

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS, AMENDING CHAPTER 16 OF THE UNIFIED DEVELOPMENT CODE, TO AMEND THE DEFINITION FOR ELECTRIC UTILITY SERVICES AVAILABILITY LETTER; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; INCLUDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on March 11, 2003, the City Council of the City of Georgetown, Texas, adopted a set of comprehensive development regulations known as the Unified Development Code ("UDC") via Ordinance No. 2003-16, which codified various zoning and subdivision standards; and

WHEREAS, the City Council established a UDC Advisory Committee on November 12, 2013, to review proposed or requested amendments to the UDC other than executive amendments, which are those amendments that are nondiscretionary, mandatory, or legislative revisions to address state statutes or case laws, ratify published directors determinations, incorporate recently approved Council ordinances, process City Council designated emergency items, or address revisions otherwise determined necessary by legal counsel; and

WHEREAS, the City Council, via Resolution 120820T on December 8, 2020, designated the amendment to the UDC relative to the definition of a Utility Services Availability Letter an emergency amendment in accordance with UDC Section 3.05.030; and

WHEREAS, by City Council declaring this amendment an emergency amendment, it was processed as an executive amendment that is not reviewed by the UDC Advisory Committee; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on the proposed amendment at its January 5, 2021 regular scheduled meeting, and recommended approval of the amendment to the City Council.

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

SECTION 1: The meeting at which this ordinance was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 2: The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals, and policies of the Georgetown 2030 Comprehensive Plan and further finds that the enactment of this Ordinance is not inconsistent or in conflict with any other policies or provisions of the 2030 Comprehensive Plan.

SECTION 3: The definition of "Electric Utility Services Availability Letter" in Section 16.02 of the UDC is hereby amended as shown in **EXHIBIT "A"**.

SECTION 4: All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

SECTION 5: If any provision of this Ordinance, or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 6: The Mayor is hereby authorized to sign this Ordinance and the City Secretary to attest. This Ordinance shall become effective in accordance with the provisions of State Law and the City Charter of the City of Georgetown.

APPROVED on First Reading this 12th day of January 2021.

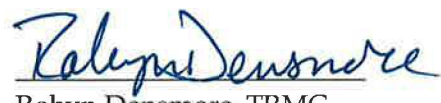
APPROVED AND ADOPTED on Second Reading this 26th day of January 2021.

THE CITY OF GEORGETOWN:



Joshua Schroeder
Mayor

ATTEST:



Robyn Densmore, TRMC
City Secretary

APPROVED AS TO FORM:



Skye Masson
City Attorney

ORDINANCE NO. 2021-04
DESCRIPTION: ELECTRIC UTILITY SERVICES AVAILABILITY LETTER
DATE APPROVED: JANUARY 26, 2021

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Exhibit A

Chapter 16 - DEFINITIONS

SECTION 16.01. - GENERAL

SECTION 16.02. - DEFINITIONS

The following definitions describe terms found in this Code.

Edwards Aquifer. Aquifer formation in Central Texas consisting of a Recharge Zone, Contributing Zone, and Transition Zone, all of which are often preceded in name by "Edwards Aquifer". The boundaries of the Edwards Aquifer and its divisions are determined by the Texas Commission on Environmental Quality (TCEQ). If not specifically singled out by individual zone, "Edwards Aquifer" shall be determined to encompass all three zones collectively. Also see "Aquifer".

Electric Utility Services Availability Letter. A letter issued by the appropriate electric distribution utility certifying the availability of electric utility service and electric distribution infrastructure to a property, together with a cover letter from the applicant or owner of the property to be served that commits that the electric service will be installed in conformance to the requirements for design and construction of electric utilities of this Code.

Electrical Engineer. The person designated by the City's electric utility to make decisions regarding placement, design, procedures, and other authorized determinations regarding electrical public improvements.
