

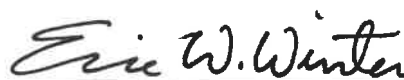
CITY OF HORSESHOE BAY

PLANNING AND ZONING COMMISSION NOTICE OF REGULAR PUBLIC MEETING

March 5, 2019

Notice is hereby given to all interested members of the public that the Horseshoe Bay Planning and Zoning Commission will hold a Regular Public Meeting on Tuesday, March 5, 2019 in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas. The Regular Public Meeting will begin at 3:00 p.m. The agenda for the Regular Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes)
3. Approval of Minutes of the February 5, 2019 Regular Meeting
4. Distribution of approved 2019 P&Z Meeting Schedule
5. Review, discussion and possible action on recommendation to the City Council regarding a Zoning Ordinance text amendment to increase the minimum unit sizes for multi-family units in all Zones with R-4 and R-6 Multi-family classifications
6. Review, discussion and possible action on recommendation to the City Council regarding a Zoning Ordinance text amendment to clean up inconsistencies in the Zoning Ordinance
7. Possible items for 2019 P&Z Work Program
8. Adjournment



Eric W. Winter, Development Services Dir.

The Planning and Zoning Commission may go into closed session, if necessary and appropriate, pursuant to the applicable section of the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapter D, on any matter that may come before the Commission that is listed on the Agenda and for which a closed session is authorized. No final action, decision, or vote will be taken by the Commission on any subject or matter while in closed session. Any action, decision or vote will be taken by the Commission only in open meeting.

CITY OF HORSESHOE BAY
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING

February 5, 2019

The Planning and Zoning Commission of the City of Horseshoe Bay held a Regular Meeting in the Council Chambers at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on February 5, 2019, in accordance with the duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

1. Call the Meeting to Order and Establish a Quorum:

Chairman Neil Andrew called the meeting to order at 3:00 p.m. with a quorum of Commission Members as follows:

Present

Chairman Neil Andrew

Vice-Chairman Pat Bouchard

Commission Member Brent Lane

Commission Member Mark Hazelwood

Commission Member Edwin 'Scooter' Lofton

2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes):

Mayor Stephen Jordan, Jerry Gray, Mike Thuss, Craig Haydon, and Ron Mitchell were present but did not choose to speak.

3. Approval of Minutes of the October 30, 2018 Regular Meeting

Pat Bouchard made a motion to approve the October 30, 2018 meeting minutes, seconded by Mark Hazelwood. Scooter Lofton abstained because he was absent. The motion passed unanimously (4-0).

4. Public Approval of 2019 P&Z Meeting Schedule

Scooter Lofton made a motion to approve the 2019 Meeting Schedule, seconded by Pat Bouchard. The motion passed unanimously (5-0).

5. Workshop on Proposed P&Z Work Program for 2019

Development Services Director Eric Winter outlined some of the inconsistencies previously discovered and considered with no action by the Commission in November 2018. Ron Mitchell explained that kitchens are forbidden in casitas to differentiate them from a full housing unit.

Ron Mitchell mentioned that instituting a 15,000 square footage maximum for all buildings would nullify exemption for intensive uses along Highway 71 and at the Clubhouse. Brent Lane proposed excluding Summit Rock from this maximum. Jerry Grey suggested specifically excluding the Clubhouse and Highway 71 corridor in the ordinance text instead of a blanket exemption for the entire Zone.

Eric Winter identified many instances of waterfront lots with zero rear yard setbacks. Ron Mitchell explained this was due to the shallow nature of lots; extending into the water allowed them to be buildable. Also, easements were at one time granted to allow boat dock construction beyond property lines. This can create issues with the bank, but the Resort has options for rectifying these problems.

Pat Bouchard mentioned the previous Commission's decision regarding sizes for multi-family units in the R-4 and R-6 classification, and the dangers of overdoing it on affordable units. Consensus was that R-4 and R-6 should have minimums of 1,200 square feet and 1,500 square feet, respectively, with 20% of the units in a project being eligible for 750 square feet minimum.

Brent Lane mentioned the current and future evolution of Horseshoe Bay and the Hill Country Region in general. He proposed a revisit to the Long-Range Comprehensive Plan by all Commission Members. He and Eric Winter are researching the land use and planning practices of similar successful cities to inform decision making. Brent Lane requested that staff to provide copies of the Comprehensive Plan and the Implementation Guide for discussion at the next meeting.

6. Adjournment

Pat Bouchard made a motion to adjourn the meeting, seconded by Scooter Lofton. The meeting was adjourned at 4:08 p.m.

APPROVED this 5th day of March 2019.

CITY OF HORSESHOE BAY, TEXAS

Neil Andrew, Chairman

ATTEST:

Eric W. Winter, Development Services Director



CITY OF HORSESHOE BAY



2019 PLANNING & ZONING COMMISSION APPROVED MEETING SCHEDULE

Date	Type	Time and Location
1/1/19	No Meeting - Holiday	
2/5/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
3/5/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
4/2/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
5/7/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
6/4/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
7/2/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
8/13/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
9/3/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
10/1/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
10/29/19	Regular P&Z Meeting	3:00 p.m. Council Chambers
11/19/19	Regular P&Z Meeting	3:00 p.m. Council Chambers

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 2019-

**ZONING ORDINANCE TEXT AMENDMENT CHANGING THE
MINIMUM UNIT SIZES FOR MULTI-FAMILY UNITS IN THE R-4 AND
R-6 MULTI-FAMILY CLASSIFICATIONS IN ZONES 2, 3, 4A, AND 5**

AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS AMENDING CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.405(e)(5) IN ZONE 2 APPLEHEAD, SECTION 14.02.406(e) IN ZONE 3 HORSESHOE BAY WEST, SECTION 14.02.406(h)(5)(A) IN ZONE 4A HORSESHOE BAY PROPER, AND SECTION 14.02.407(c)(5) IN ZONE 5 BAY COUNTRY, BY CHANGING THE MINIMUM SIZE FOR A MULTI-FAMILY UNIT FROM 750 SQUARE FEET TO 750 SQUARE FEET FOR A MAXIMUM OF 20% OF UNITS AND TO 1,500 SQUARE FEET FOR A MINIMUM OF 80% OF UNITS IN THE R-4 MULTI-FAMILY CLASSIFICATION AND CHANGING THE MINIMUM SIZE FOR A MULTI-FAMILY UNIT FROM 750 SQUARE FEET TO 750 SQUARE FEET FOR A MAXIMUM OF 20% OF UNITS AND TO 1,500 SQUARE FEET FOR A MINIMUM OF 80% OF UNITS IN THE R-6 MULTI-FAMILY CLASSIFICATION; ELIMINATING THE REFERENCE TO LESS THAN OR MORE THAN 20 LIVING UNITS IN ALL MULTI-FAMILY CLASSIFICATIONS; AND PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING

WHEREAS, the City Council of the City of Horseshoe Bay ("City Council") seeks to continue to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

WHEREAS, the current minimum size for a multi-family unit in both the R-4 and R-6 multi-family classifications are hereby determined to be too small for proper multi-family development and to be in conformance with other non-multi-family classifications in the City, and

WHEREAS, the City Council is of the opinion that increasing the size for multi-family units in both the R-4 and R-6 classifications will be conducive to effectively managing new multi-family development in Horseshoe Bay; and

WHEREAS, the City Council, in the exercise of its legislative discretion has concluded that Chapter 14 Zoning of the City Code of Horseshoe Bay should be amended as herein described.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.405(e)(5)

Section 14.02.405(e)(5) is hereby amended to read as follows:

(5) Minimum dwelling unit size. Each and every dwelling unit on the premises shall consist of a maximum of twenty percent (20%) of units at 750 square feet and a minimum of eighty percent (80%) of units at fifteen hundred (1,500) square feet of living area.

III. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406(e)(5)

Section 14.02.406(e)(5) is hereby amended to read as follows:

(5) Minimum dwelling unit size. Each and every dwelling unit on the premises shall consist of a maximum of twenty percent (20%) of units at 750 square feet and a minimum of eighty percent (80%) of units at fifteen hundred (1,500) square feet of living area.

IV. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTIONS 14.02.406(h)(5)(A)

Sections 14.02.406(h)(5)(A) is hereby amended to read as follows:

(5) Minimum dwelling unit size. The minimum living area of each dwelling unit in any multiple dwelling complex shall be as follows:

(A) Apartments. Each and every dwelling unit on the premises shall consist of a maximum of twenty percent (20%) of units at 750 square feet and a minimum of eighty percent (80%) of units at fifteen hundred (1,200) square feet of living area.

V. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.407(c)(5)

Section 14.02.407(c)(5) is hereby amended to read as follows:

(5) Minimum dwelling unit size. Each and every dwelling unit on the premises shall consist of a maximum of twenty percent (20%) of units at 750 square feet and a minimum of eighty percent (80%) of units at fifteen hundred (1,500) square feet of living area.

VI. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.415(c) TRACT TWO AND TRACT 3

Section 14.02.415(c) TRACT TWO AND TRACT THREE are hereby amended by adding the following to each:

TRACT TWO Minimum dwelling unit size: A maximum of twenty percent (20%) of units at 750 square feet and a minimum of eighty percent (80%) of units at fifteen hundred (1,500) square feet of living area.

TRACT THREE Minimum dwelling unit size: A maximum of twenty percent (20%) of units at 750 square feet and a minimum of eighty percent (80%) of units at fifteen hundred (1,500) square feet of living area.

VII. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VIII. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

IX. EFFECTIVE DATE

This Ordinance shall be and become effective from and after its date of passage and publication as may be required by governing law.

X. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public 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.

ADOPTED AND APPROVED on this the 19th day of March, 2019 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

Stephen T. Jordan, Mayor

Attest:

Kerri Craig, City Secretary



CITY OF HORSESHOE BAY
PLANNING & ZONING COMMISSION
MARCH 5, 2019

To: Planning & Zoning Commission
Thru: Stan R. Farmer, City Manager
From: Eric W. Winter, Development Services Director
RE: Ordinance 2019-__ An Ordinance of the City of Horseshoe Bay, Texas Amending Chapter 14 Zoning, Article 14.02 Zoning Ordinance,

The attached Amendment consolidates all of the Commission Members' suggested amendments to resolve identified inconsistencies in the Zoning Ordinance. The Amendment includes the following changes:

1. Eliminating the weight of planes in Zone 15 Airport;
2. Eliminating Guest House in the Definitions Section;
3. Changing Guest House and Guesthouse to Casita in 5 Sections;
4. Deleting Zone 14 HSB Blvd. Corridor in its entirety and assigning all of the Planned Development (PD) authorizations to the same individual lots in Zone 4A Horseshoe Bay;
5. Eliminating references to less than ½ acre and more than ½ acre and providing standard regulations for any size lot in the C-2 Classification;
6. Adding a new Section restricting the maximum size for all buildings in all Zones, except for clubhouses and for property along Hwy. 71 in Zone 12 Summit Rock, and requiring a Variance from the Board of Adjustment for larger buildings;
7. Adding to the definition for Casita that no complete kitchens are allowed;
8. Adding a new Section for the R-4 Multi-family classification in Zone 6 Pecan Creek;
9. Adding a new Section that requires a zero foot rear yard setback on all waterfront lots where none are shown on the plats; and
10. Adding a new definition for golf cart storage garage and a new Section treating it as an accessory structure.

Staff is not aware of any objections to these changes and recommends approval of the Ordinance.

Enclosures: Draft Ordinance 2019-__: Cleaning Up Zoning Inconsistencies

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 2019-

**TEXT AMENDMENT TO THE ZONING ORDINANCE CLEANING UP
VARIOUS INCONSISTENCIES**

AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS AMENDING CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, ELIMINATING SECTION 14.02.418(B)(1) REGARDING WEIGHT OF PLANES IN ZONE 15 AIRPORT; ELIMINATING GUEST HOUSE IN SECTION 14.02.002 DEFINITIONS – ACCESSORY STRUCTURE, CHANGING GUEST HOUSE TO CASITA IN SECTION 14.02.409(A)(3) AND CHANGING GUESTHOUSE TO CASITA IN SECTION 14.02.414(D)(5)(A)(III), SECTION 14.02.414(D)(5)(C)(II), SECTION 14.02.420(B)(1)(B) AND SECTION 14.02.420(B)(1)(C); DELETING ZONE 14 HSB BLVD. CORRIDOR AND ASSIGNING ALL PLANNED DEVELOPMENT (PD) AUTHORIZATIONS TO THE SAME INDIVIDUAL LOTS IN ZONE 4A HORSESHOE BAY; ELIMINATING REFERENCES TO LESS THAN ½ ACRE AND TO MORE THAN ½ ACRE IN ALL C-2 CLASSIFICATIONS IN ALL ZONES AND PROVIDING REGULATIONS FOR ALL SIZES OF COMMERCIAL LOTS; ADDING NEW SECTION 14.02.402(A)(13) MAXIMUM BUILDING SIZE OF 15,000 SQUARE FEET FOR BUILDINGS IN ALL CLASSIFICATIONS EXCEPT CLUBHOUSES, IN ALL ZONES EXCEPT FOR PROPERTY IN ZONE 12 ALONG HWY. 71, WITH LARGER BUILDINGS REQUIRING APPROVAL OF A VARIANCE BY THE BOARD OF ADJUSTMENT, AND DELETING AREA OF BUILDING SECTIONS IN ALL CLASSIFICATIONS EXCEPT CLUBHOUSES, IN ALL ZONES EXCEPT ZONE 12; ADDING TO THE DEFINITION FOR CASITA IN SECTION 14.02.002 DEFINITIONS THAT NO COMPLETE KITCHENS ARE ALLOWED; ADDING NEW SECTION 14.02.408(E) FOR THE R-4 MULTI-FAMILY RESIDENTIAL CLASSIFICATION IN ZONE 6 PECAN CREEK AND RENUMBERING CURRENT SECTIONS ACCORDINGLY; ADDING NEW SECTION 14.02.402(B)(15)(U) REQUIRING NO REAR YARD SETBACKS ON WATERFRONT LOTS WHERE NONE ARE SHOWN ON THE PLATS FOR THOSE LOTS; ADDING NEW DEFINITION FOR GOLF CART STORAGE GARAGE TO SECTION 14.02.002 DEFINITIONS AND ADDING NEW SECTION 14.02.402(B)(14)(E) FOR GOLF CART STORAGE GARAGES AS RESIDENTIAL ACCESSORY STRUCTURES; AND PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING

WHEREAS, the City Council of the City of Horseshoe Bay seeks to continue to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

WHEREAS, Zoning Ordinance Amendments are used to clean up current language and add new regulations; and

WHEREAS, the Horseshoe Bay Planning and Zoning Commission has found that Chapter 14 Zoning of the City Code of Ordinances needs to be amended to clean up a number of inconsistencies in the Ordinance and add new Sections to provide additional clarity regarding the regulations; and

WHEREAS, the City Council, in the exercise of its legislative discretion has concluded that Chapter 14 Zoning of the City Code of Horseshoe Bay should be amended as herein described.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, ELIMINATING SECTION 14.02.418(b)(1)

Section 14.02.418(b)(1) is hereby deleted.

III. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.002

Section 14.02.002 Definitions is hereby amended as follows:

Accessory building. A subordinate building, constructed or erected, the use of which is clearly incidental to, or customarily found in connection with, and located on the same lot as, the use of the main building or principal use of the land. Accessory buildings include casitas, and garages. An accessory building is an accessory structure.

Casita. An accessory structure with living facilities, except for the absence of a stove or oven, which does not make it a complete kitchen, and thus a second residential unit on the lot.

IV. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.409(a)(3), SECTION 14.02.414(d)(5)(A)(iii), SECTION 14.02.414(d)(5)(C)(ii), SECTION 14.02.420(b)(1)(B), AND SECTION 14.20.420(b)(1)(C)

Section 14.02.409(a)(3) is hereby amended to read as follows:

(3) Garages and carports. All lots shall provide for at least a three (3) car garage of no less than seven hundred fifty (750) square feet per dwelling unit. No garage will face Estate Drive, as shown on the map of Zone 7, unless it is unfeasible to do so. The garage may be detached from the dwelling unit or may be by a breezeway. Any garage may also have servant's quarters, a studio, a casita, or other similar use.

Section 14.02.414(d)(5)(A)(iii) is hereby amended to read as follows:

(iii) Casita maximum of [four] (4) per acre and maximum of 10 per tract;

Section 14.02.414(d)(5)(C)(ii) is hereby amended to read as follows:

(ii) The principal structure and any casita shall provide total side yards of not less than ten (10) feet with not less than five (5) feet on one (1) side. Corner lots shall maintain a minimum setback of fifteen (15) feet from the side street line;

Section 14.02.420(b)(1)B) is hereby amended to read as follows:

(B) Accessory structures, including: (i) one structure for farming and/or ranching purposes provided the total square footage of the structure (excluding casita) does not exceed two (2) times the square footage of the authorized or completed (whichever is greater) dwelling on said tract, excluding the carport or garage; (ii) one attached or detached casita per tract provided such casita shall not exceed one-half (1/2) of the square footage of the authorized or completed (whichever is greater) dwelling on said tract. In addition, the accessory structures may include one or more covered semi-enclosed areas or sheds not exceeding in the aggregate two (2) times the area of the carport or garage attached to the dwelling.

Section 14.02.420(b)(1)C) is hereby amended to read as follows:

(C) In addition, each dwelling and accessory structure (including casita) must also meet the requirements of The Hills ACC board with respect to aesthetic compatibility and conformity with the overall development of the land.

**V. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING
ORDINANCE, DELETING SECTION 14.02.417 ZONE 14 HSB BLVD. CORRIDOR
AND ASSIGNING ALL PLANNED DEVELOPMENT (PD) AUTHORIZATIONS TO
THE RESPECTIVE LOTS IN ZONE 4A HORSESHOE BAY**

Section 14.02.417 is hereby deleted and the Planned Development (PD) Authorizations for the following lots in this Zone are assigned to the same individual lots in Zone 4A Horseshoe Bay:

Tract 1 - Tract CCC-1 of Horseshoe Bay Plat No. 21.16, with PD Authorization from Ordinance No. 07-10-16E;

Tract 2 – Lot 28005-A of Horseshoe Bay Plat No. 28.44 and Tract J-9 of Horseshoe Bay Plat No. 28.48 – PD Authorization - None

Tract 3 – Tract J-5 of Horseshoe Bay Plat No. 28.36 - PD Authorization - None

Tract 4 – Tract J-7 of Horseshoe Bay Plat No. 28.49 - PD Authorizations:

1. Maximum Building Height: Thirty-five (35) feet above grade.
2. Area of Building: Ground floor area of a building or structure shall not exceed 30,000 square feet. Building area shall not exceed sixty percent (60%) of the area of the lot.
3. Spacing: Commercial structures shall be spaced a minimum of thirty (30) feet apart, excluding accessory structures, i.e. Resort Member and Guest Service Areas and Break-out Areas of associated use with their principal commercial structure.
4. Fencing Height: Fences for recreational uses may have a maximum height of ten (10) feet above the playing surface.
5. Building Setbacks: Three (3) fifteen (15) foot areas as depicted in the Concept Plan.
6. Landscape Buffer: A five (5) foot landscape buffer including water features will be provided.

Tract 5 - Lot 28043-C of Horseshoe Bay Plat No. 28.52 with PD Authorizations:

1. Building Setbacks: Setbacks shall be a minimum of ten (10) feet, except that the front yard setback shall be twenty (20) feet.
2. Parking: Off-site parking shall be allowed to be counted in fulfilling parking requirements.
3. Building area shall not exceed eighty percent (80%) of the area of the lot.
4. The street will be dedicated to public use by a note on the replat.
5. Building Height: Building height shall be a maximum of one story

Tract 6 - Lot 28026-A of Horseshoe Bay Plat No. 28.51 with PD Authorization: Surface parking lot

Tract 7 – Lot 28026-A of Horseshoe Bay Plat No. 28.50 with PD Authorization: Surface parking lot

Tract 8 – Lot 15061-A of Horseshoe Bay Plat No. 15.70 with PD Authorizations:

1. Surface Parking and Garage Parking up to three (3) stories and thirty (30) feet above grade. There will only be one entrance or exit off Port Street, and the entrance or exit will be prior to the cul-de-sac on Port Street. The City will have the right to approve the architectural appearance and landscaping.

Tract 9 – Tract J-8 of Horseshoe Bay Plat No. 28.51 with PD Authorizations:

1. Maximum Building Height thirty five (35) feet above the highest natural contour.
2. Floor area: Ground floor area of building or structure shall not exceed 30,000 square feet.
3. Spacing: Commercial structures shall be spaced a minimum of thirty (30) feet apart, excluding accessory structures, i.e. Resort Member Guest Service Areas and Break-out Areas of associated use with their principal commercial structure. Off-site parking shall be allowed in fulfilling parking requirements
4. Parking: Parking spaces will be provided at the various facilities, except for the Lazy River. For the Lazy River off-site parking shall be allowed to be counted in fulfilling parking requirements.
5. Fencing Height: Fences for recreational uses may have a maximum height of ten (10) feet above playing surface.
6. Landscaping Buffer: A five (5) foot landscape buffer including water features will be provided adjacent to the Courtside Townhouses.

Tract 10 - Tract BBB-3 Horseshoe Bay Plat No. 15.27 with PD Authorization: Surface parking lot

Tract 11A - Lot 15041–A, Horseshoe Bay Plat No. 15.63 with PD Authorization: Surface parking

Tract 11-B - Tract AAA-5 Horseshoe Bay Plat No. 64.2 with PD Authorization: Surface parking, and may be a parking garage up to 3 stories above grade

Tract 12 - 6.10 acres of Tract AAA-2A, Horseshoe Bay, Plat No. 64.3 recorded in Volume 15, Page 56 Llano County, only 4.13 acres of which lies beyond the 825' contour of Lake Lyndon B. Johnson with PD Authorizations:

1. Members Club Complex
2. Height: Maximum Building Height of Forty five (45) feet above grade.
3. Area: Ground floor area of a building or structure shall not exceed 40,000 square feet. Building area shall not exceed eighty five percent (85%) of the area of the lot.
4. Spacing: Commercial structures shall be spaced a minimum of thirty (30) feet apart, excluding accessory structures, i.e. Resort Member and Guest Service Areas and Break-Out Areas of associated use with their principal commercial structure.
5. Parking: Off-site parking may be counted in fulfilling parking requirements.
6. Fencing Height: Fences for recreational uses may have a maximum height of eight (8) feet above playing surface.
7. Building Setbacks: None required.
8. Developer shall have the right to build beyond the 825' foot contour line of Lake Lyndon B. Johnson, subject to other legal requirements.

Tract 13 – Tract AAA-2B of Horseshoe Bay Plat No. 64.4 - with PD Authorizations:

1. Marina
2. Uses Permitted:
 - a.) Commercial boat slips
 - b.) Day Docks
 - c.) Board Walks
 - d.) Fuel Sales and Storage
 - e.) Boat Launch
 - f.) Boat Storage
 - g.) Restaurants
 - h.) Retail
 - i.) Marina Rentals
 - j.) Boat Sales
3. Parking: For floating boat slips, one (1) parking space is required for every ten (10) floating boat slips. Off-site parking may be counted in fulfilling parking requirements.
4. Building setbacks: None required.

Tract 14 - Lot 15030 Horseshoe Bay, Plat No. 15.1 – PD Authorization: None

VI. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406(j)(2), SECTION 14.02.406(j)(3), SECTION 14.02.408(e)(2), SECTION 14.02.408(e)(3), SECTION 14.02.411(e)(2), SECTION 14.02.411(e)(3), SECTION 14.02.412(e)(2), SECTION 14.02.412(e)(3), SECTION 14.02.414(d)(10)(B) AND SECTION 14.02.414(d)(10)(C)

Section 14.02.406(j)(2), Section 14.02.406(j)(3), Section 14.02.408(e)(2), Section 14.02.408(e)(3), Section 14.02.411(e)(2), Section 14.02.411(e)(3), Section 14.02.412(e)(2), Section 14.02.412(e)(3), Section 14.02.414(d)(10)(B) and Section 14.02.414(d)(10)(C) are hereby deleted in their entirety and the following is added as new Section 14.02.406(j)(2), new Section 14.02.408(e)(2), new Section 14.02.411(e)(2), new Section 14.02.412(e)(2) and new Section 14.02.414(10)(B):

The following provisions shall be applicable to all land within this Zone classified as C-2 General

Commercial:

- (A) Maximum building height. The maximum building height shall be thirty-five (35) feet above the highest natural contour of the applicable lot, except clubhouses which shall be limited to thirty-two (32) feet.
- (B) Maximum area of building. Building area shall not exceed sixty percent (60%) of the area of the lot.
- (C) Exterior walls. All buildings or structures shall have one hundred percent (100%) masonry covering on all exterior walls, excluding doors and windows, except clubhouses which must have exterior walls of at least fifty percent (50%) masonry covering.
- (D) Landscaping. Provision of landscaping between parking areas and main access areas, except for access driveways. All parking lots must be landscaped. See Diagram 1 for example.

VII. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, ADDING NEW SECTION 14.02.402(a)(13)

Section 14.02.402(a)(13) is hereby added to read as follows:

- (13) Maximum building size.
 - (i) In all Zones except for property in Zone 12 Summit Rock along Hwy. 71, the maximum building size for any building, except clubhouses in any classification is fifteen thousand (15,000) square feet.
 - (ii) Projects larger than 15,000 square feet require a Variance from the Board of Adjustment.
 - (iii) The following Sections for Area of Building are hereby deleted:
 - (1) Section 14.02.406(j)(2)(C)
 - (2) Section 14.02.407(d)(2)(D)
 - (3) Section 14.02.411(e)(2)(D)
 - (4) Section 14.02.412(e)(2)(D)
 - (5) Section 14.02.414(d)(10)(B)(iii)

VIII. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.408(e)

Section 14.02.408(e) is hereby added to read as follows:

- (e) The following provisions shall be applicable to all land within Zone 6 classified as R-4 Multiple Residential:
 - (1) Uses permitted.
 - (A) Any use permitted in the R-1 area that meets the requirements of the R-1 classification and any use permitted in the R-2 area;
 - (B) Multiple-family dwellings and/or apartment houses;
 - (C) Accessory structures necessary to such use located on the same lot.

(D) Recreational uses as allowed in the A-1 recreational classification.

(2) Maximum building height. The maximum building height shall be thirty-two (32) feet above the highest natural contour of the applicable lot.

(3) Minimum yard requirements. Except where there is specifically called out on an approved plat, which specification shall control, the following shall apply:

(A) Front yard setbacks shall conform to a minimum depth of twenty-five (25) feet from the front lot line to the closest structural projection, including porches, but not including eaves, overhangs, planters, or fireplaces.

(B) A side yard setback shall be maintained of at least five (5) feet in depth from all side lot lines to the building line of any structure. Corner lots shall maintain a minimum setback of twenty-five (25) feet wide from the side street line.

(C) A rear yard shall be maintained to at least fifteen (15) feet from the rear lot line to the nearest building line.

(4) Maximum area of dwelling. Notwithstanding uses permitted herein, no more than fifty percent (50%) of the total lot area shall be used for the dwelling and other structures.

(5) Minimum dwelling unit size. Each and every dwelling unit on the premises shall consist of a minimum of 80% of units with fifteen hundred (1,500) square feet of living area, and a maximum of 20% of units with a minimum of 750 square feet.

(6) Parking regulations. All multifamily dwellings or structures must provide a minimum of two (2) parking spaces for each dwelling unit or apartment. Such parking spaces shall be ten feet (10') wide and twenty feet (20') long. Under no circumstances will any parking be permitted within the setback areas adjacent to streets or on the streets.

IX. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.402(b)(15)(U)

Section 14.02.402(b)(15)(U) is hereby added to read as follows:

(U) Rear yard setbacks for waterfront lots in all Zones. Rear setbacks for waterfront lots are zero (0) feet, where no setbacks are shown on the plats for those lots.

X. AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.002 DEFINITIONS

Section 14.02.002 is hereby amended by adding the definition as follows:

Golf cart storage garage. A small separately designed garage for golf cart storage attached to a required garage.

AMENDMENT OF CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, ADDING NEW SECTION 14.02.402 (b)(14)(e)

Sections 14.02.402(b)(14)(e) is hereby added to read as follows:

(e) Golf cart storage garages are an accessory structure in all residential classifications.

XI. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

XII. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

XIII. EFFECTIVE DATE

This Ordinance shall be and become effective from and after its date of passage and publication as may be required by governing law.

XIV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public 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.

ADOPTED AND APPROVED on this 19th day of March, 2019 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

Stephen T. Jordan, Mayor

Attest:

Kerri Craig, City Secretary