

**CITY OF LAKEWAY, TEXAS**

**ORDINANCE NO. 2018-11-07-01**

**AN ORDINANCE OF THE CITY OF LAKEWAY, TEXAS, AMENDING THE CODE OF ORDINANCES, TITLE II: BUILDING AND DEVELOPMENT REGULATIONS; CHAPTER 30: ZONING; ARTICLE 30.03 ZONING USE REGULATIONS; SEC. 30.03.006: District R-6 (SINGLE-FAMILY RESIDENTIAL – RURAL); AND PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council seeks to promote orderly and safe use of property within the City of Lakeway, Texas (“City”); and

**WHEREAS**, pursuant to Texas Local Government Code Chapter 211 the City has general authority to regulate the location and use of buildings, other structures and land for business, industrial, residential, or other purposes; and

**WHEREAS**, pursuant to Section 2.04 of the Charter of the City of Lakeway, the City has the authority to promote the public health, morals, and general welfare through the use of zoning and land use regulation.

**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 30 (Zoning); Article 30.03 (Zoning Use Regulations), Sec. 30.03.006 (District R-6 (Single-Family Residential – Rural)) of the City of Lakeway Code of Ordinances is hereby amended as follows:

“(g) Maximum height. No part of any structure within this district, except for chimneys, attic ventilators and plumbing vent stacks, may exceed 32 feet in height above the highest natural grade under the slab. Exception: Structures built in the floodplain and not subject to the View Protection Corridor Overlay (VPCO) may have a maximum height not to exceed 33 feet in height above the FEMA base flood elevation. Maximum heights for additions constructed after the primary residence has been occupied shall be determined in the manner set forth in section 30.03.023(d).”

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All Ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.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

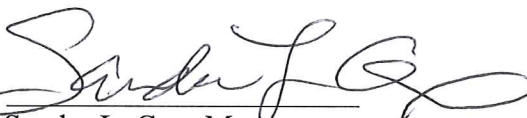
This Ordinance shall be effective immediately upon passage and publication as provided for by law.

**6. PROPER NOTICE & MEETING**

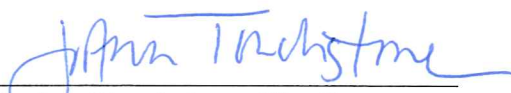
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, and Chapter 551. Notice was also provided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

**PASSED & APPROVED this, the 19<sup>th</sup> day of November, 2018, by the City Council of Lakeway, Texas.**

**CITY OF LAKEWAY:**

By:   
Sandra L. Cox, Mayor

**ATTEST:**

  
Jo Ann Touchstone, City Secretary

