



DRIPPING SPRINGS  
Texas

DEVELOPMENT MANUAL

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City of Dripping Springs



## CITY OF DRIPPING SPRINGS

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Dripping Springs is a vibrant, charming, and fast-growing community known as the Gateway to the Texas Hill Country and the Wedding Capital of Texas. The City is an International Dark Sky Community and Platinum Level Scenic City which features majestic views, abundant wildlife, creeks and springs, a highly recognized school district, and offers easy access to Austin. The City has been managing rapid growth for many years, and this growth is expected to continue. Most growth has been in residential land uses and subdivisions both within the City Limits and the City's extraterritorial jurisdiction (ETJ). In addition to increased residential demands, the City has experienced increased commercial activity as well, with over 1.3 million square feet of commercial facilities either being constructed or under renovation in the 2018-2019 fiscal year. The residential and commercial growth has led to increased pressure on City infrastructure, transportation network, recreational facilities, the school district, and the quality of life that has attracted, and continues to bring, new residents and businesses. The City has worked hard to protect community values and quality of life in the face of this growth by implementing and updating City regulations to help manage that growth and facilitate new and creative housing & commercial opportunities. This Development Manual is designed to assist those bringing new residences and businesses to the City understand the development process while also outlining the City's expectations for responsible growth, while not intending to replace the regulations adopted by the City.



# 1 TABLE OF CONTENTS

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- 2 DEVELOPMENT MANUAL OVERVIEW.....5
- 2.1 GENERAL INFORMATION.....6
- 2.2 PLANNING AND DEVELOPMENT DEPARTMENT GOALS .....6
- 3 MAPS AND PLANS.....7
- 4 CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ).....8
- 5 PLANNING AND DEVELOPMENT.....9
- 5.1 PRE-APPLICATION / PRE-DEVELOPMENT MEETINGS .....9
- 5.2 SUBMITTING A PLANNING APPLICATION .....10
- 5.3 ANNEXATION .....12
- 5.3.1 TYPICAL ANNEXATION PROCESS.....12
- 5.4 ZONING.....13
- 5.4.1 TYPICAL ZONING AMENDMENT PROCESS.....14
- 5.4.2 ZONING AMENDMENT SUBMITTAL DOCUMENTS .....14
- 5.5 CONDITIONAL USE PERMITS (CUP).....15
- 5.6 SUBDIVISION.....17
- 5.6.1 TYPICAL SUBDIVISION PROCESS .....18
- 5.6.2 TYPES OF PLATS .....18
- 5.6.3 SUBDIVISION SUBMITTAL DOCUMENTS.....20
- 5.6.4 PLAT TITLE BLOCKS .....21
- 5.7 DEVELOPMENT AGREEMENT .....24
- 5.8 CONSTRUCTION PLANS.....24
- 5.9 SITE DEVELOPMENT.....25

5.9.1	TYPICAL SITE DEVELOPMENT PROCESS .....	26
5.9.2	SITE DEVELOPMENT SUBMITTAL DOCUMENTS .....	27
5.9.3	SITE DEVELOPMENT TITLE BLOCK.....	28
6	BUILDING DEPARTMENT .....	29
6.1	BUILDING PERMITS.....	29
6.1.1	TYPICAL PROCESS .....	29
6.1.2	BUILDING PERMITS.....	31
7	VARIANCES/WAIVERS/ SPECIAL EXCEPTIONS/ALTERNATIVE STANDARDS .....	39
7.1.1	TYPES OF VARIANCES.....	39
8	CERTIFICATE OF APPROPRIATENESS.....	42
8.1.1	TYPICAL CERTIFICATE OF APPROPRIATENESS PROCESS .....	42
9	EXTERIOR DESIGN STANDARDS .....	44
9.1.1	TYPICAL EXTERIOR DESIGN PROCESS .....	45
10	DRIVEWAY/STREET CUT PERMITS .....	46
10.1	TYPICAL DRIVEWAY/STREET CUT PERMIT PROCESS.....	46
11	ON-SITE SEPTIC FACILITY (OSSF).....	47
12	WATER QUALITY BUFFER ZONE.....	48

## 2 DEVELOPMENT MANUAL OVERVIEW

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This manual is intended to provide applicants with information, guidance, and the forms necessary to submit a complete application as required by the City's adopted ordinances.

In addition to the City's adopted ordinances and documents referenced in this Development Manual, you may also need to reference the City's adopted Comprehensive Plan, the City of Dripping Springs Technical Criteria Manual, Texas Commission on Environmental Quality, Hays County, Texas Department of Transportation, and Hays Trinity Groundwater Conservation District requirements, or other regulatory agencies that may have authority in the area where you are developing within the city or the extraterritorial jurisdiction (ETJ).

Please keep in mind that this Development Manual is designed to assist you in preparing your application. **If anything in this manual conflict with an adopted city code, regulation, or state law, the other requirement supersedes this manual.**

Please contact the Planning and Development Department if you have any questions regarding this Development Manual, or the development process, before submitting your application.

## 2.1 GENERAL INFORMATION

The City of Dripping Springs has adopted ordinances that are available on the City of Dripping Springs website. There are many chapters of the Code of Ordinances dedicated to explaining the development process, including subdivision platting, rezoning requests, variances, site development plans, building and sign permitting, drainage, and many others that are specific to development. The Code was adopted to promote the public health, safety, aesthetics, and general welfare of its citizens, and to regulate the safe, orderly, and healthful development of the City and the ETJ.

All regulations in the Code apply to land within the City of Dripping Springs. Land within the City's ETJ is subject to the subdivision, signage, environmental protection (impervious cover, stormwater, water quality, parkland, etc.), public improvements (if applicable), and any regulations accepted by development agreement. More information on determining where your property is and what regulations apply is below under Annexation and ETJ.

## 2.2 PLANNING AND DEVELOPMENT DEPARTMENT GOALS

- To properly manage the growth and development of the community by carrying out adopted policies and providing professional expertise in the area of city planning, engineering, and development
- To continue our commitment to providing high quality service and accountability to the various groups we serve, including the general public, builders, developers, landowners, neighborhood groups, city commissions, and outside agencies
- Shaping the future of our city and neighborhoods by working directly with citizens and developing comprehensive short- and long-range plans for improving our community
- To maintain fair and consistent application of rules and regulations, encourage broad participation in land use decisions and access to land use data, and provide forward thinking, innovative, and solution-oriented advice on community planning, engineering, building, and resource management issues
- To enhance the tax base and livability of the community by encouraging high quality growth and development

### 3 MAPS AND PLANS

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#### Maps

The City of Dripping Springs has the following maps available:

City Limits

City's Extraterritorial Jurisdiction (ETJ)

Zoning Districts

Transportation Thoroughfare Plan

City Wide Trail Plan

Other useful maps that may aid when researching your property may be:

TCEQ Edwards Aquifer Viewer

FEMA Flood Map Address Search

TCEQ Water District Viewer

Hays County Appraisal District

#### Plans

The following are adopted plans by the City of Dripping Springs related to development:

Comprehensive Plan (2016)

Parks, Recreation, and Open Space Master Plan

Sustainable Places Project

For the most up to date maps and plans please visit [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Development tab

## 4 CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)

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### **Is my property within the City Limits or Extraterritorial Jurisdiction (ETJ)?**

The City Limits/ETJ Map is available on the city website under the Development Tab.

### **What is the extraterritorial jurisdiction and what City Ordinances are regulated in it?**

The Extraterritorial Jurisdiction (ETJ) is unincorporated area that is contiguous to the corporate boundary of the City of Dripping Springs. In the ETJ, the City has subdivision (platting and site plans), signs, and drainage authority. The City generally does not regulate land use or lighting in the ETJ.

There are some instances that properties in the ETJ are regulated by the City, some of these include variances and development agreements.

### **What is a zoning determination letter?**

A Zoning Determination Letter is a letter from the Planning Department that states the current zoning for a particular parcel or parcels.

### **What is a ETJ determination letter?**

An Extraterritorial Jurisdiction Letter is a letter from the Planning Department that states whether you are within the City's Extraterritorial Jurisdiction.

### **Overview**

Many regulations that apply to properties within the city limits do not apply to properties located within the ETJ. The Extraterritorial Jurisdiction (ETJ) is an unincorporated area that is contiguous to the corporate boundary of the City of Dripping Springs. For most cities similar to the City of Dripping Springs, the ETJ usually extends ½ mile from the city limits, however, the City of Dripping Springs is unique in the fact that we have a large ETJ. City regulations differ for properties located in city limits versus the ETJ. Many regulations that apply to properties within the city limits do not apply to properties in the ETJ. The Texas Local Government Code gives limited authority for cities to regulate development in their ETJ. In the City of Dripping Springs, we regulate subdivisions and plats, sign regulations for reconstructions, removal, and relocation of signs, development agreements with landowners and the City, stormwater controls and impervious cover for development.

**The Zoning and ETJ Determination Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab**

## 5 PLANNING AND DEVELOPMENT

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### 5.1 PRE-APPLICATION / PRE-DEVELOPMENT MEETINGS

#### **Overview**

Pre-Application Meetings are intended to create a smoother review and approval process for both the applicant and city staff. Pre-Application or Pre-Development Meetings are required prior to submittals. A Pre-Application/Pre-Development Form must be filled out and sent to the planning department. Pre-Application meetings carry a fee which can be found in the Fee Schedule and can have as many or as few people in the meeting as desired by the applicant. These meetings are held at City Hall or virtually at the Planning Department's discretion. Pre-Application meetings are not available on a drop-in basis, they must be scheduled in advance to ensure all appropriate parties are available. The Planning Department does ask that all relevant documents be sent prior to the meeting to ensure preparedness but only the form is required to schedule the meeting. We require all submittals to have a Pre-Development or Pre-Application meeting with City Staff to discuss the project which leads to a smoother review and approval process. The pre-application meeting required for application submittal are good for one (1) year, if the application is submitted after the one (1) year a new pre-application meeting will be required.

For the Pre-Application/Pre-Development Meeting Request Form please visit [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

## 5.2 SUBMITTING A PLANNING APPLICATION

### **What do I need to do before I submit my application?**

A Pre-Application Meeting form must be submitted prior to scheduling the meeting. This form can be found on our website under the Forms tab. The draft project application should be brought to the meeting.

### **How do I submit my application?**

You can submit an application through MyGovernmentOnline or drop off physical copies to City Hall.

### **What fees are associated with my project?**

Our fee schedule is available on the City website under Fees & Charges at the bottom on the web page.

### **I want to skip the Pre-development meeting/process, how do I move forward without the meeting?**

We require all submittals to have a Pre-Development or Pre-Application meeting with City Staff to discuss the project which leads to a smoother review and approval process.

### **My Application was denied, and I received a comment letter, and I want to resubmit, what needs to be included in my resubmittal?**

A coversheet addressing all comments made by the reviewers and any documents, revisions, changes, edits made to the submittal.

### **Do I need to pay the Emergency Services District (ESD) fee?**

Projects in the City Limits or subdivisions in the ETJ with a Development Agreement with the City need ESD approval for all projects and phases.

## **Overview**

After you have met with the Planning and Development Department, you may apply for your development permit. To ensure a complete submittal follow the checklist on the application and include all relevant documents. During the Pre-Application meeting, the development team will determine if any items on the checklist are not needed. All application submittal dates can be found on the Submittal Schedule on the City's website under the Development Tab.

Applications may be submitted by:

- Hard copies dropped off at City Hall; or
- Submitted via MyGovernmentOnline
  - My Government Online is the permit portal that the City uses to organize, response, file, review, and accept projects. You can find out how to make an account and access your projects by going to MyGovernmentOnline.org and clicking on the Help tab.

Once an application is processed by the Planning department, staff will begin their administrative completeness check ensuring all items are completed and submitted. If the submittal is complete, a notice of filing will be sent to the applicant listed on the application. For specifics on process and types of applications check the corresponding section of the Development Manual.

**Please visit [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) for all Planning Application and most up to date fee schedule**

## 5.3 ANNEXATION

### Overview

If an applicant is in the City's ETJ but wishes to be included in the City Limits, the applicant may petition the City for annexation. The annexation process shall begin with a pre-development meeting to discuss the reasons or benefits of the annexation. The petition for annexation/application from the applicant will be heard and voted on by City Council. If approved to move forward with the annexation application, then the applicant and City Staff will negotiate an annexation agreement, sometimes in the form of a development agreement. Then this agreement and the annexation ordinance will be presented to City Council for review. Properties that are annexed by agreement and ordinance are automatically placed in the Agriculture District (Ag) unless zoning is applied for and processed concurrently with the annexation. For this reason, a Zoning Amendment usually coincides with an annexation timeline. For a property to annex, it must share a property line with a property within the City Limits and be within the City's extraterritorial jurisdiction.

### 5.3.1 TYPICAL ANNEXATION PROCESS

1. Pre-application meeting where Annexation application will be discussed along with any future zoning
2. Submit completed application with notarized owner signature
3. City Council meeting for review of petition for annexation and authorization for staff to negotiate the annexation agreement
4. Public notification to all Service Providers and property owners
5. City Council meeting for a public hearing and approval or denial of annexation ordinance and annexation agreement

The Annexation Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

## 5.4 ZONING

### **What is zoning?**

Zoning regulates land use to ensure compatibility with the community and the City's Comprehensive Plan.

### **What is a zoning district?**

A zoning district is a classification such as Single Family, Multi-Family, Commercial, etc. Zoning districts and details are listed in Chapter 30 of the Code of Ordinances.

### **What uses are allowed in my zoning district?**

Uses are outlined in the Zoning Use Chart in the Code of Ordinances found on the city website. Uses identified with a P are permitted by right, which means they are allowed with no further approvals. Uses identified with a C are conditional and require a Conditional Use Permit. Uses not identified are not allowed.

### **Overview**

Zoning is the tool by which land use within the City is governed. It applies to all area within the City Limits (other than property annexed for a limited purpose). Zoning is carried out in accordance with the comprehensive plan to provide beneficial and appropriate development, protect the character and establish pattern of desirable development in each zone, minimize land use incompatibility, and maintain or enhance property values by stabilizing expenditures and ensuring predictability.

### **How can I find out what my property is zoned?**

The City's Zoning District map is available on the City Website under the Development Tab.

### **Where can I find my setbacks and other zoning standards?**

Chapter 30, Exhibit A of the City's Code of Ordinance.

### **How do I change the Zoning on my property?**

Requests for zoning changes must be made through a Zoning Amendment Application. Applications can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab. Zoning Amendment Applications will be reviewed by staff and submitted for consideration by the Planning and Zoning Commission followed by City Council for final approval or denial. Both the Planning and Zoning Commission and the City Council will hold public hearings on the request prior to taking action.

## 5.4.1 TYPICAL ZONING AMENDMENT PROCESS

1. Pre-application meeting
2. Submit complete application
3. Administrative completeness check
4. Public notification
5. The Planning and Zoning Commission hears the application and gives a recommendation to City Councils determination
6. City Council Public Hearing and Action

## 5.4.2 ZONING AMENDMENT SUBMITTAL DOCUMENTS

- Complete Application
  - Application fee
  - Public Notice sign fee
  - Plans
  - Maps
  - Exhibits
- Legal Description of the Property
  - Architectural Elevations
  - Information about proposed uses, as deemed necessary by the City Administrator
  - Concept plan

The Zoning Amendment Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

## 5.5 CONDITIONAL USE PERMITS (CUP)

### **What is a conditional Use Permit (CUP)?**

The CUP grants rights to uses that are not expressly given in the zoning district but may be allowed if they are compatible with adjoining uses. Conditional uses are identified in the Zoning Use Chart of the City's Code of Ordinance found online at the city website.

### **Overview**

A conditional use is a land use that, because of its unique nature, is compatible with the permitted land uses in each zoning district only under certain conditions. Conditional Use Permit Applications are considered by the Planning and Zoning Commission and requires public notice in the newspaper and letters sent to property owners within 300 feet of the subject property. When considering applications for a CUP, the P&Z and the City Council shall evaluate the impact of the conditional use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a location. Decisions shall be rendered based on the site plan and other information submitted.

The Planning and Zoning commission and City Council shall specifically consider the extent to which:

- Is consistent with the policies embodied in the Comprehensive Plan
- Is consistent with the general purpose and intent of the applicable zoning district regulations
- Meets all supplemental standards specifically applicable to the use, as established in the Development Standards
- Is compatible with and preserves the character and integrity of adjacent development and neighborhoods, and (as required by the particular circumstances) includes improvements or modifications (either on-site or within the public rights-of-way) to mitigate development-related adverse impacts, including but not limited to the following:
  - Adequate ingress and egress to property and proposed structures thereon with reference to vehicular and pedestrian safety and convenience, and access in case of fire

- Off-street parking areas, loading areas, and pavement type
- Refuse and service areas
- Utilities with reference to location, availability, and compatibility
- Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses
- Control of signs
- Control of exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district
- Required yards and open space
- Height and bulk of structures
- Hours of operation
- Exterior construction material, building design, and building facade treatment
- Roadway adjustments, traffic-control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets
- Provision for pedestrian access/amenities/areas;
- The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity
- Noise
- Odors
- Dust

The CUP Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

## 5.6 SUBDIVISION

### **What is a plat?**

A plat is the official map of a lot or lots that include an addition or subdivision of property. A plat shows the number and dimensions of lots or units, public rights-of-way, and easements.

### **I want to subdivide part of my property and sell part off; what is the process?**

This may require a replat of the property. An official determination can be made in the pre-application meeting.

### **How long does a Subdivision application take?**

Subdivision submittals follow the uniform submittal schedule. The administrative completeness check takes up to 10 days for an administrative completeness review and then an initial review of the plat is 30 days. The beginning review date depends on the submittal schedule and the completeness of the application. For dates please look at our submittal schedule on our website. The length of time a plat application takes depends on the completeness of the application and the applicant's responsiveness to the City's comments.

### **Overview**

In the City of Dripping Springs, the Major plat process involves two main steps 1. Approval of the Preliminary Plat; and 2. Approval of the final plat. A preliminary plat is required when four or more lots are created, public right-of-way (ROW) for a new street is being dedicated, new easements for public facilities are being created or municipal utility facilities are being extended within the subdivision. It is intended to present a representation of what the tract of land will be like once it is subdivided and developed. The final plat is the final configuration of the subdivision that will be recorded at the County once approved and can be developed once recorded.

A plat application will not be filed if required pre-approvals have not been obtained by the applicant. Prior approvals may include a Traffic Impact Analysis, drainage study, variances, construction plans, approvals from another governmental entity, etc. All approvals that were outlined during the pre-application meeting with the Planning & Development Department are required prior to submitting a subdivision plat application. An official recorded plat is a legal document that is recorded with the County Clerk's office following approval from the City. It is used to establish a legal lot. Official recorded plats are Final Plats, which include Amending Plats, Replats, and Minor Plats. Among the items to be considered, some of the most fundamental include roadways, driveway cuts, parkland dedication, and utility infrastructure.

## 5.6.1 TYPICAL SUBDIVISION PROCESS

1. Pre-Application Meeting (required)
2. Submit Application in accordance with Uniform Submittal Schedule
3. 10 business day administrative completeness check
4. Staff review, and comment/Applicant respond and resubmit
5. Plat goes to Planning and Zoning Commission for consideration (Minor and Amending Plats are done administratively)

## 5.6.2 TYPES OF PLATS

There are multiple types of plats, Administratively Approved plats and plats approved via Public Hearing. Public hearing plats require approval by the Planning and Zoning Commission, and Administratively approved plats can be approved by the City Administrator. Both require pre-application meetings prior to submittal, and both follow the uniform plat submittal schedule.

### *5.6.2.1 ADMINISTRATIVE PLATS*

- **Amending Plat:** Taking an approved, existing final plat and changing it. This can be moving lot lines, correct minor errors, add course or distance, or show location of a monument that has changes locations. For a full list of what can be achieved via Amending plat please review the subdivision ordinance. Amending Plats are approved administratively and follow the plat uniform submittal schedule
- **Minor plat:** A subdivision resulting in four (4) or fewer lots or Units, provided that the plat is for conveyance purposes only with no development or construction of roads or public improvements proposed, and provided that the plat does not create any new easements for public facilities, nor the extension of any municipal utility facilities to serve any lot within the subdivision. Amending Plats are approved administratively and follow the plat uniform submittal schedule

### ***5.6.2.2 PLANNING AND ZONING COMMISSION PLATS***

- **Preliminary Plat:** The Preliminary plat is a graphic expression of the proposed overall plan for subdividing, improving and developing a tract, showing in plain view the proposed street and lot layout, easements, dedications and other pertinent features, with such notations as are sufficient to identify the general scope and detail of the proposed development. The preliminary plat is the first step in establishing a legal lot. Preliminary plats are approved at the Planning and Zoning commission but are not recorded with the County. The Preliminary Plat is a planning documents, and it is not subject to recordation in the official county records.
- **Major Plat (Final plat):** The major plat is similar to the preliminary plat in function. It is also a graphic expression of the proposed overall plan for subdividing, improving and developing a tract to delineate property boundaries and to describe and dedicate rights-of-way and easements.
- **Replat:** This is the resubdivision of any part or all of a block or blocks of a previously platted subdivision, addition, lot or tract. Replats eliminate the prior plats as to the area replatted. A replat requires noticing to the newspaper, as well as property owners within 300' of the subject property. Replats are recorded with Hays County after approval from the Planning and Zoning Commission.
- **Plat Vacation:** The purpose of a Plat Vacation is to nullify a portion of or the entire previously recorded plat. A plat vacation application must be considered by the Planning and Zoning Commission as permitted and in compliance with Ch. 28, Exhibit A, Sec 9 of Code of Ordinances. There will be property owner notifications and newspaper notifications prior to the meeting that the plat vacation will be on the agenda. Please note: a vacation of plat is not guaranteed. If the vacation intends to vacate an easement and one of the utility providers refuses to grant the vacation, then you may, at your own expense, attempt to negotiate with the utility company. Depending on what is being vacated, other entities may need to sign off on the vacation. Also, be aware that all plat vacations (partial or total) required the signatures of 100% of the property owners in the subdivision who own intact original lots as shown on the original plat as required by State law per Section 212.013 of the Local Government Code, prior to submittal for completeness check.

### 5.6.3 SUBDIVISION SUBMITTAL DOCUMENTS

- Complete application with all required notarized signatures
  - Application fee (refer to the Fee Schedule)
  - Public Notice Sign Fee
  - Billing Contact Form
  - Engineer’s Summary Report
  - Drainage Report
  - Final Plats (11x17 to scale)
  - Proof of Final acceptance of all infrastructure by the jurisdiction that will own/maintain it; or posting of fiscal for public infrastructure
  - Approval of Driveway Locations (TxDOT, County)
  - Digital Data (GIS)
  - Tax Certificates
  - Notice Letter to the School District
  - Outdoor Lighting Ordinance Compliance Agreement
  - Proof of Utility Service or permit to serve
  - Proof of Pre-Application Meeting with City Staff
  - Proof of County Submittal (if applicable)
  - ESD No. 6 Application and fee (if applicable)
- OSSF Facility Planning Report or approved permit (if applicable)
  - Current Configuration of Plat (if applicable)
  - Preliminary Plat (if applicable)
  - Development Agreement/PDD (if applicable)
  - Cost Estimate (if applicable)
  - Hays County 911 Addressing Approval (if applicable)
  - Parkland Dedication fee (if applicable)
  - Ag Facility Fees (if applicable)
  - ITE Trip Generation Report, or if required, a Traffic Impact Analysis (TIA) – Preliminary Plat
  - Geological Assessment – Preliminary Plat
  - Hays Trinity Groundwater Conservation District Approval of water well (if applicable) – Preliminary Plat
  - Letter of Intent – Plat Vacation
  - Letter signed by the property owner(s) within the subdivision indicating their consent – Plat Vacation
  - Utility Service Provider Letters Authorizing the Vacation – Plat Vacation

The Checklist for each type of project can be found in the application. All Plat applications can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab.

## 5.6.4 PLAT TITLE BLOCKS

### **Title Block for Preliminary Plats**

**PRELIMINARY OF [NAME OF PROJECT]  
Total Number of Lots, and/or Phases  
Total Number of Acres  
Abstract Survey  
in the City of Dripping Springs, [Name of County], Texas  
Name, Address, Telephone Number of the Applicant  
Name, Address, Telephone Number of Contact Person of the  
Developer  
Name, Address, Telephone Number of the Plat Preparer  
Date of Preparation, Dates of Revisions**

### **Title Block for Minor or Major Subdivision Final Plats**

**FINAL PLAT OF [NAME OF PROJECT]  
Total Number of Lots, and/or Phases  
Total Number of Acres  
Abstract Survey  
in the City of Dripping Springs, [Name of County], Texas  
Name, Address, Telephone Number of the Applicant  
Name, Address, Telephone Number of Contact Person of the  
Developer  
Name, Address, Telephone Number of the Plat Preparer  
Date of Preparation, Dates of Revisions**

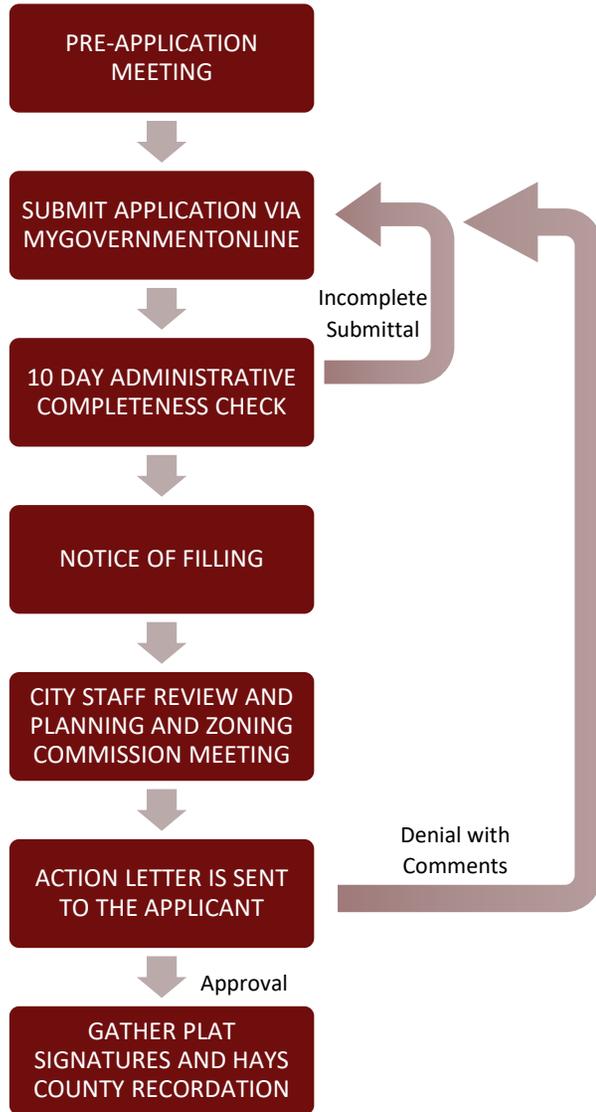
**Title Block for Replats**

**FINAL PLAT SHOWING [Legal Description of Replatted Lots]  
BEING A REPLAT OF [Legal Description of the Subdivision and Phase  
of which the Replatted Area is Part] in the City of Dripping Springs,  
[Name of County], Texas  
Recording Information  
Total Number of Acres  
Name, Address, Telephone Number of the Applicant  
Name, Address, Telephone Number of Contact Person of the  
Developer  
Name, Address, Telephone Number of the Plat Preparer  
Date of Preparation, Dates of Revisions**

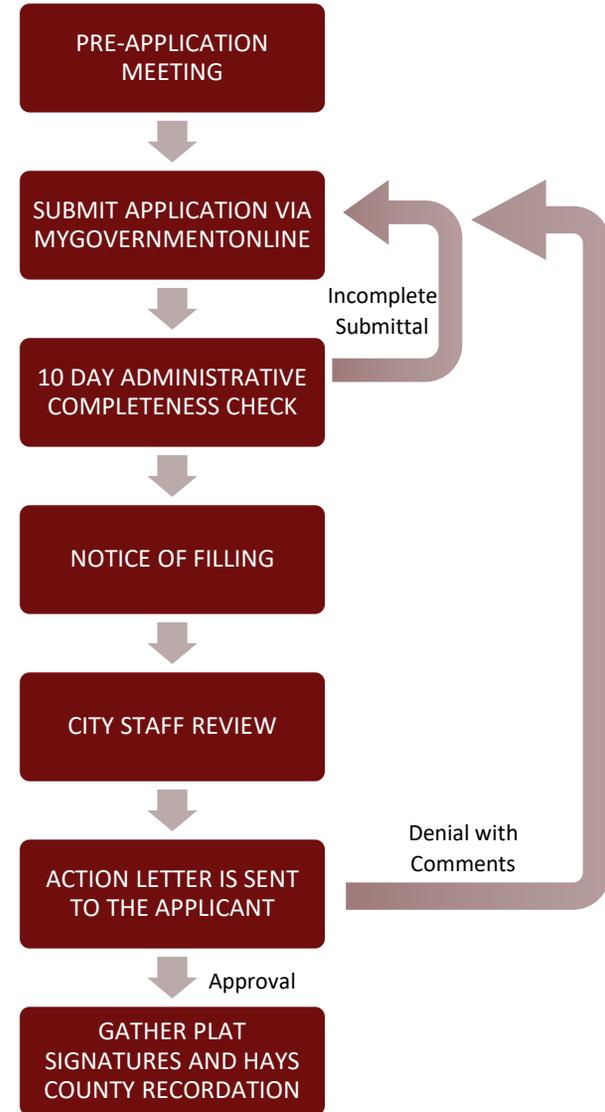
**Title Block for Amended Plats**

**FINAL PLAT SHOWING [Legal Description of Replatted Lots]  
BEING AN AMENDED PLAT OF [Legal Description of the Subdivision  
and Phase of which the Amended Area is Part]  
in the City of Dripping Springs, [Name of County], Texas  
Recording Information Total Number of Acres  
Name, Address, Telephone Number of the Applicant  
Name, Address, Telephone Number of Contact Person of the  
Developer  
Name, Address, Telephone Number of the Plat Preparer  
Date of Preparation, Dates of Revisions**

*Planning and Zoning Commission Plats*



*Administrative Plats*



## 5.7 DEVELOPMENT AGREEMENT

### Overview

Development Agreements are contracts between the City of Dripping Springs and the owners of a development. The purpose of a Development Agreement is for the developer to define a projects rules, regulations, commitments, and policies for a specific period of time. Development Agreements strengthen the public planning process and can achieve comprehensive planning goals and keep economic costs of the development lower while also often providing a mutually agreeable means for annexation of the property.

The Development Agreement Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

## 5.8 CONSTRUCTION PLANS

### Overview

In addition to the platting process, subdivisions may be required to submit Construction Plans to the Planning department for engineering review and any other applicable city staff review. A subdivision construction plan is produced by a registered professional engineer and is comprised of infrastructure necessary for the construction of the subdivision, including but not limited to streets, drainage, water, wastewater, detention and water quality, environmental controls, and tree protections. The construction of these plans needs to be completed prior to Final Platting, or fiscal security must be posted for the construction before Final Platting begins.

The submittal documents required for Construction Plan Application can be found in the Site Development section.

Site Development/Construction Plan Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

## 5.9 SITE DEVELOPMENT

### **Do I need a site development permit?**

Anytime you are adding impervious cover to a nonresidential lot, a site development permit (and OSSF permit if on septic) must be obtained prior to building/construction.

### **What is impervious cover?**

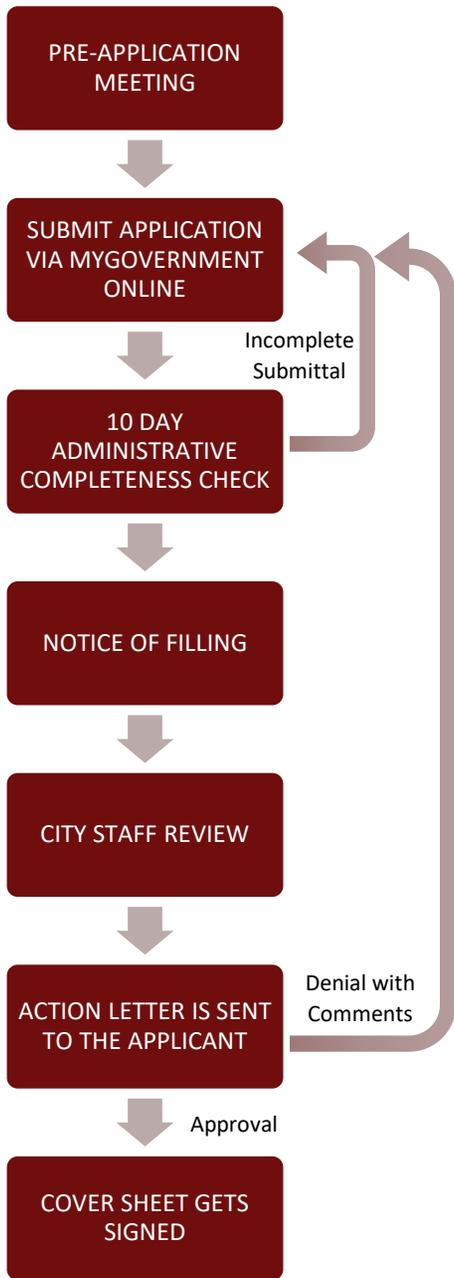
Impervious cover is buildings, parking areas, roads, sidewalks, and other impermeable man-made improvements covering the natural land surface that prevent infiltration-concrete or stonework being the main examples.

### **Overview**

Site Development Plans are plans produced by a registered professional engineer identifying infrastructure improvements (access, parking, stormwater management, utilities, grading, etc.) for a commercial development. Key elements of a site development plan are property boundaries, topography, vegetation, proposed and/or existing structures, easements, and roadways. Site Development Permits are required in the city limits for all types of nonresidential developments and all application for townhomes, amenity centers, and multifamily residential.

A site plan application will not be filed if a pre-development meeting and required pre-approvals have not been obtained. Prior approvals may include a Traffic Impact Analysis, drainage study, variances, construction plans, approvals from other governmental entities, etc. All items that were outlined during the pre-application meeting with the Planning & Development Department are required prior to submitting a site plan/construction plans application. Site Development applications are processed on Wednesdays from 8:00 am -12:00 pm. All submittals must have a pre-development meeting prior to submittal. Once processed, the submittal will undergo a 10-day completeness check. If found complete on the 10th day, the project will be filed, and the 30-day review time will begin. Days are business days.

Approval is subject to all requirements being met. Applications may require multiple staff reviews. Please note that after the initial review if this project is disapproved with comments, you may file an amended application at the city on a date or day on which the city is accepting amended filings. The city will then have up to fifteen (15) days to approve or disapprove the amended application after the resubmittal is considered administratively complete. Any plan that is disapproved after the City has reviewed the response in the form of an amended application may be refiled at any time as a new site plan application; This will result in a refiling fee, 10-day administrative completeness check, and 30-day review period. In order to avoid this, we encourage applicants to schedule a meeting with reviewers to properly address the comments provided. Among the items to be considered, some of the most



fundamental include compliance with the approvals related to the subdivision ordinance for roadways, driveway cuts, parkland dedication, and utility infrastructure, but will also include impervious cover and water quality, landscaping, and signs (if applicable).

### 5.9.1 TYPICAL SITE DEVELOPMENT PROCESS

1. Pre-Application Meeting (required)
2. Obtain any required preapprovals including variances or other entity approvals
3. Submit Application in accordance with Uniform Submittal Schedule
4. 10 business day administrative completeness check
5. Project is filed, Notice of Filing is sent to applicant, and the submittal is sent to reviewers for comments.
6. Staff review and comment/Applicant respond and resubmit
7. Final approval of plans and signature
8. Pre-Construction Meeting
9. Construction Inspections
10. Design Engineer Final Inspection and Concurrence Letter
11. Final Construction Inspection by City
12. Posting of Warranty Bonds and Acceptance of Public Improvements (For Construction Plans only)
13. Applicant may proceed to next step and apply for building permits.

## Relevant Regulations include:

- Subdivision Ordinance, Exhibit A, Section 4.8 – Construction Plans
- Subdivision Ordinance, Exhibit A, Section 6 – Construction Plan Approval Procedures
- Chapter 28, Article 28.04 - Site Development Ordinance
- Chapter 28, Article 28.07 - Dripping Springs Technical Criteria
- Subdivision Ordinance as a whole

## 5.9.2 SITE DEVELOPMENT SUBMITTAL DOCUMENTS

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Complete application with all required notarized signatures</li><li>• Application fee (refer to the Fee Schedule)</li><li>• Public Notice Sign Fee</li><li>• Billing Contact Form</li><li>• Engineer’s Summary Report</li><li>• Drainage Report</li><li>• Geotechnical Report</li><li>• Driveway Permit or Permit Application (TxDOT, County)</li><li>• Site Development Plans or Construction Plans</li><li>• Tax Certificates/Receipts</li><li>• Cost Estimate</li><li>• Outdoor Lighting Ordinance Compliance Agreement</li><li>• Utility Service Provider “Will Serve” Letter</li><li>• TCEQ CZP or WPAP application package</li><li>• Pesticide and Fertilize Management Plan</li><li>• Water Quality BMP Maintenance Plan</li></ul> | <ul style="list-style-type: none"><li>• Proof of Pre-Application Meeting with City Staff</li><li>• ESD No. 6 Application and fee (if applicable)</li><li>• OSSF Facility Planning Report or approved permit (if applicable)</li><li>• Lighting Plan (if complying with lighting ordinance and does not require a building permit)</li><li>• Exterior Design Plan (required in the City Limits)</li><li>• Landscape and Irrigation Plans (required in the City Limits)</li><li>• Maps and Exhibits (if applicable)</li><li>• Parkland Dedication fee (if applicable)</li><li>• Ag Facility Fees (if applicable)</li><li>• ITE Trip Generation Report, or if required, a Traffic Impact Analysis (TIA)</li><li>• Hays Trinity Groundwater Conservation District Approval of water well (if applicable)</li><li>• Any other required preapprovals such as variances</li></ul> |
|---|--|

**The Checklist for each type of project can be found in the application. Site Development/Construction Plan Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab**

### 5.9.3 SITE DEVELOPMENT TITLE BLOCK

**Title Block for Site Plans**

**SITE PLAN OF [NAME OF PROJECT]  
Total Number of Lots, and/or Phases  
Total Number of Acres  
Abstract Survey  
in the City of Dripping Springs, [Name of County], Texas  
Name, Address, Telephone Number of the Applicant  
Name, Address, Telephone Number of Contact Person of the  
Developer  
Name, Address, Telephone Number of the Plat Preparer  
Date of Preparation, Dates of Revisions**

## 6 BUILDING DEPARTMENT

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### 6.1 BUILDING PERMITS

#### Overview

Building permitting is the final stage of the development process, after the applicant has received approval of all other development permits. Once a developer or property owner has received approval of zoning, subdivision, and site plan/construction plans permits, then building permits can be obtained. Depending on whether your property is in the City or within the extraterritorial jurisdiction (ETJ), building permitting may have different requirements. Based on the uniqueness of each building project – we may need to consult back through a planning process before proceeding with construction. All building permits are submitted electronically through MyGovernmentOnline. Applicants can apply, track their plan review, and pay for all permits online. You can find a MyGovernmentOnline user instruction on their website.

#### 6.1.1 TYPICAL PROCESS

##### **Residential Projects:**

- 5 days to accept online application
  - Fees must be paid after applicant receives invoice
- Allow up to 12 business days to receive first round of plan review comments or approval
  - If approved, permit will be processed for issuance within 3 business days.
  - If pending approval or denied, resubmit
    - After resubmittal received, expect an additional 5-8 business days to conduct 2<sup>nd</sup> review.

##### **Commercial Projects:**

- 5 days to accept online application
  - Fees must be paid after applicant receives invoice
- Allow up to 30 business days to receive first round of plan review comments or approval
  - If approved, permit will be processed for issuance within 3 business days.
  - If pending approval or denied, resubmit
    - After resubmittal received, expect an additional 10 business days to conduct 2<sup>nd</sup> review

*\*For Residential, reference the [New SFR Construction – Processing Guide](#) for more in-depth details.*

*\*Project plan review may not require the time indicated above. The time limits provided are based on a high permit volume. Based on special requirements for the projects there may be other plan reviewers and professional consultants included on the project for review.*

*Typical Process:*

SUBMIT ONLINE VIA  
MYGOVERNMENTONLINE



APPLICATION ACCEPTED



FEES PAID



PLAN REVIEW STAGE

- DENIED/PENDING - COMMENTS LETTER ISSUED
- ADDRESS COMMENTS



APPROVED - PERMIT ISSUED

*Residential*

Consists of 2 reviews:  
IRC Compliance (Building)  
Planning & Zoning Compliance

Initial Review can take up to 12  
business days

After applicant resubmits to  
address comments the plan  
review stage starts over. Allow up  
to 5-8 business days to complete

If property is on Septic, the  
Building Permit will not be issued  
until OSSF Permit is approved by  
the City Sanitarian

*Commercial*

Could be up to 5 review types:

- IBC Compliance (Building)
- IFC Compliance (Fire Safety)
- Planning & Zoning Compliance
- Exterior Design
- Exterior Lighting

Initial Review can take up to 30 days.

After applicant resubmits to address  
comments the plan review stage starts  
over. Allow up to 10 additional  
business days.

If property is on Septic, the Building  
Permit will not be issued until OSSF  
Permit is approved by the City  
Sanitarian

## 6.1.2 BUILDING PERMITS

- Residential
  - New Construction
  - Remodel
  - Additions
  - Mobile Home/Move-In
- Commercial
  - New Construction
  - Tenant Finish Out
  - Remodel
  - Additions
- Miscellaneous
  - Minor Additions – Decks, Porches, Patios, etc.
  - Storage Sheds – Includes gazebos, Pavilions, etc.
  - Swimming Pool
  - Pool Encroachment Variances
  - Construction Trailer
  - Certificate of Occupancy – Business Move-In
  - Wireless Transmission Facility

### 6.1.2.1 FIRE PERMITS

- Fire Plan Reviews
  - Sprinkler Systems, Fire Alarms, Standpipe System, Underground Fire Protection, Kitchen Vent Hoods, etc.
- Fire Inspection/Operational Permits
  - Hydrant Flow Test, Foster Care/Adoption Home Inspection, Assisted Living Inspection, Fire Watch, Daycare Annual Inspection, Temporary Structures/Special Event Tent, Access Gate, etc.
- Pyrotechnic Permits

## 6.1.2.2 SIGN PERMITS

### Overview

The City of Dripping Springs regulates signs within the City and extraterritorial jurisdiction (ETJ). Not all signs, especially temporary signs, require a permit. Please check the City's ordinance or [Chart of Sign Design Standards](#) to determine whether the sign you are installing or the work you are completing on a pre-existing sign, requires a permit. All signs which require a permit require an application and fee submitted through the Building Department. Sign regulations and fees can be found in the City's Code of Ordinances. All applications are reviewed by the Sign Administrator in accordance with the policy and variances from the ordinance. Applications can be submitted through MyGovernmentOnline. Once an application has been submitted, we will process your application. Once your application is approved for review, an invoice will be sent to the applicant to pay via MyGovernmentOnline or check dropped off to City Hall. Please note that plan review will not begin until your payment has been applied to the project. Any sign for which a permit is issued shall be inspected after its erection for conformity to the code.

- Sign Permit
- Sign Variance
  - Administrative
  - City Council
- Master Sign Plan or Master Sign Plan Ordinance
  - Amendment to Master Sign Plan or Master Sign Plan Ordinance

**Sign Permit Applications can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Building Department tab**

### 6.1.2.3 CONTRACTOR REGISTRATION

#### Overview

Contractor Registration is required for all professional trades, including Electrical Master, Electrical Journeyman, Plumbing Master, Plumbing Journeyman, Landscape Irrigator Master, Landscape Irrigator Journeyman, HVAC Master, and HVAC Journeyman. All contractors are required to fill out the following form, pay associated fees, and provide copies of their state identification card/Government Issued Identification in order to register as a contractor to do work under the city's jurisdiction.

#### 6.1.2.3.1 SUBMITTAL DOCUMENTS

- Contractor Registration Application
  - Copy of Master License and other Licensees with company
  - Copy of Driver License for registered contractor

#### Annual Contractor Registration Fees:

##### Mechanical

- Master \$100.00
- Journeyman \$25.00

##### Irrigation

- Master \$100.00
- Journeyman \$25.00

##### Plumbing

- \$0.00

##### Electrical

- \$0.00

Most Building Permits will be issued when the construction package is approved. However, inspection privileges are not released until all the subcontractors on a project are registered with the City and have applied for their own permit(s) under the main Building Permit project. For a subcontractor to apply under a Building Permit they can follow the instructions →

Each shall apply online via [www.mygovernmentonline.org](http://www.mygovernmentonline.org)

1. Log in – Or Create an Account if you don't already have one
2. Hover over "Permit & Licensing"
3. Click "Apply Online"
4. Select State & Jurisdiction
5. "Add to an Existing Permit" (DO NOT "Get started on a new one")
6. Enter in project address or project number (XXXX-XXXX)
7. "XXXX-XXXX" will populate, click "DETAILS"
8. Click "SELECT"
9. Complete application

## 6.1.2.4 INSPECTION INFORMATION

### Overview

Currently, the City's Building Department has a 3rd party inspection agency to perform most Building Inspections for all residential and commercial projects subject to the City's Building Code. Bureau Veritas is the City's appointed agency. When inspection privileges have been released for a project, inspections can be scheduled by contacting: 877.837.8775 or emailing: [inspectionstx@bureauveritas.com](mailto:inspectionstx@bureauveritas.com) – the Permit Number or Address must be referenced. For next day inspections, they must be schedule before 5PM the day before.

In addition, the City has an in-house Residential Building Inspector that can inspect construction projects. If a project is not subject to Bureau Veritas inspections, the contractor on file will be notified and made aware when the Building Permit is issued. In-house inspections must be scheduled online through the Customer Portal via [www.MyGovernmentOnline.org](http://www.MyGovernmentOnline.org)

Depending on if a project is subject to additional reviews and requires professional consultants, the project may require special inspections prior to closing a project or issuing Certificate of Occupancy. Special Inspections would be for ensuring compliance with the Exterior Design Ordinance, Exterior Lighting Ordinance, and Landscape Ordinance. The professional consultant contact information is provided based on what stipulations are tied to a construction project.

### SCHEDULING INSPECTIONS AFTER PERMIT ISSUANCE



#### Building Inspections

- Bureau Veritas:
  - email [inspectionstx@bureauveritas.com](mailto:inspectionstx@bureauveritas.com) or call 877.837.8775
- City Inspector:
  - schedule online via MyGovernmentOnline



#### Exterior Lighting Inspections

- Residential - City Inspector
  - schedule online via MyGovernmentOnline
- Commercial - Lighting Consultant
  - Email consultant to schedule



#### Site Inspections

- Public Work Coordinator
- City Engineer
  - Email City Staff to schedule



#### Exterior Design Inspections

- Exterior Design Consultant - Keenan Smith
  - Email consultant to schedule



#### Fire Inspections

- North Hays ESD 6
  - Call 512.894.0704 to schedule



#### Landscape Inspections

- Landscape Consultant - Peter Dufrene
  - Email consultant to schedule

## 6.1.2.5 OUTDOOR LIGHTING PERMITS

### Overview

The City of Dripping Springs is a proud International Dark Sky Community, and with that, the City seeks to protect the community from unnecessary light pollution to keep the stars big and bright in the Hill Country community. Properties under development within the city limits are required to sign a Lighting Ordinance Compliance Agreement, and property owners in the ETJ are requested to comply. There are requirements for both commercial and residential lighting.

### Residential - New Construction

- Outdoor Lighting Inventory during the permit process is required.
  - Option 1: the proposed Outdoor Lighting can be included in the permit submittal package.
  - Option 2: the proposed Outdoor Lighting Inventory can be submitted later during construction. And it can be submitted along with the **Certificate of Occupancy Request Form**.
- The Outdoor Lighting Inventory – (**Residential Lumen Calculation Workbook**)
  - This workbook – if completed correctly – will calculate the total allowable lumens for the property and whether the proposed lighting is over or under the allowable lumens.
- After submitted, applicant/contractor must schedule the Exterior Lighting Inspection online.
- If the inspection is passed, and the installed lighting matches the proposed lighting on the **Residential Lumen Calculation Workbook**, then the New Construction Project will be closed shortly after with the Issuance of the Certificate of Occupancy.

**\*Residential properties are allotted 25,000 lumens/acre or fraction thereof**

**CLICK [HERE](#) TO VIEW THE CITY'S OUTDOOR LIGHTING ORDINANCE**

### Existing Residential Property – Adding or replacing outdoor lights

- Apply Online through [www.MyGovernmentOnline.org](http://www.MyGovernmentOnline.org) (MGO) for an “*Exterior Lighting Compliance*” Permit
  - During the application, the homeowner will need to include the completed **Residential Lumen Calculation Workbook**
    - The workbook must include the existing lights, as well as proposed lights being added or replaced in order to accurately determine the total lumen output for the property.
  - The homeowner will also need to include spec sheets for the proposed lights being added or replaced.
- The applicant will be invoiced for the Administrative Outdoor Lighting Review.
- After payment of fee, plan review begins.
- If approved, the applicant will receive a copy of an Approval Notice of Outdoor Lighting Compliance.
- Once the lights have been installed, the applicant is required to schedule their Exterior Lighting Inspection online.
- Building Department staff will conduct the inspection.
- If passed the project will be closed.



## Commercial – New Construction

- For Commercial, the Building Department requires the Exterior Lighting Package to be included in the Building Permit application submittal.
- The applicant can find the **Commercial Exterior Lighting Submittal Checklist** on the Building Department webpage
  - Along with the Exterior Lighting Package the Building Department requires the **Commercial Lumen Calculation Workbook** to be included.
  - Based on the Outdoor Lighting Ordinance, commercial properties are allotted 100,000 lumens per acre or fraction thereof.
- The Exterior Lighting Package will be reviewed by the Exterior Lighting Consultant concurrently with the Building Permit submittal.
- When the entire project is compliant with all aspects of the City Ordinance the permit will be issued.
- After installation of all Exterior Lights on the project, the contractor/developer will contact the Exterior Lighting Consultant to conduct an onsite inspection according to the approved Exterior Lighting Package.
- If passed and the rest of the project has completed all other Building, Fire, & Site inspections, the Certificate of Occupancy or Certificate of Completion will be issued.

*\*Commercial properties are allotted 100,000 lumens/acre or fraction thereof*

CLICK [HERE](#) TO VIEW THE CITY'S OUTDOOR LIGHTING ORDINANCE

## Commercial – Adding or replacing outdoor lights

- The owner/developer of an existing commercial property may Apply Online through [www.MyGovernmentOnline.org](http://www.MyGovernmentOnline.org) (MGO) for an “Exterior Lighting Compliance” Permit
  - During the application, the owner/developer will need to include the completed **Commercial Lumen Calculation Workbook**
    - The workbook must include the existing lights, as well as proposed lights being added or replaced in order to accurately determine the total lumen output for the property.
  - The owner/developer will also need to include spec sheets for the proposed lights being added or replaced.
- The applicant will be invoiced for the Administrative Outdoor Lighting Review fee.
- After payment of fee, plan review begins.
- If approved, the applicant will receive a copy of an Approval Notice.
- Once the lights have been installed, the applicant is required to schedule their Exterior Lighting Inspection online.
- Building Department staff will conduct the inspection.
- If passed the permit will be closed.



#### 6.1.2.5.1 Building Department Permits and Submittal Documents

- Residential Plan Review Checklist
- Pool Encroachment Variance Checklist
- Commercial Plan Review Checklist
- Commercial Exterior Lighting Plan Review Checklist
- Certificate of Occupancy Plan Review Checklist (Business Move-In)
- Sign Permit Plan Review Checklist
- Commercial Lumen Calculation Workbook
- Residential Lumen Calculation Workbook
- Certificate of Occupancy Request Form (Construction)
- License to Encroach Checklist

### 6.1.2.6 License to Encroach

#### Overview

The purposes of a license to encroach are: 1. To determine the potential impacts of proposed encroachments into a City Property, right-of-way (ROW), or easement; and 2. To execute a license agreement between the encroaching property owner and the City of Dripping Springs regarding the improvements to be constructed, or which are constructed, on City property, ROW, or easement. When proposing to encroach into an easement or ROW, any additional utility companies who are entitled to use the easement or ROW must be notified and must consent to the encroachment. All applicable signature blocks must be completed by the respective utility companies prior to submittal of the License to Encroach application.

#### Process

1. Submit a Complete Application

2. Intake from the Building Department

3. Payment of License to Encroach Fee

4. Review by the Development Review Committee

5. Official Determination Letter sent to the applicant

**The License to Encroach Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab**

**Submit for a License to Encroach by applying online via [www.MyGovernmentOnline.org](http://www.MyGovernmentOnline.org) and attaching the completed LTE Application and supporting document**

# 7 VARIANCES/WAIVERS/ SPECIAL EXCEPTIONS/ALTERNATIVE STANDARDS

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## Overview

The purpose of these types of applications is to be exempt from a portion of the Code due to hardships or difficulties complying with the code. All applications must address the section of the code requested to be noncompliant, a detailed description of the hardship or reason for the request, and how the project exceeds Code requirements in order to mitigate or offset the effects of the proposed alternative standard. All variances may have conditions to approval that are deemed necessary to preserve public interest. No variances will be granted if the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area in accordance with the provisions of this article. Each type of variance has a different criteria and approval process.

## 7.1.1 TYPES OF VARIANCES

### *7.1.1.1 ALTERNATIVE STANDARD*

- An alternative standard may be submitted when site conditions or design challenge a make strict compliance with Code requirements unworkable, undesirable, or impractical. Alternative standard approval requires an increase of other provisions in order to offset any noncompliance. Alternative standards are approved administratively by the City Administered in consultation with the City Architect.
- *Examples of an Alternative Standard:*
  - *Existing non-complying buildings, utilities, or other improvements*
  - *Life safety code issues*

### *7.1.1.2 SPECIAL EXCEPTION*

- Special Exceptions are granted when:
  - There is a special circumstance or condition affecting the land
  - Preservation and enjoyment of the property
  - It will not affect public health, safety, or welfare
  - That the hardship is not self-imposed.
- *Examples of a Special Exception:*
  - *Fence Height*

- Special Exceptions effect the zoning ordinance and are approved if the Board of Adjustments find that an undue hardship will result from requiring strict compliance. Financial hardship does not qualify as an undue hardship.

### ***7.1.1.3 SUBDIVISION VARIANCE***

- Variances are granted when:
  - the variance will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity; and
  - the conditions upon which the request for a variance is based are unique to the property for which the variance is sought, and are not applicable generally to other property; and
  - because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
  - the variance will not in any manner vary the provisions of the Zoning Ordinance, Planned Development District Ordinance, or Comprehensive Plan, or any other adopted plan(s) or ordinance(s) of the City; and
  - An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein; and
  - the variance will enable the applicant to preserve more native trees, provide more open space, or ensure more wildlife preservation than would be possible complying with the strict mandates of this Chapter.
- Variances are reviewed by the Planning and Zoning Commission and approved by City Council. Financial hardship does not qualify as an undue hardship.
- *Examples of a Variance:*
  - *Lot size*
  - *Building Lines and Setback*

### ***7.1.1.4 SITE DEVELOPMENT VARIANCE***

- Variances are granted when:
  - there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of this land;
  - the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
  - the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
  - the granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this article.

- Site Development Variances are reviewed by the Development Review Committee, which consist of the city administrator or designee, the city engineer, building official, and the city planner.
- Examples of a Variance:
  - Cut and Fills

#### ***7.1.1.5 SUBDIVISION WAIVER***

- Waivers are granted when:
  - The physical surroundings, shape and/or topography create a hardship to the property owner if strict compliance was required
  - An alternative design will generally achieve the same result or intent as the standards and regulations of the Code
  - The waiver will enable the applicant to preserve more native trees, provide open space, or ensure wildlife preservation
- Waivers are reviewed by the Site Development Review Committee and are approved Administratively. Financial hardship does not qualify as an undue hardship.
- *Examples of a Waiver:*
  - *Cut n Fill Variances*
  - *Irregularly Shaped Lots*

**All applications can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab. Please reference the Code of Ordinances or reach out to the Planning Department for more information.**

## 8 CERTIFICATE OF APPROPRIATENESS

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### Overview

This purpose of the Certificate of Appropriateness is to ensure that demolition, restoration, renovation, and development in the Historic District follows the design standards and expectations of the Historic Preservation Commission. All COA applications will be placed on the Historic Preservation Commission agenda for a vote. The COA must be approved before any work on the property may begin.

Pre-Scoping Meetings are encouraged prior to submitting an application. The Pre-Scoping Meeting is an opportunity for the applicant to meet with City Staff and go over the project and the Historic Districts guidelines to ensure a smooth recommendation from Staff and approval from the Commission. Applicants can apply by sending the application and all relevant documents to [planning@cityofdrippingsprings.com](mailto:planning@cityofdrippingsprings.com) or a physical copy dropped off to City Hall.

### 8.1.1 TYPICAL CERTIFICATE OF APPROPRIATENESS PROCESS

1. Pre-Scoping Meeting (required)
2. Submit Application to the Planning Department
3. 10 business day administrative completeness check
4. Staff review and comment/Applicant respond and resubmit
5. Certificate of Appropriateness application is presented and acted on by the Historic Preservation Commission

The COA Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

City of Dripping Springs  
 Historic Districts  
 Design & Development Standards

City Council Approval- 2/17/15

	All Districts	Mercer Street	Old Fitzhugh Road	Hays Street
Character				
Vision	<ul style="list-style-type: none"> <li>Preserve &amp; Enhance Historic Character &amp; Resources / Town Heritage</li> <li>Encourage Revitalization</li> <li>Foster &amp; Ensure Complementary New Uses</li> </ul>	<ul style="list-style-type: none"> <li>Historic Main Street</li> <li>Foster a Community Focal Point</li> <li>Preserve Historic Resources- Rehab &amp; Adaptive Re-Use</li> <li>Promote Revitalization</li> </ul>	<ul style="list-style-type: none"> <li>Historic Small Farmsteads</li> <li>Eclectic Revitalization- new/old</li> <li>Adaptive Re-Use / Appropriate Rehab Mixed Use</li> <li>Historic Renovation &amp; Landscape Preservation</li> </ul>	<ul style="list-style-type: none"> <li>Historic Remnant Neighborhood</li> <li>Neighborhood Preservation</li> <li>Adaptive Re-Use / Sensitive Infill</li> <li>Landscape / Streetscape / Tree Preservation</li> </ul>
Design Principles / Guidelines & Regulations	<ul style="list-style-type: none"> <li>Per Implementation Manual / COA (existing criteria &amp; requirements)</li> <li>Provide Alternative Design (a new provision, route &amp; process)</li> <li>Create Consistency w/ Exterior Design Ordinance (new provisions)</li> </ul>	<ul style="list-style-type: none"> <li>Protect Historic Pedestrian Scale &amp; Main Street Character</li> <li>Promote Walkable Scale &amp; Sidewalk Activity Zones</li> <li>Provide Pedestrian Shading Devices @ Sidewalk Frontage</li> <li>New Construction shall be compatible with surroundings</li> </ul>	<ul style="list-style-type: none"> <li>Protect Historic Farmstead Scale &amp; Character</li> <li>Promote Rustic Look/Feel of OFR, with Gathering Spaces / Patios / Decks / Courtyards / Gardens @ Rear of Properties</li> <li>New Construction shall be compatible with surroundings</li> </ul>	<ul style="list-style-type: none"> <li>Protect Historic Neighborhood Scale &amp; Character</li> <li>Allow Small-scale Rehabilitation @ Existing Historic Dwellings</li> <li>Allow Context-Sensitive Infill @ Vacant Properties &amp; Hwy 290</li> <li>New Construction shall be compatible with surroundings</li> </ul>
Preferred Uses	<ul style="list-style-type: none"> <li>Zoning Review- Verify Consistency w/HO or Identify / Use Change (new requirement)</li> </ul>	<ul style="list-style-type: none"> <li>Pedestrian-Oriented</li> <li>Family-Friendly uses / activities</li> <li>Full Mix of Uses allowed</li> </ul>	<ul style="list-style-type: none"> <li>Mixed-Use Rehab- OFR</li> <li>Retail / Commercial – RR 12</li> <li>Residential Rehab or Infill</li> </ul>	<ul style="list-style-type: none"> <li>Residential Rehab/Infill Hays St.</li> <li>Retail / Commercial Mixed-Use- Hwy 290</li> </ul>
Site Planning & Building Placement	<ul style="list-style-type: none"> <li>Site Plan Concept Review (new requirement)</li> </ul>	<ul style="list-style-type: none"> <li>*Build-To* Mercer St. Frontage 0' setback</li> <li>Sides: 0' setback</li> <li>Rear: 10' setback</li> </ul>	<ul style="list-style-type: none"> <li>Site Buildings within Existing Trees &amp; Landscape Features</li> <li>Front / Rear: 10' setback</li> <li>Sides: 5' setback</li> </ul>	<ul style="list-style-type: none"> <li>Site Buildings Facing Local Streets &amp; Hwy 290</li> <li>Front / Rear: 10' setback</li> <li>Sides: 5' setback</li> </ul>
Parking Arrangement	<ul style="list-style-type: none"> <li>Site Plan Concept Review- (new requirement)</li> </ul>	<ul style="list-style-type: none"> <li>Street Parking</li> <li>Onsite Lots in Rear</li> <li>Offsite Remote Lots</li> </ul>	<ul style="list-style-type: none"> <li>Onsite Lots @ Rear of Property</li> <li>Off Street Spaces @ Fronts (limited &amp; must protect trees)</li> </ul>	<ul style="list-style-type: none"> <li>Residential Garages</li> <li>Onsite Lots @ Rear of Property</li> <li>Small Lots @ Side Yards</li> </ul>
Building Footprint Massing / Scale	<ul style="list-style-type: none"> <li>Site Plan Concept Review</li> <li>COA / Architectural Review (new requirement)</li> <li>Provide Alternative Design (new provision &amp; process)</li> </ul>	<ul style="list-style-type: none"> <li>10,000 sf max contiguous footprint</li> <li>2,500 sf max massing increments</li> <li>2 Sty to 2-1/2 Sty Height Limit</li> </ul>	<ul style="list-style-type: none"> <li>5,000 sf max contiguous footprint</li> <li>2,500 sf max massing increments</li> <li>2 Sty to 2-1/2 Sty Height Limit</li> </ul>	<ul style="list-style-type: none"> <li>5,000 sf max contiguous footprint</li> <li>3,500 sf max massing increments</li> <li>1-1/2 Sty to 2 Sty Height Limit</li> </ul>
Street Frontage	<ul style="list-style-type: none"> <li>COA / Architectural Review (new requirement)</li> </ul>	<ul style="list-style-type: none"> <li>40' max storefront width or</li> <li>40' max. articulation increments</li> </ul>	<ul style="list-style-type: none"> <li>45' max; 60' max @ RR 12</li> <li>45' max. articulation increments</li> </ul>	<ul style="list-style-type: none"> <li>40' max; 60' max @ Hwy 290</li> <li>40' max. articulation increments</li> </ul>
Porches	<ul style="list-style-type: none"> <li>COA / Architectural Review (new requirement)</li> </ul>	<ul style="list-style-type: none"> <li>Porches / Awnings @ Street across min. 50% of frontage</li> </ul>	<ul style="list-style-type: none"> <li>Front Porches / Awnings @ Entries- min. 50% of frontage</li> </ul>	<ul style="list-style-type: none"> <li>Front Porches / Awnings @ Entries- min. 50% of frontage</li> </ul>
Roofs	<ul style="list-style-type: none"> <li>COA / Architectural Review (revised requirements)</li> </ul>	<ul style="list-style-type: none"> <li>Flat Parapets or Sloped Metal Roofs (Standing Seam or other approved type &amp; finish)</li> </ul>	<ul style="list-style-type: none"> <li>Sloped Metal Roofs, or 30-yr. Composition Shingles (Must be of an approved type &amp; finish)</li> </ul>	<ul style="list-style-type: none"> <li>Sloped Metal Roofs, or 30-yr. Composition Shingles (Must be of an approved type &amp; finish)</li> </ul>
Materials	<ul style="list-style-type: none"> <li>COA / Architectural Review (revised requirements)</li> </ul>	<ul style="list-style-type: none"> <li>Maintain Historic Native Stone or Wood all walls- 75% net sf.</li> <li>Wood Porch Structures &amp; Trim</li> </ul>	<ul style="list-style-type: none"> <li>Maintain Historic Native Stone or Wood all walls- 75% net sf.</li> <li>Wood Porch Structures &amp; Trim</li> </ul>	<ul style="list-style-type: none"> <li>Maintain Historic Native Stone or Wood all walls- 75% net area sf.</li> <li>Wood Porch Structures &amp; Trim</li> </ul>
Color Palette	<ul style="list-style-type: none"> <li>COA Review (revised requirements)</li> </ul>	<ul style="list-style-type: none"> <li>Muted, rustic Earth Tone Hues</li> <li>Entry Doors- full range of hues</li> </ul>	<ul style="list-style-type: none"> <li>Full Range of Hues allowed- Color Palettes to be approved</li> </ul>	<ul style="list-style-type: none"> <li>Muted, rustic Earth Tone Hues</li> <li>Entry Doors- full range of hues</li> </ul>
Tree Preservation	<ul style="list-style-type: none"> <li>Tree Replacement Ord.</li> <li>Site Plan Review (new req'mt)</li> </ul>	<ul style="list-style-type: none"> <li>Replace Trees over 8"</li> <li>Preserve Heritage Trees 24" +</li> </ul>	<ul style="list-style-type: none"> <li>Replace Trees over 8"</li> <li>Preserve Heritage Trees 24" +</li> </ul>	<ul style="list-style-type: none"> <li>Replace Trees over 8"</li> <li>Preserve Heritage Trees 24" +</li> </ul>
Landscape Features	<ul style="list-style-type: none"> <li>Site Plan Concept Review</li> <li>COA / Design Review (new)</li> </ul>	<ul style="list-style-type: none"> <li>Preserve Historic Walls, Gates, Fences, Outbuildings, Cisterns, and notable landscape features</li> </ul>	<ul style="list-style-type: none"> <li>Preserve Historic Walls, Gates, Fences, Outbuildings, Cisterns, and notable landscape features</li> </ul>	<ul style="list-style-type: none"> <li>Preserve Historic Walls, Gates, Fences, Outbuildings, Cisterns, and notable landscape features</li> </ul>

## 9 EXTERIOR DESIGN STANDARDS

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### **Overview**

Dripping Springs proudly identifies itself as the “Gateway to the Hill Country.” The Texas Hill Country style of architecture exemplified in the City originated with the early settlers who built straightforward, simple designs using native materials. These buildings were typically small-scale structures with simple massing schemes, covered by dominant, sheltering roof forms. Wide eave overhangs and generous porches provided shade, and buildings were built with local materials economically sourced and readily at hand.

The purpose of Exterior Design Standards are to provide development with guidance and standards on building form, shape, and style, to promote and maintain the consistent “Hill Country Style” aesthetics that marks our city as a unique, distinctive and attractive residential, leisure and commercial destination. Exterior Design Standards encourage buildings and developments which seek to fit-in and contribute to the existing community and its sense of place, rather than stand out and negatively impact it as well as encourage creativity and property uses consistent with community character and elevate and promote the City’s overall design quality while preserving and reinforcing its unique identity.

Exterior Design Standards Review Process is completed prior to receiving a commercial building permit within the City of Dripping Springs, compliance with the exterior design standards and its requirements must be demonstrated.

## 9.1.1 TYPICAL EXTERIOR DESIGN PROCESS

1. Pre-Scoping Meeting: a meeting with the city architect, the city planner, and all other pertinent city officials to go over the application and review process to ensure a smooth review and approval.

### 2. City Staff Review

- Site Development Design Review.
  - Purpose: Preliminary Review of architectural concepts and design approach; early “Advisory” compliance guidance and comments.
  - Submittals: Conceptual Site Plan, Floor Plans, Elevations, and supplemental information as appropriate to explain the proposed design concepts.
- Building Permit Design Review
  - Purpose: Formal Review and Approval of architectural design; final compliance determination and comments prior to issuance of permits.
  - Submittals: Building Site Plan, Floor Plans, Elevations, Color Samples and supplemental information as needed to document the specific design intentions.
- Construction Compliance Reviews and Inspections.
  - Purpose: Compliance assurance reviews for consistency with approved and permitted designs; Final Inspection prior to issuance of Certificate of Occupancy.

### 3. Approval of the Designs Compliance

**The Exterior Design Standards’ ordinance can be found in the City Code of Ordinances.**

**The Exterior Design Standards’ Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab**

# 10 DRIVEWAY/STREET CUT PERMITS

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## Overview

A request for a city driveway or street cut permit requires review by staff, in accordance with the City of Dripping Springs' Code of Ordinances and the Dripping Springs Technical Criteria Manual (DSTC). If the driveways or street cuts are shown and detailed on an associated site development plan or construction plan that plan can serve as the driveway permit. If the driveway or street cut is not associated with a site development plan or construction plans, then an independent permit will be required. TxDOT and Hays County driveway and street cut permits are approved and requested through the appropriate entity and are not approved by the City of Dripping Springs.

## 10.1 TYPICAL DRIVEWAY/STREET CUT PERMIT PROCESS

1. Driveway or Street Cut permit application submitted

2. Review and Approval by the City Administrator in consultation with the City Engineer

### Relevant Regulations include:

- City of Dripping Springs Code of Ordinances
  - Article 16.03 – Street Cuts, Excavations and Repair of City Streets
  - Subdivision Ordinance, Exhibit A, Section 24.6 – Driveway Connections
- Hays County Development Regulations, Table 721.02
- City of Austin Transportation Criteria Manual, Sections 5 – Driveways

Driveway Permit/Street Cut Permit Application can be found at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) under the Forms tab

# 11 ON-SITE SEPTIC FACILITY (OSSF)

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## **Overview**

This guide is intended to provide the minimum requirements to request an on-site septic facility for a property within the City of Dripping Springs. A request for an OSSF permit requires review by staff, in accordance with the City of Dripping Springs' [Code of Ordinances](#). Applications can be found on the City Website. Once complete, the application can be sent to City Hall, 511 Mercer St, Dripping Springs, TX 78620.

## **On-Site Septic Facility Submittal Documents**

The following documents are required in order to deem the application complete.

- Signed and completed application
- Billing Contact Form
- Required Fee
- Copy of construction floor plans
- An OSSF design prepared by an engineer or a sanitarian
- Survey of the building site or plat which accurately reflects property line descriptions and shows the location of all of the proposed structures and other improvements, including well, septic systems, streams, roads, easements, etc.
- Copy of maintenance contract and a copy of recorded affidavit must accompany designs with utilize surface or drip irrigation, or non-standard or proprietary treatment.

## 12 WATER QUALITY BUFFER ZONE

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### **What is a Water Quality Buffer Zone (WQBZ)?**

A WQBZ is an undisturbed native vegetation buffer area adjacent to streams and natural drainage ways. The natural vegetation of a WQBZ helps maintain water quality by stabilizing stream channels and floodplain areas. They provide an area to filter overland flow from adjacent development and reduce effects of erosion.

### **Do I need to delineate a WQBZ on my property?**

WQBZs are applied to a property at the time of platting. If you are platting and you have a stream or natural drainageway on or within 400 ft of your property you will need to have a professional engineer look at your property and determine if a WQBZ is required based on the guidelines set forth in City's Water Quality Ordinance 22.05.017.

### **What improvements are allowed within a WQBZ?**

Generally, improvements are prohibited within the WQBZ with the exception of critical access and utility crossings, hike and bike trails, maintenance to restore native vegetation. For a complete list of allowable activities and limitations review Water Quality Ordinance 22.05.017.

### **Is stormwater detention required for my project?**

All applications for Site Development or Construction Plan Permits within the City Limits or ETJ require the Applicant to have a professional engineer provide drainage analysis that demonstrates that stormwater flows leaving the site after construction will less than or equal to pre-construction storm flow leaving the site.

**We hope that this Development Manual has helped answer some of your questions or point you in the right direction of your project.**

**For all other questions or concerns please call or visit City Hall, email [planning@cityofdrippingsprings.com](mailto:planning@cityofdrippingsprings.com), or visit [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) to read our City Code of Ordinances.**