



**Planning and Zoning Commission
Regular Meeting
Conducted by Video Conference
Thursday, October 15, 2020 at 7:00 p.m.
Agenda**

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act, and in an effort to protect the health and safety of the public, members of the public this meeting is being conducted by video conference. Members of the public who desire to only listen to proceedings of the meeting may dial the following toll-free number and, when prompted, enter the following Meeting ID #, beginning at 6:40 p.m. to join the meeting. Any person wishing to view the video conference may go to the Internet link shown below and enter the password shown.

Toll Free Number: 877 853 5257

Meeting ID#: 836 2870 1486

Video Conference:

<https://us02web.zoom.us/j/83628701486?pwd=dIpiYXc4ZlhyaGhLTkdVVRkdyQVQzZz09>

Password: 754476

Any person wishing to provide comments during Item 3 – Citizen Agenda & Public Comment, or on any matter to be considered on this agenda, should email such comments to the City Secretary at cdelcambre@lakedallas.com by 3:00 p.m. on Thursday, October 15, 2020.

1. Call to Order and Determination of Quorum

2. Pledges of Allegiance

3. Citizen Agenda & Public Comment

An opportunity for citizens to address the Planning & Zoning Commission on matters which are not scheduled for consideration by the Planning & Zoning Commission. To address the Planning & Zoning Commission, please send your comments to the City Secretary before 3:00 p.m. on the date of this meeting. Comments sent by e-mail will be read aloud so that they are included in the recorded record of the meeting. In keeping with the Council's procedures for limiting speaking time to five (5) minutes per speaker, any written comments provided for this item should be kept short enough so that they can be read aloud in five (5) minutes or less.

The Texas Open Meeting Act prohibits deliberation by the Planning & Zoning Commission of any subject which is not on the posted agenda, therefore the Planning & Zoning Commission will not be

able to discuss or take any action on items brought up during the citizen presentations that are not on the agenda.

4. **Approval of the minutes of the September 17, 2020, regular meeting.**
5. **Conduct a public hearing and consider an ordinance amending Lake Dallas Municipal Code Chapter 122 "Zoning" Article XXII "Screening, Landscaping and Tree Preservation" by repealing Division 3 "Tree Preservation" in its entirety and revising the caption of said Article XXII to conform.**
6. **Consider an ordinance amending Lake Dallas Municipal Code Chapter 42 "Environment" by adding Article IV titled "Tree Preservation" setting forth regulations governing the removal, mitigation, and preservation of trees on property within the City.**
7. **Conduct a public hearing and consider an ordinance amending Lake Dallas Municipal Code Chapter 122 "Zoning" Article XX "Accessory Buildings, Structures and Mechanical Equipment" by amending Division 1 "Accessory Buildings, ETC." relating to the regulation of accessory structures within the City.**
8. **Receive the Annual update and hold a discussion on the City of Lake Dallas Vision 2030 Comprehensive Plan.**

I certify that the above notice of this meeting was posted on the bulletin board at City Hall of the City of Lake Dallas, Texas on or before October 12, 2020 at 4:30 p.m.



Codi Delcambre, City Secretary

If you plan to attend this public meeting telephonically and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (940) 497-2226 ext. 102 or fax (940) 497-4485 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**State of Texas
County of Denton
City of Lake Dallas**

Minutes: Planning and Zoning Commission Minutes

The Lake Dallas Planning and Zoning Commission met in a regular meeting on September 17, 2020 in a video conference, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Chairperson Ben Gilbert call the meeting to order at 7:01 p.m.

1. Roll Call: Planning and Zoning Commission

Ben Gilbert	Chairperson, Member Place 1
Melody Parlett	Member Place 2
Jayme Potter	Member Place 3
Vacant	Member Place 4
Lester Rayburn	Member Place 5

Absent:

Staff present: Angie Manglaris, Development Services Director and Glenda Cowling, Permit Tech

2. Pledge of Allegiance was led by Ben Gilbert

3. Citizen Agenda & Public Comment

An opportunity for citizens to address the Planning and Zoning Commission on matters which are not scheduled for consideration by the Planning and Zoning Commission. In order to address the Planning and Zoning Commission, please complete a Public Meeting Appearance Card and present it to the Permit Tech prior to the start of the meeting. The Texas Open Meeting Act prohibits by the Planning and Zoning Commission of any subject which is not on the posted agenda, therefore the during the citizen presentations. Citizen presentation will be limited to five (5) minutes per person.

No public input was received.

4. Approval of minutes for Meeting held on August 20, 2020

Motion: to approve the minutes for Meeting of August 20, 2020 as presented was made by Member Lester Rayburn seconded by Member Melody Parlett.

Ayes: Member Ben Gilbert, Member, Melody Parlett, Member Lester Rayburn and Member Jayme Potter.

Nays: None

Motion Passed 4-0

5. **Hold and discussion and make a recommendation to City Council regarding the appointment of members to the City of Lake Dallas Planning and Zoning Commission.**

After a brief discussion, Chairperson Gilbert asked Angie Manglaris, Development Services Director for clarification on making the motion either one at a time or all three application at one time. After clarification was given by Angie Manglaris, Development Services Director a motion of all three (3) could be made the following motion went forward.

Motion- Chairperson Gilbert made the motion to appoint all three (3) applicants, Melody Parlett, Annette Fuller and Gregory Peabody to serve as members on the Planning and Zoning Commission. Member Jayme Potter seconded the motion. Motion carried.

Ayes: Member Ben Gilbert, Member Melody Parlett, Member Lester Rayburn, Member Jayme Potter.

Nays: None

Motion carried 4-0

Ms. Manglaris gave the Commission a brief update on projects the Department of Development Services was working on, including the Use Chart and Zoning revision project.

Adjournment 7:09 p.m.

Passed and approved on the _____ day of _____, 2020

Ben Gilbert, Chairperson

Glenda Cowling, Permit Tech



CITY COUNCIL
AGENDA MEMO

Prepared By: Angie Manglaris, Director of Development Services

October 15, 2020

Tree Preservation Ordinance

DESCRIPTION:

Conduct a public hearing and consider an ordinance amending Lake Dallas Municipal Code Chapter 122 "Zoning" Article XXII "Screening, Landscaping and Tree Preservation" by repealing Division 3 "Tree Preservation" in its entirety and revising the caption of said Article XXII to conform.

BACKGROUND INFORMATION:

On August 27, 2020, City Council held a workshop on the Tree Preservation Ordinance located in Chapter 122 "Zoning" of the Lake Dallas Municipal Code. The intent of the workshop was for Council and staff to review areas in which the tree preservation regulations could be improved upon, as well as identifying and incorporating criteria accreditation programs look for when evaluating applications. At the end of the workshop, Council provided staff with direction to move forward with amendments to the Tree Preservation Ordinance.

Staff has taken the updating of the Tree Ordinance as an opportunity to remove the existing regulations out of their current section in the Zoning Ordinance to a newly created Chapter 42 "Environment" Article IV "Tree Preservation." Tree Preservation and removal procedures will be situated in a more convenient Article for land developers and property owners to access.

The Draft Tree Preservation Ordinance is a separate item on this Agenda for consideration.

FINANCIAL CONSIDERATION:

There is no financial impact to the taxpayers of Lake Dallas.

RECOMMENDED MOTIONS:

I move to **APPROVE/DENY** amending the Lake Dallas Municipal Code by amending chapter 122, "Zoning" Article XXII "Screening, Landscaping and Tree Preservation" by repealing Division 3 "Tree Preservation" in its entirety and revising the caption of said Article XXII to conform.

ATTACHMENT(S):

1. Draft Ordinance

ORDINANCE NO. 2020-____

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING CHAPTER 122, "ZONING" ARTICLE XXII "SCREENING, LANDSCAPING AND TREE PRESERVATION" OF THE LAKE DALLAS MUNICIPAL CODE BY REPEALING DIVISION 3 "TREE PRESERVATION" AND REVISING THE CAPTION OF SAID ARTICLE XXII TO CONFORM; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission of the City of Lake Dallas and the governing body of the City of Lake Dallas, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Lake Dallas is of the opinion that said zoning ordinance and map should be amended as provided herein.

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

SECTION 1. Chapter 122, "Zoning" Article XXII "Screening, Landscaping and Tree Preservation" is amended by repealing in its entirety Division 3 "Tree Preservation" and revising the caption of said Article XXII to read "Screening and Landscaping."

SECTION 2. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the City of Lake Dallas, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 3. Should any article, paragraph, subdivision, clause or provision of this ordinance, or the Lake Dallas Municipal Code as hereby amended be adjudged or held invalid or unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so declared to be invalid or unconstitutional.

SECTION 4. This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and Charter in such cases provide.

PASSED AND APPROVED this the _____ day of _____ 2020.

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:10/12/2020:118532)



**P&Z COMMISSION
AGENDA MEMO**

Prepared By: Angie Manglaris, Director of Development Services

October 15, 2020

Tree Preservation Ordinance

DESCRIPTION:

Consider an ordinance amending Lake Dallas Municipal Code Chapter 42 “Environment” by adding Article IV titled “Tree Preservation” setting forth regulations governing the removal, mitigation, and preservation of trees on property within the City.

BACKGROUND INFORMATION:

On August 27, 2020, City Council held a workshop on the Tree Preservation Ordinance located in Chapter 122 “Zoning” of the Lake Dallas Municipal Code. The intent of the workshop was for Council and staff to review areas in which the tree preservation regulations could be improved upon, as well as identifying and incorporating criteria accreditation programs look for when evaluating applications. At the end of the workshop, Council provided staff with direction to move forward with amendments to the Tree Preservation Ordinance.

The workshop discussion also covered standards for Tree City USA Achievement as the City has identified this accreditation as a goal for the upcoming fiscal year. Tree City USA identifies four (4) criteria required to be eligible for this designation:

1. *Establishment of a Tree Board: someone must be legally responsible for the care of all trees on city-owned property.*
2. *A Tree Care Ordinance: a public tree care ordinance which forms the foundation of a city’s tree care program.*
3. *A community forestry program with an annual budget of at least two dollars (\$2) per capita: the community must document at least \$2 per capita toward the planting, care, and removal of city trees.*
4. *An Arbor Day Observance and Proclamation: an Arbor Day Celebration to join together and celebrate the benefits of community trees.*

Below are areas discussed at the Council workshop and a brief overview of changes recommended as part of the draft ordinance. City staff has referenced the ordinances of

neighboring cities (Hickory Creek and Corinth) as well as the City of Southlake and the City of Denton for best practices in the region as it relates to tree preservation.

Section 42-81 Definitions Section:

The definitions section was expounded upon to include additional terms specific to tree preservation such as protected trees, caliper inches, diameter at breast height (DBH), protective fencing, Tree Board and Reforestation Fund. Language that was vague under the previous ordinance has been refined for clarity.

Section 42-82 Tree Board:

This is a new section and designates the Planning and Zoning Commission as the Tree Board. The Tree Board serves in an advisory capacity on various matters concerning the Tree Ordinance and considers requests for alternative mitigation plans.

Section 42-84-Tree Removal:

The Tree Removal section has been revised to reflect permitting requirements for tree removal and to incorporate penalties for removal of trees without a permit.

Section 42-85 Tree Preservation Permit:

The Tree Preservation Permit section has been revised to incorporate two (2) alternative methods to tree mitigation in lieu of planting onsite: requesting to pay into the tree fund, and requesting to plant trees on public property.

Section 42-86 Tree Replacement:

City staff has cleaned up the in this section to be clearer regarding types of trees required to be planted, the size of trees at planting, survivability of mitigation tress, and alternative mitigation methods.

Section 42-87. Administration of Tree Fund:

This section charges the City with the responsibility of administering the Tree Fund and specifies the purposes for which these moneys may be used. The Tree Fund is strictly for the following purposes: to plant, purchase and irrigate tress on City Property; to educate residents on the benefits and values of trees; and to purchase and preserve wooded property that remains in a naturalistic state.

Section 42-88. Tree Protection:

This this section has been amended to specify how trees to be preserved are identified, the type of protective barrier required around these trees and the area in which the barrier shall extend, and activities to be prohibited within the critical root zone of protected trees.

Section 42-89. Exempt Trees:

Minor revisions have been made to trees exempt form preservation requirements. Trees exempt from permitting requirements include hazardous trees, trees significantly impacted by

Acts of God, trees within licensed plant nurseries, trees deemed an endangerment by a utility company, and trees situated on developed residential properties.

Section 42-90. Public Trees:

This section had been added to address the care of public trees (trees owned by the City/situated on City property). The section outlines the protection of public trees, the maintenance of public trees, and identifies trees that are of nuisance.

Section 42-91. Protected Trees and Approved Plant List:

This section maintains a list of trees that are protected in the City (greater than 3 caliper inches) as well as trees approved to be planted within the City Limits when accounting for mitigation inches.

FINANCIAL CONSIDERATION:

There is no financial impact to the taxpayers of Lake Dallas.

RECOMMENDED MOTIONS:

I make a motion to recommend City Council **APPROVE/DENY** an ordinance amending Lake Dallas Municipal Code Chapter 42 "Environment" by adding Article IV titled "Tree Preservation" setting forth regulations governing the removal, mitigation, and preservation of trees on property within the City.

ATTACHMENT(S):

Draft Tree Preservation Ordinance

ARTICLE IV. - TREE PRESERVATION

Sec. 42-80. - Purpose.

- (a) The purposes of this article are to establish rules and regulations governing the protection of trees and vegetation cover within the city, to encourage the protection of healthy trees and vegetation, and to provide for the replacement and replanting of trees that are necessarily removed during construction, development or redevelopment.
- (b) The provisions of this article allow trees located within necessary public rights-of-way and easements to be removed prior to issuance of a building permit; trees within the buildable area of a property may also be removed. All other tree removal requires a tree permit.

Sec. 42-81. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Buildable area means that portion of a building site exclusive of the required yard area on which a structure or building improvements may be erected, and including the actual structure, driveway, parking lot, pool and other construction as shown on the site plan. The buildable area shall not exceed five (5) feet from the edge of the building pad.

Caliper is the American Association of Nurserymen standard for trunk measurement of nursery stock.

Critical Root Zone means a circular region measured outward from a tree trunk representing the essential area of roots that must be maintained or protected for a tree's survival. A tree's critical root zone is measured as one (1) foot of radial distance outward from the trunk for every inch of tree DBH and may be no less than a radius of eight (8) feet.

DBH (diameter at breast height) means the tree trunk diameter measured in inches at a height of four and one-half (4.5) feet above ground level. DBH will be defined as the sum of each individual trunk if a tree splits into multiple trunks.

Dripline means a vertical line running through the outermost portion of the crown of a tree and extending to the ground.

Historic tree means a tree which has been found by the City to be of notable historic interest because of its age, type, size or historic association and which has been so designated as part of the official records of the City.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is resistant to infiltration by water.

Protected trees means any tree as identified in Section 42-92 that has a DBH of six (6) inches or greater and any tree of any species having a DBH of twelve (12) or greater.

Protective Fencing is a physical and visual barrier installed around the critical root zone of a tree to be preserved as required by Section.

Reforestation Fund is the fund established by the City for the following purposes:

- (a) Planting, maintain and managing trees and landscaping on City property;
- (b) Public education efforts on the aesthetic and health benefits of conservation and environmental protection;
- (c) Creating and expanding wooded areas within the City; and
- (d) Other similar efforts as indicated in this Ordinance and/or approved by City Council.

Specimen tree means a tree which has been determined by the City to be of high value because of its type, size or other professional criteria, and which has been so designated as part of the official records of the City.

Tree means any self-supporting woody perennial plant which has a trunk diameter of three inches or more when measured at a point of 4½ feet above ground level, and which normally attains an overall height of at least 20 feet at maturity, usually with one main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oak.

Tree Board means a board appointed by the City Council to carry out the duties and responsibilities as set forth in this Ordinance. The Planning and Zoning Commission shall constitute the Tree Board unless the City Council appoints a different tree board.

Yard area means the front, side and rear yard areas of a lot or parcel as determined in Chapter 122.

Sec. 42-82 Tree Board

The City Council hereby creates a “Tree Advisory Board,” hereinafter referred to as the “Board.”

- (a) **Membership.** The Planning and Zoning Commission shall be appointed to serve as the Tree Board.
- (b) **Term of office.** Members of the Tree Board shall be appointed for two-year terms with two members' terms expiring in even-numbered years and three members' terms expiring in odd-numbered years. If a vacancy shall occur during the term of any member, a successor shall be appointed by City Council for terms commencing on October 1 of each year.

- (c) **Officers.** The Tree Board shall annually select one member to serve as chair, may appoint a second member to serve as vice-chair, and may appoint a third member to serve as secretary.
- (d) **Meetings.** The Board shall meet on an as needed basis. All meetings shall be open to the public.
- (e) **Duties.** The Board shall act in an advisory capacity to the Director of Development Services and shall:
 - (1) Coordinate and promote Arbor Day activities;
 - (2) Support public awareness and education programs relating to trees;
 - (3) Review and provide recommendations on City department concerns relating to tree care as requested;
 - (4) Consider requests and make recommendations for alternative options to mitigating trees on-site;
 - (5) Develop of a list of recommended trees for planting on City property and a list of prohibited species; and
 - (6) Perform other duties that may be assigned by City Council.

Sec. 42-84. - Applicability.

The terms and provisions of this article shall apply to real property as follows:

- (1) All real property upon which any designated specimen or historic tree is located.
- (2) All vacant and undeveloped property.
- (3) All property to be redeveloped, including additions and alterations.
- (4) The yard areas of all developed property, excluding developed single-family residential property.

Sec. 42-85. Tree Removal.

- (a) No person, directly or indirectly, shall cut down, destroy, remove or effectively destroy through damaging, any protected tree on any real property being developed or subdivided without first obtaining a permit.

- (b) Protected trees shall not be removed prior to the issuance of a tree removal permit. Under no circumstances shall the clear-cutting of trees on any real property within the City be allowed prior to the issuance of a tree removal permit for said property.
- (c) If any protected trees are removed from any real property without authorization of a tree removal permit, or if a protected tree is injured because of failure to follow proper tree protection measures such that the tree dies or may be reasonably expected to die, the City may enact one of the following penalties:
 - (1) A monetary penalty of \$100 per caliper inch of the protected tree removed payable to the City's Reforestation Fund; or
 - (2) Replacement with new trees having total caliper inches equivalent to two (2) times of that removed. Replacement trees shall be a minimum of three (3) caliper inches at time of planting. Replacement trees shall be planted in locations as approved by the City Manager or authorized Designee.
- (d) Upon issuance of a building permit, a developer or property owner may remove trees located within the buildable area of the property. Trees located in required yards, buffers and open space areas shall be maintained and preserved.
- (e) This section shall not be applicable to the removal of a tree by a person if the tree is:
 - (1) located on a property that is developed with an existing single-family or two-family that is the person's residence; and
 - (2) is less than ten (10) inches in diameter at the point on the trunk 4.5 feet above the ground.

Sec. 42. – 86 Tree preservation permit.

- (a) **Required.** An application for a tree removal permit for a protected tree shall be submitted to the City. Upon receipt of a proper application, the Director of Development Services or authorized designee shall review the application and may conduct field inspections.
- (b) **Application.**
 - (1) The application for a tree removal permit, if required, is a part of the development process. No development plan shall be approved without approval of a required tree removal permit.
 - (2) Development applications shall be accompanied by a tree survey showing the exact location, size (trunk diameter and height) and common names of all trees to be removed. The application shall also be accompanied by a written document indicating the reasons for removal or replacement of trees, and two copies of a legible site plan drawn to the largest practicable scale indicating the following:

- (i) Location of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, setback and yard requirements and special relationships.
 - (ii) Existing and proposed site elevations, grades and major contours.
 - (iii) Location of existing or proposed utility easements.
 - (iv) The location of trees, on the site, to be removed or replaced.
- (3) Tree information required in this section shall be summarized in legend form on the tree survey and shall include the reason for the proposed removal or replacement.
- (4) Application involving developed properties may be based on drawings showing only that portion of the site being developed, adjacent structures, and incidental landscaping or natural growth.
- (5) Aerial photographs, at an appropriate scale, may be substituted at the discretion of the Director of Development Services for a site plan, if adequate site information is supplied on the aerial photographs.
- (c) **Application review.** Upon receipt of a proper application for tree removal, the Commission shall review the application for new subdivisions and the Director of Development Services shall review applications for platted lots. Such reviews may include a field inspection of the site, and the application may be referred to such departments as deemed appropriate for review and recommendations. If the application is made in conjunction with a site plan submitted for approval, the application will be considered as part of the site plan; and no permit shall be issued without site plan approval. Following the review and inspection, the permit applications will be approved, disapproved or approved with conditions by the Director of Development Services or Tree Board, as appropriate, in accordance with the provisions of this article.

Sec. 42-87. - Tree replacement.

- (a) If it is necessary to remove trees outside the buildable area, the developer, as a condition to issuance of a tree removal permit, shall be required to replace the trees being removed with new trees having a total caliper width equivalent to the width of the tree(s) removed elsewhere within the site or lot.
- (b) Such replacement trees shall be a minimum of three (3) caliper inches and seven (7) feet in height at the time of planting. Replacement trees shall be selected from the list of approved replacement trees maintained by the City.
- (c) If the tree dies within one (1) year of planting, the developer or property owner shall be responsible for replacing the tree.

- (d) Alternative compliance to planting replacement trees onsite may be recommended by the Tree Board. The developer or property owner responsible for tree removal may request to plant replacement trees on City property or to pay into the Tree Fund. The Tree Board may recommend to the City Council:
- (1) property in lieu of planting onsite. The applicant shall select trees from the City's approved plant list and shall pay _____ into the Tree Fund for the maintenance of the replacement trees for two (2) years;
 - (2) approval of a payment into the Tree Fund in an amount set forth in the Master Fee Schedule in lieu of planting replacement trees; o
 - (3) approval of a combination of paragraphs (1) and (2), above.

Upon receipt of the Tree Board's recommendation, the City Council shall approve, modify, or disapprove of the Tree Board's recommendation.

Sec. 42.-88 Administration of Tree Fund

- (a) There is hereby established a special revenue fund of the City to be known as the "Tree Fund." Funds deposited into the Tree Fund may only be used for the following purposes: to plant, purchase and irrigate trees on City Property; to educate residents on the benefits and values of trees; and to purchase and preserve wooded property that remains in a natural state.
- (b) Fees in lieu of planting shall be paid into the Tree Fund prior to a pre-construction meeting on all developments and prior to filing a Final Plat at the Denton County Clerk's Office.
- (c) Any voluntary contributions the City receives for the purpose of tree preservation shall be delegated to the Tree Fund unless otherwise directed by the donor.

Sec. 42-89. - Tree protection.

- (a) Unless otherwise exempt by this Ordinance, the following procedures shall apply to protect any tree for which a permit is required if removal of the tree had been sought.
- (b) Prior to any construction or land development, the developer shall clearly mark all trees to be maintained and shall erect a protective barrier around such trees as follows:
 - (1) Protective fencing shall encircle the outer limits of the critical root zone of each protected tree on a construction site;
 - (2) Protective fencing shall be at least four (4) feet tall, clearly visible to all workers on site; and

- (3) All protective fencing shall remain in place and maintained for the duration of construction.
- (c) The following activities shall be prohibited within the limits of the critical root zone of any protected tree:
 - (1) Storage of materials intended for the use of construction or waste materials accumulated due to excavation or demolition is prohibited within the limits of the critical root zone of any protected tree;
 - (2) Cleaning of equipment within the critical root zone of any tree and the flow of any liquids, including paint, oil, solvent, concrete, or similar materials within the critical root zone of a protected tree is prohibited;
 - (3) Attachment of signs, wire, or other attachments to a protected tree, other than those of protective nature, is prohibited;
 - (4) Grade changes within the limits of the critical root zone is prohibited unless adequate protective measures are approved in advance by written notice from the Director of Development Services;
 - (5) Paving with asphalt, concrete or other impervious materials within the critical root zone of a protected tree is prohibited; and
 - (6) Vehicle and/or construction traffic, parking, or storage within the critical root zone of any protected tree other than occur only on existing street pavement.

Sec. 42-90. – Exempt Trees.

- (a) Trees determined to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety, and require immediate removal without delay may be removed without obtaining a written permit as required in this article upon authorization given by the Director of Development Services.
- (b) The City Council may waive or modify the provision of this article during a period of a local disaster as may be deemed necessary to remove trees damaged during a storm event or other local disaster.
- (c) Removal of trees from the inventory of a plant or tree nursery relating to the sale of such trees is exempt from the terms and provisions of this article only in relation to those trees planted and growing on the premises of such nursery which are so planted and growing for the sale or intended sale to the general public in the ordinary course of the nursery's business.
- (d) Utility companies franchised by the city may remove trees which endanger public safety and welfare by interfering with utility service except where such trees are on owner-

occupied properties developed for one-family use, in which case disposal of such trees shall be at the option of the property owner.

- (e) Trees situated on developed residentially zoned properties are exempt from the provisions of this article.

Sec. 42-91 Public Trees

- (a) **Prohibition against harming public trees.** It is unlawful for any person to damage, remove, or cause the damage or removal of a tree on public property without written permission from the Director.
 - (1) It shall be unlawful for any person to damage, remove, or cause the damage or removal of a tree on public property without written permission.
 - (2) It shall be unlawful for any person to attach any cable, wire or signs or any other object to any street, park, or public tree.
 - (3) It shall be unlawful for any person to “top” any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical may be exempted from this provision at the determination of the Tree Board.
- (b) **Adjacent Owner Responsibility.** The owner of land adjacent to any City street or highway, when acting within the provisions of this article, may plant and maintain trees in the adjacent parkway area. Property owners are responsible for the reasonable and routine maintenance of trees and other landscaping in the adjacent parkway area. No property owner shall allow a tree, or other plant growing on his or her property or within the adjacent parkway to obstruct or interfere with pedestrians or the view of drivers, thereby creating a hazard. If an obstruction persists, the Director shall notify the property owner to prune or remove the tree or plant. If the owner fails to comply with the notice, the City may undertake the necessary work and charge the cost to the property owner.
- (c) **Certain trees declared a nuisance.** Any tree, or limb thereof, on private property determined to have contracted a communicable disease or insects; to be dead or dying; to obstruct the view of traffic signs or the free passage of pedestrians or vehicles; or that threatens public health, safety, and welfare is declared a nuisance and the City may require treatment or removal. Private property owners have the duty, at their own expense, to remove or treat nuisance trees on their property. The City may remove such trees at the owner’s expense if the owner does not comply with treatment and/or removal as specified by the tree board within the written notification period.

Sec. 42-92 Protected Trees and Approved Plant List.

(1) The following species shall be classified as “Overstory Trees”):

Common Name	Botanical Name
Ash, Green	Fraxinus pennsylvanica
Ash, Texas	Fraxinus texensis
Cedar, Eastern Red	Juniperus virginiana
Chinese Pistache	Pistacia chinensis
Chitalpa	Chilopsis x Catapulpa
Chittamwood	Bumelia lanuginosa
Cypress, Bald	Taxodium distichum
Elms	Ulmus species
Hickories	Carya species
Locust, Black	Robinia pseudoacacia
Magnolia, Southern	Magnolia grandiflora
Maple, Caddo	Acer saccharum 'Caddo'
Oaks	Quercus species
Pecans	Carya species
Persimmon, Common	Diospyros virginiana
Pines	Pinus species
Sweet Gum	Liquidambar styraciflua
Western Soapberry	Sapindus drummondii

(2) The following species shall be classified as “Understory trees”):

Common Name	Botanical Name
Blackhaw, Rusty	Viburnum rufidulum
Buckeye, Mexican	Ungnadia speciosa
Buckthorn, Carolina	Rhamnus caroliniana
Chitalpa	Chilopsis x Catapulpa
Crab Apple	Malus angustifolia
Crepe Myrtle	Lagerstroemia indica
Deciduous Holly	Illex decidua

Common Name	Botanical Name
Dogwood, Rough-leaf	Cornus drummondii
Flameleaf Sumac	Rhus copallina
Hawthorn, Downy	Crataegus mollis
Hawthorn, Washington	Crataegus phaenopyrum
Maple, Japanese	Acer palmatum
Mesquite	Prosopis glandulosa
Persimmon, Texas	Diospyros texana
Plum, Mexican	Prunus Mexicana
Redbud	Cercis canadensis
Smoketree	Cotinus obovatus
Texas Sophora (Eve's Necklace)	Sophora affinis
Wild Plum	Prunus americana
Willow, Desert	Chilopsis linearis
Yaupon Holly	Ilex vomitoria



**P&Z COMMISSION
AGENDA MEMO**

Prepared By: Angie Manglaris, Director of Development Services

October 15, 2020

Accessory Structure Ordinance Amendments

DESCRIPTION:

Conduct a public hearing and consider an ordinance amending Lake Dallas Municipal Code Chapter 122 "Zoning" Article XX "Accessory Buildings, Structures and Mechanical Equipment" by amending regulations set forth in Division 1 "Accessory Buildings, ETC." relating to accessory structure requirements within the City.

BACKGROUND INFORMATION:

City Council requested staff bring forward a workshop item to discuss the existing Accessory Structure Ordinance and determine if amendments to the regulations should be pursued.

In May 2019, City Council amended the Zoning Ordinance by adopting Chapter 122. Article XX "Accessory Buildings, Structures and Mechanical Equipment." The amending Ordinance (2019-19) moved accessory structure regulations out of their respective Zoning Categories and placed all regulations relating to these uses in a separate article.

At their regular meeting on September 10, 2020, City Council held a discussion regarding Accessory Structures was held. After discussion, City Council provided staff with direction to move forward with the amendments as discussed. The following areas were discussed at the September 10th City Council meeting and have been revised accordingly.

Setbacks:

Section 122-794 requires all accessory buildings be setback a minimum three feet (3') from any side or rear property line in all zoning districts. This section has been revised so that the minimum setback for any accessory structure in a residential district is now five feet (5'). The ordinance still prohibits any structure from being situated in the front yard of any property, with an exception for a few specific commercial uses (non-residential carports, gas station canopies, etc.).

Height:

There was discussion at the City Council meeting regarding the allowable height for accessory structures. The Code has been amended so that accessory structures shall not be taller than

fifteen feet (15') and accessory dwellings shall not be greater than twenty-four feet (24') in height.

Maximum Lot Coverage:

The maximum allowed lot coverage for the main and accessory structure is thirty percent (30%) per Section 122.743 (d). The existing Ordinance does not call out this section specifically, staff has made amendments to avoid any potential oversight in the permit review process.

Compatibility with Main Structure:

Section 122.794 (f). requires accessory structures be compatible with their main structure. The subsection specifies the accessory structure must be compatible relating to architectural requirements: roof pitch, articulation, color, exterior materials. Due to House Bill 2439 and its limitations on Cities to enforce materials, staff has revised this section by removing exterior materials from compatibility the requirements.

Permitting:

The draft Ordinance has been amended to require a person obtain an accessory building permit prior to constructing or otherwise locating an accessory building of any size on a lot or parcel of land within the City. The application shall contain sufficient information for the Director of Development Services to determine that the location and design of the proposed building complies with Section 122-794. Buildings less than 120 square feet will not be charged a fee.

Additional Items:

Abandoned projects - Staff understands there is concern regarding what happens if a permit is pulled for a structure and the project is abandoned prior to completion of the project. Addressing this issue will need to come as a sperate amendment to Chapter 22 – Buildings and Building Regulations to draft language that will identify “abandoned projects” and develop a process for their removal or completion.

FINANCIAL IMPACT:

There is no financial impact to the taxpayers of Lake Dallas.

RECOMMENDED MOTION:

I motion to recommend City Council **APPROVE/DENY** an ordinance amending Lake Dallas Municipal Code Chapter 122 “Zoning” Article XX “Accessory Buildings, Structures and Mechanical Equipment” by amending regulations set forth in Division 1 “Accessory Buildings, ETC.” relating to accessory structure requirements within the City.

ATTACHMENT(S):

1. Draft Accessory Structure Ordinance

ORDINANCE NO. 2020-____

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE LAKE DALLAS MUNICIPAL CODE, CHAPTER 122, “ZONING” ARTICLE XX “ACCESSORY BUILDINGS, STRUCTURES, AND MECHANICAL EQUIPMENT” DIVISION I “ACCESSORY BUILDINGS, ETC.” BY AMENDING SECTION 122-794 “DEVELOPMENT STANDARDS” RELATING TO THE DEVELOPMENT STANDARDS OF ACCESSORY BUILDINGS AND STRUCTURES AND ADDING SECTION 122-795 “ACCESSORY BUILDING PERMITS” RELATING TO THE REQUIREMENT TO OBTAIN A PERMIT FOR AN ACCESSORY BUILDING; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission of the City of Lake Dallas and the governing body of the City of Lake Dallas, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Lake Dallas is of the opinion that said zoning ordinance and map should be amended as provided herein.

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

SECTION 1. The Lake Dallas Municipal Code, Chapter 122, “Zoning,” Article XX “Accessory Buildings, Structures, and Mechanical Equipment” Division 1 “Accessory Buildings, Etc.” Section 122-794 “Development Standards” is amended to read as follows:

Sec. 122-794 – Development Standards

Accessory buildings and structures shall be constructed and located in compliance with the following:

- (1) The combined square footage of the principal structure and all accessory structure(s) shall not exceed the maximum lot coverage specified in Section 122-734(d) or the regulations governing a Planned Development District or set forth in a Special Use Permit;
- (2) Accessory buildings and structures, with the exception of non-residential detached carports, gas station canopies, gas station car wash facilities, and security/entry booths, are prohibited in front or side yards;
- (3) Measured from the ground to the highest point on the roof:

- a. The height of an accessory structure shall not be greater than fifteen feet (15.0'); and
 - b. The height of an accessory dwelling shall not be greater than twenty-four feet (24.0');
- (3) Accessory structures located on a property developed with a public or private school may be located in side yards but are prohibited from being located in front yards;
- (4) Except where a different set back is allowed by a specific use permit or the regulations of a planned development district, accessory structures shall be set back as follows:
 - a. Not less than five feet (5.0') from all side and rear property lines when located on property located in a residential zoning district or otherwise developed with a single family or two-family dwelling unit; and
 - b. Not less than three feet (3.0') from all side and rear property lines when located on property located in a non-residential zoning district that is not being developed and used for residential purposes;
 - c. Notwithstanding paragraph b., above, not less than five feet (5.0') from any side and/or rear property line that is adjacent to property located in a residential zoning district or otherwise developed with a single-family or two-family dwelling unit
- (5) No portion of an accessory structure may be located in, or encroach upon, any easement;
- (6) An accessory structure that requires a building permit shall be architecturally compatible with its associated principal structure or screened from view of abutting properties and public rights-of-way. In this context, the term "architectural compatibility" includes, but is not limited to, consistency in roof pitch, exterior color, and architectural design and detail;
- (7) Guest quarters, where permitted, shall be located on the same lot as an existing detached single-family use and may be attached to the principal building or be located within a detached accessory building subject to the following:
 - a. No more than one (1) guest quarters per lot shall be allowed;

- b. Guest quarters shall not be used as rental units or as a permanent secondary dwelling unit; and
 - c. Guest quarters shall be served by the same utility meters as the primary dwelling; and
- (8) Except as stated in subsection (3) of this Section, accessory structures developed and used as a public or private school located on a corner lot with a side yard that is adjacent to a street shall be set back in compliance with the zoning district's minimum side yard setback requirement.

SECTION 2. The Lake Dallas Municipal Code, Chapter 122, “Zoning,” Article XX “Accessory Buildings, Structures, and Mechanical Equipment” Division 1 “Accessory Buildings, Etc.” is amended by adding Section 122-795 titled “Accessory Building Permits” is amended to read as follows:

Sec. 122-795 – Accessory Building Permit

- (1) A person shall obtain from the City an accessory building permit prior to constructing or otherwise locating an accessory building of any size on a lot or parcel of land within the City.
- (2) An application for an accessory building permit shall be accompanied by sufficient information to allow the Director of Development Services or designee to determine that the location and design of the proposed accessory building will comply with Section 122-794 and other applicable ordinances.
- (3) The receipt of an accessory building permit shall not relieve a person from obtaining from the City any other permit or consent relating to the construction of buildings pursuant to the City’s building codes and/or the payment or any fees related to the issuance of such permits or consent.
- (4) No accessory building permit shall be issued unless and until the fee established by ordinance or resolution of the City Council and set forth in the City’s master fee schedule has been paid.

SECTION 2. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the City of Lake Dallas, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 3. Should any article, paragraph, subdivision, clause or provision of this ordinance, or the Lake Dallas Municipal Code as hereby amended be adjudged or held invalid or unconstitutional for any reason, such judgment or holding shall not affect the validity of this

ordinance as a whole or any part or provision hereof other than the part so declared to be invalid or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Lake Dallas, Texas, shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense. Each and every day said violation is continued shall constitute a separate offense.

SECTION 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and Charter in such cases provide.

PASSED AND APPROVED this the 12th day of November 2020.

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:5/16/19:107952)



**P&Z COMMISSION
AGENDA MEMO**

Prepared By: Angie Manglaris, Director of Development Services

October 15, 2020

Vision 2030 Comprehensive Plan Update

DESCRIPTION:

Receive the Annual update and hold a discussion of the City of Lake Dallas Vision 2030 Comprehensive Plan.

BACKGROUND INFORMATION:

Texas Local Government Code Section 211.004 requires a city's zoning regulations be adopted in accordance with a comprehensive plan. Chapter 213 of the Texas Local Government Code authorizes a municipality to adopt a comprehensive plan for long-range development, which, while itself not constituting a set of zoning regulations, must be used as the basis for adopting subsequent zoning amendments. While comprehensive plans are not required, many municipalities use them as legal foundation for updating zoning ordinances and when considering zoning cases.

The City of Lake Dallas Vision 2030 Plan was the result of a nine-month process that included three (3) public workshops and one (1) stakeholder meeting to discuss major milestones and seek citizen feedback on the direction of the Plan. The Vision 2030 Plan was unanimously approved by the City Council on July 12, 2018. The Vision 2030 Plan includes recommendations for mobility, housing and neighborhoods, urban design, downtown development, and overall community health.

The realization of goals and objectives as outlined in the Vision 2030 Plan is a three-phase process: Project Initiation; City-Wide Vision and public input; and documentation and implementation. The City is in the third phase of the planning process and is continually working towards developing recommendations for all elements of the plan and developing strategies and policies that are in line with the document.

In order to ensure that the City's vision set forth within the Comprehensive Plan is realized, the Plan identifies specific implementation actions, associated priorities and responsible parties to fulfill the vision. The Vision 2030 Plan specifically focuses on the following five (5) categories:

1. Land Use & Urban Design Action Items

2. Mobility
3. Parks, Trails and Open Space
4. Housing
5. Downtown

In order to achieve the identified recommendations referenced within these five (5) categories, the priorities have been broken down within the following timeframes:

- Short-Term: Actions that should be implemented in the next 1-2 years. These action items are either critical needs or relatively low-cost and easy to implement.
- Mid-Term: Actions that should be implemented in the next 3-9 years. These actions are typically not an immediate need and are relatively higher cost and complex to implement
- Long-Term: Actions that should be implemented in the next 10-20 years. These actions are the most expensive or require the most time to implement.

The implementation plan includes five (5) types of implementation actions necessary to carry out the Vision 2030 Plan:

- Operational Change – New or change in programs, staffing or operational procedures.
- Policy – Official procedures or policies used to guide City decisions.
- Regulation – Council adopted regulations used to guide development or other City actions.
- Study – An official investigation or analysis needed to determine most appropriate solution.
- Financial Investment – Capital improvements or general fund expenditures as part of a publicly financed action.

The City of Lake Dallas Staff is primarily charged with implementing the 2030 Vision; however, full realization of the plan requires the involvement of critical entities. These entities include:

- Elected/Appointed Officials: City Council, Planning & Zoning Commission, Parks and Recreation Board, Community Development Corporation.
- Other Public Sector Entities: Denton County, neighboring cities, USACE, Lake Cities Independent School District, Lake Cities Municipal Utility Authority, NCTCOG, TxDOT.
- Private Entities: Homeowner associations, faith-based organizations, local businesses, Lake Cities Chamber of Commerce, professional consultants.

The Vision 2030 Plan represents a 20-year time period. It is important to note that priorities or situations may change during that timeframe. The implementation strategy is intended to remain flexible and allow adjustment to accommodate shifts in the economy and policy changes over time. To account for unexpected changes, this vision plan should be revisited on a regular basis. The plan recommends tracking progress in the following manners:

- Annual Progress Report: The Development Services Department should prepare an annual report on the status of comprehensive plan implementation items to discuss with the Planning & Zoning Commission and City Council. These progress reports should include significant actions and accomplishments as well as prioritized actions for the next year. This annual report is normally coordinated with the City's annual budget process.
- Annual Updates: In conjunction with annual progress reports, the implementation action plan should be updated each year as part of an annual plan amendment. Minor revisions to the Future Land Use, Mobility, and Parks and Trails maps can also be changed in this annual update.
- Five-Year Update: A broader evaluation and update of the plan should be prepared every five years. Initiated by the Development Services Department, this update should include a review of the existing plan and evaluate if the remaining action items are still relevant and needed.
- Ten-Year Update: After ten years, the community should initiate a full comprehensive plan update process to ensure that the plan continues to provide the best guidance possible.

ANNUAL UPDATE:

The intent of this agenda item is to provide City Council with an annual update on the progress of implementing action items identified in the Vision 2030 Plan. The annual update includes notable achievements and progress made from the previous fiscal year (FY 19-20) and outlines goals and objectives for the current fiscal year (FY 20-21).

Achievements and Progress FY 19-20:

- The City of Lake Dallas has contracted with Planning Consultant, Dave Gattis, to assist in an update of the Zoning Ordinances and the creation of Use Tables. The project will look to modify existing zoning categories as well as create new ones to achieve the development vision outlined in the Comprehensive Plan. The project will also look to modify the Downtown Overlay District by implementing Form Based Code to assist in the creation of a mixed-use environment. In working on this project, the City is making progress in achieving the following Implementation Goals:
 - o 4.2: Update the zoning ordinance to reflect the new future land use classifications.
 - o 5: Encourage a mix of housing types in downtown such as live/work-spaces, townhomes, and tiny homes.
 - o 8.1: Develop a downtown master plan.
- In May 2020, the City Council adopted an Ordinance replacing Chapter 94 – Subdivisions. The new Subdivision Ordinance reflects current State Laws and City regulations in the Development Process. In addition to the new Subdivision Ordinance, the City also adopted an Engineering Design Standards Manual in March 2020. The Design Standards

Manual serves as a guiding authority as it relates to technical specifications and standard construction details. These two sets of regulations assist the City in working towards Implementation Goal 5.7: Review and consider revising the required subdivision improvements to more accurately reflect the true cost of infrastructure development.

- In July 2020, the Community Development Corporation (CDC) contracted with Retail Coach, a national retail consulting and market research firm, to assist in the development of an area market study and the development of a separate CDC webpage. The use of Retail Coach to carry out these items moves the City forward in achieving the following Implementation Goals
 - 4.3: Conduct a retail market analysis.
 - 4.4: Encourage infill development along the Interstate 35E corridor and in downtown.
 - 4.9: Prioritize pursuit of neighborhood² serving retail such as sit-down restaurants.
- Code Compliance Officer, Daniel Rusnak, and Community Development Coordinator, Lancine Bentley, have initiated outreach efforts to residents and business owners alike in Lake Dallas. Mr. Rusnak greets new residents to the City with a high-level overview of Code Compliance expectations and Ms. Bentley has made several efforts in the last year to connect with businesses and inform them of services the City can offer. These staff members are also the representatives the City would send to neighborhood and businesses association meetings when asked to participate. These practices work towards the following Implementation Goals:
 - 8.3: Assign a staff member at the city to serve as a neighborhood association liaison.
 - 8.4: Consider an advocacy program to aid code compliance.
- Implementation Goal 4.1: Use the Future Land Use Plan to guide development decisions, is an ongoing process. As residents and developers bring forth development ideas to City Staff, Staff uses the Future Land Use Plan as a tool in assessing proposed projects and making recommendations.
- The Department of Public Works and City Council have incorporated sidewalks into construction plans along Hundley and Shady Shores Road. The design of these sidewalks is step one in achieving Implementation Goal 6.3: Prioritize development of bicycle and pedestrian improvements along Hundley Drive and Shady Shores Road.
- The City of Lake Dallas, The City of Corinth and the Town of Shady Shores are beginning to plan for the Dobbs Road reconstruction project. The City is also working with Denton County and Shady Shores on the Shady Shores Bridges Project. The Shady Shores Bridges Project is approximately \$14 million. Of that cost, the City will be responsible for \$700k. These projects are working towards achievement of the following Implementation Goal:
 - 5.2: Coordinate with local, regional, and state partners on transportation projects.

FY 2020-2021 Goals:

Over the course of the next year, City Staff is prioritizing the following goals and objectives of the Vision 2030 Plan:

- Implementation Goal 4.6: Require streetscape features for roadways that are reconstructed.
- Implementation Goal 4.8: Consider a comprehensive plan amendment to analyze Lake Dallas long-term community resilience regarding future manmade made or natural disaster events.
- The City is planning to complete and publish a request for proposals (RFP) to solicit assistance from a firm in updating the Parks Master Plan. City Staff intends to have the RFP published by the end of the calendar year (2020). Updating the Parks Master Plan will achieve the following Implementation Goals:
 - 5.3: Preserve floodplain areas as natural open space.
 - 5.7: Conduct a planning and design study for the citywide shoreline trail.
 - 6.1: Update the Parks, Recreation, and Open Space Master Plan.
- City Council and Staff should consider resuming a subcommittee with the Town of Hickory Creek regarding bike and trail connections between the two municipalities. Partnership in pursuing future connections assist in Implementation Goal 5.4: Coordinate with neighboring cities and regional partners on trail and greenbelt initiatives.
- City Council should evaluate and consider if pursuing Implementation Goal 8.2 is something the City would still like to pursue. Implementation Goal 8.2 is reinstating the Economic Development Corporation with a focus on marketing downtown to potential developers and employers. Currently, the Community Development Corporation is fulfilling this need.
- The City will be assigning a staff member to begin walking all sidewalks, assessing their conditions, and ranking their needs to work towards Implementation Goal 6.2: Conduct a walking audit to prioritize sidewalk needs.
- Late into FY 20-21 and into FY 21-22, the City will begin the process of formulating a Mobility Plan. The Mobility Plan will be critical to the guidance and achievement of the following Implementation Goals:
 - 5.1: Develop a city multimodal transportation plan.
 - 5.6: Create connections to the DCTA Rail Trail and develop pedestrian gateways.

FINANCIAL CONSIDERATION:

There is no immediate impact to the taxpayers of Lake Dallas as part of this report. Projected costs associated with the Vision 2030 Plan are included in the Implementation Action Plan.

RECOMMENDED MOTIONS:

None, discussion only.

ATTACHMENT(S):

Implementation Action Plan Table

Implementation Action Plan									
Category	Plan Ref #.	Recommendation	Involved Entities	Priority	Cost	Action Type	Status (October 1, 2020)	Progress Since Last Update	FY 20-21 Steps to take
LAND USE AND URBAN DESIGN	4.2	Update the zoning ordinance to reflect the new future land use classifications.	Development Services, Planning & Zoning Commission, City Council	Short Term	\$10-13k	Regulation	In process	Staff is working with Planning Consultant, Dave Gattis, to update Zoning Ordinances and establish new districts to match future land use classifications.	
LAND USE AND URBAN DESIGN	4.3	Conduct a retail market analysis.	Development Services, Planning & Zoning Commission, City Council	Short Term	\$30K	Study	In process	The City has contracted with Retail Coach to preform a retail market analysis and develop a CDC webpage.	
LAND USE AND URBAN DESIGN	4.6	Require streetscape features for roadways that are reconstructed.	Public Works	Short Term		Policy	Not begun	No update	City should move forward in establishing regulations for this objective next year.
LAND USE AND URBAN DESIGN	4.8	Consider a comprehensive plan amendment to analyze Lake Dallas long-term community resilience regarding future manmade made or natural disaster events.	Economic Development Corporation, Development Services, USACE, Public Works, Consultant	Short Term	\$7.5K - \$10K	Study	Not begun	No update	Development Services will be preparing a Hazard Mitigation Plan in FY 20-21 to help work towards this objective.
DOWNTOWN	4.9	Prioritize pursuit of neighborhood serving retail such as siting downtown restaurants.	Economic Development Corporation, City Council	Short Term		Policy	In process	Retail Coach is working on the development of a CDC webpage to assist in marketing the City. The City Council and CDC will also be working on a Strategic Plan to help guide these types of Developments.	
DOWNTOWN	5	Encourage a mix of housing types in downtown such as live/work spaces, townhomes, and tiny homes.	Development Services, Community Development Corporation	Short Term		Policy	In process	As part of the Zoning Ordinance Updates, a Form-Based Code design for Downtown is being formulated to help create a true mixed-use environment.	
DOWNTOWN	8.1	Develop a downtown master plan.	Development Services, City Council, City Manager, Consultant	Short Term		Study	In process	As part of the Zoning Ordinance Updates, a Form-Based Code design for Downtown is being formulated to help create a true mixed-use environment.	

DOWNTOWN	8.2	Reinstate the Economic Development Corporation with a focus on marketing downtown to potential developers and employers	Economic Development Corporation, City Council	Short Term		Operational Change	Not begun	No update	Council should discuss this goal and determine if it should be pursued.
HOUSING	8.3	Assign a staff member at the city to serve as a neighborhood association liaison.	Development Services, City Manager	Short Term		Operational Change	In process	Code Compliance and Community Development Coordinator have initiated outreach programs with businesses and residents. Staff will attend community meetings as invited.	
HOUSING	8.4	Consider an advocacy program to aid code compliance.	Code Enforcement	Short Term		Operational Change	Not begun	Reaching out to local non-for-profits and faith-based organization for aid as needed on Code Cases that demonstrate need for extra assistance.	
MOBILITY	5.7	Review and consider revising the required subdivision improvements to more accurately reflect the true cost of infrastructure development.	Development Services, Public Works, Planning & Zoning Commission, City Council	Short Term		Regulation	In process	The City adopted the Engineering Design Manual in March 2020 and a new Subdivision Ordinance in May 2020.	
PARKS, TRAILS, AND OPEN SPACE	6.1	Update the Parks, Recreation, and Open Space Master Plan.	Development Services, Parks and Recreation Board, Consultant	Short Term	\$72K	Study	In process	No update	Compose and publish an RFP by end of 2020 to contract with a firm to prepare the Parks Master Plan.
PARKS, TRAILS, AND OPEN SPACE	6.2	Conduct a walking audit to prioritize sidewalk needs.	Public Works, Development Services, Consultant	Short Term	\$15K-move in house take out 15K	Study	In process	No update	Assign members of staff to walk all sidewalks and take note of areas in need of repair and prioritize needs.
PARKS, TRAILS, AND OPEN SPACE	6.3	Prioritize development of bicycle and pedestrian improvements along Hundley Drive and Shady Shores Road.	Public Works, Development Services	Short Term		Financial Investment	In process	Public Works and City Council have designed plans to incorporate sidewalks along Hundley and Shady Shoes Road. This is step one in the project.	
PARKS, TRAILS, AND OPEN SPACE	6.4	Consider adopting the Trust for Public Land's 10 Minute Walk to Park vision.	City Manager, City Council, Parks and Recreation Board	Short Term		Policy	Not begun	No update	
LAND USE AND URBAN DESIGN	4.1	Use the Future Land Use Plan to guide development decisions.	Development Services, Planning & Zoning Commission, City Council	Ongoing		Policy	In process	Staff evaluates new zoning change requests by referring to the Future Land Use Plan and using it as a decision-guiding tool.	

MOBILITY	5.2	Coordinate with local, regional, and state partners on transportation projects.	Public Works, Denton County, TxDOT, NCTCOG, DCTA	Ongoing	\$700k	Operational Change	In process	Dobbs road- The City is working with Corinth and Shady Shores on the reconstruction project. Lake Dallas is also involved in the Shady Shores Bridges Project with Denton County and Shady Shores. The project is preparing to enter design phase.	Continue partnering with these organizations to move these two projects forward.
PARKS, TRAILS, AND OPEN SPACE	5.3	Preserve floodplain areas as natural open space.	USACE, Denton County, City Council	Ongoing		Policy	In process	No update	Will be achieved with Parks Master Plan Study.
PARKS, TRAILS, AND OPEN SPACE	5.4	Coordinate with neighboring cities and regional partners on trail and greenbelt initiatives.	Parks and Recreation Board, Denton County, USACE, NCTCOG, City Manager	Ongoing		Operational Change	Pending	No update	The City should consider resuming a bike and trail connection subcommittee with the Town of Hickory Creek.
LAND USE AND URBAN DESIGN	4.4	Encourage infill development along the Interstate 35E corridor and in downtown.	Development Services, Economic Development Corporation	Mid-Term		Policy	In process	Project is in beginning stages and will use Retail Coach analysis and CDC Webpage to assist in goal.	
LAND USE AND URBAN DESIGN	4.5	Develop and implement gateway structures at major entrances to the city.	Public Works, Development Services, TxDOT, Consultant	Mid-Term		Financial Investment	Not begun	No update	
DOWNTOWN	4.6	Create a walkable environment by increasing pedestrian linkages to and within downtown.	Public Works	Mid Term		Financial Investment	In process	Staff is beginning to identify areas where the City can come in and add a sizeable sidewalk and connect to Downtown as authorized .	
DOWNTOWN	4.7	Develop a design for unique street sign toppers to distinguish downtown as a neighborhood.	Development Services, Consultant	Mid Term		Financial Investment	Not begun	No update	
DOWNTOWN	4.8	Consider establishing a TIF to help fund improvements in downtown.	City Council, TIF Board, City Manager	Mid Term		Operational Change	Not begun	No update	
HOUSING	4.9	Define architectural and other standards for the Lifestyle Residential future land use category.	Development Services, Code Enforcement, Planning & Zoning Commission	Mid Term		Regulation	In process	As new PDs and/or zoning categories are established, the City incorporates architectural standards into the regulations.	
HOUSING	7.1	Conduct Neighborhood Improvement Plans to identify issues, opportunities, and specific actions for enhancing existing neighborhoods.	Development Services, Consultant	Mid Term	\$20K - \$40K	Study	Not begun	No update	

HOUSING	7.2	Continue discussions with USACE on potential for houseboats.	USACE, City Manager	Mid Term		Operational Change	Not begun	No update	
MOBILITY	5.6	Prioritize Shady Shores Road and Hundley Drive as Complete Streets.	Public Works	Mid Term		Policy	In process	No update	
MOBILITY	5.1	Develop a city multimodal transportation plan.	Public Works, Consultant	Mid Term	\$40K - \$60K	Study	Not begun	No update	Staff intends to move forward with a mobility plan at the end of the Fiscal Year and into FY 21-22.
MOBILITY	5.3	Consider entering into a pilot partnership with DCTA to provide transit services.	City Council, DCTA, City Manager	Mid Term		Operational Change	Not begun	The City is currently utilizing SPAN and it is working well for community needs.	
MOBILITY	5.5	Develop gateway features to promote and brand the identity of Lake Dallas.	Public Works, Development Services, Consultant	Mid Term		Financial Investment	Not begun	No update	
PARKS, TRAILS, AND OPEN SPACE	5.6	Create connections to the DCTA Rail Trail and develop pedestrian gateways.	Public Works, DCTA, Development Services	Mid Term	\$20K	Financial Investment	Not begun	No update	This objective will be achieved as part of the mobility plan.
PARKS, TRAILS, AND OPEN SPACE	5.7	Conduct a planning and design study for the citywide shoreline trail.	Parks and Recreation Board, USACE, Consultant	Mid Term	\$20K	Study	Not begun	No update	
PARKS, TRAILS, AND OPEN SPACE	5.8	Consider partnerships with faith-based groups or other cities to offer senior recreation opportunities.	Neighboring Cities, Faith-based organizations, City Manager, Parks and Recreation Board	Mid Term		Operational Change	Not begun	No update	
DOWNTOWN	5.9	Create a central space in downtown to hold events and serve as the city center.	Development Services, Parks & Recreation Board, Planning & Zoning Commission, Economic Development Corporation	Long Term		Financial Investment	In process	No update	
DOWNTOWN	6	Implement streetscape features on all downtown roadways.	Public Works	Long Term		Financial Investment	Not begun	No update	
HOUSING	6.1	Prioritize quality multi-family development surrounding a future train station.	Development Services, Economic Development Corporation	Long Term		Policy	Not begun	No update	
LAND USE AND URBAN DESIGN	4.7	Consider annexing unincorporated county land to the south of the city.	Development Services, Denton County, City Council	Long Term		Regulation	Not begun	No update	
MOBILITY	5.4	Initiate discussions with Corinth and DCTA on the possibility of an A-Train stop in the future.	City Council, City of Corinth, DCTA, City Manager	Long Term		Financial Investment	In process	The City is working with Corinth as they try to establish an A Train stop near the NCTC Campus.	Remain in contact with Corinth regarding the project.

Legend

Short Term Goal
Ongoing Goal
Mid Term Goal
Long Term Goal