

TOWN OF WESTLAKE
ORDINANCE NO. 202-01

AN ORDINANCE AMENDING ORDINANCE 298, BEING THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF WESTLAKE, TEXAS BY AMENDING SECTION 3 OF ORDINANCE 202 ("PD-1") PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 24, 1992, the Board of Aldermen of the Town of Westlake, Texas adopted a Comprehensive Plan for the Town; and

WHEREAS, on November 13, 1992, the Board of Aldermen of the Town of Westlake, Texas adopted a Comprehensive Zoning Ordinance; and

WHEREAS, on November 16, 1992, based upon the recommendation of the Planning and Zoning Commission, the Board of Aldermen of the Town of Westlake, Texas amended the Comprehensive Zoning Ordinance with Ordinance 202, creating "PD-1", and

WHEREAS, on September 15, 1997, based upon the recommendations of the Planning and Zoning Commission, the Board of Aldermen of the Town of Westlake, Texas amended the Zoning Ordinance and the subdivision regulations by adopting a Unified Development Code for the Town of Westlake (the "Town"); and

WHEREAS, an analysis of the Town's codes and regulations has determined that an amendment to these codes and regulations are required in order to protect the health, safety, and welfare of the Town and to comply with the development goals for low density residential development; and

WHEREAS, on November 9, 2000, the Planning and Zoning Commission of the Town of Westlake has recommended that the Zoning Ordinance as contained in the Unified Development Code be revised in accordance with the procedures and processes established in that code for the Town; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1: That the recitals set forth above are hereby incorporated herein, adopted by the Town and found to be true and correct.

SECTION 2: That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas be amended by amending Subsection A., Section 3 of Ordinance 202 ("PD-1") as follows:

A. The minimum required lot area shall be five (5) acres, with the exception of Lot 1R2 of Block 2 of Westlake/Southlake Park Addition No. 1, which shall measure 1.722 Acres (before right-of-way dedication).

SECTION 3: That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas be amended by amending Subsection C., Section 3 of Ordinance 202 ("PD-1") as follows:

C. The minimum size of any front, side or rear yard for principal and accessory use building, with the exception of Lot 1R2 of Block 2 which shall be as shown on the Replat of Lot 1R, Block 2 of Westlake/Southlake Park Addition No. 1, shall be:

SECTION 4: Sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held 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 Board of Aldermen hereby declares that 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: This Ordinance shall be cumulative of all other ordinances of the Town affecting the regulations of land and zoning and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 6: It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$ 2,000) and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

SECTION 7: This Ordinance shall become effective upon its passage by the Board of Aldermen.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF
WESTLAKE, TEXAS, ON THIS 13TH DAY OF NOVEMBER, 2000.

Scott Bradley
Scott Bradley, Mayor

ATTEST:

Ginger Crosswy
Ginger Crosswy, Town Secretary

Trent O. Petty
Trent O. Petty, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry
L. Stanton Lowry, Town Attorney