

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 153, PLANNING, BY REPEALING AND REPLACING THE 2021 UPDATED WATER MASTER PLAN and 2021 UPDATED WASTEWATER MASTER PLAN ADOPTED BY ORDINANCE NO. 1438-20-04-14 AND AS REFERENCED IN THE ADOPTION OF THE ASPIRE PFLUGERVILLE 2040 COMPREHENSIVE PLAN BY ORDINANCE NO. 1545-22-04-26; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to V.T.C.A., Local Government Code § 213.002, the City Council of Pflugerville, Texas shall adopt and maintain a comprehensive plan to promote sound development and public health, safety, and welfare; and

WHEREAS, the City previously adopted the 2021 Updated Water Master Plan and Updated Wastewater Master Plan per Ordinance No. 1438-20-04-14; and

WHEREAS, the City previously adopted the Aspire Pflugerville 2040 Comprehensive Plan per Ordinance No. 1545-22-04-26; and

WHEREAS, two of the guiding principles for the City of Pflugerville, as established by the Aspire Pflugerville 2040 Comprehensive Plan are Environmental Sustainability, to protect and preserve the environment, including air quality and water quality for future generations; and Fiscal Responsibility, to make sound decisions and prioritize budgets to prepare the City for the future; and

WHEREAS, Chapter 6, Infrastructure, of the Aspire Pflugerville 2040 Comprehensive Plan adopted goals related to evaluating infrastructure needs as the city grows; and

WHEREAS, the City of Pflugerville desires to adequately plan for water and wastewater utility needs of the City as it continues to grow and expand; and

WHEREAS, the consultant, Freese and Nichols, Inc., was retained by the City of Pflugerville to update the comprehensive Water and Wastewater Master Plans; and

WHEREAS, the Planning and Zoning Commission recommended approval of the updated Water Master Plan and updated Wastewater Master Plan on July 17, 2023; and

WHEREAS, the City Council held a public hearing for updated Water Master Plan and updated Wastewater Master Plan on August 22, 2023; and

WHEREAS, the City Council desires to adopt the updated Water and Wastewater Master Plans, provided in Exhibit A.

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

I. Recitals

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.

II. Water and Wastewater Master Plan Adoption

That the City Council of the City of Pflugerville, Texas hereby adopts the updated Water Master Plan and updated Wastewater Master Plan as an extension of the Aspire Pflugerville 2040 Comprehensive Plan, provided in Exhibit A, which is attached hereto and incorporated herein for all purposes.

III. Chapter 153.01 (C) and (E) Repeal and Replace

That the Code of Ordinances of the City of Pflugerville, Texas, Chapter 153.01(D), is hereby repealed and replaced by the following:

CHAPTER 153.01: PLANNING

§ 153.01 COMPREHENSIVE PLAN

Pursuant to V.T.C.A., Local Government Code § 213.002, the City Council of Pflugerville, Texas has adopted a comprehensive plan which is a coordinated set of plans organized by subject and geographic area to be used to coordinate and guide the establishment of development regulations in the City of Pflugerville. The coordinated set of plans shall be collectively referred to as the "Pflugerville Comprehensive Plan". The Pflugerville Comprehensive Plan shall consist of the following set of plans:

~~(C) The document entitled "Water Master Plan dated March 2021" prepared by the consultants of Freese and Nichols, Inc. is hereby incorporated as the water element of the Comprehensive Plan by Ordinance 1500-21-06-22 adopted on June 22, 2021.~~

(C) The document entitled "Water Master Plan dated July 2023" prepared by the consultants of Freese and Nichols, Inc. is hereby incorporated as the water element of the Comprehensive Plan by Ordinance No. _____ adopted on _____.

~~(E) The document entitled "Wastewater Master Plan dated March 2021" prepared by the consultants of Freese and Nichols, Inc. is hereby incorporated as the wastewater element of~~

~~the Comprehensive Plan by Ordinance 1500-21-06-22 adopted on June 22, 2021.~~

(E) The document entitled "Wastewater Master Plan dated July 2023" prepared by the consultants of Freese and Nichols, Inc. is hereby incorporated as the wastewater element of the Comprehensive Plan by Ordinance No. _____ adopted on _____.

IV. 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.

V. Effective Date

This ordinance will take effect upon its passage by four affirmative votes on the first reading; provided that this Ordinance will be posted and adopted at a subsequent meeting in accordance with the provisions of Section 3.15(d) of the City Charter.

PASSED AND APPROVED this 22nd day of August, 2023.

CITY OF PFLUGERVILLE, TEXAS

by:

Victor Gonzales, Mayor

ATTEST:

TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

Charles Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.

Exhibit A