

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2020-40

AN ORDINANCE AMENDING ARTICLE A1.000 (GENERAL PROVISIONS) OF THE DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING SECTION 3 SITE DEVELOPMENT AND SECTION 4 SUBDIVISION FEE SCHEDULES; CREATING A SIDEWALK FUND; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, AND PROPER NOTICE & MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to provide for reasonable fees to recoup the cost of reviewing site development and subdivision applications and plans and installing sidewalks to assist public access, on the public’s behalf; and

WHEREAS, the City Council finds that the attached amended schedule of fees, is reasonable and prudent in light of the municipal resources expended on reviewing site development and subdivision applications and plans; and

WHEREAS, the funds received by the City through these fees will be placed in a Sidewalk Fund to be used for the construction of sidewalks and related infrastructure to increase connectivity for the residents and visitors of the City; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the fees approved and instituted by this ordinance are consistent with, and in accordance with, the annual budget for the City.

NOW, THEREFORE, BE IT ORDAINED BY THE DRIPPING SPRINGS CITY COUNCIL:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

Appendix A, Article A1.000, Section 3 and Section 4 of the City of Dripping Springs Code of Ordinances is amended so to read in accordance with Attachment A, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted

into the Code and any struck-through text shall be deleted from the Code, as stated on Attachment A.

This ordinance also creates a Sidewalk Fund where the funds from the Sidewalk Fee-in-Lieu for the Site Development and Subdivision sidewalks shall be stored and used for the construction of sidewalks and related infrastructure.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

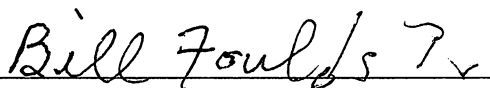
This Ordinance shall be effective immediately upon passage and publication.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 14th day of July 2020, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:



Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham
Andrea Cunningham, City Secretary



CITY OF DRIPPING SPRINGS

CODE OF ORDINANCES

APPENDIX A DRIPPING SPRINGS MASTER FEE SCHEDULE

ARTICLE A1.000 (GENERAL PROVISIONS)

SECTION 3. SITE DEVELOPMENT

3.1 Site Development Permit Application Fees

- 3.1.1 Pre-Application Conference Fee: \$180.00 (cost put towards application fee if application is filed within twelve (12) months of conference.)
- 3.1.2 Minor Projects (less than \$10,000.00): \$500.00
- 3.1.3 Small Projects (\$10,000.00 - \$50,000.00): \$1,000.00
- 3.1.4 Medium Projects (\$50,000.00 - \$100,000.00): \$1,500.00 and 1.5% of the estimated total construction cost of the improvements required by the Site Development Ordinance.
- 3.1.5 Large Projects (\$100,001.00 - \$500,000.00): \$2,000.00 and 1.5% of the estimated total construction cost of the improvements required by the Site Development Ordinance.
- 3.1.6 Mega Projects (greater than \$501,000.00): \$2,000.00 and 1.5 % of the estimated total construction cost of the improvements required by the Site Development Ordinance.
- 3.1.7 Project cost estimate includes all the site-related work (does not include costs of vertical structures, pump stations); cost estimate must be reasonable and based on current costs. The City shall determine the reasonableness of costs.
- 3.1.8 Temporary Projects: \$250.00 for temporary improvements between 15 and 30 days.
- 3.1.9 Site Development Permit Amendments/Engineer Adjustment Fee: \$1,000.00
- 3.1.10 Public Notice Signage: \$25.00

3.2 Reimbursement of Consultant Costs for Site Development Application

- 3.2.1 The applicant is required to pay all associated costs prior to receiving a permit,

regardless of City approval. Any project that starts construction without a permit is subject to penalty as described by the Site Development Ordinance.

3.2.2 Associated costs may include, but are not limited to, outside professional services provided by engineers, attorneys, surveyors, inspectors, lighting consultant, landscape reviewer, exterior design, and others, as required.

3.2.3 Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs.

3.3 Waiver/Variance Request: \$500.00

3.4 Guarantee of Public Improvements: A bond or cash equivalent in an amount equal to one hundred and ten percent (110%) of the estimated cost of construction of permitted project.

3.5 Site Development work done before the approval of a permit shall require double the normal permit fee.

3.6 Extension of Plan Approval Request Fee: \$200.00

3.7 Reinspection Fee by City Staff, fees to double with each reinspection (including but not limited to all road inspections, concrete pre-pour, erosion control, and stormwater inspections):

- a. First reinspection: \$50.00
- b. Second reinspection: \$100.00
- c. Third reinspection: \$200.00

Any further reinspections beyond the third reinspection are to double in price as demonstrated in 3.7(a) – (c).

3.8 Sidewalk Fee-in-Lieu: \$8.00 per square foot of approved fee-in-lieu of sidewalk construction.

SECTION 4. SUBDIVISION

4.1 Pre-Application Conference Fee: \$180.00 (cost put towards application fee if application is filed within twelve (12) months of conference)

4.2 Preliminary Plat (Major Plat) Filing Fee: \$500.00/plat, plus \$225.00 per lot

4.3 Minor Plat Submitting Fee: \$500.00/plat

4.4 Final Plat (Major Plat) Filing Fee: \$250.00/plat, plus \$450.00 per lot

- 4.5 **Amending Plat Submitting Fee:** \$500.00/plat
- 4.6 **Guarantee of Public Improvements:** A bond or case equivalent in the amount equal to the estimated costs of construction based on approved plans. This amount applies to utilities, drainage, water quality facilities, water detention facilities, roadways, and all related features. This amount will not be collected if Hays County has collected no less than this amount, where applicable.
- 4.7 **Guarantee of Maintenance:** Maintenance bond required in amount of one hundred percent of the full cost of improvements. This amount applies to utilities, drainage, water quality facilities, water detention facilities, roadways, and all related features. This amount will not be collected if Hays County has collected no less than this amount, where applicable.
- 4.8 **Vacation of Plat Fee:** \$500.00/plat
- 4.9 **Replat Fee:** \$500.00/plat, plus \$250.00 per lot. Any time a vacation and replat occur at the same time, only the replat fee will be collected.
- 4.10 **Plat Amendment Fee:** \$500.00/plat
- 4.11 **Waiver/Variance Request:** \$500.00/variance
- 4.12 **Extension of Plat Approval Request Fee:** \$200.00
- 4.13 **Reimbursement of Consultant Costs for Plat/Construction Plan Application**
- 4.13.1 The application is required to pay all associated costs prior to filing the plat for recordation with the City Secretary, regardless of City Council approval. Any project that starts construction without a permit is subject to penalty as described in the Subdivision Ordinance.
- 4.13.2 Associated costs may include, but are not limited to, outside professional services provided by engineers, attorneys, surveyors, inspectors, and others, as required.
- 4.13.3 Required consultant costs will be billed at cost plus 20% to cover the City's additional administrative costs.
- 4.14 **Construction Plan Approval:** Subdivision Construction Plans shall be considered a Site Development Plan and fees for such shall be paid in accordance with Section 3.
- 4.15 **Construction work done before the approval of a permit shall require double the normal final plat filing fee amount.**
- 4.16 **Vacation of Easement/Right-of-Way Fee:** \$300.00/easement or right-of-way
- 4.17 **Apartment/Condominium Project Plat Filing Fee:** \$500.00/plat, plus \$225.00 per unit

4.18 Apartment/Condominium Project Construction Plan Review Fees

4.18.1 Pre-Application Conference Fee: \$180.00 (cost put towards application fee if application is filed within twelve (12) months of conference)

4.18.2 Concept Plan Review Fee: \$300.00

4.18.3 Small Projects (less than \$50,000.00): \$750.00, with \$50.00 for consultation fees within a meeting

4.18.4 Medium Projects (\$50,000.00 - \$100,000.00): \$1,000.00 and 1.5% of the estimated total construction cost of the improvements required by the Subdivision Ordinance.

4.18.5 Large Projects (\$100,001.00 - \$500,000.00): \$1,500.00 and 1.5% of the estimated total construction cost of the improvements required by the Subdivision Ordinance.

4.18.6 Mega Projects (greater than \$500,001.00): \$2,000.00 and 1.5% of the estimated total construction cost of the improvements required by the Subdivision Ordinance.

4.18.7 Project cost estimate includes all site-related work (does not include costs of vertical structures, pump stations); cost estimate must be reasonable and based on current costs. They shall determine the reasonableness of costs.

4.19 Construction Plan Amendment/Engineer Adjustment Fee: \$500.00

4.20 Public Notice Signage: \$25.00

4.21 Sidewalk Fee-in-Lieu: \$8.00 per square foot of approved fee-in-lieu of sidewalk construction.