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**SUBJECT:** Hold a public hearing and consider text amendments to the Code of Ordinances, Chapter 157, Unified Development Code for purposes of adding reference to Chapter 158 Storm Water Pollution Control Ordinance: amending Subchapter 3 to add submittal requirements for Site Development; amending Subchapters 5, 6 and 16 to add reference to Chapter 158; and amending Subchapter 15 to add submittal requirements for Preliminary Plat and Construction Plans. (CA1201-01)

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### **BACKGROUND/DISCUSSION**

In December 2011, the City Council approved Ordinance No. 1095-11-12-13 which established Chapter 158, Storm Water Pollution Control Ordinance in the Code of Ordinances. With this ordinance in place, it is necessary to amend portions of the Unified Development Code in order to specify additional submittal requirements and ensure appropriate phases of development are familiar with and adhere to the provisions outlined in Chapter 158. A framework for amendments to Subchapters 3, 5, 6, 15, and 16 of the Unified Development Code was presented to the Planning and Zoning Commission as a discussion item on January 9, 2012. Suggestions from that discussion have been integrated into the proposed amendments as summarized below and provided in the attached ordinance.

### **PROPOSED AMENDMENTS**

#### ***Subchapters 3 and 15:***

Additional submittal requirements are proposed for Site Development, Preliminary Plat and Construction Plan applications. Each of these phases will require an Erosion and Sedimentation Control Plan per Chapter 158 and the Engineering Design Guidelines. Site Development and Construction Plans will be required to show all temporary and permanent erosion and sedimentation controls while a Preliminary Plat will only be required to identify any proposed permanent controls.

Through discussion at the January meeting, the Planning and Zoning Commission suggested not requiring a full copy of the Storm Water Pollution Prevention Plan (SWP3) with Site Development and Construction Plan applications as the framework proposed. In concurrence with the Commission's suggestion, only a copy of the TCEQ permit issued for the SWP3 will be required prior to issuance of a Site Development or Construction Plan permit.

#### ***Subchapters 5, 6 and 16:***

To ensure development within the SH 45 and SH 130 Corridor District and 685 Commercial Park Overlay District comply with Chapter 158, reference has been added to Subchapter 5(B)(30) Additional Standards and Subchapter 5(D)(5) General Development Standards. Reference to Chapter 158 was provided in Subchapter 6(A)(2) in order to address non-conforming uses and sites. The purpose statement in the Drainage Standards found within

Subchapter 16(A) was also amended to include a reference to Chapter 158 and the Engineering Design Guidelines.

**STAFF RECOMMENDATION:**

The proposed amendments to the UDC will create cross references to Chapter 158 to ensure new development is compliant with the new ordinance and to ensure the City meets the requirements of the MS4 general permit. Staff recommends approval of the proposed text amendments.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

On February 6, 2012, the Planning and Zoning Commission unanimously recommended approval of the proposed amendments to the Unified Development Code.

**ATTACHMENTS:**

- Proposed Ordinance