

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, AMENDING CHAPTER 155 SITE DEVELOPMENT, SUBCHAPTER B CENTRAL BUSINESS DISTRICT, SECTION 155.1305 SIGNS BY REMOVING SIGN REGULATIONS; REPEALING AND REPLACING CHAPTER 154 SIGNS, BY ADDING DOWNTOWN SIGN REGULATIONS, REORGANIZING THE STANDARDS FOR EASE OF USE, CLARIFYING MASTER SIGNAGE PLAN PROVISIONS, ADDING SIGN PROVISIONS FOR SUBDIVISION ENTRANCES, MODIFYING THE LIST OF PROHIBITED SIGN TYPES, ADDING SPECIFIC STANDARDS FOR SIGN TYPES, AND CLARIFYING THE PERMIT APPLICATION AND PROCESSES; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 154, AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$500.00; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the Sign Code in 1995, and has been amended incrementally over the years; and

WHEREAS, the City Council approved Chapter 155. Site Development, Subchapter B. Central Business District (currently known as the Downtown District Overlay pursuant to Chapter 157 Unified Development Code, Subchapter 4) on January 27, 2004, and subsequently amended and restated to include specific sign standards for the Downtown District Overlay to ensure compatibility and harmony with the neighborhood and maintaining a sense of place; and

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

WHEREAS, due to the extent of reorganization and substantial modifications to the signage requirements, the City has determined that it is necessary to repeal and replace the Sign Code; and

WHEREAS, the intent of the Sign Code is to: 1.) Protect the rights of persons and business to freedom of speech under the State of Texas and federal law; 2.) Ensure consistency with State statutes relating to sign regulation; 3.) Encourage the effective use of signs as a means of communication in the City; 4.) Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; 5.) Facilitate economic development; 6.) Reduce the confusion and traffic hazards that result from excessive and prolific use of sign displays; 7.) Promote public safety and protect persons and property by ensuring that signs do not create a hazard; 8.) Coordinate the City's sign regulations with the applicable zoning districts in order to protect and promote the purpose and character of those districts; 9.) Enable the fair and

consistent enforcement of these sign regulations; and

WHEREAS, the City Council has determined to relocate the Downtown District Overlay signage standards from Chapter 155 Site Development Code, Subchapter B. Central Business District to Chapter 154. Signs for the purposes of consistent application and ease of use.

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. Repeal and Replace.

That the Code of Ordinances of the City of Pflugerville, Texas, is hereby amended by repealing and replacing Chapter 154. Signs, in its entirety, to read as provided in Exhibit A, attached hereto and incorporated herein for all purposes.

Section III. Amending Chapter 155.

That the Code of Ordinances of the City of Pflugerville, Texas, is hereby amended by amending Chapter 155 Site Development, Subchapter B Central Business District, Section 155.1305 Signs, effectively removing sign regulations, to read as provided in Exhibit B, attached hereto and incorporated herein for all purposes.

Section IV. 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 V. 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 VI. Violation.

That a violation of this Ordinance shall be an offense punishable upon conviction as prescribed in Chapter 154 of this Code of Ordinances.

Section VII. 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 ____ day of _____, 2020.

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.

EXHIBIT A
CHAPTER 154. SIGNS

EXHIBIT B
CHAPTER 155 SITE DEVELOPMENT CODE,
SUBCHAPTER B CENTRAL BUSINESS DISTRICT,
SECTION 155.1305 SIGNS