

ORDINANCE NO. ORD-0739

**AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 153, PLANNING, BY ADOPTING THE DRAINAGE MASTER PLAN DATED AUGUST 2022; 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 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**, the City of Pflugerville desires to adequately plan for drainage, flood prevention and utility needs of the City as it continues to grow and expand; and

**WHEREAS**, the consultant, Halff and Associates, Inc. was retained by the City of Pflugerville to create the comprehensive Drainage Master Plan; and

**WHEREAS**, the City Council of the City of Pflugerville has determined that it is necessary and beneficial to amend and add master plan components consistent with the recommendations and considerations of the Aspire Pflugerville 2040 Comprehensive Plan, adopted in April of 2022; and

**WHEREAS**, the Planning and Zoning Commission conducted a public hearing and recommended approval of the Drainage Master Plan on August 7, 2023; and

**WHEREAS**, the City Council held a public hearing for the Drainage Master Plan on August 22, 2023; and

**WHEREAS**, the City Council of the City of Pflugerville has determined that it is necessary and beneficial to adopt the City's Drainage Master Plan; and

**WHEREAS**, the City Council desires to adopt the Drainage Master Plan, provided in Exhibit A.

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

**Section I. Recitals**

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made part hereof for all purposes as findings of fact.

**Section II. Drainage Master Plan Adoption**

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

**Section III. Chapter 153.01 Comprehensive Plan**

That the Code of Ordinances of the City of Pflugerville, Texas, Chapter 153.01(F), is hereby added:

**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:

- (F) The document entitled "Drainage Master Plan" dated August 2022, prepared by the consultants of Half and Associates, Inc. is hereby incorporated as the Drainage Master Plan extension of the Aspire 2040 Comprehensive Plan as adopted by Ordinance 1545-22-04-26 on April 26, 2022.

**Section V. 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.

**Section IV: 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 22<sup>nd</sup> day of August, 2023.

CITY OF PFLUGERVILLE, TEXAS

by:

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Victor Gonzales, Mayor

ATTEST:

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TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

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

## Exhibit A