

ORDINANCE NO. CO19.19.06.27.E4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING THE CEDAR PARK CODE OF ORDINANCES, CHAPTER 11 ZONING, ARTICLE 11.02 ZONING DISTRICTS AND LAND USES, DIVISION 3. LAND USES, SECTION 11.02.064 NONRESIDENTIAL USES BY ZONING DISTRICT, DAYCARE CENTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Cedar Park (“City Council”) desires to update regulations related to daycare centers to require submittal of a special use permit application; and

WHEREAS, the proposed amendment, supporting the 2018-2020 Strategic Goal of Safety Is Top-Of-Mind with the opportunities to enhance citizen safety levels; and

WHEREAS, City Staff has determined that the proposed amendments provide additional opportunities to address issues related to land use compatibility, traffic, and overall public safety concerns;

WHEREAS, the City posted proper notice and conducted public hearings in accordance with Texas Local Government Code Chapter 211; and

WHEREAS, Texas Local Government Code Chapter 211 authorizes the City to regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

WHEREAS, the Cedar Park City Charter Section 2.04 authorizes the Council to zone the City and to pass all necessary ordinances, rules and regulations governing the same under and by virtue of the authority vested in the cities by State statutes; and

WHEREAS, on May 21, 2019 the Planning and Zoning Commission voted 6-0 to recommend approval of the proposed amendments to Chapter 11 Zoning; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 11 Zoning are in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. That Chapter 11 Zoning the Cedar Park Code of Ordinances be amended as provided in the attached Exhibit A.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 5. This Ordinance shall be and remain in full force and effect from and after the date of approval.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 13<sup>th</sup> day of June, 2019 at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 27<sup>th</sup> day of June, 2019, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

  
\_\_\_\_\_  
Corbin Van Arsdale, Mayor

ATTEST:

  
\_\_\_\_\_  
LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

  
\_\_\_\_\_  
JP LeCompte, City Attorney



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**EXHIBIT A**

Only the changes shown below in red will be modified with this ordinance amendment.

**ARTICLE 11.02 ZONING DISTRICTS AND LAND USES**

**Division 3. Land Uses**

**Sec. 11.02.064 Nonresidential uses by zoning district**

<b>Table 11.02.064. Nonresidential Uses by Zoning District</b>															
<b>Legend: P = Permitted; C = Conditional; S = Special Use; - = Prohibited</b>															
<b>Land Use</b>	<b>Standards Reference</b>	<b>Nonresidential</b>											<b>Mixed Use District</b>		<b>Overlay District</b>
		<b>NB</b>	<b>LB</b>	<b>GB</b>	<b>PO</b>	<b>HC</b>	<b>LI</b>	<b>HI</b>	<b>H</b>	<b>PS</b>	<b>OG</b>	<b>OR</b>	<b>MU</b>	<b>PA</b>	
Daycare center	11.02.092 (21)	<u>€</u>	<u>€</u>	<u>€</u>	-	-	-	-	<u>€</u>	<u>€</u>	-	-	<u>€</u>	<u>€</u>	-