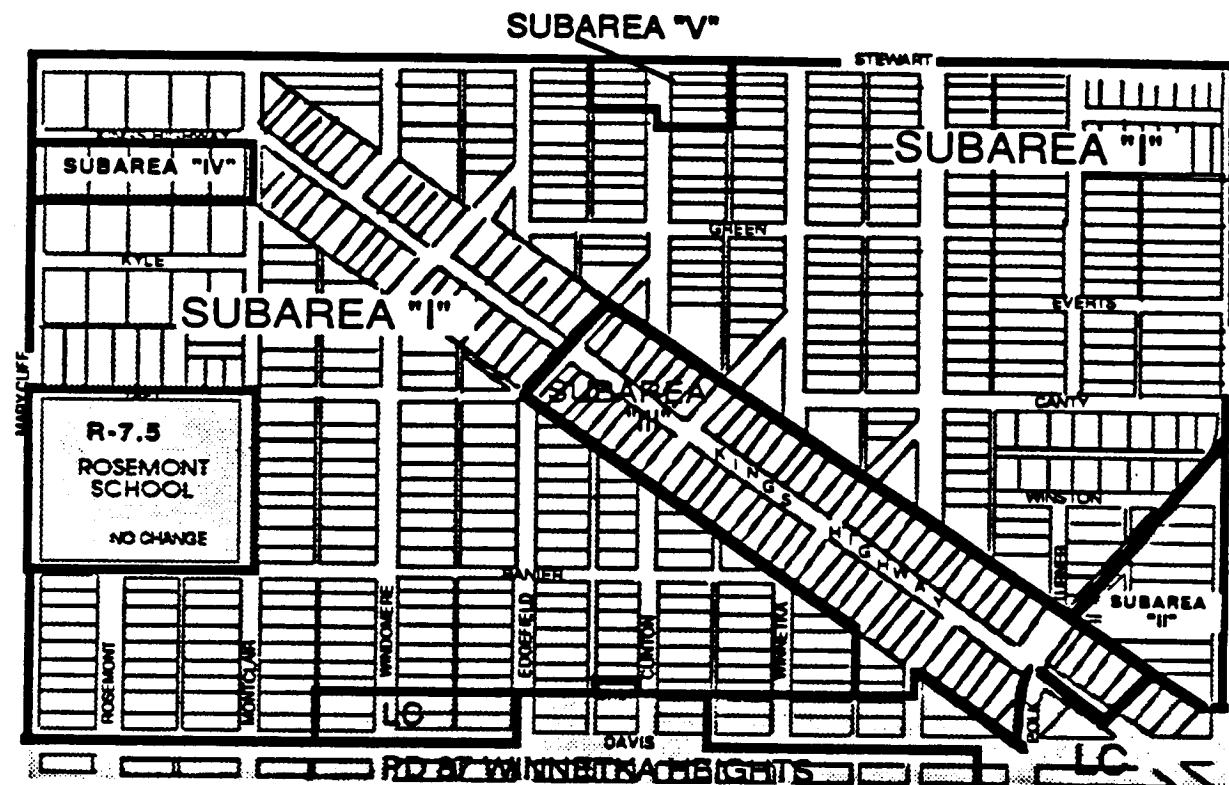
Features	Prairie	Craftsman	Tudor
Roof Type	Hipped	Gabled	Gabled
Roof Pitch	min. 20°, max 40°	min. 20°, max 40°	min. 45°, max 70°
Eave Overhang	min. 18"	min 18"	min. 6" max 18"
Exterior Materials*	(a) (b) (c)	(a) (b) (c)	(a) (b)
Min. door/window facia	4 1/2 inches min. 6 1/2 inches max.	4 1/2 inches min. 6 1/2 inches max.	3 1/2 inches min. 5 1/2 inches max.

* (a) brick (b) wood siding or similar (c) stucco

CONSERVATION-
LAND USE/BUILDING
FORM

Those areas presently zoned TH-3 are currently occupied primarily by single family detached houses with the exception of the area between Tyler and Polk (Subarea II below). Increased densities and attached housing allowed in the TH-3 district would encourage instability in the neighborhood. The blockface on the north side of Kyle is presently zone Multifamily-2 yet is single family in character. These areas combined with the existing R-7.5 areas are incorporated to form Subarea I illustrated below.

FIGURE 8: PROPOSED SUBAREAS



The existing height and setback zoning requirements are inappropriate as they relate to the existing character of the neighborhood along Kings Highway in the areas presently zoned Multifamily-2. Density allowances under the present MF-2 district are also inappropriate and should be changed to better reflect the existing apartment buildings. See Subareas III and IV in Figure 8.

The area presently zoned GR-D at Edgefield and Stewart would more appropriately be zoned for neighborhood serving uses (similar to NS (A)-Dry). No additional architectural requirements are recommended for this area. See Subarea V in Figure 8.

Detailed land use and design standards for each of the subareas are listed on the following pages and are summarized in Table 2. If not specifically addressed in the following section, all provisions of the current Dallas Development Code will be in effect.

TABLE 2: SUBAREA DESIGN STANDARDS

SUBAREA	SETBACKS		DENSITY	HEIGHT	COVERAGE	LAND USES
	FRONT	SIDE/REAR				
I	25'	5' for res. 10' side and 15' rear for other structures.	1 unit/lot	30' 2 stories	45% res.. 25% other	Single Family
II	25'	5' res. 10' side and 15' rear for other structures.	1 unit/3000 s.f. lot area	30' 2 stories	45%	Single Family Duplex
III	25'	5' side for s.t/d. 10' side and 15' rear for other structures.	4 units/lot	30' 2 stories	45% res.. 25% other	Single Family Duplex Multifamily
IV	25'	5' side for s.t/d. 10' side and 15' rear for other structures.	25 units/acre	30' 2 stories	60%	Single Family Duplex Multifamily
V	15' min	20' between res & nonres 0' or 10'	0.5 FAR	30' 2 stories	40%	Retail and Office

SUBAREA I-SINGLE FAMILY

Purpose: This district is created to protect and enhance the architectural and cultural attributes of the Kings Highway neighborhood by providing development standards for single family development that reflect the unique character of this neighborhood.

Main Uses Permitted

Recreation uses

- Public park or playground

Residential uses

- Single Family
- Family Home

Retail/Personal service uses

- Day care center (SUP)
- Day Home

Transportation uses

- Bus passenger shelter (SUP)

Utility uses

- Local utilities (SUP)

Front Yard

- Minimum front yard setback is 25 feet
- Relative Front Setback The front yard setback must be within 5 feet of the average setback of the three main structures closest to the proposed structure within that blockface.

Side and Rear Yard

- Minimum side and rear yard setback is 5 feet for residential structures
- Minimum side yard setback for other permitted structures is 10 feet
- Minimum rear yard setback for other permitted structures is 15 feet

Height

- Maximum structure height is 30 feet

Lot Coverage

- Maximum lot coverage for residential structures is 45%
- Maximum lot coverage for other permitted structures is 25%

Density

- Conversions or additions to increase the number of dwelling units are not allowed

Lot Size

- Minimum lot area for residential use is 7,500 square feet
- Minimum lot width for residential use is 55 feet
- Minimum lot depth for residential use is 100 feet

Stories

- Maximum number of stories is 2

Other Provisions

- coin or currency-operated machines used for the vending of merchandise or telephony shall not be located and visible in the front or corner-side yard.

Off-Street Parking

- Consult Division 51A-4.300 for off-street parking regulations in general
- Consult Division 51A-4.200 for the number of spaces required per use

Environmental Performance Standards

- See Article VI.

Landscape Regulations

- 50% of the area of required front yard must be landscaped with live plant materials

Nonconforming Uses and Structures

- Nonconformity provisions listed in Chapter 51A will be applicable to the Kings Highway Conservation District with the following additional provisions:
 - If the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.
 - If a nonconforming structure is damaged to the extent of more than 60% of the replacement cost of the nonconforming structure on the date of the damage, the owner may rebuild the nonconforming structure only after a hearing and approval of the board of adjustment. In evaluating the case, the board shall consider the intent of the Kings Highway Conservation Plan.
 - only one existing garage apartment per building site will be conforming to the Kings Highway Conservation District.

SUBAREA II-DUPLEX

Purpose: This district is created to protect and enhance the architectural and cultural attributes of the Kings Highway neighborhood by providing development standards for duplex and single family uses that reflect the unique character of this neighborhood.

Main Uses Permitted

Recreation uses

- Public park or playground

Residential uses

- Duplex
- Single Family
- Family Home

Retail/Personal service uses

- Day care center (SUP)
- Day Home

Transportation uses

- Bus passenger shelter (SUP)

Utility uses

- Local utilities (SUP)

Front Yard

- Minimum front yard setback is 25 feet

Side and Rear Yard

- Minimum side and rear yard setback is 5 feet for residential structures
- Minimum side yard setback for other permitted structures is 10 feet
- Minimum rear yard setback for other permitted structures is 15 feet

Density

- Maximum 1 unit per 3,000 s.f. of lot area
- Conversions or additions to increase the number of dwelling units are not allowed

Height

- Maximum structure height is 30 feet

Lot Coverage

- Maximum lot coverage for residential structures is 45%
- Maximum lot coverage for other permitted structures is 25%

Lot Size

- Minimum lot area for residential use is 6,500 square feet
- Minimum lot width for residential use is 60 feet
- Minimum lot depth for residential use is 100 feet

Stories

- Maximum number of stories is 2

Other Provisions

- coin or currency-operated machines used for the

vending of merchandise or telephony shall not be located and visible in the front or corner-side yard.

Off-Street Parking

- Consult Division 51A-4.300 for off-street parking regulations in general
- Consult Division 51A-4.200 for the number of spaces required per use

Environmental Performance Standards

- See Article VI.

Landscape Regulations

- 50% of the area of required front yard must be landscaped with live plant materials

Nonconforming Uses and Structures

- Nonconformity provisions listed in Chapter 51A will be applicable to the Kings Highway Conservation District with the following additional provisions:
 - If the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.
 - If a nonconforming structure is damaged to the extent of more than 60% of the replacement cost of the nonconforming structure on the date of the damage, the owner may rebuild the nonconforming structure only after a hearing and approval of the board of adjustment. In evaluating the case, the board shall consider the intent of the Kings Highway Conservation Plan.
 - only one existing garage apartment per building site will be conforming to the Kings Highway Conservation District.

SUBAREA III-MIXED RESIDENTIAL DISTRICT

Purpose: This district is created to protect and enhance the architectural and cultural attributes of the Kings Highway neighborhood by providing development standards for single family and low density multifamily development that reflect the unique character of this neighborhood.

Main Uses Permitted

Recreation uses

- Public park or playground

Residential uses

- Single Family
- Duplex
- Multifamily
- Family Home
- Foster Home (SUP)

Retail/Personal service uses

- Day care center (SUP)
- Day Home

Transportation uses

- Bus passenger shelter (SUP)

Utility uses

- Local utilities (SUP)

Dwelling Unit Density

- Maximum four units per lot
- Conversions or additions to increase the number of dwelling units are not allowed

Front Yard

- Minimum front yard setback is 25 feet

Side and Rear Yard

- Minimum side and rear yard setback is 5 feet for single family or duplex structures
- Minimum side yard setback for other permitted structures is 10 feet
- Minimum rear yard setback for other permitted structures is 15 feet

Height

- Maximum structure height is 30 feet

Stories

- Maximum number of stories is 2

Lot Coverage

- Maximum lot coverage for residential structures is 45%
- Maximum lot coverage for other permitted structures is 25%

Lot Size

- Minimum lot area for residential use is 7,500 square feet
- Minimum lot width for residential use is 55 feet
- Minimum lot depth for residential use is 100 feet

Other Provisions

- coin or currency-operated machines used for the vending of merchandise or telephony shall not be located and visible in the front or corner-side yard.

Off-Street Parking

- Consult Division 51A-4.300 for off-street parking regulations in general
- Consult Division 51A-4.200 for the number of spaces required per use

Environmental Performance Standards

- See Article VI, Chapter 51A

Landscape Regulations

- 50% of the area of required front yard must be landscaped with live plant materials

Nonconforming Uses and Structures

- Nonconformity provisions listed in Chapter 51A will be applicable to the Kings Highway Conservation District with the following additional provisions:

- If the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.
- If a nonconforming structure is damaged to the extent of more than 60% of the replacement cost of the nonconforming structure on the date of the damage, the owner may rebuild the nonconforming structure only after a hearing and approval of the board of adjustment. In evaluating the case, the board shall consider the intent of the Kings Highway Conservation Plan.
- only one existing garage apartment per building site will be conforming to the Kings Highway Conservation District.

SUBAREA IV-MULTIFAMILY

Purpose: This district is created to protect and enhance the architectural and cultural attributes of the Kings Highway neighborhood by providing development standards for multifamily duplex and single family uses that reflect the unique character of this neighborhood.

Main Uses Permitted

Recreation uses

- Public park or playground

Residential uses

- Single Family
- Duplex
- Multifamily
- Family Home

Retail/Personal service uses

- Day care center (SUP)
- Day Home

Transportation uses

- Bus passenger shelter (SUP)

Utility uses

- Local utilities (SUP)

Front Yard

- Minimum front yard setback is 25 feet

Side and Rear Yard

- Minimum side and rear yard setback is 5 feet for single family or duplex structures

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APPENDIX

ARCHITECTURAL STYLES MAP

- Minimum side yard setback for other permitted structures is 10 feet
- Minimum rear yard setback for other permitted structures is 15 feet

Height

- Maximum structure height is 30 feet

Lot Coverage

- Maximum lot coverage is 60%

Lot Size

- Minimum lot area per structure type is as follows:

Single Family, Duplex, Multifamily	7,500 s.f.
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- Minimum lot width per structure type is as follows:

Single Family	55 ft.
Duplex, Multifamily	60 ft.

- Minimum lot depth for each structure type is 100 ft.

Density

- Maximum 25 units per acre
- Conversions or additions to increase the number of dwelling units are not allowed

Stories

- Maximum number of stories is 2

Other Provisions

- coin or currency-operated machines used for the vending of merchandise or telephony shall not be located and visible in the front or corner-side yard.

Off-Street Parking

- Consult Division 51A-4.300 for off-street parking regulations in general
- Consult Division 51A-4.200 for the number of spaces required per use

Environmental Performance Standards

- See Article VI.

Landscape Regulations

- 50% of the area of required front yard must be landscaped with live plant materials

Nonconforming Uses and Structures

- Nonconformity provisions listed in Chapter 51A will be applicable to the Kings Highway Conservation District with the following additional provisions:
 - If the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.
 - If a nonconforming structure is damaged to the extent of more than 60% of the replacement cost of the nonconforming structure on the date of the damage, the owner may rebuild the nonconforming structure only after a hearing and approval of the board of adjustment. In evaluating the case, the board shall consider the intent of the Kings Highway Conservation Plan.
 - only one existing garage apartment per building site will be conforming to the Kings Highway Conservation District.

SUBAREA V- NEIGHBORHOOD SERVICE - DRY

Purpose: To accommodate convenience retail shopping services, and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses.

Main Uses Permitted

Commercial/Business service uses

- Computer service center

Institutional and community service uses

- Church
- Community welfare or health center
- Group home for the abused
- Institution for special education
- Library, art gallery, museum
- Public or private school

Miscellaneous uses

- Temporary construction or sales office

Office uses

- Medical clinic
- Office

Recreational uses

- Private recreation club or area (SUP)
- Public park or playground

Residential uses

- Single Family
- Single not-for-rent dwelling unit as part of a development with another permitted

Side and Rear Yard

- A 20 foot setback must separate a residential use from a nonresidential use
- No other sideyard required however, if provided it must be a minimum of 10 feet.

Floor Area Ratio

- Maximum floor area ratio 0.5.

Height

- Maximum structure height is 30 feet

Stories

- Maximum stories is 2

Lot Coverage

- Maximum lot coverage is 40 percent.

Above-ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

Off-Street Parking and Loading

- Parking and loading requirements will conform to those established in the current development code for each use.

Landscape Regulations

- Landscape requirements will conform to those established in the current development code.

non-residential use in this subarea

Retail/Personal service uses

- Air conditioning service and supply
- Bakery
- Barber and beauty shop
- Beverage store
- Book and stationary store
- Camera shop
- Cigar, tobacco, and candy store
- Day care center (SUP)
- Drug store
- Duplication shop
- Florist shop
- Health studio
- Hobby and art supply store
- Instructional arts studio
- Key shop
- Laundry or cleaning pickup and receiving station
- Mortuary
- Optical shop
- Paint and wallpaper store
- Restaurant without drive-in service
- Retail food store
- Shoe repair
- Tailor, custom sewing, and milliner
- Travel Bureau

Transportation uses

- Bus passenger shelter (SUP)

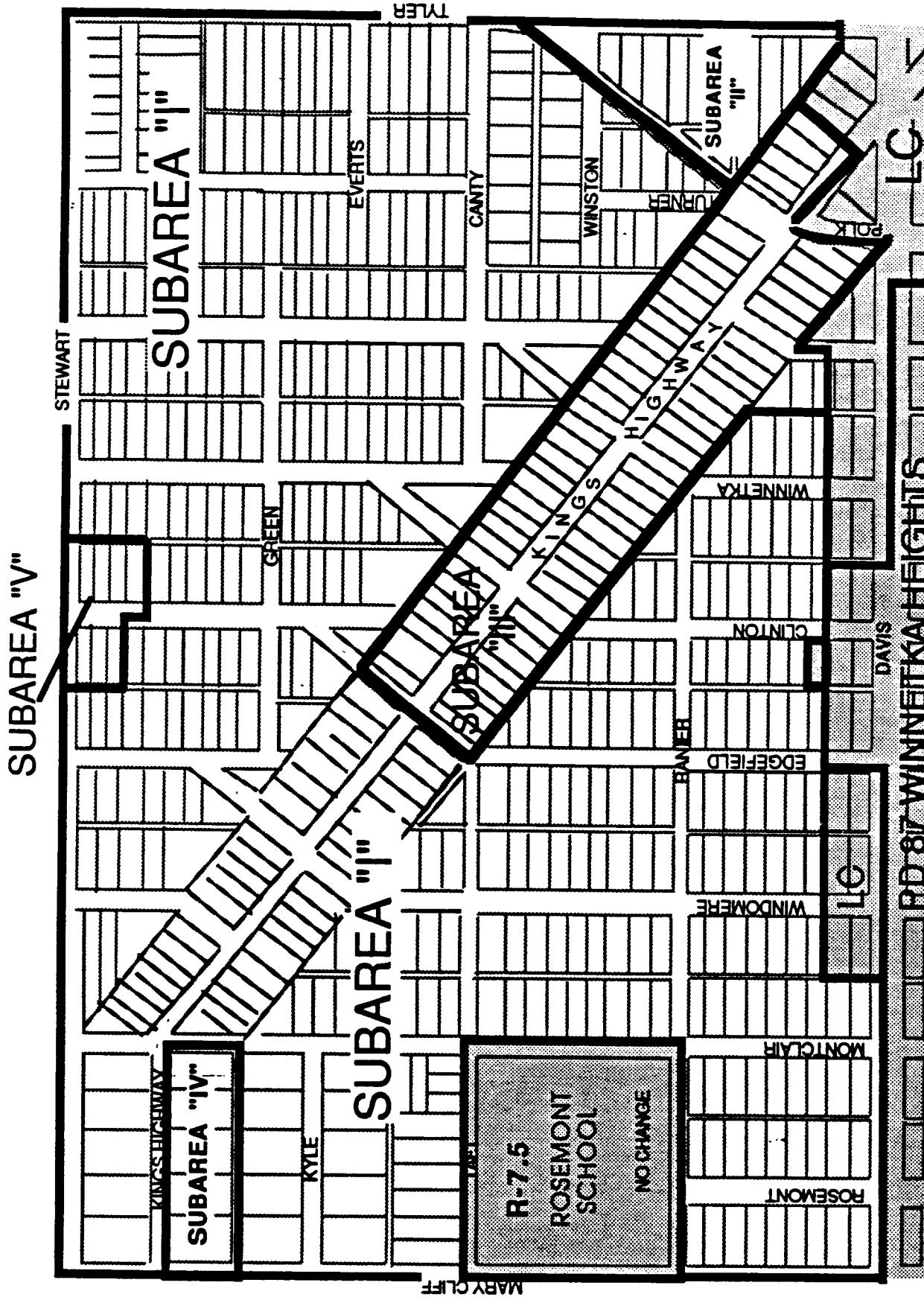
Utility uses

- Electrical substation (SUP)
- Local utilities

Yard, lot and space regulations

Front Yard

- Minimum front yard setback of 15 feet



SUBAREA II

Being all of Lots 1, 2, 3, 4, and part of Lot 5 fronting approximately 50 feet on the west side of Tyler street having a maximum depth of approximately 163 feet, and part of Lot 6 fronting 50 feet on the west side of Tyler Street having a maximum depth of 127.96 feet and part of Lot 12 fronting 80.58 feet on the southeast side of Polk Street having a maximum depth of 97.47 feet, and part of Lot 11 fronting 80.58 feet on the southeast side of Polk street having a maximum depth of approximately 55.0 feet, and part of Lot 10 fronting 22.78 feet on the souteast side of Polk Street with a maximuim depth of 13.78 feet of City Block 3477; and Lots 1, 2, 3, and 4 of City Block3/3459.

SUBAREA III

Being all of Lots 1, 2, 3, 4, 5, 6, 7, and 8 of City Block 16/3471; and Lots 1, 2, 3, 4, 5, 6, 7, and 8 of City Block 11/3458; and Lots 4, 5, 6, 7, 8, and part of Lot 3 fronting 62.95 feet on the west side of Polk of City Block 8/3462; and Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 of City Block 12/3463; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 19, and 20 of City Block 7/3461; and Lots 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27 of City block 3/3459; and Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 of City Block 6/3460.

SUBAREA IV

Being all of Lots 1, 2, 3, 4, and 5 of City Block 2/4622 fronting 485.70 feet on the south side of Kings Highway with a depth of 188 feet.

SUBAREA V

Being all of Lots 8, 9 and 10 of City Block 14/3465; and Lots 11, 12, 13, and 14 of City Block 10/3457.

AREA-WIDE

Being all of City Blocks E/3466; 24/3475; A/3552; B/3553; 10/3457; 4/3455; 1/3453; 11/3458; 5/3456; 2/3454; 6/3460; 12/3463; B/3560; A/3559; 16/3471; 20/3473; 3477; B/3477; A/3478; 1/4621; 2/4622; 3/4623; 3-A/4623; 19/3468; 23/3470; 22/3469; 18/3467; 14/3465; 15/3466; 11/3844; 5/3838; and Lots 1, 2, 3, 4, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and B of City Block 3/3459; and Lots 4, 5, 6, 7, 8, and part of Lot 3 fronting 62.95 feet on the west side of Polk of City Block 8/3462; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 19, and 20 of City Block 7/3461; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 13/3464; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 21/3474; and Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 17/3472; and Lots 1, 2, 3, 4, 5, 6, 7, and 8 of City Block 6/3839; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of City Block 25/3476.

SUBAREA I

Being all of City Blocks E/3466; 24/3475; A/3552; B/3553; 4/3455; 1/3453; 5/3456; 2/3454; B/3560; A/3559; 20/3473; B/3477; A/3478; 1/4621; 3/4623; 3-A/4623; 19/3468; 23/3470; 22/3469; 18/3467; 15/3466; 11/3844; 5/3838; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 13/3464; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 21/3474; and Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of City Block 17/3472; and Lots 1, 2, 3, 4, 5, 6, 7, and 8 of City Block 6/3839; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of City Block 25/3476; and Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 of City Block 16/3471; and Lots 7, 8, 9, part of Lot 5 fronting approximately 40 feet of the northeast side of Polk street with a maximum depth of 25 feet, part of Lot 6 fronting 64.33 feet on the northeast side of Polk with a maximum depth of 63.10 feet, part of Lot 12 fronting 24.04 feet on the east side of Turner with a maximum depth of 18.9 feet, part of Lot 11 fronting 69.19 feet on the northeast side of Polk Street with a maximum depth of 102.68 feet, part of Lot 10 fronting 69.19 feet on the northeast side of Polk Street with a maximum depth of 102.68 feet of City Block 3477; and Lots 6, 7, 8, 9 and 10 of City Block 2/4622 fronting 485.70 feet on the noth side of Kyle Street with a maximum depth of 188 feet; and Lots 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of City Block 14/3465; and Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, of City Block 11/3458; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, and 20 of City Block 10/3457; and Lots 9, 10, 11, 12, 13, and 14 of City Block 7/3461; and Lots B, 28, 29, 30, 31, 32, 33, and 34 of City Block 3/3459; and Lots 10, 11, 12, 13, and C of City Block 6/3460; and Lots 10, 11, 12, 13, and 14 of City Block 12/3463.

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EXHIBIT B