ORDINANCE NO.____

APPROVING AN ORDINANCE ON FIRST READING WITH THE CAPTION READING: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, APPROVING ATHLETIC FIELD LIGHTING PER SUBCHAPTER 13.9 OF THE UNIFIED DEVELOPMENT CODE TO BE INSTALLED AT PARK CREST MIDDLE SCHOOL LOCATED AT 1500 N. RAILROAD AVE.; APPROVING VARIATIONS FROM SUBCHAPTER 13.9 OF THE UNIFIED DEVELOPMENT CODE IN THAT THE ATHLETIC FIELD LIGHTING IS PROPOSED TO EXCEED THE MAXIMUM LIGHT FIXTURE HEIGHT AND MAXIMUM FOOT CANDLE ALLOWANCES IN ORDER TO MEET THE UNIVERSITY **INTERSCHOLASTIC LEAGUE (UIL) STANDARDS FOR A FOOTBALL** FIELD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; **PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE** DATE.

WHEREAS, the installation of athletic field lighting requires the approval of City Council;

and

WHEREAS, except as otherwise provided by the City Council, shall comply with the City's Unified Development Code Section 13.9 (the "Code"); and

WHEREAS, Park Crest Middle School intends to install new athletic field lighting, including 4 new athletic field light poles; and

WHEREAS, the proposed lighting does not comply with the Code; and

WHEREAS, the proposed height of the light fixtures is 70-ft, which is 10-ft above the maximum 60-ft as allowed in the Unified Development Code; and

WHEREAS, power to serve the poles will be supported by an on-site control switch; and

WHEREAS, the athletic field lights are expected to be used during evening hours, a web enabled device will be installed to cut power to the lighting system at 10:00pm; and

WHEREAS, the proposed lighting will comply with the University Interscholastic League (UIL) guidelines for illumination field levels outlined in the UIL Athletics Manual; and

WHEREAS, approving the requested athletic field lighting will help assist the growing University Interscholastic League lighting standards within Pflugerville and Park Crest Middle School; and **WHEREAS**, the City Council hereby finds and determines that request is harmonious and compatible with the surrounding existing land uses; and

WHEREAS, the City Council hereby finds and determines the nature of the request is reasonable; and

WHEREAS, the City Council hereby finds and determines any impact on the surrounding area has been mitigated; and

WHEREAS, the City Staff recommends approval of the request based on the requirements provided for in this Ordinance.

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

SECTION 1. 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 as findings of fact.

SECTION 2. City Council hereby authorizes and approves the request by the Park Crest Middle School for a new athletic field lighting area and the installation of four (4) new athletic field light poles with the following requirements:

- 1. Only four (4) poles shall be installed in the locations shown on the proposed site plan, equipment layout and illumination summary included with the application and depicted in the attached **Exhibit A**.
- 2. The proposed lighting shall be as provided for in the **Exhibit A** and shall be subject to the conditions and minimum requirements outlined in the University Interscholastic League (UIL) Athletics Manual.

SECTION 3. Cumulative and Repealer Clause. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, Texas, and shall not operate to repeal or affect any other ordinances of the City 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 to the extent of such conflict.

SECTION 4. Severability Clause. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 5. Effective Date. That this Ordinance will become effective on its adoption and passage by the City Council in accordance with Section 3.15(d) of the City Charter.

APPROVED AND ADOPTED, this the 25th day of May 2021

Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Charles Zech, City Attorney Denton Navarro Rocha Bernal & Zech, PC



