



AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS
5803 THUNDERBIRD STREET
FEBRUARY 12, 2026 AT 4:00 PM

JOIN MEETING VIA VIDEO CONFERENCE

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/361413933>

You can also dial in using your phone.

Access Code: 361-413-933

United States: +1 (872) 240-3311

I. CALL TO ORDER, CALL OF ROLL

Lynda Aird, Chairperson
Dave Stewart
Jeff Hewgley

Gene Harris, Vice Chair
Enrique Lopez
Ann Cleator
Nelson Minyard

Paul Prince - Council Liaison
Staff Liaison - Jordan Strohmeyer

II. CITIZEN COMMENTS

In accordance with the Open Meetings Act, the Commission is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

To participate in the citizen comments portion of the meeting, you must submit a completed form. If you are attending the meeting in the City Council Chambers you must complete the form available at that location and provide it to the Chair prior to the start of the meeting. If you will be participating using the online videoconferencing tool, you must complete the form and submit it by email in accordance with the instructions included within the form. It is found on the City's website at the link below.

[Citizen Participation Registration Form](#)

III. STAFF AND COUNCIL LIAISON REPORTS

1. Routine Reports from City staff.

2. Routine Reports from City Council Liaison.

IV. CONSENT AGENDA

All matters listed in the Consent Agenda are to be considered routine by the Commission and will be enacted by one motion without discussion. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Approval of Minutes for January 8, 2026.
2. Approval of Minutes for January 22, 2026.

V. WORKSHOP

1. Discussion on a referral from the City Council to review and make recommendations regarding Parkland Dedication and Fee-in-Lieu ordinance requirements.

VI. ACTION ITEMS

1. Discussion, consideration, and possible action regarding Tree Ordinance recommendations from the Tree and Landscaping Committee.
2. Discussion on a referral from the City Council to review and make recommendations on the Fee-in-Lieu of Tree Preservation ordinance and to define the allowed uses of those fees.
3. Discussion, consideration and possible action regarding the Future Land Use Map and Comprehensive Plan.
4. Discussion, consideration, and possible action on the Special Height Exception process.

VII. ADJOURNMENT

IT IS HEREBY CERTIFIED that the above Notice was posted on the Bulletin Board in accordance with Government Code section 551.041 located at all times in City Hall in said City by 5:00 pm on the 5th day of February 2026.

Robin Smith, City Secretary

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.

IN ADDITION TO ANY EXECUTIVE SESSION ALREADY LISTED ABOVE, THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO

DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE FOR THE FOLLOWING PURPOSES: §551.071: CONSULTATION WITH ATTORNEY; §551.072: DELIBERATIONS REGARDING REAL PROPERTY; §551.073: DELIBERATIONS REGARDING GIFTS AND DONATIONS; §551.074: PERSONNEL MATTERS; §551.076: DELIBERATIONS REGARDING SECURITY DEVICES; §551.087: DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.



Item Cover Page

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Jordan Strohmeyer, Development Services

SUBJECT: Approval of Minutes for January 8, 2026.

ATTACHMENTS:
[1.8.26 planning-zoning-commission_minutes.pdf](#)



**PLANNING & ZONING
COMMISSION PLANNING &
ZONING COMMISSION REGULAR
MEETING MINUTES
THURSDAY, JANUARY 8, 2026
6:00 PM
COUNCIL CHAMBERS
5803 THUNDERBIRD STREET**

Lynda Aird, Chairperson
Jeff Hewgley, Member
Gene Harris, Member
Ann Cleator, Member
Enrique Lopez, Member
Dave Stewart, Member
Nelson Minyard, Member

I. CALL TO ORDER, CALL OF ROLL

Meeting called to order at 6:02 pm.

Present: Lynda Aird, Jeff Hewgley, Gene Harris, Nelson Minyard, Enrique Lopez, Ann Cleator, Dave Stewart (arrived late but present)

Jordan Strohmeyer, Staff Liaison
Paul Prince, Council Liaison

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[Citizen Participation Registration Form](#)

Citizen comments from Rachel Rich and Paul Roberts.

- *Citizens expressed concerns and observations about development compliance, growth management policies, and infrastructure coordination. Emphasis on reviewing Chapter 15 Growth Management Ordinance*
- *for developments of 10+ lots or acres*

III. STAFF AND COUNCIL LIAISON REPORTS

1. Routine Reports from City staff.

Director of Development Services, Jordan Strohmeier updates Commission on timeline for agenda preparation and packet distribution.

2. Routine Reports from City Council Liaison.

Council Liaison, Paul Prince updates Commission on roles for Chair and Vice Chair. Stressed compliance with Open Meeting Training avoiding "walking quorums."

IV. AMINISTRATIVE MATTERS

1. Election of Officers (Chair and Vice-Chair) for the upcoming year.

*Moved by Nelson Minyard; second by Gene Harris to Approve Chair Linda Aird
Elected unanimously*

*Moved by Nelson Minyard; second by Ann Cleator to Approve Vice Chair Gene
Harris
Elected unanimously*

V. CONSENT AGENDA

All matters listed in the Consent Agenda are to be considered routine by the Commission and will be enacted by one motion without discussion. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Approval of the Plat Vacation request submitted under Application 25-2898-P-VAC for the property located at 4083 Outpost Trace, Lago Vista Texas 78645 by the Property Owner Colon Zamora.

Moved by Gene Harris; seconded by Jeff Hewgley to Approve.

Motion Passed: 7- 0

VI. PUBLIC HEARING AND ACTION (APPLICATIONS)

1. **25-2905-PDD-REZ:** Open a Public Hearing for the Consideration and recommendation on the rezoning of 19708 Boggy Ford Road, ABS189 SUR 98 CAMPBELL M F ACR 7.055 (AKA LOT 32 RAN CHOL CIELO) from TR-1 to a Planned Development District Rezoning pursuant to Section 10 Chapter 14 of the City of Lago Vista Code of Ordinances.

Motion passed to recommend approval to City Council.

VII. ACTION ITEMS

1. Discussion and Consideration of the Preliminary Plat for the Turnback Ranch Subdivision under application 23-2725-PR-PLA as submitted by the owner TURNBACK DEVELOPMENT, LLC.

Item tabled due to lack of proper notice.

VIII. WORKSHOP

1. Presentation and Discussion on the Preliminary Code Diagnostic Report from Freese and Nichols.
2. Discussion and Clarification on the Future Land Use Map Land Use Categories.

1. Presentation and Discussion on the Preliminary Code Diagnostic Report from Freese and Nichols.

Moved by Enrique Lopez; seconded by Nelson Minyard to Recommend a subcommittee by council at next meeting and direct next steps.

Motion Passed: 7 - 0

2. Discussion and Clarification on the Future Land Use Map Land Use Categories.

- *Reviewed seven proposed land-use categories.*
- *Feedback: Need clarity on density standards; more time requested for review.*
- *Decision: Defer discussion to special meeting on Jan 22 at 4:00 PM.*

IX. ADJOURNMENT

Chair Lynda Aird adjourned the meeting at 8:47 PM.

CITY OF LAGO VISTA

Lynda Aird, Chair

ATTEST:

City Staff (print name)

Date approved by Planning and Zoning Commission: _____



Item Cover Page

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Jordan Strohmeyer, Development Services

SUBJECT: Approval of Minutes for January 22, 2026.

ATTACHMENTS:
[1.22.26 planning-zoning-commission - Copy.pdf](#)



**PLANNING & ZONING
COMMISSION CALLED MEETING
PLANNING AND ZONING
COMMISSION CALLED MEETING
MINUTES
THURSDAY, JANUARY 22, 2026
4:00 PM
COUNCIL CHAMBERS
5803 THUNDERBIRD STREET**

Lynda Aird, Chairperson
Gene Harris, Vice-
Chairperson
Enrique Lopez
Nelson Minyard
Ann Cleator
Jeff Hewgley
Dave Stewart

I. CALL TO ORDER, CALL OF ROLL

Meeting called to order at 4:02 PM

Present: Lynda Aird, Jeff Hewgley, Nelson Minyard, Enrique Lopez, Ann Cleator, Dave Stewart

Absent: Gene Harris

Paul Prince – Council Liaison

Jordan Strohmeyer – Staff Liaison

II. CITIZEN COMMENTS

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No public comments; all comments pertained to agenda items and were heard during those times.

III. STAFF AND COUNCIL LIAISON REPORTS

1. Routine Reports from City staff.

Comprehensive Plan rewrite underway; no development applications expected before March; Tree Ordinance pending workshop; process improvements noted.

2. Routine Reports from City Council Liaison.

Support expressed for commission; no action required.

IV. CONSENT AGENDA

All matters listed in the Consent Agenda are to be considered routine by the Commission and will be enacted by one motion without discussion. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

No consent agenda items.

V. ACTION ITEMS

1. Discussion and Consideration of the Preliminary Plat for the Turnback Ranch Subdivision under application 23-2725-PR-PLA as submitted by the owner TURNBACK DEVELOPMENT, LLC.

*Staff reported plat compliance with all codes and no variance required.
Public comments were heard both in support and opposition.*

Motion: Approve Preliminary Plat with condition that Final Plat includes reference to Dodge Trail Extension ordinance.

Moved by Ann Cleator; seconded by Jeff Hewgley

Motion Passed: 5-1 (Chair Aird)

2. Discussion and Possible action regarding setting a new time for regularly called meetings.

Motion: Change regular meeting times from 6:00 PM to

4:00PM. Moved by Enrique Lopez; second by Jeff Hewgley.

Motion Passed: 6-0

IV. WORKSHOP

1. Discussion and Clarification on the Future Land Use Map Land Use Categories.

Future Land Use Map - Place type categories: discussion on combining categories, adopting densities, and using Discussion Board for refinement.

2. Discussion regarding the proposed outline for the updated Comprehensive Plan.

Comprehensive Plan Outline: Commission supports simplified outline; requested PDFs of current and draft plans.

VI. ADJOURNMENT

Chair Lynda Aird adjourned the meeting at 6:37 PM.

CITY OF LAGO VISTA

Lynda Aird, Chair

ATTEST:

City Staff (print name)

Date approved by Planning and Zoning Commission: _____



Item Cover Page

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Jordan Strohmeyer, Development Services

SUBJECT: Discussion on a referral from the City Council to review and make recommendations regarding Parkland Dedication and Fee-in-Lieu ordinance requirements.



Item Cover Page

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Jordan Strohmeyer, Development Services

SUBJECT: Discussion, consideration, and possible action regarding Tree Ordinance recommendations from the Tree and Landscaping Committee.



Item Cover Page

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Jordan Strohmeyer, Development Services

SUBJECT: Discussion on a referral from the City Council to review and make recommendations on the Fee-in-Lieu of Tree Preservation ordinance and to define the allowed uses of those fees.



Item Cover Page

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Jordan Strohmeier, Development Services

SUBJECT: Discussion, consideration and possible action regarding the Future Land Use Map and Comprehensive Plan.

ATTACHMENTS:
[Comp_Plan_02_05 Draft.pdf](#)

CITY OF LAGO VISTA COMPREHENSIVE AND PARKS MASTER PLAN



A FRAMEWORK FOR THOUGHTFUL GROWTH AND STEWARDSHIP

ACKNOWLEDGMENTS

The 2025 Lago Vista Comprehensive Plan was developed by the City of Lago Vista with technical and design support provided by Halff. The City acknowledges Halff's professional contributions during the early phases of this planning effort, including background analysis, initial framework development, and community engagement support.

As the planning process continued, City staff worked in coordination with appointed boards, elected officials, and community members to refine and shape the Plan so that it clearly reflects Lago Vista's character, values, and long-term priorities. This final document represents a collaborative effort that builds upon earlier work while incorporating direction and feedback received throughout the process.

The City extends sincere appreciation to the many residents, property owners, staff members, board and commission members, and elected officials who dedicated their time and insight to this effort. Their participation and thoughtful input were essential to creating a Plan that is both visionary and practical, and that will guide Lago Vista's growth and stewardship in the years ahead.

MAYOR AND CITY COUNCIL

Shane Saum, Mayor
Jess Hall, Council Place 1
Adam Benefield, Council Place 2
Amanda Chavarria, Council Place 3
Norma Owen, Council Place 4
Paul Prince, Council Place 5

CITY OF LAGO VISTA STAFF

Charles West, City Manager
Jordan Strohmeier
Tam Pieklik
Ernesto Rios
Victor Manzano
David Montgomery-Scott

PLANNING AND ZONING COMMISSION

Lynda Aird, Chair
Gene Harris, Vice-Chair
Enrique Lopez, Member
Ann Cleator, Member

Jeff Hewgley, Member
Dave Stewart, Member
Nelson Minyard, Member

PARKS AND RECREATION ADVISORY COMMITTEE

Andrew Gale, Chair
Carolyn Dalglish, Vice-Chair
Marlene Plua, Secretary
Steve Becker, Member
Mark Douglas, Member
Ike Coronis, Member
Dawn Knauss, Member

PLAN ADVISORY COMMITTEE

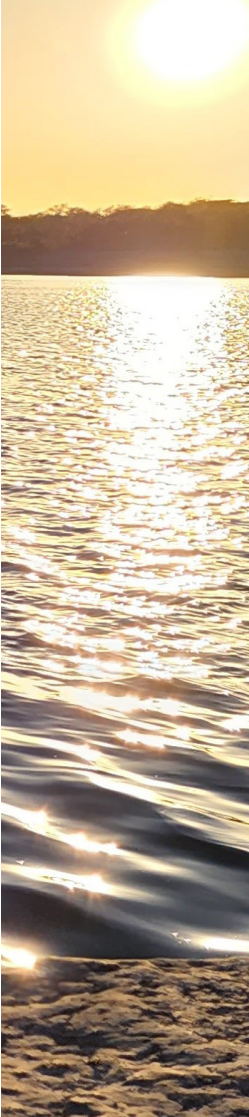
Norma Owen
John Baker
Guy Burkhart
Mandi Carter
Zach Davis
Anna Johndrow
Lauryn Luther

Louise Madigan
Dan Sellers
Eugene Uecker

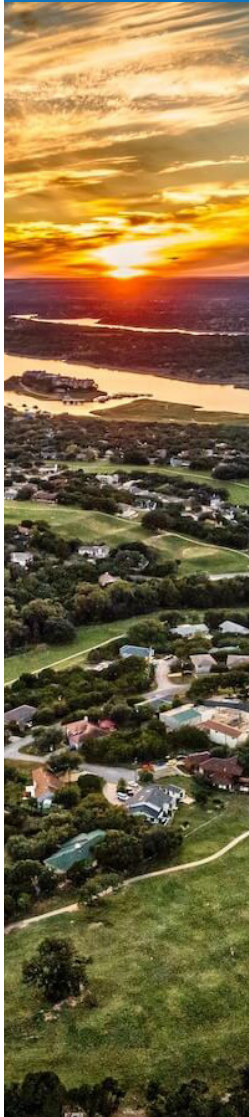
PREVIOUS ELECTED/APPOINTED OFFICIALS AND CITY STAFF

Paul Roberts, Council
Rob Durbin, Council
Thomas Monahan, Planning and Zoning
Don Johndrow, Planning and Zoning
Kathy Koza, Planning and Zoning
Dave Snyder, Planning and Zoning
Rachael Rich, Planning and Zoning
Frank Robbins, Planning and Zoning
Taylor Whichard, City Staff
Tracie Hlavinka, City Staff
Roy Jambor, City Staff
Sean Vance, City Staff

PART I
COMMUNITY
VISION AND
VALUES



PART II
FUTURE LAND
USE MAP



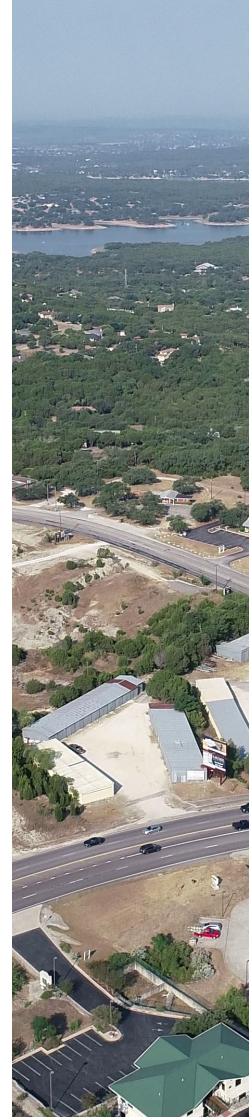
PART III
PARKS



PART IV
MOBILITY,
SAFETY, AND
INFRASTRUCTURE



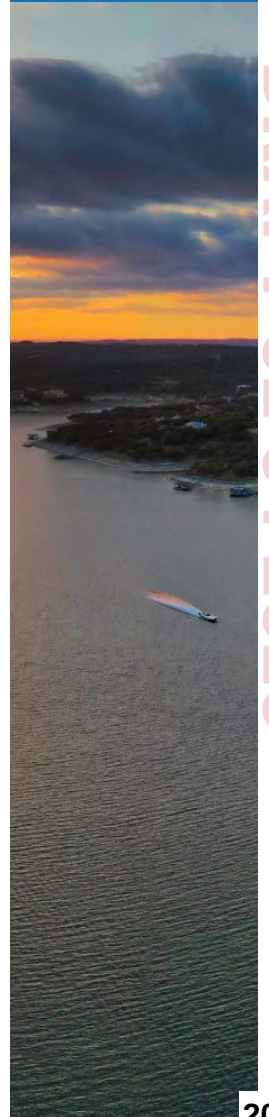
PART V
FUNDING THE
VISION



PART VI
IMPLEMENTATION
AND
GOVERNANCE



PART VII
SUPPORTING
INFORMATION



DRAFT 02-04-2026



COMMUNITY VISION AND VALUES



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WHAT IS A COMPREHENSIVE PLAN?

A FRAMEWORK FOR THOUGHTFUL GROWTH AND STEWARDSHIP FOR THE CITY OF LAGO VISTA

THE PLAN CREATES A VISION AND GOALS TO TIE TOGETHER THE CITY'S PLANS AND POLICIES.



COMMUNITY CHARACTER

Preserve Lago Vista's identity as a scenic Hill Country lakeside community with a strong sense of place, natural beauty, and close-knit neighborhoods.



MOBILITY

Provide a safe, connected, and efficient transportation system that supports residents, visitors, and emergency access.



CITY SERVICES

Deliver reliable, high-quality public services and infrastructure in a fiscally responsible manner that supports quality of life.



FUTURE LAND USE

Guide growth and development to appropriate locations using thoughtful land use patterns that respect surrounding context and capacity.



ECONOMIC DEVELOPMENT

Support a balanced local economy that provides services, employment, and revenue needed to sustain the community.



PARKS AND RECREATION

Protect and expand parks, open space, and recreational opportunities that support health, connection, and enjoyment of the natural environment.

CITY WIDE PLANS

AIRPORT ACTION
PLAN (2016)

LAGO VISTA 2030
COMPREHENSIVE
PLAN (2017)

PARKS AND
RECREATION MASTER
PLAN (2010)

THOROUGHFARE
PLAN UPDATE (2021)

TRAVIS COUNTY
HAZARD MITIGATION
PLAN (2023)

WASTEWATER
MASTER PLAN (2024)

WHAT IS THIS PLAN?

The Lago Vista Comprehensive Plan is the community's shared vision for the future. It reflects the voices, values, and priorities of residents, property owners, business interests, appointed boards, and elected officials, and it serves as the guiding document for shaping how Lago Vista grows and evolves over the next 10 to 20 years.

This Plan is rooted in Lago Vista's planning history and clear understanding of what makes the community distinct. Lago Vista is defined by its lakeside setting, Hill Country landscape, scenic views, and strong sense of community. Preserving these qualities while responsibly accommodating change is central to the purpose of this Plan.

The vision, supported by a set of core goals, provides the foundation for all policies and recommendations contained in this document. Together, the vision and goals establish a common framework that connects land use, transportation, infrastructure, parks, environmental stewardship, and fiscal planning. This shared framework allows City departments and decision-makers to work toward consistent outcomes rather than isolated actions.

HOW THIS PLAN WILL BE USED?

City leaders, staff, boards and commissions, residents, and the development community should look to the Lago Vista Comprehensive Plan as the primary guide for important policy and development decisions. The City will use this Plan to:

- Provide a consistent framework and shared direction for City planning efforts
- Guide policy and regulatory decisions, including future zoning updates
- Inform infrastructure planning and capital investment priorities
- Support coordinated budgeting and fiscal decision-making
- Evaluate development proposals for consistency with community goals
- Measure progress toward achieving the community's long-term vision

This Plan does not grant zoning or development rights and does not replace adopted ordinances, budgets, or capital improvement programs. Instead, it establishes clear policy direction to guide those tools and ensure that decisions are made transparently, consistently, and in alignment with community values.

HOW THIS PLAN CONNECTS OTHERS

The Lago Vista Comprehensive Plan serves as the City's primary policy guide and umbrella document. More detailed plans and studies advance the vision of this Plan through focused strategies, technical analysis, and specific and measurable actions.

Citywide and topic-specific plans such as transportation, utilities, parks, hazard mitigation, and facility plans are referenced throughout this document where relevant. These plans provide important detail and direction but do not change the fundamental vision or goals of the Comprehensive Plan. Instead, they help keep the Plan current, actionable, and responsive to changing conditions.

Smaller-area or issue-specific plans may also be adopted in the future to provide additional guidance for particular locations or needs. These plans should align with the vision and place framework established in this document and support its long-term direction.

THE COMMUNITY VISION FOR LAGO VISTA

The Community Vision reflects what residents, community leaders, and stakeholders value most about Lago Vista and what they want to protect as the City plans for the future. It is grounded in public input, local conditions, and an understanding of the City's environment, infrastructure capacity, and fiscal realities. The Vision establishes a shared direction for future decision-making and serves as the foundation for all goals, policies, and recommendations in this Comprehensive Plan. It acknowledges continued growth and sets clear expectations for how change should occur in a way that preserves community character, protects natural resources, and supports the City's ability to provide services over time.



WHY THIS MATTERS

The Community Vision is not aspirational language alone. It balances community values with real world constraints so future decisions can be made consistently, transparently, and responsibly. By grounding the Vision in both values and capacity, the Plan helps avoid reactive decision-making and provides clarity for residents and developers alike.

VISION INPUTS

PLANNING GUIDANCE ONLY

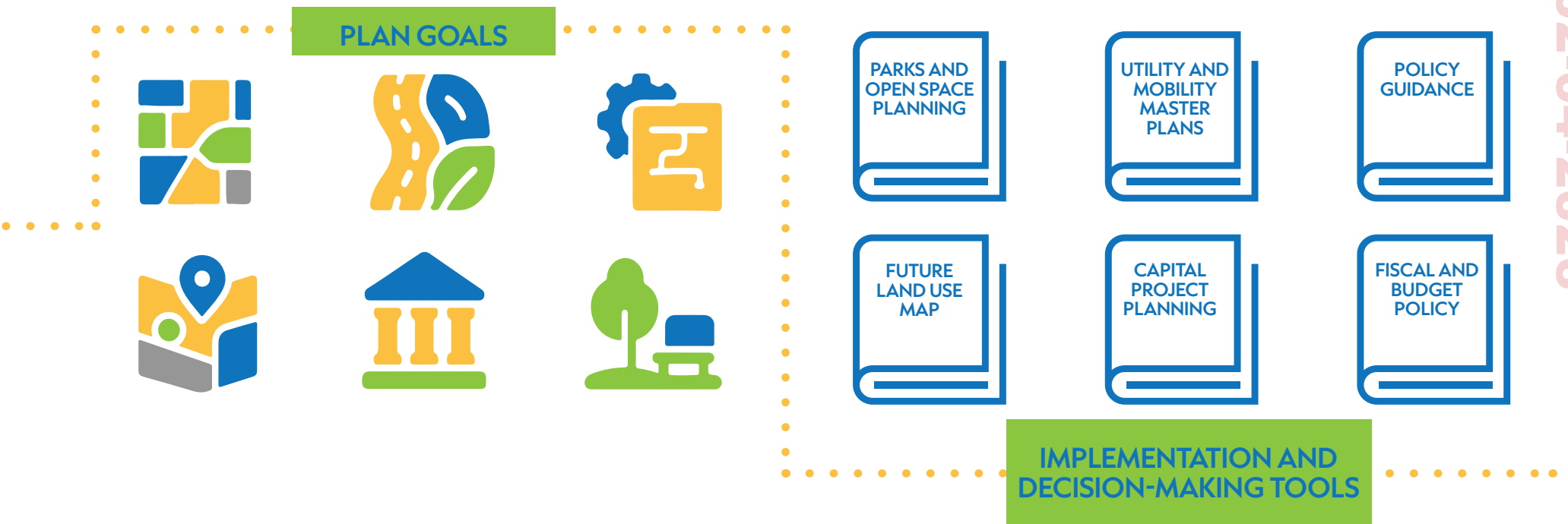
This Comprehensive Plan is a long-range policy document adopted under the authority of the Texas Local Government Code. It is intended to provide guidance for future decision-making related to land use, infrastructure, public investment, and City services. The policies, maps, and recommendations in this Plan are advisory in nature and are intended to inform future actions of the City Council, Planning and Zoning Commission, City staff, and other decision makers as the City considers growth, redevelopment, and public investment over time.

HOW IT TURNS INTO POLICY

The Community Vision is not a static statement. It is the framework the City uses to guide decisions, investments, and policies over time. The Vision translates shared values and local realities into clear priorities that shape how Lago Vista grows and how public resources are used. Through this Comprehensive Plan, the Vision is carried forward into goals, policies, and maps that provide consistent direction for land use, infrastructure planning, and service delivery. These tools help ensure that day-to-day decisions align with long-term community priorities rather than responding to growth on a project-by-project basis.

INTENTIONAL AND ALIGNED GROWTH

This Plan establishes a framework for intentional, compatible growth that respects community character and natural features while directing development to appropriate locations. By aligning land use decisions with infrastructure capacity, fiscal sustainability, and service delivery, the Plan supports a high quality of life for residents and the City's ability to provide reliable services now and in the future.



COMMUNITY CHARACTER



MOBILITY



CITY SERVICES



Objective CC.01

Strengthen neighborhood livability and housing choice

- CC.01.A1 Develop and maintain a housing assistance and information resource library for residents.
- CC.01.A2 Encourage senior housing and age-friendly development in appropriate locations.
- CC.01.A3 Support a range of compatible housing types while protecting neighborhood character.
- CC.01.A4 Guide higher-density residential development using the Future Land Use framework and compatibility standards.

Objective CC.02

Enhance civic spaces and community gathering places

- CC.02.A1 Construct an indoor community center within the municipal complex.
- CC.02.A2 Rebuild City Hall as a civic anchor and explore co-located public services.
- CC.02.A3 Expand and modernize the Lago Vista Library, including staffing and programming.
- CC.02.A4 Support year-round community events that reinforce local identity and civic pride.

Objective CC.03

Protect scenic character and natural features

- CC.03.A1 Strengthen education and enforcement related to tree preservation and land stewardship.
- CC.03.A2 Incorporate scenic protection and natural feature preservation into development review.
- CC.03.A3 Explore funding mechanisms to support public realm improvements in key areas such as Dawn Drive.

Objective CC.04

Improve community engagement and communication

- CC.04.A1 Expand public communication tools using clear, plain-language materials.
- CC.04.A2 Increase opportunities for early engagement in planning and development discussions.
- CC.04.A3 Pursue grant funding and partnerships to support community-focused initiatives.

Objective M.01

Improve multimodal connectivity

- M.01.A1 Require pedestrian, bicycle, and path connections in new developments.
- M.01.A2 Enhance pedestrian-oriented standards in planned developments and activity centers.
- M.01.A3 Identify future golf cart, bicycle, and multi-use routes through a master planning effort.

Objective M.02

Increase safety and emergency access

- M.02.A1 Improve roadway safety through design standards and access management.
- M.02.A2 Coordinate with TXDOT on RM 1431 safety and access improvements.
- M.02.A3 Collect and analyze traffic and safety data to guide investments and enforcement.

Objective M.03

Coordinate regional transportation efforts

- M.03.A1 Participate in CapMetro and regional transit planning initiatives.
- M.03.A2 Identify transportation projects eligible for regional and state funding programs.
- M.03.A3 Educate the public on golf cart regulations and designated routes.

Objective CS.01

Improve emergency preparedness and hazard mitigation

- CS.01.A1 Develop and publish a Community Evacuation Plan.
- CS.01.A2 Provide public education on wildfire and hazard mitigation.
- CS.01.A3 Create and maintain a mass debris removal plan for emergency events.
- CS.01.A4 Pursue development of a Community Wildfire Protection Plan.

Objective CS.02

Strengthen infrastructure resilience

- CS.02.A1 Evaluate and upgrade fire hydrants and fire flow capacity.
- CS.02.A2 Install backup generators at critical facilities.
- CS.02.A3 Incorporate resilience functions into municipal facilities planning.

Objective CS.03

Ensure long-term utility and resource management

- CS.03.A1 Implement Water and Wastewater Master Plan recommendations.
- CS.03.A2 Develop a regional stormwater management strategy.
- CS.03.A3 Update drought contingency and water conservation plans regularly.
- CS.03.A4 Promote low-impact development and green infrastructure practices.

FUTURE LAND USE



Objective FLU.O1

Align growth with infrastructure and fiscal capacity

- FLU.O1.A1 Require annexation prior to extension of urban infrastructure into the ETJ.
- FLU.O1.A2 Coordinate land use decisions with infrastructure planning and service capacity.

Objective FLU.O2

Preserve open space and scenic resources

- FLU.O2.A1 Encourage conservation subdivision design where appropriate.
- FLU.O2.A2 Educate landowners on open space preservation tools and incentives.
- FLU.O2.A3 Explore funding mechanisms to support open space acquisition and preservation.

Objective FLU.O3

Improve predictability and consistency in development decisions

- FLU.O3.A1 Apply the Future Land Use Map consistently in policy and development review.
- FLU.O3.A2 Provide ongoing training for staff, boards, and elected officials.
- FLU.O3.A3 Conduct implementation workshops following plan adoption.

ECONOMIC DEVELOPMENT/FUNDING



Objective EV.O1

Support business attraction and retention

- EV.O1.A1 Streamline development review and permitting processes.
- EV.O1.A2 Improve coordination between departments involved in development review.

Objective EV.O2

Ensure infrastructure readiness for economic activity

- EV.O2.A1 Align infrastructure investment with targeted commercial and employment areas.
- EV.O2.A2 Support redevelopment and reinvestment in existing commercial corridors.

PARKS AND RECREATION



Objective PR.O1

Expand and enhance parks and open space

- PR.O1.A1 Improve access to existing parks and recreational facilities.
- PR.O1.A2 Expand trail connections and nature-based recreation opportunities.
- PR.O1.A3 Protect environmentally sensitive lands and scenic areas.

Objective PR.O2

Integrate parks into community life

- PR.O2.A1 Coordinate park planning with land use and transportation decisions.
- PR.O2.A2 Support programming that encourages outdoor activity and community interaction.

HOW VALUES SHAPE DECISIONS AND DRIVE ACTION

The Community Values and Planning Principles provide the foundation for how this Comprehensive Plan is implemented. Together, they translate the Community Vision into clear expectations for decision-making, policy development, and day-to-day actions by the City. Community Values reflect what residents, stakeholders, and local leaders consistently identify as most important to protect as Lago Vista grows. Planning Principles describe how those values are applied when evaluating development proposals, infrastructure investments, and City initiatives. The Goals, Objectives, and Actions in this Plan operationalize those principles into measurable and accountable outcomes. This framework ensures that planning decisions are not made in isolation or on a project-by-project basis, but instead follow a consistent, transparent, and predictable approach that balances community priorities with technical and fiscal realities.

WHAT THE COMMUNITY EXPECTS TO PROTECT

The following values emerged consistently through public engagement, staff analysis, and review of existing conditions. These values serve as the lens through which all planning decisions should be evaluated.

Scenic Hill Country and Lake Character

Protect viewsheds, topography, tree canopy, and the visual identity that defines Lago Vista.

Neighborhood Identity and Stability

Maintain the scale, form, and character of existing neighborhoods while allowing thoughtful reinvestment.

Parks, Open Space, and Nature Access

Preserve and expand access to parks, trails, and natural areas that support recreation and quality of life.

Safety and Emergency Readiness

Ensure development supports safe evacuation, emergency response, and resilient infrastructure.

Fiscal Responsibility

Align growth with the City's ability to fund, maintain, and operate public services over time.

Transparency and Predictability

Provide clear expectations for residents, property owners, and the development community.

HOW VALUES ARE APPLIED IN PRACTICE

Planning Principles guide how the City evaluates proposals, prioritizes investments, and implements this Plan. They are not regulations, but consistent decision filters used across departments and governing bodies.

Preservation First

Natural features, scenic resources, and sensitive areas are treated as defining assets, not leftover land.

Compatibility Through Form and Context

Development should respond to surrounding land uses, scale, and character rather than rely solely on use classifications.

Context-Sensitive Growth

Growth should be directed to appropriate locations and scaled to available infrastructure and services.

Clarity Without Entitlement

The Plan provides guidance and expectations without conferring

zoning or development rights.

Infrastructure and Fiscal Alignment

Growth should not outpace infrastructure capacity, emergency access, or long-term maintenance funding.

Community-Informed Policy

Public input, adopted policies, and local conditions guide implementation decisions.

FROM VALUES TO ACTION- HOW THE PLAN IS EXECUTED

Community Values inform Planning Principles. Planning Principles shape Goals and Objectives. Goals are implemented through specific Actions assigned to departments, timelines, and reporting mechanisms. This structure ensures that:

- Values are reflected in measurable outcomes
- Decisions remain consistent across projects and years
- Growth supports long-term service delivery and fiscal sustainability
- Progress can be tracked and adjusted over time

DECISION-MAKING FRAMEWORK

When implementing the Goals and Actions of this Plan, the City evaluates decisions using the following considerations:

- Infrastructure capacity and service delivery
- Fiscal sustainability and long-term costs
- Emergency access and public safety
- Environmental constraints and natural systems
- Regional growth patterns and market demand
- Neighborhood compatibility and community character
- Parks, open space, and scenic resources

- Community input and adopted policy direction
- Relationship to Goals, Objectives, and Actions

Each Goal in this Plan is supported by clearly defined objectives and actions that align with the Community Values and Planning Principles. Actions are structured to:

- Be implementable within existing authority
- Align with infrastructure and budget planning
- Support predictable development review
- Allow annual reporting and periodic adjustment

This approach ensures that the Comprehensive Plan functions as both a visionary document and a practical tool for guiding Lago Vista's growth today and into the future.



FUTURE LAND USE MAP



HOW TO READ THE FUTURE LAND USE MAP.....18

FUTURE LAND USE PLACE TYPES.....20

FUTURE LAND USE MAP.....32

THE FRAMEWORK

The Future Land Use Plan establishes a long-range, place-based framework to guide how land within the City of Lago Vista and its Extraterritorial Jurisdiction (ETJ) should look, feel, and function over time. The Plan reflects the community's deeply held desire to preserve Lago Vista's identity as a semi-rural Hill Country lakeside community, while also ensuring the City remains fiscally sustainable and capable of maintaining the public services residents expect. The Future Land Use Plan is not a zoning map and does not grant development rights or entitlements. It does not predetermine specific land uses, densities, or development outcomes. Rather, it establishes policy guidance to inform zoning decisions, infrastructure planning, capital investments, and development review. All development proposals remain subject to the City's adopted zoning regulations and formal amendment processes, including public hearings before the Planning and Zoning Commission and City Council. This Plan emphasizes place types rather than land use silos, recognizing that the character of development is shaped as much by building form, scale, and context as by use alone. By focusing on how areas should relate to their surroundings, this Plan provides clarity while maintaining flexibility to respond to changing conditions over time. As Lago Vista evolves, the City may update its development regulations, including the potential adoption of a form-based or hybrid zoning code, to better implement the vision and policies of this Plan. Future regulatory tools will emphasize building form, site design, and compatibility, ensuring that growth reinforces community character rather than eroding it.

GENERAL AREA GUIDANCE

A Map will be placed here after the FLUM is finalized.

NOT PARCEL SPECIFIC

PRESERVATION AS A FOUNDATION

Protection of open space, natural landscapes, scenic views, wildlife habitat, and environmental systems is central to Lago Vista's identity and long-term quality of life.

FISCAL RESPONSIBILITY

Land use patterns must support the City's ability to maintain infrastructure, parks, public safety, and emergency services without placing undue burden on residents.

CLARITY WITHOUT ENTITLEMENT

The Plan provides direction without pre-approving development outcomes or bypassing established public processes.

COMPATIBILITY THROUGH FORM

New development should respect surrounding scale, massing, and character, regardless of use.

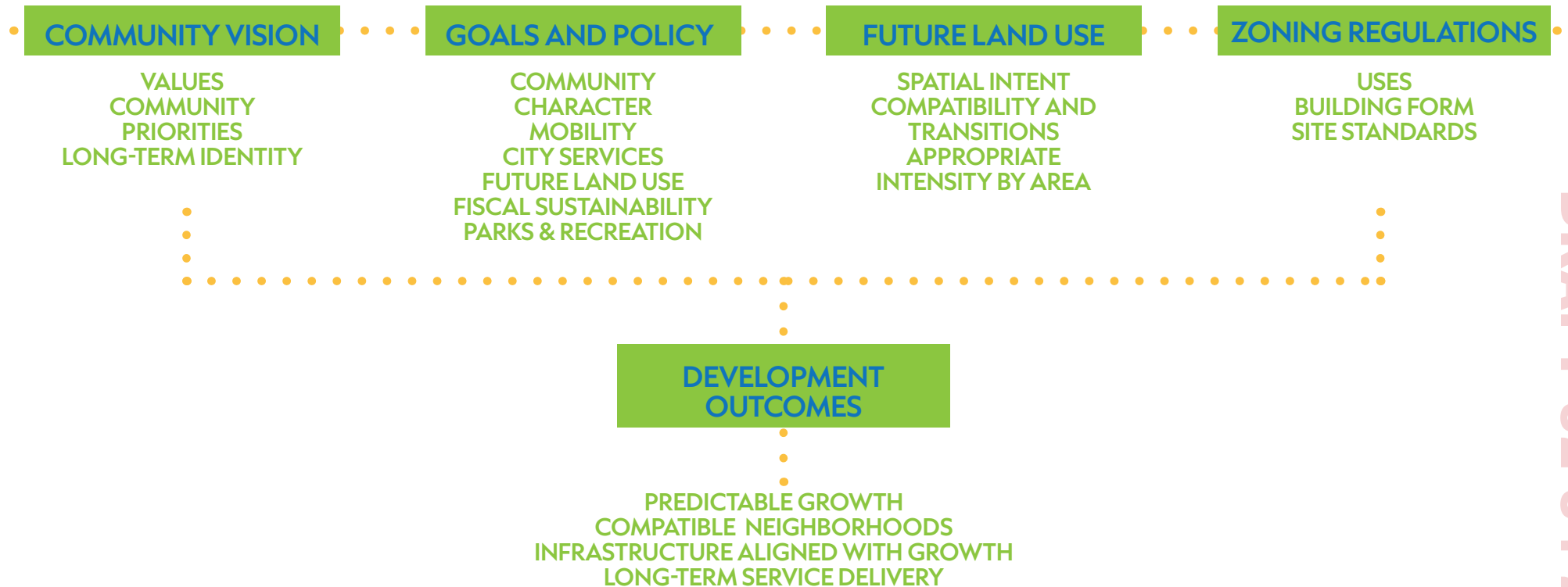
CONTEXT-SENSITIVE GROWTH

Growth should occur in appropriate locations, aligned with infrastructure capacity and community expectations.

FLEXIBILITY AND LONG-TERM ADAPTABILITY

The Future Land Use Plan must remain resilient and adaptable as conditions change over time.

HOW TO READ THE FUTURE LAND USE MAP



FUTURE LAND USE AND ZONING: HOW THEY WORK TOGETHER

The Future Land Use and zoning are distinct tools, but they are intentionally linked through the City's broader planning framework. The Community Vision establishes what Lago Vista values and seeks to protect over time. The Plan's goals translate that vision into measurable priorities. The Future Land Use framework then provides the spatial guidance that connects those goals to specific places across the city and ETJ. Future Land Use expresses intent, not entitlement. It identifies where different place types belong, how they should relate to one another, and the level of intensity that is appropriate over time. Zoning is the regulatory mechanism that implements this intent by establishing enforceable standards related to use, building form, site design, and development review.

Together, these tools allow the City to move from vision to action in a deliberate and coordinated way. Future Land Use guides decisions before they become projects, while zoning ensures that individual developments align with community goals, infrastructure capacity, and service delivery expectations. This alignment supports predictable outcomes for residents, decision-makers, and the development community while maintaining flexibility to adapt to changing conditions.

FUTURE LAND USE PLACE TYPES

The Future Land Use Place Types describe the distinct kinds of places that collectively shape Lago Vista's character, appearance, and function over time. Rather than separating land strictly by use or prescribing predetermined development outcomes, these place types focus on built form, scale, context, and relationship to surrounding areas. This approach recognizes that the look and feel of development matters more to community character than the specific mix of uses it contains.

Each place type is intentionally broad and flexible. The descriptions that follow are illustrative rather than prescriptive, providing guidance on the desired character and development pattern without conferring zoning, density, or development rights. The intent is to communicate clear expectations about compatibility and design while allowing the City to respond thoughtfully to site conditions, environmental constraints, infrastructure capacity, and future community needs.

The place types are organized to reflect a gradual progression of intensity, from areas where the natural landscape remains the dominant feature, to compact centers that support daily activity and employment. Transitions between place types are deliberate and essential, ensuring that change occurs gracefully and that established neighborhoods and rural areas are protected from abrupt shifts in scale or character.

Together, these place types establish a shared framework for decision-making. They guide future zoning updates, infrastructure investments, and development review, and they lay the foundation for potential form-based or hybrid regulatory approaches that emphasize building form and compatibility over rigid use separation. By defining the kind of places Lago Vista seeks to create and preserve, this framework supports growth that is intentional, context-sensitive, and aligned with the community's values.

Diagram to go here.

FUTURE LAND USE PLACE TYPES

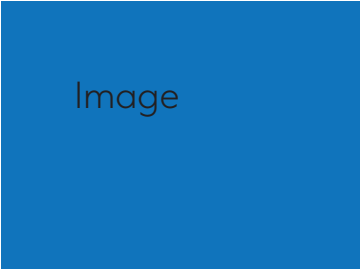
Place Type / Tier	Total Acreage	Residential Density (du/ac, gross)	Commercial / Nonresidential Intensity (FAR / Height – guidance)	Typical Lot Size & Character Target	Key Determination Factors
Rural Residential Tier 1		≤ 0.33	N/A	3 acres minimum (larger lots common)	High environmental sensitivity; steep slopes, floodplains, limited infrastructure, scenic/ridgeline importance, established ranchette patterns; lowest-intensity residential appropriate.
Rural Residential Tier 2		0.3 – 1.0	N/A	2 acres minimum	Partial infrastructure availability; moderate environmental constraints; established 2–3 acre estate patterns; functions as transition from Tier 1 to neighborhood-scale development.
Rural Residential Tier 3		~1.0	N/A	1 acre minimum	Established 1–2 acre plats; adequate infrastructure for limited neighborhood development; appropriate transition to Neighborhood Residential areas.
Neighborhood Residential		1 – 4	N/A	Match established subdivisions	Stable, detached single-family neighborhoods; intensity reflects existing plats and long-standing neighborhood character. Historic/legacy plats; one principal dwelling unit per platted lot; attached or multifamily only via rezoning/PDD + replat.
Neighborhood Transition		4 – 8	N/A	~0.20 acres (guidance)	Intentionally mapped transition areas; step-down in height and intensity required adjacent to detached residential neighborhoods.
Neighborhood Activity Center		8 – 18	FAR 0.25–1.00; 2–5 stories (scaled by adjacency)	N/A	Compact, walkable centers intentionally mapped for mixed-use; higher-intensity residential integrated with services and employment.
Regional Commercial District		N/A	FAR 0.15–0.50; 1–3 stories	N/A	Regional-serving commercial activity; strong buffering, access management, and compatibility near residential areas.
Employment & Service District		N/A	FAR 0.20–0.60; 1–4 stories	N/A	Employment-focused uses; campus or corridor form; buffering required adjacent to residential areas.
Civic Places		N/A	Context-driven; typically 1–4 stories	N/A	Public, institutional, and community-serving facilities; intensity determined by adjacency and service function.
Parks & Conservation		N/A	No FAR (support facilities only)	N/A	Environmental protection, recreation, and open space; development subordinate to landscape and habitat preservation.
Scenic View & Corridor Preservation		Governed by underlying place type	Governed by underlying place type	Governed by underlying place type	Overlay guidance protecting viewsheds, ridgelines, gateways; additional siting, height, lighting, and canopy considerations apply.

DRAFT 02-04-2026

RURAL RESIDENTIAL

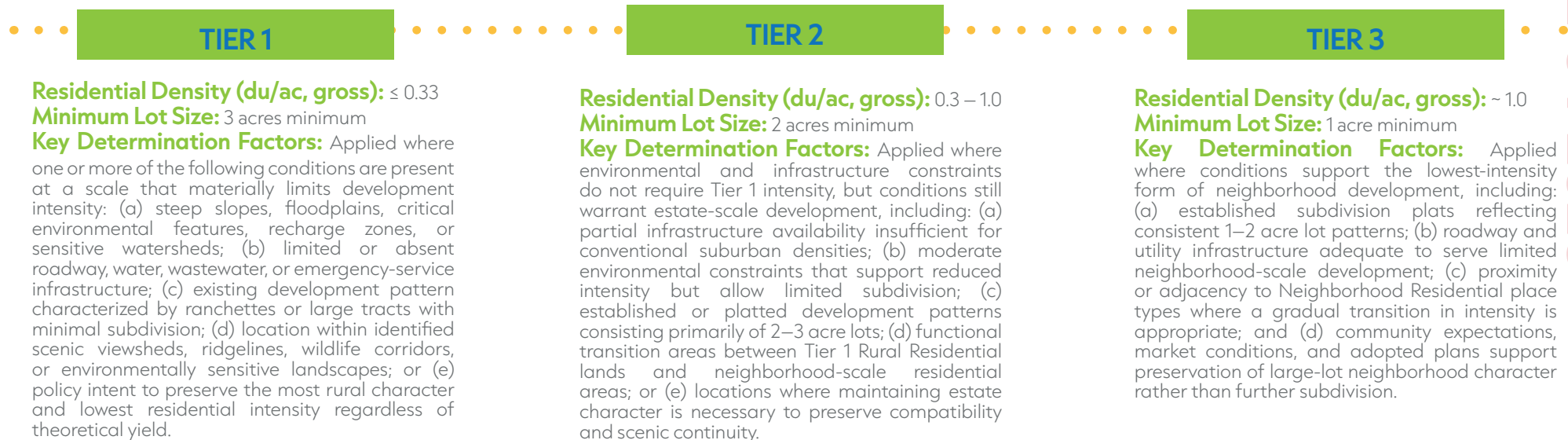
Rural Preservation Neighborhoods represent Lago Vista’s most natural and environmentally sensitive areas. These places are defined by open landscapes, native vegetation, scenic views, and limited infrastructure. The intent of this place type is to preserve the Hill Country character by ensuring that development remains secondary to the land itself. Residential development is appropriate only at a rural scale and character, such as large-lot single-family homes, ranchettes, or conservation-oriented layouts that permanently protect significant open space. Buildings should be widely spaced and carefully sited to respect topography, tree cover, drainage patterns, and viewsheds, avoiding suburban or urban development patterns. Non-residential uses may be appropriate when they are clearly limited in scale and supportive of the rural setting. These may include limited agricultural activities, home-based businesses, and small-scale, tourism-oriented uses such as bed-and-breakfast establishments, provided they are low-impact and compatible with surrounding properties. Industrial uses are not appropriate in this place type. Civic and institutional uses, such as public gathering spaces or essential utility and service facilities, may be appropriate where they are designed to minimize visual, environmental, and traffic impacts. Parks, trails, conservation lands, greenbelts, and water quality features are integral to this place type and should be prioritized as permanent elements of the landscape.

Residential Uses	- Large-lot single-family detached homes - Ranchettes and estate-scale residences - Conservation-oriented residential development - Homesteads and estate residences
Commercial Uses	- Limited agricultural uses - Home-based businesses - Small-scale tourism or destination uses - Overnight accommodations such as bed-and-breakfasts
Civic/ Institutional Uses	- Places of public assembly - Essential utility and service facilities
Green Spaces	- Parks and recreation facilities - Conservation lands and natural areas - Open space and trail corridors - Water quality and environmental protection features
Industrial Uses	Not appropriate
Tree Canopy	70-80%
Design Guidance	Based on Tier
Density Guidance	- Residential density within Rural Preservation Neighborhoods varies by Rural Residential tier as described above and shall be guided by environmental conditions, infrastructure capacity, established development patterns, and scenic considerations - Density varies by Rural Residential tier as described above and is driven by environmental conditions, infrastructure capacity, and established development patterns - Density should be driven by environmental constraints rather than lot yield



RURAL RESIDENTIAL TIER SYSTEM

To ensure clarity, consistency, and long-term defensibility, Rural Preservation Neighborhoods are further described through a three-tier Rural Residential framework. This tier system is intended to reflect existing development patterns, environmental conditions, and infrastructure capacity, while reinforcing the City's policy commitment to preservation, predictability, and compatibility. These tiers do not establish zoning districts, minimum lot standards, or development entitlements; rather, they provide planning-level guidance for evaluating future land use decisions, rezonings, and amendments. The appropriate Rural Residential tier for a given area is determined by a combination of environmental sensitivity, infrastructure availability, established plat patterns, scenic significance, and adjacency to other place types. Where uncertainty exists, the more restrictive tier should be applied to preserve community character and environmental integrity.

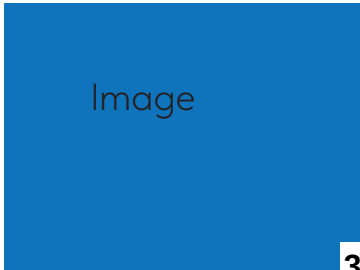
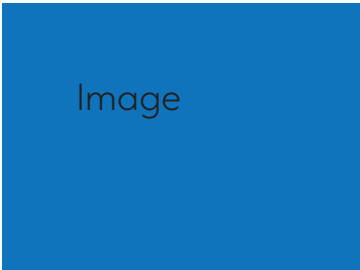
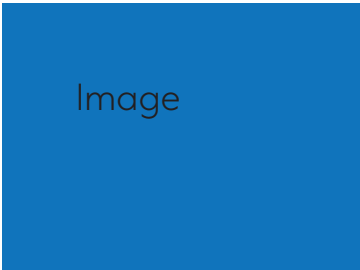


NEIGHBORHOOD RESIDENTIAL

Land That Leads, Development That Follows

Neighborhood Residential areas encompass the City's established and evolving neighborhoods where daily life occurs. These places are intended to provide stable, livable residential environments that are comfortable in scale, familiar in form, and adaptable over time while maintaining neighborhood identity. Residential uses are the primary focus of this place type and may include a range of housing forms that are compatible in scale and character. Buildings should relate to the street, maintain human-scaled proportions, and contribute to cohesive neighborhood patterns through consistent setbacks, landscaping, and architectural rhythm. Limited non-residential uses may be appropriate when they serve the surrounding neighborhood and are designed to remain secondary to the residential character. These may include small-scale civic uses, neighborhood-serving services, or home-based businesses where impacts are minimal. Industrial uses are not appropriate in Neighborhood Residential areas. Parks, trails, open spaces, and neighborhood civic spaces are strongly encouraged and should be integrated into neighborhood design to support walkability, connectivity, and community interaction.

Residential Uses	- Detached single-family homes - Cottage-style housing - Small-scale attached homes where consistent with established patterns
Commercial Uses	- Home-based businesses - Limited neighborhood-serving services
Civic/ Institutional Uses	- Neighborhood-scale civic uses - Schools and community facilities where compatible
Green Spaces	- Neighborhood parks and open spaces - Trails and pedestrian connections
Industrial Uses	Not appropriate
Tree Canopy	50-60%
Design Guidance	- Buildings should relate to the street and reinforce walkability - Consistent setbacks, block patterns, and landscaping - Architectural compatibility emphasized over uniformity
Density Guidance	Typical range: 1–4 units per acre, matching established subdivision patterns



NEIGHBORHOOD TRANSITION

Where Change Is Deliberate and Compatible

Residential Uses	- Duplexes - Townhomes - Cottage courts - Small-scale multifamily residential buildings
Commercial Uses	- Home-based businesses - Limited neighborhood-serving services
Civic/ Institutional Uses	- Neighborhood-scale civic uses - Community facilities where compatible
Green Spaces	- Shared open spaces - Trails and pedestrian connections - Landscaped buffers
Industrial Uses	Not appropriate
Tree Canopy	45-65%
Design Guidance	- Step-down building heights adjacent to lower-density neighborhoods - Enhanced buffering and screening near detached residential areas - Parking minimized and screened from public view
Density Guidance	Typical range: 4–8 units per acre, applied only where Transition areas are intentionally mapped

Neighborhood Transition areas provide a deliberate and thoughtful bridge between lower-intensity residential neighborhoods and more active areas of the City. These places are intended to manage change in a way that feels intentional, predictable, and compatible, allowing Lago Vista to accommodate a broader range of housing options without abrupt shifts in scale or character. Residential uses remain the primary focus of this place type, but with greater flexibility in building form and arrangement. Development should maintain a residential character while allowing for slightly more compact patterns where appropriate. Buildings should be similar in height and visual presence to nearby neighborhoods, with careful attention to massing, articulation, setbacks, and landscaping to ensure compatibility. Limited non-residential uses may be appropriate when they are small-scale, neighborhood-serving, and clearly secondary to the residential environment. These uses should be designed to minimize traffic, noise, and visual impacts. Industrial uses are not appropriate within Neighborhood Transition areas. Parks, shared open spaces, trails, and landscaped buffers are encouraged as key tools for softening transitions and reinforcing neighborhood cohesion. These areas should function as connectors and buffers rather than destinations.

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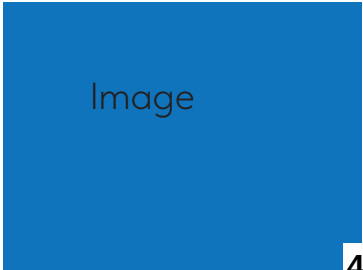
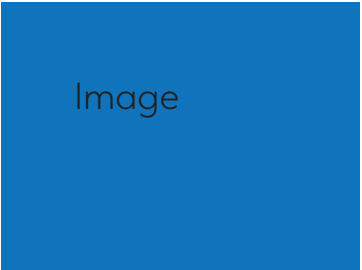
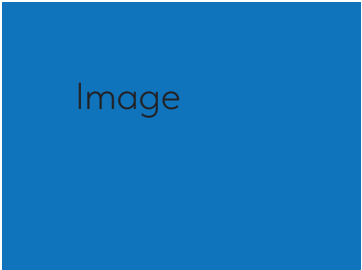
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NEIGHBORHOOD ACTIVITY

Compact, Walkable Places for Daily Life

Neighborhood Activity Centers are compact, walkable hubs that bring together housing, services, employment, and gathering spaces in close proximity. These areas are intended to serve nearby neighborhoods by supporting daily needs, local businesses, and social interaction while remaining distinctly local in scale and character. A mix of residential and non-residential uses is appropriate within Neighborhood Activity Centers, provided development is organized around high-quality building form and pedestrian-oriented design. Buildings should frame streets and public spaces, emphasize active ground floors, and create a comfortable public realm. Residential uses may be located above or adjacent to commercial or civic uses. Commercial and civic uses should be neighborhood-serving rather than regional in nature. Industrial uses are not appropriate in this place type. Public spaces such as plazas, courtyards, and trail connections should be integral components that support walkability and community life.

Residential Uses	• Apartments and condominiums • Townhomes and attached residential buildings • Residential units within mixed-use buildings
Commercial Uses	• Neighborhood-serving retail and services • Restaurants, cafés, and personal services • Offices and professional services
Civic/ Institutional Uses	• Civic and cultural facilities • Public gathering spaces
Green Spaces	• Plazas and courtyards • Trails and pedestrian connections
Industrial Uses	• Not appropriate
Tree Canopy	• 30-40%
Design Guidance	• Buildings should frame streets and public spaces • Active ground floors prioritized along primary pedestrian routes • Parking located behind or beneath buildings
Density Guidance	• Typical residential range: 8–18 units per acre, applied only where Activity Centers are intentionally mapped



REGIONAL COMMERCIAL

Strategic Destinations with Community Accountability

Residential Uses	Residential uses integrated within mixed-use developments
Commercial Uses	- Regional retail and entertainment uses - Hospitality and lodging - Offices and professional services - Larger service-oriented commercial uses
Civic/ Institutional Uses	Civic uses that support regional activity
Green Spaces	- Landscaped buffers and open spaces - Pedestrian connections
Industrial Uses	Limited industrial uses compatible in form and impact
Tree Canopy	20-30%
Design Guidance	- Shared access and consolidated driveways - Enhanced landscaping and visual buffering - Buildings organized into cohesive centers rather than strip patterns
Density Guidance	Non-residential intensity guided by FAR and height ranges appropriate to context

Regional Commercial Districts accommodate larger-scale commercial activity that serves Lago Vista and the surrounding region. These areas play an important role in supporting the City’s fiscal sustainability by generating sales tax revenue and employment opportunities needed to maintain public services and infrastructure. Commercial and service uses are the primary focus of this place type. Development should be designed to function efficiently while remaining sensitive to Lago Vista’s character through coordinated site design, shared access, strong landscaping, and buffering from surrounding uses. Buildings should be arranged to minimize visual and traffic impacts and to create cohesive, well-organized destinations. Residential uses may be appropriate only when integrated into a mixed-use environment and designed to buffer adjacent development. Industrial uses may be appropriate only where they function similarly to commercial uses and are compatible in appearance and impact.

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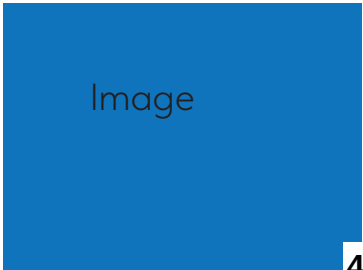
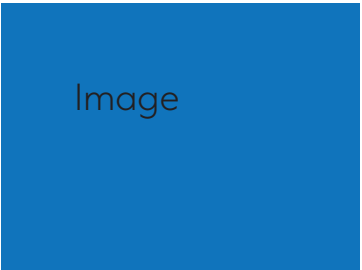
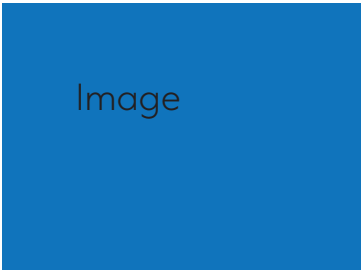
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EMPLOYMENT & SERVICE DISTRICT

Working Places That Support Community

Employment & Service Districts provide locations for businesses, services, and employment opportunities that support Lago Vista’s long-term economic health and service capacity. These areas help diversify the City’s tax base and reduce reliance on residential development alone to fund public services. Employment-focused uses are the primary component of this place type. Development should emphasize quality, functionality, and compatibility, with well-designed buildings, landscaped setbacks, and coordinated access. Development patterns may be corridor-oriented or campus-style where they integrate well with surrounding uses. Residential uses are generally not appropriate in Employment & Service Districts except where integrated into a designated mixed-use environment. Industrial uses may be appropriate when they are low-impact in nature and compatible with surrounding development.

Residential Uses	Residential uses only when integrated into mixed-use
Commercial Uses	- Offices and professional services - Business and service uses supporting employment
Civic/ Institutional Uses	Training, education, or service facilities related to employment
Green Spaces	- Landscaped setbacks and open spaces - Pedestrian connections
Industrial Uses	Light, low-impact industrial and service uses
Tree Canopy	20-30%
Design Guidance	- Strong buffering where adjacent to residential areas - High-quality building materials and landscaping - Efficient circulation for service and employment uses
Density Guidance	Employment-focused intensity guided by FAR and height ranges



PARKS & CONSERVATION

The Green Framework That Shapes the City

Residential Uses	Not appropriate.
Commercial Uses	Not appropriate.
Civic/ Institutional Uses	Passive recreation facilities and support structures only
Green Spaces	- Parks - Greenbelts - Conservation lands - Trails and water quality features
Industrial Uses	Not appropriate.
Tree Canopy	85-100%
Design Guidance	- Design should follow natural landforms, avoid ridgelines where feasible, and minimize grading and impervious cover - Materials, colors, and lighting should reinforce a natural character and reduce visibility from surrounding areas - Trails, access points, and support facilities should be integrated into the landscape rather than imposed upon it
Density Guidance	Built facilities limited to accessory structures (e.g., restrooms, trailheads, shelters) scaled to serve park and conservation functions

Parks & Conservation Areas form the environmental and open-space framework that shapes Lago Vista’s growth and preserves its Hill Country identity. These areas protect sensitive environmental systems, water quality, wildlife habitat, and scenic landscapes while providing opportunities for recreation and public enjoyment. They function as both community amenities and essential infrastructure supporting long-term resilience and quality of life. Development within Parks & Conservation Areas should be subordinate to the landscape and limited to facilities that directly support recreation, conservation, or resource management. Design should emphasize minimal disturbance, natural materials, and integration with existing landforms and vegetation. Buildings, structures, and improvements should be low-profile, dispersed, and carefully sited to preserve open character and ecological function. These areas also serve an important structural role within the broader land use pattern by providing buffers between differing intensities, preserving visual continuity, and anchoring trail networks and green corridors. Commercial and residential development is generally not appropriate, except where expressly allowed through a formal public process and designed to remain incidental to the conservation purpose.

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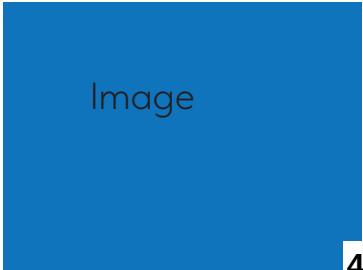
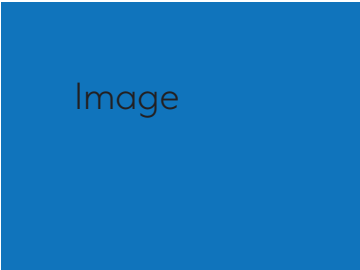
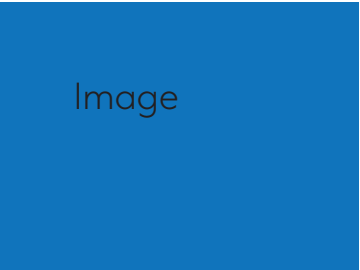
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CIVIC/INSTITUTIONAL

Public Anchors That Serve the Community

Civic & Institutional Places accommodate public, institutional, and community-serving facilities that provide essential services, cultural functions, and gathering spaces for residents and visitors. These areas serve as civic anchors within the community and play a key role in supporting public safety, education, governance, and social infrastructure. Development in Civic & Institutional Places should emphasize context-sensitive form, accessibility, and long-term public value. Buildings should be designed to integrate with surrounding development through appropriate scale, massing, setbacks, and landscaping, with attention to pedestrian access and public realm quality. Civic buildings may function as focal points but should not introduce incompatible intensity into adjacent residential or conservation areas. While residential and commercial uses are generally not primary components of this place type, complementary uses may be appropriate where they directly support civic functions and are designed as part of a coordinated, mixed-use civic environment. Overall intensity, building form, and site design should be driven by service function and adjacency, ensuring civic uses enhance, rather than disrupt, surrounding neighborhoods and place types.

Residential Uses	Residential uses only when integrated into a coordinated mixed-use civic environment
Commercial Uses	Limited commercial uses may be appropriate only when clearly ancillary to civic or institutional functions, such as cafés, meeting-support services, or professional offices directly associated with public or institutional operations
Civic/ Institutional Uses	Government facilities, public safety facilities, libraries, schools, community centers, utilities, cultural facilities, and other public or institutional uses that serve community needs and provide essential services
Green Spaces	- Civic plazas, courtyards, publicly accessible open spaces, landscaped setbacks, and civic greens designed to support gathering, accessibility, and transition to surrounding uses. - Pedestrian connections linking civic facilities to neighborhoods, activity centers, and trail networks
Industrial Uses	Not appropriate, except for limited utility or service functions directly associated with civic infrastructure and designed to minimize visual, noise, and operational impacts
Tree Canopy	30-50%
Design Guidance	- Context-sensitive building scale and massing responsive to adjacent place types - Strong buffering and landscape transitions where adjacent to residential or conservation areas - High-quality architectural materials and durable construction reflective of long-term public investment - Buildings oriented to reinforce civic presence, public access, and pedestrian connectivity. Parking and service areas located and screened to minimize visual impacts
Density Guidance	Non-residential intensity guided by FAR and height ranges appropriate to context



SCENIC VIEW & CORRIDOR PRESERVATION

Land That Leads, Development That Follows

Residential Uses	Aligned with the base Place Type
Commercial Uses	Aligned with the base Place Type
Civic/ Institutional Uses	Aligned with the base Place Type
Green Spaces	Aligned with the base Place Type
Industrial Uses	Aligned with the base Place Type
Tree Canopy	Aligned with the base Place Type
Design Guidance	- Buildings should step with natural topography and avoid silhouetting along ridgelines and horizon lines - Height, massing, and roof forms should be designed to visually recede into the landscape - Lighting, signage, and infrastructure should minimize glare and visual intrusion, particularly along corridors and viewpoints - Site layouts should preserve view corridors from public roadways, parks, and water bodies
Density Guidance	Aligned with the base Place Type

Scenic View & Corridor Preservation Areas protect Lago Vista’s most significant viewsheds, ridgelines, gateways, and visually prominent corridors, reinforcing the City’s identity as a lakeside Hill Country community. These areas represent a visual asset to the community and how development is seen is as important as how it functions. This place type operates as an overlay, applying additional policy guidance to underlying place types rather than establishing independent development rights. Development within Scenic View & Corridor Preservation Areas should be shaped by heightened attention to building height, massing, orientation, grading, lighting, and landscaping to ensure structures do not dominate or fragment important views. Design within these areas should prioritize preservation of natural landforms, tree canopy, and horizon lines, with buildings stepping down with topography and visually receding into the landscape. Infrastructure, signage, and site improvements should be designed to minimize visual intrusion and reinforce scenic continuity along roadways, shorelines, and gateways. Intensity and use are governed by the underlying place type, with scenic protection serving as an additional compatibility layer.

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Image



PARKS



XXXXX.....X
XXXXX.....X
XXXXX.....X



MOBILITY, SAFETY, AND INFRASTRUCTURE



XXXXX.....X
XXXXX.....X
XXXXX.....X



ECONOMIC DEVELOPMENT AND FUNDING THE VISION



XXXXX.....X
XXXXX.....X
XXXXX.....X



IMPLEMENTATION AND GOVERNANCE



XXXXX.....X
XXXXX.....X
XXXXX.....X



SUPPORTING INFORMATION



XXXXX.....X
XXXXX.....X
XXXXX.....X



Item Cover Page

PLANNING & ZONING COMMISSION AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Jordan Strohmeier, Development Services

SUBJECT: Discussion, consideration, and possible action on the Special Height Exception process.

BACKGROUND: This complaint was made to the BSC at the 2/4/26 meeting. Given the location of the ordinance, a recommendation was made to forward to the Planning and Zoning Commission.

ATTACHMENTS:
[BSC Citizen Participation - 02-04-2026 - Jarrod Phillips Reference Docs.pdf](#)

Jarrold Phillips
Phillips Family Homes
3500 Boone Drive, Lago Vista, TX 78645
Jarrod.R.Phillips@outlook.com, 432-438-1144

Subject: Timeline Example of Events Regarding Misapplication of City Zoning Code and Exception Requirements

I believe the City, the Board of Adjustment, Director of Development, and the City Attorney should be held accountable for repeated misapplication of the City's zoning code and exception requirements. I have tried in good faith to work with them to resolve this administratively, but they are now refusing to rehear my request.

Below is a complete timeline of events for your review.

To summarize the timeline:

☐ **Early April 2025:** I submitted my application for a building height special exception under the City of Lago Vista zoning ordinance.

☐ **May 2025:** My item was never formally scheduled for the May Board of Adjustment meeting. The then Director of Development Services, Edward McCroy, spoke with me by phone and was working on placing my item on that agenda; however, the City ultimately decided not to hold that meeting at all, without explanation.

☐ **June 2025:** I was informed that the City failed to post the required zoning sign in time for public notice, which delayed my hearing again and pushed it to July.

☐ **July 7, 2025 – Original BOA Hearing:**

My height special exception was heard by the Board of Adjustment and denied. I have the meeting video showing the City Attorney leading the Board to believe that my request had to satisfy variance hardship standards, even though my application was for a special exception governed by a different section of the code. The Board's discussion and ultimate decision were clearly influenced by this incorrect legal framework.

☐ **Post-July Appeal & City Training:**

I submitted a written appeal and continued corresponding with the City Manager. As a result of my appeal, the City held a subsequent Board meeting/training where the City Attorney acknowledged that variances and special exceptions are different. I have emails and video of this meeting. Despite this acknowledgment, the attorney continued to blur the standards and treat them as effectively the same.

☐ September 2025 BOA Meeting:

The Board reviewed other height special exception requests under the correct code section, focusing solely on view impact, which further confirmed that height special exceptions are not governed by variance hardship criteria.

☐ Meeting with New Director of Development Services:

I later met with Jordan Strohmeier, the new Director of Development Services. She initially led me to believe we were aligned and agreed that variances and special exceptions are distinct under the code. After some back-and-forth via email, she placed my height special exception back on the agenda for January 5th to be reheard.

☐ January 5th BOA Meeting:

At the beginning of that meeting, Ms. Strohmeier stated that she had spoken with the City Attorney and that variances and height special exceptions are in the same category of hardship and are both considered variances. She also stated that there must be a 12-month cooling-off period before an applicant may reapply, while acknowledging that this requirement is not located in the correct section of the City code.

This was contradictory to prior representations made to me and to the City Manager's earlier statement that I could reapply in writing. Based on these statements, the Board pulled my item from the agenda and refused to rehear it. From the statements made during that meeting, it is clear that the City and Board intend to permanently treat height special exceptions as variance requests, leaving me with no administrative remedy.

My concern is no one holding the City, Board, and their Attorney accountable for the mishandling and misuse of code requirements throughout

Sincerely,

Jarrold Phillips

NOTE: Applicants should seek legal advice concerning the applicability of any existing private covenants or deed restrictions and their ability to be enforced or waived by other specific property owners.

APPLICATION FOR SPECIAL EXCEPTION

Date submitted: _____ **Fee:** \$250.00

Applicant's name: _____

Applicant's mailing address: _____

Subject property address: _____

Applicant's email: _____

Applicant's authorized representative (if any): _____

Applicant's phone numbers: _____
Mobile Day Evening

Explain the nature or basis of the special exception request (attach additional pages if necessary)

Highest existing grade elevation on the property: _____
(above MSL, use 723' if property is in the 100-year flood plain)

Primary finish first floor elevation: _____
(above MSL or relative to the highest existing grade elevation)

Elevation of highest ridge or peak: _____
(above MSL or relative to the highest existing grade elevation)

NOTE: Applications must be complete including all applicable portions of this form, payment of fees and all required drawings or documentation. All applications are accepted provisionally pending inspection of the required ridgepole. See attached ordinance provisions.

Applicant's signature(s)

Date

11.60 Special Exceptions Approvals

- (a) Purpose. Except as specifically described elsewhere herein, these land use regulations are based upon the division of the City of Lago Vista into zoning districts, within which the treatment of land and improvements is substantially uniform. It is recognized, however, that there are certain improvements that, because of their unique characteristics or circumstances, must be considered individually to address the impact on neighboring land and the community while considering a specific need at a particular location. As such, the Board of Adjustment, may approve a special exception in accordance with the various specific procedures described in this section. Such approval, with or without conditions, shall be based on the standards described below.
- (b) Generally.
 - (1) Application and Fee. An application for a special exception approval in accordance with the provisions of this chapter shall be made in writing to the City using a form prescribed by the City Manager or their designee and shall be accompanied by the application fee prescribed by ordinance. Applications shall also include all documents required to describe relevant aspects of the proposed construction and additional information as may be requested to facilitate a proper and complete evaluation. Such information shall include, but not be limited to site plans, survey of existing improvements and protected trees, topographic information, and accurate building plans drawn to scale.
 - (2) Public Hearing. The Board of Adjustment shall hold a public hearing prior to consideration of any special exception application.
 - (A) Notice requirements for a public hearing by the Board of Adjustment for a special exception approval shall meet the standards in Section 13.40.
 - (B) The public hearing to consider a special exception application shall be held at a regularly scheduled Board of Adjustment meeting. The Board may adjourn the public hearing and reopen the hearing on the site seeking the special exception approval at a time announced during the meeting that includes the original public hearing.
 - (C) Board of Adjustment members shall adequately prepare to make the required determinations, including studying the application material and visiting the site, subject to compliance with the City's ethics policy and in the absence of a disability. Board members who have not adequately prepared may not vote on the consideration of a special exception application.
 - (3) Appeal. Any individual or group jointly or severally aggrieved by a decision of the Board of Adjustment related to a special exception application may present that matter to a court provided under state law.
 - (4) Term. As opposed to a variance approval, a special exception approval shall expire in one calendar year if not incorporated in a building permit. However, the City Manager or their designee may approve a maximum of two extensions of six months each (a total maximum of one year) upon a showing of hardship

received prior to the expiration. Special exception approvals also expire upon abandonment, either voluntary or involuntary, of one calendar year or longer. A new special exception application and approval is required for any approval that has expired or for extensions beyond a term of three years.

(c) Special Exception to Height Standards.

- (1) Approval Standards. Provided the applicant has fully complied with all requirements, the Board of Adjustment may approve an increase to the maximum height of a principal building, an accessory building, or an addition to a principal or accessory building, if it finds there is no significant adverse impact on the view, as defined in Section 2.10, of another property owner or the architectural context of the surrounding neighborhood created by the proposed additional height. The approval may include whatever conditions might be required to ensure compliance with the standard, but in no case shall it allow an absolute height in excess of 35 feet above the ground measured from the geometric center of the lowest proposed foundation or for more than two stories, outside of the 100-year floodplain. Within the 100-year floodplain, the maximum height above the ground measured from the geometric center of the lowest proposed foundation shall be 45 feet with no more than one floor level above the floodplain. Approvals for a height greater than 35 feet from the geometric center of the lowest proposed foundation shall also be required to demonstrate an “unnecessary hardship” as defined in Section 11.20 and 11.30 above.

(2) Process.

- (A) Ridgepole. Prior to submitting the required application documents specified below, the applicant shall erect one or more ridgepoles, that clearly and visibly indicate, as prescribed below, both the proposed maximum “building height” and the maximum “building height” allowed by right in the development standards for the zoning district in which the property is located. The ridgepole shall also include clear and visible marking of the reference points described below that are related to the proposed maximum “building height.” Required height indication markings shall be the top edge of a minimum 2-inch-wide, brightly colored, high adhesion tape around the circumference of the ridgepole. Both the pole and markings shall be visible from the street that fronts the property.

The proposed maximum “building height” shall be indicated by an orange or red mark that is coincidental to the top of the ridgepole. The maximum “building height” allowed by right in the development standards for the zoning district in which the property is located shall be indicated on the ridgepole by a green mark. Each primary finish floor level of the proposed residence shall be indicated on the ridgepole by a blue mark. If the highest undisturbed natural grade on the property is at least foot or above the federally designated 100-year floodplain, that height shall be indicated on the ridgepole by a yellow mark. Otherwise, one foot above the federally designated 100-year floodplain shall be indicated on the ridgepole by a yellow mark.

The ridgepole shall be placed at the approximate location of the highest peak or the center of the highest ridgeline and be constructed of such sturdiness as to remain within five degrees of a true vertical position throughout the application and hearing process. The Board of Adjustments may require additional ridgepoles and that a registered professional land surveyor certify the location and heights of all ridgepoles and markings in a stamped report.

All required ridgepoles shall remain in place and their condition maintained through the end of the public hearing process. Unless otherwise directed because of pending or anticipated litigation, the ridgepoles shall be removed no later than two weeks after the final decision by the Board of Adjustments.

(B) Other Application Requirements. In addition to the form referenced in Section 11.60(b)(1) above, the application package shall include the following:

- (i) Site Plan. Accurately scaled drawings that indicate the location of the proposed building footprint and all ridgepoles shall be accurately represented. Topographic information is required for the purpose of accurately determining the proposed “building height” and the maximum “building height” permitted by the applicable development standards and as defined in Section 2.10. Both heights shall be specifically included and described on the application form and clearly distinguished from any other referenced heights.
- (ii) Depiction of proposed height. Requirements include some form of accurate scaled depiction, typically building elevations, indicating the proposed maximum “building height” as defined in Section 2.10 and the proposed absolute building height as measured from the top of the geometric center of the lowest proposed foundation. The depiction shall include all ancillary information relevant to the evaluation such as relevant finish grade elevations, finish floor elevations, ceiling heights, framing depth and the proposed pitch of any sloped roof.

(d) Special Exception to Accessory Building Development Standards.

(1) Approval Standards. Provided the applicant has fully complied with all requirements, the Board of Adjustment may approve relief from strict compliance with any of the development standards for accessory buildings required by Section 6.10 that does not:

- (A) materially diminish the aesthetic quality of the subject property when viewed from adjacent property, nearby property, or a public right-of-way; and
- (B) result in any change in the level of privacy otherwise afforded to adjacent property.

(2) Process.

- (A) Narrative. Applicants shall provide a complete and thorough written description of the basis for the requested relief in accordance with the approval standards above. The application form may be used to meet the requirement, but an attachment is mandatory if adequate space is not available.
- (B) Site Plan. Accurately scaled drawings that indicate the size and location of the proposed accessory building, and all required setbacks shall be submitted. The site plan shall also identify all existing utility and drainage easements. The edge of adjacent residences within twenty-five (25) feet of the proposed accessory building shall be included on the site plan. Limited topographic information regarding the highest existing grade elevation on the lot and the elevation of the highest peak or ridge of the principal structure is required to verify that a special exception for additional height is not also required. Landscaping required by Section 6.10 above or any relief from those requirements shall be included on the site plan or a separate landscaping plan.
- (C) Floor Plans. Accurately scaled drawings are required that describe the size and use of all space within or below the roof of the proposed accessory building. The plans shall include all door and window openings as well as any equipment associated with the accessory use.
- (D) Building Elevations. Accurately scaled drawings that indicate the size, maximum height, roof pitch, exterior finish materials are required. The proposed colors of the roof and exterior finish materials of the accessory building can be included on the building elevations or submitted separately.
- (E) Existing Principal Structure Information. Accurate drawings or photographs of the existing principal structure shall be included with the application for the purpose of evaluating requirements. The Development Services Department may be able to provide documents related to permits issued in December of 2011 or later.

HISTORY

Amended by Ord. [18-06-21-02](#) on 6/21/2018

Amended by Ord. [19-06-20-01](#) on 6/20/2019

Amended by Ord. [23-01-19-02](#) on 1/19/2023

Amended by Ord. [23-03-02-03](#) on 3/2/2023

ORDINANCE NO. 19-06-20-01

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 11.60, SUBSECTION C (1) OF CHAPTER 14, THE ZONING ORDINANCE, REGARDING STANDARDS AND REQUIREMENTS FOR RIDGEPOLLS TO BE USED IN THE EVALUATION OF SPECIAL EXCEPTIONS TO HEIGHT STANDARDS APPLICATIONS; 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 established provisions within Chapter 14 of the Lago Vista Code of Ordinances that include procedures for obtaining special exception approval that would permit additional height beyond that which would otherwise be allowed in a certain zoning district; and

WHEREAS, those procedures include requirements for the applicant to erect ridgelines used to evaluate the merits of those applications; and

WHEREAS, the ridgelines provided by applicants are often inadequate to serve their intended purpose; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has undertaken an extensive review of those regulations; 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 Chapter 14 of 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. All of 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. MODIFICATION. The City Council of the City of Lago Vista, Texas, does hereby amend Section 11.60, Subsection C (1) of Chapter 14 of the Lago Vista Code of Ordinances as shown in Exhibit "A."

SECTION 3. SAVINGS CLAUSE. 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 20th day of June 2019.





Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Mayor Pro Tem Williams, seconded by Councilman Robbins, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

CHAPTER 14

ZONING

PART IV ADMINISTRATION AND ENFORCEMENT

Section 11 Variances Appeals and Special Exceptions

11.60 Special Exceptions to Height Standards.

A. Process.

- (1) Ridgepole: Prior to submitting the required application documents specified below, the applicant shall erect one or more ridgepoles, that clearly and visibly indicate, as prescribed below, both the proposed maximum "building height" and the maximum "building height" allowed by right in the development standards for the zoning district in which the property is located. The ridgepole shall also include clear and visible marking of the reference points described below that are related to the proposed maximum "building height." Required height indication markings shall be the top edge of a minimum 2-inch-wide, brightly colored, high adhesion tape around the circumference of the ridgepole. Both the pole and markings shall be visible from the street that fronts the property.

The proposed maximum "building height" shall be indicated by an orange or red mark that is coincidental to the top of the ridgepole. The maximum "building height" allowed by right in the development standards for the zoning district in which the property is located shall be indicated on the ridgepole by a green mark. Each primary finish floor level of the proposed residence shall be indicated on the ridgepole by a blue mark. If the highest undisturbed natural grade on the property is at least foot or above the federally designated 100-year floodplain, that height shall be indicated on the ridgepole by a yellow mark. Otherwise, one foot above the

federally designated 100-year floodplain shall be indicated on the ridgepole by a yellow mark.

The primary ridgepole shall be placed at the approximate location of the highest peak or the center of the highest ridgeline and be constructed of such sturdiness as to remain within five degrees of a true vertical position throughout the application and hearing process. The Planning and Zoning Commission or the Board of Adjustment on appeal, may require additional ridgepoles and that a licensed surveyor certify the location and heights of all ridgepoles and markings in a stamped report.

All required ridgepoles shall remain in place and their condition maintained through the end of the public hearing process. Unless otherwise directed, the ridgepoles shall be removed no later than two weeks after the final decision by the Planning and Zoning Commission or the Board of Adjustment, upon appeal.

ORDINANCE NO. 18-06-21-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING SECTION 2.10 AND SECTION 11.60 OF CHAPTER 14 OF THE LAGO VISTA CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; SEVERABILITY CLAUSE; EFFECTIVE DATE, OPEN MEETINGS CLAUSE; 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 established provisions within Chapter 14, Zoning of the Lago Vista Code of Ordinances that define and regulate the maximum height of structures within various zoning districts; and

WHEREAS, the City Council of the City of Lago Vista has previously established procedures and criteria for approval of special exceptions within Chapter 14, Zoning of the Lago Vista Code of Ordinances to allow increases, under certain conditions, to the maximum height of structures within various zoning districts; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has undertaken an extensive review of those regulations; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has determined that there is a need to modify the procedures and criteria within Chapter 14 for approval of special exceptions to allow increases to the maximum height in various zoning districts; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has forwarded a recommendation to the City Council to incorporate those regulations and thereafter, the City Council has considered the request and hereby desires to modify those regulations 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. All of 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. MODIFICATION. The City Council of the City of Lago Vista, Texas, does hereby amend Chapter 14, Section 2.10, Code of Ordinances as shown in Exhibit "A" and Chapter 14, Section 11.60 as shown in Exhibit "B."

SECTION 3. SAVINGS CLAUSE. 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 21 day of June, 2018.



Ed Tidwell
Ed Tidwell, Mayor

ATTEST:

Sandra Barton

Sandra Barton, City Secretary

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

EXHIBIT "A"

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.

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.

ADJACENT: Abutting and directly connected to or bordering.

AGGRIEVED PERSON: An interested party or person with an interest in a matter that is the subject of a public hearing or administrative decision and believes is being harmed by a decision made through a public hearing or administrative decision. A person has an interest if the person:

- (A) is the applicant or the record owner of property that is the subject of a public hearing or administrative decision; or
- (B) communicates an interest in a matter; and
 - (1) occupies a primary residence that is within 200 feet of the site of the proposed development or modification; or
 - (2) is the record owner of property within 200 feet of the site of the proposed development or modification; or
 - (3) is an officer of a neighborhood organization that has an interest in the site of the proposed development or modification whose declared boundaries are within 200 feet of the site of the proposed development; or
 - (4) has a utility account address located within 200 feet of the site of the proposed development or modification, as shown in the City utility records on the date of the filing of the application.

ALCOHOLIC BEVERAGE: Any beverage containing more than one-half of one percent (1/2 of 1%) alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

AMUSEMENT CENTER OR PARLOR[:] Any establishment, whose primary purpose is for public entertainment, containing three or more pool or billiard tables, pinball, and electronic games offered for hire.

ANTENNA SUPPORT STRUCTURES:

(A) **GUYED LATTICE ANTENNA STRUCTURE:** A steel lattice, guy wire supported structure, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.

(B) **LATTICE ANTENNA STRUCTURE:** A steel lattice, self-supporting structure with no guy wire support, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.

(C) **MONOPOLE ANTENNA STRUCTURE:** A self-supporting pole type structure with no guy wire support, tapering from base to top and so designed to support fixtures which hold one or more antennas and related equipment for wireless telecommunication transmission.

APARTMENT: Means a room or group of rooms used as a dwelling for one (1) family unit which includes full kitchen facilities for the preparation of meals and cooking therein.

APARTMENT HOTEL with Commercial: Means a building used or intended to be used for one, two or multiple living units for transient or permanent residents, in which building may be located on the first floor living units, and/or retail sales, office, and/or service uses.

AUTOMOBILE SERVICE STATION (Service Station): An establishment selling fuel for motor vehicles and/or performing any of the following services on motor vehicles:

- (A) Lubrication and oil change;
- (B) Installing parts and accessories, including tires, batteries and mufflers;
- (C) Tune-ups; and
- (D) Any minor repair or adjustment work[.]

BED AND BREAKFAST ESTABLISHMENT: An owner occupied dwelling unit that is used to provide Short-Term lodging for guests or "tourists" with a morning meal being provided.

BOARD: Board of Adjustment of the City of Lago Vista, Texas.

BOAT DOCK PRIVATE: A boat dock with one or more slips, located on residential property, which is used for private purposes and does not have services, other than electricity and water to it.

BOAT SLIP/DAY SLIP: A structure used strictly for the mooring of watercraft and has no other auxiliary services (such as a restaurant, retail shop or fuel sales).

BUILDING: Any structure having a roof supported by columns or walls and intended for shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

BUILDING HEIGHT:

- (A) The vertical distance measured from the highest undisturbed natural grade of the applicable lot to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the height of the highest gable of a pitched or hipped roof. Chimney height and the height of air-conditioning units, evaporative coolers, and other similar objects are excluded from total height considerations. (See Section 6.15 herein).
- (B) Special consideration may be given to the condition encountered when the highest point in elevation of the building lot is at or below the federally designated 100-year flood level.
- (C) In an area below the elevation of the 100-year flood level, the first floor elevation will be one (1) foot above the federally designated flood level. In these cases, the maximum roof height of the building may be measured from one (1) foot above the federally designated flood level.

BUILDING OFFICIAL: The City Manager of City of Lago Vista, Texas or his designee.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated.

CHILD CARE INSTITUTION: A child care facility that provides care for any number of children of any age group, for all or part of the 24-hour day, including facilities known as children's homes, half-way houses, residential treatment camps, emergency shelters, and training or correction schools for children. This facility shall comply with all applicable Federal and State requirements. Schedule of allowed uses are C-1, C-2 and U-1.

CITY: The City of Lago Vista, Travis County, Texas.

CLUB: A group of people organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees or dues, regular meetings, and a constitution and bylaws.

COMMISSION: The Planning and Zoning Commission of the City of Lago Vista, Texas.

COMMON AREA: Means privately owned land and improvements within a townhouse, condominium, planned development, or community unit development including buildings, common open space, central services and utilities, streets, walks, parking areas, fencing and

screening walls, landscaping, and any other elements and facilities under common ownership and available for the use of all owners or tenants.

COMMON OPEN SPACE: Means that portion of the common area which is designated for outdoor recreation area, private park, play lot, plaza, athletic court, swimming pool, fountain, stream or pond, ornamental landscaping or natural vegetation offering visual amenity, and which is open to general view and conveniently accessible to pedestrians within the project.

COMMUNITY CENTER: A facility used for recreational, social, educational, and cultural activities.

COMMUNITY HOME: A home for disabled persons in accordance with the Community Home for Disabled Persons Act, licensed or certified or operated by the State of Texas for the residence of not more than six persons, regardless of relationship, with disabilities and two supervisors.

COMPREHENSIVE PLAN: The Master Plan for the City of Lago Vista, Texas.

CONDITIONAL USE PERMIT: Permit authorized by the City Manager for an accessory structure after the primary use has been established on the same lot. Denial by the City Manager of a conditional use permit may be appealed to the Planning and Zoning Commission and the city council. A conditional use permit for a home occupation must meet the requirements of Section 16.

CONDOMINIUM: Means a building or group of buildings in which dwelling units are owned individually, while the structure and common areas and facilities are owned by all the owners on a proportional, individual basis.

CONTIGUOUS: Property whose property lines are separated by only a street, alley, easement, right-of-way or buffer.

CONTOUR MAP: A map or plat prepared by a registered engineer, architect, or land surveyor which accurately reflects the surface of the area surveyed with contour intervals of two (2) feet within the building site area and with contour intervals of five (5) feet in all other areas where the slope exceeds two percent (2%).

COUNCIL: The City Council of the City of Lago Vista, Texas.

DEVELOPMENT: Any buildings, roads, and other structures; or any construction, excavation, dredging, grading, filling, and clearing or removing of vegetation.

DRIVE-IN SERVICE: The serving of a patron while in a motor vehicle or the permitting of consumption of food or drink while in a motor vehicle parked on the premises.

DWELLING, MULTIFAMILY: A building containing three or more dwelling units and a lot or tract of land with at least three dwelling units of which one or more detached one- or two-family dwellings are constructed as well as multifamily dwelling buildings.

DWELLING, SINGLE-FAMILY: A detached building designed and having facilities for year-round human habitation by one family only.

DWELLING, TWO-FAMILY: A detached building designed and having facilities for year-round human habitation by two families each in a separate dwelling unit.

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

FAMILY: One or more persons related by blood, marriage or adoption occupying a living unit as an individual housekeeping organization. A family may include no more than three persons not related by blood, marriage or adoption.

FAMILY HOME FACILITY: A single-family residence in which a person who resides within the residence provides compensated care for children, provided that not more than six (6) children under fourteen (14) years of age, including children who live in the residence or whose care is provided without compensation, shall be cared for at any such facility, and provided further that compensated care shall not be provided in such facility for any child for an overnight stay or for a period in excess of sixteen (16) hours in any 24-hour period. A Family Home Facility shall comply with all applicable federal and state requirements.

FENCE: A fence or screen eighteen (18) inches or more in height made or constructed of any materials, including but not limited to living vegetation, e.g. trees, bushes, shrubs, the purpose of which is to provide protection from intrusion (physical and/or visual), to prevent escape, mark a boundary, or provide decoration. A wall shall be considered a fence unless it is a restraining wall for the purpose of diverting water and/or retaining soil. Traffic guardrails and railings along steps, ramps, decks or sidewalks are not considered fences or screening devices.

FRONT BUILDING LINE: Shall mean either the required front-yard setback line or the line which runs from the front wall of the structure and extends to the side property lines, whichever is further from the front property line.

GUEST QUARTERS: An accessory dwelling located on the same lot as the principal building and used occasionally for habitation for guests but not for remuneration.

HANGAR: Means a building or structure, suitable for the primary use of housing, storing and sheltering an aircraft, which is designed and constructed on C-4 district property accessible to aircraft from the municipal airport via a paved ramp.

HANGAR-RESIDENCE: Means a building or structure, suitable for the primary use of housing, storing and sheltering aircraft, which is designed and constructed on single-family residential property accessible to aircraft from the municipal airport via a paved ramp.

HELIPORT: An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appropriate areas which are used for the storage, fueling, repair or maintenance of helicopters.

HELISTOP: An improved site (usually a concrete pad) or water where helicopters may land regularly but no hangars, fueling, repairs or maintenance activities are performed.

HOME OCCUPATION: An accessory use of a dwelling unit for gainful employment involving the manufacture, assembly, provision or sale of goods and/or services. The accessory use is conducted entirely within the dwelling unit. The use is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.

HOME OCCUPATION PERMIT: A written permit issued by the City of Lago Vista authorizing a resident to establish a home occupation at his/her residence.

HOTEL: Means a building which is open to the public in which lodging is provided and offered for consideration with 24-hour rates to individual transient guests, but not excluding permanent guests, and may include a cafe, drugstore, clothes, pressing shop, barber shop or other service facilities for guests for compensation, and in which ingress and egress to and from all rooms is made through and inside a lobby or office supervised by a person in charge at all hours. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, or inn. The term does not include a hospital, sanitarium, nursing home, or a dormitory as defined in Section 156.001, Tex. Tax. Code.

IMPERVIOUS COVER: Any structure including roof outline or surface not permitting the absorption of water.

INDUSTRIAL: A commercial enterprise designed for the production, manufacture, storage or assembly of goods or materials, or for the production of services oriented or ancillary to such purposes.

INDUSTRIALIZED BUILDING: A commercial structure that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent commercial site, and that is designed to be used as a commercial building when the modules or modular components are transported to the permanent commercial site and are erected or installed on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems.

INDUSTRIALIZED HOUSING: A residential structure that is designed for the use and occupancy of one or more families, that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent residential site, and that is designed to be used as a permanent residence and is erected or installed on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems. The term shall not mean nor apply to:

- (A) Housing constructed of sectional or panelized systems not utilizing modular components; or

- (B) Any ready-built home which is constructed so that the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location.

LIQUOR STORES: A store selling alcoholic beverages for off-premises consumption only.

LIVING AREA: The sum of the horizontal areas of each story of the building measured from the exterior faces of the exterior structural walls for the purpose of computing the minimum allowable living area in a building unit. The living area measurement is exclusive of unfinished attics, breezeways, garages, carports, open and covered porches, decks, or accessory buildings not designed and used directly and specifically for dwelling purposes.

LOT: A designated parcel, tract or area of land, established by plat or otherwise as permitted by law, to be used, developed or built upon as a unit.

MARINA FACILITY: Any commercial or public structure or combination of structures for mooring or servicing of watercraft, with more than three mooring slips, and including all structures (docks, breakwaters, etc.) and associated anchoring facilities (e.g., fuel facilities, restaurants, etc.) which abut the water-based entity.

MOBILE HOME: A structure designed for, or used as semipermanent habitation and which is transportable on its own chassis in one or more sections and which is capable of being used without a permanent foundation.

MOBILE HOME PARK: Any area or tract of land where one or more mobile home lots or spaces are rented or held for rent.

MOTEL: An establishment providing sleeping accommodations for transients and in which access to rooms may be through a lobby and/or the rooms may have direct access without the necessity of going through a lobby.

NONCONFORMING FENCE, STRUCTURE, OR USE: A fence, structure, or use that does not conform to the standards or requirements of this chapter.

NONCONFORMING FENCE, STRUCTURE and USE, LEGAL (“grandfathered”): An activity, fence, use, or structure that was lawful and existing at a specific location on a date prior to the adoption of an ordinance that made it fail to conform to the present requirements of this chapter.

NUISANCE FACTOR: Any offensive or unpleasant thing which annoys or disturbs one in free use, possession, or enjoyment to of his property of which endangers one's health or life or property, including but not limited to the following:

- (A) Noise
- (B) Electronic or atomic radiation
- (C) Dust

- (D) Effluent
- (E) Smoke
- (F) Vibration
- (G) Fumes
- (H) Shock waves
- (I) Odor
- (J) Gases
- (K) Glare
- (L) Vicious, mischievous, and barking dogs
- (M) Flashes
- (N) Unlawful diversion of drainage

OPEN AIR COMMERCIAL AMUSEMENTS: Any land, buildings, structures, devices or activities for amusement and profit visible from a public right-of-way, such as drive-in theaters, miniature golf courses, water slides, motor vehicle courses or tracts, and similar enterprises.

PARKING LOT: An area which contains five (5) or more off-street parking spaces.

PARKING SPACE: An area on a parking lot, enclosed or unenclosed, not on a public street, with an all-weather surface, used or intended, to be used for parking motor vehicles. The parking space must be connected to a street by an all-weather surface driveway, which may be an easement and which permits free ingress and egress.

PLANNED DEVELOPMENT DISTRICT (PDD): An area of land which is approved for development in accordance with a detailed plan which has been subjected to a specified approval process. All use regulations and physical restrictions for structures within a PDD are contained in the plan for that PDD.

RECREATION FACILITY, COMMERCIAL: A place designed and equipped for the conduct of indoor or outdoor sports and leisure-time activities and operated as a business and open to the public for a fee.

RECREATION VEHICLE: A vehicle designed for human habitation for recreational purposes and capable of being used on a highway. Recreational vehicles shall include a motor home, travel trailer, and camping trailer, but shall not include a mobile home.

RECREATIONAL VEHICLE PARK: Any area or tract of land where one or more recreational vehicle lots or spaces are rented or held for rent.

RESORT ACCESSORY USE: Means a use other than an enclosed building that is customarily incidental to a resort such as a swimming pool, shuffleboard court, miniature golf course, tennis court, frisbee golf course, golf driving range, golf putting course, jogging trail, volleyball or basketball court, pavilion, gazebo, and playground. Boat slips and fuel facilities are not considered accessory uses.

RESTAURANT: A commercial establishment at which food is prepared for consumption on or off the premises.

SCREENING DEVICE: Any wall or fence which does not contain openings and is constructed so as to create a visual barrier.

SETBACK: The minimum required horizontal distance between the property line and the corresponding wall or any projection of a building, excluding uncovered steps, uncovered balconies, uncovered porches, and roof overhangs that are in accordance with the building code.

SHORT-TERM OCCUPANCY: Occupancy of a dwelling unit for less than 30 days. For purposes of this chapter, this term does not include occupancy by house guests for which no compensation of any kind is involved in the occupancy.

SPECIAL USE PERMIT: A permit issued for a specific use or structure in accordance with the special use permit procedures in this chapter.

STRUCTURE: Anything constructed, assembled, or erected, the use of which requires location on the ground or attachment to something having location on or in the ground.

TOWNHOUSE: Means a structure on a separately platted lot, which is one of a series of three (3) or more attached dwelling units designed and used for single-family occupancy, which dwelling units are structurally connected, immediately adjacent to and abutting each other, and which have their own front and rear access to the outside. No dwelling unit is located over another unit. A condominium apartment (as defined in Section 81, Tex. Prop. Code) in a condominium structure may be considered a townhouse if no other dwelling unit or use of any kind exists immediately above or below it.

TRAILER-COMMERCIAL USE: Every vehicle designed for carrying heavy machinery, vehicles, and equipment used for commercial purposes, and is drawn on the highway by a motor vehicle.

TRAILER-UTILITY USE: Every vehicle designed for carrying personal property, or recreational equipment such as golf carts, boats, and motorcycles, and is drawn on the highway by a motor vehicle.

VEHICLE: Every device by which any person or property may be propelled, moved or drawn upon a highway.

VIEW: a scenic vista of what can be seen from a property at ground level or from a first or second story beyond and above any existing tree line or the allowed maximum building height on an

intervening property where a view is being evaluated. Examples of a view include but are not limited to parks, hillsides, open green spaces, golf courses, and a lake.

WIRELESS COMMUNICATION SYSTEM: means antennae and antenna support structures for mobile and land based telecommunications facilities including, but not limited to: Whip antennas, panel antennas, microwave dishes and receive-only satellite dishes, cell enhancers and related equipment for wireless transmission from a sender to one or more receivers, such as for mobile cellular telephones, mobile radio systems facilities, commercial mobile radio service and radio or television (commercial only) broadcasting towers and transmitting stations. This definition is inclusive of the placement of the above referenced equipment on a monopole tower, guyed steel lattice tower and any communication tower which does or does not utilize guy wire support in addition to existing buildings or other independent support structures. This system shall also allow as one of its components an unmanned equipment shelter.

YARD: An open space that lies between the principal building or buildings and the nearest lot line. This is the required minimum building setback.

EXHIBIT "B"

CHAPTER 14

ZONING

11.60 Special Exceptions to Height Standards.

- A. Purpose. Except as specifically described elsewhere herein, these land use regulations are based upon the division of the City of Lago Vista into zoning districts, within which the treatment of land and improvements is substantially uniform. It is recognized, however, that there are certain improvements or uses that, because of their unique characteristics or circumstances, must be considered individually to address the impact on neighboring land and the community while considering a specific need at a particular location. As such, the Planning and Zoning Commission, or the Board of Adjustment upon appeal, may approve an increase in the maximum "building height" as defined in Section 2.10 and established in the development standards for each zoning district. Such approval, with or without conditions, shall be based on the standards described below.
- B. Approval Standards. Provided the applicant has fully complied with all requirements, the Planning and Zoning Commission, or the Board of Adjustment upon appeal, may approve an increase to the maximum height of a principal building or an addition to a principal building, if it finds there is no significant adverse impact on the view, as defined in Section 2.10, of another property owner or the architectural context of the surrounding neighborhood created by the proposed additional height. The approval may include whatever conditions might be required to ensure compliance with the standard, but in no case shall it allow an absolute height in excess of 35 feet above the ground measured from the geometric center of the proposed foundation or for more than two stories.
- C. Process.
- (1) Ridgepole: Prior to submitting the required application documents specified below, the applicant shall erect one or more ridgepoles, that clearly and visibly indicate both the proposed maximum "building height" and the maximum "building height" allowed by right in the development standards for the zoning district in which the property is located. Required height indication markings shall use a minimum 2 inch wide blue or red masking tape or paint mark around the circumference of the ridgepole and both the pole and markings shall be visible from the street that fronts the property. The primary ridgepole shall be placed at the approximate location of the highest peak or the center of the highest

ridgeline and be constructed of such sturdiness as to remain in a true vertical position throughout the application and hearing process. The Planning and Zoning Commission or the Board of Adjustments on appeal, may require additional ridgepoles and that a licensed surveyor certify the location and heights of all ridgepoles and markings in a stamped report. All required ridgepoles shall remain in place and their condition maintained through the end of the public hearing process. Unless otherwise directed, the ridgepoles shall be removed no later than two weeks after the final decision by the Planning and Zoning Commission or the Board of Adjustments, upon appeal.

(2) Application. Applications shall be made on a form provided by the city and are accepted provisionally, pending an inspection of all required ridgepoles. In addition to the form, the application package shall include the following:

(a) Site Plan. Drawings preferably scaled, that indicate the location of the proposed building footprint and all ridgepoles shall be accurately represented. Topographic information is required for the purpose of accurately determining the proposed “building height” and the maximum “building height” permitted by the applicable development standards and as defined in Section 2.10. Both of these heights shall be specifically included and described on the application form and clearly distinguished from any other referenced heights.

(b) Depiction of proposed height. Some form of accurate depiction is required, typically building elevations, indicating the proposed maximum “building height” as defined in Section 2.10 and the proposed absolute building height as measured from the top of the geometric center of the proposed foundation.

(c) Fee. Fees shall be the same as for a variance to the zoning ordinance.

(3) Public Hearing. The Planning and Zoning Commission shall hold a public hearing prior to consideration of any special exception application.

(a) Notice requirements for a public hearing by the Planning and Zoning Commission shall meet the standards in Section 13.40.

(b) The public hearing to consider a special exception application shall be held at a regularly scheduled Planning and Zoning Commission meeting. The Commission may adjourn the public hearing and reopen the hearing on the site seeking the special exception approval at a time announced during the meeting that includes the original public hearing.

(c) Commissioners should visit the site. If the Commission’s decision is appealed in accordance with the requirements included herein, the Board of Adjustments members

should visit the site. Commissioners or Board members who have not visited the site may not vote on the consideration of a special exception application.

- (4) Appeal. An applicant or any aggrieved person, as defined in section 2.10, may appeal the final decision of the Planning and Zoning Commissions to the Board of Adjustments in accordance with the requirements of section 11.50.
- (5) Term. Absent a formal written request alleging hardship to the City Manager or his designee for an extension, a special exception approval shall expire in one calendar year if not incorporated in a building permit. Special exception approvals also expire upon abandonment, either voluntary or involuntary, of one calendar year or longer. Extensions beyond a term of three years would require a new special exception application and approval.



NOTE: Applicants should seek legal advice concerning the applicability of any existing private covenants or deed restrictions and their ability to be enforced or waived by other specific property owners.

APPLICATION FOR ZONING VARIANCE

Date submitted: _____ **Fee:** \$250.00 (non-refundable)

Applicant's name: _____

Applicant's mailing address: _____

Subject property address: _____

Applicant's email: _____

Applicant's phone numbers: _____
Mobile Day Evening

Applicant's authorized representative (if any): _____

Representative's email and phone numbers: _____

Explain the nature or basis of the variance request (attach additional pages if necessary)

List or describe ordinance provisions from which relief is sought: _____

NOTE: Applications must be complete including all applicable portions of this form, payment of fees and all required drawings or documentation. All applications are accepted provisionally pending a completion review. **PLEASE TAKE SPECIFIC NOTICE OF MANDATED STANDARDS REGARDING HARDSHIPS AND ALL RELATED REQUIREMENTS FOR APPROVAL INCLUDED IN THE ATTACHED ORDINANCE PROVISIONS AND ADDRESS THEM IN YOUR NARRATIVE.**

Applicant's signature(s)

Date

Section 11 Variances, Appeals, and Special Exceptions

11.10 Provisions Subject To Variance

The Board of Adjustment (BOA) may authorize a variance to the provisions of this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Board shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings in accordance with the rules and conditions of this section, the Board shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the numbers of persons who will reside or work in the proposed use, and the probable effect of such variance upon traffic conditions, and upon the public health, safety, convenience and welfare in the vicinity. The Board may not grant a variance that would allow a use not permitted in a zoning district.

11.20 Conditions Required For Variance

No variance shall be granted unless the Board of Adjustment finds:

- (a) That approval of the variance is not contrary to the public interest (see Section 2.10 above).
- (b) Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship. A hardship shall:
 - (1) Not be self-imposed or personal in nature;
 - (2) Not be purely financial or pecuniary; and
 - (3) Must relate to a unique aspect of the property for which the variance is sought, such as irregularity of shape or topography, and not common or generally characteristic of the area.
- (c) That the variance will be no greater than the minimum required to alleviate the difficulty or hardship for which the variance is requested; and
- (d) That the spirit of the ordinance is observed, and substantial justice is done.

11.30 Interpretive Role

The Board of Adjustment may consider the items enumerated in Section 211.009(b-1) of the Texas Local Government Code or any successor statute thereto in considering a variance. However, the consideration of the Texas Local Government Code does not supplant, supersede, or eliminate the mandatory findings of each of the enumerated requirements in Section 11.20 above which should be strictly adhered to and in a consistent manner. That includes but is not limited to the requirement that the unnecessary hardship must be based on special conditions related to a unique, uncommon, or unusual aspect of the property in question. It also specifically limits relief to the minimum required to alleviate the unnecessary hardship, to the exclusion of potential reasonable alternatives.

11.40 Variance Procedure

- (a) Application. An application for a variance to the provisions of this chapter shall be made in writing to the City in a form prescribed by the City Manager and shall be accompanied by a site plan and additional information as may be requested in order to properly review the application. Such information may include, but is not limited to: plat plans, site and building plans and contour maps.

- (b) Signs Required for Proposed Variance. At the time a proposed zoning change or variance application is filed, the City shall place easily visible signs on the property in accordance with Section 13.40 below.
- (c) Review by the Board.
 - (1) Review. The Board shall review each application for a variance. Members of the Board or duly appointed City officials shall visit the site where the proposed variance will apply and the surrounding area, and shall report their finding to the Board.
 - (2) Notice and Hearing. The Board shall notify property owners in accordance with Section 13.40 below of a public hearing at which the variance will be considered. The Board shall hold a public hearing within forty-five (45) days from the date of application acceptance.
- (d) Action by Board. The Board shall not grant a variance unless it finds that each of the conditions in Section 11.20 has been established. The burden of proving that such conditions exist is on the applicant. The findings of the Board, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Board meeting at which such variance is granted. The concurring vote of seventy-five percent of the members of the board shall be necessary for any decision in favor of the applicant for any matter upon which it is required to pass or to effect any variation of any ordinance, rule or regulation.
- (e) Conditions Imposed by Board. The Board may impose such conditions, limitations, and safeguards as it deems appropriate upon the grant of any variance.
- (f) Variance Shall Lapse After Six (6) Months. Any rights authorized by a variance which are not exercised within six (6) months from the date of granting such variance shall lapse. The applicant may apply for one (1) extension without fee. The right to a variance beyond this date maybe re-established only after application and a new hearing pursuant to this section.

ORDINANCE NO. 23-01-05-02

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTIONS 11.20 AND 11.30 OF CHAPTER 14 OF THE LAGO VISTA CODE OF ORDINANCES TO SPECIFICALLY RECOGNIZE THE ABILITY OF THE BOARD OF ADJUSTMENT TO CONSIDER ANY OF THE GROUNDS INCLUDED IN SECTION 211.009(B-1) OF THE TEXAS LOCAL GOVERNMENT CODE IN MAKING THE DETERMINATION WHETHER THE STRICT APPLICATION OF A ZONING ORDINANCE PROVISION WOULD RESULT IN AN UNNECESSARY HARDSHIP; 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 findings required for the Board of Adjustment to approve a zoning variance in Section 11.20 of Chapter 14, the Zoning Ordinance; and

WHEREAS, the City Council of the City of Lago Vista has also previously provided guidance to the Board of Adjustment by including language in Section 11.30 of Chapter 14, the Zoning Ordinance, that specifies what is described as their “interpretive role” in making the required determinations; and

WHEREAS, Section 211.009(b-1) of the *Texas Local Government Code* now includes enumerated discretionary authority that the Board of Adjustment may exercise in the determination of whether the basis of a specific variance application is an “unnecessary hardship;” and

WHEREAS, the staff and members of the Planning and Zoning Commission believe that it is in the best interest of the residents and property owners of the City if local ordinances are as consistent as possible with state statutes so that the Board of Adjustment can more effectively rely on the guidance of Texas courts in making decisions involving zoning variance requests; and

WHEREAS, the Planning and Zoning Commission of the City of Lago Vista has undertaken a review of those regulations which included input from the Board of Adjustment and conducted multiple public hearings concerning those regulations at their meetings between November 11, 2021, and December 8, 2022; 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 Sections 11.20 and 11.30 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 January 5, 2023, 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 of 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 Sections 11.20 and 11.30 of the Zoning Ordinance found in 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.

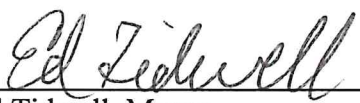
SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase, or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this 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 *Texas Local Government 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 5th day of January 2023.


Ed Tidwell, Mayor



ATTEST:


Lucy Aldrich, City Secretary

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

EXHIBIT "A"**CHAPTER 14****ZONING****11.20 Conditions Required for Variance**

No variance shall be granted unless the Board of Adjustment finds:

- (a) That approval of the variance is not contrary to the public interest (see Section 2.10 above).
- (b) Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship. A hardship shall:
 - (1) Not be self-imposed or personal in nature;
 - (2) Not be purely financial or pecuniary; and
 - (3) Must relate to a unique aspect of the property for which the variance is sought, such as irregularity of shape or topography, and not common or generally characteristic of the area.
- (c) That the variance will be no greater than the minimum required to alleviate the difficulty or hardship for which the variance is requested; and
- (d) That the spirit of the ordinance is observed, and substantial justice is done.

11.30 Interpretive Role

The Board of Adjustment may consider the items enumerated in Section 211.009(b-1) of the Texas Local Government Code or any successor statute thereto in considering a variance. However, the consideration of the Texas Local Government Code does not supplant, supersede, or eliminate the mandatory findings of each of the enumerated requirements in Section 11.20 above which should be strictly adhered to and in a consistent manner. That includes but is not limited to the requirement that the unnecessary hardship must be based on special conditions related to a unique, uncommon, or unusual aspect of the property in question. It also specifically limits relief to the minimum required to alleviate the unnecessary hardship, to the exclusion of potential reasonable alternatives.

CHAPTER 14

ZONING

11.20 Conditions Required for Variance

No variance shall be granted unless the Board of Adjustment finds:

- (a) That approval of the variance is not contrary to the public interest (see Section 2.10 above).
- (b) Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship. A hardship shall:
 - (1) Not be self-imposed or personal in nature;
 - (2) Not be purely financial or pecuniary; and
 - (3) Must relate to a unique aspect of the property for which the variance is sought, ~~such as irregularity of shape or topography, rather than one commonly found on other property and not common or generally characteristic of the area.~~
- (c) That the variance will be no greater than the minimum required to alleviate the difficulty or hardship for which the variance is requested; and
- (d) That the spirit of the ordinance is observed, and substantial justice is done.

11.30 Interpretive Roles

- ~~(a) — Variances to provisions to this chapter should be granted sparingly.~~
- ~~(b) — Granting of a variance must be predicated on a finding that the applicant's request for variance arises from unusual conditions or circumstances, such as exceptional irregularity of shape or topography, which are peculiar to the parcel of land involved and not shared generally by other parcels in the neighborhood, or because no other reasonable alternative is available.~~

The Board of Adjustment may consider the items enumerated in Section 211.009(b-1) of the Texas Local Government Code or any successor statute thereto in considering a variance. However, the consideration of the Texas Local Government Code does not supplant, supersede, or eliminate the mandatory findings of each of the enumerated requirements in Section 11.20 above which should be strictly adhered to and in a consistent manner. That includes but is not limited to the requirement that the unnecessary hardship must be based on special conditions related to a unique, uncommon, or unusual aspect of the property in question. It also specifically limits relief to the minimum required to alleviate the unnecessary hardship, to the exclusion of potential reasonable alternatives.
