

**CITY OF LAKEWAY, TEXAS**

**ORDINANCE NO. 2020-12-21-01**

**AN ORDINANCE OF THE CITY OF LAKEWAY, TEXAS  
AMENDING TITLE II: BUILDING AND  
DEVELOPMENT REGULATIONS; CHAPTER 28:  
SUBDIVISIONS AND SITE DEVELOPMENT; ARTICLE  
28.03: SUBDIVISION APPROVAL PROCEDURES;  
SECTION 28.03.010: PLAN REVISIONS; AND  
PROVIDING FOR SEVERABILITY, REPEALER, AND  
AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lakeway, Texas, (the Council) has, within its police powers, the right to protect the public health, safety, welfare, and the general well-being of its citizens; and

**WHEREAS**, occasionally when subdivisions are being formally engineered for platting and ultimately development, changes from the preliminary plan are needed to accommodate roadway alignment, utility placement, public safety access, parkland dedication, or other public purposes; and

**WHEREAS**, the final plat will be presented for review and consideration to the Zoning and Planning Commission and the City Council; and

**WHEREAS**, requiring an amendment to the preliminary plan prior to considering the final plat effectively requires the same review by the same bodies thereby; and

**WHEREAS**, the Council has determined it is necessary to update and amend its ordinance regulating final plat plan revisions to allow a degree of flexibility to the design and construction of the public elements of a subdivision.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Lakeway, Texas:

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. AMENDMENT**

Title II (Building and Development Regulations), Chapter 28 (Subdivisions and Site Development), Article 28.03 (Subdivision Approval Procedures), Section 28.03.010 (Plan revisions) is hereby amended as follows:

**“Sec. 28.03.010 Plan revisions**

(a) Submittal of a final plat that **significantly** revises street alignment or sizes, lot density, lot layout, increases the total number of lots, or deletes any component or note shown on the preliminary plan shall cause the subdivider to revise the preliminary plan. **For purposes of this section, “significantly” means a change of more than ten percent (10%).** Any proposed revision to an approved preliminary plan shall be approved in the same manner as the original preliminary plan.

(b) No approval of any final plat can be obtained until the preliminary plan revisions are approved by the city council.”

**3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

**4. GENERAL REPEALER**

All Ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

**5. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon passage and publication as provided for by law.

**6. PROPER NOTICE & MEETING**

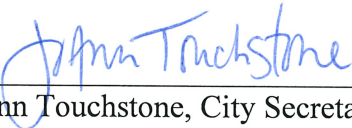
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED & APPROVED** this 21<sup>st</sup> day of December, 2020, by the City Council of Lakeway, Texas.

**CITY OF LAKEWAY:**

By:   
Sandra L. Cox, Mayor

**ATTEST:**

  
Jo Ann Touchstone, City Secretary

