

**CITY OF LAKEWAY, TEXAS**

**ORDINANCE NO. 2024-04-15-03**

**AN ORDINANCE OF THE CITY OF LAKEWAY, TEXAS AMENDING TITLE II: BUILDING AND DEVELOPMENT REGULATIONS; CHAPTER 30: ZONING; ARTICLE 30.03: ZONING USE REGULATIONS; SECTION 30.03.002 DISTRICT R-1 AND R-1\* (SINGLE-FAMILY RESIDENTIAL); SECTION 30.03.003 DISTRICT R-2 (SINGLE-FAMILY RESIDENTIAL - GARDEN/PATIO HOME); SECTION 30.04.004 DISTRICT R-3 (SINGLE-FAMILY RESIDENTIAL – ZERO LOT LINE-MODIFIED); SECTION 30.04.005 DISTRICT R-4 (DUPLEX); SECTION 30.04.005.5 DISTRICT R-5 (CONDOMINIUM); SECTION 30.04.006 DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL – RURAL); SECTION 30.04.008 DISTRICT R-8 (MEDIUM DENSITY MULTIFAMILY RESIDENTIAL); SECTION 30.04.008.5 DISTRICT R-9 (HIGH DENSITY MULTIFAMILY RESIDENTIAL); AND PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.**

**WHEREAS,** the City Council of the City of Lakeway, Travis County, Texas (“the City”) seeks to provide for the public health, safety and welfare of its citizens; and

**WHEREAS,** the Zoning and Planning Commission held discussion and invited public comment on the proposed amendments in a public hearing held April 3, 2024; and

**WHEREAS,** the Zoning and Planning Commission found that it is in the best interests of the citizens of Lakeway, Texas, to adopt the proposed amendments; and

**WHEREAS,** the city Council held discussion and invited public comment on the proposed amendments in a public hearing held April 15, 2024; and

**WHEREAS,** the Council has determined that it is in the best interest of the citizens of Lakeway, Texas to adopt the proposed amendments:

**NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Lakeway, Texas:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

## 2. AMENDMENT

Title II (Building and Development Regulations), Chapter 30 (Zoning), Article 30.03, (Zoning Use Regulations), Section 30.03.002 District R-1 and R-1\* (Single-Family Residential), Section 30.03.003 District R-2 (Single-Family Residential – Garden/Patio Home), Section 30.03.004 District R-3 (Single-Family Residential – Zero Lot Line-Modified), Section 30.03.005 District R-4 (Duplex), Section 30.03.005.5 District R-5 (Condominium), Section 30.03.006 District R-6 (Single-Family Residential – Rural), Section 30.03.008 District R-8 (Medium Density Multifamily Residential), Section 30.03.008.5 District R-9 (High Density Multifamily Residential) is hereby amended as follows:

### “Article 30.03 Zoning Use Regulations

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#### 30.03.002 District R-1 and R-1\* (Single-Family Residential).

##### c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.

...

#### 30.03.003 District R-2 (Single-Family Residential - Garden/Patio Home).

##### c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.

...

#### 30.03.004 District R-3 (Single-Family Residential - Zero Lot Line-Modified).

##### c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.

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#### 30.03.005 District R-4 (Duplex).

##### c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.

...

#### 30.03.005.5 District R-5 (Condominium).

##### c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.

...

30.03.006 **District R-6 (Single-Family Residential - Rural).**

c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.

...

30.03.008 **District R-8 (Medium Density Multifamily Residential).**

c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.

...

30.03.008.5 **District R-9 (High Density Multifamily Residential).**

c) Special uses.

(1) Short-term rental use, subject to the ~~city council's~~ approval of a special use permit pursuant to article 30.05.”

**3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

**4. GENERAL REPEALER**

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

**5. EFFECTIVE DATE**

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

**6. PROPER NOTICE & MEETING**

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

**PASSED & APPROVED this 15th day of April, 2024, by the City Council of Lakeway, Texas.**

**CITY OF LAKEWAY:**

By:   
Thomas Kilgore, Mayor

**ATTEST:**

  
Jo Ann Touchstone, City Secretary

