

**ORDINANCE NO. 1377-18-12-11**

**AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY AMENDING SUBCHAPTER 2, ADMINISTRATION, BY UPDATING ROLES AND RESPONSIBILITIES; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council approved the Unified Development Code on February 24, 2015, which replaced, in its entirety, the Unified Development Code adopted on September 8, 2009; and

**WHEREAS**, the City Council has determined that it is necessary to update and amend the Unified Development Code from time to time to ensure realization of its stated purposes and its compliance with applicable State law; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on November 5, 2018, and voted affirmatively in recommending approval of the proposed Unified Development Code amendments contained herein through its final report and recommendation to City Council with a vote of 6 - 0; and

**WHEREAS**, the City Council has determined that revising the roles and responsibilities is necessary in ensure consistency with and between the City Charter and the City's organizational framework, and that amending Subchapter 2, Administration of the Unified Development Code is prudent and necessary; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

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

**Section I. Findings.**

That 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 and findings of fact.

**Section II.**

That the Code of Ordinances of the City of Pflugerville, Texas, is hereby amended by amending Chapter 157, Subchapter 2, Administration in its entirety to read as amended in Exhibit A, attached hereto and incorporated herein for all purposes.

**Section III.**

Severability.

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

**Section IV.**

Repealer.

This ordinance shall be cumulative of all other ordinances, resolutions or acts of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

**Section V.**

Effective Date.

This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this 11th day of December, 2018.

CITY OF PFLUGERVILLE, TEXAS

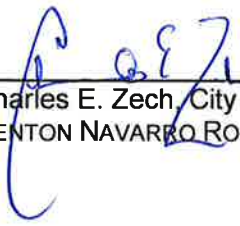
By: 

Victor Gonzales, Mayor

ATTEST:

  
Karen Thompson, City Secretary

APPROVED AS TO FORM:



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Charles E. Zech, City Attorney  
DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.

EXHIBIT A  
SUBCHAPTER 2. ADMINISTRATION

## Subchapter 2. ADMINISTRATION

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2.1.2	Powers and Duties
<b>2.2</b>	<b>Planning and Zoning Commission</b>
2.2.1	Creation
2.2.2	Composition and Term
2.2.3	Rules of Procedure
2.2.4	Powers and Duties
<b>2.3</b>	<b>Board of Adjustment</b>
2.3.1	Creation
2.3.2	Composition and Term
2.3.3	Rules of Procedure
2.3.4	Powers and Duties
<b>2.4</b>	<b>Capital Improvement Advisory Committee</b>
2.4.1	Creation
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<b>2.5</b>	<b>Parks and Recreation <del>Commission</del> <u>Advisory Board</u></b>
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2.5.2	Powers and Duties
<u>2.6</u>	<u>City Manager</u>
<u>2.6.1</u>	<u>Designation</u>
<u>2.6.2</u>	<u>Delegation of Authority</u>
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<b>2.67</b>	<b>Administrator</b>
2.67.1	Designation
2.67.2	<del>Responsibilities</del> <u>Delegation of Authority</u>
2.6.3	Powers and Duties
<b>2.78</b>	<b>Planning Director</b>
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2.78.2	<del>Responsibilities</del> <u>Delegation of Authority</u>

<a href="#">2.8.3</a>	<a href="#">Powers and Duties</a>
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<b><a href="#">2.910</a></b>	<b>City Engineer <a href="#">and Development Services Director</a></b>
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<b><a href="#">2.11</a></b>	<b>City Forester</b>
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<b><a href="#">2.124</a></b>	<b>Parks and Recreation Director</b>
<del>2.4412.1</del>	Designation
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## Subchapter 2. ADMINISTRATION

### 2.1 CITY COUNCIL

#### 2.1.1 General

The City Council shall be responsible for final action regarding the text of this ~~Chapter~~code and the Official Zoning District Map.

#### 2.1.2 Powers and Duties

~~As provided and established within the City of Pflugerville Home Rule Charter,~~ the City Council has the following powers and duties regarding this ~~Chapter~~code:

##### A. Appointments

The City Council appoints and removes members of the Planning and Zoning Commission, Board of Adjustment, Parks and Recreation ~~Commission~~Advisory Board, and Capital Improvement Advisory Committee.

##### B. Fees

The City Council shall determine the Fee Schedule for development services. The Fee Schedule, as may be amended from time to time, is incorporated by reference into this Code as Appendix A and shall be contained in the Unified Development Code Supplemental Schedule.

~~B.C.~~ Final Action. The City Council hears and takes final action on the following matters:

1. Annexations
2. Comprehensive Plan amendments
3. Unified Development Code text and Official Zoning District Map Amendments
4. Variances to the Sign Code in accordance with Chapter 154 of the City Code
5. Specific Use Permits
6. Impact fees
- ~~6.7.~~ Fee Schedule
- ~~7.8.~~ Capital Improvement Plan (CIP) priorities
- ~~8.9.~~ Acceptance of Parkland ~~Conveyance Dedications~~dedication
- ~~9.10.~~ Appeals to requests for waivers ~~approved or~~ denied by the Planning and Zoning Commission
- ~~10.11.~~ Heritage Tree removal
- ~~— Easements publicly dedicated by separate instrument~~

## 2.2 PLANNING AND ZONING COMMISSION

Regular meetings of the Planning and Zoning Commission shall be held once a month, unless there is a lack of agenda items to justify a meeting. Special meetings may be called at the request of the chairperson or at the request of the Mayor, City Council, or the Administrator. The Administrator shall prepare the Planning and Zoning Commission annual meeting schedule and include it in the Unified Development Code Supplemental Schedule.

### 2.2.1 Creation

The City Council appoints a Planning and Zoning Commission in accordance with ~~Article VIII~~Section 8.08 of the City Charter and Chapter 31 of the City Code.

### 2.2.2 Composition and Term

The Planning and Zoning Commission consists of seven members as provided by the City Charter, Section 8.08. Members must meet the requirements of Section 8.02 of the City Charter, entitled "Membership Qualifications." Terms are for two years and subject to the provisions of Section 31.40 of the City Code.

### 2.2.3 Rules of Procedure

As provided by ~~the~~Section 8.08 of the City Charter, ~~Section 8.08,~~ the Planning and Zoning Commission shall require a quorum consisting of at least four (4) members of the Planning and Zoning Commission, ~~and that a~~ An affirmative vote of a majority of those present is necessary to act on pending questions or matters. The chair~~man~~person is permitted to vote on any question or matter. ~~If only the minimum quorum requirement of four members is met, an unanimous affirmative vote by the four members present shall be required to approve or deny a request.~~

### 2.2.4 Powers and Duties

The Planning and Zoning Commission ~~shall~~exercises the following powers and duties ~~pursuant to Section 8.08 of the City Charter and~~regarding this Chapter~~code~~:

- A. The Planning and Zoning Commission shall ~~make and~~ recommend a Comprehensive Plan for the physical development of the eCity to the City Council for approval.
- B. The Planning and Zoning Commission shall make recommendations for the ~~amendment,~~ amendment, ~~extend~~extension, and addition to the approved Comprehensive Plan periodically to address changing socioeconomic conditions and development within the eCity.
- C. In order to implement the Comprehensive Plan, the Planning and Zoning Commission shall have the following duties and responsibilities:
  1. Receive, review, revise and make recommendations to the City Council on all proposals to adopt or amend City development regulations including zoning, subdivision, site development, building code, transportation, utilities, environmental concerns and other police powers regarding use or development of land within the City; and
  2. Ensure that all such proposals conform to the goals and intent of the Comprehensive Plan.



- D. The [Planning and Zoning](#) Commission shall annually submit a five-year Capital Improvements Plan (CIP) [regarding parks, transportation, and utilities](#) to the City Council, at least [one hundred twenty \(120\)](#) days before the beginning of the budget year. The ~~CIP plan~~ shall list projects in order of preference with a recommendation for the year of construction for each project. ~~to keep the Comprehensive Plan, or any individual element of the Comprehensive Plan, current over the course of time.~~
- E. The [Planning and Zoning](#) Commission shall exercise control over platting, subdivision and site plan review procedures, as applicable, to ensure consistency with the Comprehensive Plan, or any individual element of the Comprehensive Plan.
- F. At least every two years after the date of [the adoption of the](#) Comprehensive Plan ~~adoption~~, the [Planning and Zoning](#) Commission shall prepare a thorough review, analysis, and evaluation of the Comprehensive Plan for ~~the benefit of~~ the City Council.
- G. The [Planning and Zoning](#) Commission shall perform its duties and obligations under this ~~Chapter~~ [code as an advisory body to the City Council](#), including:
1. Consider proposed waivers greater than 20% from the minimum site development standards and requirements [within Subchapters 9, 10 and 11](#) within ~~the Suburban, Urban and Urban Center~~ [all](#) zoning districts.
  2. Consider proposed waivers concerning architecture for all structures, including but not limited to building articulation, exterior building wall standards and roof treatment, as specified throughout this Chapter.
  3. Consider an application for a major site development permit or a referral by the ~~Administrator~~ [Planning Director](#) of a minor site development permit, as specified in Chapter 155, Site Development Code, Subchapter B, Central Business District, also known as the Downtown District Overlay.
  4. Consider proposed subdivisions submitted to the City in accordance with the Unified Development Code.
  5. [Consider development regulations governing platting and subdividing of land that are consistent with the state constitution and laws and recommending them to the City Council for adoption.](#)
  - 5.6. [Consider requests for alternative compliance related to parkland standards per Subchapter 14.](#)
  - 6.7. [Consider and recommend an annual annexation plan to the City Council, as applicable.](#)
  7. ~~Meet at least once each month.~~
  8. [Exercise such other powers and P](#)perform [such](#) other duties, ~~including exercising other powers~~ as the City Council shall from time to time prescribe.

## 2.3 BOARD OF ADJUSTMENT

### 2.3.1 Creation

The City Council appoints the Board of Adjustment in accordance with [Section 8.09](#) ~~Article VIII~~ of the City Charter and Chapter 31 of the City Code.

### 2.3.2 Composition and Term

The Board of Adjustment consists of five (5) regular members and ~~four~~ two (2) alternate members who serve two-year terms as provided by [Section 8.09 of the City Charter](#), ~~Section 8.09~~, and [who are subject to the provisions of Section 31.50 of the Code of Ordinances Code. Members must meet the requirements of Section 8.02 of the City Charter, entitled "Membership Qualifications."](#) Alternate members may participate in meetings and vote on matters in the absence of regular members when requested to do so by the City Manager ~~or the City Manager's designee~~. The City Council may remove a member for cause set out in a written charge and as determined by the City Council after a public hearing on the charge.

### 2.3.3 Rules of Procedure

The presiding officer shall call meetings at least quarterly and may administer oaths to witnesses and compel attendance of witnesses. Cases ~~are~~ shall be heard in [an](#) open meeting by at least four (4) members and not more than five (5) members. The minutes of meetings are public records of the ~~B~~oard of Adjustment's examinations, official actions, and other proceedings and [shall](#) reflect each member's vote, absence or failure to vote on each question.

### 2.3.4 Powers [and Duties](#). ~~The Board of Adjustment exercises the following authority:~~

[The Board of Adjustment exercises the following powers and duties regarding this Code:](#)

~~A.~~ [Hears and decides any appeal that alleges error in an order, requirement, decision or determination made by the Administrator in ~~implementing or enforcing~~ zoning regulations of this Chapterode.](#)

~~A.B.~~ [Hears and decides special exceptions to terms of zoning regulations within this Chapterode; when this Chapterode so requires, provided that exceptions granted are consistent with the general purpose and intent of the ChapterCode and in accordance with any applicable rules contained in the ChapterCode.](#)

~~B.C.~~ [In specific cases, hears and decides requested variances from the terms of zoning regulations of this ChapterCode, provided that the variances are not contrary to the public interest and that, due to special conditions, literal enforcement of zoning regulations of this ChapterCode would result in unnecessary hardship on the applicant requesting the variance. In authorizing variances, the Board ensures that the spirit of this ChapterCode is observed and substantial justice is done.](#)

~~C.D.~~ [Hears and decides other matters authorized by this Chapterode.](#)

## 2.4 CAPITAL IMPROVEMENT ADVISORY COMMITTEE

### 2.4.1 Creation

The City Council may appoint a Capital Improvement Advisory Committee. All regulations and restrictions adopted by the [Capital Improvement Advisory](#) Committee shall be pursuant to applicable statutory provisions of the State of Texas for the purpose of providing recommendations and analysis of impact fees administered by the City ~~of Pflugerville~~.

## 2.4.2 Composition and Term

The Capital Improvement Advisory Committee shall consist of the Planning and Zoning Commission. Should no member of the Planning and Zoning Commission be a representative of the real estate, development, or building industry, City Council shall also appoint a representative from either the real estate, development, or building industry to serve as an ad hoc voting member of the Capital Improvement Advisory Committee. Should such ad hoc member not be from the extraterritorial jurisdiction, City Council shall also appoint a representative from the extraterritorial jurisdiction to serve as a voting member. ~~and an ad hoc voting member of the Commission who is of the building, real estate or development community with interests in the ETJ as required by Chapter 395 of the Texas Local Government Code.~~

## 2.4.3 Rules of Procedure

The Capital Improvements Advisory Committee shall follow the rules of procedure established by the City Council.

## 2.5 PARKS AND RECREATION ADVISORY BOARD~~COMMISSION~~

### 2.5.1 Creation

The City Council appoints the Parks and Recreation ~~Commission~~Advisory Board in accordance with ~~Article VIII~~Section 8.10 of the City Charter and Chapter ~~34-95~~ of the City Code.

### 2.5.2 Powers and Duties

The Parks and Recreation Advisory Board exercises the following powers and duties regarding this Code:

~~The Commission's powers and duties as they relate to this Chapter are specified in the City Charter and include:~~

- ~~A. Submitting annually a five-year comprehensive park plan to the City Council and City Manager, at least 120 days before the beginning of the budget year. The plan shall list projects in order of preference with a recommendation for the year of construction for each project.~~Responsible for making recommendations to the City Manager specific to the project in which they were appointed.
- B. Any other matters designated by City Council.
- ~~A.C.~~ Authority as provided in Subchapter 14 of this Code.

~~Making recommendations to the City Council and City Manager concerning the receipt of donations, legacies, or bequests for the improvement or maintenance of public parks or for the acquisition of new parks.~~

~~Providing a recommendation to the City Council and/or the Planning and Zoning Commission regarding fee in lieu of parkland dedication in accordance with Subchapter 14, Public Parkland.~~

## 2.6 CITY MANAGER

### 2.6.1 Designation

The City Council shall designate a City Manager.

### 2.6.2 Delegation of Authority

Where this Code assigns a responsibility, power, or duty to the City Manager, the City Manager may, to the extent allowed by the City Charter, delegate that responsibility, power, or duty to any other agent or employee of the City whom the City Manager may reasonably determine. Upon such delegation, the term “City Manager” shall be deemed to include the City Manager’s designee.

### 2.6.3 Power and Duties

The City Manager shall have the following powers and duties, in addition to other powers and duties established under this Code of Ordinances and the City Charter:

The City Manager may accept easements by separate instrument, where such easements are required in conjunction with the development review process (e.g., subdivisions, platting, site development, etc.) or in other circumstances outside this process when deemed administratively necessary. No such easement shall be considered accepted by the City unless the granting instrument recorded in the public records of the County Clerk includes a signed acknowledgement by the City Manager accepting the same on behalf of the City.

## **2.6-7 ADMINISTRATOR**

### **2.67.1 Designation**

The City Manager shall designate ~~the an~~ Assistant City Manager ~~for the City of Pflugerville, referred to in this Chapter as~~ for the City as the “Administrator.” of this Code.

### **2.67.2 Delegation of AuthorityResponsibilities**

Where this ~~Chapter~~Code assigns a responsibility, power, or duty to the Administrator, the Administrator may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Administrator may reasonably determine. Upon such delegation, the term “Administrator” shall be deemed to include the Administrator’s designee.

### **2.67.3 Power and Duties**

The Administrator shall have the following powers and duties:

- A. The Administrator ~~or designee~~ shall administer and enforce the provisions of this ~~Chapter~~Code.

B. The Administrator ~~or designee~~ is responsible for interpreting the provisions of Chapter 155, Subsection B (Site Development Code for the Central Business District, also known as the Downtown District Overlay), and ~~this Code~~ Chapter 157, Unified Development Code. The Administrator shall make written interpretations of the ~~provisions~~ Chapters in this Code when requested, setting forth the reasons and explanation for such interpretations.

C. The Administrator may consider ~~and approve or disapprove any~~ requests to shift, realign, or otherwise move ~~a by up to 1,000 feet a~~ thoroughfare alignment established ~~indicated~~ on the City's official Master Transportation Plan map by up to one thousand (1,000) feet, provided the Administrator determines that the ~~change~~ shift, realignment, or move will not adversely affect adjacent property owners.

~~C.D.~~ The Administrator shall prepare, and update as needed, the Unified Development Code Supplemental Schedule.

## **2.7-8 PLANNING DIRECTOR**

### **2.78.1 Designation**

The Administrator shall designate and supervise the Planning Director for the City ~~of Pflugerville~~.

### **2.8.2 Delegation of Authority**

Where this Code assigns a responsibility, power, or duty to the Planning Director, the Planning Director may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Planning Director may reasonably determine. Upon such delegation, the term "Planning Director" shall be deemed to include the Planning Director's designee.

### **2.78.23 ~~Responsibilities~~ Powers and Duties**

The Planning Director shall ensure conformance with all provisions under ~~this Code~~ Unified Development Code, act and serve as staff for each review body provided for within the ~~Unified Development~~ is Code, review and certify that the proposed alteration or use of land, or the proposed construction or moving of structures, complies with the provisions of this ~~Chapter~~ Code prior to the issuance of a site development permit or final approval of a subdivision plat. ~~The Planning Director may delegate such responsibility, power or duty to any other agent or employee of the City whom the Planning Director may reasonably determine.~~

The Planning Director also shall ~~also~~ review and report or make recommendations s to the City Council, the Planning and Zoning Commission, and the Board of Adjustment regarding the following items, subject to the conditions as outlined within ~~the Unified Development~~ this Code:

- A. Rezoning (Zoning map amendment);
- B. Development agreements;
- C. Comprehensive Plan amendments;
- D. ~~Special~~ Specific Use Permits;
- E. Special ~~Exemption~~ Exceptions;
- F. Text Amendments to the ~~Unified Development~~ Code;
- G. Variances;
- H. Preliminary Plans; and

~~G-I.~~ Final Plats.

**2.78.34 Final Action**

The Planning Director ~~or designee~~ shall review and take final action on the following:

- A. Site development permit applications not located in the Central Business District (also known as the Downtown District Overlay).
- B. Minor permits in the Central Business District.
- C. Waivers as prescribed in Subchapter 3.
- D. Minor and amended subdivision plats.
- E. Enforcement of the City's the Tree Technical Manual in the development review process.

**2.8-9 BUILDING OFFICIAL**

**2.89.1 Designation**

The Administrator shall designate and supervise the Building Official ~~for the City of Pflugerville~~ for the City.

**2.9.2 Delegation of Authority**

Where this Code assigns a responsibility, power, or duty to the Building Official, the Building Official may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Building Official may reasonably determine. Upon such delegation, the term "Building Official" shall be deemed to include the Building Official's designee.

**~~2.89.2-3~~ Responsibilities Powers and Duties**

The Building Official ~~or designee~~ shall implement, administer, and oversee the provisions, terms, and conditions of all building and related codes, ~~and flood hazard protection requirements within this Chapter. The Building Official may delegate such responsibility, power, or duty to any other agent or employee of the City whom the Building Official may reasonably determine.~~

**2.89.34 Final Action**

The Building Official ~~or designee~~ shall review and take final action on the following:

- A. Building inspections-
- B. Building permits-
- C. Sign permits in accordance with Chapter 154 of the City Code-
- D. Certificates of Occupancy-
- ~~E. Floodplain management-~~
- F.E. Irrigation permits-

## **2.9-10 CITY ENGINEER AND DEVELOPMENT ENGINEERING DIRECTOR**

### **2.910.1      Designation**

The ~~Administrator~~City Manager shall designate the City Engineer and the Development Engineering Director for the City ~~of Pflugerville~~.

### **2.10.2 Delegation of Authority**

Where this Code assigns a responsibility, power, or duty to the City Engineer or Development Engineering Director, the City Engineer or Development Engineering Director, as applicable, may delegate that responsibility, power, or duty to any other agent or employee of the City whom the City Engineer or the Development Engineering Director may reasonably determine. Upon such delegation, the terms “City Engineer” or “Development Engineering Director,” as applicable, shall be deemed to include the City Engineer’s or Development Engineering Director’s designee.

### **~~2.9.2 Responsibilities~~**

~~The City Engineer or designee shall implement, administer, and oversee the provisions, terms, and conditions of all Unified Development Code provisions involving engineering standards or considerations, and of the latest edition of the City’s Engineering Design Manual and Construction Standards, and engineering related elements included within City’s Comprehensive Plan.~~

### **2.910.3      Powers and Duties**

The City Engineer and the Development Engineering Director shall implement, administer, and oversee the provisions, terms, and conditions of this Code involving engineering standards or considerations, the City’s Engineering Design Manual and Construction Standards, and engineering related elements within the City’s Comprehensive Plan.

The City Engineer shall have the following powers and duties:

- A. Maintain and hold open for public inspection all records pertaining to the City’s Engineering Design Manual and Construction Standards, water and wastewater master plans, transportation and public infrastructure elements of the City’s Comprehensive Plan.
- B. Ensure adequate inspection of construction permitted under the terms and conditions of this Code to confirm that such construction is carried out in accordance with the approved construction plans.
- C. Review and utilize any acceptable new flood study data in accordance with the City’s Engineering Design Manual and Construction Standards.
- D. Review and make recommendations to the City Council concerning proposed new or amended development agreements.
- E. Determine and enforce dedication requirements for rights-of-way and easements.

F. Determine and enforce requirements for off-site utility extension and for utility over-sizing.

The Development Engineering Director shall have the following powers and duties:

- A. Review and approve, approve with conditions, or deny driveway and median break applications.
- B. Review and approve Traffic Impact Analyses scoping and reports.
- C. Review and approve, approve with conditions, or deny applications for site disturbance, right-of-way, and construction plan permits.
- D. For private development, ensure adequate inspection of construction permitted under the terms and conditions of this Code to confirm that such construction is carried out in accordance with the approved construction plans.
- E. Floodplain Administration.
- F. Review, approve and utilize any acceptable new flood study data in accordance with the City's Engineering Design Manual and Construction Standards.
- G. Ensure land development is consistent with applicable components of the water and wastewater master plans, public infrastructure elements of the City's Comprehensive Plan, and with future City capital improvement projects.

- ~~A. Review and approve, approve with conditions, or deny driveway and median break applications.~~
- ~~B. Maintain and hold open for public inspection all records pertaining to the City's Engineering Design Manual and Construction Standards, water and wastewater master plans, and public infrastructure elements of the City's Comprehensive Plan.~~
- ~~C. Review and approve, approve with conditions, or deny all applications for, right-of-way and construction plan permits.~~
- ~~D. Ensure adequate inspection of construction permitted under the terms and conditions of this Chapter to confirm that such construction is carried out in accordance with the approved construction plans.~~
- ~~E. Maintain, update and provide to interested parties at a reasonable cost the City's Engineering Design Manual and Construction Standards, Water and Wastewater master plans, and public infrastructure elements of the City's Comprehensive Plan.~~
- ~~F. Review and utilize any acceptable new flood study data in accordance with the City's Engineering Design Manual and Construction Standards.~~
- ~~G. Review and make recommendations to the City Council concerning proposed new or amended development agreements.~~
- ~~H. Administer and manage the City's Regional Storm water Management Program (RSMP).~~
- ~~I. Ensure land development is consistent with applicable components of the water and wastewater master plans, public infrastructure elements of the City's Comprehensive Plan, and with future City capital improvement projects.~~
- ~~J. Determine and enforce dedication requirements for rights-of-way and easements.~~  
~~— Determine and enforce requirements for off-site utility extension and for utility over-sizing.~~

## **2.910.4 Qualifications**

The City Engineer and the Development Engineering Director must be professional engineers licensed by the State of Texas.~~The City Engineer must be a registered professional engineer in the State of Texas.~~



## **2.10-11 CITY FORESTER**

### **2.1011.1 Designation**

The Administrator shall designate and supervise the City Forester for the City ~~of Pflugerville~~.

### **2.11.2 Delegation of Authority**

Where this Code, or the Tree Technical Manual, assigns a responsibility, power, or duty to the City Forester, the Planning Director may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Planning Director may reasonably determine. Upon such delegation, the term "City Forester" shall be deemed to include such designee.

### **2.1011.23 ~~Responsibilities~~ Powers and Duties**

The City Forester shall oversee the City's urban forestry program and serve as an advisor to Development Services. ~~In doing so, t~~The City Forester ~~or designee~~ shall implement, administer, and oversee the provisions, terms, and conditions of ~~all aspects of~~ public tree planting ~~and~~ the Public Tree Care Ordinance, and relevant provisions and procedures for tree preservation and landscaping throughout the development process. ~~In the absence of a City Forester the powers and duties shall be the responsibility of the Administrator or their designee.~~

## **2.11-12 PARKS AND RECREATION DIRECTOR**

### **2.1112.1 Designation**

The Administrator shall designate and supervise the ~~City~~ Parks and Recreation Director for the City ~~of Pflugerville~~.

### **2.1112.2 Responsibilities**

The Parks and Recreation Director shall oversee the City's parkland program and serve as an advisor to Development Services. ~~In doing so, t~~The Parks and Recreation Director ~~or designee~~ shall implement, administer, and oversee the provisions, terms, and conditions of ~~all aspects of~~ public parkland, ~~and~~ relevant provisions and procedures related to parkland dedication, and conveyance of parkland to the City ~~for tree preservation and landscaping~~ throughout the development process.

### **2.1112.3 Powers and Duties**

The Parks and Recreation Director shall have the following powers and duties:

A. Review and make recommendations to the Parks and Recreation [Advisory Board and the Planning and Zoning Commission, as applicable](#), regarding proposed [alternative compliance of](#) parkland dedication and development [standards](#) related to development applications [pursuant to Subchapter 14](#).

[B. Enforce the City's parkland requirements in the development review process.](#)

[C. Enforce the City's Park Development Manual in the development review process.](#)

## **2.132 DEVELOPMENT REVIEW COMMITTEE**

### **2.1213.1 Designation**

The Administrator shall designate the Development Review Committee for the City ~~of Pflugerville~~.

### **2.1213.2 Responsibilities**

The Development Review Committee shall ~~host~~[conduct](#) pre-application conferences and review pre-applications, commercial site plans, subdivision applications, zoning applications, and other development applications.

### **2.1213.3 Powers and Duties**

The Development Review Committee shall have the following powers and duties:

- A. Review ~~and approve~~ site development and site disturbance permits.
- B. Review subdivision applications, including preliminary plans, final plats, replats, amended plats, minor plats, and ~~where applicable~~, vacation plats.
- C. Other duties as assigned by the Administrator, including ~~but not limited to~~ reviewing and making recommendations related to requests for annexation, change of zoning, specific use permits, and Comprehensive Plan amendments.

## **2.1314 OFFICIAL ZONING DISTRICT MAP**

**2.1314.1** The boundaries of zoning districts set out in this ~~Chapter~~[Code](#) are delineated upon the Official Zoning District Map of the City, which the City Council adopts as part of this ~~Chapter~~[Code](#) as fully as if the same were set forth in this ~~Chapter~~[Code](#) in detail.

**2.1314.2** The Official Zoning District Map shall reflect all changes in zoning district boundaries and all changes in zoning designations for properties as approved ~~through ordinance~~ by the City Council. [The Official Zoning District Map](#) ~~and~~ may include an ordinance reference to the most recent zoning amendment. The Official Zoning District Map shall be maintained by the City's GIS ~~Department~~[Division](#).

**2.1314.3** The following rules shall be used to determine the location of any zoning district boundary line shown on the Official Zoning District Map. Where a physical feature on the ground differs from the representation of such feature on the Official Zoning District Map, the physical feature on the ground shall control.

- A. Where district boundaries are generally shown to follow streets or alleys, the boundary is considered to follow the centerline of the street or alley.
- B. Where district boundaries are generally shown to follow platted lot lines, the boundary is considered to be the platted lot lines.
- C. Where district boundaries are generally shown to follow lines dividing land ownership, the boundary is considered to be the surveyed line dividing land ownership ~~dividing lines~~.
- D. Where district boundaries are generally shown to follow City limit lines, the boundary is considered to be the City limit line.
- E. Where district boundaries are generally shown to follow railroad lines, waterways, utility lines or similar features, the boundary is considered to be the centerline of the feature.
- F. Where district boundaries are shown as separated from but generally parallel to a street, platted lot line, the surveyed line dividing land ownership, political boundary, physical feature or other feature, the boundary is considered to be parallel to the feature and separated by the distance on the map indicated by the scale of the map.

**2.14-15 UNIFIED DEVELOPMENT CODE SUPPLEMENTAL SCHEDULE; FEE SCHEDULE; APPLICATION REQUIREMENTS; AND TECHNICAL MANUALS**

**2.1415.1** General. The Administrator shall prepare and update the Unified Development Code Supplemental Schedule to provide guidance- as to the administration of this Code. The Unified Development Code Supplemental Schedule shall include the following: meeting schedule for the Planning and Zoning Commission and Board of Adjustment, and information pertaining to the review of development applications and application content requirements, as required by the Code. The Administrator may amend the contents of the UDC Supplemental Schedule as determined necessary or beneficial to facilitate the administration of this Code.

~~The City Council shall adopt a Unified Development Code Supplemental Schedule, which contains information pertaining to the review of development applications and similar details will be available when referenced by this Chapter.~~

**2.15.2** UDC Appendix A and B.

Of the elements included within the UDC Supplemental Schedule, City Council shall adopt the following by ordinance:

- A. Fee Schedule. A fee schedule establishing the fees to be charged for the processing of permit applications and other services authorized under this Chapter shall be established by ordinance. The fee schedule shall be incorporated into this Chapter as Appendix A and may be amended as part of the City's annual fiscal budget or at such other times as found warranted by City Council.
- B. Application Submittal and Content Requirements. The application submittal and content requirements shall be incorporated into this Chapter as Appendix B.

**2.1415.3** Establishment by Ordinance. The City Council shall adopt and update, by ordinance, technical manuals which provide specific design guidelines and standards for

development within the City and ETJ. Examples of such technical manuals ~~shall~~ include, but are not limited to:

- A. Engineering Design Manual and Construction Standards;
- B. Parks Development Manual; and
- C. Tree Technical Manual.