

## ORDINANCE NO. 18-01-04-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP BY REZONING HIGHLAND LAKES ESTATES, SECTION 16, LOTS 1A-6A (20201, 20203, 20205, 20209, 20211 AND 20213, CONTINENTAL DRIVE) FROM THE R-4 MULTIFAMILY RESIDENTIAL DISTRICT TO THE R-1D SINGLE FAMILY RESIDENTIAL DISTRICT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the landowner of Lots 1A-6A of Highland Lake Estates, Section 16 (“Lots”) has filed an application requesting the City of Lago Vista (“City”) to consider rezoning such Lots from R4 to R-1D; and

**WHEREAS**, after giving ten (10) days written notice to the owners of land in and within 200-feet of the area being rezoned, as well as having published notice to the public at least fifteen (15) days prior to the date of such hearing(s), the Planning and Zoning Commission and City Council each held a public hearing on the proposed re-zoning; and

**WHEREAS**, the Planning and Zoning Commission (the “Commission”) at its public hearing on the rezoning of such Lots, reviewed the request and the circumstances of the area being rezoned and finds that a substantial change in circumstances of the area being rezoned has transpired sufficient to warrant a change in the zoning; and

**WHEREAS**, the Commission recommends rezoning such Lots from R4 to R-1D; and

**WHEREAS**, the City, by and through its legislative discretion has adopted a comprehensive plan for the City of Lago Vista, and having considered and reviewed such comprehensive plan, the City Council finds the rezoning being considered herein is consistent with the comprehensive plan; and

**WHEREAS**, the City Council at its public hearing on the rezoning, reviewed the request and the circumstances of the area and it concurs with the recommendation of the Commission; and

**WHEREAS**, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City’s tax base; and

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

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Commission and City Council find that this Ordinance satisfies the requirements of Section 13 of the City of Lago Vista Zoning Ordinance.

**Section 2. Amendment of Zoning Ordinance and Zoning Map.** The Zoning Ordinance and the Official Zoning Map and other applicable ordinances are hereby modified and amended by rezoning Highland Lakes Estates, Section 16, Lots 1A-6A, from R-4 to R1-D.

**Section 3. Severability.** Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4. Conflicting Ordinances.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

**Section 5. Effective Date.** This Ordinance shall be in force and effect from and after its passage on the date shown below in accordance with the provisions of the *Tex. Loc. Gov't. Code* and the City's Charter.

**Section 6. Open Meeting.** It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

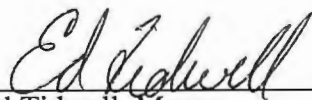
**AND, IT IS SO ORDERED.**

**PASSED AND APPROVED** this 4<sup>th</sup> day of January, 2018.



ATTEST:

  
Sandra Barton, City Secretary

  
Ed Tidwell, Mayor

On a motion by Councilman Williams, seconded by Councilman Weatherly, the above and foregoing ordinance was passed and approved.