

6.15 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 appeals process for the terms of this ordinance. 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 on _____; 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 ordinance is to be used in conjunction and in addition to the erosion control and engineering standards and residential sub-lease 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, and being more particularly described herein as "Exhibit A."

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 forty-five (45) feet when measured at the front building line, or have a minimum lot width of thirty-five (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."

(Revised via Ord. No. 07-35, September 4, 2007)

C. Definitions

The terms herein used shall be defined as in the City of Rockwall Unified Development Code, 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:

Barbecue pit: A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted.

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.

Catwalk: The narrow walkway of a dock providing people access to moored watercraft.

Centerline: An established line that is equidistant from the surface or sides of something, such as parcel boundaries.

Cleat: A metal fitting with two projecting horns used to wrap a rope around to secure a watercraft in position.

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.

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. (Ord. No. 10-32, 12-06-2010)

Dock: A lake structure used expressly for mooring and landing watercrafts and for embarking and disembarking passengers. A dock can include a fixed pier.

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.

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.

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 one hundred and fifty-six (156) consecutive hours) and land watercraft.

Gazebo: A gazebo is a permanent stand-alone roofed trellis structure opened on all sides, typically with places for sitting.

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 ordinance shall not be habitable structures and may not contain such amenities.

Lake: Refers to Lake Ray Hubbard.

Lake Area: The City of Dallas property, know 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).

Landing/Stairs: A landing is defined as the level part of staircase, as at the end of a flight of stairs. A stairs is a series of steps for passing from one level to another.

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.

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.

Lift: A temporary means of elevating a watercraft out of the water by use of a hoist.

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.

Lockerbox: A secured chest fixed onto a dock used for storage of watercraft equipment.

Moor: Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.

Mooring: A place where a watercraft can be tied up and secured while in the water, such as a slip (not more than one hundred and fifty-six (156) consecutive hours).

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.

Power source Station: Used as a power supply and for lighting dock just below watercraft level.

Private Play Structures: Private play structures are permanent structures used by children for play installed by private property owners.

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.

Private walks: Private walks can be a single path or a network of paths installed by the leasing property owner in the Take Area.

Shoreline: Refers to the line along the shore of the Lake, established by the normal Lake pool elevation (435.5 feet mean sea level).

Slip: A watercraft's berth between two piers or between finger piers.

Sprinkler systems: A sprinkler system is an underground irrigation network used to water and maintain trees, shrubs, grounds and the foundations of improvements.

Take Line: Means the perimeter boundary of Dallas' property at the Lake.

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).

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.

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 centerpoint or various centerpoints along a road corridor or public viewing area.

View clear zone: 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.

View preservation angle: Determined as the centerpoint 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.

Watercraft: A craft for water transport; a boat.

(A) Motorized boats - A boat propelled by an internal combustion engine.

(B) Sailboat - A boat with a mast and sail propelled by the wind.

Water Resistant Wood: Naturally untreated hard wood such as cedar, redwood, or Ironwood.

D. Permitted Uses, in accordance with the specifications set forth in “Table A” of this ordinance. 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 twelve (12) inches above existing ground at the highest elevation point
11. Gazebo, with a maximum height of fifteen (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. Uses requiring a Specific Use Permit (SUP), in accordance with the specifications set forth in “Table A” of this ordinance. 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

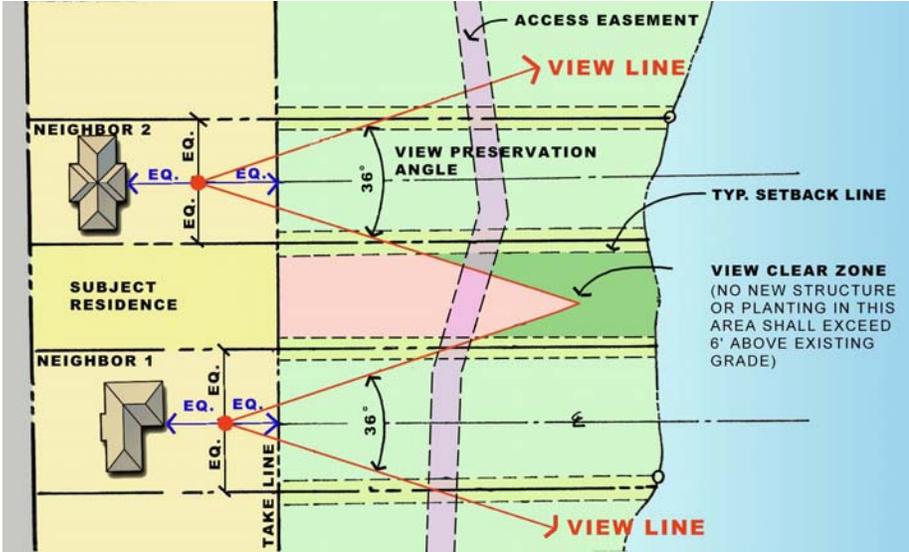
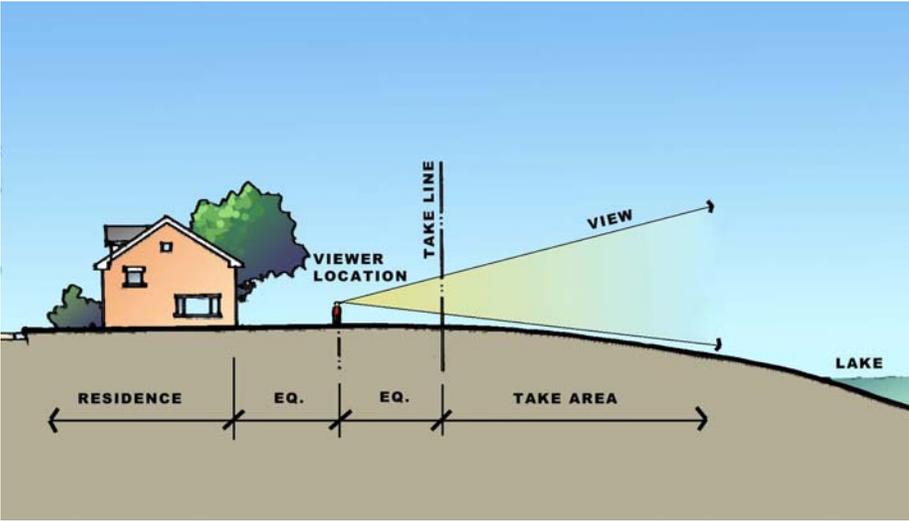
(Ord. No. 05-31, July 5, 2005)

(Revised via Ord. No. 07-12, May 7, 2007)

(Revised via Ord. No. 07-35, September 4, 2007)

(Revised via Ord. No. 10-32, December 6, 2010)

"TABLE A"

ITEM	REGULATION
Visual Measurements and Overall Regulations	
<p>Visual Measurements</p> <p>View Corridors</p>	<ul style="list-style-type: none"> 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 centerpoint 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 fall into the View Preservation Angle will be restricted from any type of new improvements or plantings exceeding six (6) feet in height. <div style="text-align: center;">  </div> <div style="text-align: center; margin-top: 20px;">  </div>

<p>Visual measurements</p> <p>Maintenance access gates and fences/walls</p>	<ul style="list-style-type: none">• 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, to public service and maintenance personnel and their vehicles, and to public inspectors and their vehicles.• 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.• Placement of residence street address sign centered on main waterside end of the lake with six (6) inch black letters on white background to be recognizable for main waterside public safety and emergency personnel.• Maintenance access gates and fences/walls will be placed at access entry points located at the following locations:<ol style="list-style-type: none">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.
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Specifications for Permitted Uses

Barbecue Pit	
Description	<ul style="list-style-type: none"> • A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted
Allowances and disallowances	<ul style="list-style-type: none"> • 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
Building materials	<ul style="list-style-type: none"> • A barbecue pit must be built using any combination of native stone, brick, concrete, and iron grating
Height and depth regulations	<ul style="list-style-type: none"> • A barbecue pit shall not exceed six (6) feet in height
Take Line setback	<ul style="list-style-type: none"> • No setback requirements
Side yard setback	<ul style="list-style-type: none"> • There will be a six (6) foot setback landside on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> • 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 (3) feet length x three (3) feet width and the maximum size eight (8) feet length x three (3) feet width
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> • No barbecue pits will be allowed at, upon or over the Lake
Additional requirements	<ul style="list-style-type: none"> • 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.

Landscaping	
Description	<ul style="list-style-type: none"> • 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
Allowances and disallowances	<ul style="list-style-type: none"> • The use of native stone retaining walls is allowable above 435.5 feet mean sea level elevation only • Hedgerows and shrub rows are not allowed • Landscaping requiring the use of pesticides, herbicides, fungicides, or preservatives is not allowed • Landscaping that can lead to lake siltation and/or shoreline erosion is not allowed • Mulch is prohibited below 438.0 feet mean sea level
Building materials	<ul style="list-style-type: none"> • The use of any railroad ties or treated wood is prohibited. • The use of brick is prohibited, except for private walks • The use of crushed rock or pea gravel is prohibited, except as a base • The use of native stone is allowed for retaining walls and private walks
Height and depth regulations	<ul style="list-style-type: none"> • Retaining walls as part of landscaping will be limited to three (3) feet in height
Take Line setback	<ul style="list-style-type: none"> • No setback requirements
Side yard setback	<ul style="list-style-type: none"> • There will be a six (6) foot setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> • Minor landscaping will be allowed provided it does not further lake siltation, shoreline erosion, water quality, or retain water • Remedial landscaping for maintaining the integrity of the shoreline is allowed • Landscaping will be allowed within twenty (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.
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> • Remedial landscaping for maintaining the integrity of the shoreline is allowed
Additional requirements	<ul style="list-style-type: none"> • Landscaping must complement and be integrated into the existing woodlands and wetlands • Trees will be interspersed • Earth work construction involved with landscaping must comply with the erosion control standards set in the Interlocal Agreement and Lease • Landscaping will not hinder the clear view zone of an adjacent neighbors' view corridor. • Landscaping must comply with all other City of Rockwall codes.

Outdoor Lighting	
Description	<ul style="list-style-type: none"> 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.
Allowances and disallowances	<ul style="list-style-type: none"> Systems and structures associated with outdoor lighting including artificial landscape lighting, monument lighting, and flood lights Cobra lighting fixtures not allowed on poled structures Fluorescent lighting fixtures are not allowed on poled structures It shall be unlawful to display an unshielded light source (including bare bulbs) above 15 watts, except for temporary holiday lighting. The operation of search lighting is prohibited.
Visual Measurements	<p><u>Standards for poled outdoor light fixture on leased Take Area grounds</u></p> <p>NOTE: The height of a light fixture should be no greater than 1/3 of its distance to a neighboring property, and it should not exceed 12'.</p>
Building materials	<ul style="list-style-type: none"> Poles used for outdoor lighting must be either aluminum or steel Wood or concrete poles used for outdoor lighting are not allowed
Height and depth regulations	<ul style="list-style-type: none"> The height of outdoor lighting will range from light fixtures embedded into catwalk periphery to twelve (12) feet maximum for post structures for broader illumination
Take Line setback	<ul style="list-style-type: none"> No setback requirements
Side yard setback	<ul style="list-style-type: none"> There will be a twenty (20) foot setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> Outdoor lighting will not be allowed below 438.0 feet mean sea level Outdoor lighting will be allowed within twenty (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.

<p>Additional requirements</p>	<ul style="list-style-type: none">• Outdoor lighting structures will not hinder the view clear zone of an adjacent neighbors' view corridor.• Unwanted brightness and glare from outdoor lighting will not hinder the views of surrounding property owners• Outdoor lighting will not interfere with the safety of the traveling public or negatively impact surrounding residents with unwanted brightness and glare• The candlepower used on outdoor lighting will comply with Rockwall's Outdoor Lighting ordinance• Earth work construction involved with outdoor lighting must comply with the erosion control standards set in the Interlocal Agreement and Lease• 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.• All building and pole mounted luminaries exceeding fifteen (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.• A photometric plan describing compliance with the provisions of this ordinance shall be submitted to the Director of Planning prior to the issuance of any building permit or certificate of occupancy 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 this ordinance. The Director of Planning shall have the authority to interpret and determine compliance with this ordinance. The Planning and Zoning Commission may grant exemptions to the provisions of this ordinance 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.• Lighting installed by or for a governmental agency for a public benefit that is used for activities for the public benefit such as Right-of-way, ball fields, airports and parks. However, parking lot lighting for these activities shall meet the requirements of this ordinance.• Outdoor lighting must comply with all other City of Rockwall codes.
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Private Play Structures	
Description	<ul style="list-style-type: none"> Private play structures are permanent structures used by children for play installed by private property owners
Allowances and disallowances	<ul style="list-style-type: none"> 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, playpods, 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 (<i>Ord. No. 07-12; May 7, 2007</i>) Sand boxes and sand play areas will not be allowed
Building materials	<ul style="list-style-type: none"> Private play structures can be built using aluminum, galvanized steel, rubber, and water resistant wood Private play structures will not be built using railroad ties and treated wood
Height and depth regulations	<ul style="list-style-type: none"> The height of a private play structures will be up to eight (8) feet maximum
Take Line setback	<ul style="list-style-type: none"> No setback requirements
Side yard setback	<ul style="list-style-type: none"> There will be a twenty (20) foot setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> Private play structures will not be allowed below 438.0 feet mean sea level Private play structures will be situated in a collected area no larger than one thousand (1,000) square feet maximum Private play structures will be allowed within twenty (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.
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> No private play structures will be allowed at, upon or over the Lake
Additional requirements	<ul style="list-style-type: none"> Private play structures will not hinder the view clear zone of an adjacent neighbors' view corridor. Private play structure must be anchored into the ground The exterior color of the play structure should blend and incorporate the hues and tones of the surrounding landscape Earth work construction involved with private play structures must comply with the erosion control standards set in the Interlocal Agreement and Lease Private play structures must comply with all other City of Rockwall codes.

Private Utilities	
Description	<ul style="list-style-type: none"> Private utilities is 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
Allowances and disallowances	<ul style="list-style-type: none"> Buried private utilities are allowed No overhead private utilities lines are allowed
Building materials	<ul style="list-style-type: none"> All building materials must meet the City of Rockwall's adopted building codes and all other applicable ordinances
Height and depth regulations	<ul style="list-style-type: none"> All private utilities will be buried according to standards set in the City of Rockwall Subdivision ordinance
Take Line setback	<ul style="list-style-type: none"> No setback requirements
Side yard setback	<ul style="list-style-type: none"> There will be a twenty (20) foot setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> Private utilities will be allowed within twenty (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 Private utilities containing electricity and communication lines built into boat-related uses will not be allowed below 436.5 feet mean sea level Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds will not be allowed Private utilities containing wastewater or any type of septic lines will not be allowed
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> 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 No private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds will be allowed at, upon or over the Lake No private utilities containing wastewater or any type of septic lines will be allowed at, upon or over the Lake
Easement protection	<ul style="list-style-type: none"> Private utilities will have to be developed in consideration of existing easement/right-of-way or 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 An existing and future easement running through a leased property will be allowed to substitute for the twelve (12) foot wide primary access right-of-way path provided it is twelve (12) feet wide, suitable for access, and will connect to adjacent access paths
Additional requirements	<ul style="list-style-type: none"> Earth work for the construction of a private utilities must comply with the erosion control standards set in the Interlocal Agreement and Lease Private utilities must comply with all other City of Rockwall codes.

Private Walks	
Description	<ul style="list-style-type: none"> 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
Allowances and disallowances	<ul style="list-style-type: none"> Steps are allowed with private walks Walks parallel with the shoreline are prohibited without approved Erosion Control Structure
Building materials	<ul style="list-style-type: none"> Private walks will be built using native stone, brick, and/or rectangular concrete pavers Private walks will not consist of loose stone, gravel, sand, asphalt, or concrete
Height and depth regulations	<ul style="list-style-type: none"> Private walks must be flushed with the level surrounding terrain, or work within the gradient present in the surrounding terrain
Take Line setback	<ul style="list-style-type: none"> No setback requirements
Side yard setback	<ul style="list-style-type: none"> There will be a ten (10) foot setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> A private walk will be allowed up to three (3) feet from the normal pool elevation (435.5 feet mean sea level), with twelve (12) feet dedicated for emergency, service, and utility access and the private walk constructed to handle the load of heavy emergency and maintenance vehicles
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> No private walk will be allowed going into the Lake
Easement protection	<ul style="list-style-type: none"> 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. An existing and future easement running through a leased property will be allowed to substitute for the twelve (12) foot wide primary access right-of-way path provided it is twelve (12) feet wide, suitable for access, and will connect to adjacent access paths
Additional requirements	<ul style="list-style-type: none"> Earth work construction involved with private walks must comply with the erosion control standards set in the Interlocal Agreement and Lease Private walks must comply with all other City of Rockwall codes

Fencing <i>(Ord. No. 07-12; May 7, 2007)</i>	
Description	<ul style="list-style-type: none"> • A fence is a permanent barrier intended to prevent escape or intrusion or to mark a boundary.
Allowances and disallowances	<ul style="list-style-type: none"> • A fence is only allowed to enclose a area of the takeline that is measured a maximum of forty-five (45) feet from the existing rear lot property corners along the projected lease lines
Building materials	<ul style="list-style-type: none"> • A fence will not consist of wood or plastic • A fence will not be a chain-linked fence • A fence will be built of wrought iron or tubular steel posts with less than four (4) inch spacing and no greater than two (2) inches in width
Height and depth regulations	<ul style="list-style-type: none"> • The height of a fence shall not exceed forty eight (48) inches as measured from adjacent grade.
Take Line setback	<ul style="list-style-type: none"> • No setback requirements
Side yard setback	<ul style="list-style-type: none"> • No setback requirements
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> • No setback requirements
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> • No fence will be allowed at, upon or over the Lake
Easement protection	<ul style="list-style-type: none"> • 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 • An existing and future easement running through a leased property will be allowed to substitute for the twelve (12) foot wide primary access right-of-way path provided it is twelve (12) feet wide, suitable for access, and will connect to adjacent access paths
Additional requirements	<ul style="list-style-type: none"> • The exterior color of a fence will be black. • A fence will not hinder the clear view zone of an adjacent neighbor's view corridor. • A fence must comply with all other City of Rockwall codes and require a building permit.

Landing/Stairs (connected to a retaining wall) <i>(Ord. No. 07-12; May 7, 2007)</i>	
Description	<ul style="list-style-type: none"> • A landing is defined as the level part of a staircase, as at the end of a flight of stairs. A stairs is a series of steps for passing from one level to another.
Allowances and disallowances	<ul style="list-style-type: none"> • Stairs with a landing shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from adjacent grade to the top of the wall. • A landing with stairs exceeding the maximum requirements shall require a Specific Use Permit.
Building materials	<ul style="list-style-type: none"> • A landing with stairs shall be constructed with exterior material of natural stone and iron railings.
Height and depth regulations	<ul style="list-style-type: none"> • A landing with stairs will 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 six (6) feet. <div style="text-align: center;"> </div>
Take Line setback	<ul style="list-style-type: none"> • No setback required.
Side yard setback	<ul style="list-style-type: none"> • There will be a five (5) foot minimum setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> • A landing with stairs will be allowed within twenty (20) feet of the normal pool elevation shoreline (435.5 feet mean sea level).
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> • A landing with stairs will be allowed beside the Lake, but not upon or over the Lake
Additional requirements	<ul style="list-style-type: none"> • A landing with stairs will not hinder the view clear zone of an adjacent neighbor's view corridor. • Earth work construction of a landing with a stairs must comply with the erosion control standards set in the Interlocal Agreement and Lease • A landing with stairs must comply with all other City of Rockwall codes.

Sprinkler / Irrigation Systems	
Description	<ul style="list-style-type: none"> • A sprinkler system is an underground irrigation network used to water and maintain trees, shrubs, grounds and the foundations of improvements
Allowances and disallowances	<ul style="list-style-type: none"> • A sprinkler system will be allowed throughout most of the Take Area
Building materials	<ul style="list-style-type: none"> • Sprinkler systems will be built using Schedule 40 PVC pipe • Sprinkler systems will not be built using metal pipe • All above ground risers will be made of copper
Height and depth regulations	<ul style="list-style-type: none"> • Sprinkler systems used for shrubs will be no higher than three (3) feet in height from the average base of the surrounding terrain (within a three (3) foot radius)
Take Line setback	<ul style="list-style-type: none"> • No setback requirements
Side yard setback	<ul style="list-style-type: none"> • A sprinkler system can be placed up to the side yard centerlines
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> • 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
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> • No sprinkler system will be allowed at, upon or over the Lake
Easement protection	<ul style="list-style-type: none"> • An existing and future easement running through a leased property will be allowed to substitute for the twelve (12) foot wide primary access right-of-way path provided it is twelve (12) feet wide, suitable for access, and will connect to adjacent access paths
Additional requirements	<ul style="list-style-type: none"> • Sprinkler system must be connected to the resident's existing water supply source with approved backflow prevention devices • 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 • Earth work for the construction of a sprinkler system must comply with the erosion control standards set in the Interlocal Agreement and Lease • A sprinkler system must comply with all other City of Rockwall codes

Deck/patio	
Description	<ul style="list-style-type: none"> • 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 Take Area, with a maximum area of 1,000 square feet.
Allowances and disallowances	<ul style="list-style-type: none"> • Stairs with handrails made of water resistant wood will be allowed in conjunction with a deck/patio • A deck/patio exceeding the maximum requirements shall require a Specific Use Permit. (<i>Ord. No. 07-12; May 7, 2007</i>)
Building materials	<ul style="list-style-type: none"> • A deck/patio must be built using water resistant wood and/or native stone • Any railing built on a deck/patio will have a water resistant wood picket with steel tubing railings or water resistant wood.
Height and depth regulations	<ul style="list-style-type: none"> • A deck/patio will be limited to twelve (12) inches above the highest elevation at which the deck is located
Take Line setback	<ul style="list-style-type: none"> • No setback requirements
Side yard setback	<ul style="list-style-type: none"> • There will be a twenty (20) foot setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> • A deck/patio must be anchored into the ground • A deck/patio will be allowed within twenty (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.
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> • A deck/patio will be allowed beside the Lake, but not upon or over the Lake
Additional requirements	<ul style="list-style-type: none"> • A deck/patio will not hinder the view clear zone of an adjacent neighbors' view corridor. • Earth work construction of a deck/patio must comply with the erosion control standards set in the Interlocal Agreement and Lease • A deck/patio must comply with all other City of Rockwall codes.

Deck/Patio Cover – Pergola <i>(Ord. No. 10-32; December 6, 2010)</i>	
Description	<ul style="list-style-type: none"> • 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.
Allowances and disallowances	<ul style="list-style-type: none"> • A deck/patio cover - pergola will not be used as a habitable dwelling structure • A deck/patio cover - pergola will not be used as a storage facility • A deck/patio cover - pergola will not be used as a shelter for domestic or wild animals • A deck/patio cover - pergola will not exceed one story • A deck/patio cover - pergola will not have an overhang greater than one (1) foot, six (6) inches • A deck/patio cover - pergola will have a pergola style roof with rafters across the top • A deck/patio cover - pergola roof will not be used as a deck
Building materials	<ul style="list-style-type: none"> • 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 • Pressure treated pine, railroad ties and other treated wood products are not allowed
Height and depth regulations	<ul style="list-style-type: none"> • The height of a deck/patio cover - pergola will be a maximum of twelve (12) feet <div style="text-align: center;"> <p style="color: blue; font-weight: bold; font-size: 1.2em;">PERGOLA DETAIL</p> </div>
Take Line setback	<ul style="list-style-type: none"> • No setback requirements
Side yard setback	<ul style="list-style-type: none"> • There will be a twenty (20) foot setback on both side yards

<p>Normal pool elevation setback (Landside)</p>	<ul style="list-style-type: none"> • 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. • The exterior of a deck/patio cover - pergola will measure twelve (12) feet x twenty (20) feet maximum with a maximum height of twelve (12) feet. • A deck/patio cover - pergola will be allowed within twenty (20) feet 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.
<p>Normal pool elevation setback (Waterside)</p>	<ul style="list-style-type: none"> • A deck/patio cover - pergola will not be allowed at, upon or over the Lake
<p>Additional Requirements</p>	<ul style="list-style-type: none"> • Earth work construction of a deck/patio cover - pergola must comply with the erosion control standards set in the Interlocal Agreement and Lease • A deck/patio cover - pergola must comply with all other City of Rockwall codes

Gazebo	
Description	<ul style="list-style-type: none"> • A gazebo is a permanent stand-alone roofed trellis structure opened on all sides with places for sitting
Allowances and disallowances	<ul style="list-style-type: none"> • A gazebo will not be used as a habitable dwelling structure • A gazebo will not be used as a storage facility • A gazebo will not be used as a shelter for domestic or wild animals • A gazebo will not exceed one story • A gazebo will not have an overhang greater than one (1) foot, six (6) inches • A gazebo will have a hip roof with a slope of 2:1 ratio • A gazebo will have one cupola centered at the top of the main hip roof • A gazebo roof will not be used as a deck • A gazebo will not contain a balcony • A Gazebo exceeding the maximum requirements shall require a Specific Use Permit. (<i>Ord. No. 07-12; May 7, 2007</i>)
Building materials	<ul style="list-style-type: none"> • A gazebo will be built using steel reinforced concrete piers • The side trellis of a gazebo will be built using wood • 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 pre-finish standing seam galvanized roof.
Height and depth regulations	<ul style="list-style-type: none"> • The height of a gazebo will be a maximum of fifteen (15) feet.
Take Line setback	<ul style="list-style-type: none"> • No setback requirements
Side yard setback	<ul style="list-style-type: none"> • There will be a twenty (20) foot setback on both side yards
Normal pool elevation setback (Landside)	<ul style="list-style-type: none"> • A gazebo will not be allowed below 438.0 feet mean sea level • The exterior of a gazebo will measure ten (10) feet x ten (10) feet maximum with a maximum height of fifteen (15) feet. • A gazebo will be allowed within twenty (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.
Normal pool elevation setback (Waterside)	<ul style="list-style-type: none"> • A gazebo will not be allowed at, upon or over the Lake
Additional requirements	<ul style="list-style-type: none"> • A gazebo will not hinder the clear view zone of an adjacent neighbors' view corridor. • Earth work construction of a gazebo must comply with the erosion control standards set in the Interlocal Agreement and Lease • A gazebo must comply with all other City of Rockwall codes

Specifications for Boat-Related Uses

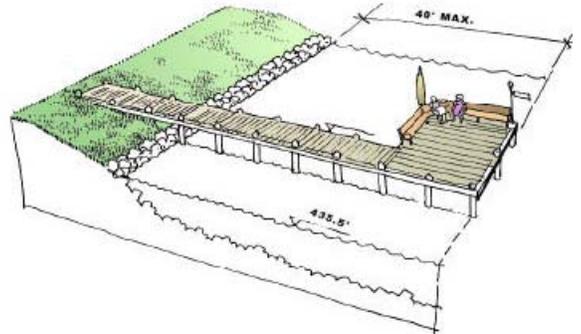
(Ord. No. 05-31, July 5, 2005; Revised via Ord. No. 07-12, May 7, 2007 and Ord. No. 08-30, July 7, 2008)

Standards for ALL boat-related uses (*As Permitted by City of Dallas*)

Descriptions and Visual Measurements

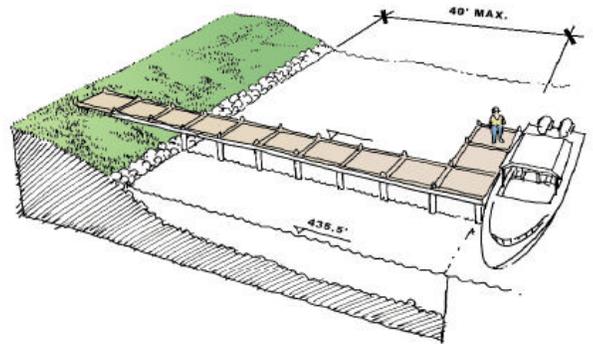
A dock deck is a flat floor surface area built over the Lake water adjoining the end of a fixed pier:

Dock deck adjoining a fixed pier



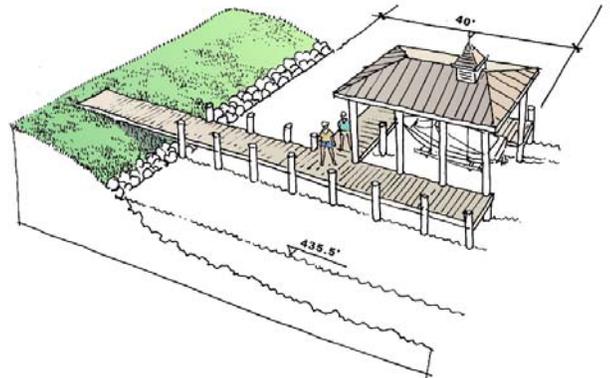
A fixed pier is a structure with a catwalk on top that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft:

Fixed pier



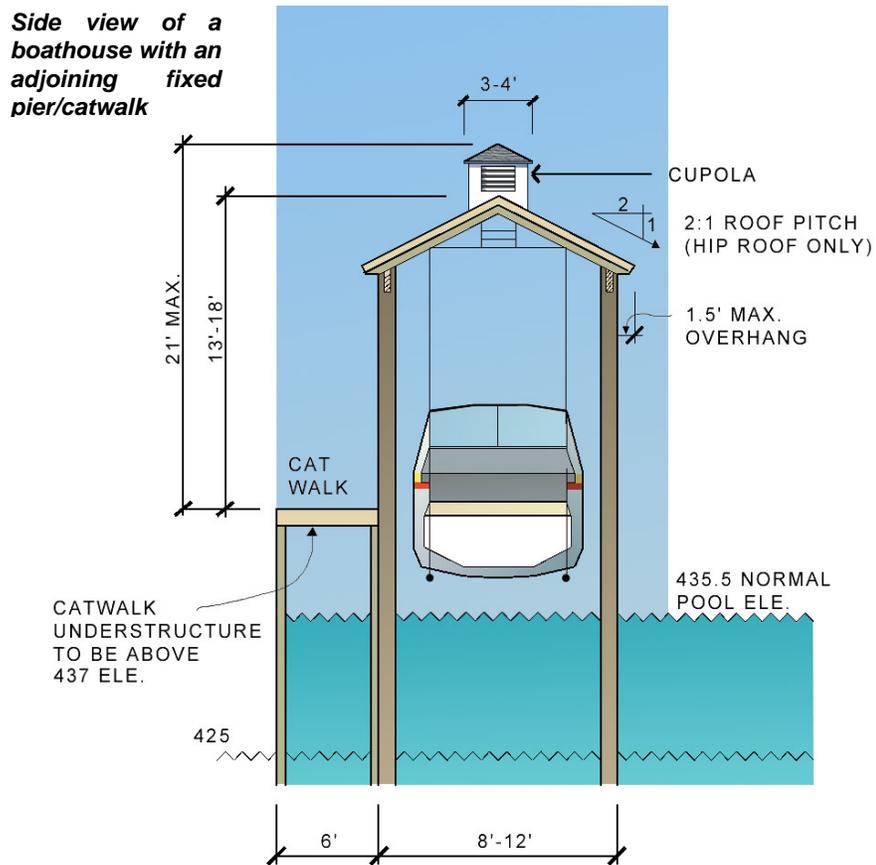
A boathouse is a roofed structure with a main waterside opening with an operating boatlift(s) contained within the structure and the structure built to house and protect watercraft and boat related equipment and with the boathouse structure built at the end or toward the end of an adjoining fixed pier

Boathouse adjoining a fixed pier on leased property



Boathouse Elevation

Side view of a boathouse with an adjoining fixed pier/catwalk



Allowances and disallowances

General Requirements:

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

Structure Specific Requirements:

Dock Decks

- 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), lockerbox, and power source station
- A securely attached table can be placed on the edge or in the center of a dock deck

Fixed Pier

- A fixed pier can be designed to be 'I' shaped, 'T' shaped, 'L' shaped or 'U' shaped.
- 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,

	<p>cleats, dock ladder, dock lighting, lockerbox, and power source station</p> <ul style="list-style-type: none"> • Watercraft are only allowed to moor at any portion of a fixed pier for no greater than 156 hours during an entire week • Stairs with handrails made of water resistant wood are allowed at the landside end of a fixed pier <p><u>Boathouse</u></p> <ul style="list-style-type: none"> • A boathouse will not exceed one story • 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 (3) feet to four (4) feet in width • A boathouse cupola will be designed to allow updraft air and winds to vent outward • A boathouse shall be built with a 2:1 roof pitch • A boathouse roof will not be used as a deck • A boathouse will not have an overhang greater than eighteen (18) inches • A boathouse will not be used for storing any other type of items except boats and boat-related equipment • A deck ladder will be allowed inside a boathouse • A boathouse can incorporate one storage unit measuring 72" length x 20" depth x 20" height placed on the outer dock-side to be used only for storing boat-related equipment, except fossil-fuels and hazardous materials • A boathouse must contain an operating boatlift built within the boathouse structure • 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 • A boatlift(s) built within a boathouse must be able to hoist a watercraft(s) above 438.0 feet mean sea level • Boat engines with a fuel efficiency rating of 95% or less will be restricted from boathouses • A boathouse can be used for storing sailboats
<p>Building materials</p>	<ul style="list-style-type: none"> • Boat-related structures constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas. • 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. • 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 fascias). • Water repellant sealants shall not be used to treat Ironwood on any boat-related structure. • Any benches built on a fixed pier or dock deck shall be constructed of water resistant materials (wood is not permitted) • All fasteners binding wood must be made of stainless steel • A boathouse shall have a roof constructed of standing seam metal with a pre-finished color to be selected from Appendix 1 of Table A

<p>Height and depth regulations</p>	<ul style="list-style-type: none"> • The approved pilings used to support a dock deck, fixed pier, or boathouse must be built up to at least seventeen (17) inches above the normal pool elevation (435.5 feet mean sea level) • The flat floor surface or catwalk for all structures must be no more and no less than eighteen (18) inches above the normal pool elevation (435.5 feet mean sea level) • 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 • 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 • Disposal of dredge material 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 City of Dallas guidelines and supervision • The maximum height for boat-related structures shall be as follows: <ul style="list-style-type: none"> • Dock Deck = Up to four (4) pole structures incorporated into dock deck are allowed with a maximum height of 8-feet above the flat floor surface • Fixed Pier = Up to two (2) pole structures incorporated into fixed pier are allowed with a maximum height of 8-feet above the catwalk • A boathouse’s height will range from sixteen (16) feet minimum to twenty-one (21) feet maximum measured from the top of the fixed pier’s catwalk to the vertex of boathouse’s cupola roof
<p>Takeline setback</p>	<ul style="list-style-type: none"> • No setback requirements
<p>Side yard setback</p>	<ul style="list-style-type: none"> • All boat-related structures permitted by this ordinance shall have a side yard setback of at least ten (10) feet
<p>Normal pool elevation setback (Landside)</p>	<ul style="list-style-type: none"> • A dock deck or boathouse will not be allowed on land • A fixed pier catwalk will be allowed within nine (9) feet of the normal pool elevation shoreline (435.5 feet mean sea level)
<p>Normal pool elevation setback (Waterside)</p>	<ul style="list-style-type: none"> • The farthest point of each dock deck, fixed pier, or boathouse, or combination thereof as allowed by this ordinance, will not extend more than forty (40) linear feet into the water measured from the seawall • No dock deck, fixed pier, or boathouse shall be designed so as to prevent public access to an area of water <p><u>Size Requirements</u></p> <ul style="list-style-type: none"> • Dock Deck: The footprint of the exterior sides of a dock deck adjoining a fixed pier will measure 8-ft x 10-ft minimum and will measure 12-ft x 30-ft maximum • Fixed Pier: The catwalk of a fixed pier will be a maximum of 6-ft 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. • The footprint of the exterior sides of a boathouse structure will measure eight (8) feet width x thirty (30) feet length minimum and will measure twelve (12) feet width x thirty (30) feet length maximum

Easement Protection	<ul style="list-style-type: none"> • No dock deck, fixed pier or boathouse shall encroach into an existing or identified future easement, right-of-way, access road or path
Additional Requirements	<ul style="list-style-type: none"> • All boat-related structures shall be designed to discourage swimming • All boat-related structures must comply with the most recent City of Rockwall codes • All boat-related structures as defined in this ordinance must be durable, having a base foundation construction of approved piling piers placed to a depth per structural engineer • Vertical rub rails are required on all concrete piers • The exterior color of all dock decks and fixed piers shall be a neutral or earthtone color subject to approval by the City of Rockwall • 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 • All dock decks and fixed piers shall be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation • 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 (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 diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition. • 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) • 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 • Interior lighting for a boathouse will be directed to the ceiling of the structure and 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 • 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 (10) foot increments, with the cover housing the lighting source no higher than six (6) inches maximum • Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a dock deck or at the end of a fixed pier

Appendix 1

Pre-finished Standing Seam Metal Roof Colors for Boathouse

*Note: The colors below have been selected from the *Residential Metal Roofing 2007 Catalog* as published by Mueller, Inc. Like colors from other manufacturers may be used subject to review and approval by the Director of Planning at the time of building permit. (Ord. No. 07-12, May 7, 2007)

