

**ORDINANCE NO. 2005-O-46**

**AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-36 TO ADD SEC. 33.318 PROVIDING PROCEDURES FOR THE ISSUANCE OF SITE DEVELOPMENT PERMITS FOR SINGLE FAMILY RESIDENTIAL PROJECTS; PROVIDING SEVERABILITY, OPEN MEETINGS, AND EFFECTIVE DATE CLAUSES.**

WHEREAS the Village of Volente finds that Article 33 Site Development Regulations does not include a process for issuance of site development permits for single family residential projects; and,

WHEREAS the Village of Volente finds that Article 33 should include a process for issuance of single family residential project site development permits;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE:

**1. The Village of Volente Ordinance No. 2004-O-36, Article 33.300 Site Development Regulations, passed and approved on October 26, 2004, is amended to add Section 33.318 which reads as follows:**

**Section 33.318 Application for a Single Family Residential Project Site Development Permit.**

- A. Purpose: The purpose of the Single Family Residential Project Site Development Permit is to ensure that the site development construction will result in safe and efficient vehicular and pedestrian circulation, parking and loading, drainage and storm water management, and compliance with the Village's Site Development Regulations including non-point source pollution control and FEMA flood plain regulations.
- B. Applicability: A site development permit is required from the Village prior to beginning any demolition or construction work on the site. This Section applies only to Single Family Residential Projects, defined as the construction of one single family residential structure and all associated improvements on one legally platted lot.
- C. Payment of all indebtedness Attributable to Subject Property: No person who owes delinquent taxes, fees, delinquent paving assessments, impact fees, or any other delinquent debts or obligations to the Village entity and which are directly attributable to a piece of property shall be allowed to submit an application for site development permit until the taxes, fees, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner shall have been first fully paid, or until an arrangement in form satisfactory to the Village has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence or proof that all taxes, debts and obligations owing to the Village have been paid.

D Application Process for Site Development Permit Approval:

1. Application shall be submitted concurrent with Building Permit Application.
2. The Village will approve or disapprove the permit application based upon the permit application's compliance with the Village Code of Ordinances. The Village will issue the site development permit upon approval of the permit application.
3. If the Village disapproves the permit application, the applicant may file a "Notice of Appeal" with the Village for Council consideration in accordance with the Village code of ordinances.

E. Completeness of the Application for Site Development Permit Approval: Site development permit applications which do not include all required information and materials will be considered incomplete, and will not be accepted for official submission by the Village until the proper information is provided the Village. For an application to be considered complete, the following information shall be included in the application:

1. Three (3) copies of the application, attachments and drawings as specified below;
2. Identification of Project, Developer, Engineer, Planner, and Landowner;
3. Verification that all taxes and assessments on subject property have been paid;
4. Site development permit drawings;
5. Site development permit engineering report;
6. Landscaping and irrigation plans;
7. Tax plat;
8. Requested variances and their justifications;
9. Fee payment;

F. Form and Content Requirements for Single Family Residential Project Site Development Permit Application:

1. Applicant shall submit the required number of sets of the complete engineering and construction plans for driveway approach, storm water management systems, water and sanitary sewer facilities, screening and retaining walls, landscaping and irrigation, and any other improvements and site development construction. The engineering plans shall also contain any plans necessary to show or document

compliance with the Villages non point source pollution control ordinance, on-site sewage facility rules, and any other applicable codes and ordinances of the Village that are related to development of a land parcel.

2. For the purposes of this article, complete sets of engineering and site development permit plans shall include the following information as well as any additional plans or sheets deemed necessary and requested by the Village:
  - a. Project Data Cover Sheet of Plans: Project street address; legal description (or reference by volume, page, square footage (or acres)); water source, wastewater disposal methodology; name and telephone number for owner or owner's agent; engineer, architect names and phone numbers, standard notes as required by the Village; approval blocks for the Village and other applicable governmental entities;
  - b. Inspection Authorization: Authorization for Village to visit and inspect the property for which the application is being submitted;
  - c. Base Information on each Sheet: Project address; north arrow; engineering scale (shall be 1"=10', 1"=20', 1"=30', or 1"=40'); seal and signature of the Engineer, Architect or Surveyor who prepared plans, and the date the plans were signed; blank space (approval space) in the lower right hand corner, at least 5"x3";
  - d. Site Plan: Show dimensions and locations of existing and proposed buildings, patios, driveways, pools and other site improvements; finished floor elevations; limits of construction; locations of walls, fences, sidewalks, and all other land improvements; all drives; location of the 100-year flood plains, drainage features; on site sewage facility drain field if not on central wastewater collection systems; locations of all existing and proposed fire hydrants. Show in a table format tabulation of the total area of the site, total floor area, total impervious cover, percentage of site covered by impervious cover.
  - e. Drainage Study: Include all calculations, measurements and studies necessary to show that the proposed storm water management program, when implemented and or constructed as designed, shall not cause increased inundation of adjacent property or roadway surface from runoff peak flow rates calculated for the two (2), ten (10), twenty-five (25) and one-hundred (100) year frequency storms. (See also 33.342 (b) (7)).
  - f. Drainage and Grading Plan: The drainage and grading plan shall include delineation of the 100-year FEMA floodplain, or if applicable, a note that no 100 year floodplains exists on the site; existing storm sewer systems on site or adjacent streets; delineation of the centerlines of waterways, and the

average water surface elevation of lakes, ponds and springs, existing site conditions with contours at one foot (1') intervals; developed conditions including drainage areas and proposed grading with one foot (1') contours; curbs, retaining walls, and other structures, indicating elevations at critical points; outflow points and control elevations; construction details for control devices, curbs, walls, channels, swales, etc.; direction of storm water flow from site, storm water drainage plans (swales, channels, ponds, pipes, culverts, etc.) including percent grade; clearly identify construction details to include sizing of pipes, inlets, weirs, outlets, control structures, etc. Include details, design information, calculations and general notes to clearly identify best management practices are utilized.

- h. Dam Safety Plan: As required for compliance with Texas Administrative Code, Title 30, Chapter 299.
- i. Erosion and Sedimentation Control and Tree Protection Plan: Show the location and type of all proposed temporary erosion control methods; show tree protection plan for all trees six inches (6") in caliper size and larger within the construction area or that are to be removed. Note restoration plans for all disturbed areas. (See also 33.340).
- j. Water Quality Control Plan: Information required to indicate compliance with the Village's non-point source pollution control ordinance.
- k. Landscape Plan: Required for all projects excluding single family residential of one (1) acre or less. (See also 33.336).
- l. Slope and Topographic Map: Indicate on 1' interval topographic plan all areas within the limits of construction of slope greater than 15% or where fill in excess of four feet will be utilized. Include Engineer's report on foundation design, retaining wall design, and geo-technical analysis and requirements for assuring fill appropriateness and stability. (See also 33.338)
- m. Construction Notes: As requested.
- n. Special Notes: As requested.

**2. SEVERABILITY:** In the event that any provision of this Ordinance shall be found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed, and all remaining provisions shall remain in full force and effect as though such void or unenforceable provisions had never formed a part of this Ordinance.

**3. EFFECTIVE DATE:** This Ordinance shall take effect immediately from and after its passage and publication of its enacting ordinance in accordance with the provisions of *Chapter 52 of the Texas Local Government Code*.

**4. OPEN MEETINGS:** It is hereby officially found and determined that the meeting at which the enacting ordinance of this article 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, *Chapter 551 of the Texas Government Code*.

PASSED AND APPROVED on the 15<sup>th</sup> day of August, 2005.

  
JAN YENAWINE, MAYOR OF THE  
VILLAGE OF VOLENTE

ATTEST:

  
JENNIFER ZUFELT, CITY SECRETARY