

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, ADOPTING THE CITY OF UNIVERSITY PARK DESIGN MANUAL FOR THE INSTALLATION OF NODES AND NODE SUPPORT POLES IN THE CITY RIGHTS-OF-WAY, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CHAPTER 284; AND DESIGNATING DESIGN DISTRICTS FOR THE INSTALLATION OF NODES AND NODE SUPPORT POLES, TO BE DESIGNATED THEREIN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 284 of the Local Government Code, effective September 1, 2017, provides a regulatory framework governing the installation of Nodes and Node Support Poles in the City's Right-of-Way; and

WHEREAS, pursuant to Chapter 284, Network Providers installing wireless equipment in the City's Rights-of-Way must comply with the Design Manual adopted by the City for that purpose; and

WHEREAS, Chapter 284 authorizes the City to designate Design Districts and Historic Districts, wherein heightened aesthetic requirements may be applied to such equipment; and

WHEREAS, the City of University Park has determined that certain areas of the city which should be designated as design districts, for purposes of Chapter 284, to preserve the character and aesthetic qualities of these areas;

WHEREAS, the City Council, in the exercise of its legislative discretion, has concluded that the attached Design Manual should be approved;

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

SECTION 1. The following areas of the City of University Park are hereby designated as Design Districts for the installation of network nodes and node support poles, pursuant to Chapter 284 of the Local Government Code:

The public rights-of-way contained within, and adjacent to, each Planned Development District as defined by the City of University Park Comprehensive Zoning Ordinance.

SECTION 2. The University Park Design Manual for the Installation of Network Nodes and Node Support Poles, attached hereto as Exhibit "A", is hereby adopted. All Network Providers seeking to install wireless equipment in the rights-of-way of the City of University Park pursuant to Chapter 284 of the Local Government Code must comply with this Design Manual.

SECTION 3. All provisions of the ordinances of the City of University Park in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged to be invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of this ordinance or any portion thereof other than the portion so decided to be invalid or unconstitutional.

SECTION 5. This ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS, ON THIS THE ____ DAY OF _____ 2017.

ATTEST:

APPROVED:

Christine Green, City Secretary

Olin B. Lane, Mayor

APPROVED AS TO FORM:

City Attorney
(RLD/7-14-17/88072)

EXHIBIT “A”

**City of University Park
Design Manual**