

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 153, PLANNING, BY REPEALING AND REPLACING THE 2011 PARKS, RECREATION, AND OPEN SPACE MASTER PLAN ADOPTED BY RESOLUTION NO. 1285-11-05-24-0037 WITH THE 2023 PARKS, RECREATION, AND OPEN SPACE MASTER PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to V.T.C.A., Local Government Code § 213.002, the City Council of Pflugerville, Texas shall adopt and maintain a comprehensive plan to promote sound development and public health, safety, and welfare; and

WHEREAS, the City previously adopted the 2011 Parks, Recreation, and Open Space Master Plan per Resolution No. 1285-11-05-24-0037; and

WHEREAS, the City previously adopted the Aspire Pflugerville 2040 Comprehensive Plan per Ordinance No. 1545-22-04-26; and

WHEREAS, three of the guiding principles for the City of Pflugerville, as established by the Aspire Pflugerville 2040 Comprehensive Plan are to be Community Oriented, Environmentally Sustainable and Safe and Healthy, supporting an active and engaged community; and

WHEREAS, Chapter 7, Community Facilities & Public Services, of the Aspire Pflugerville 2040 Comprehensive Plan adopted goals related to ensuring parks and recreation facilities and programming meet the needs of the community as the city grows; and

WHEREAS, the consultant, Berry Dunn, was retained by the City of Pflugerville to develop the Parks, Recreation, and Open Space Master Plan; and

WHEREAS, the Parks and Recreation Commission recommended approval of the Parks, Recreation, and Open Space Master Plan on August, 17, 2023; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Parks, Recreation, and Open Space Master Plan on August, 21, 2023; and

WHEREAS, the City Council held a public hearing for Parks, Recreation, and Open Space Master Plan on September 12, 2023; and

WHEREAS, the City Council of the City of Pflugerville has determined that it is necessary and beneficial to adopt the City's Parks, Recreation, and Open Space Master Plan; and

WHEREAS, the City Council desires to adopt the Parks, Recreation, and Open Space Master Plan, provided in Exhibit A.

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

I. Recitals

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.

II. Parks, Recreation, and Open Space Master Plan Adoption

That the City Council of the City of Pflugerville, Texas hereby repeals and replaces the 2011 Parks, Recreation, and Open Space Master Plan adopted by Resolution No. 1285-11-05-24-0037 with the Parks, Recreation, and Open Space Master Plan as an extension of the Aspire Pflugerville 2040 Comprehensive Plan, provided in Exhibit A, which is attached hereto and incorporated herein for all purposes.

III. Chapter 153.01 Comprehensive Plan

That the Code of Ordinances of the City of Pflugerville, Texas, Chapter 153.01(F), is hereby added:

CHAPTER 153.01: PLANNING

§ 153.01 COMPREHENSIVE PLAN

Pursuant to V.T.C.A., Local Government Code § 213.002, the City Council of Pflugerville, Texas has adopted a comprehensive plan which is a coordinated set of plans organized by subject and geographic area to be used to coordinate and guide the establishment of development regulations in the City of Pflugerville. The coordinated set of plans shall be collectively referred to as the "Pflugerville Comprehensive Plan". The Pflugerville Comprehensive Plan shall consist of the following set of plans:

- (F) The document entitled "Parks, Recreation, and Open Space Master Plan" dated August 2023, prepared by Berry Dunn, is hereby incorporated as the Parks, Recreation, and Open Space Master Plan as part of the Aspire 2040 Comprehensive Plan as adopted by Ordinance 1545-22-04-26 on April 26, 2022.

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.

V. Effective Date

This Ordinance will take effect upon its passage by four affirmative votes on the first reading; provided that this Ordinance will be posted and adopted at a subsequent meeting in accordance with the provisions of Section 3.15(d) of the City Charter.

PASSED AND APPROVED this 26th day of September, 2023.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary

APPROVED AS TO FORM:

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

Exhibit A