

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY INCORPORATING AN APPENDIX A. FEE SCHEDULE, RELATING TO THE PROCESSING OF PERMIT APPLICATIONS AND OTHER SERVICES; REPLACING ALL ORDINANCES AND RESOLUTIONS 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 realization of its stated purposes and its compliance with applicable State law; and

WHEREAS, the Planning and Zoning Commission held a public hearing on November 5, 2018, 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 6 - 0; and

WHEREAS, the City Council has previously approved a fee schedule and application submittal and content requirements per Resolution No. 1447-15-06-23-0244 as incorporated into the Unified Development Code Supplemental; and

WHEREAS, the City Council has determined the incorporation of the Fee Schedule, as Appendix A of the Unified Development Code, is necessary to establish an updated fee schedule relating to the processing of permit application and other related services; 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, Unified Development to incorporate Appendix A, Fee Schedule, in its entirety to read as provided in Exhibit A, attached hereto and incorporated herein for all purposes.

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 January 1, 2019 and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____, 2018.

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
APPENDIX A OF CHAPTER 157: UNIFIED DEVELOPMENT CODE
FEE SCHEDULE

Unified Development Code, Appendix A: Fee Schedule

Table A1 - ZONING & LAND USE Fee Schedule		
* A \$15 Technology Fee is included in the application fee, as applicable.		
** May require additional legal and recordation fees.		
Rezoning Application	5 acres or less	\$515.00
	>5 acres – 10 acres	\$1,015.00
	>10 acres	\$2,515.00
Rezoning to PUD Application**	Minimum size waiver	\$15.00
	<50 acres	\$2,515.00
	>50 acres	\$5,015.00
	Amendment to existing PUD	\$1,015.00
Specific Use Permit	5 acres or less	\$765.00
	>5 acres – 10 acres	\$1,265.00
	>10 acres	\$2,515.00
Comprehensive Plan Amendment – Future Land Use Map		\$515.00
Text Amendment – Applicant Initiated		\$515.00
Zoning Verification Letter		\$65.00
<p>(A zoning verification letter officially identifies a property’s applicable zoning district and determines whether a specific land use is permitted in the subject zoning district. If more specific information regarding the property is needed, an open records request may be submitted.</p>		
Certificate of Non-conformity**		No Charge

**Table A2 - SUBDIVISION*
Fee Schedule**

* A \$15 Technology Fee is included in the application fee, as applicable.
 ** For applications that require more than three (3) review cycles by staff to ensure compliance with all applicable development regulations, the fourth (4th) review cycle shall require additional review fees in accordance with the Unified Development Code (UDC).

Preliminary Plan	Standard Review	\$30.00 / lot; minimum \$1,015.00
	Expedited Review	\$50.00 / lot; minimum \$2015.00
	Review Beyond 3 Review Cycles**	\$265 per additional Review Cycle
Revised Preliminary Plan (Fee structure based on how many lots are affected by the Revision)	Standard Review	\$30.00 / affected lot; minimum \$515.00
	Expedited Review	\$50.00 / affected lot; minimum \$1015.00
	Review Beyond 3 Review Cycles**	\$265 per additional Review Cycle
Construction (Public Infrastructure) Plans		3.5% of infrastructure cost estimate: <ul style="list-style-type: none"> • Application Submittal: \$515 • Prior to Approval: Remaining Balance
		Review Beyond 3 Review Cycles** - \$250 per additional Review Cycle
Construction Re-inspection Fee		\$100.00
Right-Of-Way Permit		\$65.00
Final Plat (Including Minor Plat, Amending Plat, & Replat)	Standard	\$15.00 / lot; minimum \$515.00
	Expedited	\$25.00 / lot; minimum \$1015.00
	If public hearing is required	\$250.00 in addition to regular plat fee
	Review Beyond 3 Review Cycles**	\$250 per additional Review Cycle
Subdivision Variance		\$200.00 / variance

Table A3 - SITE DEVELOPMENT*
Fee Schedule

* A \$15 Technology Fee is included in the application fee, as applicable. A site development/construction plan application for the development of amenities within a public park is exempt from staff review fees.

** Expansion of existing sites, fee based on additional impervious cover.

*** For applications that require more than three (3) review cycles by staff to ensure compliance with all applicable development regulations, the fourth (4th) review cycle shall require additional review fees in accordance with the Unified Development Code (UDC).

Site Development Permit*	Standard Review	\$0.06 / square foot of impervious cover** Minimum: \$265 Maximum: \$10,015
	Expedited Review	\$0.12 / square foot of impervious cover** Minimum: \$265 Maximum: N/A
	Review Beyond 3 Review Cycles***	\$250 per additional Review Cycle
Site Plan Revision*		\$265
Site Plan Correction		No Charge
Site Development Re-Inspection Fee		\$100
Architectural Waiver to Commission*		\$265
Site Plan Extension		No Charge

Table A4 – SITE DISTURBANCE (GRADING) AND TREE REMOVAL*		
Fee Schedule		
* A \$15 Technology Fee is included in the application fee, as applicable.		
SITE DISTURBANCE PERMIT (May include Tree Removal)*	5 acres or less	\$265.00
	>5 acres – 10 acres	\$515.00
	>10 acres	\$765.00
TREE REMOVAL PERMIT (Only)*		\$65

Table A5 – Traffic Impact Analysis (TIA) Review		
Fee Schedule		
TRAFFIC IMPACT ANALYSIS (TIA REVIEW)	2,000-5,000 Trips Per Day	\$1,500
	5,001-10,000 Trips Per Day	\$2,400
	10,001-15,000 Trips Per Day	\$3,300
	15,001+ Trips Per Day	\$3,700
	TIA Revision	½ current TIA rate

**Table A6 - MISCELLANEOUS*
Fee Schedule**

* A \$15 Technology Fee is included in the application fee, as applicable.
 ** May require additional legal and /or recordation fees.

<p>VACATION SUBDIVISION PLAT</p>	<p align="center">\$265.00</p> <p align="center">Applicant shall be responsible for any recordation fees per County's Recordation Fee Schedule.</p>
<p>VACATION OF EASEMENT OR PUBLIC RIGHT-OF-WAY**</p>	<p align="center">\$265.00</p> <p align="center">Applicant shall be responsible for any surveys, and recordation fees per County's Recordation Fee Schedule.</p>
<p>RECORDATION OF EASEMENTS BY SEPARATE INSTRUMENT**</p>	<p align="center">Applicant shall be responsible for any recordation fees per County's Recordation Fee Schedule.</p>
<p>RECORDATION OF DEVELOPMENT AGREEMENT**</p>	<p align="center">Applicant shall be responsible for any recordation fees per County's Recordation Fee Schedule.</p>
<p>BOARD OF ADJUSTMENT Appeals, Variances, Special Exceptions**</p>	<p align="center">Minimum \$275 per request / \$125 per each additional request</p> <p align="center">Applicant shall be responsible for any recordation fees per County's Recordation Fee Schedule.</p>