File #: ORD-0434, **Version:** 3

Approving an ordinance on second reading with the caption reading: 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 AMENDING SUBCHAPTER 8, NONCONFORMITIES, BY UPDATING PROVISIONS RELATING TO NEWLY ANNEXED TERRITORY, VESTING RIGHTS, AND THE CONTINUATION OF LEGAL NONCONFORMING SITES; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 157, SUBCHAPTER 8 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED $2,000.00; AND DECLARING AN EFFECTIVE DATE. (CA1810-06)

Per the 2030 Comprehensive Plan's implementation schedule, the City shall pursue Unified Development Code (UDC) revisions every one to five years. The UDC was most recently revised and adopted in February 2015. The purpose of the proposed code amendments to Subchapter 8, Nonconformities are to address the following items:

- Adding a provision relating the property owner’s responsibility to proving a legal nonconformity.
- Updated provisions relating to newly annexed territory consistent with State law.
- Add a vested rights section.
- Modified provisions relating to the continuation of a legal nonconforming site.

City Attorney has approved the ordinance as to form.

Planning and Zoning Commission Action
The Planning and Zoning Commission recommended approval of the proposed changes at the November 5, 2018 meeting by a vote of 6-0.

Prior City Council Action
The City Council approved the proposed changes on first reading at the November 27, 2018 meeting by a vote of 7-0.

Supporting documents attached:
Ordinance with Subchapter 8 attached as an exhibit within the ordinance.

Recommended Actions
Approve the ordinance on second reading, amending the Unified Development Code, Subchapter 8. Nonconformities.