

**CITY OF LAKE DALLAS, TEXAS
ORDINANCE NO. 2019-10**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE CITY OF LAKE DALLAS ZONING MAP BY AMENDING ORDINANCE NO. 2017-14 ESTABLISHING A PLANNED DEVELOPMENT (PD) DISTRICT WITH BASE ZONING OF R-1-6000 SINGLE FAMILY DWELLING DISTRICT WITH THE INCLUSION OF A SINGLE-FAMILY DWELLING DISTRICT FOR MINIATURE, TRANSPORTABLE HOUSING (TINY HOUSE PARK) RELATING TO THE USE AND DEVELOPMENT OF BLOCK 1, LOT 7R, GOTCHER ADDITION BY AMENDING THE DEVELOPMENT REGULATIONS RELATING TO ON-SITE STORAGE BUILDINGS, AMENDING THE DEVELOPMENT PLAN, AND PROVIDING FOR THE DEVELOPMENT PLAN TO CONSTITUTE THE APPROVED SITE PLAN; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Lake Dallas, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Lake Dallas, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that the Zoning Map of the City of Lake Dallas, Texas, as previously amended, should be further amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

SECTION 1. CHANGE OF ZONING CLASSIFICATION

The Zoning Map of the City of Lake Dallas, Texas, as previously amended, be further amended relating to the use and development of Lots 7 and 8, Gotcher Addition (commonly known as 206 Gotcher) ("the Property") by amending as follows Ordinance No. 2017-14 establishing a Planned Development (PD) District with base zoning of R-1-6000 Single Family Dwelling District including a use for Single-Family Dwelling District for Miniature, Transportable Housing (Tiny House Park):

- A.** Section 2.B is amended to read in its entirety as follows:
- B.** **Development Plan:** The arrangement of Pads and Tiny Houses on the Property shall be substantially as shown on the Development Plan in **Exhibit "B,"** attached hereto and incorporated herein by reference ("Development Plan"). In no case shall the number of Pads located on the Property exceed thirteen (13). For purposes of Lake Dallas Municipal Code

Section 122-639, the Development Plan shall constitute the approved site plan.

B. Section 2.D.6 is amended to read in its entirety as follows:

6. No more than one (1) storage building may be located on each Pad subject to the following:
 - a. The maximum dimensions of said storage building shall be as follows:
 - i. Floor: eight feet (8.0') by six feet (6.0'); and
 - ii. Height: seven feet (7.0');
 - b. The exterior of the storage building shall be painted and finished in a similar color, wall texture, and materials as used on the Tiny House located on the Pad where the storage building is located to collectively present a unified visual appearance with the associated Tiny House;
 - c. A storage building may be located on a Pad Site only when there is a Tiny House located on the same Pad Site; and
 - d. The storage building must be located adjacent to the rear line of the Pad Site opposite the parking area within the Property.
 - e. Prior to the placement of a storage building on a Pad Site, an application, along with an application fee established by resolution of the City Council, shall be submitted to the Director of Development Services or designee setting forth, as a minimum:
 - i. The length, width, and height of the storage building; and
 - ii. A description of the materials for the exterior walls and roof of the storage building.

C. Section 2.D. is amended by adding Paragraph 7 to read as follows:

7. One permanent building constructed on a permanent foundation and containing multiple divided units may be located on the area

landscape buffer described in Paragraph c, above, shall not be required, but only if:

- i. The screening fence described in Paragraph d is installed prior to commencement of use of the storage building; and
 - ii. The storage building is located no closer than one foot (1.0') from the eastern boundary of Lot 8 as shown on the Development Plan; and
 - g. No temporary storage buildings may be located in the Storage Building Area.
- D. Exhibit "B" – "Development Plan" shall be amended and replaced in its entirety by Exhibit "B-1" – "Development Plan (amended)" attached hereto and incorporated herein by reference.

SECTION 2. CONFLICTS. To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Lake Dallas governing the use and development of the Property which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling. In the event there is an irreconcilable conflict within the text of this Ordinance, including any exhibits attached hereto, relating to the applicable standard to be enforced with respect to development of the Property, the strictest standard shall be controlling unless the City Council determines by approval of a motion or resolution that the less stringent standard is to apply.

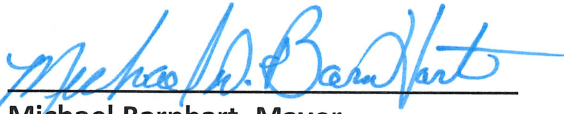
SECTION 3. SEVERABILITY CLAUSE. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Lake Dallas Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Lake Dallas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. SAVINGS CLAUSE. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Lake Dallas Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5. PENALTY. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective from and after the date of its passage and final publication in accordance with the Charter of the City of Lake Dallas and/or applicable state law and it is accordingly so ordained.

PASSED AND APPROVED this the 9th day of May 2019.



Michael Barnhart, Mayor


ATTEST:



Codi Delcambre, City Secretary

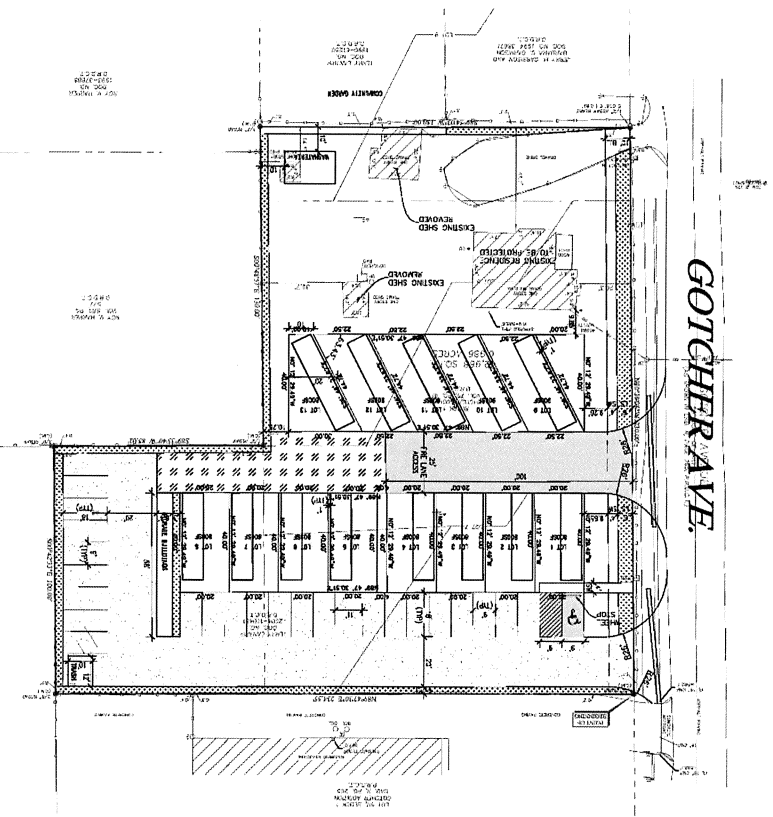


APPROVED AS TO FORM:



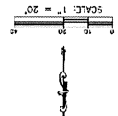
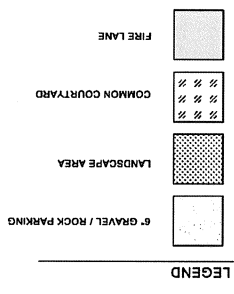
Kevin B. Laughlin, City Attorney
(kbl:5/6/19:107709)

Exhibit "B-1"
Development Plan (amended)



SITE REQUIREMENTS:
 1. A 5-foot wide strip with a top rounded "curved corner" set in ground, approximately 60' wide and 22' north of the Southwest corner of the subject property, elevation to 525.88
 2. A 10' wide strip with a top rounded "curved corner" set in ground, approximately 60' wide and 27' north of the Southwest corner of the subject property, elevation to 526.88
 3. A 10' wide strip with a top rounded "curved corner" set in ground, approximately 60' wide and 32' north of the Southwest corner of the subject property, elevation to 527.88

1. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND LOCATION OF ALL EXISTING UTILITIES BY CONDUCTING A UTILITY LOCATOR SURVEY PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY.
3. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL FEDERAL, STATE AND LOCAL REQUIREMENTS, REGULATIONS, STATUTES, ORDINANCES, AND SPECIFICATIONS.
4. ALL UTILITIES AND REQUIREMENTS SHALL CONFORM TO THE DRAINAGE DISTRICT ONE FOR THESE WORKS CONSTRUCTION FOR NORTH CENTRAL TRACT, TRACTS 708100 AND 708101.
5. THE CONTRACTOR SHALL PROTECT EXISTING UTILITIES, WATER MAINS AND SEWER LINES FROM THE CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR.
6. ALL EXISTING UTILITIES SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR.
7. ALL EXISTING UTILITIES SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR.
8. THE CONTRACTOR SHALL PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT.
9. ALL EXISTING UTILITIES SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR.
10. THE CONTRACTOR SHALL PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT.
11. ALL CONNECTIONS TO EXISTING MAINS SHALL HAVE A FULL DRAINAGE BACKFLOW PREVENTER.
12. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND LOCATION OF ALL EXISTING UTILITIES BY CONDUCTING A UTILITY LOCATOR SURVEY PRIOR TO CONSTRUCTION.
13. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND LOCATION OF ALL EXISTING UTILITIES BY CONDUCTING A UTILITY LOCATOR SURVEY PRIOR TO CONSTRUCTION.
14. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND LOCATION OF ALL EXISTING UTILITIES BY CONDUCTING A UTILITY LOCATOR SURVEY PRIOR TO CONSTRUCTION.



6 SHEET TITLE: **SITE PLAN**

DATE: 11-20-19

SCALE: 1" = 20'

3 SHEET NO. 3

PROJECT NAME: **TINY HOUSE COMMUNITY**
LAKE DALLAS, DENTON COUNTY, TX

CIVIL POINT ENGINEERS

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TRUSTEE: 9723841101