

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING VOLUME II OF THE LEWISVILLE CITY CODE, KNOWN AS THE UNIFIED DEVELOPMENT CODE; **AMENDING ARTICLE II, CHAPTER 2, "DEFINITIONS" TO ADD AND MODIFY DEFINITIONS IMPACTED BY THE CHANGES BELOW;** AMENDING ARTICLE III, CHAPTER 4, SECTION 3, "ENGINEERING SITE PLAN REQUIREMENTS AND APPROVAL" TO REQUIRE OUTSIDE STORAGE TO BE SHOWN ON ENGINEERING SITE PLANS AND MAKE OTHER NONSUBSTANTIVE CHANGES; AMENDING CHAPTER VII.2, "ALLOWED USES BY DISTRICT", EXHIBITS VII.2.3-2 THROUGH VII.2.3-4 TO UPDATE REFERENCES TO SUPPLEMENTAL USE REGULATIONS, ALLOW INDEPENDENT LIVING FACILITIES IN THE MEDICAL DISTRICT, ALLOW COMMUNITY CENTERS IN THE OLD TOWN MIXED USE 2, MIXED USE AND MIXED-USE 90 ZONING DISTRICTS, AND CLARIFY THAT ELECTRIC VEHICLE CHARGING STATIONS ARE ALLOWED BY RIGHT IN ALL ZONING DISTRICTS AS AN ACCESSORY USE; AMENDING ARTICLE VII, CHAPTER 3, "SUPPLEMENTAL USE REGULATIONS," TO MODIFY CERTAIN SUPPLEMENTAL USE STANDARDS REGULATING ACCESSORY BUILDINGS AND STRUCTURES, BACKYARD COTTAGES, BED AND BREAKFASTS, FOOD TRUCK PARKS, HOTELS, MOTELS, INNS, OR EXTENDED STAY HOTELS, HOME OCCUPATIONS, OUTSIDE STORAGE, INDEPENDENT LIVING, ASSISTED LIVING, LONG TERM CARE OR CONTINUING CARE FACILITY, SINGLE-FAMILY ATTACHED DWELLINGS (TOWNHOUSES), SOLAR ENERGY SYSTEMS, STATE-LICENSED VEHICLE STORAGE FACILITIES, TEMPORARY CONSTRUCTION BUILDINGS, AND MULTI-FAMILY DWELLINGS, TO ADD SUPPLEMENTAL STANDARDS FOR UNMANNED AIRCRAFT SYSTEMS, AND TO CLARIFY RELIEF PROCEDURES FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE VIII, CHAPTER 5, "SCREENING REQUIREMENTS" TO ADD STANDARDS FOR SCREENING OUTSIDE STORAGE AND GROUND-MOUNTED SOLAR ENERGY SYSTEMS; AMENDING ARTICLE VIII, CHAPTER 1 "OFF-STREET PARKING STANDARDS" TO CLARIFY REQUIREMENTS RELATED

**TO PARKING FOR DUPLEXES AND NON-RESIDENTIAL
USES; AND MAKING OTHER MINOR CLARIFYING
AMENDMENTS THROUGHOUT THE ABOVE-LISTED
PROVISIONS; PROVIDING FOR A SAVINGS CLAUSE,
REPEALER, SEVERABILITY, A PENALTY, AND AN
EFFECTIVE DATE; AND DECLARING AN EMERGENCY.**

WHEREAS, the City Council of the City of Lewisville has determined that for the health, welfare and safety of its citizens certain amendments to Volume II of the Lewisville City Code, known as the Unified Development Code, are necessary; and

WHEREAS, based on the following changes new definitions for new and existing uses are required; and

WHEREAS, the list of required documentation for engineering site plans needs to be expanded to ensure appropriate information on outside storage areas are presented to review for compliance with new supplemental use regulations; and

WHEREAS, the Independent Living Facility and Community Center uses were inadvertently excluded as allowed uses from certain districts where they had previously been allowed by right as part of the adoption of the Unified Development Code, and need to be added back to those districts; and

WHEREAS, the City wishes to clarify that the Electric Vehicle Charging Station use is allowed by right as an accessory use in all zoning districts in accordance with the City's adopted goals in the Sustainability Action Plan; and

WHEREAS, supplemental use regulations for accessory buildings and structures need to be amended to clarify that such buildings and structures may not be located within required side or rear yards; and

WHEREAS, supplemental use regulations and definitions are needed to regulate new drone delivery systems, also known as unmanned aircraft systems; and

WHEREAS, supplemental use regulations for backyard cottages need to be amended to make backyard cottages more accessible to more homeowners by right by reducing the minimum floor area to 300 square feet and allowing for attached backyard cottages, and

WHEREAS, the guest timeframe for a bed and breakfast is extended to be consistent with requirements applicable to other hotels, motels, and inns, and

WHEREAS, the current supplemental use regulations related to Food truck Parks are no longer enforceable due to recent changes in state law and need to be removed, and

WHEREAS, corrections are needed to the supplemental use regulations applicable to Hotels, Motels or Inns and Extended Stay Hotels to correct an internal reference therein, and

WHEREAS, moving the outside storage screening requirements from the supplemental use regulations to the screening section of the UDC would reduce confusion in both use and enforcement, and

WHEREAS, supplemental use regulations regarding minimum floor area for Independent Living, Assisted Living, Long Term Care or Continuing Care Facility need to be removed as minimum floor area is regulated and enforced by other agencies, and

WHEREAS, the supplemental use regulation prohibiting single-family attached dwellings (townhouses) from having one dwelling unit over another is unnecessary and may be removed without changing the regulation currently in place, and

WHEREAS, amending the applicable supplemental use regulation to extend the time that a State Licensed Vehicle Storage use may store vehicles will benefit more complex police investigations by providing additional time for storage of vehicles, and

WHEREAS, the supplemental use regulation providing that manufactured homes may be used as temporary construction buildings is unnecessary and may be removed without prohibiting this practice, and

WHEREAS, the supplemental use regulation requiring multifamily dwelling units in certain zoning districts to provide retail ready construction along certain street frontages needs to be revised to refer back to the fire separation required between residential and non-residential uses as opposed to specifying a one-hour separation in order to ensure consistency in fire safety regulations citywide, and

WHEREAS, new state legislation required amendments to the supplemental use regulations pertaining to home occupations, and

WHEREAS, supplemental use regulations also need to be updated to clarify the appropriate relief procedure for supplemental use regulations related to design and not zoning, and to remove redundant regulations; and

WHEREAS, several supplemental use regulations related to screening of outside storage and ground mounted solar systems are better located in the screening section of the Unified Development Code for clarity and information relating to these standards needs to be illustrated on engineering site plan application documents; and

WHEREAS, the City further wishes to clarify the existing regulations on parking design standards for duplexes and shared parking regulations for non-residential uses for greater ease of understanding and use; and

WHEREAS, additional minor clarifying amendments are needed throughout the Unified Development Code in order to integrate the above-outlined changes and for ease of understanding and use; and

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for these amendments, and that said amendments are in the best interest of the public at large and the citizens of the City of Lewisville, Texas, and help promote the general health, safety, and welfare of this community.

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

SECTION 1. Section II.2.1, Definitions, of the Unified Development Code is hereby amended by adding definitions for Electric Vehicle Charging Station, Unmanned Aircraft, Unmanned Aircraft System (UAS) and Unmanned Aircraft System (UAS) Staging Area and by deleting the current definition of “backyard cottage” and replacing it with the following:

Electric Vehicle Charging Station – *A parking space or spaces with equipment designed to charge electric vehicles.*

Unmanned Aircraft - *An aircraft operated without the possibility of direct human intervention from within or on the aircraft. Also known as a drone.*

Unmanned Aircraft System (UAS) - *An unmanned aircraft and its associated elements required for its safe and efficient operation.*

Unmanned Aircraft System (UAS) Staging Area - *A designated area for use by an unmanned aircraft system. The UAS staging area is an accessory use and includes the launch pad, takeoff and landing area, docking station, and any required safety areas. It may also include the following if related to the use of a UAS: outdoor storage, accessory structures for indoor storage, and other equipment.*

Backyard Cottage - *A self-contained dwelling unit on a fixed foundation that is secondary to the principal building and is subordinate in area, extent, or purpose to the principal building or principal use served. Backyard cottages could be attached or detached from the principal building. An accessory building with shower/bath and kitchen facilities is considered a backyard cottage. An accessory dwelling unit (commercial) is not a backyard cottage.*

SECTION 2. Section III.4.3, Engineering Site Plan Requirements and Approval, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Article III.4.3, Engineering Site Plan Requirements and Approval, attached hereto as Exhibit “A”.

SECTION 3. Chapter VII.2, Allowed Uses by District, Exhibit VII.2.3-2, Residential Zoning Districts; Exhibit VII.2.3-3, Mixed-Use Zoning Districts; and Exhibit VII.2.3-4, Non-Residential Zoning Districts, are hereby deleted in their entirety and replaced with a new Exhibit

VII.2.3-2, Residential Zoning Districts; Exhibit VII.2.3-3, Mixed-Use Zoning Districts; and Exhibit VII.2.3-4, Non-Residential Zoning Districts, attached hereto as Exhibit “B”.

SECTION 4. Chapter VII.3, Supplemental Use Regulations, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Chapter VII.3, Supplemental Use Regulations, attached hereto as Exhibit “C”.

SECTION 5. Chapter VIII.5, Screening Requirements, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Chapter VIII.5, Screening Requirements, attached hereto as Exhibit “D”.

SECTION 6. Chapter VIII.1, Off-Street Parking Standards, Section VIII.1.2, Design Standards, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Section VIII.1.2, Design Standards, attached hereto as Exhibit “E”.

SECTION 7. Chapter VIII.1, Off-Street Parking Standards, Section VIII.1.5, Location of Parking Spaces and Residential Garages, is hereby deleted in its entirety and replaced with a new, Section VIII.1.5, Location of Parking Spaces, attached hereto as Exhibit F.

SECTION 8. SAVINGS CLAUSE. Nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 9. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 10. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 11. PENALTY. Any person, firm or corporation who violates any provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the municipal court, shall be subject to a fine of not more than \$2,000.00 for each offense, and every day such offense is continued shall constitute a separate offense.

SECTION 12. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

SECTION 13. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby, waived and this ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 21ST DAY OF SEPTEMBER 2026.

APPROVED:

ORDINANCE NO. _____

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TJ Gilmore, MAYOR

ATTEST:

Jennifer Ippolito, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY