

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AMENDING THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.01 GENERAL PROVISIONS, SECTION 3.01.018 DRIVEWAYS PASSING THROUGH DRAINAGE CHANNEL, TO REQUIRE A SURVEY AND DRAINAGE ANALYSIS BY A REGISTERED PROFESSIONAL ENGINEER; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City adopted Section 3.01.018 Driveways Passing Through Drainage Channel of the Code of Ordinances on August 18, 2005, and

WHEREAS, the City adopted the Unified Development Code (UDC) on May 2, 2019, which included updated drainage requirements in Section 9.7 Drainage and Erosion Control Standards and the San Antonio Stormwater Design Criteria Manual for the design and construction of stormwater and drainage facilities, and

WHEREAS, amendments to Section 3.01.018 are necessary to align with the UDC and current driveway permit application processes which require a pre- and post-construction topographic survey, drainage analysis and construction plans provided by a registered professional engineer when driveway culverts are proposed, and

WHEREAS, the City Council finds it in the best interest of the City to amend Section 3.01.018 to ensure driveway culverts are properly designed and constructed and do not create an obstruction to street side drainage during storm events.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

- Section 1.** The City of Fair Oaks Ranch Code of Ordinances, Chapter 3 Building Regulations, Article 3.01 General Provisions, Section 3.01.018 Driveways Passing Through Drainage Channel, is hereby amended as set forth in the attached **Exhibit A**.
- Section 2.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.
- Section 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.
- Section 4.** That it is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 5. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

Section 6. If any provision of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this ordinance would have been enacted without such invalid provision.

Section 7. All ordinances, or parts thereof, which 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 ordained herein.

Section 8. This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. This ordinance shall take effect immediately from and after its second reading, passage and any publication requirements as may be required by governing law.

PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 16th day of October 2025.

PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 6th day of November 2025.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney

EXHIBIT A

Chapter 3 “Building Regulations;” Article 3.01 “General Provisions”; Section 3.01.018 “Driveways Passing Through Drainage Channel” is hereby amended as follows:

[Deletions shown as strikethrough and additions shown as underscore]

Sec. 3.01.018 – Driveways Passing Through Drainage Channel

On any street without a concrete curb, the driveway through the City right-of-way shall require a driveway permit and be constructed so as not to obstruct or divert the street side drainage in any way. A pre- and post-topographic survey and associated construction plans that demonstrate positive drainage shall be required. Depending on the depth of the drainage channel, if any, the surface of the driveway may be on grade with the bottom of the channel, or a culvert may be placed to permit drainage under the driveway. Culvert sizes shall be designed by a Professional Engineer at the permittee's expense ~~specified by~~ and the City's Public Works Department or its representative shall approve the culvert design and supporting plan sets. It shall have sufficient cover to carry normal household traffic without failure or damage to the drain pipe. This provision applies to all driveways constructed or modified after its adoption