

**ORDINANCE NO. 19-01-17-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS AMENDING VARIOUS SECTIONS OF CHAPTER 14, THE LAGO VISTA ZONING ORDINANCE, ADDING DEFINITIONS AND MODIFYING THE PROVISIONS RELATED TO REQUIRED YARDS AND THEIR LOCATIONS; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City of Lago Vista, Texas is a Home Rule City; and

**WHEREAS**, the City Council of the City of Lago Vista has previously established regulations requiring open space between a principal building and the boundary lines of the property on which it is located; and

**WHEREAS**, those existing regulations do not specify the method for designating which boundary line is adjacent to the required “front yard” or include any requirements related to the location of principal public entries; and

**WHEREAS**, those existing regulations also do not provide for uniformity between the required open space on adjacent properties; and

**WHEREAS**, the inclusion of such requirements might increase public safety under certain conditions in addition to addressing aesthetic considerations; and

**WHEREAS**, the Planning and Zoning Commission of the City of Lago Vista has reviewed the existing regulations, held a public hearing to receive input and recommends the amendments as shown in Exhibit “A;” and

**WHEREAS**, the City Council of the City of Lago Vista has reviewed the existing regulations and the recommendation of the Planning and Zoning Commission and held an additional public hearing to receive input; and

**WHEREAS**, the City Council of the City of Lago Vista hereby desires to modify various sections of Chapter 14 of the Lago Vista Code of Ordinances relating to the open space requirements between principal buildings and the boundary lines of the property on which it is located.

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

**SECTION 1. FINDINGS.** All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

**SECTION 2. MODIFICATION.** The City Council of the City of Lago Vista, Texas, does hereby amend Chapter 14, Code of Ordinances as shown in Exhibit "A."

**SECTION 3. SAVINGS CLAUSE.** All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

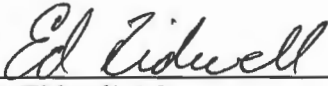
**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Texas Local Government Code*.

**SECTION 6. 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 Local Government Code*.

**AND, IT IS SO ORDERED.**

**PASSED AND APPROVED** this 17<sup>th</sup> day of January 2019.



  
Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Councilman Weatherly, seconded by Mayor Pro Tem Williams, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

**CHAPTER 14**

**ZONING**

\*\*\*\*\*

**2.10 Definitions:** The words used in this chapter and not defined in this section shall have their ordinarily accepted meaning. For the purposes of this chapter the following words and phrases shall have the meaning respectively ascribed to them herein:

**ABUTTING:** Adjacent, joining at a boundary.

**ACCESSORY BUILDING:** A building detached from the principal building and customarily incidental and subordinate to the principal building or use.

**ACCESSORY USE:** A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building.

**ADJACENT:** Abutting and directly connected to or bordering.

**AGGRIEVED PERSON:** An interested party or person with an interest in a matter that is the subject of a public hearing or administrative decision and believes is being harmed by a decision made through a public hearing or administrative decision. A person has an interest if the person:

- (A) is the applicant or the record owner of property that is the subject of a public hearing or administrative decision; or
- (B) communicates an interest in a matter; and
  - (1) occupies a primary residence that is within 200 feet of the site of the proposed development or modification; or
  - (2) is the record owner of property within 200 feet of the site of the proposed development or modification; or
  - (3) is an officer of a neighborhood organization that has an interest in the site of the proposed development or modification whose declared boundaries are within 200 feet of the site of the proposed development; or
  - (4) has a utility account address located within 200 feet of the site of the proposed development or modification, as shown in the City utility records on the date of the filing of the application.

**ALCOHOLIC BEVERAGE:** Any beverage containing more than one-half of one percent (1/2 of 1%) alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

**AMUSEMENT CENTER OR PARLOR:** Any establishment, whose primary purpose is for public entertainment, containing three or more pool or billiard tables, pinball, and electronic games offered for hire.

**ANTENNA SUPPORT STRUCTURES:**

- a) **GUYED LATTICE ANTENNA STRUCTURE:** A steel lattice, guy wire supported structure, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.
- b) **LATTICE ANTENNA STRUCTURE:** steel lattice, self supporting structure with no guy wire support, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.
- c) **MONOPOLE ANTENNA STRUCTURE:** self supporting pole type structure with no guy wire support, tapering from base to top and so designed to support fixtures which hold one or more antennas and related equipment for wireless telecommunication transmission.

**APARTMENT:** Means a room or group of rooms used as a dwelling for one (1) family unit which includes full kitchen facilities for the preparation of meals and cooking therein.

**APARTMENT HOTEL with Commercial:** Means a building used or intended to be used for one, two or multiple living units for transient or permanent residents, in which building may be located on the first floor living units, and/or retail sales, office, and/or service uses.

**AUTOMOBILE SERVICE STATION (Service Station):** An establishment selling fuel for motor vehicles and/or performing any of the following services on motor vehicles:

- (A) Lubrication and oil change;
- (B) Installing parts and accessories, including tires, batteries and mufflers;
- (C) Tune-ups; and
- (D) Any minor repair or adjustment work.

**BED AND BREAKFAST ESTABLISHMENT:** An owner-occupied dwelling unit that is used to provide Short-Term lodging for guests or “tourists” with a morning meal being provided.

**BOARD:** Board of Adjustment of the City of Lago Vista, Texas.

**BOAT DOCK PRIVATE:** A boat dock with one or more slips, located on residential property, which is used for private purposes and does not have services, other than electricity and water to it.

**BOAT SLIP/DAY SLIP:** A structure used strictly for the mooring of watercraft and has no other auxiliary services (such as a restaurant, retail shop or fuel sales).

**BUILDING:** Any structure having a roof supported by columns or walls and intended for shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

**BUILDING HEIGHT:**

- (A) The vertical distance measured from the highest undisturbed natural grade of the applicable lot to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the height of the highest gable of a pitched or hipped roof. Chimney height and the height of air-conditioning units, evaporative coolers, and other similar objects are excluded from total height considerations. (See Section 6.15 herein).
- (B) Special consideration may be given to the condition encountered when the highest point in elevation of the building lot is at or below the federally designated 100-year flood level.
- (C) In an area below the elevation of the 100-year flood level, the first-floor elevation will be one (1) foot above the federally designated flood level. In these cases, the maximum roof height of the building may be measured from one (1) foot above the federally designated flood level.

**BUILDING OFFICIAL:** The City Manager of City of Lago Vista, Texas or his designee.

**BUILDING LINE:** A line measured at the wall of a building or structure that is parallel to the property line or lines in question and extends to the adjoining property lines. In establishing the building line, the building wall shall not include permitted encroachments of architectural features, such as roof overhangs (eaves), protruding windows, paved areas or steps.

**BUILDING, MAIN OR PRINCIPAL:** A building in which is conducted the principal use of the lot on which it is situated.

**CHILD CARE INSTITUTION:** A child care facility that provides care for any number of children of any age group, for all or part of the 24-hour day, including facilities known as children's homes, half-way houses, residential treatment camps, emergency shelters, and training or correction schools for children. This facility shall comply with all applicable Federal and State requirements. Schedule of allowed uses are C-1, C-2 and U-1.

**CITY:** The City of Lago Vista, Travis County, Texas.

**CLUB:** A group of people organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees or dues, regular meetings, and a constitution and bylaws.

**COMMISSION:** The Planning and Zoning Commission of the City of Lago Vista, Texas.

**COMMON AREA:** Means privately owned land and improvements within a townhouse,

condominium, planned development, or community unit development including buildings, common open space, central services and utilities, streets, walks, parking areas, fencing and screening walls, landscaping, and any other elements and facilities under common ownership and available for the use of all owners or tenants.

**COMMON OPEN SPACE:** Means that portion of the common area which is designated for outdoor recreation area, private park, play lot, plaza, athletic court, swimming pool, fountain, stream or pond, ornamental landscaping or natural vegetation offering visual amenity, and which is open to general view and conveniently accessible to pedestrians within the project.

**COMMUNITY CENTER:** A facility used for recreational, social, educational, and cultural activities.

**COMMUNITY HOME:** A home for disabled persons in accordance with the Community Home for Disabled Persons Act, licensed or certified or operated by the State of Texas for the residence of not more than six persons, regardless of relationship, with disabilities and two supervisors.

**COMPREHENSIVE PLAN:** The Master Plan for the City of Lago Vista, Texas.

**CONDITIONAL USE PERMIT:** Permit authorized by the City Manager for an accessory structure after the primary use has been established on the same lot. Denial by the City Manager of a conditional use permit may be appealed to the Planning and Zoning Commission and the city council. A conditional use permit for a home occupation must meet the requirements of Section 16.

**CONDOMINIUM:** Means a building or group of buildings in which dwelling units are owned individually, while the structure and common areas and facilities are owned by all the owners on a proportional, individual basis.

**CONTIGUOUS:** Property whose property lines are separated by only a street, alley, easement, right-of-way or buffer.

**CONTOUR MAP:** A map or plat prepared by a registered engineer, architect, or land surveyor which accurately reflects the surface of the area surveyed with contour intervals of two (2) feet within the building site area and with contour intervals of five (5) feet in all other areas where the slope exceeds two percent (2%).

**COUNCIL:** The City Council of the City of Lago Vista, Texas.

**DEVELOPMENT:** Any buildings, roads, and other structures; or any construction, excavation, dredging, grading, filling, and clearing or removing of vegetation.

**DRIVE-IN SERVICE:** The serving of a patron while in a motor vehicle or the permitting of consumption of food or drink while in a motor vehicle parked on the premises.

**DWELLING, MULTIFAMILY:** A building containing three or more dwelling units and a lot or tract of land with at least three dwelling units of which one or more detached one- or two-family dwellings are constructed as well as multifamily dwelling buildings.

**DWELLING, SINGLE-FAMILY:** A detached building designed and having facilities for year-round human habitation by one family only.

**DWELLING, TWO-FAMILY:** A detached building designed and having facilities for year-round human habitation by two families each in a separate dwelling unit.

**DWELLING UNIT:** A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

**FAMILY:** One or more persons related by blood, marriage or adoption occupying a living unit as an individual housekeeping organization. A family may include no more than three persons not related by blood, marriage or adoption.

**FAMILY HOME FACILITY:** A single-family residence in which a person who resides within the residence provides compensated care for children, provided that not more than six (6) children under fourteen (14) years of age, including children who live in the residence or whose care is provided without compensation, shall be cared for at any such facility, and provided further that compensated care shall not be provided in such facility for any child for an overnight stay or for a period in excess of sixteen (16) hours in any 24-hour period. A Family Home Facility shall comply with all applicable federal and state requirements.

**FENCE:** A fence or screen eighteen (18) inches or more in height made or constructed of any materials, including but not limited to living vegetation, e.g. trees, bushes, shrubs, the purpose of which is to provide protection from intrusion (physical and/or visual), to prevent escape, mark a boundary, or provide decoration. A wall shall be considered a fence unless it is a restraining wall for the purpose of diverting water and/or retaining soil. Traffic guardrails and railings along steps, ramps, decks or sidewalks are not considered fences or screening devices.

**FRONT BUILDING LINE:** Shall mean either the required front-yard setback line or the line which runs from the front wall of the structure and extends to the side property lines, whichever is further from the front property line. Also see Section 5.40 below.

**GUEST QUARTERS:** An accessory dwelling located on the same lot as the principal building and used occasionally for habitation for guests but not for remuneration.

**HANGAR:** Means a building or structure, suitable for the primary use of housing, storing and sheltering an aircraft, which is designed and constructed on C-4 district property accessible to aircraft from the municipal airport via a paved ramp.

**HANGAR-RESIDENCE:** Means a building or structure, suitable for the primary use of housing, storing and sheltering aircraft, which is designed and constructed on single-family residential property accessible to aircraft from the municipal airport via a paved ramp.

**HELIPORT:** An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appropriate areas which are used for the storage, fueling, repair or maintenance of helicopters.

**HELISTOP:** An improved site (usually a concrete pad) or water where helicopters may land regularly but no hangars, fueling, repairs or maintenance activities are performed.

**HOME OCCUPATION:** An accessory use of a dwelling unit for gainful employment involving the manufacture, assembly, provision or sale of goods and/or services. The accessory use is conducted entirely within the dwelling unit. The use is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.

**HOME OCCUPATION PERMIT:** A written permit issued by the City of Lago Vista authorizing a resident to establish a home occupation at his/her residence.

**HOTEL:** Means a building which is open to the public in which lodging is provided and offered for consideration with 24-hour rates to individual transient guests, but not excluding permanent guests, and may include a cafe, drugstore, clothes, pressing shop, barber shop or other service facilities for guests for compensation, and in which ingress and egress to and from all rooms is made through and inside a lobby or office supervised by a person in charge at all hours. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, or inn. The term does not include a hospital, sanitarium, nursing home, or a dormitory as defined in Section 156.001, Tex. Tax. Code.

**IMPERVIOUS COVER:** Any structure including roof outline or surface not permitting the absorption of water.

**INDUSTRIAL:** A commercial enterprise designed for the production, manufacture, storage or assembly of goods or materials, or for the production of services oriented or ancillary to such purposes.

**INDUSTRIALIZED BUILDING:** A commercial or residential structure or addition constructed using components, prefabrications, and methods that distinguish it from traditional site-built construction by the extent to which materials delivered to the construction site and incorporated into the building have been previously assembled. Unlike manufactured housing which includes mobile homes, industrialized buildings are required to be compliant with local building codes rather than standards of the U.S. Department of Housing and Urban Development (HUD). Industrialized buildings include, but are not limited to:

- (1) modular homes and buildings;
- (2) construction incorporating shipping containers; and
- (3) pre-engineered, or metal buildings with any standardized metal components, trim or assemblies other than a metal roof exposed on the exterior.

**INDUSTRIALIZED HOUSING:** Any type of industrialized building or building addition used as a residence or dwelling.

**LIQUOR STORES:** A store selling alcoholic beverages for off-premises consumption only.

**LIVING AREA:** The sum of the horizontal areas of each story of the building measured from the exterior faces of the exterior structural walls for the purpose of computing the minimum allowable living area in a building unit. The living area measurement is exclusive of unfinished attics,

breezeways, garages, carports, open and covered porches, decks, or accessory buildings not designed and used directly and specifically for dwelling purposes.

LOT: A designated parcel, tract or area of land, established by plat or otherwise as permitted by law, to be used, developed or built upon as a unit.

MARINA FACILITY: Any commercial or public structure or combination of structures for mooring or servicing of watercraft, with more than three mooring slips, and including all structures (docks, breakwaters, etc.) and associated anchoring facilities (e.g., fuel facilities, restaurants, etc.) which abut the water-based entity.

MANUFACTURED HOME. A prefabricated structure that is used as a residence or dwelling and is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes include transportable factory-built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular buildings and modular homes are not considered manufactured homes, and instead refer to a method of construction that is regulated by local building codes.

MOBILE HOME: See Manufactured Home.

MANUFACTURED HOME PARK: Any area or tract of land where one or more manufactured home lots or spaces are rented or held for rent.

MODULAR BUILDING. See Industrialized Building.

MODULAR HOME. See Industrialized Housing.

MOTEL: An establishment providing sleeping accommodations for transients and in which access to rooms may be through a lobby and/or the rooms may have direct access without the necessity of going through a lobby.

NONCONFORMING FENCE, STRUCTURE, OR USE: A fence, structure, or use that does not conform to the standards or requirements of this chapter.

NONCONFORMING FENCE, STRUCTURE and USE, LEGAL (“grandfathered”): An activity, fence, use, or structure that was lawful and existing at a specific location on a date prior to the adoption of an ordinance that made it fail to conform to the present requirements of this chapter.

NUISANCE FACTOR: Any offensive or unpleasant thing which annoys or disturbs one in free use, possession, or enjoyment to of his property of which endangers one's health or life or property, including but not limited to the following:

- (A) Noise
- (B) Electronic or atomic radiation
- (C) Dust

- (D) Effluent
- (E) Smoke
- (F) Vibration
- (G) Fumes
- (H) Shock waves
- (I) Odor
- (J) Gases
- (K) Glare
- (L) Vicious, mischievous, and barking dogs
- (M) Flashes
- (N) Unlawful diversion of drainage

**OPEN AIR COMMERCIAL AMUSEMENTS:** Any land, buildings, structures, devices or activities for amusement and profit visible from a public right-of-way, such as drive-in theaters, miniature golf courses, water slides, motor vehicle courses or tracts, and similar enterprises.

**PARKING LOT:** An area which contains five (5) or more off-street parking spaces.

**PARKING SPACE:** An area on a parking lot, enclosed or unenclosed, not on a public street, with an all-weather surface, used or intended, to be used for parking motor vehicles. The parking space must be connected to a street by an all-weather surface driveway, which may be an easement and which permits free ingress and egress.

**PLANNED DEVELOPMENT DISTRICT (PDD):** An area of land which is approved for development in accordance with a detailed plan which has been subjected to a specified approval process. All use regulations and physical restrictions for structures within a PDD are contained in the plan for that PDD.

**RECREATION FACILITY, COMMERCIAL:** A place designed and equipped for the conduct of indoor or outdoor sports and leisure-time activities and operated as a business and open to the public for a fee.

**RECREATION VEHICLE:** A vehicle designed for human habitation for recreational purposes and capable of being used on a highway. Recreational vehicles shall include a motor home, travel trailer, and camping trailer, but shall not include a mobile home.

**RECREATIONAL VEHICLE PARK:** Any area or tract of land where one or more recreational vehicle lots or spaces are rented or held for rent.

**RESORT ACCESSORY USE:** Means a use other than an enclosed building that is customarily

incidental to a resort such as a swimming pool, shuffleboard court, miniature golf course, tennis court, frisbee golf course, golf driving range, golf putting course, jogging trail, volleyball or basketball court, pavilion, gazebo, and playground. Boat slips and fuel facilities are not considered accessory uses.

**RESTAURANT:** A commercial establishment at which food is prepared for consumption on or off the premises.

**SCREENING DEVICE:** Any wall or fence which does not contain openings and is constructed so as to create a visual barrier.

**SETBACK:** The minimum required horizontal distance between the property line and the corresponding wall or any projection of a building, excluding uncovered steps, uncovered balconies, uncovered porches, and roof overhangs that are in accordance with the building code.

**SHORT-TERM OCCUPANCY:** Occupancy of a dwelling unit for less than 30 days. For purposes of this chapter, this term does not include occupancy by house guests for which no compensation of any kind is involved in the occupancy.

**SPECIAL USE PERMIT:** A permit issued for a specific use or structure in accordance with the special use permit procedures in this chapter.

**STRUCTURE:** Anything constructed, assembled, or erected, the use of which requires location on the ground or attachment to something having location on or in the ground.

**TOWNHOUSE:** Means a structure on a separately platted lot, which is one of a series of three (3) or more attached dwelling units designed and used for single-family occupancy, which dwelling units are structurally connected, immediately adjacent to and abutting each other, and which have their own front and rear access to the outside. No dwelling unit is located over another unit. A condominium apartment (as defined in Section 81, Tex. Prop. Code) in a condominium structure may be considered a townhouse if no other dwelling unit or use of any kind exists immediately above or below it.

**TRAILER-COMMERCIAL USE:** Every vehicle designed for carrying heavy machinery, vehicles, and equipment used for commercial purposes, and is drawn on the highway by a motor vehicle.

**TRAILER-UTILITY USE:** Every vehicle designed for carrying personal property, or recreational equipment such as golf carts, boats, and motorcycles, and is drawn on the highway by a motor vehicle.

**VEHICLE:** Every device by which any person or property may be propelled, moved or drawn upon a highway.

**VIEW:** a scenic vista of what can be seen from a property at ground level or from a first or second story beyond and above any existing tree line or the allowed maximum building height on an intervening property where a view is being evaluated. Examples of a view include but are not limited to parks, hillsides, open green spaces, golf courses, and a lake.

**WIRELESS COMMUNICATION SYSTEM:** means antennae and antenna support structures for mobile and land based telecommunications facilities including, but not limited to: Whip antennas, panel antennas, microwave dishes and receive-only satellite dishes, cell enhancers and related equipment for wireless transmission from a sender to one or more receivers, such as for mobile cellular telephones, mobile radio systems facilities, commercial mobile radio service and radio or television (commercial only) broadcasting towers and transmitting stations. This definition is inclusive of the placement of the above referenced equipment on a monopole tower, guyed steel lattice tower and any communication tower which does or does not utilize guy wire support in addition to existing buildings or other independent support structures. This system shall also allow as one of its components an unmanned equipment shelter.

**YARD, REQUIRED (SETBACKS):** A yard is the open space area between the building line of a building or structure and the adjacent parallel property line or lines. A required setback is the required minimum distance a building must be located from a lot line, which is unoccupied and unobstructed by any portion of a principal building or accessory structure unless explicitly allowed herein. Reference the definition of Building Line above. A setback is located along a lot line for the minimum depth specified in Table A below for the zoning district in which the property or lot is located.

- (A) **FRONT YARD (SETBACK):** The yard that shall be designated as the front yard is situated immediately adjacent to a right-of-way and contains the main public entry to any single principal building located on the lot. Multiple principal buildings on a single lot shall include building numbers which shall be prominently displayed and visible at night. Notwithstanding the requirements in Section 5.40 below for “double frontage lots,” only one yard shall be designated as the “front yard” and the street address shall reflect that designation. If there is a desire to modify the street address of a “corner lot” or a “double frontage lot,” completion of that process through the 911 addressing authority shall be documented prior to the issuance of building permits that are dependent on the accurate determination of the front yard.
- (B) **REAR YARD (SETBACK):** The yard that shall be designated as the rear yard is situated as directly opposite of the designated front yard as possible. This yard might be defined by a number of distinct property lines that are not geometrically continuous. Nonetheless, like the front yard, each property shall contain only one rear yard and one required rear yard setback, notwithstanding the requirements in Section 5.40 below for “double frontage lots.”
- (C) **SIDE YARD (SETBACK):** All yards that are not designated as front or rear yards shall be considered side yards. The location of the corresponding building lines, including those for corner lots, shall be determined by the minimum required depth perpendicular to the adjacent property line or lines specified in Table A below for the zoning district in which the property or lot is located. However, also see Section 5.40 below.
  - (1) **CORNER LOT SIDE YARD (SETBACK):** Corner lots with a side yard adjacent only to the side yard of another corner lot (developed or vacant) shall have the minimum depth required by Table A below and meet all other requirements applicable to a side yard. The designation of the side yard of an adjacent vacant corner lot shall be determined by the street address current at the time of the permit application.

- (2) **REVERSE CORNER LOT SIDE YARD (SETBACK):** Corner lots with a side yard adjacent to the front yard of another lot (developed or vacant) shall be designated as a reverse corner lot and have the minimum depth required by Table A below and meet all other requirements applicable to a front yard. The designation of the side yard of an adjacent vacant corner lot shall be determined by the street address current at the time of the permit application.

\*\*\*\*\*

5.40 Yards. Yards are the required minimum open areas between building setback lines and lot lines. Structures shall not be permitted in yards except as otherwise provided herein or the building code.

- (A) Front Yards. Front yards extend the full width of the lot. Their depth is measured from the edge of the right-of-way line of the street to the minimum front setback line.
- (B) Rear Yards. Rear yards extend the full width of the lot. Their depth is measured from the rear lot line to the minimum rear setback line.
- (C) Side Yards. Side yards extend from the front yard to the rear yard. Their depth is measured from the side lot line to the nearest minimum side setback line, parallel to the adjacent property line. As Table A includes both a minimum side yard setback and a cumulate minimum side yard setback, the side yard building lines cannot be considered absolute. The cumulative minimum side yard requirement is based on the sum of two side yards only, regardless of the number of property lines that are not geometrically continuous that might define those side yards.
- (D) Through lots/double fronted lots. Lots abutting a street in both the front and rear. In the case of through lots abutting on more than one street, the full width of the front yard shall be provided at each street. Except for double frontage lots that include a landscaped pedestrian path and screening wall as part of the public improvements integral to the development, the rear yard shall meet all other front yard requirements or restrictions, including those related to fences in Section 22 below.
- (E) All garage openings shall have yards of at least 20 feet (a 20-foot setback), measured perpendicular to the nearest property line at a right-of-way and notwithstanding a lesser requirement otherwise specified in Table A below.

\*\*\*\*\*

**TABLE A**

**TABLE OF DEVELOPMENT STANDARDS**

<b>Residential</b>	<b>Max. Impervious Cover %</b>	<b>Min. Living Area (sq. ft.)</b>	<b>Front &amp; Reverse Corner Setback (ft.)</b>	<b>Rear Setback (ft.)</b>	<b>Min. Side-Yard Setback (ft.)</b>	<b>Total Side-Yard Setback (ft.)</b>	<b>Corner Setback (ft.)</b>	<b>Building Height (ft.)</b>
Single-family								
R-0	50	1,200	25	25	0	10	15	15
R-1A	50	1,200	25	25	5	15	15	15
R-1B	50	1,500	25	25	5	15	15	15
R-1C	50	1,700	25	25	5	15	15	15 <sup>2</sup>
R-1D	50	1,200	25	25	5	15	15	18
R-1E	50	1,500	25	25	5	15	15	18
R-1F	50	1,500	25	25	5	15	15	18
R-1G	50	1,800	25	25	5	15	15	18
R-1LL	20	1,500	25 or as shown on a recorded plat whichever is greater.	25	5	15	15	18
R-1M	60		10	15	5	10	10	15
R-1T	50	1,800	25	25	5	15	15	35, not to exceed two stories.
RR-A	60	1,800	25	25	5	15	15	28
R-2 Two-Family	50	900	25	25	5	10	15	15
R-2 Single-	50	1,200	25	25	5	10	15	15

family								
R-4 Multifamily <sup>1</sup> - Apartment and 3 or more attached units.	50	According to Building Code.	25	25	5	10	15	35 and not to exceed three stories.
-Townhouse	50	1,200	25	25	5	10	15	25
-Two-Family	50	900	25	25	5	15	15	25
-Single-family	50	1,200	25	25	5	10	15	25
Townhomes in CR	60	980	20	5	5	10	5	28
Condominiums in CR	60	700	20	5	5	10	5	28

<sup>1</sup> In R-4, multifamily, two-family and/or single-family detached buildings may be constructed on the same lot. In that case, the separation between buildings on the R-4 lot shall be governed by the building code. The standards above for buildings in R-4 relate to the lot the structures would be constructed upon.

<sup>2</sup> Building height is 18' in the subdivision platted as The Cove at Lago Vista, only.

TABLE A								
TABLE OF DEVELOPMENT STANDARDS								
Commercial	Max. Impervious Cover %	Min. Living Area (sq. ft.)	Front & Reverse Corner Setback (ft.)	Rear Setback (ft.)	Min. Side-Yard Setback (ft.)	Total Side-Yard Setback (ft.)	Corner Setback (ft.)	Building Height (ft.)
Commercial								
C-1A Low Density**	60		20	10	5	10	15	28
C-1C Low Density	60		25	25	10	20	25	28
C-2 Intense	60	Buildings meet C-1C standards						28
C-3 Marina	60	Buildings meet C-1C standards						25
		Boat slips 20' above water surface						

C-4 Airport*		Buildings meet C-1C standards — —							
	Lots 1–21	100	750 if provided	25*	0	0			
	Lots 22–43	100	750 if provided	7.5*	0	0			
	Lots 44–47	100	750 if provided	25*	0	0			
	Lots 48–56 <sup>3</sup>	100	750 if provided	0*	20*	0			
( <sup>3</sup> includes 12 un-parcels between 44 & 52 contiguous to Lot 57)									
C-6 Large Commercial / Retail Super Store		60	Buildings meet C-1C standards — —						54
CR Resorts				25	25	10	20	25	28
Condominiums		60	700	20	5	5	10	5	28
Townhouses		60	980	20	5	5	10	5	28
Hotel or Motel and all other uses.		same as C-1C standards — —							

Lots 1-21 front setback is from Rolling Hills. Lots 44-47 front setback is from Rawhide and Bar K. Lots 22-43, 7.5 ft. from Rawhide.

<sup>3</sup> Lots 48-56 front setback is from property line facing runway and rear setback is from opposite side/rear of lot. There is no setback for a hangar fronting a taxiway.

\*\* In the area platted as Lago Vista Travis Plaza, impervious cover excludes the area of the 66 ft. wide common parking area as shown in the plat for this property. Front setback in Lago Vista Travis Plaza is 10 feet from Dawn Drive.

**TABLE A**

**TABLE OF DEVELOPMENT STANDARDS**

<b>Utility, Governmental, Educational, Institutional</b>	<b>Max. Impervious Cover %</b>	<b>Min. Living Area (sq. ft.)</b>	<b>Front &amp; Reverse Corner Setback (ft.)</b>	<b>Rear Setback (ft.)</b>	<b>Min. Side- Yard Setback (ft.)</b>	<b>Total Side- Yard Setback (ft.)</b>	<b>Corner Setback (ft.)</b>	<b>Building Height (ft.)</b>
U-1	60		25	25	10	20	25	60
Park								
P-1A, Undeveloped	No structures allowed except for barbeque pits, small picnic shelters, bathhouses, game courts and/or restroom facilities							
P-1B, Developed	Buildings meet C-1C standards —							
P-1C, Campground	Buildings meet C-1C standards —							
P-2. Parks/ Greenbelts	No buildings allowed							
Golf Course and Country Club	Buildings meet C-1C standards —							
Temporary, Restricted								
TR-1	No development allowed							
Light Industrial (LI)	60%		25	25	10	20	25	35

\*\*\*\*\*