APPLICANT'S PROPOSED AMENDMENTS
10/23/2018

ARTICLE 145.

PD 145.

SEC. 51P-145.101. LEGISLATIVE HISTORY.

PD 145 was established by Ordinance No. 17710, passed by the Dallas City Council on February 16, 1983. Ordinance No. 17710 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Subsequently, Ordinance No. 17710 was amended by Ordinance No. 20862, passed by the Dallas City Council on January 23, 1991. (Ord. Nos. 10962; 17710; 20862; 25508; 26267)

SEC. 51P-145.102. PROPERTY LOCATION AND SIZE.

PD 145 is established on property generally located north of Flora Street, south of the Woodall Rodgers Freeway, east of North St. Paul Street, and west of North Central Expressway-Routh Street. The size of PD 145 is approximately 60.1279 acres. (Ord. Nos. 17710; 25508; 26267)

SEC. 51P-145.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article.

(1) In this district, MOBILE FOOD ESTABLISHMENT means a vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes mobile food preparation vehicles and pushcarts.

(2) In Subarea 1, PARKWAY means the portion of a street right-of-way between the projected street curb and the lot line.

(3) LIVE-WORK UNIT mean a single unit consisting of both a commercial, office, professional service and a residential component that is occupied by the same resident. The LIVE-WORK unit shall be the primary dwelling unit of the occupant.

(4) PEDESTRIAN PRIORITY STREETS mean North Harwood Street, Routh Street, Leonard Street, Crockett Street (between Flora Street and Ross Avenue), North Olive Street, North Harwood Street, and North St. Paul Street.
SERVICE-ORIENTED STREETS mean Munger Avenue, Crockett Street (between Munger Avenue and Woodall Rodgers Service Road), and Jack Evans Street (between Woodall Rodgers Service Road and Flora Street).

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51.

(c) This district is considered to be a business zoning district. Subarea 1 is that area shown on Exhibit 145C. (Ord. Nos. 25508; 26267; 28187)

SEC. 51P-145.104. DEVELOPMENT STANDARDS.

(a) Dallas Arts District Connect: Master Plan. The Dallas Arts District Connect: Design Master Plan prepared by Sasaki Associates, Inc. in August 1982 (“Sasaki DAD Master Plan”) shall serve as a guideline vision and inspiration for development in the Dallas Arts District. The Sasaki PlanDAD Master Plan (Exhibit 145_A) has been approved by the property owners and the city plan commission and is attached to and made a part of Ordinance No. 17710 as Exhibit B.

(b) Subarea 1. Development and use of the Property in Subarea 1 must comply with the development plan (Exhibit 145C). In the event of a conflict between the text of this article and the development plan, the text of this article controls. When Subarea 1 is redeveloped, the subarea will terminate and the former Subarea 1 property must conform in all respects to the requirements of this planned development district.

(c) Uses permitted. The following uses are the only uses permitted in the Dallas Arts District:

(1) Residential uses.
   -- Multiple-family.
   -- Hotel and motel.
   -- Live-work unit.

(2) Transportation uses.
   -- Passenger bus station and terminal.
   -- Bus-Transit passenger shelter.
   -- Heliport.
   -- Helistop.
   -- Railroad-Lightrail. Trolley, or streetcar passenger station.

(3) Community service uses.
   -- Post office.
   -- Community, welfare, or health center.
   -- Day care center.
(4) **Medical uses** *(must be located in a building with a minimum of one additional use).*

-- Medical clinic.
-- Optical shop.

(5) **Religious uses.**

-- Church.
-- Rectory.
-- Convent or monastery *[By SUP only]*.
-- Establishment of a religious, charitable, or philanthropic nature. *[By SUP only]*.

(6) **Educational uses.**

-- Public or private school.
-- Business school *(must be located in a building with a minimum of one additional use).*
-- Technical school *(must be located in a building with a minimum of one additional use).*
-- College, university, or seminary.
-- Library, art gallery, or museum.

(7) **Recreation and entertainment uses.**

-- Public park or playground.
-- Private recreation club or area.
-- Inside commercial amusement.
-- **Outside commercial amusement.**
-- Theater.
-- Carnival or circus (temporary).
-- Wax museum.

(8) **Bar and restaurant uses.**

-- Bar, lounge, or tavern.
-- Mobile food establishment.
-- Restaurant without drive-in service.
-- Restaurant with alcoholic beverages and/or entertainment.
-- Private club.
-- Catering service.

(9) **Professional, personal service, and custom crafts uses.**

-- Office.
-- Temporary construction or sales office.
-- Bank or savings and loan office (without drive-in).
-- Trade center.
-- Barber and beauty shop.
-- Health studio.
-- Custom cleaning shop.
--- Self service laundry or dry cleaning.
-- Laundry or cleaning pickup and receiving station.
-- Key shop *(must be located in a building with a minimum of one additional use)*.
-- Shoe repair *(must be located in a building with a minimum of one additional use)*.
-- Tailor, custom sewing, and millinery.
-- Travel bureau.
-- Broadcasting or recording studio.
-- Instructional arts studio.
-- Handcrafted art work studio.
-- Handcraft bookbinding.
-- Photography studio.
-- Safe deposit boxes *(must be located in a building with a minimum of one additional use)*.
--- Commercial wedding chapel.

(10) Retail uses.

--- Antique shop.
-- Retail food store.
-- Bakery or confectionery shop.
-- Book and stationary store.
-- Camera shop.
-- Cigar, tobacco, and candy store.
-- Clothing store.
-- Drug store *(must be located in a building with a minimum of one additional use)*.
-- Beverage store.
--- Liquor-packaged store.
-- Florist store.
-- Pet shop.
-- Furniture store.
-- Second hand store.
-- Hardware or sporting goods store.
-- Hobby and art supplies store.
-- Paint and wallpaper store.
-- Retail stores other than listed, except that the following retail uses are not permitted: feed store; pawn shop; home improvement center; and swimming pool sales and supply.
(11) **Motor vehicle uses.**

-- Commercial parking garage.

(12) **Commercial uses (must be located in a building with a minimum of one additional use).**

-- Job printing, lithographer, printing, or blueprinting plant.
-- Duplication shop.
-- Custom print shop.
-- Gummed label printing.
-- Computer service center.
-- Custom commercial engraving.
-- Diamond and precious stone sales (wholesale only).
-- Design or decorative center.

(13) **Accessory uses.**

-- Game court (private).
-- Swimming pool (private).
-- Home occupation.
-- Community center (private).
-- Pedestrian skybridge [By SUP only.] 

(d) **Setbacks.** Minimum front yard setback on Ross Avenue is 10 feet.

(e) **Flora Street frontage area.**

(1) **Definitions.** In this article:

(A) **FLORA STREET CENTERLINE** means the centerline of the projected 100-foot-wide Flora Street right-of-way shown on the map (Exhibit 145B) attached to and made a part of Ordinance No. 17710 as Exhibit C.

(B) **FLORA STREET FRONTAGE AREA** means the area of each building site within 50 feet of the projected 100-foot-wide Flora Street right-of-way shown on Exhibit 145B.

(2) **Flora Street frontage area uses.** On each building site, the following uses are the only uses permitted in the Flora Street frontage area:

(A) **Residential uses.**

-- Multiple-family.
-- Hotel and motel.
-- Live-work unit.
(B) Transportation uses.
   -- Bus Transit passenger shelter.
   -- Lightrail, trolley, or streetcar Railroad passenger station.

(C) Community service uses.
   -- Post office.
   -- Community, welfare, or health center.
   -- Day care center.

(D) Medical uses *(must be located in a building with a minimum of one additional use).*
   -- Optical shop.

(E) Religious uses.
   -- Church.
   -- Rectory.
   -- Convent or monastery *(By SUP only).*
   -- Establishment of a religious, charitable, or philanthropic nature.

(F) Educational uses.
   -- Public, denominational, or private school.
   -- Institution for special education.
   -- Business school *(must be located in a building with a minimum of one additional use).*
   -- Technical school *(must be located in a building with a minimum of one additional use).*
   -- College, university, or seminary.
   -- Library, art gallery, or museum.

(G) Recreation and entertainment uses.
   -- Public park or playground.
   -- Private recreation club or area.
   -- Inside commercial amusement.
   -- Theater.
   -- Carnival or circus *(temporary) Outside commercial amusement.*
(H) Bar and restaurant uses.

-- Bar, lounge, or tavern.
-- Mobile food establishment.
-- Restaurant without drive-in service.
-- Restaurant with alcoholic beverages and/or entertainment.
-- Private club.
-- Catering service.

(I) Professional, personal service, and custom crafts uses.

-- Office uses, subject to the following restriction: On the ground floor of each building site, no more than 25 percent of the linear frontage along Flora Street, nor more than 25 percent of the ground floor area within the Flora Street frontage area may be occupied by office uses.
-- Temporary construction or sales office.
-- Trade center.
-- Barber and beauty shop.
-- Health studio.
-- Custom cleaning shop.
-- Laundry or cleaning pickup and receiving station.
-- Key shop (must be located in a building with a minimum of one additional use).
-- Shoe repair (must be located in a building with a minimum of one additional use).
-- Tailor, custom sewing, and millinery.
-- Travel bureau.
-- Broadcasting or recording studio.
-- Instructional arts studio.
-- Handcrafted art work studio.
-- Handcraft bookbinding.
-- Photography studio.
-- Safe deposit boxes (must be located in a building with a minimum of one additional use).
-- Wedding chapel.

(J) Retail uses.

-- Antique shop.
-- Retail food store.
-- Bakery or confectionery shop.
-- Book and stationary store.
-- Camera shop.
-- Cigar, tobacco, and candy store.
-- Clothing store.
-- Drug store (must be located in a building with a minimum of one additional use).
-- Beverage store.
-- Liquor/packaged store.
-- Florist store.
-- Pet shop.
-- Furniture store.
-- Second hand store.
-- Hardware or sporting goods store.
-- Hobby and art supplies store.
-- Paint and wallpaper store.

Retail stores other than listed, except that the following retail uses are not permitted: feed store; pawn shop; home improvement center; and swimming pool sales and supply.

(K) Commercial uses (must be located in a building with a minimum of one additional use).

-- Lithographer or printing shop.
-- Duplication shop.
-- Custom print shop.
-- Gummed label printing.
-- Computer service center.
-- Custom commercial engraving.
-- Diamond and precious stone sales (wholesale only).
-- Design or decorative center.

(3) Height restrictions on Flora Street. Within the Flora Street frontage area, the height of any portion of a structure must be equal to or less than the shortest distance of that portion of the structure from the vertical plane extending through the Flora Street centerline.

(4) Construction in Flora Street frontage area. On each building site:

(A) at least 50 percent of the linear frontage along Flora Street and at least 50 percent of the Flora Street frontage area must be covered by a structure of at least two stories; and

(B) an average of at least 50 percent of the area of the street wall along Flora Street for the first two stories must be of transparent material and used for display or merchandising. At least 50 percent of the area of the street wall on the ground floor along Flora Street must be of transparent material and used for display or merchandising. This condition does not apply to a public school located in Subarea 1.

(f) Façade treatment on North Pearl Street, Flora Street, Ross Avenue, and pedestrian priority streets, excluding Subarea 1. A minimum of 50% transparency on the ground floor for the first 14 vertical feet is required.
(g) Sidewalk requirements.
   
   (1) In general.
   
   (A) If used, pavers must be installed with suitable substrate.
   
   (B) If used, pavers must provide for storm water mitigation and infiltration.

   (2) Width.
   
   (A) Except as provided, sidewalks must be a minimum unobstructed width of 6 feet and must not be obstructed with metal tree grates or other tree guards.
   
   (B) On North Pearl Street, Flora Street, and Ross Avenue, sidewalks must be a minimum of width of 8 feet.

(h) Parking.

   (1) In general.
   
   (A) Unless the DAP Design Review Committee recommends otherwise, all permanent parking must be either underground or concealed within a building with a facade that is similar in appearance to the facades of non-parking buildings.
   
   (B) Live-work units. No parking is required.

   (2) Parking in Subarea 1.
   
   (A) For a public school, off-street parking is not required to be underground or concealed.
   
   (B) For a public school, a minimum of 98 parking spaces must be provided. Additional parking in the amount required by Section 51A-4.124 must be provided for a building constructed after February 22, 2006, or an addition to an existing building where the floor area exceeds 202,500 square feet.

   (i) Loading. Off-street loading and maneuvering areas must be screened in accordance with Section 51-4.602(b). Vehicular ingress or egress to a loading facility is not permitted from Flora Street. Off-street loading is not permitted on Flora Street except that in Subarea 1 loading and unloading of school buses is permitted in a public right-of-way for a public school.

   (j) Loading docks. Loading docks are prohibited on North Pearl Street, Flora Street, and Ross Avenue.

(k) Landscaping in Subarea 1.

   (1) In general.
(A) Except as provided in this section, landscaping must be provided in accordance with Article X.

(B) Plant materials must be maintained in a healthy, growing condition.

(2) Street trees.

(A) Street trees must be one of the following species: Cedar Elm, Lacebark Elm, Live Oak, Honeylocust, Shumard Oak, Magnolias, or as recommended by the DAD Design Review Committee.

(B) Street trees must be a minimum of 4 caliper inches.

(C) Street trees must provide a minimum vertical clearance of 10 feet before branching.

(D) Automatic irrigation is required.

(E) Number of rows.

(i) North Pearl Street, Ross Avenue, and pedestrian priority streets. A single row of street trees are required.

(ii) Flora Street. A double row of street trees are required.

(F) Spacing. Unless there is a conflict with utilities, street trees must be spaced as follows:

(i) Except as provided, street trees must be spaced a minimum of 25 feet and a maximum of 40 feet, on center, and must be 2 to 4 feet from the back of curb.

(ii) Flora Street.

(aa) Street trees must be spaced a minimum of 25 feet and a maximum of 30 feet, on center.

(bb) The first row of trees must be 2 to 4 feet from the back of curb.

(cc) The second row of trees must be placed 12 feet or more from the building façade on center.

(3) In Subarea 1. For a public school, a landscape plan must be approved by the city plan commission within 36 months after issuance of a certificate of occupancy. The landscape plan must comply with the spirit and intent of the landscape
requirements of this article. Landscaping must be installed within six months of approval of a landscape plan.

(2) For all other permitted uses, landscaping must be provided as required by this article.

(3) Plant materials must be maintained in a healthy, growing condition.

(l) Signs. In Subarea 1, the existing monument sign as shown on Exhibit 145C is allowed by right for a public school.

(m) Residential use requirements. The yard, lot, and space regulations for residential uses in the Dallas Arts District are the same as for other permitted nonresidential uses in the district.

(n) Central Area-1 District standards. Unless otherwise expressly provided in this article, all regulations in the Dallas Development Code applicable to the Central Area-1 District apply to all property within the Dallas Arts District.

(o) Mobile food establishments.

(1) A mobile food establishment is permitted only on private property or as part of a special event permit.

(2) A mobile food establishment must comply with all of the requirements of Chapter 17, “Food Establishments,” of the Dallas City Code.

(p) Lighting.

(1) Height.

(A) Pole-mounted pedestrian street light fixtures must be a minimum height of 12 feet and not exceed 15 feet.

(B) Vehicular light fixtures may not exceed 30 feet.

(2) Street light poles must be white or as recommended by the DAD Design Review Committee.

(3) Pedestrian lighting, measured at the ground plane, must be a minimum of 0.25 footcandles and an average of 0.5 footcandles.

(4) Street light fixtures must maintain a consistent color temperature of lighting between 2,500K and 4,500K along all streetscapes.

(q) Utilities. All utilities must be located below ground.
(r) Ground and roof building systems. Ground and roof building systems must not be visible from a public right-of-way. (Ord. Nos. 17710; 20862; 25508; 26267; 28187)

SEC. 51P-145.105. STREET SECTIONS

(a) In general. Development and use of streets in this district must comply with the following exhibits:

(1) Exhibit 145 : North Pearl Street.
(2) Exhibit 145 : Flora Street.
(3) Exhibit 145 : Ross Avenue.
(4) Exhibit 145 : Pedestrian Priority.
(6) Exhibit 145 : Leonard Street.

(b) Additional right-of-way and amenities are permitted. For all street sections the following are allowed:

(1) The street, pedestrian areas, and landscape areas may be wider than the width shown on the exhibit to accommodate parallel parking; and
(2) The pedestrian areas or landscape areas may have additional landscaping.

(c) Alternate street sections.

(1) To deviate from the street sections, an alternate street section must be approved by the DAD Design Review Committee.
(2) To be approved, an alternate street section should provide a street width that is designed to reduce vehicle speed and promote a pedestrian-friendly environment.
SEC. 51P-145.106. DEVELOPMENT PLAN REVIEW FOR ALL DEVELOPMENT WITHIN THE DALLAS ARTS DISTRICT, EXCEPT SUBAREA 1.

(a) A person desiring to develop property in the Dallas Arts District shall consult with the director to discuss whether the project is consistent with the Sasaki Plan and the requirements of this article. The consultation shall occur at the schematic plan stage.

(b) Upon receipt of an application for a building permit for the construction of, or modification to, any building or structure in the Dallas Arts District, the building official shall refer the permit application and plans to the director for review to determine whether the project complies with the requirements of Section 51P-145.104(b) through (l) of this article. The director shall conduct his review so that his decision on issuance of the permit can be made within 30 days from the date the completed application is submitted to the building official.

(e) If the director determines that the project complies with the requirements of Section 51P-145.104(b) through (l) of this article, he shall refer the permit application and plans back to the building official, who shall issue the permit if all requirements of the construction codes and all other applicable ordinances have been met.

(d) If the director determines that the project does not comply with the requirements of Section 51P-145.104(b) through (l) of this article, he shall direct the building official to deny the permit. (Ord. Nos. 17710; 25508; 26267; 28187)

(a) Applicability: A person desiring to develop property in this district shall submit all required plans to the Dallas Arts District Design Review Committee (the “DAD Design Review Committee”) to determine compliance with the requirements of this article as well as the DAD Master Plan if any of the following conditions apply:

(1) Projects applying for TIF funds;
(2) Municipal projects within existing or previous TIF Districts or designated area plans;
(3) Projects at the applicant’s request; or
(4) All items to be located on City property pursuant to the City’s license procedure.

(b) Process:

(1) The DAD Design Review Committee will conduct an initial review within 30 days from the date the completed application is submitted. The DAD Design Review
Committee then has 45 days to conduct additional reviews and make a final recommendation to the Building Official.

(2) The Building Official may accept, modify, or reject the DAD Design Review Committee recommendation and has 10 days to issue a final signed certificate of approval. Work on items that receive a certificate of approval from the Building Official can begin once all applicable building permits have been obtained that are required for the work.

(3) If the application is recommended for denial by the DAD Design Review Committee or modified or denied by the Building Official, the decision may be appealed to the Board of Adjustment within 14 days. Unless appealed, the determination of the DAD Design Review Committee and Building Official is final.

SEC. 51P-145.1076. BOARD OF ADJUSTMENT.

(a) The board of adjustment may grant a special exception to the following requirements of this article if the special exception will not adversely affect appropriate development of the Dallas Arts District:

(1) The Flora Street frontage area use requirements contained in Section 51P-145.104(d)(2), except that the board may not allow a use not permitted in Section 51P-145.104(c).

(2) The Flora Street height restrictions contained in Section 51P-145.104(d)(3), but only if the portion of the building exceeding the maximum height permitted in that section is occupied exclusively by multiple-family uses.

(b) The board of adjustment may not provide a compliance date for a nonconforming use in the Dallas Arts District under Section 51-4.704(a)(1) unless there has been a change in ownership of the property since the effective date of Ordinance No. 17710. (Ord. Nos. 17710; 25508; 26267)

SEC. 51P-145.1087. APPLICABILITY OF SECTION 51-4.702.

The provisions of Section 51-4.702 do not apply to the Dallas Arts District, except that the city plan commission may approve minor amendments to the development plan and landscape plan that comply with Section 51A-4.702. (Ord. Nos. 17710; 25508; 26267)

SEC. 51P-145.109. NONCONFORMING USES AND STRUCTURES.

(a) In general. Except as otherwise provided in this article, Section 51-4.704 relating to nonconforming uses and structures applies to all uses and structures in this district.

(b) Original nonconforming uses.
(1) Original nonconforming uses are defined as those uses made nonconforming by the passage of Ordinance No. ______ (this ordinance). Original nonconforming uses do not include uses made nonconforming by amendments to that ordinance.

(2) Section 51-4.704(a)(1), which specifies the procedures for establishing compliance dates for nonconforming uses, does not apply to original nonconforming uses in this district. The board shall not provide a compliance date for original nonconforming uses in this district.

(c) Rebuilding damaged or destroyed nonconforming structures.

(1) If a structure made nonconforming by the passage of Ordinance No. ______ (this ordinance) is damaged or destroyed by less than 50% of its value, the structure may be rebuilt at the same location without the approval of the Board of Adjustment.

(2) If a structure is damaged or destroyed by 50% or greater of its value it is subject to Ordinance No. ______ (this ordinance).

SEC. 51P-145.110. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy for a building in the Dallas Arts District until there has been full compliance with the requirements of Section 51P-145.104(b) through (l) of this article and with the construction codes and all other applicable ordinances of the city. (Ord. Nos. 17710; 25508; 26102; 26267; 28187)

SEC. 51P-145.101109. PRIVATE LICENSE GRANTED IN SUBAREA 1.

(a) Subject to prior review by the DAD Design Review Committee, the city council grants a revocable, non-exclusive license to the owners, or with the written consent of the owners, to the tenants (“property owner”), of all property in Subarea 1 for the exclusive purpose of authorizing the parkway landscaping and parkway sign permitted by this article. The property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for the issuance of a parkway landscape or parkway sign permit in accordance with the Dallas City Code. This private license has no termination date, however, the city council reserves and has the absolute right to terminate this license at will by resolution passed by the city council any time such termination becomes necessary. The determination of the city of the necessity for such termination is final and the city will become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all
improvements and installations in the public right-of-way in a manner satisfactory to the director of public works and transportation.

(b) A property owner is not required to comply with any landscaping, art, and sign requirement if compliance is made impossible due to the director’s revocation of a landscape, art or sign permit or the revocation of this license.

(c) Upon installation of landscaping, art, sign, and related amenities, such as irrigation systems, in the public right-of-way, the property owner shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted herein, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, $2,000,000 annual aggregate. Coverage under this insurance policy shall be on an occurrence basis, and the city must be named as an additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent it is covered by this liability insurance policy.

(d) Each property owner shall be responsible for maintaining the landscaping, art, sign, and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping, art, sign, or related amenities. The granting of a license for landscaping, art, sign, and related amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way. (Ord. 26267)

SEC. 51P-145.11 216. PARKWAY LANDSCAPE, ART AND SIGN PERMIT IN SUBAREA 4.

(a) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit, parkway art permit, and parkway sign permit before locating trees, landscaping, art, street furniture, signs, or related amenities in the parkway. An application for a parkway landscape permit, parkway art permit, and parkway sign permit must be made to the director before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the landscaping, art, street furniture, signs, or other amenities proposed.

(b) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the landscaping, art, street furniture, signs, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit, parkway art permit, or parkway sign permit to the property owner; otherwise he shall deny the permit.
(c) A property owner is not required to comply with any parkway landscaping, parkway art or parkway sign requirement of this article if compliance is made impossible due to the director’s denial of a parkway landscape permit, parkway art permit or parkway sign permit.

(d) A parkway landscape permit, parkway art permit and parkway sign permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or will unreasonably impair the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping, parkway art or parkway sign requirement of this section if compliance is made impossible due to the director’s revocation of a parkway landscape permit, parkway art permit or parkway sign permit.

(e) The issuance of a parkway landscape permit, parkway art permit or parkway sign permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. 26267)

PD 145 EXHIBITS:

EXHIBIT A – Sasaki Plan – Delete and the new Dallas Arts District Connect: Master Plan will be adopted by resolution.

EXHIBIT B – Dallas Arts District Map (labeled Exhibit “C”) – Update with file name “171019_Arts District_PD+Typologies.pdf“

EXHIBIT C – BTW Plan – Keep.
Exhibit 145: North Pearl Street.
Exhibit 145: Flora Street.
Exhibit 145: Ross Avenue.
Exhibit 145: Pedestrian Priority.
Exhibit 145: Service-oriented.
Exhibit 145: Leonard Street.