

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS**

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY ADOPTING THE CASTELLA COURT PUD (PLANNED UNIT DEVELOPMENT) WITH THE BASE ZONING DISTRICT OF CH-2-A (COTTAGE HOUSING); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

**WHEREAS**, after giving at least ten (10) days written notice to the owners of land within two hundred (200') feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, after publishing notice of the public hearing at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

**SECTION 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. Amendment of Zoning Ordinance.** Ordinance No. 05-018-00, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

**SECTION 3. Applicability.** This ordinance applies to the following parcel of land, which is herein referred to as the "Property". That certain parcel of land being 1.50 acres ±; being more particularly described in Exhibit "B"; legally described as 1.50 acres out of Lot 7 of the Leander Heights, Section 2 Subdivision, Leander, Williamson County, Texas and identified by Williamson Central Appraisal District tax identification number R578189; more particularly described in Instrument Number 2019023565 recorded in the Official Public Records of Williamson County, Texas.

**SECTION 4. Property Rezoned.** The Zoning Ordinance is hereby amended by adopting the Castella Court PUD with the base zoning district of CH-2-A (Cottage Housing). The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A", "B", "C", and "D" which are hereby adopted and incorporated herein for all purposes, and the Composite Zoning Ordinance to the extent not amended by this Ordinance. In the event of a conflict between the Composite Zoning Ordinance and the requirements for the Property set forth

in this Ordinance, this Ordinance shall control.

**SECTION 5. Recording Zoning Change.** The City Council directs the Planning Department to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

**SECTION 6. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**SECTION 7. Open Meetings.** That 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, Chapt. 551, Loc. Gov't. Code.

**PASSED AND APPROVED** on First Reading this the 15<sup>th</sup> day of August, 2019.  
**FINALLY PASSED AND APPROVED** on this the 19<sup>th</sup> day of September, 2019.

**THE CITY OF LEANDER, TEXAS:**

**ATTEST:**

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Troy Hill, Mayor

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Dara Crabtree, City Secretary