

CITY OF DRIPPING SPRINGS

ORDINANCE 2021-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS AMENDING ARTICLE 28.07 TECHNICAL CRITERIA TO ADOPT THE TECHNICAL CRITERIA, AS ATTACHED IN EXHIBIT C; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION AND AMENDMENTS, A REPEALER, SEVERABILITY, AND ENFORCEMENT; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote reasonable, sound, and efficient land use and development within the City of Dripping Springs (“City”); and

WHEREAS, the Dripping Springs City Council (“City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations 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, Texas Local Government Code Chapters 211, 213, 214 and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures and development-related activities; and

WHEREAS, the City Council seeks to apply up-to-date regulatory systems to projects to the extent reasonably possible and within the confines of the law; and

WHEREAS, the City Council finds that it is in the best interest of the City and its residents to adopt the Dripping Springs Technical Criteria.

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

SECTION 1. FINDINGS OF FACT

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

SECTION 2. ADOPTION AND AMENDMENTS

The City Council adopts the Dripping Springs Technical Criteria (DSTC), as attached in Exhibit A.

Amendments to the Dripping Springs Technical Criteria may be administratively approved by the City Administrator. Any change to the Technical Criteria that is in conflict with current city ordinance must be approved by the City Council.

SECTION 3. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control. In the case of any conflict between the Technical Criteria and any Ordinance of the City, the Ordinance shall control. However, any reference to the Technical Criteria Standard Specifications or TCSS in the Code of Ordinances shall henceforth be a reference to the document attached as Exhibit C.

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 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.

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 21st day of September 2021, by a vote of 4 (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



CODE OF ORDINANCES

Chapter 28 - SUBDIVISIONS AND SITE DEVELOPMENT

EXHIBIT C. TECHNICAL CRITERIA MANUAL



DRIPPING SPRINGS
Texas

**CITY OF DRIPPING SPRINGS
TECHNICAL CRITERIA
("DSTC")**

Purpose of the Dripping Springs Technical Criteria (DSTC)

The DSTC shall govern construction activities within the incorporated limits and the ETJ of the City of Dripping Springs.

The DSTC establishes uniform design practices; it neither replaces the need for engineering judgment nor precludes the use of any information relevant to the accomplishment of the purposes of this article. Other generally accepted or innovative and effective engineering procedures may be used in conjunction with, or instead of, those prescribed by the DSTC if approved by the city engineer.

The DSTC shall include the following Technical Design Criteria, Standard Specifications and Details.

SECTION 1: TRANSPORTATION FACILITIES

1.1 The design and construction of transportation facilities and systems within the incorporated limits and the ETJ of the City shall comply with the following standards, which are incorporated herein by reference and which are modified herein:

- Hays County Subdivision and Development Regulations, as amended.
<https://hayscountytexas.com/wpfb-file/2017-hays-county-development-regulations-pdf/>
- Hays County Specifications for Paving and Drainage Improvements, as amended.
<https://hayscountytexas.com/download/departments/transportation/Hays-County-Adopted-Specs-13may2019.pdf>
- City of Dripping Springs Transportation Master Plan, as amended.
<https://www.cityofdrippingsprings.com/businesses/pages/transportation-master-plan>

1.2 The City requires use of City of Austin Technical Criteria for Design Criteria, Standard Specifications and Details when appropriate Standards, as determined by the City Engineer, are not contained within City of Dripping Springs or Hays County Technical Criteria.

- City of Austin, Texas Transportation Criteria Manual, as amended;
https://library.municode.com/TX/Austin/codes/transportation_criteria_manual
- City of Austin, Texas Standard Specifications, as amended.
https://library.municode.com/TX/Austin/codes/standard_specifications_manual
- City of Austin, Texas Standard Details, as amended.
https://library.municode.com/TX/Austin/codes/standards_manual

1.3 Definition of Transportation Systems

Transportation systems shall include streets, traffic impact analysis, trip generation report, pavement design, sidewalks and curb ramps, driveways, clear zones and guard fences, bikeways, traffic control and parking lot layouts.

The City requires use of City of Austin Technical Criteria for Design Criteria, Standard Specifications and Details when appropriate Standards, as determined by the City Engineer, are not contained within City of Dripping Springs or Hays County Technical Criteria.

SECTION 2: WATER AND WASTEWATER FACILITIES

2.1 The design and construction of water and wastewater facilities (not including On-Site Sewage Facilities) within the incorporated limits and the ETJ of the City of Dripping Springs shall comply with the service provider requirements. The design and construction of On-Site Sewage Facilities (OSSF) within the incorporated limits and the ETJ of the City of Dripping Springs, shall utilize the following standards, which are incorporated herein by reference and which are modified herein:

- Order Adopting Rules of Hays County, Texas for On-Site Sewage Facilities.
https://hayscountytexas.com/download/departments/development_services/regulations/Hays-County-On-Site-Sewage-Facility-2.8.14.pdf
- The Rules ("Design Criteria for On-Site Sewage Facilities," Texas Administrative Code 30 TAC 285.1-285.91) promulgated by the Texas Commission on Environmental Quality for on-site sewage systems.
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=285](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=285)

2.2 The City requires use of City of Austin Technical Criteria for Design Criteria, Standard Specifications and Details when appropriate Standards, as determined by the City Engineer, are not contained within City of Dripping Springs or the Service Provider's Technical Criteria.

- City of Austin, Texas Utilities Criteria Manual, as amended;
https://library.municode.com/TX/Austin/codes/utilities_criteria_manual
- City of Austin, Texas Standard Specifications, as amended; and
https://library.municode.com/TX/Austin/codes/standard_specifications_manual
- City of Austin, Texas Standard Details, as amended.
https://library.municode.com/TX/Austin/codes/standards_manual

2.3 Definition of Water and Wastewater Facilities

Water and Wastewater facilities shall include piped conveyance systems, pump stations, holding tanks and any other facilities or systems that convey or contain potable water, reuse water or wastewater.

SECTION 3: DRAINAGE FACILITIES

3.1 The design and construction of drainage facilities and systems within the incorporated limits and the ETJ of the City of Dripping Springs shall comply with the following Hays County Technical Criteria, which are incorporated herein by reference and which are modified herein:

- Hays County Subdivision and Development Regulations, as amended.
<https://hayscountytexas.com/wpfb-file/2017-hays-county-development-regulations-pdf/>
- Hays County Specifications for Paving and Drainage Improvements, as amended
<https://hayscountytexas.com/download/departments/transportation/Hays-County-Adopted-Specs-13may2019.pdf>

3.2 The City requires use of City of Austin Technical Criteria for Design Criteria, Standard Specifications and Details when appropriate Standards, as determined by the City Engineer, are not contained within Hays County Technical Criteria.

- City of Austin, Texas Drainage Criteria Manual, as amended;
https://library.municode.com/TX/Austin/codes/drainage_criteria_manual
- City of Austin, Texas Standard Specifications, as amended; and
https://library.municode.com/TX/Austin/codes/standard_specifications_manual
- City of Austin, Texas Standard Details, as amended.
https://library.municode.com/TX/Austin/codes/standards_manual

3.3 **Definition of Drainage Facilities**

Drainage facilities shall include street drainage (piped or open channel), site drainage, bridges, culverts, stormwater detention facilities and any other facilities or systems that convey or contain stormwater.

SECTION 4: ENVIRONMENTAL MANAGEMENT FACILITIES

4.1 The environmental assessments and the design and construction of environmental management facilities and systems within the incorporated limits and the ETJ of the City of Dripping Springs shall comply with the following standards, which are incorporated herein by reference and which are modified herein:

- TCEQ Edwards Aquifer Rules – Technical Guidance on Best Management Practices, RG-348, as amended;
<https://www.tceq.texas.gov/publications/rg/rg-348>
- City of Austin, Texas Environmental Criteria Manual, Section 1 "Water Quality Management", as amended;
https://library.municode.com/TX/Austin/codes/environmental_criteria_manual

- City of Austin, Texas Standard Specifications, as amended; and https://library.municode.com/TX/Austin/codes/standard_specifications_manual
- City of Austin, Texas Standard Details, as amended. https://library.municode.com/TX/Austin/codes/standards_manual

4.2 Definition of Management Facilities

Environmental management facilities shall include environmental assessments, water quality controls, temporary erosion and sedimentation controls, permanent erosion and sedimentation controls, and on-site irrigation with wastewater effluent.

SECTION 5: BUILDINGS

Building construction within the incorporated limits of the City and within its ETJ, as applicable, shall comply with the Codes adopted by the City as codified in Article 24.02 of the City of Dripping Springs Code of Ordinances.

SECTION 6: EXCEPTIONS TO THE REFERENCED STANDARDS

The following exceptions shall apply to the referenced Standards:

- All references to Hays County or City of Austin shall be construed to mean the City of Dripping Springs.
- All provisions and standards of the City of Dripping Springs Code of Ordinances shall be applicable and shall govern if there is a conflict with the standards referenced in Section.