



The City of Lago Vista

*To provide and maintain a healthy, safe, vibrant
community, ensuring quality of life.*

**NOTICE OF A REGULAR MEETING
PLANNING AND ZONING COMMISSION
THURSDAY, May 25, 2017, 7:00 PM
COUNCIL CHAMBERS
CITY HALL - 5803 THUNDERBIRD ST.**

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission of the City of Lago Vista, Texas will hold a meeting on the above date and time for discussion and possible action to be taken on the following:

CITIZEN COMMENTS FOR NON-HEARING RELATED ITEMS:

In accordance with the Open Meetings Act, the Commission is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

CONSENT AGENDA

All matters listed in Item 1, Consent Agenda, are to be considered routine by the Commission and will be enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Consider Approval Of The Following Minutes:
 - A. March 16, 2017 Special Meeting
 - B. March 30, 2017 Regular Meeting
 - C. April 27, 2017 Regular Meeting

PUBLIC HEARING

1. **ZON-1070** – Recommendation of the Commission to the City Council regarding an Ordinance to amend sections within Chapter 14, Article 14.200 in order to allow fences on a lot without a principal use or building and across contiguously owned property lines.
 - A. Staff Presentation
 - B. Discussion
 - C. Open Public Hearing
 - D. Close Public Hearing
 - E. Recommendation

2. **ZON-1071** – Recommendation of the Commission to the City Council regarding an Ordinance amending Chapter 10, Article 10.100, Section 2, Subsection 2.19 in order to provide for inspection and construction of improvements.
 - A. Staff Presentation
 - B. Discussion
 - C. Open Public Hearing
 - D. Close Public Hearing
 - E. Recommendation

WORKSHOP

1. Discussion and input concerning landscaping standards and accessory buildings in relation to garage location and patio areas.
2. Discussion and input concerning modification to architectural standards for principal buildings.

FUTURE AGENDA ITEMS

ADJOURNMENT

IT IS HEREBY CERTIFIED that the above Notice was posted on the Bulletin Board located in City Hall in said City at _____ on the ____ day of _____, 2017.

Sandra Barton, City Secretary

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. IN ADDITION TO ANY EXECUTIVE SESSION ALREADY LISTED ABOVE, THE PLANNING & ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE FOR THE FOLLOWING PURPOSES: §551.071: CONSULTATION WITH ATTORNEY; §551.072: DELIBERATIONS REGARDING REAL PROPERTY; §551.073: DELIBERATIONS REGARDING GIFTS AND DONATIONS; §551.074: PERSONNEL MATTERS; §551.076: DELIBERATIONS REGARDING SECURITY DEVICES; §551.087: DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

MINUTES
Thursday, March 16, 2017 Special Meeting
Planning and Zoning Commission
City of Lago Vista

Vice-Chair Jim Moss called the meeting to order at 7:00 P.M. in the Council Chambers, City Hall, 5803 Thunderbird St., Lago Vista, Texas. Members present were Vice-Chair Jim Moss, Tom Monahan, Richard Brown and Andy White. City Attorney Barbara Boulware-Wells, Council Member Ron Smith, Mayor Dale Mitchell, Development Services Director David Harrell, and Administrative Assistant Alice Drake were also present. Chair Tara Griffin, Paul Smith, and Gary Zaleski were absent.

Citizen Comments for Non-Hearing Related Items

There were no citizen comments.

Mayor Dale Mitchell commented that the Interim City Manager, Kenneth Reneau, thought that it might be wise for the Planning and Zoning Commission to have work sessions to introduce perspective developers to both the Commission and citizens in an open discussion to help foster a project through the process. He commended the Commission on having the work session that night for a perspective development with citizen input.

WORKSHOP

1. Provide input regarding proposed development at the old Bar K Ranch nine (9) Hole Course.

Vice-Chair Jim Moss stated that it is not legally required to obtain citizen input for the proposed development but he will allow citizen comments with a three (3) minute limit, without duplication of what has already been discussed.

David Harrell gave his presentation and introduced the Applicant and Developer, John Beall.

Mr. John Beall gave his introduction and went over the proposal. Mr. Beall discussed his plan for Phase 1, which will include water features, bridges, and cottages. He said that they are still in the process of planning Phase 2, which might include a hotel. Mr. Beall stated that they will not be implementing Phase 2 until they make that decision. He stated that they are discussing building a brew pub and an agricultural community to grow hydroponic vegetables. He stated that last week they met with the Parks and Trails Committee (Parks and Recreation Advisory Committee) regarding fifteen (15) miles of trails that are planned within the area. He said that they discussed working the water features in the area into the trails and that the trails and pond will be cleaned up and the area will remain a green belt.

Andy White asked Mr. Beall if the property will be dedicated to the City's Parks Department and Mr. Beall responded that he is considering the dedication. Andy also asked the applicant if tiny houses or cottages are planned to be built. Mr. Beall responded that they are still in the planning stage and have several different ideas but that nothing has been finalized yet.

Andy White asked the applicant where they are in the planning stage. He asked if a Civil Engineer has been involved and if a study has been done on the traffic flow. Mr. Beall responded that the Engineer that is with them tonight has completed similar developments in the area and the traffic flow study has already been done. Andy mentioned that he saw the calculations for square footage and layout of the RVs but that he didn't see the calculations for the tiny houses. Mr. Beall stated that he envisioned the tiny houses being larger than 400 square feet. He spoke about varying the

sizes of the tiny houses to accommodate different size families. Jim Moss asked the applicant what term of occupancy would be available if the units are not going to be for sale. Mr. Beall responded that the term of stay would be long term and a few rentals could be reserved for short term lease. He stated that he doesn't have a plan for that yet.

Tom Monahan asked the applicant if the entrance is planned at Bar-K Ranch Road, or if a new road will be cut for that purpose. Mr. Beall responded that they discussed relocating the Green Center and using that area for a new road. He stated that the only current access is on Bar-K Ranch Road, on the East side.

Andy White asked Mr. Beall if utilities will be planned for each site. Mr. Beall responded that there will be water and sewer at each site. He asked Mr. Beall if the utility lines will be extended along the streets in the area, which would enable lot owners to access the utilities. Mr. Beall responded that he hasn't discussed that topic.

Tom Monahan asked the applicant if they will need to do excavation to level out the area. Mr. Beall responded that it will be the Civil Engineer's job to manage that task.

Andy White asked about the topography issues and challenges involved to fit in the amount of RVs planned for the area. Mr. Beall pointed out the areas on a map which are level and the areas in which the topography changes. He asked if there would be a bench with a retaining wall setup for the RV spaces and Mr. Beall confirmed the setup.

Tom Monahan asked the applicant if he had looked into the environmental responsibilities for the development, such as Storm Water Permits, or an Environmental Plan with the State. David Harrell replied that it is subject to the LCRA (Highland Lake) Watershed Ordinance. He stated that LCRA does not enforce it but the City enforces it within the City limits. He stated that there are certain permits associated with it that are required for water quality ponds. David stated that as the project progresses, he will let the Developer know what needs to be done. David stated that the State permitting process would be separate from the City's permitting requirements. Mr. Beall asked Kurt Prosner, the project Civil Engineer, if he had any input. Kurt replied that they would be working with LCRA and TCEQ if any water quality issues come up during the implementation of the project. Kurt mentioned that they are planning to save the trees and that the plan is just a concept at this point. Kurt stated that the concept that Mr. Beall presented would include pre-built RVs. He stated that they could be installed in the steeper areas of the development and that they would only be brought in one time and would not be moved again once they are in place. Andy White asked Kurt if permanent foundations would be built for the houses. Kurt replied that it would depend on topography and soil conditions.

Andy White asked Mr. Beall about the 30 foot buffer that is planned around the area and if there is a plan for some type of fencing for noise reduction and blocking the view of the RVs since it's located in a residential area. Kurt Prosner stated that they haven't planned that yet. He stated that he hasn't had a complaint in other RV parks that he has developed. Kurt and Andy discussed the layout of the proposed development and the layout of the RVs.

Tom Monahan asked Kurt Prosner if the property was included in the (Lago Vista) POA. David Harrell responded that he didn't know if it is included in the POA. He stated that the area is unplatted and probably not in the POA. Tom Monahan stated that the applicant was mentioning RVs with boats and he was wondering where they would be able to launch a boat since the boat launches within the City are private. David Harrell responded that the nearest public boat launch is located in Jonestown.

Jim Moss asked Mr. Beall what the business plan was for the project. Mr. Beall responded that he doesn't have a business plan yet, that he just received the utility estimate for the project and they don't know all of the costs yet for the project. Mr. Beall mentioned that the RVs and tiny houses would be located in separate areas.

Jim Moss asked Mr. Beall what the requirements for length of occupancy would be for a successful project. Mr. Beall responded that there would be long term occupancy requirements, as required in similar RV resorts. Andy White stated his concerns about maintaining occupancy. Mr. Beall responded that Phase 1 would support the project. Andy White reported that he had doubts about the success of Phase 2 due to the topography and layout of the area.

Jim Moss asked Mr. Beall how many projects he has completed. Mr. Beall responded that this is his first project.

Mr. Beall and the Commission discussed selling and renting the RV spaces, building a hotel, and reducing the RV spaces in the proposed development, paving the RV pads, and building a brew pub which would be open to the general public. They also discussed the layout of the project, including showing the existing platted residential lots and RV spaces on the plan, adjusting the RV spaces to make it easier to park, traffic flow issues, traffic and personal safety, installing fence buffers, traffic control issues and access areas on 1431.

Jim Moss asked who is responsible for paying for the left turn lanes and any needed modifications. David Harrell responded that a traffic impact analysis is needed and the applicant will need to work with both the City and the Texas Department of Transportation for any needed modifications.

Jim Moss stated that he wants to see assurance that the development will be viable. Mr. Beall responded that Phase 1 would be initially built and completed and then Phase 2 would be started. Jim asked how transients would be avoided. Mr. Beall stated that the parameters haven't been set up yet but they could have a minimum six month stay. Jim Moss asked if sales tax would be charged and Mr. Beall responded that he felt that the City would be involved in the structure and collection of sales tax for the development. Jim Moss stated that if that is the case, then the properties could not be sold. Mr. Beall responded that they haven't planned for that yet and that it would be set up by an attorney or CPA. He also discussed the preliminary business plan and infrastructure plan with the Commission.

Andy White asked Mr. Beall if the project would be a viable business. Mr. Beall responded that it is a viable business based on his calculations for 180 spaces. He also discussed his business plan for the development.

Tom Monahan discussed the lack of hotel space in the City and the current project proposal. He discussed his concerns for the proposed long term RV rental. Mr. Beall stated that he would have qualifications for people who want to stay long term, such as the type of trailers approved to be in the resort. Tom Monahan discussed the details for short term and long term rentals and occupancy rates with Mr. Beall.

Jim Moss asked Mr. Beall if he bought the property. Mr. Beall responded that he has not purchased it, that he currently has it under contract. Jim Moss asked Mr. Beall if he had an alternative plan in case the project is not feasible. Mr. Beall responded that he would consider an alternative plan and discussed the proposed hotel in the area. Mr. Beall discussed issues with renting versus selling the RV spaces with the Commission. They also discussed the consideration

of creating a PDD (Planned Development District) zoning for the project and other types of zoning, as well as extending the utilities to the RV spaces. Mr. Beall stated that he is planning a PDD and that there will be water and sewer available at every RV space. He stated that an additional cost would be involved in extending the utilities onto the RV spaces for this purpose, which was not included in the utility estimate. Mr. Beall said that each RV space would be individually metered for water, sewer and electricity.

Mr. Beall discussed with the Commission the possibility of converting the current cart paths to roads, building additional roads in the area and adjustments for lots that are within the floodplain.

Jim Moss asked David Harrell if he had any comments. David responded that most of the issues with the project that have been discussed will be resolved when the plan is finalized.

Mr. Beall stated that a traffic study has been completed and that it was approved.

Jim Moss asked Ron Smith if he had any comments. Ron Smith discussed the details of the new tiny house Ordinance that was just passed in the City of Leander. He stated that this new Ordinance would allow people who currently own older mobile homes to replace them with tiny homes.

Public Hearing was opened at 8:12 PM.

Jim Moss stated that individual comments were limited to three (3) minutes with no statement duplication allowed.

Carolyn McCormick, 8005 Chestnut Cove Lane, discussed her concerns regarding the project for her family. She stated her concerns about kids walking home from school, the privacy fence in the neighborhood, possible noise issues with RVs, issues with cutting into the property on Chestnut Cove, concerns with access to 1431 and Chestnut Cove, parking issues at the school, concerns about wildfires, issues with walking traffic in the area, people driving golf carts around the city, and issues regarding citizen safety in the city.

Sheldon Green, 21501 Sierra Trail, stated that he has been a property owner since 1995 and a resident of the city since 2008. He discussed watershed protection and wildlife preservation within the City. He stated that he wasn't against the development but that he would like to see the area preserved in its natural state. He also discussed public access to the trails, cart paths and the creek in the area.

Carolyn Bronowski, 3701 Navajo Cove, discussed the beauty of the area in the proposed development and her issues with constructing the RV resort in a residential area of the City. She stated that she is against the development.

Daniel Walker, the owner of the land for the proposed development, commented that Mr. Beall's presentation and the workshop presented that evening was very nontraditional compared to other development proposals. He stated that this reflects Mr. Beall's eagerness to engage the community in the early stages of the proposed project. He remarked that Mr. Beall's presentation came across as uncertain but that he expressed his flexibility regarding the indecisiveness of his project presentation. He stated that this isn't because he doesn't know what he is doing, but that everyone appreciates the beauty of the property. Mr. Walker stated that when he first purchased the land, he had a meeting with the City Manager regarding the City purchasing the property and turning the property into a park. He stated that the City wasn't supportive of his development ideas and only seemed to be interested in having the property donated to the City. He said that he supports Mr. Beall's plan for the development of the property as

opposed to other project developments that have been proposed. He stated that the project will develop into a good resource for the community and will potentially invite more people to invest in property in the area. He discussed the issues regarding the taxable income for the City and Mr. Beall's flexibility for the development for the project. He discussed the issues regarding the installation of the utilities in the area and the development obstacles that were brought up in the past. He stated that the commercial property must be developed by someone who appreciates the property since it would be impossible to develop the area as a residential district due to financial constraints.

ADJOURNMENT

On a motion by Jim Moss, seconded by Andy White, the Commission voted unanimously to adjourn at 8:31 P.M.

Jim Moss, Vice-Chair

Alice Drake, Development Services Admin. Assist.

On a motion by _____, seconded by _____, the foregoing instrument was passed and approved this ____ Day of _____, 2017.

MINUTES
Thursday, March 30, 2017 Regular Meeting
Planning and Zoning Commission
City of Lago Vista

Chair Tara Griffin called the meeting to order at 7:00 P.M. in the Council Chambers, City Hall, 5803 Thunderbird St., Lago Vista, Texas. Members present were Tara Griffin, Chair; Jim Moss, Vice-Chair; Gary Zaleski, Tom Monahan, Richard Brown, Paul Smith, and Andy White. City Attorney Veronica Rivera, Council Member Ron Smith, and Development Services Director David Harrell were also present (Administrative Assistant Alice Drake was absent).

Citizen Comments for Non-Hearing Related Items

There were no citizen comments.

CONSENT AGENDA

Consideration of Minutes:

A. January 26, 2017 Planning & Zoning Commission Regular Meeting

B. February 23, 2017 Planning & Zoning Commission Regular Meeting

On a motion by Tom Monahan, seconded by Andy White, the unanimously voted to approve the meeting Minutes for February 23, 2017, with corrections noted in the meeting for the February Minutes.

PUBLIC HEARING

1. **17-1024-SP-E** - Consideration of a special exception to allow an increase in height from 18' to 22.5' for a proposed single family home located at 6008 Lynn Lane (Lot 24, Block C, Lago Vista Section 1).

A. Staff Presentation

David Harrell gave his staff presentation. He stated that based on the information contained in the packet, staff does not think that there is an impact on the view shed of the area since the lot is located on a ridge.

B. Applicant Presentation

Dennis Bailey, 6008 Lynn Lane, reported that he is planning to build a loft in the new house and needs the extra height in order to build it. He mentioned that the view to the Lake is blocked by a dense cedar break.

C. Discussion

The applicant and the Commission discussed the proposed location and dimensions of the loft, and agreed that it would be 4.5 feet higher than what is allowed.

Andy White asked if the architectural files that were submitted indicated an exception for the loft later if it was approved, showing a 21 foot ridge height. Dennis Bailey responded that it would be 21 foot plus 18 inches for the foundation, for a total of 22.5 feet. He stated that the plans would be ready to go if the loft is not approved. Andy White asked David Harrell if the home would not be approved since it is already over the height limit at 22.5 feet. David Harrell responded that it is currently over the height limit. Tara Griffin asked if it would not be higher than 22 feet, which is 4.5 feet over the standard height limit. David Harrell agreed and stated that special exceptions have a height differentiation measurement where you measure from the highest point of the lot and are measured from the foundation.

Richard Brown asked if the loft would change the height. Dennis Bailey stated that it would not change the height. Richard Brown asked if a detached garage would be added in addition

to the attached one that is indicated on the plans. Dennis Bailey reported that the additional detached garage would be added later.

Jim Moss asked if the loft addition would change any of the elevations as indicated on the application. Dennis Bailey responded that the elevations would not be changed. Jim Moss asked if the loft will change the views. Andy White mentioned that the loft would be in the rear of the house and would face the lake. Dennis Bailey confirmed that the loft would be facing the lake and would not change the slope of the roof.

Jim Moss asked how the ridge pole is relative to the building. Dennis Bailey stated that there was nothing to tie the pole to so he got a telescopic antenna mast with a measuring tape for the pole. Tara Griffin mentioned that the ridge pole is required to show the highest point of the building. Dennis Bailey showed photos of the ridge pole.

Tara Griffin asked if everyone on the Commission has seen the ridge pole. Everyone but Paul Smith stated that they had viewed the pole.

The Commission discussed the proposed higher pitched roof, competing with other PDD home designs in the City. They also discussed the special exception that they granted in the past for a home that is two lots down from the proposed home and the setbacks on the survey.

D. Open Public Hearing

Public hearing was opened at 7:23 P.M.

Dennis Bailey discussed the setbacks on the property in relation to the proposed building and building a detached garage.

E. Close Public Hearing

Public hearing was closed at 7:37 P.M.

F. Consideration

On a motion by Gary Zaleski, seconded by Andy White, the Commission unanimously voted to approve item 17-1024-SP-E.

2. **17-1028-SP-E** - Consideration of a special exception to allow an increase in height from 18' to 25' for a proposed single family home located at 4600 Lakefront Circle (Lot 834, Country Club Estates, Section 5).

David Harrell requested that a public hearing be opened for item 17-1028-SP-E and for the item be tabled until a future date.

D. Open Public Hearing

Public hearing was opened at 7:41 P.M.

On a motion by Tara Griffin, seconded by Tom Monahan, the Commission unanimously approved to table item 17-1028-SP-E.

3. **ZON-1067** – Recommendation of the Commission to the City Council regarding an Ordinance to amend the 2030 Lago Vista Comprehensive Plan in order to make a text change to the document involving a reduction in residential density standards.

A. Staff Presentation

David Harrell presented his staff report. He explained that he is lowering the density standards in the older areas within the City to facilitate an established developmental pattern. He stated that the density standards must be adjusted to match the size of the lots.

B. Discussion

David and the Commission discussed the details and purpose of adjusting the density standards, how density effects zoning standards, land use elements, density standards in multi-use zones, how changing the land use standards will allow an ordinance to be adopted to change the density, how the ETJ affects the land use standards within the City, how the Comprehensive Plan lists guidelines as opposed to regulations and ordinances, how zoning is not grandfathered or vested, and how the zoning plan must mirror the proposed Comprehensive Plan so it can be in line with the plan and how zoning deviations can cause problems in the future.

C. Open Public Hearing

Public hearing opened at 8:48 P.M.

Ed Tidwell asked the Commission if specific properties were in mind for the proposed density changes. Tara Griffin stated that the proposed density changes would be applied to the Comprehensive Plan as a whole, which is only a guideline and wouldn't take effect until it is adopted as a new ordinance. The Commission discussed long-term planning for multi-families and commercial developments.

D. Close Public Hearing

Public hearing closed at 8:51 P.M.

ORDINANCE

1. Recommendation of an Ordinance to the City Council of the City of Lago Vista, Texas, amending Ordinance 16-05-05-02 which adopted the 2030 Lago Vista Comprehensive Plan in order to make a text change to the document involving residential density standards; providing a savings clause; providing a severability clause; and, providing an effective date.

On a motion by Tara Griffin, seconded by Jim Moss, the Commission voted five (5) to two (2) to recommend to City Council item ZON-1067 to amend the 2030 Comprehensive Plan in order to make a text change to the document involving a reduction in residential density standards, providing a savings clause; providing a severability clause; and, providing an effective date. (Andy White and Richard Brown opposed).

FUTURE AGENDA ITEMS

The Commission discussed including required easements and reserved ROW as items on a future agenda.

ADJOURNMENT

On a motion by Tara Griffin, seconded by Jim Moss, the Commission voted unanimously to adjourn at 8:51 P.M.

Tara Griffin, Chair

David Harrell, Development Services Director

On a motion by _____, seconded by _____, the foregoing instrument was passed and approved this ____ Day of _____, 2017.

MINUTES
Thursday, April 27, 2017 Regular Meeting
Planning and Zoning Commission
City of Lago Vista

Chair Tara Griffin called the meeting to order at 7:05 P.M. in the Council Chambers, City Hall, 5803 Thunderbird St., Lago Vista, Texas. Members present were Tara Griffin, Chair; Jim Moss, Vice-Chair; Gary Zaleski, Richard Brown, and Andy White. City Attorney Veronica Rivera, Development Services Director David Harrell, and Administrative Assistant Alice Drake were present. Paul Smith and Tom Monahan were absent.

Citizen Comments for Non-Hearing Related Items

There were no citizen comments.

CONSENT AGENDA

Consideration of Minutes:

A. March 16, 2017 Planning & Zoning Commission Special Meeting

Tara Griffin stated that the minutes for March 16, 2017 cannot be approved due to lack of quorum.

B. March 30, 2017 Planning & Zoning Commission Regular Meeting

Tara Griffin stated that the minutes for March 30, 2017 cannot be approved because they were not enclosed in the meeting packet.

PUBLIC HEARING

1. **17-1045-SP-E** - Consideration of a special exception from Ch. 14, Art. 14.200, Table A to allow an increase in height from 15' to 17.7' for a proposed single family home located at 2111 American Dr. (Lot 26016, Highland Lake Estates, Sec. 26 Amended)

A. Staff Presentation

David Harrell gave his staff presentation. He stated that based on the information contained in the packet, Staff does not think that there is an adverse impact on views created by the height increase.

B. Applicant Presentation

Matt Gerhardt with Mattco Construction stated that he built two similar homes with the same height. He said that he has received many compliments on his houses and that they have increased the property values in the area.

C. Open Public Hearing

Public hearing was opened at 7:10 P.M.

Matt Gerhardt and the Commission discussed the construction details for the height increase.

D. Close Public Hearing

Public hearing was closed at 7:18 P.M.

E. Consideration

On a motion by Gary Zaleski, seconded by Jim Moss, the Commission unanimously voted to approve item 17-1045-SP-E.

2. **17-1047-SP-E** - Consideration of a special exception from Ch. 14, Art. 14.200, Table A to allow an increase in height from 15' to 17.7' for a proposed single family home located at 20005 Lincoln Cove (Lot 2036, Highland Lake Estates, Sec. 2).

A. Staff Presentation

David Harrell presented his staff report. He stated that based on the information contained in the packet, staff does not think that there is an adverse impact on views created by the height increase.

B. Applicant Presentation

Matt Gerhardt with Mattco Construction stated that this is to increase the ceiling heights for the house and is similar to the other houses he has already built.

C. Open Public Hearing

Public hearing opening was opened at 7:20 P.M.

James Williams at 20007 Lincoln Cove opposed the special exception.

Patrick Cleary at 20003 Lee Lane opposed the special exception.

Donald Swayze at 19904 Lincoln Cove opposed the special exception.

Jeremy Hyde at 20003 Lincoln Cove opposed the special exception.

Bernadette Moody at 20000 Lincoln Cove opposed the special exception.

Ethel Williams at 20007 Lincoln Cove opposed the special exception.

D. Close Public Hearing

Public hearing closed at 7:40 P.M.

David Harrell and the Commission clarified that twenty-six (26) two-hundred (200) foot notices that were mailed out for item 17-1047-SP-E and eleven (11) notices were returned: seven (7) were opposed and four (4) were in favor of the special exception request.

E. Consideration

On a motion by Gary Zaleski, seconded by Andy White, the Commission unanimously voted to approve item 17-1047-SP-E.

3. **17-1038-CO-U** – Recommendation of a conditional use from Ch. 14, Art. 14.100, Section 6.10(B)(5)(c) to allow materials on a proposed accessory building that does not match the proposed principal building façade located at 21605 Bluejay Blvd. (Lot 5, Block H, Emerald Bend Estates, Sec. 1)

A. Staff Presentation

David Harrell gave his staff presentation. He stated that staff believes that the structure is inappropriate, contains detrimental architectural details and will impact the neighborhood as a result.

B. Applicant Presentation

Carlton Johnson at 1306 Emerald Rd, the applicant, discussed his building plans for his new accessory building and that he was trying to comply with the City's Ordinances. He stated that the structure will be used to store his boat and he was unsure how the structure would be detrimental to the neighborhood. He reported that he is open to changing his building design.

Tara Griffin discussed the details of the 25% masonry Ordinance with the applicant.

C. Open Public Hearing

Public hearing was opened at 8:12 P.M.

Anthony Santos at 21700 Cardinal Avenue asked the Commission questions about the Ordinance and was neutral to the recommendation.

D. Close Public Hearing

Public hearing was closed at 8:20 P.M.

The Commission and David Harrell discussed matching materials and colors on the accessory building with the main home and discussed the details of the Ordinance.

E. Consideration

On a motion by Tara Griffin, seconded by Richard Brown, the Commission unanimously voted to deny item 17-1038-CO-U.

The Commission took a recess at 8:27 P.M.

The Commission reconvened the meeting at 8:36 P.M.

WORKSHOP

Provide input regarding proposed development at the old Bar K Ranch nine (9) hole course.

The applicant, John Beall at 6102 Lynn Lane, and the Commission discussed the design changes to his proposed project, the buffer between the adjacent lots and the future development, concerns about people living in older RVs, the length of stay in the RVs, density and deed restrictions for lot owners, creating a PDD or an RV Ordinance for the project to address buffer, density and RV age issues, and concerns regarding the rights for current and future lot owners. The applicant and the Commission also discussed the details of the proposed project and business model, including the amount of anticipated transients and visitors, and traffic flow issues on 1431.

Kurt Prosnier, the project Engineer, and the Commission discussed the details of the density requirements and traffic issues for the project, along with zoning requirements and issues to consider when designing a plan for the project.

Jim Rebel who owns Idyll Glen RV Park on 19421 FM 1431 discussed his business experience in the area with the Commission.

FUTURE AGENDA ITEMS

The Commission and David Harrell discussed several proposed future agenda items: landscaping standards, accessory buildings in relation to porches on them, ID badges for the Commission, ROW and easements for future expansion, recreational vehicles and boats in back yards without fences, creating an Ordinance for future PDDs for tiny homes in the City.

ADJOURNMENT

On a motion by Gary Zaleski, seconded by Tara Griffin, the Commission voted unanimously to adjourn at 9:44 P.M.

Tara Griffin, Chair

Alice Drake, Administrative Assistant

On a motion by _____, seconded by _____, the foregoing instrument was passed and approved this ____ Day of _____, 2017.



Development Services Department

STAFF REPORT

ZON-1070: Proposed Subdivision Code Changes

Date: May 18, 2017

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

In January the Council adopted a new Subdivision Code which replaced the previous one. In exercise of it, Staff has determined some minor additions are needed which will strengthen it. These changes are as noted below and within the attached Ordinance.

- 1) Addition of some of the inspections to take place with Ch. 10, Art. 10.100, Sec. 2.19.5(B)(1) and that they will be finalized during the pre-construction and shown on the City's electronic permitting system.
- 2) Legal language added under a new Ch. 10, Art. 10.100, Sec. 2.19.5(B)(2) that failure by the City to inspect improvements doesn't impair or diminish the obligation of the subdivider to install improvements in accordance with City Standards.

Staff will be present for any questions.

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING ARTICLE 10.100, SECTION 2, SUBSECTION 2.19.5(B) OF THE CITY SUBDIVISION ORDINANCE, ORDINANCE NO. 17-01-19-01; PROVIDING FOR INSPECTION AND CONSTRUCTION OF IMPROVEMENTS; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted Ordinance No. 17-01-19-01 on January 19, 2017 to provide comprehensive requirements for the subdivision of land within the City and its extraterritorial jurisdiction; and

WHEREAS, the intent, public benefit, enforcement and administration of such ordinance will be enhanced by the amendment herein provided; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Subdivision Ordinance. Ordinance No. 17-01-19-01, the City of Lago Vista Subdivision Ordinance (the “Subdivision Ordinance”), is hereby modified and amended as set forth in Section 3 below.

Section 3. Amendment. Article 10.100, Section 2., Subsection 2.19.5(B) of Ordinance No. 17-01-19-01, is hereby amended in its entirety to read as follows:

2.19.5 Review of Improvements and Related Processes

(B) Inspection of Improvements.

(1) The City shall inspect all required improvements, including but not limited to, street, drainage, water, wastewater and revegetation improvements and erosion controls used during construction to insure compliance with City requirements and the approved Construction Plans. A list of applicable inspections shall be more fully covered during the pre-construction meeting and electronically on the City’s permitting system.

(2) Inspection by the City or a failure of the City to inspect construction as required herein shall not in any way impair or diminish the obligation of the subdivider to install improvements in the subdivision in accordance with the City's standards.

Section 4. Amendment of Conflicting Ordinances. Ordinance No. 17-01-19-01 is hereby amended to add the above-described amendment. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

Section 5. Severability. If any section, subsection, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. It is the intent of the City Council in adopting this Ordinance, that no provision or regulation contained herein shall become inoperative, or fails by reason of the unconstitutionality or invalidity of any other section, subsection, sentence or phrase of this Ordinance and to this end the provisions of this Ordinance are declared to be severable.

Section 6. Conflicts. Any portion of this Ordinance in conflict herewith is hereby repealed to the extent of such conflict only.

Section 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City Charter.

Section 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this ____ day of _____, 2017.

Dale Mitchell, Mayor

ATTEST:

Sandra Barton, City Secretary



Development Services Department

STAFF REPORT

ZON 1071: Proposed Zoning Code Changes involving Fencing

Date: May 20, 2017

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

In exercising zoning code regulations regarding fencing, it has come to the attention of Staff that in a situation where a neighboring contiguous lot is vacant to a lot where a principal use is located, a citizen cannot place a fence. This is because the Code regards fences as an accessory use and specifically prohibits placement when a principal use or building are absent of the property. The changes will allow fences to be placed on a contiguous vacant property under the same ownership so long as the other contiguous lot(s) have a principal building or use on the lot. These changes are as noted below and within the attached Ordinance.

- 1) Addition of fence code citation to Ch. 14, Art. 14.100, Sec. 6.10(A) to direct the review back to the fencing regulations which will allow this placement on vacant contiguous land under the same ownership.
- 2) New Ch.14, Art. 14.100, Sec. 22.12 which specifies placement of fences on lots with a principal use or building. Also, the added language will be “allowed so long as there are contiguous lots under the same ownership with an established principal use or building on a minimum of one (1) of the contiguous grouped lots.”

Staff will be present for any questions.

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO: 17-06-15-_____

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14, ARTICLE 14.200 OF THE CITY ZONING ORDINANCE, ORDINANCE NO. 12-12-06-01; IN ORDER TO ALLOW FENCES ON A LOT WITHOUT A PRINCIPAL USE OR BUILDING AND ACROSS CONTIGUOUSLY OWNED PROPERTY LINES. MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted Ordinance No. 12-12-06-01 on December 6, 2012 to provide basic zoning requirements, including but not limited to, uses and bulk standards; and

WHEREAS, within the zoning requirements the City regulates accessory uses, including fencing, and

WHEREAS, our current regulations require anyone constructing a fence to either have a principal use on the site or through the subdivision ordinance require a replat through the lot consolidation process for a contiguously owned lot; thereby causing considerable cost and burden to customers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 12-12-06-01, the City of Lago Vista Zoning Ordinance (the “Zoning Ordinance”), is hereby modified and amended as set forth in Section 3 below.

Section 3. Amendment. Chapter 14, Article 14.200 of Ordinance No. 12-12-06-01, is hereby amended in its entirety to read as follows:

6.10 Accessory Buildings and Uses. Construction, placement, operation, and maintenance of accessory buildings and uses shall comply with the following standards and procedures.

(A) Accessory uses and buildings shall not be permitted on a lot or parcel in the absence of a principal use or building on the lot or parcel except as provided in [Section 4.90](#) (commercial resorts), [Section 17](#) (conditional uses), [Section 22 \(fences\)](#) of this chapter, or the lots or parcels with the principal and accessory use(s) or building(s) are platted into one lot. Once an accessory use such as an accessory

building, or boat dock ~~or fence~~ exists on a replatted or single lot, it cannot be subdivided until (1) a principal use or building is established on the lot containing the accessory building or use; or (2) the accessory use or building has been removed from the lot, unless otherwise approved in accordance with [Section 17](#), conditional uses, of this chapter.

(B) Residential Districts. In zoning districts permitting one- or two-family dwellings, accessory buildings and uses are permitted according to the following:

(1) Number. No more than two accessory buildings thirty (30) sq. ft. and larger shall be permitted on a lot or parcel.

(2) Screening and Landscaping. For accessory buildings to be located on property (a) adjacent to a one- or two-family use or a zoning district that allows one- or two-family use; and (b) for which a wall or walls face and are closer than 25 feet to adjoining property, the accessory building wall shall be screened as follows:

(a) One shrub, cactus, tall ornamental grasses, dwarf palm or combination thereof that is/are at least two feet tall or from a five-gallon bucket shall be planted within four feet of the wall to be screened for every three feet or fraction thereof wall to be screened; and

(b) One tree at least 1-1/2 inches in diameter at 3.5 feet above the ground shall be planted within 10 feet of the wall to be screened for every 25 feet or fraction thereof wall to be screened.

(c) Existing shrubs or other low screening plants that are at least two feet tall and trees may be used to meet the screening requirement.

(d) In lieu of landscape screening, the accessory building wall may be screened by a solid fence or hedgerow that is at least six feet tall.

(e) If the adjoining property to be screened has an existing solid fence or hedgerow that is at least six feet tall, screening of the accessory building is not required.

(f) Screening of accessory vehicular garages permitted in the front yard of a principal building is not required.

(3) Accessory buildings under 30 sq. ft.

(a) Placement and setback. These buildings shall not have a setback.

- (b) Height. These buildings shall be no taller than nine (9) feet measured from the ground below the building and no taller than six (6) feet at the eaves.
 - (c) Permitting Not Required. A permit is not required before placement of this building.
- (4) Accessory buildings between 30 sq. ft.–120 sq. ft..
 - (a) Placement and setback. These buildings shall not be placed within the front yard. They may be placed within the side and rear yard, but no closer than five (5) feet to a side or rear lot line. Setback from a corner side lot line shall be at least fifteen (15) feet.
 - (b) Height. These buildings shall be no taller than nine (9) feet measured from the ground below the building and no taller than six (6) feet at the eaves.
 - (c) Permitting Required. A permit issued from the Development Services Dept. is required before placement of this building.
- (5) Accessory buildings larger than 120 sq. ft.
 - (a) Placement and setback. These buildings shall meet the same front, side, and rear yard setback standards as the principal building or accessory building shall have a minimum front yard setback of 20', whichever results in the greatest front yard setback.
 - (b) Additional Regulations on Accessory Garages. It shall be at least 250 sq. ft. in size. These accessory buildings shall not be taller than the principal building. Screening must meet landscaping and standards prescribed in subsection (e)(2).
 - (c) Architecture and material.
 1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the principal building. Accessory buildings are exempt from this requirement if the entire principal building facade is non-conforming to this standard.
 2. For accessory buildings the facade material and colors must match the principal building.

3. The roof shall be the same material and color as on the principal building. The roof pitch should be similar in perspective to that of the principal building.

(d) Height. The maximum height shall be eighteen (18) feet measured from the ground below the accessory building.

(e) Additional Restrictions.

1. The floor area of the accessory building cannot exceed fifty percent (50%) of the floor area of a principal building.

2. The accessory building must be screened with landscaping from any street side with xeriscape evergreen shrubs a minimum of two (2) feet in height at time of plantings and maximum of three (3) feet on center. This excludes portions of the facade with pedestrian doors, vehicular access doors, and areas of the facade with two (2) feet or less between any doors and/or end of the facade. Plantings shall be located near the building walls to the satisfaction of the City. Plantings shall be maintained and replaced as necessary to maintain this standard.

(f) Permitting Required. A permit issued from the Development Services Dept. is required before placement of this building.

(6) Carports. Carports are allowed in manufactured home zoning but only by conditional use permit in other zoning districts. In manufactured home districts, they may be attached or detached and there are no architecture or material standards.

(C) Commercial Districts.

(1) Accessory buildings incident to any of the listed commercial uses shall be allowed, provided that such be not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance, or not in compliance with Local, State, or Federal laws. No accessory building shall be constructed upon a lot until the construction of the main-use building has actually commenced, nor shall an accessory building be used unless the main use building on the lot is also being built or used.

(2) Setback. All accessory buildings must comply with the setback restrictions for the district in which the main-use building is located, as stated in [Table A](#), Table of Development Standards.

(3) Height. Height shall not exceed 18 feet measured from the ground below the accessory building.

(D) All Districts.

(1) Temporary buildings erected during the term of construction, including tents, shacks, shanties or other structures, or trailers or mobile homes, shall not be placed on any lot except for uses incidental to construction work on commercial projects. All temporary buildings shall be removed upon the completion or abandonment of construction work. Trailers or mobile homes shall not be permitted on lots during construction of residential buildings, unless authorized in writing by the city manager or his designee and may be permitted if a residential building that was significantly damaged or destroyed and is being rebuilt, replaced by another residential building or repaired.

(2) Boat docks and boathouses.

(a) Boat docks and boathouses anchored in the lake below the 681 elevation are exempt from number, location, setback, material, and screening standards.

(b) Boat docks and boathouses are not eligible for conditional use application without a principal building on the same or nearby lot that is owned by the boat dock owner.

(3) Aircraft parking. Improved parking pads or lots for aircraft on property that has direct aircraft ground access to an airport may be constructed without a principal building on the property.

(4) Exceptions, Conditional Use Permit. A property owner may apply for a conditional use permit in accordance with the procedures of this chapter for any exception to any accessory building standard stated in this section, such as number, height, setback, screening, and architecture and material. The planning and zoning commission may recommend and the city council may decide to approve with additional conditions and restrictions a conditional use permit exception if a satisfactory aesthetic outcome would be achieved rather than following a standard herein.

(5) Accessory buildings for which a city permit was issued before September 1, 2011 that does not conform to the above standards shall be considered legally nonconforming, also known as “grandfathered.”

Section 22.12 Fencing on Property.

(A) Lots or Parcels shall be allowed to have a fence once a principal use or building has been established on the lot either as existing or through appropriate permitting.

(B) Fencing on Contiguously Owned Lots without a Principal Use

(1) This is allowed so long as there are contiguous lots under the same ownership with an established principal use or building on a minimum of one (1) of the contiguous grouped lots.

Section 22.25 Prohibitions. The following actions are prohibited in the City of Lago Vista:

- a. building, erecting, installing, or otherwise constructing a fence without a permit;
- b. building a fence in a manner that is not allowed by this chapter;
- c. constructing a barbed wire fence;
- d. building a fence or screening device in the City's rights-of-way; unless approved by license agreement approved by the city council.[;]
- e. building, erecting, installing or otherwise constructing a fence or screening device in the area of a corner lot between the sidelines of the intersecting streets and a straight line joining points on such sideline ten (10) feet distance from their point of intersection, which materially obstructs safe visibility for vehicular traffic;
- f. building, erecting, installing or otherwise constructing a fence or screening device along winding streets which fence materially obstructs visibility for vehicular traffic;
- g. ~~building, erecting, installing or otherwise constructing a fence or screening device (except a construction or silt fence after issuance of a building permit) on a lot where the primary use facility has not been constructed~~ Reserved;
- h. using t-posts for any type fence other than an electric fence; or
- i. failing to keep a fence or screening device repaired and maintained in a neat, attractive and safe condition.

Section 4. Amendment of Conflicting Ordinances. Ordinance No. 12-12-06-01 is hereby amended to add the above-described amendment. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

Section 5. Severability. If any section, subsection, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. It is the intent of the City Council in adopting this Ordinance, that no provision or regulation contained herein shall become inoperative, or fails by reason of the

unconstitutionality or invalidity of any other section, subsection, sentence or phrase of this Ordinance and to this end the provisions of this Ordinance are declared to be severable.

Section 6. Conflicts. Any portion of this Ordinance in conflict herewith is hereby repealed to the extent of such conflict only.

Section 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City Charter.

Section 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this ____ day of _____, 2017.

Dale Mitchell, Mayor

ATTEST:

Sandra Barton, City Secretary



Development Services Department STAFF REPORT

**Workshop Item #1 : Discussion and input concerning
landscaping standards and accessory buildings in relation
to garage location and patio areas.**

Date: May 20, 2017

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

Staff has provided as an attachment Ch.14, Art. 14.100, Sec. 20, which covers the landscaping requirements and parts of Ch. 14, Art. 14.100, Sec. 6, which covers the applicable accessory buildings and garages. There are no code standards regarding the patio related items.

These are being provided as reference and review for by the Commission.

Section 6 Supplementary Requirements

6.10 Accessory Buildings and Uses. Construction, placement, operation, and maintenance of accessory buildings and uses shall comply with the following standards and procedures.

(A) Accessory uses and buildings shall not be permitted on a lot or parcel in the absence of a principal use or building on the lot or parcel except as provided in [Section 4.90](#) (commercial resorts), [Section 17](#) (conditional uses) of this chapter, or the lots or parcels with the principal and accessory use(s) or building(s) are platted into one lot. Once an accessory use such as an accessory building, boat dock or fence exists on a replatted or single lot, it cannot be subdivided until (1) a principal use or building is established on the lot containing the accessory building or use; or (2) the accessory use or building has been removed from the lot, unless otherwise approved in accordance with [Section 17](#), conditional uses, of this chapter.

(B) Residential Districts. In zoning districts permitting one- or two-family dwellings, accessory buildings and uses are permitted according to the following:

(1) Number. No more than two accessory buildings thirty (30) sq. ft. and larger shall be permitted on a lot or parcel.

(2) Screening and Landscaping. For accessory buildings to be located on property (a) adjacent to a one- or two-family use or a zoning district that allows one- or two-family use; and (b) for which a wall or walls face and are closer than 25 feet to adjoining property, the accessory building wall shall be screened as follows:

(a) One shrub, cactus, tall ornamental grasses, dwarf palm or combination thereof that is/are at least two feet tall or from a five-gallon bucket shall be planted within four feet of the wall to be screened for every three feet or fraction thereof wall to be screened; and

(b) One tree at least 1-1/2 inches in diameter at 3.5 feet above the ground shall be planted within 10 feet of the wall to be screened for every 25 feet or fraction thereof wall to be screened.

(c) Existing shrubs or other low screening plants that are at least two feet tall and trees may be used to meet the screening requirement.

(d) In lieu of landscape screening, the accessory building wall may be screened by a solid fence or hedgerow that is at least six feet tall.

(e) If the adjoining property to be screened has an existing solid fence or hedgerow that is at least six feet tall, screening of the accessory building is not required.

- (f) Screening of accessory vehicular garages permitted in the front yard of a principal building is not required.
- (3) Accessory buildings under 30 sq. ft.
- (a) Placement and setback. These buildings shall not have a setback.
 - (b) Height. These buildings shall be no taller than nine (9) feet measured from the ground below the building and no taller than six (6) feet at the eaves.
 - (c) Permitting Not Required. A permit is not required before placement of this building.
- (4) Accessory buildings between 30 sq. ft.–120 sq. ft..
- (a) Placement and setback. These buildings shall not be placed within the front yard. They may be placed within the side and rear yard, but no closer than five (5) feet to a side or rear lot line. Setback from a corner side lot line shall be at least fifteen (15) feet.
 - (b) Height. These buildings shall be no taller than nine (9) feet measured from the ground below the building and no taller than six (6) feet at the eaves.
 - (c) Permitting Required. A permit issued from the Development Services Dept. is required before placement of this building.
- (5) Accessory buildings larger than 120 sq. ft.
- (a) Placement and setback. These buildings shall meet the same front, side, and rear yard setback standards as the principal building or accessory building shall have a minimum front yard setback of 20', whichever results in the greatest front yard setback.
 - (b) Additional Regulations on Accessory Garages. It shall be at least 250 sq. ft. in size. These accessory buildings shall not be taller than the principal building. Screening must meet landscaping and standards prescribed in subsection (e)(2).
 - (c) Architecture and material.
 - 1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the principal building. Accessory buildings are exempt from

this requirement if the entire principal building facade is non-conforming to this standard.

2. For accessory buildings the facade material and colors must match the principal building.

3. The roof shall be the same material and color as on the principal building. The roof pitch should be similar in perspective to that of the principal building.

(d) Height. The maximum height shall be eighteen (18) feet measured from the ground below the accessory building.

(e) Additional Restrictions.

1. The floor area of the accessory building cannot exceed fifty percent (50%) of the floor area of a principal building.

2. The accessory building must be screened with landscaping from any street side with xeriscape evergreen shrubs a minimum of two (2) feet in height at time of plantings and maximum of three (3) feet on center. This excludes portions of the facade with pedestrian doors, vehicular access doors, and areas of the facade with two (2) feet or less between any doors and/or end of the facade. Plantings shall be located near the building walls to the satisfaction of the City. Plantings shall be maintained and replaced as necessary to maintain this standard.

(f) Permitting Required. A permit issued from the Development Services Dept. is required before placement of this building.

(6) Carports. Carports are allowed in manufactured home zoning but only by conditional use permit in other zoning districts. In manufactured home districts, they may be attached or detached and there are no architecture or material standards.

(Ordinance 16-12-15-02, sec. 2, adopted 12/15/16)

(C) Commercial Districts.

(1) Accessory buildings incident to any of the listed commercial uses shall be allowed, provided that such be not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance, or not in compliance with Local, State, or Federal laws. No accessory building shall be constructed upon a lot until the construction of the main-use building has actually

commenced, nor shall an accessory building be used unless the main use building on the lot is also being built or used.

(2) Setback. All accessory buildings must comply with the setback restrictions for the district in which the main-use building is located, as stated in [Table A](#), Table of Development Standards.

(3) Height. Height shall not exceed 18 feet measured from the ground below the accessory building.

(D) All Districts.

(1) Temporary buildings erected during the term of construction, including tents, shacks, shanties or other structures, or trailers or mobile homes, shall not be placed on any lot except for uses incidental to construction work on commercial projects. All temporary buildings shall be removed upon the completion or abandonment of construction work. Trailers or mobile homes shall not be permitted on lots during construction of residential buildings, unless authorized in writing by the city manager or his designee and may be permitted if a residential building that was significantly damaged or destroyed and is being rebuilt, replaced by another residential building or repaired.

(2) Boat docks and boathouses.

(a) Boat docks and boathouses anchored in the lake below the 681 elevation are exempt from number, location, setback, material, and screening standards.

(b) Boat docks and boathouses are not eligible for conditional use application without a principal building on the same or nearby lot that is owned by the boat dock owner.

(3) Aircraft parking. Improved parking pads or lots for aircraft on property that has direct aircraft ground access to an airport may be constructed without a principal building on the property.

(4) Exceptions, Conditional Use Permit. A property owner may apply for a conditional use permit in accordance with the procedures of this chapter for any exception to any accessory building standard stated in this section, such as number, height, setback, screening, and architecture and material. The planning and zoning commission may recommend and the city council may decide to approve with additional conditions and restrictions a conditional use permit exception if a satisfactory aesthetic outcome would be achieved rather than following a standard herein.

(5) Accessory buildings for which a city permit was issued before September 1, 2011 that does not conform to the above standards shall be considered legally nonconforming, also known as “grandfathered.”

(Ordinance 16-11-17-02 adopted 11/17/16)

Section 20 Tree Preservation and Landscaping Requirements

(A) Definitions. The following definitions shall apply to this section:

“Allowable Building Area” shall mean an area not to exceed fifty-two percent (52%) of the total property consisting of:

1. a building foundation including patios and the area extending thirteen (13) feet around the perimeter of the foundation, and
2. the total area of any driveway, walkways and/or required parking facilities and an area extending five (5) feet around the perimeter of the driveway, walkway and/or any required parking facilities.

“Clear cutting” shall mean the removal of substantially all trees from any property by any means other than a flood, tornado or other natural disaster.

“Native Tree” means any Live Oak, Spanish Oak, Cedar Elm, Shin Oak, Bald Cypress, Post Oak, Pecan, Bur Oak or other such tree indigenous to Central Texas.

“Permeable Surface” shall mean any ground surface that allows for the absorption of water and is not covered by a structure or materials that would prevent the absorption of water.

“Protected Tree” shall mean any tree except ashe juniper with a main trunk diameter of ten (10) inches or larger measured at forty (40) inches above ground.

“Shrub” shall mean a self-supporting perennial plant which has leaves.

“Small Native Tree” means Texas Madrone, Black Cherry, Texas Mountain Laurel, Evergreen Sumac, Mexican Buckeye, Flameleaf Sumac, or Texas Persimmon.

“Tree” shall mean any self-supporting woody perennial plant which has a trunk and branches. It may appear to have several stems or trunks as in several varieties of oak and ashe juniper. A tree has a more or less definitely formed crown, usually attaining a mature height of at least eight (8) feet.

“Tree Survey” shall mean a diagram or drawing which accurately depicts the location and approximate size of all protected trees on a lot and shall include a legend that identifies and differentiates protected trees to be removed and those to be retained.

“Yard Area” shall mean the front, side and rear-yard areas as required under the zoning ordinance and the zoning district requirements applicable thereto.

(B) Clear cutting of trees and replacement of trees. Clear cutting of all trees from any property shall be restricted based upon the requirements of this section.

(C) Removal of protected trees. Permit required.

(1) No person shall remove or cause the removal of any protected trees without first securing a permit for the removal of such tree or trees except in accordance with this Section. Tree removal permits are not required:

(i) on property where there exists an occupied one- or two-family dwelling,

(ii) within the “allowable building area” as noted in subsection (D)(7) below, and

(iii) as provided for in subsection (L) below.

(2) Permits for the removal and/or replacement of a protected tree or trees may be issued by the City of Lago Vista through its Development Services Office and approved by the City Manager or his/her designated representative. The city council may consider tree removal and replacement that is part of any application for development approval for which it has jurisdiction or it may delegate such consideration.

(3) Application for the permit must be made in the format designated by the City and shall be signed by the owner of the affected property or their designated representative. The permit application shall include a current tree survey depicting the location of all protected trees on the property on which the tree or trees to be removed are located. The fees charged for the issuance of the permit shall be established by the Lago Vista City Council through its Fee Ordinance and may be changed from time to time at the discretion of the city council.

(4) The approval of a site development plan or building permit for a particular tract of property may serve as the Protected Tree Removal Permit so long as the required tree survey is included along with the site development plan or the building permit application and the removal of specific protected trees is appropriately identified.

(5) A Protected Tree Removal Permit may include authorization for the removal of one or more protected trees on a particular lot.

(6) A Protected Tree Removal Permit shall not be required in those instances in which the City of Lago Vista has determined that removal of the protected tree is necessary in order to prevent the spread of Oak Wilt or other disease, and/or to eliminate a hazard to public health or safety as deemed necessary by any federal, state or local authority.

(7) The authority having the permit authority may approve the tree removal permit, deny the removal, or approve removal with replacement, or pay a fee for removal in accordance with subsection (D)(6) below, or a combination.

[Editor's note– The subsection numbers as follows are exactly as numbered by the city.]

(C) Nonpoint Pollution Permit Required. In any case of tree removal involving the disturbance of soil, such as with the use of heavy equipment, stump removal, or removal/clearing of ground cover, a nonpoint source pollution permit in accordance with the Highland Lakes Watershed Ordinance adopted by the city is required.

(D) Replacement of Protected Trees Required.

(1) Any person removing or causing the removal of a protected tree or trees from any property within the City of Lago Vista without a permit issued in accordance with this chapter may be required to provide for the replacement of the protected trees.

(2) Selection of replacement trees shall include trees listed in subsection (J) of this section and shall be a minimum of two (2) inches caliper measured forty (40) inches above ground level.

(3) The total number of inches of replacement trees may be required to meet or exceed the total number of inches of any and all protected trees removed from a tract of property.

(4) The placement of replacement trees shall not be allowed within any public utility or drainage easements, natural drainage ways or in any location which limits site distances for vehicular traffic along roadways, rights-of-way, or driveway/roadway intersections.

(5) The replacement of trees on nonresidential and development shall be according to the following: within a buffer area between the development and one- or two-family zoned or used land, in an area between parking lots and a street, in an area between building(s) and a street, and/or within parking lots.

(6) If it is not possible or feasible to provide for the replacement of the total number of inches of protected trees to be removed, the owner or controlling agent of the property will be allowed to pay a fee to the City of Lago Vista in lieu of tree replacement in an amount equal to the total number of inches of protected trees removed but not replaced times \$50.00. Any such fees collected by the City shall be placed in special fund and the use of these funds shall be restricted to use by the City for the planting of trees on City property or other areas as determined by the city council[.]

(7) The owner and/or developer of the lot will not be required to replace or pay a fee in lieu of replacing any protected tree contained within the allowable building area as described above. However, any protected trees contained in these areas should be depicted in the site plan for the project.

(8) Every effort shall be made to allow for as many protected trees, native trees and small native trees to remain on the property as possible. During the building design phase, courtyards, alcoves, and ell shapes should be considered; winding sidewalks and driveways should also be designed around protected trees when possible. Parking lots shall also be designed to incorporate as many protected trees as possible. Patios and decks should be designed around protected trees.

(E) Landscape Plan/Landscaping Required. Multifamily and Nonresidential Development. All multifamily and nonresidential developments within the City are required to submit a Landscape Plan as part of the Site Development Plan for the development. While the City encourages the use of native vegetation, xeriscaping and other forms of landscaping to promote water conservation and to retain the natural appearance of the community, all landscape plans and the resulting landscape shall meet the minimum standards of this section.

(1) Landscaping in commercial areas shall be in compliance with the landscape plan approved by the City of Lago Vista and in accordance with this section.

(2) Areas of permeable surface, except the areas of retention and/or detention ponds, shall be landscaped with areas designated as lawn, rock garden or plant bedding area. The area designated lawn shall have sufficient topsoil to support plant life and have grass sprigging, sod or hydro mulch. The city encourages the use of grasses such as buffalo grass to promote water conservation. Areas designated plant bedding shall have sufficient topsoil and three (3) inches shredded mulch. The landscaped areas shall be separated from parking and other areas by concrete, stone or brick curbing.

(3) A minimum number of trees and their location shall be according to the following:

(a) Within parking lots: One shade (not ornamental) tree for every eight parking spaces. Trees may be clustered and uniform planting is not required.

(b) Within areas between a parking lot and a street: One tree for every 40 linear feet of street. Planted trees shall be at least 20 feet from another tree. Trees under existing power lines shall be ornamental trees.

(c) Within residential buffers: Where the development adjoins land used or zoned for one- or two-family development: one shade (not ornamental) tree for every 25 linear feet uniformly spaced.

(d) Planted trees shall be in planting area of at least 64 sq. ft and have dimensions at least eight feet by eight feet.

(4) Trees required by this section shall be a minimum of two (2) inches caliper measured forty (40) inches from the ground and six (6) feet in height when planted, and shall be one of the species listed in subsection (J), or any other ornamental trees approved by the City.

(5) Retention and Detention Ponds. Exterior walls of retention and/or detention ponds above grade level shall be faced with stone, brick or similar decorative facing, or screening by planting of shrubbery or vines of a type suitable for this area, and as approved by the City.

(6) An owner shall maintain required landscaped areas in a healthy condition, free from diseases, pests, weeds and litter in accordance with generally accepted horticultural practices. An owner who receives notification from the City that plants on site are dead, diseased or severely damaged shall remove the plants within sixty (60) days from receipt of such notification and shall replace the plants within six (6) months after notification or within the next planting season whichever comes first. Any owner who is required to replace plants must use the same species and size of plants shown on the approved landscaping plan or equivalent quality and size.

(F) Landscaping in One- and Two-Family Areas.

(1) Prior to the issuance of a Certificate of Occupancy, the yard area of a one- or two-family property shall be landscaped with front and side areas designated as lawn, rock garden or plant bedding area. Rear areas can be undisturbed and natural. If disturbed prior to or during construction, rear areas must be re-vegetated or landscaped to prevent erosion of the rear-yard area. The area designated lawn shall have sufficient topsoil to support plant life and have grass sprigging, sod or hydro mulch. The City encourages the use of grasses such as buffalo grass in order to promote water conservation. The areas designated plant garden shall have sufficient topsoil and three (3) inches shredded mulch. The lawn area(s) will be separated from other areas by a dividing media. At least six (6) shrubs will be required to be located on the property preferably in the plant bedding area.

(2) A minimum number of trees per lot are required as provided in the following:

Lot Size

Number of trees required

1–8000 square feet	2
8,001–10,000 square feet	3
10,001–14,000 square feet	4
14,001–18,000 square feet	5
18,001 square feet or more	6

(3) An owner shall maintain (a) required landscaped areas in a healthy condition, free from diseases, pests, weeds and litter in accordance with generally accepted horticultural practices, (b) the required number of shrubs and trees, and (c) required accessory building screening and landscaping. An owner who receives notification from the City that plants on site are dead, diseased or severely damaged or missing shall remove the plants within sixty (60) days from receipt of such notification and/or shall replace required plants within six (6) months after notification or within the next planting season whichever comes first. Any owner who is required to replace plants must use the same species and size of plants shown on the approved landscaping plan of equivalent quality and size.

(G) Alternative Landscape Plan. In lieu of meeting the requirements of this section, an applicant may submit to the approving authority (the city manager or his designee for building permits and site development plans or the city council for plats and zoning changes with landscape plans) an alternative landscape plan. The plan should be superior to what could be achieved from following the specifications of this section.

(H) Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy, residential and commercial properties will be inspected to insure [ensure] compliance with any approved landscape plan for the development and with this section. Failure to comply with the approved landscape plan and/or the provisions of this section may result in a denial of the Certificate of Occupancy by the City.

(I) Tree Protection During Construction and Tree Protection Zone.

(1) During any construction or land development, the developer or property owner shall take reasonable care to avoid damaging any trees that are to remain on the lot or site. The developer or property owner shall not allow any cleaning of equipment or tools nor the disposal of any waste material such as, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, etc, under the canopy of any tree or groups of trees. Trees to remain after construction is complete should be protected from possible injury during construction. Tree protection measures shall be shown on the required landscape plan.

(2) For trees that are to be preserved, a root protection zone according to the following shall be established. The area of the root protection zone shall be at least an area with a radius of six inches for each inch of main trunk measured 40 inches above the ground. The area need not be uniform and can be at no point closer than five feet from the trunk. There shall be no disturbance in the root protection zone. The root protection zone of more than one tree may overlap. The maximum size of the root protection zone shall be 1,000 sq. ft.

(J) Preferred Trees. Replacement trees and trees to be planted shall be a minimum of two (2) inches caliper measured forty (40) inches from the ground and six (6) feet in height when planted, and shall be one of the following species of tree or any other ornamental trees approved by the City.

American Elm	Bald Cypress	Bur Oak
Lacebark	Live Oak	Chinquapin Oak
Montezuma Cypress	Pecan	Cedar Elm
Monterey Oak	Afghan Pine	Big tooth Maple
Chinese Pistachio	Western Soapberry	Blanco crab apple (ornamental)
Carolina Buckthorn	Crape Myrtle (ornamental)	Golden Rain Tree
Deciduous Holly (ornamental)	Flame leaf Sumac	Mexican Plum
Desert Willow (ornamental)	Mexican Buckeye	Texas Persimmon
Japanese Black Pine	Rough Leaf Dogwood	Chinese Flame
Mountain Laurel (ornamental)	Yaupon Holly (ornamental)	Elm
Texas Red Bud (ornamental)	American Smoketree	Chitalpa

(K) Removal/Eradication of stumps required.

(1) In the event that any trees of any kind are cut on a lot, the owner of the lot or the owner's agent will be required to remove, grind or otherwise eradicate the stump of the cut trees in a manner in which the stump will not be noticeable from surrounding properties or the street right-of-way. Stump removal shall occur within 60 days of cutting.

(2) For purposes of this section, a stump will not be considered visible if the top of the stump does not exceed two (2) inches above the surface of the lot at location of the stump.

(3) Removal of one or more stumps from a lot through excavation or bulldozing will require the installation of erosion and sedimentation controls as deemed necessary by the City of Lago Vista. Re-vegetation of any area disturbed by the removal of trees or stumps must be accomplished with sixty (60) days of the removal. Erosion and sedimentation controls must be maintained in an appropriate manner to insure [ensure] their effectiveness and

aesthetic appearance until such time as new vegetation is permanently established in the disturbed area(s).

(L) Exceptions. The following shall be exemptions to this section.

(1) In the event that any or all trees on a property are infested with a contagious disease, such as oak wilt, or dying of natural causes then those trees on the property may be removed; however, the property owner shall be required to replant a sufficient number of trees to meet the minimum number of trees in accordance with this section. The city may require an arborist's report to verify that a tree is dying.

(2) During the state of an emergency, as declared by the City, the requirements of this chapter may be waived as may be deemed necessary by the City.

(3) All licensed plant or tree nurseries shall be exempt from the terms and provisions of this chapter only in relation to those trees planted and growing on the premises of said licensee, which are so planted and growing for the sale or intended sale to the general public in the ordinary course of said licensee's business.

(4) Utility companies franchised by the City may not remove trees without a permit, except in emergency situations which endanger public safety and welfare by interfering with utility service that is contained within rights-of-way or easements.

(5) Fire department personnel actively engaged in fighting a fire may remove as many trees as necessary to aid in containment or suppression of the fire.

(6) Any lot which does not have as of the effective date of this chapter (state the date), through natural means, the minimum number of trees required shall be exempt from any requirement to add trees in order to meet the minimum number of trees required unless a building permit or site plan is requested and approved for that lot.

(7) No tree removal permit or fee is required on city-owned property.

(8) No tree removal permit or fee is required on property owned by a home or property owner's association (HOA/POA) that is dedicated and utilized as a park. Such properties tree preservation and landscaping provisions shall be governed by the City's "park ordinance," if and when such is adopted.

(M) Failure to Comply.

- (1) Failure to obtain a permit prior to the removal of a protected tree will result in a permit fee which is double the fee per caliper inch as the fee established in the Fee Ordinance for the City of Lago Vista.
- (2) Failure to comply with this chapter may result in the imposition of additional fees and penalties as contained in this section.
- (3) In those cases in which a tree is removed without permit and that tree may have been a protected tree under this chapter the City will rely on remaining evidence on site to determine if a violation of this chapter has occurred. For enforcement purposes the City will consider that any stump remaining on the property which is ten (10) inches or more in diameter measured at ground level or higher was a stump of a protected tree as defined by this chapter.
- (4) Failure to install landscaping as required by this chapter shall be considered a violation of the building permit and a violation of this chapter. The construction shall not be considered complete until all landscaping is installed as required.



Development Services Department

STAFF REPORT

Workshop Item #2: Discussion and input concerning modification to architectural standards for principal buildings

Date: May 20, 2017

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

In exercising the code changes within the residential accessory building aesthetics, Staff has determined changes to the principal residential building standards are necessary in order to preserve aesthetic standards on accessory buildings (please see the previous workshop item #1 accessory building attachment for the total code standards). Staff has provided proposed changes to the Commission for their review and input, see below:

* - Denotes clarification changes by addition and that are meant to clarify the code requirement and has nothing to do with architecture.

Addition to Ch. 14, Article 14.200, Sec. 2: Definitions

DECORATIVE CONCRETE MASONRY UNITS: Includes highly textured finish, such as split faced, indentured, hammered, fluted, ribbed, or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted on; minimum thickness of three and a half inches (3.50") when applied as a veneer; shall include lightweight and featherweight decorative masonry units.

EARTH TONE COLORS: Is a color scheme that draws from a color palette of browns, tans, warm grays, and greens.

FAÇADE: All of the wall areas on the elevation of a building.

HARD FIRED BRICK: Includes severe weather related kiln fired clay or slate material, can include concrete block if it is to the same ASTM C216 or C652 standard and severe weather related as typical fired clay brick; minimum thickness of two and one quarter inches (2.25") when applied as a veneer, and shall not include underfired clay, sand, or shale.

MASONRY (MATERIALS): Shall mean and include that form of construction composed of HARD FIRED BRICK, stone, DECORATIVE CONCRETE MASONRY UNIT, or other materials of equal characteristics, as determined by the City, laid up unit upon unit set and bonded to one another in mortar. This definition

shall not include stucco, exterior plaster, adobe, mortar wash surface material, exterior insulation and finishing systems (EIFS), acrylic matrix, synthetic plaster or other similar synthetic material, and cementitious fiber board siding (such as Hardy Plank or Hardy Board)

Additions to Ch. 14, Article 14.200, Sec 4: Use Regulations and Physical Restrictions

4.15 R-0 Single Family Residential, Zero Lot Line*

(G) Architectural Standards.

(1) All principal buildings must have a minimum twenty-five percent (25%) masonry materials on each exterior wall of the building. For purposes of this calculation, the exterior shall not include the area of roofs or door or window openings.

(2) Metal façade materials are prohibited from installation, with the exception of gutters, windows, and doors.

(3) Metal roofing shall be permitted provided they are painted with non-glare, non-reflective paint.

(4) Retaining walls shall be constructed of masonry materials consisting of earth tone colors or if constructed of non-masonry materials the exterior facing wall shall be covered with masonry materials consisting of earth tone colors.

4.20 R-1A through R-1G-Single-Family Residential Standard* - Same language as in 4.15(G)

(D) *Minimum Parking Area. Each dwelling shall include, off-street parking in accordance with [Section 7](#), herein.

4.22 R-1LL Single-Family Residential, Large Lot - Same language as in 4.15(G) and 4.20 (D)*

4.25 R-1M, Single Family Residential, ~~Mobile Home~~ Manufactured home*

Same language as in 4.20(D)*

Additional & Architectural Restrictions. The following additional restrictions shall apply to all manufactured homes placed in this district:

~~(1) No mobile home may be placed on any lot or parcel of land until approved by the City Manager or his/her designee as to size, condition, appearance, and placement.~~

(1) All ~~mobile homes~~ manufactured homes shall be securely tied down, blocked and skirted within ninety (90) days from date moved onto lot.

(2) Skirting between ~~mobile home~~ manufactured home and ground or slab must be enclosed with matching metal, masonry, or other materials.

(3) Retaining walls shall be constructed of masonry materials consisting of earth tone colors or if constructed of non-masonry materials the exterior facing wall shall be covered with masonry materials consisting of earth tone colors.

4.27 R-1T Single-Family Residential, Tall - Same language as in 4.15(G) and 4.20(D)*

4.30 R-2 Two-Family Residential - Same language as in 4.15(G) and 4.20(D)*

4.35 R-4 Multifamily Residential ~~-District*~~ - Same language as in 4.15(G), except addition as follows: Each building elevation shall provide architectural features such as columns, reveals, and articulations to break up long facades exceeding fifty (50) feet;

Since Staff is modifying the principal building architectural standards for residential buildings and Council has already modified architectural standards for residential accessory building we should look at modifying the commercial/industrial principal and accessory buildings as well. Please see some proposed changes as denoted below:

* - Denotes clarification changes by addition and that are meant to clarify the code requirement and has nothing to do with architecture.

** - Denotes changes that do not reflect architectural standards but standards pulled forward regarding residential permitting as approved verbatim by Council and recommended approval by the Commission late last year, by ordinance.

Additions to Ch. 14, Art. 14.200, Sec. 6 Accessory Building Standards

6.10 Accessory Buildings and Uses

(C) Commercial Districts

(4) Permitting Standards. A permit issued from the Development Services Dept. is required before placement of any building thirty (30) square feet and over in floor area. Any buildings less than thirty (30) square feet in floor area do not have any permitting standards.**

(5) Architecture and material for buildings larger than 120 square feet.

(a). At least 75% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the principal building. Accessory buildings are exempt from this requirement if the entire principal building façade is non-conforming to this standard.

(b). For accessory buildings the facade material and colors must match the principal building.

(c). The roof shall be the same material and color as on the principal building. The roof pitch should be similar in perspective to that of the principal building.

Additions to Ch. 14, Article 14.200, Sec 4: Use Regulations and Physical Restrictions

4.40 C-1A and C-1C Professional, Business, Office, Low Density Retail District Commercial, Light*

(E) Reserved

(F) Architectural Standards

(1) All principal buildings must have a minimum seventy-five percent (75%) masonry materials on each exterior wall that has visual exposure to a right-of-way, parking lot, Lake, golf course, residentially zoned district, or Planned Development District (PDD) with proposed/existing residential Uses. For purposes of this calculation, the exterior shall not include the area of roofs or door or window openings.

(2) Metal façade materials are prohibited from installation, with the exception of gutters, windows, and doors.

(3) Metal roofing shall be permitted provided they are painted with non-glare, non-reflective paint.

(4) Metal overhead doors shall not be located within the front wall or within the required seventy-five percent (75%) architectural sidewalls of a building. Exceptions: Businesses that require daily auto entrance.

(5) Each building elevation shall provide architectural features such as columns, reveals, and articulations to break up long facades exceeding fifty (50) feet.

(6) Retaining walls shall be constructed of masonry materials consisting of earth tone colors or if constructed of non-masonry materials the exterior facing wall shall be covered with masonry materials consisting of earth tone colors.

4.45 C-2 Commercial ~~Zoning District, Moderate*~~ - Same language as in 4.40

4.46 C-6 Commercial, ~~Large Heavy*~~- Same language as in 4.40

4.47 LI ~~Light Industrial, Light*~~

(E) Architectural Standards

(1) All principal buildings must have minimum masonry materials on each exterior wall that has visual exposure to a right-of-way, Lake, parking lot, golf course, residentially zoned district, or Planned Development District (PDD) with proposed/existing residential Uses as denoted below.

<u>Square Footage Requirements</u>	<u>Minimum Masonry Materials</u>
<u>> 50,000 Sq. Ft.</u>	<u>75%</u>
<u>50,001 – 100,000 Sq. Ft.</u>	<u>50%</u>
<u>< 100,000 Sq. Ft.</u>	<u>25%</u>

For purposes of this calculation, the exterior shall not include the area of roofs or door or window openings.

(2) Metal roofing shall be permitted provided they are painted with non-glare, non-reflective paint.

(3) Retaining walls shall be constructed of masonry materials consisting of earth tone colors or if constructed of non-masonry

materials the exterior facing wall shall be covered with masonry materials consisting of earth tone colors.

4.50 C-3 Commercial, Marina-District* - Same language as in 4.40

4.55 C-4 Commercial, Airport-District* - No changes.

4.60 G-1 Golf Courses & Supporting Facilities and Country Club District* - No changes.

4.65 U-1 Utility, Governmental, Educational, and Institutional District Public Use* - No changes.

4.70 P-Park District* - No changes.

4.80 RR-A Restricted Single Family Residential with Aircraft*

(I) Architectural Standards

(1) All principal buildings must have a minimum twenty-five percent (25%) masonry materials on each exterior wall that has visual exposure to a right-of-way, parking lot, Lake, golf course, residentially zoned district, or Planned Development District (PDD) with proposed/existing residential Uses. For purposes of this calculation, the exterior shall not include the area of roofs or door or window openings.

(2) Metal façade materials are prohibited from installation, with the exception of gutters, windows, doors, and the hanger portion of the building.

(3) Metal roofing shall be permitted provided they are painted with non-glare, non-reflective paint.

(4) Metal overhead doors shall not be located within the front wall or within the required twenty-five percent (25%) architectural sidewalls of a building.

(5) Retaining walls shall be constructed of masonry materials consisting of earth tone colors or if constructed of non-masonry materials the exterior facing wall shall be covered with masonry materials consisting of earth tone colors.

4.90 CR Commercial Resorts - Same language as in 4.40

Additions to Ch. 14, Article 14.200, Sec 3: Establishment of Districts

<u>ABBREVIATED DESIGNATION</u>	<u>ZONING DISTRICT</u>
R-0	Single-Family <u>Residential</u> , Zero Lot Line
R-1A through G	Single-Family Residential, <u>Standard</u>
R-1LL	Single-Family Residential, Large Lot
R-1M	Single-Family Residential, Mobile Home <u>Manufactured home</u>
R-1T	Single-Family <u>Residential</u> , Tall
R-2	Two-Family Residential
R-4	Apartments, Townhouses, and Single-Family <u>Multifamily Residential</u>
RR-A	Restricted Single Family <u>Residential</u> With Aircraft
C-1A and C-1C	Commercial, Professional, Business Office, Low Density Retail, Light
C-2	Commercial, Large Scale <u>Moderate</u>
C-3	Commercial, Marina
C-4	Commercial, Airport
C-6	Commercial, Large Commercial/Retail <u>Heavy</u>
CR	Commercial, Resort
U-1	Utility, Government, Educational, and Institutional <u>Public Uses</u>
P, P-1A, P-1B, P-1C, P-2	Park District
G-1	Golf Courses & Supporting Facilities
I-L	Light Industrial, <u>Light</u>
PDD	Planned Development
TR-1	Temporary Restricted zoning designation to be used upon property annexation.