

Town of Dallas Planning Board Meeting

Agenda

Thursday, January 17, 2019

To be held at Fire Station Community Room at 7:00 pm

The following agenda is proposed:

1. Call to Order
2. Roll Call of Members Present; Declaring a quorum as present
3. Invocation or Moment of Silence
4. Pledge of Allegiance to the Flag
5. Announcements/Introductions
6. Approval of Agenda with Additions or Deletions
7. Review of Minutes- Assistance Requested
8. New Business
 - a) Permitted Uses in All Zones
9. Upcoming Topics
 - 1) Sign Regulations
 - 2) Commercial Fence Ordinance Updates
 - 3) Possible Rezoning Request
10. Adjournment

Starter Questions

1. Should new allow new residential in business and industrial zones? If so, what types?
2. The MO &I zone allows "all residential uses" - should this include multi-family residential as well? (This zone is not currently on our land use map, but could be requested by developers or added later if we update our land use plan)
3. Should Adaptive Re-Use of Historic Buildings be limited to certain zones only? Should we require a conditional use permit- see 153.015 (seems to discourage by adding steps/expense)
4. Should we eliminate reference to "all residential uses"? Trailer Camps/ Mobile homes are allowed in some residential areas, and because some zones reference this, it could be interpreted to allow these uses in those areas as well.
5. Should we keep zones outlined in our ordinances that do not currently show on our zoning maps? (A-1, B-4, MO &I, I-2L, EI-1, EX-1, RMF, RMF-H)
6. Do Customary Home Occupations need to be limited to certain zones, and if so, which ones?
7. Can we eliminate secondary land uses from the permitted uses lists?
8. What are your thoughts on multiple buildings on one lot?
 - a. Our permitted uses sometimes allow it, but **153.004** states "Every building hereafter erected or structurally altered shall be located on a lot as herein defined, and in no case shall there be more than one principal building and its customary accessory buildings on a lot."
9. Are there some permitted uses that should be reworded/expanded/limited?
 - a. Possible word cleanup so that descriptions of permitted uses match between zones
10. In general, looking at our existing land use map, are there some areas of Town you think may need to change to a different zoning?
11. Should we revisit our regulations on multifamily residential?
 - a. Density levels
 - b. Setback requirements
 - c. Play areas, possible trail or recreational amenities?
 - d. Dumpster standards- required if 5+ units?
12. Are we interested in establishing a zone that allows for mixed-use development?

	Residential						Office / Institutional		Business				Industrial								
	R-15	R-12	R-10	R-8	R-6	RMF	RMF-H	MO &I	O&I-1	O&I-2	BC-1	B-1	B-2	B-3	B-3P	B-4	I-1	I-2	I-2L	El-1	EX-1
PERMITTED USES																					
Services																					
Banks and financial institutions										X		X	X	X	X	X	X				
Barber shops or beauty shops											X	X	X	X	X	X	X	X			
Dry cleaning establishments										X	X	X	X	X	X	X	X	X			
Funeral Homes									X												
Laundry pickup stations, laundrettes and laundromats											X	X	X	X	X	X	X	X			
Radio and television repair shops.										X	X	X	X	X	X	X	X	X			
Shoe repair shops										X	X	X	X	X	X	X	X	X			
Tailor shops										X	X	X	X	X	X	X	X	X			
Arts																					
Camera shops										X											
music shops.										X											
Photographer studios										X											
Food & Drink																					
Alcoholic beverage package stores										X	X	X	X	X	X	X	X	X			
Bake shops and dairy bars for retail sales on the premises only										X											
confectioneries										X											
delicatessens										X											
Eating and drinking establishments										X	X	X	X	X	X	X	X	X			
Grocery stores										X	X	X	X	X	X	X	X	X			
Microbreweries										X											X
Restaurants (excluding those providing curb service)										X											
Animal/ Agricultural																					
Abattoirs and slaughterhouses																			X	X	
Animal feeds- Manufacturing, servicing, processing, assembling, and fabricating .																				X	
Farming, truck-gardening and nurseries	X	X	X	X	X			X	X		X	X	X	X	X	X	X	X			
Greenhouses																				X	
Hatcheries																					
Raising of Livestock																					X
Veterinary hospitals and commercial kennels																	X	X			
Educational																					
Schools and colleges kindergartens and day nurseries	X	X	X	X	X			X	X		X	X	X	X	X	X	X	X			
Classroom trailers designed to be utilized by a public school	X	X	X	X	X			X	X		X	X	X	X	X	X	X	X			
Religious & Charitable Organizations																					
Churches and other places of worship.	X	X	X	X	X			X	X		X	X	X	X	X	X	X	X			
Philanthropic and eleemosynary institutions.	X	X	X	X	X			X	X		X	X	X	X	X	X	X	X			
Promo for Trade Associations or Civic, Religious groups										X	X	X	X	X	X	X	X	X			

	Residential										Office / Institutional					Business					Industrial				
	R-15	R-12	R-10	R-8	R-6	RMF	RMF-H	M O & I	O & I-1	O & I-2	BC-1	B-1	B-2	B-3	B-3P	B-4	I-1	I-2	I-2L	EI-1	EX-1				
PERMITTED USES																									
Gasoline, oil, or alcohol storage above ground																			X						
Glass- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Household appliances- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Ice- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Leather goods Fabrication, not to include processing or storage of raw hides																	X	X			X				
Leather goods- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Machine tools- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Metal products fabrication																	X	X							
Metals and metal products- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Mixing plants for concrete or paving materials																			X						
Newspaper offices or printing plants																		X							
Paints- Manufacturing, servicing, processing, assembling, and fabricating													X				X				X				
Paper products fabrication, not to include the manufacturing of paper																	X	X							
Paper products- Manufacturing, servicing, processing, assembling, and fabricating																		X							
Plastic containers and similar plastic product fabrication																	X	X							
Pottery, porcelain, and vitreous china- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Rubber products- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Soaps, detergents and washing compounds- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				
Stone crushing, cutting and polishing																			X						
Storage of materials and equipment outdoors																			X						
Storage warehouses and yards, except storage of salvage																	X	X							
Textiles- Manufacturing, servicing, processing, assembling, and fabricating																					X				
Welding shops																									
Wholesale and Jobbing Plants																	X	X							
Wholesale Distribution Centers																	X	X							
Wood and wood products, including furniture- Manufacturing, servicing, processing, assembling, and fabricating																		X			X				

Print

Dallas, NC Code of Ordinances

§ 153.022 R-15, R-12 AND R-10 ZONES: SINGLE-FAMILY RESIDENTIAL.

Within the R-15, R-12 and R-10 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Single-family dwellings.
- (2) Churches and other places of worship.
- (3) Schools and colleges kindergartens and day nurseries.
- (4) Public libraries, public museums and art galleries.
- (5) Philanthropic and eleemosynary institutions.
- (6) Public or private golf courses, non-commercial swimming or tennis clubs, and country clubs subject to the following requirements: buildings, tennis courts and swimming pools shall be located at least 20 feet from any exterior lot line, on a site containing three acres or more.
- (7) Municipal, county, state and federal uses not involving the outdoor storage of equipment or materials.
- (8) Public or private utilities buildings and appurtenances, not to include the outdoor storage of equipment or materials.
- (9) Reserved.
- (10) Farming, truck-gardening and nurseries.
- (11) Customary accessory buildings, including a private garage, guests quarters and servants quarters on residential lot.
- (12) Church or public building bulletin boards, not exceeding 12 square feet in area.
- (13) Real estate signs not more than four square feet in area.
- (14) Cemeteries.
- (15) A temporary use, including a building or trailer, in conjunction with any authorized construction; provided:
 - (a) No living quarters are provided in such building or trailer;
 - (b) The construction shall commence prior to or simultaneously with the temporary use; and
 - (c) A permit for such use must be secured from the Building Inspector who may not issue a permit for a longer period than six months at any one location without an order from town Planning Board.
- (16) Classroom trailers designed to be utilized by a public school provided a permit for such use is secured from the Building Inspector who may not issue such permit for a longer period than 12 months at any one location without an order from the town Planning Board.
- (17) A temporary permit may be issued by the Building Inspector/Code Enforcer allowing a storage trailer to be placed in the rear yard of a residence for the sole purpose of storing household goods provided

that:

- (a) The residence is undergoing total remodeling;
- (b) The storage trailer may not be used for living quarters; and

(c) The permit may not be issued for a period longer than six months but may be extended by the written approval of the Planning Board if valid reasons are given to merit such extension.

(18) Industrial park entrance sign in a R-12 zone if the R-12 zone adjoins an industrial park and if the design and size of said sign is approved by the Board of Aldermen.

(B) *Lot area and width, yards and building height requirements.* The requirements set forth in the Appendix A: Yard and Height Requirements for Residential Districts and Appendix B: Yard and Height Requirements for Business Districts shall govern.

(C) *Off-street parking.* Off-street parking shall be provided by all uses as required by § 153.042.

(D) *Signs.* The requirements set forth in the sign regulations, §§ 153.080 through 153.087, shall apply.

(E) *Site plan.* As an initial step in applying for the issuance of a building permit for the construction, alteration, or expansion of any structure housing a municipal, county, state, federal or other governmental use, a site plan shall be submitted which shall include the following grading, engineering design, construction size, height, shape and location of the building, location and design of parking areas, pedestrian and vehicular circulation on site, and plans for collecting and depositing storm water and natural or artificial watercourses. The site plan must be approved by the Town Clerk and by the Building Inspector before the building permit is issued; however, if the site plan is disapproved the applicant may appeal such decision to the town Planning Board and then to the Board of Aldermen. The structure housing such municipal, county, state or federal use must be constructed, altered or expanded in accordance with the site plan before a certificate of occupancy is issued by the Building Inspector.

(Ord. passed 11-3-1970; Am. Ord. 1-11-1972; Am. Ord. 7-3-1972; Am. Ord. passed 11-10- 1998)

§ 153.023 RMF: MULTI-FAMILY DISTRICT.

Within the RMF zone as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulation shall apply.

(A) *Permitted uses.* Multi-family dwellings and customary accessory structures and uses.

(B) *Off-street parking.* Off-street parking shall be provided for all uses as required by § 153.042.

(C) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided by all uses as required § 153.044.

(D) *Signs.* For the purpose of advertising any use permitted in this zone, the regulations of §§ 153.080 through 153.087 shall apply.

(E) *Advisory opinion.* Prior to submitting an application for rezoning, the applicant may submit a simple sketch plan of the proposed development to the town Planning Board in order to obtain an advisory opinion from such Board as to the feasibility of the proposed rezoning prior to the preparation and submission by the required preliminary plan and preliminary construction plan.

(F) *Preliminary site plan.* An application for rezoning to a RMF Multi-family District shall be accompanied by a preliminary site plan prepared on a 28" x 42" sheet of reproducible material using the largest scale possible and shall contain:

- (1) Land area to be included in the rezoning request;

- (2) Proposed locations of each existing and each proposed structure and their general exterior dimensions;
 - (3) Proposed uses of all land within the area requested for rezoning;
 - (4) Dimensions between all structures and from structures to property lines;
 - (5) Traffic parking and circulation plan showing proposed locations and arrangements of parking spaces and ingress and egress to and from adjacent streets;
 - (6) Proposed location and material of any screening walls, fences or plantings;
 - (7) Proposed exterior design of buildings;
 - (8) Schedule for number and size of apartments within the projects;
 - (9) Proposed time schedule and staging, if any, for construction of the project;
 - (10) A title giving the address of the development, names and addresses of the developers, the date, scale of the plan, and the person or firm preparing the plan;
 - (11) Provision for adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking, loading space, facilities for waste disposal and illumination;
 - (12) Means for providing adequate and safe location of play areas for children and other recreational areas according to the concentration of occupancy;
 - (13) Location and type of fences, walls or year-round screen planting, when deemed necessary by the town Planning Board to shield adjacent residential zones from parking lot illumination, headlights and noise and to reduce the visual encroachment of multi-family architecture and the activity on privacy and single-family residential neighborhood character;
 - (14) Such other information as may be considered essential by the town Planning Board for the protection of public health, safety, welfare, and conveniences.
- (G) *Preliminary construction plan.* A preliminary construction plan shall be prepared and shall include a perspective drawing of the multi-family dwelling units presenting the general appearances of the buildings and grounds from the major access street, which need not be prepared by an engineer, architect or commercial artist.
- (H) *Recommendations by the town Planning Board.* Any recommendations and suggestions concerning the preliminary plans for the proposed multi-family residential complex made by the town Planning Board shall be based upon a finding that the plans for the development are such that traffic hazards and congestion will not be created within the development and upon the public streets at the points of ingress and egress to such development, and that the plans maintain the purposes of this section and the functions of a multi-family residential complex. The purpose of a preliminary site plan and preliminary construction plan is to enable the town Planning Board to review them so as to recommend and approve the same prior to presentation of its written recommendation and report to the Board of Aldermen.
- (I) *Board of Aldermen approval.* The Board of Aldermen may refuse to approve a site plan or construction plan on the grounds that either it fails to provide unity of development with other property in the area, or that it fails to adequately protect residentially zoned properties in the same area from the adverse effects of such operation, or that the proposal fails to provide safe conditions for pedestrians and motorists, or that the plans fail to conform with the requirements of this section.
- (J) *Final plans.*
- (1) A final construction plan shall be prepared and shall include the following:

(a) A detailed perspective drawing of the multi-family residential complex showing the appearance of the buildings and grounds from the major access street.

(b) Detailed final construction plans for the purposes of building inspection to include elevations of all buildings from all sides at a scale not less than 1/8 inch to 1 foot.

(2) The final site plan shall be prepared on a 28" x 42" sheet of reproducible permanent base material using the largest scale possible and shall include all data required for a preliminary site plan as well as any other information required by the town Planning Board.

(3) The final site plan and final construction plan for the proposed development for changes within the development shall be submitted by the developer to the Chairman of the Planning Board and to the Building Inspector for their recommendations and report thereon.

(4) An affirmative recommendation of the final plans for the proposed multi-family residential complex by the Chairman of the Planning Board and by the Building Inspector shall be upon the finding that the final plans for the development are substantially in agreement with the preliminary site plans and preliminary construction plans as approved by the Board of Aldermen and that traffic hazards and congestion will not be created within the development and upon the public streets at the point of ingress and egress to the development and that the plans maintain the purposes of this article and the functions of the multi-family residential complex.

(5) After approval of the final plans by the Chairman of the Planning Board and by the Building Inspector and after a copy of the approved plans is filed with said Building Inspector, the latter if other pertinent town ordinances have been complied with, shall issue a building permit for the construction, alteration or expansion of any building within an RMF Multi-Family Residential District upon application by the developer.

(6) *Certificate of occupancy.*

(a) No building shall be occupied within an RMF Multi-Family District until the certificate of occupancy shall have been issued by the Building Inspector and no certificate of occupancy shall be issued unless the approved final plans have been substantially followed as to each completed building and the use of same complies with this chapter.

(b) Provided, however, that the Building Inspector may issue a certificate of occupancy for the completed structures or buildings even though some other structures in the approved plans at the time are under constructions.

(c) Provided further that a certificate of occupancy shall not be issued for any completed structure until all drives, walks, parking spaces, screens, and truck loading and unloading facilities serving the same shall have been provided and substantially improved as shown on the approved final plans.

(K) *Development requirement.* In order to develop realty within the RMF Multi-Family District, the following will be required.

(1) A portion of the land must front on a major thoroughfare or major collector street as defined by the town Planning Board.

(2) The minimum land requirement shall be 15,000 square feet for the first dwelling unit and 3,500 square feet for each additional dwelling unit therein.

(3) The minimum setback from street, and minimum side and rear yard shall be 45 feet.

(4) The minimum unobstructed open space shall be 70% of total lot area, a portion of which shall be developed for parks, playgrounds, and other recreational purpose.

(5) Gross ground floor area of principal structures shall not exceed 18% of total land area.

(6) The height of any portion of any structure shall not be greater than one-half of the horizontal distance from such structure to the nearest lot line or to any other structure within the complex.

(7) Every building shall be separated on every side from any other building within the complex by a distance of at least 25 feet.

(8) No parking of motor vehicles shall be permitted within the required setbacks. The space within the required setback shall not be used as maneuvering space for the parking or un-parking of vehicles, except that driveways providing ingress and egress to the parking area may be installed across the setback area.

(L) *Effective approved site plan.* All approved site plans for RMF Multi-Family Districts shall be binding upon the applicants therefor, their successors and assigns, shall limit and control the issuance and validity of all building permits and certificate of occupancy and shall restrict and limit the construction location use and operation of all land and structures included within such plans, provided however, that upon a showing of necessity therefore, minor changes in the location and size of structures may be permitted if such minor changes will not cause any of the following circumstances to occur.

(M) *Amendment or revision of site plan.* Pursuant to the same procedure and subject to the same limitations and requirements set forth in this section, a site plan may be amended or revised, either partially or completely.

(N) *Copies.* Upon approval of the plan for a multi-family residential complex by the Board of Aldermen, one copy of the plan shall be filed with the Town Clerk, one copy with the Building Inspector, and one copy with the town Planning Board.

(Ord. passed 11-3-1970; Am. Ord. passed 1-11- 1972; Am. Ord. passed 7-3-1972)

§ 153.024 RMF-H: HIGH DENSITY MULTI- FAMILY DISTRICT.

Within the RMF-H Zone as shown upon the zoning map of the town, incorporated by reference in § 153.21, the following regulations shall apply.

(A) *Permitted uses.* High density multi-family dwellings and customary accessory structures and uses which must be located within the primary structure.

(B) *Required lot area, lot width and yards.*

- (1) Minimum lot size - none.
- (2) Minimum lot area for first dwelling unit - 5,000 square feet.
- (3) Minimum additional lot area for next eight units - 500 square feet.
- (4) Minimum lot area per dwelling unit for nine units or more - 1,000 square feet.
- (5) Minimum lot width - none.
- (6) Minimum front yard - 20 feet.
- (7) Minimum rear yard - 20 feet.
- (8) Minimum side yard - 8 feet.
- (9) Minimum combined width of both sides yards - 20 feet.

(C) *Height.* Each side yard shall be increased one foot for every two feet of building height in excess of 40 feet.

(D) *Screening*. Screening shall be provided in accordance with §§ 153.060 through 153.064.

(E) *Off-street parking*. Street parking space shall be provided in accordance with § 153.042.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3- 1972)

§ 153.025 CLUSTER DEVELOPMENT OVERLAY DISTRICT.

A cluster development is a special use designed to allow for non-conventional developments, and mixed-use developments. The requirements for the cluster development are as follows.

(A) Cluster developments are by conditional use permit only.

(B) A cluster development may be developed in any residential, business or commercial zone in the town.

(C) A minimum of five lots is required.

(D) A lot size exemption of 75% of the minimum lot size for the zone the cluster development is to be utilized is allotted; all other requirements for that zone will apply.

(E) Uses shall be limited to single- family detached dwellings, and related accessory uses, as described by the zoning district the development is in.

(F) The maximum number of potential lots that may be created shall be computed by subtracting 20% of the gross area (an allowance for street right-of-ways) and by dividing the remainder by the minimum lot area requirements for the zoning district in which the development is located. This section shall apply regardless of the amount of land actually required for streets.

(G) An amount of land at a minimum equal to the amount of reduction in lot size as determined by division (D) above shall be placed as open space within the development and each lot shall have direct access by right-of-way or easement to such open space. Such open spaces shall be held in nonprofit, corporate ownership by the owners of the lots within the development. In consideration of the purposes served by a cluster development, the title to such open space shall be preserved to the perpetual benefit of the private properties in the development and shall be restricted against private ownership for any other purposes. Twenty percent of the open space must have improvements. As an option, where the Board of Aldermen agrees, such open space may be dedicated to the town for public benefit.

(Ord. passed 8-14-2007)

§ 153.026 R-8 AND R-6 ZONES: MULTI- FAMILY RESIDENTIAL.

Within the R-8 and R-6 zones as shown on the zoning map, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses*.

- (1) Any use permitted in the R-15, R-12 and R-10 zones.
- (2) Multiple dwellings.
- (3) Trailer camps.
- (4) Fraternities associated with a recognized junior or senior college.
- (5) Customary home occupations.

(6) Manufactured homes, Class A, in R-6 zones only.

(7) Adaptive reuse of historic building (this is subject to the issuance of a conditional use permit by the Board of Alderman in accordance with § 153.015.

(B) *Lot areas and width, yards and building height requirements.* The requirements set forth in Appendix A: Yard and Height Requirements in Residential Districts and Appendix B: Yard and Height Requirements in Business Districts shall govern.

(C) *Off-street parking.* Off-street parking shall be provided by all uses as required in § 153.042.

(D) *Signs.* The requirements set forth in the sign regulations, §§ 153.080 through 153.087, shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972; Am. Ord. passed 11-13-2001)

Cross reference:

Sign regulations schedule, see Appendix D

§ 153.027 M O AND I ZONES: MEDICAL AND OFFICE INSTITUTIONAL.

Within the M O and I zones as shown on the zoning map of the town, incorporated by reference in § 153.021, following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in R-6 residential zones.
- (2) Medical and dental offices and clinics.
- (3) Clinical laboratories.
- (4) Nurses' dormitories.
- (5) Drugstores.
- (6) Hospitals for human care.
- (7) Homes for the aged and infirm.
- (8) Nursing homes for chronic or convalescent patients.

(B) *Required lot area, lot width, yards and building height.* For all permitted uses, the requirements of the R-6 zones shall apply in this zone.

(C) *Off-street parking.* Off-street parking space shall be provided in accordance with § 153.042.

(D) *Signs.* For the purpose of advertising any use permitted in this zone, the regulations contained in §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.028 O AND I-1 ZONES: OFFICE AND INSTITUTIONAL.

Within the O and I-1 zones as shown on the zoning map, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in residential zones.
- (2) Medical clinics.
- (3) Offices rendering professional services, such as legal medical, dental, engineering, architectural and similar services.
- (4) Agencies rendering specialized services such as real estate, telephone answering service, insurance, advertising, brokerage, stenographic and similar services not involving retail trade with the general public nor maintenance of a stock of goods for sale.

(B) *Required lot area, lot width, yards and building height.* For all permitted uses the requirements of the R-6 zones shall apply in this zone.

(C) *Off-street parking.* Off-street parking space shall be provided in accordance with § 153.042.

(D) *Off-street loading.* Off-street loading space shall be provided in accordance with § 153.044.

(E) *Signs.* For the purpose of advertising any use permitted in this zone, the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.029 O AND I-2 ZONES: OFFICE AND INSTITUTIONAL.

Within the O and I-2 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in O and I-1 zones.
 - (2) Boarding and rooming houses.
 - (3) Homes for the aged and infirm.
 - (4) Cemeteries.
 - (5) Funeral homes.
 - (6) Greenhouses.
 - (7) Nursing homes for chronic or convalescent patients.
- (B) *Required lot area, lot width, yards and building height.* For all permitted uses, the requirements of the R-6 zones shall apply in this zone.
- (C) *Off-street parking.* Off-street parking space shall be provided in accordance with § 153.042.
- (D) *Off-street loading.* Off-street loading space shall be provided in accordance with § 153.044.

(E) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.030 A-1 ZONES: ADVERTISING SIGN DISTRICT.

Within the A-1 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

(1) Any use permitted in a surrounding zone which is contiguous to the perimeter of the A-1 district for more than 50% of its perimeter length.

(2) Advertising signs.

(B) *Required lot areas lot width, yards and building height.* For all permitted uses, the requirements of the predominant contiguous zone shall apply in this zone.

(C) *Off-street parking.* Off-street parking space shall be provided in accordance with § 153.042.

(D) *Off-street loading.* Off-street loading space shall be provided in accordance with § 153.044.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

§ 153.031 BC-1 ZONE: SHOPPING CENTER.

Within the BC-1 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

(1) Any use permitted in O and I-1 zones. excepting residential zone uses.

(2) Banks and financial institutions.

(3) Barber shops or beauty shops.

(4) Dry cleaning establishments.

(5) Laundry pickup stations, laundrettes and laundromats.

(6) Florist shop.

(7) Drugstores.

(8) Grocery stores, delicatessens and confectioneries.

- (9) Bake shops and dairy bars for retail sales on the premises only,
- (10) Dry goods stores, show stores. and apparel shops.
- (11) Furniture and household appliance stores.
- (12) Hardware stores.
- (13) Photographer studios, camera shops and music shops.
- (14) Shoe repair shops.
- (15) Tailor shops.
- (16) Radio and television repair shops.
- (17) Jewelry stores.
- (18) Alcoholic beverage package stores.
- (19) Auto service stations selling tires, tubes, gasoline, oil and other lubricants, motor and tire accessories and similar products; permitting the storage of tires, tubes, accessories and similar products and permitting minor repair work limited to the following:
 - (a) Servicing of spark plugs, batteries and distributors and distributor parts.
 - (b) Tire servicing and repair, but not recapping or regrooving.
 - (c) Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat belts, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like.
 - (d) Radiator cleaning and flushing.
 - (e) Providing and repairing fuel pumps, oil pumps and lines.
 - (f) Minor servicing and repair of carburetors.
 - (g) Emergency wiring repairs.
 - (h) Adjusting and repairing brakes.
 - (i) Minor motor adjustments not involving removal of the head or crankcase or racing the motor.
 - (j) 1. All of the aforesaid minor repair work, but excluding the normal servicing of automobiles, must take place within an enclosed structure on the premises.
 2. Auto service stations shall be designed as an integral part of the shopping center.
 3. The Board of Aldermen may refuse to permit an auto service station to be erected in the proposed shopping center on the grounds that it fails to provide unity of development with other business uses in the same zone or that it fails to adequately protect residential uses in adjacent zones from the adverse effects of a business operation, or that the proposal fails to provide safe conditions for pedestrians and motorists, or that the plan fails to conform with the requirements of this chapter; but not on the grounds that architectural designs or building materials are esthetically unsatisfactory.
- (20) Automobile parking lots.
- (21) Bookstores and newsstands.
- (22) Pet shops.
- (23) Toy stores.

- (24) Sporting goods stores.
- (25) Antique shops.
- (26) Restaurants (excluding those providing curb service).
- (27) Variety stores.
- (28) Movie theaters.
- (29) Department stores.
- (30) Any use which may be construed to be a promotional activity sponsored by or for either of the following
 - (a) Trade or professions associations.
 - (b) Civic, religious, charitable or eleemosynary groups:
 - 1. Provided that no gaming, gambling, or similar (related) activities are permitted to be conducted as part of or accessory to the temporary use.
 - 2. Provided that no temporary permitted use shall be permitted for a period of time exceeding ten consecutive days.
 - 3. Provided that no temporary use shall begin until 9:00 a.m. and shall not extend beyond 12:00 midnight.
 - 4. Provided that no permit for a temporary permitted use shall be granted by the Zoning Officer until permission therefore has first been granted by the Board of Aldermen.
 - 5. Provided further that no temporary permitted use shall be located within 400 feet of a residential use.
- (31) Electronic gaming operation(s), provided the following provisions are met:
 - (a) That such uses provide, at minimum, off-street parking consistent with off-street parking requirements, § 153.042(J), Other Business or Service Uses, and requiring one parking space for each 200 square feet of gross floor area.
 - (b) That no electronic gaming operation be located within 500 linear feet of the property line of any church/house of worship or any public or private elementary, middle, or high school, library, public park or playground, day care center, or residential-zoned district.
 - (c) That no two electronic gaming operations be located within 1,000 linear feet of each other.
 - (d) That no electronic gaming operation have more than 25 total electronic gaming machines or terminals.
 - (e) That electronic gaming operations shall apply for and obtain a license from the Board of Aldermen to operate, and have fully paid, up-to-date, all required license fees as proscribed within the "Privilege and Business License Fee Schedule" for the Town of Dallas. No such license shall be transferable.
 - (f) That electronic gaming operations shall be further regulated by Chapter 113: Game Rooms of the Dallas Code of Ordinances.
 - (g) That during hours of operations, electronic gaming operations shall be open for direct, unobstructed access by all safety and enforcement personnel, and that all exit doors shall remain unlocked while patrons are on the premises.

(h) No one under the age of 18 be allowed within the premises of an electronic gaming operation.

(B) *Required screening areas building coverage and yards.*

(1) A screen containing a mixture of deciduous and evergreen trees spaced in a staggered triangular pattern not more than ten feet apart and containing not less than two rows of dense plant materials shall be planted in a fifteen-foot buffer strip along such rear or side lines, either or both. The same shall be planted at an initial height of at least three feet and shall be of such variety that an average height of six feet can be expected by normal growth within four years from the time of initial planting. No plant material which would be a host to insects, would affect the plants on adjoining property, or would spread disease, can be used; and all plant materials must be nursery grown and conform to the guidelines as published by the American Association of Nurserymen in their 1959 edition. All plant materials shall be planted at least three feet from the side or rear lot line of adjoining property and shall be planted in the required buffer strip prior to the issuance of a certificate of occupancy by the Inspections Superintendent..

(2) Not more than 30% of the zoned area shall be covered by buildings.

(3) No building shall be closer than 20 feet to any exterior lot line or closer than 100 feet to any street right-of-way in a BC-1 Shopping Center zone.

(4) The tract of land upon which the proposed shopping center is to be erected must contain at least five acres.

(5) A BC-1 Shopping Center zone shall abut an existing or a proposed major thoroughfare for minimum distance of 400 feet and shall have a minimum average depth of 550 feet.

(C) *Height.* Not to exceed 40 feet.

(D) *Off-street parking.* Off-street parking shall be provided for all uses as required by § 153.042.

(E) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided by all uses as required by § 153.044.

(F) *Signs.* For the purpose of advertising and use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(G) *Data to be submitted with petition.* The applicant for this classification shall present to the town Planning Board the following items for consideration at the time the petition for rezoning is filed.

(1) A valid market analysis indicating the economic feasibility of the proposed development by outlining:

(a) The trade area of the proposed shopping center;

(b) An estimate of the trade area population, present and future;

(c) An estimate of the effective buying power of the trade area, both existing and proposed;

(d) An estimate of the net potential customer buying power for stores in the proposed development;

(e) An estimate of the amount of retail sales floor space in square feet currently lacking in the trade area.

(2) A statement indicating readiness to proceed with the proposed development by filing with the Zoning Officer an agreement signed by the owner or owners of the proposed development that actual construction shall begin within one year from the date final plans for the shopping center are approved and shall be prosecuted to completion within a reasonable period of time thereafter. In the event the town Planning Board and the Board of Aldermen find that the intent of this paragraph has been met or construction has not commenced within said one-year period, proceedings may be instituted for rezoning

the area to its original classification. It is not the intent of this section, however, to prohibit a reasonable extension of the one-year limit by the Board of Aldermen.

(3) The preliminary site plan and the preliminary construction plan of the proposed development.

(H) *Preliminary plan.*

(1) The preliminary site plan shall be prepared on a 30" by 42" sheet of reproducible material using the largest scale possible and shall contain:

- (a) Dimensions of the property and adjacent lots and streets;
- (b) Location and proposed use of all buildings with dimensions and approximate ground floor area thereof;
- (c) Topography of existing ground and paved areas and elevation of street alleys, utilities sanitary and storm sewers, buildings and structure;
- (d) Plans for collecting and disposing of storm water and treatment of natural and artificial water courses;
- (e) General indication of proposed grading, surface drainage, terraces retaining wall heights, grades on paved areas and ground floor elevations shown by contours or spot elevations;
- (f) Parking areas with all spaces shown and dimensions thereof;
- (g) Service area, truck loading facilities, service drives and dimensions thereof;
- (h) Pedestrian walks or walkways with dimensions thereof;
- (i) Drives and access to parking spaces with dimensions thereof;
- (j) Curb cuts and points of ingress and egress and all sidewalks with dimensions thereof;
- (k) Distances between the buildings and the property lines;
- (l) Locations of plantings, walls and screening;
- (m) Name and address of the development, name and address of the developer, date and scale of the plan, and the name of the person or firm preparing the plans;
- (n) Vicinity map at a scale of 1 inch to 1,000 feet.

(2) The preliminary construction plan, the preliminary site plan and a detailed perspective drawing of the shopping center representing the general appearance of the buildings and grounds from the major thoroughfare must be prepared by a person authorized by law to prepare the same.

(3) Recommendations and suggestions concerning the preliminary plans for the proposed shopping center by the town Planning Board shall be upon the findings that the plans for the development are such that traffic hazards and congestion will not be created within the development and upon the public streets at the point of ingress and egress to the development and that the plans of a shopping center. Dedication of additional right-of-way for public street purposes may be required to resolve potential traffic hazards and congestion. The lack of minimum yard dimensions does not imply the lack of need for such minimum dimensions. The absence of minimum yard dimensions is to provide for flexibility and imagination in design of the development. The purpose of a preliminary site plan, preliminary construction plan and perspective drawing of the shopping center is to enable the town Planning Board to review the same in order that it may recommend and approve said plans prior to presentation of the written recommendation and report to the Board of Aldermen. In each case consideration shall be given to the location of the various facilities and buildings on the premises and minimum yard dimensions.

(4) The Board of Aldermen may refuse to approve a preliminary site plan or a preliminary construction plan on the grounds that either fails to provide unity of development with other business uses in the same zone, or that either fails to adequately protect residential uses in adjacent zones from the adverse effects of a business operation, or that either proposal fails to provide safe conditions for pedestrians and motorists or that either plan fails to conform with the requirements of this chapter.

(5) Preliminary plans for the entire shopping center shall be prepared; however, a section consisting of at least 33% of the total proposed area contained in the shopping center or a section of the shopping center consisting of not less than five separate buildings, each housing a separate use, may be designated for immediate development and final plans prepared for that section only.

(I) *Final plans.*

(1) A final construction plan shall be prepared and shall include the following:

(a) Detailed perspective drawing of the shopping center showing the appearance of the buildings and grounds from the major access street;

(b) Detailed final construction plans for purposes of building inspection to include elevations of every building from all sides at a scale of not less than 1/8 inch to 1 foot.

(2) The final site plan shall be prepared on a 30" by 42" sheet of reproducible permanent base material using the largest scale possible and shall include the following:

(a) Dimensions of the property and adjacent lots and streets;

(b) Location, ground floor area and proposed use of the buildings with all dimensions thereof;

(c) Parking area with all spaces shown and dimensions thereof;

(d) Service area, truck loading facilities, service drives and dimensions thereof;

(e) Pedestrian walks or walkways with dimensions thereof;

(f) Drives and access to parking spaces with dimensions thereof;

(g) Curb cuts and points of ingress and egress and all sidewalks with dimensions thereof;

(h) Distances between the buildings and the property lines;

(i) Location of plantings, walls and screening;

(j) Name and address of the development, names and addresses of the developers, date, scale of plant and person or firm preparing the plan.

(3) The final site plan shall show all the information required of the preliminary site plan but the information shown shall be specific, precise and accurate to usual and recognized professional standards and not general in nature.

(4) A design of the storm sewerage system shall be submitted to the Town Clerk for his approval.

(5) The final site plan and final construction plan for the proposed development or changes within the development shall be submitted by the developer to the town Planning Board for its approval. After such approval is granted, the Building Inspector shall, if other pertinent town ordinances have been complied with, issue a building permit for the construction alteration or expansion of any building within a BC-1 Shopping Center zone upon application by the developer provided:

(a) Construction of at least five separate buildings housing at least five separate units or construction of at least 33% of the total proposed area contained in the shopping center, whichever is greater, must be commenced initially thereafter, the developer may construct on building at a time.

(b) No building shall be occupied within a BC-1 Shopping Center zone until a certificate of occupancy shall have been issued by the Building Inspector and no certificate of occupancy shall be issued unless the approved final plans have been substantially followed as to each completed building and the use of same complies with this chapter.

(c) The Inspection Superintendent may issue a certificate of occupancy for any completed structure or building even though some other structures shown in the approved final plans at the time are under construction.

(d) A certificate of occupancy shall not be issued for the buildings constructed until all drives, walks, parking spaces, screening and truck loading and unloading facilities shall have been provided and substantially improved as shown on the final plans as approved.

(6) Pursuant to the same procedure and subject to the same limitations and requirements set forth in this section, a site plan may be amended or revised, either partially or completely.

(Ord. passed 11-3-1970; Am. Ord. passed 1-11-1972; Am. Ord. passed 7-3-1972; Am. Ord. passed 2-14-1995; Am. Ord. passed 6-12-2012)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.032 B-1 ZONES: NEIGHBORHOOD BUSINESS.

Within the B-1 zones as shown on the zoning map, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in the O and I-1 zones.
- (2) Business offices.
- (3) Auto service stations.
- (4) Eating and drinking establishments.
- (5) Groceries.
- (6) Banks and financial institutions.
- (7) Barbershops and beauty parlors.
- (8) Parking facilities.
- (9) Florist shops.
- (10) Hardware stores.
- (11) Automatic laundries.
- (12) Indoor recreation.
- (13) Radios and television repair shops.
- (14) Drugstores.

- (15) Furniture and household appliance stores.
 - (16) Shoe shops.
 - (17) Tailor shops.
 - (18) Newsstands.
 - (19) Funeral homes.
 - (20) Alcoholic beverage package stores.
 - (21) Dry cleaning establishments.
 - (22) Any use which may be construed to be a promotional activity sponsored by or for either of the following:
 - (a) Provided that no gaming, gambling, or similar (related) activities are permitted to be conducted as a part of or accessory to the temporary use;
 - (b) Provided that no temporary permitted use shall be permitted for a period of time exceeding ten consecutive days.
 - (c) Provided that no temporary use shall begin until 9:00 a.m. and shall not extend beyond 12:00 midnight;
 - (d) Provided that no permit for a temporary permitted use shall be granted by the Inspections Superintendent until permission therefor has first been granted by the Board of Aldermen;
 - (e) Provided further that no temporary permitted use shall be located within 400 feet of a residential use.
- (B) *Required lot area, lot widths and yards.* Buildings used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses shall have a minimum front yard of 30 feet, provided that where the lot abuts on the side or rear of a residential zone, such buildings shall have a minimum side yard of eight feet on the abutting side, and a minimum rear yard of 20 feet on the abutting rear. For the purpose of this provision, where properties are separated by a street, or alleyway such properties are deemed abutting.
- (C) *Height.* All buildings shall comply with the height requirements for residential zones.
- (D) *Off-street parking.* Off-street parking space shall be provided by all uses as required by § 153.042.
- (E) *Off-street loading.* Off-street loading space shall be provided by all uses as required by § 153.044.
- (F) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.
- (Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.033 B-2 ZONES: HIGHWAY BUSINESS.

Within the B-2 zones, as shown upon the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in the R-6 zones.
- (2) Auto service stations.
- (3) Restaurants and other eating establishments.
- (4) Drugstores.
- (5) Barbershops and beauty shops.
- (6) Places of indoor recreation and entertainment.
- (7) Places of outdoor recreation and entertainment not to include auto racetracks.
- (8) Motels, hotels, tourist homes, and boardinghouses.
- (9) Dry cleaning establishments.
- (10) Grocery stores and other retail business or service establishments not otherwise referred to in this section that are consistent with the purposes of this section and specifically cater to the needs of the traveling public.
- (11) Alcoholic beverage package stores.
- (12) Bank and financial institutions.
- (13) Any use which may be construed to be a promotional activity sponsored by or for either of the following:
 - (a) Trade or professional associations;
 - (b) Civic, religious, charitable or eleemosynary groups:
 1. Provided that no gaming, gambling, or similar (related) activities are permitted to be conducted as a part of or accessory to the temporary use;
 2. Provided that no temporary permitted use shall be permitted for a period of time exceeding ten days;
 3. Provided that no temporary use shall begin until 9:00 a.m. and shall not extend beyond 12:00 midnight;
 4. Provided that no permit for a temporary permitted use shall be granted by the Zoning Officer until permission therefore has first been granted by the Board of Aldermen;
 5. Provided further that no temporary permitted use shall be located within 400 feet of a residential use.
- (14) Coin operated laundries.
- (15) Professional photography studios.
- (16) Electronic gaming operation(s), provided the following provisions are met:
 - (a) That such uses provide, at minimum, off-street parking consistent with § 153.042(J), Other Business or Service Uses, and requiring one parking space for each 200 square feet of gross floor area;
 - (b) That no electronic gaming operation be located within 500 linear feet of the property line of any church/house of worship or any public or private elementary, middle, or high school, library, public park or playground, day care center, or residential-zoned district;

- (c) That no two electronic gaming operations be located within 1,000 linear feet of each other;
- (d) That no electronic gaming operation have more than 25 total electronic gaming machines or terminals;
- (e) That electronic gaming operations shall apply for and obtain a license from the Board of Aldermen to operate, and have fully paid, up-to-date, all required license fees as proscribed within the "Privilege and Business License Fee Schedule" for the Town of Dallas. No such license shall be transferable.
- (f) That electronic gaming operations shall be further regulated by Chapter 113: Game Rooms of the Dallas Code of Ordinances;
- (g) That during hours of operations, electronic gaming operations shall be open for direct, unobstructed access by all safety and enforcement personnel, and that all exit doors shall remain unlocked while patrons are on the premises;
- (h) That no one under the age of 18 be allowed within the premises of an electronic gaming operation.

(B) *Required lot area, lot widths and yards.* Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall have minimum side yard of eight feet on the abutting side, and a minimum rear yard of 20 feet on the abutting rear. For the purpose of this provision, where properties are separated by a street or alleyway, such properties are deemed abutting.

(C) *Height.* All buildings shall comply with the height requirements for residential zones.

(D) *Off-street parking.* Off-street parking shall be provided by all uses as required by § 153.042.

(E) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided by all uses as required by § 153.044.

(F) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 1-11-1972; Am. Ord. passed 7-3-1972; Am. Ord. passed 9-20-1994; Am. Ord. passed 6-8-2010; Am. Ord. passed 6-12-2012)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.034 B-3 ZONE: CENTRAL BUSINESS.

Within the B-3 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

- (A) *Permitted uses.*
 - (1) Any use permitted in B-1 zones.
 - (2) Retail stores, offices, garages, greenhouses and retail stores conducting incidental and secondary wholesale departments.
 - (3) Public utility storage or service yards.

- (4) Newspaper officers or printing plants.
- (5) Dry cleaning and pressing plants.
- (6) Freezer lockers.
- (7) Auto sales and service.
- (8) Auto parts and supplies (new).
- (9) Auction house.
- (10) Automobile laundries and automatic car washing establishments.

(11) Adaptive reuse of historic building (this is subject to the issuance of a conditional use permit by the Board of Alderman in accordance with

§ 153.073(B) through (H).

(B) *Required lot area, lot widths and yards.* Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.044(B).

(C) *Height.* No building or structure shall exceed 80 feet in height.

(D) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided for all uses as required by § 153.044.

(E) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080(B), 153.081, 153.085(E) through (H) and 153.086 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972; Am. Ord. passed 9-24-1997; Am. Ord. passed 4-14-1999; Am. Ord. 11-13-2001)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.035 B-3P ZONE: CENTRAL BUSINESS DISTRICT PERIMETER.

Within the B-3P zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in B-3 zones.
- (2) Hotels, motels and assembly halls.
- (3) Advertising signs.

(4) Adaptive reuse of historic buildings (this is subject to the issuance of a conditional use permit by the Board of Alderman in accordance with § 153.073(B) through (H).

(B) *Required lot area, lot widths and yards.* Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.044(B).

(C) *Height.* No building or structure shall exceed 80 feet in height.

(D) *Off-street parking.* Off-street parking shall be provided shall by all uses as required by § 153.042.

(E) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided by all uses as required by § 153.044.

(F) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972; Am. Ord. 11-13-2001)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.036 B-4 ZONES: GENERAL BUSINESS.

Within the B-4 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in the B-3 zones.
- (2) Wholesale and jobbing plants.
- (3) Bottling plants.
- (4) Cold storage plants.
- (5) Storage warehouses and yards, except storage of salvage.
- (6) Laundries.
- (7) Trailer sales and service.
- (8) Veterinary hospitals and commercial kennels.
- (9) Automobile laundries and automatic car washing establishments.

(B) *Required, lot area, lot widths and yards.* Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.032(B).

(C) *Height.* No building or structure shall exceed 65 feet in height.

(D) *Off-street parking.* Off-street parking space shall be provided for all uses as required by § 153.042.

(E) *Off-street loading and unloading:* Off-street loading and unloading space shall be provided for all uses as required by § 153.044.

(F) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.037 I-1 ZONES: LIGHT INDUSTRIAL.

Within the I-1 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply

(A) *Permitted uses.*

(1) Any use permitted in the B-4 zones.

(2) Fabrication of the following products, not to include the manufacture or processing of raw products or operations likely to be detrimental to the health, safety or general welfare of the community through the creation of fumes, dust, smoker noise or vibration.

(a) Clothing and cloths.

(b) Bedding.

(c) Leather goods, not to include processing or storage or raw hides.

(d) Paper products, not to include the manufacturing of paper.

(e) Plastic containers and similar plastic products.

(f) Metal products.

(3) Transportation terminals.

(B) *Required lot area lot widths and yards.* Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.032(B)

(C) *Height.* Buildings used wholly or in part for residential purposes may exceed 35 feet in height, but for each five feet or fraction thereof an additional height above 35 feet, each yard shall be increased five feet over the minimum requirements.

(D) *Off-street parking.* Off-street parking space shall be provided as required by § 153.042.

(E) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided as required by § 153.044.

(F) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.038 I-2 ZONES: GENERAL INDUSTRIAL.

Within the I-2 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Any use permitted in I-1 zones.
- (2) Welding shops.
- (3) Fairs, carnivals and similar transient amusement enterprises.
- (4) Trailer camps.
- (5) Manufacturing, servicing, processing, assembling, and fabricating the following products:
 - (a) Wood and wood products, including furniture.
 - (b) Textiles.
 - (c) Metals and metal products.
 - (d) Household appliances.
 - (e) Clothing including hosiery.
 - (f) Glass.
 - (g) Electric and electronic products.
 - (h) Food and food products, not to include slaughterhouses and abattoirs.
 - (i) Bedding, pillows and carpets.
 - (j) Animal feeds.
 - (k) Ice.
 - (l) Leather goods.
 - (m) Machine tools.
 - (n) Paints.
 - (o) Pottery, porcelain, and vitreous china.
 - (p) Soaps, detergents and washing compounds.
 - (q) Rubber products.
 - (r) Paper products.
 - (s) Building materials.
 - (t) Chemicals.
 - (u) Automobile accessories.
- (6) Microbreweries.

(B) *Required lot area, lot widths and yards.* Buildings used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.032(B).

(C) *Height.* Buildings used wholly or in part for residential purposes may exceed 35 feet in height but for each five feet or fraction thereof of additional height above 35 feet, each yard shall be increased five feet over the minimum requirements.

(D) *Off-street parking.* Off-street parking spaces shall be provided as required by § 153.042

(E) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided as required by § 153.044.

(F) *Signs.* For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3- 1972; Am. Ord. passed 12-4-2015)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.039 I-2L ZONE: GENERAL INDUSTRIAL LIMITED.

Within the I-2L zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

- (1) Auto wrecking or junk yards.
- (2) Gasoline, oil, or alcohol storage above ground, provided a permit is obtained from Bureau of Fire Prevention as required by Fire Prevention Code.
- (3) Mixing plants for concrete or paving materials.
- (4) Stone crushing, cutting and polishing.
- (5) Storage of materials and equipment outdoors.
- (6) Hatcheries.
- (7) Abattoirs and slaughterhouses.

(B) *Required lot area, lot widths and yards.* Buildings used wholly or in part for residential purposes shall comply with the requirements for the R-6 zones. Buildings used for other permitted uses where the lot abuts on the side of the rear of a residential zone shall comply with the provisions of § 153.032(B).

(C) *Height.* Buildings used wholly or part for residential purposes may exceed 35 feet in height, but for each five feet or fraction thereof of additional height above 35 feet, each yard shall be increased five feet over the minimum requirements.

(D) *Off-street parking.* Off-street parking space shall be provided as required by § 153.042.

(E) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided as required by § 153.044.

(F) For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.040 EI-1 ZONES: EXCLUSIVE INDUSTRIAL.

Within the EI-1 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

(1) The manufacturing servicing, processing, assembling, and fabricating of the following products:

- (a) Wood and wood products including furniture.
- (b) Textiles.
- (c) Metals and metal products.
- (d) Household appliances.
- (e) Clothing, including hosiery.
- (f) Glass.
- (g) Electric and electronics products.
- (h) Foods and food products not to include abattoirs and slaughterhouses.
- (i) Bedding, carpets and pillows.
- (j) Leather goods, not to include the curing or tanning of raw hides and skins.
- (k) Machine tools.
- (l) Paints.
- (m) Pottery porcelain and vitreous china.
- (n) Soap, detergents and washing compounds.
- (o) Rubber products.
- (p) Paper products.
- (q) Automobile accessories.

(2) Wholesale warehouses and distribution centers.

(3) Data processing and computer centers.

(B) *Required yards.*

Front yards: 50 feet;

Side yards: 25 feet;

Rear yards: 20 feet

(C) *Height.* No building or structure shall exceed 50 feet in height.

(D) *Off-street parking.* Off-street parking space shall be provided for all uses as required by § 153.042.

(E) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided for all uses as required by § 153.044.

(F) For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(G) *Sales.*

(1) All sales, whether retail or wholesale, shall be conducted indoors and shall be limited to the sale of those products which are manufactured, serviced, assembled or fabricated on the premises.

(2) Ownership of any retail sales outlet shall be the same as that of the manufacturing, servicing assembling or fabricating use.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

§ 153.041 EX-1 ZONES: EXTRACTIVE INDUSTRIAL.

Within the EX-1 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) *Permitted uses.*

(1) Farming, truck gardening, raising of livestock and nurseries.

(2) Public or private utilities, buildings and appurtenances.

(B) *Required yards.*

(1) In no case shall any structure, storage area, truck loading or appurtenance be located within 50 feet of the operators property line.

(2) No excavation or processing shall be conducted within 100 feet of the operators property line.

(C) *Required fencing.* The quarry area being excavated shall be entirely enclosed within a fence, referred to in the trade as a non-climbable fence. The fence shall be a minimum of six feet in height, of a wire mesh, rectangular shape, the size of such rectangle not to exceed two inches by four inches, and is to be located a minimum of ten feet back from the edge of the excavated area.

(D) *Height.* No building or structure shall exceed 100 feet in height.

(E) *Off-street parking.* Off-street parking space shall be provided for all uses as required by § 153.042.

(F) *Off-street loading and unloading.* Off-street loading and unloading space shall be provided for all uses as required by § 153.044.

(G) For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(H) *Access.* An access road shall be maintained for any use permitted from the property in a dust-free condition, until such time as the maintenance of the access road is assumed by the North Carolina Highway Commission.

(I) *Operative requirement.*

(1) Records shall be made and maintained of all blasting or explosive activity taking place on the site. Such records shall be in sufficient detail and completeness to enable technically qualified experts to determine that safe and non-objectionable maximum limits are not being exceeded. In no case, however, shall the ground motion, measured in the home or business establishment of the nearest neighbor, exceed the movement as hereinafter shown:

<i>Frequency of ground in cycles per second</i>	<i>Maximum amplitude of ground motion in inches</i>
Up to 10	Not more than 0.0305
20	0.0153
30	0.0102
40	0.0076
50	0.0061
60	0.0051

(2) Operators shall take such reasonable measures as are necessary to minimize the creation and emission of noise, dust, vibration, glare and odor from their extractive industry operations.

(J) *Abandonment of site.* Upon the permanent abandonment of all extractive activity upon site, the Board of Aldermen shall consider rezoning it to its best and most desirable use, taking into consideration the then existing use and zoning of surrounding properties.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972)

Cross reference:

Sign regulations schedule, see Appendix D

Yard and height requirements in business and residential districts, see Appendix A and Appendix B

[Print](#)

Dallas, NC Code of Ordinances

§ 153.015 ADAPTIVE REUSE OF HISTORIC BUILDINGS.

Adaptive reuse of historic buildings is established as a method of enhancing the growth and development of the town, of supporting the preservation of the town's older neighborhoods and business districts, and furthering preservation of "Historic Dallas". Buildings must meet the following criteria to be eligible for adaptive reuse(s):

(A) The building must be at least 50 years old and considered a contributing resource in the town's National Register Historic District; or be listed on the National Register of Historic Places; or be determined to be eligible for listing on the National Register of Historic Places by inclusion on the State Historic Preservation Office's Study List.

(B) The rehabilitation of the building must comply with the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings.

(C) Adaptive reuse of historic buildings shall not be subject to the town's off-street parking requirements in § 153.042 and may be waived or modified by the Board of Aldermen in approving the conditional use permit for the adaptive reuse. Notwithstanding, any plans for off-street parking shall be submitted as part of the conditional use permit for the proposed adaptive reuse.

(D) Lot area, width, and yard requirements of Appendix A: Yard and Height Requirements for Residential Districts and Appendix B: Yard and Height Requirements for Business Districts may be waived or modified by the Board of Alderman as part of the approved conditional use permit for the proposed adaptive reuse.

(E) Uses allowed in an adaptive reuse building are limited to one or a combination of those uses allowed in the zoning district in which the adaptive reuse building is located.

(F) Maximum residential densities in the underlying zoning district in which the proposed adaptive reuse building is located may be waived or modified by the Board of Alderman as part of the approval of the conditional use permit. Notwithstanding, each residential unit must comply with minimum square footage requirements of North Carolina Housing Finance Agency Design Guidelines

(Ord. passed 11-13-2001)