

ORDINANCE NO. 19-08-15-03

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 7.30 AND TABLE A OF CHAPTER 14, THE ZONING ORDINANCE, TO CORRECT MANIFEST EFFORS IN THE DEVELOPMENT REGULATIONS PERTAINING TO CERTAIN PROPERTY WITHIN LAGO VISTA TRAVIS PLAZA SUBDIVISION AND CERTAIN PROPERTY WITHIN OR ADJACENT TO LAGO VISTA BAR-K AIRPORT SUBDIVISION AND LAGO VISTA AIRPARK SUBDIVISION; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Lago Vista, Texas is a Home Rule City; and

WHEREAS, the City Council of the City of Lago Vista has previously established parking requirements and development standards within Chapter 14 of the Lago Vista Code of Ordinances for the commercial use of property; and

WHEREAS, those regulations would virtually preclude development of many of the lots within the subdivision known as Lago Vista Travis Plaza because of various unique and unusual aspects of the plat which was approved by Travis County prior to the existence of the City of Lago Vista; and

WHEREAS, there was a previous attempt to address some of these problems in Table A of Chapter 14 that fell short of a complete solution; and

WHEREAS, it would be unreasonably burdensome to all those property owners who might wish to exercise their development rights to seek numerous variances that might not otherwise be warranted; and

WHEREAS, in the course of reviewing the special provisions within Table A pertaining to unique and unusual plats, other minor errors that warranted correction were noticed in the description of provisions applicable to the C-4 (“Commercial Airport”) zoning district; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has undertaken an extensive review of those regulations; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has forwarded a recommendation to the City Council to amend those requirements contained within Chapter 14 of the Lago Vista Code of Ordinances as described below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. FINDINGS. All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

SECTION 2. MODIFICATION. The City Council of the City of Lago Vista, Texas, does hereby amend Section 7.30 and Table A of Chapter 14 of the Lago Vista Code of Ordinances as shown in Exhibit “A.”

SECTION 3. SAVINGS CLAUSE. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 6. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 15th day of August 2019.





Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Mayor Pro Tem Williams, seconded by Councilman Collins, the above and foregoing ordinance was passed and approved.

CHAPTER 14

ZONING ORDINANCE

7.30 Nonresidential Parking

- (a) Restaurants. One (1) off-street space for each one hundred (100) square feet of customer floor area, including waiting area and outside dining area, shall be provided by lunch counters, nightclubs, indoor and drive-in restaurants, and all other similar dining and drinking establishments.
- (b) Auditorium. One (1) off-street space for each four (4) seats in the main auditorium shall be provided by churches, mortuaries, theaters, and motion-picture houses. The applicable International Building Code provisions shall be used to define capacity.
- (c) Office and Retail Buildings. One (1) off-street space for each three hundred (300) square feet of gross floor area shall be provided by banks and other financial institutions, service stations, retail establishments, or office areas in wholesale establishments, shopping centers containing any combination of the above areas, all office buildings, medical and dental clinics, and laboratories.
- (d) Child Care and/or Family Home Facilities. One (1) off-street space for each classroom shall be provided by these facilities. There shall further be provided an off-street driveway and loading space for a minimum of four (4) cars for the transferring of passengers.
- (e) Health Institutions. One (1) off-street space for each four (4) employees (based on maximum employee shift), plus one and one-half (1-1/2), spaces for each four (4) patient beds, plus one (1) space for each staff doctor shall be provided by convalescent homes, homes for the aged or infirm, hospitals, and all other similar institutions.
- (f) Industrial Uses. One (1) off-street space per one thousand (1,000) square feet of gross floor space shall be provided for all industrial uses.
- (g) Transient Accommodations. One (1) off-street space for each bedroom shall be provided by tourist homes and other such transient accommodations.
- (h) Vehicular repair and/or service. One space per service bay or 200 sq. ft. of gross floor area, whichever is greater shall be provided.
- (i) Hotel/Motel. One space for each sleeping room, plus one space for every 400 square feet of meeting or assembly area and restaurant seating area shall be provided.
- (j) Other. Parking requirements for parks, marinas, airports, bus depots, motor vehicle sales or repair establishments, truck terminals, terminal facilities, and all other personnel or material

terminal facilities shall be determined by the city manager or his designee only after review of a site plan, and shall be based upon all relevant factors required to provide an adequate amount of parking to serve the public, including the size of the facility, number and type of patrons anticipated, and reasonableness when compared to similar facilities. Lots 6C through 69C of the subdivision platted as Lago Vista Travis Plaza shall be deemed as compliant with the above requirements regardless of the specific use, so long as none of the common parking spaces required by the plat are displaced.

TABLE A – DEVELOPMENT STANDARDS								
Commercial	Max. Impervious Cover %	Min. Living Area (sq. ft.)	Front & Reverse Corner Setback (ft.)	Rear Setback (ft.)	Min. Side-Yard Setback (ft.)	Total Side-Yard Setback (ft.)	Corner Setback (ft.)	Building Height (ft.)
C-1A Low Density**	60**		20**	10**	5	10	15	28
C-1C Low Density	60		25	25	10	20	25	28
C-2 Intense	60	Buildings meet C-1C standards						28
C-3 Marina	60	Buildings meet C-1C standards						25
		Boat slips 20' above water surface						
C-4 Airport*	Buildings meet C-1C standards							
Lots 1–21	100	750 if provided	25*	0	0			
Lots 22–43	100	750 if provided	7.5*	0	0			
Lots 44–47	100	750 if provided	25*	0	0			
Lots 48–56 ³	100	750 if provided	0*	20*	0			
C-6 Large Commercial / Retail Super Store	60	Buildings meet C-1C standards						54
CR Resorts			25	25	10	20	25	28
Condominiums	60	700	20	5	5	10	5	28
Townhouses	60	980	20	5	5	10	5	28
Hotel or Motel and all other uses.	same as C-1C standards							

*For Lots 1-21, the front setback is from Rolling Hills Cove. For Lots 44-47, the front setback is from Rawhide Trail and Bar-K Ranch Road. For Lots 22-43, the 7.5 ft. front setback is from Rawhide Trail.

³ For Lots 48-56 and ten parcels that have not yet been platted that are located between Lot 52 of Lago Vista Bar-K Airport Subdivision and Lot 16 of Lago Vista Airpark Subdivision, the front setback is from the property line facing the runway and the rear setback is from the opposite side of the lot. There is no setback for a hangar adjacent to a taxiway.

**For Lots 6C through 69C of the subdivision platted as Lago Vista Travis Plaza, the following deviations from the development standards contained in Table A shall instead apply. The maximum impervious cover percentage applies only to the property within the required side and corner yard setbacks, unless the original lot configurations have been modified by any amended plat, including a lot consolidation. All stormwater detention components that would otherwise interfere with the required common parking and driveway area must be installed as a below grade vault or container.

For Lots 6C through 37C only, the minimum front yard setback adjacent to Dawn Drive is 10 feet. The minimum rear yard setback is 66 feet, the depth of the required common parking and driveway area. Above grade stormwater detention components, such as tanks or rain barrels, shall be permitted in the required side yard setbacks if sufficient clearances are preserved to accommodate anticipated property maintenance.

For Lots 38C through 69C only, the front yard is hereby established as being adjacent to the property line common to Lots 6C through 37C and is otherwise exempt from the provisions of Section 2.10 above related to the requirement for public right-of-way adjacency and property addressing. The minimum front yard setback is 66 feet, the depth of the required common parking and driveway area. There is no required rear yard setback although overhangs, steps and other similar architectural features normally permitted beyond the building line are not allowed to encroach into the adjacent dedicated alley.
