

An Ordinance of the City of Plano, Texas, amending Section 16-165, Basis for establishing the areas of special flood hazard, of Division 1, Generally, of Article VIII, Flood Damage Prevention, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas to adopt the new Flood Insurance Rate Maps and Flood Insurance Study as issued by the Federal Emergency Management Agency (“FEMA”) and Subsection f, of Section 16-177, Standards for subdivision proposals, of Division 3, Flood Hazard Reduction, of Article VIII, Flood Damage Prevention, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas to include new developments as part of the requirement as requested by FEMA; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, on April 27, 2009, by Ordinance No. 2009-4-20, the City Council of Plano adopted Article VIII, Flood Damage Prevention, of Chapter 16, Planning and Development, of the City of Plano Code of Ordinance (“Flood Damage Prevention Ordinance”); and

WHEREAS, City Council amended certain parts of the Flood Damage Prevention Ordinance on May 8, 2017, by Ordinance No. 2017-5-3 and on March 16, 2021, by Ordinance No. 2021-3-1; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) has requested that the City adopt FEMA’s new Flood Insurance Rate Maps and Flood Insurance Study reports under Section 16-165 and include new developments as part of the requirement under Section 16-177(f) of the Flood Damage Prevention Ordinance; and

WHEREAS, the City Council is of the opinion that this ordinance amendment will promote the public health, safety and general welfare and minimize public and private flood losses.

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

Section I. Section 16-165, Basis for establishing the areas of special flood hazard, of Division 1, Generally, of Article VIII, Flood Damage Prevention, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas, is hereby amended to read as follows:

“The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Collin County, Texas And Incorporated Areas", dated November 21, 2024, with accompanying flood insurance rate maps (FIRMs) dated November 21, 2024, and the flood insurance study (FIS) for "Denton County, Texas and Incorporated Areas" dated April 18, 2011 with

accompanying flood insurance rate maps (FIRMs) dated April 18, 2011, and any revisions thereto, are hereby adopted by reference and declared to be a part of this article.”

Section II. Subsection f of Section 16-177, Standards for subdivision proposals, of Division 3, Flood Hazard Reduction, of Article VIII, Flood Damage Prevention, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas is hereby amended to read as follows:

“(f) All subdivision proposals and other proposed new development including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.”

Section III. Any violation of the provisions or terms of this Ordinance by any person, firm, or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section IV. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section V. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section VI. The repeal of any Ordinance or part of an Ordinance effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section VII. This Ordinance shall become effective from and after its passage and publication as required by law.

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PASSED AND APPROVED on the 28th day of October, 2024.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY