

ORDINANCE NO. 22-10-11-03

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 2.10 AND TABLE B OF CHAPTER 14 OF THE LAGO VISTA CODE OF ORDINANCES REGARDING THE USES PERMITTED IN THE G-1 ("GOLF COURSE AND SUPPORTING FACILITIES") ZONING DISTRICT; 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 specified the uses permitted in the G-1 ("Golf Course and Supporting Facilities") zoning district as specified in Table B of Chapter 14, the Zoning Ordinance; and

WHEREAS, it seems likely that all of those permitted uses, particularly those that were permitted by-right without the requirement for additional review or approval, were intended to be allowed only when associated or developed as part of a currently operating golf course or country club; and

WHEREAS, it was subsequently discovered that the precise wording of Table B would instead allow a number of uses by-right to displace a former or currently operating golf course or country club without the requirement for additional review or approval; and

WHEREAS, the potential unintended consequences resulting from these provisions might include an adverse impact to existing residences that might no longer be sited in an orderly or coherent manner in relation to uses that might displace a former golf course or country club without the requirement for additional review or approval; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has undertaken a review of those regulations and conducted a public hearing at their meetings beginning on July 14, 2022 and continuing until September 8, 2022; and

WHEREAS, the proposed changes should yield results that are more aligned with the expectations of the residents and property owners of the City of Lago Vista rather than the potential unintended consequences or adverse impacts described above; 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 Section 2.10 and Table B of Chapter 14 of the Lago Vista Code of Ordinances as described below; and

WHEREAS, the City Council at its public hearing to consider this ordinance amendment held on October 11, 2022, reviewed the recommendation, and found the changes to be warranted.

WHEREAS, the City Council desires to amend 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 OF FACT. All 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. AMENDMENT. The City Council of the City of Lago Vista, Texas, does hereby amend Section 2.10 and Table B of Chapter 14 of the Lago Vista Code of Ordinances as shown in **Exhibit "A."**

SECTION 3. REPEALER. 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.

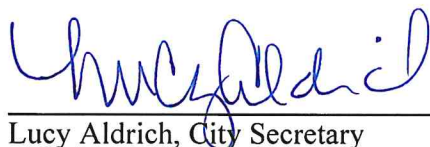
AND, IT IS SO ORDERED.

PASSED AND APPROVED this 11th day of October 2022.


Kevin Sullivan, Mayor Pro-Tem



ATTEST:


Lucy Aldrich, City Secretary

On a motion by Councilmember Durbin, seconded by Councilmember Marion, the above and foregoing ordinance was passed and approved.

CHAPTER 14

ZONING

2.10 Definitions

The words used in this chapter and not defined in this section shall have their ordinarily accepted meaning. For the purposes of this chapter the following words and phrases shall have the meaning respectively ascribed to them herein:

ABUTTING: Adjacent, joining at a boundary.

ACCESSORY BUILDING: A building detached from the principal building and customarily incidental and subordinate to the principal building or use. A structure will be considered a detached accessory building rather than an addition or part of the principal building unless an intervening attachment consists of a fully enclosed, conditioned living space that is more than a mere corridor or hallway.

ACCESSORY USE: A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building **allowed in a specific zoning district**.

TABLE B

TABLE OF ALLOWED USES FOR ZONING

New and unlisted uses. The city manager or his designee may permit a use in a district that is not listed on Table B if the use is reasonably similar, comparable, and compatible with other uses permitted in the district or he may seek an amendment to Table B to add the unlisted use in the same manner as amendment to this chapter.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Accessory Building or Use	V	V	V	V	V	V	V	V	V	V	V	V		V	V	V
Aircraft hangar, servicing, repair										V						
Amphitheater							V	V						V	V	V
Amusement arcade								V							V	V
Amusement Park								V							V	V
Antique shop							V	V							V	V
Apartments				V										V		
Apartment Hotel with Commercial							V	V						V	V	
Arboretums																
Arcades							SUP	SUP						SUP	SUP	SUP
Asphalt and concrete production																V
Assisted Living				V												
Auditorium								V							V	V
Auto sales and service								V							V	V
Auto wash, tune-up, repair							V	V							V	V
Bakery							V	V							V	V
Bank, Savings and Loan							V	V							V	V
Barber, Beauty Shop							V	V							V	V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

¹ For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.

² All uses must be in accordance with the City Council approved CR Master Plan.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Bars, Nightclubs and Taverns								V			✓			V	V	V
Bed and Breakfast Establishment		SUP	SUP	V			V	V						V		
Beverage Bottling or distribution								V							V	V
Bike/motorbike sales & service								V							V	V
Billiard/Pool Rooms								V						V	V	V
Boat storage (outside)								V	V					V		V
Boat Sales or Service								V	V							V
Boat slips/day slips									V					V		
Boat Ramp, Commercial							V	V	V				SUP	V		
Book/stationary shop							V	V							V	V
Bowling alley establishment								V							V	V
Building material sales								V							V	V
Bus depot								V							V	V
Cabinet shop/commercial								V		V						V
Cafeterias							V	V							V	V
Camera store							V	V							V	V
Canvas goods fabrication								V		V						V
Carpentry shop							V	V		V						V
Carpet, rug cleaners							V	V								V
Carting, hauling, storage warehouse								V							V	V
Catering establishments							V	V								V
Cemetery								V				V				

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

¹ For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.

² All uses must be in accordance with the City Council approved CR Master Plan.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Chapel							V	V				V		V		
Child care institution							V	V						V		
Churches, Temples	V	V	V	V	V		V	V				V		V	V	
Clinics (medical)							V	V				V			V	V
Clothing store-men's and/or women's							V	V							V	V
Club, not nightclub							V	V					V	V	V	V
Coal, sand, soil, and gravel yards							SUP									V
College or university								V				V			V	
Community Home	V	V	V	V	V	V										
Community Center							V	V				V	V	V	V	
Condominiums														V		
Contractor, Builder or Subcontractor							SUP	V		V						V
Convalescent home/Nursing home				V			V									
Cottage				V										V		
Country club ⁹							V	V			V			V		
Craft, hobby shop							V	V							V	V
Dance halls								V								V
Dept. store, sporting goods, novelty, toys							V	V							V	V
Dog and cat grooming							V	V								V
Drug store, tobacco, candy shops							V	V							V	V
Dry cleaning							V	V						V	V	V
Dwelling-manufactured home / industrialized housing ⁸					V											

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

⁸ Also see permitted uses in other zoning districts where single-family or two-family residences are allowed.

⁹ Clubhouse and country club facilities including associated alcoholic beverage service, parking lots, restaurants, swimming pools, tennis courts, and pickleball courts.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Dwelling-multifamily				V												
Dwelling-single family	V	V	V	V	V						V ²					
Dwelling-single family with hangar						V										
Dwelling-two-family			V	V												
Electric appliance shop/repair							V	V		V					V	V
Employment agency							V	V							V	V
Exhibition and rodeo grounds																V
Expressing, baggage, delivery service								V		V						V
Fabric shop							V	V							V	V
Family home facility	V	V	V	V	V	V										
Farmers markets							V	V							V	V
Fire Station	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Florist							V	V								V
Food store-convenience							V	V							V	V
Food store-supermarket							V	V							V	V
Fractional housing (Fractional time shares)														V		
Fuel storage							V	V	V	V						V
Furniture, appliance store							V	V							V	V
Golf course (including disc golf)	V	V	V	V			V	V	V		V	V	V	V		
Golf course-driving range											V		V	V		
Golf course-miniature							V	V			V		V	V		
Greenhouse-wholesale								V						V	V	V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

¹ For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.

² All uses must be in accordance with the City Council approved CR Master Plan.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Greenhouse-retail							V	V							V	V
Hardware, paints, wallpaper							V	V							V	V
Health club/spa							V	V						V	V	V
Heliports								SUP		V		SUP				SUP
Helistops							SUP	SUP		V		SUP			SUP	SUP
Hobby shop							V	V							V	V
Home based business or occupation	V ³	V ³	V ³	V ³	V ³	V ³										
Hospital								V							V	V
Hospice				V			V									
Hotel								V						V	V	V
Ice cream store							V	V							V	V
Interior Decorator							V	V							V	V
Jewelry, optical goods							V	V							V	V
Junk and salvage yards, all open-air storage of junk, waste and salvage material																SUP
Kennels							SUP	SUP							SUP	SUP
Laboratory								V								V
Laundromat							V	V						V	V	V
Laundry-commercial								V								V
Library	V	V	V	V	V		V	V				V			V	V
Livestock or Poultry shelter or care, Stable		SUP	SUP	SUP		SUP	SUP	SUP				SUP	SUP			SUP
Machine shop, metal products, welding								V								V
Manufactured housing sales								V								V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

¹ For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.

² All uses must be in accordance with the City Council approved CR Master Plan.

³ Permitted only in accordance with Section 16, Home Occupations.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Manufacturing and Assembly								V								V
Marina									V	V			V	V		
Massage establishments ⁶							V	V								
Meat markets							V	V							V	V
Mini warehouse (inside storage only)																V
Mini warehouse (with outside storage)																V
Mortuary								V								V
Motel								V						V	V	V
Museums							V	V		V		V			V	V
Office, medical and general							V	V				V		V	V	V
Open storage								V								V
Park-Active											V	V	V			
Park-passive	V	V	V	V	V		V	V			V	V	V			
Park-and-ride facilities																V
Parking lot, commercial							V	V	V	V	⚡	V	V			V
Pet boarding with outside run							SUP	SUP				V				V
Pet store-no outside run							V	V								V
Photo studio							V	V							V	V
Playground	V	V	V	V	V							V	V	V		
Plumbing, HVAC, roofing supply								V		V						V
Police station	V	V	V	V	V		V	V		V		V	V		V	V
Printing shop								V							V	V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

¹ For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.

² All uses must be in accordance with the City Council approved CR Master Plan.

⁶ Some require SUPs. See Section 18.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Public and municipal treatment plants, pump stations, lift stations, public works and related facilities, and municipal buildings and facilities	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Quarry, Mining, Rock Crushing																V
Radio, TV, VCR sales / service							V	V							V	V
Radio, TV studio							V	V							V	V
Realty office							V	V						V	V	V
Realty office-temporary ⁷	V	V	V	V			V	V						V	V	V
Recreation facility, commercial							V	V	V		½ SUP	V		V	V	V
Recreational Vehicle Park				SUP	SUP				V				V	V		V
Restaurant							V	V		V	½			V	V	V
Retail store-general							V	V							V	V
School-public/private	V	V	V	V	V		V	V				V			V	
School-business/commercial							V	V		V		V			V	
Service station							V	V							V	V
Sexually-oriented business ⁵								SUP								
Short Term Occupancy	V ⁴	V ⁴	V ⁴	V										V		
Sign Shop							V	V							V	V
Specialty and novelty establishments							V	V							V	V
Storage & sale of autos, trailers, farm implements & equip., & similar equipment on open lot								V								V
Studio-artist							V	V		V					V	

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

⁴ Permitted only in accordance with Section 23, Short-Term Occupancy.

⁵ Permitted only in accordance with Section 8.20, Sexually Oriented Businesses.

⁷ For additional standards, see C-4 district.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-0	R-1	R-2	R-4	R-1M	RR-A	C-1	C-2	C-3	C-4	G-1	U-1	P1	CR2	C-6	LI
Studio-dance							V	V							V	
Studio-health							V	V							V	
Studio-music							V	V							V	
Substation-public utility	V	V	V	V	V		V	V		V		V	V			V
Swimming pool-private	V	V	V	V	V		V	V			⚡		V			V
Swimming pool-public								V				V	V			
Tailor & dressmaking shop							V	V							V	V
Telephone exchange	V	V	V	V	V		V	V		V	V	V	V			
Theater-indoor								V							V	V
Tinsmith & sheet metal								V		V						V
Townhouse				V										V		
Trailer, truck, bus sales								V								V
Upholstery shop							V	V		V					V	V
Veterinary hospital, no outside run							V	V								V
Vocational and Private School							V	V						V	V	V
Warehouse								V		V						V
Watercraft rental									V					V		
Water tank-surface, subsurface, public	V	V	V	V	V		V	V	V	V	V	V	V			V
Wildlife sanctuaries													V			V
Wireless Comm. Systems, Radio, television and microwave antennae and towers ⁶							V	V		V	V	V			V	V
Wholesale distribution								V		V					V	V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

⁶ Some require SUPs. See Section 18.

SUP Permitted by special use permit only.