

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE AMENDING SUBCHAPTER 5 ESTABLISHMENT OF OVERLAYS AND SPECIAL DISTRICTS, SECTION A. CENTRAL BUSINESS DISTRICT (CBD), SUBSECTION 3, AND AMENDING SUBCHAPTER 4 ESTABLISHMENTS OF DISTRICTS AND BOUNDARIES, SECTION B. OFFICE, RETAIL AND COMMERCIAL ZONING DISTRICTS, SUBSECTION 3, PROVISION 12, TO ALLOW FOR A BODY ART STUDIO BY SPECIFIC USE PERMIT; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the Unified Development Code on September 8, 2009, which included provisions for Body Art Studios; and

WHEREAS, the City Council approves amending the land use table in the Central Business District to allow for a Body Art Studio by Specific Use Permit; and

WHEREAS, the City Council approves amending the general land use condition of office, retail, and commercial zoning districts to allow for a Body Art Studio by Specific Use Permit; and

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

THAT the Code of Ordinances of the City of Pflugerville, Texas, is hereby amended by amending Chapter 157 Subchapter 5, Section A. Subsection 3 and Chapter 157 Subchapter 4, Section B. Subsection 3, Provision 12, which said sections shall read as follows:

I.

SUBCHAPTER 5. ESTABLISHMENT OF OVERLAYS AND SPECIAL DISTRICTS.

A. CENTRAL BUSINESS DISTRICT (CBD)

(3) Use Table Applicability. The CBD district relies on base zoning districts for uses except where prohibited according to the following table:

Residential Uses	CBD
Manufactured Home Dwelling	X
Educational, Institutional, Public and Special Uses	CBD
Overhead/Rollup Doors	X
Commercial, Retail, and Service Uses	CBD
Bar/Tavern	S
Body Art Studio	S
Day Care Facility	S
Equipment and Machinery Sales and Rental, Major	X
Commercial, Retail, and Service Uses	CBD
Retail Sales - Single Tenant over 50,000 SF	X
Sexually Oriented Business	X
X = Prohibited; S = Specific Use Permit	
Automobile and Related Uses	CBD
Auto Parts Sales, Inside	X
Auto Parts Sales, Outside	X
Automobile Parking Lot/Garage	X
Car Wash	X
Truck Sales, Heavy Trucks	X
Truck Terminal	X
Truck/Bus Repair	X
Vehicular Sales, Rental, Repair and Service	S
Wholesale, Manufacturing and Industrial Uses	CBD
Light Industrial Uses	X
Heavy Industrial Uses	X
Machine Shop	X
Mini-Warehouse/Public Storage	X
Office/Showroom	X
Office/Warehouse/Distribution Center	X
Open Storage	X
Portable Building Sales	X
Recycling Center	X
Recycling Plant	X
Storage or Wholesale Warehouse	X
Trailer/Mobile Home Display and Sales	X
X = Prohibited; S = Specific Use Permit	

SUBCHAPTER 4. ESTABLISHMENT OF DISTRICTS AND BOUNDARIES.

B. OFFICE, RETAIL AND COMMERCIAL ZONING DISTRICTS.

(3) Conditions

12. Body Art Studio

(a) Must be set back 1,000 feet from any other Body Art Studio, Residential Zoning District, Place of Worship, Public, Private, or Parochial School, and Day Care Center; except as otherwise approved by a Specific Use Permit.

II.

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.

III.

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 November, 2010.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Jeff Coleman, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Floyd Akers, City Attorney