

## **Sec. 10-169. Lake protection district.**

(a) *Purpose and intent.* The purpose and intent of the lake protection district is to regulate activities in the area immediately adjacent to and affecting Lake Jackson while protecting that water body and ecosystem. The lake protection district's location is based on the lake basin boundary so adjusted to primarily include undeveloped areas and existing less intensely developed areas. The lake protection district allows residential uses of one unit per two acres or one unit per gross acre if clustered on 25 percent of the property. This cluster option is designed to leave large areas of land undisturbed within critically impacted area. Industrial, office and commercial uses are prohibited in this category in the city limits. Urban services are intended for this category inside the urban service area. Existing nonresidential uses within this district that meet all water quality standards set forth in the comprehensive plan and the environmental regulations of applicable jurisdiction will be considered permitted, lawfully established conforming uses. Any land in the lake protection district lying within a closed basin may be rezoned to another appropriate district by amendment of the official zoning map through the planned unit development, type D review. Densities and intensities of development within a closed basin are limited to primary and secondary uses of the mixed use a future land use category as defined by the 2010 Comprehensive Plan and subject to compliance with the land development matrix of the 2010 Comprehensive Plan. In order to petition for such an amendment, the potential applicant must demonstrate through presentation of competent scientific evidence certified by a registered engineer that all land affected is located entirely within a closed basin which does not naturally or artificially discharge into the Lake Jackson basin. Stormwater generated by any development must be either retained on-site or filtered through an approved regional stormwater management facility within the closed basin.

(b) *Allowable uses.* For the purpose of this chapter, the following land use types are allowable in the lake protection district and are controlled by the land use development standards of this chapter, the comprehensive plan and schedules of permitted uses.

- (1) Low density residential.
- (2) Passive recreation.
- (3) Active recreation.
- (4) Community services.

(c) *List of permitted uses.* See schedules of permitted uses, subsection 10-240(a). Commercial, office and industrial uses are not permitted in the lake protection district. Other nonresidential uses on these schedules are itemized according to the Standard Industrial Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed. Restricted and special exception uses must meet the criteria in

article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.

(d) *Development standards.* All proposed development shall meet the land use development criteria specified in subsection 10-240(b); commercial site location standards (section 10-174); buffer zone standards (section 10-177); criteria of the land development standards schedule (article IV, division 4 of this chapter); and parking and loading requirements (article VI of this chapter).

(e) *Specific restrictions.* If uses are restricted according to the schedule of permitted uses, they must follow the general development guidelines for restricted uses as provided in article VII of this chapter. Specific restricted uses are addressed in article VII of this chapter.