

ORDINANCE NO. _____

An Ordinance of the City Council of the City of Georgetown, Texas, granting a Special Use Permit for the Permanent Mobile or Outdoor Food Vendor specific use within the Mixed-Use Downtown (MU-DT) zoning district on the property generally located at 201 E 9th St bearing the legal description of Lot 6, Block 9, Glasscock Addition; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Whereas, an application has been made to the City for the purpose of allowing a special use of the following described real property ("The Property"):

Lot 6, Block 9, Glasscock Addition, according to the map or plat thereof recorded in Volume 26, Page 321, of the Plat Records of Williamson County, Texas, hereinafter referred to as "The Property"; and

Whereas, public notice of such hearing was accomplished in accordance with State Law and the City's Unified Development Code through newspaper publication, signs posted on the Property, and mailed notice to nearby property owners; and

Whereas, the Planning and Zoning Commission, at a meeting on July 16, 2019 and August 6, 2019, held the required public hearing and submitted a recommendation of denial to the City Council for the requested special use on the Property; and

Whereas, the City Council, at a meeting on August 13, 2019, held an additional public hearing prior to taking action on the requested special use of the Property.

Now, therefore, be it ordained by the City Council of the City of Georgetown, Texas, that:

Section 1. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals, and policies of the Georgetown 2030 Comprehensive Plan and further finds that the enactment of this Ordinance is not inconsistent or in conflict with any other policies or provisions of the 2030 Comprehensive Plan and the City's Unified Development Code.

Section 2. The Zoning District for the Property shall remain Mixed-Use Downtown (MU-DT) and the Ordinance allowing for the Mobile or Outdoor Food Vendor specific use on the property is hereby adopted, in accordance with the attached *Exhibit A* (Conceptual Site Plan) and the following conditions:

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Date Approved: _____

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Exhibit A Attached

- 1) The Mobile or Outdoor Food Vendor specific use shall be limited to one (1) mobile food vendor as identified in the Conceptual Site Plan.
- 2) A 4-foot privacy fence shall be provided along the east property line as identified on the Conceptual Site Plan.
- 3) The subject property shall be vacated in order to develop it in compliance with the UDC and this SUP.

Section 3. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

Section 4. If any provision of this Ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 5. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective in accordance with the provisions of state law and the City Charter of the City of Georgetown.

APPROVED on First Reading on the 13th day of August, 2019.

APPROVED AND ADOPTED on Second Reading on the 27th day of August, 2019.

THE CITY OF GEORGETOWN:

ATTEST:

Dale Ross
Mayor

Robyn Densmore
City Secretary

APPROVED AS TO FORM:

Charlie McNabb
City Attorney

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Exhibit A Attached

