

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AMENDED IMPACT FEES AND AMENDING CHAPTER 152, IMPLEMENTATION OF IMPACT FEE, OF THE CODE OF ORDINANCES FOR THE CITY OF PFLUGERVILLE, TEXAS TO UPDATE THE IMPACT FEES PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 395, SUBCHAPTER C; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, under the authority of *Tex. Loc. Gov't Code* Chapter 395, Subchapter C, Section 395.052, the City of Pflugerville is required to update the land use assumptions and capital improvements plan at least every five years; and

WHEREAS, pursuant to Section 395.053, the City, within 60 days after the date it received the update of the land use assumptions and the capital improvements plan, adopted an order setting a public hearing to review the update and determine whether to amend the plan; and

WHEREAS, in conformance with Sections 395.054, the City made available to the public the land use assumptions and the capital improvements plan; and

WHEREAS, under Section 395.056, the Capital Improvements Advisory Committee filed its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee before the fifth business day before the date of the public hearing; and.

WHEREAS, the City's Capital Improvements Advisory Commission have recommended approval and adoption of the proposed amended impact fees to the City Council; and

WHEREAS, the City has complied with all other conditions necessary to take this action and has properly noticed and conducted all public hearings and public meetings pursuant to *Tex. Loc. Gov't Code* Chapter 395, Subchapter C and the *Texas Government Code*, as applicable.

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

**Section 1: Findings**

The findings contained in the preamble of this Ordinance are hereby declared to be true and correct and are adopted as part of this Ordinance.

**Section 2. Amended Impact Fees**

The City Council hereby approves, having complied with all requirements set forth above, the proposed amendments to the impact fees as shown on the attached Exhibit "1".

**Section 3. Code Amendments**

The City of Pflugerville, Texas Code of Ordinances, Chapter 152 Implementation of Impact Fee, Sections 152.02, 152.04, 152.15, 152.18, 152.19 and 152.22 and Exhibits A and B are hereby amended to read as shown on Exhibit "1".

**Section 4: 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 5: Repealer**

**This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.**

**Section 6. Effective Date**

This Ordinance will take effect on January 10, 2023 after its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 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.



Meter Size	Service Units
Apartment unit	0.5

<u>5/8" Displacement</u>	<u>1.0</u>
<u>3/4" Displacement</u>	<u>1.7</u>
<u>1" Displacement</u>	<u>2.7</u>
<u>1 1/2" Displacement</u>	<u>3.3</u>
<u>2" Displacement</u>	<u>6.7</u>
<u>3" Compound</u>	<u>21.3</u>
<u>4" Compound</u>	<u>33.3</u>
<u>4" Combination</u>	<u>46.7</u>
<u>6" Compound</u>	<u>66.7</u>
<u>6" Combination</u>	<u>106.7</u>
<u>8" Combination</u>	<u>186.7</u>

5/8" Displacement	1.0
3/4" Displacement	1.7
1" Displacement	2.7
1 1/2" Displacement	3.3
2" Displacement	6.7
3" Compound	21.3
4" Compound	33.3
4" Combination	46.7
6" Compound	66.7
6" Combination	106.7
8" Combination	186.7
10" Combination	293.3

\* \* \*

§ 152.19 IMPACT FEE AMOUNT.

- (A) The amount of the impact fee for water and wastewater facilities are applied based on Service Area. (Exhibit A Ordinance No.1179-14-06-10 \_\_\_\_\_)
- (B) Effective January 10, 2023 ~~March 10, 2020~~, the impact fee for each service unit is:

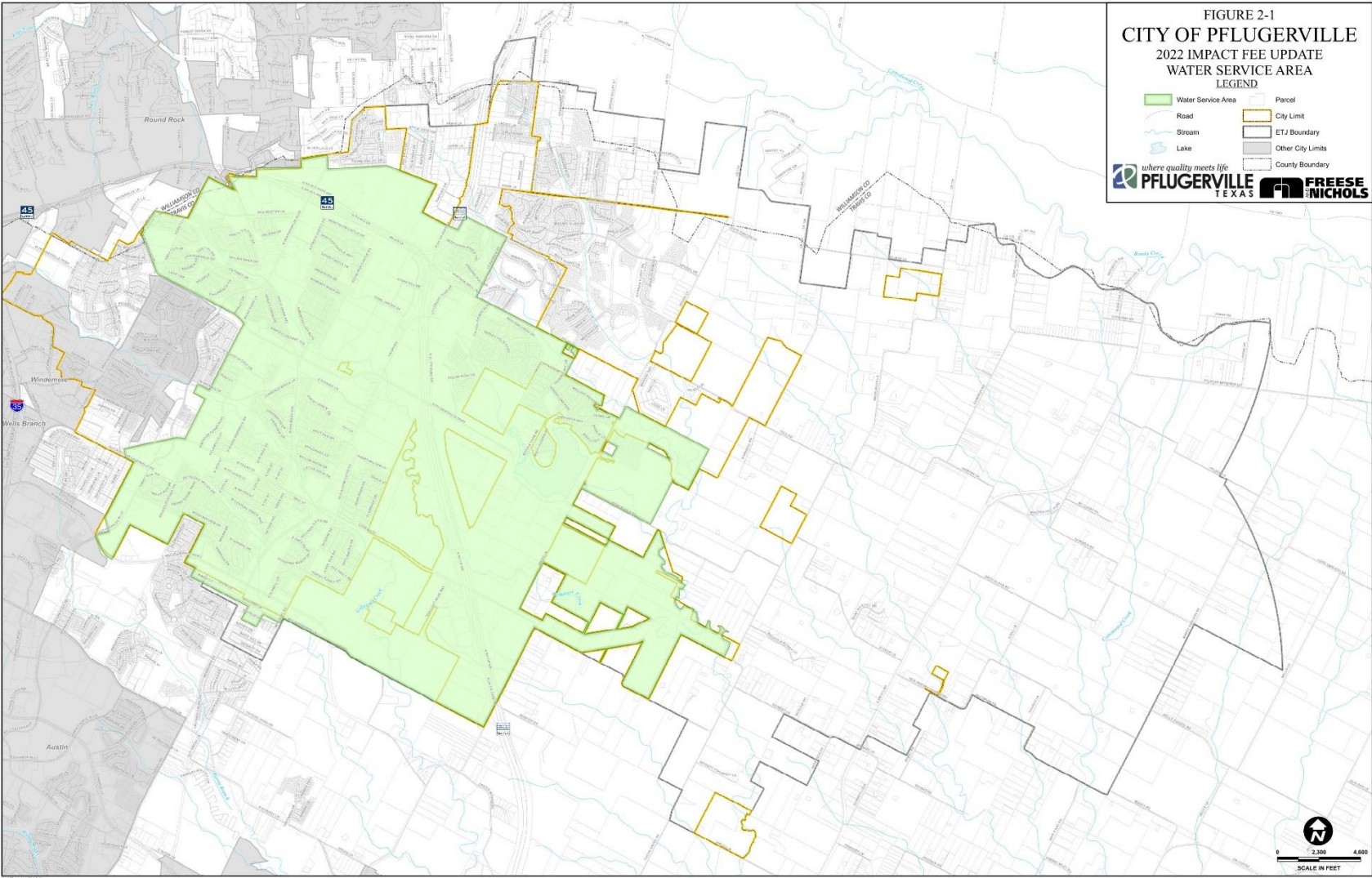
<b>Area</b>	<b>Water Impact Fee</b>	<b>Wastewater Impact Fee</b>	<b>Total</b>
Service Area 1	\$7,897.00	\$1,898.00	\$9,796.00
Service Area 2	\$7,897.00	\$8,184.00	\$16,082.00
<b>Service Area</b>		<b>Maximum Allowable Impact Fee Per Service Unit</b>	
Water		\$14,713	
Wastewater Service Area 1		\$1,316	
Wastewater Service Area 2		\$15,136	
<b>Total in Wastewater Service Area 1</b>		<b>\$16,029</b>	
<b>Total in Wastewater Service Area 2</b>		<b>\$29,849</b>	

\* \* \*

§ 152.22 CREDITS AND REIMBURSEMENTS.

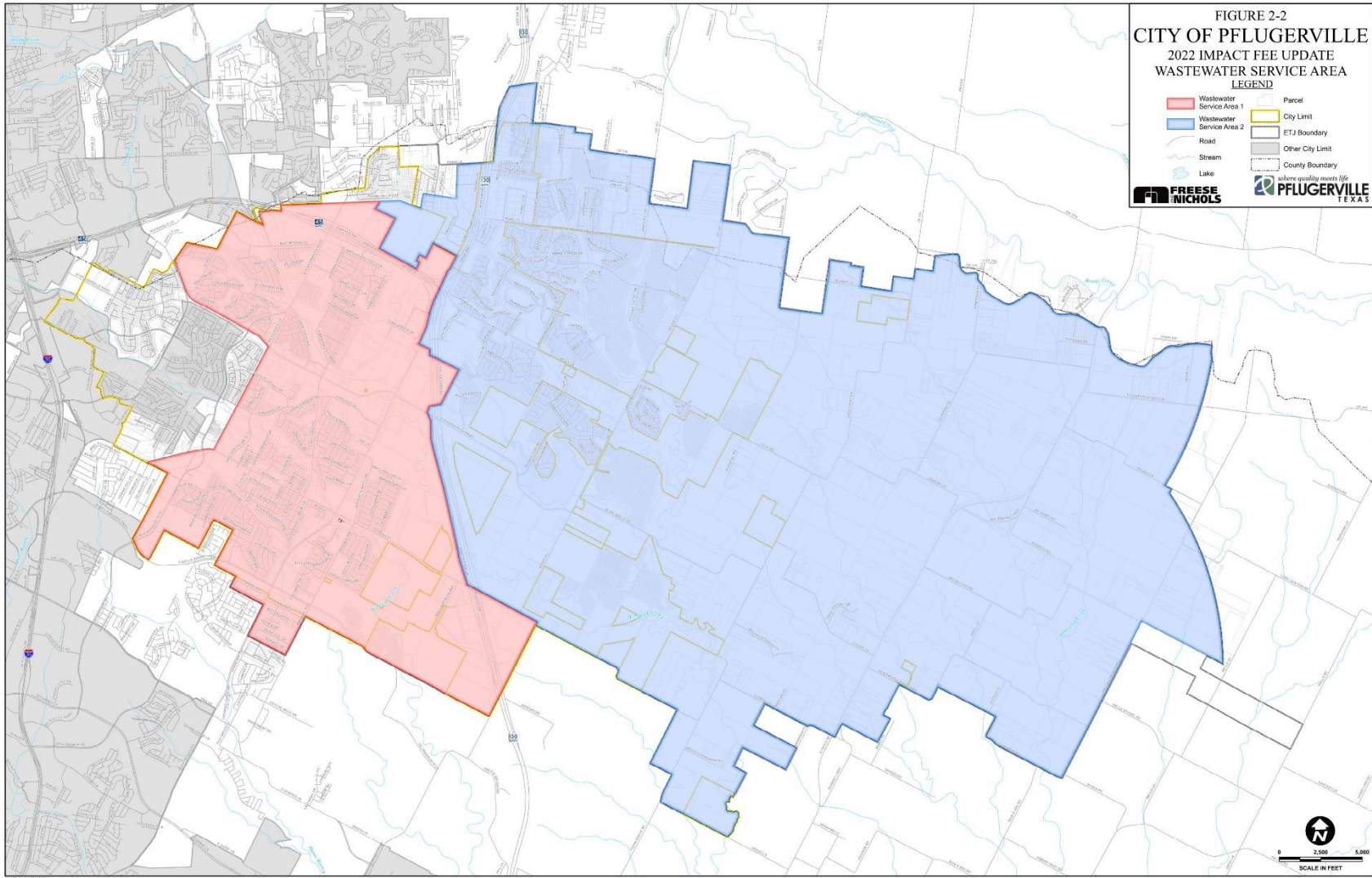
- (A) Where, in order to serve new development, the Developer is required to construct, contribute, contribute to, or dedicate, a capital improvement or facility expansion identified in the capital improvements plan (Exhibit B to Ordinance ~~1179-14-06-10~~ \_\_\_\_\_) the developer may enter into an agreement with the city whereby the developer is:
- (1) Credited for the capital improvement or facility expansion against the impact fee otherwise due from the new development; or
  - (2) Reimbursed for all or a portion of the costs of the capital improvement or facility expansion from impact fees as received from other new developments that use the capital improvement or facility expansion.

# Exhibit A – Water Service Area



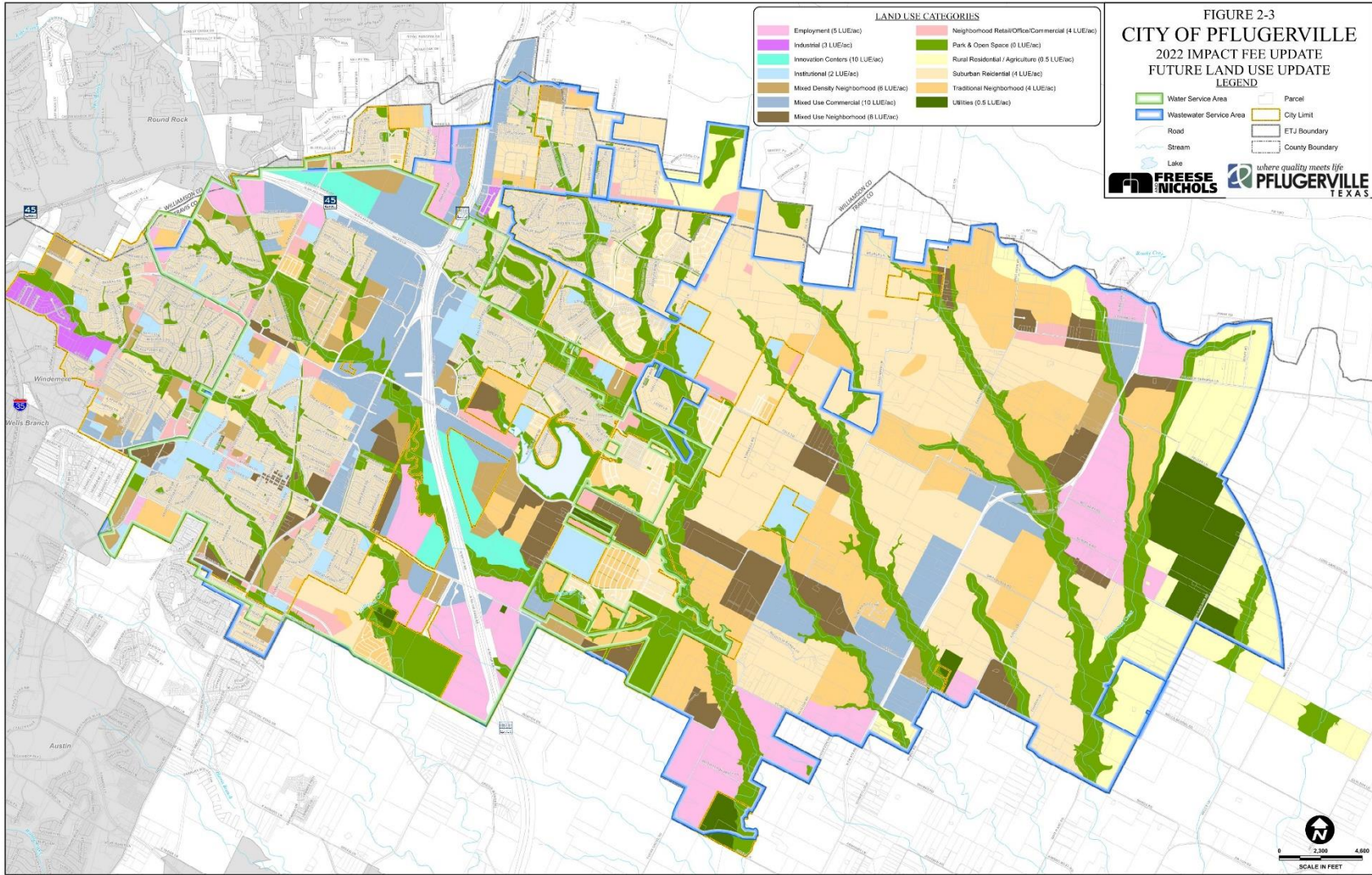


# Exhibit A – Wastewater Service Area





## Exhibit A – Future Land Use Update





**Exhibit B: Water System Impact Fee Eligible Projects**

Project Number	Project Name	2022 Utilization <sup>(1)</sup>	2032 Utilization	2022-2032 Utilization	Capital Cost	Impact Fee Eligible Cost
<b>Existing Eligible</b>						
A	1.5-MG Heatherwilde Elevated Storage Tank	55%	100%	45%	\$6,390,257	\$2,875,616
B	9.2-MGD Pfennig Pump Station	50%	64%	14%	\$3,200,000	\$448,000
C	16-inch Pecan Water Line	20%	80%	60%	\$974,073	\$584,444
D	State Highway 45 Water Extension	0%	60%	60%	\$470,677	\$282,406
E	Impact Fee Study	0%	100%	100%	\$38,000	\$38,000
<b>Proposed Eligible</b>						
1	2.5-MG North Elevated Storage Tank	40%	100%	60%	\$8,067,584	\$4,840,550
2	2.0-MG 800' PZ Elevated Storage Tank	36%	46%	10%	\$7,462,584	\$746,258
3	Water Treatment Plant Expansion and 6.0-MGD 800' PZ Pump Station	0%	100%	100%	\$167,703,466	\$167,703,466
4	42/36/24/20-inch Waterlines along Weiss Lane and crossing 130	25%	85%	60%	\$18,686,135	\$11,211,681
5	30-inch Kelly Lane Water Line	25%	75%	50%	\$4,855,200	\$2,427,600
6	16-inch Colorado Sand Drive Looping	10%	95%	85%	\$1,215,000	\$1,032,750
7	HCA 12-inch loop	70%	100%	30%	\$1,159,800	\$347,940
8	Colorado River Raw Water Line	0%	55%	55%	\$135,702,018	\$74,636,110
9	36/30-inch Weiss Lane/Kelly Lane Water Lines	20%	70%	50%	\$32,994,397	\$16,497,199
10	20-inch SH 130 Water Line	10%	90%	80%	\$4,857,975	\$3,886,380
11	30/24-inch SH 130 Water Lines	10%	90%	80%	\$7,906,300	\$6,325,040
12	12-inch Looping Improvements in Central PZ	20%	60%	40%	\$2,617,100	\$1,046,840
13	State Highway 45 Pump Station	0%	85%	85%	\$19,314,600	\$16,417,410
14	30/24-inch State Highway 45 Pump Station Discharge Line	0%	60%	60%	\$7,906,300	\$4,743,780
15	Lakeside Meadows 12/16/8-inch Water Lines	0%	100%	100%	\$3,442,300	\$3,442,300
16	12-inch Lifestyle Communities Water Line	0%	100%	100%	\$1,325,400	\$1,325,400
17	24-inch East State Highway 130 Water Line	10%	40%	30%	\$6,737,400	\$2,021,220
18	12/16-inch Water Lines Between Austin Hutto Road and Pflugerville Parkway	0%	70%	70%	\$3,856,500	\$2,699,550
19	Water Treatment Plant Expansion to 45 MGD	0%	63%	63%	\$135,000,000	\$85,050,000
20	Central PZ Pump Station Expansion to 39 MGD	0%	78%	78%	\$17,503,200	\$13,652,496
21	12-inch Water Line South of State Highway 45	10%	90%	80%	\$2,252,000	\$1,801,600
22	36/30/20-inch Immanuel Road EST Water Lines	15%	75%	60%	\$11,365,500	\$6,819,300
23	12-inch Looping in Southern Central PZ	10%	90%	80%	\$1,288,600	\$1,030,880
<b>Total</b>					<b>\$614,292,366</b>	<b>\$433,934,216</b>

<sup>(1)</sup>Utilization in 2022 on proposed projects indicates a portion of the project that will be used to address deficiencies within the existing system, and therefore are not eligible for impact fee cost recovery for future growth.



**Exhibit B: Wastewater System Impact Fee Eligible Projects for Service Area 1**

Project Number	Project Name	2022 Utilization <sup>(1)</sup>	2032 Utilization	2022-2032 Utilization	Capital Cost	Impact Fee Eligible Cost
<b>Existing Eligible</b>						
A	SH 130 Interceptor	35%	65%	30%	\$16,306,800	\$4,892,040
B	Central Wastewater Treatment Plant Phase 1 Expansion	85%	100%	15%	\$51,889,172	\$7,783,376
C	30/24-inch Highland Park Interceptor	50%	75%	25%	\$2,168,090	\$542,023
G	10-inch Quick Trip Interceptor	5%	90%	85%	\$628,238	\$534,002
H	State Highway 45 Wastewater Extension	0%	65%	65%	\$1,923,260	\$1,250,119
I	Impact Fee Study	0%	100%	100%	\$19,000	\$19,000
<b>Proposed Eligible</b>						
1	Central Wastewater Treatment Plant Expansion	73%	100%	27%	\$16,379,698	\$4,422,518
8	15-inch Gilleland Creek Interceptor	76%	96%	20%	\$2,368,558	\$473,712
9	18-inch North Central Basin Interceptor	80%	90%	10%	\$1,366,550	\$136,655
11	8-inch Bohls Place Interceptor	70%	100%	30%	\$2,208,175	\$662,452
12	12-inch Club Interceptor	45%	55%	10%	\$5,017,818	\$501,782
13	Boulder Ridge Lift Station Expansion	90%	95%	5%	\$997,100	\$49,855
15	24-inch Central Interceptor	65%	85%	20%	\$11,192,100	\$2,238,420
17	15-inch SH 45 Interceptor	0%	60%	60%	\$1,684,400	\$1,010,640
<b>Total</b>					<b>\$114,148,959</b>	<b>\$24,516,594</b>

<sup>(1)</sup>Utilization in 2022 on proposed projects indicates a portion of the project that will be used to address deficiencies within the existing system, and therefore are not eligible for impact fee cost recovery for future growth.



**Exhibit B: Wastewater System Impact Fee Eligible Projects for Service Area 2**

Project Number	Project Name	2022 Utilization <sup>(1)</sup>	2032 Utilization	2022-2032 Utilization	Capital Cost	Impact Fee Eligible Cost
<b>Existing Eligible</b>						
D	Carmel Lift Station and Force Main	44%	80%	36%	\$3,853,330	\$1,387,199
E	36/24/21/18-inch Wilbarger Interceptors	11%	80%	69%	\$4,188,786	\$2,890,262
F	Vine Creek Lift Station and 12-inch Force Main	26%	100%	74%	\$1,810,411	\$1,339,704
I	Impact Fee Study	0%	100%	100%	\$19,000	\$19,000
<b>Proposed Eligible</b>						
2	Wilbarger Wastewater Treatment Plant	59%	100%	41%	\$229,780,140	\$94,209,857
3	54-inch Wilbarger Creek Interceptor	38%	81%	43%	\$28,742,858	\$12,359,429
4	Carmel Lift Station Pump Upgrades	10%	100%	90%	\$536,900	\$483,210
5	Sorento Interceptor Phase 2	80%	95%	15%	\$14,581,500	\$2,187,225
6	Kelly Lane Interceptor	40%	70%	30%	\$27,311,944	\$8,193,583
7	15-inch North Wilbarger Interceptor	0%	30%	30%	\$3,335,465	\$1,000,640
10	Cottonwood West Lift Station	0%	40%	40%	\$7,720,060	\$3,088,024
14	New Sweden Lift Station and Force Main	0%	100%	100%	\$6,281,100	\$6,281,100
16	24-inch Carmel Interceptor	0%	90%	90%	\$3,933,200	\$3,539,880
18	24-inch Colorado Sands Interceptor	0%	70%	70%	\$13,306,000	\$9,314,200
19	18-inch Colorado Sands Interceptor	5%	60%	55%	\$4,049,800	\$2,227,390
20	12-inch Wilbarger Inceptor	20%	80%	60%	\$1,573,900	\$944,340
21	Wilbarger Wastewater Treatment Plant Expansion	0%	63%	63%	\$202,488,000	\$127,567,440
22	New Sweden Lift Station Expansion and Force Main	0%	100%	100%	\$8,171,400	\$8,171,400
23	Cottonwood West Interceptor	0%	29%	29%	\$35,156,420	\$10,195,362
24	18-inch North Cottonwood Interceptor	0%	17%	17%	\$4,139,150	\$703,656
25	Cottonwood North Interceptor	0%	10%	10%	\$11,092,400	\$1,109,240
<b>Total</b>					<b>\$612,071,764</b>	<b>\$297,212,141</b>

<sup>(1)</sup>Utilization in 2022 on proposed projects indicates a portion of the project that will be used to address deficiencies within the existing system, and therefore are not eligible for impact fee cost recovery for future growth.