VILLAGE OF VOLENTE

SITE DEVELOPMENT ORDINANCE AMENDMENT

ORDINANCE NO. 2008-O-90

AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS, AMENDING THE SITE DEVELOPMENT ORDINANCE TO INCORPORATE BY REFERENCE SPECIFIC TECHNICAL CONSTRUCTION STANDARDS AND REQUIREMENTS PROMULGATED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, AND PROVIDING FOR THE FOLLOWING: LEGISLATIVE FINDINGS; EFFECTIVE DATE; AND PUBLIC NOTICE AND MEETING REQUIREMENTS.

WHEREAS, the City Council of the Village of Volente seeks to provide for the orderly and optimum development of land and use of property within its corporate limits and extraterritorial jurisdiction; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety and general welfare to require builders and developers to comply with the most current and applicable development standards available; and

WHEREAS, the City Council is authorized to regulate site developments with its boundaries and extraterritorial jurisdiction pursuant to the authority granted to it under the Constitution and laws of the State of Texas, including Chapter 212, Texas Local Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS, THAT CHAPTER 33 OF THE VILLAGE OF VOLENTE'S CODE OF ORDINANCES, GOVERNING SITE DEVELOPMENT STANDARDS AND REQUIREMENTS, IS HEREBY AMENDED AS FOLLOWS:

Section 1. Legislative Findings

The recitals above made in the Preamble are hereby deemed to be the Factual and Legislative Findings of the City Council, and are hereby incorporated within this Ordinance.

Section 2. Amendment

Section 33.358 of the Village of Volente's Site Development Ordinance is hereby amended to read as follows (amended language in bold):

Sec. 33.360 Public Improvements Construction Standards

The construction of all public improvements, whether publicly owned or privately owned, shall comply with the technical construction requirements of the latest editions of the following standards, regardless of whether or not the public improvements fall under the jurisdiction of the referenced entity which has promulgated the standard:

A. American Concrete Institute "Manual of Concrete Practice";

B. American Institute of Steel Construction "Manual of Steel Construction";

C. American Society for Testing and Materials "Annual Book of ASTM Standards", all volumes;

D. City of Austin, Texas:

1. Building Criteria Manual;
2. Drainage Criteria Manual;
3. Environmental Criteria Manual;
4. Fire Protection Criteria Manual;
5. Standard Specifications;
6. Standards;
7. Transportation Criteria Manual;
8. Utilities Criteria Manual;

E. Federal Highway Administration "Manual on Uniform Traffic Control Devices";

F. Lower Colorado River Authority

1. "Non-Point Source Pollution Control Technical Manual";
2. "On-Site Sewage Facilities" rules;

G. Texas Department of Transportation ~~**"Standard Specifications for Construction of Highways, Streets and Bridges";**~~

1. **"Standard Specifications for Construction of Highways, Streets and Bridges";**
2. **Standard Details;**
3. **"Texas Manual on Uniform Traffic Control Devices"**

H. Village ordinances and construction codes;

I All applicable state and federal regulations, including, but not limited to:

1. Clean water regulations
2. Clean air regulations;
3. Endangered species regulations;
4. Safe drinking water regulations;
5. Accessibility regulations;

(6) Safe working site regulations.

In so much that any provision(s) of the regulations referenced in this section conflict, the most stringent regulation shall govern.

Section 3. Public Notice and Hearing

It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

Section 4. Effective Date

This Ordinance shall take effect immediately upon its passage or after any required posting and publication.

PASSED AND APPROVED on this the 18th day of March 2008 by a vote of 4 ayes, 0 nays, and 0 abstentions of the Volente City Council.

VILLAGE OF VOLENTE

Jan Yenawine, Mayor

ATTEST:

Jennifer Zufelt, City Secretary