

10-3-18

ORDINANCE NO. 31041

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51-4.217 and 51A-4.217; providing a definition and provisions for a live unit use; 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 Subsection (b), "Specific Accessory Uses," of Section 51-4.217, "Accessory Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Paragraph (19), "Live Unit," to read as follows:

"(19) Live unit.

(A) Definition: A dwelling unit accessory to any nonresidential use allowed in that district.

(B) District restrictions: This accessory use is not permitted in A, R-1ac, R-1/2ac, R-16, R-13, R-10, R-7.5, R-5, D, TH-1, TH-2, TH-3, MF-1, MF-2, MH, CA-1, CA-2, P, HC, and I-3 districts.

(C) Required off-street parking: One additional space is required for the accessory use in excess of the required off-street parking for the floor area of nonresidential use.

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(D) Required off-street loading: None.

(E) Additional provisions:

(i) The maximum floor area for the dwelling unit shall not exceed the total square feet of the main use.

(ii) Units cannot be sold separately by metes and bounds.

(iii) One live unit allowed per lot.

(iv) Live unit can be attached or detached from the nonresidential use.

(v) Rented live units must be registered with the city's single family rental program."

SECTION 2. That Subsection (b), "Specific Accessory Uses," of Section 51A-4.217, "Accessory 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 by adding a new Paragraph (8.1), "Live Unit," to read as follows:

"(8.1) Live unit.

(A) Definition: A dwelling unit accessory to any nonresidential use allowed in that district.

(B) Districts restrictions: This accessory use is not permitted in A(A), R-1ac(A), R-1/2ac(A), R-16(A), R-13(A), R-10(A), R-7.5(A), R-5(A), D(A), TH-1(A), TH-2(A), TH-3(A), CH, MF-1(A), MF-2(A), MH(A), CA-1(A), CA-2(A), MU-1, P(A), CS, and IM districts.

(C) Required off-street parking: One additional space is required for the accessory use in excess of the required off-street parking for the floor area of the nonresidential use.

(D) Required off-street loading: None.

(C) Floor area: Except as otherwise provided in the use regulations, the maximum floor area for the dwelling unit shall not exceed the total square feet of the main use. This floor area restriction controls over the floor area restrictions in Section 51A-4.217(a)(3).

(E) Additional provisions:

(i) Units cannot be sold separately by metes and bounds.

- (ii) One live unit allowed per lot.
- (iii) Live unit can be attached or detached from the nonresidential use.
- (iv) Rented live units must be registered with the city's single family rental program"

SECTION 3. That the director of sustainable development and construction shall revise the use charts to reflect the change in use regulations made by this ordinance, and shall provide these charts for publication in the Dallas Development Code.

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. 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 6. 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 7. 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.

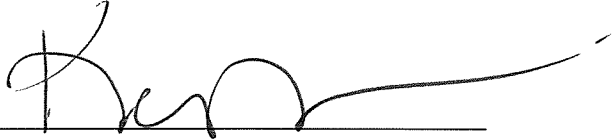
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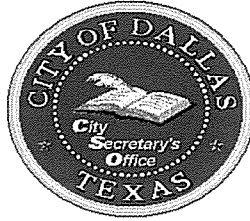
SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By 
Assistant City Attorney

Passed NOV 14 2018



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL NOV 14 2018

ORDINANCE NUMBER 31041

DATE PUBLISHED NOV 17 2018

ATTESTED BY: