

**CITY OF DRIPPING SPRINGS**

**ORDINANCE No. 2023-\_\_\_\_\_**

AN ORDINANCE AMENDING APPENDIX A: ARTICLE A1.000 (GENERAL PROVISIONS) OF THE DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING THE DRIPPING SPRINGS FEE SCHEDULE SECTION 4: SUBDIVISION; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER, SEVERABILITY; PUBLICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

**WHEREAS,** the City Council of the City of Dripping Springs (“City Council”) seeks to provide for reasonable fees, including for review of construction plans; and

**WHEREAS,** the City Council finds that the attached schedule of fees is reasonable and prudent considering the municipal resources expended in the review and approval of the construction plans; and

**WHEREAS,** House Bill 3492 of the 2023 Legislative Regular Session requires that the City charge construction plan fees based on actual costs of third party reviews and estimated time of city staff review; and

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

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

**NOW, THEREFORE, BE IT ORDAINED by the Dripping Springs City Council:**

**1. FINDINGS OF FACT**

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

**2. ENACTMENT**

Appendix A, Article A1.000 of the City of Dripping Springs Code of Ordinances, Section 4 is amended to read in accordance with Attachment “A”, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated within Attachment “A”.

**3. REPEALER**

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

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

**5. CODIFICATION**

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

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon passage and publication.

**7. PROPER NOTICE & MEETING**

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

**PASSED & APPROVED this, the — day of \_\_\_\_\_ 2023, by a vote of \_\_\_ (ayes) to \_\_\_(nays) to \_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS:**

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary

ATTACHMENT "A"

CITY OF DRIPPING SPRINGS

MASTER FEE SCHEDULE

ARTICLE A1.000 (GENERAL PROVISIONS)

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SECTION 4. SUBDIVISION

**4.14 Construction Plan Approval:** Subdivision Construction Plans shall be charged as stated herein:

4.14.1 Construction Plans not including City Water or Wastewater infrastructure: \$700/acre of the subdivision section.

4.14.2 Construction Plans that include either City Water or Wastewater infrastructure, but not both: \$1,400/acre of the subdivision section.

4.14.3 Construction Plans that include both City Water and Wastewater Infrastructure: \$2,100/acre of the subdivision section.

~~considered a Site Development Plan and fees for such shall be paid in accordance with Section 3-~~

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**4.18 Apartment/Condominium Project Construction Plan Review Fees**

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

4.18.2 Concept Plan Review Fee: \$300.00

~~4.18.3 Small Projects (less than \$50,000.00): \$750.00, with \$50.00 for consultation fees within a meeting~~ 4.18.4 ~~Medium Projects (\$50,000.00 – \$100,000.00): \$1,000.00 and 1.5% of the estimated total construction cost of the improvements required by the Subdivision Ordinance.~~ Construction Plans not including City Water or Wastewater infrastructure: \$700/acre of the subdivision section.

~~4.18.4 Large Projects (\$100,001.00 – \$500,000.00): \$1,500.00 and 1.5% of the estimated total construction cost of the improvements required by the Subdivision Ordinance.~~ Construction Plans that include either City Water or Wastewater infrastructure, but not both: \$1,400/acre of the subdivision section.

~~4.18.5 Mega Projects (greater than \$500,001.00): \$2,000.00 and 1.5% of the estimated total construction cost of the improvements required by the Subdivision Ordinance.~~ Construction Plans that include both City Water and Wastewater Infrastructure: \$2,100/acre of the subdivision section.

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

**7.9**

**a. Residential Swimming Pool Permit Fee: \$450**

**b. Planning Review Pool Permit Fee (for pools not requiring building review within certain Development Agreement Areas): \$75**