



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** October 5, 2020

**SUBJECT:** Work Session on Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) and the City's Raw Water Policy

Recently, Mayor Pruitt requested that staff review Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*the takeline ordinance*] and the City's *Raw Water Policy*, and bring forward changes that could: [1] provide clearer requirements with regard to the land uses, building materials, and construction standards permitted within the takeline, and [2] provide incentive for more property owners to pursue takeline leases. Based on this direction, staff has prepared the attached amendments to *the takeline ordinance* and the proposed new *Raw Water Policy*.

A summary of the proposed changes to *the takeline ordinance* is provided on the front of the proposed amendment under the *Change Log* heading, but this amendment is basically a complete overhaul of the language currently contained in this section of the Unified Development Code (UDC). Some of the major changes are summarized as follows:

- (1) The way in which the visual measurement for view corridors are currently calculated was changed to allow a larger buildable area for lots with longer linear frontages of shoreline. Currently, the view corridor is calculated from a projection that starts at a central point in the adjacent property owner's rear yard, and projects outward into the takeline at a 36-degree angle. The proposed amendment changes this calculation to a defined point in the center of the takeline -- *at the quarter point* --, and projects this point back to the corners of the subject property. The advantages of this projection system are that it is easier for property owners and staff to calculate quickly, and it yields similar results as the previous projection calculation. For lots with over 100-feet of takeline frontage, this point starts 30-feet from the side yard of the takeline area and then projects back to the corner of the subject property. By doing this, the buildable area on these larger lots is increased in the *435.5-Elevation Zone*, and allows the property owners leasing these areas the ability to construct certain structures in the center of the takeline area closer to the water's edge.
- (2) New language addressing *Residential Sublease Agreements* and the costs of these agreements were added. Staff should also point out that the fees for these agreements were reduced as follows:

Lease	Current Fees	Proposed Fees
New Lease ( <i>i.e. Never Leased by Current Owner</i> )	\$600.00	\$200.00
Annual Renewal of a Lease	\$350.00	\$100.00
Change of Ownership of a Valid Lease	\$350.00	\$50.00
Reinstatement of an Expired Lease ( <i>i.e. Same Property Owner</i> )	\$600.00	\$500.00

The purpose of this reduction is to incentivize more property owners to pursue *Residential Sublease Agreements*. In addition, all of the permitted land uses (*with the exception of municipal utilities*) now require the property owner to have a valid *Residential Sublease Agreement*.

- (3) Sea walls were added to the permitted land uses section of the ordinance. In addition, certain land uses now would require the construction of a sea wall prior to their establishment.

In addition to this amendment, staff has prepared a new *Raw Water Policy* that states that the City will not issue authorization letters to the City of Dallas for a *Raw Water Permit* unless the property owner provides [1] a letter of understanding to the City of Rockwall, [2] is in good standing with the City of Rockwall (*i.e. has no outstanding code enforcement or zoning violations, outstanding taxes, and etcetera*), and [3] has a valid *Residential Sublease Agreement*. The purpose of this policy is again to incentivize property owners to pursue *Residential Sublease Agreements*.

After reviewing the current *Interlocal Agreement and Lease* between the City of Rockwall and the City of Dallas, staff is confident that the proposed changes to both *the takeline ordinance* and the *Raw Water Policy* can be adopted without requiring oversight or consent from the City of Dallas. With this being said there is one (1) remaining issue that will need to be addressed by the City Council. Currently, the existing *Residential Sublease Agreements* contain the sublease fees, and a new *Residential Sublease Agreement* for all property owners under existing subleases would be required to subjugate said property owners to the new fees. In addition, after reviewing the current *Residential Sublease Agreement* staff is of the opinion that the agreement needs to be updated, and has asked the City Attorney to review the document. Based on this, staff would suggest that the City Council consider offering *Residential Sublease Agreements* to all property owners that are eligible to lease the takeline area and waive the *New Lease* fee for a set period of time. This will allow property owners with existing agreements to enter into the new agreement without incurring additional cost, and incentivize property owners without a *Residential Sublease Agreement* to enter into a new agreement.

To summarize the above, staff is requesting direction concerning whether the City Council is comfortable: [1] directing staff to amend the Unified Development Code (UDC) with the proposed changes to *the takeline ordinance*, [2] returning to the City Council for action on the *Raw Water Policy* at the October 19, 2020 City Council meeting, and [3] revising the current *Residential Sublease Agreement* and offering it to no cost to all eligible properties for a defined time period. Should the City Council have any questions staff will be available at the October 5, 2020 work session meeting.





# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*  
Amy Williams, *City Engineer/Director of Public Works*  
Jeffery Widmer, *Chief Building Official*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** August 21, 2020

**SUBJECT:** Policy for Raw Water Permits along the Lake Ray Hubbard Takeline

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According to Subsection 'F' of Section III, *Subleasing in Residential Areas*, of the *Interlocal Agreement and Lease* between the City of Dallas and the City of Rockwall, "(d)omestic raw water permit requests from, and construction activities of sublessee will be reviewed and approved by Dallas through its normal permitting process." As part of this process, the City of Dallas requires the applicant to provide a letter from the City of Rockwall stating that the City has no objection to the use of raw water pumped from Lake Ray Hubbard (*see Exhibit 'A'*). In the furtherance of promoting takeline leases, staff proposes the following policy for the City Council's consideration:

#### Raw Water Permit Policy

It shall be the policy of the City of Rockwall to not issue letters of authorization for raw water permits to the City of Dallas on behalf of property owners, unless said property owner [1] provides a letter of understanding to the City of Rockwall (*outlined below*) [2] is in good standing with the City, and [3] has a valid *Residential Sublease Agreement* with the City. In this case, good standing with the City shall be defined as a property that has no active code enforcement issues, outstanding balances owed to the City for City services, outstanding unpaid taxes (*i.e. balances past due*), or any other issue that may prohibit a City Official from issuing a letter of authorization. The letter of understanding provided by the property owner to the City of Rockwall shall state that no cross connection between an irrigation and/or domestic water system and a system used for raw water will be established. The letter should also state that the property owner acknowledges that once a system has been connected to a raw water source it cannot be reconnected to the City's water system without a testable backflow prevention device being installed at the point of connection between the existing irrigation system and the domestic water supply or after the irrigation meter (*if the irrigation system is on a separate water meter than the water meter supplying the house*). A template for this letter has been provided in *Exhibit 'B'* of this ordinance.



City of Rockwall  
*The New Horizon*

July 29, 2019

Jim Pruitt  
209 Stonebridge  
Rockwall, TX 75087

Re: City of Dallas raw water pump permit

Mr. Pruitt,

The City of Rockwall has no objections to you seeking or acquiring a raw water permit from the City of Dallas.

Please be aware however, installation of an irrigation system and any electrical work associated with energizing the pump requires a permit from the City of Rockwall. Our Building Inspections Department would be happy to assist you in submitting the appropriate permit applications and obtaining the applicable permits.

Sincerely,

Jeffrey Widmer, CBO  
Building Official  
City of Rockwall, TX.  
(972) 772-6453  
jwidmer@rockwall.com

385 South Goliad, Rockwall, TX 75087

972.771.7700

[www.rockwall.com](http://www.rockwall.com)

Exhibit 'B': Example of Letter of Understanding

DATE

TO: Jeffery Widmer  
Chief Building Official  
City of Rockwall  
Rockwall, TX 75087

FROM: Property Owner Name  
Property Owner Address  
Rockwall, TX Zip Code

SUBJECT: Letter of Understanding for a Raw Water Connection

Mr. Widmer:

This letter is to acknowledge that I -- *Property Owner Name* the owner of the property at *Property Address* -- understand the following concerning my request for a *Raw Water Permit* from the City of Dallas:

- (1) Once I establish a raw water system, no cross connection between this system and the City of Rockwall's water system may be established at any time.
- (2) Once an irrigation or water system has used a raw water source, the system may not be connected or reconnected to the City of Rockwall's water system unless it is disconnected from the raw water source and a testable backflow prevention device is installed at the point of connection between the existing irrigation system and the domestic water supply or after the irrigation meter (*if the irrigation system is on a separate water meter than the water meter supplying the house*).

Based on this understanding, I respectfully request a letter of authorization from the City of Rockwall for the purpose of pursuing a *Raw Water Permit* from the City of Dallas. I further understand that if my *Residential Sublease Agreement* expires or is terminated that I will have 30-days to remove any structures and/or improvements from the expired or terminated lease area, and return the area to a predeveloped condition.

Sincerely,

Property Owner Name

## STRUCTURE OF ORDINANCE CHANGE

### SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) PURPOSE
- (B) BOUNDARIES
- (C) APPLICABILITY
- (D) DEFINITIONS
- (E) VISUAL MEASUREMENTS FOR VIEW CORRIDORS
- (F) GENERAL REQUIREMENTS
- (G) RESIDENTIAL SUBLEASE
- (H) PERMITTED USES
- (I) SPECIFIC USE PERMITS (SUPS)
- (J) SPECIFICATIONS FOR PERMITTED LAND USES
  - (1) BARBECUE PIT
  - (2) BOATHOUSE
  - (3) COVERED PATIO
  - (4) DECK
  - (5) DOCK DECK
  - (6) FENCE
  - (7) FLAGPOLE
  - (8) FIXED PIER
  - (9) FIRE PIT
  - (10) GAZEBO
  - (11) LANDING AND STAIRS
  - (12) LANDSCAPING AND RETAINING WALLS
  - (13) MUNICIPAL UTILITIES
  - (14) OUTDOOR LIGHTING
  - (15) PATIO
  - (16) PERGOLA
  - (17) PICNIC TABLE
  - (18) PRIVATE PLAY STRUCTURE
  - (19) PRIVATE UTILITIES
  - (20) PRIVATE WALKWAYS
  - (21) SEAWALL
  - (22) SPRINKLER/IRRIGATION SYSTEM

### SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

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#### CHANGE LOG

- (1) BROKE OUT EACH LAND USE AND STANDARDIZED THE SECTIONS.
- (2) ADDED FIRE PIT AND PICNIC TABLE AND BROKE OUT COVERED PATIO, DECK, PERGOLA, PATIO AND GAZEBO OUT INTO THEIR OWN SECTIONS.
- (3) CHANGED THE MATERIAL REQUIREMENTS FOR ALL STRUCTURES LOCATED IN THE 435.5 & 425.5 ELEVATION ZONES TO ALLOWING ONLY COMPOSITE MATERIALS OR METAL.
- (4) CHANGED THE WAY THE VIEW CORRIDORS WERE CALCULATED AND GAVE A GREATER ALLOWANCE TO PROPERTIES THAT HAVE A MINIMUM OF 100-FEET OF SHORELINE FRONTAGE.
- (5) REQUIRED COVERED PORCHES TO HAVE A CLERESTORY OR CUPOLA.
- (6) LIMITED MATERIALS SO THAT CLOTH, CANVAS, OR LIKE MATERIALS WERE NOT PERMITTED.
- (7) CHANGED THE SUP REQUIREMENT TO GIVE THE CITY COUNCIL GREATER AUTHORITY IN ALLOWING LAND USES AND STRUCTURES IN THE TAKELINE AREA.
- (8) DEFINED WHERE AND WHEN TREES CAN BE PLANTED OR REMOVED.
- (9) LIMITED THE NUMBER OF STRUCTURES PERMITTED IN EACH ZONE.
- (10) ADDED EXAMPLE IMAGES OF ALL PERMITTED LAND USES.
- (11) CHANGED LOCATIONAL REQUIREMENTS FOR STRUCTURES IN THE 435.5 ELEVATION ZONE AND BOAT RELATED STRUCTURES.
- (12) CREATED AN ADMINISTRATIVE EXCEPTION FOR PLACEMENT OF STRUCTURES
- (13) INSERTED A TAKELINE LEASE SECTION THAT OUTLINES THE TAKELINE LEASE FEES.
- (14) REDUCED THE TAKELINE LEASE FEES TO MORE REASONABLE COSTS.
- (15) REQUIRED A SEAWALL FOR CERTAIN STRUCTURES IN CERTAIN ELEVATION ZONES.
- (16) CREATED A SUMMARY CHART FOR PERMITTED LAND USES.
- (17) ADDED AN IMAGE OF AND USE FOR A SEA WALL.

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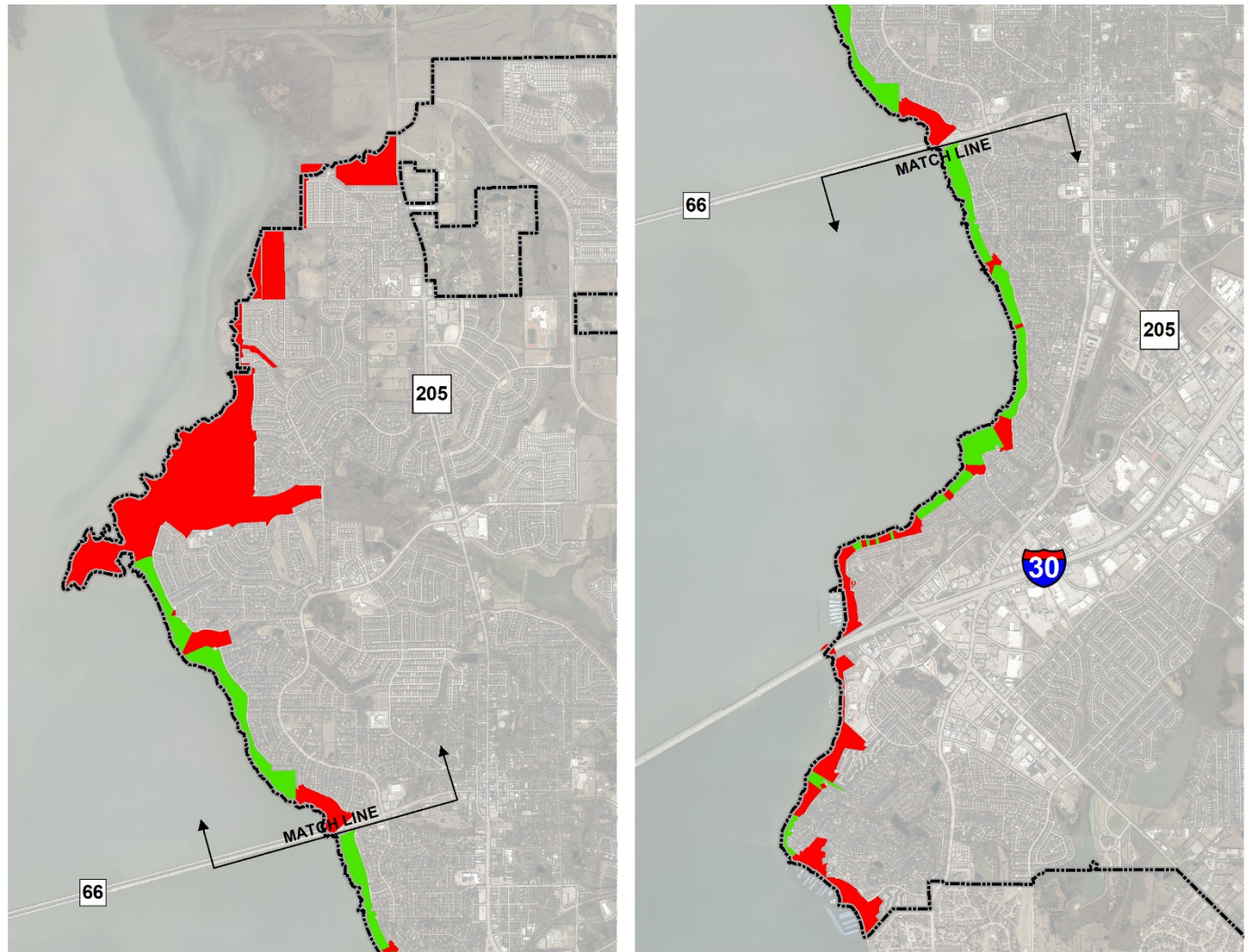
#### NOTES

- (1) I SPOKE WITH THE CITY ATTORNEY ABOUT THE CURRENT ORDINANCE'S LIMITATION ON ONLY ALLOWING THE UNITED STATES FLAG AND THE TEXAS FLAG TO BE FLOWN IN THE TAKELINE AREA. THIS REQUIREMENT IS APPARENTLY NOT ENFORCEABLE; HOWEVER, I LEFT IT IN THE ORDINANCE CHANGE AND AS LONG AS WE DON'T TRY TO ENFORCE IT WE SHOULD BE OK. I SHOULD ALSO NOTE THAT THE CITY OF HEATH ALSO HAS THIS REQUIREMENT IN THEIR TAKELINE ORDINANCE.
- (2) AFTER REVIEW OF THE CURRENT INTERLOCAL AGREEMENT WITH THE CITY OF DALLAS, NOTHING CONTAINED IN THIS ORDINANCE CHANGE WOULD VIOLATE THAT AGREEMENT OR IS EXPRESSLY PROHIBITED IN THAT AGREEMENT. THE CITY COUNCIL SHOULD BE ABLE TO ADOPT THIS ORDINANCE CHANGE WITHOUT THEIR REVIEW; HOWEVER, AFTER ADOPTION IT MAY BE PRUDENT TO ALLOW THEM TO REVIEW THE CHANGES.

## SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) Purpose. The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (*adopted by the City of Dallas*), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. *Garland, Rockwall, and Rowlett*) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas *Takeline* as shown on the boundary map for Lake Ray Hubbard (i.e. *File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

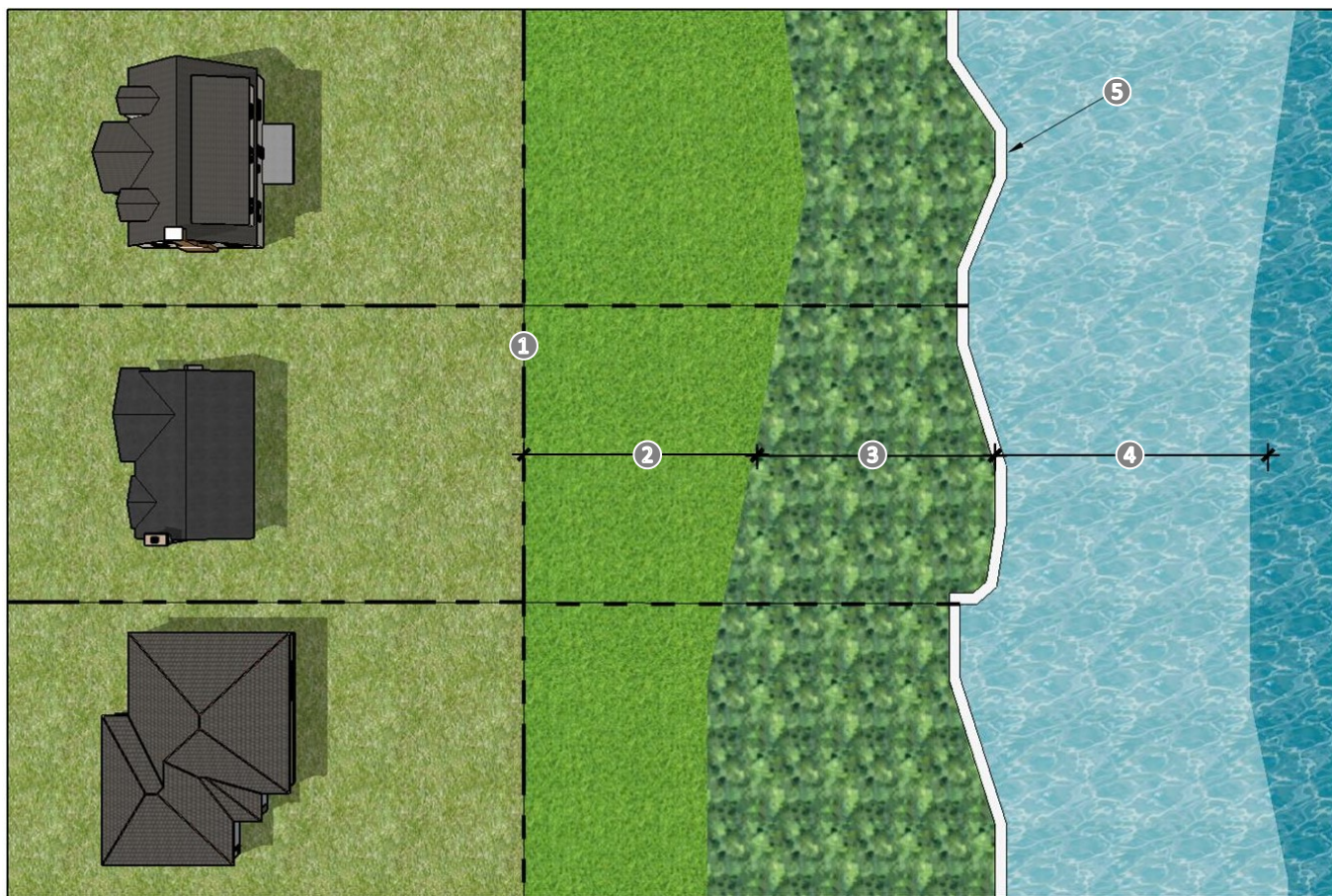
FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP



RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY



FIGURE 27: ELEVATION CONTOUR ZONES



①: REAR PROPERTY LINE/TAKE LINE; ②: 438.0 ELEVATION ZONE; ③: 435.5 ELEVATION ZONE; ④: 425.5 ELEVATION ZONE; ⑤: SEAWALL;

(C) Applicability.

(1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in [Figure 26: Lake Ray Hubbard Takeline Overlay \(TL OV\) District Map](#) above.

(2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in [Subsection 06.15\(B\)\(1\)](#) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to [Subsection \(J\), Specifications for Permitted Land Uses](#). In addition, the following terms shall be defined as follows:

(1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.

(2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).

(3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.

(4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.

(5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.

- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (*i.e. property at or below an elevation of 435.5-feet mean sea level*).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (*e.g. a slip*) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
- (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
- (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
- (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
- (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see [Figure Subsection \(E\): Visual Measurements for View Corridors](#)).
- (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see [Figure 28: Visual Measurements for View Corridors](#)).
- (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
  - (a) Motorized Boat. A boat propelled by an internal combustion engine.
  - (b) Sail Boat. A boat with a mast and sail propelled by the wind.

(E) Visual Measurements for View Corridors.

- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-feet mean sea level*), and connecting these two (2) points in a straight line (see [Figure 28: Visual Measurements for View Corridors](#)). Based on this linear measurement, the view clear zones are determined by the following:
  - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).
  - (b) Lots That Have More Than 100-Feet of Shoreline Frontage. The view corridor for lots that have more than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline



FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS

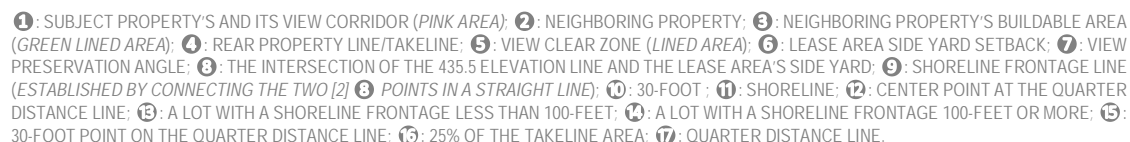
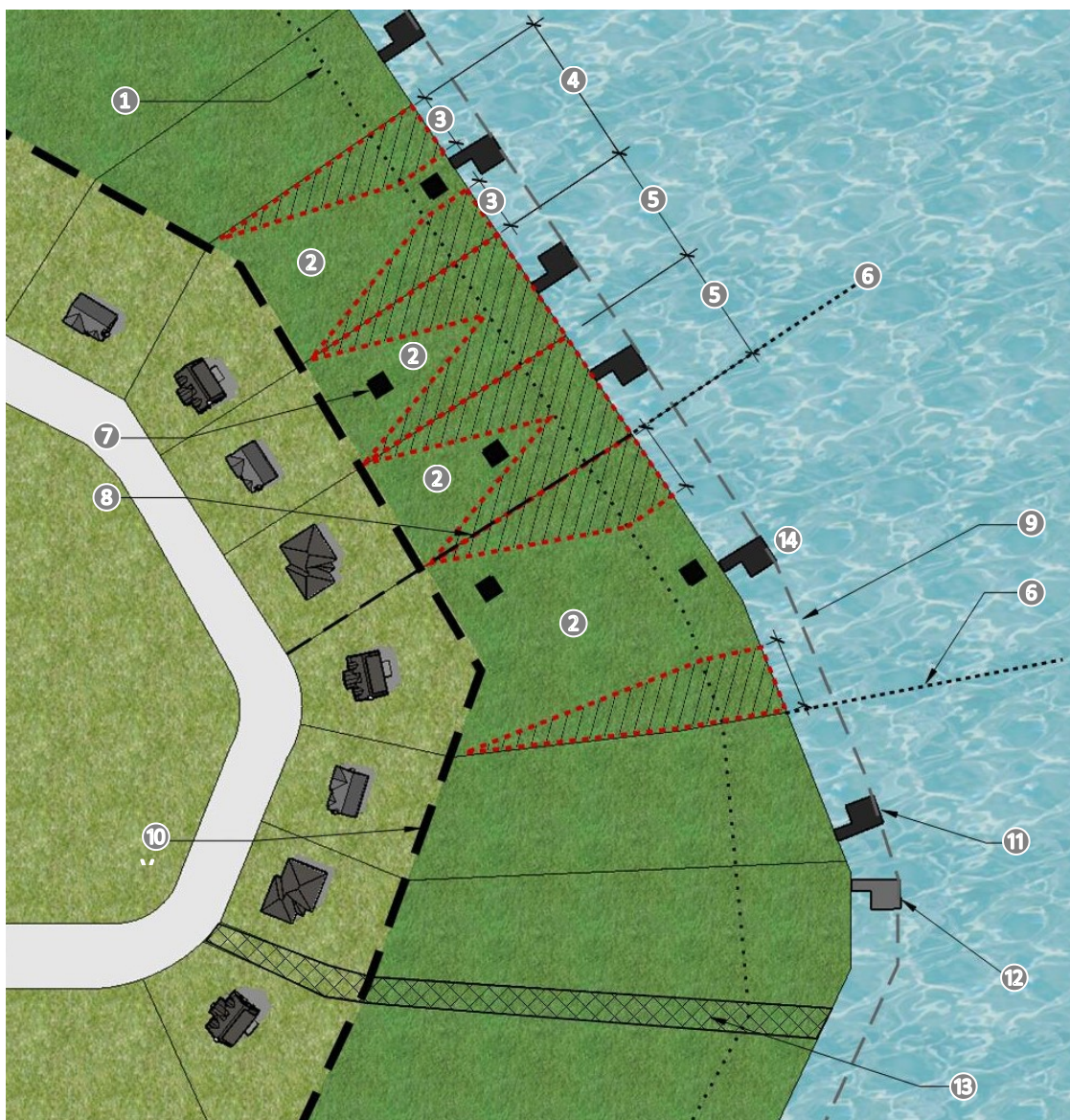




FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



1: QUARTER DISTANCE LINE; 2: BUILDABLE AREA; 3: 30-FOOT; 4: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; 6: LEASE AREA'S PROJECTED SIDE YARD; 7: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; 8: LEASE AREA'S SIDE YARD; 9: 40-FOOT BUILDING LINE; 10: REAR PROPERTY LINE/TAKELINE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; 13: DRAINAGE EASEMENT; 14: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

- (1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).

- (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).
- (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
- (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is not feasible to construct a structure in the center of the lease area or along the shoreline, or where centering the structure will create an undue hardship, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in [Subsection \(J\), Specifications for Permitted Land Uses](#), and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a *Treescape Plan* showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in [Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements](#), and [2] they are not located within the view clear zone outlined [Subsection \(E\), Visual Measurements](#).
- (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with [Subsection 06.15\(J\)\(6\)](#).
- (G) Residential Sublease Agreement. A *Residential Sublease Agreement* is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A *Residential Sublease Agreement* shall be required to build certain structures within the takeline area. It shall be a violation of the zoning code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of [Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code \(UDC\)](#). The following shall be the costs associated with a *Residential Sublease Agreement*:
- | Lease   | Fees     |
|---|----------|
| New Lease (i.e. New Never Leased by Current Owner) <sup>2</sup>           | \$200.00 |
| Annual Renewal of a Lease   | \$100.00 |
| Change of Ownership of a Valid Lease                                      | \$50.00  |
| Reinstatement of an Expired Lease (i.e. Same Property Owner) <sup>3</sup> | \$500.00 |
- NOTES:**
- <sup>1</sup>: To be subject to these new fees, a lease entered into after **January 1, 2021** will be required (i.e. the effective date of the amendment adopting these fees).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.
- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see [Subsection \(J\), Specifications for Permitted Land Uses](#), or [Subsection 07.05, Lake Ray Hubbard Takeline Overlay \(TL OV\) District Development Standards](#).
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in [Subsection \(J\), Specifications for Permitted Land Uses](#) or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by [Subsection \(J\), Specifications for Permitted Land Uses](#); however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in [Subsection \(J\), Specifications for Permitted Land Uses](#), or [Subsection \(F\), General Requirements](#), is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in [Subsection \(E\), Visual Measurements](#). A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in

Subsection (J), Specifications for Permitted Land Uses, (e.g. jet ski lift) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.

(J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.

(1) Barbecue Pit.

(a) Definition. A *barbecue pit* is a permanent fireplace structure over which meat, poultry and other foods are roasted (for *Fire Pit* see Subsection 06.15(J)(9)).

(b) Prerequisites. A *barbecue pit* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. A *barbecue pit* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *barbecue pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).

(e) Construction Standards.

- (1) Building Materials. A *barbecue pit* must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.
- (2) Height. A *barbecue pit* shall not exceed a maximum of six (6) feet in height.
- (3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.

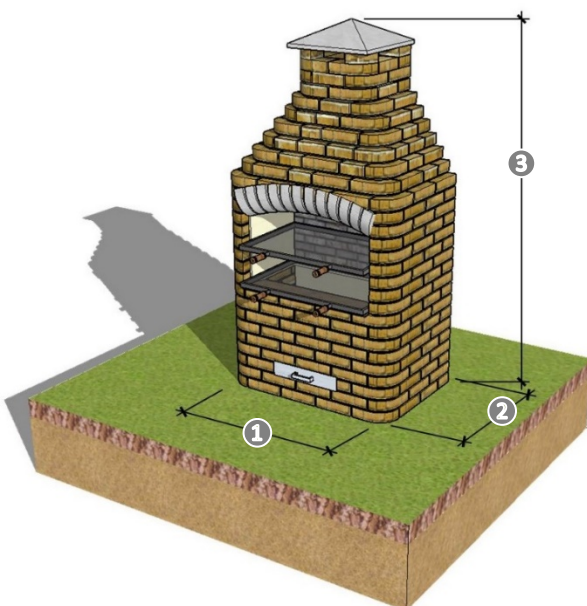
(f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.





- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;
- ❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;
- ❸: A MAXIMUM OF SIX (6) FEET;

(2) Boathouse.

- (a) Definition. A *boathouse* is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
- (b) Prerequisites. A *boathouse* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
- (c) Conditional Use Standards. *Boathouses* are used for storing boats that have a fuel efficiency rating greater than 95%; however, *boathouses* may also be used to store sailboats. *Boathouses* will not be used for storing any other type of items except boats and boat-related equipment. In addition, *Boathouses* shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All *boathouses* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *boathouse* shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a *boathouse* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (d) Elevation Zone. A *boathouse* shall be allowed in the following zones:

- (1) 438.0: Not Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All *boathouse* constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. *Boathouses* shall be constructed utilizing composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials) -- products equivalent to Trex brand are preferred -- for decking, galvanized metal/iron/steel or aluminum (with a minimum color rating of AAMA 2604) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A *boathouse* shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the *boathouse's* cupola; however, in no case should a *boathouse* exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a *boathouse* will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. *Boathouses* shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Roof. A *boathouse* will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All *boathouse* roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. *Boathouses* shall not incorporate a deck or platform.
- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
  - (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the

shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

- (7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a boathouse should generally be located in line with the primary structure on the leasing property (*i.e. generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.

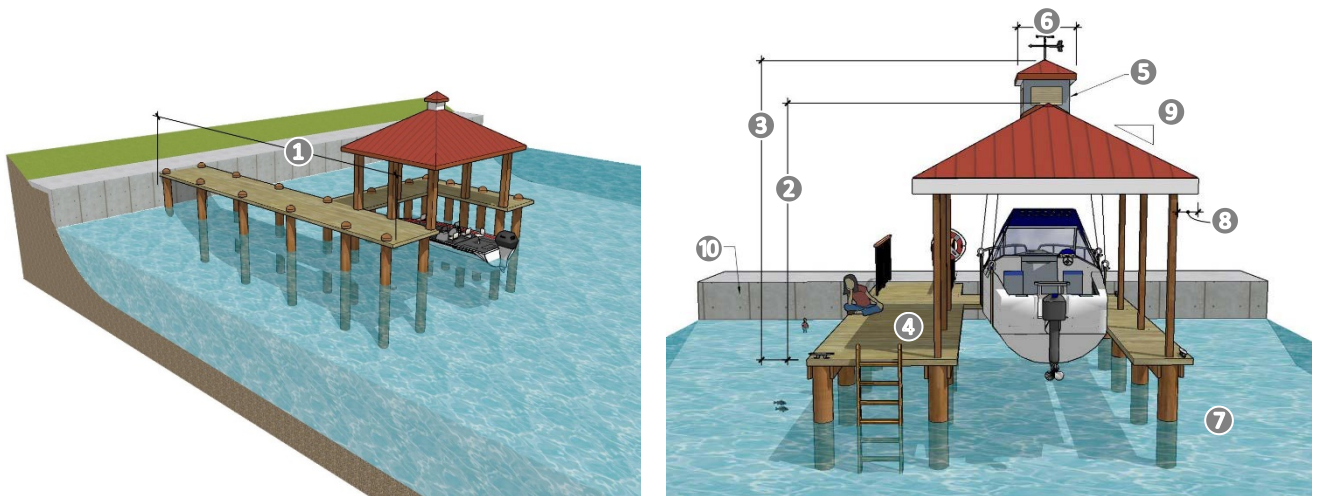
- (f) Setback Requirements. A *boathouse* must adhere to the following setbacks:

- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

- (g) Additional Requirements.

- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
- (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
- (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.

- (h) Visual Representation.



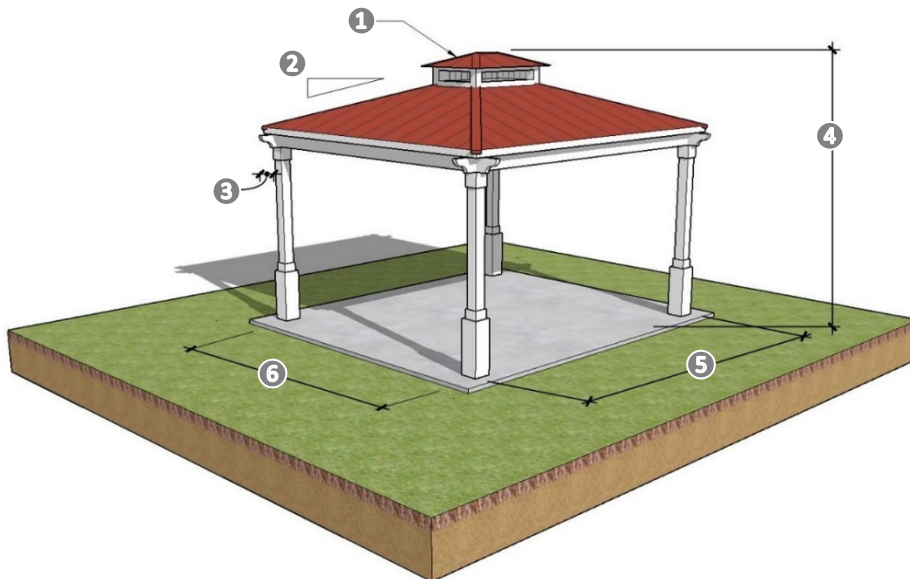
①: 40-FOOT MAXIMUM; ②: 13-FOOT MINIMUM TO 18-FOOT MAXIMUM; ③: 16-FOOT MINIMUM TO 21-FOOT MAXIMUM; ④: CATWALK (UNDERSTRUCTURE TO BE ABOVE THE 437.0-FOOT ELEVATION); ⑤: CUPOLA; ⑥: THREE (3) FEET BY FOUR (4) FEET; ⑦: 435.5-FOOT NORMAL POOL ELEVATION; ⑧: 1.5-FOOT MAXIMUM OVERHANG; ⑨: 2:1 ROOF PITCH (HIP ROOF ONLY); ⑩: SEAWALL.

- (3) Covered Patio.

- (a) Definition. A *covered patio* is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A *covered porch* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *covered patio* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).

- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The covered patio shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.

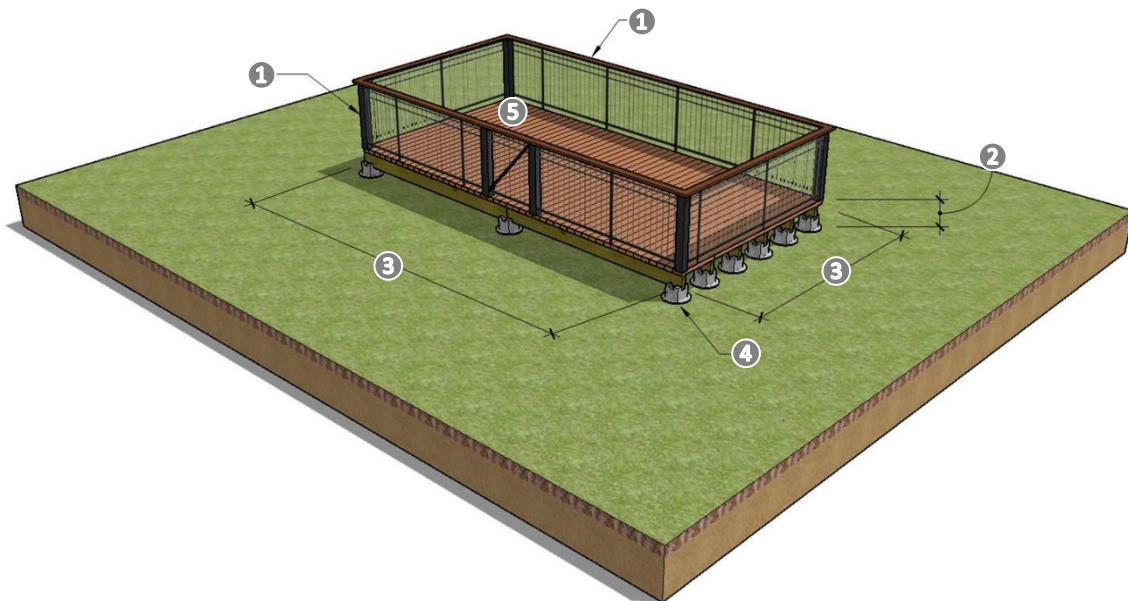


①: CUPOLA OR CLERESTORY; ②: 4:1 MINIMUM ROOF PITCH; ③: 18-INCHES MAXIMUM OVERHANG; ④: 15-Feet MAXIMUM HEIGHT; ⑤: 20-Feet MAXIMUM; ⑥: 12-Feet MAXIMUM;

(4) Deck.

- (a) Definition. A deck is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.

- (b) Prerequisites. A deck may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A deck shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted (*see Dock Deck in [Subsection 06.15\(J\)\(5\)](#)*).
- (d) Conditional Use Standards. A deck shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
- (1) Building Materials. A deck must be constructed of composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Handrails incorporated into the deck shall be made of wrought iron or decorative metal.
  - (2) Height. A deck shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A deck shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A deck located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Decks* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A deck shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed deck.
- (f) Setback Requirements. A deck must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: WROUGHT IRON OR DECORATIVE METAL; ②: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; ③: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; ④: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; ⑤: COMPOSITE DECKING MATERIALS.

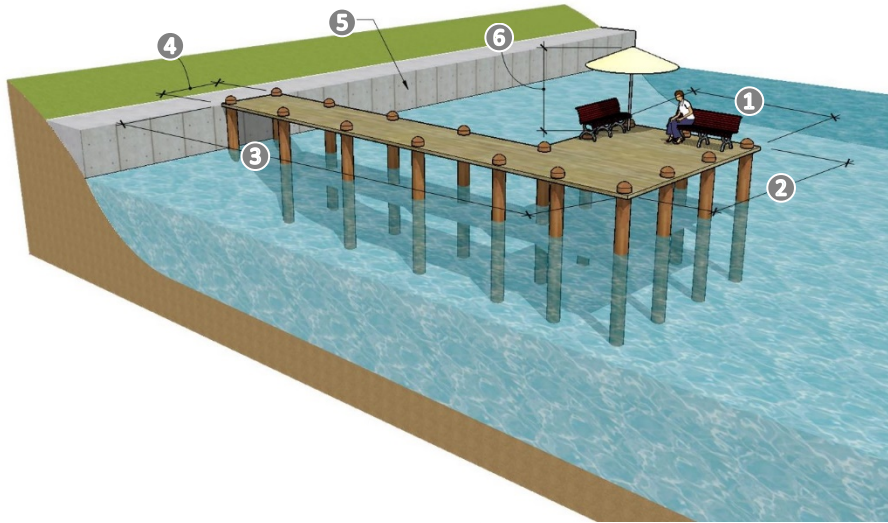
- (5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more that 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a dock deck shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
  - (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
  - (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (i.e. 80 SF) and a maximum of 12-feet by 30-feet (i.e. 360 SF). *Dock decks* shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
  - (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
  - (5) Additional Construction Standards.
    - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
    - (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
    - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.
- (f) Setback Requirements. A *dock deck* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.



- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
- (2) Compliance with Applicable Codes. A *dock deck* must comply with all other applicable City of Rockwall codes.
- (3) Address. All *dock decks* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No *dock deck* shall encroach into an existing or identified future easement, right-of-way, access road, or path.

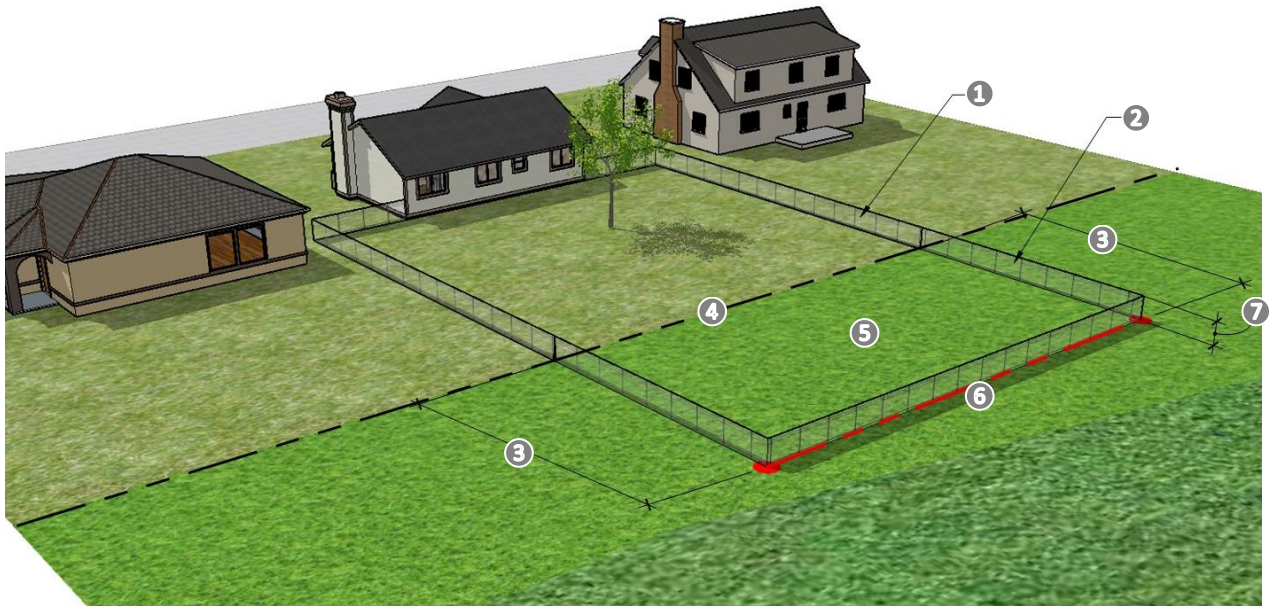
(h) Visual Representation.



①: MINIMUM OF TEN (10) FEET AND A MAXIMUM OF 30-Feet; ②: MINIMUM OF EIGHT (8) FEET AND A MAXIMUM OF 12-Feet; ③: 40-FOOT MAXIMUM; ④: SIX (6) FOOT MAXIMUM; ⑤: SEAWALL; ⑥: EIGHT (8) FOOT MAXIMUM;

(6) Fence.

- (a) Definition. A *fence* is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A *fence* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *fence* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *fence* shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).



①: EXISTING RESIDENTIAL FENCE ON THE LEASING PROPERTY; ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45-FOOT ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.
- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.

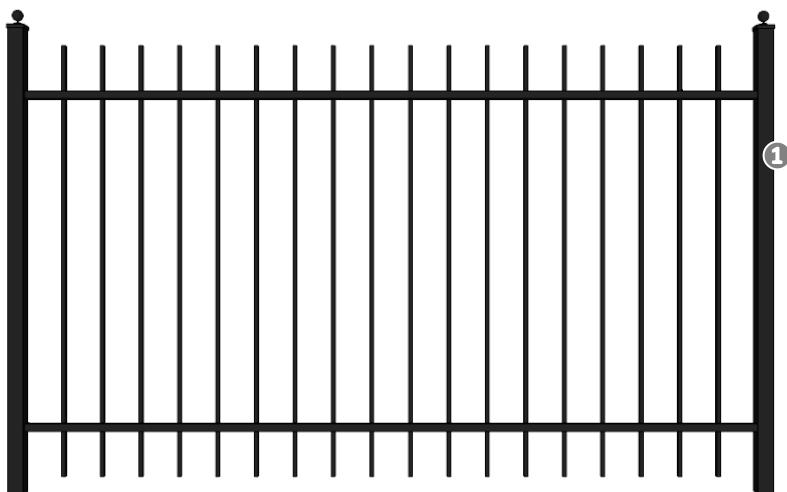
(f) Setback Requirements. A fence must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
- (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.

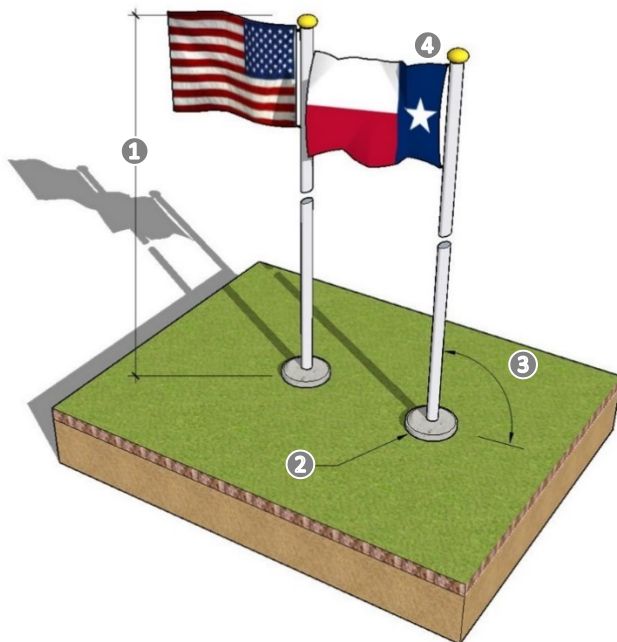
(h) Visual Representation.



①: FOUR (4) FOOT WROUGHT IRON FENCE

(7) Flagpole.

- (a) Definition. A flagpole is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
- (b) Prerequisites. A flagpole may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A flagpole shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A maximum of two (2) flagpoles, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
- (e) Construction Standards.
  - (1) Building Materials. A flagpole shall only be constructed of either stainless steel or aluminum.
  - (2) Height. A flagpole shall not exceed a maximum height of 20-feet from grade.
  - (3) Size. At the ground base a flagpole shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
  - (4) Location. A flagpole located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Flagpoles shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A flagpole must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a flagpole must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A flagpole must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The flagpole shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



❶: MAXIMUM OF 20-FEET FROM GRADE; ❷: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ❸:

(8) Fixed Pier.

- (a) Definition. A fixed pier is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A fixed pier may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall, and has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A fixed pier shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the lakeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. Fixed piers can be designed to be in an 'I', 'T', 'L' or 'U' shape (see Subsection 06.15(J)(8)(h)). Items that can be securely attached to the edge of a dock deck include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a fixed pier for no more than 156-consecutive hours during any given week. All fixed pier shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a fixed pier shall not be designed to prevent public access to an area of water. Fixed piers shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the Lake. Accessories placed on the flat surface of a catwalk of a fixed pier must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a fixed pier shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. Fixed piers above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. Fixed piers constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' Construction Permit Application Lake Structures Lake Ray Hubbard. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all fixed piers shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
  - (2) Height. No pole structures incorporated into a fixed pier shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
  - (3) Size. The catwalk of a fixed pier will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main fixed pier's length, and will not enclose any portion of the water to allow the free movement of water underneath. Fixed piers shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
  - (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a fixed pier at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a fixed pier.
  - (5) Additional Construction Standards.
    - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
    - (b) Catwalks. The catwalk of a fixed pier will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
    - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to fixed piers.
- (f) Setback Requirements. A fixed pier must adhere to the following setbacks:

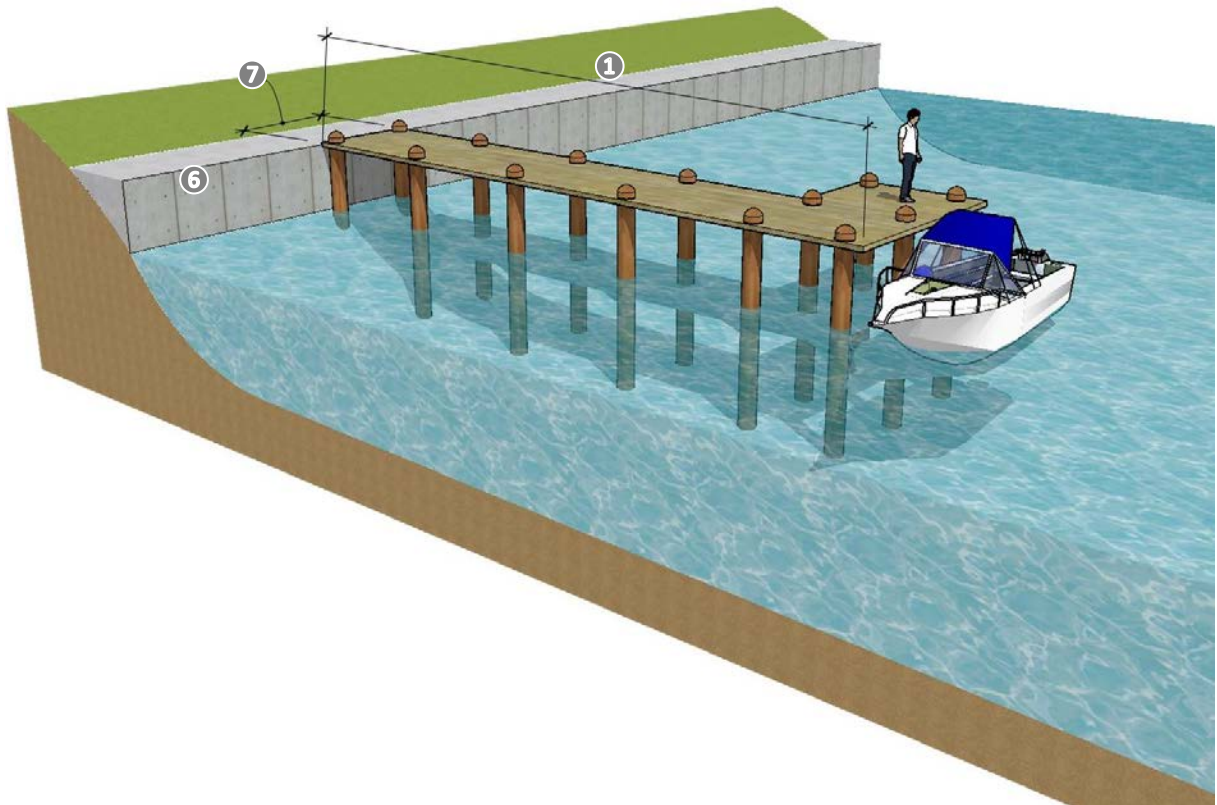


- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

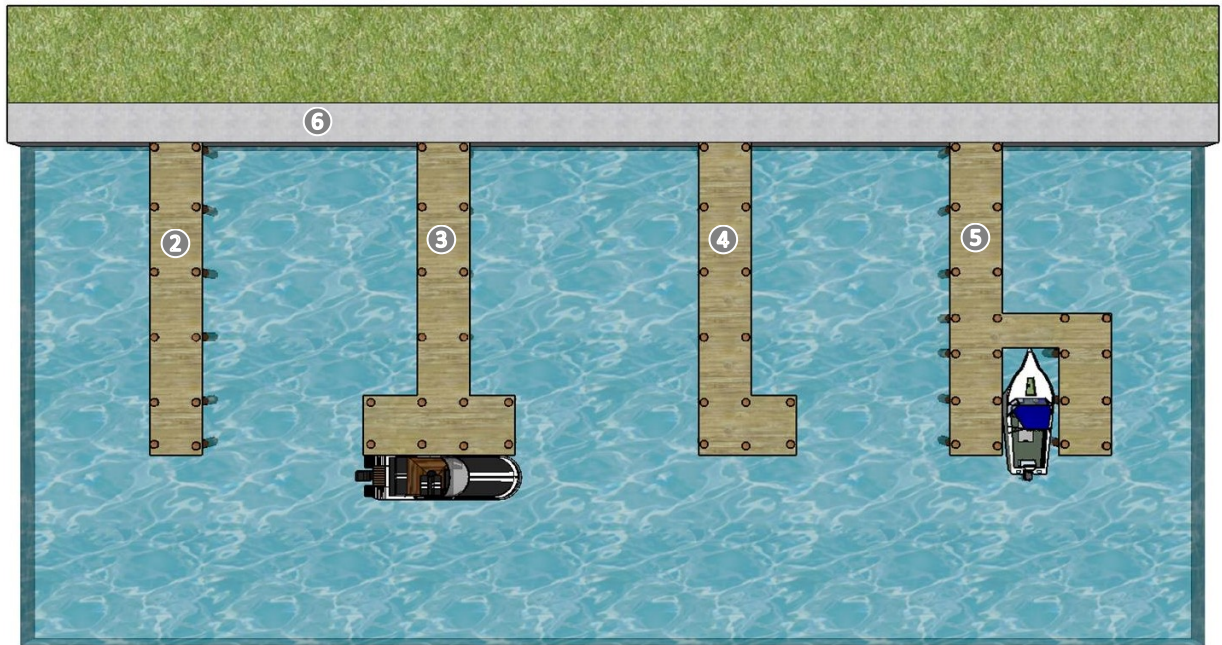
(g) Additional Requirements.

- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
- (2) Compliance with Applicable Codes. A *fixed pier* must comply with all other applicable City of Rockwall codes.
- (3) Address. All *fixed pier* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No *fixed pier* shall encroach into an existing or identified future easement, right-of-way, access road, or path.

(h) Visual Representation.

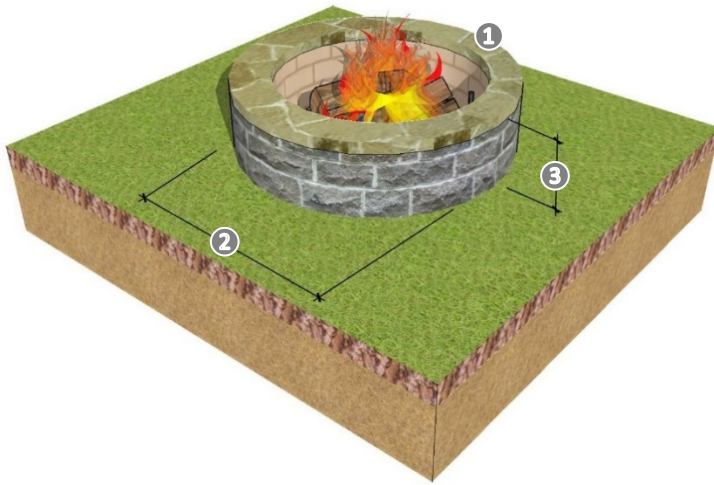


❶: 40-FOOT MAXIMUM; ❷: PIER IN AN 'I' SHAPE; ❸: PIER IN 'T' SHAPE; ❹: PIER IN A 'L' SHAPE; ❺: PIER IN A 'U' SHAPE; ❻: SEAWALL; ❼: SIX (6) FOOT MAXIMUM



(9) Fire Pit.

- (a) Definition. A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fire pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).
- (e) Construction Standards.
  - (1) Building Materials. The surround (i.e. the area used to contain the fire) for a fire pit must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A fire pit shall not exceed a maximum of 36-inches in height.
  - (3) Size. A fire pit shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a fire pit should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A fire pit must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a fire pit must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A fire pit must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HIEGHT OF 36-INCHES OR THREE (3) FEET.

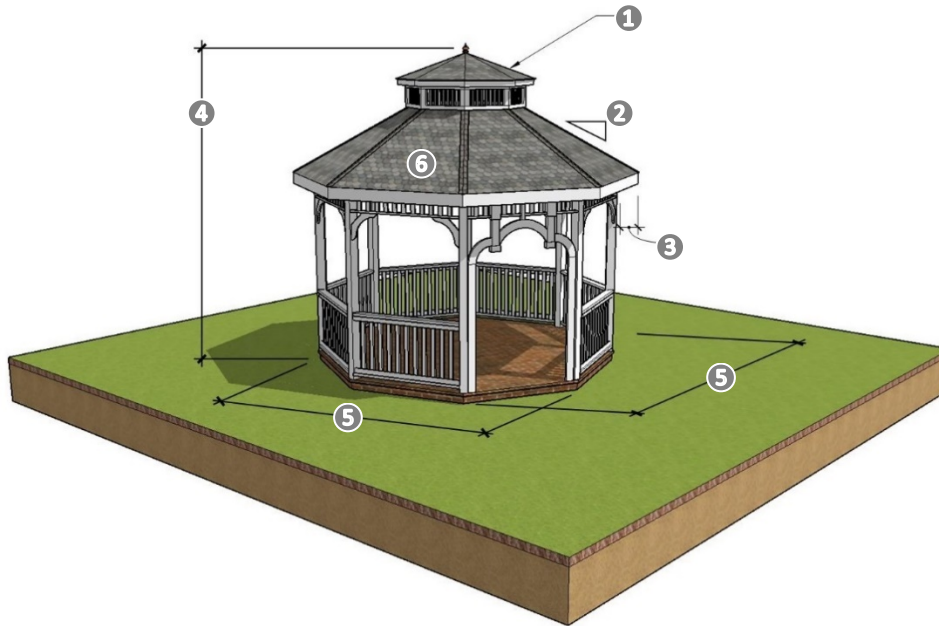
(10) Gazebo.

- (a) Definition. A gazebo is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
- (b) Prerequisites. A gazebo may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A gazebo shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A gazebo shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (1) Building Materials. A gazebo built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. The side trellis of the gazebo may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A gazebo built in the *435.5 Elevation Zone* shall only be built out of composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A gazebo will be constructed using steel reinforced concrete piers.
  - (2) Height. A gazebo shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the gazebo shall be measured from grade to the vertex of the gazebo's main roof or clerestory/cupola roof. In either case a gazebo shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A gazebo shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the gazebo shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the gazebo can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A gazebo located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Gazebos shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A gazebo must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a gazebo must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A gazebo must comply with all other applicable City of Rockwall codes.



- (3) Emergency Response. The gazebo shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



1: CUPOLA OR CLERESTORY; 2: 2:1 MINIMUM ROOF PITCH; 3: 1.5-FOOT MAXIMUM OVERHANG; 4: 18-FOET MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FOET WITHOUT A CUPOLA OR CLERESTORY; 5: 12-FOET MAXIMUM; 6: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(11) Landing and Stairs.

- (a) Definition. A landing is the area of a floor near the top or bottom step of a stair. A stair is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A landing and stairs may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 or 425.5 Elevation Zones* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A landing and stairs shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Permitted (if a *Seawall* has been constructed).

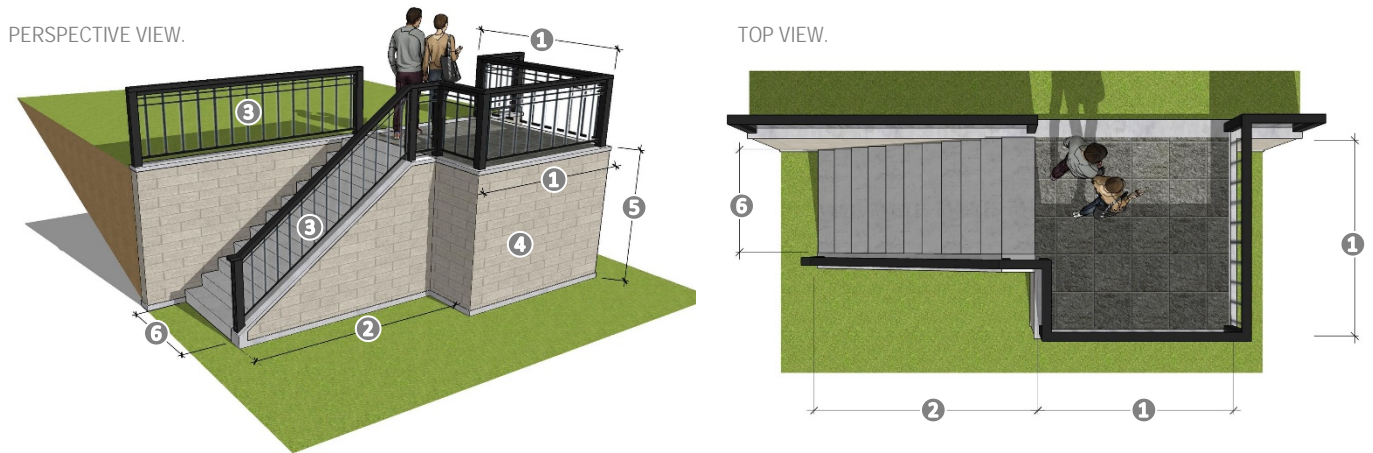
NOTE: A landing and stairs located in the *425.5 Elevation Zone* is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 5-Feet
- (g) Additional Requirements.



- (1) Earth Work. Earth work required for the construction of a *landing and stairs* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *landing and stairs* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



①: MINIMUM OF EIGHT (8) FOOT BY EIGHT (8) FOOT LANDING; ②: VARIABLE LENGTH STAIRCASE; ③: WROUGHT IRON OR BLACK TUBULAR STEEL; ④: NATURAL STONE, BRICK, OR CONCRETE MATCHING THE RETAINING WALL; ⑤: VARIABLE HEIGHT BUT A MINIMUM OF THREE (3) FEET; ⑥: MAXIMUM OF SIX (6) FEET.

(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

NOTE: Remedial *landscaping* in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is strictly prohibited. All landscaping must comply with the requirements of [Article 08, Landscaping and Fence Standards, of the Unified Development Code \(UDC\)](#). For information regarding planting or removing trees see [Subsection \(F\)\(4\)](#) above.
- (e) Construction Standards.
  - (1) Building Materials. Retaining walls shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- *with the exception of using it as a base --*, and brick shall be prohibited.
  - (2) Height. Retaining walls as part of landscaping will be limited to less than three (3) feet.
  - (3) Location. *Landscaping and retaining walls* shall not hinder the view clear zone of an adjacent neighbor's view corridor. *Landscaping* shall not exceed six (6) feet in height in the view clear zone.
- (f) Setback Requirements. Retaining walls must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *landscaping and retaining walls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Landscaping and retaining walls* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. *Landscaping and retaining walls* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

- (a) Definition. *Municipal utilities* represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.
- (b) Elevation Zone. *Municipal utilities* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Permitted.
- (c) Conditional Use Standards. All *municipal utilities'* infrastructure is permitted within the take area. *Municipal utilities* shall be placed underground.
- (d) Setback Requirements. *Municipal utilities* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (e) Additional Requirements.
  - (1) Compliance with Applicable Codes. *Municipal utilities* must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

- (a) Definition. *Outdoor lighting* is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (b) Prerequisites. *Outdoor lighting* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Outdoor lighting* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the *425.5 Elevation Zone* is the only permitted *outdoor lighting* allowed below the *438.0 Elevation Zone*.

- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are not allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
- (e) Photometric Plan. A photometric plan describing compliance with the provisions of [Article 07, Performance Standards, of the Unified Development Code \(UDC\)](#) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in [Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code \(UDC\)](#).
- (f) Construction Standards.
  - (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.

- (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the *438.0 Elevation Zone* should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
- (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.

(g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(h) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
- (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(15) Patio.

- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
- (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *patio* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.

(e) Construction Standards.

- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into the *deck* shall be made of wrought iron or decorative metal.
- (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
- (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
- (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.

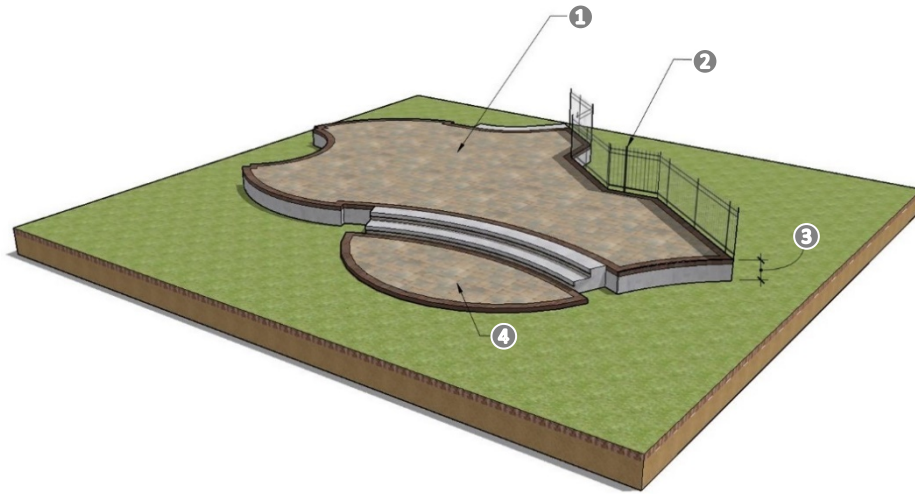
(f) Setback Requirements. A *patio* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

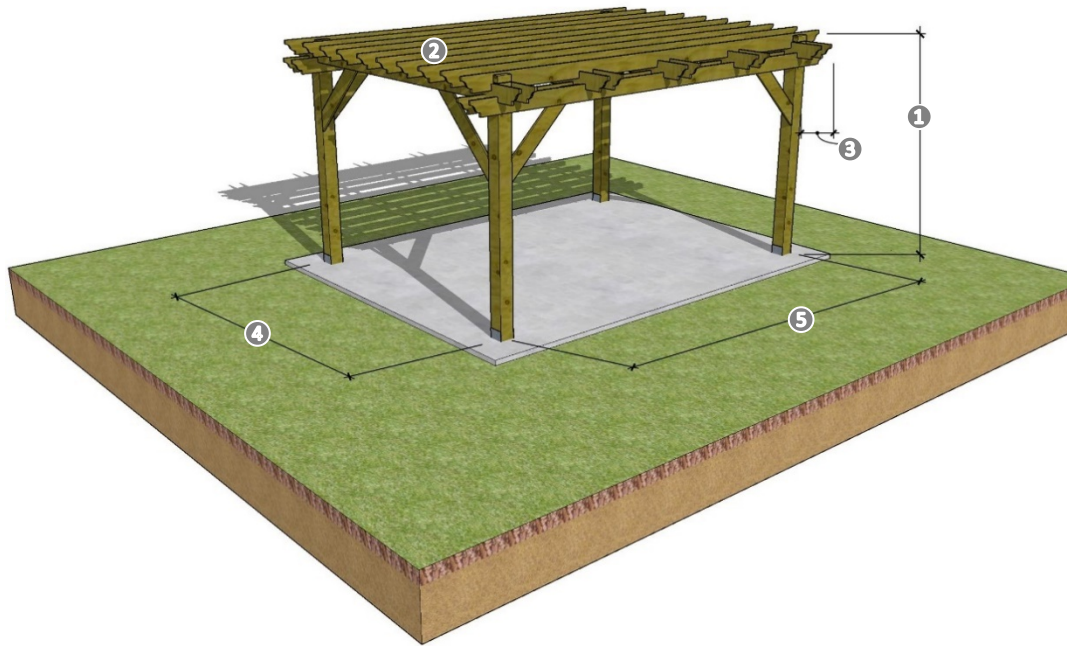
(h) Visual Representation.



①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

- (a) Definition. A pergola is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.
- (b) Prerequisites. A pergola may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A pergola shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A pergola shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (6) Building Materials. A pergola constructed within the 438.0 Elevation Zone must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A pergola constructed within the 435.5 Elevation Zone must be constructed using composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (7) Height. A pergola shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A pergola shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the pergola shall not have an overhang greater than 18-inches.
  - (10) Location. A pergola located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Pergolas shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A pergola must adhere to the following setbacks:
  - (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (4) Earth Work. Earth work required for the construction of a pergola must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A pergola must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The pergola shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

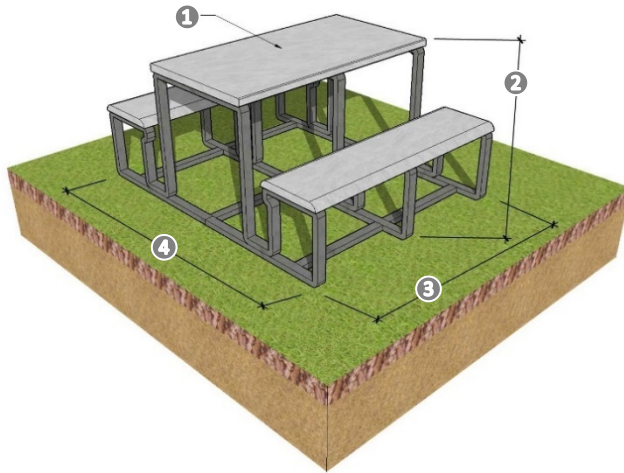


❶: 12-FOOT MAXIMUM HEIGHT; ❷: OPEN ROOF OF GIRDERS OR RAFTERS; ❸: 1.5-FOOT MAXIMUM OVERHANG; ❹: 12-FOOT MAXIMUM; ❺: 20-FOOT MAXIMUM; ❻: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. *no roof covering*) unless combined with a covered porch or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.
  - (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

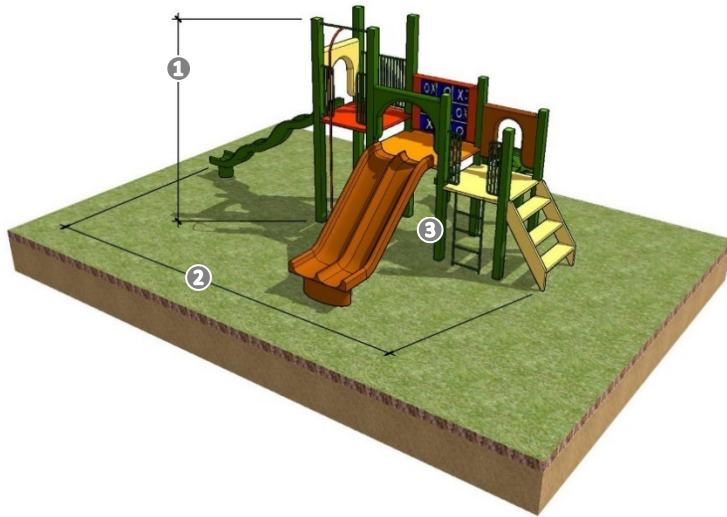




①: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ②: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ③: EIGHT (8) FOOT MAXIMUM; ④: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A *private play structure* shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a *private play structure* should blend and incorporate the same hues and tones of the surrounding landscaping.
  - (2) Height. A *private play structure* shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All *private play structures* will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. *Private play structures* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *private play structures* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a *private play structures* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *private play structure* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *private play structure* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ②: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ③: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. *Private utilities* are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. *Private utilities* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Private utilities* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private utilities* are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. *Private utilities* containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. *Private utilities* shall only be constructed out of materials permitted by the City's Engineering Department.
  - (2) Location. *Private utilities* within 20-feet of the normal pool elevation shoreline (*i.e.* 435.5) shall be built to handle load factors associated with emergency and service vehicles. *Private utilities* containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.
- (f) Setback Requirements. *Private utilities* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of *private utilities* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *private utility* must comply with all other applicable City of Rockwall codes.
  - (3) Damage to the System. Any damage or destruction to any *private utility* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(20) Private Walkways.

- (a) Definition. *Private walkways* can be a single path or a network of paths installed by the leasing property owner in the takeline area.

- (b) Prerequisites. Private walkways may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. Private walkways shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a Seawall has been constructed).
- (3) 425.5: Not Permitted.

- (d) Conditional Use Standards. Private walkways with steps are permitted (see *Landing and Stairs* in [Subsection 06.15\(J\)\(11\)](#)).
- (e) Construction Standards.

- (1) Building Materials. Private walkways shall be constructed using native stone, brick and/or rectangle pavers; however, private walks shall not consist of loose stone, gravel, sand, asphalt, or concrete.
- (2) Height. Private walkways shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
- (3) Size. Private walkways shall be no greater than 48-inches in width.
- (4) Location. Private walkways may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-feet wide, suitable for access, and will connect to adjacent access paths.

- (f) Setback Requirements. Private walkways must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 10-Feet

- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of private walkways must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A private walkway must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any private walkway by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A seawall is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A seawall may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A seawall shall be allowed in the following zones:

- (1) 438.0: Not Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

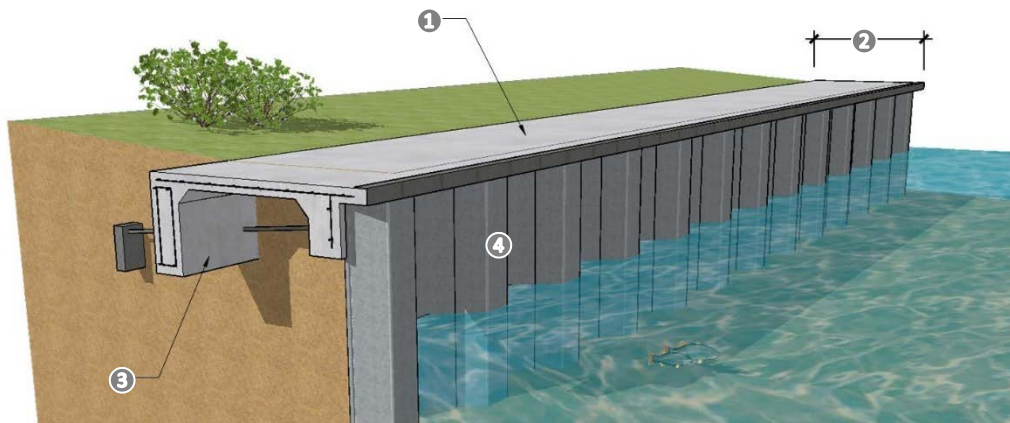
NOTE: Seawalls are only permitted along the shoreline.

- (d) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a seawalls must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A seawall must comply with all other applicable City of Rockwall codes.

- (e) Visual Representation.





1: CONCRETE WALKWAY; 2: SIX (6) FOOT MINIMUM; 3: 24-INCH BY TEN (10) INCH BEAM WITH #3 REBAR ON 18-INCH CENTERS;  
4: RETAINING WALL.

(22) Sprinkler/Irrigation System.

- (h) Definition. A *sprinkler/irrigation system* is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A *sprinkler/irrigation system* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (j) Elevation Zone. A *sprinkler/irrigation system* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (k) Conditional Use Standards. A *sprinkler/irrigation system* must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.
- (l) Construction Standards.
  - (1) Building Materials. A *sprinkler/irrigation system* shall *only* be constructed utilizing *Schedule 40 PVC* pipe.
  - (2) Height. The heads of a *sprinkler/irrigation system* used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
  - (3) Location. A *sprinkler/irrigation system* shall be allowed up to one (1) foot of the normal pool elevation shoreline (*i.e.* 435.5) provided no part of the system could potentially result in lake siltation erosion.
- (m) Setback Requirements. A *sprinkler/irrigation system* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (n) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a *sprinkler/irrigation system* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *sprinkler/irrigation system* must comply with all other applicable City of Rockwall codes.
  - (3) Damage to the System. Any damage or destruction to any part of a *sprinkler/irrigation system* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE <a href="#">SUBSECTION 06.15(J)</a>	PRE-REQUISITES L: SEAWALL, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	<a href="#">(1)</a>	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	<a href="#">(2)</a>	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	<a href="#">(3)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5</sup>	<a href="#">(4)</a>	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILING
DOCK DECK <sup>2 &amp; 5</sup>	<a href="#">(5)</a>	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	<a href="#">(6)</a>	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	<a href="#">(7)</a>	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	<a href="#">(8)</a>	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	<a href="#">(9)</a>	L	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	<a href="#">(10)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15'/18' <sup>7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	<a href="#">(11)</a>	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5</sup>	<a href="#">(15)</a>	L	P	X	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	<a href="#">(16)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	<a href="#">(17)</a>	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	<a href="#">(18)</a>	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	<a href="#">(20)</a>	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	<a href="#">(22)</a>	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROEPRTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES ( <i>IF PERMITTED IN THE ZONE</i> ). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1.					
MUNICIPAL UTILITIES	<a href="#">(13)</a>	NONE	P	P	P						
OUTDOOR LIGHTING	<a href="#">(14)</a>	L	P	X	X						
PRIVATE UTILITIES	<a href="#">(19)</a>	L	P	P	X						
SEAWALL	<a href="#">(21)</a>	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	<a href="#">(22)</a>	L	P	P	X						

<sup>7</sup>: SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK.

<sup>8</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN FOUR (4) POLE STRUCTURES ALLOWED.

<sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.

<sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.

<sup>11</sup>: REQUIRES A HIP OR GABEL ROOF OR A HIP AND/OR GABEL ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.

<sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.

<sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.

<sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVREAGE BASE OF THE SURROUND TERRIAN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.

<sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.

<sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.

<sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.



- (A) Purpose. The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) Application and Boundaries. The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276. The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) Overlay District Standards. If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

#### SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) Purpose. The purpose of this zoning district is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth procedures for the development of said property and establishing an appeal process for the terms of the Unified Development Code (UDC). This zoning district has its basis in and is intended to serve as one implementation tool for the Lake Ray Hubbard Master Plan, adopted by the City of Dallas; the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (Garland, Rockwall, and Rowlett, Texas) and the City of Dallas, Texas; and the comprehensive plan for the City of Rockwall, adopted on December 17, 2001. The adoption of this zoning district is intended to provide a means for the protection of water quality, water supply, and the preservation of the natural environment and to enhance the quality of the Lake Ray Hubbard shoreline through regulation of manmade facilities. This section is to be used in conjunction and in addition to the erosion control and engineering standards and residential sublease agreement conditions as well as other development related ordinances, such as, but not limited to, landscaping ordinance, tree preservation ordinance and outdoor lighting.
- (B) Application and Boundaries. The Lake Ray Hubbard Takeline Overlay District includes all property that is located between the City of Dallas "Take Line" as shown on the boundary map for Lake Ray Hubbard (File 612D-1 on file in the City of Dallas Records Vault) and the meanders of the contour line 435.5-feet mean sea level

elevation. The standards set forth within this section shall apply only to those lots within the Lake Ray Hubbard Takeline Overlay district that are zoned and used for detached, single-family residential uses and have a minimum lot width of 45-feet when measured at the front building line, or have a minimum lot width of 35-feet at the front building line when located on a curved street or cul-de-sac.

The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay district that are zoned and used for detached, attached or zero lot line single-family residential uses and meet the minimum lot width requirements as prescribed within this section."

- (C) Definitions. The terms used herein shall be defined as in the City of Rockwall's Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement and the sublease agreement prepared by the City of Rockwall. In addition, the following terms shall be defined as follows:
- (1) Barbecue Pit: A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted.
  - (2) Boathouse: A boathouse is a roofed structure with supporting fixed piers with a main waterside opening with an operating boatlift(s) contained within the structure and the structure built to house and protect watercraft and boat related equipment and with the boathouse structure built at the end or towards the end of an adjoining fixed pier.
  - (3) Catwalk: The narrow walkway of a dock providing people access to moored watercraft.
  - (4) Centerline: An established line that is equidistant from the surface or sides of something, such as parcel boundaries.
  - (5) Cleat: A metal fitting with two projecting homes used to wrap a rope around to secure a watercraft in position.
  - (6) Deck/Patio: A deck/patio is an anchored or concrete paved float floored roofless surface built either beside the normal pool elevation shoreline or incorporated into a promontory in the takeline area.
  - (7) Deck/Patio Cover/Pergola: A deck/patio cover/pergola is a permanent stand-alone roofed structure opened on all sides often built as a shade structure over a deck or patio. The pergola has supporting, vertical posts with rafters across the top. These are usually open and flat, running at regular intervals horizontally across the structure, and supported by side rafters. Their sides being square or rectangular in shape, they have straight lines as the basis of their structure.
  - (8) Dock: A lake structure used expressly for mooring and landing watercrafts and for embarking and disembarking passengers. A dock can include a fixed pier.
  - (9) Dock Deck: A dock deck is a flat floor surface area built over the lake water adjoining the end of a fixed pier supported by approved pilings.
  - (10) Dredging: The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.



- (11) Fixed Pier: A fixed pier is a structure supported by approved pilings with a catwalk on top that extends from the shoreline out into the body of water with the structure being used to moor (no more than 156 consecutive hours) and land watercraft.
- (12) Gazebo: A gazebo is a permanent stand-alone roofed trellis structure opened on all sides, typically with places for sitting.
- (13) Habitable Structure: A structure fit for human habitation usually containing amenities such as a fireplace, furniture, plumbing, bathing facilities, and cooking facilities. Structures allowed by this section shall not be habitable structures and may not contain such amenities.
- (14) Lake: Refers to Lake Ray Hubbard.
- (15) Lake Area: The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at normal lake pool elevation (property at or below elevation 435.5 feet mean sea level).
- (16) Landing/Stairs: A landing is defined as the level part of staircase, as at the end of a flight of stairs. A stair is a series of steps for passing from one (1) level to another.
- (17) Landscaping: Landscaping is the minor modification or altering of the surrounding take area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking brick retaining walls.
- (18) Leased Area: Means the take area that is within the City Limits of Rockwall, or where the Take Line is directly adjacent to the City Limits of Rockwall.
- (19) Lift: A temporary means of elevating a watercraft out of the water by use of a hoist.
- (20) Linear Feet: A type of measurement in which dimensions of a specific item are taken together from one noted point to another noted point in a straight line rather than following the curvature of the specific item's boundary.
- (21) Locker Box: A secured chest fixed onto a dock used for storage of watercraft equipment.
- (22) Moor: Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (23) Mooring: A place where a watercraft can be tied up and secured while in the water, such as a slip (not more than 156 consecutive hours).
- (24) Outdoor Lighting: Outdoor lighting is a structure or a system of structures, fixtures, and devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, and to emphasize landscaping, but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (25) Power Source Station: Used as a power supply and for lighting a dock just below watercraft level.
- (26) Private Play Structures: Private play structures are permanent structures used by children for play installed by private property owners.
- (27) Private Utilities: A private utility is a system or systems of underground cable lines, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the takeline area and to support recreation and enjoyment.
- (28) Private Walks: Private walks can be a single path or a network of paths installed by the leasing property owner in the take area.
- (29) Shoreline: Refers to the line along the shore of the lake, established by the normal lake pool elevation (435.5 feet mean sea level).
- (30) Slip: A watercraft's berth between two piers or between finger piers.
- (31) Sprinkler Systems: A sprinkler system is an underground irrigation network used to water and maintain trees, shrubs, grounds and the foundations of improvements.
- (32) Take Area: Refers to the land owned by Dallas between the take line and the normal lake pool elevation (435.5 feet mean sea level).
- (33) Take Line: Means the perimeter boundary of Dallas' property at the lake.
- (34) Treated Wood: Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction caused by insects, fungi, bacteria, or other wood destroying organisms.
- (35) View Clear Zone: Area within the view preservation angle where no new structures or plantings shall exceed six feet above the existing grade to maintain neighboring views.
- (36) View Corridor: A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public viewing area (see Figure 26: Visual Measurements View Corridors).
- (37) View Preservation Angle: Determined as the center point of the leasing property owner's backyard with a 36-degree total visual angle using the property owner's owned property centerline and extending outward towards the Lake.
- (38) Watercraft: A craft for water transport; a boat.
- (a) Motorized Boat: A boat propelled by an internal combustion engine.
- (b) Sailboat: A boat with a mast and sail propelled by the wind.
- (39) Water Resistant Wood: Naturally untreated hard wood such as cedar, redwood, or Ironwood.
- (D) Permitted Uses: Permitted uses [shall be] in accordance with the specifications set forth in "table A" of this section. All permitted uses shall meet all other applicable City of Rockwall codes and permitting requirements.
- (1) Barbeque Pit





- (2) Boat tie-ups with the installation of cleats or other approved method of providing a safe, protective means of securing a boat to a seawall.
- (3) Landscaping
- (4) Outdoor Lighting
- (5) Private Play Structures
- (6) Private Utilities
- (7) Private Walks
- (8) Fencing
- (9) Sprinkler/Irrigation Systems
- (10) Decks/patios with a maximum height of 12 inches above existing ground at the highest elevation point.
- (11) Gazebo, with a maximum height of 15 feet.
- (12) The following boat-related structures on single-family lots along the normal elevation shoreline (435.5 feet mean sea level):
  - (a) Dock Deck
  - (b) Fixed Pier
  - (c) Boathouse
- (13) Landing/Stairs
- (14) Deck/Patio Cover/Pergola

(E) Specific Use Permit (SUP). Uses requiring a Specific Use Permit (SUP), in accordance with the specifications set forth in [Subsection \(G\), Specifications for Permitted Uses](#), of this section. All specific uses shall meet all other applicable City of Rockwall codes and permitting requirements:

- (1) Decks/patios exceeding the maximum requirements.
- (2) Gazebo exceeding the maximum requirements.
- (3) Landing/stairs exceeding the maximum requirements.

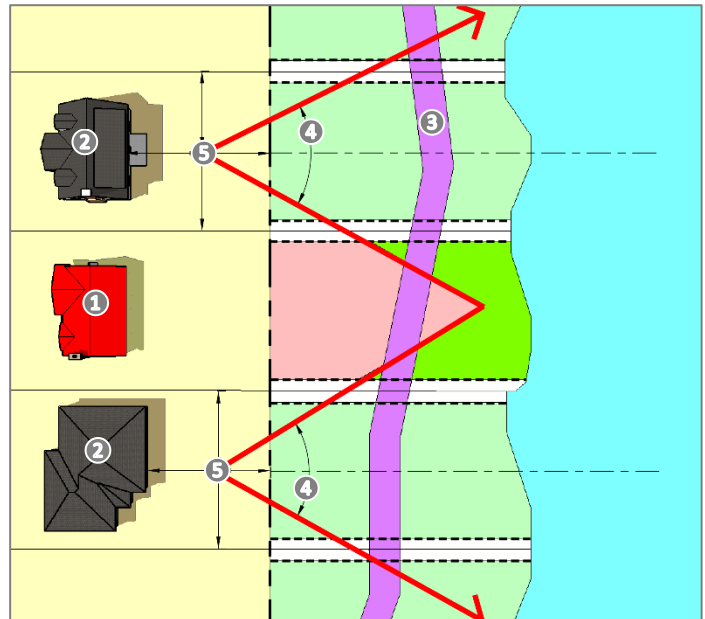
(F) Visual Measurements of View Corridors.

(1) Visual Measurements and Overall Regulations. View corridors are established to protect property owner's views of the lake. The view corridor is defined by the view preservation angle - determined as the center point of the leasing property owner's backyard with a 36-degree total visual angle using the property owner's owned property centerline and extending outward towards the lake. Those areas on the take area's adjacent properties that fail into the view preservation angle will be restricted from any type of new improvements or plantings exceeding six (6) feet in height.

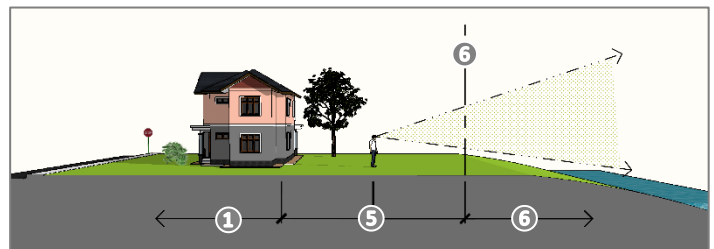
(2) View Measurements Maintenance Access Gates and Fences/Walls.

- (a) Maintenance access gates and fences/walls will be designed as physical barriers and to limit access into the take area residential areas and between the take area residential area subdivisions only to utility personnel and their vehicles, to emergency personnel and their vehicles,

FIGURE 26: VISUAL MEASUREMENTS VIEW CORRIDORS



- |                                 |  |
|---------------------------------|--|
| 1: SUBJECT PROPERTY             | <u>DARK GREEN</u> : VIEW CLEAR ZONE: NO NEW STRUCTURES OR PLANTINGS IN THIS AREA SHALL EXCEED SIX (6) FEET ABOVE EXISTING GRADE. |
| 2: NEIGHBORING PROPERTIES       | <u>LIGHT RED</u> : BUILDABLE AREA  |
| 3: ACCESS EASEMENT              | <u>WHITE</u> : TYPICAL BUILDING SETBACK  |
| 4: 36-DEGREE PRESERVATION ANGLE |  |
| 5: EQUAL DISTANCE POINT         |  |
| 6: TAKELINE/TAKE AREA           |  |



to public service and maintenance personnel and their vehicles, and to public inspectors and their vehicles.

- (b) Maintenance access gates and fences/walls will be developed from the take line down to 438.0 feet mean sea level to serve as a physical barrier while accounting for lake fluctuations and water movement during flood stages.
- (c) Placement of residence street address sign centered on main waterside end of the lake with six-inch black letters on white background to be recognizable for main waterside public safety and emergency personnel.
- (d) Maintenance access gates and fences/walls will be placed at access entry points located at the following locations:
  - (1) At the northern property boundary of the Harbor Bay Marina;
  - (2) Immediately north of the property line of Lot 25, Block A, Stonebridge Meadows Phase V;



- (3) At the northern property line of the area located immediately north of the SH 66 Boat Ramp property;
- (4) At the southern property line of the Shores Country Club.

(G) Specifications for Permitted Uses

(1) Barbecue Pit.

- (a) Description. A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted.
- (b) Allowances and Disallowances. A barbecue pit can only be fueled by charcoal or wood products. A barbecue pit will not be fueled by any permanently buried gas products.
- (c) Building Materials. A barbecue pit must be built using any combination of native stone, brick, concrete, and iron grating.
- (d) Height and Depth Regulation. A barbecue pit shall not exceed six feet in height.
- (e) Takeline Setback. No setback requirements
- (f) Side Yard Setback. There will be a six-foot setback landside on both side yards
- (g) Normal Pool Elevation Setback (Landside). A barbecue pit will not be allowed below 438.0 feet mean sea level. The footprint of the exterior sides of a barbecue pit ranges from a minimum size of three feet length by three feet width and the maximum size eight feet length by three feet width.
- (h) Normal Pool Elevation (Waterside). No barbecue pits will be allowed at, upon or over the Lake
- (i) Additional Requirements. A barbecue pit will not hinder the clear view zone of an adjacent neighbors' view corridor. Earth work construction of a barbecue pit must comply with the erosion control standards set in the Interlocal Agreement and Lease. A barbecue pit must comply with all other City of Rockwall codes.

(2) Landscaping.

- (a) Description. Landscaping is the minor modification or altering of the surrounding take area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking brick retaining walls.
- (b) Allowances and Disallowances.
  - (1) The use of native stone retaining walls is allowable above 435.5 feet mean sea level elevation only
  - (2) Hedgerows and shrub rows are not allowed
  - (3) Landscaping requiring the use of pesticides, herbicides, fungicides, or preservatives is not allowed
  - (4) Landscaping that can lead to lake siltation and/or shoreline erosion is not allowed
  - (5) Mulch is prohibited below 438.0 feet mean sea level

(c) Building Materials.

- (1) The use of any railroad ties or treated wood is prohibited.
- (2) The use of brick is prohibited, except for private walks
- (3) The use of crushed rock or pea gravel is prohibited, except as a base
- (4) The use of native stone is allowed for retaining walls and private walks

(d) Height and Depth Regulations. Retaining walls as part of landscaping will be limited to three (3) feet in height.

(e) Takeline Setback. No setback requirements.

(f) Side Yard Setback. There will be a six-foot setback on both side yards

(g) Normal Pool Elevation Setback (Landside).

- (1) Minor landscaping will be allowed provided it does not further lake siltation, shoreline erosion, water quality, or retain water
- (2) Remedial landscaping for maintaining the integrity of the shoreline is allowed
- (3) Landscaping will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the landscaping does not block public safety personnel and their vehicles access for responding to emergencies, provided the landscaping does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the landscaping trees, hedges, and shrubs are not placed in the view clear zone of a neighbor's view corridor.

(h) Normal Pool Elevation Setback (Waterside). Remedial landscaping for maintaining the integrity of the shoreline is allowed.

(i) Additional Requirements.

- (1) Landscaping must complement and be integrated into the existing woodlands and wetlands
- (2) Trees will be interspersed
- (3) Earth work construction involved with landscaping must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (4) Landscaping will not hinder the clear view zone of an adjacent neighbors' view corridor
- (5) Landscaping must comply with all other City of Rockwall codes.

(3) Outdoor Lighting.

- (a) Description. Outdoor lighting is a structure or a system of structures, fixtures, and devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, and to emphasize landscaping, but not



directed to the detriment of the traveling public or surrounding residents in the light's path. The definitions and requirements from the City of Rockwall outdoor lighting ordinance shall also apply to properties within the take area.

(b) Allowances and Disallowances.

- (1) Systems and structures associated with outdoor lighting including artificial landscape lighting, monument lighting, and flood lights
- (2) Cobra lighting fixtures not allowed on poled structures
- (3) Fluorescent lighting fixtures are not allowed on poled structures
- (4) It shall be unlawful to display an unshielded light source (including bare bulbs) above 15 watts, except for temporary holiday lighting.
- (5) The operation of search lighting is prohibited.

(c) Visual Measurements. poled outdoor light fixtures on leased take area grounds should be no taller than 1/3 of the distance to a neighboring property and should not exceed 12-feet.

(d) Building Materials.

- (1) Poles used for outdoor lighting must be either aluminum or steel.
- (2) Wood or concrete poles used for outdoor lighting are not allowed

(e) Height and Depth Regulations. The height of outdoor lighting will range from light fixtures embedded into catwalk periphery to 12 feet maximum for post structures for broader illumination.

(f) Takeline Setback. No setback requirements

(g) Side Yard Setback. There will be a 20-foot setback on both side yards

(h) Normal Pool Elevation Setback (Landside).

- (1) Outdoor lighting will not be allowed below 438.0 feet mean sea level
- (2) Outdoor lighting will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the outdoor lighting fixture(s) does not block public safety personnel and their vehicles access for responding to emergencies, provided the outdoor lighting fixture(s) does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the outdoor lighting fixture(s) is not placed in the view clear zone or a neighbor's view corridor.

(i) Additional Requirements.

- (1) Outdoor lighting structures will not hinder the view clear zone of an adjacent neighbors' view corridor.

(2) Unwanted brightness and glare from outdoor lighting will not hinder the views of surrounding property owners

(3) Outdoor lighting will not interfere with the safety of the traveling public or negatively impact surrounding residents with unwanted brightness and glare

(4) The candlepower used on outdoor lighting will comply with Rockwall's outdoor lighting ordinance

(5) Earth work construction involved with outdoor lighting must comply with the erosion control standards set in the interlocal agreement and lease

(6) Light sources shall be directed down and shall be of an indirect, diffused or shielded type luminaire and so installed as not to produce harsh, bright light or direct illumination across the property line from a visible source of illumination.

(7) All building and pole mounted luminaries exceeding 15 watts shall be directed down with either a partial cut-off or full cut-off source, as illustrated in Exhibits "A" and "B" within the City of Rockwall outdoor lighting ordinance.

(8) A photometric plan describing compliance with the provisions of the Unified Development Code (UDC) shall be submitted to the Director of Planning and Zoning prior to the issuance of any building permit or Certificate of Occupancy (CO) that proposes additional lighting. This plan shall be prepared by an appropriate lighting professional such as a lighting engineer, architect or other qualified lighting designer. Upon installation of the lighting, the designer shall provide a letter certifying that the lighting is installed in accordance with the approved design and the Unified Development Code (UDC). The Director of Planning and Zoning shall have the authority to interpret and determine compliance with the Unified Development Code (UDC). The Planning and Zoning Commission may grant exemptions to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this Article will result in substantial financial hardship or inequity, so long as said exemption is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council.

(9) Lighting installed by or for a governmental agency for a public benefit that is used for activities for the public benefit, such as rights-of-way, ball fields, airports and parks. However, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(10) Outdoor lighting must comply with all other City of Rockwall codes.

(4) Private Play Structures.



- |   |  |
|---|--|
| <p>(a) <u>Description.</u> Private play structures are permanent structures used by children for play installed by private property owners.</p> <p>(b) <u>Allowances and Disallowances.</u></p> <p>(1) Private play structures can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climber, play wall, play climbers, play pods, moon house, jungle gym, see-saw, merry-go-round, dome, rocket rider, tire swing, buoy ball, monkey bars, drums, chin-up bar, trampoline and rock wall</p> <p>(2) Sand boxes and sand play areas will not be allowed</p> <p>(c) <u>Building Materials.</u></p> <p>(1) Private play structures can be built using aluminum, galvanized steel, rubber, and water-resistant wood</p> <p>(2) Private play structures will not be built using railroad ties and treated wood</p> <p>(d) <u>Height and Depth Requirements.</u> The height of a private play structures will be up to eight (8)-feet maximum</p> <p>(e) <u>Takeline Setback.</u> No setback requirements</p> <p>(f) <u>Side Yard Setback.</u> There will be a 20-foot setback on both side yards.</p> <p>(g) <u>Normal Pool Elevation Setback (Landside).</u></p> <p>(1) Private play structures will not be allowed below 438.0 feet mean sea level</p> <p>(2) Private play structures will be situated in a collected area no larger than 1,000 square feet maximum</p> <p>(3) Private play structures will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the private play structure does not block public safety personnel and their vehicles access for responding to emergencies, provided the private play structure does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the private play structure is not placed in the view clear zone of a neighbor's view corridor</p> <p>(h) <u>Normal Pool Elevation Setback (Waterside).</u> No private play structures will be allowed at, upon or over the Lake.</p> <p>(i) <u>Additional Requirements.</u></p> <p>(1) Private play structures will not hinder the view clear zone of an adjacent neighbors' view corridor.</p> <p>(2) Private play structure must be anchored into the ground</p> <p>(3) The exterior color of the play structure should blend and incorporate the hues and tones of the surrounding landscape</p> <p>(4) Earth work construction involved with private play structures must comply with the erosion control standards set in the Interlocal Agreement and Lease</p> | <p>(5) Private play structures must comply with all other City of Rockwall codes.</p> <p>(5) <u>Private Utilities.</u></p> <p>(a) <u>Description.</u> Private utilities are a system of underground cable lines, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area and to support recreation and enjoyment</p> <p>(b) <u>Allowances and Disallowances.</u></p> <p>(1) Buried private utilities are allowed</p> <p>(2) No overhead private utilities lines are allowed</p> <p>(c) <u>Building Materials.</u> All building materials must meet the City of Rockwall's adopted building codes and all other applicable ordinances.</p> <p>(d) <u>Height and Depth Regulations.</u> All private utilities will be buried according to standards set in the City of Rockwall Subdivision Ordinance (<a href="#">Chapter 38, Subdivisions, of the Municipal Code of Ordinances</a>).</p> <p>(e) <u>Takeline Setback.</u> No setback requirements</p> <p>(f) <u>Side Yard Setback.</u> There will be a 20-foot setback on both side yards</p> <p>(g) <u>Normal Pool Elevation Setback (Landside).</u></p> <p>(1) Private utilities will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the utilities are built to handle load factors associated with emergency and service vehicles</p> <p>(2) Private utilities containing electricity and communication lines built into boat-related uses will not be allowed below 436.5 feet mean sea level</p> <p>(3) Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds will not be allowed</p> <p>(4) Private utilities containing wastewater or any type of septic lines will not be allowed</p> <p>(h) <u>Normal Pool Elevation Setback (Waterside).</u></p> <p>(1) No private utilities containing electricity and communication lines and built into boat-related uses for dock lighting and tying into connections with power stations will be allowed at, upon or over the Lake</p> <p>(2) No private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds will be allowed at, upon or over the Lake.</p> <p>(3) No private utilities containing wastewater or any type of septic lines will be allowed at, upon or over the Lake.</p> <p>(i) <u>Easement Protection.</u></p> <p>(1) Private utilities will have to be developed in consideration of existing easement/right-of-way or</p> |
|---|--|





identified future easement/right-of-way or identified or set aside access paths, and built to handle load factors associated with emergency and service vehicles

- (2) An existing and future easement running through a leased property will be allowed to substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) Earth work for the construction of a private utilities must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (2) Private utilities must comply with all other City of Rockwall codes.

(6) Private Walks.

- (a) Description. Private walks can be a single path or a network of paths installed by the leasing property owner in the take area no greater than 48 inches in width

(b) Allowances and Disallowances.

- (1) Steps are allowed with private walks
- (2) Walks parallel with the shoreline are prohibited without approved erosion control structure

(c) Building Materials.

- (1) Private walks will be built using native stone, brick, and/or rectangular concrete pavers
- (2) Private walks will not consist of loose stone, gravel, sand, asphalt, or concrete

- (d) Height and Depth Regulations. Private walks must be flushed with the level surrounding terrain, or work within the gradient present in the surrounding terrain

(e) Takeline Setback. No setback requirements

- (f) Side Yard Setback. There will be a ten-foot setback on both side yards

- (g) Normal Pool Elevation Setback (Landside). A private walk will be allowed up to three feet from the normal pool elevation (435.5 feet mean sea level), with 12 feet dedicated for emergency, service, and utility access and the private walk constructed to handle the load of heavy emergency and maintenance vehicles

- (h) Normal Pool Elevation Setback (Waterside). No private walk will be allowed going into the Lake

(i) Easement Protection.

- (1) Private walks may encroach into an existing easement/right-of-way, encroach into an identified future easement/right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are

damaged or removed by the city or other public entity as a result of the necessary use of, or work within or around, such easements.

- (2) An existing and future easement running through a leased property will be allowed to substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) Earth work construction involved with private walks must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (2) Private walks must comply with all other City of Rockwall codes

(7) Fencing.

- (a) Description. A fence is a permanent barrier intended to prevent escape or intrusion or to mark a boundary.

- (b) Allowances and Disallowances. A fence is only allowed to enclose an area of the takeline that is measured a maximum of 45 feet from the existing rear lot property corners along the projected lease lines

(c) Building Materials.

- (1) A fence will not consist of wood or plastic
- (2) A fence will not be a chain-link fence
- (3) A fence will be built of wrought iron or tubular steel posts with less than four-inch spacing and no greater than two (2) inches in width

- (d) Height and Depth Regulations. The height of a fence shall not exceed 48 inches as measured from adjacent grade.

(e) Takeline Setback. No setback requirements

(f) Side Yard Setback. No setback requirements

- (g) Normal Pool Elevation Setback (Landside). No setback requirements

- (h) Normal Pool Elevation Setback (Waterside). No fence will be allowed at, upon or over the Lake

(i) Easement Protection.

- (1) A fence will not encroach into an existing designated drainage way or drainage easement or right-of-way, encroach into an identified future drainage way or drainage easement or right-of-way, or encroach into an identified or set aside access path

- (2) An existing and future easement running through a leased property will be allowed to substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) The exterior color of a fence will be black.



- (2) A fence will not hinder the clear view zone of an adjacent neighbor's view corridor.
- (3) A fence must comply with all other City of Rockwall codes and require a building permit.

(8) Landing/Stairs (Connected to a Retaining Wall).

- (a) Description. A landing is defined as the level part of a staircase, as at the end of a flight of stairs. A stair is a series of steps for passing from one level to another.
- (b) Allowances and Disallowances.
  - (1) Stairs with a landing shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three feet in height measured from adjacent grade to the top of the wall.
  - (2) A landing with stairs exceeding the maximum requirements shall require a specific use permit.
- (c) Building Materials. A landing with stairs shall be constructed with exterior material of natural stone and iron railings.

FIGURE 27: LANDING/STAIRS EXAMPLE

PERSPECTIVE VIEW.



TOP VIEW.



- ❶: MINIMUM EIGHT (8) FOOT x EIGHT (8) FOOT LANDING
- ❷: VARIABLE STAIR LENGTH
- ❸: WROUGHT IRON FENCE
- ❹: STONE STAIRWAY/WALL/LANDING
- ❺: VARIABLE HEIGHT

- (d) Height and Depth Regulations. A landing with stairs will be limited to eight feet by eight feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of six feet.
- (e) Takeline Setback. No setback required.
- (f) Side Yard Setback. There will be a five-foot minimum setback on both side yards
- (g) Normal Pool Elevation Setback (Landside) A landing with stairs will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level).
- (h) Normal Pool Elevation Setback (Waterside) A landing with stairs will be allowed beside the Lake, but not upon or over the Lake
- (i) Additional Requirements. A landing with stairs will not hinder the view clear zone of an adjacent neighbor's view corridor.
- (j) Earth work construction of a landing with a stair must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (k) A landing with stairs must comply with all other City of Rockwall codes.

(9) Sprinkler/Irrigation Systems.

- (a) Description. A sprinkler system is an underground irrigation network used to water and maintain trees, shrubs, grounds and the foundations of improvements
- (b) Allowances and Disallowances. A sprinkler system will be allowed throughout most of the take area
- (c) Building Materials.
  - (1) Sprinkler systems will be built using Schedule 40 PVC pipe
  - (2) Sprinkler systems will not be built using metal pipe
  - (3) All aboveground risers will be made of copper
- (d) Height and Depth Regulations. Sprinkler systems used for shrubs will be no higher than three feet in height from the average base of the surrounding terrain (within a three-foot radius)
- (e) Takeline Setback. No setback requirements
- (f) Side Yard Setback. A sprinkler system can be placed up to the side yard centerlines
- (g) Normal Pool Elevation Setback (Landside). A sprinkler system will be allowed up to one (1) foot of the normal pool elevation shoreline (435.5 feet mean sea level) provided no part of the system could potentially result in lake siltation or shoreline erosion.
- (h) Normal Pool Elevation Setback (Waterside). No sprinkler system will be allowed at, upon or over the Lake
- (i) Easement Protection. An existing and future easement running through a leased property will be allowed to



substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) Sprinkler system must be connected to the resident's existing water supply source with approved backflow prevention devices
- (2) Any damage or destruction to any part of a sprinkler system by public safety, utility, maintenance, or inspection personnel and their vehicles will be the responsibility of the leasing property owner
- (3) Earth work for the construction of a sprinkler system must comply with the erosion control standards set in the Interlocal Agreement and Lease.
- (4) A sprinkler system must comply with all other City of Rockwall codes

(10) Deck/Patio

- (a) Description. A deck/patio is an anchored or concrete-paved, flat-floored roofless surface built either beside the normal pool elevation shoreline or incorporated into a promontory in the lake area, with a maximum area of 1,000 square feet.
- (b) Allowances and Disallowances.
  - (1) Stairs with handrails made of water-resistant wood will be allowed in conjunction with a deck/patio
  - (2) A deck/patio exceeding the maximum requirements shall require a specific use permit.
- (c) Building Materials.
  - (1) A deck/patio must be built using water resistant wood and/or native stone
  - (2) Any railing built on a deck/patio will have a water-resistant wood picket with steel tubing railings or water-resistant wood
- (d) Height and Depth Regulations. A deck/patio will be limited to 12 inches above the highest elevation at which the deck is located
- (e) Takeline Setback. No setback requirements
- (f) Side Yard Setback. There will be a 20-foot setback on both side yards
- (g) Normal Pool Elevation Setback (Landside).
  - (1) A deck/patio must be anchored into the ground
  - (2) A deck/patio will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided a deck/patio does not block public safety personnel and their vehicles access for responding to emergencies, provided a deck/patio does not block public maintenance personnel and their vehicles access for clearing the shoreline, and

provided a deck/patio is not placed in the view clear zone of a neighbor's view corridor.

- (h) Normal Pool Elevation Setback (Waterside). A deck/patio will be allowed beside the Lake, but not upon or over the Lake

(i) Additional Requirements.

- (1) A deck/patio will not hinder the view clear zone of an adjacent neighbors' view corridor.
- (2) Earth work construction of a deck/patio must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (3) A deck/patio must comply with all other City of Rockwall codes.

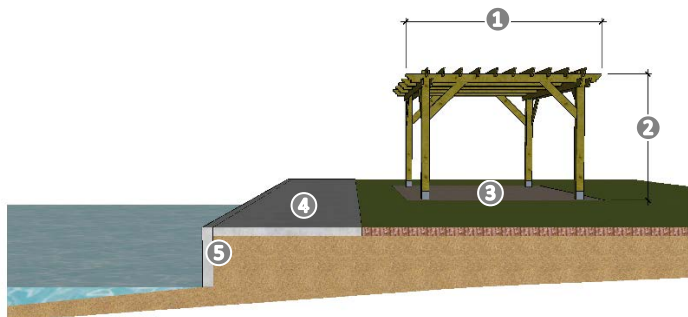
(11) Deck/Patio Cover-Pergola.

- (a) Description. A deck/patio cover - pergola is a permanent stand-alone roofed structure opened on all sides often built as a shade structure over a deck or patio. The pergola has supporting, vertical posts with rafters across the top. These are usually open and flat, running at regular intervals horizontally across the structure, and supported by side rafters. Their sides being square or rectangular in shape, they have straight lines as the basis of their structure.
- (b) Allowances and Disallowances.
  - (1) A deck/patio cover - pergola will not be used as a habitable dwelling structure
  - (2) A deck/patio cover - pergola will not be used as a storage facility
  - (3) A deck/patio cover - pergola will not be used as a shelter for domestic or wild animals
  - (4) A deck/patio cover - pergola will not exceed one story
  - (5) A deck/patio cover - pergola will not have an overhang greater than one foot, six inches
  - (6) A deck/patio cover - pergola will have a pergola style roof with rafters across the top
  - (7) A deck/patio cover - pergola roof will not be used as a deck
- (c) Building Materials.
  - (1) The building materials shall consist of cedar, redwood, ironwood or composite materials which may include a wood composite (natural timber fibers mixed with a high-tech plastic material), fiberglass, vinyl, urethane and cellular PVC
  - (2) Pressure treated pine, railroad ties and other treated wood products are not allowed
- (d) Height and Depth Regulations. The height of a deck/patio/pergola will be a maximum of 12 feet
- (e) Takeline Setback. No setback requirements



- (f) Side Yard Setback. here will be a 20-foot setback on both side yards
- (g) Normal Pool Elevation (Landside).
  - (1) A deck/patio cover - pergola will be allowed below 438.0 feet mean sea level; however, it shall not hinder the clear view zone of an adjacent neighbors view corridor.
  - (2) The exterior of a deck/patio cover - pergola will measure 12 feet x 20 feet maximum with a maximum height of 12 feet.
  - (3) A deck/patio cover - pergola will be allowed within 20 of the normal pool elevation shoreline (435.5 feet mean sea level), provided the deck/patio cover - pergola does not block public safety personnel and their vehicles access for responding to emergencies, provided the deck/patio cover - pergola does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the deck/patio cover - pergola is not placed in the view clear zone of a neighbor's view corridor.
- (h) Normal Pool Elevation (Waterside). A deck/patio cover - pergola will not be allowed at, upon or over the Lake.
- (i) Additional Requirements.
  - (1) Earth work construction of a deck/patio cover - pergola must comply with the erosion control standards set in the Interlocal Agreement and Lease
  - (2) A deck/patio cover - pergola must comply with all other City of Rockwall codes.

FIGURE 28: PERGOLA EXAMPLE



- ❶: 20-FOOT MAXIMUM WIDTH
- ❷: 12-FOOT MAXIMUM HEIGHT
- ❸: 437 FINISHED FLOOR ELEVATION
- ❹: SIX (6) FOOT SIDEWALK (437 FINISHED FLOOR ELEVATION)
- ❺: EXISTING SEAWALL

## (12) Gazebo

- (a) Description. A gazebo is a permanent stand-alone roofed trellis structure opened on all sides with places for sitting
- (b) Allowances and Disallowances
  - (1) A gazebo will not be used as a habitable dwelling structure

- (2) A gazebo will not be used as a storage facility
  - (3) A gazebo will not be used as a shelter for domestic or wild animals
  - (4) A gazebo will not exceed one story
  - (5) A gazebo will not have an overhang greater than one foot, six (6) inches
  - (6) A gazebo will have a hip roof with a slope of 2:1 ratio
  - (7) A gazebo will have one cupola centered at the top of the main hip roof
  - (8) A gazebo roof will not be used as a deck
  - (9) A gazebo will not contain a balcony
  - (10) A Gazebo exceeding the maximum requirements shall require a specific use permit.
- (c) Building Materials
    - (1) A gazebo will be built using steel reinforced concrete piers
    - (2) The side trellis of a gazebo will be built using wood
    - (3) The roof of a gazebo can match the roof of the take area leasing property owner's housing structure; otherwise, the roof of a gazebo will be built using a prefinished standing seam galvanized roof.
  - (d) Height and Depth Regulations. The height of a gazebo will be a maximum of 15 feet.
  - (e) Takeline Setback. No setback requirements
  - (f) Side Yard Setback. There will be a 20-foot setback on both side yards
  - (g) Normal Pool Elevation Setback (Landside).
    - (1) A gazebo will not be allowed below 438.0 feet mean sea level
    - (2) The exterior of a gazebo will measure ten feet by ten feet maximum with a maximum height of 15 feet.
    - (3) A gazebo will be allowed within 20-feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the gazebo does not block public safety personnel and their vehicles access for responding to emergencies, provided the gazebo does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the gazebo is not place in the view clear zone of a neighbor's view corridor.
  - (h) Normal Pool Elevation Setback (Waterside). A gazebo will not be allowed at, upon or over the Lake
  - (i) Additional Requirements.
    - (1) A gazebo will not hinder the clear view zone of an adjacent neighbor's view corridor.
    - (2) Earth work construction of a gazebo must comply with the erosion control standards set in the Interlocal Agreement and Lease





- (3) A gazebo must comply with all other City of Rockwall codes

(H) Specification for Boat-Related Uses.

(1) Descriptions and Visual Measurements.

- (a) A dock deck is a flat floor surface area built over the Lake water adjoining the end of a fixed pier:
- (b) A fixed pier is a structure with a catwalk on top that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft:
- (c) A boathouse is a roofed structure with a main waterside opening with an operating boatlift(s) contained within the structure and the structure built to house and protect watercraft and boat related equipment and with the boathouse structure built at the end or toward the end of an adjoining fixed pier:

(2) Boathouse Elevation. See Figure 29: Specifications for All Boat-Related Uses.

(3) Allowances and Disallowances.

(a) General Requirements:

- (1) Each eligible parcel adjacent to the take line will be permitted one fixed pier with an adjoining dock deck and/or boathouse.
- (2) Any combination of a fixed pier, dock deck and/or boathouse shall not exceed 30 feet in total width
- (3) View corridor restrictions do not apply to dock decks, fixed piers or boathouses
- (4) No boat-related structure will be used as a habitable structure
- (5) No boat-related structure will be used as a shelter for domestic or wild animals

(b) Structure-Specific Requirements:

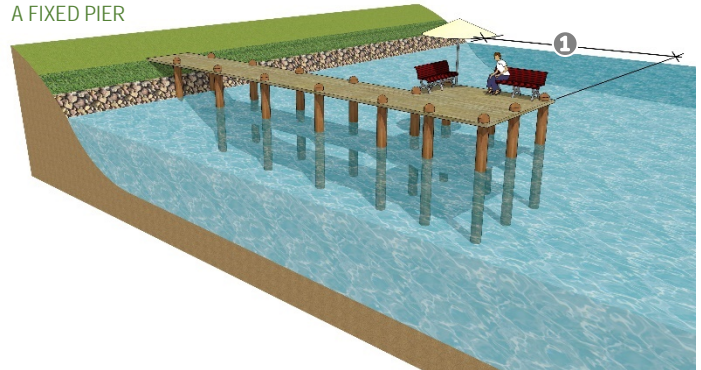
(1) Dock Decks.

- (a) Items that can be securely attached to the edge of a dock deck include the following: personal watercraft swing lift, benches, dock deck lighting (embedded and poled), locker box, and power source station.
- (b) A securely attached table can be placed on the edge or in the center of a dock deck.

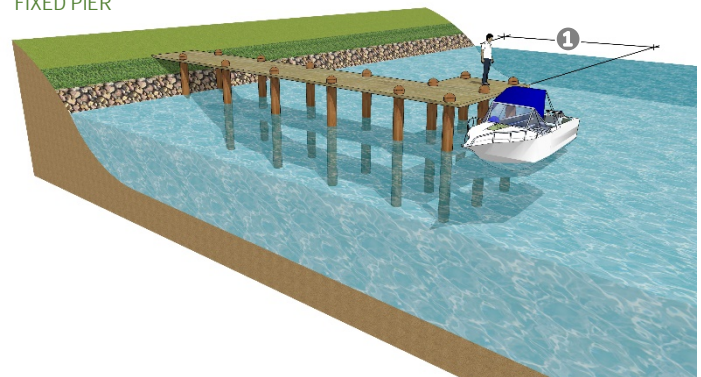
(2) Fixed Pier.

- (a) A fixed pier can be designed to be 'I' shaped, 'T' shaped, 'L' shaped or 'U' shaped.
- (b) Items that can be securely attached to the top edges of a catwalk of a fixed pier include the following: personal watercraft swing lift, bench,

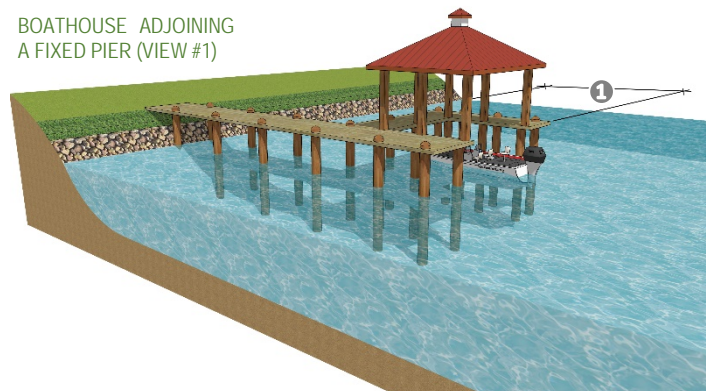
FIGURE 29: SPECIFICATIONS FOR ALL BOAT-RELATED USES  
DOCK DECK ADJOINING  
A FIXED PIER



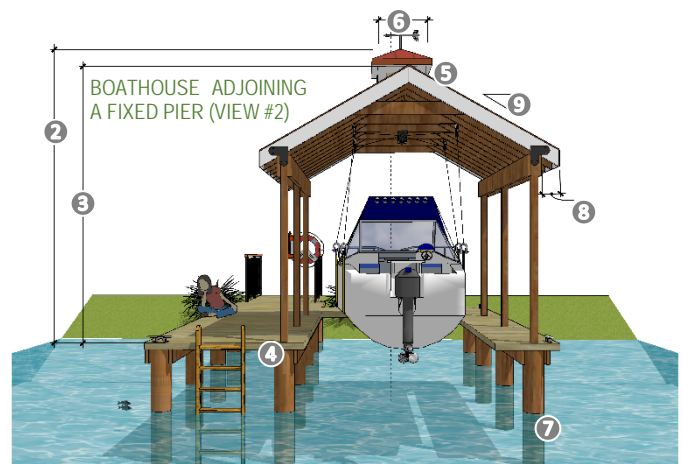
FIXED PIER



BOATHOUSE ADJOINING  
A FIXED PIER (VIEW #1)



- ①: 40-FOOT MAXIMUM; ②: 21-FOOT MAXIMUM; ③: 13 TO 18-FEET MAXIMUM;  
④: CAT WALK (UNDERSTRUCTURE TO BE ABOVE THE 437-ELEVATION); ⑤:  
CUPOLA; ⑥: 3 TO 4-FEET MAXIMUM; ⑦: 435.5-NORMAL POOL ELEVATION;  
⑧: 1.5-FOOT MAXIMUM OVERHANG; ⑨: 2:1 ROOF PITCH (HIP ROOF ONLY)





cleats, dock ladder, dock lighting, locker box, and power source station

- (c) Watercraft are only allowed to moor at any portion of a fixed pier for no greater than 156 hours during an entire week
- (d) Stairs with handrails made of water-resistant wood are allowed at the landside end of a fixed pier

(3) Boathouse.

- (a) A boathouse will not exceed one story
- (b) A boathouse will have a hip roof with either one cupola with a hip roof centered at the top of the main hip roof or two cupolas each with hip roofs at either end of the top of the main hip roof, with cupola(s) measuring from three feet to four feet in width
- (c) A boathouse cupola will be designed to allow updraft air and winds to vent outward
- (d) A boathouse shall be built with a 2:1 roof pitch
- (e) A boathouse roof will not be used as a deck
- (f) A boathouse will not have an overhang greater than 18 inches
- (g) A boathouse will not be used for storing any other type of items except boats and boat-related equipment
- (h) A deck ladder will be allowed inside a boathouse
- (i) A boathouse can incorporate one storage unit measuring 72 inches length by 20 inches depth by 20 inches height placed on the outer dockside to be used only for storing boat-related equipment, except fossil-fuels and hazardous materials
- (j) A boathouse must contain an operating boatlift built within the boathouse structure
- (k) A boathouse must incorporate either one regular boat lift or two personal watercraft boat lifts, and all stored watercraft must be covered by the boathouse roof
- (l) A boatlift(s) built within a boathouse must be able to hoist a watercraft(s) above 438.0 feet mean sea level
- (m) Boat engines with a fuel efficiency rating of 95% or less will be restricted from boathouses
- (n) A boathouse can be used for storing sailboats

(4) Building Materials.

- (a) Boat-related structures constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas.

- (b) A dock deck or fixed pier will be constructed above 437.0 feet mean sea level using only Ironwood, composite materials that are equivalent to or exceed Trex brand specifications, or powder-coated aluminum with a minimum color rating of AAMA 2604.
- (c) A boathouse will be constructed above 437.0 feet mean sea level using only structural galvanized steel and Ironwood, composite materials that are equivalent to or exceed Trex brand specifications, or powder-coated aluminum with a minimum color rating of AAMA 2604 (for decking, encasing, and on all fascia).
- (d) Water repellant sealants shall not be used to treat Ironwood on any boat-related structure.
- (e) Any benches built on a fixed pier or dock deck shall be constructed of water-resistant materials (wood is not permitted)
- (f) All fasteners binding wood must be made of stainless steel
- (g) A boathouse shall have a roof constructed of standing seam metal with a pre-finished color.

(5) Height and Depth Regulations.

- (a) The approved pilings used to support a dock deck, fixed pier, or boathouse must be built up to at least 17 inches above the normal pool elevation (435.5 feet mean sea level)
- (b) The flat floor surface or catwalk for all structures must be no more and no less than 18 inches above the normal pool elevation (435.5 feet mean sea level)
- (c) Dredging of the lake area is allowed for the berthing of a motorized boat into a fixed pier or boathouse provided that dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0 feet mean sea level and a width area allowable for safe boating maneuverability
- (d) Proper authorization to dredge must be obtained from the City of Rockwall, City of Dallas, U.S. Army Corps of Engineers, and Texas Parks and Wildlife
- (e) Disposal of dredge material must be handled by a license establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under City of Dallas guidelines and supervision
- (f) The maximum height for boat-related structures shall be as follows:
  - (1) Dock deck = Up to four pole structures incorporated into dock deck are allowed with a maximum height of eight-feet above the flat floor surface
  - (2) Fixed pier = Up to two pole structures incorporated into fixed pier are allowed with a maximum height of eight feet above the catwalk



- (3) A boathouse's height will range from 16 feet minimum to 21 feet maximum measured from the top of the fixed pier's catwalk to the vertex of boathouse's cupola roof
- (6) Takeline Setback. No setback requirements
- (7) Side Yard Setback. All boat-related structures permitted by the Unified Development Code (UDC) shall have a side yard setback of at least ten feet
- (8) Normal Pool Elevation (Landside).
- (a) A dock deck or boathouse will not be allowed on land
- (b) A fixed pier catwalk will be allowed within nine feet of the normal pool elevation shoreline (435.5 feet mean sea level)
- (9) Normal Pool Elevation (Waterside).
- (a) The farthest point of each dock deck, fixed pier, or boathouse, or combination thereof as allowed by the Unified Development Code (UDC) will not extend more than 40 linear feet into the water measured from the seawall
- (b) No dock deck, or fixed pier, or boathouse shall be designed so as to prevent public access to an area of water
- (c) Size Requirements.
- (1) Dock Deck: The footprint of the exterior sides of a dock deck adjoining a fixed pier will measure eight feet by ten feet minimum and will measure 12 feet by 30 feet maximum
- (2) Fixed Pier: The catwalk of a fixed pier will be a maximum of six feet in width, as measured at a 90-degree angle to the main fixed pier's length, and will not enclose any portion of the water to allow the free movement of water underneath.
- (3) The footprint of the exterior sides of a boathouse structure will measure eight feet width by 30-feet length minimum and will measure 12-feet width by 30-feet length maximum
- (10) Easement Protection. No dock deck, fixed pier or boathouse shall encroach into an existing or identified future easement, right-of-way, access road or path
- (11) Additional Requirements.
- (a) All boat-related structures shall be designed to discourage swimming
- (b) All boat-related structures must comply with most recent City of Rockwall codes
- (c) All boat-related structures as defined in this the Unified Development Code (UDC) must be durable, having a base foundation construction of approved piling piers placed to a depth per structural engineer
- (d) Vertical rub rails are required on all concrete piers
- (e) The exterior color of all dock decks and fixed piers shall be a neutral or earth tone color subject to approval by the City of Rockwall
- (f) Accessories placed on the flat floor surface of a dock deck or catwalk of a fixed pier must be placed in an orderly manner that allows for the safe movement of people
- (g) All dock decks and fixed piers shall be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation
- (h) All structures shall be designed with safety reflectors to be clearly visible on three sides on the main waterside end of the structure. Safety reflectors are required on either side of the main waterside end and the two sides at a minimum increment of ten feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three inches diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (i) The placement of a residence street address sign with six-inch black letters on white background must be displayed outward towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel is required on all boat-related structures (or combination thereof)
- (j) Interior and exterior lighting for any boat-related structure shall not hinder adjacent neighbors' lake area views, negatively impact surrounding residents with unwanted brightness and glare, or interfere with the safety of the traveling public
- (k) Interior lighting for a boathouse will be directed to the ceiling of the structure and the stored watercraft
- (l) Exterior lighting for a boathouse will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns
- (m) Safety lighting may be placed onto the interior edges of the flat floor surface of a dock deck or the catwalk of a fixed pier at ten-foot increments, with the cover housing the lighting source no higher than six inches maximum
- (n) Two light post structures with a maximum height of eight feet can be placed along the periphery of a dock deck or at the end of a fixed pier

#### SUBSECTION 06.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See [Subsection 09.02, Variances to the General Overlay Districts Standards, of Article 11, Development Applications and Review Procedures](#).

#### SECTION 07 | DISTRICT DEVELOPMENT STANDARDS

See next page.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** November 2, 2020

**SUBJECT:** Work Session on Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) and the City's Raw Water Policy

Recently, Mayor Pruitt requested that staff review Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*the takeline ordinance*] and the City's *Raw Water Policy*, and bring forward changes that could: [1] provide clearer requirements with regard to the land uses, building materials, and construction standards permitted within the takeline, and [2] provide incentive for more property owners to pursue takeline leases. Based on this direction, staff has prepared the attached amendments to *the takeline ordinance* and the proposed new *Raw Water Policy*.

A summary of the proposed changes to *the takeline ordinance* is provided on the front of the proposed amendment under the *Change Log* heading, but this amendment is basically a complete overhaul of the language currently contained in this section of the Unified Development Code (UDC). Some of the major changes are summarized as follows:

- (1) The way in which the visual measurement for view corridors are currently calculated was changed to allow a larger buildable area for lots with longer linear frontages of shoreline. Currently, the view corridor is calculated from a projection that starts at a central point in the adjacent property owner's rear yard, and projects outward into the takeline at a 36-degree angle. The proposed amendment changes this calculation to a defined point in the center of the takeline -- *at the quarter point* --, and projects this point back to the corners of the subject property. The advantages of this projection system are that it is easier for property owners and staff to calculate quickly, and it yields similar results as the previous projection calculation. For lots with over 100-feet of takeline frontage, this point starts 30-feet from the side yard of the takeline area and then projects back to the corner of the subject property. By doing this, the buildable area on these larger lots is increased in the *435.5-Elevation Zone*, and this allows the property owners leasing these areas the ability to construct certain structures in the center of the takeline area closer to the water's edge.
- (2) New language addressing *Residential Sublease Agreements* and the costs of these agreements were added. Staff should also point out that the fees for these agreements were reduced as follows:

Lease	Current Fees	Proposed Fees
New Lease ( <i>i.e. Never Leased by Current Owner</i> )	\$600.00	\$200.00
Annual Renewal of a Lease	\$350.00	\$100.00
Change of Ownership of a Valid Lease	\$350.00	\$50.00
Reinstatement of an Expired Lease ( <i>i.e. Same Property Owner</i> )	\$600.00	\$500.00

The purpose of this reduction is to incentivize more property owners to pursue *Residential Sublease Agreements*. In addition, all of the permitted land uses (*with the exception of municipal utilities*) now require the property owner to have a valid *Residential Sublease Agreement*.

- (3) Sea walls were added to the permitted land uses section of the ordinance. In addition, certain land uses now would require the construction of a sea wall prior to their establishment.



In addition to this amendment, staff has prepared a new *Raw Water Policy* that states that the City will not issue authorization letters to the City of Dallas for a *Raw Water Permit* unless the property owner provides [1] a letter of understanding to the City of Rockwall, [2] is in good standing with the City of Rockwall (*i.e. has no outstanding code enforcement or zoning violations, outstanding taxes, and etcetera*), and [3] has a valid *Residential Sublease Agreement*. The purpose of this policy is again to incentivize property owners to pursue *Residential Sublease Agreements*.

After reviewing the current *Interlocal Agreement and Lease* between the City of Rockwall and the City of Dallas, staff is confident that the proposed changes to both *the takeline ordinance* and the *Raw Water Policy* can be adopted without requiring oversight or consent from the City of Dallas. With this being said there is one (1) remaining issue that will need to be addressed by the City Council. Currently, the existing *Residential Sublease Agreements* contain the sublease fees, and a new *Residential Sublease Agreement* for all property owners under existing subleases would be required to subjugate said property owners to the new fees. In addition, after reviewing the current *Residential Sublease Agreement* staff is of the opinion that the agreement needs to be updated, and has asked the City Attorney to review the document. Based on this, staff would suggest that the City Council consider offering *Residential Sublease Agreements* to all property owners that are eligible to lease the takeline area and waive the *New Lease* fee for a set period of time. This will allow property owners with existing agreements to enter into the new agreement without incurring additional cost, and incentivize property owners without a *Residential Sublease Agreement* to enter into a new agreement.

To summarize the above, staff is requesting direction concerning whether the City Council is comfortable: [1] directing staff to amend the Unified Development Code (UDC) with the proposed changes to *the takeline ordinance*, [2] returning to the City Council for action on the *Raw Water Policy* at the November 16, 2020 City Council meeting, and [3] revising the current *Residential Sublease Agreement* and offering it to no cost to all eligible properties for a defined time period. Should the City Council have any questions staff will be available at the November 2, 2020 work session meeting.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*  
Amy Williams, *City Engineer/Director of Public Works*  
Jeffery Widmer, *Chief Building Official*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** August 21, 2020

**SUBJECT:** Policy for Raw Water Permits along the Lake Ray Hubbard Takeline

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According to Subsection 'F' of Section III, *Subleasing in Residential Areas*, of the *Interlocal Agreement and Lease* between the City of Dallas and the City of Rockwall, "(d)omestic raw water permit requests from, and construction activities of sublessee will be reviewed and approved by Dallas through its normal permitting process." As part of this process, the City of Dallas requires the applicant to provide a letter from the City of Rockwall stating that the City has no objection to the use of raw water pumped from Lake Ray Hubbard (*see Exhibit 'A'*). In the furtherance of promoting takeline leases, staff proposes the following policy for the City Council's consideration:

#### Raw Water Permit Policy

It shall be the policy of the City of Rockwall to not issue letters of authorization for raw water permits to the City of Dallas on behalf of property owners, unless said property owner [1] provides a letter of understanding to the City of Rockwall (*outlined below*) [2] is in good standing with the City, and [3] has a valid *Residential Sublease Agreement* with the City. In this case, good standing with the City shall be defined as a property that has no active code enforcement issues, outstanding balances owed to the City for City services, outstanding unpaid taxes (*i.e. balances past due*), or any other issue that may prohibit a City Official from issuing a letter of authorization. The letter of understanding provided by the property owner to the City of Rockwall shall state that no cross connection between an irrigation and/or domestic water system and a system used for raw water will be established. The letter should also state that the property owner acknowledges that once a system has been connected to a raw water source it cannot be reconnected to the City's water system without a testable backflow prevention device being installed at the point of connection between the existing irrigation system and the domestic water supply or after the irrigation meter (*if the irrigation system is on a separate water meter than the water meter supplying the house*). A template for this letter has been provided in *Exhibit 'B'* of this ordinance.



City of Rockwall  
*The New Horizon*

July 29, 2019

Jim Pruitt  
209 Stonebridge  
Rockwall, TX 75087

Re: City of Dallas raw water pump permit

Mr. Pruitt,

The City of Rockwall has no objections to you seeking or acquiring a raw water permit from the City of Dallas.

Please be aware however, installation of an irrigation system and any electrical work associated with energizing the pump requires a permit from the City of Rockwall. Our Building Inspections Department would be happy to assist you in submitting the appropriate permit applications and obtaining the applicable permits.

Sincerely,

Jeffrey Widmer, CBO  
Building Official  
City of Rockwall, TX.  
(972) 772-6453  
jwidmer@rockwall.com

385 South Goliad, Rockwall, TX 75087

972.771.7700

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Exhibit 'B': Example of Letter of Understanding

DATE

TO: Jeffery Widmer  
Chief Building Official  
City of Rockwall  
Rockwall, TX 75087

FROM: Property Owner Name  
Property Owner Address  
Rockwall, TX Zip Code

SUBJECT: Letter of Understanding for a Raw Water Connection

Mr. Widmer:

This letter is to acknowledge that I -- *Property Owner Name* the owner of the property at *Property Address* -- understand the following concerning my request for a *Raw Water Permit* from the City of Dallas:

- (1) Once I establish a raw water system, no cross connection between this system and the City of Rockwall's water system may be established at any time.
- (2) Once an irrigation or water system has used a raw water source, the system may not be connected or reconnected to the City of Rockwall's water system unless it is disconnected from the raw water source and a testable backflow prevention device is installed at the point of connection between the existing irrigation system and the domestic water supply or after the irrigation meter (*if the irrigation system is on a separate water meter than the water meter supplying the house*).

Based on this understanding, I respectfully request a letter of authorization from the City of Rockwall for the purpose of pursuing a *Raw Water Permit* from the City of Dallas. I further understand that if my *Residential Sublease Agreement* expires or is terminated that I will have 30-days to remove any structures and/or improvements from the expired or terminated lease area, and return the area to a predeveloped condition.

Sincerely,

Property Owner Name



## STRUCTURE OF ORDINANCE CHANGE

### (1) SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) PURPOSE
- (B) BOUNDARIES
- (C) APPLICABILITY
- (D) DEFINITIONS
- (E) VISUAL MEASUREMENTS FOR VIEW CORRIDORS
- (F) GENERAL REQUIREMENTS
- (G) RESIDENTIAL SUBLEASE
- (H) PERMITTED USES
- (I) SPECIFIC USE PERMITS (SUPS)
- (J) SPECIFICATIONS FOR PERMITTED LAND USES
  - (1) BARBECUE PIT
  - (2) BOATHOUSE
  - (3) COVERED PATIO
  - (4) DECK
  - (5) DOCK DECK
  - (6) FENCE
  - (7) FLAGPOLE
  - (8) FIXED PIER
  - (9) FIRE PIT
  - (10) GAZEBO
  - (11) LANDING AND STAIRS
  - (12) LANDSCAPING AND RETAINING WALLS
  - (13) MUNICIPAL UTILITIES
  - (14) OUTDOOR LIGHTING
  - (15) PATIO
  - (16) PERGOLA
  - (17) PICNIC TABLE
  - (18) PRIVATE PLAY STRUCTURE
  - (19) PRIVATE UTILITIES
  - (20) PRIVATE WALKWAYS
  - (21) SEAWALL
  - (22) SPRINKLER/IRRIGATION SYSTEM

### (2) SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

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#### CHANGE LOG

- (1) BROKE OUT EACH LAND USE AND STANDARDIZED THE SECTIONS.
- (2) ADDED FIRE PIT AND PICNIC TABLE AND BROKE OUT COVERED PATIO, DECK, PERGOLA, PATIO AND GAZEBO OUT INTO THEIR OWN SECTIONS.
- (3) CHANGED THE MATERIAL REQUIREMENTS FOR ALL STRUCTURES LOCATED IN THE 435.5 & 425.5 ELEVATION ZONES TO ALLOWING ONLY COMPOSITE MATERIALS OR METAL.
- (4) CHANGED THE WAY THE VIEW CORRIDORS WERE CALCULATED AND GAVE A GREATER ALLOWANCE TO PROPERTIES THAT HAVE A MINIMUM OF 100-FEET OF SHORELINE FRONTAGE.
- (5) REQUIRED COVERED PORCHES TO HAVE A CLERESTORY OR CUPOLA.
- (6) LIMITED MATERIALS SO THAT CLOTH, CANVAS, OR LIKE MATERIALS WERE NOT PERMITTED.
- (7) CHANGED THE SUP REQUIREMENT TO GIVE THE CITY COUNCIL GREATER AUTHORITY IN ALLOWING LAND USES AND STRUCTURES IN THE TAKELINE AREA.
- (8) DEFINED WHERE AND WHEN TREES CAN BE PLANTED OR REMOVED.
- (9) LIMITED THE NUMBER OF STRUCTURES PERMITTED IN EACH ZONE.
- (10) ADDED EXAMPLE IMAGES OF ALL PERMITTED LAND USES.
- (11) CHANGED LOCATIONAL REQUIREMENTS FOR STRUCTURES IN THE 435.5 ELEVATION ZONE AND BOAT RELATED STRUCTURES.
- (12) CREATED AN ADMINISTRATIVE EXCEPTION FOR PLACEMENT OF STRUCTURES
- (13) INSERTED A TAKELINE LEASE SECTION THAT OUTLINES THE TAKELINE LEASE FEES.
- (14) REDUCED THE TAKELINE LEASE FEES TO MORE REASONABLE COSTS.
- (15) REQUIRED A SEAWALL FOR CERTAIN STRUCTURES IN CERTAIN ELEVATION ZONES.
- (16) CREATED A SUMMARY CHART FOR PERMITTED LAND USES.
- (17) ADDED AN IMAGE OF AND USE FOR A SEA WALL.

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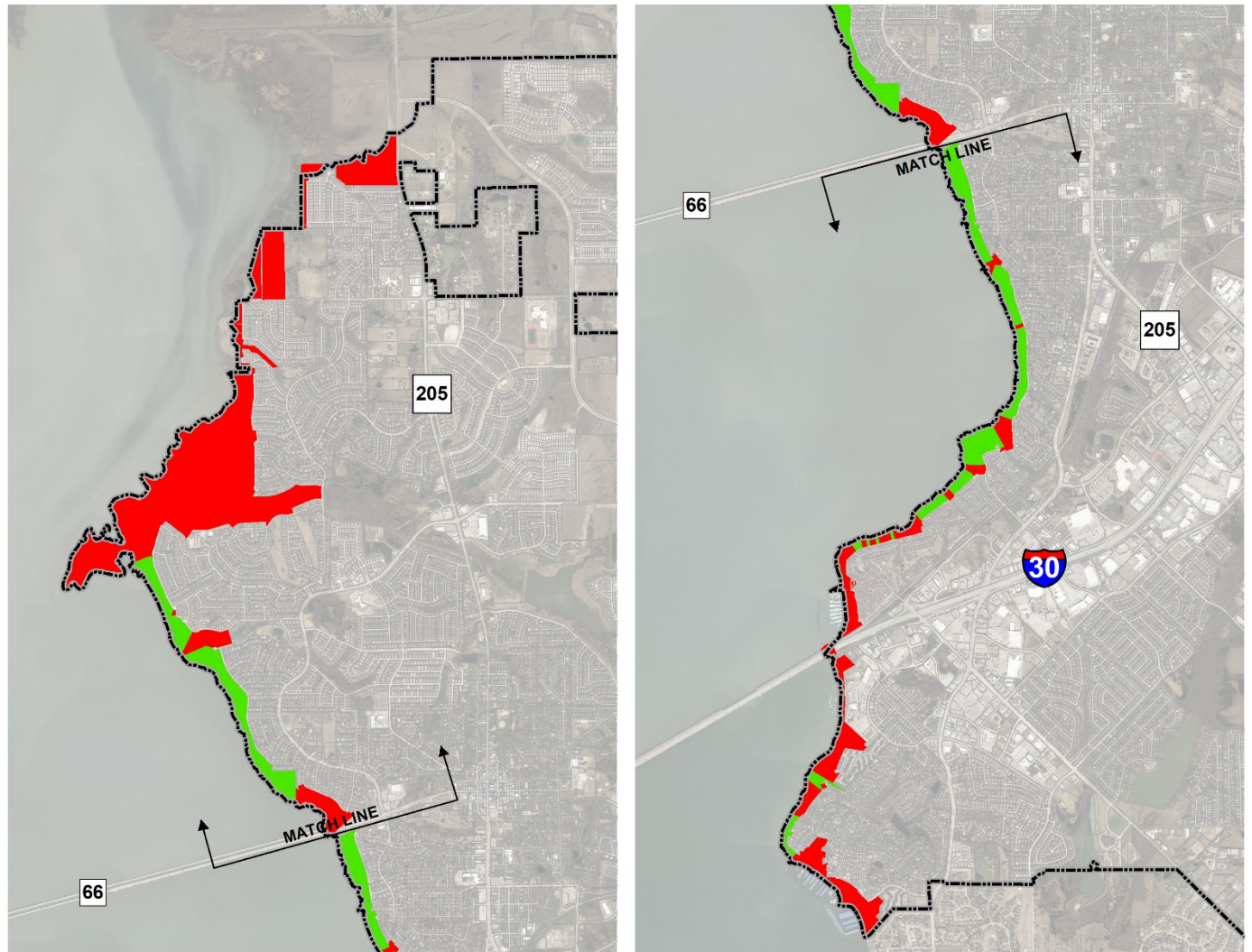
#### NOTES

- (1) I SPOKE WITH THE CITY ATTORNEY ABOUT THE CURRENT ORDINANCE'S LIMITATION ON ONLY ALLOWING THE UNITED STATES FLAG AND THE TEXAS FLAG TO BE FLOWN IN THE TAKELINE AREA. THIS REQUIREMENT IS APPARENTLY NOT ENFORCEABLE; HOWEVER, I LEFT IT IN THE ORDINANCE CHANGE AND AS LONG AS WE DON'T TRY TO ENFORCE IT WE SHOULD BE OK. I SHOULD ALSO NOTE THAT THE CITY OF HEATH ALSO HAS THIS REQUIREMENT IN THEIR TAKELINE ORDINANCE.
- (2) AFTER REVIEW OF THE CURRENT INTERLOCAL AGREEMENT WITH THE CITY OF DALLAS, NOTHING CONTAINED IN THIS ORDINANCE CHANGE WOULD VIOLATE THAT AGREEMENT OR IS EXPRESSLY PROHIBITED IN THAT AGREEMENT. THE CITY COUNCIL SHOULD BE ABLE TO ADOPT THIS ORDINANCE CHANGE WITHOUT THEIR REVIEW; HOWEVER, AFTER ADOPTION IT MAY BE PRUDENT TO ALLOW THEM TO REVIEW THE CHANGES.

## SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) Purpose. The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (*adopted by the City of Dallas*), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. *Garland, Rockwall, and Rowlett*) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas *Takeline* as shown on the boundary map for Lake Ray Hubbard (i.e. *File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

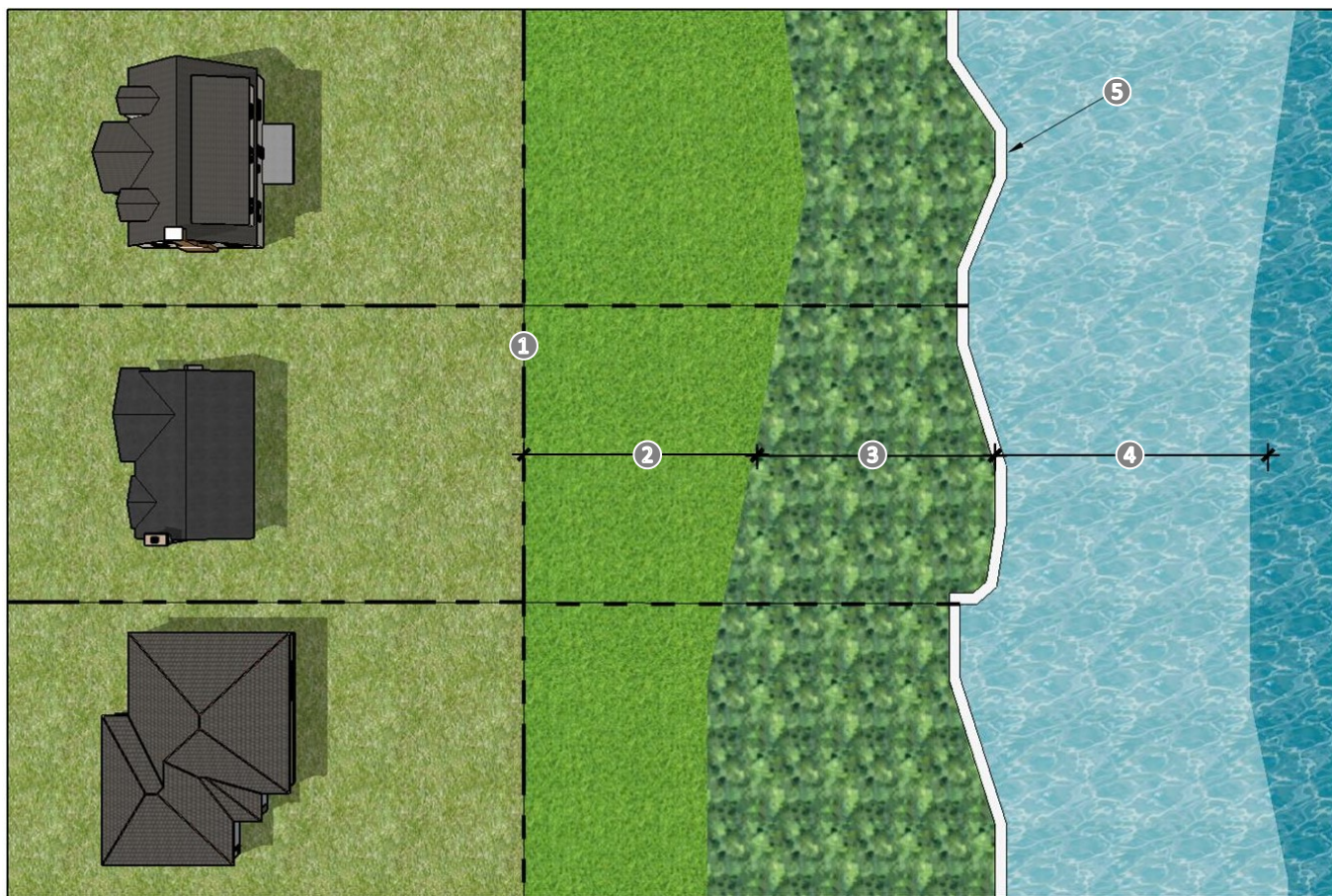
FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP



RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY



FIGURE 27: ELEVATION CONTOUR ZONES



①: REAR PROPERTY LINE/TAKE LINE; ②: 438.0 ELEVATION ZONE; ③: 435.5 ELEVATION ZONE; ④: 425.5 ELEVATION ZONE; ⑤: SEAWALL;

(C) Applicability.

(1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in [Figure 26: Lake Ray Hubbard Takeline Overlay \(TL OV\) District Map](#) above.

(2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in [Subsection 06.15\(B\)\(1\)](#) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to [Subsection \(J\), Specifications for Permitted Land Uses](#). In addition, the following terms shall be defined as follows:

(1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.

(2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).

(3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.

(4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.

(5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.

- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (*i.e. property at or below an elevation of 435.5-feet mean sea level*).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (*e.g. a slip*) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
- (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
- (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
- (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
- (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see [Figure Subsection \(E\): Visual Measurements for View Corridors](#)).
- (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see [Figure 28: Visual Measurements for View Corridors](#)).
- (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
  - (a) Motorized Boat. A boat propelled by an internal combustion engine.
  - (b) Sail Boat. A boat with a mast and sail propelled by the wind.

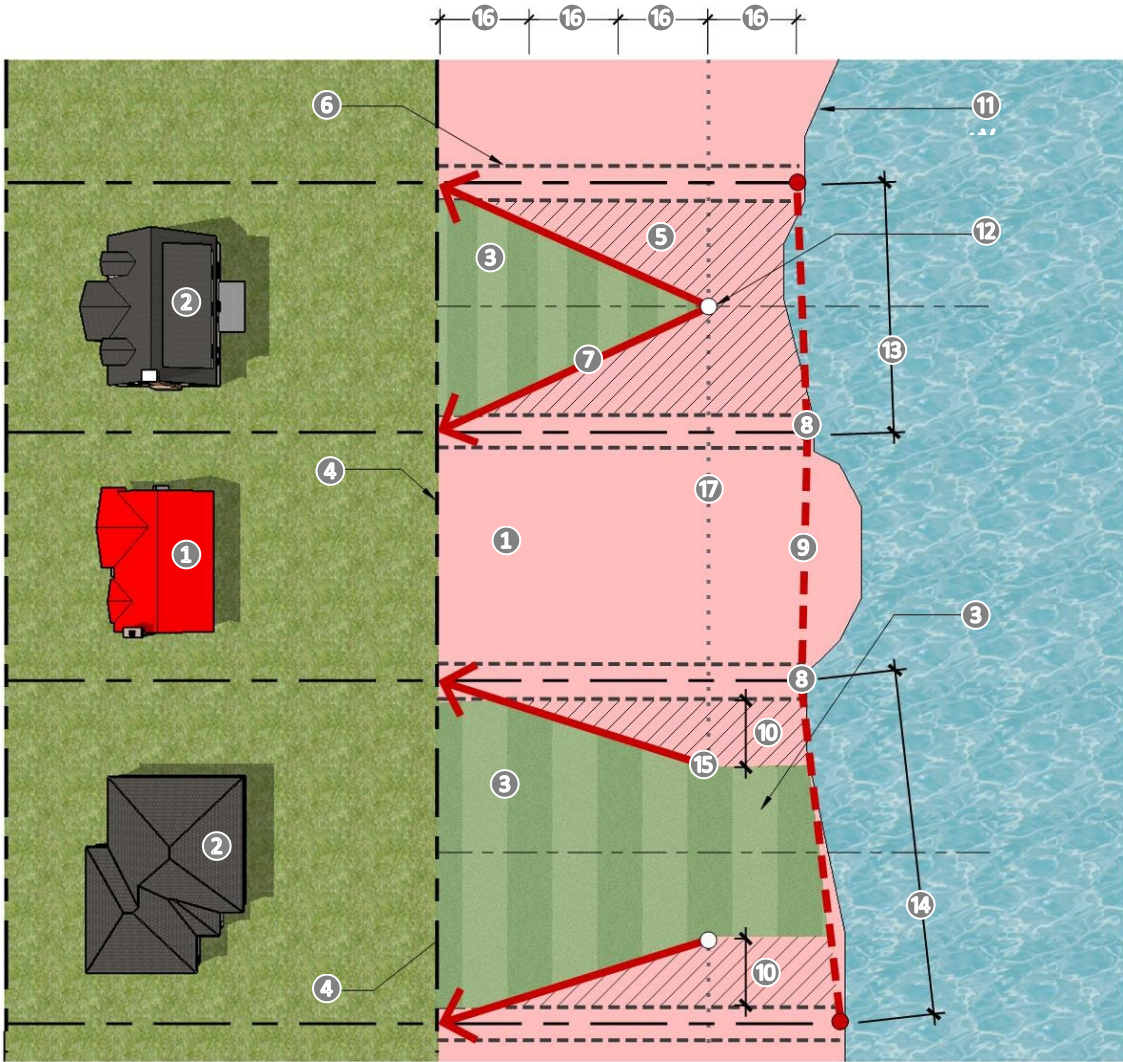
(E) Visual Measurements for View Corridors.

- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-feet mean sea level*), and connecting these two (2) points in a straight line (see [Figure 28: Visual Measurements for View Corridors](#)). Based on this linear measurement, the view clear zones are determined by the following:
  - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).
  - (b) Lots That Have More Than 100-Feet of Shoreline Frontage. The view corridor for lots that have more than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline



frontage line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

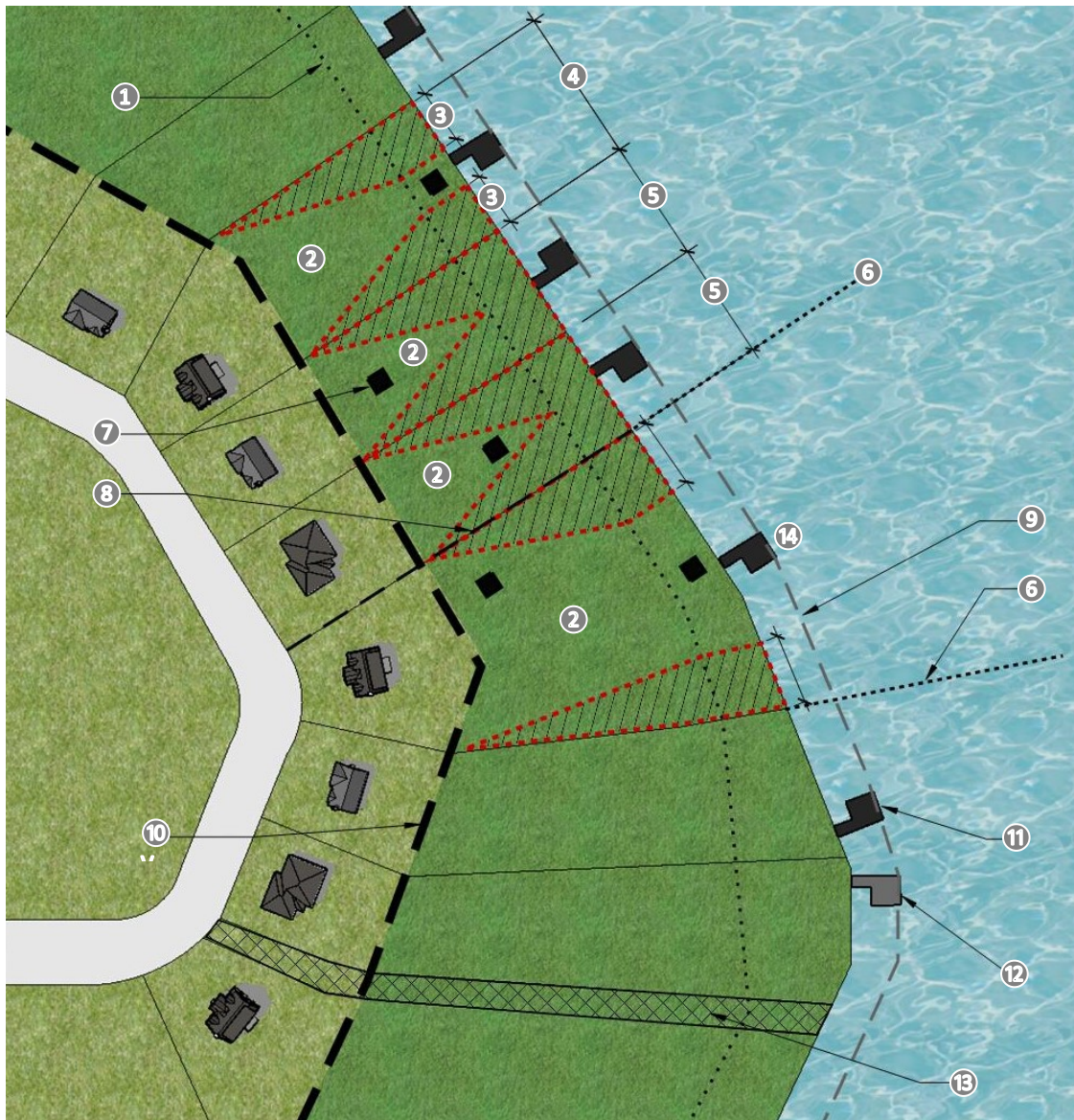
FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS



1: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); 2: NEIGHBORING PROPERTY; 3: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); 4: REAR PROPERTY LINE/TAKELINE; 5: VIEW CLEAR ZONE (LINED AREA); 6: LEASE AREA SIDE YARD SETBACK; 7: VIEW PRESERVATION ANGLE; 8: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; 9: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] 8 POINTS IN A STRAIGHT LINE); 10: 30-FOOT; 11: SHORELINE; 12: CENTER POINT AT THE QUARTER DISTANCE LINE; 13: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-FEET; 14: A LOT WITH A SHORELINE FRONTAGE 100-FEET OR MORE; 15: 30-FOOT POINT ON THE QUARTER DISTANCE LINE; 16: 25% OF THE TAKELINE AREA; 17: QUARTER DISTANCE LINE.



FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



1: QUARTER DISTANCE LINE; 2: BUILDABLE AREA; 3: 30-FOOT; 4: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; 6: LEASE AREA'S PROJECTED SIDE YARD; 7: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; 8: LEASE AREA'S SIDE YARD; 9: 40-FOOT BUILDING LINE; 10: REAR PROPERTY LINE/TAKELINE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; 13: DRAINAGE EASEMENT; 14: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

- (1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).

- (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).
- (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
- (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in [Subsection \(J\), Specifications for Permitted Land Uses](#), and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a *Treescape Plan* showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in [Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements](#), and [2] they are not located within the view clear zone outlined [Subsection \(E\), Visual Measurements](#). The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.
- (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with [Subsection 06.15\(J\)\(6\)](#).
- (G) Residential Sublease Agreement. A *Residential Sublease Agreement* is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A *Residential Sublease Agreement* shall be required to build certain structures within the takeline area. It shall be a violation of the zoning code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of [Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code \(UDC\)](#). The following shall be the costs associated with a *Residential Sublease Agreement*:
- | Lease   | Fees     |
|---|----------|
| New Lease (i.e. New Never Leased by Current Owner) <sup>2</sup>           | \$200.00 |
| Annual Renewal of a Lease   | \$100.00 |
| Change of Ownership of a Valid Lease                                      | \$50.00  |
| Reinstatement of an Expired Lease (i.e. Same Property Owner) <sup>3</sup> | \$500.00 |
- NOTES:
- <sup>1</sup>: To be subject to these new fees, a lease entered into after **January 1, 2021** will be required (i.e. the effective date of the amendment adopting these fees).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.
- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see [Subsection \(J\), Specifications for Permitted Land Uses](#), or [Subsection 07.05, Lake Ray Hubbard Takeline Overlay \(TL OV\) District Development Standards](#).
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in [Subsection \(J\), Specifications for Permitted Land Uses](#) or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by

Subsection (J), Specifications for Permitted Land Uses; however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in Subsection (J), Specifications for Permitted Land Uses, or Subsection (F), General Requirements, is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in Subsection (E), Visual Measurements. A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in Subsection (J), Specifications for Permitted Land Uses, (e.g. jet ski lift) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.

(J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.

(1) Barbecue Pit.

(a) Definition. A *barbecue pit* is a permanent fireplace structure over which meat, poultry and other foods are roasted (for *Fire Pit* see Subsection 06.15(J)(9)).

(b) Prerequisites. A *barbecue pit* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. A *barbecue pit* shall be allowed in the following zones:

(1) 438.0: Permitted.

(2) 435.5: Not Permitted.

(3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *barbecue pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).

(e) Construction Standards.

(1) Building Materials. A *barbecue pit* must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.

(2) Height. A *barbecue pit* shall not exceed a maximum of six (6) feet in height.

(3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.

(f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:

(1) Takeline Setback: 0-Feet

(2) Leased Side Yard Setback: 6-Feet

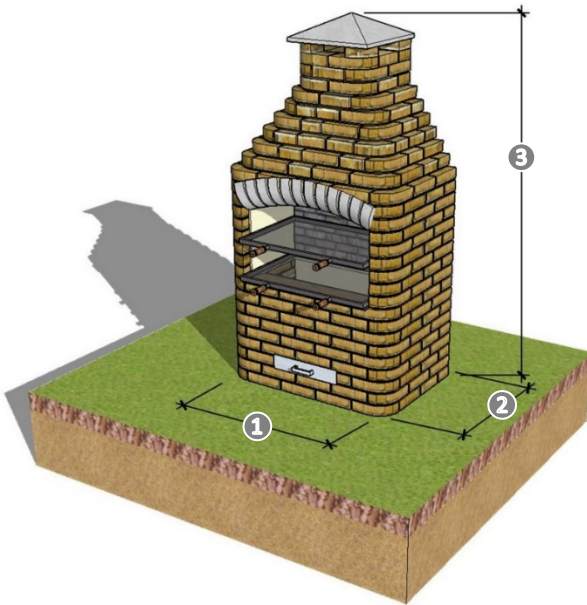
(g) Additional Requirements.

(1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.

(2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.





- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;
- ❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;
- ❸: A MAXIMUM OF SIX (6) FEET;

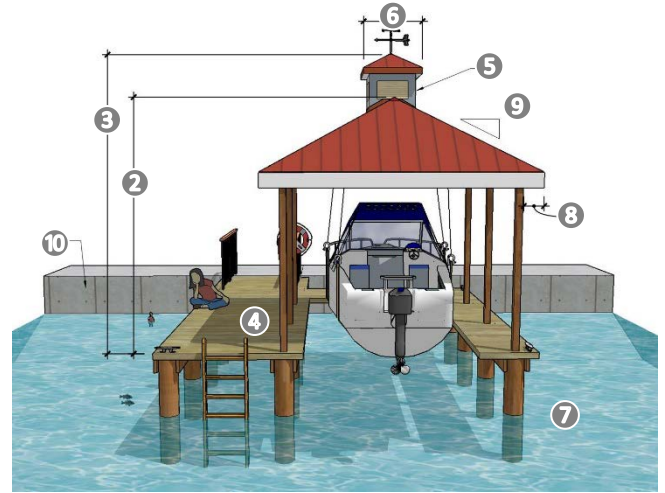
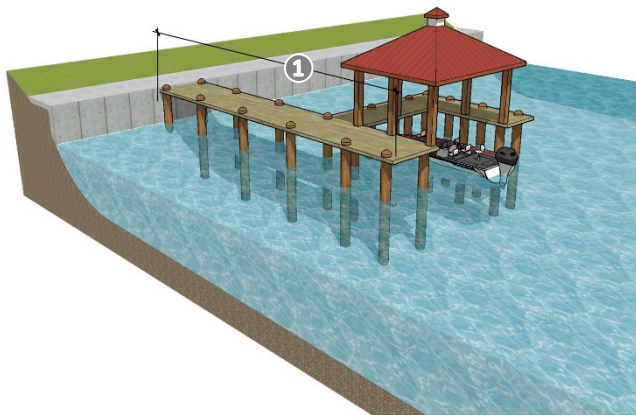
(2) Boathouse.

- (a) Definition. A *boathouse* is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
- (b) Prerequisites. A *boathouse* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
- (c) Conditional Use Standards. *Boathouses* are used for storing boats that have a fuel efficiency rating greater than 95%; however, *boathouses* may also be used to store sailboats. *Boathouses* will not be used for storing any other type of items except boats and boat-related equipment. In addition, *Boathouses* shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All *boathouses* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *boathouse* shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a *boathouse* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (d) Elevation Zone. A *boathouse* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All *boathouse* constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. *Boathouses* shall be constructed utilizing composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials) -- products equivalent to Trex brand are preferred -- for decking, galvanized metal/iron/steel or aluminum (with a minimum color rating of AAMA 2604) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A *boathouse* shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the *boathouse's* cupola; however, in no case should a *boathouse* exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a *boathouse* will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. *Boathouses* shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Roof. A *boathouse* will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All *boathouse* roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. *Boathouses* shall not incorporate a deck or platform.

- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
- (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a *boathouse* should generally be located in line with the primary structure on the leasing property (*i.e. generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.
- (f) Setback Requirements. A *boathouse* must adhere to the following setbacks:
- (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



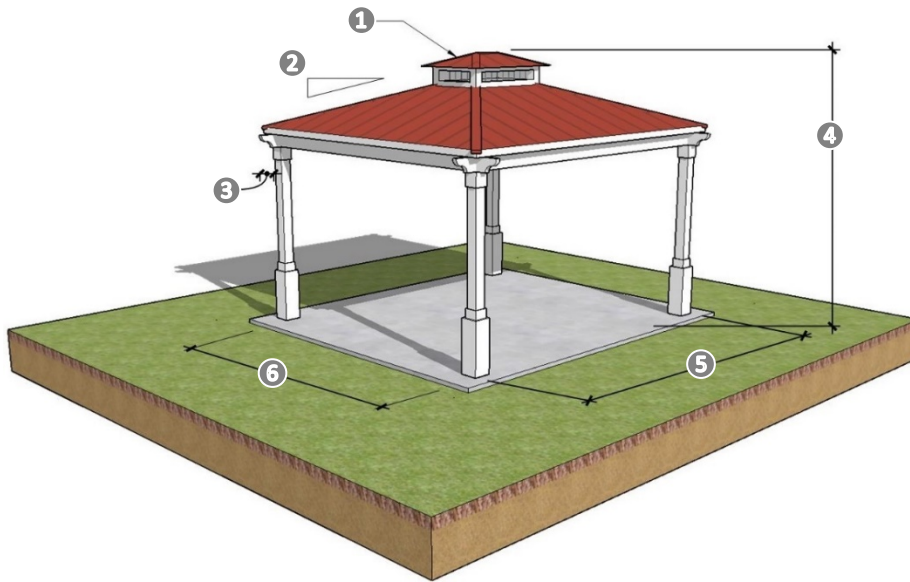
❶: 40-FOOT MAXIMUM; ❷: 13-FOOT MINIMUM TO 18-FOOT MAXIMUM; ❸: 16-FOOT MINIMUM TO 21-FOOT MAXIMUM; ❹: CATWALK (UNDERSTRUCTURE TO BE ABOVE THE 437.0-FOOT ELEVATION); ❺: CUPOLA; ❻: THREE (3) FEET BY FOUR (4) FEET; ❼: 435.5-FOOT NORMAL POOL ELEVATION; Ⓜ: 1.5-FOOT MAXIMUM OVERHANG; Ⓝ: 2:1 ROOF PITCH (HIP ROOF ONLY); Ⓞ: SEAWALL.

### (3) Covered Patio.

- (a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A covered porch may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A covered patio shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (1) Building Materials. A covered porch must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.

- (3) Emergency Response. The *covered patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



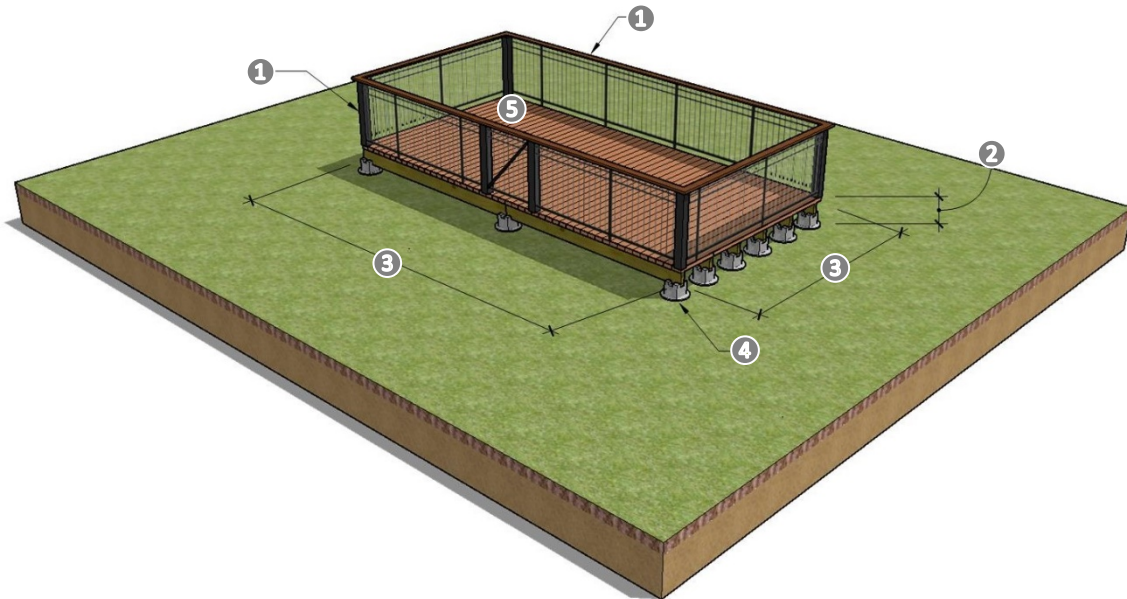
1: CUPOLA OR CLERESTORY; 2: 4:1 MINIMUM ROOF PITCH; 3: 18-INCHES MAXIMUM OVERHANG; 4: 15-FOET MAXIMUM HEIGHT; 5: 20-FOET MAXIMUM; 6: 12-FOET MAXIMUM;

(4) Deck.

- (a) Definition. A *deck* is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.
- (b) Prerequisites. A *deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *deck* shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted (see *Dock Deck* in [Subsection 06.15\(J\)\(5\)](#)).
- (d) Conditional Use Standards. A *deck* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
- (1) Building Materials. A *deck* must be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Handrails incorporated into the *deck* shall be made of wrought iron or decorative metal.
  - (2) Height. A *deck* shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A *deck* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A *deck* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Decks* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A *deck* shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed *deck*.
- (f) Setback Requirements. A *deck* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.



- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

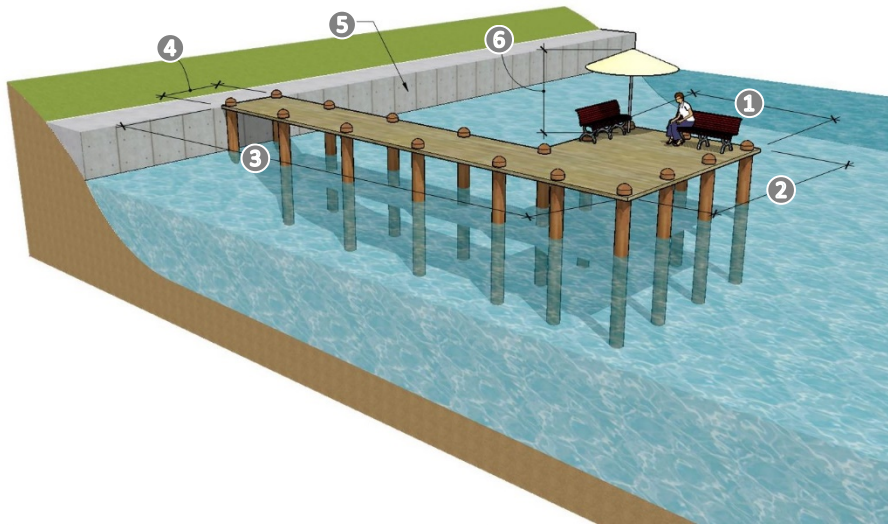


1: WROUGHT IRON OR DECORATIVE METAL; 2: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; 3: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; 4: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; 5: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more that 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *dock deck* shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.

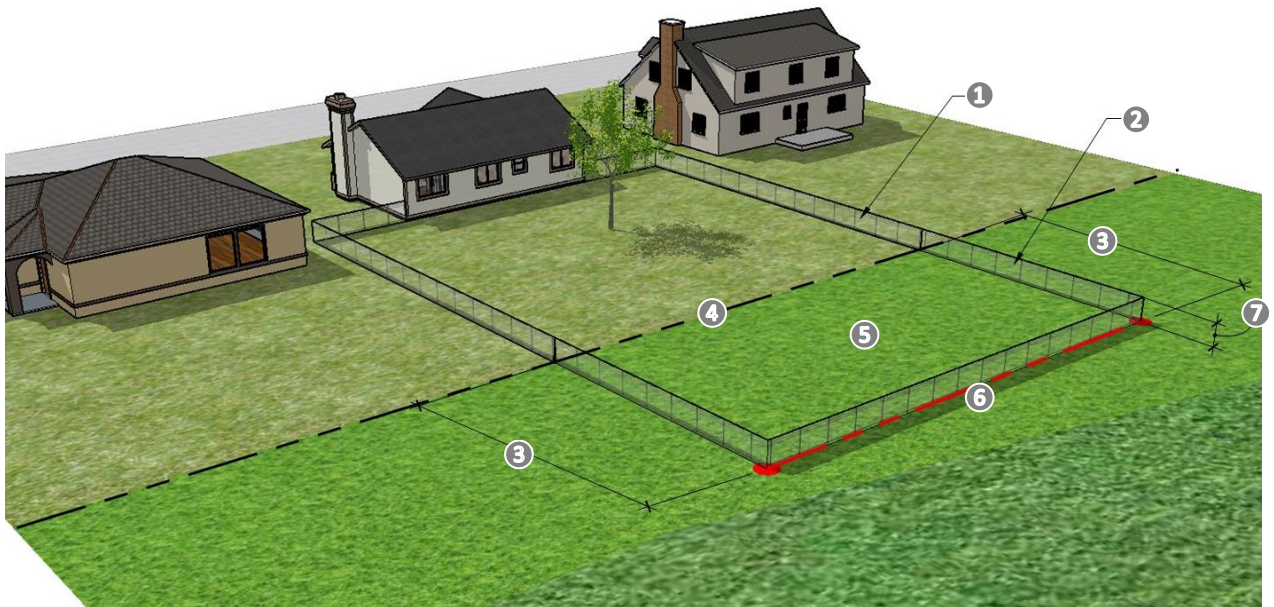
- (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
- (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (*i.e.* 80 SF) and a maximum of 12-feet by 30-feet (*i.e.* 360 SF). *Dock decks* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (*i.e.* 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.
- (f) Setback Requirements. A *dock deck* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *dock deck* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *dock decks* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *dock deck* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



①: MINIMUM OF TEN (10) FEET AND A MAXIMUM OF 30-FEET; ②: MINIMUM OF EIGHT (8) FEET AND A MAXIMUM OF 12-FEET; ③: 40-FOOT MAXIMUM; ④: SIX (6) FOOT MAXIMUM; ⑤: SEAWALL; ⑥: EIGHT (8) FOOT MAXIMUM;

(6) Fence.

- (a) Definition. A *fence* is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A fence may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A fence shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).

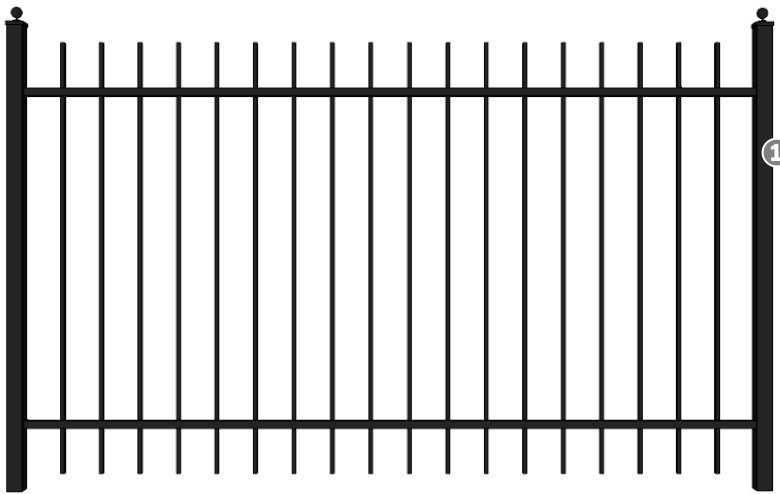


①: EXISTING RESIDENTIAL FENCE ON THE LEASING PROPERTY; ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45-Feet ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.

- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A fence must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



1: FOUR (4) FOOT WROUGHT IRON FENCE

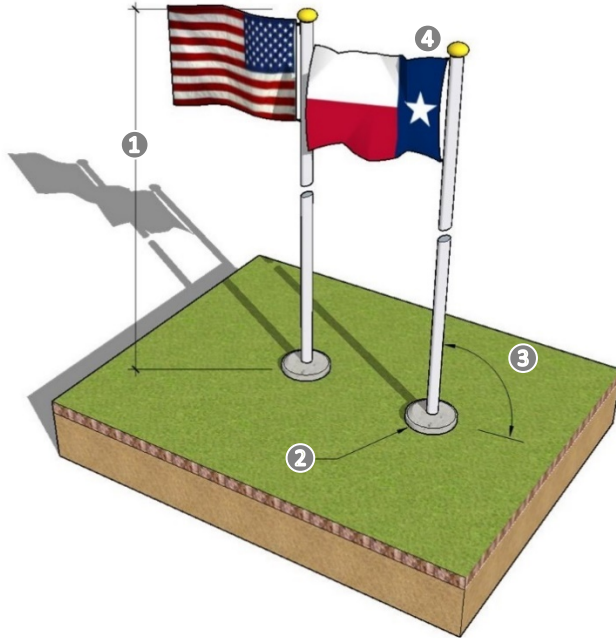
- (7) Flagpole.
  - (a) Definition. A *flagpole* is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
  - (b) Prerequisites. A *flagpole* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A *flagpole* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A maximum of two (2) *flagpoles*, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
  - (e) Construction Standards.
    - (1) Building Materials. A *flagpole* shall *only* be constructed of either stainless steel or aluminum.
    - (2) Height. A *flagpole* shall not exceed a maximum height of 20-feet from grade.
    - (3) Size. At the ground base a *flagpole* shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
    - (4) Location. A *flagpole* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Flagpoles* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (f) Setback Requirements. A *flagpole* must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 6-Feet



(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *flagpole* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *flagpole* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *flagpole* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



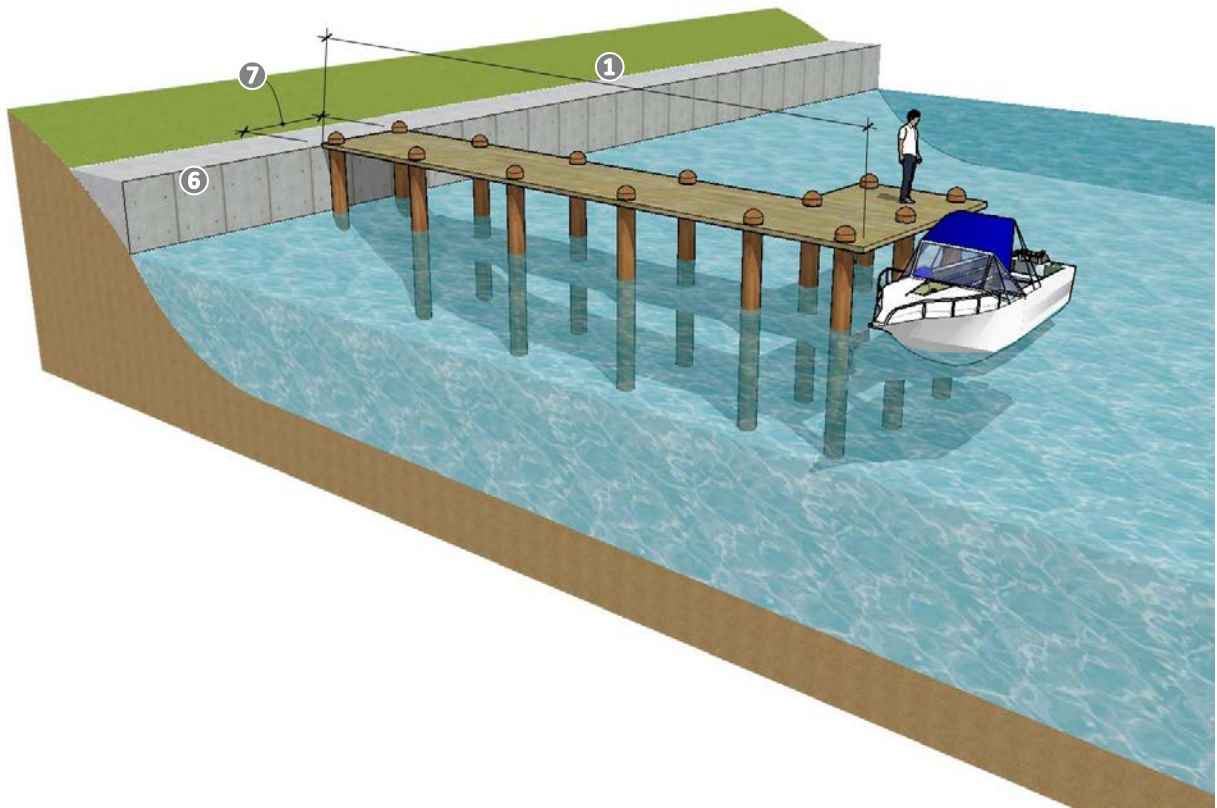
①: MAXIMUM OF 20- FEET FROM GRADE; ②: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ③: MAINTAINED TO BE 90-DEGREES FROM GRADE; ④: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

(8) Fixed Pier.

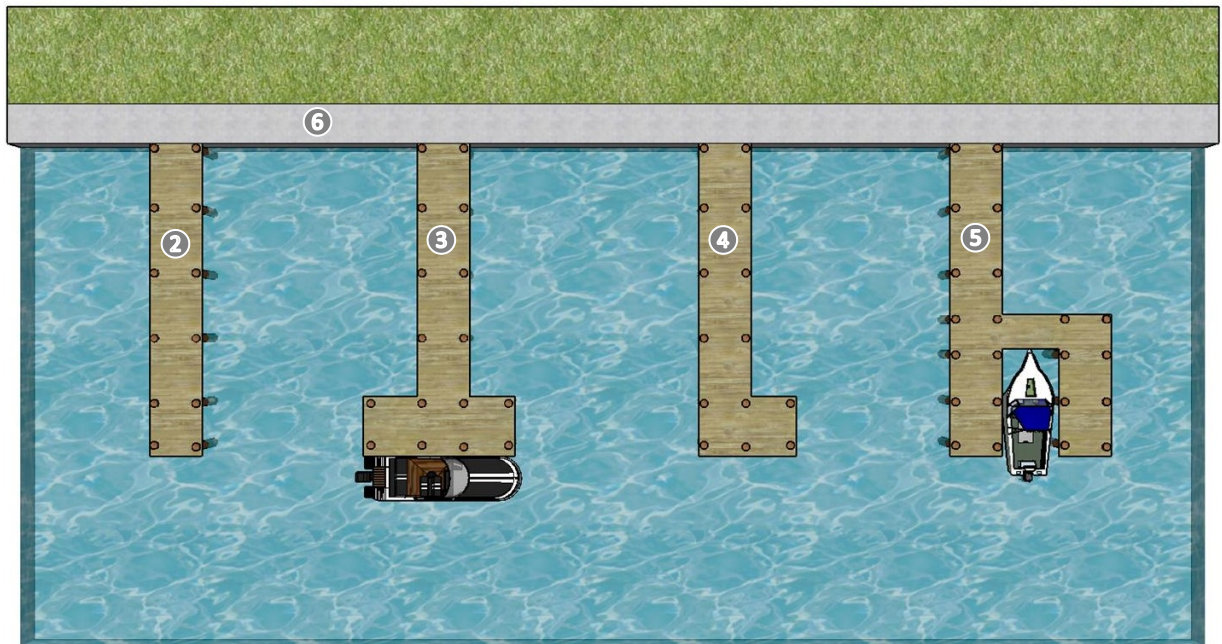
- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the lakeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see [Subsection 06.15\(J\)\(8\)\(h\)](#)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more that 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and any benches built on these structures shall utilize only composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed*

with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.

- (2) Height. No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) Size. The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a *fixed pier*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *fixed piers*.
- (f) Setback Requirements. A *fixed pier* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *fixed pier* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *fixed pier* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *fixed pier* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



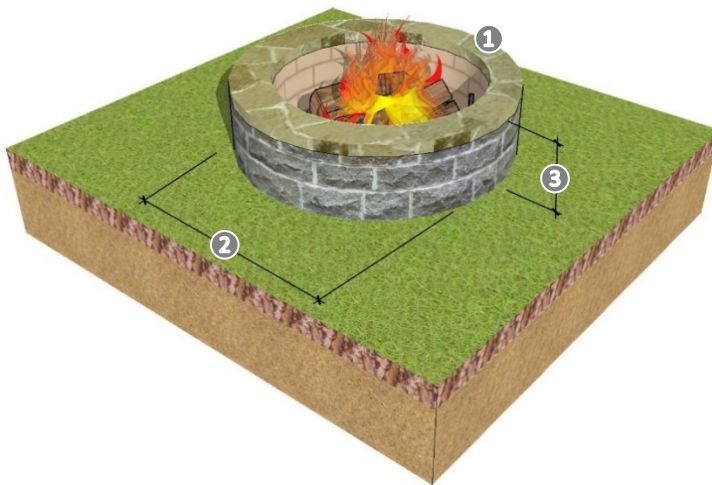
①: 40-FOOT MAXIMUM; ②: PIER IN AN 'I' SHAPE; ③: PIER IN 'T' SHAPE; ④: PIER IN A 'L' SHAPE; ⑤: PIER IN A 'U' SHAPE; ⑥: SEAWALL; ⑦: SIX (6) FOOT MAXIMUM



(9) Fire Pit.

- (a) Definition. A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).

- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *fire pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. *natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. The surround (i.e. *the area used to contain the fire*) for a *fire pit* must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A *fire pit* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *fire pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *fire pit* should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A *fire pit* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *fire pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *fire pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



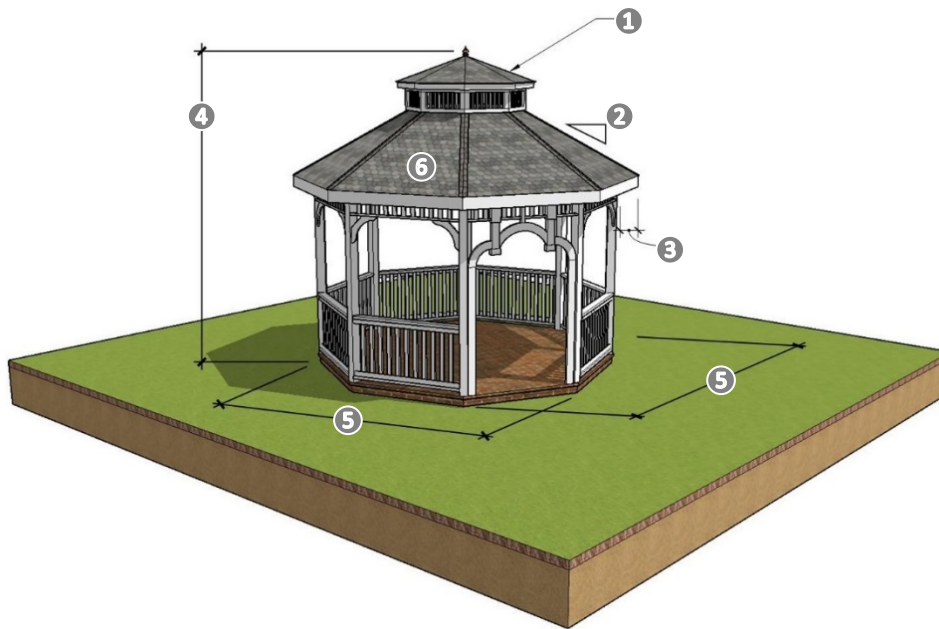
❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HEIGHT OF 36-INCHES OR THREE (3) FEET.

- (10) Gazebo.
- (a) Definition. A *gazebo* is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
  - (b) Prerequisites. A *gazebo* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A *gazebo* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A *gazebo* shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
  - (e) Construction Standards.
    - (1) Building Materials. A *gazebo* built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or



metal. The side trellis of the *gazebo* may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A *gazebo* built in the 435.5 Elevation Zone shall only be built out of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A *gazebo* will be constructed using steel reinforced concrete piers.

- (2) Height. A *gazebo* shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the *gazebo* shall be measured from grade to the vertex of the *gazebo*'s main roof or clerestory/cupola roof. In either case a *gazebo* shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A *gazebo* shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the *gazebo* shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the *gazebo* can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A *gazebo* located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. *Gazebos* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *gazebo* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *gazebo* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *gazebo* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *gazebo* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: CUPOLA OR CLERESTORY; ②: 2:1 MINIMUM ROOF PITCH; ③: 1.5-FOOT MAXIMUM OVERHANG; ④: 18-FEET MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FEET WITHOUT A CUPOLA OR CLERESTORY; ⑤: 12-FEET MAXIMUM; ⑥: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

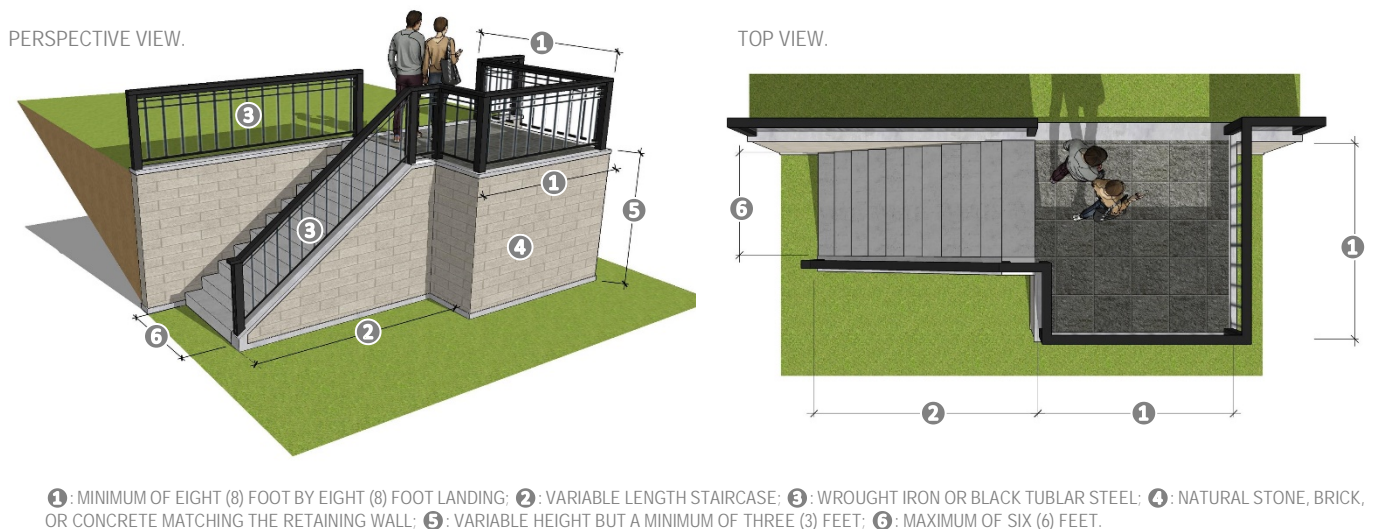
(11) Landing and Stairs.

- (a) Definition. A *landing* is the area of a floor near the top or bottom step of a stair. A *stair* is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A *landing and stairs* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 or 425.5 Elevation Zones -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *landing and stairs* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a Seawall has been constructed).
- (3) 425.5: Permitted (if a Seawall has been constructed).

**NOTE:** A landing and stairs located in the 425.5 Elevation Zone is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 5-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a landing and stairs must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A landing and stairs must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

NOTE: Remedial *landscaping* in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is strictly prohibited. All landscaping must comply with the requirements of [Article 08, Landscaping and Fence Standards, of the Unified Development Code \(UDC\)](#). For information regarding planting or removing trees see [Subsection \(F\)\(4\)](#) above.

- (e) Construction Standards.

- (1) Building Materials. *Retaining walls* shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- *with the exception of using it as a base* --, and brick shall be prohibited.
- (2) Height. *Retaining walls* as part of landscaping will be limited to less than three (3) feet.
- (3) Location. *Landscaping and retaining walls* shall not hinder the view clear zone of an adjacent neighbor's view corridor. *Landscaping* shall not exceed six (6) feet in height in the view clear zone.

- (f) Setback Requirements. *Retaining walls* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *landscaping and retaining walls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Landscaping and retaining walls* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. *Landscaping and retaining walls* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

- (a) Definition. *Municipal utilities* represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.
- (b) Elevation Zone. *Municipal utilities* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Permitted.

- (c) Conditional Use Standards. All *municipal utilities'* infrastructure is permitted within the take area. *Municipal utilities* shall be placed underground.

- (d) Setback Requirements. *Municipal utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

- (e) Additional Requirements.

- (1) Compliance with Applicable Codes. *Municipal utilities* must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

- (a) Definition. *Outdoor lighting* is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (b) Prerequisites. *Outdoor lighting* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Outdoor lighting* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted *outdoor lighting* allowed below the 438.0 Elevation Zone.

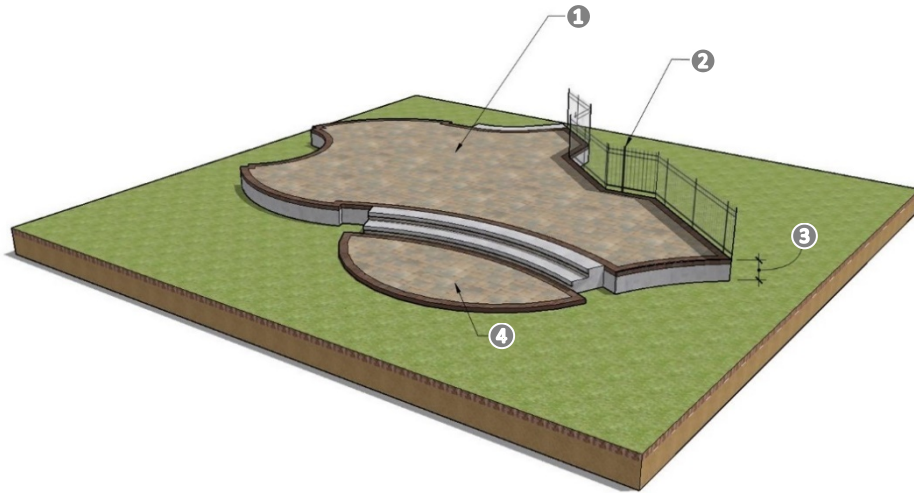
- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are *not* allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
- (e) Photometric Plan. A photometric plan describing compliance with the provisions of [Article 07, Performance Standards, of the Unified Development Code \(UDC\)](#) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in [Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code \(UDC\)](#).
- (f) Construction Standards.
  - (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
  - (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
  - (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
- (g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (h) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
  - (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(15) Patio.

- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
- (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *patio* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.



- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into the *deck* shall be made of wrought iron or decorative metal.
  - (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
  - (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *patio* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

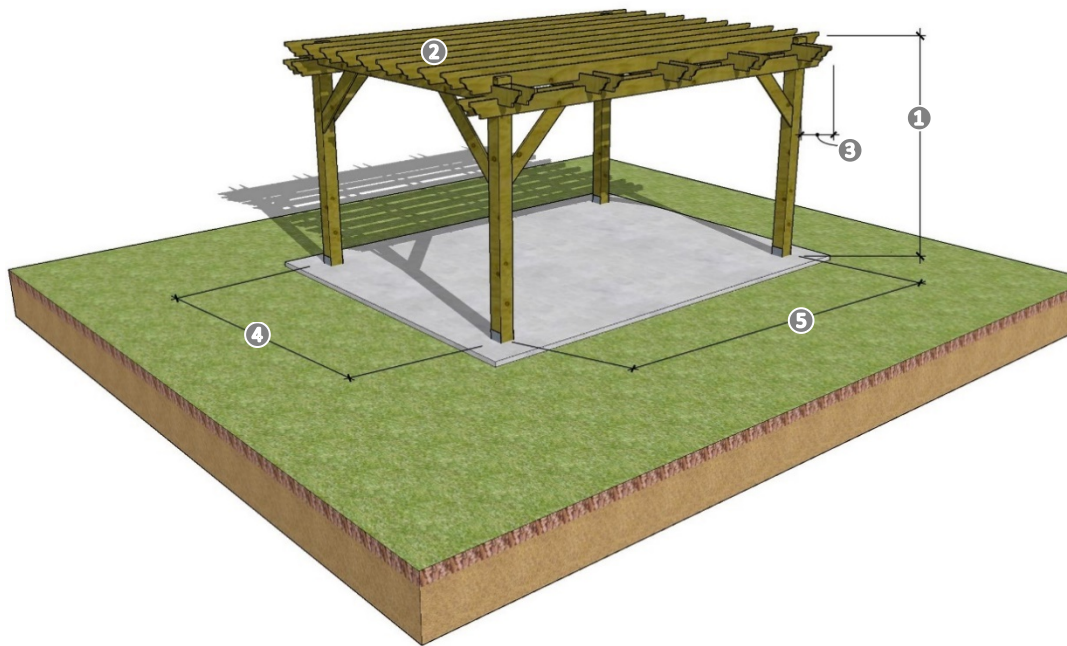


①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

- (a) Definition. A *pergola* is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.
- (b) Prerequisites. A *pergola* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *pergola* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *pergola* shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (6) Building Materials. A *pergola* constructed within the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A *pergola* constructed within the *435.5 Elevation Zone* must be constructed using composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.

- (7) Height. A *pergola* shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A *pergola* shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the *pergola* shall not have an overhang greater than 18-inches.
  - (10) Location. A *pergola* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Pergolas* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *pergola* must adhere to the following setbacks:
- (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (4) Earth Work. Earth work required for the construction of a *pergola* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A *pergola* must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The *pergola* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

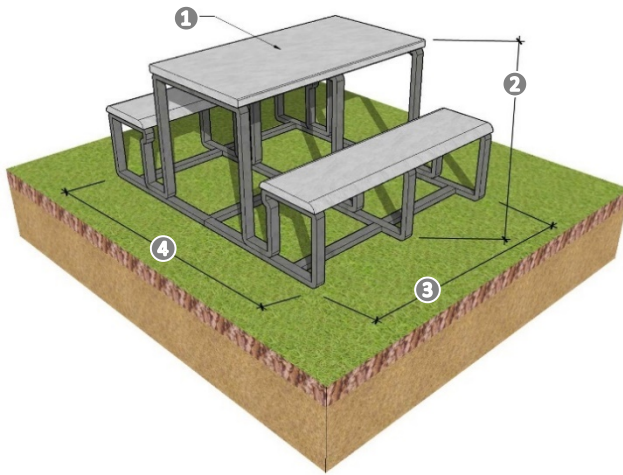


1: 12-FOOT MAXIMUM HEIGHT; 2: OPEN ROOF OF GIRDERS OR RAFTERS; 3: 1.5-FOOT MAXIMUM OVERHANG; 4: 12-FOOT MAXIMUM; 5: 20-FOOT MAXIMUM; 6: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. no roof covering) unless combined with a covered porch or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.

- (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

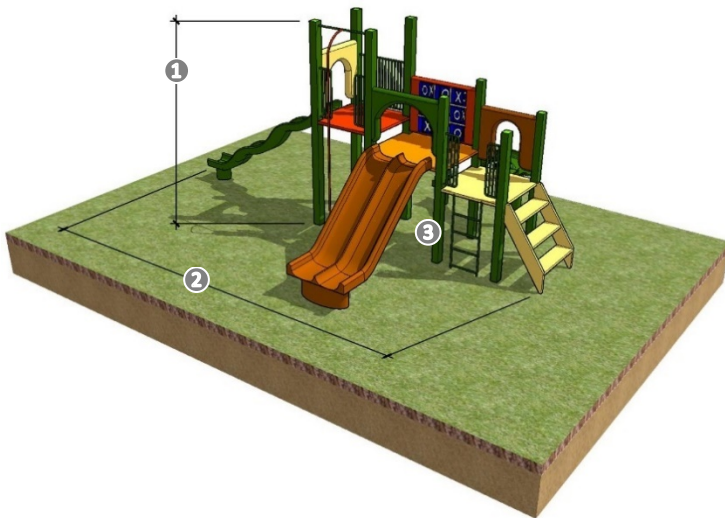


❶: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ❷: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ❸: EIGHT (8) FOOT MAXIMUM; ❹: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A *private play structure* shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a *private play structure* should blend and incorporate the same hues and tones of the surrounding landscaping.

- (2) Height. A private play structure shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All private play structures will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. Private play structures shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A private play structures must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a private play structures must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A private play structure must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The private play structure shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ②: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ③: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. Private utilities are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. Private utilities may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. Private utilities shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. Private utilities are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. Private utilities shall only be constructed out of materials permitted by the City's Engineering Department.
  - (2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (*i.e.* 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.



(f) Setback Requirements. *Private utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private utilities* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private utility* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private utility* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(20) Private Walkways.

- (a) Definition. *Private walkways* can be a single path or a network of paths installed by the leasing property owner in the takeline area.
- (b) Prerequisites. *Private walkways* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. *Private walkways* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private walkways* with steps are permitted (see *Landing and Stairs* in [Subsection 06.15\(J\)\(11\)](#)).
- (e) Construction Standards.

- (1) Building Materials. *Private walkways* shall be constructed using native stone, brick and/or rectangle pavers; however, *private walks* shall not consist of loose stone, gravel, sand, asphalt, or concrete.
- (2) Height. *Private walkways* shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
- (3) Size. *Private walkways* shall be no greater than 48-inches in width.
- (4) Location. *Private walkways* may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-foot wide, suitable for access, and will connect to adjacent access paths.

(f) Setback Requirements. *Private walkways* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 10-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A *seawall* is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A *seawall* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *seawall* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.

- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

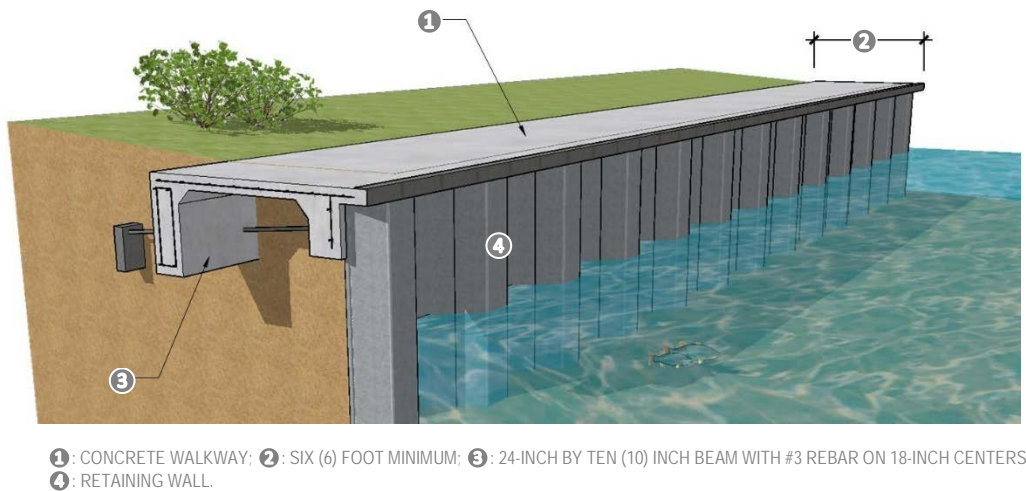
(d) Construction Standards.

- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.

(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *seawalls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *seawall* must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



(22) Sprinkler/Irrigation System.

- (h) Definition. A sprinkler/irrigation system is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A sprinkler/irrigation system may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (j) Elevation Zone. A sprinkler/irrigation system shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.

- (k) Conditional Use Standards. A sprinkler/irrigation system must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.

(l) Construction Standards.

- (1) Building Materials. A sprinkler/irrigation system shall only be constructed utilizing *Schedule 40 PVC* pipe.
- (2) Height. The heads of a sprinkler/irrigation system used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
- (3) Location. A sprinkler/irrigation system shall be allowed up to one (1) foot of the normal pool elevation shoreline (i.e. 435.5) provided no part of the system could potentially result in lake siltation erosion.

- (m) Setback Requirements. A sprinkler/irrigation system must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(n) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *sprinkler/irrigation system* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *sprinkler/irrigation system* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a *sprinkler/irrigation system* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

# SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE <a href="#">SUBSECTION 06.15(J)</a>	PRE-REQUISITES L: SUBLEASE, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	<a href="#">(1)</a>	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	<a href="#">(2)</a>	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	<a href="#">(3)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5</sup>	<a href="#">(4)</a>	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILINGS
DOCK DECK <sup>2 &amp; 5</sup>	<a href="#">(5)</a>	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	<a href="#">(6)</a>	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	<a href="#">(7)</a>	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	<a href="#">(8)</a>	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	<a href="#">(9)</a>	L & S <sup>16</sup>	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	<a href="#">(10)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15'/18' <sup>7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	<a href="#">(11)</a>	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5</sup>	<a href="#">(15)</a>	L	P	X	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	<a href="#">(16)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	<a href="#">(17)</a>	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	<a href="#">(18)</a>	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	<a href="#">(20)</a>	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	<a href="#">(22)</a>	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROEPRTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES (IF PERMITTED IN THE ZONE). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1. <sup>7</sup> : SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK.					
MUNICIPAL UTILITIES	<a href="#">(13)</a>	NONE	P	P	P						
OUTDOOR LIGHTING	<a href="#">(14)</a>	L	P	X	X						
PRIVATE UTILITIES	<a href="#">(19)</a>	L	P	P	X						
SEAWALL	<a href="#">(21)</a>	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	<a href="#">(22)</a>	L	P	P	X						

- <sup>8</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN FOUR (4) POLE STRUCTURES ALLOWED.
- <sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.
- <sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.
- <sup>11</sup>: REQUIRES A HIP OR GABEL ROOF OR A HIP AND/OR GABEL ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.
- <sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.
- <sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.
- <sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVREAGE BASE OF THE SURROUND TERRIAN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.
- <sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.
- <sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.
- <sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.



# CITY COUNCIL WORK SESSION CITY OF ROCKWALL



NOVEMBER 2, 2020 | TAKELINE ORDINANCE

# PLANNING AND ZONING CITY OF ROCKWALL



WORK SESSION  
385 S. GOLIAD STREET  
NOVEMBER 2, 2020

## PROPOSED RAW WATER POLICY

- IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO NOT ISSUE LETTERS OF AUTHORIZATION FOR RAW WATER PERMITS TO THE CITY OF DALLAS ON BEHALF OF PROPERTY OWNERS, UNLESS SAID PROPERTY OWNER:
  - 1) PROVIDES A LETTER OF UNDERSTANDING TO THE CITY OF ROCKWALL (*OUTLINED BELOW*)
  - 2) IS IN GOOD STANDING WITH THE CITY, AND
  - 3) HAS A VALID *RESIDENTIAL SUBLEASE AGREEMENT* WITH THE CITY.
- IN THIS CASE, GOOD STANDING WITH THE CITY SHALL BE DEFINED AS A PROPERTY THAT HAS NO ACTIVE CODE ENFORCEMENT ISSUES, OUTSTANDING BALANCES OWED TO THE CITY FOR CITY SERVICES, OUTSTANDING UNPAID TAXES (*I.E. BALANCES PAST DUE*), OR ANY OTHER ISSUE THAT MAY PROHIBIT A CITY OFFICIAL FROM ISSUING A LETTER OF AUTHORIZATION.
- THE LETTER OF UNDERSTANDING PROVIDED BY THE PROPERTY OWNER TO THE CITY OF ROCKWALL SHALL STATE THAT NO CROSS CONNECTION BETWEEN AN IRRIGATION AND/OR DOMESTIC WATER SYSTEM AND A SYSTEM USED FOR RAW WATER WILL BE ESTABLISHED. THE LETTER SHOULD ALSO STATE THAT THE PROPERTY OWNER ACKNOWLEDGES THAT ONCE A SYSTEM HAS BEEN CONNECTED TO A RAW WATER SOURCE IT CANNOT BE RECONNECTED TO THE CITY'S WATER SYSTEM WITHOUT A TESTABLE BACKFLOW PREVENTION DEVICE BEING INSTALLED AT THE POINT OF CONNECTION BETWEEN THE EXISTING IRRIGATION SYSTEM AND THE DOMESTIC WATER SUPPLY OR AFTER THE IRRIGATION METER (*IF THE IRRIGATION SYSTEM IS ON A SEPARATE WATER METER THAN THE WATER METER SUPPLYING THE HOUSE*).

# PLANNING AND ZONING CITY OF ROCKWALL



WORK SESSION  
385 S. GOLIAD STREET  
NOVEMBER 2, 2020

## PROPOSED CHANGES TO THE TAKELINE ORDINANCE

- 1) BROKE OUT EACH LAND USE AND STANDARDIZED THE SECTIONS.
- 2) ADDED FIRE PIT AND PICNIC TABLE AND BROKE OUT COVERED PATIO, DECK, PERGOLA, PATIO AND GAZEBO OUT INTO THEIR OWN SECTIONS.
- 3) CHANGED THE MATERIAL REQUIREMENTS FOR ALL STRUCTURES LOCATED IN THE 435.5 & 425.5 ELEVATION ZONES TO ALLOWING ONLY COMPOSITE MATERIALS OR METAL.
- 4) CHANGED THE WAY THE VIEW CORRIDORS WERE CALCULATED AND GAVE A GREATER ALLOWANCE TO PROPERTIES THAT HAVE A MINIMUM OF 100-FEET OF SHORELINE FRONTAGE.
- 5) REQUIRED COVERED PORCHES TO HAVE A CLERESTORY OR CUPOLA.
- 6) LIMITED MATERIALS SO THAT CLOTH, CANVAS, OR LIKE MATERIALS WERE NOT PERMITTED.
- 7) CHANGED THE SUP REQUIREMENT TO GIVE THE CITY COUNCIL GREATER AUTHORITY IN ALLOWING LAND USES AND STRUCTURES IN THE TAKELINE AREA.
- 8) DEFINED WHERE AND WHEN TREES CAN BE PLANTED OR REMOVED.
- 9) LIMITED THE NUMBER OF STRUCTURES PERMITTED IN EACH ZONE.
- 10) ADDED EXAMPLE IMAGES OF ALL PERMITTED LAND USES.
- 11) CHANGED LOCATIONAL REQUIREMENTS FOR STRUCTURES IN THE 435.5 ELEVATION ZONE AND BOAT RELATED STRUCTURES.
- 12) CREATED AN ADMINISTRATIVE EXCEPTION FOR PLACEMENT OF STRUCTURES
- 13) INSERTED A TAKELINE LEASE SECTION THAT OUTLINES THE TAKELINE LEASE FEES.
- 14) REDUCED THE TAKELINE LEASE FEES TO MORE REASONABLE COSTS.
- 15) REQUIRED A SEAWALL FOR CERTAIN STRUCTURES IN CERTAIN ELEVATION ZONES.
- 16) CREATED A SUMMARY CHART FOR PERMITTED LAND USES.
- 17) ADDED AN IMAGE OF AND USE FOR A SEA WALL.

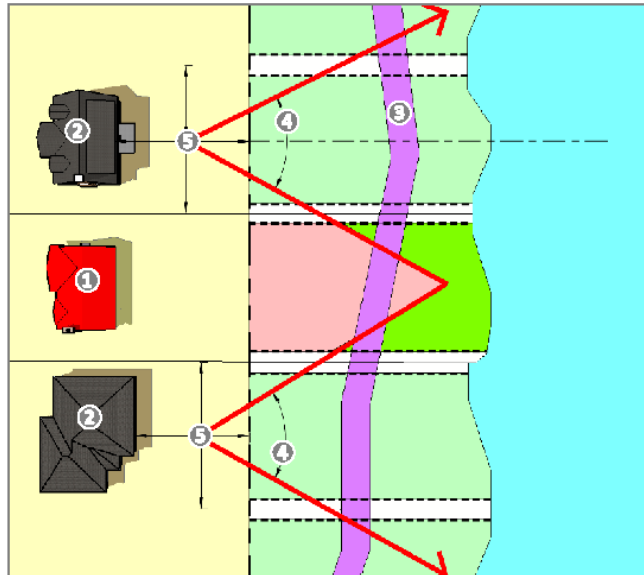
# PLANNING AND ZONING CITY OF ROCKWALL



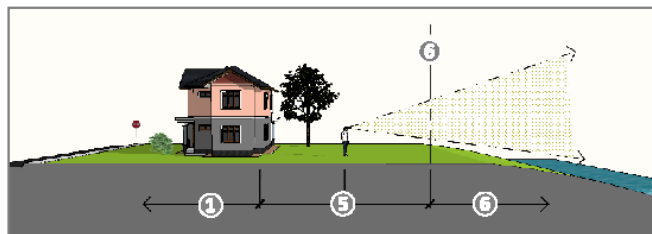
WORK SESSION  
385 S. GOLIAD STREET  
NOVEMBER 2, 2020

## CURRENT ORDINANCE

FIGURE 26: VISUAL MEASUREMENTS VIEW CORRIDORS

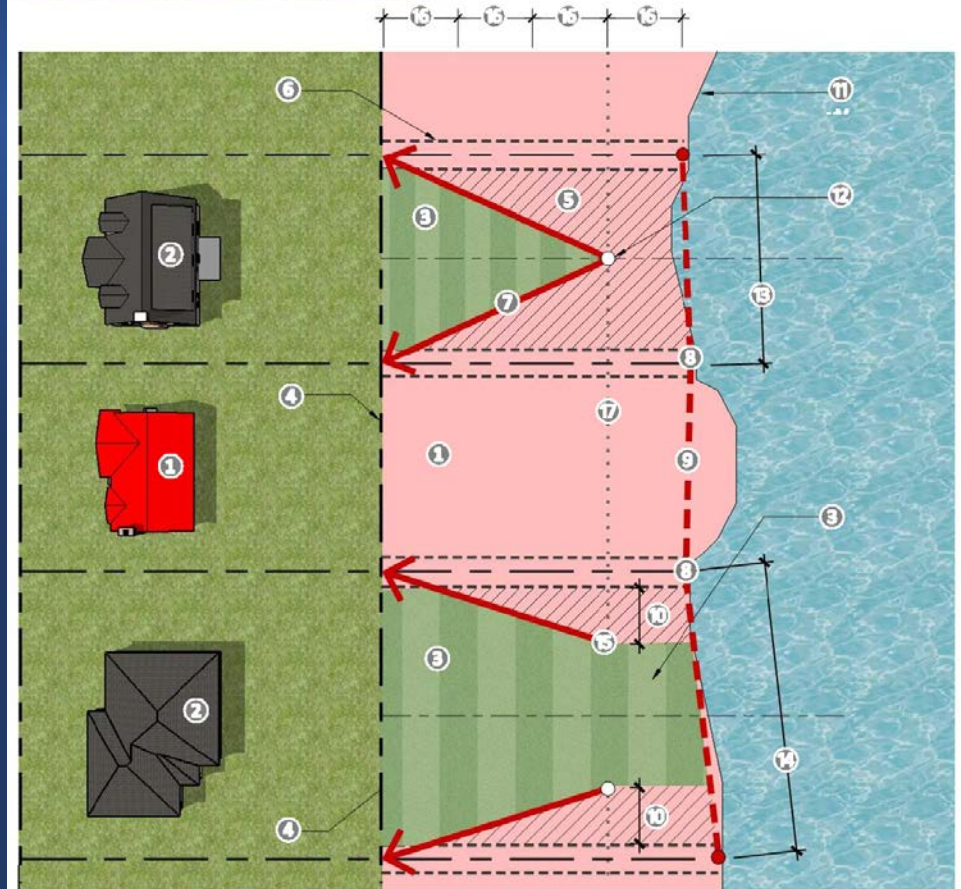


- ①: SUBJECT PROPERTY
  - ②: NEIGHBORING PROPERTIES
  - ③: ACCESS EASEMENT
  - ④: 36-DEGREE PRESERVATION ANGLE
  - ⑤: EQUAL DISTANCE POINT
  - ⑥: TAKELINE/TAKE AREA
- DARK GREEN: VIEW CLEAR ZONE: NO NEW STRUCTURES OR PLANTINGS IN THIS AREA SHALL EXCEED SIX (6) FEET ABOVE EXISTING GRADE.  
LIGHT RED: BUILDABLE AREA  
WHITE: TYPICAL BUILDING SETBACK



## PROPOSED ORDINANCE

FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS



- ① SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); ② NEIGHBORING PROPERTY; ③ NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); ④ REAR PROPERTY LINE/TAKELINE; ⑤ VIEW CLEAR ZONE (LINED AREA); ⑥ LEASE AREA SIDE YARD SETBACK; ⑦ VIEW PRESERVATION ANGLE; ⑧ THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; ⑨ SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] ① POINTS IN A STRAIGHT LINE); ⑩ 30-FOOT; ⑪ SHORELINE; ⑫ CENTER POINT AT THE QUARTER DISTANCE LINE; ⑬ A LOT WITH A SHORELINE FRONTAGE LESS THAN 100 FEET; ⑭ A LOT WITH A SHORELINE FRONTAGE 100 FEET OR MORE; ⑮ 30-FOOT POINT ON THE QUARTER DISTANCE LINE; ⑯ 25% OF THE TAKELINE AREA; ⑰ QUARTER DISTANCE LINE



# PLANNING AND ZONING CITY OF ROCKWALL



WORK SESSION  
385 S. GOLIAD STREET  
NOVEMBER 2, 2020

## PROPOSED CHANGES TO THE COST OF TAKE LINE LEASES

- THE PURPOSE OF REDUCING THE COST OF THE TAKELINE LEASE IS TO INCENTIVIZE MORE PROPERTY OWNERS TO TAKE ADVANTAGE OF LEASING THE TAKELINE.
- ALL PERMITTED USES WITHIN THE TAKELINE NOW REQUIRE A TAKELINE LEASE AS A PREREQUISITE.

Lease	Current Fees	Proposed Fees
New Lease ( <i>i.e. Never Leased by Current Owner</i> )	\$600.00	\$200.00
Annual Renewal of a Lease	\$350.00	\$100.00
Change of Ownership of a Valid Lease	\$350.00	\$50.00
Reinstatement of an Expired Lease ( <i>i.e. Same Property Owner</i> )	\$600.00	\$500.00



# PLANNING AND ZONING CITY OF ROCKWALL



WORK SESSION  
385 S. GOLIAD STREET  
NOVEMBER 2, 2020

STAFF IS REQUESTING DIRECTION FROM THE CITY COUNCIL ON THE FOLLOWING:

(1) THE PROPOSED RAW WATER POLICY

- IF THE CITY COUNCIL CHOOSES TO DIRECT STAFF TO MOVE FORWARD WITH THE RAW WATER POLICY STAFF WILL BRING IT BACK FOR ACTION AT THE NOVEMBER 16, 2020 CITY COUNCIL MEETING.

(2) THE PROPOSED CHANGES TO THE TAKELINE ORDINANCE

- IF THE CITY COUNCIL CHOOSES TO DIRECT STAFF TO MOVE FORWARD THE TEXT AMENDMENT WOULD BE SUBJECT TO THE FOLLOWING SCHEDULE:

P&Z WORK SESSION: NOVEMBER 24, 2020

P&Z PUBLIC HEARING: DECEMBER 8, 2020

CITY COUNCIL PUBLIC HEARING: DECEMBER 21, 2020

CITY COUNCIL ADOPTION: JANUARY 4, 2020



# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

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**TO:** Planning and Zoning Commission

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** November 24, 2020

**SUBJECT:** Z2020-041; *Subsection 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the Unified Development Code (UDC)*

On November 2, 2020, staff held a work session with the City Council to discuss proposed changes to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the Unified Development Code (UDC)* [i.e. the *takeline ordinance*] and the City's *Raw Water Policy*. These changes were prepared at the request of Mayor Pruitt, who asked staff to review the ordinance and bring changes that would: [1] provide clearer requirements with regard to the land uses, building materials, and construction standards permitted within the *takeline*, and [2] provide incentive for more property owners to pursue *takeline* leases. Based on the changes proposed at the work session, the City Council directed staff to proceed with adopting the amendment into the Unified Development Code (UDC).

A summary of the proposed changes to the *takeline ordinance* is provided on the front of the proposed amendment under the *Change Log* heading and which is included in the attached packet; however, this amendment is basically a complete overhaul of the language currently contained in this section of the Unified Development Code (UDC). Some of the major changes are summarized as follows:

- (1) The way in which the visual measurement for view corridors is currently being calculated was changed to allow a larger buildable area for lots with longer linear frontages of shoreline. Currently, the view corridor is calculated from a projection that starts at a central point in the adjacent property owner's rear yard, and projects outward into the takeline at a 36-degree angle. The proposed amendment changes this calculation to a defined point in the center of the takeline -- *at the quarter point* --, and projects this point back to the corners of the subject property. The advantages of this projection system are that it is easier for property owners and staff to calculate quickly, and it yields similar results as the previous projection calculation. For lots with over 100-feet of takeline frontage, this point starts 30-feet from the side yard of the takeline area and then projects back to the corner of the subject property. By doing this, the buildable area on these larger lots is increased in the *435.5-Elevation Zone*, and this allows the property owners leasing these areas the ability to construct certain structures in the center of the takeline area closer to the water's edge.
- (2) New language addressing *Residential Sublease Agreements* and the costs of these agreements were added. Staff should also point out that the fees for these agreements were reduced as follows:

Lease	Current Fees	Proposed Fees
New Lease (i.e. Never Leased by Current Owner)	\$600.00	\$200.00
Annual Renewal of a Lease	\$350.00	\$100.00
Change of Ownership of a Valid Lease	\$350.00	\$50.00
Reinstatement of an Expired Lease (i.e. Same Property Owner)	\$600.00	\$500.00

The purpose of this reduction is to incentivize more property owners to pursue *Residential Sublease Agreements*. In addition, all of the permitted land uses (*with the exception of municipal utilities*) now require the property owner to have a valid *Residential Sublease Agreement*.

- (3) Sea walls were added to the permitted land uses section of the ordinance. In addition, certain land uses now would require the construction of a sea wall prior to their establishment.



Attached to the memorandum is a copy of the proposed changes to the *takeline ordinance* and a draft ordinance. In accordance, with Section 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

Planning and Zoning Commission Work Session: November 24, 2020

Planning and Zoning Commission Public Hearing: December 8, 2020

City Council Public Hearing/1<sup>st</sup> Reading: December 21, 2020

City Council 2<sup>nd</sup> Reading: January 4, 2021

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on November 24, 2020.

## STRUCTURE OF ORDINANCE CHANGE

### (1) SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) PURPOSE
- (B) BOUNDARIES
- (C) APPLICABILITY
- (D) DEFINITIONS
- (E) VISUAL MEASUREMENTS FOR VIEW CORRIDORS
- (F) GENERAL REQUIREMENTS
- (G) RESIDENTIAL SUBLEASE
- (H) PERMITTED USES
- (I) SPECIFIC USE PERMITS (SUPS)
- (J) SPECIFICATIONS FOR PERMITTED LAND USES
  - (1) BARBECUE PIT
  - (2) BOATHOUSE
  - (3) COVERED PATIO
  - (4) DECK
  - (5) DOCK DECK
  - (6) FENCE
  - (7) FLAGPOLE
  - (8) FIXED PIER
  - (9) FIRE PIT
  - (10) GAZEBO
  - (11) LANDING AND STAIRS
  - (12) LANDSCAPING AND RETAINING WALLS
  - (13) MUNICIPAL UTILITIES
  - (14) OUTDOOR LIGHTING
  - (15) PATIO
  - (16) PERGOLA
  - (17) PICNIC TABLE
  - (18) PRIVATE PLAY STRUCTURE
  - (19) PRIVATE UTILITIES
  - (20) PRIVATE WALKWAYS
  - (21) SEAWALL
  - (22) SPRINKLER/IRRIGATION SYSTEM

### (2) SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

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#### CHANGE LOG

- (1) BROKE OUT EACH LAND USE AND STANDARDIZED THE SECTIONS.
- (2) ADDED FIRE PIT AND PICNIC TABLE AND BROKE OUT COVERED PATIO, DECK, PERGOLA, PATIO AND GAZEBO OUT INTO THEIR OWN SECTIONS.
- (3) CHANGED THE MATERIAL REQUIREMENTS FOR ALL STRUCTURES LOCATED IN THE 435.5 & 425.5 ELEVATION ZONES TO ALLOWING ONLY COMPOSITE MATERIALS OR METAL.
- (4) CHANGED THE WAY THE VIEW CORRIDORS WERE CALCULATED AND GAVE A GREATER ALLOWANCE TO PROPERTIES THAT HAVE A MINIMUM OF 100-FEET OF SHORELINE FRONTAGE.
- (5) REQUIRED COVERED PATIOS TO HAVE A CLERESTORY OR CUPOLA.
- (6) LIMITED MATERIALS SO THAT CLOTH, CANVAS, OR LIKE MATERIALS WERE NOT PERMITTED.
- (7) CHANGED THE SUP REQUIREMENT TO GIVE THE CITY COUNCIL GREATER AUTHORITY IN ALLOWING LAND USES AND STRUCTURES IN THE TAKELINE AREA.
- (8) DEFINED WHERE AND WHEN TREES CAN BE PLANTED OR REMOVED.
- (9) LIMITED THE NUMBER OF STRUCTURES PERMITTED IN EACH ZONE.
- (10) ADDED EXAMPLE IMAGES OF ALL PERMITTED LAND USES.
- (11) CHANGED LOCATIONAL REQUIREMENTS FOR STRUCTURES IN THE 435.5 ELEVATION ZONE AND BOAT RELATED STRUCTURES.
- (12) CREATED AN ADMINISTRATIVE EXCEPTION FOR PLACEMENT OF STRUCTURES
- (13) INSERTED A TAKELINE LEASE SECTION THAT OUTLINES THE TAKELINE LEASE FEES.
- (14) REDUCED THE TAKELINE LEASE FEES TO MORE REASONABLE COSTS.
- (15) REQUIRED A SEAWALL FOR CERTAIN STRUCTURES IN CERTAIN ELEVATION ZONES.
- (16) CREATED A SUMMARY CHART FOR PERMITTED LAND USES.
- (17) ADDED AN IMAGE OF AND USE FOR A SEA WALL.

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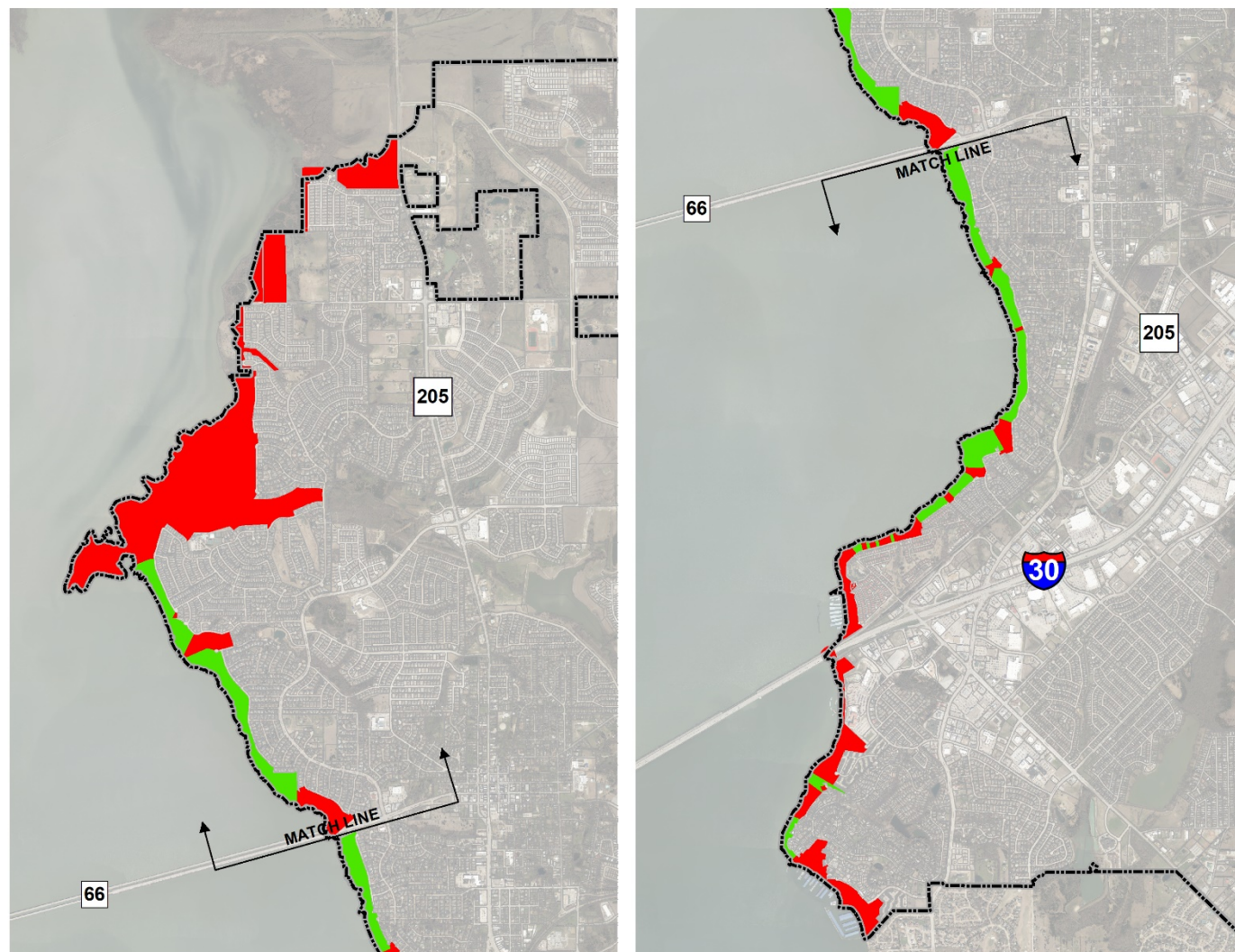
#### NOTES

- (1) I SPOKE WITH THE CITY ATTORNEY ABOUT THE CURRENT ORDINANCE'S LIMITATION ON ONLY ALLOWING THE UNITED STATES FLAG AND THE TEXAS FLAG TO BE FLOWN IN THE TAKELINE AREA. THIS REQUIREMENT IS APPARENTLY NOT ENFORCEABLE; HOWEVER, I LEFT IT IN THE ORDINANCE CHANGE AND AS LONG AS WE DON'T TRY TO ENFORCE IT WE SHOULD BE OK. I SHOULD ALSO NOTE THAT THE CITY OF HEATH ALSO HAS THIS REQUIREMENT IN THEIR TAKELINE ORDINANCE.
- (2) AFTER REVIEW OF THE CURRENT INTERLOCAL AGREEMENT WITH THE CITY OF DALLAS, NOTHING CONTAINED IN THIS ORDINANCE CHANGE WOULD VIOLATE THAT AGREEMENT OR IS EXPRESSLY PROHIBITED IN THAT AGREEMENT. THE CITY COUNCIL SHOULD BE ABLE TO ADOPT THIS ORDINANCE CHANGE WITHOUT THEIR REVIEW; HOWEVER, AFTER ADOPTION IT MAY BE PRUDENT TO ALLOW THEM TO REVIEW THE CHANGES.

## SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) Purpose. The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (*adopted by the City of Dallas*), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. *Garland, Rockwall, and Rowlett*) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas *Takeline* as shown on the boundary map for Lake Ray Hubbard (i.e. *File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

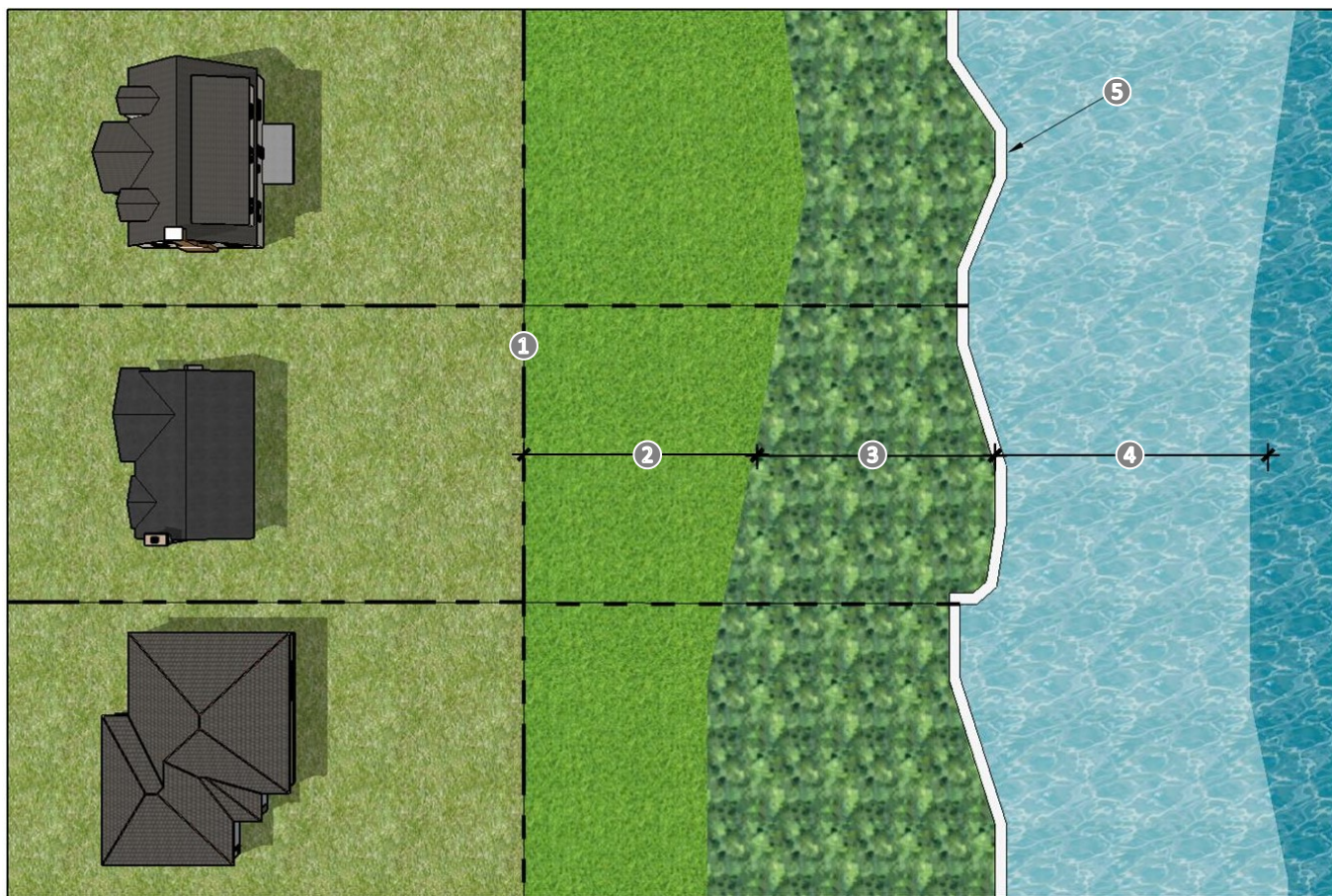
FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP



RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY



FIGURE 27: ELEVATION CONTOUR ZONES



①: REAR PROPERTY LINE/TAKE LINE; ②: 438.0 ELEVATION ZONE; ③: 435.5 ELEVATION ZONE; ④: 425.5 ELEVATION ZONE; ⑤: SEAWALL;

(C) Applicability.

(1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in [Figure 26: Lake Ray Hubbard Takeline Overlay \(TL OV\) District Map](#) above.

(2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in [Subsection 06.15\(B\)\(1\)](#) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to [Subsection \(J\), Specifications for Permitted Land Uses](#). In addition, the following terms shall be defined as follows:

(1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.

(2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).

(3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.

(4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.

(5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.



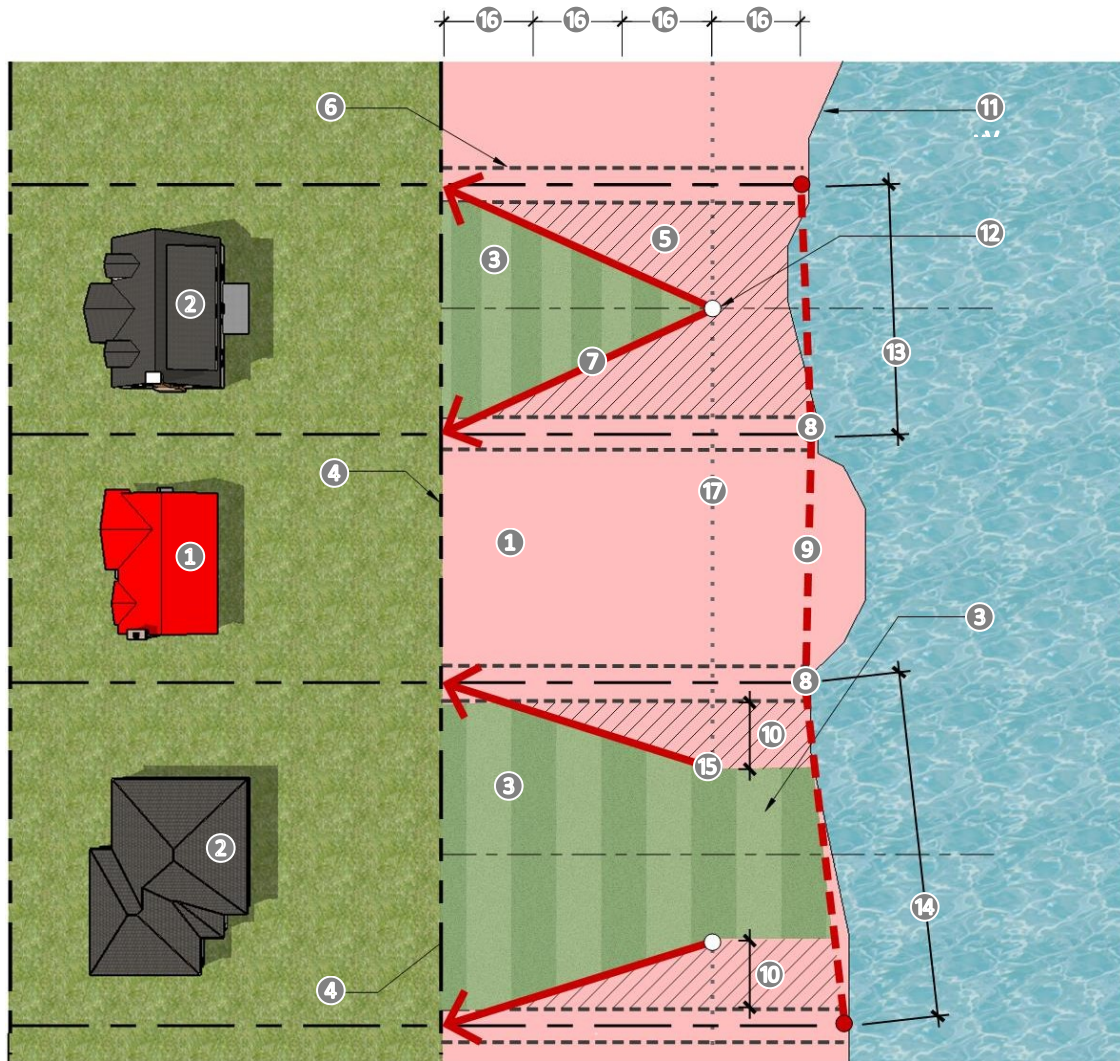
- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (*i.e. property at or below an elevation of 435.5-feet mean sea level*).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (*e.g. a slip*) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
- (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
- (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
- (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
- (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see [Figure Subsection \(E\): Visual Measurements for View Corridors](#)).
- (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see [Figure 28: Visual Measurements for View Corridors](#)).
- (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
  - (a) Motorized Boat. A boat propelled by an internal combustion engine.
  - (b) Sail Boat. A boat with a mast and sail propelled by the wind.

(E) Visual Measurements for View Corridors.

- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-feet mean sea level*), and connecting these two (2) points in a straight line (see [Figure 28: Visual Measurements for View Corridors](#)). Based on this linear measurement, the view clear zones are determined by the following:
  - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).
  - (b) Lots That Have More 100-Feet or More Shoreline Frontage. The view corridor for lots that have 100-feet or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline frontage

line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

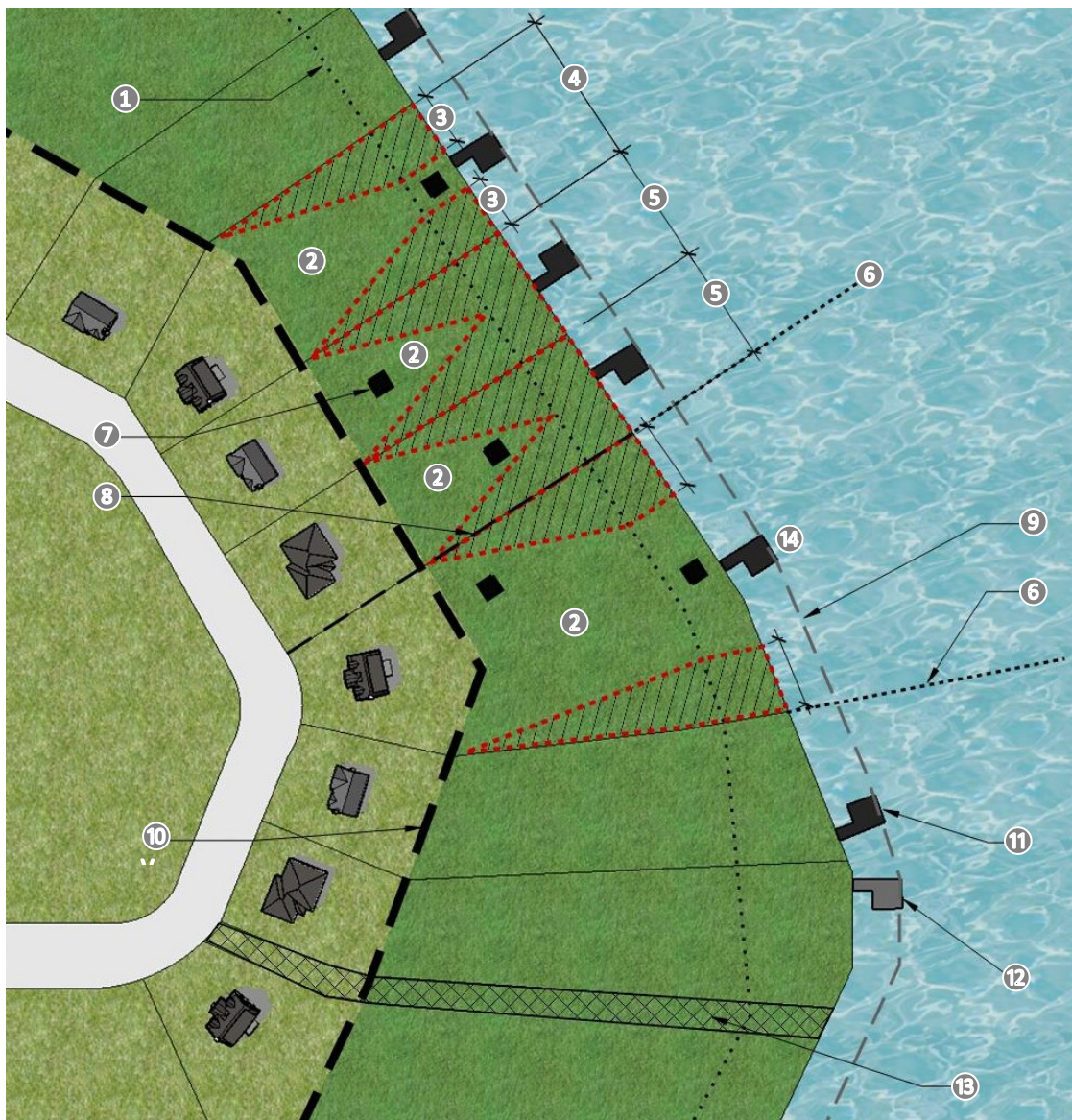
FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS



①: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); ②: NEIGHBORING PROPERTY; ③: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); ④: REAR PROPERTY LINE/TAKELINE; ⑤: VIEW CLEAR ZONE (LINED AREA); ⑥: LEASE AREA SIDE YARD SETBACK; ⑦: VIEW PRESERVATION ANGLE; ⑧: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; ⑨: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] ⑧ POINTS IN A STRAIGHT LINE); ⑩: 30-FOOT; ⑪: SHORELINE; ⑫: CENTER POINT AT THE QUARTER DISTANCE LINE; ⑬: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-FEET; ⑭: A LOT WITH A SHORELINE FRONTAGE 100-FEET OR MORE; ⑮: 30-FOOT POINT ON THE QUARTER DISTANCE LINE; ⑯: 25% OF THE TAKELINE AREA; ⑰: QUARTER DISTANCE LINE.



FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



1: QUARTER DISTANCE LINE; 2: BUILDABLE AREA; 3: 30-FOOT; 4: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; 6: LEASE AREA'S PROJECTED SIDE YARD; 7: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; 8: LEASE AREA'S SIDE YARD; 9: 40-FOOT BUILDING LINE; 10: REAR PROPERTY LINE/TAKELINE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; 13: DRAINAGE EASEMENT; 14: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

- (1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).

- (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).
- (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
- (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in [Subsection \(J\), Specifications for Permitted Land Uses](#), and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a *Treescape Plan* showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in [Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements](#), and [2] they are not located within the view clear zone outlined [Subsection \(E\), Visual Measurements](#). The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.
- (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with [Subsection 06.15\(J\)\(6\)](#).
- (G) Residential Sublease Agreement. A *Residential Sublease Agreement* is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A *Residential Sublease Agreement* shall be required to build certain structures within the takeline area. It shall be a violation of the zoning code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of [Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code \(UDC\)](#). The following shall be the costs associated with a *Residential Sublease Agreement*:
- | Lease   | Fees     |
|---|----------|
| New Lease (i.e. New Never Leased by Current Owner) <sup>2</sup>           | \$200.00 |
| Annual Renewal of a Lease   | \$100.00 |
| Change of Ownership of a Valid Lease                                      | \$50.00  |
| Reinstatement of an Expired Lease (i.e. Same Property Owner) <sup>3</sup> | \$500.00 |
- NOTES:
- <sup>1</sup>: To be subject to these new fees, a lease entered into after **January 1, 2021** will be required (i.e. the effective date of the amendment adopting these fees).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.
- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see [Subsection \(J\), Specifications for Permitted Land Uses](#), or [Subsection 07.05, Lake Ray Hubbard Takeline Overlay \(TL OV\) District Development Standards](#).
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in [Subsection \(J\), Specifications for Permitted Land Uses](#) or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by



Subsection (J), Specifications for Permitted Land Uses; however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in Subsection (J), Specifications for Permitted Land Uses, or Subsection (F), General Requirements, is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in Subsection (E), Visual Measurements. A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in Subsection (J), Specifications for Permitted Land Uses, (e.g. jet ski lift) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.

(J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.

(1) Barbecue Pit.

(a) Definition. A *barbecue pit* is a permanent fireplace structure over which meat, poultry and other foods are roasted (for *Fire Pit* see Subsection 06.15(J)(9)).

(b) Prerequisites. A *barbecue pit* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. A *barbecue pit* shall be allowed in the following zones:

(1) 438.0: Permitted.

(2) 435.5: Not Permitted.

(3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *barbecue pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).

(e) Construction Standards.

(1) Building Materials. A *barbecue pit* must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.

(2) Height. A *barbecue pit* shall not exceed a maximum of six (6) feet in height.

(3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.

(f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:

(1) Takeline Setback: 0-Feet

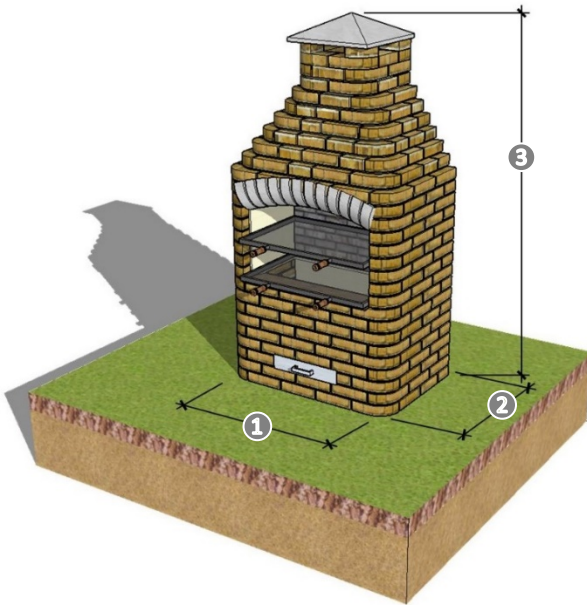
(2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

(1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.

(2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;
- ❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;
- ❸: A MAXIMUM OF SIX (6) FEET;

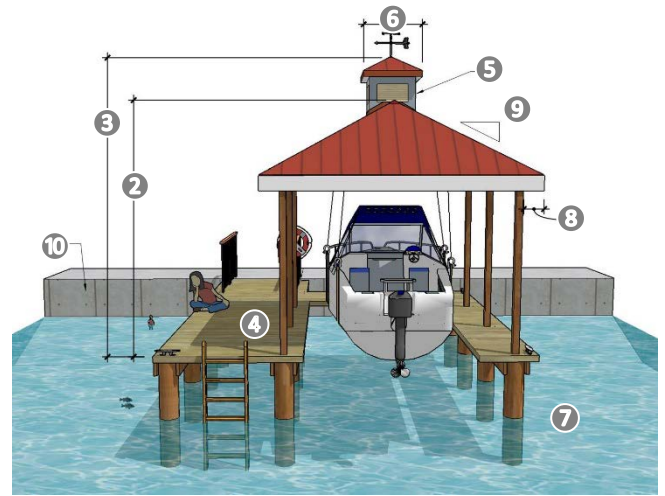
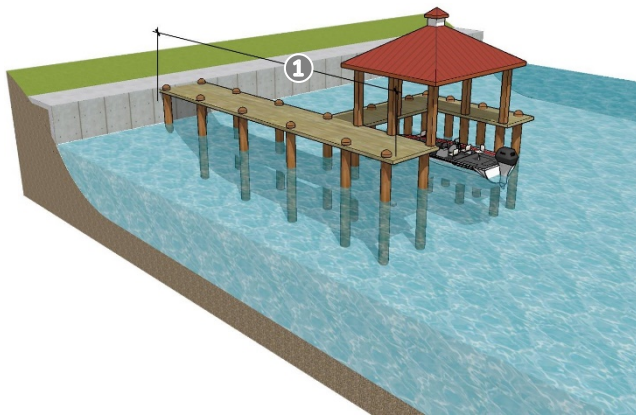
(2) Boathouse.

- (a) Definition. A *boathouse* is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
- (b) Prerequisites. A *boathouse* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
- (c) Conditional Use Standards. *Boathouses* are used for storing boats that have a fuel efficiency rating greater than 95%; however, *boathouses* may also be used to store sailboats. *Boathouses* will not be used for storing any other type of items except boats and boat-related equipment. In addition, *Boathouses* shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All *boathouses* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *boathouse* shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a *boathouse* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (d) Elevation Zone. A *boathouse* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All *boathouse* constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. *Boathouses* shall be constructed utilizing composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials) -- products equivalent to Trex brand are preferred -- for decking, galvanized metal/iron/steel or aluminum (with a minimum color rating of AAMA 2604) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A *boathouse* shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the *boathouse's* cupola; however, in no case should a *boathouse* exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a *boathouse* will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. *Boathouses* shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Roof. A *boathouse* will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All *boathouse* roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. *Boathouses* shall not incorporate a deck or platform.

- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
- (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a *boathouse* should generally be located in line with the primary structure on the leasing property (*i.e. generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.
- (f) Setback Requirements. A *boathouse* must adhere to the following setbacks:
- (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



①: 40-FOOT MAXIMUM; ②: 13-FOOT MINIMUM TO 18-FOOT MAXIMUM; ③: 16-FOOT MINIMUM TO 21-FOOT MAXIMUM; ④: CATWALK (UNDERSTRUCTURE TO BE ABOVE THE 437.0-FOOT ELEVATION); ⑤: CUPOLA; ⑥: THREE (3) FEET BY FOUR (4) FEET; ⑦: 435.5-FOOT NORMAL POOL ELEVATION; ⑧: 1.5-FOOT MAXIMUM OVERHANG; ⑨: 2:1 ROOF PITCH (HIP ROOF ONLY); ⑩: SEAWALL.

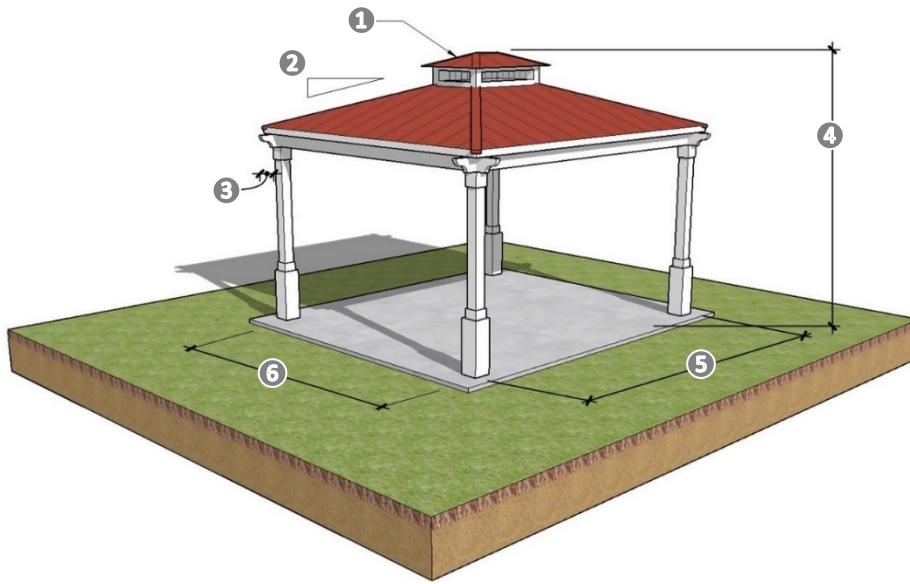
### (3) Covered Patio.

- (a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A covered patio may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A covered patio shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
  - (1) Takeline Setback: 6-Feet (from the Concrete Cap of the Seawall)
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.



- (3) Emergency Response. The *covered patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.

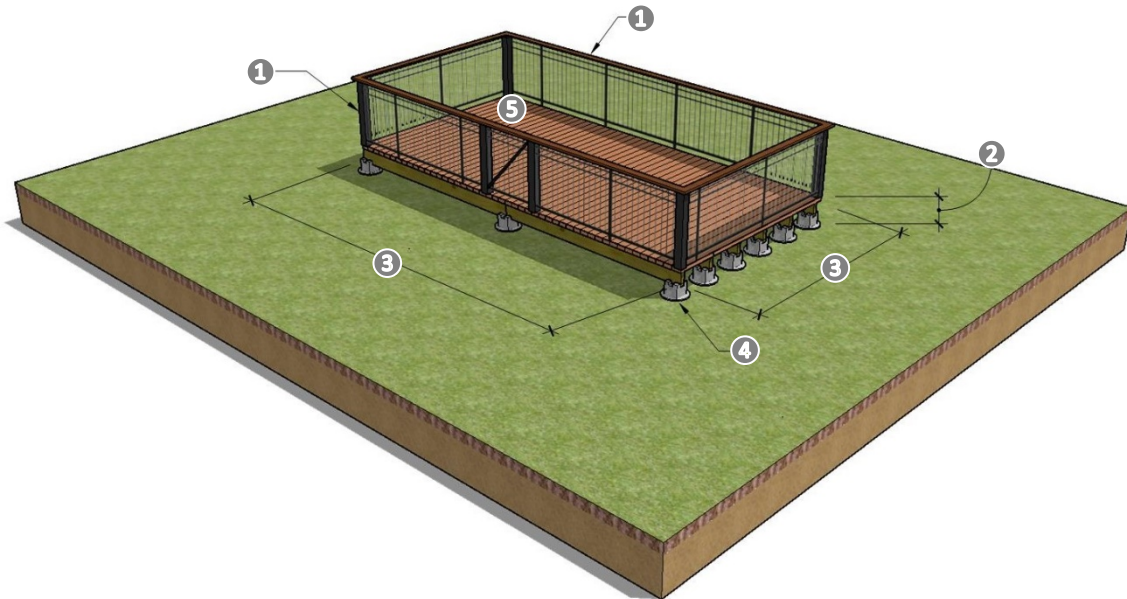


❶: CUPOLA OR CLERESTORY; ❷: 4:1 MINIMUM ROOF PITCH; ❸: 18-INCHES MAXIMUM OVERHANG; ❹: 15-FEET MAXIMUM HEIGHT; ❺: 20-FEET MAXIMUM; ❻: 12-FEET MAXIMUM;

(4) Deck.

- (a) Definition. A *deck* is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.
- (b) Prerequisites. A *deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *deck* shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted (see *Dock Deck* in [Subsection 06.15\(J\)\(5\)](#)).
- (d) Conditional Use Standards. A *deck* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
- (1) Building Materials. A *deck* must be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Handrails incorporated into a *deck* in the *438.0 Elevation Zone* shall be made of wrought iron or decorative metal. Handrails are not permitted in the *435.5 Elevation Zone*.
  - (2) Height. A *deck* shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A *deck* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A *deck* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Decks* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A *deck* shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed *deck*.
- (f) Setback Requirements. A *deck* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

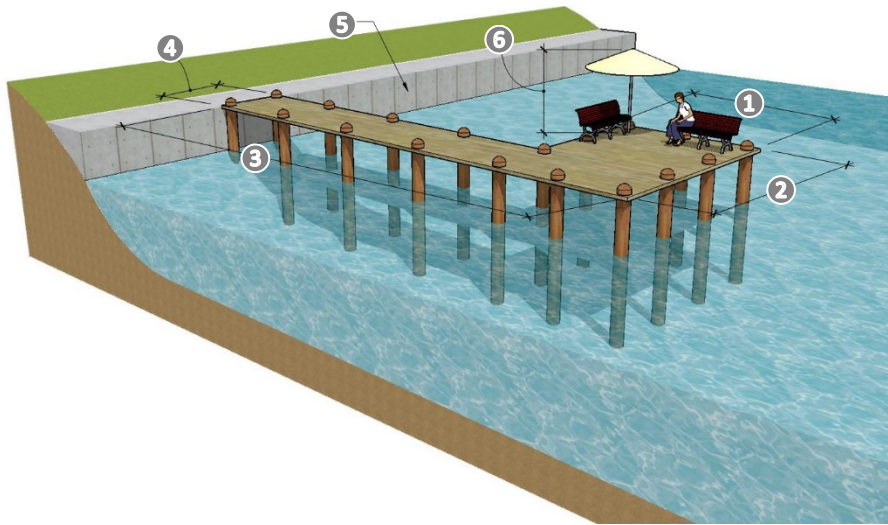


1: WROUGHT IRON OR DECORATIVE METAL; 2: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; 3: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; 4: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; 5: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more that 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *dock deck* shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.

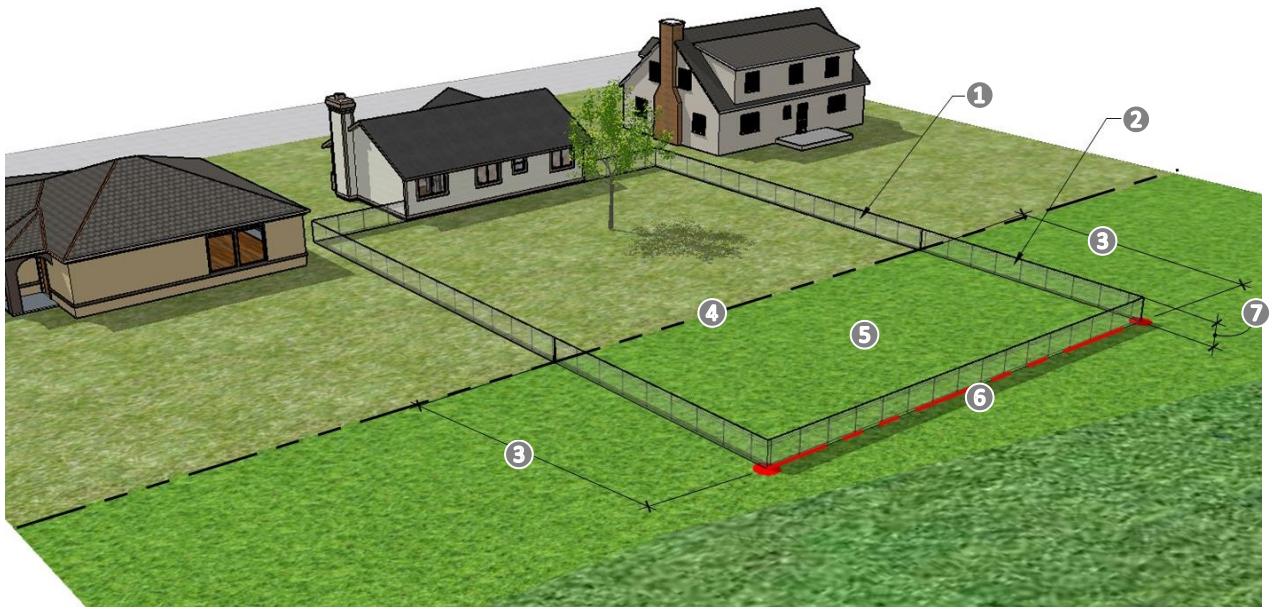
- (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
- (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (*i.e.* 80 SF) and a maximum of 12-feet by 30-feet (*i.e.* 360 SF). *Dock decks* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (*i.e.* 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.
- (f) Setback Requirements. A *dock deck* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *dock deck* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *dock decks* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *dock deck* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



①: MINIMUM OF TEN (10) FEET AND A MAXIMUM OF 30-FEET; ②: MINIMUM OF EIGHT (8) FEET AND A MAXIMUM OF 12-FEET; ③: 40-FOOT MAXIMUM; ④: SIX (6) FOOT MAXIMUM; ⑤: SEAWALL; ⑥: EIGHT (8) FOOT MAXIMUM;

(6) Fence.

- (a) Definition. A *fence* is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A fence may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A fence shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).



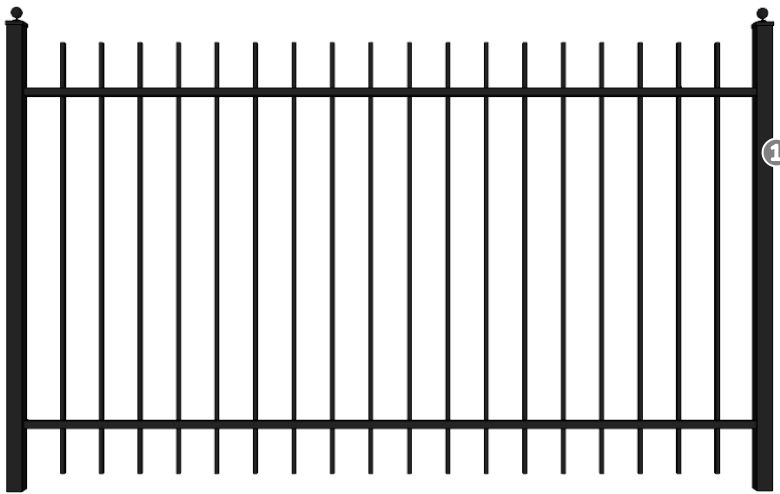
①: EXISTING RESIDENTIAL FENCE ON THE LEASING PROPERTY; ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45-FOET ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.



- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A fence must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



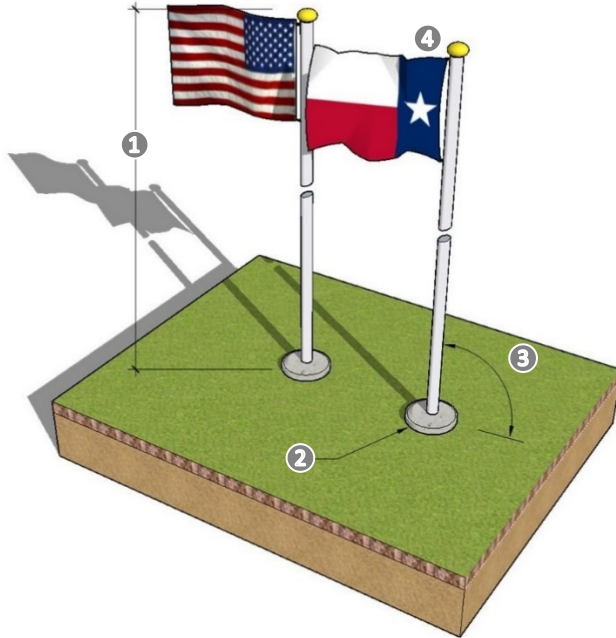
1: FOUR (4) FOOT WROUGHT IRON FENCE

- (7) Flagpole.
  - (a) Definition. A flagpole is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
  - (b) Prerequisites. A flagpole may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A flagpole shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A maximum of two (2) flagpoles, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
  - (e) Construction Standards.
    - (1) Building Materials. A flagpole shall *only* be constructed of either stainless steel or aluminum.
    - (2) Height. A flagpole shall not exceed a maximum height of 20-feet from grade.
    - (3) Size. At the ground base a flagpole shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
    - (4) Location. A flagpole located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Flagpoles shall not be placed in the view clear zone of a neighbor's view corridor.
  - (f) Setback Requirements. A flagpole must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *flagpole* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *flagpole* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *flagpole* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



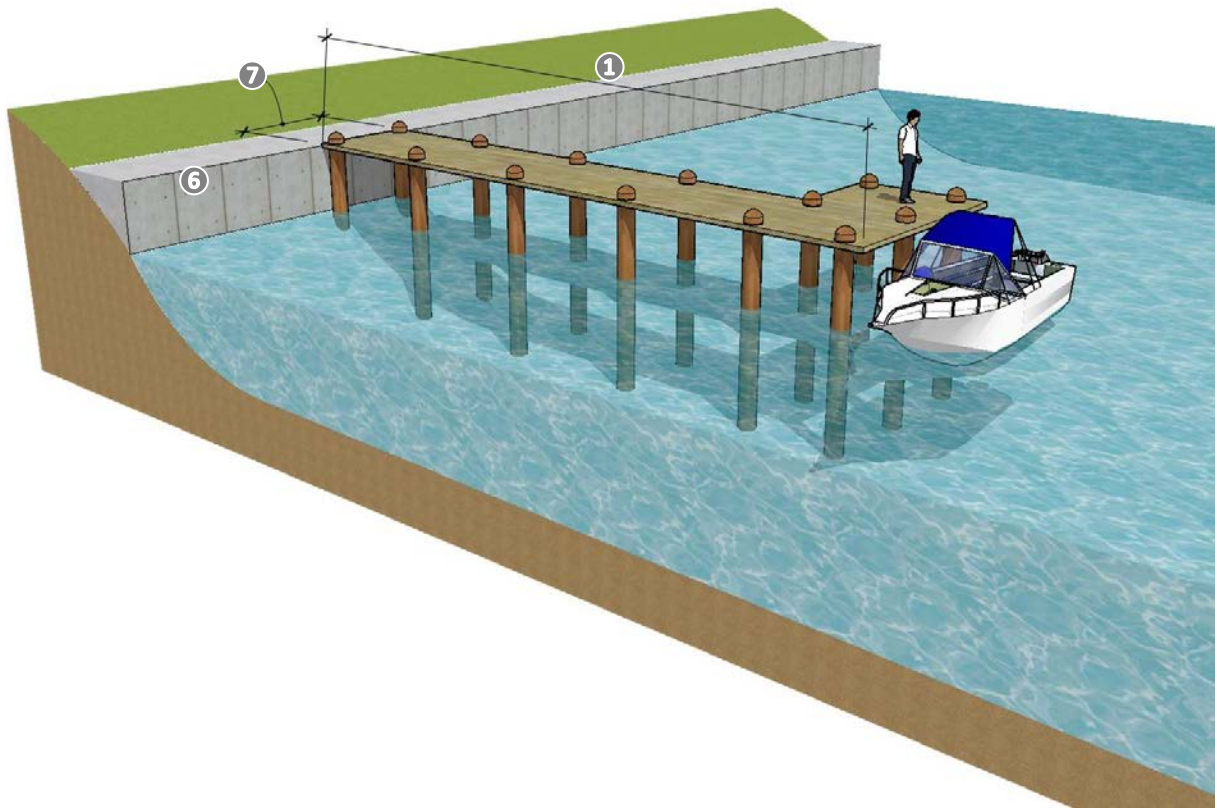
①: MAXIMUM OF 20-FEET FROM GRADE; ②: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ③: MAINTAINED TO BE 90-DEGREES FROM GRADE; ④: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

(8) Fixed Pier.

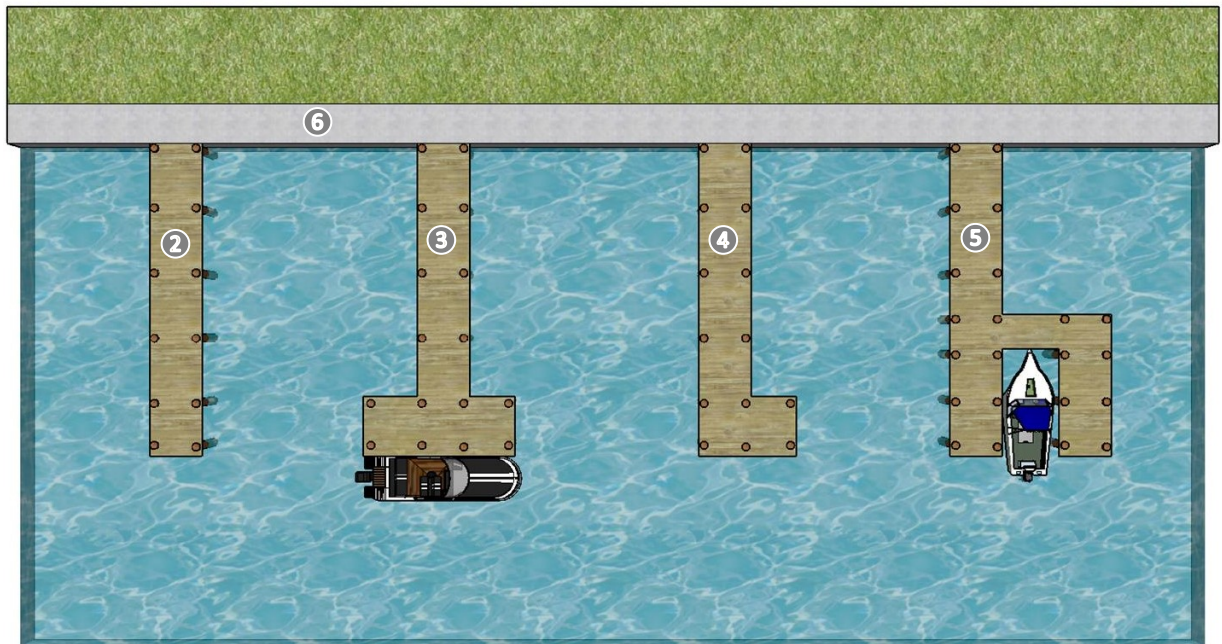
- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the lakeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see [Subsection 06.15\(J\)\(8\)\(h\)](#)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more than 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and any benches built on these structures shall utilize only composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed*

with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.

- (2) Height. No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) Size. The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a *fixed pier*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *fixed piers*.
- (f) Setback Requirements. A *fixed pier* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *fixed pier* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *fixed pier* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *fixed pier* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



①: 40-FOOT MAXIMUM; ②: PIER IN AN 'I' SHAPE; ③: PIER IN A 'T' SHAPE; ④: PIER IN A 'L' SHAPE; ⑤: PIER IN A 'U' SHAPE; ⑥: SEAWALL; ⑦: SIX (6) FOOT MAXIMUM

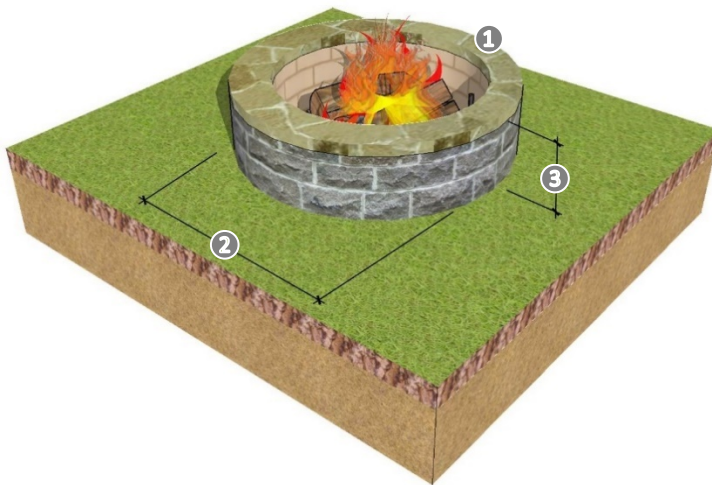


(9) Fire Pit.

- (a) Definition. A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).



- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *fire pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. *natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. The surround (i.e. *the area used to contain the fire*) for a *fire pit* must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A *fire pit* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *fire pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *fire pit* should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A *fire pit* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *fire pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *fire pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.

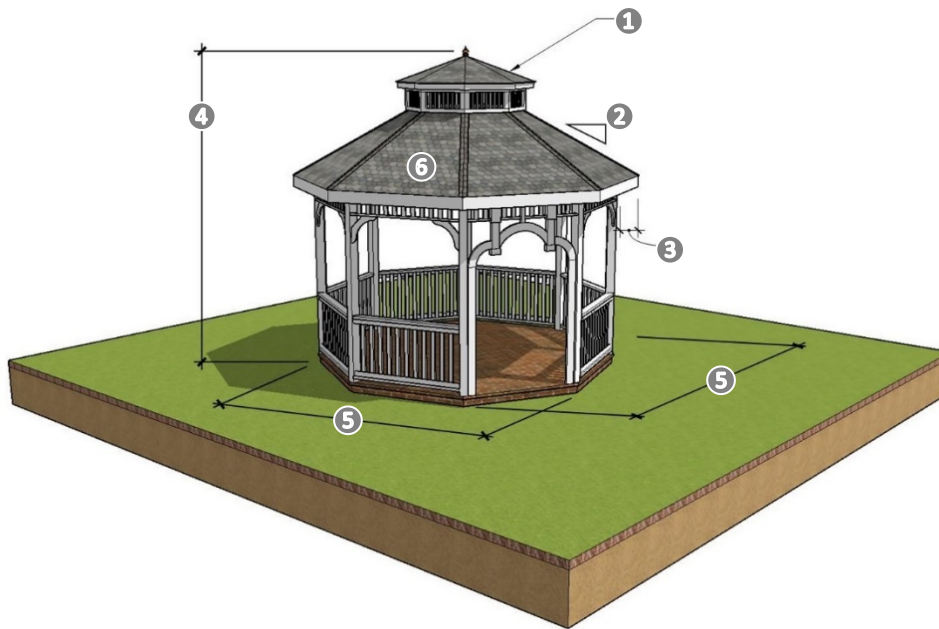


❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HEIGHT OF 36-INCHES OR THREE (3) FEET.

- (10) Gazebo.
- (a) Definition. A *gazebo* is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
  - (b) Prerequisites. A *gazebo* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A *gazebo* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A *gazebo* shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
  - (e) Construction Standards.
    - (1) Building Materials. A *gazebo* built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or

metal. The side trellis of the *gazebo* may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A *gazebo* built in the 435.5 Elevation Zone shall only be built out of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A *gazebo* will be constructed using steel reinforced concrete piers.

- (2) Height. A *gazebo* shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the *gazebo* shall be measured from grade to the vertex of the *gazebo*'s main roof or clerestory/cupola roof. In either case a *gazebo* shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A *gazebo* shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the *gazebo* shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the *gazebo* can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A *gazebo* located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. *Gazebos* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *gazebo* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *gazebo* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *gazebo* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *gazebo* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: CUPOLA OR CLERESTORY; ②: 2:1 MINIMUM ROOF PITCH; ③: 1.5-FOOT MAXIMUM OVERHANG; ④: 18-FOOT MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FOOT WITHOUT A CUPOLA OR CLERESTORY; ⑤: 12-FOOT MAXIMUM; ⑥: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

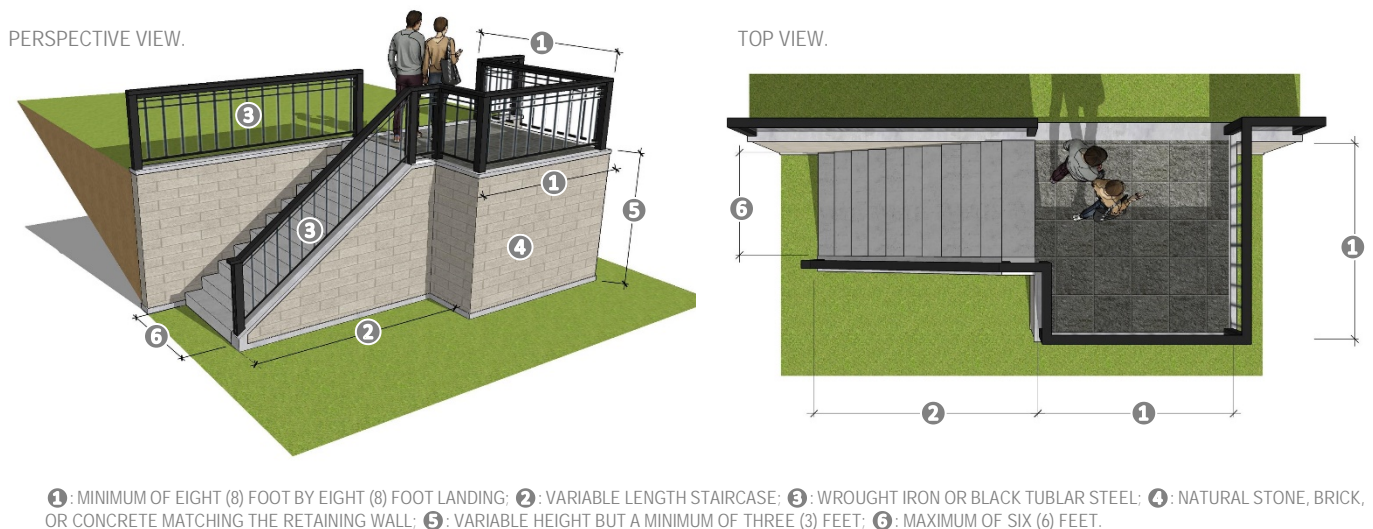
(11) Landing and Stairs.

- (a) Definition. A *landing* is the area of a floor near the top or bottom step of a stair. A *stair* is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A *landing and stairs* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 or 425.5 Elevation Zones -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *landing and stairs* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a Seawall has been constructed).
- (3) 425.5: Permitted (if a Seawall has been constructed).

**NOTE:** A landing and stairs located in the 425.5 Elevation Zone is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 5-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a landing and stairs must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A landing and stairs must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

NOTE: Remedial *landscaping* in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is strictly prohibited. All landscaping must comply with the requirements of [Article 08, Landscaping and Fence Standards, of the Unified Development Code \(UDC\)](#). For information regarding planting or removing trees see [Subsection \(F\)\(4\)](#) above.

- (e) Construction Standards.

- (1) Building Materials. *Retaining walls* shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- *with the exception of using it as a base* --, and brick shall be prohibited.
- (2) Height. *Retaining walls* as part of landscaping will be limited to less than three (3) feet.
- (3) Location. *Landscaping and retaining walls* shall not hinder the view clear zone of an adjacent neighbor's view corridor. *Landscaping* shall not exceed six (6) feet in height in the view clear zone.

- (f) Setback Requirements. *Retaining walls* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *landscaping and retaining walls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Landscaping and retaining walls* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. *Landscaping and retaining walls* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

- (a) Definition. *Municipal utilities* represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.
- (b) Elevation Zone. *Municipal utilities* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Permitted.

- (c) Conditional Use Standards. All *municipal utilities'* infrastructure is permitted within the take area. *Municipal utilities* shall be placed underground.

- (d) Setback Requirements. *Municipal utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

- (e) Additional Requirements.

- (1) Compliance with Applicable Codes. *Municipal utilities* must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

- (a) Definition. *Outdoor lighting* is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (b) Prerequisites. *Outdoor lighting* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Outdoor lighting* shall be allowed in the following zones:

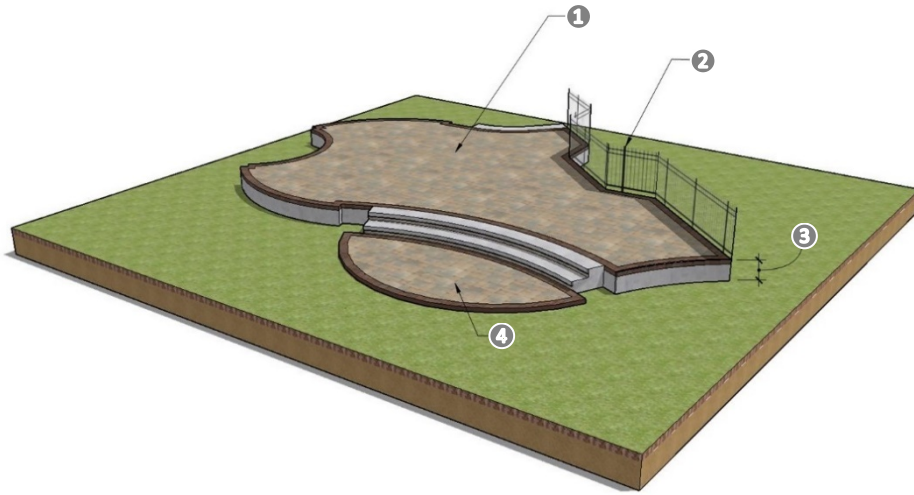


- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted *outdoor lighting* allowed below the 438.0 Elevation Zone.

- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are *not* allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
  - (e) Photometric Plan. A photometric plan describing compliance with the provisions of [Article 07, Performance Standards, of the Unified Development Code \(UDC\)](#) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in [Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code \(UDC\)](#).
  - (f) Construction Standards.
    - (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
    - (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
    - (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
  - (g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 20-Feet
  - (h) Additional Requirements.
    - (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
    - (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
    - (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).
- (15) Patio.
- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
  - (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
  - (c) Elevation Zone. A *patio* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted.
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
  - (e) Construction Standards.

- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into a *patio* in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
  - (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
  - (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *patio* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

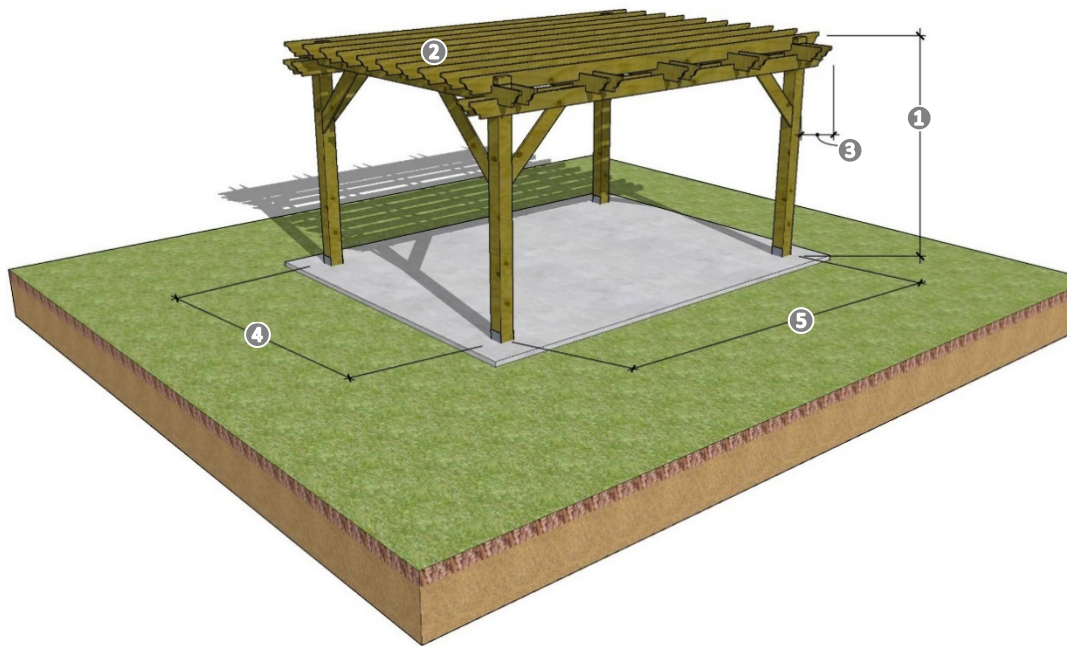


①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

- (a) Definition. A *pergola* is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.
- (b) Prerequisites. A *pergola* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *pergola* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *pergola* shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (6) Building Materials. A *pergola* constructed within the 438.0 Elevation Zone must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A *pergola* constructed within the 435.5 Elevation Zone must be constructed using composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.

- (7) Height. A *pergola* shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A *pergola* shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the *pergola* shall not have an overhang greater than 18-inches.
  - (10) Location. A *pergola* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Pergolas* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *pergola* must adhere to the following setbacks:
- (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (4) Earth Work. Earth work required for the construction of a *pergola* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A *pergola* must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The *pergola* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

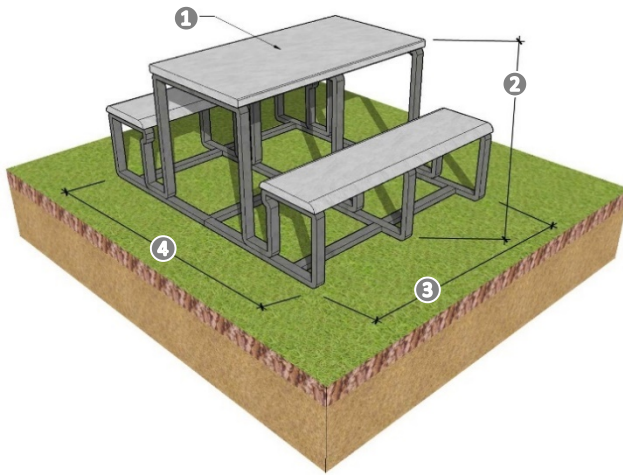


1: 12-FOOT MAXIMUM HEIGHT; 2: OPEN ROOF OF GIRDERS OR RAFTERS; 3: 1.5-FOOT MAXIMUM OVERHANG; 4: 12-FOOT MAXIMUM; 5: 20-FOOT MAXIMUM; 6: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. no roof covering) unless combined with a covered patio or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.

- (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



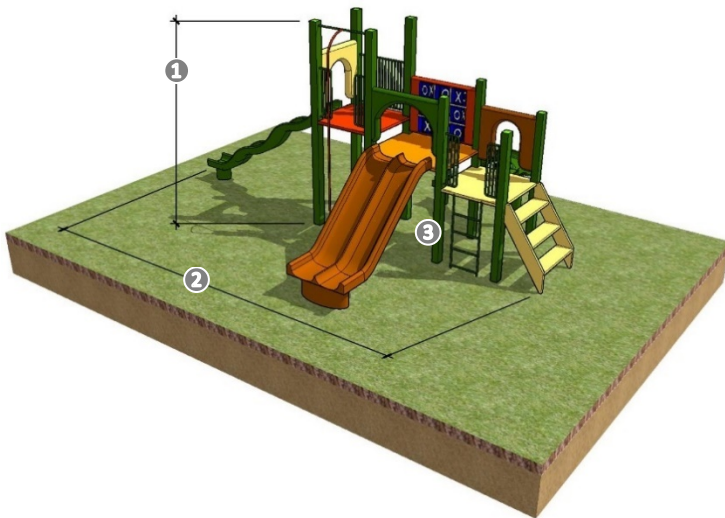
❶: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ❷: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ❸: EIGHT (8) FOOT MAXIMUM; ❹: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A *private play structure* shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a *private play structure* should blend and incorporate the same hues and tones of the surrounding landscaping.



- (2) Height. A private play structure shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All private play structures will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. Private play structures shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A private play structures must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a private play structures must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A private play structure must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The private play structure shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ②: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ③: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. Private utilities are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. Private utilities may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. Private utilities shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. Private utilities are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. Private utilities shall only be constructed out of materials permitted by the City's Engineering Department.
  - (2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (*i.e.* 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.

(f) Setback Requirements. *Private utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private utilities* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private utility* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private utility* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(20) Private Walkways.

- (a) Definition. *Private walkways* can be a single path or a network of paths installed by the leasing property owner in the takeline area.
- (b) Prerequisites. *Private walkways* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. *Private walkways* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private walkways* with steps are permitted (see *Landing and Stairs* in [Subsection 06.15\(J\)\(11\)](#)).
- (e) Construction Standards.

- (1) Building Materials. *Private walkways* shall be constructed using native stone, brick and/or rectangle pavers; however, *private walks* shall not consist of loose stone, gravel, sand, asphalt, or concrete.
- (2) Height. *Private walkways* shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
- (3) Size. *Private walkways* shall be no greater than 48-inches in width.
- (4) Location. *Private walkways* may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-feet wide, suitable for access, and will connect to adjacent access paths.

(f) Setback Requirements. *Private walkways* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 10-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A *seawall* is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A *seawall* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *seawall* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.

- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

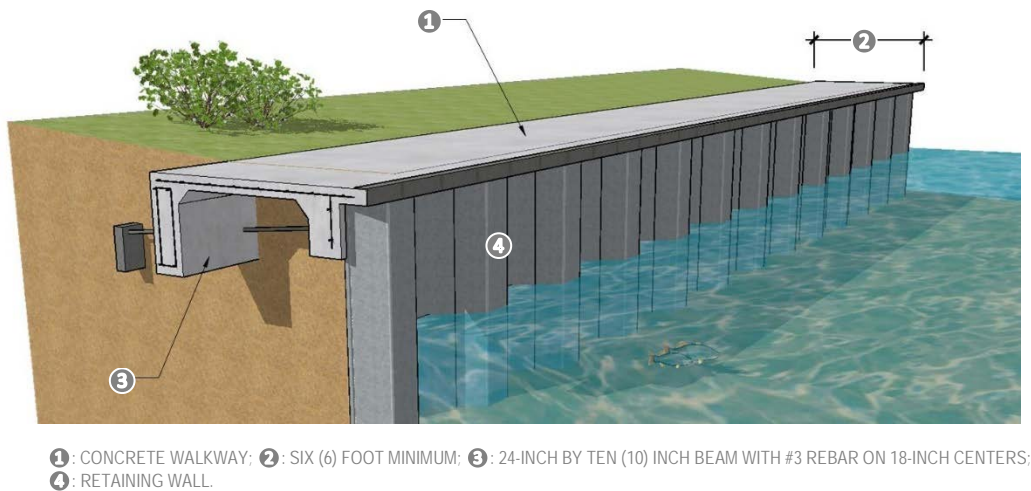
(d) Construction Standards.

- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.

(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *seawalls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *seawall* must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



(22) Sprinkler/Irrigation System.

- (h) Definition. A sprinkler/irrigation system is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A sprinkler/irrigation system may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (j) Elevation Zone. A sprinkler/irrigation system shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.

- (k) Conditional Use Standards. A sprinkler/irrigation system must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.

(l) Construction Standards.

- (1) Building Materials. A sprinkler/irrigation system shall only be constructed utilizing *Schedule 40 PVC* pipe.
- (2) Height. The heads of a sprinkler/irrigation system used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
- (3) Location. A sprinkler/irrigation system shall be allowed up to one (1) foot of the normal pool elevation shoreline (i.e. 435.5) provided no part of the system could potentially result in lake siltation erosion.

- (m) Setback Requirements. A sprinkler/irrigation system must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(n) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *sprinkler/irrigation system* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *sprinkler/irrigation system* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a *sprinkler/irrigation system* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.



## SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE <a href="#">SUBSECTION 06.15(J)</a>	PRE-REQUISITES L: SEAWALL, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	<a href="#">(1)</a>	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	<a href="#">(2)</a>	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	<a href="#">(3)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5 &amp; 18</sup>	<a href="#">(4)</a>	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILING
DOCK DECK <sup>2 &amp; 5</sup>	<a href="#">(5)</a>	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	<a href="#">(6)</a>	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	<a href="#">(7)</a>	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	<a href="#">(8)</a>	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	<a href="#">(9)</a>	L & S <sup>16</sup>	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	<a href="#">(10)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15'/18' <sup>7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	<a href="#">(11)</a>	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5 &amp; 18</sup>	<a href="#">(15)</a>	L	P	P	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	<a href="#">(16)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	<a href="#">(17)</a>	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	<a href="#">(18)</a>	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	<a href="#">(20)</a>	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	<a href="#">(22)</a>	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROEPRTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES (IF PERMITTED IN THE ZONE). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1. <sup>7</sup> : SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK.					
MUNICIPAL UTILITIES	<a href="#">(13)</a>	NONE	P	P	P						
OUTDOOR LIGHTING	<a href="#">(14)</a>	L	P	X	X						
PRIVATE UTILITIES	<a href="#">(19)</a>	L	P	P	X						
SEAWALL	<a href="#">(21)</a>	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	<a href="#">(22)</a>	L	P	P	X						

<sup>8</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN FOUR (4) POLE STRUCTURES ALLOWED.

<sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.

<sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.

<sup>11</sup>: REQUIRES A HIP OR GABLE ROOF OR A HIP AND/OR GABLE ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.

<sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.

<sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.

<sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVREAGE BASE OF THE SURROUND TERRIAN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.

<sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.

<sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.

<sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.

<sup>18</sup>: HANDRAILS ARE PROBITED IN THE 435.5 ELEVATION ZONE.

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT, AND CREATING SECTION 07.05, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [Ordinance No. 20-02] has been initiated by the City Council of the City of Rockwall to amend Section 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, and create Section 07.05, *Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02]; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That Section 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

**SECTION 2.** That Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, shall be amended to create Section 07.06, *Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards*, as described in *Exhibit 'B'* of this ordinance;

**SECTION 3.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 4.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 04-38], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
THE 4<sup>TH</sup> DAY OF JANUARY, 2021.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* December 21, 2020

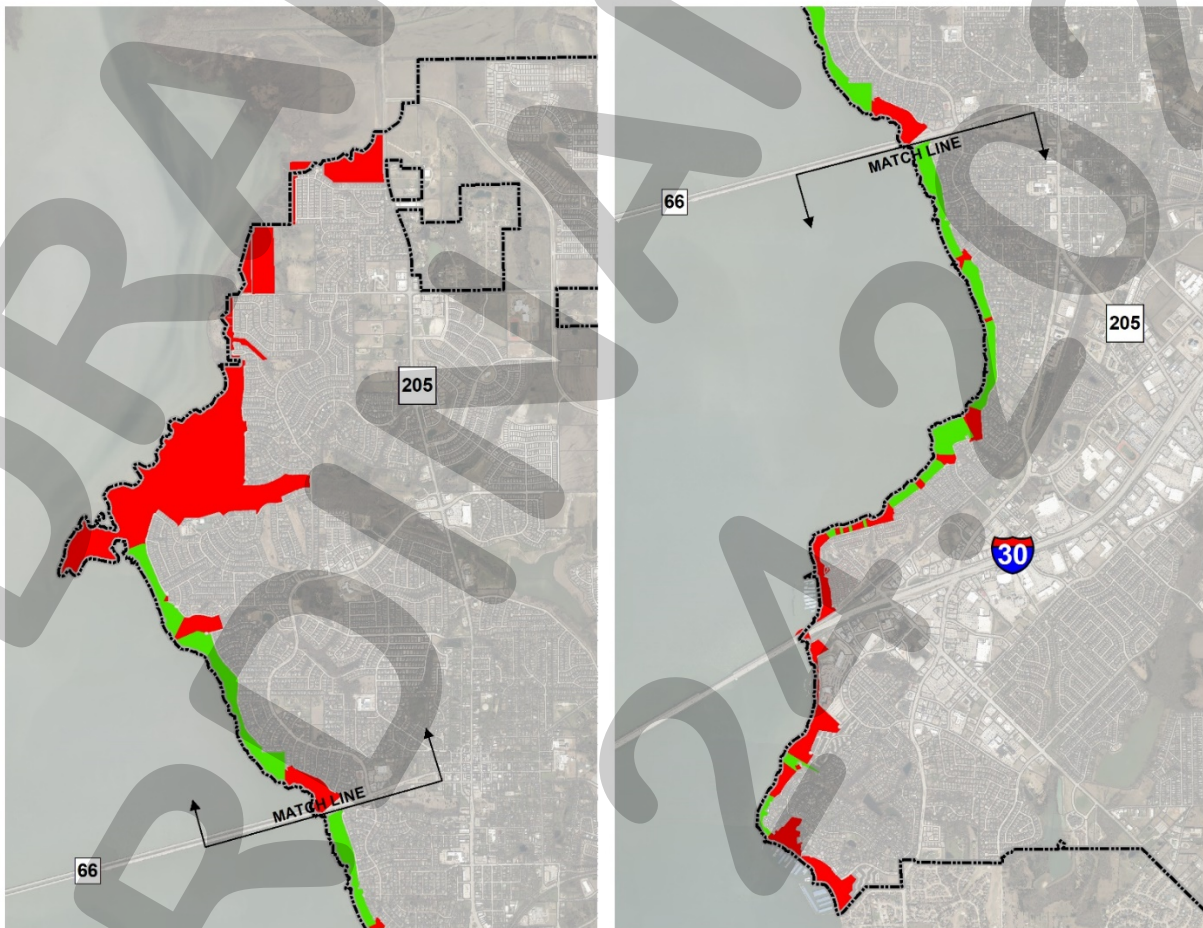
*2<sup>nd</sup> Reading:* January 4, 2021

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (A) Purpose. The purpose of the Lake Ray Hubbard Takeline Overlay (TL OV) District is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (adopted by the City of Dallas), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (i.e. Garland, Rockwall, and Rowlett) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas Takeline as shown on the boundary map for Lake Ray Hubbard (i.e. File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map) and the meandering of the contour line 435.5-foot sea level elevation. In addition, Figure 27: Elevation Contours, shows the elevation zones used to delineate where certain land uses are permitted.

FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP

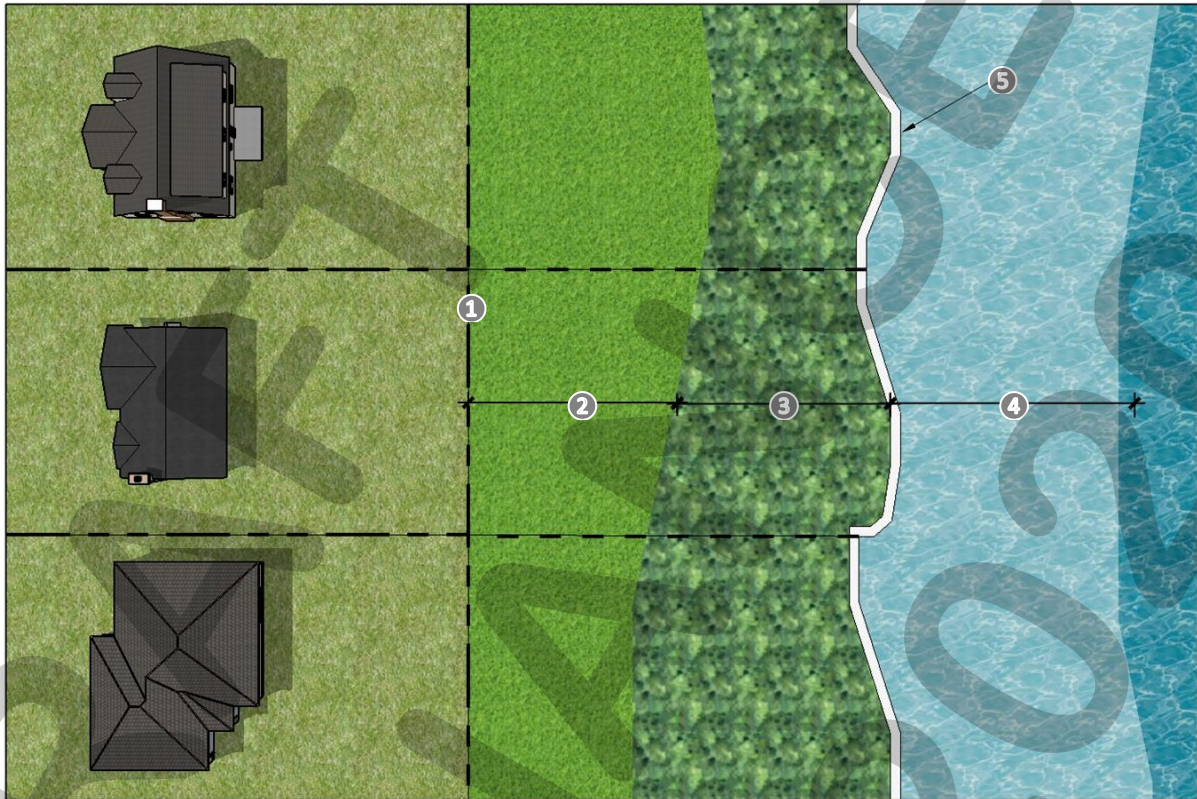


RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY



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FIGURE 27: ELEVATION CONTOUR ZONES



❶: REAR PROPERTY LINE/TAKE LINE; ❷: 438.0 ELEVATION ZONE; ❸: 435.5 ELEVATION ZONE; ❹: 425.5 ELEVATION ZONE; ❺: SEAWALL;

(C) Applicability.

- (1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in Figure 26: Lake Ray Hubbard Takeline Overlay (TL OV) District Map above.
- (2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in Subsection 06.15(B)(1) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to Subsection (J), Specifications for Permitted Land Uses. In addition, the following terms shall be defined as follows:

- (1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.
- (2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. parcel boundaries).
- (3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.

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- (4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.
- (5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. fireplace, furniture, plumbing, bathing facilities, and cooking facilities). Structures allowed by this section shall not be habitable structures and may not contain such amenities.
- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (i.e. property at or below an elevation of 435.5-feet mean sea level).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (e.g. a slip) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
- (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (i.e. 435.5-feet mean sea level).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
- (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (i.e. 435.5-feet mean sea level).
- (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
- (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
- (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see Figure Subsection (E): Visual Measurements for View Corridors).
- (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see Figure 28: Visual Measurements for View Corridors).
- (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
  - (a) Motorized Boat. A boat propelled by an internal combustion engine.
  - (b) Sail Boat. A boat with a mast and sail propelled by the wind.

(E) Visual Measurements for View Corridors.

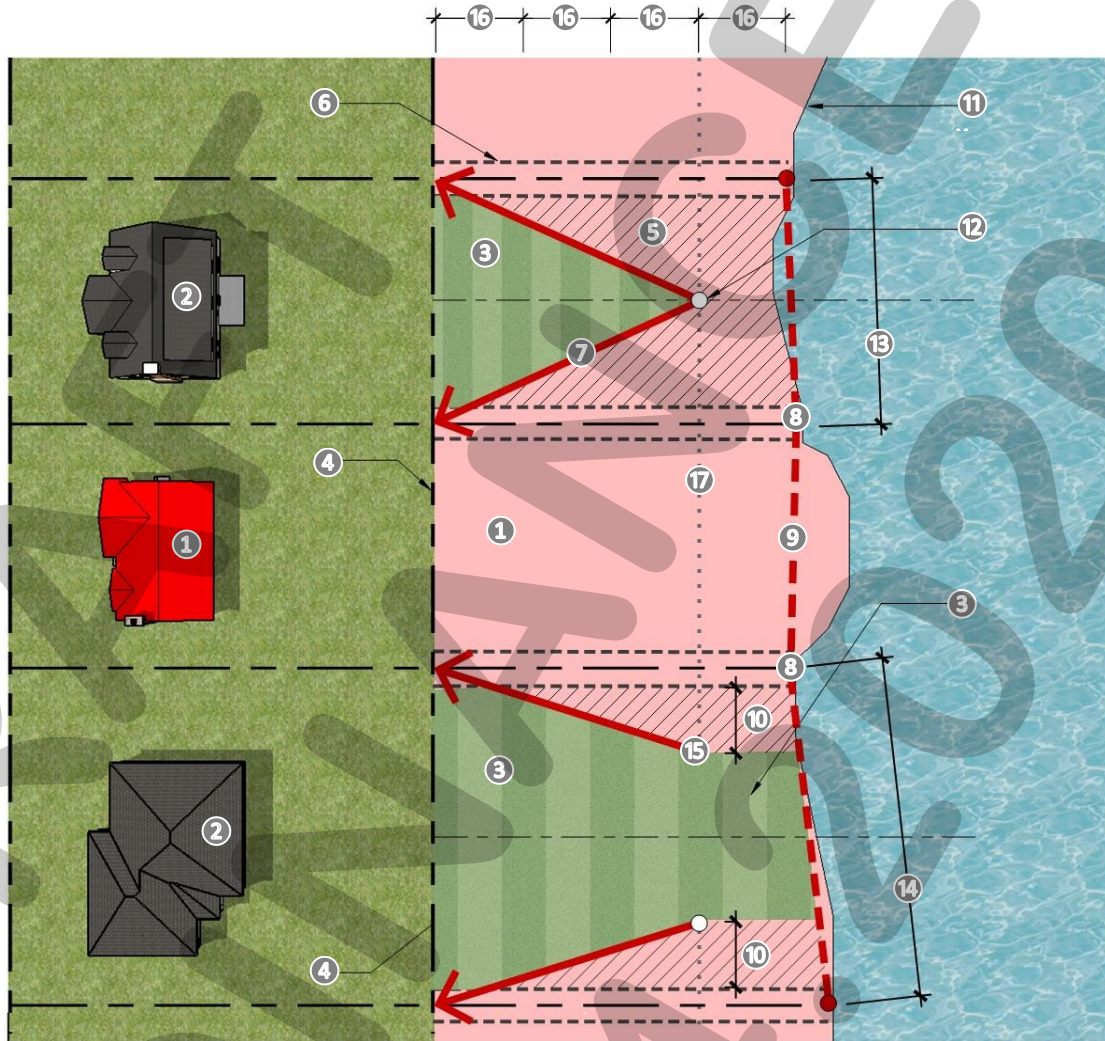
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- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-foot mean sea level*), and connecting these two (2) points in a straight line (*see Figure 28: Visual Measurements for View Corridors*). Based on this linear measurement, the view clear zones are determined by the following:
- (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with Subsection (F)(2)(d).
- (b) Lots That Have More 100-Feet or More Shoreline Frontage. The view corridor for lots that have 100-feet or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline frontage line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with Subsection (F)(2)(d).



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FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS

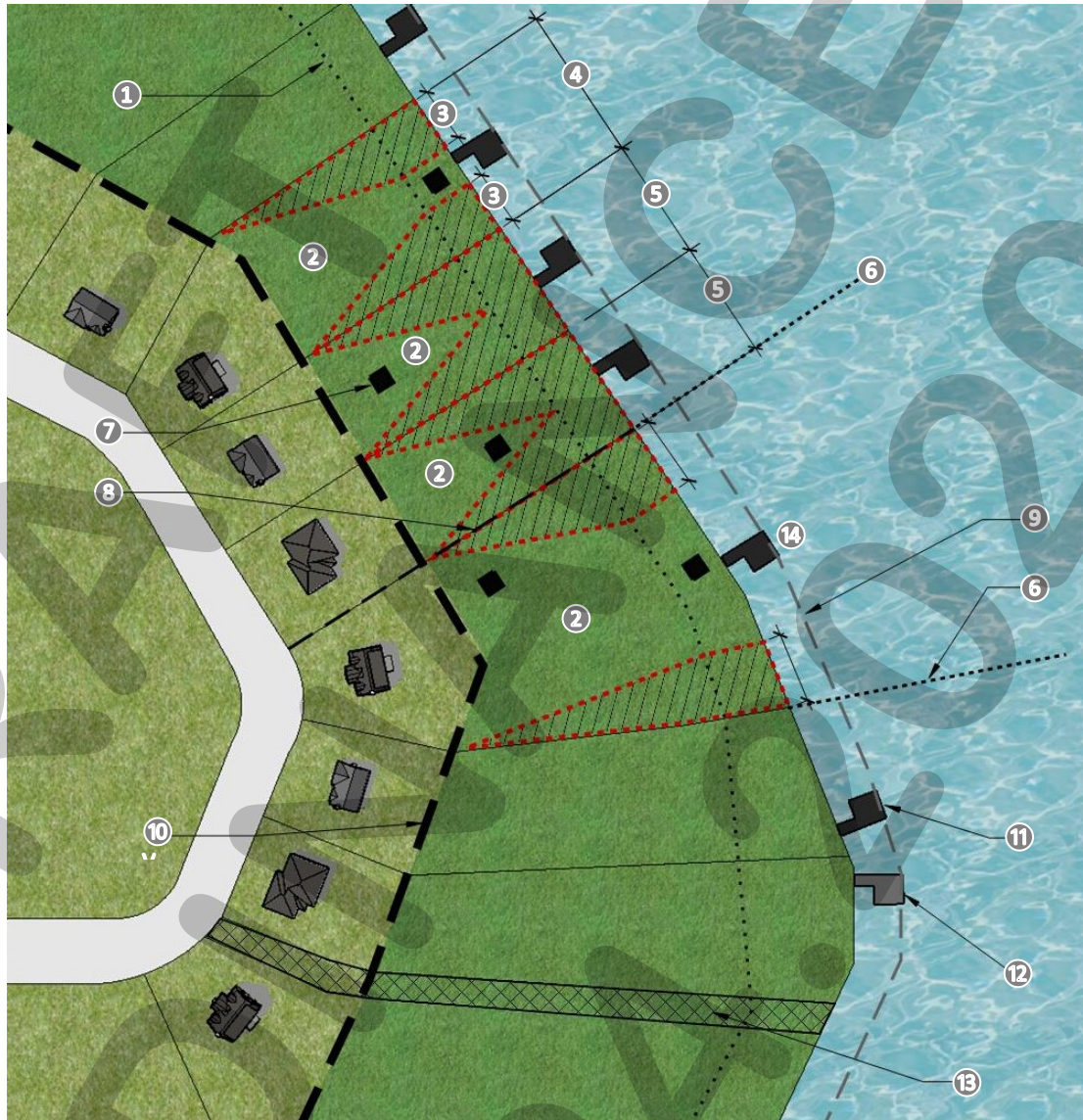


①: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); ②: NEIGHBORING PROPERTY; ③: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); ④: REAR PROPERTY LINE/TAKELINE; ⑤: VIEW CLEAR ZONE (LINED AREA); ⑥: LEASE AREA SIDE YARD SETBACK; ⑦: VIEW PRESERVATION ANGLE; ⑧: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; ⑨: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] ③ POINTS IN A STRAIGHT LINE); ⑩: 30-FOOT; ⑪: SHORELINE; ⑫: CENTER POINT AT THE QUARTER DISTANCE LINE; ⑬: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-FEET; ⑭: A LOT WITH A SHORELINE FRONTAGE 100- FEET OR MORE; ⑮: 30-FOOT POINT ON THE QUARTER DISTANCE LINE; ⑯: 25% OF THE TAKELINE AREA; ⑰: QUARTER DISTANCE LINE.



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FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



①: QUARTER DISTANCE LINE; ②: BUILDABLE AREA; ③: 30-FOOT; ④: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; ⑤: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; ⑥: LEASE AREA'S PROJECTED SIDE YARD; ⑦: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; ⑧: LEASE AREA'S SIDE YARD; ⑨: 40-FOOT BUILDING LINE; ⑩: REAR PROPERTY LINE/TAKELINE; ⑪: EXISTING BOATHOUSE; ⑫: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; ⑬: DRAINAGE EASEMENT; ⑭: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

(1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (J), Specifications for Permitted Land Uses that exceeds six [6] feet in height):

- (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
- (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.

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- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (J), Specifications for Permitted Land Uses that exceeds six [6] feet in height):
- (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (J), Specifications for Permitted Land Uses.
  - (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (J), Specifications for Permitted Land Uses.
  - (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
  - (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in Subsection (J), Specifications for Permitted Land Uses, and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a Treescape Plan showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements, and [2] they are not located within the view clear zone outlined Subsection (E), Visual Measurements. The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.
  - (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with Subsection 06.15(J)(6).
- (G) Residential Sublease Agreement. A Residential Sublease Agreement is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A Residential Sublease Agreement shall be required to build certain structures within the takeline area. It shall be a violation of the zoning



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code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code (UDC). The following shall be the costs associated with a *Residential Sublease Agreement*:

Lease	Fees
New Lease ( <i>i.e. New Never Leased by Current Owner</i> ) <sup>2</sup>	\$200.00
Annual Renewal of a Lease	\$100.00
Change of Ownership of a Valid Lease	\$50.00
Reinstatement of an Expired Lease ( <i>i.e. Same Property Owner</i> ) <sup>3</sup>	\$500.00

**NOTES:**

- <sup>1</sup>: To be subject to these new fees, a new lease entered into after January 4, 2021 will be required (*i.e. the effective date of the amendment adopting these fees*).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.

- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takeline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see Subsection (J), Specifications for Permitted Land Uses, or Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards.
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in Subsection (J), Specifications for Permitted Land Uses or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by Subsection (J), Specifications for Permitted Land Uses; however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in Subsection (J), Specifications for Permitted Land Uses, or Subsection (F), General Requirements, is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in Subsection (E), Visual Measurements. A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in Subsection (J), Specifications for Permitted Land Uses, (*e.g. jet ski lift*) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.
- (J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.
- (1) Barbecue Pit.
- (a) Definition. A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted (*for Fire Pit see Subsection 06.15(J)(9)*).
- (b) Prerequisites. A barbecue pit may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A barbecue pit shall be allowed in the following zones:
- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A barbecue pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (*i.e. natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. A barbecue pit must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.
- (2) Height. A barbecue pit shall not exceed a maximum of six (6) feet in height.

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- (3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.
- (f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;  
❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;  
❸: A MAXIMUM OF SIX (6) FEET;

- (2) Boathouse.
- (a) Definition. A *boathouse* is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
  - (b) Prerequisites. A *boathouse* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
  - (c) Conditional Use Standards. *Boathouses* are used for storing boats that have a fuel efficiency rating greater than 95%; however, boathouses may also be used to store sailboats. *Boathouses* will not be used for storing any other type of items except boats and boat-related equipment. In addition, *Boathouses* shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All *boathouses* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth



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decided by a structural engineer; however, a *boathouse* shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a *boathouse* or catwalk must be placed in an orderly manner that allows for the safe movement of people.

(d) Elevation Zone. A *boathouse* shall be allowed in the following zones:

- (1) 438.0: Not Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

(e) Construction Standards.

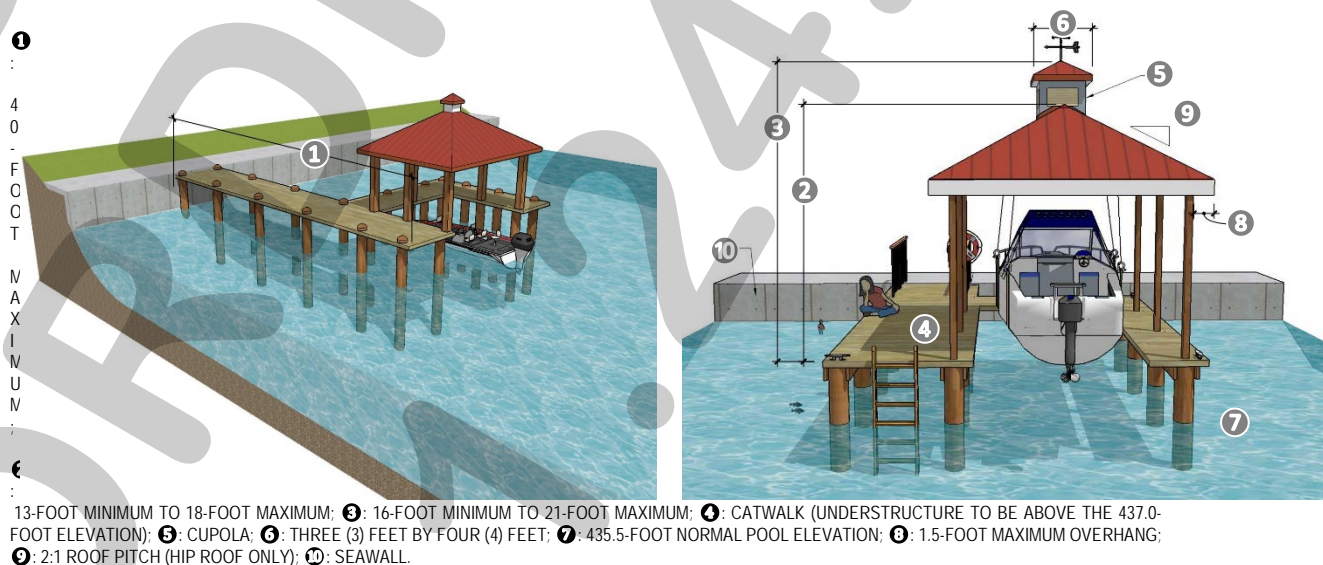
- (1) Building Materials. All *boathouse* constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. *Boathouses* shall be constructed utilizing composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials*) -- *products equivalent to Trex brand are preferred* -- for decking, galvanized metal/iron/steel or aluminum (*with a minimum color rating of AAMA 2604*) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A *boathouse* shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the *boathouse's* cupola; however, in no case should a *boathouse* exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a *boathouse* will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. *Boathouses* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (*i.e. 435.5*).
- (4) Roof. A *boathouse* will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All *boathouse* roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. *Boathouses* shall not incorporate a deck or platform.
- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
  - (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue,

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or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

- (7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a boathouse should generally be located in line with the primary structure on the leasing property (*i.e. generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.
- (f) Setback Requirements. A *boathouse* must adhere to the following setbacks:
- (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



- (3) Covered Patio.

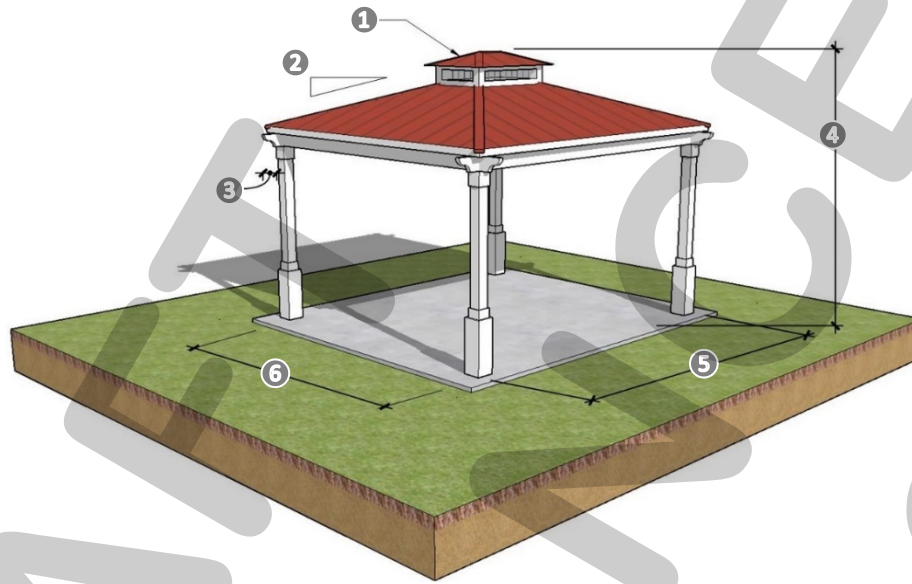
**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A covered patio may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A covered patio shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
  - (1) Takeline Setback: 6-Feet (*from the Concrete Cap of the Seawall*)
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The covered patio shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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❶: CUPOLA OR CLERESTORY; ❷: 4:1 MINIMUM ROOF PITCH; ❸: 18-INCHES MAXIMUM OVERHANG; ❹: 15-FEET MAXIMUM HEIGHT; ❺: 20-FEET MAXIMUM; ❻: 12-FEET MAXIMUM;

(4) Deck.

- (a) Definition. A *deck* is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.
- (b) Prerequisites. A deck may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A deck shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted (see Dock Deck in Subsection 06.15(J)(5)).
- (d) Conditional Use Standards. A deck shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
  - (1) Building Materials. A deck must be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Handrails incorporated into a deck in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
  - (2) Height. A deck shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A deck shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A deck located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Decks shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A deck shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed deck.
- (f) Setback Requirements. A deck must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet



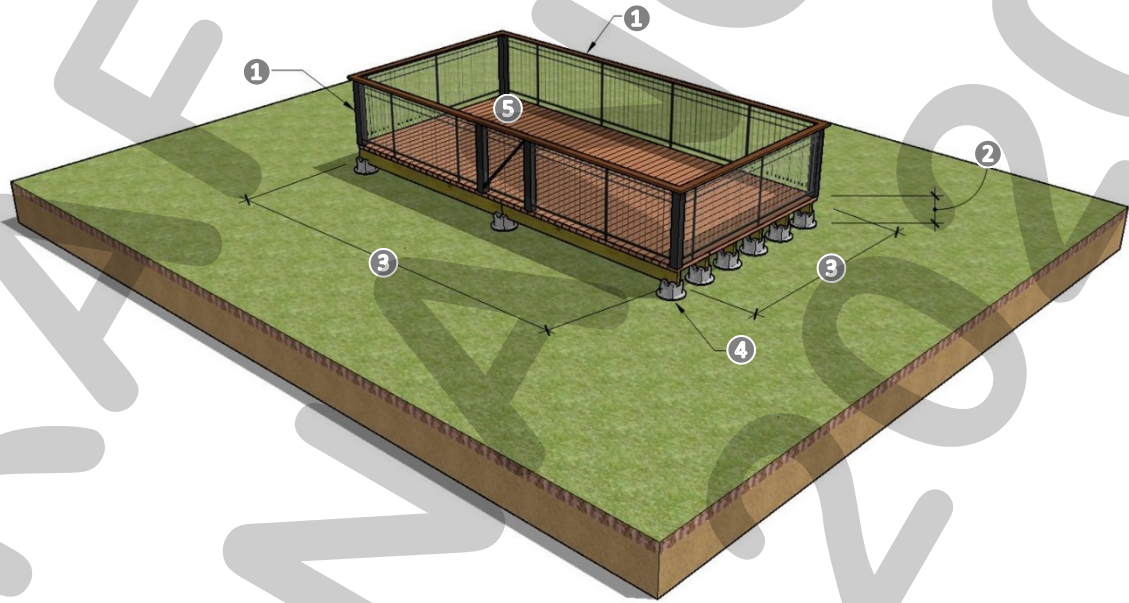
### Exhibit 'A'

#### Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: WROUGHT IRON OR DECORATIVE METAL; ②: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; ③: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; ④: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; ⑤: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more than 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
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placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.

(e) Construction Standards.

- (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Any railings built on a *dock deck* shall be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
- (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
- (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (i.e. 80 SF) and a maximum of 12-feet by 30-feet (i.e. 360 SF). *Dock decks* shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
- (5) Additional Construction Standards.

- (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
- (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
- (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.

(f) Setback Requirements. A *dock deck* must adhere to the following setbacks:

- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

(g) Additional Requirements.

- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas,

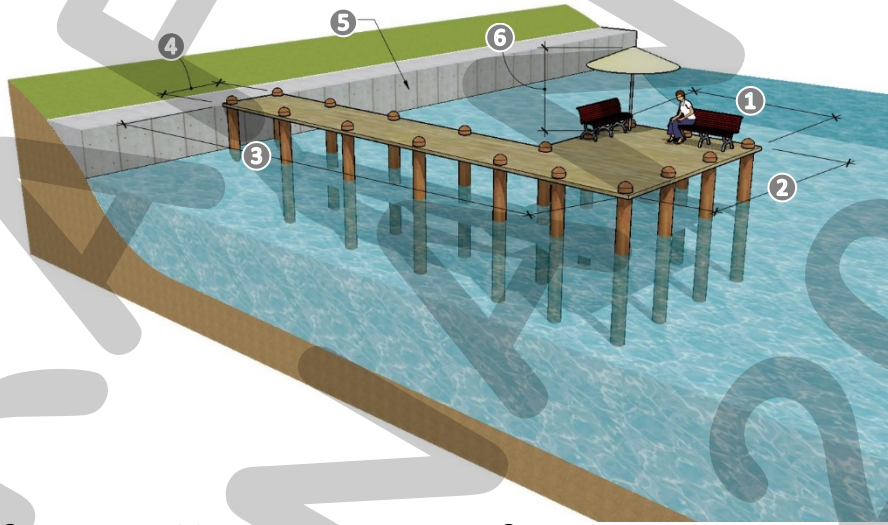
### Exhibit 'A'

#### Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)

US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

- (2) Compliance with Applicable Codes. A dock deck must comply with all other applicable City of Rockwall codes.
- (3) Address. All dock decks shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No dock deck shall encroach into an existing or identified future easement, right-of-way, access road, or path.

(h) Visual Representation.

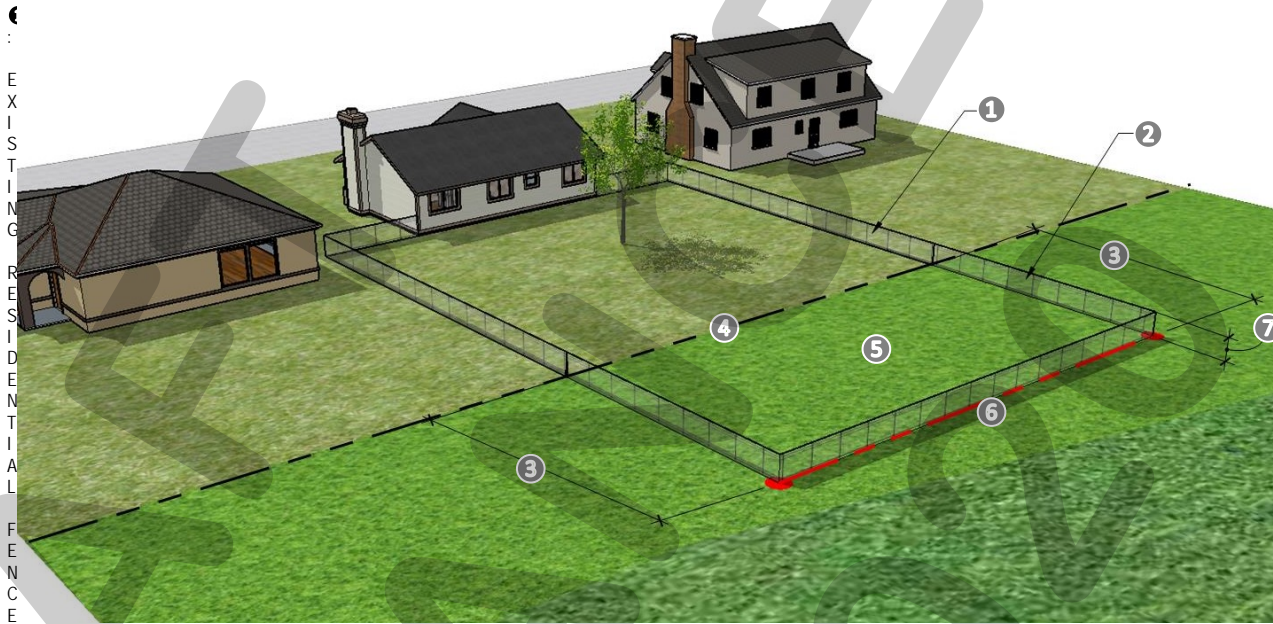


(6) Fence.

- (a) Definition. A fence is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A fence may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A fence shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).



**Exhibit 'A'**  
Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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ON THE LEASING PROPERTY: ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45-FEET ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.
- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.

(f) Setback Requirements. A fence must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

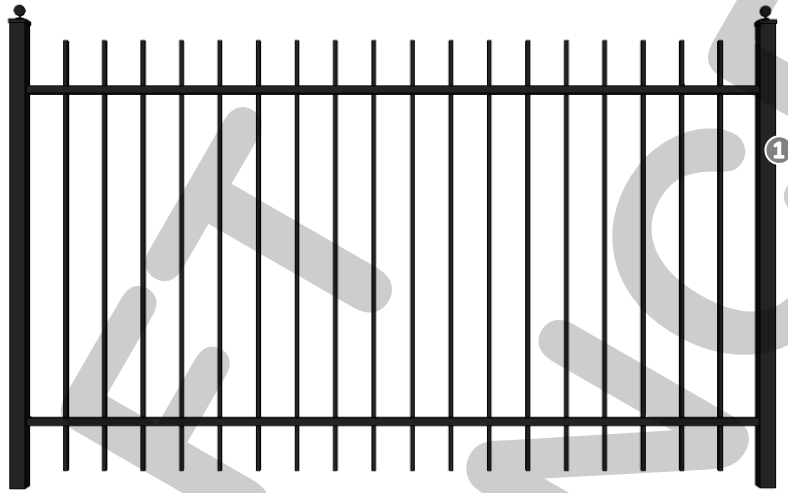
- (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**



❶: FOUR (4) FOOT WROUGHT IRON FENCE

(7) Flagpole.

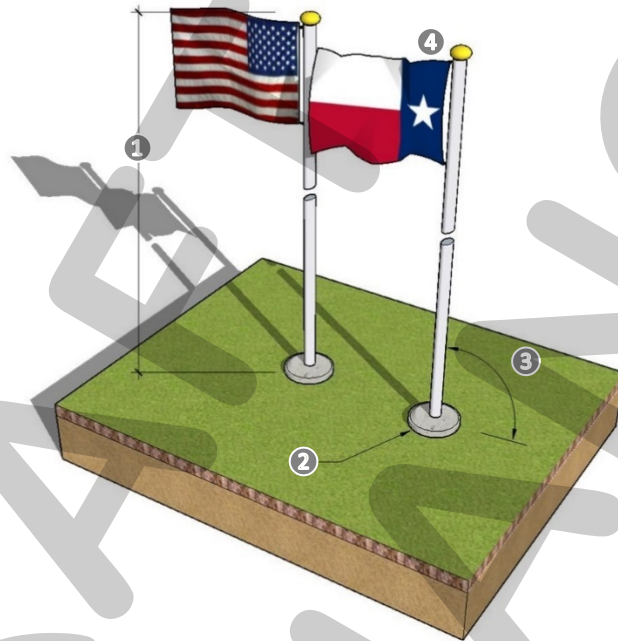
- (a) Definition. A flagpole is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
- (b) Prerequisites. A flagpole may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A flagpole shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A maximum of two (2) flagpoles, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
- (e) Construction Standards.
  - (1) Building Materials. A flagpole shall only be constructed of either stainless steel or aluminum.
  - (2) Height. A flagpole shall not exceed a maximum height of 20-feet from grade.
  - (3) Size. At the ground base a flagpole shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
  - (4) Location. A flagpole located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Flagpoles shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A flagpole must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a flagpole must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A flagpole must comply with all other applicable City of Rockwall codes.

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**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (3) Emergency Response. The *flagpole* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: MAXIMUM OF 20-FEET FROM GRADE; ②: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ③: MAINTAINED TO BE 90-DEGREES FROM GRADE; ④: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

(8) Fixed Pier.

- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
- (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the takeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see Subsection 06.15(J)(8)(h)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more that 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (1) **Building Materials.** The catwalk and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
- (2) **Height.** No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) **Size.** The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) **Lighting.** Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a *fixed pier*.
- (5) **Additional Construction Standards.**
  - (a) **Pilings.** The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) **Catwalks.** The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (c) **Safety Reflectors.** All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) **Location.** View corridor restrictions do not apply to *fixed piers*.
- (f) **Setback Requirements.** A *fixed pier* must adhere to the following setbacks:
  - (1) **Takeline Setback:** 0-feet
  - (2) **Leased Side Yard Setback:** 10-feet
  - (3) **Maximum Distance from Seawall:** 40-feet
- (g) **Additional Requirements.**
  - (1) **Dredging.** Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials



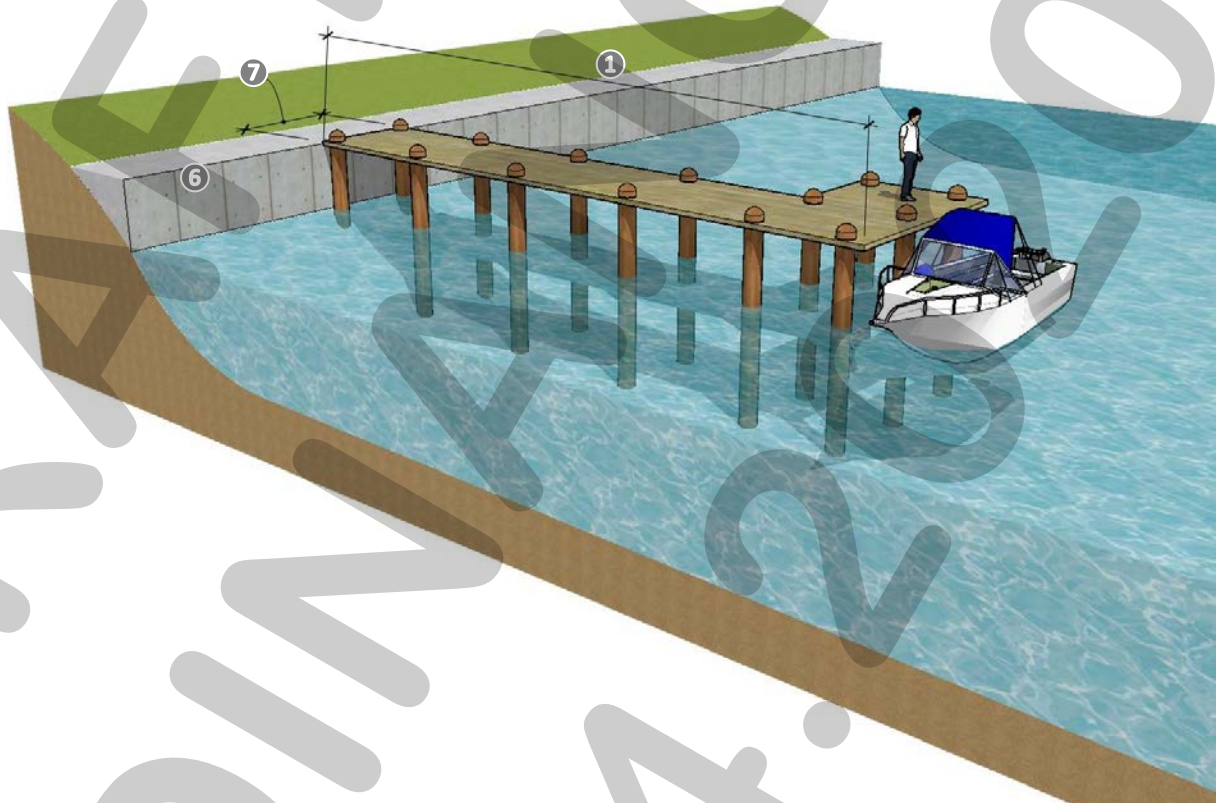
### Exhibit 'A'

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must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

- (2) Compliance with Applicable Codes. A fixed pier must comply with all other applicable City of Rockwall codes.
- (3) Address. All fixed pier shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No fixed pier shall encroach into an existing or identified future easement, right-of-way, access road, or path.

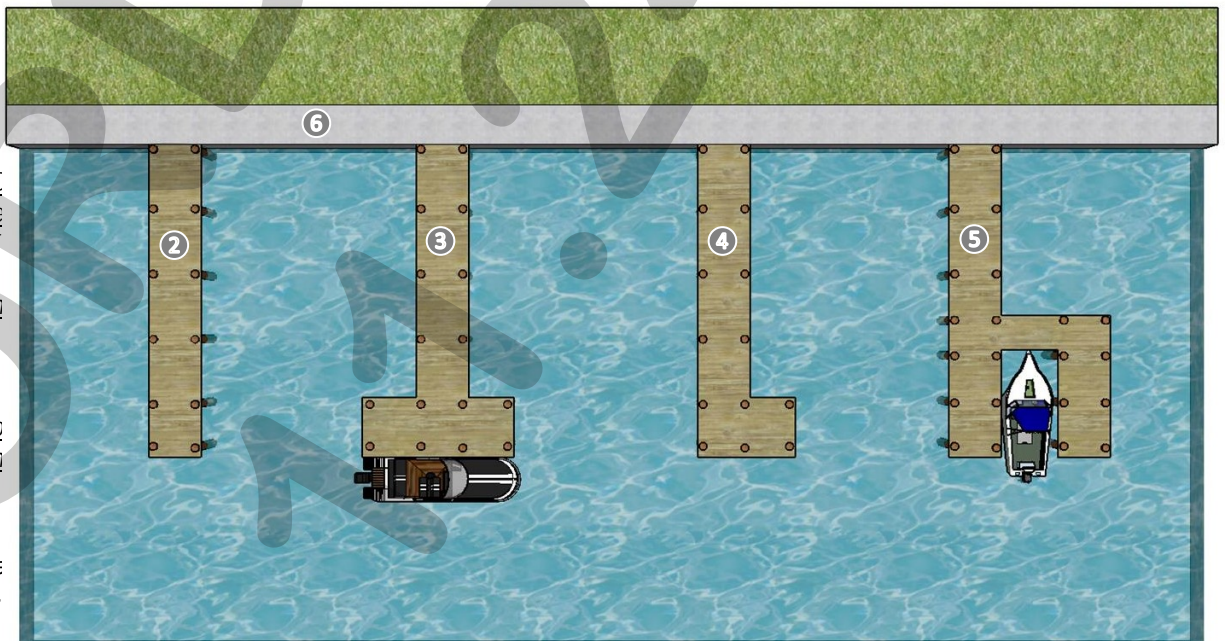
(h) Visual Representation.



1: 40-FOOT MAXIMUM; 2: PIER IN AN 'I' SHAPE; 3: PIER IN A 'T' SHAPE; 4: PIER IN A 'L' SHAPE; 5: PIER IN A 'U' SHAPE; 6: SEAWALL;  
7: SIX (6) FOOT MAXIMUM

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### **Exhibit 'A'**

#### **Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)**

- A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fire pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (*i.e. natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. The surround (*i.e. the area used to contain the fire*) for a fire pit must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A fire pit shall not exceed a maximum of 36-inches in height.
  - (3) Size. A fire pit shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a fire pit should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A fire pit must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a fire pit must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A fire pit must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HEIGHT OF 36-INCHES OR THREE (3) FEET.

#### (10) Gazebo.

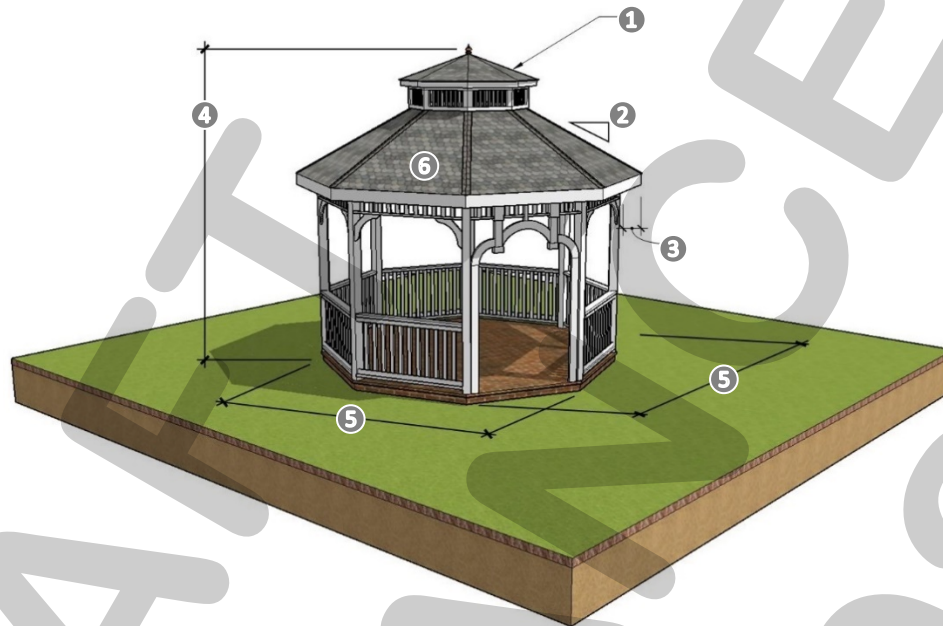
**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (a) Definition. A gazebo is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
- (b) Prerequisites. A gazebo may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A gazebo shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A gazebo shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (1) Building Materials. A gazebo built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. The side trellis of the gazebo may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A gazebo built in the *435.5 Elevation Zone* shall only be built out of composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A gazebo will be constructed using steel reinforced concrete piers.
  - (2) Height. A gazebo shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the gazebo shall be measured from grade to the vertex of the gazebo's main roof or clerestory/cupola roof. In either case a gazebo shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A gazebo shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the gazebo shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the gazebo can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A gazebo located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Gazebos shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A gazebo must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a gazebo must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A gazebo must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The gazebo shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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①: CUPOLA OR CLERESTORY; ②: 2:1 MINIMUM ROOF PITCH; ③: 1.5-FOOT MAXIMUM OVERHANG; ④: 18-FOET MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FOET WITHOUT A CUPOLA OR CLERESTORY; ⑤: 12-FOET MAXIMUM; ⑥: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(11) Landing and Stairs.

- (a) Definition. A landing is the area of a floor near the top or bottom step of a stair. A stair is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A landing and stairs may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 or 425.5 Elevation Zones* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A landing and stairs shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Permitted (if a Seawall has been constructed).

NOTE: A landing and stairs located in the *425.5 Elevation Zone* is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:

### Exhibit 'A'

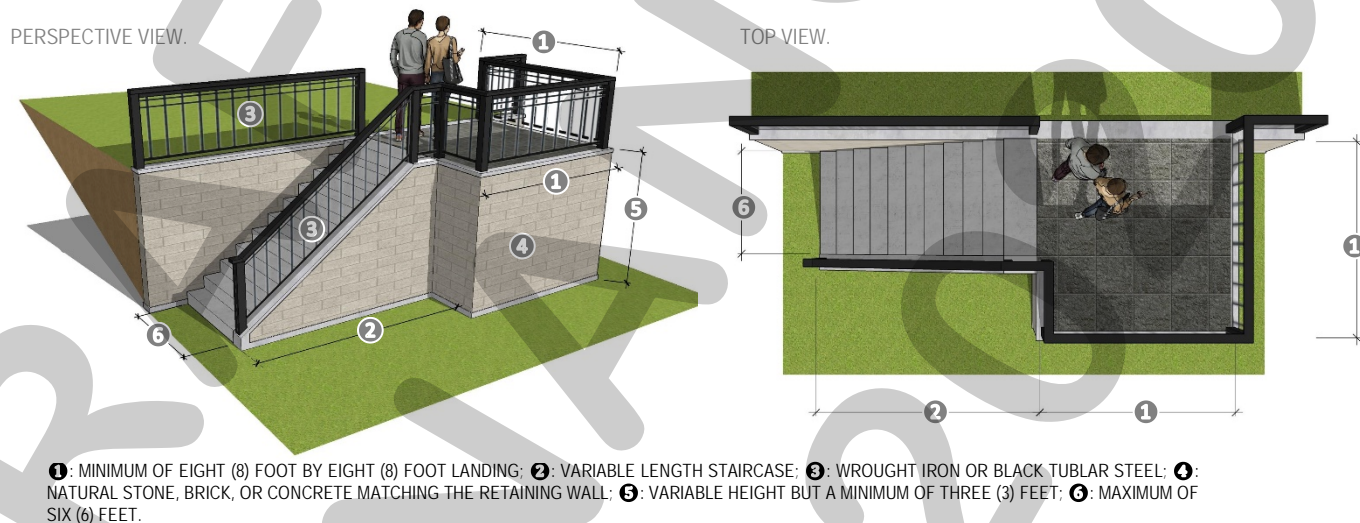
#### Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 5-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *landing and stairs* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *landing and stairs* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

**NOTE:** Remedial *landscaping* in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is strictly prohibited. All landscaping must comply with the requirements of Article 08, Landscaping and Fence Standards, of the Unified Development Code (UDC). For information regarding planting or removing trees see Subsection (F)(4) above.
- (e) Construction Standards.

- (1) Building Materials. *Retaining walls* shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception



**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- *with the exception of using it as a base* --, and brick shall be prohibited.

- (2) Height. Retaining walls as part of landscaping will be limited to less than three (3) feet.
- (3) Location. Landscaping and retaining walls shall not hinder the view clear zone of an adjacent neighbor's view corridor. Landscaping shall not exceed six (6) feet in height in the view clear zone.

(f) Setback Requirements. Retaining walls must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of landscaping and retaining walls must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. Landscaping and retaining walls must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. Landscaping and retaining walls shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

(a) Definition. Municipal utilities represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.

(b) Elevation Zone. Municipal utilities shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Permitted.

(c) Conditional Use Standards. All municipal utilities' infrastructure is permitted within the take area. Municipal utilities shall be placed underground.

(d) Setback Requirements. Municipal utilities must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(e) Additional Requirements.

- (1) Compliance with Applicable Codes. Municipal utilities must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

(a) Definition. Outdoor lighting is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.

(b) Prerequisites. Outdoor lighting may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. Outdoor lighting shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.

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**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted *outdoor lighting* allowed below the 438.0 Elevation Zone.

- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are *not* allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
- (e) Photometric Plan. A photometric plan describing compliance with the provisions of Article 07, Performance Standards, of the Unified Development Code (UDC) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC).
- (f) Construction Standards.
- (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
- (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
- (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
- (g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet
- (h) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
- (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(15) Patio.

- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
- (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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(c) Elevation Zone. A *patio* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.

(e) Construction Standards.

- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into a *patio* in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
- (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
- (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
- (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.

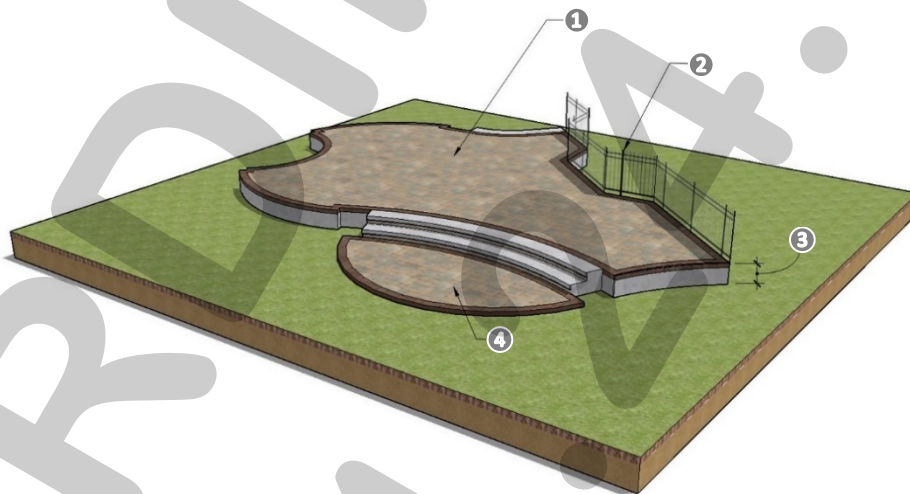
(f) Setback Requirements. A *patio* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

(a) Definition. A *pergola* is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.

**Exhibit 'A'**

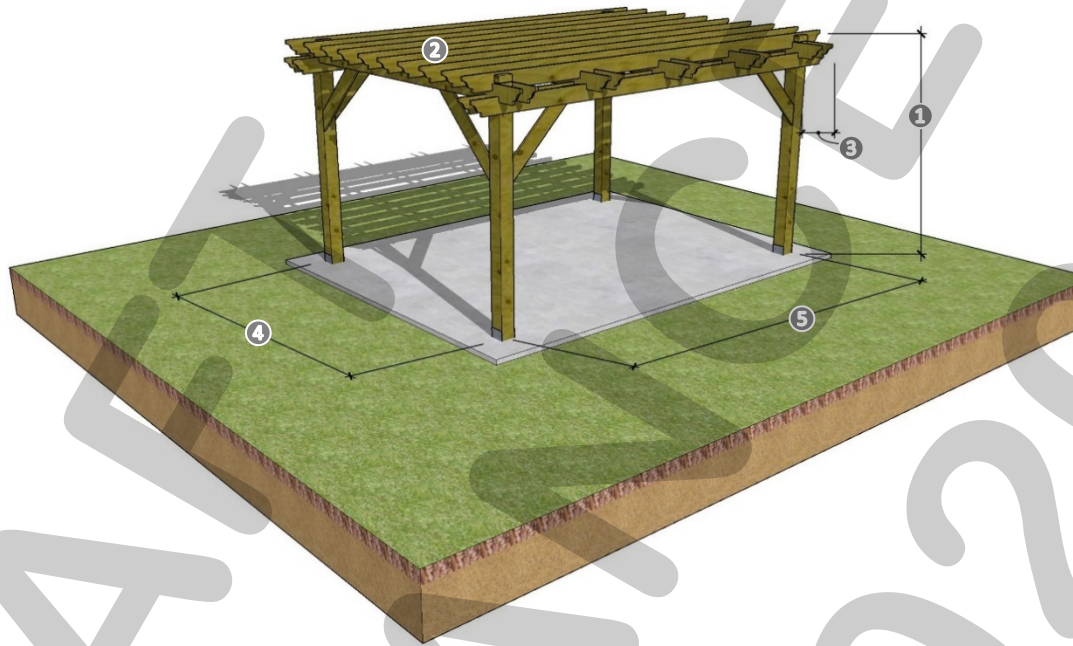
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (b) Prerequisites. A pergola may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A pergola shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A pergola shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (6) Building Materials. A pergola constructed within the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A pergola constructed within the *435.5 Elevation Zone* must be constructed using composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (7) Height. A pergola shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A pergola shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the pergola shall not have an overhang greater than 18-inches.
  - (10) Location. A pergola located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Pergolas shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A pergola must adhere to the following setbacks:
- (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (4) Earth Work. Earth work required for the construction of a pergola must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A pergola must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The pergola shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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❶: 12-FOOT MAXIMUM HEIGHT; ❷: OPEN ROOF OF GIRDERS OR RAFTERS; ❸: 1.5-FOOT MAXIMUM OVERHANG; ❹: 12-FOOT MAXIMUM; ❺: 20-FOOT MAXIMUM; ❻: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

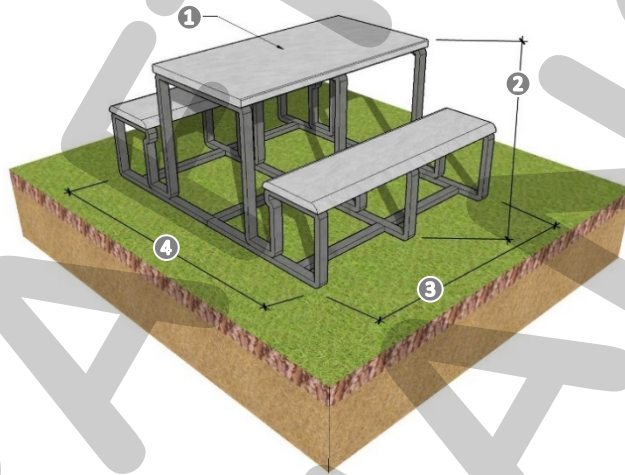
(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. *no roof covering*) unless combined with a covered patio or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.
  - (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



❶: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ❷: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ❸: EIGHT (8) FOOT MAXIMUM; ❹: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A *private play structure* shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a *private play structure* should blend and incorporate the same hues and tones of the surrounding landscaping.
  - (2) Height. A *private play structure* shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All *private play structures* will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. *Private play structures* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *private play structures* must adhere to the following setbacks:

### **Exhibit 'A'**

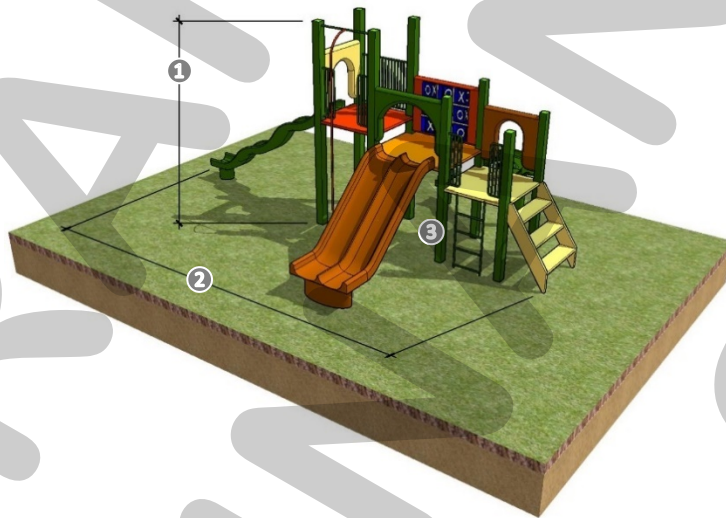
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- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *private play structures* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private play structure* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *private play structure* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



❶: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ❷: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ❸: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. *Private utilities* are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. *Private utilities* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Private utilities* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private utilities* are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. *Private utilities* containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. *Private utilities* shall only be constructed out of materials permitted by the City's Engineering Department.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (i.e. 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.
- (f) Setback Requirements. Private utilities must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of private utilities must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A private utility must comply with all other applicable City of Rockwall codes.
  - (3) Damage to the System. Any damage or destruction to any private utility by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.
- (20) Private Walkways.
- (a) Definition. Private walkways can be a single path or a network of paths installed by the leasing property owner in the takeline area.
  - (b) Prerequisites. Private walkways may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. Private walkways shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a Seawall has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. Private walkways with steps are permitted (see *Landing and Stairs* in Subsection 06.15(J)(11)).
  - (e) Construction Standards.
    - (1) Building Materials. Private walkways shall be constructed using native stone, brick and/or rectangle pavers; however, private walks shall not consist of loose stone, gravel, sand, asphalt, or concrete.
    - (2) Height. Private walkways shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
    - (3) Size. Private walkways shall be no greater than 48-inches in width.
    - (4) Location. Private walkways may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-foot wide, suitable for access, and will connect to adjacent access paths.
  - (f) Setback Requirements. Private walkways must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 10-Feet
  - (g) Additional Requirements.



**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A seawall is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A seawall may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A seawall shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

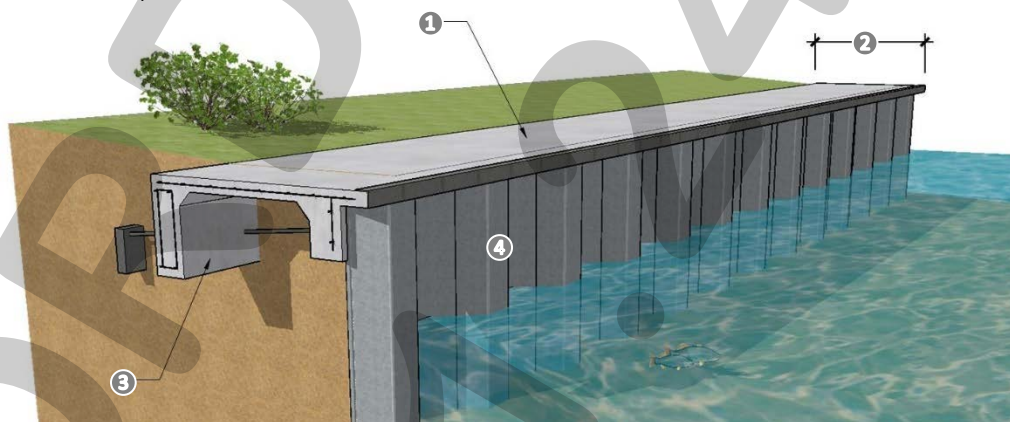
(d) Construction Standards.

- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.

(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *seawalls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *seawall* must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



①: CONCRETE WALKWAY; ②: SIX (6) FOOT MINIMUM; ③: 24-INCH BY TEN (10) INCH BEAM WITH #3 REBAR ON 18-INCH CENTERS; ④: RETAINING WALL.

(22) Sprinkler/Irrigation System.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (h) Definition. A sprinkler/irrigation system is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A sprinkler/irrigation system may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (j) Elevation Zone. A sprinkler/irrigation system shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

*Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.*

- (k) Conditional Use Standards. A sprinkler/irrigation system must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.
- (l) Construction Standards.

- (1) Building Materials. A sprinkler/irrigation system shall only be constructed utilizing Schedule 40 PVC pipe.
- (2) Height. The heads of a sprinkler/irrigation system used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
- (3) Location. A sprinkler/irrigation system shall be allowed up to one (1) foot of the normal pool elevation shoreline (i.e. 435.5) provided no part of the system could potentially result in lake siltation erosion.

- (m) Setback Requirements. A sprinkler/irrigation system must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

- (n) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a sprinkler/irrigation system must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
- (2) Compliance with Applicable Codes. A sprinkler/irrigation system must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a sprinkler/irrigation system by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

# Exhibit 'B'

## Section 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, of Article 05, Development Standards, of the Unified Development Code (UDC)

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE <a href="#">SUBSECTION 06.15(J)</a>	PRE-REQUISITES L: SUBLEASE, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	(1)	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	(2)	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	(3)	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE: CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5 &amp; 18</sup>	(4)	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILING
DOCK DECK <sup>2 &amp; 5</sup>	(5)	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	(6)	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	(7)	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	(8)	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	(9)	L & S <sup>16</sup>	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	(10)	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15' <sup>18' 7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	(11)	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5 &amp; 18</sup>	(15)	L	P	P	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	(16)	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	(17)	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	(18)	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	(20)	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	(22)	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROPERTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES (IF PERMITTED IN THE ZONE). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1. <sup>7</sup> : SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK. <sup>8</sup> : EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN					
MUNICIPAL UTILITIES	(13)	NONE	P	P	P						
OUTDOOR LIGHTING	(14)	L	P	X	X						
PRIVATE UTILITIES	(19)	L	P	P	X						
SEAWALL	(21)	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	(22)	L	P	P	X						

FOUR (4) POLE STRUCTURES ALLOWED.

<sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.

<sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.

<sup>11</sup>: REQUIRES A HIP OR GABLE ROOF OR A HIP AND/OR GABLE ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.

**Exhibit 'B'**

**Section 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- <sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.  
<sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.  
<sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVREAGE BASE OF THE SURROUND TERRIAN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.  
<sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.  
<sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.  
<sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.  
<sup>18</sup>: HANDRAILS ARE PROBITED IN THE 435.5 ELEVATION ZONE.





# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

**TO:** Planning and Zoning Commission

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** December 8, 2020

**SUBJECT:** Z2020-041; *Subsection 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the Unified Development Code (UDC)*

On November 2, 2020, staff held a work session with the City Council to discuss proposed changes to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the Unified Development Code (UDC)* [i.e. the *takeline ordinance*] and the City's *Raw Water Policy*. These changes were prepared at the request of Mayor Pruitt, who asked staff to review the ordinance and bring changes that would: [1] provide clearer requirements with regard to the land uses, building materials, and construction standards permitted within the *takeline*, and [2] provide incentive for more property owners to pursue *takeline* leases. Based on the changes proposed at the work session, the City Council directed staff to proceed with adopting the amendment into the Unified Development Code (UDC).

A summary of the proposed changes to the *takeline ordinance* is provided on the front of the proposed amendment under the *Change Log* heading and which is included in the attached packet; however, this amendment is basically a complete overhaul of the language currently contained in this section of the Unified Development Code (UDC). Some of the major changes are summarized as follows:

- (1) The way in which the visual measurement for view corridors is currently being calculated was changed to allow a larger buildable area for lots with longer linear frontages of shoreline. Currently, the view corridor is calculated from a projection that starts at a central point in the adjacent property owner's rear yard, and projects outward into the takeline at a 36-degree angle. The proposed amendment changes this calculation to a defined point in the center of the takeline -- *at the quarter point* --, and projects this point back to the corners of the subject property. The advantages of this projection system are that it is easier for property owners and staff to calculate quickly, and it yields similar results as the previous projection calculation. For lots with over 100-feet of takeline frontage, this point starts 30-feet from the side yard of the takeline area and then projects back to the corner of the subject property. By doing this, the buildable area on these larger lots is increased in the *435.5-Elevation Zone*, and this allows the property owners leasing these areas the ability to construct certain structures in the center of the takeline area closer to the water's edge.
- (2) New language addressing *Residential Sublease Agreements* and the costs of these agreements were added. Staff should also point out that the fees for these agreements were reduced as follows:

Lease	Current Fees	Proposed Fees
New Lease (i.e. Never Leased by Current Owner)	\$600.00	\$200.00
Annual Renewal of a Lease	\$350.00	\$100.00
Change of Ownership of a Valid Lease	\$350.00	\$50.00
Reinstatement of an Expired Lease (i.e. Same Property Owner)	\$600.00	\$500.00

The purpose of this reduction is to incentivize more property owners to pursue *Residential Sublease Agreements*. In addition, all of the permitted land uses (*with the exception of municipal utilities*) now require the property owner to have a valid *Residential Sublease Agreement*.

- (3) Sea walls were added to the permitted land uses section of the ordinance. In addition, certain land uses now would require the construction of a sea wall prior to their establishment.

Attached to the memorandum is a copy of the proposed changes to the *takeline ordinance* and a draft ordinance. In accordance, with Section 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

~~Planning and Zoning Commission Work Session: November 24, 2020~~

Planning and Zoning Commission Public Hearing: December 8, 2020

City Council Public Hearing/1<sup>st</sup> Reading: December 21, 2020

City Council 2<sup>nd</sup> Reading: January 4, 2021

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions, staff will be available at the meeting on December 8, 2020.

## STRUCTURE OF ORDINANCE CHANGE

### (1) SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) PURPOSE
- (B) BOUNDARIES
- (C) APPLICABILITY
- (D) DEFINITIONS
- (E) VISUAL MEASUREMENTS FOR VIEW CORRIDORS
- (F) GENERAL REQUIREMENTS
- (G) RESIDENTIAL SUBLEASE
- (H) PERMITTED USES
- (I) SPECIFIC USE PERMITS (SUPS)
- (J) SPECIFICATIONS FOR PERMITTED LAND USES
  - (1) BARBECUE PIT
  - (2) BOATHOUSE
  - (3) COVERED PATIO
  - (4) DECK
  - (5) DOCK DECK
  - (6) FENCE
  - (7) FLAGPOLE
  - (8) FIXED PIER
  - (9) FIRE PIT
  - (10) GAZEBO
  - (11) LANDING AND STAIRS
  - (12) LANDSCAPING AND RETAINING WALLS
  - (13) MUNICIPAL UTILITIES
  - (14) OUTDOOR LIGHTING
  - (15) PATIO
  - (16) PERGOLA
  - (17) PICNIC TABLE
  - (18) PRIVATE PLAY STRUCTURE
  - (19) PRIVATE UTILITIES
  - (20) PRIVATE WALKWAYS
  - (21) SEAWALL
  - (22) SPRINKLER/IRRIGATION SYSTEM

### (2) SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

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#### CHANGE LOG

- (1) BROKE OUT EACH LAND USE AND STANDARDIZED THE SECTIONS.
- (2) ADDED FIRE PIT AND PICNIC TABLE AND BROKE OUT COVERED PATIO, DECK, PERGOLA, PATIO AND GAZEBO OUT INTO THEIR OWN SECTIONS.
- (3) CHANGED THE MATERIAL REQUIREMENTS FOR ALL STRUCTURES LOCATED IN THE 435.5 & 425.5 ELEVATION ZONES TO ALLOWING ONLY COMPOSITE MATERIALS OR METAL.
- (4) CHANGED THE WAY THE VIEW CORRIDORS WERE CALCULATED AND GAVE A GREATER ALLOWANCE TO PROPERTIES THAT HAVE A MINIMUM OF 100-FEET OF SHORELINE FRONTAGE.
- (5) REQUIRED COVERED PATIOS TO HAVE A CLERESTORY OR CUPOLA.
- (6) LIMITED MATERIALS SO THAT CLOTH, CANVAS, OR LIKE MATERIALS WERE NOT PERMITTED.
- (7) CHANGED THE SUP REQUIREMENT TO GIVE THE CITY COUNCIL GREATER AUTHORITY IN ALLOWING LAND USES AND STRUCTURES IN THE TAKELINE AREA.
- (8) DEFINED WHERE AND WHEN TREES CAN BE PLANTED OR REMOVED.
- (9) LIMITED THE NUMBER OF STRUCTURES PERMITTED IN EACH ZONE.
- (10) ADDED EXAMPLE IMAGES OF ALL PERMITTED LAND USES.
- (11) CHANGED LOCATIONAL REQUIREMENTS FOR STRUCTURES IN THE 435.5 ELEVATION ZONE AND BOAT RELATED STRUCTURES.
- (12) CREATED AN ADMINISTRATIVE EXCEPTION FOR PLACEMENT OF STRUCTURES
- (13) INSERTED A TAKELINE LEASE SECTION THAT OUTLINES THE TAKELINE LEASE FEES.
- (14) REDUCED THE TAKELINE LEASE FEES TO MORE REASONABLE COSTS.
- (15) REQUIRED A SEAWALL FOR CERTAIN STRUCTURES IN CERTAIN ELEVATION ZONES.
- (16) CREATED A SUMMARY CHART FOR PERMITTED LAND USES.
- (17) ADDED AN IMAGE OF AND USE FOR A SEA WALL.

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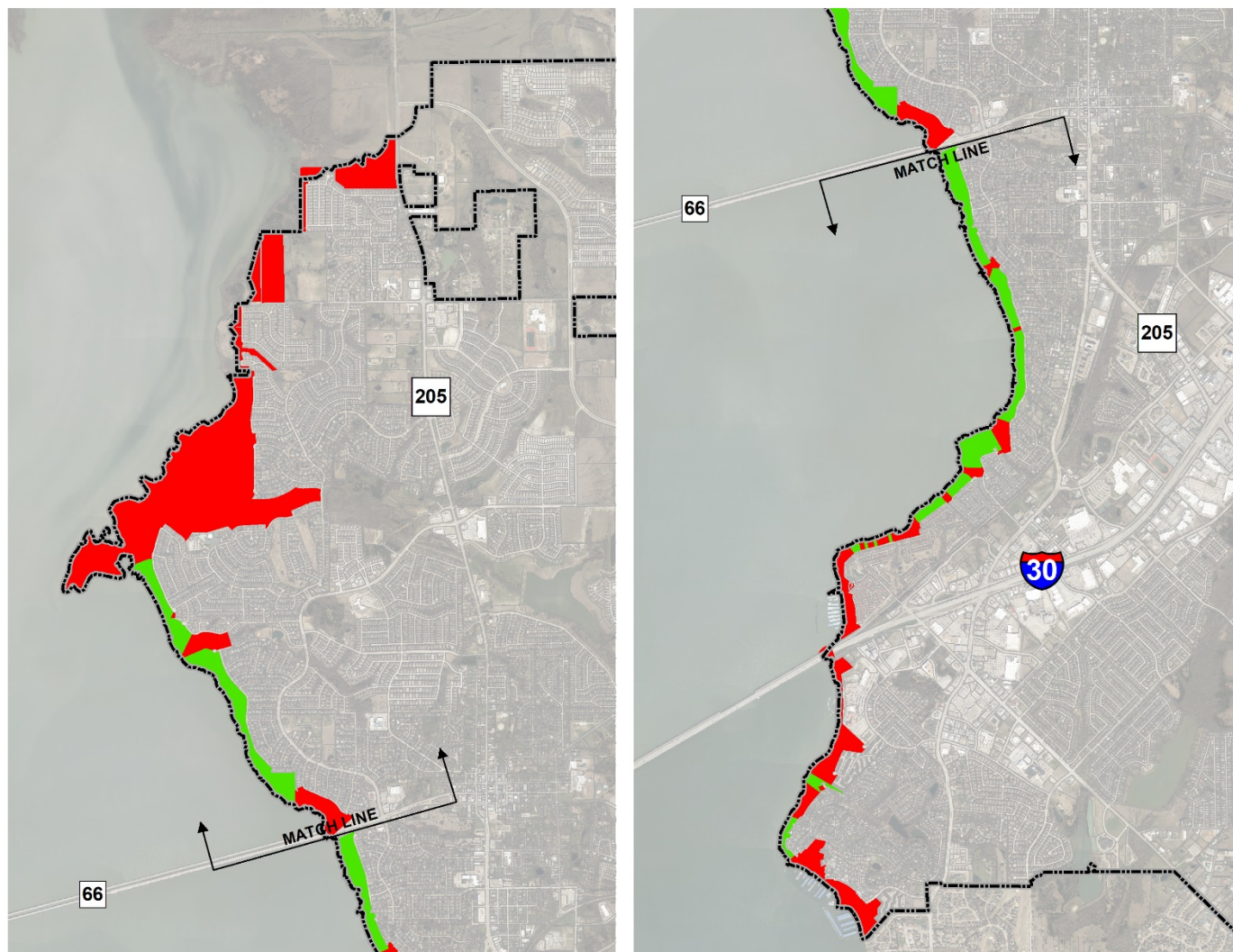
#### NOTES

- (1) I SPOKE WITH THE CITY ATTORNEY ABOUT THE CURRENT ORDINANCE'S LIMITATION ON ONLY ALLOWING THE UNITED STATES FLAG AND THE TEXAS FLAG TO BE FLOWN IN THE TAKELINE AREA. THIS REQUIREMENT IS APPARENTLY NOT ENFORCEABLE; HOWEVER, I LEFT IT IN THE ORDINANCE CHANGE AND AS LONG AS WE DON'T TRY TO ENFORCE IT WE SHOULD BE OK. I SHOULD ALSO NOTE THAT THE CITY OF HEATH ALSO HAS THIS REQUIREMENT IN THEIR TAKELINE ORDINANCE.
- (2) AFTER REVIEW OF THE CURRENT INTERLOCAL AGREEMENT WITH THE CITY OF DALLAS, NOTHING CONTAINED IN THIS ORDINANCE CHANGE WOULD VIOLATE THAT AGREEMENT OR IS EXPRESSLY PROHIBITED IN THAT AGREEMENT. THE CITY COUNCIL SHOULD BE ABLE TO ADOPT THIS ORDINANCE CHANGE WITHOUT THEIR REVIEW; HOWEVER, AFTER ADOPTION IT MAY BE PRUDENT TO ALLOW THEM TO REVIEW THE CHANGES.

## SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) Purpose. The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (*adopted by the City of Dallas*), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. *Garland, Rockwall, and Rowlett*) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas *Takeline* as shown on the boundary map for Lake Ray Hubbard (i.e. *File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

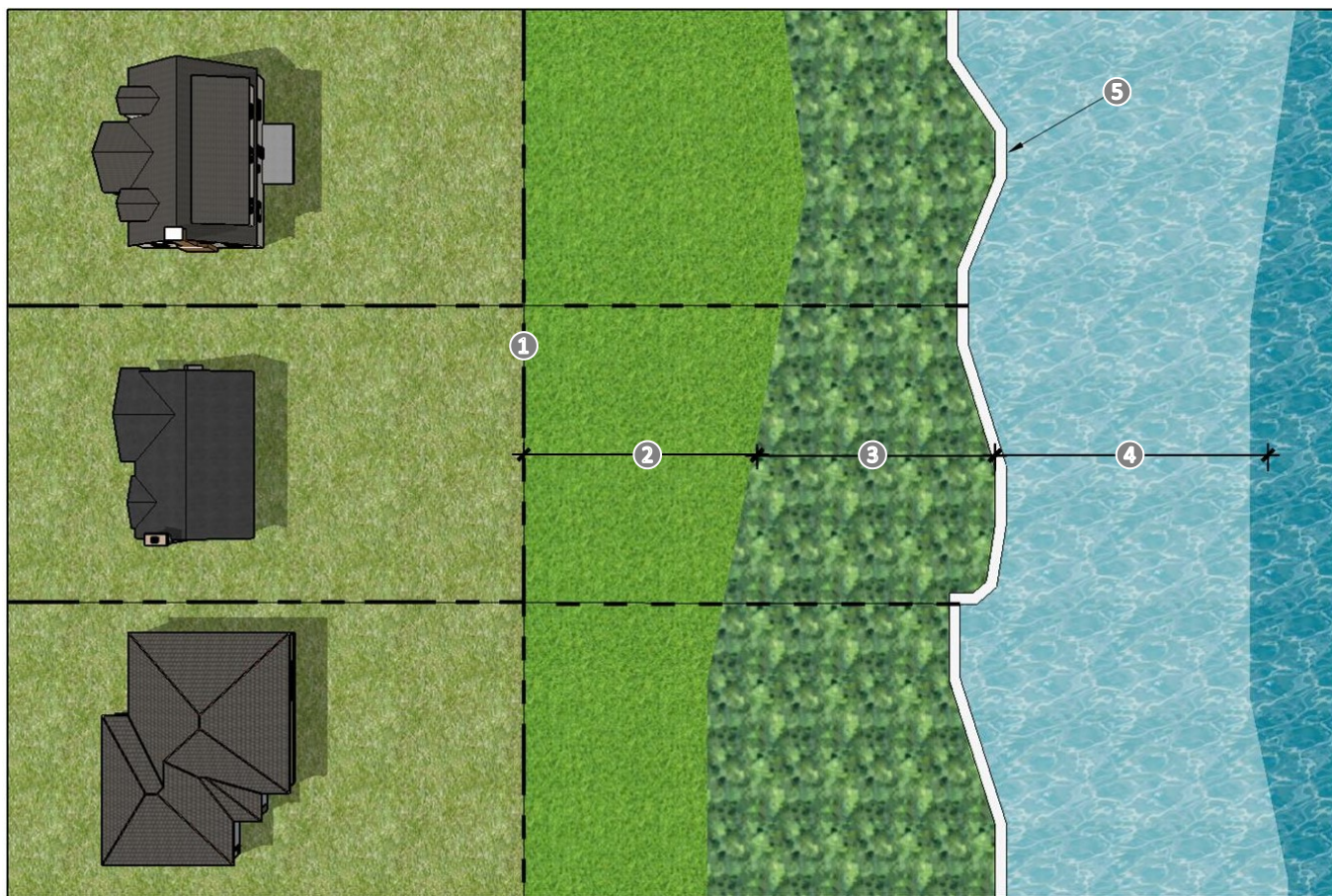
FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP



RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY



FIGURE 27: ELEVATION CONTOUR ZONES



①: REAR PROPERTY LINE/TAKE LINE; ②: 438.0 ELEVATION ZONE; ③: 435.5 ELEVATION ZONE; ④: 425.5 ELEVATION ZONE; ⑤: SEAWALL;

(C) Applicability.

(1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in [Figure 26: Lake Ray Hubbard Takeline Overlay \(TL OV\) District Map](#) above.

(2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in [Subsection 06.15\(B\)\(1\)](#) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to [Subsection \(J\), Specifications for Permitted Land Uses](#). In addition, the following terms shall be defined as follows:

(1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.

(2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).

(3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.

(4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.

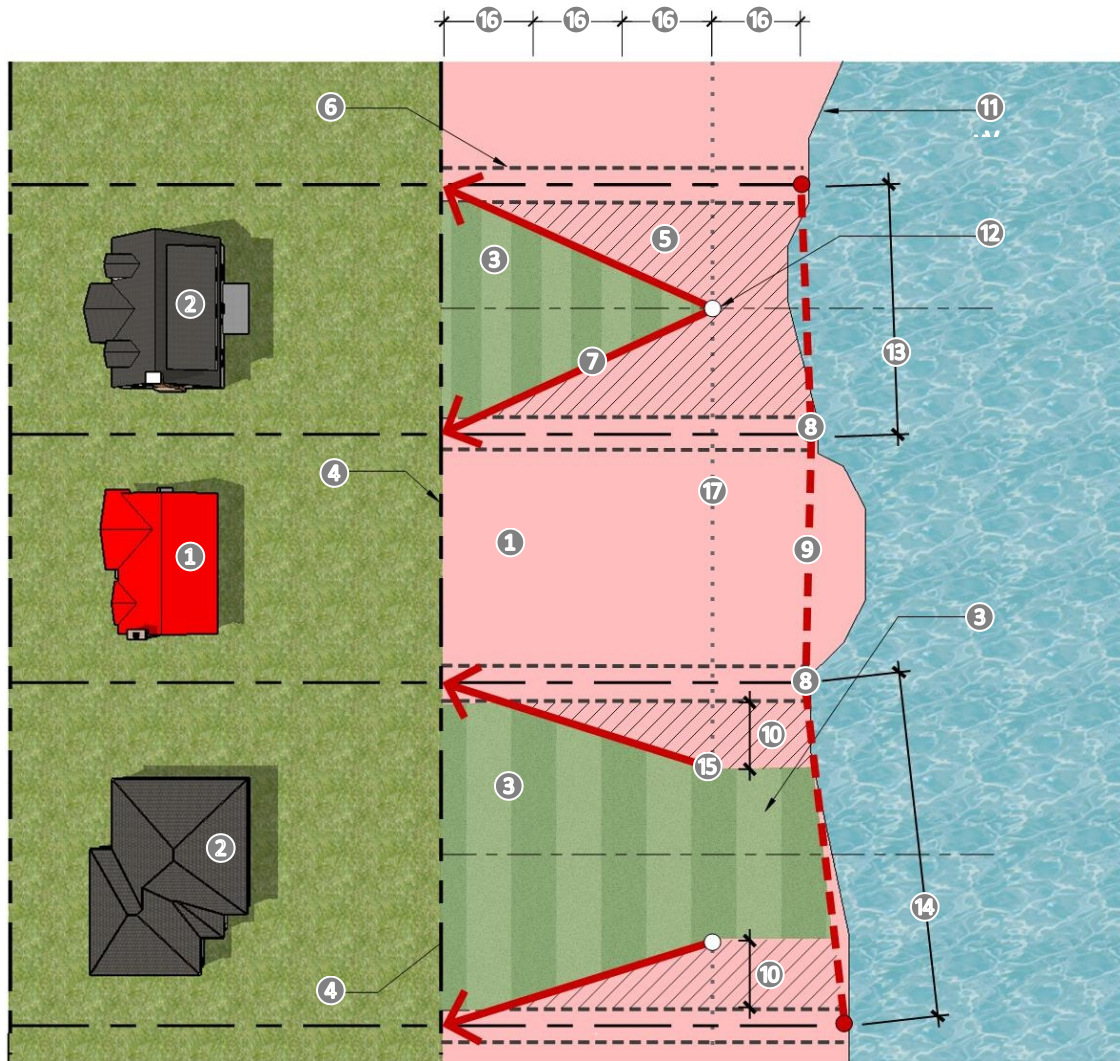
(5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.

- (6) Lake. Refers to Lake Ray Hubbard.
  - (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (*i.e. property at or below an elevation of 435.5-feet mean sea level*).
  - (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
  - (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
  - (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
  - (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
  - (12) Mooring. A place where a watercraft can be tied up and secured while in the water (*e.g. a slip*) for not more than 156-consecutive hours.
  - (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
  - (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
  - (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
  - (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
  - (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
  - (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
  - (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see [Figure Subsection \(E\): Visual Measurements for View Corridors](#)).
  - (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see [Figure 28: Visual Measurements for View Corridors](#)).
  - (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
    - (a) Motorized Boat. A boat propelled by an internal combustion engine.
    - (b) Sail Boat. A boat with a mast and sail propelled by the wind.
- (E) Visual Measurements for View Corridors.
- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-feet mean sea level*), and connecting these two (2) points in a straight line (see [Figure 28: Visual Measurements for View Corridors](#)). Based on this linear measurement, the view clear zones are determined by the following:
    - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).
    - (b) Lots That Have More 100-Feet or More Shoreline Frontage. The view corridor for lots that have 100-feet or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline frontage



line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

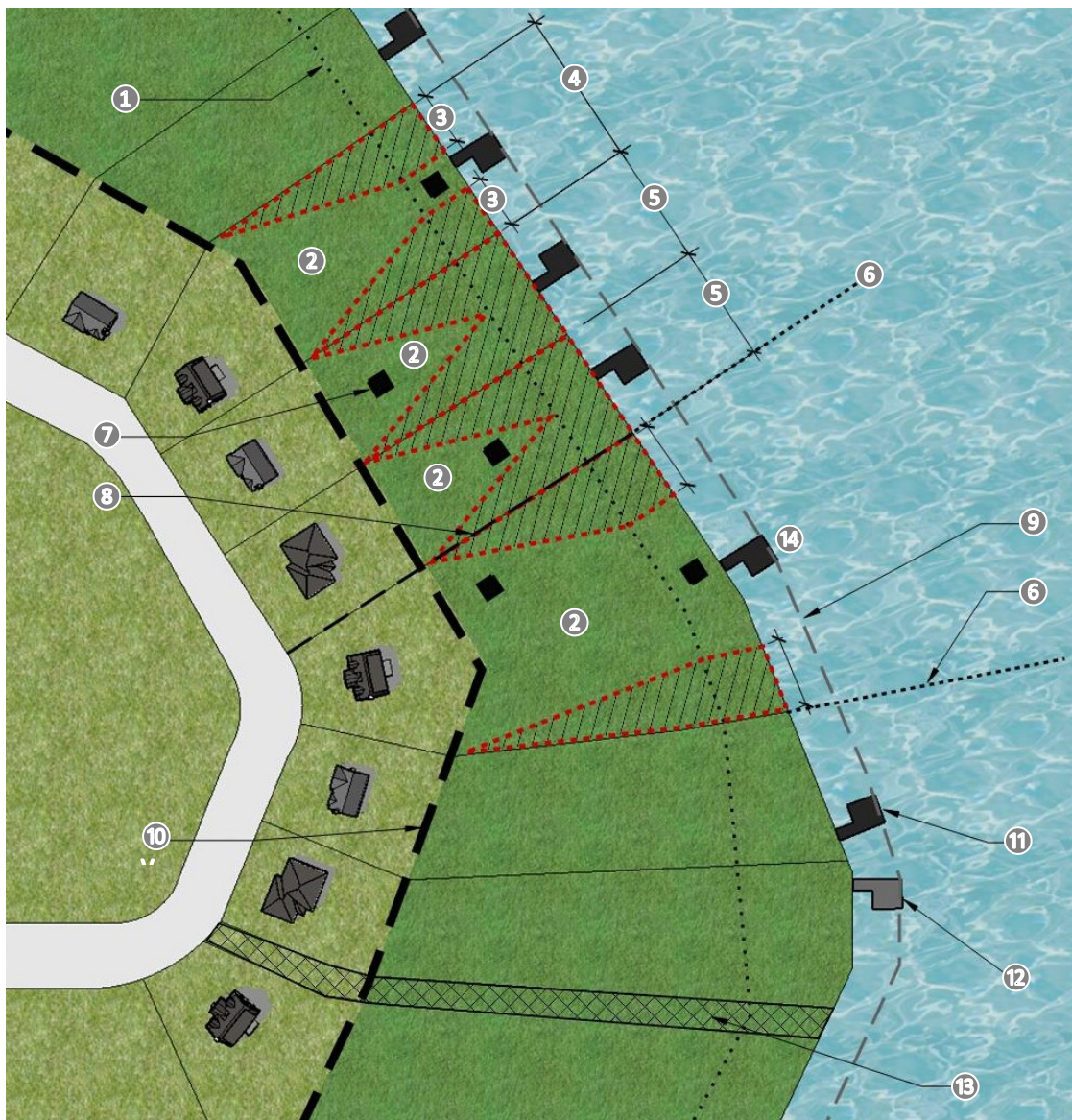
FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS



①: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); ②: NEIGHBORING PROPERTY; ③: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); ④: REAR PROPERTY LINE/TAKELINE; ⑤: VIEW CLEAR ZONE (LINED AREA); ⑥: LEASE AREA SIDE YARD SETBACK; ⑦: VIEW PRESERVATION ANGLE; ⑧: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; ⑨: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] ⑧ POINTS IN A STRAIGHT LINE); ⑩: 30-FOOT; ⑪: SHORELINE; ⑫: CENTER POINT AT THE QUARTER DISTANCE LINE; ⑬: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-FEET; ⑭: A LOT WITH A SHORELINE FRONTAGE 100-FEET OR MORE; ⑮: 30-FOOT POINT ON THE QUARTER DISTANCE LINE; ⑯: 25% OF THE TAKELINE AREA; ⑰: QUARTER DISTANCE LINE.



FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



1: QUARTER DISTANCE LINE; 2: BUILDABLE AREA; 3: 30-FOOT; 4: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; 6: LEASE AREA'S PROJECTED SIDE YARD; 7: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; 8: LEASE AREA'S SIDE YARD; 9: 40-FOOT BUILDING LINE; 10: REAR PROPERTY LINE/TAKELINE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; 13: DRAINAGE EASEMENT; 14: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

- (1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).



- (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).
- (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
- (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in [Subsection \(J\), Specifications for Permitted Land Uses](#), and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a *Treescape Plan* showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in [Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements](#), and [2] they are not located within the view clear zone outlined [Subsection \(E\), Visual Measurements](#). The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.
- (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with [Subsection 06.15\(J\)\(6\)](#).
- (G) Residential Sublease Agreement. A *Residential Sublease Agreement* is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A *Residential Sublease Agreement* shall be required to build certain structures within the takeline area. It shall be a violation of the zoning code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of [Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code \(UDC\)](#). The following shall be the costs associated with a *Residential Sublease Agreement*:
- | Lease   | Fees     |
|---|----------|
| New Lease (i.e. New Never Leased by Current Owner) <sup>2</sup>           | \$200.00 |
| Annual Renewal of a Lease   | \$100.00 |
| Change of Ownership of a Valid Lease                                      | \$50.00  |
| Reinstatement of an Expired Lease (i.e. Same Property Owner) <sup>3</sup> | \$500.00 |
- NOTES:
- <sup>1</sup>: To be subject to these new fees, a lease entered into after **January 1, 2021** will be required (i.e. the effective date of the amendment adopting these fees).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.
- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see [Subsection \(J\), Specifications for Permitted Land Uses](#), or [Subsection 07.05, Lake Ray Hubbard Takeline Overlay \(TL OV\) District Development Standards](#).
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in [Subsection \(J\), Specifications for Permitted Land Uses](#) or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by

Subsection (J), Specifications for Permitted Land Uses; however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in Subsection (J), Specifications for Permitted Land Uses, or Subsection (F), General Requirements, is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in Subsection (E), Visual Measurements. A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in Subsection (J), Specifications for Permitted Land Uses, (e.g. jet ski lift) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.

(J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.

(1) Barbecue Pit.

(a) Definition. A *barbecue pit* is a permanent fireplace structure over which meat, poultry and other foods are roasted (for *Fire Pit* see Subsection 06.15(J)(9)).

(b) Prerequisites. A *barbecue pit* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. A *barbecue pit* shall be allowed in the following zones:

(1) 438.0: Permitted.

(2) 435.5: Not Permitted.

(3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *barbecue pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).

(e) Construction Standards.

(1) Building Materials. A *barbecue pit* must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.

(2) Height. A *barbecue pit* shall not exceed a maximum of six (6) feet in height.

(3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.

(f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:

(1) Takeline Setback: 0-Feet

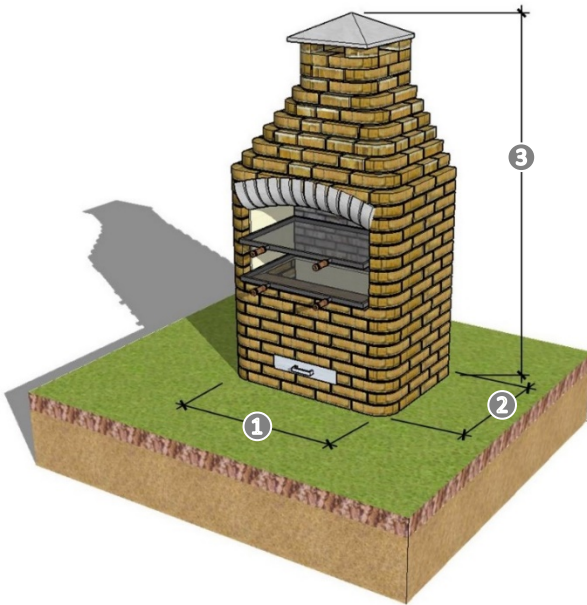
(2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

(1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.

(2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;
- ❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;
- ❸: A MAXIMUM OF SIX (6) FEET;

(2) Boathouse.

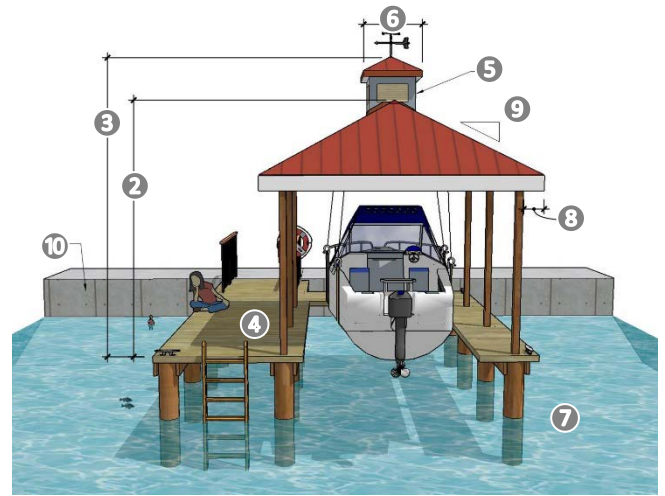
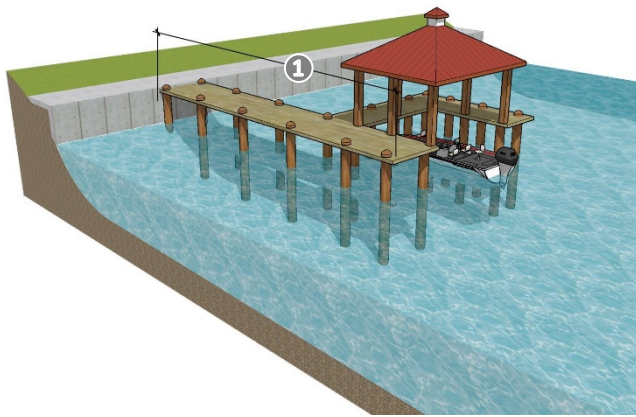
- (a) Definition. A boathouse is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
- (b) Prerequisites. A boathouse may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
- (c) Conditional Use Standards. Boathouses are used for storing boats that have a fuel efficiency rating greater than 95%; however, boathouses may also be used to store sailboats. Boathouses will not be used for storing any other type of items except boats and boat-related equipment. In addition, Boathouses shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All boathouses shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a boathouse shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a boathouse or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (d) Elevation Zone. A boathouse shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All boathouse constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. Boathouses shall be constructed utilizing composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials) -- products equivalent to Trex brand are preferred -- for decking, galvanized metal/iron/steel or aluminum (with a minimum color rating of AAMA 2604) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A boathouse shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the boathouse's cupola; however, in no case should a boathouse exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a boathouse will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. Boathouses shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Roof. A boathouse will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All boathouse roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. Boathouses shall not incorporate a deck or platform.

- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
- (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a *boathouse* should generally be located in line with the primary structure on the leasing property (*i.e. generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.
- (f) Setback Requirements. A *boathouse* must adhere to the following setbacks:
- (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.





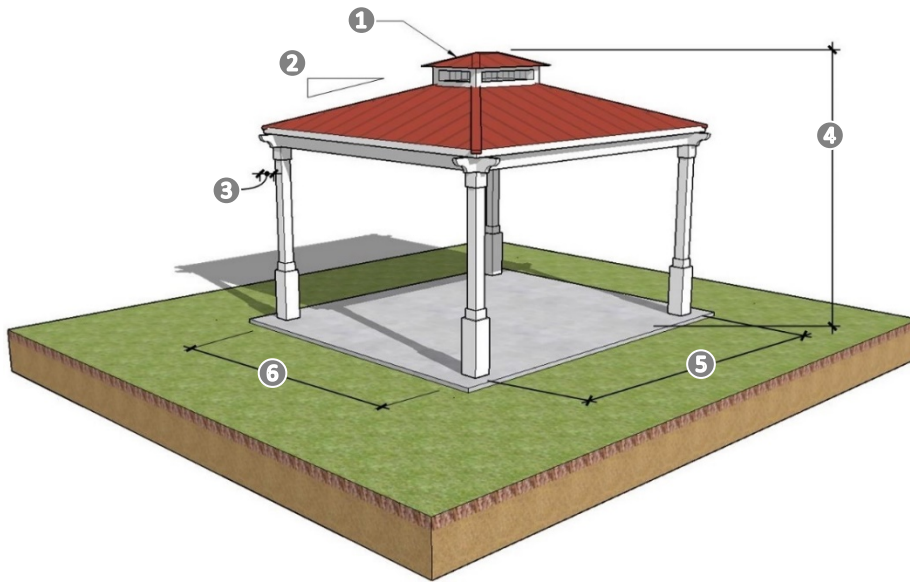
①: 40-FOOT MAXIMUM; ②: 13-FOOT MINIMUM TO 18-FOOT MAXIMUM; ③: 16-FOOT MINIMUM TO 21-FOOT MAXIMUM; ④: CATWALK (UNDERSTRUCTURE TO BE ABOVE THE 437.0-FOOT ELEVATION); ⑤: CUPOLA; ⑥: THREE (3) FEET BY FOUR (4) FEET; ⑦: 435.5-FOOT NORMAL POOL ELEVATION; ⑧: 1.5-FOOT MAXIMUM OVERHANG; ⑨: 2:1 ROOF PITCH (HIP ROOF ONLY); ⑩: SEAWALL.

### (3) Covered Patio.

- (a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A covered patio may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A covered patio shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
  - (1) Takeline Setback: 6-Feet (from the Concrete Cap of the Seawall)
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.

- (3) Emergency Response. The *covered patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



1: CUPOLA OR CLERESTORY; 2: 4:1 MINIMUM ROOF PITCH; 3: 18-INCHES MAXIMUM OVERHANG; 4: 15-FEET MAXIMUM HEIGHT; 5: 20-FEET MAXIMUM; 6: 12-FEET MAXIMUM;

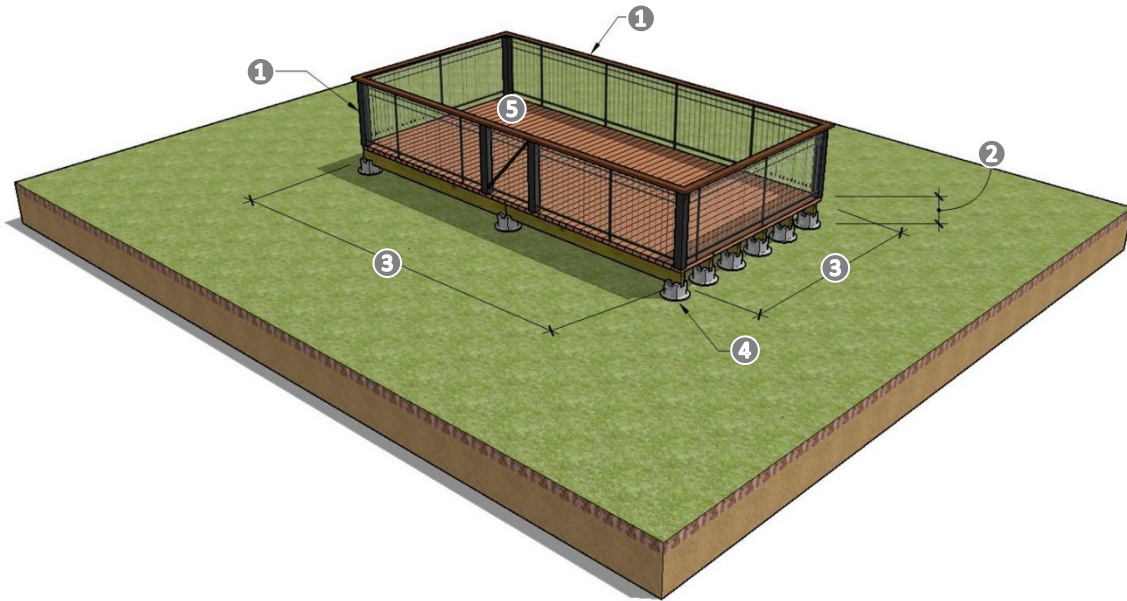
(4) Deck.

- (a) Definition. A *deck* is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.
- (b) Prerequisites. A *deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *deck* shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted (see *Dock Deck* in [Subsection 06.15\(J\)\(5\)](#)).
- (d) Conditional Use Standards. A *deck* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
- (1) Building Materials. A *deck* must be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Handrails incorporated into a *deck* in the *438.0 Elevation Zone* shall be made of wrought iron or decorative metal. Handrails are not permitted in the *435.5 Elevation Zone*.
  - (2) Height. A *deck* shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A *deck* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A *deck* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Decks* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A *deck* shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed *deck*.
- (f) Setback Requirements. A *deck* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



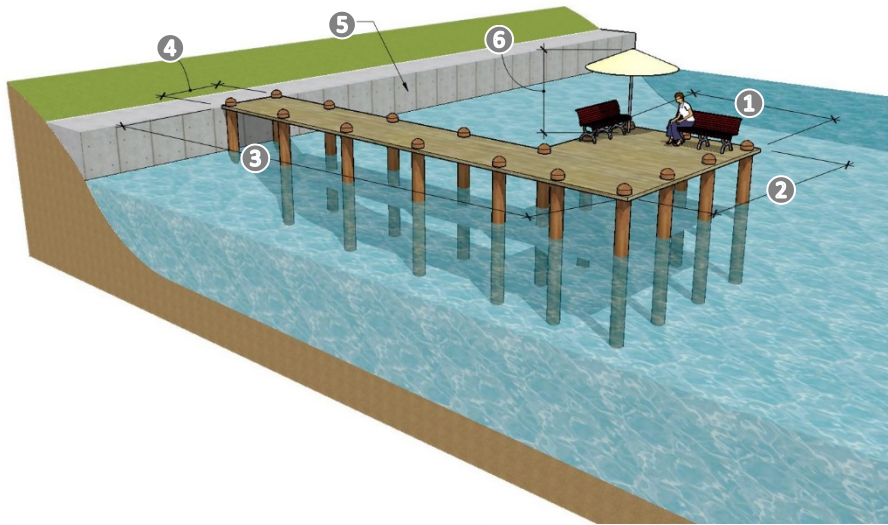
1: WROUGHT IRON OR DECORATIVE METAL; 2: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; 3: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; 4: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; 5: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more that 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *dock deck* shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.

- (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
- (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (*i.e.* 80 SF) and a maximum of 12-feet by 30-feet (*i.e.* 360 SF). *Dock decks* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (*i.e.* 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.
- (f) Setback Requirements. A *dock deck* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *dock deck* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *dock decks* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *dock deck* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.

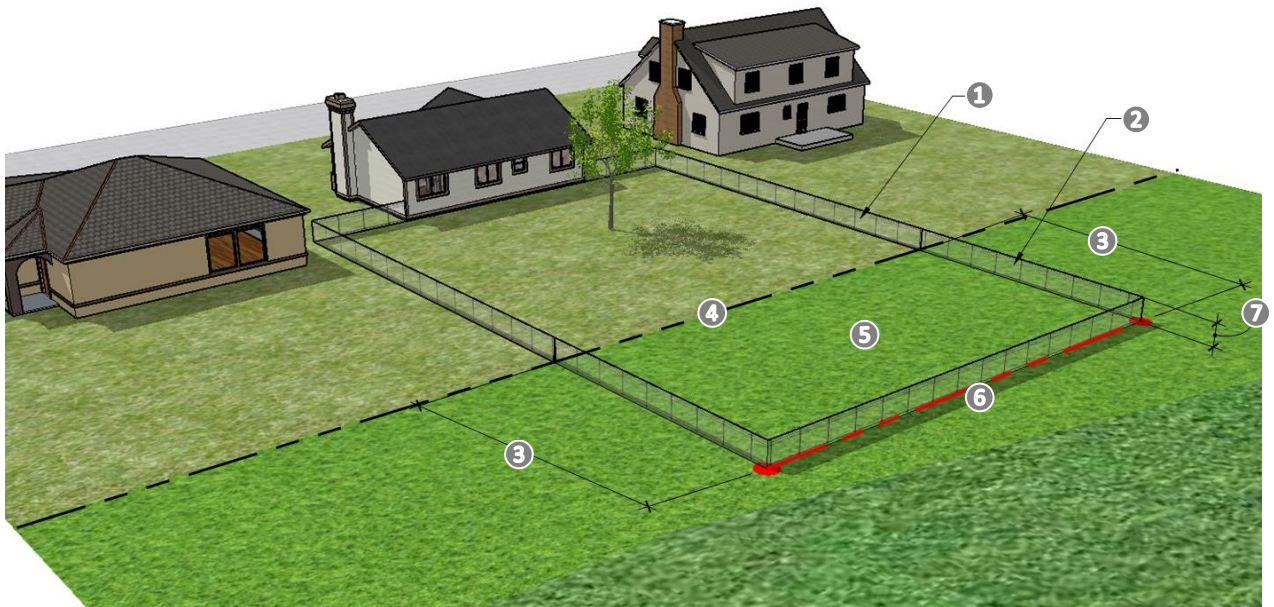




①: MINIMUM OF TEN (10) FEET AND A MAXIMUM OF 30-FEET; ②: MINIMUM OF EIGHT (8) FEET AND A MAXIMUM OF 12-FEET; ③: 40-FOOT MAXIMUM; ④: SIX (6) FOOT MAXIMUM; ⑤: SEAWALL; ⑥: EIGHT (8) FOOT MAXIMUM;

(6) Fence.

- (a) Definition. A *fence* is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A fence may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A fence shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).

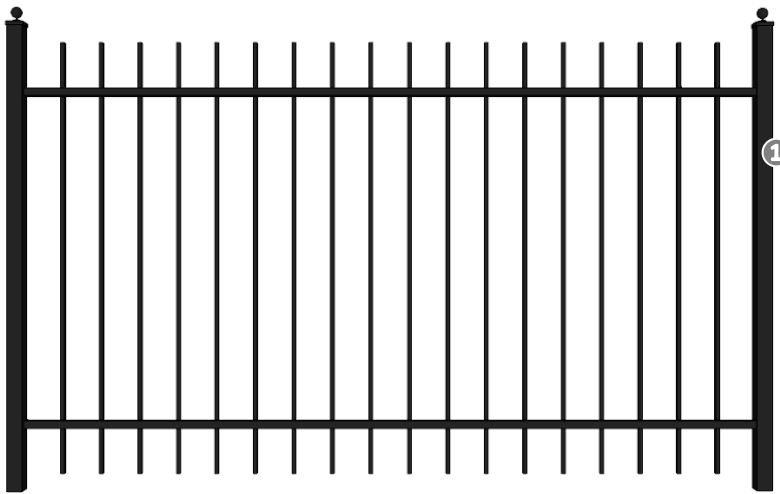


①: EXISTING RESIDENTIAL FENCE ON THE LEASING PROPERTY; ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45-FEET ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.

- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A fence must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



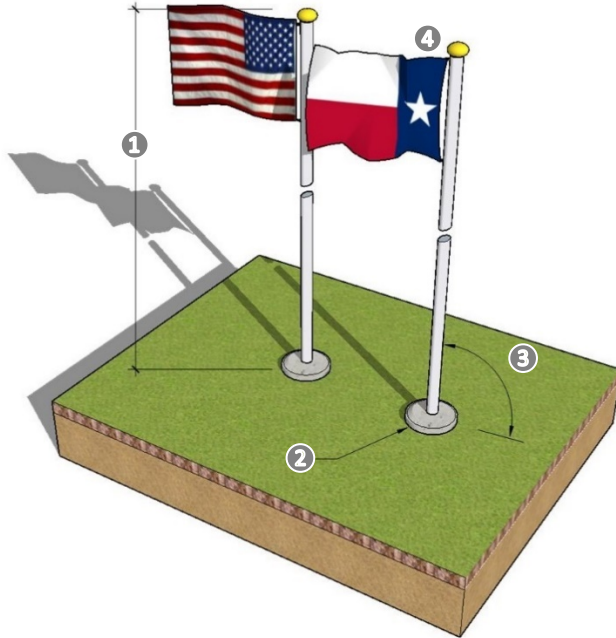
1: FOUR (4) FOOT WROUGHT IRON FENCE

- (7) Flagpole.
  - (a) Definition. A *flagpole* is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
  - (b) Prerequisites. A *flagpole* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A *flagpole* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A maximum of two (2) *flagpoles*, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
  - (e) Construction Standards.
    - (1) Building Materials. A *flagpole* shall *only* be constructed of either stainless steel or aluminum.
    - (2) Height. A *flagpole* shall not exceed a maximum height of 20-feet from grade.
    - (3) Size. At the ground base a *flagpole* shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
    - (4) Location. A *flagpole* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Flagpoles* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (f) Setback Requirements. A *flagpole* must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *flagpole* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *flagpole* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *flagpole* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: MAXIMUM OF 20-FEET FROM GRADE; ②: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ③: MAINTAINED TO BE 90-DEGREES FROM GRADE; ④: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

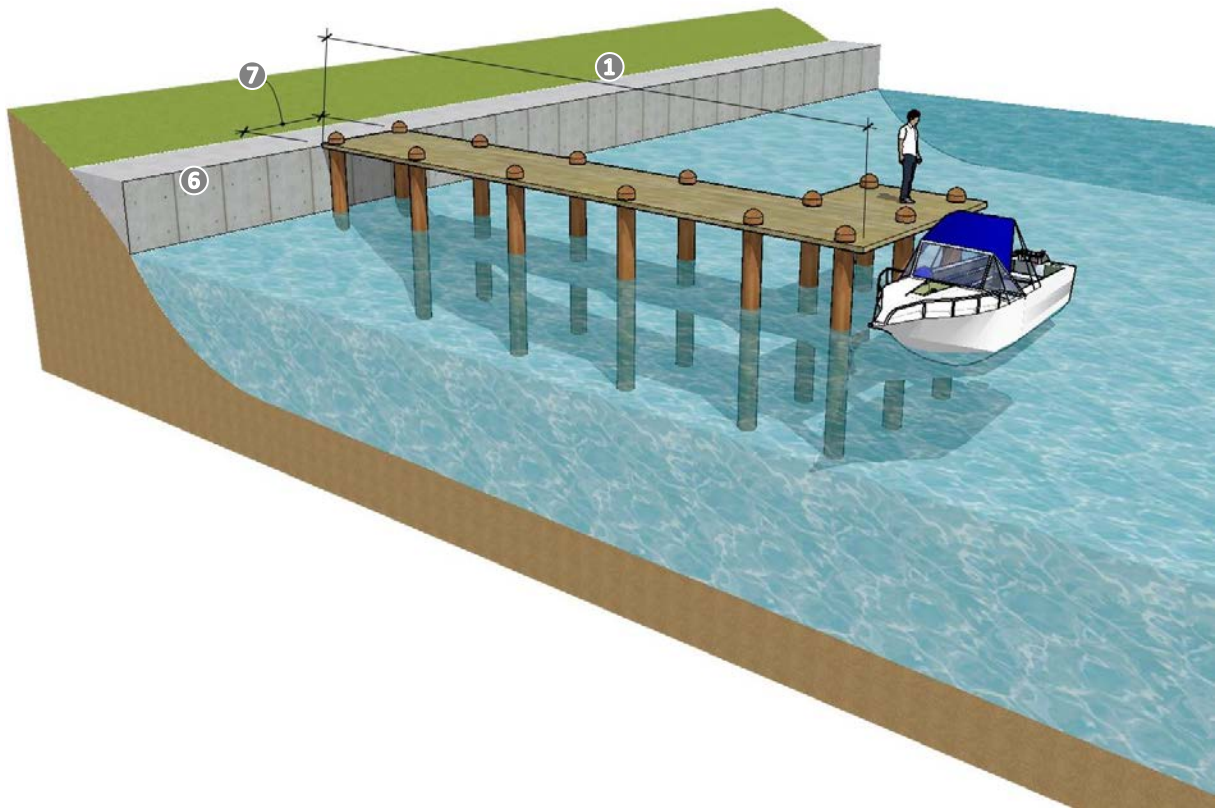
(8) Fixed Pier.

- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the lakeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see [Subsection 06.15\(J\)\(8\)\(h\)](#)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more than 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and any benches built on these structures shall utilize only composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed*

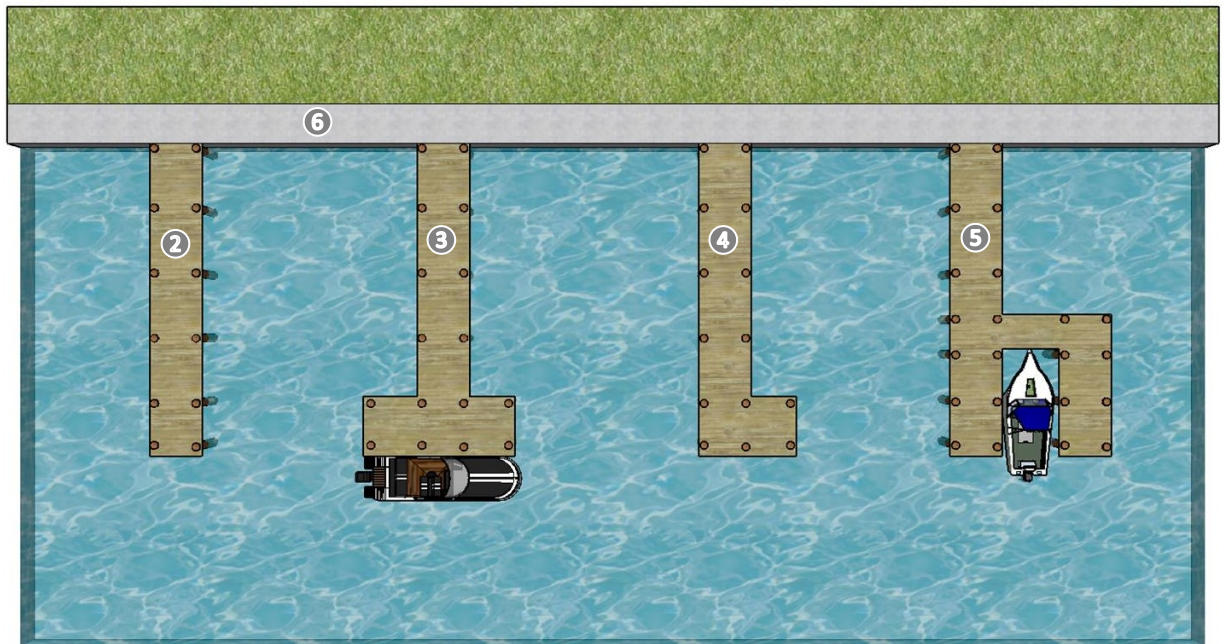
with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.

- (2) Height. No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) Size. The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a *fixed pier*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *fixed piers*.
- (f) Setback Requirements. A *fixed pier* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *fixed pier* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *fixed pier* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *fixed pier* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.





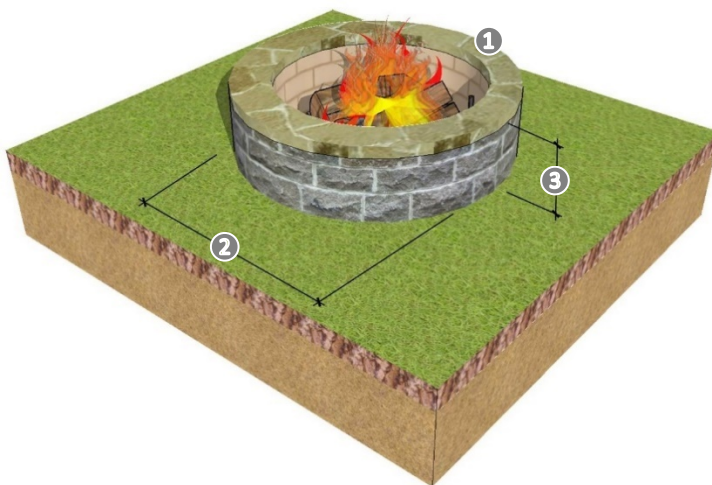
①: 40-FOOT MAXIMUM; ②: PIER IN AN 'I' SHAPE; ③: PIER IN A 'T' SHAPE; ④: PIER IN A 'L' SHAPE; ⑤: PIER IN A 'U' SHAPE; ⑥: SEAWALL; ⑦: SIX (6) FOOT MAXIMUM



(9) Fire Pit.

- (a) Definition. A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).

- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *fire pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. *natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. The surround (i.e. *the area used to contain the fire*) for a *fire pit* must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A *fire pit* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *fire pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *fire pit* should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A *fire pit* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *fire pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *fire pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.

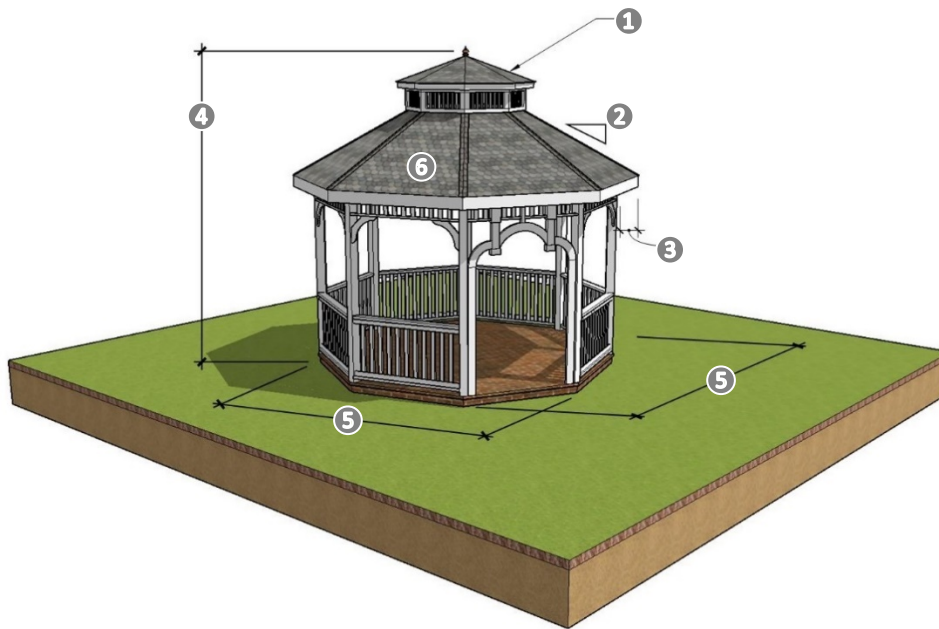


❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HEIGHT OF 36-INCHES OR THREE (3) FEET.

- (10) Gazebo.
- (a) Definition. A *gazebo* is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
  - (b) Prerequisites. A *gazebo* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A *gazebo* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A *gazebo* shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
  - (e) Construction Standards.
    - (1) Building Materials. A *gazebo* built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or

metal. The side trellis of the *gazebo* may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A *gazebo* built in the 435.5 Elevation Zone shall only be built out of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A *gazebo* will be constructed using steel reinforced concrete piers.

- (2) Height. A *gazebo* shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the *gazebo* shall be measured from grade to the vertex of the *gazebo*'s main roof or clerestory/cupola roof. In either case a *gazebo* shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A *gazebo* shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the *gazebo* shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the *gazebo* can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A *gazebo* located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. *Gazebos* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *gazebo* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *gazebo* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *gazebo* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *gazebo* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: CUPOLA OR CLERESTORY; ②: 2:1 MINIMUM ROOF PITCH; ③: 1.5-FOOT MAXIMUM OVERHANG; ④: 18-FOOT MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FOOT WITHOUT A CUPOLA OR CLERESTORY; ⑤: 12-FOOT MAXIMUM; ⑥: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(11) Landing and Stairs.

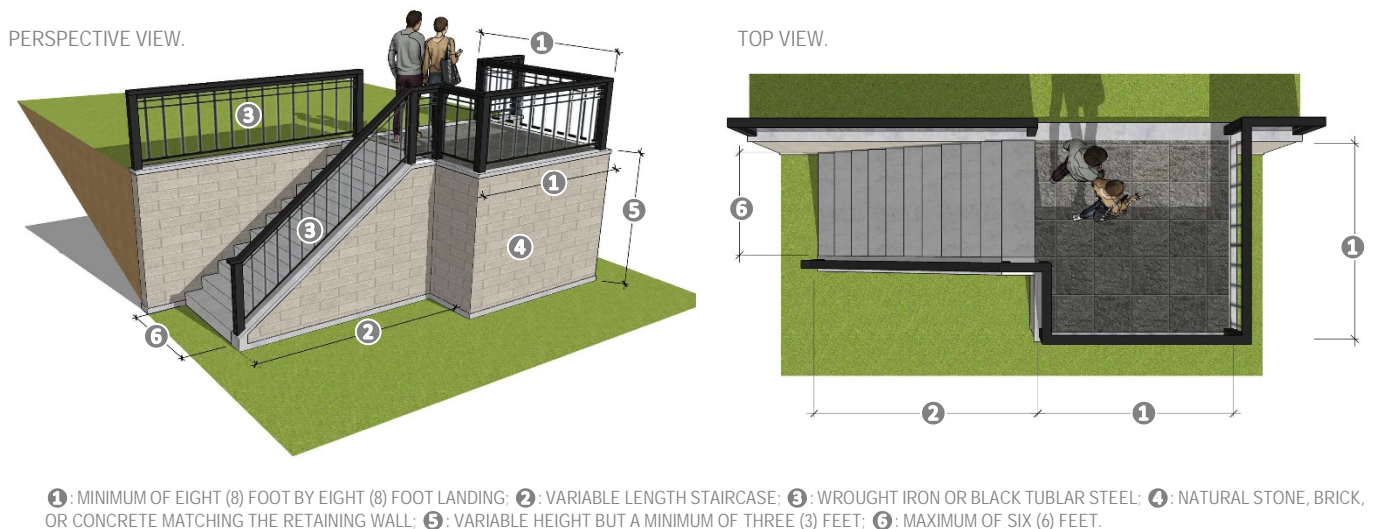
- (a) Definition. A *landing* is the area of a floor near the top or bottom step of a stair. A *stair* is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A *landing and stairs* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 or 425.5 Elevation Zones -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *landing and stairs* shall be allowed in the following zones:



- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a Seawall has been constructed).
- (3) 425.5: Permitted (if a Seawall has been constructed).

**NOTE:** A landing and stairs located in the 425.5 Elevation Zone is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 5-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a landing and stairs must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A landing and stairs must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



(12) Landscaping and Retaining Walls.

- (a) Definition. Landscaping is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. Landscaping and retaining walls may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. Landscaping and retaining walls shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.



NOTE: Remedial *landscaping* in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is strictly prohibited. All landscaping must comply with the requirements of [Article 08, Landscaping and Fence Standards, of the Unified Development Code \(UDC\)](#). For information regarding planting or removing trees see [Subsection \(F\)\(4\)](#) above.

- (e) Construction Standards.

- (1) Building Materials. *Retaining walls* shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- *with the exception of using it as a base* --, and brick shall be prohibited.
- (2) Height. *Retaining walls* as part of landscaping will be limited to less than three (3) feet.
- (3) Location. *Landscaping and retaining walls* shall not hinder the view clear zone of an adjacent neighbor's view corridor. *Landscaping* shall not exceed six (6) feet in height in the view clear zone.

- (f) Setback Requirements. *Retaining walls* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *landscaping and retaining walls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Landscaping and retaining walls* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. *Landscaping and retaining walls* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

- (a) Definition. *Municipal utilities* represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.
- (b) Elevation Zone. *Municipal utilities* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Permitted.

- (c) Conditional Use Standards. All *municipal utilities'* infrastructure is permitted within the take area. *Municipal utilities* shall be placed underground.

- (d) Setback Requirements. *Municipal utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

- (e) Additional Requirements.

- (1) Compliance with Applicable Codes. *Municipal utilities* must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

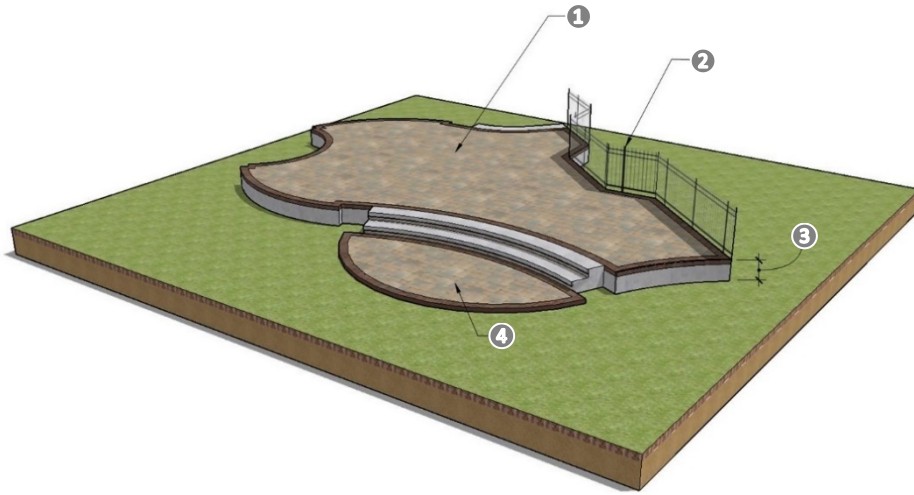
- (a) Definition. *Outdoor lighting* is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (b) Prerequisites. *Outdoor lighting* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Outdoor lighting* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted *outdoor lighting* allowed below the 438.0 Elevation Zone.

- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are *not* allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
  - (e) Photometric Plan. A photometric plan describing compliance with the provisions of [Article 07, Performance Standards, of the Unified Development Code \(UDC\)](#) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in [Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code \(UDC\)](#).
  - (f) Construction Standards.
    - (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
    - (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
    - (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
  - (g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 20-Feet
  - (h) Additional Requirements.
    - (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
    - (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
    - (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).
- (15) Patio.
- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
  - (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
  - (c) Elevation Zone. A *patio* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted.
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
  - (e) Construction Standards.

- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into a *patio* in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
  - (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
  - (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *patio* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

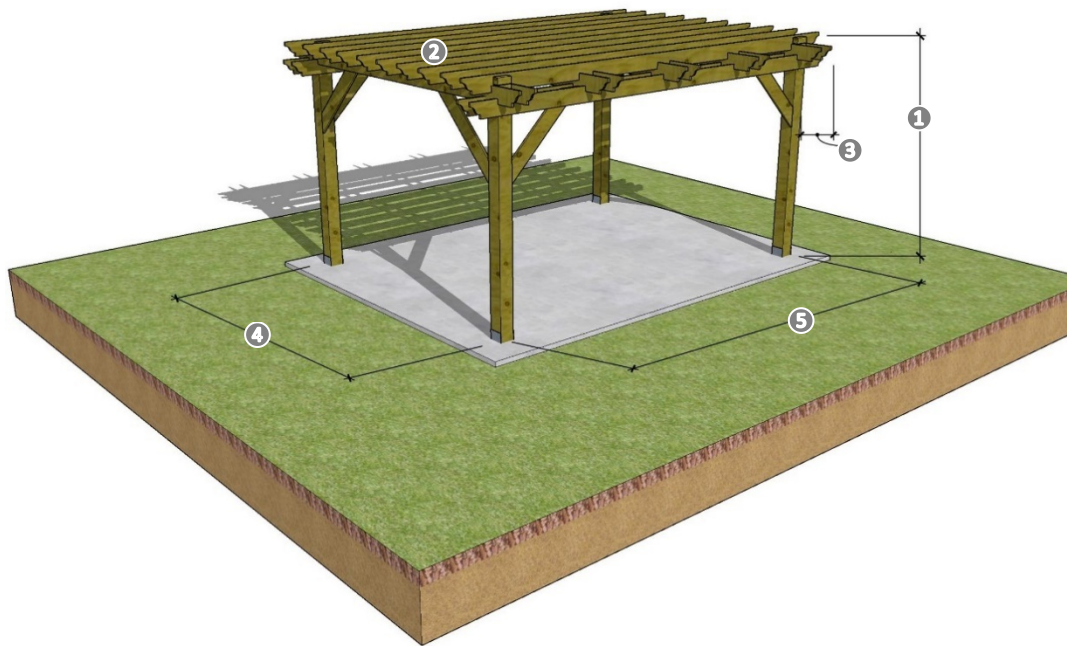


①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

- (a) Definition. A *pergola* is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.
- (b) Prerequisites. A *pergola* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *pergola* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *pergola* shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (6) Building Materials. A *pergola* constructed within the 438.0 Elevation Zone must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A *pergola* constructed within the 435.5 Elevation Zone must be constructed using composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.

- (7) Height. A *pergola* shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A *pergola* shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the *pergola* shall not have an overhang greater than 18-inches.
  - (10) Location. A *pergola* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Pergolas* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *pergola* must adhere to the following setbacks:
- (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (4) Earth Work. Earth work required for the construction of a *pergola* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A *pergola* must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The *pergola* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



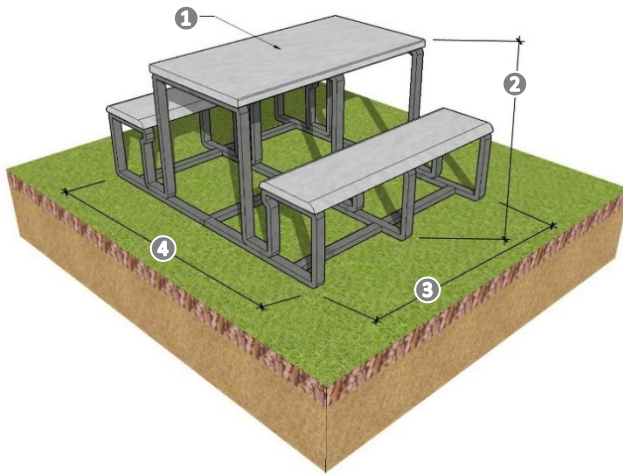
1: 12-FOOT MAXIMUM HEIGHT; 2: OPEN ROOF OF GIRDERS OR RAFTERS; 3: 1.5-FOOT MAXIMUM OVERHANG; 4: 12-FOOT MAXIMUM; 5: 20-FOOT MAXIMUM; 6: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. no roof covering) unless combined with a covered patio or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.



- (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

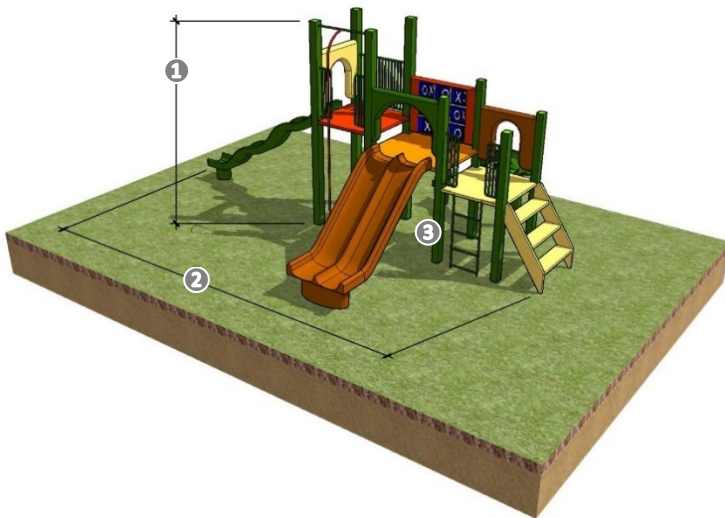


❶: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ❷: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ❸: EIGHT (8) FOOT MAXIMUM; ❹: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A *private play structure* shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a *private play structure* should blend and incorporate the same hues and tones of the surrounding landscaping.

- (2) Height. A private play structure shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All private play structures will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. Private play structures shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A private play structures must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a private play structures must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A private play structure must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The private play structure shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ②: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ③: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. Private utilities are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. Private utilities may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. Private utilities shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. Private utilities are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. Private utilities shall only be constructed out of materials permitted by the City's Engineering Department.
  - (2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (*i.e.* 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.

(f) Setback Requirements. *Private utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private utilities* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private utility* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private utility* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(20) Private Walkways.

- (a) Definition. *Private walkways* can be a single path or a network of paths installed by the leasing property owner in the takeline area.
- (b) Prerequisites. *Private walkways* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. *Private walkways* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private walkways* with steps are permitted (see *Landing and Stairs* in [Subsection 06.15\(J\)\(11\)](#)).
- (e) Construction Standards.

- (1) Building Materials. *Private walkways* shall be constructed using native stone, brick and/or rectangle pavers; however, *private walks* shall not consist of loose stone, gravel, sand, asphalt, or concrete.
- (2) Height. *Private walkways* shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
- (3) Size. *Private walkways* shall be no greater than 48-inches in width.
- (4) Location. *Private walkways* may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-foot wide, suitable for access, and will connect to adjacent access paths.

(f) Setback Requirements. *Private walkways* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 10-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A *seawall* is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A *seawall* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *seawall* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.

- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

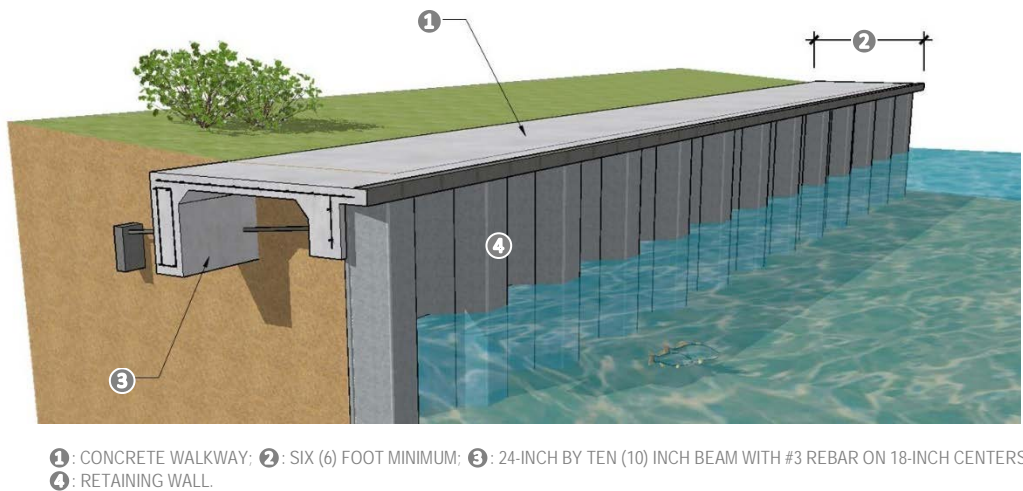
(d) Construction Standards.

- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.

(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *seawalls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *seawall* must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



(22) Sprinkler/Irrigation System.

- (h) Definition. A sprinkler/irrigation system is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A sprinkler/irrigation system may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (j) Elevation Zone. A sprinkler/irrigation system shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.

- (k) Conditional Use Standards. A sprinkler/irrigation system must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.

(l) Construction Standards.

- (1) Building Materials. A sprinkler/irrigation system shall only be constructed utilizing *Schedule 40 PVC* pipe.
- (2) Height. The heads of a sprinkler/irrigation system used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
- (3) Location. A sprinkler/irrigation system shall be allowed up to one (1) foot of the normal pool elevation shoreline (*i.e.* 435.5) provided no part of the system could potentially result in lake siltation erosion.

- (m) Setback Requirements. A sprinkler/irrigation system must adhere to the following setbacks:



- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(n) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *sprinkler/irrigation system* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *sprinkler/irrigation system* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a *sprinkler/irrigation system* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

# SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE <a href="#">SUBSECTION 06.15(J)</a>	PRE-REQUISITES L: SEAWALL, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	<a href="#">(1)</a>	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	<a href="#">(2)</a>	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	<a href="#">(3)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5 &amp; 18</sup>	<a href="#">(4)</a>	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILING
DOCK DECK <sup>2 &amp; 5</sup>	<a href="#">(5)</a>	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	<a href="#">(6)</a>	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	<a href="#">(7)</a>	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	<a href="#">(8)</a>	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	<a href="#">(9)</a>	L & S <sup>16</sup>	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	<a href="#">(10)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15'/18' <sup>7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	<a href="#">(11)</a>	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5 &amp; 18</sup>	<a href="#">(15)</a>	L	P	P	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	<a href="#">(16)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	<a href="#">(17)</a>	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	<a href="#">(18)</a>	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	<a href="#">(20)</a>	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	<a href="#">(22)</a>	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROEPRTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES (IF PERMITTED IN THE ZONE). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1. <sup>7</sup> : SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK.					
MUNICIPAL UTILITIES	<a href="#">(13)</a>	NONE	P	P	P						
OUTDOOR LIGHTING	<a href="#">(14)</a>	L	P	X	X						
PRIVATE UTILITIES	<a href="#">(19)</a>	L	P	P	X						
SEAWALL	<a href="#">(21)</a>	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	<a href="#">(22)</a>	L	P	P	X						

- <sup>8</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN FOUR (4) POLE STRUCTURES ALLOWED.
- <sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.
- <sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.
- <sup>11</sup>: REQUIRES A HIP OR GABLE ROOF OR A HIP AND/OR GABLE ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.
- <sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.
- <sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.
- <sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVREAGE BASE OF THE SURROUND TERRIAN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.
- <sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.
- <sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.
- <sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.
- <sup>18</sup>: HANDRAILS ARE PROBITED IN THE 435.5 ELEVATION ZONE.

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT, AND CREATING SECTION 07.05, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [Ordinance No. 20-02] has been initiated by the City Council of the City of Rockwall to amend Section 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, and create Section 07.05, *Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02]; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That Section 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

**SECTION 2.** That Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, shall be amended to create Section 07.06, *Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards*, as described in *Exhibit 'B'* of this ordinance;

**SECTION 3.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 4.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 04-38], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
THE 4<sup>TH</sup> DAY OF JANUARY, 2021.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* December 21, 2020

*2<sup>nd</sup> Reading:* January 4, 2021

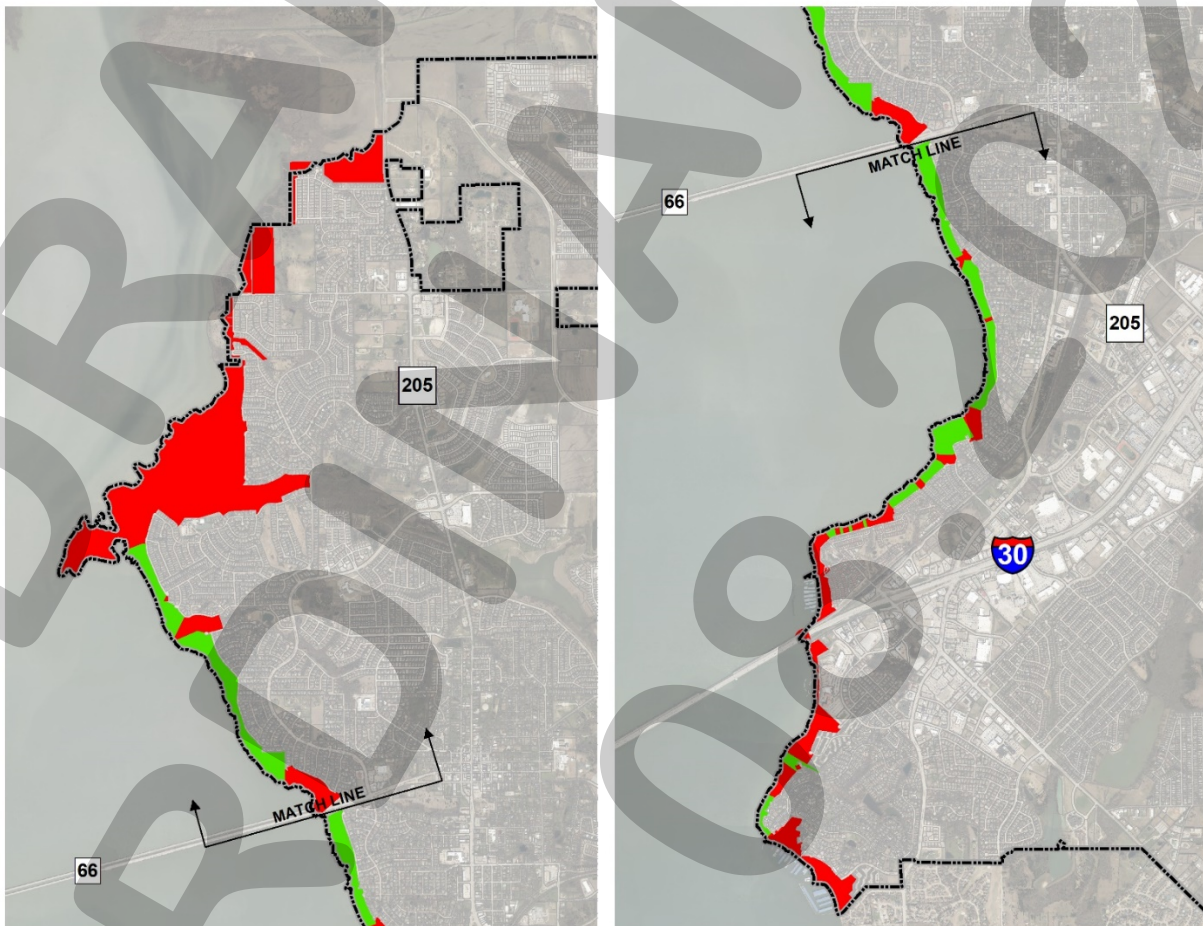


**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (A) Purpose. The purpose of the Lake Ray Hubbard Takeline Overlay (TL OV) District is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (adopted by the City of Dallas), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (i.e. Garland, Rockwall, and Rowlett) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas Takeline as shown on the boundary map for Lake Ray Hubbard (i.e. File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map) and the meandering of the contour line 435.5-foot sea level elevation. In addition, Figure 27: Elevation Contours, shows the elevation zones used to delineate where certain land uses are permitted.

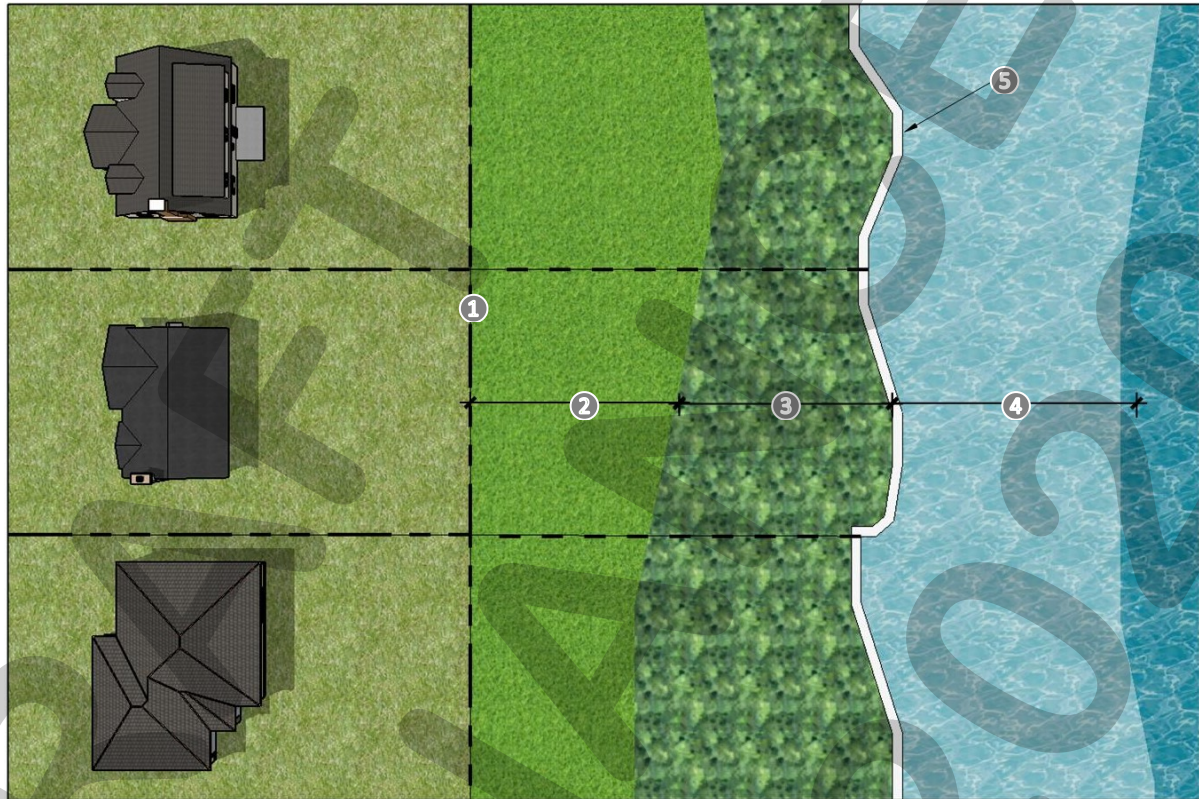
FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP



RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY

**Exhibit 'A'**  
Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)

FIGURE 27: ELEVATION CONTOUR ZONES



❶: REAR PROPERTY LINE/TAKE LINE; ❷: 438.0 ELEVATION ZONE; ❸: 435.5 ELEVATION ZONE; ❹: 425.5 ELEVATION ZONE; ❺: SEAWALL;

(C) Applicability.

- (1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in Figure 26: Lake Ray Hubbard Takeline Overlay (TL OV) District Map above.
- (2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in Subsection 06.15(B)(1) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to Subsection (J), Specifications for Permitted Land Uses. In addition, the following terms shall be defined as follows:

- (1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.
- (2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. parcel boundaries).
- (3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.



**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.
- (5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. fireplace, furniture, plumbing, bathing facilities, and cooking facilities). Structures allowed by this section shall not be habitable structures and may not contain such amenities.
- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (i.e. property at or below an elevation of 435.5-feet mean sea level).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (e.g. a slip) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
- (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (i.e. 435.5-feet mean sea level).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
- (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (i.e. 435.5-feet mean sea level).
- (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
- (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
- (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see Figure Subsection (E): Visual Measurements for View Corridors).
- (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see Figure 28: Visual Measurements for View Corridors).
- (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
  - (a) Motorized Boat. A boat propelled by an internal combustion engine.
  - (b) Sail Boat. A boat with a mast and sail propelled by the wind.

(E) Visual Measurements for View Corridors.

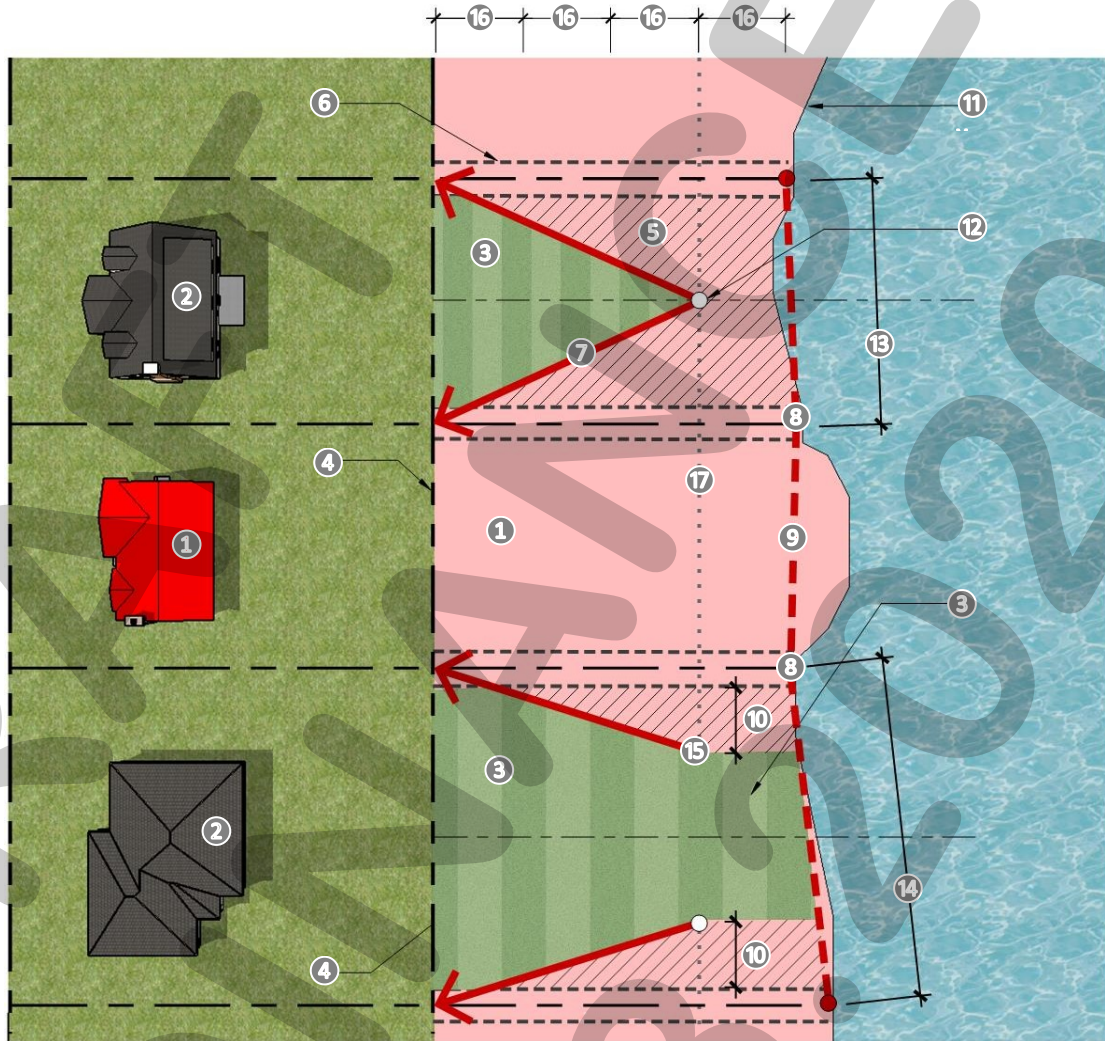
**Exhibit 'A'**  
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of**  
**Article 05, Development Standards, of the**  
**Unified Development Code (UDC)**

- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-foot mean sea level*), and connecting these two (2) points in a straight line (*see Figure 28: Visual Measurements for View Corridors*). Based on this linear measurement, the view clear zones are determined by the following:
- (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with Subsection (F)(2)(d).
- (b) Lots That Have More 100-Feet or More Shoreline Frontage. The view corridor for lots that have 100-feet or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline frontage line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with Subsection (F)(2)(d).



**Exhibit 'A'**  
Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)

FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS

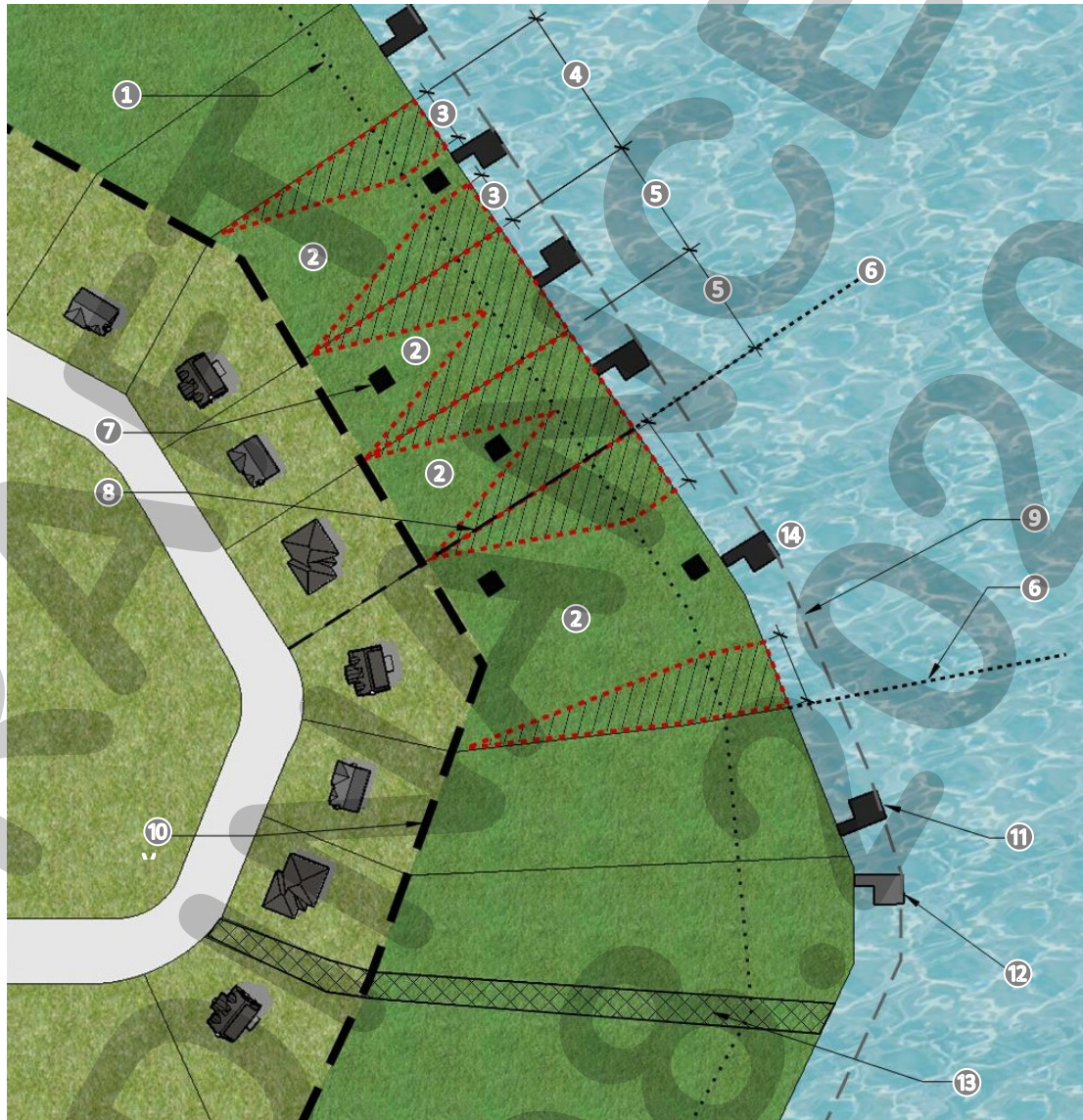


①: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); ②: NEIGHBORING PROPERTY; ③: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); ④: REAR PROPERTY LINE/TAKELINE; ⑤: VIEW CLEAR ZONE (LINED AREA); ⑥: LEASE AREA SIDE YARD SETBACK; ⑦: VIEW PRESERVATION ANGLE; ⑧: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; ⑨: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] ③ POINTS IN A STRAIGHT LINE); ⑩: 30-FOOT; ⑪: SHORELINE; ⑫: CENTER POINT AT THE QUARTER DISTANCE LINE; ⑬: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-FEET; ⑭: A LOT WITH A SHORELINE FRONTAGE 100- FEET OR MORE; ⑮: 30-FOOT POINT ON THE QUARTER DISTANCE LINE; ⑯: 25% OF THE TAKELINE AREA; ⑰: QUARTER DISTANCE LINE.



**Exhibit 'A'**  
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of**  
**Article 05, Development Standards, of the**  
**Unified Development Code (UDC)**

FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



①: QUARTER DISTANCE LINE; ②: BUILDABLE AREA; ③: 30-FOOT; ④: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; ⑤: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; ⑥: LEASE AREA'S PROJECTED SIDE YARD; ⑦: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; ⑧: LEASE AREA'S SIDE YARD; ⑨: 40-FOOT BUILDING LINE; ⑩: REAR PROPERTY LINE/TAKELINE; ⑪: EXISTING BOATHOUSE; ⑫: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; ⑬: DRAINAGE EASEMENT; ⑭: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

(1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (J), Specifications for Permitted Land Uses that exceeds six [6] feet in height):

- (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
- (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.

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- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (J), Specifications for Permitted Land Uses that exceeds six [6] feet in height):
- (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (J), Specifications for Permitted Land Uses.
  - (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (J), Specifications for Permitted Land Uses.
  - (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
  - (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in Subsection (J), Specifications for Permitted Land Uses, and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a *Treescape Plan* showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements, and [2] they are not located within the view clear zone outlined Subsection (E), Visual Measurements. The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.
  - (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with Subsection 06.15(J)(6).
- (G) Residential Sublease Agreement. A *Residential Sublease Agreement* is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A *Residential Sublease Agreement* shall be required to build certain structures within the takeline area. It shall be a violation of the zoning



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code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code (UDC). The following shall be the costs associated with a *Residential Sublease Agreement*:

Lease	Fees
New Lease ( <i>i.e. New Never Leased by Current Owner</i> ) <sup>2</sup>	\$200.00
Annual Renewal of a Lease	\$100.00
Change of Ownership of a Valid Lease	\$50.00
Reinstatement of an Expired Lease ( <i>i.e. Same Property Owner</i> ) <sup>3</sup>	\$500.00

**NOTES:**

- <sup>1</sup>: To be subject to these new fees, a new lease entered into after January 4, 2021 will be required (*i.e. the effective date of the amendment adopting these fees*).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.

- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takeline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see Subsection (J), Specifications for Permitted Land Uses, or Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards.
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in Subsection (J), Specifications for Permitted Land Uses or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by Subsection (J), Specifications for Permitted Land Uses; however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in Subsection (J), Specifications for Permitted Land Uses, or Subsection (F), General Requirements, is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in Subsection (E), Visual Measurements. A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in Subsection (J), Specifications for Permitted Land Uses, (*e.g. jet ski lift*) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.
- (J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.
- (1) Barbecue Pit.
- (a) Definition. A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted (*for Fire Pit see Subsection 06.15(J)(9)*).
- (b) Prerequisites. A barbecue pit may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A barbecue pit shall be allowed in the following zones:
- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A barbecue pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (*i.e. natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. A barbecue pit must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.
- (2) Height. A barbecue pit shall not exceed a maximum of six (6) feet in height.



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- (3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.
- (f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;  
❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;  
❸: A MAXIMUM OF SIX (6) FEET;

- (2) Boathouse.
- (a) Definition. A *boathouse* is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
  - (b) Prerequisites. A *boathouse* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
  - (c) Conditional Use Standards. *Boathouses* are used for storing boats that have a fuel efficiency rating greater than 95%; however, boathouses may also be used to store sailboats. *Boathouses* will not be used for storing any other type of items except boats and boat-related equipment. In addition, *Boathouses* shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All *boathouses* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth

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decided by a structural engineer; however, a *boathouse* shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a *boathouse* or catwalk must be placed in an orderly manner that allows for the safe movement of people.

(d) Elevation Zone. A *boathouse* shall be allowed in the following zones:

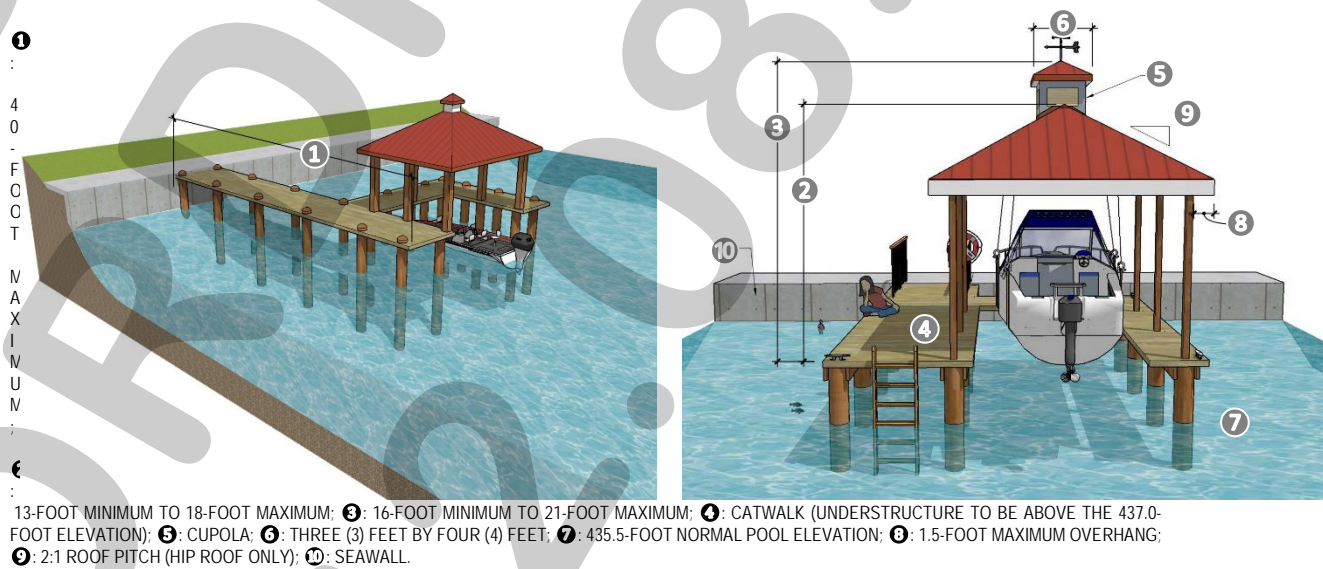
- (1) 438.0: Not Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All *boathouse* constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. *Boathouses* shall be constructed utilizing composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials*) -- *products equivalent to Trex brand are preferred* -- for decking, galvanized metal/iron/steel or aluminum (*with a minimum color rating of AAMA 2604*) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A *boathouse* shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the *boathouse's* cupola; however, in no case should a *boathouse* exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a *boathouse* will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. *Boathouses* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (*i.e. 435.5*).
- (4) Roof. A *boathouse* will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All *boathouse* roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. *Boathouses* shall not incorporate a deck or platform.
- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
  - (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue,

or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

- (7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a *boathouse* should generally be located in line with the primary structure on the leasing property (i.e. *generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.
- (f) Setback Requirements. A *boathouse* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



- (3) Covered Patio.

**Exhibit 'A'**

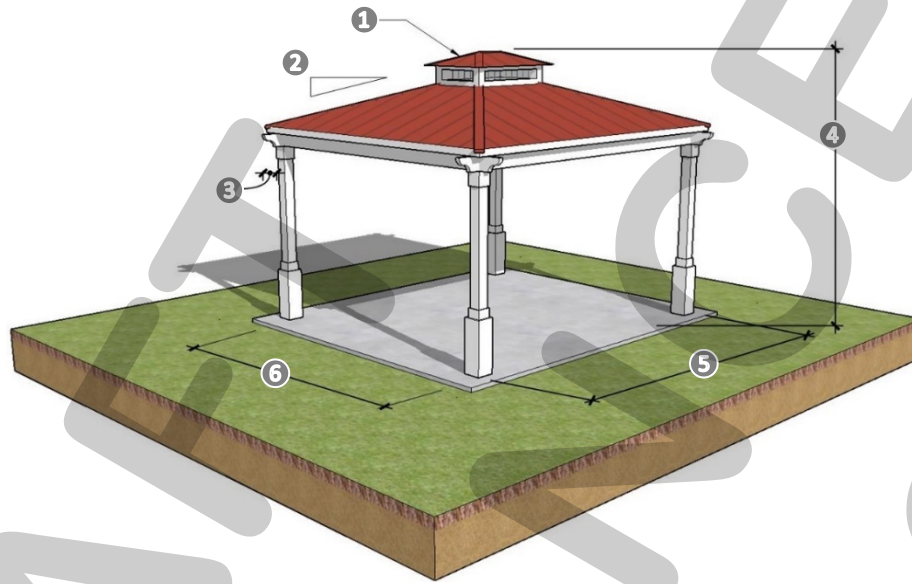
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- (a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A covered patio may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A covered patio shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
- (1) Takeline Setback: 6-Feet (*from the Concrete Cap of the Seawall*)
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The covered patio shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



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❶: CUPOLA OR CLERESTORY; ❷: 4:1 MINIMUM ROOF PITCH; ❸: 18-INCHES MAXIMUM OVERHANG; ❹: 15-FEET MAXIMUM HEIGHT; ❺: 20-FEET MAXIMUM; ❻: 12-FEET MAXIMUM;

(4) Deck.

- (a) Definition. A *deck* is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.
- (b) Prerequisites. A deck may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A deck shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted (see Dock Deck in Subsection 06.15(J)(5)).
- (d) Conditional Use Standards. A deck shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
  - (1) Building Materials. A deck must be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Handrails incorporated into a deck in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
  - (2) Height. A deck shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A deck shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A deck located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Decks shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A deck shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed deck.
- (f) Setback Requirements. A deck must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet

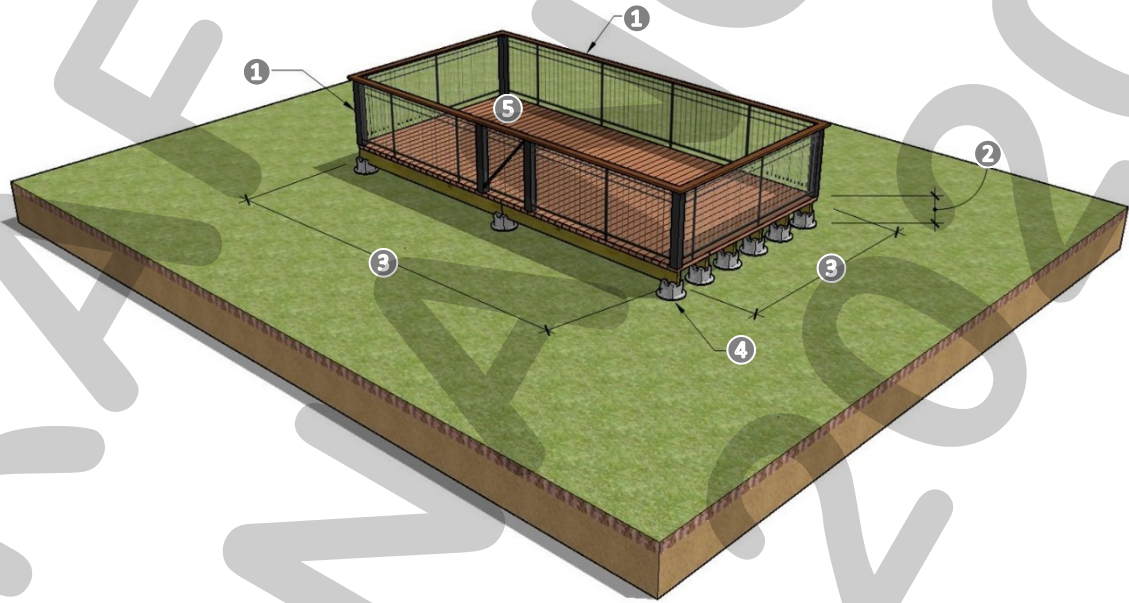
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(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: WROUGHT IRON OR DECORATIVE METAL; ②: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; ③: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; ④: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; ⑤: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more than 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories

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placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.

(e) Construction Standards.

- (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Any railings built on a *dock deck* shall be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
- (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
- (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (i.e. 80 SF) and a maximum of 12-feet by 30-feet (i.e. 360 SF). *Dock decks* shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
- (5) Additional Construction Standards.

- (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
- (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
- (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.

(f) Setback Requirements. A *dock deck* must adhere to the following setbacks:

- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

(g) Additional Requirements.

- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas,



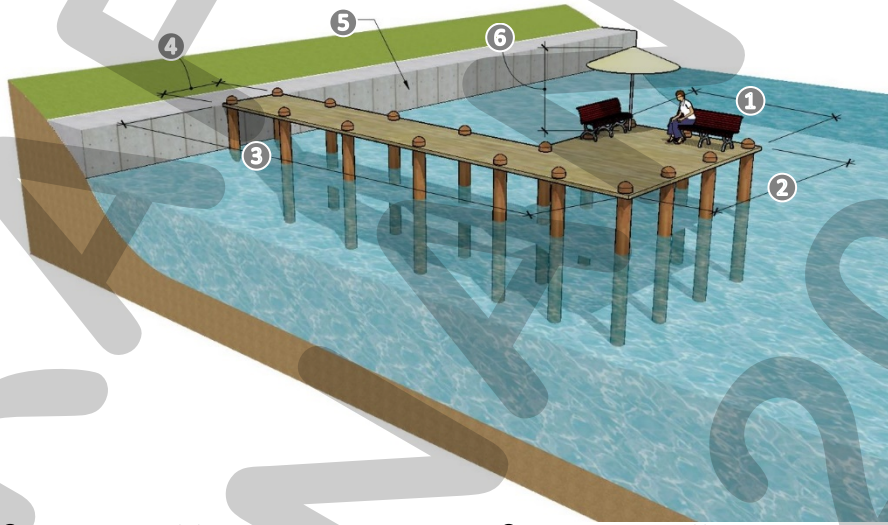
### Exhibit 'A'

#### Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)

US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

- (2) Compliance with Applicable Codes. A dock deck must comply with all other applicable City of Rockwall codes.
- (3) Address. All dock decks shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No dock deck shall encroach into an existing or identified future easement, right-of-way, access road, or path.

(h) Visual Representation.

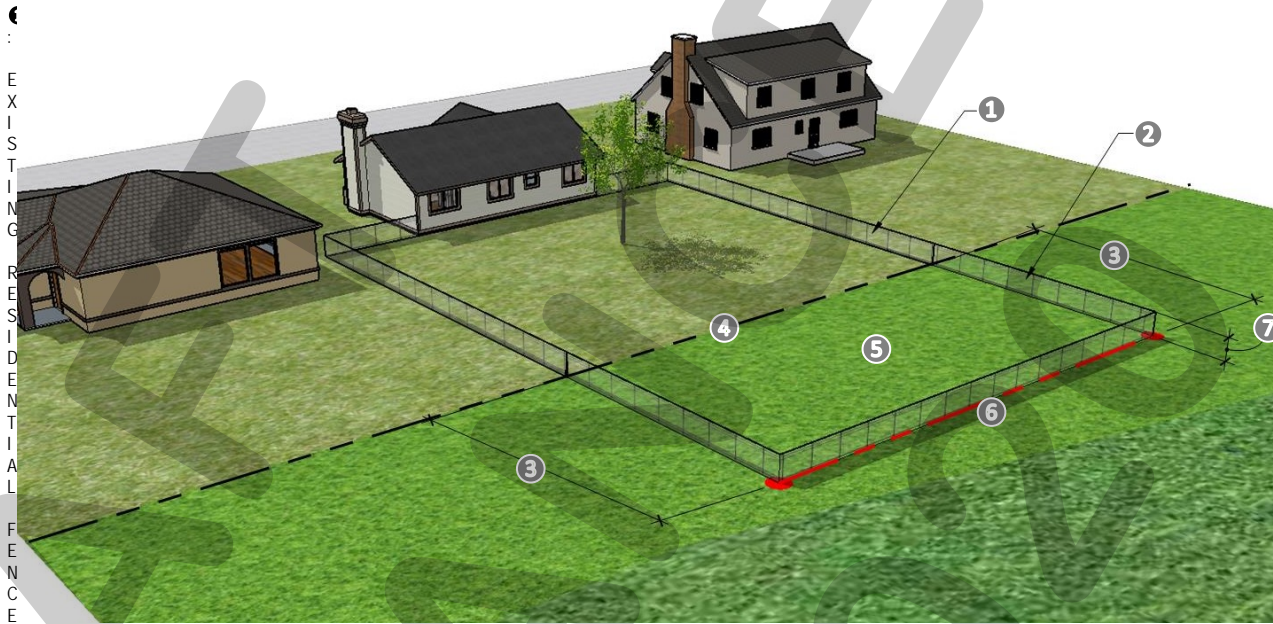


(6) Fence.

- (a) Definition. A fence is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A fence may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A fence shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).



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Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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ON THE LEASING PROPERTY: ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45- FEET ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.
- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.

(f) Setback Requirements. A fence must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

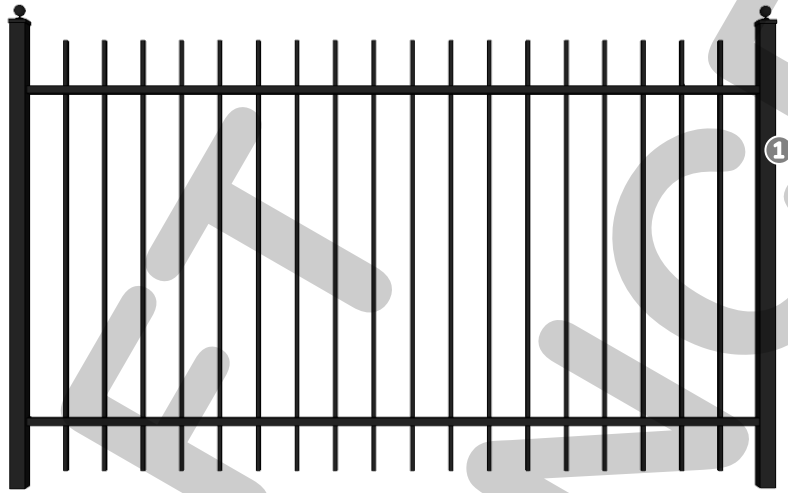
(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.

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❶: FOUR (4) FOOT WROUGHT IRON FENCE

(7) Flagpole.

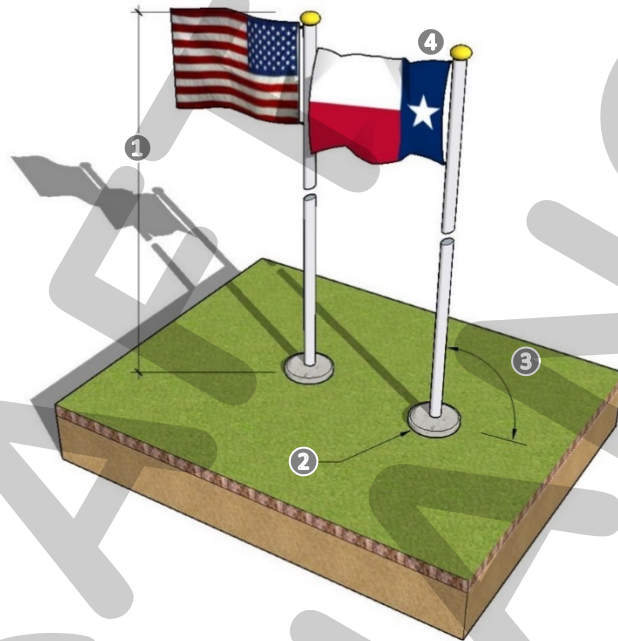
- (a) Definition. A flagpole is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
- (b) Prerequisites. A flagpole may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A flagpole shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A maximum of two (2) flagpoles, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
- (e) Construction Standards.
  - (1) Building Materials. A flagpole shall only be constructed of either stainless steel or aluminum.
  - (2) Height. A flagpole shall not exceed a maximum height of 20-feet from grade.
  - (3) Size. At the ground base a flagpole shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
  - (4) Location. A flagpole located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Flagpoles shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A flagpole must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a flagpole must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A flagpole must comply with all other applicable City of Rockwall codes.

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- (3) Emergency Response. The *flagpole* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



❶: MAXIMUM OF 20-FEET FROM GRADE; ❷: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ❸: MAINTAINED TO BE 90-DEGREES FROM GRADE; ❹: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

(8) Fixed Pier.

- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
- (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the takeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see Subsection 06.15(J)(8)(h)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more that 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.

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- (1) **Building Materials.** The catwalk and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
- (2) **Height.** No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) **Size.** The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) **Lighting.** Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a *fixed pier*.
- (5) **Additional Construction Standards.**
  - (a) **Pilings.** The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) **Catwalks.** The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (c) **Safety Reflectors.** All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) **Location.** View corridor restrictions do not apply to *fixed piers*.
- (f) **Setback Requirements.** A *fixed pier* must adhere to the following setbacks:
  - (1) **Takeline Setback:** 0-feet
  - (2) **Leased Side Yard Setback:** 10-feet
  - (3) **Maximum Distance from Seawall:** 40-feet
- (g) **Additional Requirements.**
  - (1) **Dredging.** Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials



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Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

- (2) Compliance with Applicable Codes. A fixed pier must comply with all other applicable City of Rockwall codes.
- (3) Address. All fixed pier shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No fixed pier shall encroach into an existing or identified future easement, right-of-way, access road, or path.

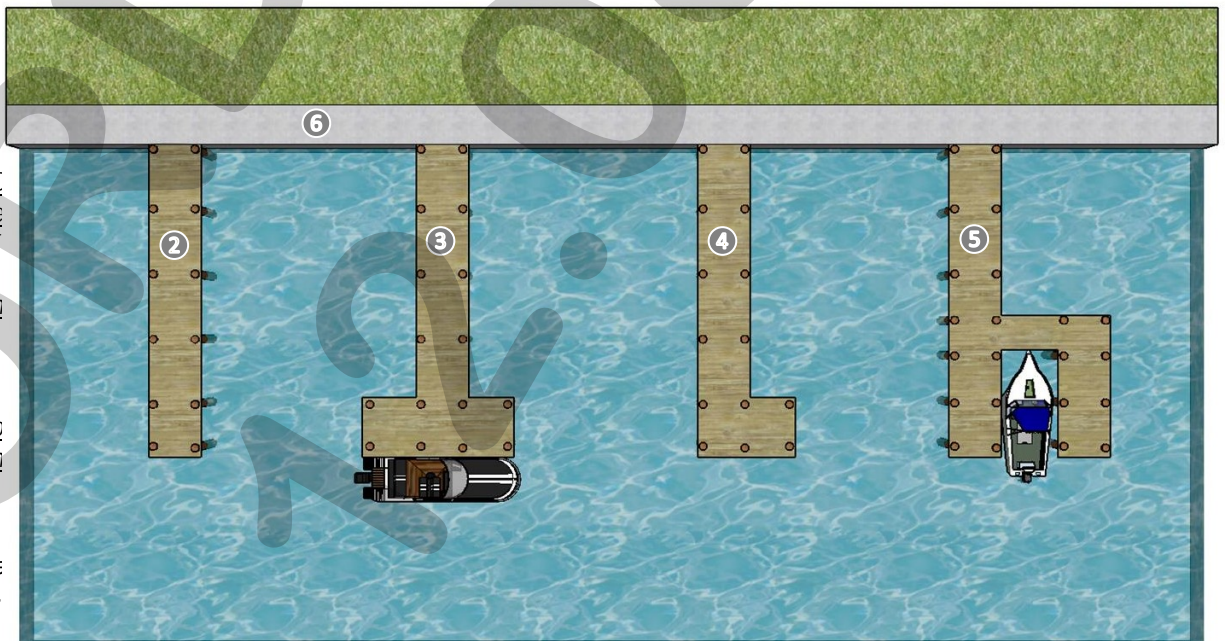
(h) Visual Representation.



1: 40-FOOT MAXIMUM; 2: PIER IN AN 'I' SHAPE; 3: PIER IN A 'T' SHAPE; 4: PIER IN A 'L' SHAPE; 5: PIER IN A 'U' SHAPE; 6: SEAWALL;  
7: SIX (6) FOOT MAXIMUM

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### **Exhibit 'A'**

#### **Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)**

- A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fire pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).
- (e) Construction Standards.
- (1) Building Materials. The surround (i.e. the area used to contain the fire) for a fire pit must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A fire pit shall not exceed a maximum of 36-inches in height.
  - (3) Size. A fire pit shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a fire pit should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A fire pit must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a fire pit must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A fire pit must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HEIGHT OF 36-INCHES OR THREE (3) FEET.

(10) Gazebo.

**Exhibit 'A'**

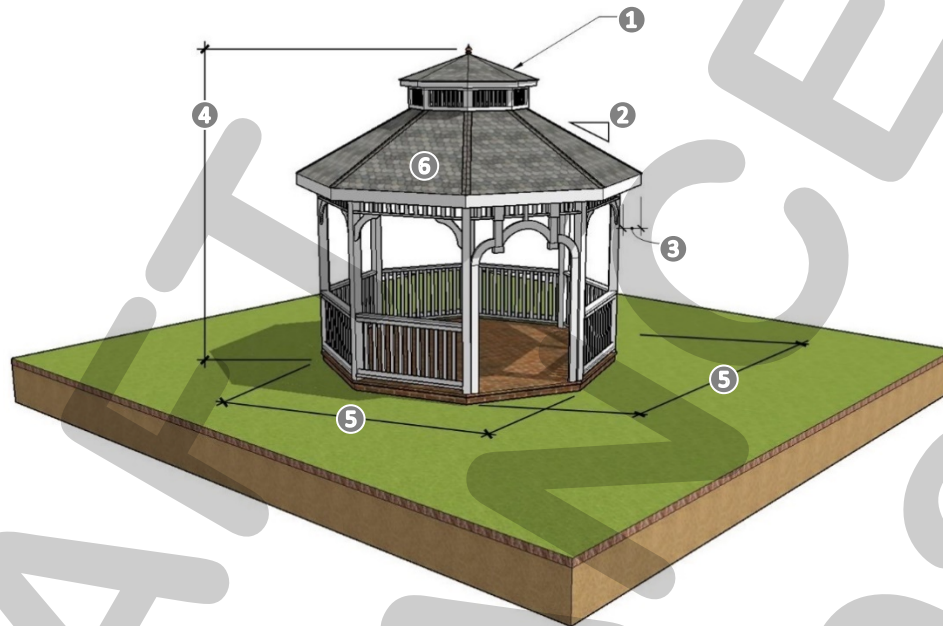
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (a) Definition. A gazebo is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
- (b) Prerequisites. A gazebo may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A gazebo shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A gazebo shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (1) Building Materials. A gazebo built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. The side trellis of the gazebo may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A gazebo built in the *435.5 Elevation Zone* shall only be built out of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A gazebo will be constructed using steel reinforced concrete piers.
  - (2) Height. A gazebo shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the gazebo shall be measured from grade to the vertex of the gazebo's main roof or clerestory/cupola roof. In either case a gazebo shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A gazebo shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the gazebo shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the gazebo can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A gazebo located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Gazebos shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A gazebo must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a gazebo must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A gazebo must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The gazebo shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



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**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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①: CUPOLA OR CLERESTORY; ②: 2:1 MINIMUM ROOF PITCH; ③: 1.5-FOOT MAXIMUM OVERHANG; ④: 18-FOET MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FOET WITHOUT A CUPOLA OR CLERESTORY; ⑤: 12-FOET MAXIMUM; ⑥: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(11) Landing and Stairs.

- (a) Definition. A landing is the area of a floor near the top or bottom step of a stair. A stair is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A landing and stairs may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 or 425.5 Elevation Zones* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A landing and stairs shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Permitted (if a *Seawall* has been constructed).

NOTE: A landing and stairs located in the *425.5 Elevation Zone* is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:



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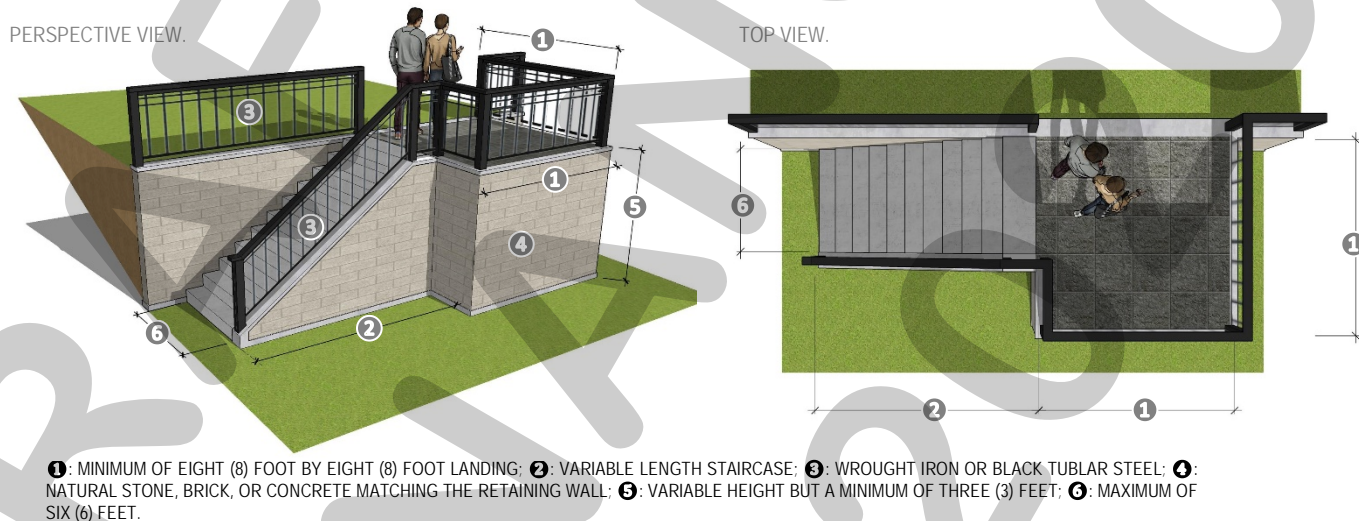
#### Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 5-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *landing and stairs* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *landing and stairs* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

**NOTE:** Remedial *landscaping* in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is *strictly prohibited*. All landscaping must comply with the requirements of Article 08, Landscaping and Fence Standards, of the Unified Development Code (UDC). For information regarding planting or removing trees see Subsection (F)(4) above.
- (e) Construction Standards.

- (1) Building Materials. *Retaining walls* shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception

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**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- with the exception of using it as a base --, and brick shall be prohibited.

- (2) Height. Retaining walls as part of landscaping will be limited to less than three (3) feet.
- (3) Location. Landscaping and retaining walls shall not hinder the view clear zone of an adjacent neighbor's view corridor. Landscaping shall not exceed six (6) feet in height in the view clear zone.

(f) Setback Requirements. Retaining walls must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of landscaping and retaining walls must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. Landscaping and retaining walls must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. Landscaping and retaining walls shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

(a) Definition. *Municipal utilities* represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.

(b) Elevation Zone. *Municipal utilities* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Permitted.

(c) Conditional Use Standards. All *municipal utilities'* infrastructure is permitted within the take area. *Municipal utilities* shall be placed underground.

(d) Setback Requirements. *Municipal utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(e) Additional Requirements.

- (1) Compliance with Applicable Codes. *Municipal utilities* must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

(a) Definition. *Outdoor lighting* is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.

(b) Prerequisites. *Outdoor lighting* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. *Outdoor lighting* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.

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- (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted *outdoor lighting* allowed below the 438.0 Elevation Zone.

- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are *not* allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
- (e) Photometric Plan. A photometric plan describing compliance with the provisions of Article 07, Performance Standards, of the Unified Development Code (UDC) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC).
- (f) Construction Standards.
- (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
- (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
- (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
- (g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet
- (h) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
- (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(15) Patio.

- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
- (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

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**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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(c) Elevation Zone. A *patio* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.

(e) Construction Standards.

- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into a *patio* in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
- (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
- (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
- (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.

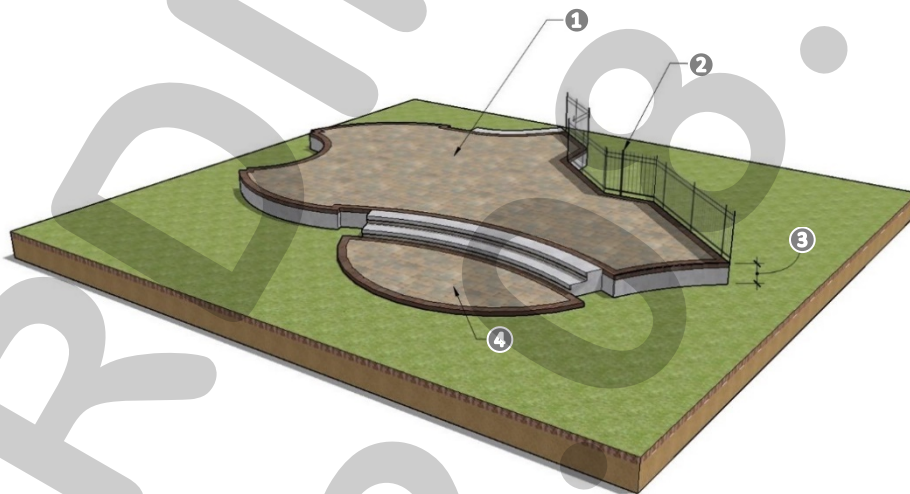
(f) Setback Requirements. A *patio* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

(a) Definition. A *pergola* is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.



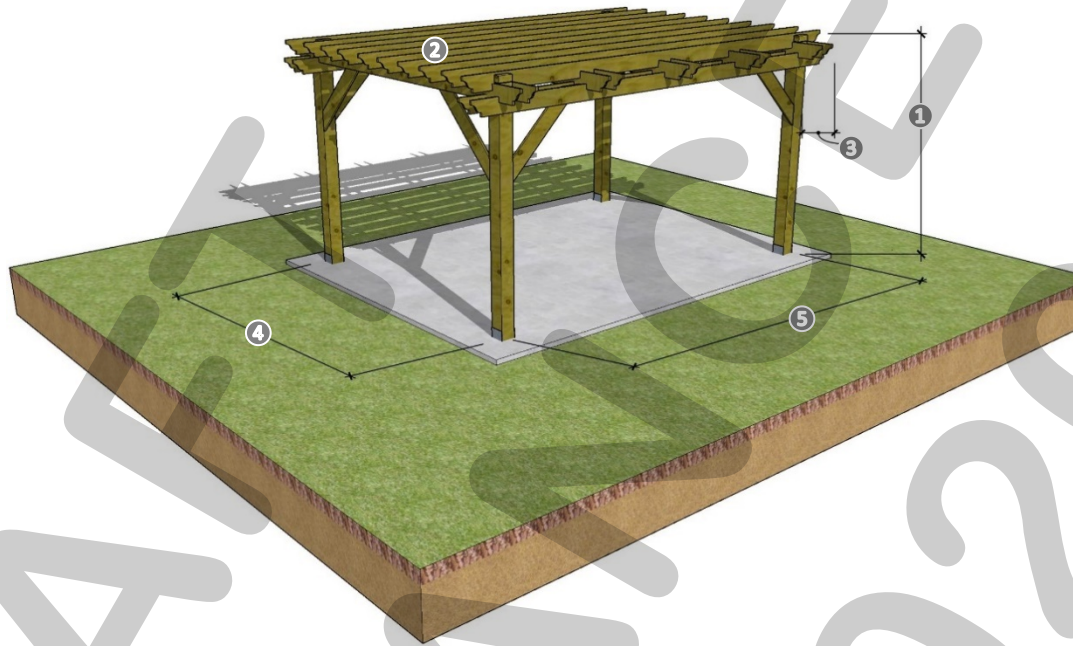
**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (b) Prerequisites. A pergola may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A pergola shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A pergola shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (6) Building Materials. A pergola constructed within the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A pergola constructed within the *435.5 Elevation Zone* must be constructed using composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (7) Height. A pergola shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A pergola shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the pergola shall not have an overhang greater than 18-inches.
  - (10) Location. A pergola located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Pergolas shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A pergola must adhere to the following setbacks:
- (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (4) Earth Work. Earth work required for the construction of a pergola must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A pergola must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The pergola shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

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❶: 12-FOOT MAXIMUM HEIGHT; ❷: OPEN ROOF OF GIRDERS OR RAFTERS; ❸: 1.5-FOOT MAXIMUM OVERHANG; ❹: 12-FOOT MAXIMUM; ❺: 20-FOOT MAXIMUM; ❻: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

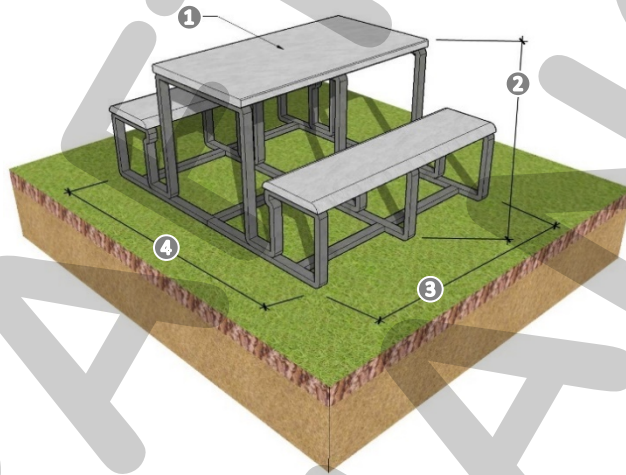
(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. *no roof covering*) unless combined with a covered patio or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.
  - (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.

### Exhibit 'A'

Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (1) Earth Work. Earth work required for the construction of a picnic table must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A picnic table must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The picnic table shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



❶: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ❷: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ❸: EIGHT (8) FOOT MAXIMUM; ❹: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A private play structure is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A private play structure may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A private play structure shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A private play structure can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A private play structure shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a private play structure should blend and incorporate the same hues and tones of the surrounding landscaping.
  - (2) Height. A private play structure shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All private play structures will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. Private play structures shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A private play structures must adhere to the following setbacks:

**Exhibit 'A'**

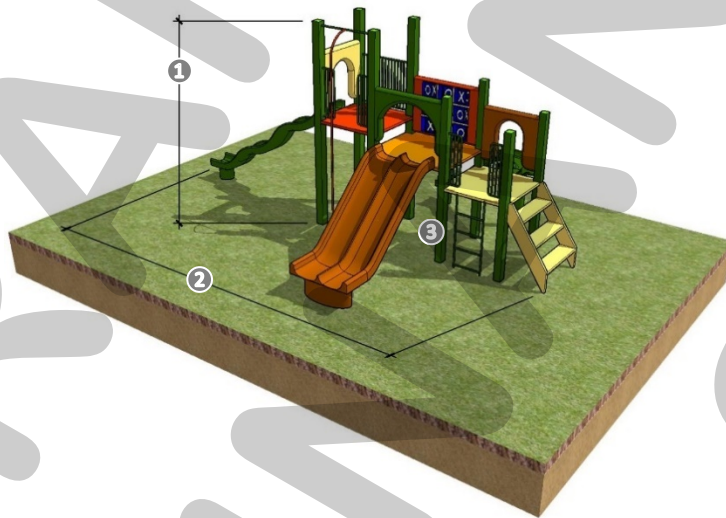
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *private play structures* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private play structure* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *private play structure* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



❶: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ❷: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ❸: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. *Private utilities* are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. *Private utilities* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Private utilities* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private utilities* are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. *Private utilities* containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. *Private utilities* shall only be constructed out of materials permitted by the City's Engineering Department.



**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (i.e. 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.
- (f) Setback Requirements. Private utilities must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of private utilities must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A private utility must comply with all other applicable City of Rockwall codes.
  - (3) Damage to the System. Any damage or destruction to any private utility by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.
- (20) Private Walkways.
- (a) Definition. Private walkways can be a single path or a network of paths installed by the leasing property owner in the takeline area.
  - (b) Prerequisites. Private walkways may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. Private walkways shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a Seawall has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. Private walkways with steps are permitted (see *Landing and Stairs* in Subsection 06.15(J)(11)).
  - (e) Construction Standards.
    - (1) Building Materials. Private walkways shall be constructed using native stone, brick and/or rectangle pavers; however, private walks shall not consist of loose stone, gravel, sand, asphalt, or concrete.
    - (2) Height. Private walkways shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
    - (3) Size. Private walkways shall be no greater than 48-inches in width.
    - (4) Location. Private walkways may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-foot wide, suitable for access, and will connect to adjacent access paths.
  - (f) Setback Requirements. Private walkways must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 10-Feet
  - (g) Additional Requirements.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A seawall is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A seawall may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A seawall shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

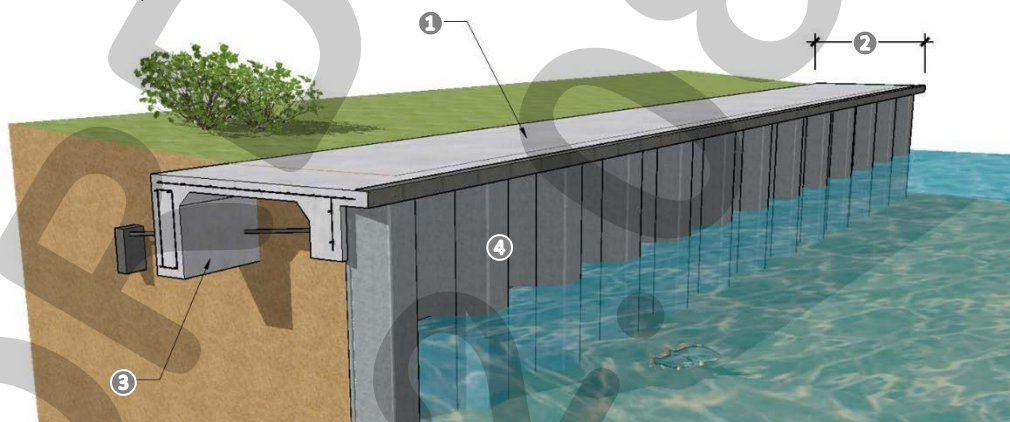
(d) Construction Standards.

- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.

(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *seawalls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *seawall* must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



1: CONCRETE WALKWAY; 2: SIX (6) FOOT MINIMUM; 3: 24-INCH BY TEN (10) INCH BEAM WITH #3 REBAR ON 18-INCH CENTERS; 4: RETAINING WALL.

(22) Sprinkler/Irrigation System.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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Unified Development Code (UDC)**

- (h) Definition. A sprinkler/irrigation system is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A sprinkler/irrigation system may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (j) Elevation Zone. A sprinkler/irrigation system shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

*Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.*

- (k) Conditional Use Standards. A sprinkler/irrigation system must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.
- (l) Construction Standards.

- (1) Building Materials. A sprinkler/irrigation system shall only be constructed utilizing Schedule 40 PVC pipe.
- (2) Height. The heads of a sprinkler/irrigation system used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
- (3) Location. A sprinkler/irrigation system shall be allowed up to one (1) foot of the normal pool elevation shoreline (i.e. 435.5) provided no part of the system could potentially result in lake siltation erosion.

- (m) Setback Requirements. A sprinkler/irrigation system must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

- (n) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a sprinkler/irrigation system must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
- (2) Compliance with Applicable Codes. A sprinkler/irrigation system must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a sprinkler/irrigation system by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

**Exhibit 'B'**

**Section 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE SUBSECTION 06.15(J)	PRE-REQUISITES L: SUBLEASE, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	(1)	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	(2)	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	(3)	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE: CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5 &amp; 18</sup>	(4)	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILING
DOCK DECK <sup>2 &amp; 5</sup>	(5)	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	(6)	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	(7)	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	(8)	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	(9)	L & S <sup>16</sup>	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	(10)	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15' <sup>18' 7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	(11)	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5 &amp; 18</sup>	(15)	L	P	P	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	(16)	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	(17)	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	(18)	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	(20)	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	(22)	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROPERTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES (IF PERMITTED IN THE ZONE). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1. <sup>7</sup> : SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK. <sup>8</sup> : EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN					
MUNICIPAL UTILITIES	(13)	NONE	P	P	P						
OUTDOOR LIGHTING	(14)	L	P	X	X						
PRIVATE UTILITIES	(19)	L	P	P	X						
SEAWALL	(21)	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	(22)	L	P	P	X						

FOUR (4) POLE STRUCTURES ALLOWED.

<sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.

<sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.

<sup>11</sup>: REQUIRES A HIP OR GABLE ROOF OR A HIP AND/OR GABLE ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.



**Exhibit 'B'**

**Section 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- <sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.  
<sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.  
<sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVERAGE BASE OF THE SURROUND TERRAIN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.  
<sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.  
<sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.  
<sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.  
<sup>18</sup>: HANDRAILS ARE PROHIBITED IN THE 435.5 ELEVATION ZONE.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** December 21, 2020

**SUBJECT:** Z2020-041; *Subsection 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the Unified Development Code (UDC)*

On November 2, 2020, staff held a work session with the City Council to discuss proposed changes to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the Unified Development Code (UDC)* [i.e. the *takeline ordinance*] and the City's *Raw Water Policy*. These changes were prepared at the request of Mayor Pruitt, who asked staff to review the ordinance and bring changes that would: [1] provide clearer requirements with regard to the land uses, building materials, and construction standards permitted within the *takeline*, and [2] provide incentive for more property owners to pursue *takeline* leases. Based on the changes proposed at the work session, the City Council directed staff to proceed with adopting the amendment into the Unified Development Code (UDC).

A summary of the proposed changes to *the takeline ordinance* is provided on the front of the proposed amendment under the *Change Log* heading and which is included in the attached packet; however, this amendment is basically a complete overhaul of the language currently contained in this section of the Unified Development Code (UDC). Some of the major changes are summarized as follows:

- (1) The way in which the visual measurement for view corridors is currently being calculated was changed to allow a larger buildable area for lots with longer linear frontages of shoreline. Currently, the view corridor is calculated from a projection that starts at a central point in the adjacent property owner's rear yard, and projects outward into the takeline at a 36-degree angle. The proposed amendment changes this calculation to a defined point in the center of the takeline -- *at the quarter point* --, and projects this point back to the corners of the subject property. The advantages of this projection system are that it is easier for property owners and staff to calculate quickly, and it yields similar results as the previous projection calculation. For lots with over 100-feet of takeline frontage, this point starts 30-feet from the side yard of the takeline area and then projects back to the corner of the subject property. By doing this, the buildable area on these larger lots is increased in the *435.5-Elevation Zone*, and this allows the property owners leasing these areas the ability to construct certain structures in the center of the takeline area closer to the water's edge.
- (2) New language addressing *Residential Sublease Agreements* and the costs of these agreements were added. Staff should also point out that the fees for these agreements were reduced as follows:

Lease	Current Fees	Proposed Fees
New Lease (i.e. Never Leased by Current Owner)	\$600.00	\$200.00
Annual Renewal of a Lease	\$350.00	\$100.00
Change of Ownership of a Valid Lease	\$350.00	\$50.00
Reinstatement of an Expired Lease (i.e. Same Property Owner)	\$600.00	\$500.00

The purpose of this reduction is to incentivize more property owners to pursue *Residential Sublease Agreements*. In addition, all of the permitted land uses (*with the exception of municipal utilities*) now require the property owner to have a valid *Residential Sublease Agreement*.

- (3) Sea walls were added to the permitted land uses section of the ordinance. In addition, certain land uses now would require the construction of a sea wall prior to their establishment.

Attached to the memorandum is a copy of the proposed changes to the *takeline ordinance* and a draft ordinance. In accordance, with Section 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), staff brought the request forward to the Planning and Zoning Commission for a recommendation to the City Council, and at the December 7, 2020 City Council meeting the Planning and Zoning Commission approved a motion to recommend approval of the text amendment by a vote of 7-0. In accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), staff sent out a 15-day notice to the Rockwall Herald Banner. Should the City Council have any questions, staff will be available at the meeting on December 21, 2020.

## STRUCTURE OF ORDINANCE CHANGE

### (1) SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) PURPOSE
- (B) BOUNDARIES
- (C) APPLICABILITY
- (D) DEFINITIONS
- (E) VISUAL MEASUREMENTS FOR VIEW CORRIDORS
- (F) GENERAL REQUIREMENTS
- (G) RESIDENTIAL SUBLEASE
- (H) PERMITTED USES
- (I) SPECIFIC USE PERMITS (SUPS)
- (J) SPECIFICATIONS FOR PERMITTED LAND USES
  - (1) BARBECUE PIT
  - (2) BOATHOUSE
  - (3) COVERED PATIO
  - (4) DECK
  - (5) DOCK DECK
  - (6) FENCE
  - (7) FLAGPOLE
  - (8) FIXED PIER
  - (9) FIRE PIT
  - (10) GAZEBO
  - (11) LANDING AND STAIRS
  - (12) LANDSCAPING AND RETAINING WALLS
  - (13) MUNICIPAL UTILITIES
  - (14) OUTDOOR LIGHTING
  - (15) PATIO
  - (16) PERGOLA
  - (17) PICNIC TABLE
  - (18) PRIVATE PLAY STRUCTURE
  - (19) PRIVATE UTILITIES
  - (20) PRIVATE WALKWAYS
  - (21) SEAWALL
  - (22) SPRINKLER/IRRIGATION SYSTEM

### (2) SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

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#### CHANGE LOG

- (1) BROKE OUT EACH LAND USE AND STANDARDIZED THE SECTIONS.
- (2) ADDED FIRE PIT AND PICNIC TABLE AND BROKE OUT COVERED PATIO, DECK, PERGOLA, PATIO AND GAZEBO OUT INTO THEIR OWN SECTIONS.
- (3) CHANGED THE MATERIAL REQUIREMENTS FOR ALL STRUCTURES LOCATED IN THE 435.5 & 425.5 ELEVATION ZONES TO ALLOWING ONLY COMPOSITE MATERIALS OR METAL.
- (4) CHANGED THE WAY THE VIEW CORRIDORS WERE CALCULATED AND GAVE A GREATER ALLOWANCE TO PROPERTIES THAT HAVE A MINIMUM OF 100-FEET OF SHORELINE FRONTAGE.
- (5) REQUIRED COVERED PATIOS TO HAVE A CLERESTORY OR CUPOLA.
- (6) LIMITED MATERIALS SO THAT CLOTH, CANVAS, OR LIKE MATERIALS WERE NOT PERMITTED.
- (7) CHANGED THE SUP REQUIREMENT TO GIVE THE CITY COUNCIL GREATER AUTHORITY IN ALLOWING LAND USES AND STRUCTURES IN THE TAKELINE AREA.
- (8) DEFINED WHERE AND WHEN TREES CAN BE PLANTED OR REMOVED.
- (9) LIMITED THE NUMBER OF STRUCTURES PERMITTED IN EACH ZONE.
- (10) ADDED EXAMPLE IMAGES OF ALL PERMITTED LAND USES.
- (11) CHANGED LOCATIONAL REQUIREMENTS FOR STRUCTURES IN THE 435.5 ELEVATION ZONE AND BOAT RELATED STRUCTURES.
- (12) CREATED AN ADMINISTRATIVE EXCEPTION FOR PLACEMENT OF STRUCTURES
- (13) INSERTED A TAKELINE LEASE SECTION THAT OUTLINES THE TAKELINE LEASE FEES.
- (14) REDUCED THE TAKELINE LEASE FEES TO MORE REASONABLE COSTS.
- (15) REQUIRED A SEAWALL FOR CERTAIN STRUCTURES IN CERTAIN ELEVATION ZONES.
- (16) CREATED A SUMMARY CHART FOR PERMITTED LAND USES.
- (17) ADDED AN IMAGE OF AND USE FOR A SEA WALL.

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#### NOTES

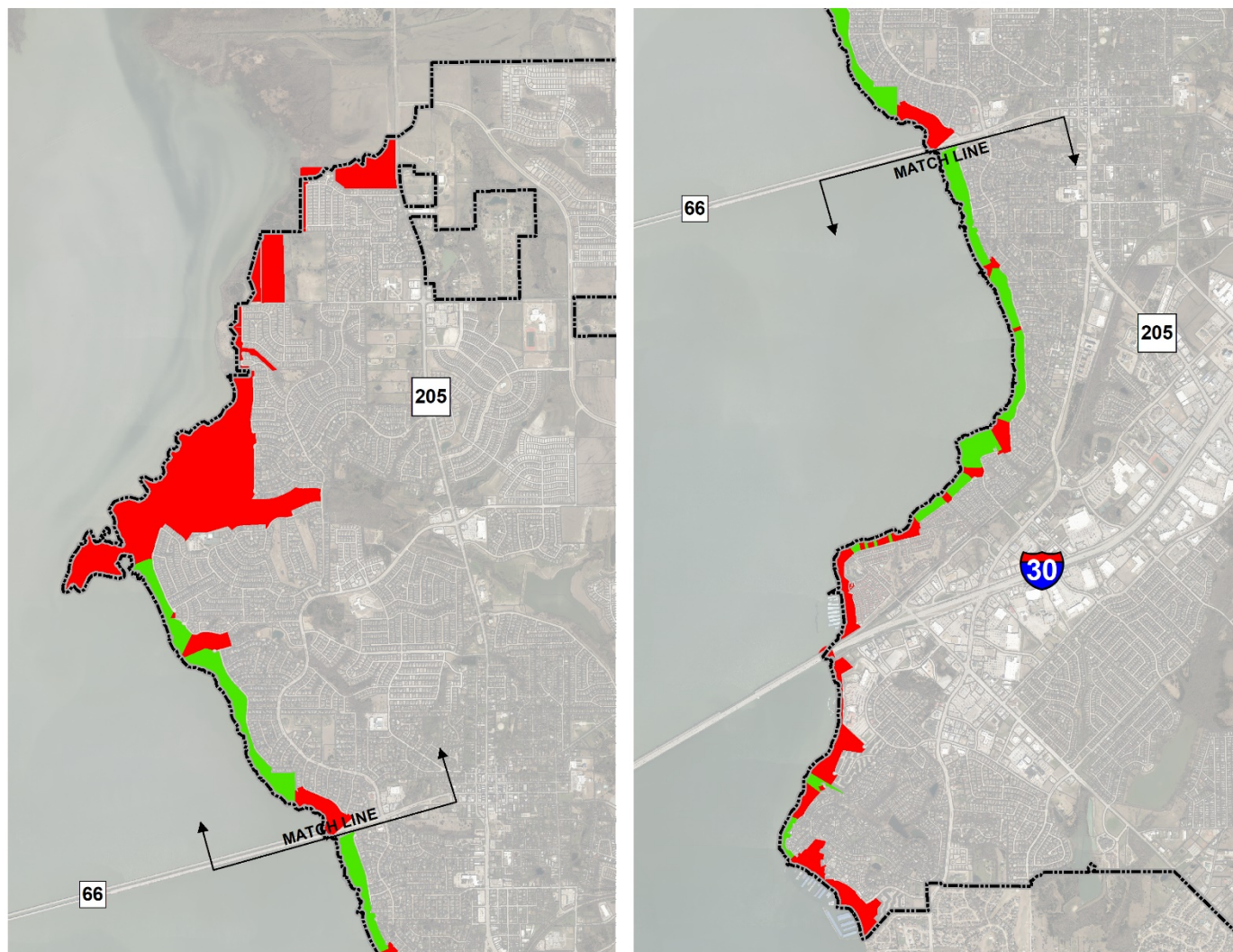
- (1) I SPOKE WITH THE CITY ATTORNEY ABOUT THE CURRENT ORDINANCE'S LIMITATION ON ONLY ALLOWING THE UNITED STATES FLAG AND THE TEXAS FLAG TO BE FLOWN IN THE TAKELINE AREA. THIS REQUIREMENT IS APPARENTLY NOT ENFORCEABLE; HOWEVER, I LEFT IT IN THE ORDINANCE CHANGE AND AS LONG AS WE DON'T TRY TO ENFORCE IT WE SHOULD BE OK. I SHOULD ALSO NOTE THAT THE CITY OF HEATH ALSO HAS THIS REQUIREMENT IN THEIR TAKELINE ORDINANCE.
- (2) AFTER REVIEW OF THE CURRENT INTERLOCAL AGREEMENT WITH THE CITY OF DALLAS, NOTHING CONTAINED IN THIS ORDINANCE CHANGE WOULD VIOLATE THAT AGREEMENT OR IS EXPRESSLY PROHIBITED IN THAT AGREEMENT. THE CITY COUNCIL SHOULD BE ABLE TO ADOPT THIS ORDINANCE CHANGE WITHOUT THEIR REVIEW; HOWEVER, AFTER ADOPTION IT MAY BE PRUDENT TO ALLOW THEM TO REVIEW THE CHANGES.



## SUBSECTION 06.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) Purpose. The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (*adopted by the City of Dallas*), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. *Garland, Rockwall, and Rowlett*) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas *Takeline* as shown on the boundary map for Lake Ray Hubbard (i.e. *File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

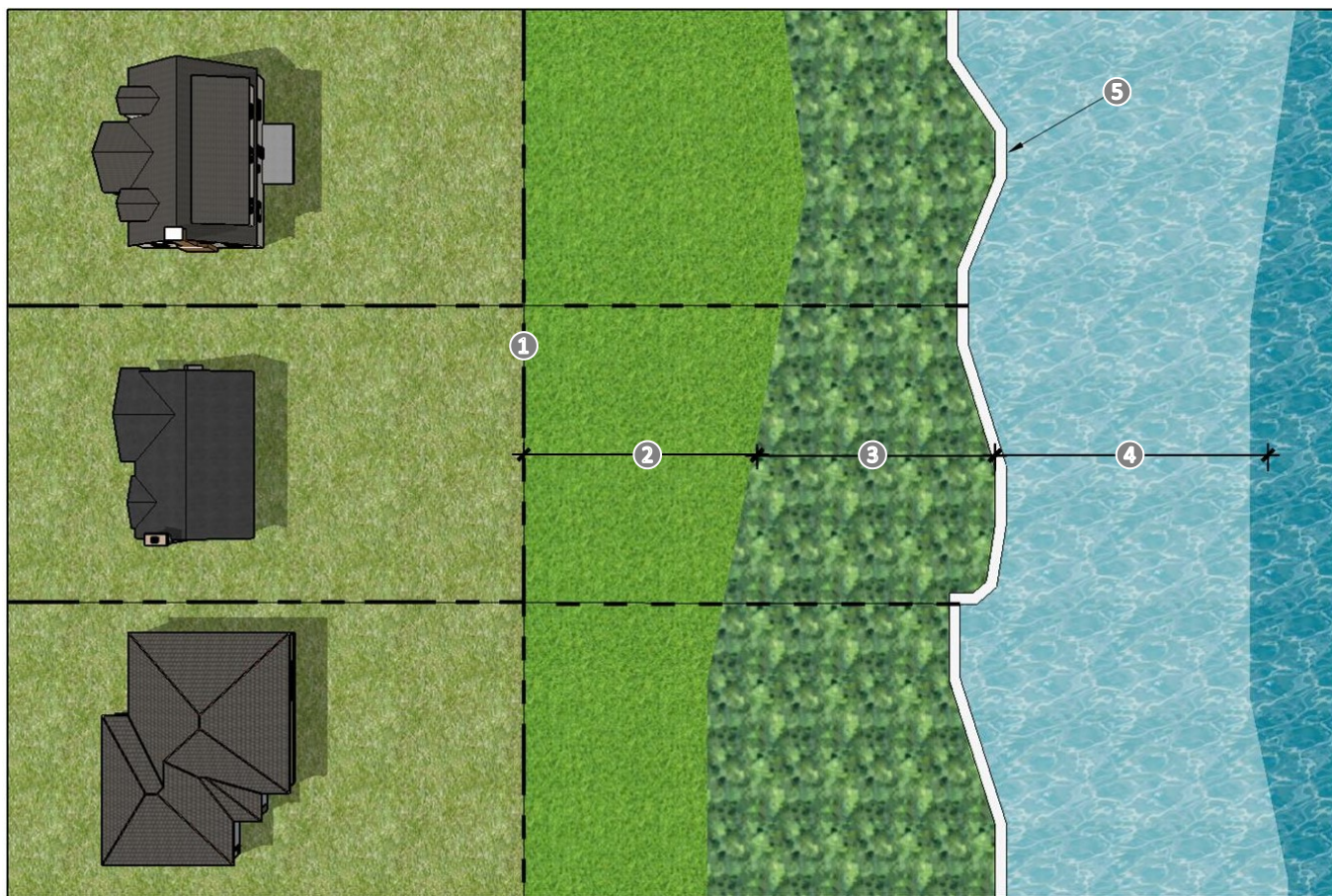
FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP



RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY



FIGURE 27: ELEVATION CONTOUR ZONES



①: REAR PROPERTY LINE/TAKE LINE; ②: 438.0 ELEVATION ZONE; ③: 435.5 ELEVATION ZONE; ④: 425.5 ELEVATION ZONE; ⑤: SEAWALL;

(C) Applicability.

(1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in [Figure 26: Lake Ray Hubbard Takeline Overlay \(TL OV\) District Map](#) above.

(2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in [Subsection 06.15\(B\)\(1\)](#) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to [Subsection \(J\), Specifications for Permitted Land Uses](#). In addition, the following terms shall be defined as follows:

(1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.

(2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).

(3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.

(4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.

(5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.

- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (*i.e. property at or below an elevation of 435.5-feet mean sea level*).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (*e.g. a slip*) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
- (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
- (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (*i.e. 435.5-feet mean sea level*).
- (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
- (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
- (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see [Figure Subsection \(E\): Visual Measurements for View Corridors](#)).
- (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see [Figure 28: Visual Measurements for View Corridors](#)).
- (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
  - (a) Motorized Boat. A boat propelled by an internal combustion engine.
  - (b) Sail Boat. A boat with a mast and sail propelled by the wind.

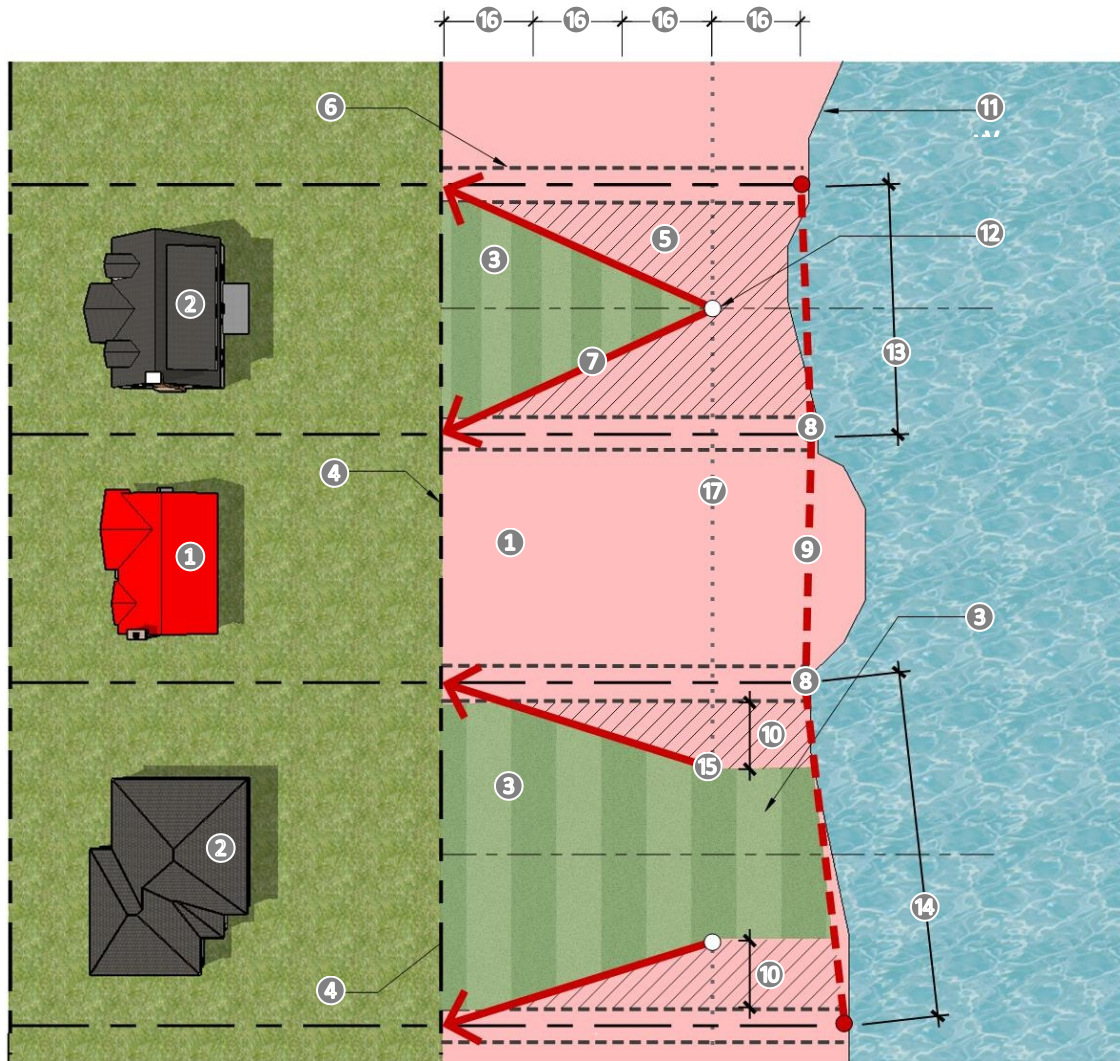
(E) Visual Measurements for View Corridors.

- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-feet mean sea level*), and connecting these two (2) points in a straight line (see [Figure 28: Visual Measurements for View Corridors](#)). Based on this linear measurement, the view clear zones are determined by the following:
  - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).
  - (b) Lots That Have More 100-Feet or More Shoreline Frontage. The view corridor for lots that have 100-feet or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline frontage



line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

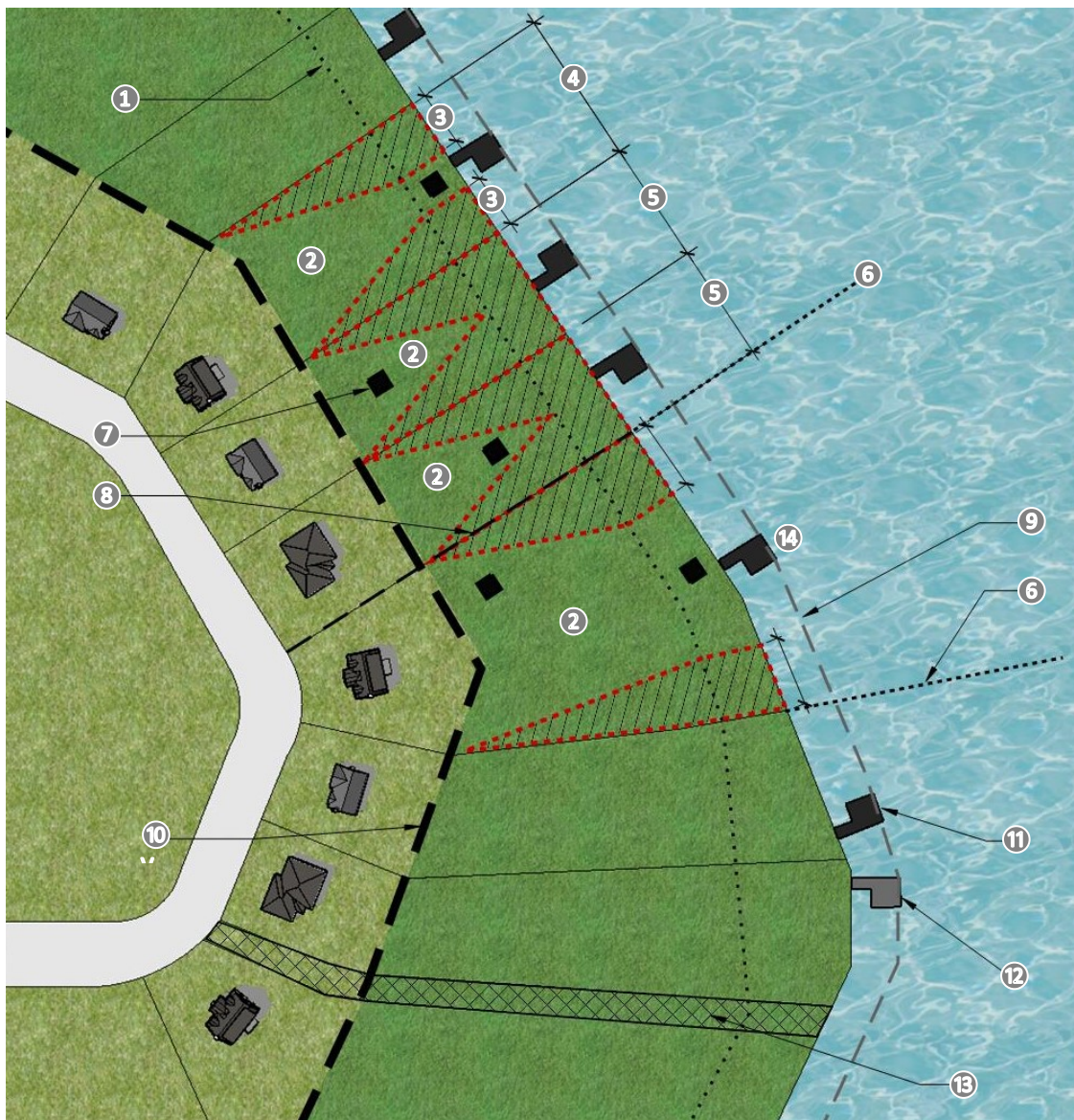
FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS



①: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); ②: NEIGHBORING PROPERTY; ③: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); ④: REAR PROPERTY LINE/TAKELINE; ⑤: VIEW CLEAR ZONE (LINED AREA); ⑥: LEASE AREA SIDE YARD SETBACK; ⑦: VIEW PRESERVATION ANGLE; ⑧: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; ⑨: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] ⑧ POINTS IN A STRAIGHT LINE); ⑩: 30-FOOT; ⑪: SHORELINE; ⑫: CENTER POINT AT THE QUARTER DISTANCE LINE; ⑬: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-Feet; ⑭: A LOT WITH A SHORELINE FRONTAGE 100-Feet OR MORE; ⑮: 30-FOOT POINT ON THE QUARTER DISTANCE LINE; ⑯: 25% OF THE TAKELINE AREA; ⑰: QUARTER DISTANCE LINE.



FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



1: QUARTER DISTANCE LINE; 2: BUILDABLE AREA; 3: 30-FOOT; 4: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; 6: LEASE AREA'S PROJECTED SIDE YARD; 7: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; 8: LEASE AREA'S SIDE YARD; 9: 40-FOOT BUILDING LINE; 10: REAR PROPERTY LINE/TAKELINE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; 13: DRAINAGE EASEMENT; 14: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

- (1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).

- (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by [Subsection \(J\), Specifications for Permitted Land Uses](#).
- (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
- (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in [Subsection \(J\), Specifications for Permitted Land Uses](#), and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a *Treescape Plan* showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in [Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements](#), and [2] they are not located within the view clear zone outlined [Subsection \(E\), Visual Measurements](#). The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.
- (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with [Subsection 06.15\(J\)\(6\)](#).
- (G) Residential Sublease Agreement. A *Residential Sublease Agreement* is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A *Residential Sublease Agreement* shall be required to build certain structures within the takeline area. It shall be a violation of the zoning code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of [Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code \(UDC\)](#). The following shall be the costs associated with a *Residential Sublease Agreement*:
- | Lease   | Fees     |
|---|----------|
| New Lease (i.e. New Never Leased by Current Owner) <sup>2</sup>           | \$200.00 |
| Annual Renewal of a Lease   | \$100.00 |
| Change of Ownership of a Valid Lease                                      | \$50.00  |
| Reinstatement of an Expired Lease (i.e. Same Property Owner) <sup>3</sup> | \$500.00 |
- NOTES:
- <sup>1</sup>: To be subject to these new fees, a lease entered into after **January 1, 2021** will be required (i.e. the effective date of the amendment adopting these fees).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.
- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see [Subsection \(J\), Specifications for Permitted Land Uses](#), or [Subsection 07.05, Lake Ray Hubbard Takeline Overlay \(TL OV\) District Development Standards](#).
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in [Subsection \(J\), Specifications for Permitted Land Uses](#) or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by

Subsection (J), Specifications for Permitted Land Uses; however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in Subsection (J), Specifications for Permitted Land Uses, or Subsection (F), General Requirements, is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in Subsection (E), Visual Measurements. A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in Subsection (J), Specifications for Permitted Land Uses, (e.g. jet ski lift) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.

(J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.

(1) Barbecue Pit.

(a) Definition. A *barbecue pit* is a permanent fireplace structure over which meat, poultry and other foods are roasted (for *Fire Pit* see Subsection 06.15(J)(9)).

(b) Prerequisites. A *barbecue pit* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. A *barbecue pit* shall be allowed in the following zones:

(1) 438.0: Permitted.

(2) 435.5: Not Permitted.

(3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *barbecue pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).

(e) Construction Standards.

(1) Building Materials. A *barbecue pit* must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.

(2) Height. A *barbecue pit* shall not exceed a maximum of six (6) feet in height.

(3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.

(f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:

(1) Takeline Setback: 0-Feet

(2) Leased Side Yard Setback: 6-Feet

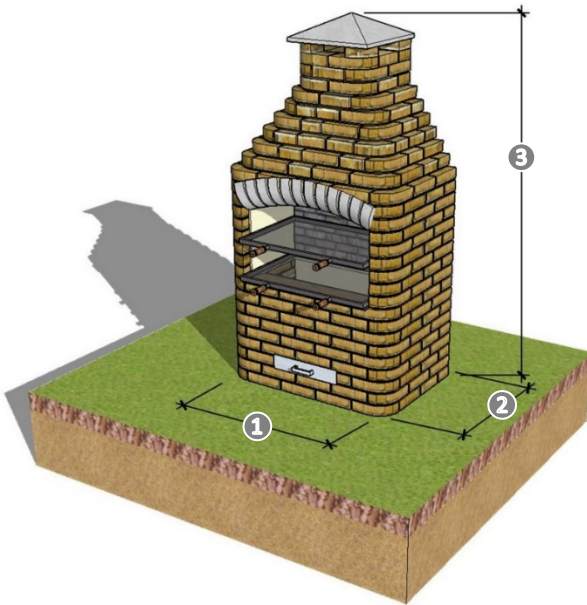
(g) Additional Requirements.

(1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.

(2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.





- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;
- ❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;
- ❸: A MAXIMUM OF SIX (6) FEET;

(2) Boathouse.

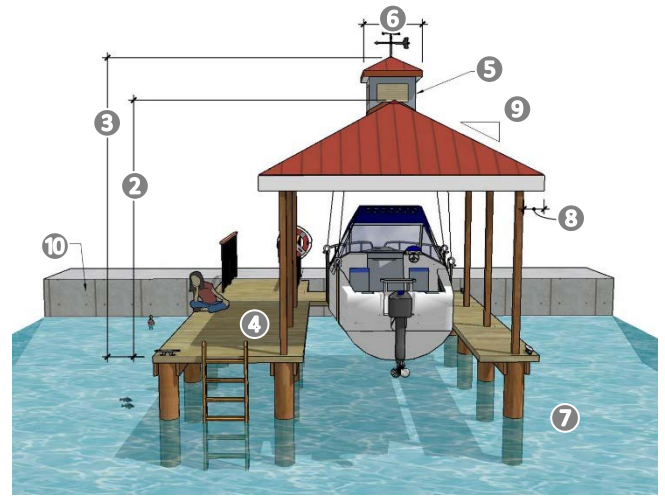
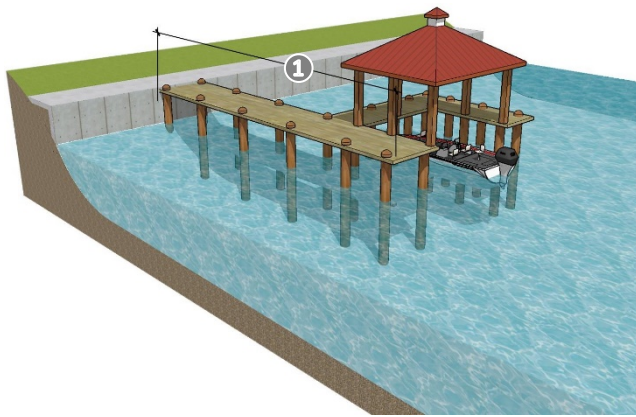
- (a) Definition. A boathouse is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
- (b) Prerequisites. A boathouse may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
- (c) Conditional Use Standards. Boathouses are used for storing boats that have a fuel efficiency rating greater than 95%; however, boathouses may also be used to store sailboats. Boathouses will not be used for storing any other type of items except boats and boat-related equipment. In addition, Boathouses shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All boathouses shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a boathouse shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a boathouse or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (d) Elevation Zone. A boathouse shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All boathouse constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. Boathouses shall be constructed utilizing composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials) -- products equivalent to Trex brand are preferred -- for decking, galvanized metal/iron/steel or aluminum (with a minimum color rating of AAMA 2604) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A boathouse shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the boathouse's cupola; however, in no case should a boathouse exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a boathouse will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. Boathouses shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Roof. A boathouse will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All boathouse roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. Boathouses shall not incorporate a deck or platform.



- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
- (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a *boathouse* should generally be located in line with the primary structure on the leasing property (*i.e. generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.
- (f) Setback Requirements. A *boathouse* must adhere to the following setbacks:
- (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



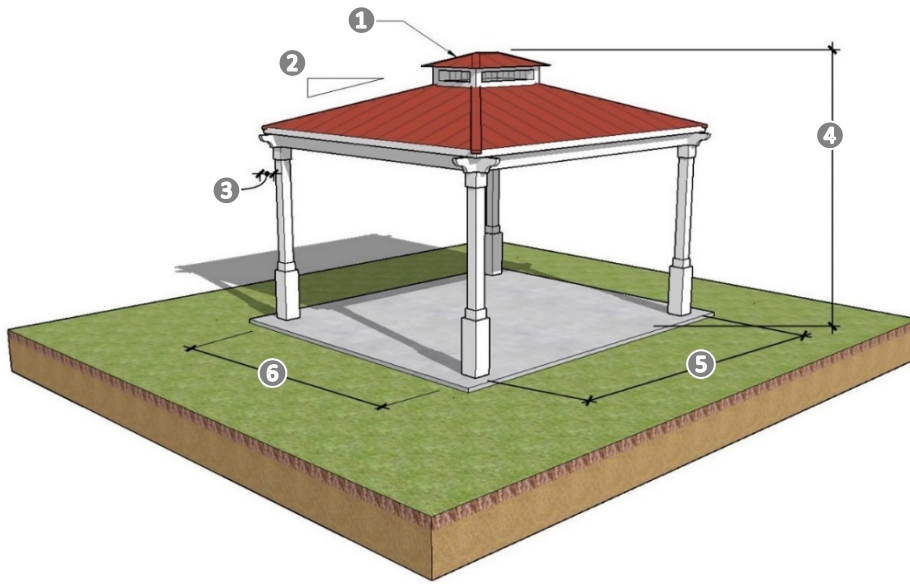
❶: 40-FOOT MAXIMUM; ❷: 13-FOOT MINIMUM TO 18-FOOT MAXIMUM; ❸: 16-FOOT MINIMUM TO 21-FOOT MAXIMUM; ❹: CATWALK (UNDERSTRUCTURE TO BE ABOVE THE 437.0-FOOT ELEVATION); ❺: CUPOLA; ❻: THREE (3) FEET BY FOUR (4) FEET; ❼: 435.5-FOOT NORMAL POOL ELEVATION; ❽: 1.5-FOOT MAXIMUM OVERHANG; ❾: 2:1 ROOF PITCH (HIP ROOF ONLY); ❿: SEAWALL.

### (3) Covered Patio.

- (a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A covered patio may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A covered patio shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
  - (1) Takeline Setback: 6-Feet (from the Concrete Cap of the Seawall)
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.

- (3) Emergency Response. The *covered patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.

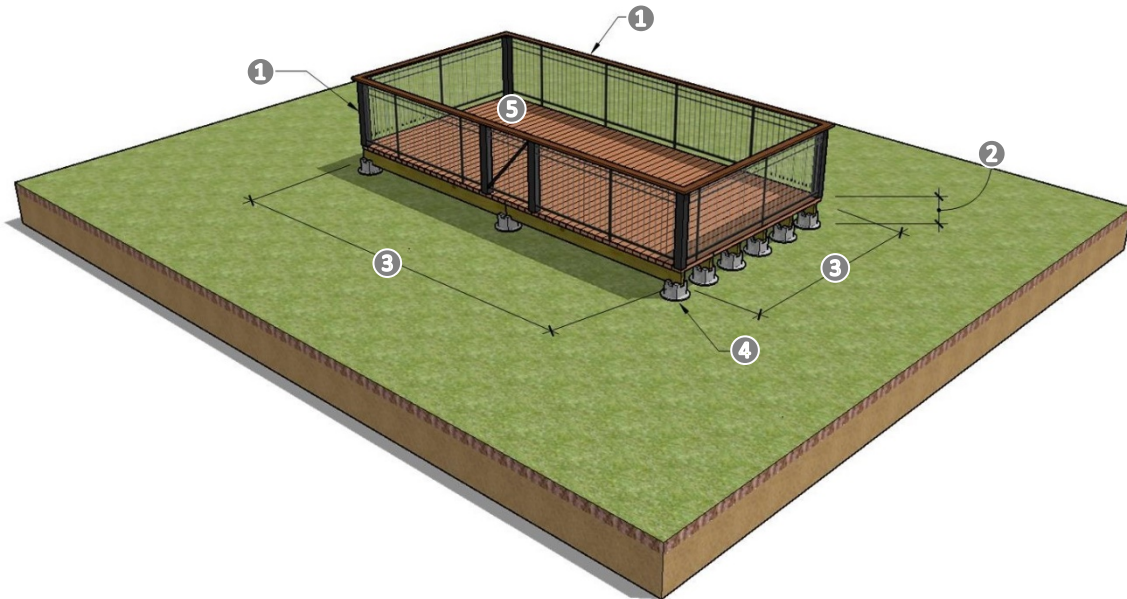


1: CUPOLA OR CLERESTORY; 2: 4:1 MINIMUM ROOF PITCH; 3: 18-INCHES MAXIMUM OVERHANG; 4: 15-FEET MAXIMUM HEIGHT; 5: 20-FEET MAXIMUM; 6: 12-FEET MAXIMUM;

(4) Deck.

- (a) Definition. A *deck* is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.
- (b) Prerequisites. A *deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *deck* shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted (see *Dock Deck* in [Subsection 06.15\(J\)\(5\)](#)).
- (d) Conditional Use Standards. A *deck* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
- (1) Building Materials. A *deck* must be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Handrails incorporated into a *deck* in the *438.0 Elevation Zone* shall be made of wrought iron or decorative metal. Handrails are not permitted in the *435.5 Elevation Zone*.
  - (2) Height. A *deck* shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A *deck* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A *deck* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Decks* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A *deck* shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed *deck*.
- (f) Setback Requirements. A *deck* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



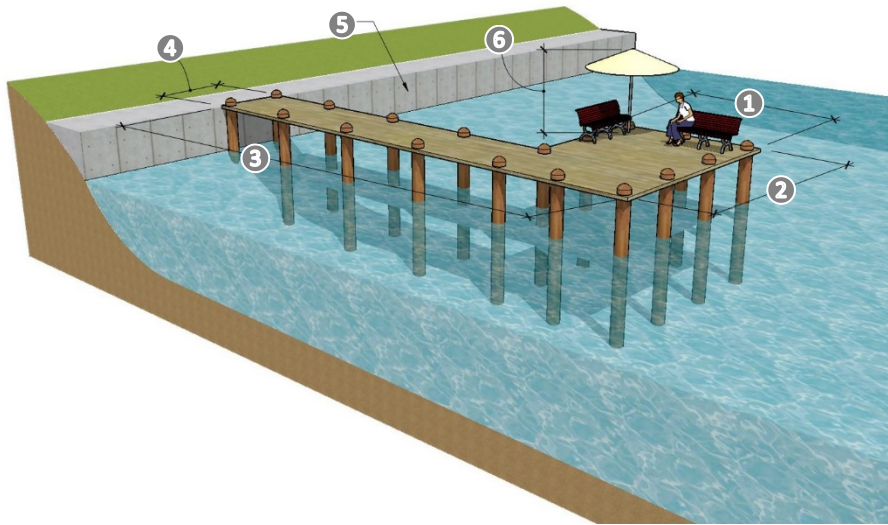
1: WROUGHT IRON OR DECORATIVE METAL; 2: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; 3: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; 4: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; 5: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more that 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *dock deck* shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.



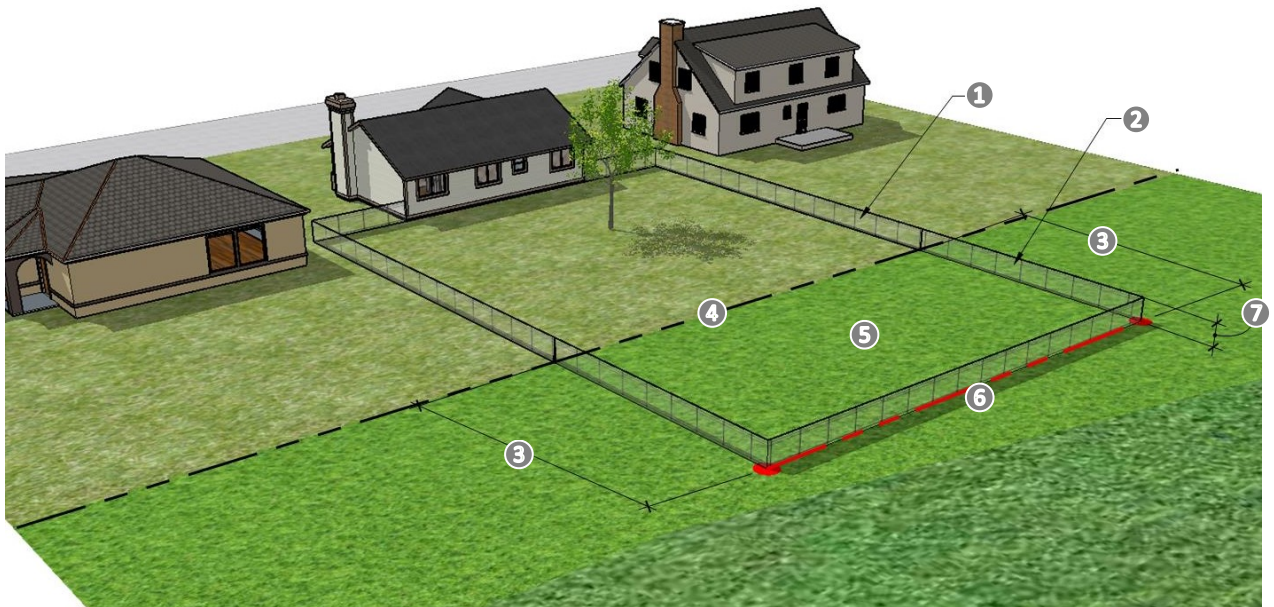
- (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
- (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (*i.e.* 80 SF) and a maximum of 12-feet by 30-feet (*i.e.* 360 SF). *Dock decks* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (*i.e.* 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.
- (f) Setback Requirements. A *dock deck* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *dock deck* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *dock decks* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *dock deck* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



①: MINIMUM OF TEN (10) FEET AND A MAXIMUM OF 30-FEET; ②: MINIMUM OF EIGHT (8) FEET AND A MAXIMUM OF 12-FEET; ③: 40-FOOT MAXIMUM; ④: SIX (6) FOOT MAXIMUM; ⑤: SEAWALL; ⑥: EIGHT (8) FOOT MAXIMUM;

(6) Fence.

- (a) Definition. A *fence* is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A fence may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A fence shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).

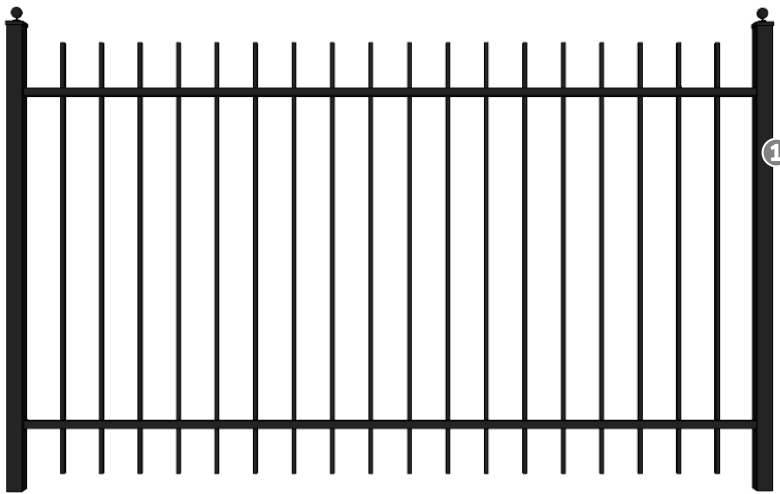


①: EXISTING RESIDENTIAL FENCE ON THE LEASING PROPERTY; ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45-FEET ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.

- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A fence must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



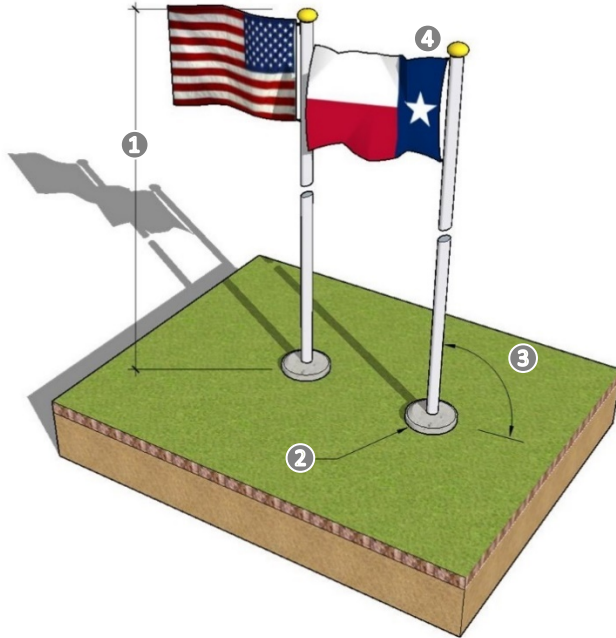
1: FOUR (4) FOOT WROUGHT IRON FENCE

- (7) Flagpole.
  - (a) Definition. A *flagpole* is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
  - (b) Prerequisites. A *flagpole* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A *flagpole* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A maximum of two (2) *flagpoles*, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
  - (e) Construction Standards.
    - (1) Building Materials. A *flagpole* shall *only* be constructed of either stainless steel or aluminum.
    - (2) Height. A *flagpole* shall not exceed a maximum height of 20-feet from grade.
    - (3) Size. At the ground base a *flagpole* shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
    - (4) Location. A *flagpole* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Flagpoles* shall not be placed in the view clear zone of a neighbor's view corridor.
  - (f) Setback Requirements. A *flagpole* must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *flagpole* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *flagpole* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *flagpole* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: MAXIMUM OF 20- FEET FROM GRADE; ②: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ③: MAINTAINED TO BE 90-DEGREES FROM GRADE; ④: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

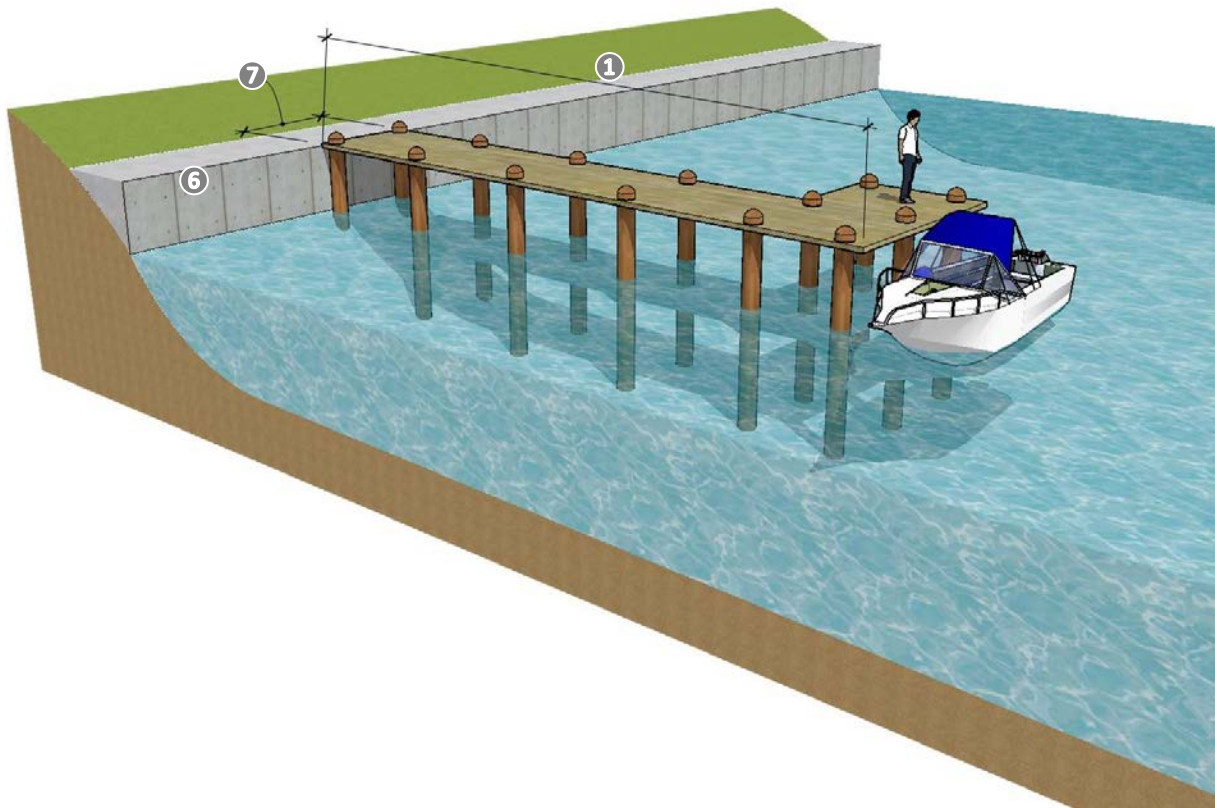
(8) Fixed Pier.

- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the lakeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see [Subsection 06.15\(J\)\(8\)\(h\)](#)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more that 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
  - (1) Building Materials. The catwalk and any benches built on these structures shall utilize only composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed*

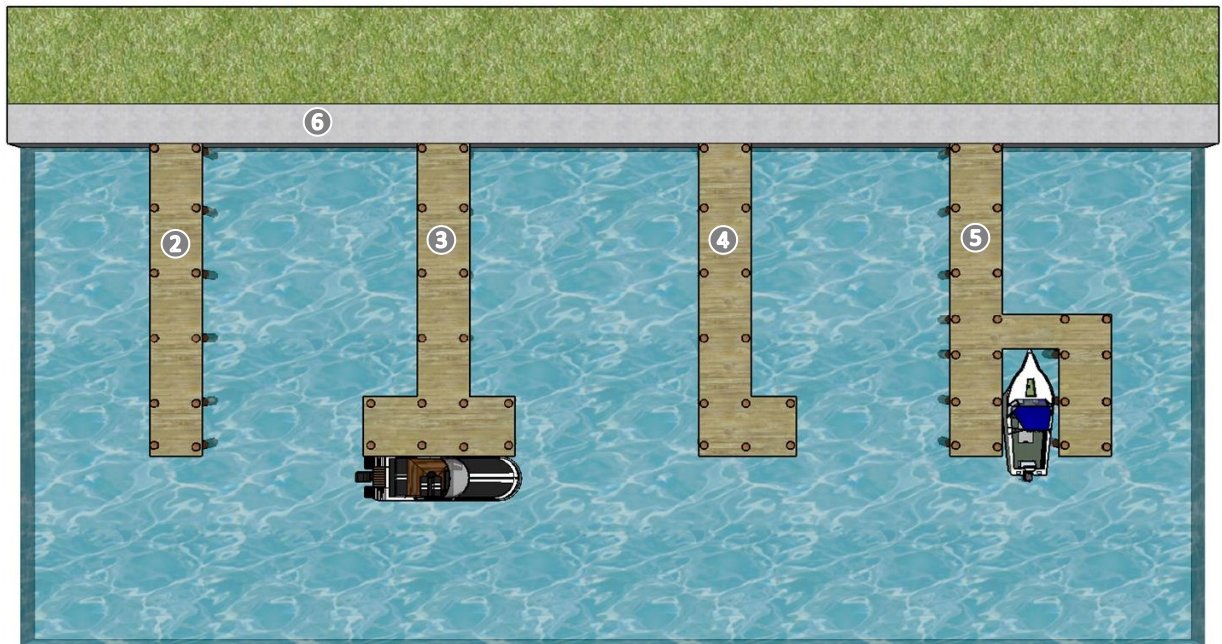


with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.

- (2) Height. No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) Size. The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a *fixed pier*.
- (5) Additional Construction Standards.
  - (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) Catwalks. The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) Location. View corridor restrictions do not apply to *fixed piers*.
- (f) Setback Requirements. A *fixed pier* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-feet
  - (2) Leased Side Yard Setback: 10-feet
  - (3) Maximum Distance from Seawall: 40-feet
- (g) Additional Requirements.
  - (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
  - (2) Compliance with Applicable Codes. A *fixed pier* must comply with all other applicable City of Rockwall codes.
  - (3) Address. All *fixed pier* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
  - (4) Easement Protection. No *fixed pier* shall encroach into an existing or identified future easement, right-of-way, access road, or path.
- (h) Visual Representation.



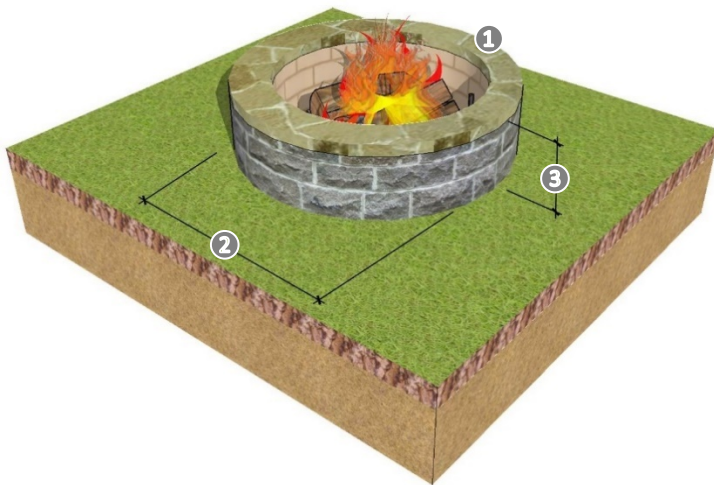
①: 40-FOOT MAXIMUM; ②: PIER IN AN 'I' SHAPE; ③: PIER IN 'T' SHAPE; ④: PIER IN A 'L' SHAPE; ⑤: PIER IN A 'U' SHAPE; ⑥: SEAWALL; ⑦: SIX (6) FOOT MAXIMUM



(9) Fire Pit.

- (a) Definition. A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).

- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *fire pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. *natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. The surround (i.e. *the area used to contain the fire*) for a *fire pit* must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A *fire pit* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *fire pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *fire pit* should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A *fire pit* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *fire pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *fire pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.

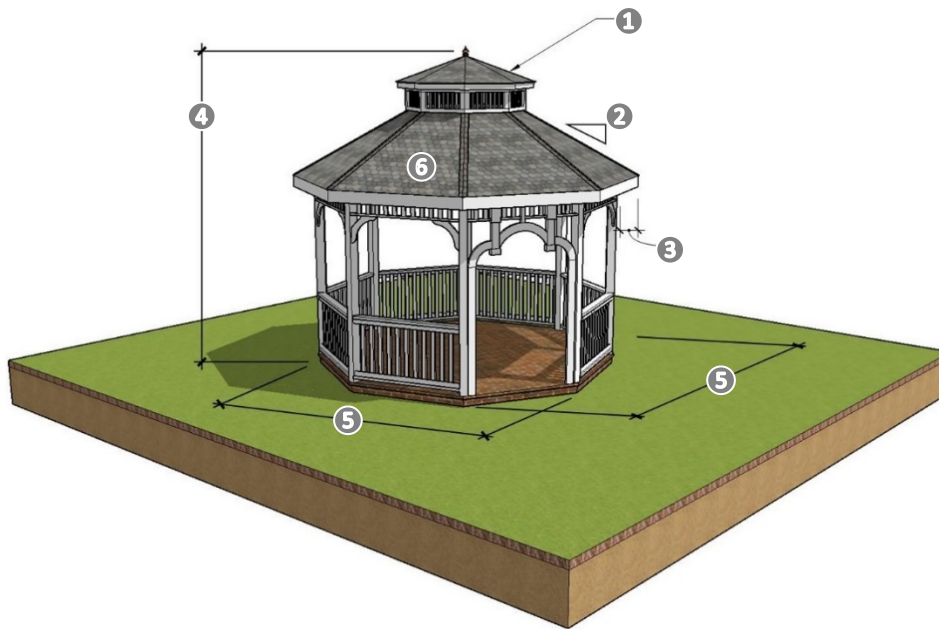


❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HEIGHT OF 36-INCHES OR THREE (3) FEET.

- (10) Gazebo.
- (a) Definition. A *gazebo* is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
  - (b) Prerequisites. A *gazebo* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. A *gazebo* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a *Seawall* has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A *gazebo* shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
  - (e) Construction Standards.
    - (1) Building Materials. A *gazebo* built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or

metal. The side trellis of the *gazebo* may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A *gazebo* built in the 435.5 Elevation Zone shall only be built out of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A *gazebo* will be constructed using steel reinforced concrete piers.

- (2) Height. A *gazebo* shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the *gazebo* shall be measured from grade to the vertex of the *gazebo*'s main roof or clerestory/cupola roof. In either case a *gazebo* shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A *gazebo* shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the *gazebo* shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the *gazebo* can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A *gazebo* located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. *Gazebos* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *gazebo* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *gazebo* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *gazebo* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *gazebo* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: CUPOLA OR CLERESTORY; ②: 2:1 MINIMUM ROOF PITCH; ③: 1.5-FOOT MAXIMUM OVERHANG; ④: 18-FEET MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FEET WITHOUT A CUPOLA OR CLERESTORY; ⑤: 12-FEET MAXIMUM; ⑥: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(11) Landing and Stairs.

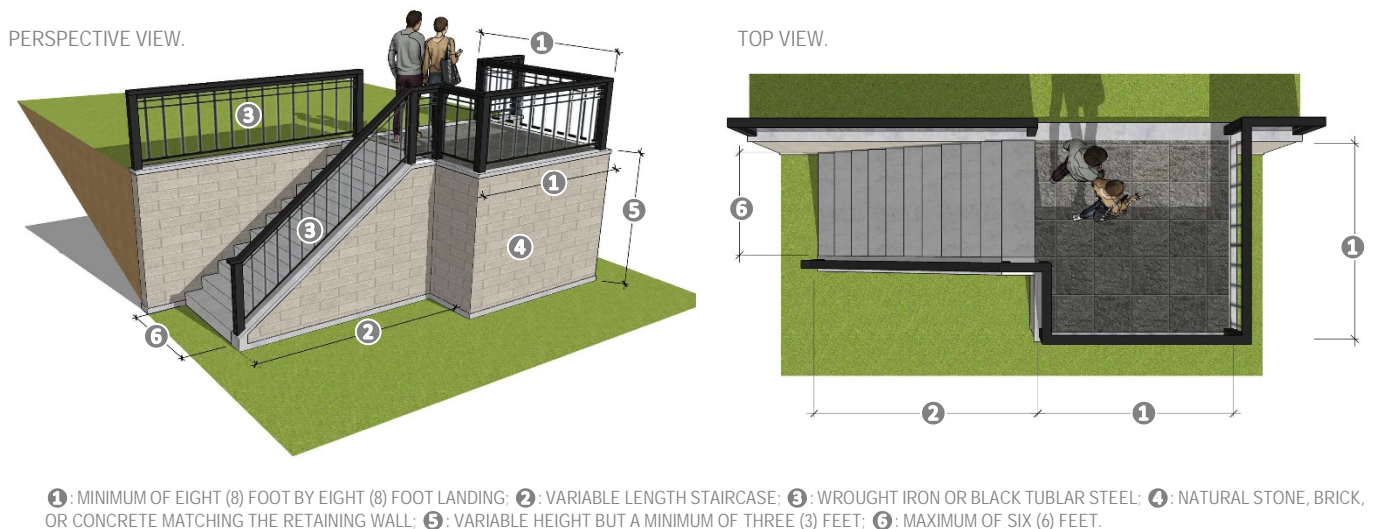
- (a) Definition. A *landing* is the area of a floor near the top or bottom step of a stair. A *stair* is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A *landing and stairs* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 or 425.5 Elevation Zones -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *landing and stairs* shall be allowed in the following zones:



- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a Seawall has been constructed).
- (3) 425.5: Permitted (if a Seawall has been constructed).

**NOTE:** A landing and stairs located in the 425.5 Elevation Zone is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 5-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a landing and stairs must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A landing and stairs must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

NOTE: Remedial landscaping in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. Landscaping and retaining walls shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. Landscaping shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is strictly prohibited. All landscaping must comply with the requirements of [Article 08, Landscaping and Fence Standards, of the Unified Development Code \(UDC\)](#). For information regarding planting or removing trees see [Subsection \(F\)\(4\)](#) above.

- (e) Construction Standards.

- (1) Building Materials. Retaining walls shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- *with the exception of using it as a base* --, and brick shall be prohibited.
- (2) Height. Retaining walls as part of landscaping will be limited to less than three (3) feet.
- (3) Location. Landscaping and retaining walls shall not hinder the view clear zone of an adjacent neighbor's view corridor. Landscaping shall not exceed six (6) feet in height in the view clear zone.

- (f) Setback Requirements. Retaining walls must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

- (g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of landscaping and retaining walls must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. Landscaping and retaining walls must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. Landscaping and retaining walls shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

- (a) Definition. Municipal utilities represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.
- (b) Elevation Zone. Municipal utilities shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Permitted.

- (c) Conditional Use Standards. All municipal utilities' infrastructure is permitted within the take area. Municipal utilities shall be placed underground.

- (d) Setback Requirements. Municipal utilities must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

- (e) Additional Requirements.

- (1) Compliance with Applicable Codes. Municipal utilities must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

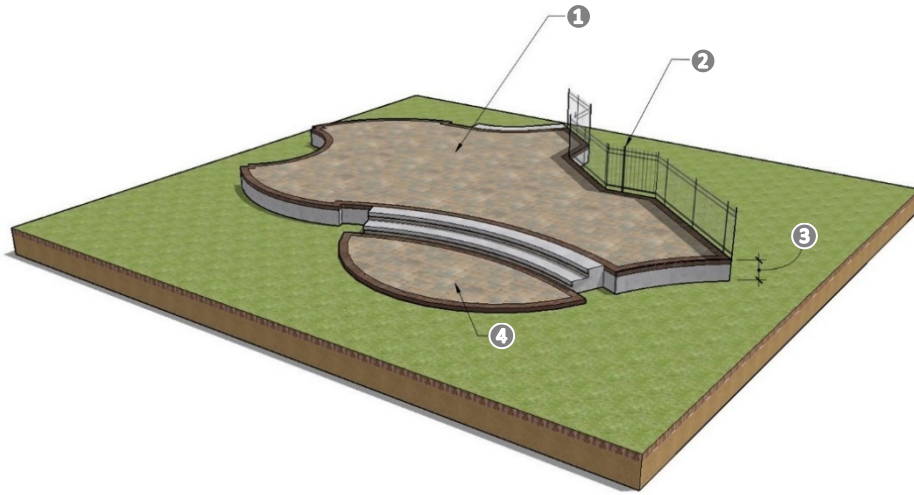
- (a) Definition. Outdoor lighting is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (b) Prerequisites. Outdoor lighting may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. Outdoor lighting shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted *outdoor lighting* allowed below the 438.0 Elevation Zone.

- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are *not* allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
  - (e) Photometric Plan. A photometric plan describing compliance with the provisions of [Article 07, Performance Standards, of the Unified Development Code \(UDC\)](#) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in [Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code \(UDC\)](#).
  - (f) Construction Standards.
    - (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
    - (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
    - (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
  - (g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 20-Feet
  - (h) Additional Requirements.
    - (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
    - (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
    - (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).
- (15) Patio.
- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
  - (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
  - (c) Elevation Zone. A *patio* shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted.
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.
  - (e) Construction Standards.

- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into a *patio* in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
  - (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
  - (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
  - (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *patio* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



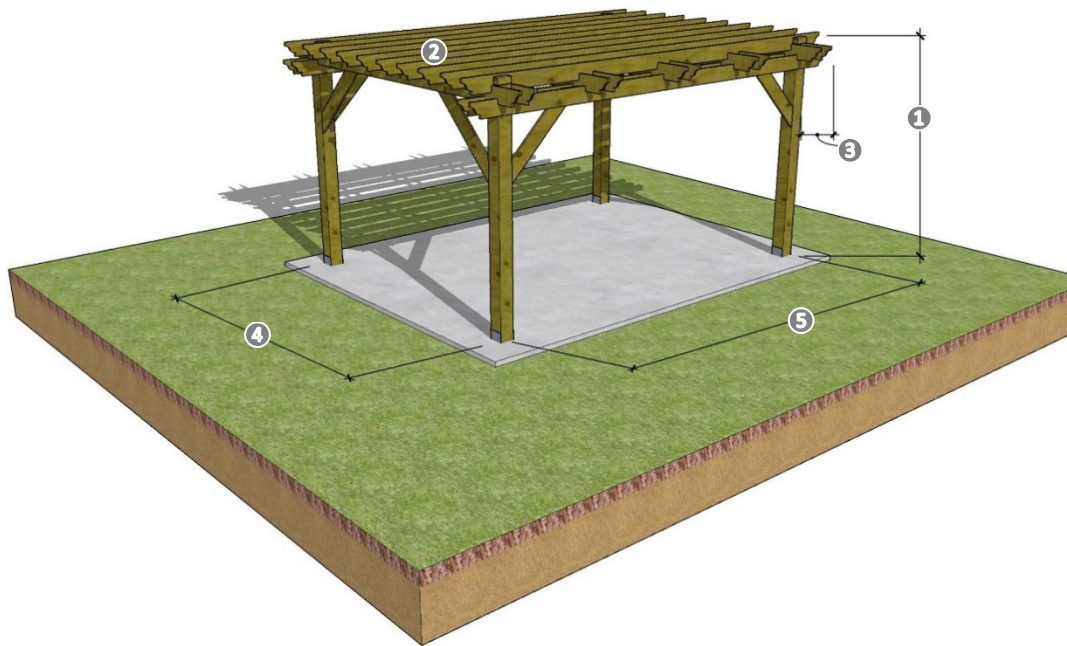
①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

- (a) Definition. A *pergola* is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.
- (b) Prerequisites. A *pergola* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *pergola* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *pergola* shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (6) Building Materials. A *pergola* constructed within the 438.0 Elevation Zone must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A *pergola* constructed within the 435.5 Elevation Zone must be constructed using composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.



- (7) Height. A *pergola* shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A *pergola* shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the *pergola* shall not have an overhang greater than 18-inches.
  - (10) Location. A *pergola* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Pergolas* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *pergola* must adhere to the following setbacks:
- (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (4) Earth Work. Earth work required for the construction of a *pergola* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A *pergola* must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The *pergola* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

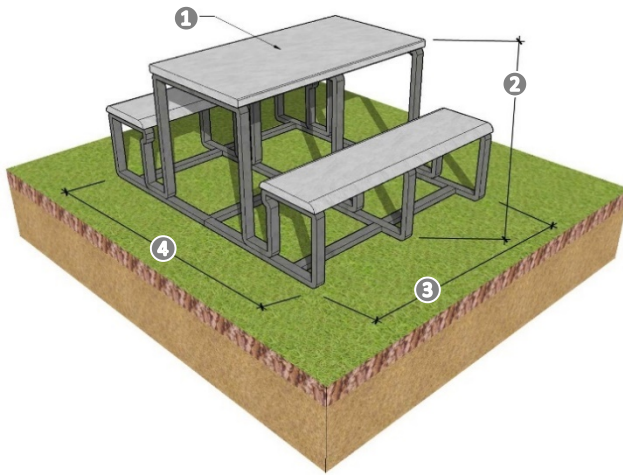


1: 12-FOOT MAXIMUM HEIGHT; 2: OPEN ROOF OF GIRDERS OR RAFTERS; 3: 1.5-FOOT MAXIMUM OVERHANG; 4: 12-FOOT MAXIMUM; 5: 20-FOOT MAXIMUM; 6: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. no roof covering) unless combined with a covered patio or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.

- (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

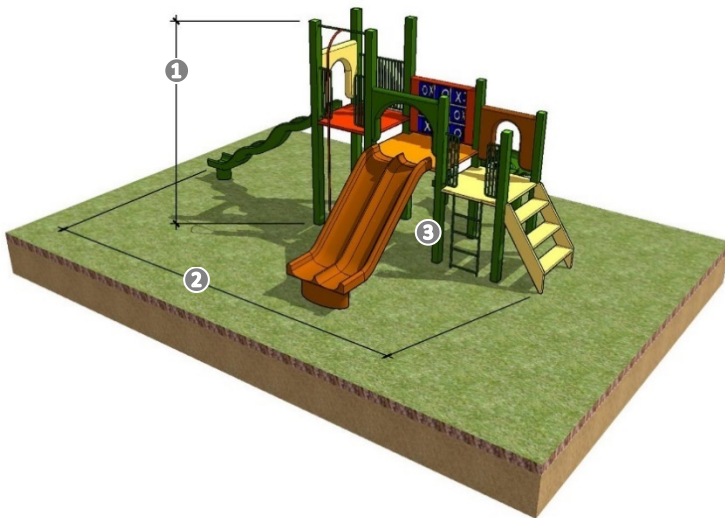


❶: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ❷: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ❸: EIGHT (8) FOOT MAXIMUM; ❹: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A *private play structure* shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a *private play structure* should blend and incorporate the same hues and tones of the surrounding landscaping.

- (2) Height. A private play structure shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All private play structures will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. Private play structures shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A private play structures must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a private play structures must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A private play structure must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The private play structure shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ②: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ③: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. Private utilities are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. Private utilities may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. Private utilities shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. Private utilities are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. Private utilities shall only be constructed out of materials permitted by the City's Engineering Department.
  - (2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (*i.e.* 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.

(f) Setback Requirements. *Private utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private utilities* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private utility* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private utility* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(20) Private Walkways.

- (a) Definition. *Private walkways* can be a single path or a network of paths installed by the leasing property owner in the takeline area.
- (b) Prerequisites. *Private walkways* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. *Private walkways* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private walkways* with steps are permitted (see *Landing and Stairs* in [Subsection 06.15\(J\)\(11\)](#)).
- (e) Construction Standards.

- (1) Building Materials. *Private walkways* shall be constructed using native stone, brick and/or rectangle pavers; however, *private walks* shall not consist of loose stone, gravel, sand, asphalt, or concrete.
- (2) Height. *Private walkways* shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
- (3) Size. *Private walkways* shall be no greater than 48-inches in width.
- (4) Location. *Private walkways* may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-foot wide, suitable for access, and will connect to adjacent access paths.

(f) Setback Requirements. *Private walkways* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 10-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A *seawall* is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A *seawall* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *seawall* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.



- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

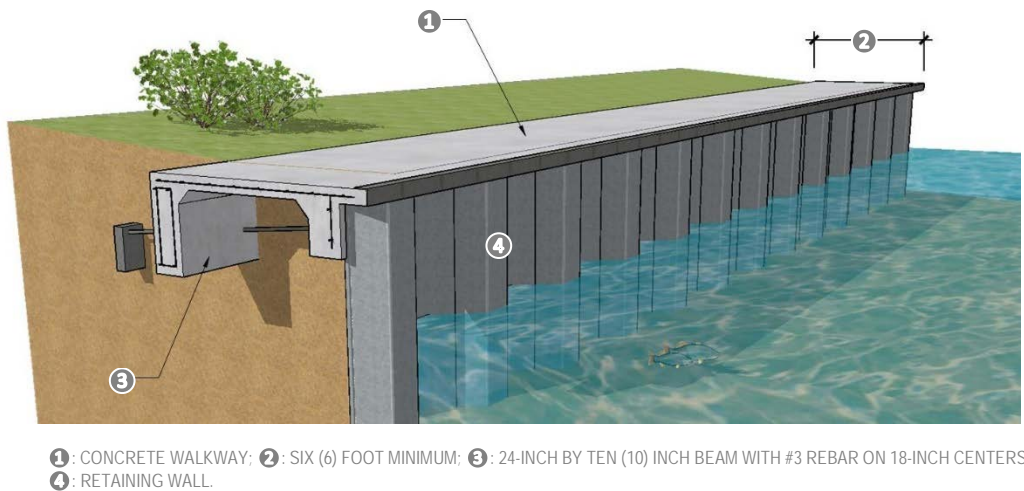
(d) Construction Standards.

- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.

(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *seawalls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *seawall* must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



(22) Sprinkler/Irrigation System.

- (h) Definition. A sprinkler/irrigation system is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A sprinkler/irrigation system may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (j) Elevation Zone. A sprinkler/irrigation system shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.

- (k) Conditional Use Standards. A sprinkler/irrigation system must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.

(l) Construction Standards.

- (1) Building Materials. A sprinkler/irrigation system shall only be constructed utilizing *Schedule 40 PVC* pipe.
- (2) Height. The heads of a sprinkler/irrigation system used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
- (3) Location. A sprinkler/irrigation system shall be allowed up to one (1) foot of the normal pool elevation shoreline (i.e. 435.5) provided no part of the system could potentially result in lake siltation erosion.

- (m) Setback Requirements. A sprinkler/irrigation system must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(n) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *sprinkler/irrigation system* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *sprinkler/irrigation system* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a *sprinkler/irrigation system* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

## SUBSECTION 07.05: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE <a href="#">SUBSECTION 06.15(J)</a>	PRE-REQUISITES L: SEAWALL, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	<a href="#">(1)</a>	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	<a href="#">(2)</a>	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	<a href="#">(3)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5 &amp; 18</sup>	<a href="#">(4)</a>	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILING
DOCK DECK <sup>2 &amp; 5</sup>	<a href="#">(5)</a>	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	<a href="#">(6)</a>	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	<a href="#">(7)</a>	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	<a href="#">(8)</a>	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	<a href="#">(9)</a>	L & S <sup>16</sup>	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	<a href="#">(10)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15'/18' <sup>7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	<a href="#">(11)</a>	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5 &amp; 18</sup>	<a href="#">(15)</a>	L	P	P	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	<a href="#">(16)</a>	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	<a href="#">(17)</a>	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	<a href="#">(18)</a>	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	<a href="#">(20)</a>	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	<a href="#">(22)</a>	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROEPRTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES (IF PERMITTED IN THE ZONE). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1. <sup>7</sup> : SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK.					
MUNICIPAL UTILITIES	<a href="#">(13)</a>	NONE	P	P	P						
OUTDOOR LIGHTING	<a href="#">(14)</a>	L	P	X	X						
PRIVATE UTILITIES	<a href="#">(19)</a>	L	P	P	X						
SEAWALL	<a href="#">(21)</a>	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	<a href="#">(22)</a>	L	P	P	X						

<sup>8</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN FOUR (4) POLE STRUCTURES ALLOWED.

<sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.

<sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.

<sup>11</sup>: REQUIRES A HIP OR GABLE ROOF OR A HIP AND/OR GABLE ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.

<sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.

<sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.

<sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVREAGE BASE OF THE SURROUND TERRIAN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.

<sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.

<sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.

<sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.

<sup>18</sup>: HANDRAILS ARE PROBITED IN THE 435.5 ELEVATION ZONE.

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT, AND CREATING SECTION 07.05, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [Ordinance No. 20-02] has been initiated by the City Council of the City of Rockwall to amend Section 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, and create Section 07.05, *Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02]; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That Section 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

**SECTION 2.** That Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, shall be amended to create Section 07.06, *Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards*, as described in *Exhibit 'B'* of this ordinance;

**SECTION 3.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 4.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 04-38], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;



**SECTION 5.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
THE 4<sup>TH</sup> DAY OF JANUARY, 2021.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* December 21, 2020

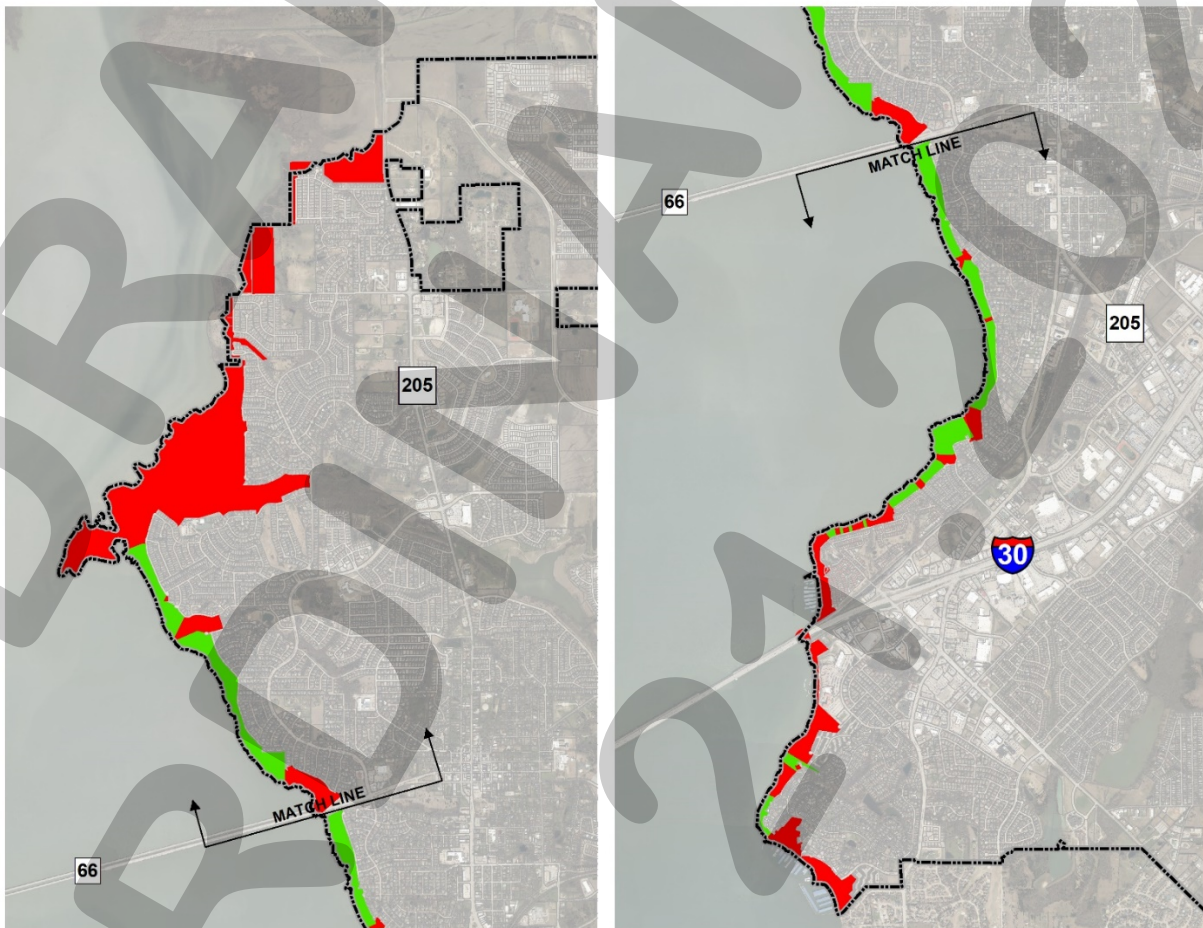
*2<sup>nd</sup> Reading:* January 4, 2021

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (A) Purpose. The purpose of the Lake Ray Hubbard Takeline Overlay (TL OV) District is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (adopted by the City of Dallas), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (i.e. Garland, Rockwall, and Rowlett) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) Boundaries. The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas Takeline as shown on the boundary map for Lake Ray Hubbard (i.e. File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map) and the meandering of the contour line 435.5-foot sea level elevation. In addition, Figure 27: Elevation Contours, shows the elevation zones used to delineate where certain land uses are permitted.

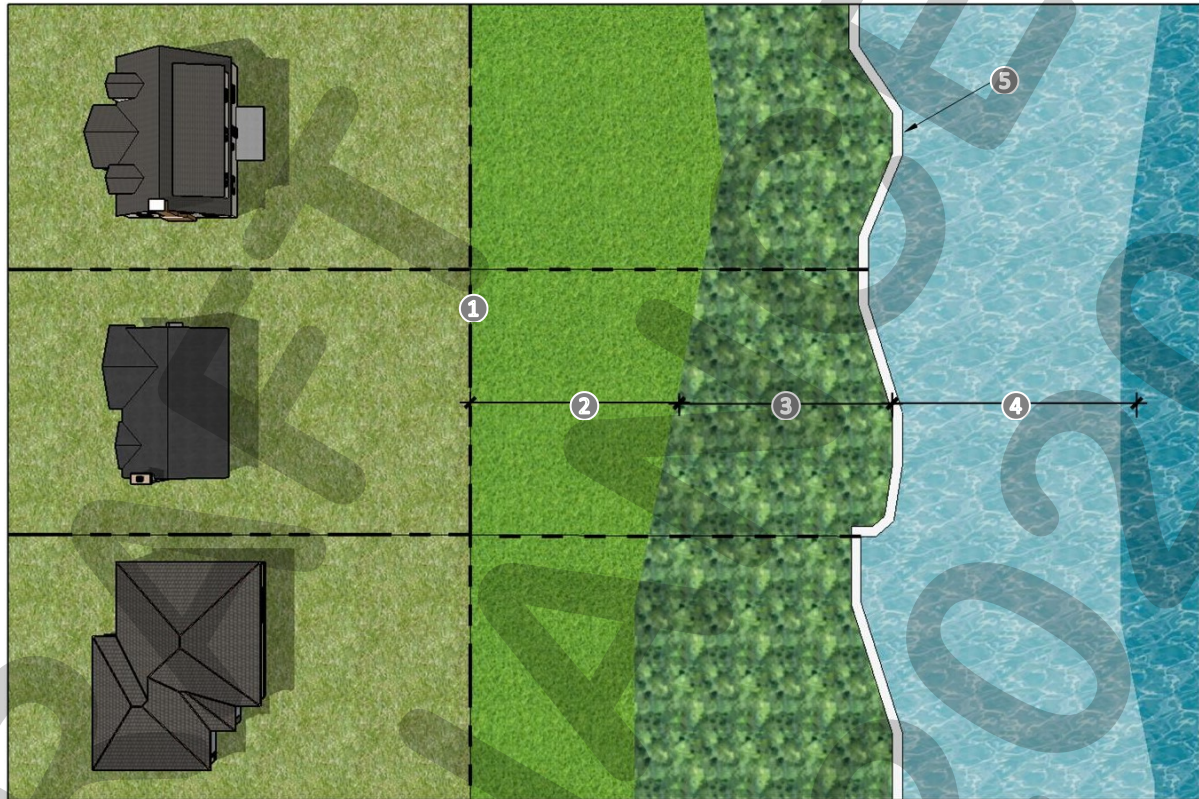
FIGURE 26: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP



RED: NON-LEASEABLE PROPERTY; GREEN: LEASABLE PROPERTY

**Exhibit 'A'**  
Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
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FIGURE 27: ELEVATION CONTOUR ZONES



❶: REAR PROPERTY LINE/TAKE LINE; ❷: 438.0 ELEVATION ZONE; ❸: 435.5 ELEVATION ZONE; ❹: 425.5 ELEVATION ZONE; ❺: SEAWALL;

(C) Applicability.

(1) Applicable Lots. The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in *Figure 26: Lake Ray Hubbard Takeline Overlay (TL OV) District Map* above.

(2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in *Subsection 06.15(B)(1)* above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to *Subsection (J), Specifications for Permitted Land Uses*. In addition, the following terms shall be defined as follows:

- (1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.
- (2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. parcel boundaries).
- (3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.



**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.
- (5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. fireplace, furniture, plumbing, bathing facilities, and cooking facilities). Structures allowed by this section shall not be habitable structures and may not contain such amenities.
- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (i.e. property at or below an elevation of 435.5-feet mean sea level).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (e.g. a slip) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
- (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (i.e. 435.5-feet mean sea level).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
- (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (i.e. 435.5-feet mean sea level).
- (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
- (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
- (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see Figure Subsection (E): Visual Measurements for View Corridors).
- (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see Figure 28: Visual Measurements for View Corridors).
- (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
  - (a) Motorized Boat. A boat propelled by an internal combustion engine.
  - (b) Sail Boat. A boat with a mast and sail propelled by the wind.

(E) Visual Measurements for View Corridors.

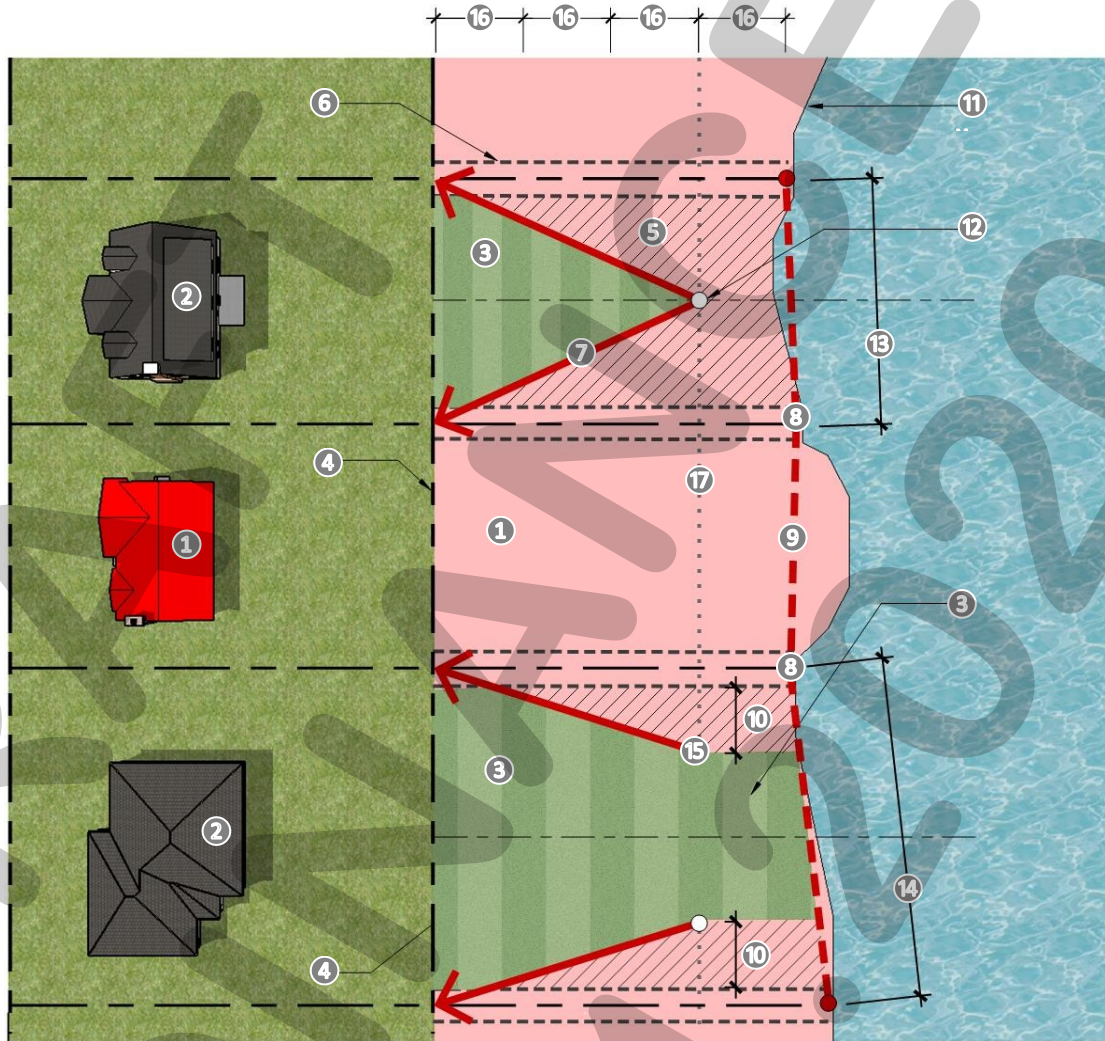


**Exhibit 'A'**  
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of**  
**Article 05, Development Standards, of the**  
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- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (*i.e. 435.5-foot mean sea level*), and connecting these two (2) points in a straight line (*see Figure 28: Visual Measurements for View Corridors*). Based on this linear measurement, the view clear zones are determined by the following:
- (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with Subsection (F)(2)(d).
- (b) Lots That Have More 100-Feet or More Shoreline Frontage. The view corridor for lots that have 100-feet or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (*i.e. 25%*) line projected from the shoreline frontage line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with Subsection (F)(2)(d).

**Exhibit 'A'**  
Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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FIGURE 28: VISUAL MEASUREMENTS FOR VIEW CORRIDORS

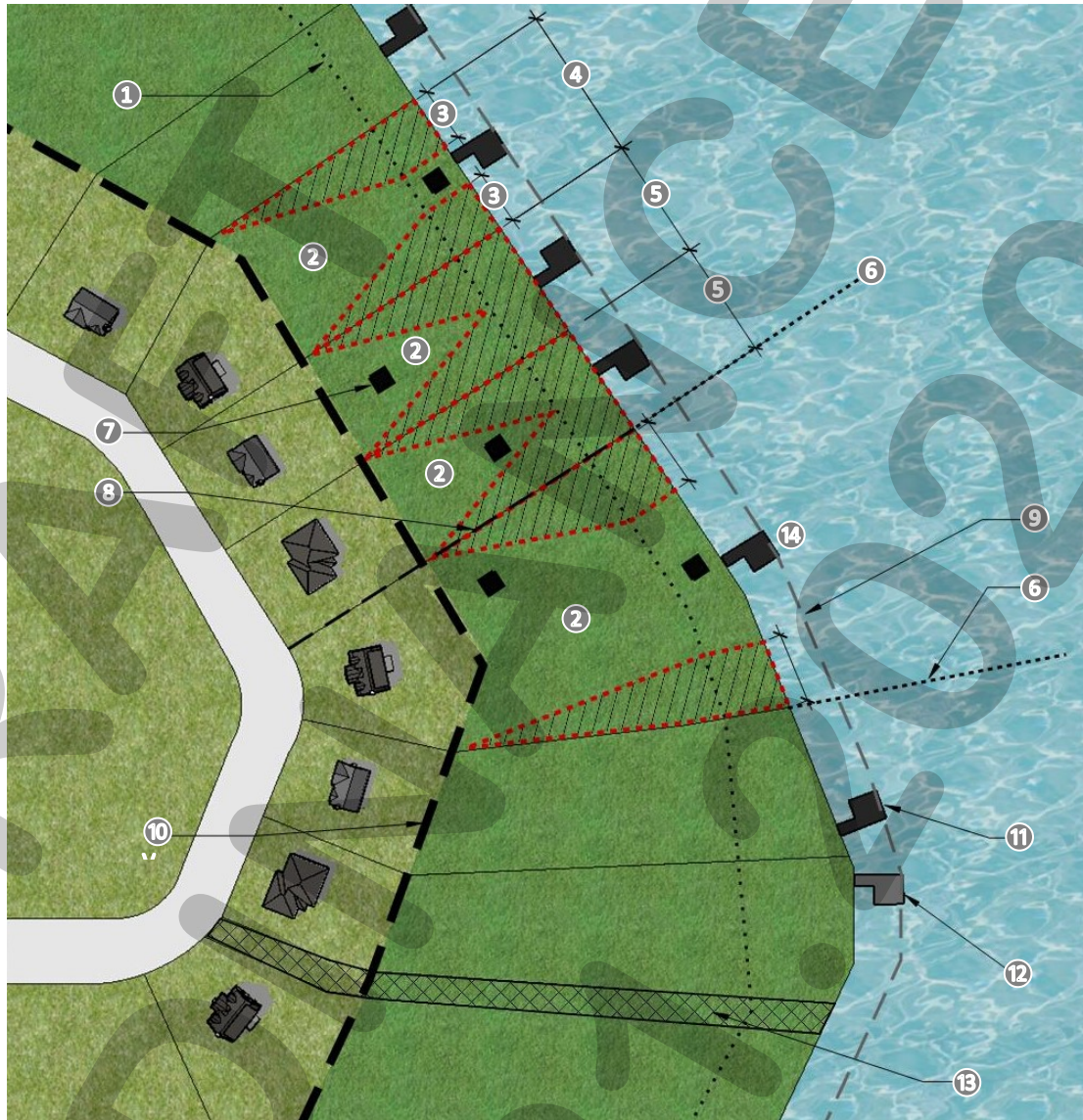


①: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); ②: NEIGHBORING PROPERTY; ③: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); ④: REAR PROPERTY LINE/TAKELINE; ⑤: VIEW CLEAR ZONE (LINED AREA); ⑥: LEASE AREA SIDE YARD SETBACK; ⑦: VIEW PRESERVATION ANGLE; ⑧: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; ⑨: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] ③ POINTS IN A STRAIGHT LINE); ⑩: 30-FOOT; ⑪: SHORELINE; ⑫: CENTER POINT AT THE QUARTER DISTANCE LINE; ⑬: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100- FEET; ⑭: A LOT WITH A SHORELINE FRONTAGE 100- FEET OR MORE; ⑮: 30-FOOT POINT ON THE QUARTER DISTANCE LINE; ⑯: 25% OF THE TAKELINE AREA; ⑰: QUARTER DISTANCE LINE.



**Exhibit 'A'**  
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of**  
**Article 05, Development Standards, of the**  
**Unified Development Code (UDC)**

FIGURE 29: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



①: QUARTER DISTANCE LINE; ②: BUILDABLE AREA; ③: 30-FOOT; ④: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOOT OR MORE; ⑤: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOOT; ⑥: LEASE AREA'S PROJECTED SIDE YARD; ⑦: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; ⑧: LEASE AREA'S SIDE YARD; ⑨: 40-FOOT BUILDING LINE; ⑩: REAR PROPERTY LINE/TAKELINE; ⑪: EXISTING BOATHOUSE; ⑫: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; ⑬: DRAINAGE EASEMENT; ⑭: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

(1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (J), Specifications for Permitted Land Uses that exceeds six [6] feet in height):

- (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
- (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (J), Specifications for Permitted Land Uses that exceeds six [6] feet in height):
- (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (J), Specifications for Permitted Land Uses.
  - (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (J), Specifications for Permitted Land Uses.
  - (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
  - (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in Subsection (J), Specifications for Permitted Land Uses, and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a Treescape Plan showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines and Requirements, and [2] they are not located within the view clear zone outlined Subsection (E), Visual Measurements. The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.
  - (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with Subsection 06.15(J)(6).
- (G) Residential Sublease Agreement. A Residential Sublease Agreement is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A Residential Sublease Agreement shall be required to build certain structures within the takeline area. It shall be a violation of the zoning



**Exhibit 'A'**  
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of**  
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code to build or maintain a structure in the takeline area without a valid *Residential Sublease Agreement*. An owner in violation of this section shall be subject to the requirements of Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code (UDC). The following shall be the costs associated with a *Residential Sublease Agreement*:

Lease	Fees
New Lease ( <i>i.e. New Never Leased by Current Owner</i> ) <sup>2</sup>	\$200.00
Annual Renewal of a Lease	\$100.00
Change of Ownership of a Valid Lease	\$50.00
Reinstatement of an Expired Lease ( <i>i.e. Same Property Owner</i> ) <sup>3</sup>	\$500.00

**NOTES:**

- <sup>1</sup>: To be subject to these new fees, a new lease entered into after January 4, 2021 will be required (*i.e. the effective date of the amendment adopting these fees*).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.
- <sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.

- (H) Permitted Uses. All of the uses permitted within the *Lake Ray Hubbard Takeline Overlay (TL OV) District* shall adhere to all other applicable codes and permitting requirements of the City of Rockwall. For a list of permitted land uses see Subsection (J), Specifications for Permitted Land Uses, or Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards.
- (I) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in Subsection (J), Specifications for Permitted Land Uses or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by Subsection (J), Specifications for Permitted Land Uses; however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in Subsection (J), Specifications for Permitted Land Uses, or Subsection (F), General Requirements, is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in Subsection (E), Visual Measurements. A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in Subsection (J), Specifications for Permitted Land Uses, (*e.g. jet ski lift*) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.
- (J) Specifications for Permitted Land Uses. See Subsection 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, for a summary of the development standards for each of the following conditional uses.
- (1) Barbecue Pit.
- (a) Definition. A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted (*for Fire Pit see Subsection 06.15(J)(9)*).
- (b) Prerequisites. A barbecue pit may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A barbecue pit shall be allowed in the following zones:
- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A barbecue pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (*i.e. natural gas or propane*).
- (e) Construction Standards.
- (1) Building Materials. A barbecue pit must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.
- (2) Height. A barbecue pit shall not exceed a maximum of six (6) feet in height.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.
- (f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



- ❶: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH;  
❷: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH;  
❸: A MAXIMUM OF SIX (6) FEET;

- (2) Boathouse.
- (a) Definition. A *boathouse* is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
  - (b) Prerequisites. A *boathouse* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
  - (c) Conditional Use Standards. *Boathouses* are used for storing boats that have a fuel efficiency rating greater than 95%; however, boathouses may also be used to store sailboats. *Boathouses* will not be used for storing any other type of items except boats and boat-related equipment. In addition, *Boathouses* shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All *boathouses* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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decided by a structural engineer; however, a *boathouse* shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a *boathouse* or catwalk must be placed in an orderly manner that allows for the safe movement of people.

(d) Elevation Zone. A *boathouse* shall be allowed in the following zones:

- (1) 438.0: Not Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All *boathouse* constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. *Boathouses* shall be constructed utilizing composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials*) -- *products equivalent to Trex brand are preferred* -- for decking, galvanized metal/iron/steel or aluminum (*with a minimum color rating of AAMA 2604*) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellant sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A *boathouse* shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the *boathouse's* cupola; however, in no case should a *boathouse* exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a *boathouse* will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. *Boathouses* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Roof. A *boathouse* will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3) feet by four (4) feet. All *boathouse* roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. *Boathouses* shall not incorporate a deck or platform.
- (5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.
- (6) Additional Construction Standards.
  - (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
  - (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
  - (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
  - (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue,

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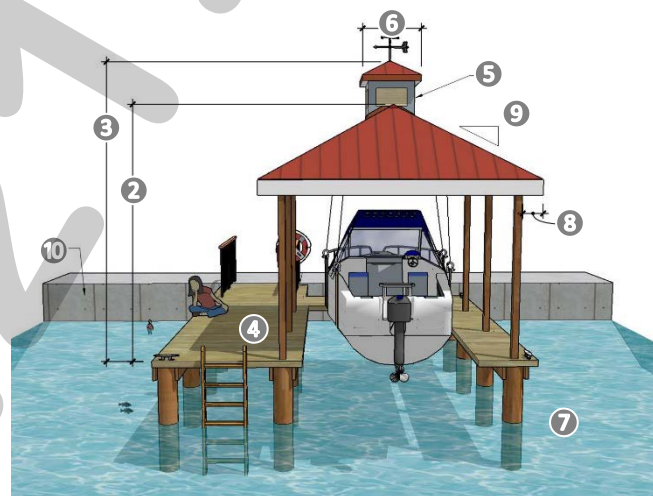
(7) Location. All *boathouses* are required to be located in the water of the *Lake*. View corridor restrictions do not apply to *boathouses*; however, a *boathouse* should generally be located in line with the primary structure on the leasing property (*i.e. generally centered on the lot*). *Boathouses* shall not be designed to prevent or restrict public access to any portion of water within the *Lake*.

- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *boathouse* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.
- (2) Compliance with Applicable Codes. A *boathouse* must comply with all other applicable City of Rockwall codes.
- (3) Address. All *boathouses* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No *boathouse* shall encroach into an existing or identified future easement, right-of-way, access road, or path.

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(3) *Covered Patio.*



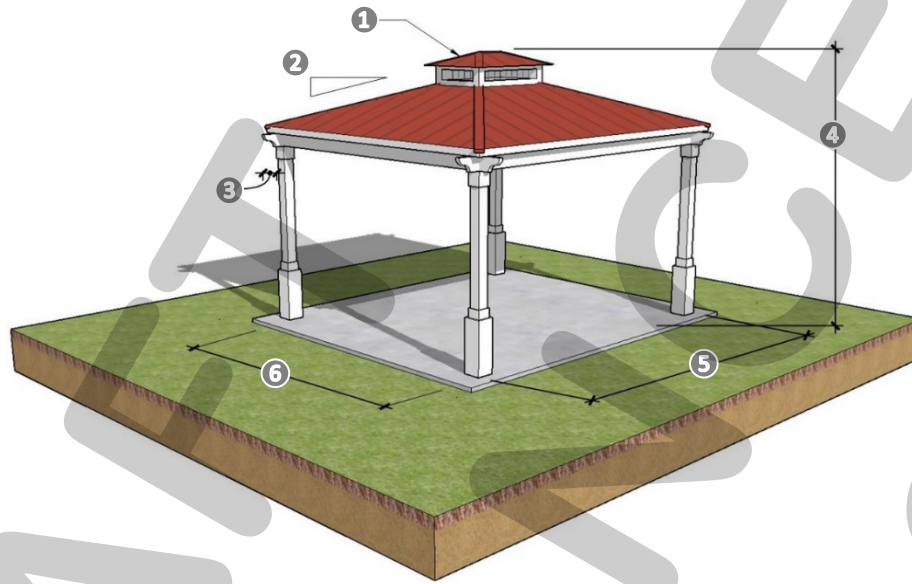
**Exhibit 'A'**

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- (a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.
- (b) Prerequisites. A covered patio may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A covered patio shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.
  - (3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.
  - (5) Location. A covered patio located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A covered patio must adhere to the following setbacks:
- (1) Takeline Setback: 6-Feet (*from the Concrete Cap of the Seawall*)
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The covered patio shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

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❶: CUPOLA OR CLERESTORY; ❷: 4:1 MINIMUM ROOF PITCH; ❸: 18-INCHES MAXIMUM OVERHANG; ❹: 15-FEET MAXIMUM HEIGHT; ❺: 20-FEET MAXIMUM; ❻: 12-FEET MAXIMUM;

(4) Deck.

- (a) Definition. A *deck* is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.
- (b) Prerequisites. A deck may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A deck shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted (see Dock Deck in Subsection 06.15(J)(5)).
- (d) Conditional Use Standards. A deck shall not incorporate walls or other none transparent structures to function as handrails or counter space.
- (e) Construction Standards.
  - (1) Building Materials. A deck must be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Handrails incorporated into a deck in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
  - (2) Height. A deck shall not exceed a maximum height of 24-inches above grade.
  - (3) Size. A deck shall not exceed a maximum area of 1,000 SF.
  - (4) Location. A deck located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Decks shall not be placed in the view clear zone of a neighbor's view corridor.
  - (5) Foundation. A deck shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed deck.
- (f) Setback Requirements. A deck must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet

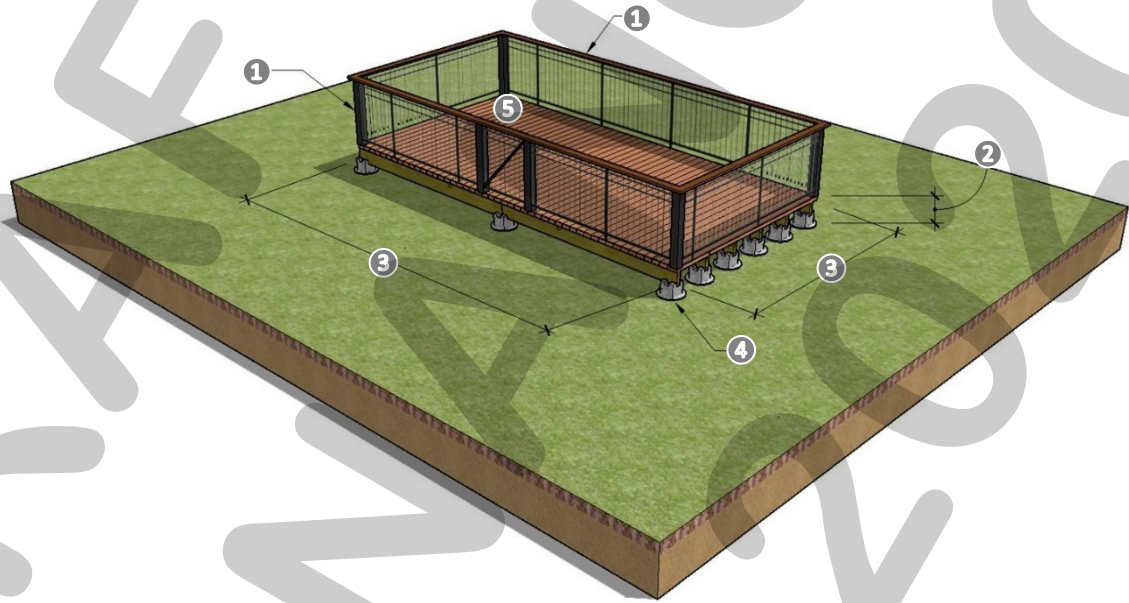
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(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *deck* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *deck* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *deck* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: WROUGHT IRON OR DECORATIVE METAL; ②: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; ③: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; ④: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; ⑤: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A *dock deck* is a flat floor surface area built over the water adjoining the end of a *fixed pier*.
- (b) Prerequisites. A *dock deck* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed *fixed pier*.
- (c) Elevation Zone. A *dock deck* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a *dock deck*. A watercraft is only allowed to moor at any portion of a *dock deck* for no more than 156-consecutive hours during any given week. All *dock decks* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *dock deck* shall not be designed to prevent public access to an area of water. *Dock decks* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories

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placed on the flat surface of a *dock deck* or catwalk must be placed in an orderly manner that allows for the safe movement of people.

(e) Construction Standards.

- (1) Building Materials. The catwalk and/or *dock deck* and any benches built on these structures shall utilize only composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*). Any railings built on a *dock deck* shall be constructed of composite materials (e.g. *wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or steel tubing railings. *Dock decks* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Dock decks* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *dock decks* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
- (2) Height. No pole structures incorporated into a *dock deck* shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
- (3) Size. The footprint of the exterior sides of a *dock deck* adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (i.e. 80 SF) and a maximum of 12-feet by 30-feet (i.e. 360 SF). *Dock decks* shall not extend more that 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a *dock deck* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a *dock deck*.
- (5) Additional Construction Standards.

- (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
- (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
- (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

- (6) Location. View corridor restrictions do not apply to *dock decks*. *Dock decks* shall not be allowed on land.

(f) Setback Requirements. A *dock deck* must adhere to the following setbacks:

- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

(g) Additional Requirements.

- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *dock deck* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas,



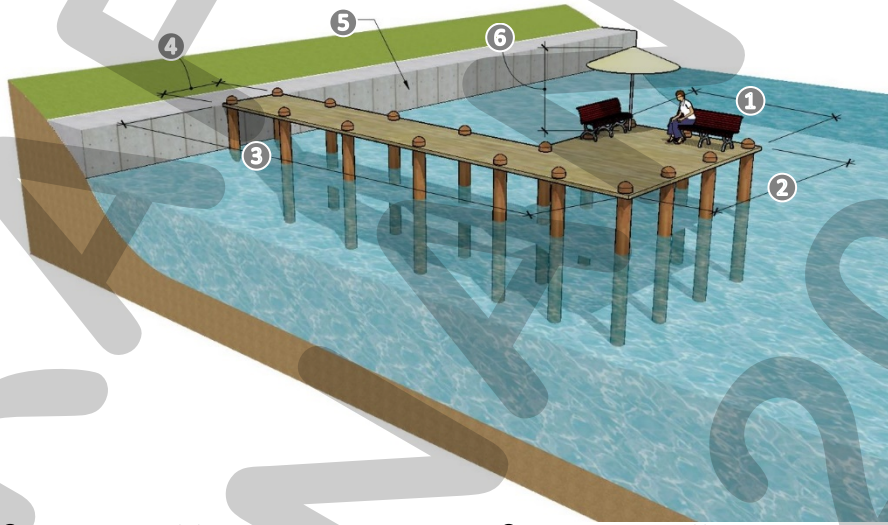
### Exhibit 'A'

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US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

- (2) Compliance with Applicable Codes. A dock deck must comply with all other applicable City of Rockwall codes.
- (3) Address. All dock decks shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No dock deck shall encroach into an existing or identified future easement, right-of-way, access road, or path.

(h) Visual Representation.

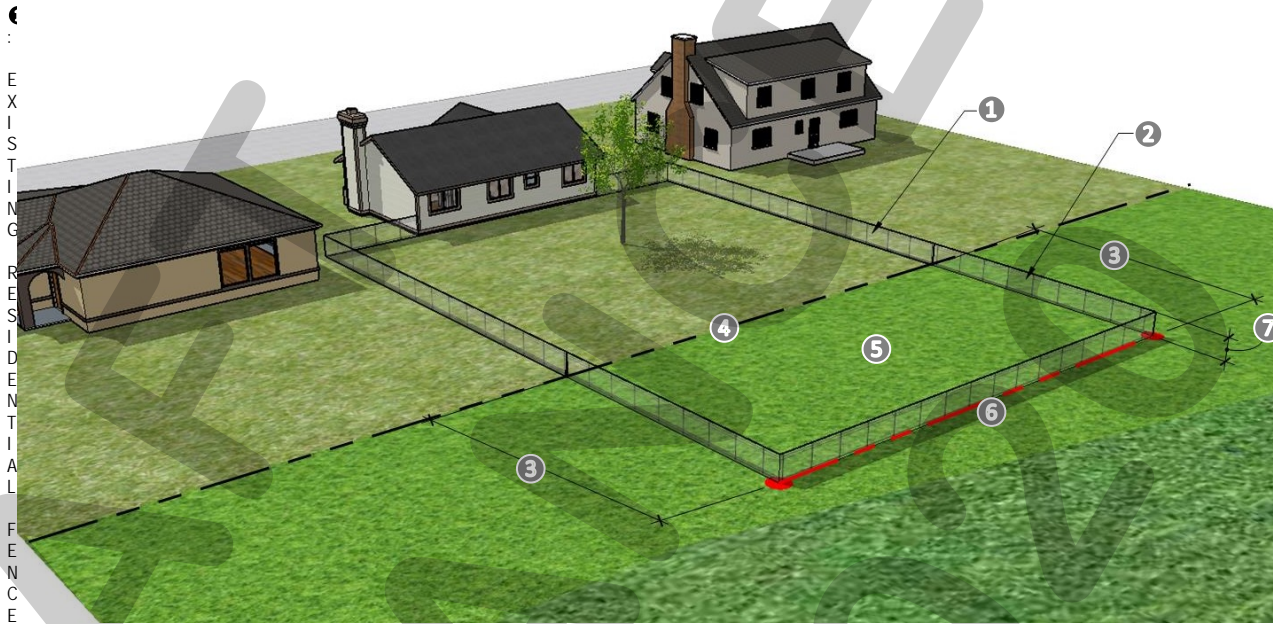


❶: MINIMUM OF TEN (10) FEET AND A MAXIMUM OF 30-FEET; ❷: MINIMUM OF EIGHT (8) FEET AND A MAXIMUM OF 12-FEET; ❸: 40-FOOT MAXIMUM; ❹: SIX (6) FOOT MAXIMUM; ❺: SEAWALL; ❻: EIGHT (8) FOOT MAXIMUM;

(6) Fence.

- (a) Definition. A fence is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.
- (b) Prerequisites. A fence may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A fence shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the *Takeline* corners (i.e. the rear property line corners of the property leasing the take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).

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Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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ON THE LEASING PROPERTY: ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45-FEET ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall only be constructed of wrought iron or black tubular steel.
- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.

(f) Setback Requirements. A fence must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

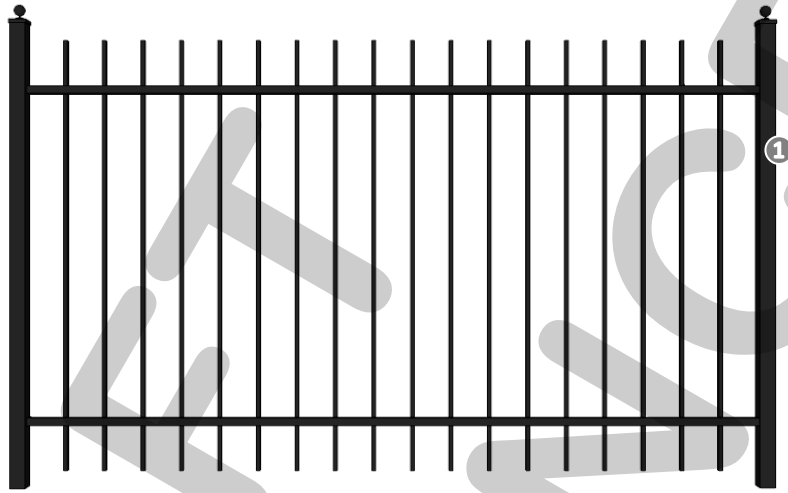
(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.

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❶: FOUR (4) FOOT WROUGHT IRON FENCE

(7) Flagpole.

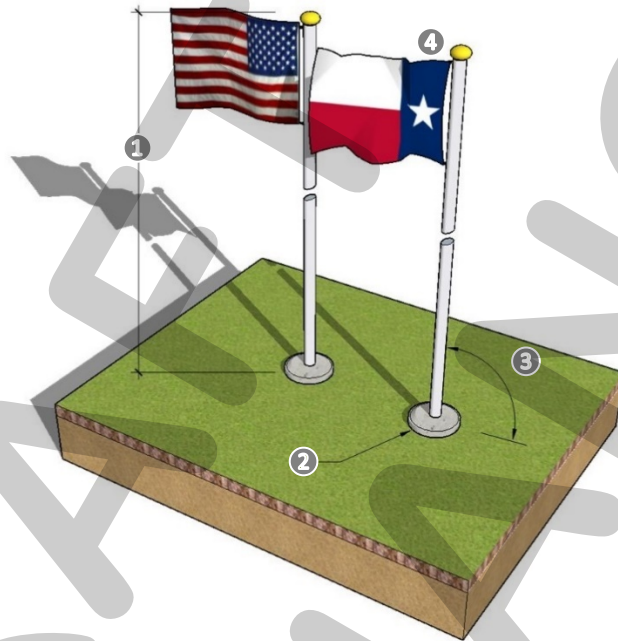
- (a) Definition. A flagpole is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.
- (b) Prerequisites. A flagpole may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A flagpole shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A maximum of two (2) flagpoles, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.
- (e) Construction Standards.
  - (1) Building Materials. A flagpole shall only be constructed of either stainless steel or aluminum.
  - (2) Height. A flagpole shall not exceed a maximum height of 20-feet from grade.
  - (3) Size. At the ground base a flagpole shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
  - (4) Location. A flagpole located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Flagpoles shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A flagpole must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a flagpole must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A flagpole must comply with all other applicable City of Rockwall codes.

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- (3) Emergency Response. The *flagpole* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



❶: MAXIMUM OF 20-FEET FROM GRADE; ❷: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ❸: MAINTAINED TO BE 90-DEGREES FROM GRADE; ❹: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

(8) Fixed Pier.

- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
- (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the takeline will be permitted one (1) fixed pier with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see Subsection 06.15(J)(8)(h)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more that 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.



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- (1) **Building Materials.** The catwalk and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
- (2) **Height.** No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) **Size.** The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) **Lighting.** Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed at the end of a *fixed pier*.
- (5) **Additional Construction Standards.**
  - (a) **Pilings.** The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-feet mean sea level. Vertical rub rails are required on all concrete piers and pilings.
  - (b) **Catwalks.** The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-feet mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-feet mean sea level.
  - (c) **Safety Reflectors.** All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (6) **Location.** View corridor restrictions do not apply to *fixed piers*.
- (f) **Setback Requirements.** A *fixed pier* must adhere to the following setbacks:
  - (1) **Takeline Setback:** 0-feet
  - (2) **Leased Side Yard Setback:** 10-feet
  - (3) **Maximum Distance from Seawall:** 40-feet
- (g) **Additional Requirements.**
  - (1) **Dredging.** Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-feet mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials

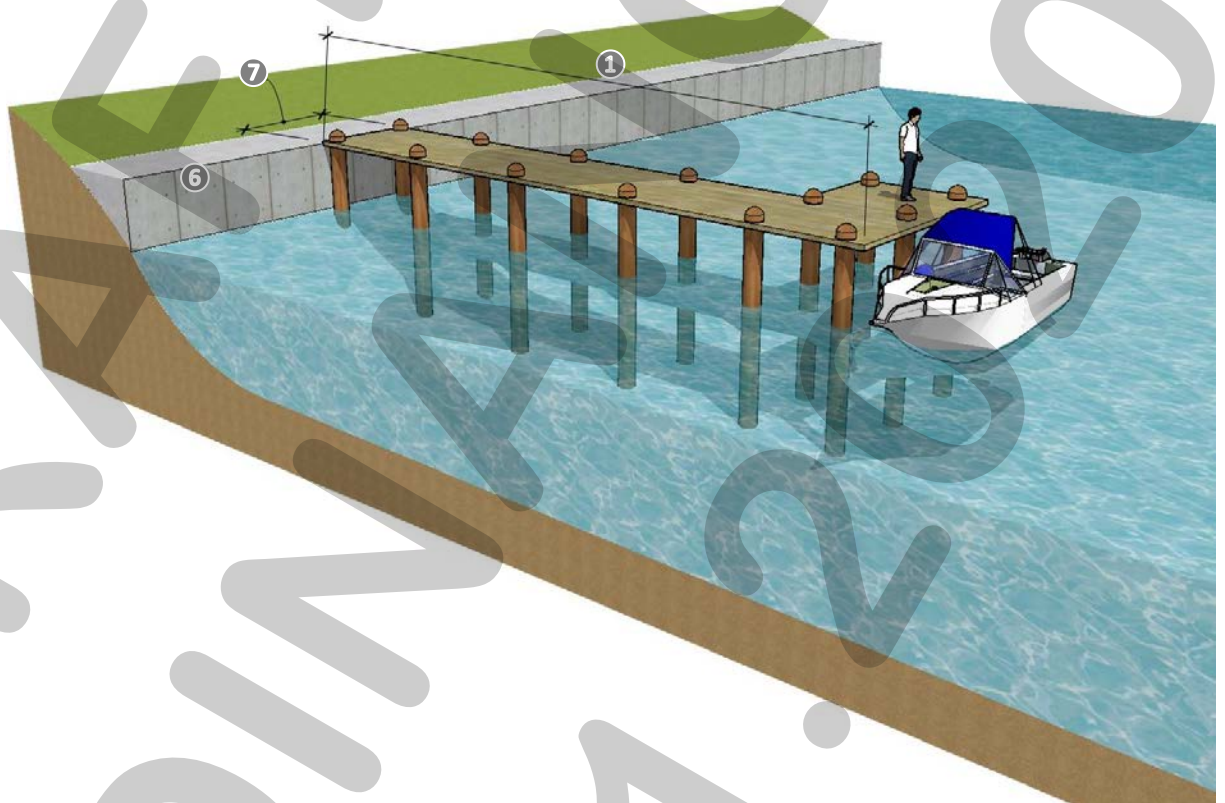
### Exhibit 'A'

#### Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)

must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

- (2) Compliance with Applicable Codes. A fixed pier must comply with all other applicable City of Rockwall codes.
- (3) Address. All fixed pier shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.
- (4) Easement Protection. No fixed pier shall encroach into an existing or identified future easement, right-of-way, access road, or path.

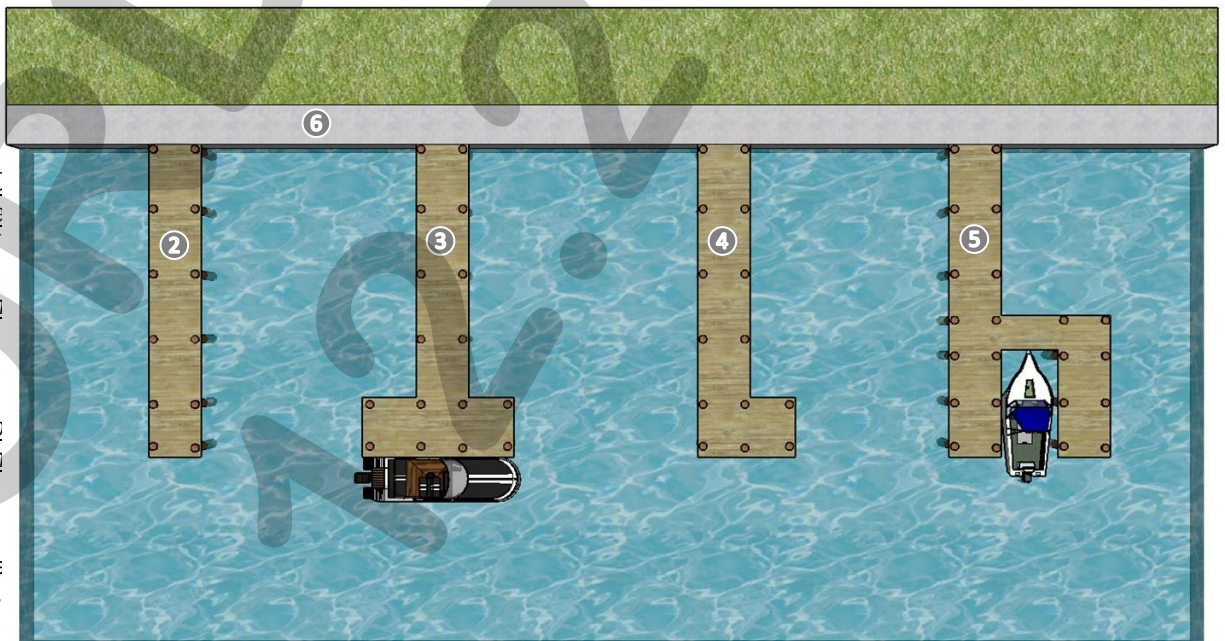
(h) Visual Representation.



1: 40-FOOT MAXIMUM; 2: PIER IN AN 'I' SHAPE; 3: PIER IN A 'T' SHAPE; 4: PIER IN A 'L' SHAPE; 5: PIER IN A 'U' SHAPE; 6: SEAWALL;  
7: SIX (6) FOOT MAXIMUM

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### **Exhibit 'A'**

#### **Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)**

- A fire pit is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.
- (b) Prerequisites. A fire pit may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A fire pit shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A fire pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).
- (e) Construction Standards.
- (1) Building Materials. The surround (i.e. the area used to contain the fire) for a fire pit must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A fire pit shall not exceed a maximum of 36-inches in height.
  - (3) Size. A fire pit shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a fire pit should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A fire pit must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a fire pit must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. A fire pit must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



❶: NATURAL STONE, BRICK, AND/OR CONCRETE; ❷: MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ❸: MAXIMUM HEIGHT OF 36-INCHES OR THREE (3) FEET.

(10) Gazebo.

**Exhibit 'A'**

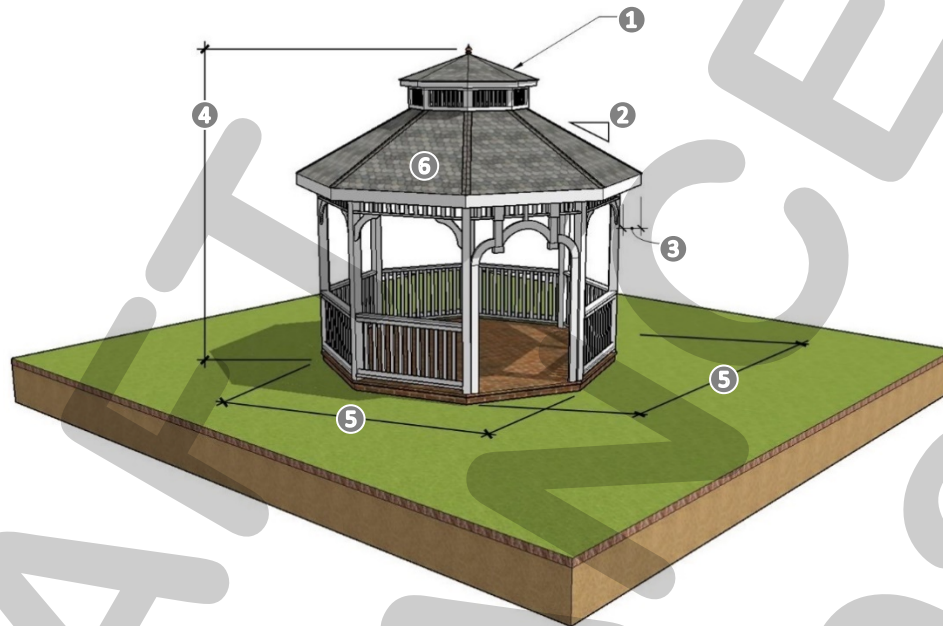
**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
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- (a) Definition. A gazebo is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.
- (b) Prerequisites. A gazebo may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A gazebo shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A gazebo shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
- (e) Construction Standards.
  - (1) Building Materials. A gazebo built in the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. The side trellis of the gazebo may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A gazebo built in the *435.5 Elevation Zone* shall only be built out of composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A gazebo will be constructed using steel reinforced concrete piers.
  - (2) Height. A gazebo shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the gazebo shall be measured from grade to the vertex of the gazebo's main roof or clerestory/cupola roof. In either case a gazebo shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A gazebo shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the gazebo shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the gazebo can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A gazebo located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Gazebos shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A gazebo must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a gazebo must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A gazebo must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The gazebo shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



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①: CUPOLA OR CLERESTORY; ②: 2:1 MINIMUM ROOF PITCH; ③: 1.5-FOOT MAXIMUM OVERHANG; ④: 18-FOET MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FOET WITHOUT A CUPOLA OR CLERESTORY; ⑤: 12-FOET MAXIMUM; ⑥: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(11) Landing and Stairs.

- (a) Definition. A landing is the area of a floor near the top or bottom step of a stair. A stair is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A landing and stairs may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 or 425.5 Elevation Zones* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A landing and stairs shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a *Seawall* has been constructed).
  - (3) 425.5: Permitted (if a *Seawall* has been constructed).

NOTE: A landing and stairs located in the *425.5 Elevation Zone* is permitted beside the lake but not upon or over the lake.

- (d) Conditional Use Standards. A landing and stairs shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.
- (e) Construction Standards.
  - (1) Building Materials. A landing and stairs shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
  - (2) Height. A landing and stairs shall not exceed the height of the adjacent retaining wall.
  - (3) Size. A landing and stairs shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
  - (4) Location. A landing and stairs shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A landing and stairs must adhere to the following setbacks:

### Exhibit 'A'

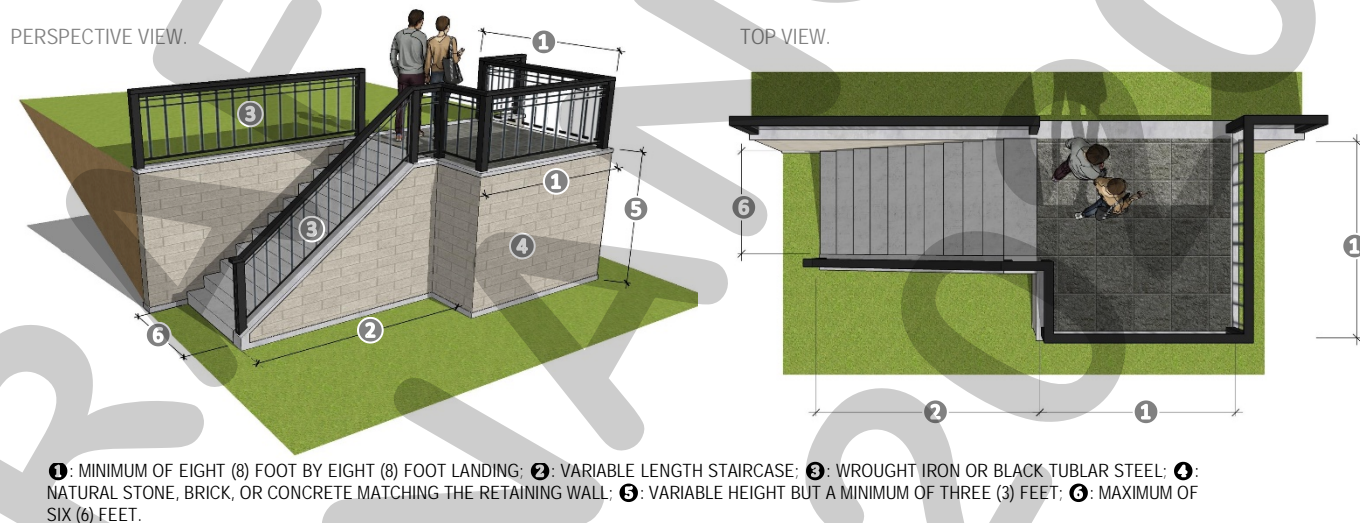
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- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 5-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *landing and stairs* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *landing and stairs* must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

**NOTE:** Remedial *landscaping* in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is *strictly prohibited*. All landscaping must comply with the requirements of Article 08, Landscaping and Fence Standards, of the Unified Development Code (UDC). For information regarding planting or removing trees see Subsection (F)(4) above.

(e) Construction Standards.

- (1) Building Materials. *Retaining walls* shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception

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of the 438.0 Elevation Zone. The use of railroad ties, treated wood, pea gravel -- *with the exception of using it as a base* --, and brick shall be prohibited.

- (2) Height. Retaining walls as part of landscaping will be limited to less than three (3) feet.
- (3) Location. Landscaping and retaining walls shall not hinder the view clear zone of an adjacent neighbor's view corridor. Landscaping shall not exceed six (6) feet in height in the view clear zone.

(f) Setback Requirements. Retaining walls must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of landscaping and retaining walls must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. Landscaping and retaining walls must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. Landscaping and retaining walls shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

(a) Definition. Municipal utilities represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.

(b) Elevation Zone. Municipal utilities shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Permitted.

(c) Conditional Use Standards. All municipal utilities' infrastructure is permitted within the take area. Municipal utilities shall be placed underground.

(d) Setback Requirements. Municipal utilities must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(e) Additional Requirements.

- (1) Compliance with Applicable Codes. Municipal utilities must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

(a) Definition. Outdoor lighting is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.

(b) Prerequisites. Outdoor lighting may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. Outdoor lighting shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Not Permitted.

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- (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted *outdoor lighting* allowed below the 438.0 Elevation Zone.

- (d) Conditional Use Standards. Systems and structures associated with *outdoor lighting* include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are *not* allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
- (e) Photometric Plan. A photometric plan describing compliance with the provisions of Article 07, Performance Standards, of the Unified Development Code (UDC) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for *outdoor lighting*. This plan shall be prepared by an appropriate lighting professional (e.g. *lighting engineer, architect, or other qualified lighting designer*). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC).
- (f) Construction Standards.
- (1) Building Materials. *Outdoor lighting* poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
- (2) Height. The height of *outdoor lighting* shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
- (3) Location. *Outdoor lighting* fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for *outdoor lighting* associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
- (g) Setback Requirements. *Outdoor lighting* must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet
- (h) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of *outdoor lighting* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. *Outdoor lighting* must comply with all other applicable City of Rockwall codes.
- (3) Municipal or Government Installed Lighting. *Outdoor lighting* installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. *rights-of-way, ball fields, airports, and/or parks*) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(15) Patio.

- (a) Definition. A *patio* is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
- (b) Prerequisites. A *patio* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.



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(c) Elevation Zone. A *patio* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. A *patio* shall not incorporate walls or other none transparent structures to function as handrails or counter space.

(e) Construction Standards.

- (1) Building Materials. A *patio* must be constructed with natural stone. Handrails incorporated into a *patio* in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
- (2) Height. A *patio* shall not exceed a maximum height of 12-inches above grade.
- (3) Size. A *patio* shall not exceed a maximum area of 1,000 SF.
- (4) Location. *Patios* shall not be placed in the view clear zone of a neighbor's view corridor.

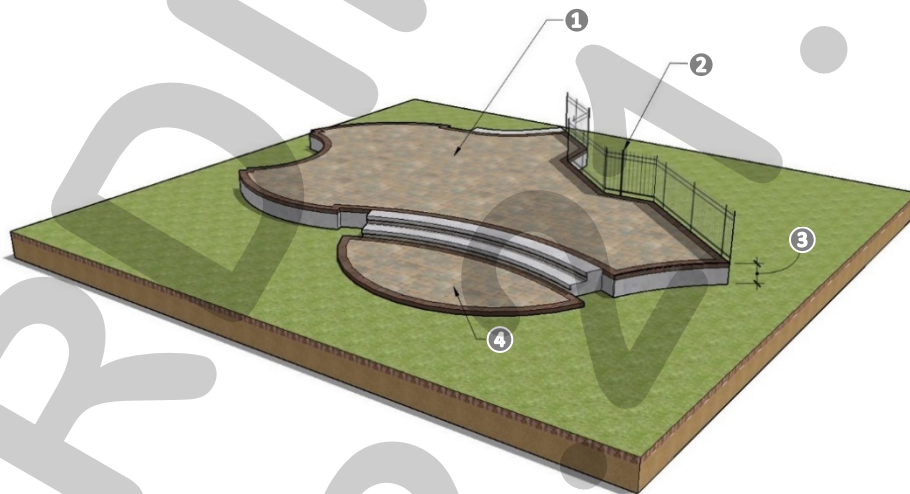
(f) Setback Requirements. A *patio* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *patio* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *patio* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *patio* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: NATURAL STONE; ②: WROUGHT IRON OR BLACK TUBULAR STEEL; ③: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ④: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

(a) Definition. A *pergola* is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.

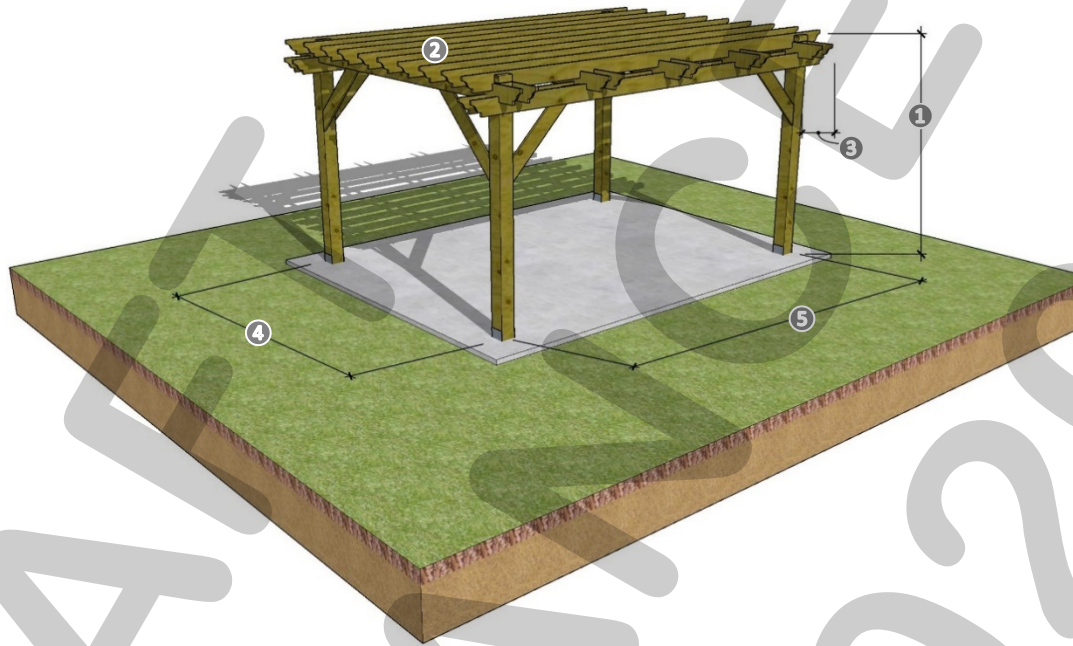
**Exhibit 'A'**

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- (b) Prerequisites. A pergola may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A pergola shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (*if a Seawall has been constructed*).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A pergola shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (6) Building Materials. A pergola constructed within the *438.0 Elevation Zone* must be constructed utilizing cedar, redwood, ironwood, composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*), or metal. A pergola constructed within the *435.5 Elevation Zone* must be constructed using composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material*) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
  - (7) Height. A pergola shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
  - (8) Size. A pergola shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.
  - (9) Roof. The roof of the pergola shall not have an overhang greater than 18-inches.
  - (10) Location. A pergola located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. Pergolas shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A pergola must adhere to the following setbacks:
- (3) Takeline Setback: 0-Feet
  - (4) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (4) Earth Work. Earth work required for the construction of a pergola must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (5) Compliance with Applicable Codes. A pergola must comply with all other applicable City of Rockwall codes.
  - (6) Emergency Response. The pergola shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.

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❶: 12-FOOT MAXIMUM HEIGHT; ❷: OPEN ROOF OF GIRDERS OR RAFTERS; ❸: 1.5-FOOT MAXIMUM OVERHANG; ❹: 12-FOOT MAXIMUM; ❺: 20-FOOT MAXIMUM; ❻: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

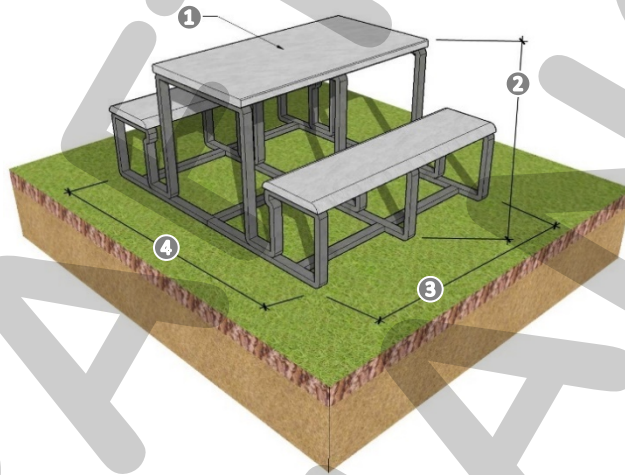
(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. *no roof covering*) unless combined with a covered patio or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.
  - (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the *435.5 Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic tables* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



❶: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; ❷: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; ❸: EIGHT (8) FOOT MAXIMUM; ❹: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.
- (e) Construction Standards.
  - (1) Building Materials. A *private play structure* shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a *private play structure* should blend and incorporate the same hues and tones of the surrounding landscaping.
  - (2) Height. A *private play structure* shall not exceed a maximum of eight (8) feet in height.
  - (3) Size. All *private play structures* will be situated in a collected area that is a maximum of 1,000 SF in area.
  - (4) Location. *Private play structures* shall not be placed in the view clear zone of a neighbor's view corridor.
- (f) Setback Requirements. A *private play structures* must adhere to the following setbacks:



### **Exhibit 'A'**

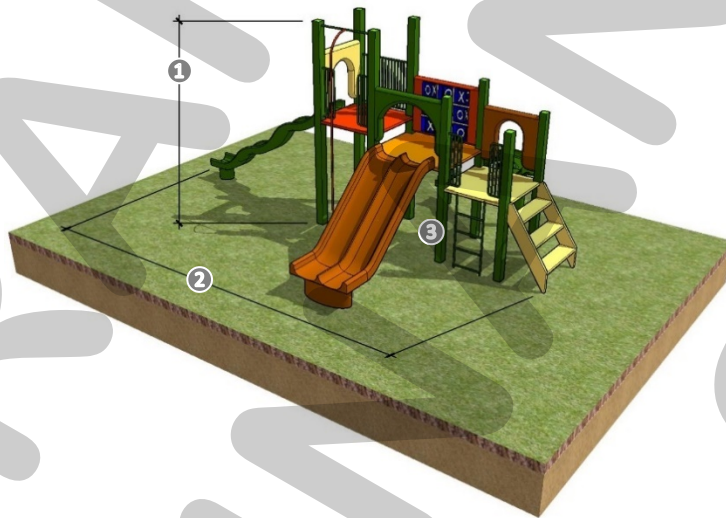
#### **Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, Development Standards, of the Unified Development Code (UDC)**

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *private play structures* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private play structure* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *private play structure* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



❶: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ❷: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ❸: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

- (a) Definition. *Private utilities* are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.
- (b) Prerequisites. *Private utilities* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Private utilities* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. *Private utilities* are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. *Private utilities* containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.
- (e) Construction Standards.
  - (1) Building Materials. *Private utilities* shall only be constructed out of materials permitted by the City's Engineering Department.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (i.e. 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.
- (f) Setback Requirements. Private utilities must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of private utilities must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A private utility must comply with all other applicable City of Rockwall codes.
  - (3) Damage to the System. Any damage or destruction to any private utility by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.
- (20) Private Walkways.
- (a) Definition. Private walkways can be a single path or a network of paths installed by the leasing property owner in the takeline area.
  - (b) Prerequisites. Private walkways may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
  - (c) Elevation Zone. Private walkways shall be allowed in the following zones:
    - (1) 438.0: Permitted.
    - (2) 435.5: Permitted (if a Seawall has been constructed).
    - (3) 425.5: Not Permitted.
  - (d) Conditional Use Standards. Private walkways with steps are permitted (see *Landing and Stairs* in Subsection 06.15(J)(11)).
  - (e) Construction Standards.
    - (1) Building Materials. Private walkways shall be constructed using native stone, brick and/or rectangle pavers; however, private walks shall not consist of loose stone, gravel, sand, asphalt, or concrete.
    - (2) Height. Private walkways shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
    - (3) Size. Private walkways shall be no greater than 48-inches in width.
    - (4) Location. Private walkways may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-foot wide, suitable for access, and will connect to adjacent access paths.
  - (f) Setback Requirements. Private walkways must adhere to the following setbacks:
    - (1) Takeline Setback: 0-Feet
    - (2) Leased Side Yard Setback: 10-Feet
  - (g) Additional Requirements.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

- (a) Definition. A seawall is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.
- (b) Prerequisites. A seawall may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A seawall shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

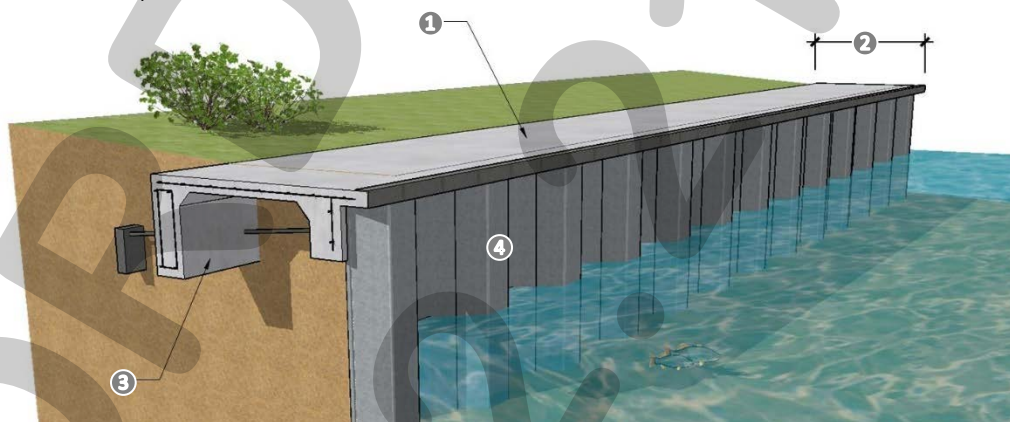
(d) Construction Standards.

- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.

(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *seawalls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *seawall* must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



①: CONCRETE WALKWAY; ②: SIX (6) FOOT MINIMUM; ③: 24-INCH BY TEN (10) INCH BEAM WITH #3 REBAR ON 18-INCH CENTERS; ④: RETAINING WALL.

(22) Sprinkler/Irrigation System.

**Exhibit 'A'**

**Section 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- (h) Definition. A sprinkler/irrigation system is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (i) Prerequisites. A sprinkler/irrigation system may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (j) Elevation Zone. A sprinkler/irrigation system shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

*Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.*

- (k) Conditional Use Standards. A sprinkler/irrigation system must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.
- (l) Construction Standards.

- (1) Building Materials. A sprinkler/irrigation system shall only be constructed utilizing Schedule 40 PVC pipe.
- (2) Height. The heads of a sprinkler/irrigation system used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
- (3) Location. A sprinkler/irrigation system shall be allowed up to one (1) foot of the normal pool elevation shoreline (i.e. 435.5) provided no part of the system could potentially result in lake siltation erosion.

- (m) Setback Requirements. A sprinkler/irrigation system must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

- (n) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a sprinkler/irrigation system must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
- (2) Compliance with Applicable Codes. A sprinkler/irrigation system must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a sprinkler/irrigation system by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.



# Exhibit 'B'

## Section 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, of Article 05, Development Standards, of the Unified Development Code (UDC)

LAND USE <sup>1</sup>	CONDITIONAL USE REFERENCE SEE SUBSECTION 06.15(J)	PRE-REQUISITES L: SUBLEASE, S: SEAWALL, FP: FIXED PIER	ELEVATION ZONES			MINIMUM SIZE (FEET OR SQUARE FEET)	MAXIMUM SIZE (FEET, INCHES, OR SQUARE FEET)	MINIMUM HEIGHT (FEET OR INCHES)	MAXIMUM HEIGHT (FEET)	SIDE YARD SETBACK (FEET)	BUILDING MATERIALS  NS: NATURAL STONE B: BRICK C: CONCRETE CM: COMPOSITE MATERIALS GM: GALVANIZED METAL IR: IRON SS: STAINLESS STEEL S: STEEL M: METAL A: ALUMINUM CW: CEDAR RW: REDWOOD IW: IRONWOOD SSM: STANDING SEAM METAL WR: WROUGHT IRON R: RUBBER
			438.0	435.5	425.5						
BARBECUE PIT	(1)	L	P	X	X	3' x 3'	8' x 3'	0'	6'	6'	NS, B, C, AND IR
BOAT HOUSE <sup>2, 4, 5, &amp; 15</sup>	(2)	L, S, & FP	X	X	P	8' x 30'	12' x 30'	16'	21'	10'	CM FOR CATWALK AND DECKING; GM, IR, S, OR A FOR THE SUPPORTS <sup>3</sup> ; CM, GM, IR, S, A, CW, IW, OR RW FOR ROOF BEAMS; AND SSM FOR THE ROOF
COVERED PATIO <sup>5 &amp; 15</sup>	(3)	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	15' <sup>6 &amp; 7</sup>	20'	CW, IW, & RW IN THE 438.0 ELEVATION ZONE: CM OR M IN THE 435.5 ELEVATION ZONE; SSM FOR THE ROOF
DECK <sup>5 &amp; 18</sup>	(4)	L & S <sup>16</sup>	P	P	X	0'	1,000 SF	2' OR 24"	1'	20'	CM FOR THE DECKING, C FOOTINGS FOR FOUNDATION, AND WR FOR FENCING/RAILING
DOCK DECK <sup>2 &amp; 5</sup>	(5)	L, S, & FP	X	X	P	8' x 10'	12' x 30'	0'	8' <sup>8</sup>	10'	CM
FENCE	(6)	L	P	X	X	0'	45'	4'	4'	0'	WR
FLAGPOLE <sup>5 &amp; 9</sup>	(7)	L & S <sup>16</sup>	P	P	X	5" BASE	8" BASE	0'	20'	6'	SS OR A
FIXED PIER <sup>2 &amp; 5</sup>	(8)	L & S	X	X	P	0'	6' x 40'	0'	8' <sup>10</sup>	10'	CM FOR CATWALK AND DECKING; CM OR S FOR RAILINGS
FIRE PIT	(9)	L & S <sup>16</sup>	P	X	X	3' x 3'	5' x 5'	0'	3'	6'	NS, B, AND C
GAZEBO <sup>5 &amp; 15</sup>	(10)	L & S <sup>16</sup>	P	P	X	0'	12' x 12'	0'	15' <sup>18' 7 &amp; 11</sup>	20'	CW, RW, IW, CM, OR M IN THE 438.0 ELEVATION ZONE; AND CM OR M IN THE 435.5 ELEVATION ZONE
LANDING AND STAIRS	(11)	L & S <sup>17</sup>	P	P	P	0'	8' x 8' x 6'	3'	SAME AS RETAINING WALL	5'	NS, B, AND C FOR THE STAIRS; WR OR BLACK S FOR THE RAILINGS AND/OR FENCE
PATIO <sup>5 &amp; 18</sup>	(15)	L	P	P	X	0'	1,000 SF	0'	1'	20'	NS FOR THE DECK AREA AND WR FOR RAILINGS
PERGOLA <sup>5</sup>	(16)	L & S <sup>16</sup>	P	P	X	0'	12' x 20'	0'	12' <sup>7</sup>	20'	CW, RW, IW, OR CM IN THE 438.0 ELEVATION ZONE; CM OR M IN THE 435.5 ELEVATION ZONE
PICNIC TABLE	(17)	L	P	P	X	0'	8' x 10'	0'	3' OR 36"	6'	NS, B, AND C
PRIVATE PLAY STRUCTURE	(18)	L	P	X	X	0 SF	1,000 SF	0'	8'	20'	A, GM, R, CW, RW, AND IW
PRIVATE WALKWAYS	(20)	L & S <sup>16</sup>	P	P	X	0'	48" WIDE	0'	FLUSH WITH GRADE	10'	NS, B, AND RECTANGULAR PAVERS
LANDSCAPING AND RETAINING WALLS <sup>12 &amp; 13</sup>	(22)	L	P	P	X	<b>NOTES:</b> <sup>1</sup> : FOR ALL LAND USES CHECK <a href="#">SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT</a> FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS. <sup>2</sup> : BOATHOUSES, FIXED PIERS, DOCK DECKS, OR ANY COMBINATION OF THESE STRUCTURES MAY NOT EXTEND MORE THAN 40-FEET INTO THE WATER FROM THE 435.5 ELEVATION CONTOUR. <sup>3</sup> : REQUIRES A HIP ROOF, A MINIMUM OF 2:1 ROOF PITCH, WITH ONE (1) CUPOLA (3' x 4') IN THE MIDDLE OF THE ROOF OR TWO (2) CUPOLAS (3' x 4') AT EACH END OF THE ROOF. <sup>4</sup> : SUPPORT POSTS MAY BE WRAPPED IN A COMPOSITE MATERIAL. <sup>5</sup> : THE STRUCTURE SHALL BE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE ON THE LEASING PROPERTY IF LOCATED IN THE 435.5 OR 425.5 ELEVATION ZONES (IF PERMITTED IN THE ZONE). <sup>6</sup> : REQUIRES A HIP OR GABLE ROOF WITH A CUPOLA OR CLERESTORY AND A MINIMUM ROOF PITCH OF 4:1. <sup>7</sup> : SHALL NOT EXCEED ONE (1) STORY OR BE USED AS A ROOF TOP DECK. <sup>8</sup> : EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN					
MUNICIPAL UTILITIES	(13)	NONE	P	P	P						
OUTDOOR LIGHTING	(14)	L	P	X	X						
PRIVATE UTILITIES	(19)	L	P	P	X						
SEAWALL	(21)	L	X	X	P						
SPRINKLER/ IRRIGATION SYSTEM <sup>14</sup>	(22)	L	P	P	X						

FOUR (4) POLE STRUCTURES ALLOWED.

<sup>9</sup>: A MAXIMUM OF TWO (2) FLAG POLES ARE PERMITTED AND ONLY THE UNITED STATES OF AMERICA AND TEXAS FLAGS ARE TO BE FLOWN.

<sup>10</sup>: EIGHT (8) FEET ABOVE THE SURFACE AREA OF THE FLAT FLOOR SURFACE WITH NO MORE THAN TWO (2) POLE STRUCTURES ALLOWED.

<sup>11</sup>: REQUIRES A HIP OR GABLE ROOF OR A HIP AND/OR GABLE ROOF, WITH A MINIMUM ROOF PITCH OF 2:1, AND THAT IS A MAXIMUM OF 15-FEET WITHOUT A CLERESTORY OR CUPOLA OR 18-FEET WITH A CLERESTORY OR CUPOLA.

**Exhibit 'B'**

**Section 07.05, Lake Ray Hubbard Takeline Overlay (TL OV) District Development Standards, of  
Article 05, Development Standards, of the  
Unified Development Code (UDC)**

- <sup>12</sup>: REMEDIAL LANDSCAPING ALLOWED IN THE 425.5 ELEVATION ZONE WITH THE INTENT TO MAINTAIN THE INTEGRITY OF THE SHORELINE.
- <sup>13</sup>: RETAINING WALLS THAT ARE A PART OF LANDSCAPING ARE LIMITED TO LESS THAN THREE (3) FEET IN HEIGHT.
- <sup>14</sup>: HEADS SHOULD EXTEND NO HIGHER THAN THREE (3) FEET FROM THE AVREAGE BASE OF THE SURROUND TERRIAN WITHIN A THREE (3) FOOT RADIUS OF THE HEAD.
- <sup>15</sup>: ROOF OVERHANGS SHALL NOT EXCEED 18-INCHES.
- <sup>16</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 ELEVATION ZONE.
- <sup>17</sup>: A SEAWALL IS ONLY REQUIRED FOR CONSTRUCTION IN THE 435.5 OR 425.5 ELEVATION ZONES.
- <sup>18</sup>: HANDRAILS ARE PROBITED IN THE 435.5 ELEVATION ZONE.

## Miller, Ryan

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**From:** Miller, Ryan  
**Sent:** Thursday, September 17, 2020 12:27 PM  
**To:** Pruitt, Jim; Fowler, Kevin  
**Cc:** Crowley, Rick; Smith, Mary  
**Subject:** Takeline Ordinance Revisions  
**Attachments:** Current Takeline Ordinance.pdf; Takeline Ordinance Revisions.pdf; Memorandum [Raw Water Permit Policy] (08.25.2020).pdf

Mr. Mayor/Council Fowler,

Per the Mayor's request I am sending the proposed takeline ordinance revisions for your review prior to putting this on the City Council's agenda for work session. Attached you will find a copy of the current ordinance, the proposed ordinance (which has been re-written per my conversation with the Mayor), and a copy of the updated raw water permit policy. In the new ordinance are the proposed updated *Residential Sublease* fees. As a note we will need to review and amend the *Residential Subleases*, and we can begin this once the City Council is comfortable with the ordinance changes. At your convenience please review the attached documents and let me know if I need to make any additional changes before bringing this forward for work session. I was shooting for a work session at the first meeting in October, but will defer to you guys based on what you think of the attached amendment. If you have any questions please let me know. Thanks.



**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
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HELPFUL LINKS | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)  
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [UNIFIED DEVELOPMENT CODE](#)

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NOTES

- 1) APPOINTED AND ELECTED OFFICIALS: BY REPLYING ALL TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
- 2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD