AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS AMENDING
SECTIONS OF ARTICLE 10.02, THE SUBDIVISION ORDINANCE, TO
UPDATE THE ORDINANCE TO MAKE STREET TREE
REQUIREMENTS OPTIONAL; PROVIDING A SEVERABILITY
CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN
MEETINGS CLAUSES.

WHEREAS, the Planning & Zoning Commission held a public hearing on the proposed amendments to Chapter 10, Article 10.02, Section 10.02.001, Exhibit A, Leander Code of Ordinances (the “Subdivision 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 II, Section 22 (c) (4) (vii). Article II, Section 22 (c) (4) (vii) of the Subdivision Ordinance is hereby amended to read as follows:

    (vii) The location and species of street trees for each street within the Preliminary Plat if street trees are proposed.

SECTION 3. Amendment of Article II, Section 23 (c) (15). Article II, Section 23 (c) (15) of the Subdivision Ordinance is hereby amended to read as follows:

    (vii) The location and species of street trees for each street within the Preliminary Plat if street trees are proposed.

SECTION 4. Conflicting Ordinances. Exhibit “A”, Section 10.02.001, Article 10.02, Chapter 10, 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 zoning 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 the 20th day of February, 2020

THE CITY OF LEANDER, TEXAS

ATTEST:

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Troy Hill, Mayor                  Dara Crabtree, City Secretary