

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING CHAPTER 17, ZONING, OF THE LEWISVILLE CITY CODE, BY AMENDING SECTION 17-22.7, OLD TOWN MIXED USE 2 DISTRICT REGULATIONS, TO AMEND MULTIFAMILY REQUIREMENTS TO REDUCE THE MINIMUM FLOOR AREA OF A MULTIFAMILY DWELLING; PROVIDING FOR A 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 the Lewisville City Code of Ordinances, Chapter 17, Zoning, are necessary.

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

**SECTION 1.** Chapter 17, Section 17-22.7, Old Town Mixed Use 2 District Regulations, Subsection (d) is hereby amended by deleting the current language and in its place inserting the following new language:

(d) *Multifamily requirements.*

- (1) *Maximum height.* No building shall exceed 75 feet in height excluding parapet walls. Parapet walls shall have a maximum height of eight feet.
- (2) *Minimum dwelling size.* The floor area of any multifamily dwelling unit shall contain a minimum of 500 square feet of livable floor space; provided however, that the multifamily dwelling units in the project must contain an average of 650 square feet of livable floor space, excluding garages, porches, breezeways, common entry halls or common storage.
- (3) *Front yard.* No front setback is required.

(4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five feet.

(5) *Rear yard.* There shall be a rear yard having a depth of not less than 6.5 feet except if a residential garage directly adjoins a rear alley, then the rear yard may be zero feet.

**SECTION 2. REPEALER.** Every ordinance or parts of ordinances found to be in conflict herewith are here by repealed.

**SECTION 3. 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 4. 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 each and every day such offense is continued shall constitute a new and separate offense.

**SECTION 5. 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 6. 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 \_\_\_\_ DAY OF  
\_\_\_\_\_, 2021.**

**APPROVED:**

\_\_\_\_\_  
T.J. Gilmore, MAYOR

**ATTEST:**

\_\_\_\_\_  
Julie Worster, CITY SECRETARY

**APPROVED AS TO FORM:**

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Lizbeth Plaster, CITY ATTORNEY