

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 23-035-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS AMENDING SECTIONS OF ARTICLE 14.02, THE COMPOSITE ZONING ORDINANCE TO CLARIFY THE ADOPTION DATE AND DEFINITION OF THE TRANSPORTATION CRITERIA MANUAL, AND TO PROVIDE FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Planning & Zoning Commission held a public hearing on the proposed amendments to Section 14.02.001, Article 14.02, Chapter 14, Leander Code of Ordinances (the “Composite Zoning Ordinance”), and forwarded its recommendation on the amendments to the City Council; and

WHEREAS, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has considered the proposed amendments and finds that the amendments are reasonable and necessary to protect the health, safety, and welfare of the present and future residents of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

SECTION 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 2. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended by modify the following definition:

Transportation Criteria Manual means the City of Austin Transportation Criteria Manual, dated August 7, 2020, as adopted and amended by this Ordinance.

SECTION 3. Amendment of Article VI, Section 2 (a). Article VI, Section 2 (a) of the Composite Zoning Ordinance is hereby amended in its entirety to read as follows:

- (a) The City of Austin Transportation Criteria Manual, dated August 7, 2020 except such portions as are hereinafter amended, deleted or modified by the City and except for Exhibit B, is hereby adopted to provide design criteria for site development within the city limits and extraterritorial jurisdiction of the City. All references in the Transportation Criteria Manual to the “City of Austin” shall mean the “City of Leander” and all references to the City of Austin Code Chapter 14-11 shall mean Article 4.02 Franchise or Permit for Use of Public Property of this code. The criteria shall be implemented with reliance on sound engineering and planning judgment and

nothing in this manual shall override such sound judgment as determined by the City Engineer and Director of Planning. (For roadway adequacy standards and requirements to prepare a Traffic Impact Analysis, refer to Ordinance No. 02-033-00 [Article **10.03** of the Code of Ordinances]).

SECTION 4. Conflicting Ordinances. Exhibit “A”, Chapter 14, Leander Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 5. Savings Clause. All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

SECTION 7. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. 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.

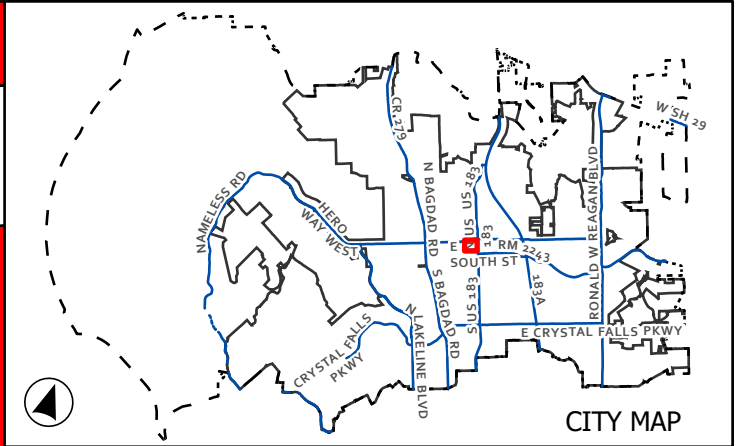
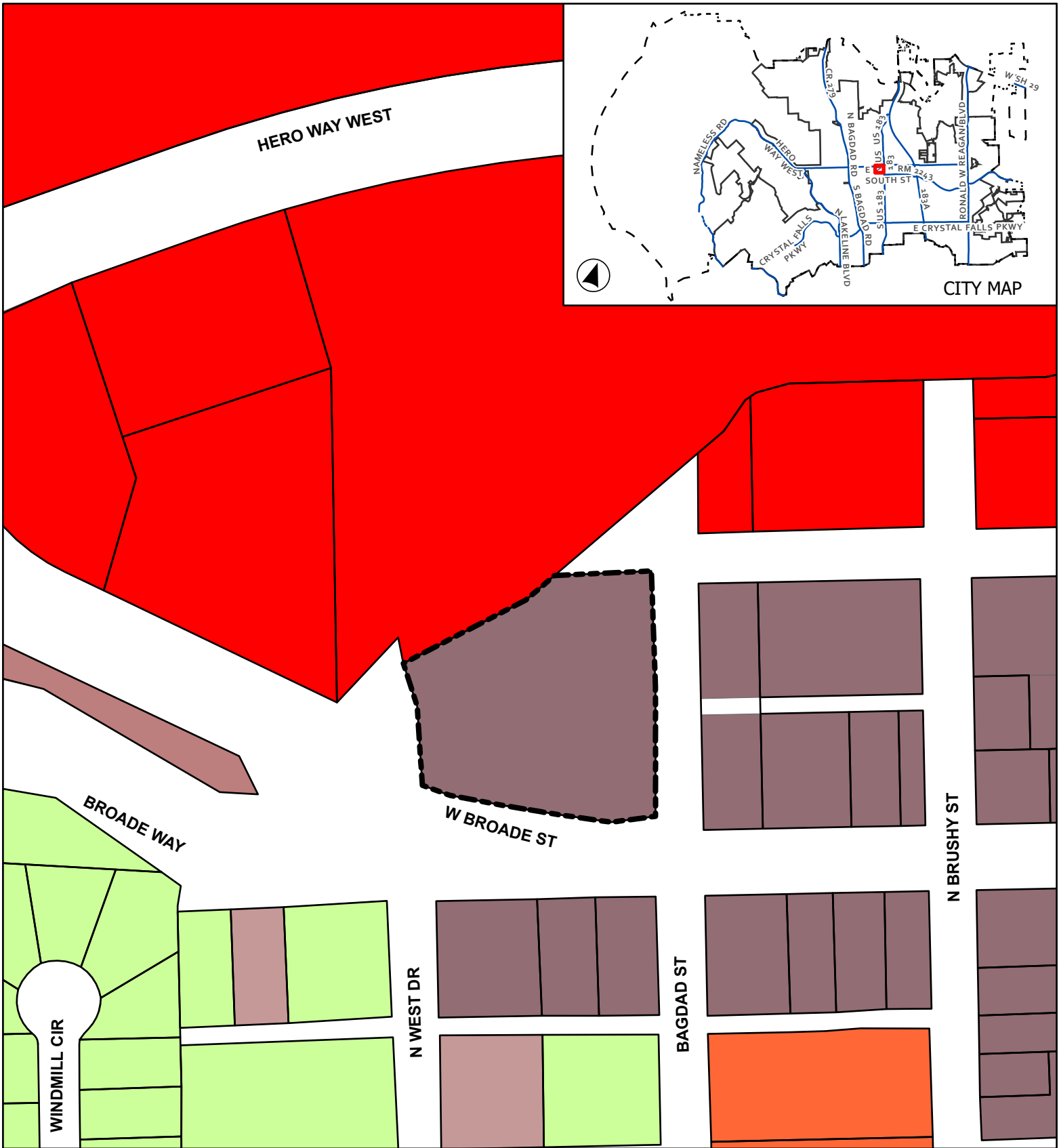
PASSED AND APPROVED on First Reading this the 1st day of June, 2023.
FINALLY PASSED AND APPROVED on this the 15th day of June, 2023.

ATTEST:

THE CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



CASE: Z-22-0043

EXHIBIT A

SHADY BREW GARDEN
SPECIAL USE PERMIT

Ordinance Exhibit

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

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|---------------------------|--------------------------------|
| Leander City Limits | T4 - Genral Urban |
| SFU - Single-Family Urban | T5 - Urban Center |
| LC - Local Commercial | Subject Boundary |
| GC - General Commercial | Extra-Territorial Jurisdiction |
| Civic Building | |



0 55 110
Feet

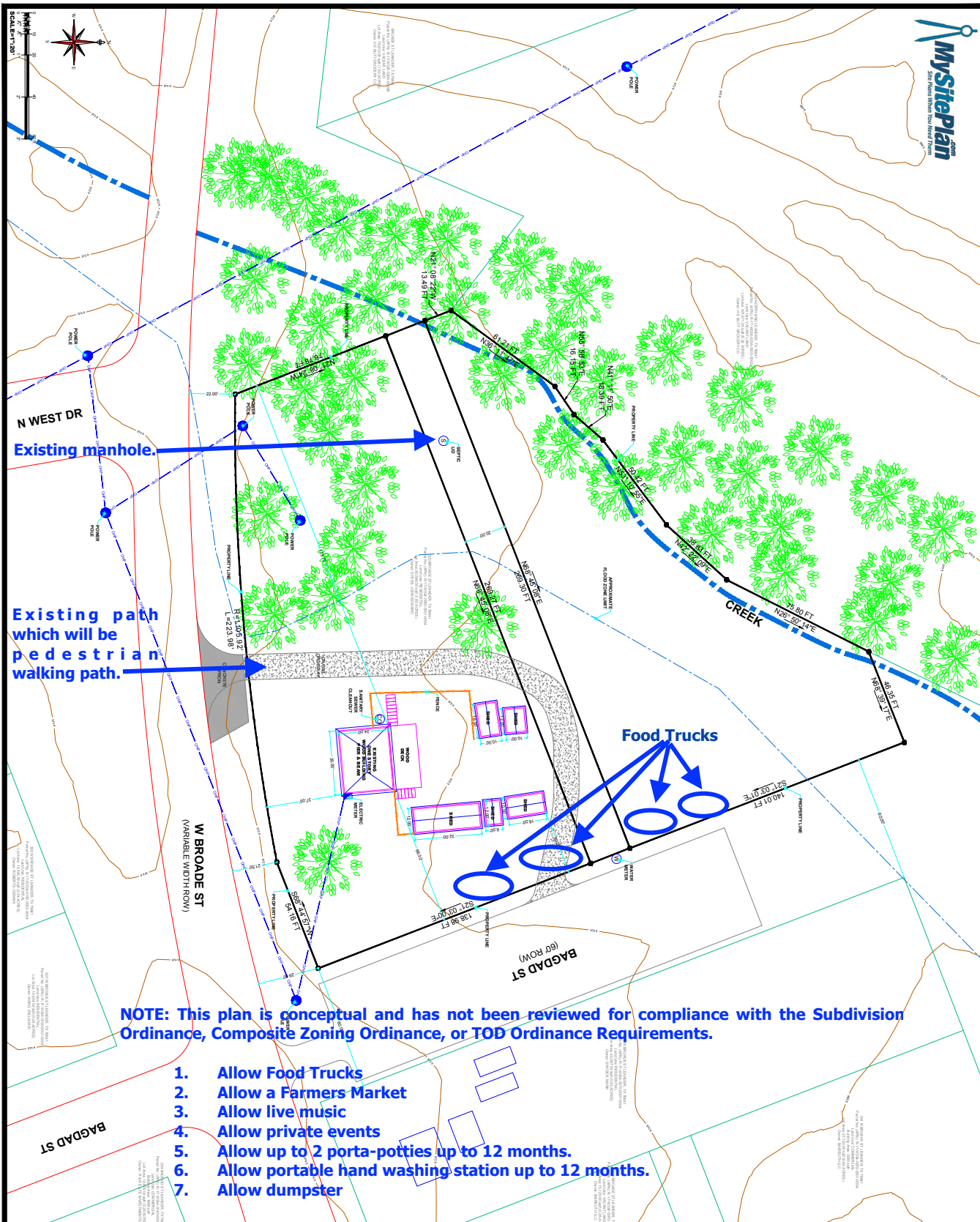
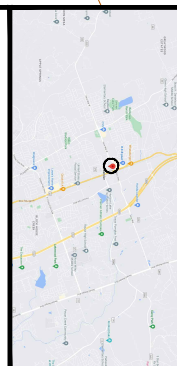


EXHIBIT B

EXISTING SITE PLAN
303 BROADE ST LEANDER, TX 78641
 PARCEL #R-17-W334-0060-0001-0004
 AREA:80,586.00 sqft (1.85 acres)

VICINITY MAP



DESIGNED BY:



303 BROADE ST LEANDER, TX 78641
 PARCEL #R-17-W334-0060-0001-0004
 AREA:80,586.00 sqft (1.85 acres)
 LEGAL DESCRIPTION: 337' - LEANDER, BLOCK 6, LOT 1-18,
 ACRES 1.85 (W/180.35')
 SUBDIVISION: LEANDER
 LEGAL LOT: 1-18 LEGAL BLOCK: 6
 ZONING: CATEGORY: RESIDENTIAL
 LAND USE DESCRIPTION: RESIDENTIAL
 OWNER NAME: DYESS, JOHN EDWARD & DYESS, OMAR NOEL
 OWNER ADDRESS:
 19805 MALLARD POND TRL PFLUGERVILLE, TX 78660

SCALE: 1"=20'
 DATE: SEPTEMBER 2, 2022

REVISION #:

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SHEET #:

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