

**Sec. 10-6.616 Lake Protection**

<b>1. District Intent</b>		<b>2. Allowable District Location</b>
<p>The purpose and intent of the Lake Protection (LP) zoning district is to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the Lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and limited to the Urban Service Area. Intensely developed properties and areas south of Interstate 10 (I-10) have been excluded from the boundary.</p> <p>The LP zoning district shall permit single-family residential development at one (1) dwelling unit per two (2) gross acres. A Clustered Subdivision option is available that allows two (2) dwelling units per gross acre, consistent with environmental and infrastructure constraints. The Clustered Subdivision option allows an increased number of residential units if developed on 40 percent of the property, provided central water and sewer are available and leaving the remaining 60 percent of the property as contiguous, undisturbed open space in perpetuity. The Cluster Subdivision option is intended to leave large areas of natural open space within the watershed and minimize pollution.</p> <p>Community services, light infrastructure and passive recreational facilities, including boat ramps, consistent with the applicable provisions of section 10-6.806, may be approved by the Board of County Commissioners through review by the existing Type "C" process. Approval by the Board of County Commissioners shall be based upon findings that the proposed use is consistent with the purpose and intent stated herein and the proposed development will comply with the provisions of Section 10-4.323(b), as well as all current stormwater regulations.</p> <p>Other nonresidential uses are not permitted within the LP zoning district. However, lawfully established, nonresidential uses within this district that meet all current water quality and stormwater management standards set forth in the Comprehensive Plan and the environmental regulations of the County will be considered permitted uses. These sites shall be regulated by the allowable uses provided in Section 10-6.660, Lake Protection Node, subject to additional limitations noted herein.</p> <p>Urban services are intended for this district. The density of permitted development may depend upon the availability of such services.</p>		<p>The district may only be located within areas designated Lake Protection on the Future Land Use Map.</p>
<b>PERMITTED, PROHIBITED AND RESTRICTED USES</b>		
<b>3. Principal Uses</b>	<b>4. Prohibited Uses</b>	<b>5. Restricted Uses</b>
<ul style="list-style-type: none"> <li>(1) Single-family detached dwellings.</li> <li>(2) Community services in accordance with section 10-6.806 of these regulations.</li> <li>(3) Passive recreational facilities and boat ramps.</li> <li>(4) Light Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>(1) Commercial, retail, office, and industrial activities</li> <li>(2) Active Recreation, except for boat ramps</li> <li>(3) Golf Courses</li> <li>(4) Manufactured and/or Mobile Home Parks</li> <li>(5) High schools and post-secondary schools are prohibited</li> <li>(6) Heavy infrastructure</li> <li>(7) Campgrounds and recreational vehicle parks</li> <li>(8) Other uses which, in the opinion of the County Administrator or designee, are of a similar nature to those prohibited uses in this district.</li> </ul>	<ul style="list-style-type: none"> <li>(1) Single-family attached dwellings shall be allowed in a Clustered Subdivision.</li> <li>(2) Mobile Homes and Standard Design Manufactured Homes may be replaced or may be located within subdivisions platted explicitly for manufactured housing.</li> </ul>

**DEVELOPMENT STANDARDS**

6. Minimum Lot or Site Size				7. Minimum Building Setbacks				8. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
<b>Conventional Residential</b>									
Single-Family Detached Dwellings	2 acres	80 feet	100 feet	35 feet	15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet	25 feet	25 feet	Not applicable	3 stories
<b>Clustered Subdivision</b>									
Single-Family Detached Dwellings	5,000 square feet	40 feet	100 feet	15 feet; 10 feet w/ alley-loaded garage	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	15 feet; 10 feet w/ alley-loaded garage	Not applicable	3 stories
Single-Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	15 feet; 10 feet w/ alley-loaded garage	Not applicable	15 feet	15 feet; 10 feet w/ alley-loaded garage	maximum length: 8 units	3 stories
<b>Existing Non-residential, Non-conforming Uses</b>									
Lawfully Established Non-Residential Use; refer to additional standards noted in subsection 10	N/A	60 feet	100 feet	25 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories

**9. Clustered Subdivision.**

1. Density and Layout.

The maximum gross density allowed for new residential development in the LP district is one (1) dwelling unit per two (2) gross acres. As an alternative to large-lot developments, a Clustered Subdivision shall be permitted within the Lake Protection zoning district. Clustered Subdivisions shall:

- (a) contain a minimum of 60% open space as a reserve area, comprised of such things as Special Development Zones, preservation and conservation features, undeveloped uplands, passive recreation areas, and stormwater facilities designed as a community amenity;
- (b) Be developed at a maximum density of two (2) dwelling units per gross acre;
- (c) Be served by central water and sewer systems

2. Reserve area.

The acreage of the reserve area shall comprise no less than 60 percent of the total parcel; shall be permanently preserved through the creation of a perpetual easement; shall be continuous and contiguous with other portions of the site; shall be contiguous with or proximal to existing or planned public or private greenspace to the greatest extent practicable, and shall be of sufficient size and buffered to ensure the protection of all critical on-site resources that are to be preserved and to accommodate authorized uses.

- (a) All preservation areas, Special Development Zones, conservation areas, archaeological sites and view-shed areas within designated protection zones for canopy roads shall be incorporated into the reserve area even if total acreage exceeds the minimum requirement of 60 percent of the total parcel; other open space areas shall be incorporated into the reserve area to the greatest extent practicable.

**9. Clustered Subdivision (continued)**

- (b) The reserve area shall adjoin any existing or planned adjacent areas of open space, or natural areas that would be potential sites for inclusion as part of a future area of protected open space as depicted in the Greenways Master Plan. In those instances where a Clustered Subdivision will be located adjacent to another existing or planned Clustered Subdivision, each Clustered Subdivision shall be designed so that reserve areas of each are adjacent.
- (c) Reserve area land shall be reserved permanently by easement for natural open space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), stormwater facilities, or other environmental conservation purposes.
- (d) Stormwater management facilities which are otherwise permissible are allowed in the reserve area provided that the facilities are located outside of preservation areas, canopy road protection zones, naturally forested areas, Special Development Zones, and meet either of the applicable following two standards:
  - 1. Wet retention ponds shall have side slopes of 6:1 or flatter with appropriate wetland tree and aquatic plants species that visually integrates the stormwater facility into the overall reserve area.
  - 2. All other retention ponds shall have side slopes of flatter than 4:1 or with appropriate tree and plant species that visually integrates the stormwater facility into the overall reserve area. All such facilities shall be designed as community amenities, with trails, observation decks, or platforms where appropriate,
- (e) All applicants for a Clustered Subdivision shall submit a management plan describing how the reserve area land will be maintained in perpetuity, including provision of a dedicated source of funds approved by the local government, to finance the timely and consistent execution of the plan.

3. Development area.

The development area shall be the area not set aside as reserve area and shall comprise no more than 40% of the total parcel. The development area shall be located on the least environmentally sensitive or otherwise significant portions of the total Clustered Subdivision parcel; be contiguous to the greatest extent practicable; and allow maximum open space to be easily maintained in the reserve area. Design of the development area shall follow the procedural steps set forth below.

- (a) Delineate areas of the site to be reserved due to their significant features and value to the area's continued natural character in accordance with subsection 2 above;
- (b) Determine the number of allowable lots desired;
- (c) Locate potential development sites on the area of the tract not delineated as reserve area, with due consideration for topography, soil suitability for construction, and efficient service by public or central water and sewerage systems;
- (d) Align streets to serve residential sites, with due consideration for topography and connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails if planned; and
- (e) Delineate boundaries of individual residential lots where lot sizes and shapes, block sizes and shapes, and street networks and alignments shall be designed in accordance with accepted planning practices to produce a rational and economical system without undue clearing or grading. The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites that are properly related to topography and the character of surrounding development, encourage a range of housing types and sizes, and provide safe and convenient vehicular access to public streets.
- (f) Specific development and locational standards shall be subject to the minimum standards of the underlying land use category and base zoning district and shall be established at the time of development plan submittal.

**10. Existing Nonconforming Non-residential Uses.**

Existing non-residential uses within the Lake Protection land use category that meet all water quality and stormwater standards for their respective use, as specified within the land development regulations, will be considered permitted uses.

**11. Sidewalks.**

Sidewalks shall be provided in the LP district consistent with the provisions of Sec. 10-7.529. For Clustered Subdivisions, all required sidewalks shall connect to existing and proposed sidewalks to the maximum extent possible. Multi-use trails designed for non-motorized vehicles and pedestrians are also encouraged in the LP district to promote connectivity and to reduce automobile dependency.

**12. Stormwater Management.**

Refer to Sec. 10-4.301 for water quality treatment and volume control standards associated with development. Whenever possible, Low Impact Development (LID) techniques, as outlined in Section 10-4.308, such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

**GENERAL NOTES:**

1. If central sanitary sewer is not available, residential lots shall contain a minimum of 0.50 acres of contiguous buildable area. Nonresidential development and community facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Residential lots in Clustered Subdivisions less than 60 feet in width shall be alley-loaded.
3. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
4. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).