

ORDINANCE NO. CO28.25.08.28.E2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING THE CEDAR PARK CODE OF ORDINANCES CHAPTER 11, ZONING, REGARDING PUBLIC NOTICE REQUIREMENTS AND VOTING STANDARDS, AND APPENDIX A, FEE SCHEDULE, REGARDING DEVELOPMENT SERVICE RELATED FEES (2025-2-OA); 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 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, the 89th Texas legislative session passed House Bill 24, establishing additional public notice requirements for a change to a zoning regulation or district boundary, including a comprehensive zoning amendment, and voting standards for certain rezoning requests; and

WHEREAS, the City is proposing several revisions to its Zoning Ordinance and Fee Schedule to ensure consistency with state law; and

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

WHEREAS, on July 15, 2025, the Planning and Zoning Commission voted 6-0 to recommend approval of the proposed amendments; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 11, Zoning, and Appendix A, Fee Schedule, 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, and Appendix A, Fee Schedule, of the Cedar Park Code of Ordinances be amended as provided in the attached Exhibits A through C.

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 That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 14th day of August, 2025, 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 28th day of August, 2025, 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


James Penniman-Morin, Mayor

ATTEST:


LeAnn M. Quinn, TRMC
City Secretary



APPROVED AS TO FORM
AND CONTENT:


J.P. LeCompte, City Attorney

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Chapter 11 Zoning
Article 11.05 Development Review Bodies

Division 2 Bodies Established and Authorized

§ 11.05.033. City Council.

- B. Voting standards. Approvals of a change to a zoning regulation or district boundary shall require ~~an~~the affirmative vote of four (4) members of the City Council; provided, however, a proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths (3/4) of all members of the City Council if:
1. The Planning and Zoning Commission has recommended against a proposed amendment, supplement, change, or modification; or
 2. A proposed change to a regulation or boundary is protested in accordance with Texas Local Government Code, section 211.006, *Procedures Governing Adoption of Zoning Regulations and District Boundaries*, ~~as follows:~~ and sections 211.0061(b)(1) or 211.0061(b)(2), *Protest Procedures for Certain Proposed Changes*, as amended.
 - ~~a.—A protest of a zoning decision shall be filed no later than the 30th day after the date that public notice is given, as stated in section 11.06.032, *Public Notice*;~~
 - ~~b.—The protest must be written and signed by the owners of at least 20 percent of either:~~
 - ~~1.—The area of the lots or land covered by the proposed change; or~~
 - ~~2.—The area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.~~
 - ~~e.—In computing the percentage of land area in this subsection, the area of streets and alleys shall be included.~~

Chapter 11 Zoning
Article 11.06 Approvals and Procedures

Division 2 Application Process

§ 11.06.032. Public notice.

B. Rezoning and special use permit general notice requirements. The following notice requirements shall apply to all rezoning applications, including special use permits, planned developments, and Planning Area (PA) master development plans:

1. Publication. Notice of the time, date, and place of a public hearing of the Planning and Zoning Commission and City Council is required by one (1) publication in a newspaper of general circulation in the City and on the City's internet website. Such notice shall:
 - a. State the nature of the proposed zoning change, the address and location of the subject property being considered, and the hearing date; and
 - b. Be published before the 15th day before the City Council public hearing date.

3. Posting signs. ~~The applicant shall post s~~Signs ~~notieing notifying~~ the public hearing for a proposed change in zoning classification that does not apply to the whole city shall be posted as stated below:

~~a. For property located on roadways with a speed limit less than 45 miles per hour, 18" x 24" signs shall be placed at intervals of 200 feet along the roadway frontage of the property.~~

~~b.a. For property located on a roadway with a speed limit of 45 mph and greater, A 24" long x 3648" wide signs shall be placed at intervals of 200-500 feet along the roadway frontage of the property.~~

~~e.b.~~ No more than three (3) signs shall be required per roadway frontage.

~~d.c.~~ If a tract has less than ~~200~~500 feet of frontage per roadway, then only one (1) sign is required per road frontage.

~~e.d.~~ Signs shall be erected at least 10 days prior to the Planning and Zoning Commission public hearing and maintained until the date of a final determination on the proposed change by the City Council.

Appendix A Fee Schedule
Article 2.000 Development Service Related Fees

§ 2.400. Administrative and other miscellaneous fees.

Miscellaneous Development Review and Inspection Fees	

Legal Notification Fees	

Sign notice	\$10.00 per sign per roadway < 45 mph, and <u>\$2535.00</u> per sign per roadway > 45 mph, maximum 3 signs per roadway