

CITY OF LAKEWAY, TEXAS

ORDINANCE NO. 2021-03-01-03

AN ORDINANCE OF THE CITY OF LAKEWAY, TEXAS, AMENDING THE CODE OF ORDINANCES, TITLE II: BUILDING AND DEVELOPMENT; CHAPTER 28: SUBDIVISIONS AND SITE DEVELOPMENT; ARTICLE 28.03 (SUBDIVISION APPROVAL PROCEDURES); SECTION 28.03.001 (STANDARDS FOR APPROVAL); AND ARTICLE 28.09: STANDARDS AND SPECIFICATIONS; SECTION 28.09.003 STREETS; SUBSECTION 28.09.003(a) STREET LAYOUT; AND PROVIDING FOR SAVINGS, SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lakeway, Texas ("City") seeks to provide for the health, safety and welfare of its citizens and provide for the orderly development and use of land within its corporate limits and its extraterritorial jurisdiction; and

WHEREAS, the City Council seeks to promote orderly and safe use of property within the City by regulating subdivision design, and the regulations established are in furtherance of the public interest, for the good government, peace, and order of the City; and

WHEREAS, the City Council adopted the Thoroughfare Plan by Resolution 2020-10-19-02 in a public hearing held October 19, 2020; and

WHEREAS, the City Council finds that it is in the best interest of the welfare of the citizens of Lakeway, Texas, and consistent with the City of Lakeway Comprehensive Plan to approve the proposed subdivision ordinance amendments.

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 I

The City of Lakeway Code of Ordinances, Title II (Building and Development Regulations), Chapter 28 (Subdivisions and Site Development), Article 28.03 (Subdivision

Approval Procedures), Section 28.03.001 (Standards for approval) is hereby amended as follows:

“Sec. 28.03.001 Standards for approval

The municipal authority responsible for approving plats shall approve a plat if it meets all of the following requirements:

- (1) It conforms to the City’s adopted Comprehensive Plan, Thoroughfare Plan, and the Parks and Open Space Master Plan, particularly in regard to the City’s current and future streets, alleys, parks, playgrounds, and public utility facilities;
- (2) It conforms to the City’s adopted Comprehensive Plan and Thoroughfare Plan for the extension of the city and its roads, streets, and public highways within the city and in its extraterritorial jurisdiction, also taking into account access to and extension of and the instrumentalities of public utilities as identified by the utility providers;
- (3) It conforms to all rules adopted by this chapter; and
- (4) All required fees, including but not limited to city fees, water district fees and emergency services district fees, have been paid.”

(3) AMENDMENT II

The City of Lakeway Code of Ordinances, Title II (Building and Development Regulations), Chapter 28 (Subdivisions and Site Development), Article 28.09 (Standards and Specifications), Section 28.09.003 (Streets), Subsection 28.09.003(a) (Street layout) is hereby amended as follows:

“Sec. 28.09.003 Streets

(a) Street layout.

- (1) The subdivider shall provide adequate streets for the proposed subdivision that must be in conformance with the adopted city thoroughfare plan. The arrangement, character, extent, width, grade, and location of each street shall be considered in its relation to existing and planned streets, topographical conditions and public safety and convenience. Each street shall also be considered in its appropriate relationship to the proposed uses of land to be served by such street.
- (2) The subdivider shall provide additional subdivision access to and from public streets as deemed necessary by the city for reasons of health and public safety.”

(3) SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance

or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

(4) 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.

(5) 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.

(6) EFFECTIVE DATE


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

(7) PROPER NOTICE & MEETING

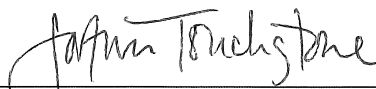
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, and Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this 1st day of March, 2021, by the City Council of Lakeway, Texas.

CITY OF LAKEWAY:

By: 
Sandra L. Cox, Mayor

ATTEST:


Jo Ann Touchstone, City Secretary

