



DRIPPING SPRINGS
Texas

PLANNING & ZONING COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, July 25, 2023 at 6:00 PM

Agenda

CALL TO ORDER AND ROLL CALL

Commission Members

Mim James, Chair
James Martin, Vice Chair
Christian Bourguignon
Doug Crosson
Eugene Foster
Evelyn Strong
Tammie Williamson

Staff, Consultants & Appointed/Elected Officials

Planning Director Tory Carpenter
City Planner Warlan Rivera
City Attorney Laura Mueller
City Secretary Andrea Cunningham
IT Director Jason Weinstock

PLEDGE OF ALLEGIANCE

PRESENTATION OF CITIZENS

A member of the public who desires to address the Commission regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the Commission's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the Commission. It is the request of the Commission that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentation of Citizens.

CONSENT AGENDA

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of Planning & Zoning Commission meetings, it is intended that these items will be acted upon by the Planning & Zoning

Commission with a single motion because no public hearing or determination is necessary. However, a Planning & Zoning Commission Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the Planning & Zoning Commission voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the Planning & Zoning Commission may add additional items that are listed elsewhere on the same agenda.

- 1. Approval of the June 27, 2023, Planning & Zoning Commission regular meeting minutes.**
- 2. Conditional approval of SUB2023-0018: an application for the Cannon Ranch, Phase 2 Final Plat for a 19.57 acre tract located at the intersection of Founders Park Road and Rob Shelton Boulevard out of the Philip A. Smith and C.H. Malott Surveys. Applicant: Jacob Harris; Doucet & Associates**
- 3. Conditional approval of SUB2023-0016: a replat application for 500 & 520 Matzig Cove for a 27.95 acre tract to adjust the drainage easement of the Ruby Ranch Subdivisions Phases 1 & 2. Applicant: Richie Mendoza, Ever Engineering, LLC**
- 4. Denial of SUB2023-0031: an application for the Gateway Village Preliminary Plat for a 97.44 acre tract out of the Philip A. Smith and C.H. Malott Surveys located north of the intersection of Drifting Wind Run and US 290. Applicant: Christopher A. Reid, P.E.**

BUSINESS

- 5. Public hearing and consideration of SUB2023-0029: an application for the Cortaro Subdivision replat with vacation. Applicant: Eric L. Gomez, Braun & Gresham PLLC.**
 - a. Applicant Presentation
 - b. Staff Report
 - c. Public Hearing
 - d. Replat
- 6. Public hearing and recommendation regarding VAR2023-0005: an application for a variance to allow a reduction in the parking requirement for a property located at 249 Sportsplex Drive. Applicant: Chris Nygard**
 - a. Applicant Presentation
 - b. Staff Report
 - c. Public Hearing
 - d. Recommendation
- 7. 2023 Legislative Update and Discussion.**
Laura Mueller, City Attorney and Tory Carpenter, Planning Director.
- 8. Discuss and consider the Appointment of a Vice Chair to serve for a term ending June 30, 2024.**
- 9. Discuss and consider the Appointment of a Planning & Zoning Commissioner to serve as the representative on the Transportation Committee for a term ending June 30, 2025.**

PLANNING & DEVELOPMENT REPORTS

10. Planning Department Report

EXECUTIVE SESSION

The Planning & Zoning Commission for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 Deliberations about Gifts and Donations), 551.074 Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The Planning & Zoning Commission for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

UPCOMING MEETINGS

Planning & Zoning Commission Meetings

August 8, 2023, at 6:00 p.m.

August 22, 2023, at 6:00 p.m.

September 12, 2023, at 6:00 p.m.

September 26, 2023, at 6:00 p.m.

City Council & Board of Adjustment Meetings

August 1, 2023, at 6:00 p.m. (CC & BOA)

August 15, 2023, at 6:00 p.m. (CC)

September 5, 2023, at 6:00 p.m. (CC & BOA)

September 19, 2023, at 6:00 p.m.

ADJOURN

TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION & POSTING OF MEETING

All agenda items listed above are eligible for discussion and action unless otherwise specifically noted. This notice of meeting is posted in accordance with Chapter 551, Government Code, Vernon's Texas Codes. Annotated. In addition, the Commission may consider a vote to excuse the absence of any Commissioner for absence from this meeting.

*I certify that this notice of meeting was posted at the City of Dripping Springs City Hall and website, www.cityofdrippingsprings.com, on **July 21, 2023, at 4:15 p.m.***

City Secretary

This facility is wheelchair accessible. Accessible parking spaces are available. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling (512) 858-4725.



DRIPPING SPRINGS
Texas

PLANNING & ZONING COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, June 27, 2023, at 6:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

With a quorum of the Commission present, Chair James called the meeting to order at 6:02 p.m.

Commission Members present were:

Mim James, Chair
Christian Bourguignon
Doug Crosson
John McIntosh
Douglas Shumway
Evelyn Strong

Commission Member absent was:

Tammie Williamson, Vice Chair

Staff, Consultants & Appointed/Elected Officials present were:

City Attorney Laura Mueller
City Secretary Andrea Cunningham
IT Director Jason Weinstock
Planning Director Tory Carpenter
Mayor Bill Foulds, Jr.
Mayor Pro Tem Taline Manassian

Chair James announced that this will be Commission McIntosh's last meeting and thanked him for his many years of service not only on the Planning & Zoning Commission, but the Historic Preservation Commission and TIRZ No. 1 & No. 2 Board as well.

PLEDGE OF ALLEGIANCE

Commissioner Bourguignon led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

A member of the public who desires to address the Commission regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the Commission's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given

twice the amount of time as a member of the public who does not require the assistance of a translator to address the Commission. It is the request of the Commission that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentation of Citizens.

Bill Foulds, Jr. and Taline Manassian thanked Commissioner John McIntosh for his service to the community of Dripping Springs.

CONSENT AGENDA

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of Planning & Zoning Commission meetings, it is intended that these items will be acted upon by the Planning & Zoning Commission with a single motion because no public hearing or determination is necessary. However, a Planning & Zoning Commission Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the Planning & Zoning Commission voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the Planning & Zoning Commission may add additional items that are listed elsewhere on the same agenda.

A motion was made by Commissioner Strong to consider items 4 and 5 separately. Commissioner Bourguignon seconded the motion which carried unanimously 6 to 0.

- 1. Approval of the May 23, 2023, Planning & Zoning Commission regular meeting minutes.**
- 2. Denial of SUB2022-0005: an application for the Skylight Hills Preliminary Plat 19.898 acres out of the S.F.J.W Survey located at 13001 High Sierra. Applicant: Al Carroll Jr., Tri-Tech Engineering**
- 3. Conditional approval of SUB2023-0012: an application for the Replat of Springlake Lot 57 for a 4.385-acre tract out of the G.W. Lindsay survey located at 100 Oakview Drive. Applicant: Jon Thompson, J Thompson Professional Consulting**

A motion was made by Commissioner Strong to approve Consent Agenda Items 1 – 3. Commissioner Bourguignon seconded the motion which carried unanimously 6 to 0.

Commissioner McIntosh recused from Consent Agenda Items 4 and 5, as he is a resident of Caliterra. He remained at the dais and did not participate in discussions or debate.

- 4. Conditional approval of SUB2023-0017: an application for the Caliterra Phase 2 Lot 9 Block F Section 7 replat. Applicant: Bill Couch, Carlson Brigrance and Doering, Inc.**

Tory Carpenter presented the staff report which is on file. The application was submitted for conditional approval upon receipt of approved 1445 Letter from Hays County. Staff has received the approval letter, but after the agenda and packet were posted. Staff recommends full approval of the application.

- 5. Denial of SUB2023-0025: an application for the Caliterra Phase 3 Section 10 Preliminary Plat for 20.19 acres out of the Philip A Smith Survey located at Caliterra Parkway and Pointe Du Hoc. Applicant: Bill Couch, Carlson Brigrance and Doering, Inc.**

A motion was made by Commissioner Strong to approve Consent Agenda Items 4 and 5. Commissioner Crosson seconded the motion which carried 5 to 0 to 1, with Commissioner McIntosh recused.

BUSINESS

- 6. Applicant introductory presentation and possible Commissioner appointment to the Development Agreement Working Group (DAWG) for the Southern Land Planned Development District request located on Ranch Road 12 south of FM 150.**

Applicant representative and attorney Rex Baker introduced the project.

Southern Land Company President & Chief Operating Officer Ben Sewell and Design Senior Vice President Ben Crenshaw gave a presentation which is on file.

Chair James and Tory Carpenter reviewed the Planned Development District review process and the purpose of the Development Agreement Working Group.

Via unanimous consent, Chair James and Commissioner Bourguignon were appointed to the Development Agreement Working Group (DAWG).

PLANNING & DEVELOPMENT REPORTS

Report is on file and available for review upon request.

7. Planning Department Report

EXECUTIVE SESSION

The Planning & Zoning Commission for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 Deliberations about Gifts and Donations), 551.074 Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The Planning & Zoning Commission for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

The Commission did not meet in Executive Session.

UPCOMING MEETINGS

Planning & Zoning Commission Meetings

July 11, 2023, at 6:00 p.m.

July 25, 2023, at 6:00 p.m.

August 8, 2023, at 6:00 p.m.

August 22, 2023, at 6:00 p.m.

City Council & Board of Adjustment Meetings

July 5, 2023, at 6:00 p.m. (CC & BOA)

July 18, 2023, at 6:00 p.m. (CC)

August 1, 2023, at 6:00 p.m. (CC & BOA)

August 15, 2023, at 6:00 p.m. (CC)

ADJOURN

A motion was made by Commissioner Strong to adjourn the meeting. Commissioner McIntosh seconded the motion which carried unanimously 6 to 0.

This regular meeting adjourned at 6:55 p.m.



Planning and Zoning Commission

Planning Department Staff Report

Planning and Zoning Commission Meeting:

July 25, 2023

Project No:

SUB2023-0018

Project Planner:

Tory Carpenter, AICP – Planning Director

Item Details

Project Name:

Cannon Ranch Phase 2 Final Plat

Property Location:

Founders Park Road at Rob Shelton

Legal Description:

19.57 acres, out of the Philip A. Smith and C.H. Malott Surveys

Applicant:

Jake Helmburg, Doucet & Associates

Property Owner:

Ashton Woods

Staff recommendation:

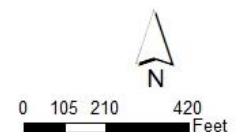
Conditional approval of the plat.



Location Map

SUB2023-0018

— Roads



Overview

This final plat consists of 97 single-family lots.

Access and Transportation

Primary access to the subdivision will be through Lone Peak Way.

Site Information

Location: Founders Park Road at Rob Shelton

Zoning Designation: Cannon Ranch PDD

Property History

Preliminary plat was approved November 24, 2021.

Recommendation

Conditional approval of the plat with the following conditions:

1. Label Lot 1, Blk 7 as an “Open Space/Drainage” Lot.
2. Revise sidewalk note 28 per the PDD typical sections. Local streets shall have a minimum 5 ft sidewalk along both sides of street.
3. Add additional info to the LUE summary chart. Show LUEs required for the entire Land, the LUEs associated with prior platted areas and the LUEs associated with the area subject to such plat. Summarize the capacity triggers from the water and wastewater agreements in or below the chart.
4. The language above the City Engineer signature block refers to Hays Street Subdivision. Please clean up signature block language.
5. Fill in all of the Document Numbers for the separate instrument easements
6. In the street summary table include sidewalk location and width required.
7. The Final Plat cannot be approved until either;
 - Construction of Public Infrastructure is complete and accepted by the Jurisdiction that will own it; OR
 - Fiscal Surety is posted and approved by the Jurisdiction that will own the Public Infrastructure.

Attachments

Exhibit 1 – Subdivision Application

Exhibit 2 – Cannon Ranch, Phase 1 Final Plat

Recommended Action	Approval with the conditions listed above.
Alternatives/Options	N/A
Budget/Financial impact	N/A
Public comments	No comments have been received at the time of the report.
Enforcement Issues	N/A
Comprehensive Plan Element	N/A



City of Dripping Springs

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

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SUBDIVISION APPLICATION

Case Number (staff use only): _____ - _____

MEETINGS REQUIRED

(AS APPLICABLE PER SITE DEVELOPMENT ORDINANCE)

INFORMAL
CONSULTATION

DATE:

☐ NOT

SCHEDULED

PRE-APPLICATION
CONFERENCE

DATE:

4/18/2023

☐ NOT SCHEDULED

PLAT TYPE

☐ Amending Plat☐ Minor Plat☐ Replat☒ Final Plat☐ Plat Vacation☐ Other: _____

CONTACT INFORMATION

APPLICANT NAME Jacob HarrisCOMPANY DoucetSTREET ADDRESS 7401 B Hwy 71 West, Suite 160CITY AustinSTATE TexasZIP CODE 78735PHONE 512-583-2656EMAIL jharris@doucetengineers.comOWNER NAME Jeffrey BroueletteCOMPANY Arroyo Cap III-2, LLCSTREET ADDRESS 18575 Jamboree Road, Suite S-350CITY IrvineSTATE CAZIP CODE 92612PHONE 562-206-1731EMAIL jbrouelette@arroyocapital.com

PROPERTY INFORMATION	
PROPERTY OWNER NAME	Arroyo Cap III-2, LLC
PROPERTY ADDRESS	Rushmore Drive at Lone Peak Way
CURRENT LEGAL DESCRIPTION	83.00 acres out of the A0415 PHILIP A SMITH & A0693 C H MALOTT SURVEYS
TAX ID #	R179691
LOCATED IN	<input checked="" type="checkbox"/> City Limits <input type="checkbox"/> Extraterritorial Jurisdiction
CURRENT LAND ACREAGE	19.57 acres
SCHOOL DISTRICT	DSISD
ESD DISTRICT(S)	6
ZONING/PDD/OVERLAY	PDD #12
EXISTING ROAD FRONTAGE	<input type="checkbox"/> Private Name: _____ <input type="checkbox"/> State Name: _____ <input checked="" type="checkbox"/> City/County (public) Name: <u>Lone Peak Way</u>
DEVELOPMENT AGREEMENT? (If so, please attach agreement)	<input checked="" type="checkbox"/> Yes (see attached) <input type="checkbox"/> Not Applicable Development Agreement Name: <u>PDD #12</u>

ENVIRONMENTAL INFORMATION	
IS PROPERTY OVER THE EDWARDS AQUIFER RECHARGE ZONE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
IS PROPERTY OVER THE BARTON SPRINGS CONTRIBUTING ZONE TO THE EDWARDS AQUIFER?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
IS PROPERTY WITHIN A FEMA FLOODPLAIN AS DEFINED BY THE MOST CURRENT FIRM?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

PROJECT INFORMATION	
PROPOSED SUBDIVISION NAME	Cannon Ranch - Phase Two
TOTAL ACREAGE OF DEVELOPMENT	19.57 acres
TOTAL NUMBER OF LOTS	100
AVERAGE SIZE OF LOTS	0.15 ac.
INTENDED USE OF LOTS	<input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL/OTHER: _____
# OF LOTS PER USE	RESIDENTIAL: <u>97</u> COMMERCIAL: _____ INDUSTRIAL: _____
ACREAGE PER USE	RESIDENTIAL: <u>19.57</u> COMMERCIAL: _____ INDUSTRIAL: _____
LINEAR FEET (ADDED) OF PROPOSED ROADS	PUBLIC: <u>3,828</u> PRIVATE: _____
ANTICIPATED WASTEWATER SYSTEM	<input type="checkbox"/> CONVENTIONAL SEPTIC SYSTEM <input type="checkbox"/> CLASS I (AEROBIC) PERMITTED SYSTEM <input checked="" type="checkbox"/> PUBLIC SEWER
WATER SOURCES	SURFACE WATER <input checked="" type="checkbox"/> PUBLIC WATER SUPPLY <input type="checkbox"/> RAIN WATER GROUND WATER* <input type="checkbox"/> PUBLIC WELL <input type="checkbox"/> SHARED WELL <input type="checkbox"/> PUBLIC WATER SUPPLY
<p>*IF DOING GROUND WATER PROVISION FOR THE DEVELOPMENT USING GROUNDWATER RESOURCES, THE HAYS-TRINITY GROUNDWATER CONSERVATION DISTRICT MUST BE NOTIFIED:</p> <p>HAYS-TRINITY GCD NOTIFIED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	

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COMMENTS: TITLE: Project Engineer IISIGNATURE: **PUBLIC UTILITY CHECKLIST**ELECTRIC PROVIDER NAME (if applicable): PEC☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLECOMMUNICATIONS PROVIDER NAME (if applicable): Spectrum☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLEWATER PROVIDER NAME (if applicable): City of Dripping Springs☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLEWASTEWATER PROVIDER NAME (if applicable): City of Dripping Springs☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLEGAS PROVIDER NAME (if applicable): Texas Gas☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**PARKLAND DEDICATION?**☒ YES ☐ NOT APPLICABLE**AGRICULTURE FACILITIES (FINAL PLAT)?**☒ YES ☐ NOT APPLICABLE

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COMPLIANCE WITH OUTDOOR LIGHTING ORDINANCE?*

(See attached agreement)

*If proposed subdivision is in the City Limits, compliance with the Lighting Ordinance is **mandatory**. If proposed subdivision is in the ETJ, compliance is **mandatory** when required by a Development Agreement, or as a condition of an Alternative Standard/Special Exception/Variance/Waiver.

Voluntary compliance is strongly encouraged by those not required by above criteria (see Outdoor Lighting tab on the city's website at www.cityofdrippingsprings.com and online Lighting Ordinance under the Code of Ordinances tab for more information).

☒ YES (REQUIRED) ☐ YES (VOLUNTARY*) ☐ NO

APPLICANT'S SIGNATURE

Note: An additional signature is required on page 7 of the application verifying completeness. Applications should be submitted only when all required information is included in the submittal.

The above information is true to the best of my knowledge. I attest that the real property described is owned by me and all others as signed below. If the below signed applicant is not the owner of said property, the signature of the property owner must be included below, or consent must be attached (If a corporation, please list title, and name of corporation.)

Jacob Harris, P.E.

Applicant Name

Jacob Harris

4/12/23

Applicant Signature

Meranda S Perkins

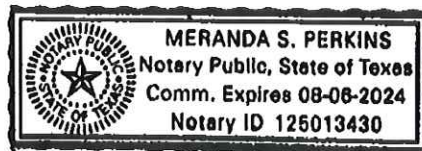
Date

4/12/23

Notary

Date

Notary Stamp Here



Jeffrey Brouelette - Arroyo Cap III-2, LLC

Property Owner Name

Jeff B Brouelette

Property Owner Signature

4/13/23

Date

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All required items and information (including all applicable below listed exhibits and fees) must be received by the City for an application and request to be considered complete. Incomplete submissions will not be deemed filed and complete. By signing below, I acknowledge that I have read through and met all requirements for a complete submittal:

Applicants Signature: _____


Date: 4/10/2023

FINAL, REPLAT, MINOR, AND AMENDING PLAT CHECKLIST

Subdivision Ordinance, Section 5

STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed application form – including all required notarized signatures
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application fee (refer to Fee Schedule)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Copies/PDF of all submitted items
<input type="checkbox"/>	<input type="checkbox"/> N/A	County Application Submittal – proof of online submission (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ESD #6 Application (if within City or Development Agreement) or Proof of Submittal to Hays County Fire Marshal (if in the ETJ)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$240 Fee for ESD #6 Application (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contact Form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineer's Summary Report
<input type="checkbox"/>	<input type="checkbox"/> included	Drainage Report – If not included in the Engineer's summary
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geological Assessment Identifying Critical Environmental Features [Sub. Ord. 4.8(l)(4)] (if applicable)
<input type="checkbox"/>	<input type="checkbox"/> N/A	OSSF Facility Planning Report or approved OSSF permit (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Final Plats (11 x 17 to scale)
<input type="checkbox"/>	<input type="checkbox"/> N/A	Copy of Current Configuration of Plat (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of Preliminary Plat (if applicable)
<input type="checkbox"/>	<input type="checkbox"/> N/A	Proof of final acceptance of all public infrastructure by the jurisdiction that will own and maintain it; or posting of fiscal for public infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Data (GIS) of Subdivision
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tax Certificates – verifying that property taxes are current
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of Notice Letter to the School District – notifying of preliminary submittal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement

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<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development Agreement/PDD (If applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cost estimate of public infrastructure improvements (all public infrastructure improvements including water, wastewater, roads, drainage, curbs, sidewalks, etc.) (if applicable). *A Final Plat application will not be accepted if staff has not already approved this.
<input type="checkbox"/>	<input type="checkbox"/> N/A	Documentation showing approval of driveway locations (TxDOT, County)
<input type="checkbox"/>	<input type="checkbox"/> N/A	Documentation showing Hays County 911 Addressing approval (If applicable)
<input type="checkbox"/>	<input type="checkbox"/> N/A	Parkland Dedication fee (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$25 Public Notice Sign Fee
<input type="checkbox"/>	<input type="checkbox"/> N/A	Ag Facility Fees - \$35 per residential LUE (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Utility Service (Water & Wastewater) or permit to serve
<input type="checkbox"/>	<input type="checkbox"/> duplicate	Geologic Assessment Identifying Critical Environmental Features [Sub. Ord. 4.8(l)(4)]
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pre-Application Meeting Form signed by City Staff

FINAL PLAT INFORMATION REQUIREMENTS

<input type="checkbox"/>	<input checked="" type="checkbox"/>	A vicinity, or location, map that shows the location of the proposed Plat within the City (or within its ETJ) and in relationship to existing roadways.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Boundary lines, abstract/survey lines, corporate and other jurisdictional boundaries, existing or proposed highways and street right-of-way, bearings and distances sufficient to locate the exact area proposed for the subdivision, and all survey monuments including any required concrete monuments (per the City Engineer); the length and bearing of all straight lines, radii, arc lengths, tangent lengths and central angles of all curves shall be indicated along the lines of each lot or Unit (curve and line data may be placed in a table format); accurate reference ties via courses and distances to at least one recognized abstract or survey corner or existing subdivision corner shall be shown.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The name, location and recording information of all adjacent subdivisions (or property owners of adjacent unplatted property), including those located on the other sides of roads or creeks, shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing streets, alleys, building setbacks, lot and block numbering, easements, and other features that may influence the layout of development of the proposed subdivision; adjacent unplatted land shall show property lines, the names of owners of record, and the recording information.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	The location, widths and names of all street right-of-way and easements (it shall be the applicant's responsibility to coordinate with appropriate utility entities for placement of necessary utility easements and for location of all streets and median openings on highways or arterial roadways), existing or proposed, within the subdivision limits and adjacent to the subdivision; a list of proposed street names shall be submitted (in the form of a letter or memo along with the application form) for all new street names (street name approval is required at the time the Plat is approved)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The location of all existing property lines, existing lot and block numbers and date recorded, easements of record (with recording information),
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed arrangement and square footage of lots or Units (including lot and block numbers or Unit numbers).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All sheets shall have a title block which shows the title or name under which the proposed subdivision is to be recorded; the name, address and phone number of the property owner(s); the name, address and phone number of the licensed engineer or registered professional land surveyor who prepared the plat/plans; the scale of the plat/plans; the date the plat/plan was prepared; and the location of the property according to the abstract or survey records of Hays County, Texas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sites, if any, to be reserved or dedicated for parks, schools, playgrounds, other public uses or for private facilities or amenities
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Scale (including a graphic scale), date, north arrow oriented to the top or left side of the sheet, and other pertinent informational data
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>All physical features of the property to be subdivided shall be shown, including:</p> <ul style="list-style-type: none"> - The location and size of all watercourses; and - 100-year floodplain according to Federal Emergency Management Agency (FEMA) information; and - Water Quality Buffer Zones as required by [WQO 22.05.017] - Drainage ways and drainage easements. Drainage easements are required for bypass of any offsite flows and for concentrated flows conveyed across lots. Drainage easements shall be large enough to contain the 100-yr storm [Sub. Ord. 12.2.2]. - U.S. Army Corps of Engineers flowage easement requirements; and - All critical environmental features (CEFs) such as karsts, springs, sinkholes,

		<p>caves, etc., to be located and documentation to be signed and certified by a geologist. All CEF to have a minimum setback of 150'. All designated wetlands to be certified as such by an accredited wetland biologist relying the presence of wetlands plant species.</p> <p>- Drainage area in acres or area draining into subdivisions (to be included in drainage report and construction plans); and</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Existing zoning of the subject property and all adjacent properties if within the city limits.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Provide notes identifying the following:</p> <ul style="list-style-type: none"> • Owner responsible for operation and maintenance of stormwater facilities. • Owner/operator of water and wastewater utilities. • Owner/operator of roadway facilities
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Certificates and other language shall be included on the plat, pursuant to the following Subsections: A statement signed by the property owner(s) and acknowledged before a Notary Public that the subdivided area is legally owned by the applicant.</p> <ul style="list-style-type: none"> - A statement signed by the property owner(s) and acknowledged before a Notary Public that the subdivided area is legally owned by the applicant. - An accurate legal, such as by metes and bounds, description by bearings and distances (including necessary curve and line data), accurate to the nearest one hundredth of a foot, for all boundary, block and lot lines, with descriptions correlated to a permanent survey monument. - The registered professional land surveyor's certificate, with a place for his or her signature and notarization of his or her signature. - A place for plat approval signature of the Chair or Vice Chair, in the Chair's absence) of the Planning and Zoning Commission, a place for the City Secretary to attest such signature, and the approval dates by Planning and Zoning Commission. - Appendices to this Chapter contain certificates and languages to be used on the plat to accommodate the above requirements:

NARRATIVE OF COMPLIANCE

A written narrative describing how all portions of the subdivision meets all requirements of this code and other codes, including landscaping, lighting, parkland dedication, site development, water quality protection, and zoning, as may be relevant.

Outdoor Lighting, Article 24.06	Per PDD #12, the subdivision will comply with the Outdoor Lighting Ordinance
Parkland Dedication, Article 28.03	Per Exhibit C of PDD#12, the subdivision will have 18.82 acres of dedicated parkland. No further dedication or fee in lieu is required.
Landscaping and Tree Preservation, Article 28.06	Per Exhibit C of PDD#12, the subdivision will have 18.82 acres of dedicated parkland. No further dedication or fee in lieu is required.

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Subdivision, 28.02, Exhibit A	<p>This section shall also include, depending on what type of plat is being filed, how public or private improvements will meet City standards, including water quality, drainage, stormwater, and fire (if applicable).</p> <p>Cannon Ranch Phase Two will connect to the existing water, wastewater and storm drainage facilities installed with Phase One and is consistent with the approved Cannon Ranch Preliminary Plat, SUB2021-0052, and PDD #12.</p>
Zoning, Article 30.02, Exhibit A	<p>The design of this subdivision is in accordance with the approved PDD #12</p>

BLOCK 8 AREA TABLE		
LOT NO.	SQ. FT.	ACRES
1	27,098	0.6221
2	5,900	0.1354
3	5,362	0.1237
4	5,170	0.1187
5	4,600	0.1056
6	4,600	0.1056
7	4,600	0.1056
8	4,600	0.1056
9	4,600	0.1056
10	4,600	0.1056
11	4,853	0.1114
12	5,057	0.1161
13	6,444	0.1479
14	8,058	0.1850
15	5,340	0.1226
16	5,111	0.1173
17	4,763	0.1098
18	4,885	0.1121
19	5,459	0.1253
20	4,602	0.1056
21	4,600	0.1056
22	4,600	0.1056
23	4,600	0.1056
24	4,600	0.1056
25	4,600	0.1056
26	4,600	0.1056
27	4,600	0.1056
28	4,600	0.1056
29	4,584	0.1052

BLOCK 7 AREA TABLE		
LOT NO.	SQ. FT.	ACRES
1	66,634	1.5297
2	5,175	0.1188
3	5,174	0.1188
4	5,137	0.1179
5	5,887	0.1352
6	5,887	0.1352
7	5,887	0.1352
8	5,887	0.1352
9	5,887	0.1352
10	5,887	0.1352
11	5,534	0.1270
12	5,175	0.1188
13	5,175	0.1188
14	5,175	0.1188
15	5,175	0.1188
16	5,175	0.1188
17	5,175	0.1188
18	5,175	0.1188
19	5,175	0.1188
20	5,175	0.1188
21	5,459	0.1253
22	6,000	0.1377
23	5,563	0.1275
24	8,038	0.1845
25	8,537	0.1960
26	12,080	0.2773
27	8,357	0.1918
28	8,632	0.1982
29	5,079	0.1166
30	6,015	0.1381
31	6,494	0.1491
32	6,494	0.1491

BLOCK 6 AREA TABLE		
LOT NO.	SQ. FT.	ACRES
2	5,130	0.1178
3	6,088	0.1396
4	7,261	0.1667
5	7,271	0.1738
6	6,132	0.1408
7	5,852	0.1343
8	5,852	0.1343
9	5,852	0.1343
10	5,852	0.1343
11	5,852	0.1343
12	7,562	0.1736

BLOCK 5 AREA TABLE		
LOT NO.	SQ. FT.	ACRES
2	5,085	0.1167
3	5,085	0.1167
4	5,085	0.1167

BLOCK 9 AREA TABLE		
LOT NO.	SQ. FT.	ACRES
1	2,730	0.0627


CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	61.33	223.00	15°45'28"
C2	21.45	277.00	4°26'13"
C3	22.55	15.00	86°08'58"
C4	368.32	970.00	21°45'21"
C5	37.15	25.00	85°08'28"
C6	278.63	807.00	19°46'56"
C7	210.23	743.00	16°14'24"
C8	41.08	25.00	94°09'11"
C9	1.90	223.00	0°29'20"
C10	23.17	15.00	86°29'18"
C11	68.87	277.00	14°14'44"
C12	20.12	25.00	46°06'20"
C13	133.99	50.00	15°33'40"
C14	20.12	25.00	46°06'20"
C15	85.21	373.00	13°05'21"
C16	39.27	25.00	90°00'00"
C17	39.27	25.00	90°00'00"
C18	3.73	277.00	0°46'18"
C19	39.27	25.00	90°00'00"
C20	39.27	25.00	90°00'00"
C21	97.55	427.00	13°05'21"
C22	26.76	25.00	61°20'01"
C23	55.44	223.00	14°14'44"
C24	21.46	15.00	81°43'49"
C25	28.89	277.00	5°58'33"
C26	23.56	15.00	90°00'00"
C27	275.21	277.00	56°35'31"
C28	22.81	25.00	57°16'58"
C29	298.00	60.00	284°32'58"
C30	22.81	25.00	57°16'58"
C31	23.56	15.00	90°00'00"
C32	23.56	15.00	90°00'00"
C33	221.56	223.00	56°55'31"
C34	43.79	223.00	11°15'01"
C35	37.97	277.00	7°51'18"
C36	27.17	277.00	5°37'09"
C37	21.62	50.00	24°46'30"
C38	35.71	50.00	40°55'20"
C39	31.28	50.00	35°50'26"
C40	40.45	50.00	46°21'00"
C41	4.93	50.00	5°39'13"
C42	21.24	373.00	31°54'9"
C43	57.19	373.00	84°7'03"
C44	6.78	373.00	1°02'31"
C45	13.77	25.00	31°33'33"
C46	82.05	223.00	21°04'50"
C47	53.54	223.00	13°45'24"
C48	31.96	427.00	41°72'0"
C49	38.66	427.00	51°11'3"
C50	26.93	427.00	3°36'49"

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C51	3.16	277.00	0°39'11"
C52	42.73	277.00	8°50'19"
C53	42.73	277.00	8°50'19"
C54	42.73	277.00	8°50'19"
C55	42.73	277.00	8°50'19"
C56	42.73	277.00	8°50'19"
C57	42.73	277.00	8°50'19"
C58	15.67	277.00	31°42'38"
C59	16.66	25.00	39°11'16"
C60	6.15	25.00	14°05'42"
C61	47.95	60.00	45°47'32"
C62	37.83	60.00	36°13'02"
C63	36.56	60.00	34°54'55"
C64	36.56	60.00	34°54'55"
C65	36.56	60.00	34°54'55"
C66	28.45	60.00	27°10'02"
C67	46.33	60.00	44°08'46"
C68	27.75	60.00	26°29'49"
C69	22.81	25.00	57°16'58"
C70	13.68	223.00	3°30'50"
C71	82.05	223.00	21°04'50"

LINE TABLE			
LINE	BEARING	DISTANCE	
L1	N71°15'33"E	146.39'	
L2	N55°30'26"E	104.24'	
L3	N34°29'34"W	113.00'	
L4	N55°30'26"E	135.00'	
L5	S34°29'34"E	113.00'	
L6	N55°30'26"E	28.16'	
L7	S30°32'21"E	54.17'	
L8	S34°29'34"E	65.82'	
L9	N55°30'26"E	114.00'	
L10	S34°29'34"E	87.62'	
L11	S79°54'03"E	75.33'	
L12	S89°12'43"E	6.68'	
L13	N07°25'04"W	14.27'	
L14	N88°34'56"E	54.00'	
L15	S83°54'36"E	44.26'	
L16	S62°14'24"E	70.92'	
L17	S73°01'03"W	70.66'	
L18	S40°28'09"W	110.10'	
L19	S77°14'30"W	100.18'	
L20	N75°45'29"W	140.20'	
L21	S88°34'56"W	90.00'	
L22	S08°55'49"E	96.62'	
L23	S07°15'47"W	115.00'	
L24	S82°44'13"E	32.97'	
L25	S07°15'47"W	177.00'	
L26	S75°30'26"W	59.38'	
L27	S06°07'08"W	75.52'	
L28	N14°29'34"W	70.69'	
L29	N39°06'01"W	85.98'	
L30	N18°44'07"W	54.00'	

LINE TABLE			
LINE	BEARING	DISTANCE	
L31	N84°10'26"E	82.85'	
L32	S07°15'47"W	73.00'	
L33	N07°15'47"E	111.30'	
L34	N07°15'47"E	73.00'	
L35	S84°10'26"W	106.06'	
L36	N00°14'50"W	33.10'	
L37	S37°26'05"E	50.27'	
L38	S16°56'24"E	83.91'	
L39	S39°36'14"E	75.63'	
L40	S68°31'56"E	107.15'	
L41	N68°40'05"E	94.08'	
L42	N71°15'36"E	41.03'	
L43	N84°47'10"E	39.15'	
L44	S88°24'12"E	37.43'	
L45	S82°51'53"E	40.00'	
L46	S62°44'13"E	360.00'	
L47	S28°39'47"E	36.15'	
L48	N88°43'28"E	96.79'	
L49	S39°35'21"E	60.41'	
L50	S49°24'13"E	60.41'	
L51	S07°14'32"E	60.41'	
L52	S66°04'51"E	60.41'	
L53	S74°55'10"E	60.41'	
L54	S83°45'29"E	60.41'	
L55	N89°16'48"E	51.46'	
L56	S88°34'56"W	45.00'	
L57	N75°30'26"E	28.59'	
L58	S20°14'50"E	31.07'	
L59	N05°49'34"W	7.72'	
L60	S34°29'34"E	65.88'	

CANNON RANCH
SUBDIVISION PHASE 2
CITY OF DRIPPING
SPRINGS
HAYS COUNTY, TEXAS



DOUCET

Civil Engineering // Enfillements // Geopallid

7401 B. Highway 71 W. Ste. 160

Austin, TX 78735 Tel: (612)-583-2400

www.doucetengineers.com

IBPE Firm Number: 3937

TBPE Firm Number: 10105800

Date: 06/16/2023

Scale: 1" = 100'

Drawn by: SJP

Reviewer: SJP

Project: 128

Sheet: 2

Field Book:

Party Chn:

Survey Date:

Item 2.

**Planning and Zoning
Commission Meeting:**

July 25, 2023

Project No:

SUB2023-0016

Project Planner:

Warlan Rivera – Planner

Item Details

Project Name:

520 Matzig Replat

Property Location:

500 & 520 Matzig Cove

Legal Description:

Ruby Ranch Phase 1 Lot 8 Blk C 6.50 Ac and Ruby Ranch Phase 2, Block A, Lot 3, Acres 21.45

Applicant:

Richie Mendoza

Property Owner:

Scott & Sally Follett

Staff recommendation:

Conditional Approval of the replat.





DRIPPING SPRINGS
Texas

Location Map

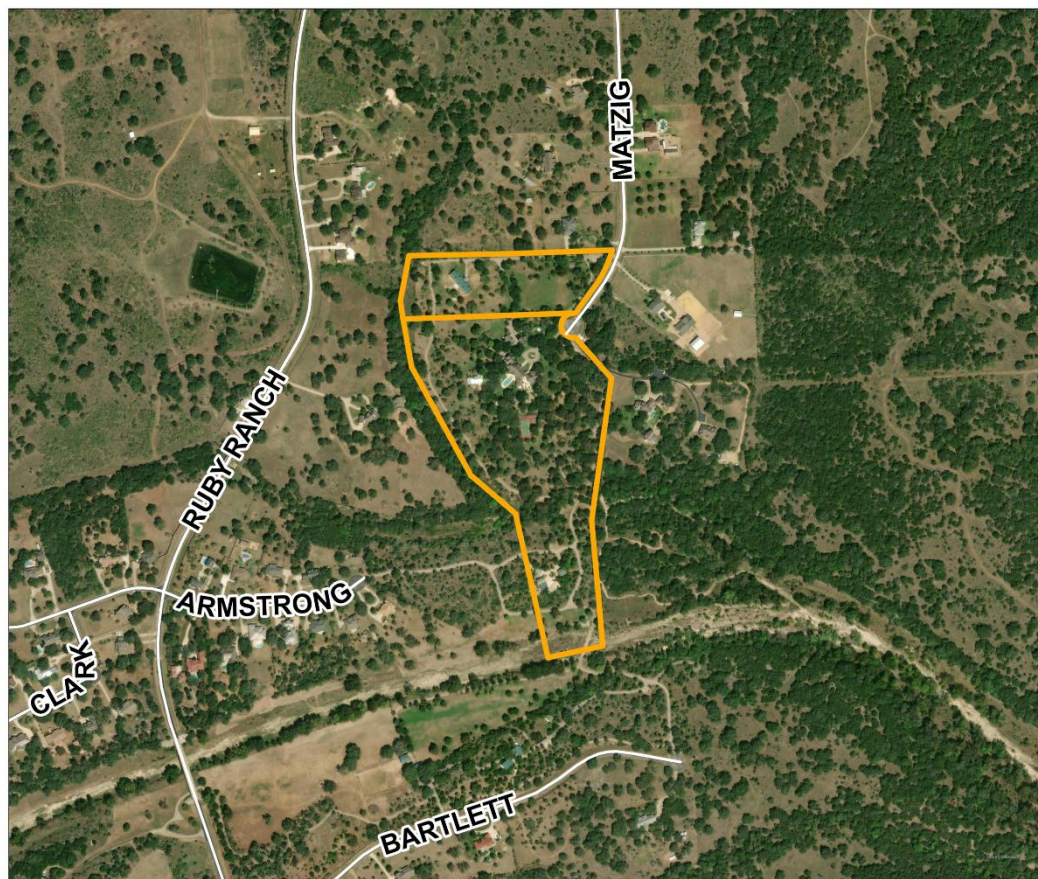
SUB2023-0016
500 & 520 Matzig
Replat

Legend

-  Roads
-  Subject_Property



0 40 80 160 240 320
Yards



Planning Department Staff Report

Overview

The purpose of this replat is to modify the existing onsite drainage easement. The modification was assessed and made via the study in their drainage report.

Access and Transportation

Both properties already have frontage on Matzig Cove.

Site Information

Location: 500 & 520 Matzig Cove

Zoning Designation: ETJ

Property History

Both properties are a part of the Ruby Ranch Subdivision. Lot 8 is part of Phase 1 and was recorded back in September 1995. Lot 3 is part of Phase 2 and was recorded back in November 1995.

Recommendation

Conditional approval of the replat.

Comments:

- Please revise Lot 3, Blk A, Phase 3 to have the correct property owner on the plat. [Sub. Ord. 4.7.C]
- Provide the purpose of the Replat Statement on the Plat.

Attachments

Exhibit 1 – Staff Report

Exhibit 2 – Application

Exhibit 3 – Replat

Exhibit 4 – Comments

Recommended Action	Conditional Approval
Alternatives/Options	N/A
Budget/Financial impact	N/A
Public comments	None. Only inquiries.
Enforcement Issues	N/A
Comprehensive Plan Element	N/A



DRIPPING SPRINGS
Texas

Item 3.

City of Dripping Springs

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

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SUBDIVISION APPLICATION

Case Number (staff use only): _____ - _____

MEETINGS REQUIRED

(AS APPLICABLE PER SITE DEVELOPMENT ORDINANCE)

INFORMAL
CONSULTATION

DATE:

☐ NOT
SCHEDULED

PRE-APPLICATION
CONFERENCE

DATE:

9/30/2022

☐ NOT SCHEDULED

PLAT TYPE

☐ Amending Plat

☐ Minor Plat

☒ Replat

☐ Final Plat

☐ Plat Vacation

☐ Other: _____

CONTACT INFORMATION

APPLICANT NAME Ritchie Mendoza, E.I.T.

COMPANY Ever Engineering, LLC.

STREET ADDRESS 3201 Cherry Ridge Dr. Ste. A-106

CITY San Antonio

STATE Texas

ZIP CODE 78230

PHONE 210-572-9340

EMAIL rmendoza@everenc.com

OWNER NAME Scott Follett

COMPANY _____

STREET ADDRESS 520 Matzig Cove

CITY Buda

STATE Texas

ZIP CODE 78610

PHONE 512-269-6687

EMAIL scott@thefolletts.com

PROPERTY INFORMATION	
PROPERTY OWNER NAME	Scott Follett
PROPERTY ADDRESS	500 & 520 Matzig Cove
CURRENT LEGAL DESCRIPTION	RUBY RANCH PHASE 2, BLOCK A, Lot 3, ACRES 21.45 & RUBY RANCH PHASE 1 LOT 8 BLK C 6.50 AC
TAX ID #	R63269 & R63273
LOCATED IN	<input type="checkbox"/> City Limits <input checked="" type="checkbox"/> Extraterritorial Jurisdiction
CURRENT LAND ACREAGE	21.45 & 6.50
SCHOOL DISTRICT	HAYS CISD
ESD DISTRICT(S)	NORTHEAST HAYS CO ESD #2, HAYS CO FIRE ESD #8
ZONING/PDD/OVERLAY	N/A
EXISTING ROAD FRONTAGE	<input type="checkbox"/> Private Name: _____ <input type="checkbox"/> State Name: _____ <input checked="" type="checkbox"/> City/County (public) Name: <u>MATZIG COVE</u>
DEVELOPMENT AGREEMENT? (If so, please attach agreement)	<input type="checkbox"/> Yes (see attached) <input checked="" type="checkbox"/> Not Applicable Development Agreement Name: _____

ENVIRONMENTAL INFORMATION	
IS PROPERTY OVER THE EDWARDS AQUIFER RECHARGE ZONE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
IS PROPERTY OVER THE BARTON SPRINGS CONTRIBUTING ZONE TO THE EDWARDS AQUIFER?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
IS PROPERTY WITHIN A FEMA FLOODPLAIN AS DEFINED BY THE MOST CURRENT FIRM?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

PROJECT INFORMATION	
PROPOSED SUBDIVISION NAME	RUBY RANCH
TOTAL ACREAGE OF DEVELOPMENT	27.95
TOTAL NUMBER OF LOTS	2
AVERAGE SIZE OF LOTS	13.972
INTENDED USE OF LOTS	<input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL/OTHER: _____
# OF LOTS PER USE	RESIDENTIAL: <u>2</u> COMMERCIAL: _____ INDUSTRIAL: _____
ACREAGE PER USE	RESIDENTIAL: <u>27.95</u> COMMERCIAL: _____ INDUSTRIAL: _____
LINEAR FEET (ADDED) OF PROPOSED ROADS	PUBLIC: _____ PRIVATE: _____
ANTICIPATED WASTEWATER SYSTEM	<input checked="" type="checkbox"/> CONVENTIONAL SEPTIC SYSTEM <input type="checkbox"/> CLASS I (AEROBIC) PERMITTED SYSTEM <input type="checkbox"/> PUBLIC SEWER
WATER SOURCES	SURFACE WATER <input type="checkbox"/> PUBLIC WATER SUPPLY <input type="checkbox"/> RAIN WATER GROUND WATER* <input type="checkbox"/> PUBLIC WELL <input type="checkbox"/> SHARED WELL <input checked="" type="checkbox"/> PUBLIC WATER SUPPLY
<p>*IF DOING GROUND WATER PROVISION FOR THE DEVELOPMENT USING GROUNDWATER RESOURCES, THE HAYS-TRINITY GROUNDWATER CONSERVATION DISTRICT MUST BE NOTIFIED:</p> <p>HAYS-TRINITY GCD NOTIFIED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620

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COMMENTS: _____

TITLE: PROJECT MANAGER SIGNATURE: EVERGARZA**PUBLIC UTILITY CHECKLIST****ELECTRIC PROVIDER NAME** (if applicable): PERDENALES ELECTRIC COOPERATIVE, INC.☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**COMMUNICATIONS PROVIDER NAME** (if applicable): Crockett Communications Inc.☐ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**WATER PROVIDER NAME** (if applicable): RUBY RANCH WATER SUPPLY CORPORATION☐ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**WASTEWATER PROVIDER NAME** (if applicable): _____☐ VERIFICATION LETTER ATTACHED ☒ NOT APPLICABLE**GAS PROVIDER NAME** (if applicable): Texas Gas Service☐ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**PARKLAND DEDICATION?**☐ YES ☒ NOT APPLICABLE**AGRICULTURE FACILITIES (FINAL PLAT)?**☐ YES ☒ NOT APPLICABLE

COMPLIANCE WITH OUTDOOR LIGHTING ORDINANCE?*

(See attached agreement)

*If proposed subdivision is in the City Limits, compliance with the Lighting Ordinance is **mandatory**. If proposed subdivision is in the ETJ, compliance is **mandatory** when required by a Development Agreement, or as a condition of an Alternative Standard/Special Exception/Variance/Waiver.

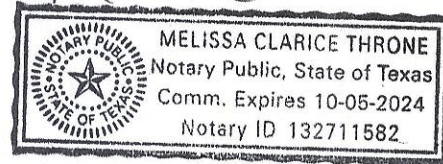
Voluntary compliance is strongly encouraged by those not required by above criteria (see Outdoor Lighting tab on the city's website at www.cityofdrippingsprings.com and online Lighting Ordinance under the Code of Ordinances tab for more information).

☐ YES (REQUIRED) ☐ YES (VOLUNTARY*) ☒ NO

APPLICANT'S SIGNATURE

*Note: An additional signature is required on page 7 of the application verifying completeness. Applications should be submitted **only** when all required information is included in the submittal.*

The above information is true to the best of my knowledge. I attest that the real property described is owned by me and all others as signed below. If the below signed applicant is not the owner of said property, the signature of the property owner must be included below, or consent must be attached (If a corporation, please list title, and name of corporation.)



12/8/22

Applicant Name

Ever Garza, P.E.

Before me, the undersigned authority on this day personally appeared, Ever Garza, known to me to be the person whose name is signed to the foregoing application and sworn by me, State under oath that all of the facts therein set forth are true and correct.

Applicant Signature

EVER GARZA

Date

12/8/22

Notary

Date

Notary Stamp Here

Scott Follett

Property Owner Name

Property Owner Signature

Date

All required items and information (including all applicable below listed exhibits and fees) must be received by the City for an application and request to be considered complete. Incomplete submissions will not be deemed filed and complete. By signing below, I acknowledge that I have read through and met all requirements for a complete submittal:

Applicants Signature: EVERGARZA Date: 12/8/22

FINAL, REPLAT, MINOR, AND AMENDING PLAT CHECKLIST

Subdivision Ordinance, Section 5

STAFF	APPLICANT	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Completed application form – including all required notarized signatures
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Application fee (refer to Fee Schedule)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Copies/PDF of all submitted items
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	County Application Submittal – proof of online submission (if applicable)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	ESD #6 Application (if within City or Development Agreement) or Proof of Submittal to Hays County Fire Marshal (if in the ETJ)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$240 Fee for ESD #6 Application (if applicable)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contact Form
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Engineer's Summary Report
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Drainage Report – if not included in the Engineer's summary
<input type="checkbox"/>	<input type="checkbox"/>	Geological Assessment Identifying Critical Environmental Features [Sub. Ord. 4.8(l)(4)] (if applicable)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	OSSF Facility Planning Report or approved OSSF permit (if applicable)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Final Plats (11 x 17 to scale)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of Current Configuration of Plat (if applicable)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of Preliminary Plat (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Proof of final acceptance of all public infrastructure by the jurisdiction that will own and maintain it; or posting of fiscal for public infrastructure.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Data (GIS) of Subdivision
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Tax Certificates – verifying that property taxes are current
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Notice Letter to the School District – notifying of preliminary submittal
<input type="checkbox"/>	<input type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620

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<input type="checkbox"/>	<input type="checkbox"/>	Development Agreement/PDD (If applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Cost estimate of public infrastructure improvements (all public infrastructure improvements including water, wastewater, roads, drainage, curbs, sidewalks, etc.) (if applicable). *A Final Plat application will not be accepted if staff has not already approved this.
<input type="checkbox"/>	<input type="checkbox"/>	Documentation showing approval of driveway locations (TxDOT, County)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Documentation showing Hays County 911 Addressing approval (If applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Parkland Dedication fee (if applicable)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$25 Public Notice Sign Fee
<input type="checkbox"/>	<input type="checkbox"/>	Ag Facility Fees - \$35 per residential LUE (if applicable)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Utility Service (Water & Wastewater) or permit to serve
<input type="checkbox"/>	<input type="checkbox"/>	Geologic Assessment Identifying Critical Environmental Features [Sub. Ord. 4.8(l)(4)]
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Pre-Application Meeting Form signed by City Staff

FINAL PLAT INFORMATION REQUIREMENTS

<input type="checkbox"/>	<input checked="" type="checkbox"/>	A vicinity, or location, map that shows the location of the proposed Plat within the City (or within its ETJ) and in relationship to existing roadways.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Boundary lines, abstract/survey lines, corporate and other jurisdictional boundaries, existing or proposed highways and street right-of-way, bearings and distances sufficient to locate the exact area proposed for the subdivision, and all survey monuments including any required concrete monuments (per the City Engineer); the length and bearing of all straight lines, radii, arc lengths, tangent lengths and central angles of all curves shall be indicated along the lines of each lot or Unit (curve and line data may be placed in a table format); accurate reference ties via courses and distances to at least one recognized abstract or survey corner or existing subdivision corner shall be shown.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The name, location and recording information of all adjacent subdivisions (or property owners of adjacent unplatted property), including those located on the other sides of roads or creeks, shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing streets, alleys, building setbacks, lot and block numbering, easements, and other features that may influence the layout of development of the proposed subdivision; adjacent unplatted land shall show property lines, the names of owners of record, and the recording information.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	The location, widths and names of all street right-of-way and easements (it shall be the applicant's responsibility to coordinate with appropriate utility entities for placement of necessary utility easements and for location of all streets and median openings on highways or arterial roadways), existing or proposed, within the subdivision limits and adjacent to the subdivision; a list of proposed street names shall be submitted (in the form of a letter or memo along with the application form) for all new street names (street name approval is required at the time the Plat is approved)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The location of all existing property lines, existing lot and block numbers and date recorded, easements of record (with recording information),
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed arrangement and square footage of lots or Units (including lot and block numbers or Unit numbers).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All sheets shall have a title block which shows the title or name under which the proposed subdivision is to be recorded; the name, address and phone number of the property owner(s); the name, address and phone number of the licensed engineer or registered professional land surveyor who prepared the plat/plans; the scale of the plat/plans; the date the plat/plan was prepared; and the location of the property according to the abstract or survey records of Hays County, Texas.
<input type="checkbox"/>	<input type="checkbox"/>	Sites, if any, to be reserved or dedicated for parks, schools, playgrounds, other public uses or for private facilities or amenities
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Scale (including a graphic scale), date, north arrow oriented to the top or left side of the sheet, and other pertinent informational data
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>All physical features of the property to be subdivided shall be shown, including:</p> <ul style="list-style-type: none"> - The location and size of all watercourses; and - 100-year floodplain according to Federal Emergency Management Agency (FEMA) information; and - Water Quality Buffer Zones as required by [WQO 22.05.017] - Drainage ways and drainage easements. Drainage easements are required for bypass of any offsite flows and for concentrated flows conveyed across lots. Drainage easements shall be large enough to contain the 100-yr storm [Sub. Ord. 12.2.2]. - U.S. Army Corps of Engineers flowage easement requirements; and - All critical environmental features (CEFs) such as karsts, springs, sinkholes,

		<p>caves, etc., to be located and documentation to be signed and certified by a geologist. All CEF to have a minimum setback of 150'. All designated wetlands to be certified as such by an accredited wetland biologist relying the presence of wetlands plant species.</p> <p>- Drainage area in acres or area draining into subdivisions (to be included in drainage report and construction plans); and</p>
<input type="checkbox"/>	<input type="checkbox"/>	Existing zoning of the subject property and all adjacent properties if within the city limits.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Provide notes identifying the following:</p> <ul style="list-style-type: none"> • Owner responsible for operation and maintenance of stormwater facilities. • Owner/operator of water and wastewater utilities. • Owner/operator of roadway facilities
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Certificates and other language shall be included on the plat, pursuant to the following Subsections: A statement signed by the property owner(s) and acknowledged before a Notary Public that the subdivided area is legally owned by the applicant.</p> <ul style="list-style-type: none"> - A statement signed by the property owner(s) and acknowledged before a Notary Public that the subdivided area is legally owned by the applicant. - An accurate legal, such as by metes and bounds, description by bearings and distances (including necessary curve and line data), accurate to the nearest one hundredth of a foot, for all boundary, block and lot lines, with descriptions correlated to a permanent survey monument. - The registered professional land surveyor's certificate, with a place for his or her signature and notarization of his or her signature. - A place for plat approval signature of the Chair or Vice Chair, in the Chair's absence) of the Planning and Zoning Commission, a place for the City Secretary to attest such signature, and the approval dates by Planning and Zoning Commission. - Appendices to this Chapter contain certificates and languages to be used on the plat to accommodate the above requirements:

NARRATIVE OF COMPLIANCE

A written narrative describing how all portions of the subdivision meets all requirements of this code and other codes, including landscaping, lighting, parkland dedication, site development, water quality protection, and zoning, as may be relevant.

Outdoor Lighting, Article 24.06	All lighting on this plat is existing and complies with the Outdoor Lighting Article 24.06 & we do not foresee required changes.
Parkland Dedication, Article 28.03	There is no Parkland Dedication required. The purpose of this application is to re-plat the existing Ruby Ranch Phase 1 & Ruby Ranch Phase 2 Subdivisions.
Landscaping and Tree Preservation, Article 28.06	The existing landscape will not change. The purpose of this application is to update the drainage easement to the current 100-Yr FEMA Floodplain area to the re-plat of Ruby Ranch Phase 1 & 2 Subdivisions.

Subdivision, 28.02, Exhibit A	<p>This section shall also include, depending on what type of plat is being filed, how public or private improvements will meet City standards, including water quality, drainage, stormwater, and fire (if applicable).</p> <p>The purpose of this application is to update the drainage easement to the current 100-Yr FEMA Floodplain area to the re-plat of Ruby Ranch Phase 1 & 2 Subdivisions.</p>
Zoning, Article 30.02, Exhibit A	<p>All existing conditions in Zoning will remain. The purpose of this application is re-plat properties that currently in the Ruby Ranch Phase 1 & Phase 2 Subdivisions, and to update the drainage easement to the current 100-Yr FEMA floodplain.</p>

Received on/by: _____

Project Number: _____ - _____
 Only filled out by staff



DRIPPING SPRINGS
 Texas

BILLING CONTACT FORM

Project Name: Ruby Ranch Subdivision

Project Address: 500 & 520 Matzig Cove, Buda TX 78108

Project Applicant Name: Ever Engineering, LLC.

Billing Contact Information

Name: Ever Engineering, LLC.

Mailing Address: 3201 Cherry Ridge Drive, Suite A-106

San Antonio, TX 78230

Email: rmendoza@everenc.com

Phone Number: 210-572-9340

Type of Project/Application (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Alternative Standard | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Street Closure Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Waiver |
| <input type="checkbox"/> Exterior Design | <input type="checkbox"/> Wastewater Service |
| <input type="checkbox"/> Landscape Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Lighting Plan | <input type="checkbox"/> Zoning |
| <input type="checkbox"/> Site Development Permit | <input checked="" type="checkbox"/> Other <u>Replat</u> |

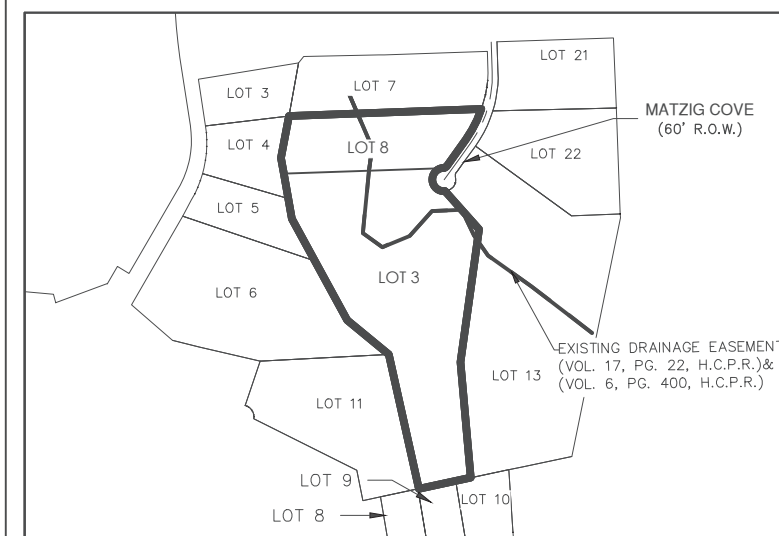
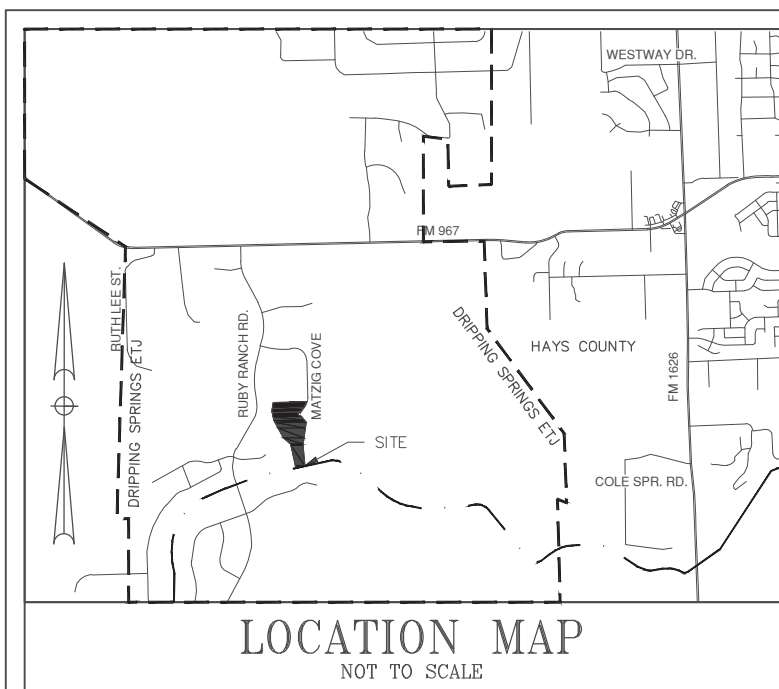
*Applicants are required to pay all associated costs associated with a project's application for a permit, plan, certificate, special exception, waiver, variance, alternative standard, or agreement, regardless of City approval. Associated costs may include, but are not limited to, public notices and outside professional services provided to the City by engineers, attorneys, surveyors, inspectors, landscape consultants, lighting consultants, architects, historic preservation consultants, and others, as required. Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs. **Please see the online Master Fee Schedule for more details.** By signing below, I am acknowledging that the above listed party is financially accountable for the payment and responsibility of these fees.*

EVER ENGINEERING

Signature of Applicant

12/8/22

Date



SCALE: 1" = 1,000'

THE TOTAL 27.95-ACRES BEING REPLATTED IS ALL OF LOT 8, BLOCK C OF THE RUBY RANCH PHASE ONE SUBDIVISION, RECORDED IN VOLUME 6, PAGE 398, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, LOT 3, BLOCK A OF THE RUBY RANCH PHASE TWO SUBDIVISION, RECORDED IN VOLUME 7, PAGE 22, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, AND ALL OF A VARIABLE WIDTH DRAINAGE EASEMENT RECORDED IN RECORDED IN VOLUME 6, PAGE 398, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS AND VOLUME 7, PAGE 22, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS

LEGEND

—+130—	EXISTING CONTOUR	P.R.	PLAT RECORDS, HAYS COUNTY, TEXAS
—130—	PROPOSED CONTOUR	O.P.R.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
—C—	CENTERLINE		
○	IRON ROD FOUND	R.O.W.	RIGHT OF WAY
●	IRON ROD SET	B.L.K.	BLOCK
①	20' TYP PUBLIC UTILITY ESMT	N.C.B.	NEW CITY BLOCK
②	60' TYP BUILDING LINE	T.E.L.E	TELEPHONE
③	VARIABLE WIDTH ESMT	C.A.T.V.	CABLE TV
W	WATER WELL	CL	CENTERLINE

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THE PRESENTS, That, Cypress Creek Animal Hospital P.C., by and through Dr.Todd Henry, owner of Lot 12B-1 & Lot 52, Cypress Creek Acres, Replat of Lot 12B-1 & Lot 52, as recorded in Volume 13, Page 179, Hays County Texas Plat Records, conveyed by Instrument Number:18026350 of the Official Deed Records of Hays County, Texas, do hereby subdivide said property as shown hereon, and do hereby consent to all plat note requirements shown hereon, and do hereby dedicate to the public the use of the streets and easements shown hereon. This subdivision is to be known as Replat of Lot 52 & 12B, Cypress Creek Acres AH Addition, Establishing Lots 52A, & 12B-1-2, City of Woodcreek E.T.J, Hays County, Texas.

TO CERTIFY WHICH, WITNESS by the hand this _____ DAY OF _____ A.D.20____

BY: SCOTT D. FOLLETT, OWNER
520 Matzig Cove
Buda, TX 78610

SALLY E. FOLLETT, OWNER
520 Matzig Cove
Buda, TX 78610

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DR. TODD HENRY, KNOWN BY ME TO

TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN under my hand and seal of office this the _____ DAY OF _____ A.D., 20____

NOTARY PUBLIC
STATE OF TEXAS

STATE OF TEXAS
COUNTY OF HAYS

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE THE CITY OF DRIPPING SPRINGS AND/OR HAYS COUNTY.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF HAYS

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: BIG SKY SURVEYING, LLC.

REGISTERED PROFESSIONAL LAND SURVEYOR

HAYS COUNTY NOTES:

1. NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED ACCESS ONTO A PUBLIC OR PRIVATE ROADWAY UNLESS : (1) a Permit for use of the County Roadway Right-Way has been issued under Chapter 751; and, (2) the driveway satisfies the minimum spacing requirement for driveways set forth in Chapter 721.

2. The filer of this plat has submitted to the Department a Water and Wastewater Service Plan describing how (water)(and)(wastewater) service will be provided to this subdivision.

3. No Structure in this subdivision shall be occupied until connected to a an individual water supply or state approved community water system. Due to declining water supply, prospective property owners are cautioned by Hays County to question the seller concerning ground water availability. Rain water collection is encouraged and in some areas may offer the best renewable water resource.

4. No structure in this subdivision shall be occupied until connected to a permitted sewer system or to an on-site wastewater system that has been approved and permitted by Hays County.

5. No construction or development within the subdivision may begin until all Hays County Development Authorization requirements have been satisfied.

LOT DATA NOTE:

TOTAL LOTS = 2
LOT AVG. SIZE = 13.972-ACRES
≥ 10 ACRES = 1
5 AC.- 10 AC. = 1
2 AC.- 5 AC. = 0
1 AC.- 2 AC. = 0
≤ 1 AC. = 0

UTILITY NOTE:

WATER: PRIVATE WATER WELL
WASTEWATER: INDIVIDUAL ON-SITE SEWAGE FACILITIES
ELECTRIC: PEDERNALES ELECTRIC COOPERATIVE, INC.
TELEPHONE: CROCKETT COMMUNICATIONS INC.

PLAT NOTES:

BUILDING SETBACKS LINES PER RUBY RANCH PHASE 1 & 2 SUBDIVISION PLATS (VOL. 6, PG. 39, P.R.) AND (VOL. 7, PG. 22, P.R.) RESPECTIVELY

DRIVEWAY SATISFIES THE MINIMUM SPACING REQUIREMENTS FOR DRIVEWAYS SET FORTH IN CHAPTER 9.02.115

THIS SUBDIVISION LIES WITHIN THE EDWARD'S AQUIFER RECHARGE ZONE.

NO PORTION OF THIS SUBDIVISION LIES WITHIN THE EDWARD'S AQUIFER CONTRIBUTING ZONE.

THIS SUBDIVISION LIES WITHIN THE HAYS COUNTY OISD.

THIS SUBDIVISION LIES WITHIN THE HAYS COUNTY ESD #2, WIMBERLEY FIRE HAYS Co ESD #8

THIS SUBDIVISION LIES WITHIN THE LOWER TRINITY GROUNDWATER CONSERVATION DISTRICT THIS TRACT IS WITHIN THE ETJ OF THE CITY OF DRIPPING SPRINGS.

A 10' UTILITY EASEMENTS SHALL BE LOCATED ON ALL SIDE AND REAR PROPERTY LINES.

PEDERNALES ELECTRIC CO-OP NOTES:

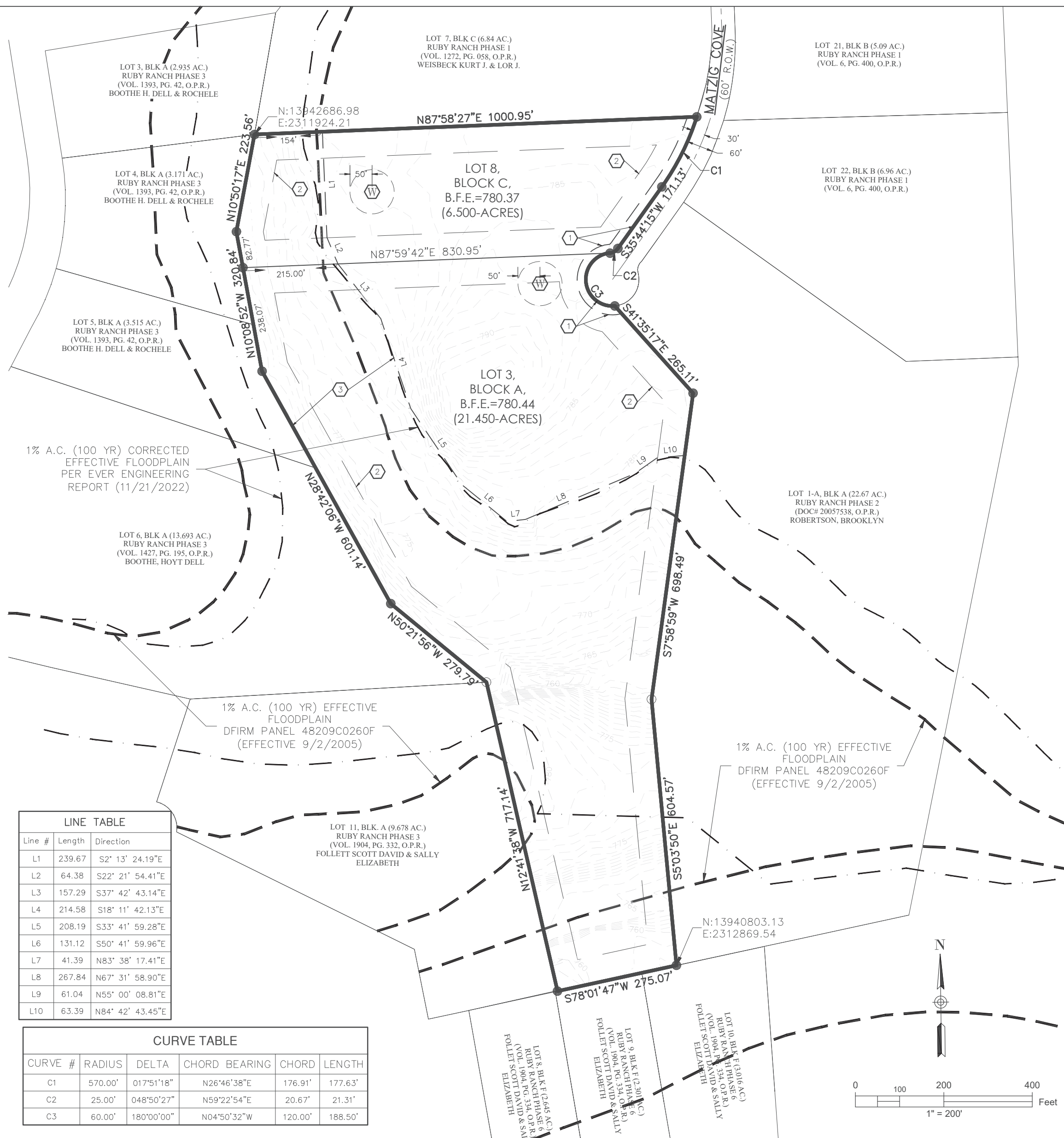
1.) ALL EXISTING OVERHEAD AND UNDERGROUND FACILITIES SHALL POSSESS A TWENTY (20) FOOT WIDE UTILITY EASEMENT CENTERED 10' EACH SIDE OF LINE.

2.) ALL UTILITY EASEMENTS ARE FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREES AND OTHER OBSTRUCTIONS), INSPECTING, REMOVAL, READING OF METERS, AND REPAIR OF ALL OVERHEAD AND UNDERGROUND LINES.

3.) NO BUILDINGS OR ANY OTHER OBSTRUCTIONS SHALL BE PLACED WITHIN UTILITY EASEMENTS. WHERE ACCESS IS OBSTRUCTED WITHIN EASEMENT PEC SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTORS ADJACENT LAND TO AND FROM SAID UTILITY EASEMENT.

FLOODPLAIN NOTE:

A PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP PANEL: 48209C0260F (EFFECTIVE 9/2/2005). FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS.



PLAT NO. PLN-2140-PC

REPLAT ESTABLISHING RUBY RANCH LOT 3, BLOCK A AND LOT 8, BLOCK C

BEING A TOTAL OF 6.50 ACRES, OF LAND IN HAYS COUNTY, TEXAS, DESCRIBED AS LOT 8, BLOCK C OF THE RUBY RANCH PHASE ONE SUBDIVISION, RECORDED IN VOLUME 6, PAGE 398, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS AND A TOTAL OF 21.45 ACRES OF LAND IN HAYS COUNTY, TEXAS DESCRIBED AS LOT 3, BLOCK A OF THE RUBY RANCH PHASE TWO SUBDIVISION, RECORDED IN VOLUME 7, PAGE 22, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS.

ENGINEER:



EVER ENGINEERING, LLC
ADVANCED ENGINEERING SERVICES

3201 CHERRY RIDGE DRIVE, SUITE A-106,
SAN ANTONIO, TX 78230
OFFICE (210) 572-9340 FAX (210) 572-9344
WWW.EVERENC.COM, WWW.AES-TX.COM
FIRM NO. F-18197

SURVEYOR:

**BIG SKY
SURVEYING, L.L.C.**

4025 CHRIS DRIVE
ABILENE, TEXAS 79606
(325) 428-6959
bigskysurvey@yahoo.com
BLS #1094204

STATE OF TEXAS
COUNTY OF HAYS

This plat of _____ has been submitted to and considered by the Planning and Zoning Commission of the City of Dripping Springs, Texas, and is hereby approved by such Commission.

Dated this _____ day of _____,

BY: _____
CHAIR

BY: _____
SECRETARY

I, the undersigned, Director of the Hays County Development Services Department, hereby certify that this subdivision plat conforms to all Hays County Requirements as stated in the Interlocal Cooperation Agreement between Hays County and the City of Dripping Springs for subdivision regulation within the extraterritorial jurisdiction of the City of Dripping Springs.

Marcus Pacheco
Director
Hays County Development Services

Sewage Disposal/Individual Water Supply Certification, to wit:

No structure in this subdivision shall be occupied until connected to an individual water supply or a state-approved community water system. Due to declining water supplies and diminishing water quality, prospective property owners are cautioned by Hays County to question the seller concerning groundwater availability. Rainwater collection is encouraged and in some areas may offer the best renewable water resource.

No structure in this subdivision shall be occupied until connected to a public sewer system or to an on-site wastewater system which has been approved and permitted by Hays County Development Services.

No construction or other development within this subdivision may begin until all Hays County Development Permit requirements have been met.

Marcus Pacheco
Director
Hays County Development Services

Eric Van Gaasbeek, R.S., C.F.M.,
Hays County Floodplain Administrator

STATE OF TEXAS
COUNTY OF HAYS

I, Elaine H. Cardenas, County Clerk of Hays County, Texas, do hereby certify that the foregoing instrument in writing with its certificate of authentication was filed for record in my office on the _____ day of _____ A.D. 20____ at _____ o'clock _____ m., in the plat records of Hays County, Texas, in Instrument Number _____.

Witness my hand and seal of office, this the _____ day of _____ A.D. 20____

Elaine H. Cardenas
County Clerk
Hays County, Texas



Planning and Zoning Commission

Planning Department Staff Report

Planning and Zoning Commission Meeting:

July 25, 2023

Project No:

SUB2023-0031

Project Planner:

Tory Carpenter, AICP – Planning Director

Item Details

Project Name:

Gateway Village Preliminary Plat

Property Location:

North of US 290 & Drifting Wind Run

Legal Description:

97.44 acres, out of the Philip A. Smith and C.H. Malott Surveys

Applicant:

Christopher Reid, Doucet & Associates

Property Owner:

Susan Houston, Cannon Family Ranch Partnership, LLC

Staff recommendation:

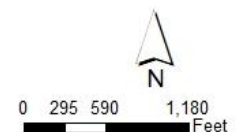
Denial of the preliminary plat.



Location Map

Gateway Village

— Roads
— Parcel Lines



Overview

This preliminary plat consists of 307 residential lots and one 7.3-acre commercial lot. Since the concept plan in the PDD calls for a 7.2-acre commercial property, the applicant must apply for a minor concept plan modification which can be approved administratively.

Access and Transportation

Primary access to the subdivision will be from the future extension of Wild Ridge Boulevard. There will also be an additional road connection to the north to the Wild Ridge development. The developer is responsible for construction of all internal streets must pay for a share of the construction of Wild Ridge Boulevard.

Site Information

Location: North of US 290 & Drifting Wind Run

Zoning Designation: Gateway Village PDD

Property History

The Planned Development District was approved April 18, 2023.

Recommendation

Denial of the preliminary plat to address outstanding comments.

Attachments

Exhibit 1 – Subdivision Application

Exhibit 2 – Preliminary Plat

Exhibit 3 - Comments

Recommended Action	Denial of the preliminary plat.
Alternatives/Options	N/A
Budget/Financial impact	N/A
Public comments	No comments have been received at the time of the report.
Enforcement Issues	N/A
Comprehensive Plan Element	N/A



DRIPPING SPRINGS
Texas

City of Dripping Springs

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

512.858.4725 • cityofdrippingsprings.com

Item 4.

PRELIMINARY PLAT APPLICATION

Case Number (staff use only): _____ - _____

MEETINGS REQUIRED

(AS APPLICABLE PER SUBDIVISION ORDINANCE)

INFORMAL CONSULTATION

PRE-APPLICATION CONFERENCE

DATE: _____

DATE: 5/04/2023

☐ NOT SCHEDULED

☐ NOT SCHEDULED

CONTACT INFORMATION

APPLICANT NAME Christopher A. Reid, P.E.

COMPANY Doucet

STREET ADDRESS 7401B Hwy. 71 W., Ste. 160

CITY Austin STATE TX ZIP CODE 78735

PHONE 512-583-2600 EMAIL creid@doucetengineers.com

OWNER NAME Susan Houston

COMPANY Cannon Family Ranch Partnership, Ltd.

STREET ADDRESS 189 Lamar Drive

CITY Rockport STATE Texas ZIP CODE 78382-9560

PHONE 512-913-9569 EMAIL shouston1963@gmail.com

PROPERTY INFORMATION	
PROPERTY OWNER NAME	Cannon Family Ranch Partnership, LTD
PROPERTY ADDRESS	1201 US290 West, Dripping Springs, TX 78620
CURRENT LEGAL DESCRIPTION	97.44 acres out of the Philip A Smith Survey Abstract 415, CH Mallot Survey Abstract 693, IV David Jr. Survey 130 Abstract 475, Edward Brown Survey 136 Abstract 44 and William Walker Survey 130, Abstract 475 in Hays County, Texas
TAX ID #	R17786
LOCATED IN	<input checked="" type="checkbox"/> City Limits <input type="checkbox"/> Extraterritorial Jurisdiction
CURRENT LAND ACREAGE	97.44 acres
SCHOOL DISTRICT	Dripping Springs ISD
ESD DISTRICT(S)	ESD #6
ZONING/PDD/OVERLAY	PDD2021-0004 approved April 18, 2023
EXISTING ROAD FRONTAGE	<input type="checkbox"/> Private Name: _____ <input checked="" type="checkbox"/> State Name: <u>US 290 West</u> <input type="checkbox"/> City/County (public) Name: _____
DEVELOPMENT AGREEMENT? (If so, please attach agreement)	<input type="checkbox"/> Yes (see attached) <input checked="" type="checkbox"/> Not Applicable Development Agreement Name: <u>PDD2021-0004</u>

ENVIRONMENTAL INFORMATION	
IS PROPERTY OVER THE EDWARDS AQUIFER RECHARGE ZONE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
IS PROPERTY OVER THE BARTON SPRINGS CONTRIBUTING ZONE TO THE EDWARDS AQUIFER?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
IS PROPERTY WITHIN A FEMA FLOODPLAIN AS DEFINED BY THE MOST CURRENT FIRM?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

PROJECT INFORMATION	
PROPOSED SUBDIVISION NAME	Gateway Village
TOTAL ACREAGE OF DEVELOPMENT	97.44
TOTAL NUMBER OF LOTS	307
AVERAGE SIZE OF LOTS	53' wide
INTENDED USE OF LOTS	<input checked="" type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL/OTHER: _____
# OF LOTS PER USE	RESIDENTIAL: <u>307</u> COMMERCIAL: <u>1</u> INDUSTRIAL: <u>N/A</u>
ACREAGE PER USE	RESIDENTIAL: _____ COMMERCIAL: <u>7.2 acres</u> INDUSTRIAL: <u>N/A</u>
LINEAR FEET (ADDED) OF PROPOSED ROADS	PUBLIC: <u>11,466 lf</u> PRIVATE: <u>N/A</u>
ANTICIPATED WASTEWATER SYSTEM	<input type="checkbox"/> CONVENTIONAL SEPTIC SYSTEM <input type="checkbox"/> CLASS I (AEROBIC) PERMITTED SYSTEM <input checked="" type="checkbox"/> PUBLIC SEWER
WATER SOURCES	SURFACE WATER <input checked="" type="checkbox"/> PUBLIC WATER SUPPLY <input type="checkbox"/> RAIN WATER GROUND WATER* <input type="checkbox"/> PUBLIC WELL <input type="checkbox"/> SHARED WELL <input type="checkbox"/> PUBLIC WATER SUPPLY
<p>*IF DOING GROUND WATER PROVISION FOR THE DEVELOPMENT USING GROUNDWATER RESOURCES, THE HAYS-TRINITY GROUNDWATER CONSERVATION DISTRICT MUST BE NOTIFIED:</p> <p>HAYS-TRINITY GCD NOTIFIED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	

COMMENTS: _____

TITLE: Christopher A. Reid, PE

SIGNATURE: _____

**PUBLIC UTILITY CHECKLIST****ELECTRIC PROVIDER NAME** (if applicable): Pedernales Electric Cooperative (PEC)☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**COMMUNICATIONS PROVIDER NAME** (if applicable): Frontier Communications☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**WATER PROVIDER NAME** (if applicable): City of Dripping Springs via Municipal Services Agreement☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**WASTEWATER PROVIDER NAME** (if applicable): City of Dripping Springs via Municipal Services Agreement☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**GAS PROVIDER NAME** (if applicable): Texas Gas Service☒ VERIFICATION LETTER ATTACHED ☐ NOT APPLICABLE**PARKLAND DEDICATION?**☒ YES ☐ NOT APPLICABLE**AGRICULTURE FACILITIES (FINAL PLAT)?**☐ YES ☒ NOT APPLICABLE

COMPLIANCE WITH OUTDOOR LIGHTING ORDINANCE?*

(See attached agreement)

*If proposed subdivision is in the City Limits, compliance with the Lighting Ordinance is **mandatory**. If proposed subdivision is in the ETJ, compliance is **mandatory** when required by a Development Agreement, or as a condition of an Alternative Standard/Special Exception/Variance/Waiver.

Voluntary compliance is strongly encouraged by those not required by above criteria (see Outdoor Lighting tab on the city's website at www.cityofdrippingsprings.com and online Lighting Ordinance under the Code of Ordinances tab for more information).

☒ YES (REQUIRED) ☐ YES (VOLUNTARY*) ☐ NO

APPLICANT'S SIGNATURE

*Note: An additional signature is required on page 7 of the application verifying completeness. Applications should be submitted **only** when all required information is included in the submittal.*

The above information is true to the best of my knowledge. I attest that the real property described is owned by me and all others as signed below. If the below signed applicant is not the owner of said property, the signature of the property owner must be included below, or consent must be attached (If a corporation, please list title, and name of corporation.)

Doucet

Applicant Name

Christopher A. Reid, P.E.

4/24/2023

Applicant Signature

C.A. Reid

Date

4/24/2023

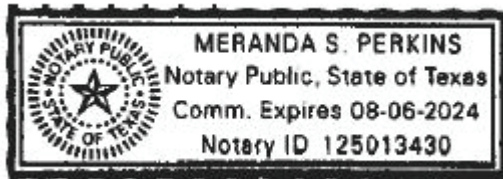
Notary

Meranda S. Perkins

4/24/2023

Date

Notary Stamp Here



Susan Houston, Cannon Family Ranch Partnership, Ltd.

Property Owner Name


Susan Houston, President

Property Owner Signature

May 9, 2023

Date

All required items and information (including all applicable below listed exhibits and fees) must be received by the City for an application and request to be considered complete. Incomplete submissions will not be deemed filed and complete. By signing below, I acknowledge that I have read through and met all requirements for a complete submittal:

Applicants Signature:  Date: 6/15/2023

For projects within the ETJ, per the City of Dripping Springs Interlocal Cooperation Agreement with Hays County, a county subdivision application must also be submitted for review to the City. Fees for Hays County shall also be paid. The City will forward the application and Hays County Fees to the County.

PRELIMINARY PLAT CHECKLIST

Subdivision Ordinance, Section 4

STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed application form – including all required notarized signatures
<input type="checkbox"/>	<input type="checkbox"/>	Application fee (refer to Fee Schedule)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Copies/PDF of all submitted items – please provide a coversheet outlining what digital contents are included on the CD/USB drive.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Data (GIS) of Subdivision
<input type="checkbox"/>	<input type="checkbox"/>	County Application Submittal – proof of online submission (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ESD #6 Application (if within City or Development Agreement) or Proof of Submittal to Hays County Fire Marshal (if in the ETJ)
<input type="checkbox"/>	<input type="checkbox"/>	\$240 Fee for ESD #6 Application (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contract Form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineer's Summary Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Preliminary Engineering Schematics of water, sewer and drainage infrastructure
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Preliminary Plats (3 copies required – 11 x 17)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tax Certificates – verifying that property taxes are current
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of Notice Letter to the School District – notifying of preliminary submittal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development Agreement/PDD (If applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utility Service Provider "Will Serve" Letters
<input type="checkbox"/>	<input type="checkbox"/>	Documentation showing approval of driveway locations (TxDOT, County,)

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620

512.858.4725 • wcityofdrippingsprings.com

<input type="checkbox"/>	<input checked="" type="checkbox"/>	Documentation showing Hays County 911 addressing approval (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Parkland Dedication Submittal (narrative, fees) Approved with PDD 16
<input type="checkbox"/>	<input type="checkbox"/>	\$25 Public Notice Sign Fee
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ITE Trip Generation Report, or if required; a Traffic Impact Analysis
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geologic Assessment Identifying Critical Environmental Features [Sub. Ord. 4.8(l)(4)]
<input type="checkbox"/>	<input type="checkbox"/>	OSSF Facility Planning Report or approved OSSF permit (<i>if applicable</i>)
<input type="checkbox"/>	<input type="checkbox"/>	Hays Trinity Groundwater Conservation District approval of water well (<i>if applicable</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Preliminary Conference Form signed by City Staff
PRELIMINARY PLAT INFORMATION REQUIREMENTS		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	A vicinity, or location, map that shows the location of the proposed Preliminary Plat within the City (or within its ETJ) and in relationship to existing roadways.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Boundary lines, abstract/survey lines, corporate and other jurisdictional boundaries, existing or proposed highways and streets (including right-of-way widths), bearings and distances sufficient to locate the exact area proposed for the subdivision, and all survey monuments including any required concrete monuments (per the City Engineer); the length and bearing of all straight lines, radii, arc lengths, tangent lengths and central angles of all curves shall be indicated along the lines of each lot or Unit (curve and line data may be placed in a table format); accurate reference ties via courses and distances to at least one recognized abstract or survey corner or existing subdivision corner shall be shown.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The name, location and recording information of all adjacent subdivisions (or property owners of adjacent unplatted property), including those located on the other sides of roads or creeks, shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing streets, alleys, building setbacks, lot and block numbering, easements, and other features that may influence the layout of development of the proposed subdivision; adjacent unplatted land shall show property lines, the names of owners of record, and the recording information.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The location, widths and names of all streets, alleys and easements (it shall be the applicant's responsibility to coordinate with appropriate utility entities for placement of necessary utility easements and for location of all streets and median openings on highways or arterial roadways), existing or proposed, within the subdivision limits and adjacent to the subdivision; a list of proposed street names shall be submitted (in the form of a letter or memo along with

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		the application form) for all new street names (street name approval is required at the time the Preliminary Plat is approved)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The location of all existing property lines, existing lot and block numbers and date recorded, easements of record (with recording information), buildings, existing sewer or water mains (can be shown on a separate sheet, if preferred), gas mains or other underground structures, or other existing features within the area proposed for subdivision;
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed arrangement and square footage of lots or Units (including lot and block numbers or Unit numbers) proposed use of same; for nonresidential uses, the location and size of buildings, existing and proposed. This information shall be provided on a separate sheet, such as on a concept plan or the final site plan.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All sheets shall have a title block which shows the title or name under which the proposed subdivision is to be recorded; the name, address and phone number of the property owner(s); the name, address and phone number of the licensed engineer or registered professional land surveyor who prepared the plat/plans; the scale of the plat/plans; the date the plat/plan was prepared; and the location of the property according to the abstract or survey records of Hays County, Texas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sites, if any, to be reserved or dedicated for parks, schools, playgrounds, other public uses or for private facilities or amenities
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Scale (including a graphic scale), date, north arrow oriented to the top or left side of the sheet, and other pertinent informational data
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contours with intervals of two feet (2') or less shown for the area, with all elevations on the contour map referenced to sea level datum; and the limits of any portion of the 100-year floodplain (pursuant to the flood study, if required by the City Engineer) that may be within or adjacent to (i.e., within 100 feet of) the property (final monumentation of the floodplain shall occur, and shall be shown, on the final plat prior to approval and filing at the County) - if no floodplain is present, then a note stating this shall be shown on the plat
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Areas contributing drainage to the proposed subdivision shall be shown in the drainage study and construction plans; locations proposed for drainage discharge from the site shall be shown by directional arrows.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All physical features of the property to be subdivided shall be shown, including: <ul style="list-style-type: none"> - The location and size of all watercourses; and - 100-year floodplain according to Federal Emergency Management Agency

		<p>(FEMA) information; and</p> <ul style="list-style-type: none"> - Water Quality Buffer Zones as required by [WQO 22.05.017] - Drainage ways and drainage easements. Drainage easements are required for bypass of any offsite flows and for concentrated flows conveyed across lots. Drainage easements shall be large enough to contain the 100-yr storm [Sub. Ord. 12.2.2]. - U.S. Army Corps of Engineers flowage easement requirements; and - All critical environmental features (CEFs) such as karsts, springs, sinkholes, caves, etc., to be located and documentation to be signed and certified by a geologist. All CEF to have a minimum setback of 150'. All designated wetlands to be certified as such by an accredited wetland biologist relying the presence of wetlands plant species. Applicant to include a slope map identifying the breakdown of all lands in categories from 0% to 15 slope, 15 to 30 slope, and over 30% slope; and - Ravines; and - Bridges; and - Culverts; and - Existing structures; and - Drainage area in acres or area draining into subdivisions (to be included in drainage study and construction plans); and - Outline of major wooded areas or the location of major or important individual trees (excluding Cedar Trees) with trunk diameters exceeding twelve inches (12") measured four feet (4') above the ground, and other features pertinent to subdivision; is defined in the City's Technical Construction Standards and Specifications, and the City's Landscape Ordinance.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Provide notes identifying the following:</p> <ul style="list-style-type: none"> • Owner responsible for operation and maintenance of stormwater facilities. • Owner/operator of water and wastewater utilities. • Owner/operator of roadway facilities
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Schematic Engineering plans of water and sewer lines and other infrastructure

		(including sizes) to be constructed in the subdivision; the proposed connections to distribution mains shall be indicated
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed phasing of the development: Where a subdivision is proposed to occur in phases, the applicant, in conjunction with submission of the Preliminary Plat, shall provide a schedule of development, the dedication of rights-of-way for streets and street improvements, whether on-site or off-site, intended to serve each proposed phase of the subdivision. The City Engineer shall determine whether the proposed streets and street improvements are adequate pursuant to standards herein established, and may require that a traffic impact analysis be submitted for the entire project or for such phases as the City Engineer determines to be necessary to adjudge whether the subdivision will be served by adequate streets and thoroughfares.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All Preliminary Plats shall be submitted in a legible format that complies with Hays County requirements for the filing of plats.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Existing zoning of the subject property and all adjacent properties if within the city limits.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction Traffic Plan showing proposed routes for construction vehicle traffic and points of ingress and egress of such vehicles during construction; temporary construction easement approvals if needed, this shall be sealed by a registered engineer
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Certificates and other language shall be included on the plat, pursuant to the following Subsections: A statement signed by the property owner(s) and acknowledged before a Notary Public that the subdivided area is legally owned by the applicant.</p> <ul style="list-style-type: none"> - A statement signed by the property owner(s) and acknowledged before a Notary Public that the subdivided area is legally owned by the applicant. - An accurate legal, such as by metes and bounds, description by bearings and distances (including necessary curve and line data), accurate to the nearest one hundredth of a foot, for all boundary, block and lot lines, with descriptions correlated to a permanent survey monument. - The registered professional land surveyor's certificate, with a place for his or her signature and notarization of his or her signature. - A place for plat approval signature of the Chair or Vice Chair, in the Chair's absence) of the Planning and Zoning Commission, a place for the City Secretary to attest such signature, and the approval dates by Planning and Zoning Commission. - Appendices to this Chapter contain certificates and languages to be used on the plat to accommodate the above requirements:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	If any amount of surface water is to be used by the subject property, the

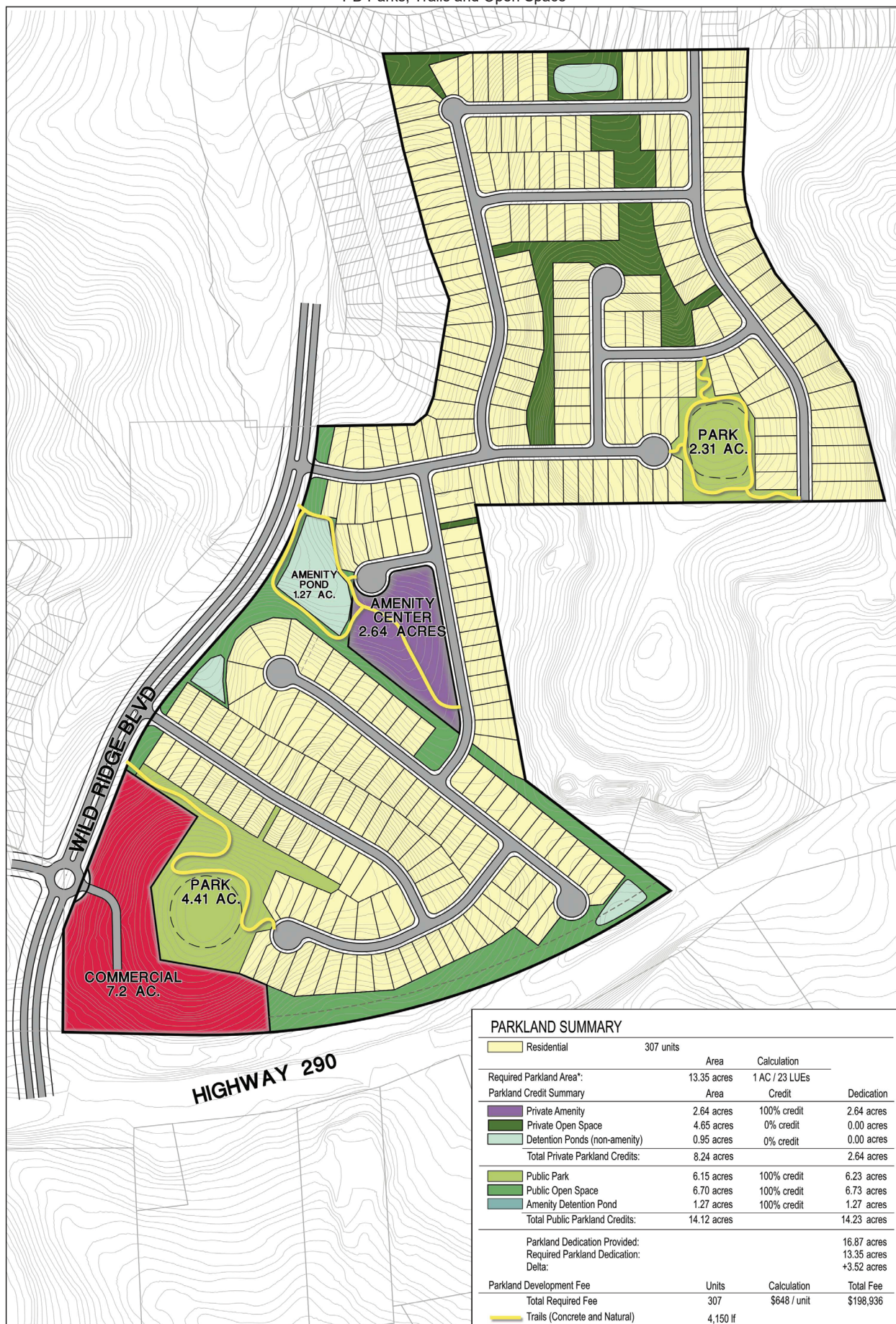
		Applicant must provide documentation to the City establishing that the Applicant has notified the following entities of the Applicant's plans for the project: Lower Colorado River Authority (LCRA), and the United States Fish and Wildlife Service (USFWS).
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NARRATIVE OF COMPLIANCE

A written narrative describing how all portions of the subdivision meets all requirements of this code and other codes, including landscaping, lighting, parkland dedication, site development, water quality protection, and zoning, as may be relevant.

Outdoor Lighting, Article 24.06	Outdoor lighting will be in general conformance with applicable requirements specified in the City-approved PDD2021-0004
Parkland Dedication, Article 28.03	Parkland Dedication are in general conformance with applicable requirements specified in the City-approved PDD2021-0004
Landscaping and Tree Preservation, Article 28.06	Landscaping and Tree Preservation are in general conformance with applicable requirements specified in the City-approved PDD2021-0004

Subdivision, 28.02, Exhibit A	<p>This section shall also include, depending on what type of plat is being filed, how public or private improvements will meet City standards, including water quality, drainage, stormwater, and fire (if applicable).</p> <p>Public and/or private improvements are in general conformance with applicable requirements specified in the City-approved PDD2021-0004.</p>
Zoning, Article 30.02, Exhibit A	<p>All proposed uses are in general conformance with applicable requirements specified in the City-approved PDD2021-0004</p>





Date: July 21, 2023

Christopher A. Reid
Doucet
mperkins@doucetengineers.com

City staff have completed their review of **SUB2023-0031 Gateway Village Preliminary Plat**. Reviewer comments are provided below. These comments are intended to be comprehensive; however, there may be additional comments after reviewing the submitted corrections. Applicants are encouraged to contact reviewers directly with questions.

City Planner Comments

The following comments have been provided by Tory Carpenter. Should you have any questions or require additional information, please contact Tory Carpenter by email tcarpenter@cityofdrippingsprings.com.

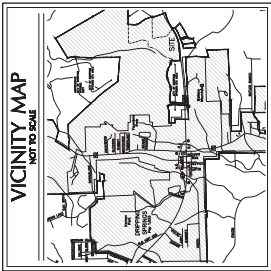
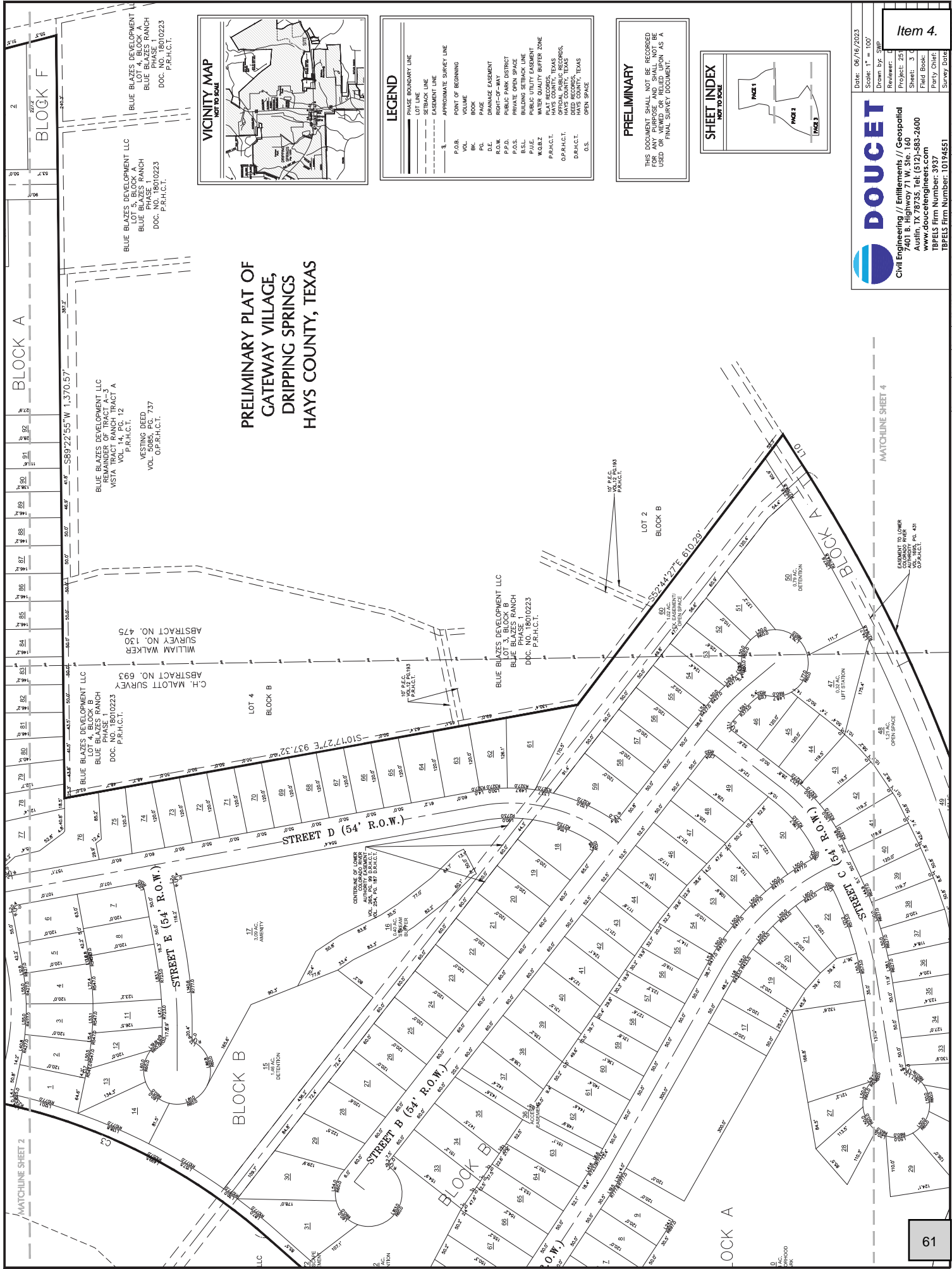
1. Please pay the application fee [Sub. Ord. Sec. 31].
2. Show the phases of the development [Sub. Ord. Sec. 4.7.n].
3. Please revise plat note #7 from "PDD #13 Ordinance No. 2021-31" to "PDD #16 (Ordinance No. 2023-15)". Ord. #2021-31 is Wild Ridge.
4. Per the PDD [Sec. 2.5.5.a], the minimum front setbacks are 20 feet along the ROW. Please revise the lot setbacks section.
5. Under the R.O.W>Widths table, update local streets to 54'. [Ordinance No. 2023-15 cross sections.]
6. Provide documentation for approval of street names from Hays County. [Sub. Ord. Sec. 4.7.d].
7. The increase in commercial area will require a minor PDD concept plan amendment. Please coordinate with staff. [[Ordinance No. 2023-15 Section 2.D].
8. Show trail locations consistent with the approved Parkland Plan [Ordinance No. 2023-15 Parkland Plan].
9. Provide full tree survey [Ordinance No. 2023-15 section 2.13].

Engineer/Public Works Comments

The following comments have been provided by Chad Gilpin. Should you have any questions or require additional information, please contact Chad Gilpin by email cgilpin@cityofdrippingsprings.com.

10. Provide status of Roundabout ROW dedication and design in coordination with the Wildridge Development.

11. Update the Water Service provider note on the cover. The City will be the water service provider.
12. In the Engineering Report, Summarize the operation of the Wastewater System, allocated LUEs, interim treatment solutions before the City's plant is expanded and how the WW system for this development will be phased.
13. On the Parkland Plan, coordinate with the Wildridge Blvd design team and Cannon Residential design team (All with Doucet). Show the location of the mid-block crossing and pedestrian crossing signal in an effort to coordinate trail connections between Cannon Residential, Wildridge and Gateway Village.
14. Add the following note: "This Development is subject the Name of Development Agreement dated Month, Day, Year between the City of Dripping Springs and Developer recorded in Document # Document #, Public Records of Hays County, Texas."
15. Note on the Preliminary Plat that "Construction Plans for Gateway Village will not be approved until construction plans for Wildridge Blvd are approved and construction plans for the Wildridge/US290 improvements are approved by TxDOT".
16. Provide a Cost estimate of public infrastructure improvements (all public infrastructure improvements including water, wastewater, roads, drainage, curbs, sidewalks, etc.) [Plat Application Checklist]
17. Add a note naming who will be responsible for operation and maintenance of Stormwater Detention and Water Quality Ponds. [Plat Information Requirements]
18. Provide a roadway classification summary table based on the City's TMP for all streets within the development. Include required pavement width, right-of-way width and sidewalk width in the table.
19. Provide a sidewalk and trails plan [Preliminary Plat Information Requirements].
20. Provide a Construction Traffic Plan showing proposed routes for construction vehicle traffic and points of ingress and egress of such vehicles during construction. [Preliminary Plat Information Requirements].
21. Provide roadway typical sections within the Preliminary Plat Document.
22. Provide utility assignments on the roadway typical sections. Ensure that water mains do not align under sidewalks and show typical fire hydrant locations. In addition, ensure that gas mains are placed within the PUE. Coordinate with staff to get a copy of the City's standard utility assignment exhibits for local streets.

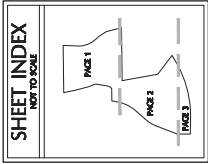


LEGEND

PHASE BOUNDARY LINE	PHASE 1
SETBACK LINE	PHASE 2
EASEMENT LINE	PHASE 3
APPROXIMATE SURVEY LINE	PHASE 4
POINT OF BEGINNING	PHASE 5
VOL.	PHASE 6
BOOK	PHASE 7
PAGE	PHASE 8
D.E.	PHASE 9
DRAINAGE EASEMENT	PHASE 10
DRIVEWAY EASEMENT	PHASE 11
PUBLIC PARK DISTRICT	PHASE 12
PRIVATE OPEN SPACE	PHASE 13
BUILDING SETBACK LINE	PHASE 14
B.S.L.	PHASE 15
PUBLIC UTILITY EASEMENT	PHASE 16
W.Q.B.Z.	PHASE 17
WATER QUALITY BUFFER ZONE	PHASE 18
PHASE 1	PHASE 19
HAYS COUNTY, TEXAS	PHASE 20
HAYS COUNTY, TEXAS	PHASE 21
DEED RECORDS	PHASE 22
DEED RECORDS	PHASE 23
D.R.H.C.T.	PHASE 24
O.S.	PHASE 25
OPEN SPACE	PHASE 26

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR REFERENCED UPON AS A FINAL SURVEY DOCUMENT.



DOUCET
Civil Engineering // Enfillements // Geospatial
7401 B. Highway 71 W. Ste. 160
Austin, TX 78735 Tel: (512)-583-2600
www.doucetengineers.com
TBPELS Firm Number: 10194551

Date: 06/16/2023
Scale: 1" = 100'
Drawn by: SJP
Reviewed by:
Project: 25
Sheet: 3
Field Book:
Party Chn:
Survey Date:

Item 4.

**Planning and Zoning
Commission Meeting:**

July 25, 2023

Project No:

SUB2023-0029

Project Planner:

Tory Carpenter, AICP – Planning Director

Item Details

Project Name:

Cortaro Replat

Property Location:

548, 498, & 524 Cortaro Dr.

Legal Description:

Cortaro Subdivision lots 10, 11, 12

Applicant:

Eric L Gomez

Property Owner:

William & Krisa Reale, Richard & Jacquelin Peikering, Charles & Katherine Schieffer

Staff recommendation:

Denial of the replat.



DRIPPING SPRINGS
Texas

Location Map

**Cortaro
Replat**

Legend

— Roads

— Subject_Property



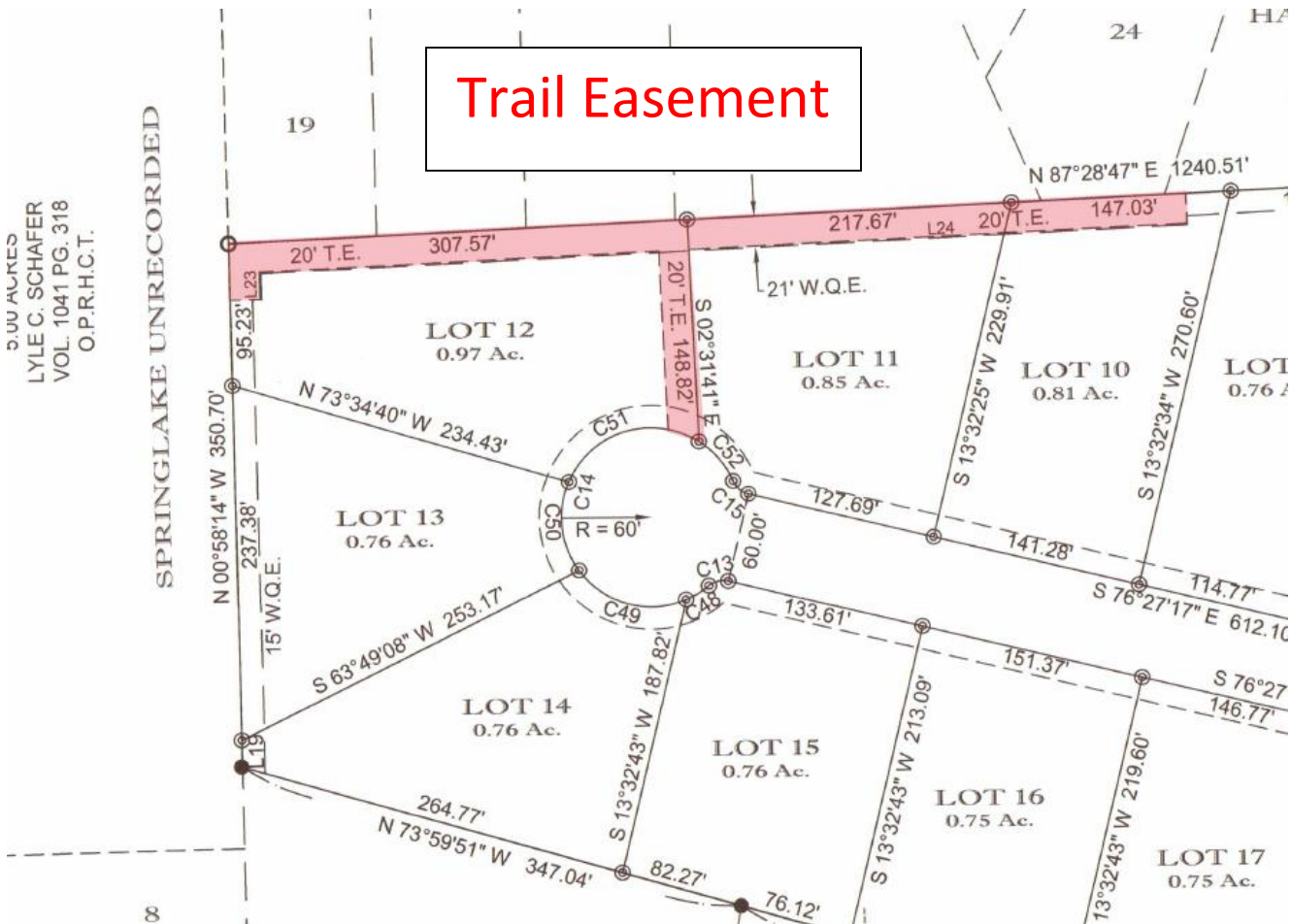
0 40 80 160 240 320
Yards



Overview

The purpose of this replat is to remove an existing trail easement. This easement was dedicated to meet the minimum parkland dedication requirements. The 2017 parks plan for this subdivision requires a total of 1.2 acres of parkland dedication, of which, 1.34 were provided with includes the trail easement. The removal of the trail easement will create a 0.16-acre deficit for parkland dedication. A payment of parkland dedication fee in lieu is required to address this deficit.

Since the easement was dedicated by a plat, the applicant was required to obtain signatures of all property owners within the subdivision to apply for this replat.



Site Information

Location: 548, 524, & 429 Cortaro Drive.

Zoning Designation: SF-2

Property History

The Cortaro Subdivision was recorded in 2020.

Recommendation

Denial of the replat so the applicant may address comments.

Planning Department Staff Report

Item 5.

Attachments

Exhibit 1 – Staff Report

Exhibit 2 – Application

Exhibit 3 – Replat

Exhibit 4 – Comments

Recommended Action	Denial
Alternatives/Options	N/A
Budget/Financial impact	N/A
Public comments	Staff received one written public response which is included in this packet.
Enforcement Issues	N/A
Comprehensive Plan Element	N/A



Date: July 21, 2023

Eric Gomez
Braun & Gresham PLLC
egomez@braungresham.com

City staff have completed their review of **SUB2023-0029 Cortaro Vacation with Replat**. Reviewer comments are provided below. These comments are intended to be comprehensive; however, there may be additional comments after reviewing the submitted corrections. Applicants are encouraged to contact reviewers directly with questions.

City Planner Comments

The following comments have been provided by Tory Carpenter. Should you have any questions or require additional information, please contact Tory Carpenter by email tcarpenter@cityofdrippingsprings.com.

1. The 2017 parks plan for this subdivision requires a total of 1.2 acres of parkland dedication, of which, 1.34 were provided with includes the trail easement. The removal of the trail easement will create a 0.16-acre deficit for parkland dedication. A payment of parkland dedication fee in lieu is required to address this deficit. [28.03.011].
2. Under the lot summary, change "multi-family" to "single family."

July 17, 2023

City of Dripping Springs – Planning Department

We are in receipt of the notice to replat lots in the Cortaro Subdivision. Due to a previous commitment, we are unable to attend the meeting; therefore, I am asking you to include this correspondence in the meeting packet and that it will be considered by the planning department.

We live directly behind the subject lots, specifically 548 Cortaro. In 2019 before we bought at Harrison Hills, we went to the building department to discuss the property behind our potential home. We were told two things:

- The beautiful tagged huge oak trees would not be allowed to be cut down when Cortaro was developed.
- The walking path was platted and would be available for public use.

As a result of that conversation with your planner, we purchased our new home at 1373 Bearkat. We fully believed that the trees would remain creating even more of a buffer between our property and the potential new home. We installed a fence with a gate, so we could access the walking path, which runs parallel to our fence. For a couple of years we used this access. This access was important, not just because it allowed us to use the walking path, but because we are on a flag lot. Our extremely long concrete driveway is poorly constructed because of the City's lack of code requirements (at that time) thus; we try to keep anything heavy off of it. Having rear access to our yard would allow us to help preserve this concrete, which is going to cost hundreds of thousands of dollars to replace.

When Cortaro started building, we again went to the City and inquired if the walking path would remain. After researching, the City responded and said yes.

To our surprise, the beautiful oaks were torn down. The City sent someone immediately to the property but then came back and told us there was no requirement to keep the trees. We were either lied to or misinformed.

Now the owners have taken it upon themselves to replat the lots, with no consideration to the investment that we and our other neighbors in Harrison Hills have made with the installation of gates and fencing. There is no consideration to what we were told which led us to purchase in 2019. With the replating, they are instantly gaining at least 3300 usable sq feet behind my home alone. More importantly, they gained the ability to use our rear fence as part of their side yard saving them thousands of dollars.

We never heard from the new owner regarding the utilization of our fence as a buffer or their plan to replat. It is a shame that by simply hiring an attorney to draw up the proper paperwork,

that the information that we were told is negated. The owner at 548 Cortaro's property increased thousands of dollars, while we misinformed by the City over and over.

In summary, we would have NOT purchased our home if the City had told us the truth regarding the lot behind us. We specifically bought this lot because of the trees in Cortaro and the walking path. We took the time to do our due diligence, but the City failed us.

We would not have installed a rear fence, if we knew it would be utilized by another neighbor. The cost of the fence should have been split.

We certainly would not have spent the money to install a gate.

We believe that if the City approves this replating, the owners should be instructed to provide us with compensation for gate/fence. Additionally, we urge the City leaders to investigate why we and our neighbors were misinformed over and over by City personnel.

Sincerely,
Brett and Denise Nemanich
1373 Bearkat Canyon Drive
Dripping Springs, Tx 78620

Cc: Michelle Fischer, City Adminsitrator

REPLAT OF LOTS 10, 11, AND 12 CORTARO SUBDIVISION

HAYS COUNTY, TEXAS

Item 5.

SURVEYOR: ERNESTO NAVARRETE, R.P.L.S. 6642
HR GREEN DEVELOPMENT TX, LLC
5508 HWY 290 WEST #150
AUSTIN, TEXAS 78735
512.672.6696
ERNESTO.NAVARRETE@HRGREEN.COM
TBPLS FIRM NO. 10194101

0' 100' 200'
GRAPHIC SCALE: 1" = 100'

ENGINEER: JUDD T. WILLMANN, P.E.
TEXAS REGISTRATION No. - P.E. 90356
HR GREEN DEVELOPMENT TX, LLC
5508 HIGHWAY 290 WEST #150
AUSTIN, TX 78735
512-872-6696
TBPE FIRM No.: F-16384

OWNER: RICHARD JAMES PICKERING AND
JACQUELINE ANNE PICKERING
498 CORTARO DRIVE
DRIPPING SPRINGS, TEXAS 78620

CHRISTOPHER A. SCHIEFFER AND
KATHERINE M. SCHIEFFER
524 CORTARO DRIVE
DRIPPING SPRINGS, TEXAS 78620

WILLIAM N. REALE AND
KRISTA M. REALE
548 CORTARO DRIVE
DRIPPING SPRINGS, TEXAS 78620

ACREAGE: 2.63 ACRES
PATENT SURVEY: PHILIP A SMITH SURVEY NO. 26
ABSTRACT NO. 415

TOTAL NUMBER OF LOTS: 3

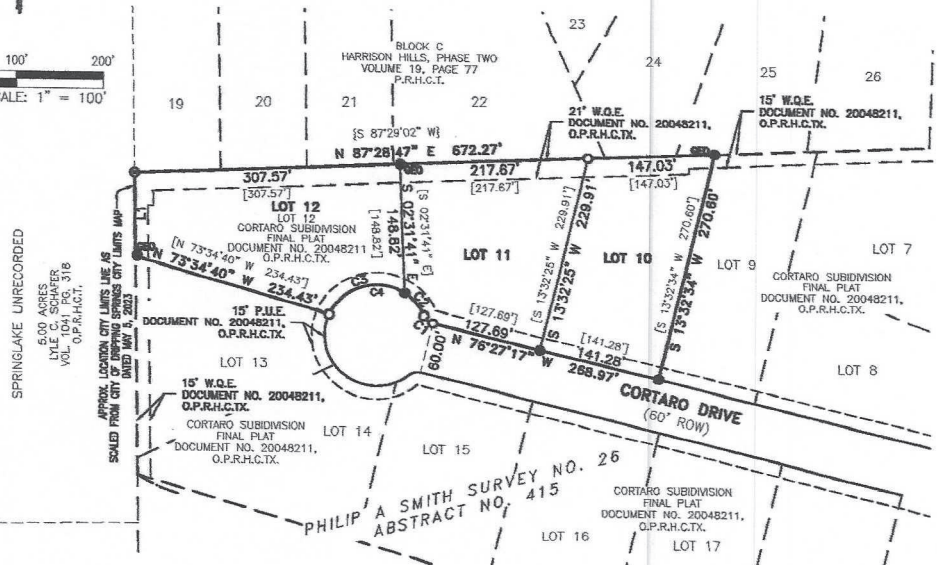
**MULTI-FAMILY/
RESIDENTIAL:** 3

TABLE OF LAND USES		
LOT 10	RESIDENTIAL	0.81 AC.
LOT 11	RESIDENTIAL	0.85 AC.
LOT 12	RESIDENTIAL	0.97 AC.

NOTES:

- BEARINGS AND DIRECTIONAL CONTROL ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (4204) NAD83.
- DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY A COMBINED SCALE FACTOR OF 0.9999919.
- THE PURPOSE OF THIS REPLAT IS TO VACATE THE 20-FOOT TRAIL EASEMENT RUNNING ALONG THE NORTH LOT LINES OF LOTS 10, 11 AND 12, CORTARO SUBDIVISION FINAL PLAT, A SUBDIVISION ACCORDING TO THE PLAT OR MAP OF RECORD IN DOCUMENT NO. 20048211, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND TO VACATE THE 20-FOOT TRAIL EASEMENT RUNNING ALONG THE SHARED EAST LINE OF SAID LOT 12, SAME BEING THE WEST LOT LINE OF SAID LOT 11, CORTARO SUBDIVISION FINAL PLAT.

*THIS REPLAT ALSO RECTIFIES A SURVEYOR'S ERROR ON THE RECORD CURVING SOUTH LOT LINES OF LOT 11 AND LOT 12, SAID CORTARO SUBDIVISION FINAL PLAT.



CURVE TABLE				
CURVE #	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	15.00' [13.99']	13.91' [13.91']	N 49°53'27" W [S 49°53'27" E]	13.42' [13.42']
C2	80.00' [80.00']	35.56' *[73.85']	N 40°18'18" W *[S 58°35'20" E]	35.04' *[69.28']
C3	80.00' [80.00']	103.66' *[65.37']	S 73°13'26" W *[N 54°56'21" E]	91.24' *[62.18']
C4	80.00'	138.22'	N 88°47'58" W	110.02'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 00°58'14" W [N 00°58'14" W]	95.23' [95.23']

- LEGEND**
- 1/2" IRON ROD FOUND
 - GEO 1/2" IRON ROD W/ PLASTIC CAP STAMPED "GEOMATICS RPLS 5516 FOUND"
 - 1/2" IRON PIPE FOUND
 - 1/2" IRON ROD W/ PLASTIC CAP STAMPED "HR GREEN" SET
 - [] RECORD INFORMATION (PER DOC. NO. 20048211, O.P.R.H.C.TX.)
 - { } RECORD INFORMATION (PER VOL. 19, PG. 77 P.R.H.C.TX.)
 - P.R.W.C.TX. PLAT RECORDS OF HAYS COUNTY, TEXAS
 - O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
 - R.O.W. RIGHT-OF-WAY
 - W.Q.E. WATER QUALITY EASEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT

FILE No: 1485

SHEET 2 OF 3



5508 HIGHWAY 290 WEST
SUITE 150
AUSTIN, TX 78735
512.672.6696
HRGREEN.COM

TYPE NO: 16384
TBPLS NO: 10194101

DEVELOPMENT TX

FINAL PLAT
REPLAT OF LOTS 10, 11, AND 12
CORTARO SUBDIVISION
PHILIP A SMITH SURVEY NO. 26, ABSTRACT

70

REPLAT OF LOTS 10, 11, AND 12 CORTARO SUBDIVISION

HAYS COUNTY, TEXAS

Item 5.

EDWARDS AQUIFER NOTE:

NO PORTION OF THIS SUBDIVISION LIES WITHIN THE EDWARDS AQUIFER RECHARGE ZONE. THIS SUBDIVISION DOES LIE WITH THE BOUNDARIES OF THE CONTRIBUTING ZONE OF THE EDWARDS AQUIFER.

PLAT INFORMATION:

TOTAL ACRES: 2.63
TOTAL NUMBER OF LOTS: 3
NUMBER OF RESIDENTIAL LOTS: 3
NUMBER OF LOTS LESS THAN 1 ACRE: 3

UTILITY INFORMATION:

WATER: DRIPPING SPRINGS WATER SUPPLY CORP.
WASTEWATER: INDIVIDUAL ON-SITE SEWAGE FACILITIES
ELECTRICITY: PEDERNALES ELECTRIC COOPERATIVE, INC.
TELEPHONE: VERIZON

SCHOOL DISTRICT:

DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT

DRIVEWAY PERMIT NOTE:

IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED TO ACCESS ONTO A PUBLICLY DEDICATED ROADWAY UNLESS (A) A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE CITY OF DRIPPING SPRINGS, TEXAS AND (B) THE DRIVEWAY SATISFIES THE MINIMUM SPACING REQUIREMENTS FOR DRIVEWAYS.

MINIMUM DRIVEWAY CULVERT SIZE:

WHEN REQUIRED, LOTS SHALL HAVE A MINIMUM DRIVEWAY CULVERT DIAMETER OF 18 INCHES.

DRAINAGE AND UTILITY EASEMENT NOTE:

UTILITY EASEMENT(S) ARE AS THEY CURRENTLY EXIST OR AS RECORDED.

ENVIRONMENTAL HEALTH DEPARTMENT:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY THE CITY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER SOURCE. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SANITARY SEWER SYSTEM OR TO AN INDIVIDUAL ON-SITE SEWAGE FACILITY WHICH HAS BEEN APPROVED AND PERMITTED BY THE CITY OF DRIPPING SPRINGS ENVIRONMENTAL HEALTH DEPARTMENT.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL CITY OF DRIPPING SPRINGS, TEXAS DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

CHAD GILPIN, P.E.
DRIPPING SPRINGS CITY ENGINEER

WATER QUALITY EASEMENTS ON/OR ADJACENT TO SINGLE FAMILY RESIDENTIAL LOTS:

ALL WATER QUALITY EASEMENTS ARE TO REMAIN UNDISTURBED, EXCEPT FOR THOSE IN ROADWAY RIGHT-OF-WAY AREAS, UTILITY CONSTRUCTION AND CONSTRUCTION OF WATER QUALITY AND DETENTION CONTROLS. THE HOME OWNERS ASSOCIATION SHALL MAINTAIN ALL ON-SITE WATER QUALITY CONTROLS TO TCEQ STANDARDS. THE FOLLOWING ACTIVITIES ARE PROHIBITED ON ALL WATER QUALITY EASEMENTS ON/OR ADJACENT TO RESIDENTIAL LOTS:

- PARKING OF ANY VEHICLES
- ACCESS TO SINGLE FAMILY LOTS THROUGH WATER QUALITY EASEMENT AREAS BY ANY VEHICLE
- STORAGE OF BOATS, TRAILERS OR NON-PASSENGER VEHICLES
- TRASH CONTAINER STORAGE
- MATERIALS OR CONSTRUCTION ACCESSORIES STORAGE
- CLEARING IN ANY MANNER WITHOUT WRITTEN APPROVAL FROM THE ARCHITECTURAL CONTROL COMMITTEE
- ALTERING DRAINAGE
- GATHERING NATIVE ROCK OR HARVESTING NATIVE AND INDIGENOUS PLANTS
- INSTALL FENCES WHICH OBSTRUCT FLOW OR ACCESS.

TCEQ RG-348A STREAM BUFFER AND WATER QUALITY BUFFER ZONES:

THERE ARE NO STREAM BUFFERS OR CITY OF DRIPPING SPRINGS WATER QUALITY BUFFER ZONES WITHIN THE SUBDIVISION.

WASTEWATER NOTE:

ON LOTS LESS THAN ONE ACRE, THE OSSF MUST BE SUBSURFACE DRIP FOR DISPOSAL OF WASTEWATER.

TXDOT

NO COMMERCIAL DEVELOPMENT SHALL BE PERMITTED OR CONSTRUCTED ON THE COMMERCIAL LOT UNTIL A TXDOT APPROVED LEFT-TURN LANE IS CONSTRUCTED ON RANCH ROAD 12.

WATER CONSERVATION AND LANDSCAPING REQUIREMENTS

THE FOLLOWING ITEMS SHALL BE REQUIRED FOR ALL SINGLE FAMILY LOTS:

- LANDSCAPE IRRIGATION SYSTEMS, IF INSTALLED, WILL BE REQUIRED TO INCLUDE THE FOLLOWING WATER CONSERVATION FEATURES:
 - ZONING OF IRRIGATION SYSTEM BASED ON PLANT WATER REQUIREMENTS
 - IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL OR MULTIPLE PROGRAMMING. CONTROLLERS SHALL HAVE MULTIPLE CYCLE START CAPACITY AND A FLEXIBLE CALENDAR PROGRAM. ALL AUTOMATIC IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A RAIN SENSOR SHUT-OFF DEVICE.
 - MINIMIZATION OF OVERSPRAY ONTO HARDSCAPES BY DESIGN, MAINTENANCE AND SCHEDULING PRACTICES. DUE TO OVERSPRAY, SUBSURFACE DRIP IRRIGATION IS ENCOURAGED BUT NOT REQUIRED.
- CONTRACTORS INSTALLING IRRIGATION SYSTEMS MUST PROVIDE SYSTEM DESIGN PLANS TO THE HOMEOWNER.
- ALL IRRIGATED AND NEWLY PLANTED AREAS WILL HAVE A MINIMUM SOIL DEPTH OF 6 INCHES. BUILDERS AND OWNERS WILL IMPORT SOIL IF NEEDED TO ACHIEVE SUFFICIENT SOIL DEPTH. SOIL IN THESE AREAS MAY BE EITHER NATIVE SOIL FROM THE SITE OR IMPORTED, IMPROVED SOIL. IMPROVED SOIL, WHERE USED, WILL BE A MIX OF NO LESS THAN TWENTY PERCENT COMPOST BLENDED WITH SAND AND LOAM. TOPSOIL WHICH IS ADDED TO THE SITE SHALL BE INCORPORATED IN A TWO TO THREE INCH SCARIFIED TRANSITION LAYER TO IMPROVE DRAINAGE.
- AT LEAST NINETY PERCENT OF TREES, SHRUBS AND FLOWERS MUST BE SELECTED FROM NATIVE AND ADAPTED PLANTS SELECTED FROM THE CITY OF AUSTIN "PREFERRED PLANT LIST" CONTAINED IN APPENDIX "N" OF THE CITY OF AUSTIN ENVIRONMENTAL CRITERIA MANUAL, FROM THE LCRA TEXAS HILL COUNTRY LANDSCAPE OPTION SPECIFICATIONS, THE TEXAS NATIVE TREE AND PLANT DIRECTORY, OR OTHER GUIDE. RECOGNIZED AS PROVIDED NATIVE OR ADAPTED PLANTS FOR THE HILL COUNTRY. THE USE OF INVASIVE PLANTS WILL BE AVOIDED. TURFGRASS IS LIMITED TO HYBRID BERMUDA, ZOYSIA, BUFFALO OR NATIVE MIXES SUCH AS HABITURF AND THUNDER TURF. NO SEEDED VARIETIES OF BERMUDA GRASS ARE ALLOWED (I.E., COMMON SAHARA OR COASTAL). ALL TURFGRASS AREAS MUST BE SODDED OR SEEDED PRIOR TO THE INITIAL OCCUPANCY OF THE RESIDENCE.
- NO MORE THAN 50 PERCENT OF THE PLANTING AREA OF THE FRONT YARD SHALL BE PLANTED IN TURF EXCEPT FOR BUFFALO OR NATIVE MIXES.
- LANDSCAPING SHOULD BE OF A DESIGN TO BLEND IN WITH THE HILL COUNTRY LANDSCAPE AND BE OF A DESIGN THAT TRANSITIONS TO TOTALLY NATIVE ADJACENT BUFFER OR GREENBELT AREAS.
- BUILDER SHALL PROVIDE A VARIETY OF LANDSCAPE TEMPLATES MEETING THE CRITERIA OF THESE REQUIREMENTS FOR GUIDANCE TO THE HOME BUYER.
- PURSUANT TO SECTION 202.007 OF THE TEXAS PROPERTY CODE, THE RESTRICTIONS SHALL NOT RESTRICT THE OWNER FROM:
 - IMPLEMENTING MEASURES PROMOTING SOLID-WASTE COMPOSTING OF VEGETATION, INCLUDING GRASS CLIPPINGS, LEAVES OR BRUSH, OR LEAVING GRASS CLIPPINGS UNCOLLECTED ON GRASS;
 - INSTALLING RAIN BARRELS OR A RAINWATER HARVESTING SYSTEM; OR
 - IMPLEMENTING EFFICIENT IRRIGATION SYSTEMS, INCLUDING UNDERGROUND DRIP OR OTHER DRIP SYSTEMS.
- BUILDERS AND OWNERS ARE REQUIRED AS FOLLOWS:
 - ALL DOWNSPOUTS SHALL BE ROUTED TO VEGETATED AREAS RATHER THAN DRIVEWAYS OR OTHER IMPERVIOUS SURFACES.
 - PROVIDE A MINIMUM OF TWO INCHES OF MULCH IN ALL SHRUB AND BED AREAS.
 - INSTITUTE AN INTEGRATED PEST MANAGEMENT PLAN (IPM) TO MINIMIZE EXPOSURE OF STORM WATER RUNOFF TO CHEMICALS (FERTILIZERS, HERBICIDES AND PESTICIDES).
 - ESTABLISH A HOMEOWNERS EDUCATION PROGRAM TO INCLUDE A RESOURCE PACKET FROM THE BUILDER AND SUBSEQUENT AND ONGOING INFORMATION THROUGH PROPERTY OWNERS NEWSLETTERS. AVAILABLE RESOURCES INCLUDE THE CITY OF AUSTIN WEBSITE:
<http://WWW.AUSTINTEXAS.GOV/DEPARTMENT/GROW-GREEN>, THE LCRA WEBSITE:
<http://LCRA.ORG/WATER/SAVE/INDEX.HTML>, AND THE LADY BIRD JOHNSON WILDFLOWER CENTER WEBSITE: <http://WWW.WILDFLOWER.ORG/>.
- THE RESTRICTIONS OF A-1 SHALL NOT RESTRICT THE OWNER FROM HAVING A VEGETABLE GARDEN.

FILE NO: 1465

SHEET 3 OF 3



5506 HIGHWAY 290 WEST
SUITE 150
AUSTIN, TX 78705
512.872.6886
HRGREEN.COM

TYPE NO: 16384
TPLS NO: 10194101

DEVELOPMENT TX

FINAL PLAT
REPLAT OF LOTS 10, 11, AND 12
CORTARO SUBDIVISION
PHILIP A SMITH SURVEY NO. 26, ABSTRACT 415



Planning and Zoning Commission

Planning Department Staff Report

Planning and Zoning Commission Meeting:

July 25, 2023

Project No:

VAR2023-0005

Project Planner:

Tory Carpenter, AICP, Planning Director

Item Details

Project Name: JWLP Lot 6 Parking Variance

Property Location: 249 Sportsplex Drive

Legal Description: JWLP Lot 6

Applicant: Chris Nygard

Property Owner: Chris Nygard

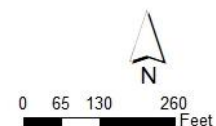
Request: Applicant is requesting a variance to allow a reduced number of parking spaces for medical office uses.

Staff Recommendation: Denial of the variance.



Location Map

JWLP Parking Variance



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Overview

The applicant is requesting a variance to Chapter 30, Exhibit A Section 5.6.2 to allow a reduced parking requirement for the property.

Below is the applicable code section related to this variance request:

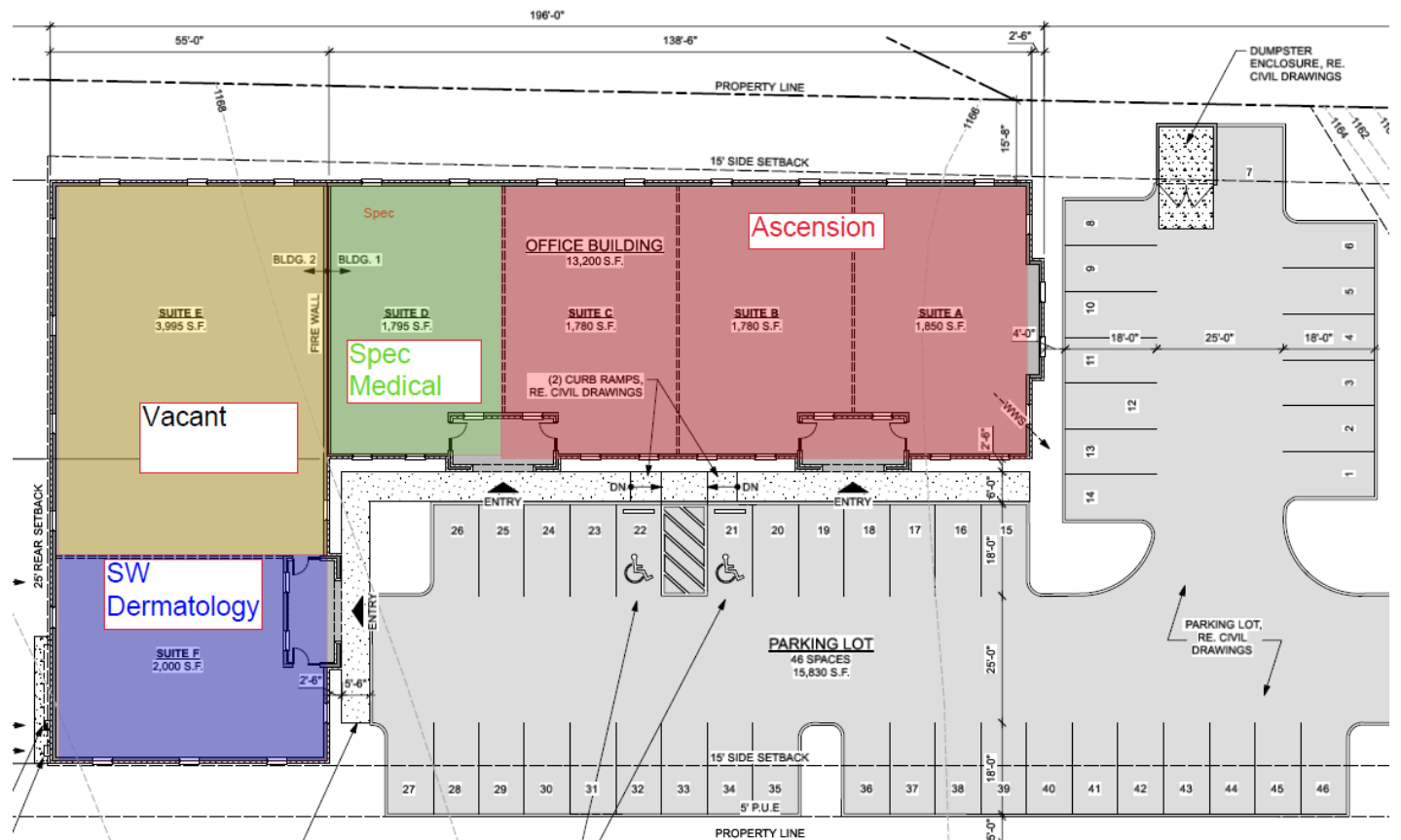
5.6.2. Commercial:

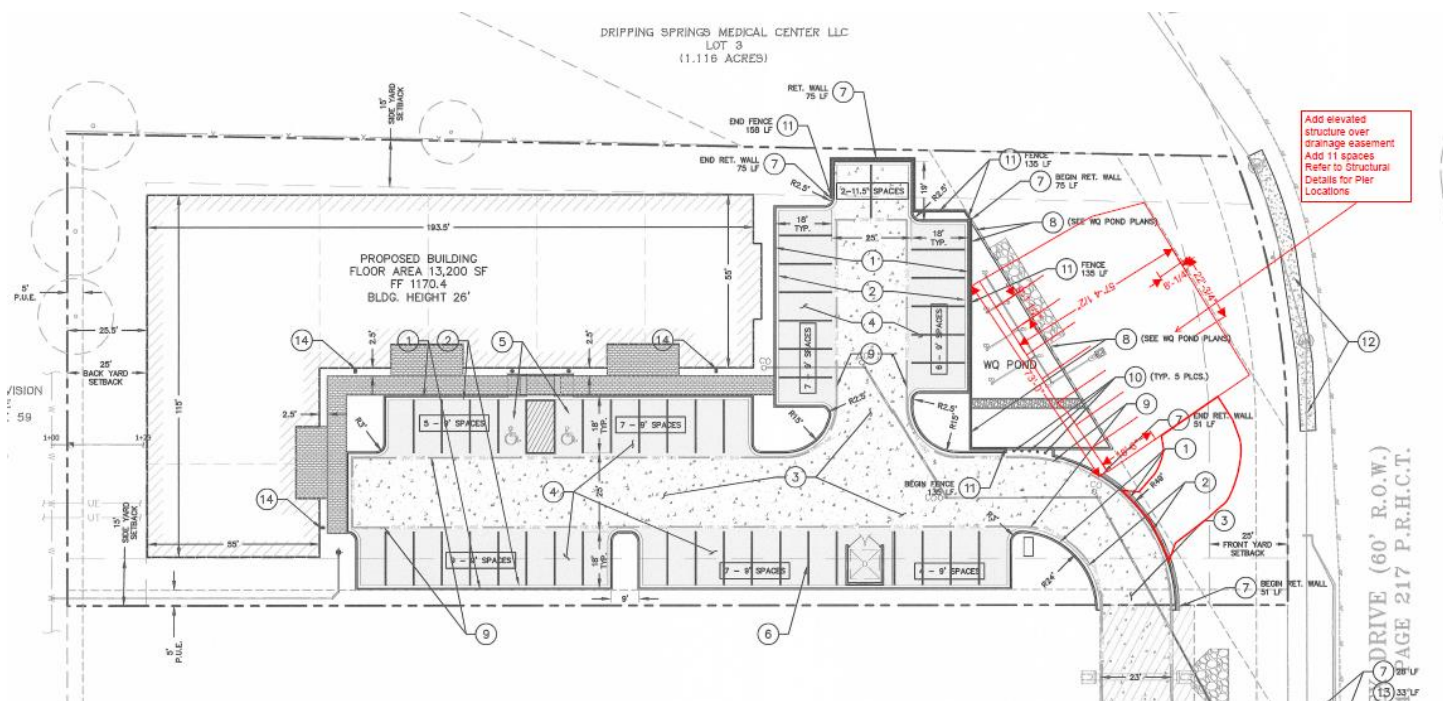
Medical or dental office: One space per 200 square feet of floor area. Facilities over 20,000 square feet shall use the parking standards set forth for hospitals.

The property has a 13,200 Square foot Building. During the site plan review process, the applicant stated that the building would be used as “office space” which would require 1 parking space per 300 Square Feet. The applicant applied for a Tenant Finish Out for a Medical Office which would require one (1) parking space per 200 square feet. Per section 5.7.6.

Staff is currently reviewing a site plan amendment which would add 11 additional parking spaces. The table below reflects this proposed update.

Parking Requirement	Total Building square footage	Parking Spaces Required	Parking applicant provided	Parking Deficit
1 parking space/200 square feet	13,200	66	58	-8





Property History

On April 10, 2018, JWLP Family Subdivision was approved and recorded. The Subdivision plat created 6 commercial lots. The applicant then applied for a Site Development Permit in 2019. During the Site Development Permit, the first submittal contained Retail use which would require the applicant to provide one (1) parking space per 200 square feet. The applicant was told that parking was not sufficient and they would need to add additional parking. The applicant stated that the intended use was Office and changed the amount of parking to one (1) parking space per 300 square feet.

The applicant applied for a Tenant Finish out for medical offices and was told that they needed to provide parking for a medical office, which is one (1) parking space per 200 square feet.

In June 2020, the applicant applied for a variance to utilize shared parking with a lot across Sportsplex. The application was later withdrawn.

A separate parking variance was requested in 2021 which was ultimately withdrawn after a unanimous recommendation of denial from the Planning & Zoning Commission.

The applicant was granted permission to occupy 9,400 square feet of the building as there were adequate parking spaces for this square footage.

Approval Criteria for Variance (2.22.2-Zoning Ordinance)

Approval Criteria	Staff Comments
1. there are special circumstances or conditions affecting the land involved such that the literal enforcement of the provisions of this Chapter would deprive the applicant of the reasonable use of the land; and	The building on the property was built in 2019. The applicant was aware of the parking requirements and adjusted the use to only provide 1 parking space per 300 square feet of gross floor area.
2. the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and by preserving the natural features and topography of the land; and	The variance is not necessary for the applicant to utilize their property. The intention with the approved site plan was for an office use. The applicant was asked to reevaluate their parking at the time of review.
3. the granting of the variance will not be detrimental	Scarcity of parking may affect the patrons visiting the

to the public health, safety or welfare, or injurious to other property within the area; and	proposed medical offices and adjacent property owners.
4. the granting of the variance constitutes a minimal departure from this Chapter; and	While the applicant is proposing to add 11 additional parking spaces, the minimum requirement is not being met.
5. the subject circumstances or conditions giving rise to the alleged hardship are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property; and	This variance would affect properties in the vicinity. The lack of parking for medical office is self-imposed. The applicant was aware of the issue during time of review.
6. Granting the variance is in harmony with the spirit, general purpose, and intent of this Chapter so that: <ul style="list-style-type: none"> a. the public health, safety and welfare may be secured; and b. that substantial justice may be done. 	The granting of this variance is not in harmony with the spirit, general purpose, and intent of this chapter.

Summary and Recommendation

Based on the above findings staff finds that the intent of the code is not being met and that the circumstances are self-imposed. Staff recommends **denial** of the variance.

With a denial of the variance, the applicant can still expand the parking area and utilize an additional 1,600 square feet of the building. The vacant suite could also be used as a storage area for businesses currently occupying the building. Additionally, the applicant could negotiate a shared parking agreement with the property owner to the south if it is ever developed.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the-site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the Variance request.

Meetings Schedule

July 25, 2023 Planning & Zoning Commission

August 1, 2023 Board of Adjustments

Attachments

Attachment 1 – Variance Application

Attachment 2 – Application Material

Recommended Action	Recommend denial of the requested variance
Alternatives/Options	Recommend approval of the variance with the condition that the additional parking must be constructed prior to the issuance of a certificate of occupancy for any additional suite.
Budget/Financial impact	N/A
Public comments	None received at this time
Enforcement Issues	N/A
Comprehensive Plan Element	N/A



Nygard & Company, LLC
100 Commons Road, Suite 7 #339
Dripping Springs, Texas 78620
Phone: (512) 844-6871
chris@nygardandcompany.com
www.nygardandcompany.com

City of Dripping Springs
511 Mercer Street
Dripping Springs, Texas 78620

RE: 249 Sportsplex Drive

Summary of Documents:

- **Variance Application**
- **Project Summary**
- **Parking Study**
- **Existing Site Plan-47 parking spaces**
- **Revised/Updated Site Plan-58 parking spaces**
- **Tax Appraisal Certificate**
- **Lighting Ordinance Form w/ Pictures**



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

• 512.858.4725 • www.cityofdrippingsprings.com

Item 6.

ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER APPLICATION

Case Number (staff use only): _____ - _____

CONTACT INFORMATION

PROPERTY OWNER NAME Chris Nygard
STREET ADDRESS 249 Sportsplex Drive
CITY Dripping Springs STATE TX ZIP CODE 78620
PHONE 512.844.6871 EMAIL chris@nygardandcompany.com

APPLICANT NAME Chris Nygard
COMPANY Intrepid Commercial Properties
STREET ADDRESS 249 Sportsplex Drive
CITY Dripping Springs STATE TX ZIP CODE 78620
PHONE 512.844.6871 EMAIL chris@nygardandcompany.com

APPLICATION TYPE

☐ ALTERNATIVE STANDARD

☒ VARIANCE

☐ SPECIAL EXCEPTION

☐ WAIVER

PROPERTY INFORMATION

PROJECT NAME	249 Sportsplex Drive/JWLP Lot 6
PROPERTY ADDRESS	249 Sportsplex Drive, Dripping Springs, TX 78620
CURRENT LEGAL DESCRIPTION	JWLP FAMILY, Lot 6, ACRES 1.293
TAX ID#	R162553
LOCATED IN	<input checked="" type="checkbox"/> CITY LIMITS <input type="checkbox"/> EXTRATERRITORIAL JURISDICTION <input type="checkbox"/> HISTORIC DISTRICT OVERLAY

- Description of request & reference to section of the Code of Ordinances applicable to request:

The site was originally permitted for office use, but has changed to medical use. The site plan has been revised and will add parking to offset the parking deficit.
Zoning Ordinance Section 5.6.2

- Description of the hardship or reasons the Alternative Standard/Special Exception/Variance / Waiver is being requested:

The hardship is that we are unable to complete the building due to the change of the parking ratio from office to medical. We are having a difficult time to add parking due to site constraints with the drainage easement at the front of the property.

- Description of how the project exceeds Code requirements in order to mitigate or offset the effects of the proposed alternative standard/special exception/variance/waiver:

The existing site has changed from office to medical and by the owner adding more parking as well as the variance for the 8 spaces, this will allow more medical space to be completed and utilized by the community instead of a partially vacant building.

APPLICANT'S SIGNATURE

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that CHRIS NYGARD is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process.

(As recorded in the Hays County Property Deed Records, Vol. _____, Pg. _____.)



Name

OWNER

Title

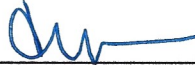
STATE OF TEXAS §

§

COUNTY OF HAYS §

§

This instrument was acknowledged before me on the 15th day of June, 201²³ by Chris Nygard.

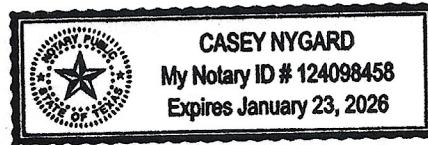


Notary Public, State of Texas

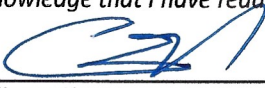
My Commission Expires: Jan. 23, 2026

Chris Nygard

Name of Applicant



All required items and information (including all applicable above listed exhibits and fees) must be received by the City for an application and request to be considered complete. **Incomplete submissions will not be accepted.** By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:


Applicant Signature

6-15-23
Date

		CHECKLIST
STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed Application Form - including all required signatures and notarized
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application Fee (<i>refer to Fee Schedule</i>)
		PDF/Digital Copies of all submitted documents
<input type="checkbox"/>	<input checked="" type="checkbox"/>	When submitting digital files, a cover sheet must be included outlining what digital contents are included.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contact Form
<input type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Map/Site Plan/Plan
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architectural Elevations (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Description and reason for request (<i>attach extra sheets if necessary</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Notice Sign - \$25
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Property Ownership-Tax Certificate or Deed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement - signed with attached photos/drawings (required if marked "Yes (Required)" on above Lighting Ordinance Section of application)



Nygard & Company, LLC
100 Commons Road, Suite 7 #339
Dripping Springs, Texas 78620
Phone: (512) 844-6871
chris@nygardandcompany.com
www.nygardandcompany.com

City of Dripping Springs
511 Mercer Street
Dripping Springs, Texas 78620

RE: 249 Sportsplex Drive

City Staff,

Thank you for taking time out of your day to review our application for a parking variance. We are applying for a variance for 8 parking spaces that the site needs to be able to complete the building and satisfy the 1:200 parking ratio for medical use.

Currently the site has a 13,200-sf building with 47 parking spaces and with the site being used for medical purposes we need 66 parking spaces. We have revised the site plan and we intend on adding 11 spaces in the front of the property. This will give the site 58 parking spaces (1:228 parking ratio) and reduce the deficit, but it is still 8 spaces short. This is much better than having a deficit of 19 parking spaces and we hope that by adding the 11 spaces, this will satisfy the 1:200 parking ratio for the site. This will allow us to finish the building and create more medical space for the community.

Sincerely,

Chris Nygard

Nygard & Co/Intrepid Commercial Properties

512.844.6871

May 10, 2021

Chris Nygard
Owner
chris@nygardandcompany.com

Sportsplex Office Building
249 Sportsplex Drive, Drippings Springs, TX 78620
Parking Analysis – Average Peak Parking Demand

Chris:

As requested and based on square footages, programmed uses and exam room counts provided by Nygard and Company and Herron Design Studio Architecture, we offer the following parking analysis for the Sportsplex Office Building located in Drippings Springs, TX.

We reviewed the site plan and identified 47 available spaces for the Sportsplex Office Building. See attached site plan.

METHODOLOGY

We performed parking analysis for the proposed programmed use via various parking methods:

- Drippings Springs Code of Ordinances – gross square footage
- Dripping Springs Code of Ordinance - usable (demand generating) square footage
- Dripping Springs Code of Ordinance with Modal/Mixed Splits – gross square footage
- Urban Land Institute (ULI) Standard Parking Ratios – gross square footage
- Parking Industry (IPMI) Best Practices
- Demand Generator (Exam Rooms)/Employee Methodology

Our goal in performing these six (6) methods of parking analysis was to develop an average parking peak demand for the development.

The current proposed program is as follows below:

- Seton Medical – 5,410 Sq-Ft gross, 2,919 Sq-Ft useable
- Southwest Dermatology – 2,415 Sq-Ft gross, 1,658 Sq-Ft useable
- Body Balance Physical Therapy – 2,719 Sq-Ft gross, 2,259 Sq-Ft useable
- Suite D (open) – 1,795 Sq-Ft gross, 1,260 Sq-Ft useable

Gross square footage references the proposed program wall to wall area, the useable square footage references demand generating area such as exam rooms or nursing stations while excluding hallways, restrooms, breakrooms, etc.

Further, to perform our analysis we utilized standard shared use/modal splits for the development. While we recognize Dripping Springs does not have widespread mobility options, there are splits that can be recognized for missed appointments, employee travel/sick time, mobility splits (walk, drop-offs, carpools) and shared appointments (Seton patron visiting the Dermatologist). When part of the variables for analysis anywhere from a 5%-20% split was recognized and parking requirements adjusted (see calculations table below).

05/10/2021

Time of day splits were not considered since the programmed uses are similar in nature and have similar peak parking hours.

ANALYSIS / RECOMMENDATIONS

SPORTSPLEX OFFICE BUILDING 249 Sportsplex Drive, Dripping Springs 78620				
Parking Analysis - Average Parking Demand				
Calculation Method	GSF / USF / Rooms	Modal / Shared / Other Split	Calculated Peak Parking Demand	Code Required Parking
Dripping Springs Ordinance	GSF	0%	66	66
Dripping Springs Ordinance	USF	0%	40	66
Dripping Springs Ordinance with Modal Splits	GSF	10%	60	66
ULI Standard Parking	GSF	20%	49	66
Parking Industry Best Practices	GSF	15%	45	66
Demand Generator/Employees	Exam Rooms	5%	48	66

As reflected in table above City of Dripping Springs parking ordinance requires 66 total parking spaces.

The remaining parking analysis parking calculations range from 40 – 60 parking spaces with four (4) out of the five (5) alternate analysis equating to less than 49 parking spaces (see corresponding calculation appendix sheets). When averaged the total recommended parking space count is 46 spaces.

During periods of special events, special considerations may be required to meet spike in parking demand to avoid both reality and perception of “no parking” on site. Arrangements with adjacent property owners could be engaged to offset any additional peak parking demand.


Given the current site plan provides 47 parking spaces, it is our opinion that the Sportsplex Office Building development will meet the average parking demand during normal operations. With normal operations defined as all exam rooms occupied and typical employee count on site.

CLARIFICATIONS

The opinions, analysis and recommendations of this letter memo are based on current site plan configurations, programmed uses and current square footages. Any deviations, alterations, change of programmed use or other adjustments nullify the recommendations and opinions of this letter memo.

Please let me know if you have any questions.

Very truly yours,



Jeremy Rocha, P.E. (TX)

Senior Project Manager

05/10/2021

[illegible]

ZONING
CS - COMMERCIAL SERVICES
IMPERVIOUS COVER REQUIREMENTS:
 $\text{MAXIMUM IMPERVIOUS COVER (\%)} \times \text{NET SITE AREA (sq ft)} =$
 $\text{TOTAL ALLOWABLE IMPERVIOUS COVER (sq ft)}$

1. CONCRETE CURE & CURET
USE DETAIL ON THE DETAIL SHEET
2. BOND OF CONCRETE PAVENTMENT
3. HEAVY-DUTY CONCRETE PAVENTMENT
4. LIGHT-DUTY CONCRETE PAVENTMENT
5. WALK-WHEELS: A.A., PAVENTMENT
6. BOND DETAIL ON THE DETAIL SHEET
7. 2" POLY-CONCRETE KEYING WALL
8. 2" POLY-CONCRETE KEYING WALL, PAVENTMENT
9. DETAIL FOR LATE SHIPMENT PAVENTMENT 2" BARK FIBERS
INTERMEDIATE DETAIL ON THE DETAIL SHEET - NO PAVENTMENT 2" BARK FIBERS
10. DETAIL FOR LATE SHIPMENT PAVENTMENT 2" BARK FIBERS
INTERMEDIATE DETAIL ON THE DETAIL SHEET - NO PAVENTMENT 2" BARK FIBERS
11. DETAIL 2" BARK FIBERS PAVENTMENT FROM DETAIL ON THE DETAIL SHEET
12. DETAIL APPROX. 20 LB OF 2" BARK FIBERS CONCRETE PAVENTMENT
13. DETAIL APPROX. 20 LB OF 2" BARK FIBERS CONCRETE PAVENTMENT
14. DETAIL BOND DETAIL ON THE DETAIL SHEET

	PAVING LEARN
[] PLUG HEAVY DUTY CONCRETE PAVED, OF PORTLAND CEMENT CONCRETE, & COMPACTED SUPPORT SEE DETAIL.	
[] PLUG LIGHT DUTY CONCRETE PAVING, (F REINFORCED CONCRETE, F COMPACTED SUPPORT) SEE DETAIL.	
[] PLUG CONCRETE SLOPEWALL PAVERMENT (SM-SIT) PER DIA DETAIL A26-1 (SEE DETAIL LEFT DT)	
[] PLUG CONCRETE SIDEWALK PAVERMENT OF SITE, PER DIA DETAIL A26-1 (SEE DETAIL LEFT DT)	

[illegible]

Civil Engineering - Entitlements - Surveying/Mapping
7401 B. Highway 71 W, Suite 160
Austin, Texas 78735, Phone: (512)-583-2600
www.doucetengineers.com
Firm Registration Number: 3037

**JWLP LOT 6
CONSTRUCTION PLAN
DRIPPING SPRINGS, TEXAS**

9
OF 23
Project No:

Designed SK	
Drawn GP	
Reviewed AD	
Date	APRIL 2019



Hays Central Appraisal District
21001 IH 35, Kyle, TX 78640
512-268-2522
www.hayscad.com

2023 NOTICE OF APPRAISED VALUE
This is NOT a

Item 6.

Date: 05/19/2023

QUICK REF#	R162553
STREET ADDRESS	249 SPORTSPLEX DR STE 200 DRIPPING SPRINGS TX 78620
PROPERTY DESCRIPTION	JWLP FAMILY, Lot 6, ACRES 1.293

INTREPID COMMERCIAL PROPERTIES LLC
13080 FIELDSTONE LOOP
AUSTIN TX 78737-9631

ONLINE PROTEST ID xxxxxxxxxx THIS ID WILL EXPIRE ON THE
PROTEST DEADLINE OF: 06/20/2023



By scanning this QR code you will be taken to the Online Protest Filing Portal. This is the fastest and most efficient way to submit your Notice of Protest and have your appeal reviewed by HAYS CAD.

Dear Property Owner:

This is your Official 2023 Notice of Appraised Value for the account listed above. Hays Central Appraisal District (HAYSCAD) appraises all property in Hays County for property tax purposes. Your county, city, school district, and other local governments use the appraised value in calculating your property taxes. Property taxes support critical services such as schools, police and fire protection, street maintenance, and many others. The governing body of each taxing entity decides whether taxes on the property will increase, and the appraisal district only determines the property's value and administers exemptions.

By law, we must appraise property at market value as of January 1, 2023. Market value is the price for which it would have sold in the open market. You can find additional information about the appraised value, along with the details of your property, on our website at www.hayscad.com.

Shown below is your appraised value for 2023:

2023 Market Value: 4,240,660

2023 Appraised Value: 4,240,660

If your property qualifies as a residence homestead and your 2023 market value increased by more than 10%, your 2023 appraised value may be less than the market value.

On the back of this page, you will find a table detailing information about your appraised value, the taxing entities that tax your property, and any exemptions that have been applied to your property's appraised value. If your property is qualified as your residence homestead it is protected from future appraised value increases in excess of 10% of the appraised value of the property for the preceding tax year plus the value of any new improvements.

If you believe that the market value above is not accurate or if there are any errors relating to your property, you may file a protest with the Hays County Appraisal Review Board (ARB). To help you better navigate the protest process, we have included detailed information about protests and the ARB on the enclosed protest form, please read this important information in its entirety.

You may file a protest until 06/20/2023, or 30 days after the mailing of this letter, whichever is later.

Sincerely,
Laura Raven, RPA
Chief Appraiser

ARB Hearings Begin: 05/22/2023
Location of ARB Hearings: 21001 IH 35, Kyle TX 78640

Date, initials



LIGHTING ORDINANCE COMPLIANCE AGREEMENT

Property Address: 249 Sportsplex Drive, Dripping Springs, TX 78620

☒ Commercial

☐ Residential

Applicant's Name (and Business Name, if Applicable):

Intrepid Commercial Properties/Chris Nygard

Applicant's Address: 100 Commons Road, Ste 7 #339

Applicant's Email: chris@nygardandcompany.com

☐ **VOLUNTARY COMPLIANCE** with mitigation conditions:
applying for a parking variance

☒ **MANDATORY COMPLIANCE:**
IF APPLYING FOR:

☐ Conditional Use Permit

☐ Zoning Amendment Application

☐ Subdivision Approval

☐ Building Permit

☒ Site Development Permit

☐ Sign Permit

☐ Alcoholic Beverage Permit

☐ Food Establishment Permit

☐ On-Site Sewage Facility Permit

By applying for a **Conditional Use Permit, Zoning Amendment Application, Subdivision Approval, or Building Permit** for a major addition, all existing outdoor lighting shall be brought into conformance with the City of Dripping Spring's Lighting Ordinance (see Ch. 24, Sec 1, 24.06.005 in CODS Code of Ord.) before: final inspection, issuance of a certificate of occupancy, or final plot recordation.

Applicants receiving a permit for: **Site Development, Sign Permit** for externally or internally-illuminated outdoor sign, initial **Alcoholic Beverage Permit**, initial **Food Establishment Permit**, and **On-Site Sewage Facility Permit** shall have a maximum of 90 days from permit issuance to conform with the City of Dripping Spring's Lighting Ordinance (see Ch. 24, Sec 1, 24.06.005 in CODS Code of Ord.).

*-If existing lighting is nonconforming, plans for bringing the lighting into conformance are **required** to be attached to this agreement.*

*-If existing lighting is already in conformity with the lighting ordinance, photos of all on-site lighting are **required** to be attached to this agreement for verification.*

By signing below, I acknowledge that I have read and agreed to these terms and conditions and accept responsibility for conforming to the above stated ordinance specifications:

Chris Nygard

Signature

6-15-2023

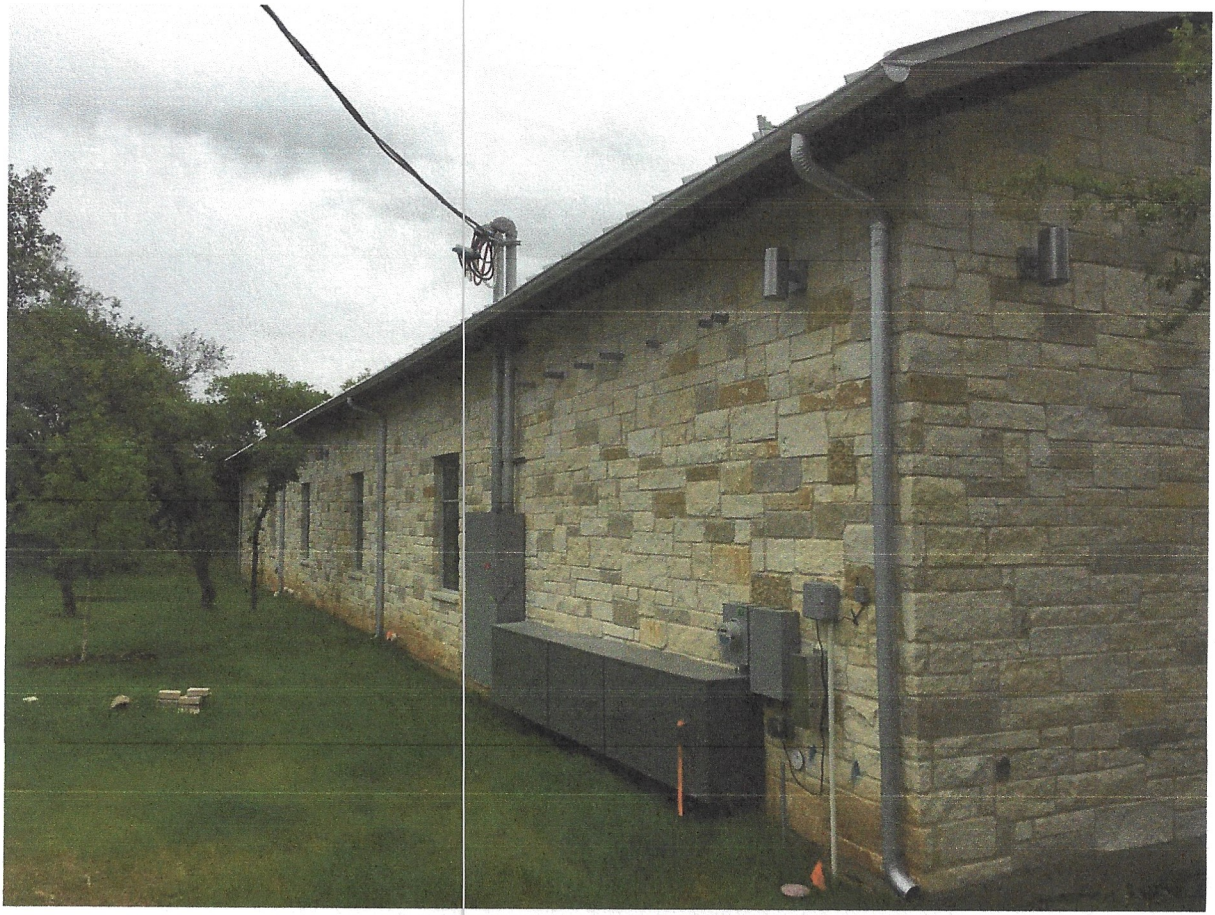
Date

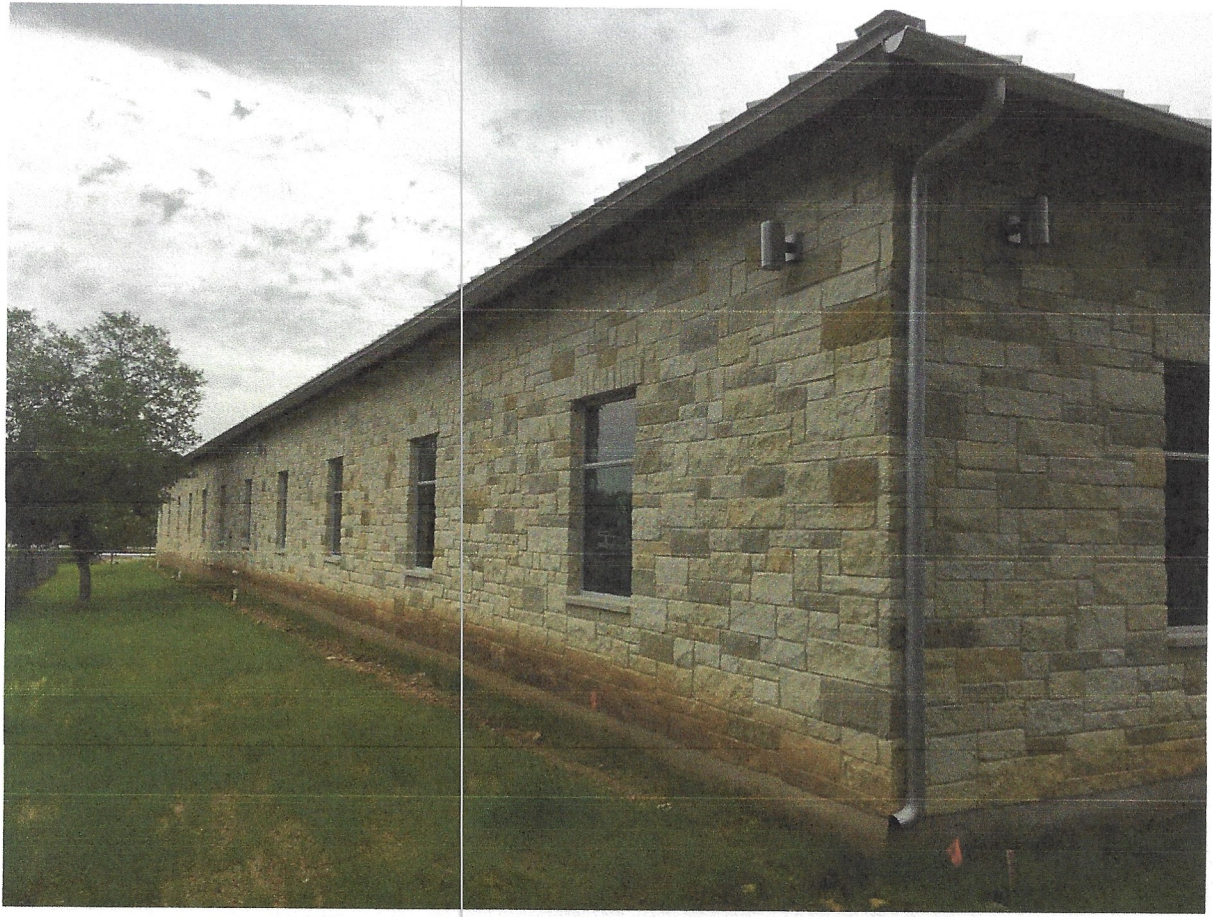












SITE PLAN NOTES

1. ALL DRIVES, SIDEWALKS, FLATWORK, UTILITIES, AND TOPOGRAPHY SHOWN ARE FOR REFERENCE ONLY, RE. CIVIL DRAWINGS FOR DIMENSIONS AND SPECIFICATIONS.
2. RE. CIVIL DRAWINGS FOR SITE PARKING AND IMPVIOUS COVER CALCULATIONS.

SITE PLAN LEGEND

- | | |
|------------|--|
| —— — — — — | PROPERTY LINE |
| —— — — — — | BUILDING SETBACKS & EASEMENTS |
| —WS—WS— | PROPOSED WATER SUPPLY |
| ——WWS— | PROPOSED WAST WATER SEWER |
| ———U/G E—— | PROPOSED UNDERGROUND
ELECTRICAL |
| —D/T——D/T— | PROPOSED UNDERGROUND DATA
AND TELEPHONE |

PROJECT DIRECTORY

OWNER:
INTREPID COMMERCIAL PROPERTIES, LLC
100 COMMONS RD., STE. 7 #339
DRIPPING SPRINGS, TEXAS 78620
CONTACT: CHRIS NYGARD - 512.884.6871

CIVIL ENGINEER:
DOUCET & ASSOCIATES
1290 WONDER WORLD DRIVE, SUITE 1220
SAN MARCOS TX 78666
CONTACT: ANDY DODSON, P.E. - 512.757.9127

ARCHITECT:
CHAGNON ARCHITECTURE, PLLC.
215 W. SAN ANTONIO ST., SUITE 2104
SAN MARCOS, TEXAS 78666
CONTACT: PAX CHAGNON, AIA - 512.757.9127

STRUCTURAL ENGINEER:
KLEIN & COPE ENGINEERING, INC.
8611 BOTTS LANE
SAN ANTONIO, TEXAS 78271
CONTACT: JIM BRYANT, P.E. - 830.828.7070

MEP ENGINEER:
RGM ENGINEERING, INC.
6243 IH 10, SUITE 501
SAN ANTONIO, TEXAS 78201
CONTACT: MIGUEL GARCIA, P.E. - 210.299.4522

APPROVED

ZONING AND LOT INFORMATION

LEGAL DESCRIPTION:

ZONING DISTRICT:

LOT STANDARDS (SECTION 3.12.4):

	REQD./ALLOWED	PROVIDED.
MIN. FRONT YARD -	25 FT.	+/- 151 FT.
MIN. REAR YARD -	25 FT.	25'-6"
MIN. SIDE YARD -	15 FT.	15'-6" & 15'-8"
MAX. BUILDING HEIGHT -	2 STOR/40 FT.	1 STOR/26 FT.
MAX. IMPERVIOUS COVER - 32,257 S.F. (IMPERV. AREA) / 56,323 S.F. (LOT AREA) = 57.3%	70%	57.3%
GROSS FLOOR AREA - (OUTSIDE FACE OF STUD)	50,000 S.F.	13,200 S.F.
PARKING SPACES - (SECTION 5.6.2, BUSINESS AND PROFESSIONAL OFFICE 13,200 S.F. @ 1 SPACE / 300 S.F.)	44 SPACES	6 SPACES
ACCESSIBLE SPACES - (2012 IBC, TABLE 1106.1)	1 SPACES	2 SPACES

AREA CALCULATIONS

FOUNDATION AREA	=	14,175 S.F.
BUILDING AREA (ENCLOSED)	=	13,200 S.F.
COVERED PORCH AREA	=	675 S.F.
ROOF AREA	=	15,385 S.F.

BUILDING CODE SUMMARY
2012 INTERNATIONAL BUILDING CODE

OCCUPANCY GROUP: (BUSINESS)	B
CONSTRUCTION TYPE:	V-B
TOTAL OCCUPANCY:	NONE
AUTOMATIC FIRE SPRINKLER SYSTEM:	NO
ALLOWABLE BUILDING AREA: (PER TABLE 503)	9,000 S.F.
TOTAL BUILDING AREA (GROSS): (FIRE WALLS - PER SEC. 703, EACH PORTION OF BUILDING SEPARATED BY ONE OR MORE FIRE WALLS SHALL BE CONSIDERED A SEPARATE BUILDING)	13,200 S.F.
BUILDING 1	5,995 S.F.
BUILDING 2	7,205 S.F.
ALLOWABLE BUILDING HEIGHT (TABLE 503):	40 FT.
ACTUAL BUILDING HEIGHT:	26 FT.

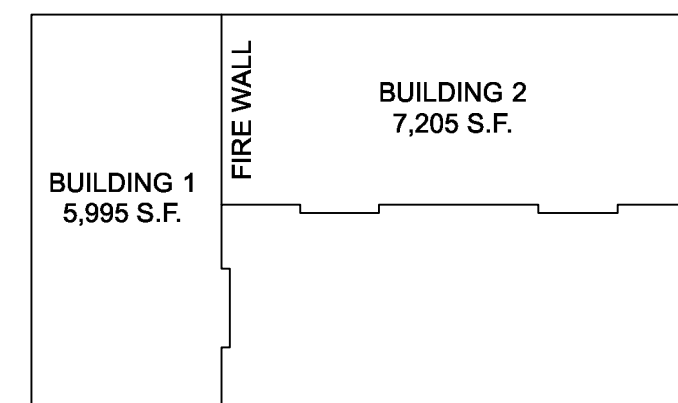
2012 TEXAS ACCESSIBILITY STANDARDS

REVIEW BY GORDON LOVE, RAS #1373
SAN MARCOS, TEXAS - 512.392.3194

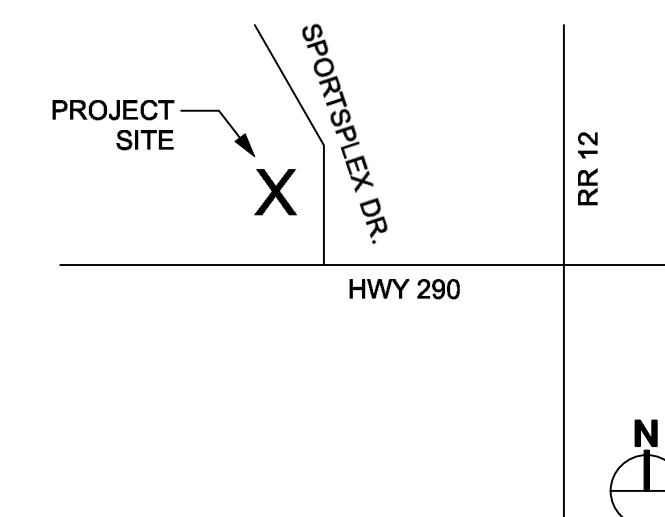
TABS2019000236

GENERAL PROJECT DESCRIPTION

1. THIS PROJECT IS A NEW 13,200 S.F. STRUCTURE WHICH IS DEVIDED INTO TWO TYPE 5-B, SINGLE STORY BUILDINGS, AS ALLOWED IBC SEC. 706.1.



2. FINISH-OUT WILL UNDER SEPERATE PERMIT.
3. VICINITY MAP.



SHEET INDEX

ARCHITECTURAL SHEETS

A0.0	ARCHITECTURAL SITE PLAN AND CODE SUMMARY
A0.1	SCHEDULES, WINDOW AND DOOR TYPES, ABBREVIATIONS, SYMBOLS, AND SPECIFICATIONS
A0.2	SPECIFICATIONS
A1.0	FLOOR PLAN
A1.1	ROOF PLAN
A2.0	BUILDING ELEVATIONS
A3.0	BUILDING SECTIONS
A4.0	WALL SECTIONS
A4.1	WALL SECTIONS
A4.2	WALL SECTIONS
A5.0	DETAILS

STRUCTURAL SHEETS

S1.0	FOUNDATION LAYOUT
S2.0	FOUNDATION DETAILS AND FOUNDATION NOTES
S3.0	HEADER AND BEAM PLAN AND FRAMING NOTES
S4.0	FRAMING DETAILS

MECHANICAL SHEETS

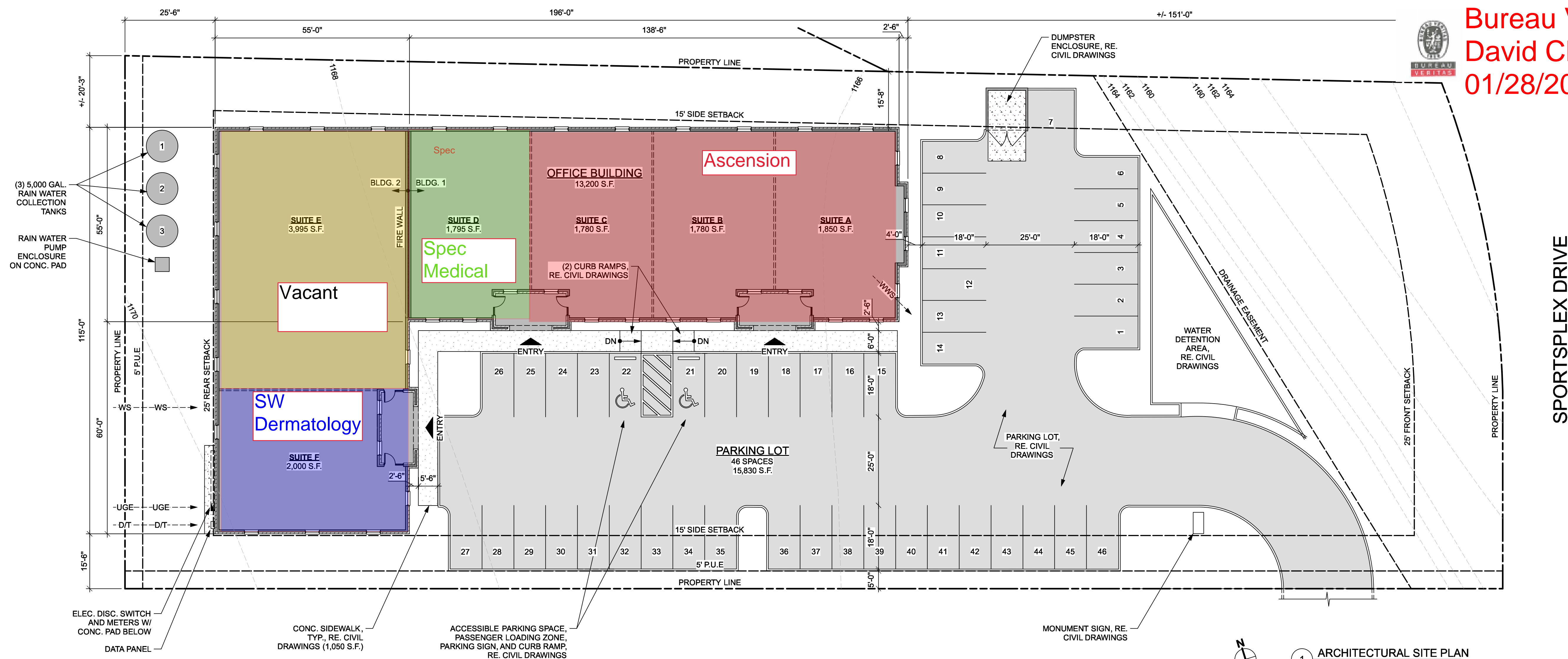
MEP101 MEP SITE PLAN

ELECTRICAL SHEETS

E100	ELECTRICAL SYMBOLS AND ABBREVIATIONS
E101	ELECTRICAL FLOOR PLAN
E201	ONE-LINE DIAGRAM AND PANEL BOARD SCHEDULE
E301	ELECTRICAL DETAILS
E401	ELECTRICAL SPECIFICATIONS

PLUMBING SHEETS

P100	PLUMBING SYMBOLS AND ABBREVIATIONS
P101	PLUMBING FLOOR PLAN
P201	PLUMBING SCHEDULES AND DETAILS
P301	PLUMBING SPECIFICATIONS



Bureau Veritas
David Chulak
01/28/2019

SPORTSPLEX DRIVE

1 ARCHITECTURAL SITE PLAN
1/16" = 1'-0"



DRIPPING SPRINGS
Texas

Legislative Update – 2023

Laura Mueller, City Attorney
Shawn Cox, IDCA

88th Regular Session -- 2023

- 33 Billion Dollar Surplus
- 8,345 bills and joint resolutions filed
- 1,258 bills and joint resolutions to the governor for his signature
- 230 bills will have a direct impact on Texas cities

Special Session ends with Property Tax Bill.

- Lowers school property taxes
- Caps appraisals on non-residential property worth less than \$5 million

Additional Special Sessions are expected

Finance and Economic Development

Sales Tax Exemption – S.B. 379 (Huffman/Howard)

S.B. 379 – Sales Tax Exemptions

- Adult and children's diapers
- Feminine hygiene products
- Maternity/infant care items
- Wound care dressings (bandaids and gauze)

Statewide Fiscal Impact \$227 million over the next 2 years.

Next Steps: Expect slight dip in sales tax receipts. We could do some education or repost state education if desired.

Tax Increment Reinvestment Zone -- S.B. 1998 (Bettencourt/Shine)

S.B. 1998

- TIRZs must be calculated separately when calculating how each affects the property tax rate
- The form showing our property tax rate must be uploaded to the website with a link

Not effective until January 1, 2024

Next Steps: Next year's tax rate calculation will be more complicated. Will need to ensure that the City Website includes a link to the form that calculates the tax rate which is provided by the County.

Economic Development -- S.B. 543 (Blanco/Ordaz)

S.B. 543:

- 380 agreements can include property transfer with proper agreement
- Cannot transfer public park property
- Cannot transfer property obtained through eminent domain
- Notice requirements

Next Steps: Option for commercial development.

In addition, the Office of Texas Economic Development Council was extended through Sunset Bill.

Economic Development Reporting -- S.B. 1340 (Incentive Agreements); S.B. 1916 (Public Improvement Districts)

S.B. 1340:

- Report Tax Abatement Agreements using state form
- Agreement is available on website

S.B. 1916:

- Post copies of PID Service Plan on Website
- Submit and Assessment Roll to Appraisal District
- Post additional PID Information on City Website

Both effective on January 1, 2024.

Next Steps: Designate employee or consultant for posting of information. Ensure information is provided to employee/consultant.

Planning and Building

H.B. 3699 (Wilson/Bettencourt) – Platting Shot Clock

H.B. 3699:

- Site Plans and Construction Plans no longer part of 30 day shot clock
- Specifically authorizes submittal calendars
- Notice requirements added related to master transportation plans and street construction
- Administrative completeness review for filing dates cannot require an analysis, study, or similar requirement unless explicitly allowed by statute
- Plats without variances can be approved by staff if voted on by P&Z
- Platting checklists have to be online

H.B. 3699 (Wilson/Bettencourt) – Platting Shot Clock *continued*

H.B. 3699:

- Multiple 30 day extensions can be done for subdivision
- Required roads must be intended by the property owner and in the city's capital improvement plan
- Provides for court action for a city that violates these sections including attorney's fees

H.B. 3699 (Wilson/Bettencourt) – Platting Shot Clock

NEXT STEPS

Next Steps:

- **Ensure proper notices are on the City's Website**
- **Begin process for adopting a Capital Improvement Plan that is in compliance with the City's Master Transportation Plan**
- **Review Platting Checklist to ensure only requests information that is allowed by state statute**
- **Consider providing city staff the authority to approve or disapprove plats where there is a statutory requirement that they either be approved or disapproved**

Effective September 1, 2023

S.B. 2038 (Bettencourt/C.Bell) – ETJ Release

H.B. 2038:

- Can petition to be released from ETJ if were not voluntarily annexed into ETJ
- Provides petition requirements
- Provides election process to determine ETJ inclusion for areas where there has not been a voluntarily petition for inclusion
- Annexations do not automatically add to the ETJ after January 1, 2023

Next Steps: Make a list/map of ETJ addresses that requested voluntary inclusion. Respond to inquiries related to ETJ release.

H.B. 1381 (Hernandez/Alvarado) – Zoning Hearing

H.B. 1381:

- P&Z has to hold at least one public hearing for any zoning classification (currently both P&Z and Council hold public hearings)

Next Steps: Ensure our ordinances reflect state law but staff recommends continuing with the current process.

H.B. 14 (Cody Harris/Bettencourt) – Third Party Inspections and Review of Development Applications

H.B. 14:

- Third-party inspections are required if the City misses a review deadline plus 15 days
- Lists those who would be qualified to do the third-party review
- City can approve the list of qualified persons
- Third-party reviews have to follow City regulations

Next Steps: City staff does not miss the 30 day deadline or other land use or building code deadlines so this bill should not affect us. We will work with other cities to create a list of qualified inspectors.

H.B. 1707 (Klick/Hughes) – Open-Enrollment Charter Schools

H.B. 1707:

- Open Enrollment Charter Schools must be treated the same as public schools for land use purposes.
- Open Enrollment Charter Schools are not public schools for impact fees

Next Steps: Ensure our ordinances reflect state law and update any provisions related to public school but staff recommends continuing with the current process.

H.B. 1750 (Burns/Perry) – Regulation of Agricultural Operation

H.B. 1750:

- Limits regulation of agricultural operations
- Expands definition of “agricultural operation”
- Limits regulation of pesticide use
- Maintains authority to regulate height of weeds to 12 inches within proximity to public infrastructure

Next Steps: Ensure our ordinances reflect state law, modify our ordinances, or readopt ordinances regulating certain agricultural operations after meeting required reports and notice.

H.B. 2308 (Ashby/Perry) – Enforcement Against Agricultural Operations

H.B. 2308:

- Expands definition of “agricultural operation”
- Defines substantial change
- Protects agricultural operations that have been in operation at least one year

***Next Steps:* Ensure our ordinances reflect state law or modify our ordinances.**

H.B. 2947 (Cain/Perry) –Agricultural Operation

H.B. 2947:

- Expands definition of “agricultural operation”
- Limits regulation of agricultural operation as it relates to nuisance ordinances

***Next Steps:* Ensure our ordinances reflect state law or modify our ordinances.**

H.B. 586 (E.Thompson/Bettencourt) – Annexation of Roadways

H.B. 2956 (Shine/Flores) – Annexation Across Railway Right-of-Way

H.B. 586:

- Allows the City to annex a roadway that is contiguous to the City or contiguous to an area being annexed by the City
- Provides a process for obtaining approval for annexation of the roadway

H.B. 2956:

- Allows the City to annex railroad right-of-way if its contiguous to the City or contiguous to an area being annexed by the City

Next Steps: Review annexation areas to determine whether a roadway annexation or railroad right-of-way should also occur.

H.B. 3526 (Raymond/Springer) – Solar Pergolas

H.B. 3526:

- Prohibits the City from applying the building code to a solar pergola



Next Steps: Review the Building Code for definition and regulation of solar pergolas. Confirm which ordinances could be affected by this bill.

S.B. 929 (Parker/Rogers) – Nonconforming Use Compensation

S.B. 929:

- All zoning changes require notice of the public hearing to any property owner where a nonconforming use will be created
- Allows nonconforming uses to continue after zoning change
- Provides requirements for a city to stop a nonconforming use
- Requires compensation for a property owner who is required to stop a nonconforming use

Next Steps: Ensure that the proper notice is given out at the time of any rezoning including the new Zoning Code. Provide for compensation in the Zoning Code that tracks this bill.

S.B. 2440 (Perry/Burrows) – Certification of Groundwater Supply

S.B. 2440:

- Requires plat applications who intend to use groundwater to provide evidence of adequate groundwater supply when applying
- Can allow for an exception for tracts being subdivided into 10 or less parts

Next Steps: Update subdivision ordinance and checklists to include this requirement.

S.B. 2453 (Menendez/Hernandez) – Exceptions to Building Material Preemption

S.B. 2453:

- Allows requirements for certain building materials if they are allowed by energy and water conservation design standards

Next Steps: Update exterior design ordinance to include this requirement if appropriate.

H.B. 1922 (Dutton/Bettencourt) – Reauthorization of Building Permit Fees

H.B. 1922:

- Requires reauthorization of building fees at least each 10 years

Next Steps: Maintain current process ensuring regular update of Building Fees.

H.B. 2334 (Burns/Paxton) – Plumbers

H.B. 2334:

- Allows certain plumbing work without a plumbing license including:
 - Plumbing work outside right-of-way or easement if not less than five feet from structure
 - Does not apply to residential plumbing work

Next Steps: Ensure that enforcement of building codes reflects this exception.

H.B. 3492 (Stucky/Springer) – Value-Based Fees

H.B. 3492:

- Prohibits fees from being based on the construction cost of public infrastructure
- City has to consider actual cost of review including:
 - Actual costs of third party review
 - Hourly rate of estimated amount of time for city employees to review
- Prohibits the City from requiring disclosure of the cost of infrastructure
- Requires publication of the cost of reviewing construction plans

Next Steps: Update construction plan fees to not include value-based review.

Election and Open Government

H.B. 3440 (Canales/Hinojosa) – Agendas

H.B. 3440:

- Requires all cities to post both agendas and notices on websites

Next Steps: Maintain current process.

H.B. 943 (Kolkhors/Hunter) – Online Public Notices

H.B. 943:

- Requires newspaper to post any printed city notice online without charge
- Places certain requirements on the website to make it more accessible

***Next Steps:* Ensure that the newspaper is placing our notices online.**

S.B. 232 (Hinojosa/Geren) – Removal from Office

S.B. 232:

- Elected or appointed public officials will automatically removed from office if convicted of:
 - Bribery
 - Theft of Public Money
 - Perjury
 - Coercion of Public Servant
 - Tampering with a governmental record
 - Misuse of official information
 - Abuse of official capacity

S.B. 232 (Hinojosa/Geren) – Removal from Office

S.B. 232:

- Once removed City Council has to either:
 - Call an election; or
 - Fill the vacancy
- Appeal does not superseded removal

Next Steps: Educate Elected and Appointed Public Officials on these requirements.

Public Works and Utilities

H.B. 4087 (Kuempel/Zaffirini) – Temporary Sewage Disposal Permits

H.B. 4087:

- Allows a city in certain circumstances to use a temporary on-site sewage system with pump and haul
- Only for 6 months

Next Steps: Review whether this is a temporary solution for any project or affects any current projects or agreements.

H.B. 4385 (Guillen/Alvarado) – Sewer Service

H.B. 4385:

- Allows a city to provide retail sewer service without a CCN
- PUC has to provide rules related to this option

Next Steps: Review whether how this affects our sewer service.

S.B. 1289 (Perry/T. King) – Reclaimed Wastewater

S.B. 1289:

- Provides for disposal of reclaimed wastewater treated for reuse to be disposed of without a permit with an alternative means of disposal

Next Steps: Review how this affects our sewer service.

S.B. 1397 (Schwertner/K. Bell) – Texas Commission on Environmental Quality

S.B. 1397:

- Permitting for temporary concrete batch plants created by TCEQ if contiguous to a public works project
- Continues local government assistance including offering assistance before enforcement
- Keeps public comment period for certain permits for 36 hours after public meeting

Next Steps: Review how this affects our sewer service.

City of Dripping Springs – Legislative Update Bill Summary List – 2023

All summaries were obtained from the Texas Municipal League Legislative Website.

<https://www.tml.org/DocumentCenter/View/3790/city-related-bills-passed>

Finance and Economic Development

S.B. 1145 (West/Talarico) – Property Tax Exemption: this bill: (1) authorizes a city or county to adopt an exemption of a percentage of the appraised value of property used to operate a childcare facility if the owner or operator participates in the Texas Workforce Commission’s Texas Rising Star Program and at least 20 percent of the children enrolled receive subsidized child-care services through the Texas Workforce Commission; (2) provides that the percentage specified by the city or county under (1), above, may not be less than 50 percent; (3) provides that if the property is leased to a person to operate a child-care facility and the owner claims an exemption under (1), above, the owner must provide a disclosure statement to the child-care facility stating the amount by which the taxes on the property are reduced as a result of the exemption and the method the owner will implement to ensure that the rent charged fully reflects the reduction; and (4) requires that rent charged for the lease of property used as a child care facility reflects the reduction in taxes resulting from the exemption. (Effective January 1, 2024, but only if S.J.R. 64 is approved at the election on November 7, 2023.)

S.J.R. 64 (West/Talarico) – Property Tax Exemption: amends the Texas Constitution to authorize the legislature to authorize a city or county to exempt from property tax a percentage of the appraised value of property used to operate a child-care facility and provides that the percentage adopted under that provision may not be less than 50 percent. (Effective if approved at the election on November 7, 2023.)

S.B. 1998 (Bettencourt/Shine) – Property Tax Rate Calculation: this bill requires: (1) a taxing unit to calculate adjustments made to the value of taxable property due to tax revenue the taxing unit pays into a tax increment reinvestment zone fund separately for each reinvestment zone in which the taxing unit participates; and (2) the designated officer or employee of a taxing unit to include a hyperlink to a document that evidences the accuracy of an entry in the tax rate calculation form for each entry on the form, other than an entry making a mathematical calculation. (Effective January 1, 2024.)

S.B. 2350 (Bettencourt/Shine) – Voter-Approval Tax Rate Calculation: defines “voter approval tax rate” for purposes of the unused increment rate calculation as a taxing unit’s voter approval tax rate in the applicable preceding tax year, as adopted by the taxing unit during the applicable preceding tax year, less the unused increment rate for that preceding tax year. (Effective immediately.)

S.B. 379 (Huffman/Howard) – Sales Tax Exemption: exempts from the sales tax certain wound care dressing products, adult or children’s diapers, feminine hygiene products, maternity clothing, breast milk pumping products, and baby bottles. (Effective September 1, 2023.)

H.B. 3727 (Anderson/Birdwell) – Hotel Occupancy Tax: this bill, among other things: (1) amends the definition of “convention center facilities” to include parking facilities only if the facility is located within 1,500 feet of the convention center; (2) defines “tourist” to include an individual who travels for business; (3) adds a definition of “multiuse facility” to the chapter governing hotel occupancy tax; (4) changes the date on which a city’s annual hotel occupancy tax report is due to the comptroller from February 20 to March 1 and adds several reporting requirements; (5) provides that a city may use a portion of hotel occupancy tax revenue for the costs incurred in providing the report under (4), above; (6) prohibits a city from using hotel occupancy tax revenue on a visitor information center that is not exclusively used to distribute tourism-related information to tourists; (7) requires that a shuttle system associated with a convention center project on which the city uses hotel occupancy tax revenue be used primarily by tourists; (8) requires a city with a population of less than 200,000 to allocate for advertising at least the amount of revenue received from the hotel occupancy tax at a rate of one percent of the cost of a room; (9) repeals the authority of a city to adopt an ordinance to allocate 15 percent of its hotel occupancy tax revenue to historical restoration and preservation projects and provides a grandfather clause for cities with existing ordinances; (10) provides a recapture provision for a city to remit to the comptroller certain lost state sales and use tax and hotel occupancy tax revenue that a city is entitled to receive in association with a qualified hotel or convention center project; and (11) requires the comptroller to prepare a report on qualified hotel and convention center projects. (Effective immediately.)

H.B. 2464 (Price/Hughes) – TMRS Optional Cost of Living Adjustment: provides that: (1) the city council of a participating Texas Municipal Retirement System (TMRS) city may adopt an ordinance providing for increased annual annuities for certain retirees and beneficiaries effective January 1 of 2024, 2025, or 2026; and (2) the provisions of (1), above, only apply to: (a) a participating TMRS city that as of January 1, 2023: (i) does not provide by ordinance an annual annuity increase because the city passed an ordinance before January 1, 2023, that rescinded a previous ordinance authorizing annual increases or has not passed an ordinance authorizing annual increases; or (ii) does provide by ordinance an annual annuity increase if the city council elects to provide increased annuities recomputed in accordance with (1), above, for purposes of maintaining or increasing the amount of the annuity increase otherwise authorized by the ordinance; and (b) the annuity of: (i) a retiree who retired not later than the last day of December of the year that is 13 months before the effective date of the ordinance providing the increase; or (ii) a beneficiary of a deceased retiree whose death occurred not later than the last day of December of the year that is 13 months before the effective date of the ordinance providing the increase. (Effective immediately.)

H.B. 4082 (Goldman/Bettencourt) – Local Debt: provides that a “public work” for purposes of a certificate of obligation issued by a city or county: (1) means the following public improvements: (a) a street, road, highway, bridge, sidewalk, or parking structure; (b) a landfill;

(c) an airport; (d) a utility system, water supply project, water treatment plant, wastewater treatment plant, or water and wastewater conveyance facility; (e) a wharf or dock; (f) a flood control and drainage project; (g) a public safety facility, including a police station, fire station, emergency shelter, jail, or juvenile detention facility; (h) a judicial facility; (i) an administrative office building housing the governmental functions of the city or county; (j) an animal shelter; (k) a library; or (l) a park or recreation facility that is generally accessible to the public and is part of the city or county park system; (2) means the rehabilitation, expansion, reconstruction, or maintenance of an existing stadium, arena, civic center, convention center, or coliseum that is owned and operated by the city or county or by an entity created to act on behalf of the city or county; and (3) does not include: (a) a facility for which more than 50 percent of the average annual usage is or is intended to be for professional or semi-professional sports; (b) a new stadium, arena, civic center, convention center, or coliseum that is or is intended to be leased by a single for-profit tenant for more than 180 days in a single calendar year; or (c) a hotel. (Effective September 1, 2023.)

S.B. 543 (Blanco/Ordaz) – Real Property for Economic Development: this bill, among other things: (1) provides that a city that has entered into an economic development agreement authorized by Chapter 380 of the Local Government Code with an entity may transfer to the entity real property or an interest in real property for consideration if: (a) the agreement requires the entity to use the property in a manner that primarily promotes a public purpose relating to economic development; and (b) the agreement includes provisions under which the city is granted sufficient control to ensure that the public purpose is accomplished and the city receives the return benefit; (2) prohibits the city from transferring for consideration real property or an interest in real property the city owns, holds, or claims as a public square or park; (3) provides that before a city may transfer real property or an interest in real property under an agreement as provided by the bill, the city must provide notice to the public published in a newspaper of general circulation in the county in which the property is located or, if there is no such newspaper, by any means for the city to provide public notice authorized by statute or by ordinance of the city; (4) provides that the notice in (3), above, must: (a) include a description of the property, including its location; (b) be provided within 10 days before the date the property or an interest in the property is transferred; and (c) be published for two separate days within the period prescribed by (4)(b), above, if the notice is published in a newspaper; and (5) prohibits the city from transferring real property for consideration if the property was acquired by the city from the previous owner by the exercise of eminent domain authority or the threat of the exercise of eminent domain authority. (Effective immediately.)

S.B. 1340 (Zaffirini/Meyer) – Incentive Agreement Database: this bill, among other things: (1) requires information related to property tax abatement agreements to be included in the comptroller's Local Development Agreement Database; (2) requires the database to include, for each local development agreement: (a) the name and contact information of any entity or the entity's agent that entered into the agreement with the local government, including the business address and any assumed names of the entity; (b) the date on which the agreement went into effect and the date and terms on which the agreement expires; (c) the total monetary value of the agreement; and (d) the source of the money used or type of tax implicated by the

agreement, including a sales and use tax, property tax, or hotel occupancy tax; (3) authorizes the comptroller to prescribe the form and manner in which a local government must submit required incentive agreement information; and (4) provides that a taxing unit that maintains an Internet website and that executes a property tax abatement agreement shall provide on the website a direct link to the location of the agreement information that is published on the comptroller's Local Development Agreement Database. (Effective January 1, 2024.)

S.B. 1916 (Parker/Shine) – Public Improvement Districts: requires a city: (1) to post a copy of a public improvement district ("PID") service plan and certain other information on the city's website within seven days of approving, amending, or updating the plan; (2) to submit an assessment roll for each city PID to each appraisal district in which property subject to assessment is located within seven days of levying the assessment; and (3) to post on its website certain information about city PIDs. (Effective January 1, 2024.)

Planning and Building

H.B. 3699 (Wilson/Bettencourt) – Platting Shot Clock: this bill, among other things, provides that: 1. subdivision development plans, including a subdivision plan, subdivision construction plan, site plan, land development application, and site development plan are no longer subject to the 30-day review and approval shot clock; 2. the state statute governing city regulation of subdivisions may not be construed to restrict a city from establishing a submittal calendar to be used by an applicant to facilitate compliance with the shot clock for plat review; 3. a city council, by ordinance and after notice is published in a newspaper of general circulation in the city, may: (a) adopt reasonable specifications relating to the construction of each street or road based on the amount and kind of travel over each street or road in a subdivision; and (b) adopt reasonable specifications to provide adequate drainage for each street or road in a subdivision in accordance with standard engineering practices; 4. a landowner subdividing property must prepare a plat when the owner intends parts of the subdivided tract to be dedicated to public use; 5. a plat is considered filed on the date the applicant submits the plat, along with a completed plat application and the application fees and other requirements to the city council or the municipal authority responsible for approving plats; 6. the city council or the municipal authority responsible for approving plats may not require an analysis, study, document, agreement, or similar requirement to be included in or as part of an application for a plat, development permit, or subdivision of land that is not explicitly allowed by state law; 7. the city authority responsible for approving plats must approve a plat or replat that is required to be prepared pursuant to Subchapter A, Chapter 212 of the Local Government Code, and that subchapter may not be construed to convey any authority to a city regarding the completeness of an application or the approval of a plat or replat that is not explicitly granted by the subchapter; 8. a city council or city planning commission may delegate the ability to approve, approve with conditions, or disapprove a plat to municipal officers or employees; 9. an applicant has the right to appeal a delegated plat application disapproval decision under Number 8, above, to the city council or the city planning commission; 10. by January 1, 2024, a city shall adopt and make available to the public a complete, written list of all documentation

and other information that the city requires to be submitted with a plat application; 11. an application submitted to the city that contains all documents and other information on the list provided by Number 10, above, is considered complete; 12. a city that operates a website must publish and continuously maintain the list described by Number 10, above, on the website not later than the 30th day after the date the city adopts or amends the list; 13. a city that does not operate a website must publish the list described by Number 10, above, in a newspaper of general circulation in the city and a public place in the location in which the city council meets; 14. the statutory approval timeframes may be extended for multiple 30-day periods under certain circumstances; 15. the city authority responsible for approving plats may not require dedication of land within a subdivision for a future street or alley that is not: (a) intended by the owner of the tract; and (b) included in the city's capital improvement plan; 16. a city authority responsible for approving plats may not refuse to review a plat or to approve a plate for recordation for failure to identify a roadway corridor unless the corridor is part of an agreement between the Texas Department of Transportation and a county in which the city is located; and 17. if a city authority responsible for approving plats fails or refuses to approve a complying plat application, the owner of the tract may bring an action in district court for: (a) a writ of mandamus to compel the city to approve the plat; and (b) reasonable attorney fees and costs. (Effective September 1, 2023.)

H.B. 1381 (Hernandez/Alvarado) – Zoning Hearing: requires a zoning commission to hold at least one public hearing on a preliminary report related to a proposed change in zoning classification before submitting a final report to the city's governing body, whereas current law requires multiple hearings. (Effective September 1, 2023.)

H.B. 1707 (Klick/Hughes) – Open-Enrollment Charter Schools: provides, among other things, that: (1) to be considered a school district by a city for the purposes below, the governing body of an open-enrollment charter school must certify in writing to the city that no administrator, officer, or employee the school and no member of the governing body of the charter school or its charter holder derives any personal financial benefit from a real estate transaction with the charter school; (2) a city shall consider an open-enrollment charter school that qualifies under (1), above, a school district for purposes of, among other things, zoning, permitting, platting, subdivision, construction and site development, land development regulation, application processing and timelines, regulation of architectural features, business licensing, franchises, utility services, signage, the requirements for posting bonds or securities, contract requirements, and fees and assessments; (3) a city may not consider an open enrollment charter school a school district for the purpose of collection of impact fees; (4) a city may not take any action that prohibits an open-enrollment charter school from operating a public school campus, educational support facility, athletic facility, or administrative office that it could not take against a school district; (5) the provisions above apply to property owned or leased by the charter school; and (6) charter schools are treated the same as school districts with regard to development agreements between a city and a school located in an area annexed for limited purposes. (Effective September 1, 2023.)

H.B. 14 (Cody Harris/Bettencourt) – Third Party Inspections and Review of Development

Applications: provides: (1) for a third-party review of certain development documents, permits, and inspections if a city fails to approve, conditionally approve, or disapprove the documents or conduct the inspection by the 15th day following the time prescribed by law for the review or inspection; (2) that a third-party document review may be performed by certain qualified persons, including: (a) a licensed engineer; or (b) a reviewer employed by the city or any other political subdivision, if the city approves the person; (3) that a third-party inspection may be performed by certain qualified persons, including: (a) a certified building inspector; (b) a licensed engineer; or (c) an inspector employed by the city or any other political subdivision, if the city approves the person; (4) that the city cannot collect an additional fee for the third-party review or inspection; (5) that the person performing the review or inspection must satisfy all applicable regulations and provide notice to the regulatory authority within 15 days of completion; and (6) that a person may appeal to the governing body of a political subdivision a decision to conditionally approve or disapprove a development document made by the regulatory authority for the political subdivision or a third party reviewer or inspector. (Effective September 1, 2023.)

H.B. 586 (E. Thompson/Bettencourt) – Annexation of Roadways: provides that: (1) a city may annex a road right-of-way (ROW) that: (a) is contiguous to the city's boundary or to an area being simultaneously annexed by the city; (b) is either: (i) parallel to the boundary of the city or to an area being simultaneously annexed by the city; or (ii) connects the boundary of the city to an area being simultaneously annexed by the city or to another point on the city's boundary; and (c) does not result in the city's boundaries surrounding any area that was not already in the city's extraterritorial jurisdiction (ETJ) immediately before the annexation of the ROW; (2) a city may annex a ROW under (1), above, only if: (a) the owner of the ROW or the governing body of the political subdivision that maintains the ROW requests the annexation of the ROW in writing; or (b) both: (i) the city provides written notice of the annexation to the owner of the ROW or the governing body of the political subdivision that maintains the ROW not later than the 61st day before the date of the proposed annexation; and (ii) the owner or the governing body of the political subdivision that maintains the ROW does not submit a written objection to the city before the date of the proposed annexation; and (3) an annexation of ROW described by (1)(b)(ii), above, does not expand the city's ETJ. (Effective immediately.)

H.B. 783 (Meza/West) – Cemeteries: provides that in a city in a county with a population of more than 750,000 or a city in a county adjacent to a county with a population of more than 750,000: (1) an individual, corporation, partnership, firm, trust, or association may file a written application with the city council to establish or use a cemetery located inside the city limits; and (2) the city council by ordinance shall prescribe the information to be included in the application in (1), above, and may authorize the establishment or use of the cemetery if the city council determines and states in the ordinance that the establishment or use of the cemetery does not adversely affect public health, safety, and welfare. (Effective September 1, 2023.)

S.B. 2038 (Bettencourt/C. Bell) – Extraterritorial Jurisdiction Release: provides, among other things that: 1. the ability to pursue release from city’s extraterritorial jurisdiction (ETJ) by petition or election, as described below, does not apply to an area located: (a) within five miles of the boundary of a military base at which an active training program is conducted; (b) in an area that was voluntarily annexed into the ETJ that is located in a specific county; (c) within the portion of the ETJ of a specific city that is within 15 miles of the boundary of a military base; (d) in an area designated as an industrial district; or (d) in an area subject to a strategic partnership agreement; 2. the owner or owners of the majority in value of an area consisting of one or more parcels of land in a city’s extraterritorial jurisdiction may file a written petition with the city to be released from the ETJ; 3. a petition requesting release must be signed by: (a) more than 50 percent of the registered voters of the area described by the petition as of the date of the preceding uniform election date; or (b) a majority in value of the holders of title of land in the area described by the petition, as indicated by the tax rolls of the applicable central appraisal district; 4. a person filing a petition must satisfy the signature requirement in Number 3, above, not later than the 180th day after the date the first signature for the petition is obtained; 5. a petition under Number 3, above, must include a map of the land to be released and describe the boundaries of the land to be released by metes and bounds or lot and block number, if there is a recorded map or plat; 6. a petition requesting removal from the ETJ shall be verified by the city secretary or other person responsible for verifying signatures; 7. a city shall notify the residents and landowners of the area described by the petition of the results of the petition; 8. if a resident or landowner obtains the number of signatures on the petition required by Number 3, above, to release the area from the city’s ETJ, the city shall immediately release the area from the ETJ; 9. if a city fails to take action to release the area from the ETJ under Number 7, above, by the later of the 45th day after the date the city receives the petition or the next meeting of the city council that occurs after the 30th day after the date the city receives the petition, the area is released by operation of law; 10. an area released from a city’s ETJ by petition may not be included in the ETJ or the corporate boundaries of a city, unless the owner or owners of the area subsequently request that the area be included in the city’s ETJ or corporate boundaries; 11. a resident of an area in a city’s ETJ may request the city to hold an election to vote on the question of whether to release the area from the city’s ETJ by filing with the city a petition that includes the signatures of at least five percent of the registered voters residing in the area as of the date of the preceding uniform election date; 12. a resident may not request another election on the question of releasing the same or substantially same area from the city’s ETJ before the second anniversary of the date the city receives a petition under Number 11, above; 13. a petition under Number 11, above, must include a map of the land to be released and describe the boundaries of the land to be released by metes and bounds or lot and block number, if there is a recorded map or plat; 14. a city shall order an election on the question of whether to release an area from the city’s ETJ to be held on the first uniform election date that falls on or after the 90th day after the date the city receives a petition under Number 11, above; 15. the city shall hold an election described by Number 14, above, in the area described by the petition at which the qualified voters of the area described by the petition may vote on the question of the release; 16. not later than 48 hours after the canvass of an election held under Number 14, above, the city shall notify the residents of the area proposed to be released from the city’s ETJ of the results of the election; 17. if a majority of

qualified voters of the area to be released from the ETJ approve the proposed release at the election held under Number 14, above, the city shall immediately release the area from the ETJ; 18. if a city fails to take action to release the area from the ETJ under Number 17, above, by the later of the next meeting of the city council or the 15th day after the canvass date for the election, the area is released by operation of law; 19. an area released from a city's ETJ by election may not be included in the ETJ or the corporate boundaries of a city, unless the owner or owners of the area subsequently request that the area be included in the city's ETJ or corporate boundaries; 20. instead of holding an election under Number 14, above, a city may voluntarily release an area for which the election is to be held from the city's ETJ before the date on which the election would have been held; 21. an annexation commenced after January 1, 2023 does not automatically expand a city's ETJ unless contemporaneously with the annexation the owner or owners of the area that would be included in the city's ETJ as a result of the annexation request that the area be included in the city's ETJ; 22. cities must take action to release any ETJ acquired from an annexation commenced after January 1, 2023, as necessary to comply with Number 21, above; and 23. if an area subject to an agreement reached between a city and a county authorizing the city to regulate subdivisions in the ETJ is removed from a city's ETJ, the agreement is terminated as to the area and the county is the political subdivision authorized to regulate subdivisions in the removed area. (Effective September 1, 2023.)

H.B. 1750 (Burns/Perry) – Regulation of Agricultural Operation: this bill, among other things: 1. expands the definition of “agricultural operation” to include:

(a) producing crops or growing vegetation for human food, animal feed, livestock forage, forage for wildlife management, plantings seed or fiber; and (b) the raising or keeping livestock or poultry, including veterinary services; 2. provides that a city may not impose a governmental requirement that applies to agricultural operations located in the corporate boundaries of the city unless: (a) the city council makes a finding by resolution, based on a report described in Number 3, below, that there is clear and convincing evidence that the purposes of the requirement cannot be addressed through less restrictive means and that the requirement is necessary to protect persons who reside in the immediate vicinity or persons on public property in the immediate vicinity of the agricultural operation from the danger of: (i) the likelihood of an explosion; (ii) flooding; (iii) an infestation of vermin or insects; (iv) physical injury; (v) the spread of an identified disease that is directly attributable to the agricultural operation; (vi) the removal of lateral or subjacent support; (vii) an identified source of contamination of water supplies; (viii) radiation; (ix) improper storage of toxic materials; (x) crops planted or vegetation grown in a manner that will cause traffic hazards; or (xi) discharge of firearms or other weapons subject to local restrictions; (b) the governing body of the city makes a finding by resolution, based on the report described in Number 3, below, that the requirement is necessary to protect public health; and (c) the requirement is not otherwise prohibited by the statute governing limitations on city governmental requirements applicable within corporate boundaries; 3. provides that before making a finding described in Number 2, above, the city council must obtain and review a report prepared by the city health officer or a consultant that: (a) identifies evidence of the health hazards related to agricultural operations; (b) determines the necessity of regulation and the manner in which agricultural operation

should be regulated; (c) states whether each manner of regulation under (3)(b), above, will restrict or prohibit a generally accepted agricultural practice; and (d) if applicable, includes an explanation why the report recommends a manner of regulation that will restrict the use of a generally accepted agricultural practice; 4. prohibits a city from imposing a governmental requirement that directly or indirectly: (a) prohibits the use of generally accepted agricultural practices listed in a manual prepared by the Texas A&M AgriLife Extension Service; (b) prohibits or restricts the growing or harvesting of vegetation for animal feed, livestock forage, or forage for wildlife management except as provided by Number 5, below; (c) prohibits the use of pesticides or other measures to control vermin or disease-bearing insects to the extent necessary to prevent an infestation; or (d) requires an agricultural operation be designated for an agricultural use or farm, ranch, wildlife management, or timber production under the Texas Constitution; 5. provides that a city may impose a maximum height for vegetation that applies to agricultural operations only if: (a) the maximum vegetation height is at least 12 inches; and (b) the requirement applies only to portions of an agricultural operation located no more than 10 feet from a property boundary that is adjacent to: (i) a public sidewalk, street, or highway, or (ii) a property that is owned by a person other than the owner of the agricultural operation and has a structure that is inhabited; and 6. provides that a governmental requirement of a city relating to the restraint of a dog that would apply to an agricultural operation does not apply to a dog used to protect livestock on property controlled by the property owner; and 7. provides that a city may require a person to provide a written management plan that meets certain specifications to establish that activities constitute an agricultural operation on the basis of being wildlife management activities. (Effective September 1, 2023.)

H.B. 2308 (Ashby/Perry) – Enforcement Against Agricultural Operations: this bill, among other things, provides that: (1) the definition of “agricultural operation” includes producing crops or growing vegetation for human food, animal feed, livestock forage, forage for wildlife management, planting seed, or fiber; and (b) raising or keeping livestock or poultry, including veterinary services; (2) the date an agricultural operation is established is the date on which an agricultural operation commenced; (3) a “substantial change” to an agricultural operation means a material alteration to the operation of or type of production at an agricultural operation that is substantially inconsistent with the operational practices since the established date of operation; (4) no action to restrain an agricultural operation may be brought against an operation that has been in operation and substantially unchanged for at least one year; (5) remedies for an agricultural operator against whom an action is brought are expanded to include any damages found by the trier of fact; (6) an occupant of any land on which agricultural operations exist or take place is not liable to the state or a governmental unit for the construction or maintenance on the land of an agricultural improvement if the construction is not expressly prohibited by state statute in effect at the time the improvement is constructed; and (7) any other law is preempted to the extent of a conflict with the law governing governmental requirements on agricultural operations. (Effective September 1, 2023.)

H.B. 2947 (Cain/Perry) – Agricultural Operation: expands the definition of “agricultural operation” to include the commercial sale of poultry, livestock, and other domestic and wild

animals for purposes of preempting certain nuisance actions and governmental requirements on preexisting agricultural operations. (Effective immediately.)

H.B. 2956 (Shine/Flores) – Annexation Across Railway Right-of-Way: this bill, among other things, allows a city that is annexing property under certain conditions to annex an additional area adjacent to railroad rights-of-way if the railroad right-of-way is: (1) contiguous, and runs parallel to the city's boundaries; and (2) contiguous to the area being annexed. (Effective immediately.)

H.B. 3526 (Raymond/Springer) – Solar Pergolas: prohibits a city from applying a local building code to the construction of a solar pergola. (Effective September 1, 2023.)

S.B. 929 (Parker/Rogers) – Nonconforming Use Compensation: provides, among other things: (1) that in addition to other notices, a city shall provide written notice containing certain language of any public hearing regarding any proposed zoning change that could result in the creation of a nonconforming use; (2) that the notice required in (1), above, must: (a) be sent by mail to certain addresses; (b) contain the time and place of the hearing; and (c) include specific notice language; (3) a person using property in a manner considered to be a nonconforming use as a result of a change in an applicable zoning regulation may continue that nonconforming use unless required to stop by the city; (4) that a requirement to stop a nonconforming use includes: (a) an official action by the city; or (b) a determination by the city that the nonconforming use has an adverse effect or another necessary determination that the city must make prior to imposing a requirement to stop a nonconforming use; (5) that if a nonconforming use is required by a city to cease operation, the owner or the lessee of the property is entitled to receive a certain, calculated payment for damages associated with closing the operation or additional time to engage in the nonconforming use; and (6) for a process to appeal determinations to the board of adjustment, along with a process to seek judicial review of the final decision of the board of adjustment. (Effective immediately.)

S.B. 2440 (Perry/Burrows) – Certification of Groundwater Supply: this bill: (1) requires certain plats for the subdivision of land to include proof of groundwater supply; and (2) allows a city to waive the requirement from (1), above, if: (a) the entire tract will be supplied with groundwater from certain aquifers; or (b) the tract is being subdivided into not more than 10 parts. (Effective January 1, 2024.)

S.B. 2453 (Menendez/Hernandez) – Exceptions to Building Material Preemption: allows the use or installation of a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if that product, material or method is allowed by: (1) certain energy codes adopted by the State Energy Conservation Office; (2) certain energy and water conservation design standards established by the State Energy Conservation Office; or (3) certain high-performance building standards approved by the board of regents of an institute of higher education. (Effective September 1, 2023.)

H.B. 1922 (Dutton/Bettencourt) – Reauthorization of Building Permit Fees: abolishes a city fee charged as a condition to constructing, renovating, or remodeling a structure on the 10th anniversary after the date the fee is adopted or most recently reauthorized unless the governing body of the city holds a public hearing and reauthorizes the fee by a vote of the governing body. (Effective January 1, 2024.)

H.B. 2334 (Burns/Paxton) – Plumbers: this bill provides that: (1) a person is not required to be licensed under the plumbing licensing law to perform plumbing work consisting of installing, servicing, or repairing service mains or service lines that provide water, sewer, or storm drainage services on private property in an area that extends from a public right-of-way or public easement to not less than five feet from a building or structure; and (2) the exemption to licensure in (1), above, does not apply to plumbing work performed on private property designated for use as a one-family or two-family dwelling. (Effective September 1, 2023.)

H.B. 3492 (Stucky/Springer) – Value-Based Fees: this bill, among other things: (1) prohibits cities from considering the cost of constructing or improving public infrastructure for a subdivision, lot, or related property development in determining the amount of an application, review, engineering, inspection, acceptance, administrative, or other fee imposed by the city related to the processing of engineering or construction plans or for the inspection of improvements for construction of a subdivision or lot or a related improvement required in conjunction with that construction; (2) provides that a city shall determine a fee described in (1), above, by considering the city's actual cost to review and process the engineering or construction plan or to inspect the public infrastructure improvement; (3) provides that, in determining the city's actual cost for reviewing and processing an engineering or construction plan or inspecting a public infrastructure improvement, a city may consider: (a) the fee that would be charged by a qualified, independent third-party entity for those services; (b) the hourly rate for the estimated actual direct time of the city's employees performing those services; or (c) the actual costs assessed to the city by a third-party entity that provides those services to the city; (4) prohibit a city from requiring the disclosure of information related to the value of or cost of constructing or improving a residential dwelling or the public infrastructure improvements for a subdivision, lot, or related property development as a condition of obtaining approval for subdivision construction or for the acceptance of public infrastructure improvements except as required by the federal Emergency Management Agency for participation in the National Flood Insurance Program; and (5) require a city that imposes a fee for reviewing or processing an engineering or construction plan or inspecting a public infrastructure improvement to annually publish the fee and the hourly rate and estimated direct time incurred by city employees under (3)(b), above, on the city's website or if the city does not maintain a website, in a newspaper of general circulation in the county in which the city is located. (Effective September 1, 2023.)

Public Works and Utilities

H.B. 679 (K. Bell/Schwertner) – Soliciting and Awarding Construction Contracts: provides that: (1) with respect to a contract: (a) an offer to contract may not contain a term requiring a person to have a specified experience modifier in order to accept the offer; and (b) a contract solicitation may not require a person to have a specified experience modifier in order to submit a response to the contract solicitation; (2) a contract or an agreement collateral to or affecting a contract may not require the contractor to have a specified experience modifier; (3) provides that a contract solicitation, an offer, a contract, or an agreement collateral to or affecting a contract that violates (1) or (2), above, is voidable as against public policy; and (4) defines “experience modifier” as a factor expressed as a value that: (a) is assigned to an employer seeking to purchase a workers’ compensation insurance policy in this state; (b) affects the premium amount for the policy; and (c) is based on the employer’s past loss experience. (Effective September 1, 2023.)

H.B. 1817 (Capriglione/Hancock) – Contract Disclosure: provides that a governmental entity or state agency contract that requires an action or vote by the governing body before the contract may be signed, has a value of at least \$1 million, or is for services that would require a person to register as a lobbyist is voidable for failure to provide the required disclosure of interested parties if: (1) the governmental entity or state agency submits to the business entity written notice of the business entity’s failure to provide the required disclosure; and (2) the business entity fails to submit the required disclosure on or before the 10th business day after the date the business entity receives the written notice in (1), above. (Effective September 1, 2023.)

H.B. 2965 (Vasut/Creighton) – Construction Liability Waiver: this bill: (1) provides that the state law governing certain claims for damages arising from damage to, or loss of, real or personal property caused by an alleged construction defect that is a public building or public work does not apply to certain civil works projects; and (2) prohibits the waiver of this process when contracting between governmental entities and contractors, subcontractors, suppliers, or design professionals. (Effective September 1, 2023.) **H.B. 3485 (K. Bell/Johnson) – Unsigned Change Orders:** this bill: (1) allows a contractor or subcontractor performing work under a government contract elect to not to proceed with a request for additional work if: (a) the contractor or subcontractor has not received a written, fully-executed change order; or (b) the aggregate actual or anticipated value of the additional work requested without a change order exceeds ten percent of the original contract amount; and (2) exempts a contractor or subcontractor for damages associated with (1), above. (Effective September 1, 2023.)

H.B. 1565 (Canales/Perry) – Texas Water Development Board: this is the Texas Water Development Board (TWDB) sunset bill. The bill, among other things: (1) continues the TWDB until 2035; and (2) provides that the TWDB may adopt procedures allowing the use of different standards of review and approval of design criteria for plans and specifications for sewerage collection, treatment, and disposal systems that require an individualized assessment that

applies risk-based considerations to each project associated with the plans and specifications. (Effective September 1, 2023.)

H.B. 1845 (Metcalf/Perry) – Public Water Systems: provides that for a Class D license for wastewater operators or public water system operators, the Texas Commission on Environmental Quality by rule shall establish a provisional certification program by which a person who does not possess a high school diploma or its equivalent may act as a provisional operator if the person: (1) has completed all commission-required training associated with the license; (2) has passed any commission-required examinations associated with the license; and (3) acts under the direct supervision of a license holder. (Effective September 1, 2023.)

S.B. 1289 (Perry/T. King) – Reclaimed Wastewater: this bill: (1) provides that a wastewater treatment facility or reclaimed water production facility that treats domestic wastewater for reuse may dispose of the treated wastewater without a permit for an alternative means of disposal if the facility: (a) disposes of the treated wastewater through a wastewater collection system; and (b) has the consent of the operator of: (i) the wastewater collection system that will receive the treated wastewater; and (ii) any wastewater treatment facility that will further treat the treated wastewater; (2) provides that the owner of a reclaimed water production facility that meets the requirements of (1), above, may not be required to be the owner of an associated domestic wastewater treatment facility that is permitted by the Texas Commission on Environmental Quality (TCEQ); and (3) requires TCEQ to adopt rules to implement and enforce the bill. (Effective immediately.)

S.B. 1397 (Schwertner/K. Bell) – Texas Commission on Environmental Quality: this is the Texas Commission on Environmental Quality (TCEQ) sunset bill. The bill, among other things: 1. continues TCEQ until 2035; 2. creates a new standard permit for temporary concrete plants that provides that TCEQ shall issue a temporary concrete plant that performs wet batching, dry batching, or central mixing to support a public works project; 3. provides that a plant operating under Number 2, above: (a) may not support a project that is not related to the public works project; and (b) must be located in or contiguous to the right-of-way of the public works project; 4. requires TCEQ to provide outreach and education to the public on participating in the permitting process under the air, waste, and water programs within the TCEQ's jurisdiction; 5. requires TCEQ to establish an enforcement diversion program for small businesses and local governments that must include, among others: (a) compliance assistance training; and (b) on-site technical assistance and training performed by TCEQ staff; 6. provides that before TCEQ initiates an enforcement action for a violation committed by a small business or local government, TCEQ may enroll the business or government into the enforcement diversion program in Number 4, above; 7. provides that TCEQ may not initiate against a small business or local government an enforcement action for a violation that prompted enrollment in the enforcement diversion program after the business or government has successfully completed the program; 8. provides that a small business or local government is not eligible to enroll in the enforcement diversion program if the small business or local government: (a) committed a violation that: (i) resulted in an imminent threat to public health; or (ii) was a major violation; or (b) was enrolled in the program in the two years preceding the date of the violation; 9. provides

that if TCEQ holds a public meeting for a permit application in certain circumstances, TCEQ shall hold open the public comment period for the permit application for at least 36 hours after the end of the meeting; 10. provides that TCEQ by rule shall provide for each public notice issued or published by TCEQ or by a person under the jurisdiction of TCEQ as required by law or by TCEQ rule to include to the extent applicable, the name of the permit applicant, the type of permit applied for, and the address of each proposed or existing site subject to the proposed permit; 11. requires TCEQ to develop and make accessible on TCEQ's Internet website recommended best management practices for aggregate production operations that operate under the jurisdiction of the TCEQ, which must include operational issues related to: (a) dust control; (b) water use; and (c) water storage; 12. requires TCEQ to post on its website at the time a permit application becomes administratively complete: (a) the permit application and any associated materials; and (b) for a permit application for a permit to use state water, any map accompanying the permit application; 13. provides that TCEQ shall require each applicant for a permit, permit amendment, or permit renewal that requires notice be published to include in the notice the address of the website where the public can access information about the permit as described by Number 10, above; 14. sets requirements for programs and permits arising under the air, waste, or water programs within TCEQ's jurisdiction, including: (a) in addition to any other notice requirement, TCEQ shall of a permit application on TCEQ's website and may provide additional electronic notice through other means, including direct e-mail; and (b) TCEQ shall consider and accommodate residents of each area affected by a proposed permit, permit amendment, or permit renewal who may need assistance accessing notice published by electronic means because of a lack of access to Internet services, particularly when there is a heightened public interest or in response to public comment; and 15. provides that periodically, the environmental flows advisory group shall review the environmental flow standards for each river basin and bay system adopted by TCEQ.

S.B. 1778 (Alvarado/Rogers) – Water and Sewer Service: provides that a retail public utility, including a municipally owned utility, may initiate, transfer, or terminate a customer's retail water or sewer service on receipt of a customer request by mail, by telephone, through an Internet website, or another electronic transmission. (Effective September 1, 2023.)

H.B. 4087 (Kuempel/Zaffirini) – Temporary Sewage Disposal Permits: this bill: (1) allows a city, under certain circumstances to issue a permit for the use of a temporary on-site sewage disposal system that operates in conjunction with pumping and hauling of wastewater produced by the system; and (2) limits the term of the permit of six months from the date of issuance and prohibits renewal. (Effective September 1, 2023.)

H.B. 4385 (Guillen/Alvarado) – Sewer Service: provides that the Public Utility Commission may by rule allow a city or utility or water supply corporation to render retail sewer service without a certificate of public convenience and necessity if the city has given notice under state law for single certification in incorporated or annexed areas that it intends to provide retail sewer service to an area, or if the utility or water supply corporation has less than 15 potential connections and is not within the certificated area of another retail public utility. (Effective September 1, 2023.)

Elections and Open Government

H.B. 2626 (Tepper/Paxton) – Political Reporting: the bill: (1) provides that the clerk or secretary of a political subdivision's governing body or, if the governing body does not have a clerk or secretary, the governing body's presiding officer shall make a political contributions and expenditures report filed with the political subdivision by a candidate, officeholder, or specific purpose committee available to the public on the political subdivision's Internet website not later than the 10th business day after the date the report is received; (2) provides that before making a report available on the Internet as required by (1), above, the authority with whom the report is filed may remove each portion, other than city, state, and zip code, of the address of a person listed as having made a political contribution to the person filing the report and the address information removed must remain available on the report maintained in the authority's office; (3) provides that a report made available on an Internet website under (1), above, must be accessible on that website until the fifth anniversary of the date the report is first made available; and (4) repeals the provision that requires the clerk of a city with a population of 500,000 or more to make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee in connection with the office or mayor or councilmember available to the public on the city's website. (Effective September 1, 2023.)

H.B. 3372 (Thimesch/Parker) – Political Reports: provides that: (1) a candidate or officeholder who accepts a political contribution made using a credit card shall: (a) for a political contribution for which a processing fee is deducted by the credit card issuer from the political contribution amount: (i) report as a political contribution the full amount, including the deducted amount; and (ii) report as a political expenditure the deducted amount; and (b) for a political contribution for which a processing fee is paid by the person making the political contribution in excess of the political contribution amount, report only as a political contribution the full amount the candidate or officeholder accepts, not including the amount paid in excess of the political contribution amount; and (2) a candidate or officeholder who accepts a political contribution described by (1)(b), above, is not required to report the excess amount paid as a processing fee by the person making the political contribution. (Effective September 1, 2023.)

S.B. 477 (Zaffirini/Morales) – Disabled Voters: provides, among other things, that: (1) an election officer shall accept a person with a mobility problem that substantially impairs a person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived before the person; (2) notice of the priority given to persons with a mobility problem that substantially impairs a person's ability to ambulate shall be posted at each entrance to a polling place where it can be read by persons waiting to vote; (3) at each polling place an area for parking not smaller than the size of one parking space shall be reserved for voting; (4) the area described in (3), above, may not be designated specifically for persons with disabilities and must be clearly marked with a sign: (a) indicating that the space is reserved for use by a voter who is unable to enter the polling place; and (b) displaying, in large

font that is clearly readable from a vehicle, a telephone number that a voter may call or text to request assistance from an election officer at the polling place; (5) as an alternative to displaying a telephone number under (4), above, a parking space may comply by providing the voter with a button or intercom that the voter may use to request assistance from an election officer; and (6) the early voting clerk: (a) shall post the official application form for an early voting ballot on the clerk's Internet website, if the clerk maintains an Internet website, in a format that allows a person to easily complete the application directly on the website before printing; and (b) may use the application form provided by the secretary of state or the early voting clerk's own application form. (Effective immediately.)

H.B. 3033 (Landgraf/Zaffirini) – Public Information: provides, among other things, that: 1. for purposes of the Public Information Act (PIA): (a) a "business day" means a day other than a Saturday or Sunday, a national holiday or a state holiday; (b) the fact that an employee works from an alternative work site does not affect whether a day is considered a business day; (c) an optional holiday (days on which Rosh Hashanah, Yom Kippur, or Good Friday falls) is not a business day of a governmental body if the officer for public information of the governmental body observes the optional holiday; (d) the Friday before or Monday after a national holiday or state holiday is not a business day of a governmental body if the holiday occurs on a Saturday or Sunday and the governmental body observes the holiday on that Friday or Monday; (e) a governmental body may designate a day on which the governmental body's administrative offices are closed or operating with minimum staffing as a nonbusiness day, and such designation must be made by the executive director or other chief administrative officer; and (f) a governmental body may designate not more than 10 nonbusiness days under (1)(e), above, each calendar year; 2. the attorney general: (a) may require each public official of a governmental body to complete open records training if the attorney general determines that the governmental body has failed to comply with a requirement of the PIA; and (b) must notify each public official in writing of the attorney general's determination and the requirement to complete the training; 3. a public official who receives notice from the attorney general under (2), above, must complete the training not later than the 60th day after the date the official receives the notice; 4. the exception related to litigation involving a governmental body or an officer or employee of a governmental body does not apply to information requested under the PIA if: (a) the information relates to a general, primary, or special election; (b) the information is in the possession of a governmental body that administers elections; and (c) the governmental body is not a board, commission, department, committee, institution, agency, or office that is within or is created by the executive or legislative branch of state government and that is directed by one or more elected or appointed members; 5. a governmental body shall promptly release basic information about an arrested person, an arrest, or a crime responsive to a request unless the governmental body seeks to withhold the information as provided by another provision of the PIA, and regardless of whether the governmental body requests an attorney general decision regarding other information subject to the request; 6. for purposes of cost provisions regarding requests requiring a large amount of personnel time: (a) a requestor who has exceeded a limit established by a governmental body on the amount of time that personnel of the governmental body are required to spend producing public information for inspection or duplication without recovering its costs attributable to that personnel time may

not inspect public information on behalf of another requestor unless the requestor who exceeded the limit has paid each statement issued by the governmental body; (b) if a governmental body establishes a time limit on the amount of time that personnel of the governmental body are required to spend producing public information for inspection or duplication without recovering its costs attributable to that personnel, time may not include the amount of time spent preparing a written statement to the requestor unless the requestor's time limit for the period has been exceeded; (c) a governmental body may request photo identification from a requestor for the sole purpose of establishing that the requestor has not: (i) exceeded a limit established by the governmental body; and (ii) concealed the requestor's identity; (d) a request for photo identification under (c), above, must include a written estimate of the total cost applicable to the requestor who has exceeded a limit established by the governmental body and a statement that describes each specific reason why (c), above, may apply to the requestor; (e) the governmental body shall accept as proof of a requestor's identification physical presentment of photo identification or an image of the photo identification that is transmitted electronically or through the mail; (f) a requestor from whom a governmental body has requested photo identification under (c), above, may decline to provide identification and obtain the requested information by paying the charge assessed in the statement; 7. a governmental body that requests an attorney general decision must submit the request through the attorney general's designated electronic filing system unless: (a) the governmental body requesting the decision: (i) has fewer than 16 full-time employees; or (ii) is located in a county with a population of less than 150,000; (b) the amount or format of responsive information at issue in a particular request makes use of the attorney general's electronic filing system impractical or impossible; or (c) the request is hand delivered to the office of the attorney general; 8. a governmental body shall as soon as practicable but within a reasonable period of time after the date the attorney general issues an opinion regarding requested information: (a) provide the requestor of the information an itemized estimate of charges for production of the information if an estimate is required; (b) if the requested information is voluminous: (i) take the following actions if the governmental body determines that it is able to disclose the information in a single batch: (A) provide a written certified notice to the requestor and the attorney general that it is impractical or impossible for the governmental body to produce the information within a reasonable period of time; (B) include in the notice the date and hour that the governmental body will disclose the information to the requestor, which may not be later than the 15th business day after the date the governmental body provides the notice; and (C) produce the information at the date and time included in the notice; or (ii) take the following actions if the governmental body determines that it is unable to disclose the information in a single batch: (A) provide a written certified notice to the requestor and the attorney general that it is impractical or impossible for the governmental body to produce the information within a reasonable period of time and in a single batch; (B) include in the notice the date and hour that the governmental body will disclose the first batch of information to the requestor, which may not be later than the 15th business day after the date the governmental body provides the notice; (C) provide a written certified notice to the requestor and the attorney general when each subsequent batch of information is disclosed to the requestor of the date and hour that the governmental body will disclose the next batch of information to the requestor, which may not be later than the 15th business day after the date

the governmental body provides the notice; and (D) produce the requested information at each date and time included in a notice; (c) produce the information if it is required to be produced; (d) notify the requestor in writing that the governmental body is withholding the information as authorized by the opinion; or (e) notify the requestor in writing that the governmental body has filed suit against the attorney general regarding the information; 9. a governmental body is presumed to have complied with the requirements of Number 8, above, if the governmental body takes an action regarding information that is the subject of an opinion issued by the attorney general not later than the 30th day after the date the attorney general issues the opinion; and 10. the office of the attorney general shall make available on the office's Internet website an easily accessible and searchable database: (a) consisting of information identifying each request for an attorney general decision and the attorney general's opinion issued for the request; (b) that at a minimum allows a person to search for a request or opinion by the name of the governmental body making the request and the exception that a governmental body asserts in the request; and (c) that allows a person to view the current status of a request and an estimated timeline indicating the date each stage of review of the request will be started and completed. (Effective September 1, 2023.)

H.B. 3440 (Canales/Hinojosa) – Agenda Posting: provides that certain governmental bodies, including a city or economic development corporation, must concurrently post an agenda and notice of the meeting of the body on the website of the governmental body. (Effective September 1, 2023.)

S.B. 943 (Kolkhorst/Hunter) – Online Public Notices: provides, among other things, that: (1) a newspaper that publishes a notice shall, at no additional cost to a governmental entity placing the notice: (a) publish the notice on one or more webpages on the newspaper's website, if the newspaper maintains a website, that are: (i) clearly designed for notices; and (ii) accessible to the public at no cost; and (b) deliver the notice to the Texas Press Association (TPA) for publication on a TPA-controlled website, if, the TPA maintains such a website as a statewide repository of public notices; (2) if the TPA maintains a website described in (1), above, the TPA must ensure that the website: (a) is accessible to the public at no cost; (b) is updated as notices are received; (c) is searchable and sortable by subject matter and/or location; and (d) offers an e-mail notification service to which a person may electronically subscribe to receive notifications that a notice has been published on the website and that allows the subscriber to limit the notifications by subject matter and/or location; and (3) any entity required to publish a public notice on a website under (1), above, shall archive the notice on its website in its entirety, including the notice publication date. (Effective September 1, 2023.)

S.B. 232 (Hinojosa/Geren) – Removal From Office: this bill, among other things: (1) provides that a person who holds an elected or appointed office of a political subdivision is automatically removed from and vacates the office on the earlier of the date the person enters a plea of guilty or nolo contendere, receives deferred adjudication, or is convicted of one of the following offenses: (a) bribery; (b) theft of public money; (c) perjury; (d) coercion of public servant or vote; (e) tampering with governmental record; (f) misuse of official information; (g) abuse of official capacity; or (h) conspiracy or the attempt to commit any of the offenses in (a) – (g); (2)

requires the governing body of a political subdivision at the first regularly scheduled meeting of the governing body for which notice is required under the Open Meetings Act following the date an officer is removed from office under (1), above, to: (a) order an election on the question of filling the vacancy to be held on the first day that allows sufficient time to comply with other requirements of law, if an election is required to fill the vacancy; or (b) fill the vacancy in the manner provided by law, if an election is not required; and (3) provides that, for an offense described in (1), above, an appeal does not supersede the order of removal if the removed officer appeals the judgment. (Effective September 1, 2023.)

S.B. 569 (Springer/Stucky) – Responding to Third-Party Subpoenas: provides that: (1) a city may impose a fee in the same amount and manner as provided by the Public Information Act for providing a copy of public information or produce a record in response to a subpoena, request for production, or other instrument issued under the authority of a tribunal relating to a civil action to which the city is not a party; and (2) that the city custodian of a record who produces records under (1), above, but who is not required to appear in court, is not entitled to a witness fee. (Effective September 1, 2023.)

H.B. 1817 (Capriglione/Hancock) – Contract Disclosure: provides that a governmental entity or state agency contract that requires an action or vote by the governing body before the contract may be signed, has a value of at least \$1 million, or is for services that would require a person to register as a lobbyist is voidable for failure to provide the required disclosure of interested parties if: (1) the governmental entity or state agency submits to the business entity written notice of the business entity's failure to provide the required disclosure; and (2) the business entity fails to submit the required disclosure on or before the 10th business day after the date the business entity receives the written notice in (1), above. (Effective September 1, 2023.)

Additional Bills

H.B. 3222 (Guillen/Kolkhorst) – Disaster Recovery Loan Program: increases the number of days from 15 to 30 days that a governing body of a political subdivision, including a city, has to submit its operating budget for the most recent fiscal year as part of the application process to Texas Department of Emergency Management for a disaster recovery loan. (Effective September 1, 2023.)

S.B. 29 (Birdwell/Lozano) – COVID-19 Preventative Measures: provides that a governmental entity may not implement, order, or otherwise impose a mandate requiring: (1) a person to wear a mask or other face covering to prevent the spread of COVID-19; (2) a person to be vaccinated against COVID-19; and (3) the closure of a private business, public school, open-enrollment charter school, or private school to prevent the spread of COVID-19. (Effective September 1, 2023.)

H.B. 3125 (Gamez/Zaffirini) – Emergency Vehicle Equipment: allows governmental entities to equip an authorized emergency vehicle with alternating or flashing white light signal lamps. (Effective September 1, 2023.)

S.B. 271 (Johnson/Shahen) – Local Government Security Incidents: this bill provides that: (1) a local government that owns, licenses, or maintains computerized data that includes sensitive personal information, confidential information, or information the disclosure of which is regulated by law shall, in the event of a security incident: (a) comply with the notification requirements of the Identify Theft Enforcement and Protection Act, to the same extent as a person who conducts business in Texas; (b) not later than 48 hours after the discovery of the security incident, notify: (i) the Department of Information Resources (DIR), including the chief information security officer; or (ii) if the security incident involves election data, the secretary of state; and (c) comply with all DIR rules relating to security incidents; (2) not later than the 10th business day after the date of the eradication, closure, and recovery from a security incident, a local government shall notify the DIR, including the chief information security officer, of the details of the security incident and include in the notification an analysis of the cause of the security incident; and (3) numbers (1) and (2), above, do not apply to a security incident that a local government is required to report to the independent organization certified for the ERCOT power region. (Effective September 1, 2023.)

S.B. 621 (Parker/Capriglione) – Cybersecurity: this bill, among other things: (1) requires the Department of Information Resources to employ a chief information security officer to oversee cybersecurity matters for Texas; and (2) provides that the chief information officer shall collaborate with state agencies, local governmental entities, and other entities operating or exercising control over state information systems or state-controlled data to strengthen Texas's cybersecurity and information security policies, standards, and guidelines. (Effective September 1, 2023.)

S.B. 1893 (Birdwell/Anderson) – TikTok Ban: this bill, among other things, requires a city to adopt a policy prohibiting the installation or use and requiring the removal of TikTok or any successor application, or any other social media application specified by the Department of Information Resources and Department of Public Safety, on any city-owned or leased electronic device, subject to certain exceptions for law enforcement or information security purposes. (Effective immediately.)

H.B. 4553 (Longoria/Johnson) – Department of Information Resources: provides, among other things, that if the executive director of the Department of Information Resources (DIR) determines that participation is in the best interest of the state, cities, volunteer fire departments, and city-owned public hospitals, among other entities, are eligible customers for certain DIR services, including: (1) network security services; (2) regional cybersecurity support and network security services; (3) the availability of commodity items for purchase; and (4) consolidated telecommunication systems. (Effective September 1, 2023.)

H.B. 567 (Bowers/Miles) – Hair Discrimination: provides, among other things, that: (1) discrimination because of race or on the basis of race in employment includes discrimination because of or on the basis of an employee’s hair texture or protective hairstyle (braids, locks, and twists) commonly or historically associated with race; and (2) an employer, including a city, commits an unlawful employment practice if the employer adopts or enforces a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race. (Effective September 1, 2023.)

H.B. 915 (Craddick/Parker) – Workplace Violence Hotline: provides that: (1) each employer, including a city, shall post a notice to employees of the contact information for reporting instances of workplace violence or suspicious activity to the Department of Public Safety (DPS); (2) the notice must be posted: (a) in a conspicuous place in the employer’s place of business; (b) in sufficient locations to be convenient to all employees; and (c) in English and Spanish, as appropriate; and (2) the Texas Workforce Commission, in consultation with DPS, by rule shall prescribe the form and content of the notice required under (1), above. (Effective September 1, 2023.)

ADMINISTRATIVE APPROVAL PROJECTS				
Site Development Project Name	City Limits / ETJ	Location	Description	Status
SD2021-0005 Dripping Springs WWTP Expansion	CL	23127 FM 150 W	Expansion of the Wastewater treatment plant	HOLD
SD2021-0021 RR 12 Commercial Kitchen	CL	28707 RR 12	Commercial kitchen that will support a catering business, no on-site dining is proposed	Approved w/ Conditions
SD2021-0013 Dreamland	ETJ			Waiting on resubmittal
SD2021-0030 Belterra Townhomes	ETJ	Belterra	Seven townhome units with associated parking, sidewalk, utilities, and drainage	Waiting on resubmittal
SD2021-0033 Bell Springs Business Park, Sec 1&2 Rev	ETJ	4955 Bell Springs	A revision for minor adjustments on site layouts, rainwater, and overall drainage & water quality	Waiting on resubmittal
SD2022-0001 Julep Commercial Park	ETJ	Northeast corner of W US 290 and Trautwein Rd	11.27 acre site of mixed-use commercial buildings with supporting driveways, water quality and detention pond, rainwater harvesting, and other utilities	Waiting on resubmittal
SD2022-0010 Wenty's Wine Bar	ETJ	5307 Bell Springs Rd	Wine bar and associated improvements	Waiting on resubmittal
SD2022-0007 Heritage Effluent Line Stage II Extension	CL	511 Mercer Street	Extension of the existing 12" effluent line north along RR12, along with an 8" effluent line that spans from Rob Shelton, across Hwy 290, and north to Heritage Stage 2	Waiting on resubmittal
SD2022-0008 Patriot's Hall Phase 1B	ETJ	231 Patriots Hall Blvd	New Patriot's Hall event building with parking, infrastructure and water quality	Approved
SD2022-0013 DS Flex Business Park	CL	28513 RR 12	Construction of two shell buildings with accompanying site improvements	Waiting on resubmittal
SD2022-0011 Skybridge Academy	CL	519 Old Fitzhugh Road	Remodel/repurpose of existing historic structures, add new construction to tie together the house and garage with additional parking and revised driveway	Approved w/ Conditions
SD2022-0014 Bell Springs Site Plan (Travis Flake)	ETJ	5307 Bell Springs Rd	Office and Warehouse with drives, parking, waterline connection, and pond	Approved w/ Conditions
SD2022-0016 JWLP Lot 6 Revision 1	CL	249 Sportsplex Drive	Revision to the original site plan	Under Review
SD2022-0018 Office 49	ETJ	241 Frog Pond Lane	The construction of eleven office buildings of varying sizes along with the related paving, grading, drainage, and utility improvements.	Waiting on resubmittal
SD2022-0019 Double L Ranch, Phase 1	ETJ	RR 12	Construction of water, wastewater, drainage and paving improvements for 244 single family lots.	Waiting on resubmittal
SD2022-0020 Merigian Studios	ETJ	105 Daisy Lane	Art studio with driveway, parking, and external structures	Approved w/ Conditions
SD2022-0024 4400 US 290 SP	ETJ	4400 US 290	7 Commercial Buildings in the ETJ	Waiting on resubmittal
SD2022-0025 Hardy Drive	ETJ	2901 US 290	Construction of a road for the Hardy and Bunker Ranch development to meet fire code	Waiting on resubmittal
SD2022-0027 Sawyer Ranch Lot 3A	CL	13341 W US 290	Lot 3A of the Sawyer Ranch at US 290 development. This consists of commercial buildings with parking, sidewalks, and utilities.	Approved w/ Conditions
SD2022-0029 Headwaters Commercial East Phase 1 SP	CL	Headwaters Blvd.	Development of a preschool with associated utility infrastructure, storm infrastructure, parking lot improvements, and a water quality/detention pond that accounts for future developments	Approved
SD2022-0031 WHIM Corporate Site Plan	CL	27950 RR12	The construction of the corporate HQ for WHIM along with the site improvements needed and as shown in the site plan.	Waiting on resubmittal
SD2022-0039 Big Sky Ranch WWTP	CL	Sue Peaks Loop	Temporary Wastewater Treatment Plan and subsurface area drip disposal system to serve Big Sky Development	Waiting on resubmittal
SD2022-0041 Dripping Springs Urgent Care	CL	164 Belterra Village Way	Ground up development of an urgent care facility within the Belterra Commercial District	Approved w/ Conditions
SD2022-0042 Suds Brothers Car Wash	CL	610 W Hwy 290	Rapid car wash facility	Waiting on resubmittal
SD2023-0002 Fitzhugh Corners	ETJ	15310 Fitzhugh Road	A 13,908 sq ft building with site improvements	Waiting on resubmittal
SD2023-0004 Austin Ridge Bible Church Revision	ETJ	31330 Ranch Road 12	Removal of the existing old house, the addition of 3 portable buildings and pavilion; additional parking.	Waiting on resubmittal
SD2023-0006 DS Vet Clinic	CL	Cortaro Dr & RR 12	2 Phase Site Development Plan with 3,957sf veterinarian clinic with paving, drainage and utility infrastructure	Waiting for resubmittal
SD2023-0007 Phase 4A Drip Irrigation System Improvements	ETJ	2581 E Hwy 290	The project is Phase 4A of the drip disposal fields and consists of 14.76 acres of drip irrigation fields only.	Approved w/ Conditions
SD2023-0008 102 Rose Drive	CL	102 Rose Dr	Construction of tow additional duplexes w/ accompanying site improvements	Waiting on resubmittal
SD2023-0009 Paloma	CL	235 Sports Park Rd	Adding improvements to the site	Waiting on resubmittal
SD2023-0010 Creek Road Horse Farms	CL/ETJ	1225 Creek Rd	Horse training facility with covered riding arena, barn, storage building and open-air riding.	Waiting on resubmittal
SD2023-0011 Amazing Explorers Academy	ETJ	Ledgestone	Daycare facility, including driveways, parking areas; and water, wastewater, and stormwater facilities.	Waiting on resubmittal
SD2023-0012 Ariza 290 West	ETJ	13900 W US Highway 290	Multifamily residential.	Waiting on resubmittal
SD2023-0013 10 Federal	ETJ	3975 US 290		Under Review

<i>Ongoing Projects</i>	
Comprehensive Plan	Meetings with DTJ
Cannon Mixed-Use	Pending resubmittal
PDD2023-0001 Madelynn Estates	New PDD
PDD2023-0002 Southern Land	New PDD

Subdivision Project Name	City Limits / ETJ	Location	Description	Status
SUB2021-0065 Heritage Phase 2 Final Plat	CL	Sportsplex Drive (Heritage Development)	162 Lots on 69.999 acres, 160 of which are residential with an average lot size of 0.143 acres	Waiting on Resubmittal
SUB2021-0069 Cannon Ranch Ph 1 Construction Plans	CL	Cannon Ranch Road	Development of 122 residential lots with public roadways, utilities, and drainage features.	Approved with conditions
SUB2022-0002 Hays Street Subdivision	CL	102 Bluff Street	Subdivision of 6 residential lots in the Historic District	Approval with conditions and Under Review
SUB2022-0009 Driftwood Subdivision Phase 3 Preliminary Plat	ETJ	17901 FM 1826	Preliminary Plat for 14 lots: 12 Residential, 1 Commercial, 1 Industrial	Approved with conditions
SUB2022-0012 Driftwood Sub Ph 3 Sec 1 FP	ETJ	17901 FM 1826	Final Plat for 1 Commercial Lot	Waiting for Resubmittal
SUB2022-0013 Driftwood Sub Ph 3 Sec 2 FP	ETJ	17901 FM 1826	FP for 11 single-family residential lots, 1 open space lot and 1 private street lot on 34.67 acres	Waiting for Resubmittal
SUB2021-0011 Double L Phase 1 Prelim Plat	ETJ	1.5 miles N of US 290 & RR 12	PP for 243 residential units and 1 amenity center	Approval with Conditions
SUB2022-0021 Headwaters at BC Phase 3 CP	ETJ	Intersection of Hazy Hills Loop and Roy Branch Road	Construction Plans	Approved with conditions
SUB2022-0023 Overlook at Bunker Ranch CP	CL	2004 Creek Road	Construction Plans for 12 single family lots with 1 drainage lot	Approved with conditions
SUB2022-0028 Parten Ranch Phase 8	ETJ	End of Bird Hollow near Trickling Brook Road Intersection	90 Lot Subdivision	Approved with conditions
SUB2022-0033 The Ranch at Caliterra	ETJ	Premier Park Loop	Preliminary plat of the Carter tract with 243 lots	Approved with conditions
SUB2022-0036 Driftwood Creek FM 150 12 Treated Effluent and 10 Raw Wastewater Force mains Ph I and II	ETJ	FM 150	12 inch treated effluent line and 10 inch wastewater force mains to connect with Dripping Springs WWTP	Approved with conditions
SUB2022-0039 Village Grove Preliminary Plat	CL	Sports Park Rd	Village Grove PDD. This is 112.40 acres including 207 lots, 511 residential units, and 6.82 acres will be commercial	Waiting for Resubmittal
SUB2022-0040 102 S Bluff St CP	CL	Hays st	Construction Plans for 7 lots. Six of which are residential and 1 will be landscaping	Approved with conditions
SUB2022-0041 Hays St Preliminary Plat	CL	Hays st	Preliminary Plat for 7 lots. Six of which are residential and 1 will be landscaping	Approval with conditions and Under Review
SUB2022-0042 Silver Creek Subdivision	ETJ	Silver Creek Rd	70-acre tract to be developed into a 28 single family lots with access, paving, on-site sewage, water supply well, and an undisturbed open space	Approved with conditions
SUB2022-0043 Howard Ranch Sec 4 Lots 62 & 63 AP	ETJ	590 Cypress Creek Dr	An amending plat to remove a site parking area from the single family lot. This request is by the property owner.	Waiting for Resubmittal
SUB2022-0046 Kali Kate	ETJ	4550 FM 967	City of Dripping Springs and City of Buda Interlocal Agreement	Waiting for Resubmittal
SUB2022-0047 Ariza West 290	ETJ	13900 W US Highway 290	The Final Plat for an apartment complex	Approval with Conditions
SUB2022-0048 Wild Ridge Phase 1 CP	CL	E US 290	Construction plans for phase 1 of Wild Ridge	Waiting for Resubmittal
SUB2022-0049 Serenity Hills	ETJ	1111 HAYS COUNTRY ACRES ROAD	50 Lot subdivision in Dripping Springs ETJ	Approval with conditions
SUB2022-0050 North 40, Section 2, Block B, Lots 1, 2, 29, and 30	CL	28501 RR 12	Amending Plat to combine 4 lots into 1	Waiting for Resubmittal
SUB2022-0052 Village Grove Phase 1 CP	CL	Sports Park Rd	The construction plans for phase 1 of the Village Grove development	Waiting for Resubmittal
SUB2023-0001 Village Grove Phase 2B CP	CL	Sports Park Rd	Residential townhome infrastructure improvements. Construction of 16 Townhome lots and roadways.	Waiting for Resubmittal
SUB2023-0003 The Ranch at Caliterra CP	ETJ	Soaring Hill Rd at HC Carter Way	Construction Plans for the Carter tract.	Waiting for Resubmittal
SUB2023-0005 Skylight Hills Prelim	ETJ	13001 & 13111 High Sierra	Creating 11 residential lots in the ETJ	Waiting for Resubmittal
SUB2023-0006 Wild Ridge Phase 1 FP	CL	E US 290	Approximately 62.1 acres to include 136 residential lots, roadways, and a commercial lot	Waiting for Resubmittal
SUB2023-0007 Skylight Hills Construction Plans	ETJ	13001 & 13111 High Sierra	Creating the infrastructure of 11 residential lots	Waiting for Resubmittal
SUB2023-0008 Silver Creek Subdivision Construction Plans	ETJ	Silver Creek Rd	29 Single family residential lots with access, paving, OSSF, water supply well, and open space	Waiting for Resubmittal
SUB2023-0012 Springlake Lot 57 Replat	ETJ	100 Oakview Dr	Subdivide the existing tract of land into two newly platted tracts of land.	Waiting for Resubmittal
SUB2023-0011 Big Sky Ranch Phase 3 AP	CL	171 Sue Peak Loop	Amending plat to accommodate builders larger home designs.	Approval with Conditions
SUB2023-0013 WT Chapman, 5th Addition, Lots 1-4 Amending Plat	CL	216 South Bluff St	Dividing 1 lot into 4.	Under Review
SUB2023-0014 Parten Ranch Phase 8 CP	ETJ	End of Bird Hollow near Trickling Brook Road Intersection	81.03 acres with 87 single family lots and 3 drainage / open space lots and right of way.	Under Review
SUB2023-0016 520 Matzig Replat	ETJ	520 Matzig Cove	Modify drainage easement.	Approval with conditions and Under Review
SUB2023-0017 Caliterra Phase Two Lot 9 Block F Section Seven Replat	ETJ	Peakside Circle	Subdivide single lot into 4 lots.	Waiting for Resubmittal
SUB2023-0018 Cannon Ranch Phase 2 Final Plat	CL	Rushmore Drive at Lone Peak Way	Subdivide into 100 lots.	Under Review
SUB2023-0020 Driftwood Golf and Ranch Club, Phase 4 Final Plat	ETJ	Driftwood Ranch Drive	Subdivide into 20 lots.	Waiting for Resubmittal
SUB2023-0021 Driftwood Golf and Ranch Club Phase Four Subdivision CP	ETJ	Driftwood Ranch Drive	Paving, drainage, water, wastewater subdivision constructions plans.	Approval with conditions and Under Review
SUB2023-0022 Cannon Ranch Phase 2 CP	CL	Rushmore Drive at Lone Peak Way	97 single family residential lots and 3 open space lots including construction of public roadways, utilities and storm drain infrastructure.	Waiting for Resubmittal
SUB2023-0023 Re-Subdivision Lot 2, Driftwood 967 Phase One CP	ETJ	FM 967 at FM 1826	Subdivide one large lot into 5 residential lots, 2 commercial lots, 2 open space lots and 2 private streets.	Waiting for Resubmittal
SUB2023-0024 Caliterra Phase 5 Section 13 Construction Plans	ETJ	Kelsey Lane	11 single family lots.	Approval with Conditions
SUB2023-0025 Caliterra Phase 3 Section 10 Preliminary Plat	ETJ	Pointe Du Hoc Loop	22 single family lots and 2 open space lots.	Waiting for Resubmittal
SUB2023-0026 Driftwood Golf and Ranch Club, Phase Two, Block H, Lots 11 and 12 Amending Plat	ETJ	204 Sutton Court	Combining lots 11 and 12 into a single family lot.	Waiting for Resubmittal
SUB2023-0027 Bush Ranch, Phase 1, Lots 1 & 2 Amending Plat	ETJ	235 & 295 Ledge stone Drive	Adjust a common property line.	Approval with Conditions
SUB2023-0028 Arrowhead Commercial Final Plat	CL	US Hwy 290 W	Subdividing 6.6 acres as 1 lot.	Under Review
SUB2023-0029 Cortaro Replat with Vacation	CL	548, 524, 498 Cortaro Drive	Remove existing public trail easement.	Under Review
SUB2023-0030 Trailhead Market Parking, Fire Lane & Water Improvements	CL	249 Sportsplex Drive	Construct 16,250 sq. ft. previous concrete parking lot, two fire hydrants, grading and fire lane striping.	Under Review
SUB2023-0033 Heritage Phase 2 Construction Plans	CL	Sportsplex Drive	165 lots, streets, water, wastewater, grading and water quality improvements.	Under Review
SUB2023-0031 Gateway Village Preliminary Plat	CL	1201 US 290 West	307 lots on 97.44 acres	Under Review

In Administrative Completeness	Filing Date
ADMIN2023-43 Lunaroya Subdivision Final Plat	24-Jul
ADMIN2023-45 Parten Ranch Phase 6 & 7 FP	24-Jul
ADMIN2023-47 BR Dripping Springs	24-Jul
ADMIN2023-48 Caliterra Phase 5 Section 13 Final Plat	24-Jul
ADMIN2023-40 Silver Creek Hotel	24-Jul
ADMIN2023-49 AAA Storage CUP	24-Jul
SD2023-0002 Fitzhugh Corners	31-Jul
SD2022-0039 Big Sky WWTP	31-Jul
SUB2023-0023 Re-Subdivision Lot 2, Driftwood 967 Phase One Construction Plans	31-Jul
ADMIN2023-50 Amending Plat of Final Subdivision Plat of Roger Hanks Park	31-Jul
SUB2023-0008 Silver Creek Subdivision CP	31-Jul
SUB2023-0025 Caliterra Phase 3 Section 10 Preliminary Plat	7-Aug
SUB2022-0048 Wild Ridge Phase 1 Construction Plans	7-Aug