

# CD-2 Lakewood Expansion

## Proposed Ordinance Draft Comparison

### Explanation of Revisions to Lakewood expansion draft number two

Following the two neighborhood meetings held in February to review the first draft of the proposed ordinance for the Lakewood expansion, an online poll was conducted to gather additional input into what areas could use attention. Many residents expressed concerns related to the overall complexity and length of the draft and developmental regulations being overly restrictive compared to current existing regulations. This document is intended to provide some insight into the changes that took place in response to the input received since the first draft.

### Format

The revised draft will appear different due to reformatting to the City Attorney's Office standard guidelines. This includes indenting and spacing, but the biggest change is that all sections of the developmental standards of the ordinance are to be in alphabetical order. In an effort to help residents compare the changes, a side by side contrast will be made on some of the bigger changes and a notated table of contents is provided to allow for easier analysis of the updated document. There are considerable changes and deletions that took place, but the revised formatting does not significantly shorten the overall length of the draft even though it would be several pages shorter if the old formatting was used.

### Developmental standards removed

In reviewing comments from the survey many property owners expressed concern over changes to regulations that they already live under. The proposed ordinance already refers back to base R-7.5(A) zoning for any area that is not covered by the ordinance, so several sections have been removed allowing the existing zoning to remain in effect. Those areas removed from the text are density, floor area ratio, foundations, lot size, parking, uses, and waterfall steps.

### Developmental standards revised

In compliment to the standards that have been removed, several other notable revisions were made in the developmental standards. A front entry driveway is no longer a requirement for new construction, as many felt as though this was not part of the character of the area and negatively impacted the buildable

area of the lot. This change can be seen in the revised side yard setback requirements for main buildings that are now in line with existing zoning, 5' and 6' depending on the size of the lot, and a reduced rear yard setback for main buildings of 10'. Maximum building height is also now tied to the lot size, allowing houses on larger lots to be taller and more in line with neighboring houses and what would be allowed under current zoning. In addition, all houses regardless of style, are allowed to be two stories with an attic story. Two notable regulations that were removed from the draft are the prohibition on painting brick as well as not allowing circular driveways.

### Architectural standards revised

The architectural standards for Contributing houses (Spanish Eclectic/Revival, French Eclectic, Neoclassical, Tudor, or Colonial Revival) have been changed from a scoring system for remodels and new construction to require that at least six of the design elements of each style be incorporated. This should simplify both the design and review process.

A significant change to the architectural standards for those properties not identified as one of the five contributing styles is that all other architectural styles, now classified in the proposed ordinance as Supporting Houses, will have the same regulations pertaining to materials, roofs, and windows. These general standards are intended to maintain the existing look of the neighborhood if the house is remodeled. The change to the term "Supporting Houses" was in response to comments made in the survey about how all of the existing houses in the proposed expansion area contribute to the character of the neighborhood.

### Guide to changes

The table of contents included in this document will tell you where a section of the ordinance can be found in the first draft of the proposed ordinance which can be found on the City of Dallas Conservation District website, or using the link <https://bit.ly/LakewoodExpansion>. Excerpts from those sections of the ordinance that experienced the most consequential change are contrasted with the language from the [first draft outlined in red](#) and the [updated draft in green](#).

EXHIBIT B

TRACT IV LAKEWOOD CONSERVATION DISTRICT REGULATIONS

Table of Contents

<u>Section</u>	<u>Page</u>	<u>(Location in Draft 1)</u>
(1) Interpretations and definitions .....	3	(1)
(2) Illustrations .....	6	(4)
(3) Nonconforming structures .....	6	(4)
(4) Development standards.....	7	(5)
(a) In general .....	7	
(b) Building characteristics.....	7	
(1) Dormers .....	7	(14)
(2) Front porches and enclosures .....	8	(10)
(3) Windows and doors .....	8	(14)
(c) Building materials.....	8	
(d) Demolition .....	9	(13)
(e) Fences and retaining walls.....	9	(10)
(f) Garages, carports, and accessory structures.....	10	(9)
(1) Style and materials .....	10	(9)
(2) Roof slope .....	10	(9)
(3) Setbacks .....	10	(9)
(4) Attached garages .....	10	(9)
(g) Height .....	11	(7)
(h) Height looming.....	11	(7)
(i) Impervious surface.....	11	(12)
(1) Impervious materials .....	11	
(2) Driveways, curbing, and parking.....	12	(11)
(3) Walkways .....	12	(11)
(j) Landscaping .....	12	
(k) Lot coverage.....	13	(6)
(l) Paint and colors.....	13	
(m) Setbacks .....	14	(8)
(n) Signs .....	14	
(o) Slope and drainage.....	14	(6)
(p) Solar panels.....	15	(13)
(q) Stories .....	15	(7)
(5) Architectural standards .....	15	
(a) Statement of intent .....	15	
(b) Accepted sources for regulation of architectural standards .....	15	
(c) Purpose statement .....	15	
(d) New construction .....	15	
(e) Remodeling of contributing structures.....	16	(15)
(f) Reconstruction .....	16	
(g) Architectural standards for Tudor.....	17	(16)
(h) Architectural standards for Spanish Revival/Eclectic.....	19	(18)
(i) Architectural standards for French Eclectic.....	21	
(j) Architectural standards for Colonial Revival .....	23	
(k) Architectural standards for Neoclassical .....	25	(24)
(l) Architectural standards for New Traditional .....	27	(29)
(m) Architectural standards for Supporting Houses .....	27	(26-29)
(6) Procedures .....	29	
(a) Work reviews .....	29	
(b) Appeals .....	30	(31)
Exhibit C: Illustrations for Lakewood Conservation District - Tract IV.....		



(m) Setbacks. Except as provided in this paragraph, setbacks must be open and unobstructed and shall be measured to the first portion of any structure that exceeds six inches above the grade except those architectural features called out in Sec. 51A-4.401, 4.402, and 4.403, as amended.

(1) Front yard.

(A) Except as provided in this paragraph, all Original Houses or Contributing homes are deemed to be conforming as to front yard setbacks. If an Original House or Contributing home is demolished, new construction must meet the minimum front yard setbacks in Paragraph (B).

(B) For new construction and additions, the minimum front yard is equal to the average of the adjacent lots as determined by a state licensed architect, land surveyor, or engineer. The maximum setback may not exceed more than 10 feet further back than the average. See Exhibit C for illustrations.

(2) Side yard.

(A) Except as provided in this paragraph, for lots smaller than 10,000 square feet, the minimum side yard setback is five feet.

(B) Except as provided in this paragraph, for lots 10,000 square feet or greater, the minimum side yard setback is six feet.

(3) Rear yard.

(A) Minimum rear yard is 10 feet.

o) Setbacks.

1) Front Yard.

A) Except as provided in this paragraph, all original or contributing homes are deemed to be conforming as to front yard setbacks. If an original or contributing home is demolished, new construction must meet the minimum front yard setbacks in Paragraph (B).

B) For new construction, the minimum front yard is equal to the average of the adjacent lot as determined by a state licensed architect, land surveyor, or engineer. The maximum setback may not be more than ten feet further back than the average.

2) Side Yard.

A) Except as provided in this paragraph, for lots smaller than 10,000 square feet, the minimum side yard setback is 10 feet on the driveway side and five feet on the other side.

B) Except as provided in this paragraph, for lots 10,000 square feet or greater, the minimum side yard is 11 feet on the driveway side and six feet on the other side.

C) The minimum cornerside yard setback is 15 feet.

3) Rear Yard.

A) Except as provided in this paragraph, the minimum rear yard is 20 feet.

B) The minimum rear yard is 10 feet the following addresses: 6844 Avalon, 6850 Avalon, and 6858 Avalon

4) Setbacks must be open and unobstructed and shall be measured to the first portion of any structure that exceeds six inches above the grade except those architectural features called out in Sec. 51A-4.401, 4.402, and 4.403, as amended.

(g) Height.

- (1) Except as provided in this subsection, for structures on lots smaller than 10,000 square feet, maximum structure height is 30 feet. For structures on lots 10,000 square feet or greater, maximum height is 35 feet.
- (2) If any portion of an existing structure's roof ridge exceeds the maximum height in paragraph (1), the lower portion of the structure's roof ridge may be raised to the height of the taller portion of the roof ridge. See Exhibit C for illustrations.

l) Height.

- 1) In general. Except as provided in this subsection, maximum structure height is 30 feet.
- 2) If any portion of an existing structure's roof ridge exceeds the applicable maximum height in paragraph (1), the lower portion of that structure's roof ridge may be raised to the height of the taller portion of the roof ridge.
- 3) New structures may be built to within minus five percent of the maximum height of an existing Contributing or Significant House on an adjacent lot with the same number of stories as the new structure, even if that height exceeds the maximum height allowed in paragraph (1). This is to allow for compatible height in areas of the Tract. See table in Exhibit B.

(q) Stories. Except as provided in this subsection, the maximum number of stories above grade is two. Attic stories (as illustrated in Exhibit C) that include habitable space are allowed above both one- and two-story houses.

n) Stories. The maximum number of stories above grade is two. Attic stories (illustrated) are allowed for Tudor, French Eclectic, Colonial Revival, Neoclassical style structures.



(2) Driveways, curbing, and parking.

- (A) A driveway from the front street must be between eight and 12 feet wide.
- (B) An interior lot may have driveway access from the front street and rear alley.
- (C) A corner lot may have driveway access from the rear alley and either the front street or a side street, but not all three.
  - (i) Side street access driveways may not exceed 20 feet in width within the cornerside yard setback.
- (D) Any new front entry driveway must extend at least 20 feet beyond the front yard setback.
- (E) Driveways must be constructed of brick, brush finished concrete, stone, pavers, permeable pavers, or similar materials.
  - (i) Gravel is an allowable material only when used between ribbons in ribbon driveways.
- (F) Circular and ribbon driveways are allowed.

## u) Driveways, Curbing, and Parking.

- 1) A driveway from the front street must be between eight and 12 feet wide.
- 2) An interior lot may have driveway access from the front street and rear alley.
- 3) Except as provided in paragraph (4), lots with new construction must have driveway access from the front street, and the driveway must extend at least 20 feet beyond the required front yard setback.
- 4) A corner lot may have driveway access from either the front street or a side street, but not both.
  - A) Side street access driveways may not exceed 20 feet in width within the cornerside yard setback.
- 5) Driveways must be constructed of brick, brush finished concrete, stone, permeable pavers, or similar materials.
  - A) Gravel is an allowable material only when used between ribbons in ribbon driveways.
  - B) Tinted or colored concrete is prohibited except to match an existing drive.
  - C) Brick, stone, or paver color must be compatible with materials found on an Original house within the district.
  - D) Asphalt is prohibited.
- 6) Ribbon driveways are allowed.
- 7) Except as provided in paragraph (8) circular driveways are not allowed.
- 8) Any nonconforming driveway to paragraphs (1), (2), and (3) existing at the creation of this Tract IV may be repaired or replaced within its existing footprint but must not be expanded. Documented Assurance in the form of a survey or site plan stamped by a licensed surveyor, architect, or engineer is required. Once a new conforming driveway is constructed all rights to the previous degree of nonconformity are lost.

(e) Fences and retaining walls.

- (1) Except as provided in this section fences and walls, excluding retaining walls, are not allowed in a front yard. For purposes of this subsection, “front yard” means that area between the front facade and street, excluding porches, as illustrated in Exhibit C.
- (2) Courtyard walls surrounding the primary front entrance that are four feet in height or less may project into the front yard a maximum of five feet.
- (3) Fences must be set back a minimum of five feet from the corner of the front facade of a main building nearest the side property line, excluding porches.
- (4) Fences and walls in a side yard may not exceed six feet in height.
- (5) Fences and walls in a rear yard may not exceed eight feet in height.
- (6) Fences and walls in a cornerside yard may not exceed eight feet in height.
- (7) Retaining walls may not exceed six inches above any soil being retained.
- (8) Fences may be made of brick that matches the main structure, stone, wood, wrought iron or materials that look like wrought iron, or a combination of these materials. Chain link is prohibited.

t) Fences and Walls.

- 1) Fences and walls, excluding retaining walls, are not allowed in a front yard. For purposes of this subsection, “front yard” means that area between the front facade and street, excluding porches, as illustrated in Exhibit B.
- 2) Courtyard walls may not project into the required front yard.
- 3) Solid fences must be set back a minimum of five feet from the corner of the front facade of a main building nearest the side property line, excluding porches.
- 4) Fences that are at least 70% open may be located flush to the corner of the front facade, excluding porches.
- 5) Fences and walls in a side yard may not exceed six feet in height.
- 6) Fences and walls in a rear yard may not exceed eight feet in height.
- 7) Fences and walls in a cornerside yard may not exceed eight feet in height.
- 8) Retaining walls may not exceed six inches above any soil being retained.
- 9) Fences may be made of brick that matches the main structure, stone, wood, wrought iron or materials that look like wrought iron, or a combination of these materials. Chain link is prohibited.



(p) Solar panels.

- (1) Solar panels are prohibited on a front facade roof that faces the street on which the property is addressed.
- (2) Solar panels are allowed on 100 percent of an accessory structure roof.

## z) Solar panels.

- 1) Except as provided in this section, solar panels may only be located on the rear 50 percent of the roof of a main building.
- 2) Solar panels are allowed on 100 percent of accessory structure roof.
- 3) Solar panels that are compatible in appearance to a traditional shingle or tile within the District may be approved for use on 100 percent of a main building. The intent of this paragraph is to allow for advancements in technology that mimic the appearance of typical roofing material (i.e. must not be glossy, shiny, shimmering) in appearance.

(l) Paint and colors.

- (1) A building facade may not be painted with more than one body color and can only have a maximum of three trim colors.
- (2) Certain colors prohibited. Fluorescent and metallic colors, and the use of black as a main body color is prohibited on the exterior of any structure in this district.

## aa) Paint/Color.

- 1) A building facade may not be painted with more than one body color and can only have a maximum of three trim colors.
- 2) Brick and stone surfaces not painted on (day approved by City Council) may not be painted unless the applicant establishes that:
  - A) The color and texture of replacement brick cannot be matched with that of the existing brick surface;
  - B) The brick is not original or compatible with the style and period of the main building and the district; and
  - C) Painting is the only method by which the brick may be restored or preserved.
- 3) Certain colors prohibited. Fluorescent and metallic colors, and the use of black as a main body color are not permitted on the exterior of any structure in this district.

(5) Required architectural features. In remodeling the following architectural features must be maintained or duplicated. Plans for new main building construction or a major modification must include a minimum of six features, all called out and identified on the drawing sheets, from the following list:

- (A) Tower, partial turret, or bell tower
- (B) Spanish, barrel, or mission style terra cotta roofing
- (C) Entry courtyard with walls (walls must be between three feet and six feet in height measured from grade outside courtyard)
- (D) Arcaded front porch utilizing three or more arches
- (E) Cantilevered upper-level balcony with railing
- (F) Open air exterior staircase leading to second story
- (G) Large focal window or parabolic arch on front facade
- (H) Two or more stained or leaded glass windows on front facade
- (I) Elaborate chimney tops with small tile roof within 15 feet of a street facade
- (J) Two or more arched windows or doors on street facades
- (K) Brick or tile gable vents
- (L) Decorative cast stone (turned or twisted) columns
- (M) Multicolored tile roofing
- (N) Arched wood front door
- (O) Wrought iron accents

5) Architectural Features in general. Plans for new construction or a major modification or remodel of a structure must earn at least 70 points for a two-story structure, and 50 points for a one-story or one-and one-half story and comply with all mandatory requirements of this section. The points awarded for providing a feature, as well as the maximum number of points allowed in any category, are provided below.

A) 20 points.

- i) Tower, partial turret, or bell tower
- ii) Spanish, barrel, or mission style terra cotta roofing
- iii) Entry courtyard with low walls (no lower than three feet and no higher than six feet in height measured from grade outside courtyard)
- iv) Arcaded front porch utilizing three or more arches

B) 10 points.

- i) Cantilevered upper-level balcony with railing
- ii) Open air exterior staircase leading to second story
- iii) Large focal window or parabolic arch on front facade
- iv) Two or more stained or leaded glass windows on front facade
- v) Elaborate chimney tops with small tile roof within 15 feet of a street facade.
- vi) Two or more arched openings (includes porch openings, windows, and doors) on street facades

C) 5 points.

- i) Brick or tile gable vents
- ii) Spiral cast stone columns
- iii) Multicolored tile roofing



(39) **SUPPORTING HOUSE** means a main building not listed as one of the five contributing styles in Exhibit C classified as Spanish Revival/Eclectic, French Eclectic, Neoclassical, Tudor, or Colonial Revival.

(m) Architectural standards for all other Supporting Houses. The architectural standards for remodeling apply only to the front facade and wrap around.

- (1) If a Supporting House is remodeled, the remodeling must comply with the standards of this section; or
- (2) A Supporting House may be remodeled in one of the 5 contributing styles (Tudor, Spanish Revival/Eclectic, French Eclectic, Colonial Revival, Neoclassical) for that element of the structure being remodeled.
- (3) Materials. Metal cladding of any type is prohibited on a front facade.
- (4) Roof.
  - (A) Except as provided in this section, structures must have a gable or hipped roof, with roof pitch between 4/12 and 12/12 or match the documented existing roof pitch of the main structure.
  - (B) Roof eaves must not exceed two feet.
  - (C) Except as provided in paragraph (A) flat and shed style roofs are allowed for entry porch roofs only.
  - (D) The only roofing materials allowed are: wood shingles, material that looks like wood shingles, tile, materials that look like tile, slate, materials that look like slate, standing seam metal, or composition shingles. Roofing material colors must be compatible with Original Houses in the district.
  - (E) Any flat or low pitch (under 2/12 pitch) may use modified bitumen, TPO membrane, or EPDM membrane.

(5) Windows.

- (A) Individual window units must be taller than they are wide on the front facade.
- (B) Except as provided in this paragraph, all windows on a front facade must be:
  - (i) single or double-hung 1-over-1;
  - (ii) single or double-hung with divided light upper sash;
  - (iii) single or double-hung with divided light upper and lower sash;
  - (iv) divided light casement;
  - (v) divided light fixed/non-operable;
  - (vi) stained or leaded glass; or
  - (vii) match or be compatible with existing windows in place at passage of this ordinance
- (C) Fixed plate glass windows are permitted only when utilized immediately between two operable windows.

28) **NONCONTRIBUTING** means a structure not listed as one of the five contributing style in Exhibit B classified as Spanish Revival, French Eclectic, Neoclassical, Tudor, or Colonial Revival.

Exhibit A – Tract IV Lakeswood

B) 10 points

- i) Small gabled dormers with windows or decorative vents on main block
- ii) Sidelights on either side of front door
- iii) Dentils and/or modillions under eaves
- iv) Roofline balustrade on portico or full width front porch
- v) Pedimented front gable with entablature

C) 5 points

- i) Greek key detail
- ii) Quoins at wall corners
- iii) Symmetrical main block
- iv) Full height (two-story) entry porch or portico on front facade
- v) Cast stone lintels
- vi) Leaded glass on front facade
- vii) Fluted columns
- viii) Round or oval window in front gable

(l) Architectural Standards for Ranch. The architectural standards for remodeling apply only to the front facade and wrap around.

- 1) Stories. Structures must be one story on the front facade.
- 2) Additions. Two-story additions are only allowed on the rear 50 percent of the main building.
- 3) Porch supports or columns must be typical of the Ranch style.
- 4) Roof.
  - A) Roof form may be hipped, cross-hipped, side-gabled, or cross-gabled.
  - B) Roof pitch must be between 4/12 and 24/12 or may match existing roof pitch.
  - C) Roof must have minimum overhang of 24 inches.

Exhibit A – Tract IV Lakeswood

D) Structures must have wood shingles, materials that look like wood shingles, tile, materials that look like tile, standing seam metal, or composition shingle roofs.

5) Windows.

- A) Window openings on a front facade must be maintained.
- B) Windows must look typical of the style of Ranch.
- C) No fixed plate glass window may be wider than it is tall on a front facade. This is to encourage division of wide horizontal openings in a manner typical of the Ranch style.

(m) Architectural Standards for Monterey. The architectural standards for remodeling apply only to the front facade and wrap around.

- 1) Stories. Main building must be two stories.
- 2) Porch.
  - A) A dominant second story balcony is required.
  - B) Balcony must remain open-air.
- 3) Roof.
  - A) Roof must be gable or hipped.
  - B) Roof pitch must be between 4/12 and 10/12 or may match existing roof pitch.
  - C) The maximum roof overhang is 12 inches.

D) Structures must have Spanish tile, materials that look like Spanish tile, wood shingles, materials that look like wood shingles, or composition shingle roofs.

4) Windows.

- A) Window openings on a front facade must be maintained.
- B) Windows must look typical of the style of Monterey.
- C) Structures must have casement, single- or double-hung sashes with divide lights (panes)

(n) Architectural Standards for Minimal Traditional. The architectural standards for remodeling apply only to the front facade and wrap around.

- 1) Stories. Structures must be either one story or one- and one-half stories on the front facade.

Exhibit A – Tract IV Lakeswood

- 2) Additions. Two-story additions are only allowed on the rear 50 percent of the main building.
- 3) Porch. Columns or posts must be typical of the Minimal Traditional style.

4) Roof.

- A) Minimal Traditional structures must have a cross-gabled or side-gabled roof with low to moderate roof slope between 4/12 and 10/12 or may match existing roof pitch.
- B) The maximum roof overhang is 12 inches.
- C) Structures must have composition shingle roofs.

5) Windows.

- A) Window openings on a front facade must be maintained.
- B) Windows must have multiple light sashes in either 6-over-6, 9-over-9, 12-over-12 light configurations, or be divided light casement windows.
- C) Windows must be typical of the Minimal Traditional style of the structure. See Exhibit B.

(o) Architectural Standards for Mid-Century Modern/Contemporary. The architectural standards for remodeling apply only to the front facade and wrap around.

- 1) Stories. A second story may not exceed one-third the width of the structure on the front 50 percent of the structure.
- 2) Roof.
  - A) Structures must have a flat, low-pitched, or shed roof, with roof slope between 0/12 and 5/12 or match the existing structure.
  - B) Structures must have wood shingles, materials that look like wood shingles, tile, materials that look like tile, standing seam metal, or composition shingle roofs.
  - C) Any flat or low pitch (under 2/12 pitch) may use modified bitumen, TPO membrane, or EPDM membrane.
- 3) Windows. Window openings on a front facade must be maintained.

Exhibit A – Tract IV Lakeswood

(p) Architectural Standards for American Vernacular. The architectural standards for remodeling apply only to the front facade and wrap around. Structures identified as American Vernacular may remodel in the existing style of architecture or be compatible with the main building.

1) Materials. Metal cladding of any type is prohibited on a front facade.

2) Roof.

- A) Structures must have a gable or hipped roof, with roof pitch between 4/12 and 12/12 or match the existing structure.
- B) Roof eaves must not exceed two feet.
- C) Flat and shed style roofs are allowed for entry porch roofs only.

3) Windows. Window units must be taller than they are wide on the front facade.

(q) Architectural Standards for New Traditional. The architectural standards for remodeling apply only to the front facade and wrap around.

- 1) Structures identified as New Traditional may remodel in the existing style of architecture to include windows, materials, roof material and roof pitch to be compatible to the main building.
- 2) Structures identified as New Traditional Tudor/Spanish Revival/French Eclectic/Colonial Revival/Neoclassical may remodel using the standards for the Contributing architectural style it models after.
- 3) Any remodeling of architectural features listed under the designated Contributing classification must be retained, but additional features from that style can be added without having to meet the required point total. For example, a New Traditional Tudor with half-timbering in the gables, the remodel cannot remove that feature from the front facade or wrap around, but elements like brick pattern or iron details may be added.

Section 6. Procedures.

(a) Work Reviews.

- 1) Work review applications. A work review application must be submitted to the director for any work regulated by the standards contained in this ordinance.
- 2) It is the responsibility of the applicant to provide examples from the district for justification of any element called into question during review.
- 3) Work requiring a building permit.

A) Upon receipt of a review form application for work requiring a building permit, the building official shall refer the review form