

ORDINANCE NO. 1401-19-09-10

AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE, SUBCHAPTER 2 ADMINISTRATION, SECTION 2.5 REGARDING THE ROLE AND RESPONSIBILITY OF THE PARKS AND RECREATION COMMISSION; 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 the realization of its stated purposes and its compliance with applicable State law; and

WHEREAS, the Planning and Zoning Commission held a public hearing on August 5, 2019, 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 5 - 0; and

WHEREAS, the City Council amended Chapter 157, Unified Development Code, Subchapter 2 by Ordinance No. 1377-18-21-11 to update roles and responsibilities of various City officers, boards and commissions; and

WHEREAS, the City Council has determined amending provisions of Subchapter 2 of the Unified Development Code (UDC) by revising references relating to the role and responsibility of the Parks and Recreation Commission consistent with such Commission's establishment pursuant to Chapter 95 of the Code of Ordinances; 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, by revising the references to reflect the Parks and Recreation Commission role and responsibility in Section 2.5, to read as follows:

2.5 PARKS AND RECREATION ~~ADVISORY BOARD~~COMMISSION

2.5.1 Creation

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

2.5.2 Powers and Duties

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

- ~~A. 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.~~
- ~~C.~~A. Authority as provided in Subchapter 14 and 15 of this Code, as applicable.

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 10th day of September, 2019.

CITY OF PFLUGERVILLE, TEXAS

By: 

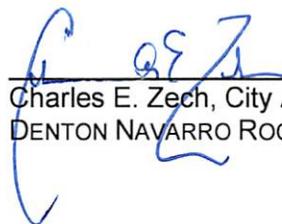
Victor Gonzales, Mayor

ATTEST:



Karen Thompson, City Secretary

APPROVED AS TO FORM:



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